



Scenic Pacifica
Incorporated Nov. 22, 1957

PLANNING COMMISSION Staff Report

DATE: April 6, 2015

ITEM NO: 2

PROJECT SUMMARY/RECOMMENDATION AND FINDINGS

Notice of public hearing was published in the Pacifica Tribune on March 26, 2015 and 47 surrounding property owners were notified by mail

FILE: SP-151-15

AGENT: Javier M. Chavarria
848 Burns Ct.
Pacifica, CA 94044

**APPLICANT/
PROPERTY OWNERS:** Sonora Shores III, LLC
410 Santa Cruz Ave.
Los Gatos, CA 95030

LOCATION: Fassler Avenue and Roberts Road (APN 022-150-460)
**PROJECT
DESCRIPTION:** Construct a 4,238 square foot single-family residence on Lot 2,
part of the Harmony @ 1 Development

Zoning

Current - Planned Development/Hillside Preservation District
Proposed – No Change

General plan

Current - Open Space Residential
Proposed – No Change

CEQA STATUS: A Final Environmental Impact Report was previously certified.

ADDITIONAL REQUIRED APPROVALS: Growth Allocation Permit required prior to Building Permit Approval. Appealable to the City Council

RECOMMENDED ACTION: Adopt the resolution approving Specific Plan for Lot 2, part of the Harmony @ 1 development, as conditioned

PREPARED BY: Lee Diaz, Associate Planner and Tina Wehrmeister, Planning Director

ZONING STANDARDS CONFORMANCE:

<u>Standards</u>	<u>Required</u>	<u>Approved</u>	<u>Proposed</u>
Lot Area	5,000 s.f. (min)	54,845 s.f.	No Change
Lot Width	50' (min)	185'	No Change
Bldg. Height	29' (max.)	N/A	28.5' (max)
Lot Coverage HPD	25.66% (max)	N/A	25.2% (13,875 s.f.)
Landscaping	20% (min)	N/A	1,980 s.f
Bldg. Setbacks:			
-Front (north):	15'	N/A	22'
-side (east)	5'	N/A	56'-4"
-Side (west)	5'	N/A	43'-49"
-rear (south)	20'	N/A	177'-9"
Parking:			
	2 covered	N/A	3 covered
	2 uncovered	N/A	2 uncovered

PROJECT SUMMARY

- 1. Background:** On October 15, 2007 the Planning Commission approved the Harmony @ 1 project including a Tentative Subdivision Map, Development Plan, Use Permit, and Site Development Permit subject to the City Council approving the required rezoning for the project. The Council approved the rezoning on November 13, 2007. An Environmental Impact Report was also certified for the project. The project approval letter is included as Attachment A and contains the conditions of approval.

The November 13, 2007 City Council staff report is included as Attachment B and includes a copy of the Planning Commission staff report and meeting minutes. This report contains a thorough description of the Harmony @ 1 overall project which has been issued a Grading and Improvement Plan permits for site work and installation of infrastructure.

The Pacifica Municipal Code requires Specific Plans to be processed in the Planned Development District prior to the issuance of a Building Permit and for the Specific Plans to be submitted concurrently with the Development Plan application (PMC 9-4.2208). However, a deferred submittal may be required if the Planning Commission deems appropriate, as was the case with Harmony @ 1.

The Harmony @ 1 conditions are very detailed (see Attachment A) and provide specific requirements for development of the lots and construction of homes. This Specific Plan report verifies compliance with those conditions.

2. **Project Description:** The applicant seeks approval of a Specific Plan to construct a 4,238 square foot two-story single family residence, exclusive of a 560 square foot three car garage on Lot 2, which is part of the Harmony @ 1 subdivision. The 2,395 square foot ground floor is on a split level with the garage on the upper tier and the main living area on the lower tier. The plan will feature a family room, living room, kitchen, pantry, storage area, dining room, one and a half bathrooms, home theater/game room, guest bedroom, stairways, and a three car garage. The second 1,842 square foot floor plan will accommodate three bedrooms, three bathrooms, loft area, sitting area, and outdoor deck/balcony area totaling approximately 1,761 square feet. The maximum height of the proposed residence is approximately 28.5 feet. Landscaping consisting of native plant guild colonies and interlocking permeable pavers are proposed around the perimeter of the house. Native mow free sod is also proposed for a lawn area at the rear of the property of approximately 700 square feet. Flow thru planters are being utilized to capture the drainage from the roof top. Two unenclosed parking spaces are also proposed within the front area of the house. The conceptual house plans have been provided to the Planning Commission.

Access to the property would be from Roberts Road and Fassler Avenue to a roadway that is currently under construction.

Exterior materials for the single-family residence include stucco, glass and stainless steel, Brazilian eco-friendly wood, and large aluminum clad windows. Solar panels and a flat roof using solar reflect index materials is also featured. The home would be built using a variety of green elements such as water conserving plumbing fixtures, water saving appliances, tankless water heaters, energy efficient fixtures and lamps, energy star appliances, and high efficiency natural ventilation, natural cooling by using overhangs to shade the home etc., as required by the previous project approvals.

3. **General Plan, Zoning, and Surrounding Land Use:** The project site is designated Open Space Residential and is zoned Planned Development. It is also within the Hillside Preservation overlay district. The Planned Development zoning district allows the construction of a single-family residence on the subject lot with approval of a Specific Plan. The proposed development of the subject parcel with a single family residence is also consistent with the residential land use designation in the General Plan.

Surrounding Land Uses: Land uses in the area are comprised primarily of residential vacant lots that are also part of the Harmony @ 1 project and open space. Multi-family residential development exists to the west. The nearest commercial uses are Linda Mar Shopping Center to the south, the Sea Bowl bowling alley at the intersection of Highway 1 and Fassler Avenue, and the West Rockaway Beach commercial area west of Highway 1 at Fassler Avenue.

4. **Municipal Code and Regulatory Standards:** Zoning regulations state that the development standards for construction in a P-D district shall conform to the standards set forth for the zoning district most similar in nature to the proposed development. In this situation, the proposed project is most similar in nature to development permitted in an R-1 (single-family residential) zoning district. The project meets all the applicable standards for single-family development including site coverage, building setbacks, parking, and landscaping.
5. **Environmental Review:** On October 15, 2007 the Planning Commission certified an Environmental Impact Report (EIR) for the Harmony @1 project which also included the single-family residence with on Lot 2. The City Council also certified the EIR on November 13, 2007.
6. **Specific Plan:** Section 9-4.2208 of the Municipal Code states that all new development within a P-D (Planned Development) Zoning District shall require a Specific Plan approval by the Commission. Section 9-4.2209 states that the Commission shall approve a Specific Plan only upon making the following findings:
 - a) That the Specific Plan is consistent with the approved development plan; and
 - b) That the Specific Plan is consistent with the City's adopted Design Guidelines.

The development of Lot 2 with a single-family residence would be consistent with the approved residential development plan for the Harmony @ 1 project.

City's Design Guidelines and Project Specific Design Guidelines- The City of Pacifica adopted Design Guidelines provide a framework for the review and evaluation of new construction. Design Guidelines generally address site planning, building design, landscaping, and water conservation.

A mitigation measure approved for the Harmony @ 1 residential development requires that all the homes be designed and constructed using Coastal Green Architecture. "Coastal Green Architecture" is a term used to describe Field Architecture's interpretation of an architectural language appropriate to this stretch of Northern Californian coast. Building form is derived primarily from the desire to minimize visual impact and the relationship of man-made structures with the surrounding ecology. Site integration, building geometry, orientation, material palette and sustainable design are the main elements which together impart a sense of a community of houses which belong to this portion of coastal hills.

The houses would be nestled into the sloping hillside, using their rear walls for earth retention, and carve out a suitable living space which bends to conform to the natural contours of the ground. The lower portions of the houses use earth berms and natural concrete, which support the upper level of the houses. The low-profile rooflines are broken into discrete planes which slope up in the center of the house, and

fall towards the edges of the house. The design continues the slope of the hill, resulting architecture reads as 'indigenous' and echoes the outcroppings of the surrounding hills and ravines.

The design principles include the following:

1. Minimize visual impact by maintaining the natural grade; prohibit padding or terracing.
2. Architectural design of house should have a low profile and appear as a natural extension of the landscape
3. Maximize energy-efficiency by integrating passive and active solar design and ecological material choices
4. Utilize colors and materials blend into the natural environment

Building materials would include concrete, steel, and windows that can handle high winds associated with the coastal environment. The colors for the homes and materials are required to blend into the natural environment. The CC&Rs would dictate the color pallet from which the homes can be painted as well as encourage each homeowner to utilize concrete as a core building material to allow the homes to be aligned with the contours of the hill.

The project, as proposed, is consistent with the City Design Guidelines and the project's Specific Design Guidelines. The single-family residence would utilize Coastal Green Architectural principles of low profile architecture and berming to reduce building mass visibility.

In accordance with the Design Guidelines and project's Specific Design Guidelines, the proposed single-family residence would be designed with a coastal green architectural style which is intended to blend into the project site topography. The home would have a low profile that blends with the natural landscape, and is designed to align with the contours of the hill. Additionally, the building pad was lowered to minimize the visual impacts of the home, especially from the south. A berm that is approximately 3 feet in height is also being incorporated on the downhill side of the house (south side) to screen the mass of the residential structure. Building materials and colors would be required to blend with the natural environment. Native plant landscaping would be used to preserve the natural landscape appearance of the hillside. The applicant has committed to incorporating green design principles into the project which will be required as a condition of approval. In addition, a condition of approval will require that the proposed single-family residence be designed and constructed to attain all the points necessary to achieve a LEEDs Gold certification at a minimum and a Platinum certification wherever possible.

Exterior materials for the single-family residence include stucco, glass and stainless steel, Brazilian eco-friendly wood, and aluminum clad windows. Solar panels and a flat roof using solar reflect index materials is also featured. The home would be built using a variety of green elements such as water conserving plumbing fixtures, water saving appliances, tankless water heaters, energy efficient fixtures and lamps, energy star appliances, high efficiency natural ventilation, natural cooling by using overhangs and shade etc. Additionally, the proposed home would incorporate large windows that will help reduce energy cost by allowing natural light to enter the house throughout the day.

As part of the Harmony @ 1 development, a condition of approval restricts the size (square footage) of the home to a maximum floor area of 4,300 square feet. Another condition of approval limits the maximum height of 29 feet for each residential unit. The home would contain 4,238 square feet of living area with maximum height of 28.5 feet. The CC&R's and Design Guidelines provided by the applicant will control the design, styles, size, materials, fencing, colors, and design of private outdoor space and use of native and non-native drought tolerant landscaping. An architectural committee created by the Homeowners Association has reviewed the plans to ensure they follow the design guidelines adopted as conditions of approval and issued a letter recommending approval of the proposed single-family residence.

The Design Guidelines also specify landscaping as an important aspect of site design. A preliminary landscape plan was submitted by the applicant noting the approximate location of the planting areas. Landscaping will consist of California native plant guild colonies that include Baccharis and other native plants that provide food and animal habitats. Interlocking permeable pavers are proposed for the driveway, terrace and walk ways. Native mow free sod is also proposed for a lawn area of approximately 700 square feet at the rear of the property. Flow thru planters are being utilized to capture the drainage from the roof top.

7. **Compliance with Conditions of Approval:** Staff has prepared the table under Attachment C which lists each condition and how the proposed Lot 2 home complies. Conditions not applicable to this lot or applicable to the overall site and addressed with the Grading and Improvement Plans have been omitted but the numbering has not been modified in order to remain consistent with the project approval letter under Attachment A.
8. **Summary:** The proposed single-family residence on Lot 2 would be designed with a coastal green architectural style which is intended to blend into the project site topography. The home would have a low profile that blends with the natural landscape, and is designed to align with the contours of the hill. The building pad was lowered to minimize the visual impacts of the home, especially from the south. A berm that is approximately 3 feet in height is also being incorporated on the downhill side of the house (south side) to screen the mass of the residential structure. Building materials and colors would be required to blend with the natural environment. Native plant landscaping would be used to preserve the natural landscape appearance of the hillside. .

Exterior materials for the single-family residence include stucco, glass and stainless steel, Brazilian eco-friendly wood, and large aluminum clad windows. Solar panels and a flat roof using solar reflect index materials is also featured. The home would be built using a variety of green elements as well as the incorporation of large window that will help reduce energy cost by allowing natural light to enter the house throughout the day.

COMMISSION ACTION

MOTION FOR APPROVAL

Move that the Planning Commission **APPROVE** Specific Plan, SP-151-15 by ADOPTING the attached resolution for the proposed construction of a single-family residence on Lot 2 which is part of the Harmony @ 1 development; and incorporate all maps and testimony into the record by reference.

Attachments:

- a. Harmony @ 1 approval letter and conditions
- b. November 13, 2007 City Council staff report, includes October 15, 2007 Planning Commission staff report and minutes
- c. Project Conditions Table
- d. Green Rated Checklist: Single Family
- e. Project Description for Harmony @ 1, Lot 2 from Applicant
- f. P.C. Resolution (Specific Plan)
- g. Conceptual Plans



Scenic Pacifica

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

CITY HALL • 170 Santa Maria Avenue • Pacifica, CA 94044 • (650) 738-7341 • Fax (650) 359-5807

Conditions of Project Approval

November 27, 2007

Cowan-Newton, LLC
338 Horizon Way, Suite 200
Pacifica, CA 94044

Re: SUB-213-07, PSD-763-07, UP-978-07, RZ-188-07 and DP-70-07 – Subdivision of 65 acres of vacant land into 14 residential lots, with 27.3 acres proposed as common open space and development of an adjoining two-acre vacant lot with one-single family home with a second residential unit south of Fassler Avenue and east of Roberts Road, Pacifica, CA (APN: 022-150-420, 022-150-310, and 022-150-030)

Dear Stuart and Tait:

The Planning Commission of the City of Pacifica, at their regular meeting of October 15, 2007 APPROVED a Tentative Subdivision Map, Development Plan, Use Permit, and Site Development Permit subject to approval by the City Council of the Rezoning, and the City Council, at their regular meeting of November 13, 2007, APPROVED the Rezoning and Development Plan for the above referenced project.

These permits are approved subject to the following conditions:

Planning Department:

1. Development shall be substantially in accord with the Plans titled "PRELIMINARY GRADING AND DRAINAGE PLAN 13 RESIDENTIAL LOT SUBDIVISION, PACIFICA, CALIFORNIA," consisting of ten (10) sheets, dated 08/02/07 and with the plans titled "DUNSTAN/HUSSON Sunset breezehouse 4096 FASSLER AVENUE, PACIFIC CALIFORNIA A.P.N. 022-150-030, consisting of nine (9) sheets, dated 09-24-07.
2. The maximum floor area of all the residential units shall be 4,300 square feet. Floor area shall mean the gross measurement of all enclosed floor area from outside wall to outside wall with the following exceptions: (a) Garages; (b) areas where there is no floor (i.e. "open-to-be-low" areas); (c) Outdoor decks and patios, whether covered or uncovered. In addition, all accessory buildings or

structures, whether attached to the main structure or not, should be included in the 4,300 square foot size limitation including but not limited to gazebos, clubhouses, pool houses, spa structures, conservatories, greenhouses, guest structures, play houses, studios and offices. All accessory buildings should be attached to the house where possible, and/or designed with the same visual impact mitigation measures applied to the main structures. The only exception could be a small tool or storage shed attached to the house behind the bermed side of the home so as to be invisible from all views.

3. As proposed by the applicant, the CC&Rs shall include a provision that no second residential units shall be allowed on Lots 1-11.
4. Only living and natural fencing shall be allowed near the homes as a pet, child or personal yard enclosure, not to exceed 2,000 square feet, and no fencing or tree lining of the overall property line shall be permitted.
5. No lots shall be allowed to be further subdivided.
6. The maximum height for the single-family residential project is 29 feet, measured at the finished grade, between the lowest point on the site covered by any portion of a building to the topmost point of the roof.
7. All retaining walls, grading and paving shall blend into the hillside by using natural colors, texture and materials, to the satisfaction of the Planning Director.
8. The applicant shall plant 100 trees to screen the access road from northern views with a variety of trees to promote species habitat.
9. The applicant shall be required to construct two (2) Below Market Rate Units consistent with the City's Inclusionary Housing Ordinance provisions regarding alternatives.
10. The first Below Market Rate Unit shall be constructed prior to occupancy of the eighth market rate residence and the second Below Market Rate Unit shall be construction prior to occupancy of the tenth market rate residence
11. The developer shall execute an inclusionary Zoning Compliance Agreement prior to recordation of the Final Map.
12. The applicant shall submit a final landscape plan for the single-family residence with a second unit on the 2-acre homesite parcel prior to the issuance of a building permit. All landscaping shall be maintained and shall be designed with efficient irrigation practices to reduce runoff, promote surface filtration, and minimize the use of fertilizers, herbicides and pesticides. The landscape plan shall show each type, size and location of plant materials. The landscaping shall

be installed prior to occupancy. Landscaping materials included on the plan shall be appropriate to site specific characteristics such as soil type, topography, climate, amount of timing of sunlight, prevailing winds, rainfall, air movement, patterns of land use, ecological consistency and plant interactions to ensure successful establishment. Landscaping shall incorporate [native plants]. All landscaping on the site shall be adequately maintained and replaced when necessary as determined by the Planning Director.

13. As a condition of the Tentative Map, the subdivider shall defend, indemnify, and hold harmless the City of Pacifica and its agents, officers, and employees from any claim, action, or proceeding against the City of Pacifica and its agents, officers, or employees to attack, set aside, void, or annul approval of subdivision, SUB-213-07. Pursuant to this condition, the City of Pacifica shall promptly notify the subdivider of any claim, action, or proceeding regarding the subdivision, and the City of Pacifica shall cooperate fully in the defense of such claim, action, or proceeding.
14. Adequate, accessible, and convenient Recycling Areas shall be provided within the development. The dimensions of Recycling Areas shall be adequate to accommodate receptacles sufficient to meet the recycling needs of the Development Project. An adequate number of bins or containers shall be provided in Recycling Areas to allow for the collection and loading of recyclable materials generated by the Development Project. Recycling Areas shall be designed to be architecturally compatible with nearby structures and with the existing topography and vegetation. Recycling areas shall provide unobstructed access for collection vehicles and personnel. A sign clearly identifying all recycling and solid waste collection and loading areas and the materials accepted therein shall be posted adjacent to all points of direct access to Recycling Areas. Areas adjacent to Recycling Areas shall be adequately protected from any adverse impacts associated with Recycling Areas by means of measures such as adequate separation, fencing and landscaping. Recycling Areas shall be located so they are at least as convenient for those persons who deposit, collect, and load the recyclable materials placed therein as the locations where solid waste is collected and loaded. Whenever feasible, areas for collecting and loading recyclable materials shall be located adjacent to the solid waste collection areas.
15. Plant-guild colonies shall be planted, where not directly under a structure, and shall be fenced off during construction for protection of flora and fauna, and shall be reviewed by a qualified botanist for the purpose of long term conservation.
16. All construction equipment and materials shall be kept on each individual building site and only on the street for short periods of time and never shall be kept in the designated open space areas.

17. Leaf blowers that create noise pollution shall be prohibited.
18. All toxic pesticides and herbicides shall be prohibited.
- ✓19. The applicant shall provide a documented plan and management program for the protection of native species including guild-colonies, trees and significant habitat.
20. In conjunction with a certified botanist, a detailed preservation/implementation/maintenance plan for natural and landscaped areas that preserves/provides over-all landscaping that is contiguous with existing native flora for a fully integrated habitat-friendly site covering all periods of construction and the lifetime of the project shall be implemented.
21. All permanent landscaping shall be primarily native plants and non-native/drought tolerant plants and trees. Fruits and vegetable gardens in private yard spaces shall be excluded. All of the individual lots shall be kept in their natural state or planted to be botanically contiguous with existing plant guild colonies.
22. Prior to occupancy and as proposed by the applicant, the applicant shall incorporate the green building elements described in the project information materials to all the Planned Development units including, but not limited to the following:
 - Design and landscape to create comfortable micro-climates and reduce heat island effects based on the recommendations of our landscape designer.
 - Maximize onsite storm water management through landscaping and/or permeable pavement
 - Use water-conserving landscape technologies such as drip irrigation, moisture sensors, and watering zones
 - Use of drought tolerant native and non-native, plant materials and tree groupings to reduce visual impact of man-made structures.
 - No planting of invasive species (such as pampas grass, scotch broom, etc...) may be introduced to the hillside.
 - Preserve existing vegetation and protect soil during construction, to the extent possible
 - Whenever possible, use recycled rubble for backfill drain rock.
 - Use flyash in concrete based on the specific standards set forth by the City of Pacifica or the County of San Mateo
 - Use prefabricated forms or save and reuse wood form boards for construction of homes, whenever possible
 - Use sustainably harvested lumber (FSC certified) for wood framing
 - Use durable roofing materials as suggested by standards set forth by the City of Pacifica or the County of San Mateo

- Use sustainable siding materials as suggested by standards set forth by the City of Pacifica or the County of San Mateo
- Utilize low profile, flat roof structures that minimize visual impact
- Use roof structures that can support passive and active solar solutions
- Exterior colors are to utilize more “earth” tones rather than bright, light reflective hues. Specific colors will be detailed in the homeowner’s handbook to be created in conjunction with local artists
- Plan windows and skylights, light shelves, and window treatments to provide daylight that improves indoor environments
- Choose window sizes, frame materials, and glass coatings to optimize energy performance
- Stop air leakage at doors and windows
- Use water-conserving plumbing fixtures
- Use water-saving appliances and equipment
- Insulate hot and cold water pipes
- Use heat recovery equipment, tankless water heaters and/or on-demand hot water circulation pumps
- Pre-plumb for future gray water use for toilet flushing and landscape irrigation
- Design lighting levels for actual use, and use task lighting to reduce general lighting levels
- Use lighting that minimizes glare, reflection and light pollution
- Use energy-efficient lamps and lighting fixtures
- Use lighting controls that save energy such as occupancy sensors
- Use ENERGY STAR® appliances
- Utilize natural gas where possible since it is less polluting than burning fossil fuels in a power plant to generate electricity.
- Use passive solar design where feasible, thermal mass, and insulation to reduce space heating needs
- Use natural ventilation and passive cooling whenever possible
- Use wall, floor, and ceiling insulation that exceeds minimum State requirements
Use high-efficiency equipment including furnaces, boilers, fans, and pumps Place ductwork within conditioned living space, seal joints properly, and clean before occupancy
- Use recycled-content, formaldehyde-free fiberglass insulation, cellulose insulation, or other green insulation products
- Separate ventilation for indoor pollutant sources and provide advanced filtration to improve indoor air quality
- Use clean and efficient alternatives to wood-burning fireplaces
- Use solar hot-water systems for domestic use and swimming pools
- Use solar hot-water systems for space heating
- Pre-plumb for a solar hot-water system
- Use artistic wind columns to generate electricity for the light poles
- Use low light polluting street lights
- Use low- or no-VOC, formaldehyde-free paints, stains, and adhesives
- Use low- or no-VOC carpets, furniture, particleboard, and cabinetry

- Use natural materials such as wool and sisal for carpets and wall coverings
- Install plug-in electric car ports in garages.
- Dramatically reduce demand for energy and natural resources (water, petroleum, gas, coal, through renewable tie-in's, building designs that minimize footprint on sensitive habitat. – The goal is to create an energy footprint that is smaller than most 1,500 square foot homes.
- Every home will bermed to minimize visual impact
- Locate structures to minimize off-site views – Every home has been excavated lower to hide the home and many other specific strategies to minimize the visual impact.
- There shall be design review by the city including design criteria and standards for each dwelling.
- Limit the amount of turf to less than 2,000 square feet
- **Incorporate Natural Cooling** –Any combination of natural cooling techniques can be used to reduce overheating in homes. Use deep window overhangs and/or trellises primarily on south and west facing glass to provide a balance between summer cooling and winter heating through solar gain. Natural cooling reduces the need for air conditioning, saves money on energy bills, and utilizes “fresh air” to make homes more comfortable.
- **Design Plumbing for Solar Water Heating** – Insulated pipes are pre-installed to a hot water closet or mechanical room for solar water heating installation.
- **Solar Water System** – Solar water heating systems use solar panels to collect heat from the sun. The hot water is stored for use at a later time. Water pre-heated by a solar system can also supplement use of a standard water heater. Use these systems for domestic use and heating of swimming pools. Consider use of solar hot water systems for space heating.
- **Demand or Tankless Water Heaters** - The National Renewable Energy Laboratory (NREL) found that even in high-water-use homes (e.g., about 86 gallons per day), demand or tankless heaters are at least 8-14 percent more efficient than storage tanks. For low-water-use homes (e.g., about 41 gallons per day and less), demand heaters were 24-34 percent more efficient than storage tanks.
- **Integrate Photovoltaic (PV) Systems** –All homes are required to have some form of solar power. All PV systems are to be integrally designed into the roof structure. A minimum of 50% of power should come from renewable sources with a goal of 80%.
- **Grey water systems.** All homes are required to have a gray water system such as ReWater captures, filters and reuses shower, tub, bathroom sink, and laundry water, which is about 50% of all water used inside a residence. From an average 3.2-person home, this annual flow is 46,000 gallons of water. That water is then used in an underground drip irrigation system, which is up to 60% more efficient than sprinklers. An automated process keeps half the house's wastewater from being turned into sewage, which saves treatment costs.
- **Water harvesting systems.** All homes are required to have rain catchment systems connected to roof edge guttering and also to driveway runoff channels. The tanks are fiberglass, and are partially buried beside each house. A small pump connects the rainwater catchment system to the grey water tank so that this

Exterior Treatments, Siding and Roofing;

- Use a green or living roof
- Use sustainable decking materials

Wood and Framing;

- Use spacings, sizes, and modular dimensions that minimize lumber use and optimize performance
- Use engineered lumber or metal stud framing to replace solid-sawn lumber
- Use reclaimed or salvaged lumber

Windows and Doors;

- Provide shading on east, west and south windows with overhangs, awnings, or deciduous trees.

Plumbing;

- Use sustainable materials for pipes

Heating and Cooling;

- Use ceiling fans and use a whole-building fan for night-time cooling

Renewable Power and Solar Energy

- Generate clean electricity onsite using wind turbines

Interior Materials;

- Use exposed concrete as a finished floor
- Use sustainable materials for flooring, trim, and interior surfaces
- Use recycled-content floor tile, carpets and pads, cabinets, and countertops
- Use reclaimed / salvaged, sustainable harvested (FSC certified), or engineered wood for flooring and trim, or use wood alternatives such as bamboo and cork

Other Green Alternatives;

- Use insulated concrete forms
- Use structural insulated panels to replace wood-framed walls
- Use natural building materials and techniques
- Use other sustainable methods or materials used
- Use ceiling fans and use a whole-building fan for night-time cooling
- Provide shading on east, west and south windows with overhangs, awnings, or deciduous trees
- Installation of radiant heating systems

water is all used for irrigation. www.rainwater.org offers some useful data on these systems.

- **The developers will install small, silent wind power turbines** on 5-10 streetlight poles on the main spine road. This will ensure that streetlights are energy-neutral.
- **Use structural insulated panels to replace wood-framed walls.** These types of walls have up to a 55 R rating and are incredible energy efficient. We are standardizing on Thermasteel Systems. (www.thermasteelsystems.com)
- **Use natural building materials and techniques** – Homeowners are encouraged to use natural building materials and techniques that are environmentally-friendly, minimize waste and comes from sustainable sources.
- **Other sustainable methods or materials used.** We require active participation in the recycling program provided by the city of Pacifica.
- **Dishwasher** – The most water-efficient dishwashers currently on the market use about 4 gallons of hot water per load, which is half as much as the least efficient ones. Dishwashers using half the amount of water as a standard dishwasher also require only half as much energy to heat the water.
- **Refrigerator** – The refrigerator is the single biggest power consumer in most households. Energy Star labeled refrigerators incorporate a number of advanced features to save energy while keeping food fresh. They are readily available in side-by-side, freezer top or bottom models, and many even offer through door ice and water features.
- **Clothes Washer** – Horizontal axis washing machines (front-loaders) use 60% less energy due to much lower water consumption. Energy Star washers often spin-dry clothes better, resulting in energy conservation during the drying process as well.
- **Clothes Dryer** – The dryer is typically the second-biggest electricity-using appliance after the refrigerator. Compared to electric dryers, using a natural gas dryer can cut costs per load in half. Models with a moisture sensor may further reduce energy use by an additional 15%. Homeowners are encouraged to search for dryers that can run on solar power.
- **Cooking Stove** – Gas with electric ignition stove tops and ovens are twice as efficient as electric or gas with pilot light models. Ovens with a self-cleaning function are up to 20% more energy-efficient due to the increased insulation required to withstand the higher temperatures sustained during the cleaning cycle.

- 23. Prior to occupancy and to the maximum extent feasible as determined by the Planning Director, the applicant shall incorporate the green building elements described in the project information materials (suggested recommendations) to all the Planned Development units including, but not limited to the following:

Site and Landscape;

- Reduce building footprint — smaller is better
- Use recycled rubble for backfill drain rock

Waste Reduction and Management;

- Use recycled aggregate in non-structural concrete

- Living roofs are encouraged and must be properly maintained at all times.
24. A certified green building professional, at the developer's expense, shall review the green building elements proposed by the applicants for compliance with green building practices identified in condition 22 and 23 above.
 25. The green building elements proposed by the applicants in condition 22 and 23 above shall be incorporated into the CC&R's.
 26. The applicant shall incorporate the green building elements proposed by the applicant in condition 22 and 23 above to the affordable units on the 2-acre dedication parcel and on the 2-acre homesite parcel to the maximum extent feasible as determined by the Planning Director.
 27. As proposed by the applicant, all the new buildings shall be designed and constructed to attain all necessary points to achieve LEED certification and shall seek to obtain a Gold standard whenever possible.
 28. As proposed by the applicant, the applicant shall record in a form acceptable to the City Attorney a restriction against the property requiring that the approximately 27.3 acre area of land shown on the Tentative Subdivision Map on the central and southern portions as open space will remain open space in perpetuity. The recorded open space restriction shall run with the land, and any future conditions, covenants and restrictions ("CC&R's") for the project also shall require that the approximately 27.3 acre area of land shall remain open space and shall not be developed.
 29. The following programs shall be implemented by the applicant/developer:
 - a. **Cowan Spiegl Teaching Garden** – Proposal to work with the school district, students and/or individual schools to create a garden project.
 - b. **Mission Blue Habitat Expansion** – Support the creation and expansion for the Mission Blue Butterfly. Create a safe sanctuary for the butterflies to reproduce, creating one of the largest natural butterfly sanctuaries in the state.
 - c. **Native Wildflower Project** – Purchase seeds and bulbs and work with students and volunteers to help spread them throughout the property.

- d. **100 Tree Initiative** – Partner with local arborists and Go Native Nursery to plant native trees that will provide protection from the wind, minimize visual impact of man-made structures and be around for decades to come.
 - e. **Bird Sanctuary** – Actively work with experts, the Autobahn Society and volunteers to create safe places for birds to breed and live.
 - f. **Habitat Model** – Designate a large portion of the project to creating habitat for animals and plants to have a protected area to thrive.
 - g. **Buyers' club** for our environmental products and services. Anyone in Pacifica wishing to aggregate their purchasing power, can group their purchases reducing the overall cost for items such as gray water systems, water harvesting, solar, wind, plants, etc.
30. The CC&R's and Design Guidelines provided by the applicant shall control design, styles, size, materials, fencing, colors, design of private outdoor space and use of native and non-native drought tolerant landscaping.
31. An architectural committee shall be created by the Homeowners Association, consisting of an architect, environmental consultant, and developers. They shall remain members of this committee until all homes are designed and built to meet the strict standards set forth in the design guidelines and adopted as conditions of approval for this project. All builders shall be required to adhere to the standards set forth by the architectural committee and the conditions of approval.
32. Lots 7, 8 and 11 homes will have living roofs, and living roofs are strongly recommended for all homeowners as a way to further mitigate visual impacts.
33. The applicant shall plant trees near all the retaining walls as recommended by a certified arborist.
34. The applicant shall provide wind generated power to the maximum extent feasible as determined by the Planning Director.
35. The applicant shall provide an overall plan for watershed management plan including the usage of permeable hard-scapes, berms and swales and other significant measures to retain storm water on-site, replenishing groundwater and minimizing impacts to local wastewater systems.
36. Each homeowner within the Planned Development shall be required to purchase and maintain a rainwater harvesting system for collection, retention and re-use of water for gardens and landscaping. All homes shall have systems connected to roof edge guttering and also to driveway runoff channels connected to adequate holding tanks and properly designed usage systems.
37. All homes within the Planned Development shall provide a gray-water system, such as ReWater, that captures and filters shower, tub, bathroom sink, and laundry water that is then used in underground drip irrigation systems.

38. The applicant shall create standards and implement a maintenance program for private road street lighting, paths, common areas and any other street furniture subject to approval of the Planning Director.
39. Pollution from man-made lighting shall be minimized by using low pollution light poles as well as requiring homeowners to take measures to minimize light pollution from outdoor lights and indoor lights through, placement, window tinting and other strategies recommended by our architect and/or city planners.
40. The applicant shall provide the required amount of parking for the project and shall integrate permeable parking bays and/or sidewalks, patios, driveways and other hardscapes subject to approval of the Planning Director and City Engineer.
41. All recreational vehicles shall be stored in garages or out of site from the homes below.
42. Prior to the issuance of a building permit, the applicant shall submit information on exterior finishing, including colors and materials, subject to approval by the Planning Director.
43. All project-related easements, including drainage easement shall be to the satisfaction of the City Engineer, Planning Director and City Attorney, and shall be recorded prior to or concurrent with the Final Map.
44. Trash enclosures and dumpster areas must be covered and protected from roof and surface drainage. If water cannot be diverted from the 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 need.
45. No wastewater (including equipment cleaning wash water, vehicle wash water, cooling water, air conditioner condensate, and floor cleaning washwater) shall be discharged to the storm drain system, the street or gutter.
46. 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 Coastside Scavenger. 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 and any 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.

47. 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.
48. 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.
49. 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.
50. Roof drains shall discharge and drain away from the building foundation to an unpaved area wherever possible.
51. All outstanding and applicable fees associated with the processing of this project shall be paid prior to the issuance of a building permit.
52. A detailed on-site exterior lighting plan shall be submitted for review and approval by the Planning Director prior to issuance of building permits. Said plan shall indicate fixture design, illumination (photometric plan), location, height, and method of shielding. Lighting shall be directed away from adjacent properties to avoid adverse affects thereto. Building lighting shall be architecturally integrated with the building style, materials and colors, and shall be designed to minimize glare. Fixture locations, where applicable, shall be shown on all building elevations.
53. The applicant shall hereby agree to indemnify, defend and hold harmless the City; its Council, Planning Commission, advisory boards, officers, employees, consultants and agents (hereinafter "City") from any claim, action or proceeding (hereinafter "Proceeding") brought against the City to attack, set aside, void or annul the City's actions regarding any development or land use permit, application, license, denial, approval or authorization, including, but not limited to, variances, use permits, developments plans, specific plans, general plan amendments, zoning amendments, approvals and certifications pursuant to the California Environmental Quality Act, and /or any mitigation monitoring program, or brought against the City due to actions or omissions in any way connected to the applicant's project. This indemnification shall include, but not be limited to, damages, fees and/or costs awarded against the City, if any, and costs of suit, attorneys 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.

54. All transformers, HVAC units, and 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 concrete or masonry walls, berming, painting and landscaping, to the satisfaction of the Planning Director.
55. Wastewater from vehicle and equipment washing operations shall not be discharged to the storm drain system.
56. Roof drains shall discharge and drain way from the building foundation to an unpaved area wherever practicable.
57. Declaration of Covenants, Conditions & Restrictions (CC&Rs). Prior to issuance of a building permit, the developer/owner shall prepare and record with the San Mateo County Recorder's Office a Declaration of Covenants, Conditions & Restrictions and Equitable Servitude's (one set of CC&Rs shall prepared for the 2-acre dedication parcel and a separate set shall be prepared for the 63 acre parcel that will contain 13 residential lots) which shall run with the land and be binding on all future owners and occupants of each of the residential units within the subject property and their successors, heirs and assigns, and shall be approved as to form and content by the City Attorney and Planning Director, which accomplishes the following:
 - a) The Declaration shall be binding upon each of the owners of each of the residential and commercial units on the subject property and their heirs, successors and assigns.
 - b) There shall be a Homeowners Association to manage the project. The Declaration shall specify that the Homeowners Association shall be responsible for the repair, maintenance and replacement of the building exteriors, exterior lighting, park, common areas, utility areas within common areas, parking, landscaping and building signage, sanitary sewer, private storm drain and other features. Maintenance of the private storm drain shall be the responsibility of the applicant and property owners.
 - c) The Declaration shall establish standards and guidelines for the maintenance, repair and replacement, where applicable, all building exteriors, exterior lighting, park, parking, landscaping, signage, sanitary sewer, private storm drain, and other features and utility facilities within the common areas, to the satisfaction of the City of Pacifica. Maintenance of the private storm drain shall be the responsibility of the applicant and property owners.
 - d) The Declaration shall establish a mechanism for placing assessments against the owners of all residential and commercial units within the subject property for the purpose of financing the maintenance, repair and replacement of the

building exteriors, common areas, parking, landscaping and building signage. The assessments shall be apportioned in an equitable manner.

- e) The assessments shall be made, work shall be contracted for, and funds shall be disbursed by such person ("Agent") as may be delegated from time to time, by the Homeowners Association. The project owner shall act as the Agent as long as the project owner owns at least two of the units on the subject property.
- f) Any assessment not paid when due shall become a lien against the unit of the nonpaying owner, which lien may be foreclosed by the Agent.
- g) Communications. Each owner is responsible for, and shall agree to, furnish to each new tenant a copy of the CC&Rs prior to execution of a lease or purchase agreement for each unit.
- h) The Declaration shall establish procedures for designating a project "Manager," if different than the "Agent," who shall at all times be responsible for security and/or maintenance of the overall project. At all times the Manager shall provide his/her name and current phone number to the Planning Director, including any changes thereto.
- i) The Declaration shall include a provision that the provisions relating to this condition 57 shall not be amended without prior approval in writing from the City of Pacifica.
- j) The Declaration shall specify that the owners of each of the residential on the subject property shall comply with all other applicable conditions of approval for the project.
- k) The Declaration shall include the provisions required to be included in the CC&Rs by the MMRP. The MMRP requires provisions to be included in the CC&Rs when it requires the applicant to provide evidence of continuing maintenance or other responsibility of the HOA or other similar entity.
- l) The Declaration shall name the City of Pacifica as a third party beneficiary with the right (but not the obligation) to enforce the provisions required to be included in the CC&Rs by the MMRP or these conditions.

58. The property owner(s) shall keep the property in a clean and sanitary condition at all times.

59. No building permit shall be issued until a Growth Management Ordinance allocation for each of the new residential units has been granted.

60. If archaeological resources (archeological, paleontological or human remains) are discovered during project ground disturbance activities all immediate work shall be stopped until a qualified archaeologist is consulted to ensure no harm to resources.

61. The applicant shall comply with all Mitigation Measures and implement the Mitigation, Monitoring and Reporting Program (Harmony @ 1 Roberts Road Subdivision) adopted as part of the Environmental Impact Report and attached to

the Resolution Certifying the EIR. Prior to Final Map approval, the project applicant must demonstrate compliance with all mitigation measures or provide evidence ensuring that any future requirements of the mitigation measures will be met in accordance with the MMRP.

Public Works Department/Engineering Division:

62. 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.
63. In lieu of requiring to overlay half of the street width of Fassler Avenue and Roberts Road along the property frontage, applicant shall apply a slurry seal the whole width of Fassler Avenue and Roberts Road from the project's entrance at Roberts Road to the project's entrance at Fassler Avenue and the whole intersection of Roberts Road and Fassler Avenue. All pavement markings and markers that are damaged or affected shall be replaced in kind.
64. All proposed sanitary sewer system and storm drain system including detention basins up to their connection to the existing mains shall be privately maintained and shall be reflected in the project's CC&Rs.
65. To comply with the current requirements of the California Regional Water Quality Board and the San Mateo Countywide Storm Water Pollution Prevention Program, applicant shall submit both electronic and hard copy of the report produced using Bay Area Hydrology Model (BAHM) software that analyze the hydromodification effects of land development and sizing solutions to mitigate the increased runoff of the project.
66. Applicant shall submit a Final Map for APN 022-150-420 for the 15-lot (13 residential lots, a dedication of a 2 acre lot for affordable housing and a public access lot) and a Final Parcel Map for APN 022-150-310 for the 3-lot subdivision (2 residential lots and a public access lot). All required monumentations shall be shown on the map and set prior to recordation of the map. The map shall be submitted to the Engineering Division and approved by the City Engineer and staff. Prior to approval of these maps, a Subdivision Improvement Agreement must be executed and all necessary fees and bonds associated with this agreement must be paid by the applicant.
67. Applicant shall enter into a Subdivision Improvement Agreement with the City of Pacifica to construct all on-site and off-site improvements, as depicted on the

approved Tentative Map and any conditions and mitigations imposed on this project, prior to approval of the final map.

68. Prior to the execution of the Subdivision Improvement Agreement, applicant shall submit to Engineering Division the construction plans and necessary reports and engineering calculations for all on-site and off-site improvements to the satisfaction of the City Engineer. Such plans and reports shall include but not limited to:
 - a. All plans and reports must be signed and stamped by a California licensed professional.
 - b. Plan, profile and cross sections of the proposed roadways including the cul-de-sacs. The proposed road must have a maximum grade of 15%.
 - c. Structural section for all proposed roadway shall be a minimum of 3 inches Asphalt Concrete and 12 inches of Aggregate Base.
 - d. The design of the entrances at Fassler Avenue and Roberts Road. The entrance design at Roberts Road including the proposed retaining wall shall be per the site distance recommendation of the traffic engineer. The entrances must have curb ramps at each corner.
 - e. A more current topographic survey performed by a California licensed surveyor.
 - f. Hydrology Calculations based on a 100-year storm for the design of the proposed storm drain system and its appurtenances including the detention basin. The design shall also incorporate the recommendations from BAHM as required above.
 - g. Design Geotechnical Report analyzing the proposed on-site and off-site improvements including but not limited to the road and retaining wall.
 - h. All site improvements including utilities and connections to existing mains must be designed according to the City Standards and to the satisfaction of the City Engineer.
69. Construction of site improvements must be to the satisfaction of the City Engineer.
70. Existing curb, sidewalk or other street improvements adjacent to the property frontage that is damaged or displaced shall be repaired or replaced as deemed by the City Engineer even if damage or displacement occurred prior to any work performed for this project
71. The existing curb along the southside of Fassler Avenue within the property frontage shall be painted in red to prevent illegal parking on Fassler.
72. All construction trucks and deliveries to the site are prohibited during morning peak hours. Construction traffic shall avoid residential areas. The primary construction access to the site shall be from Highway 1 via Sea Bowl Lane and from northbound Highway 1 shall be via Fassler Avenue. Construction equipment shall use available noise suppression devices and properly maintain

and muffle loud construction equipment. Construction equipment shall avoid unnecessary idling when within 500 feet of residence.

73. Fassler Avenue and Roberts Road shall be maintained clear of construction equipments, materials and debris, especially mud and dirt tracks. Dust control and daily road cleanup will be strictly enforced. There shall be no construction vehicles parked along Roberts Road.
74. BAAQMD Construction Best Management Practices (BMPs) shall be employed to reduce dust emission during the construction phase. The project construction documents shall specify the following BMPs as dust control measures:
- Water all active construction sites at least twice daily.
 - Cover all trucks hauling soil, sand and other loose materials or require all trucks to maintain at least 0.6 meters (2 feet) of freeboard.
 - Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites.
 - Sweep daily with water sweepers all paved access roads, parking areas and staging areas at construction site.
 - Sweep streets daily with water sweepers if visible soil material is carried onto adjacent public streets.
 - Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more).
 - Enclose, cover, water twice daily or apply (non-toxic) soil binders to expose stockpiles (dirt, sand, etc.).
 - Limit traffic speeds on unpaved roads to 15 mph.
 - Install sandbags or other erosion control measures to prevent silt runoff to public roadways.
 - Replant vegetation in disturbed areas as quickly as possible.
 - Suspend excavation and grading activity when winds exceed 40 kilometers per hour (25 miles per hour).

Public Works Department/Wastewater Division:

75. 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 such as plastic bags and bottles to the Public Work Director's satisfaction.

Building Division of Planning

76. Construction shall be in conformance with the San Mateo Countywide Storm Water Pollution Prevention Program. The applicant shall implement Best Management Practices during all phases of construction for the project.

77. A design level geotechnical report shall be submitted characterizing the soil conditions of each residential structure and retaining walls including drainage and grading. A peer review of the geotechnical report shall be required.

Fire Department:

78. Prior to occupancy, a final letter from North Coast County Water District shall be submitted stating that the District is able to provide sufficient water flow and pressure to the fire hydrants and automatic fire sprinkler systems.

79. A fire hydrant shall be required at the end of the cul-de-sac to serve the proposed single-family residence on the 2-acre lot.

Notice

Pursuant to Government Code section 66020(d), the City hereby provides you with written notice that the above-described dedications, reservations and/or other exactions have been imposed on the approval of Tentative Subdivision Map, SUB-213-07, Site Development Permit, PSD-763-07, Use Permit, UP-978-07, Rezoning, RZ-188-07, and Development Plan, DP-70-07. The 90-day period in which you may protest the above-described dedications, reservations and/or other exactions has begun. If you fail to protest the above-described dedications, reservations and/or other exactions pursuant to Government Code section 66020, you may be legally barred from filing a legal challenge. Any challenge may also be barred by other applicable provisions of law.

When you apply for a building permit, compliance with all conditions of approval should be indicated on the plans. If you have any questions, please call me at (650) 738-7341.

Sincerely,



Michael Crabtree
Planning Director

Attachment: MMRP

cc: Project File
William Husson & Kerrie Dunstan, 46 Franklin Ave., South San Francisco, CA 94080
County Assessors/Building/Engineering
CHRON File

EXPIRATION DATES:

The Tentative Subdivision Map, Site Development Permit, and Use Permit, will expire on **November 26, 2008** unless a final map has been approved and recorded with the County of San Mateo.

PLEASE NOTE THIS IS NOT A BUILDING PERMIT

4.0 MITIGATION, MONITORING, AND REPORTING PLAN

This Mitigation, Monitoring and Reporting Plan (MMRP) has been prepared pursuant to CEQA Guidelines (California Code of Regulations, Title 14), which state the following:

“In order to ensure that the mitigation measures and project revisions identified in the EIR or negative declaration are implemented, the public agency, [here, the City of Pacifica (City)] shall adopt a program for monitoring or reporting on the revisions which it has required in the project and the measures it has imposed to mitigate or avoid significant environmental effects.” (CEQA Guidelines §15097(a))

“The public agency may choose whether its program will monitor mitigation, report on mitigation, or both. ‘Reporting’ generally consists of a written compliance review that is presented to the decision making body or authorized staff person. A report may be required at various stages during project implementation or upon completion of the mitigation measure. ‘Monitoring’ is generally an ongoing or periodic process of project oversight. There is often no clear distinction between monitoring and reporting and the program best suited to ensuring compliance in any given instance will usually involve elements of both.” (CEQA Guidelines §15097 (c))

Table 1 lists the potentially significant impacts and proposed mitigation measures identified in the Environmental Impact Report (EIR). The Table also lists certain impacts that, although less than significant and no mitigation is required, the EIR suggests additional measures as good practice to further reduce the already less than significant impact. Table 1 also describes the timing of implementation of the mitigation measures (i.e., when the measure will be implemented) and the City department or individual responsible for ensuring implementation of the measures. Finally, Table 1 describes the City department or individual responsible for monitoring the mitigation measures.

According to CEQA Guidelines Section 15126.4 (a) (2), “Mitigation measures must be fully enforceable through permit conditions, agreements, or other legally-binding instruments.” Therefore, the City Council will consider whether to adopt the mitigation measures when it considers whether to approve the project.

Impact	Mitigation Measure	Implementation Responsibility & Timing	Monitoring Responsibility	Verified Implementation
AESTHETICS				
<p>Impact: The custom homes could have a significant visual impact if they are not designed and constructed using the Coastal Green Architecture described in this EIR.</p> <p>Significance of Impact Before Mitigation: Potentially Significant</p> <p>Significance of Impact After Mitigation: Less-than-Significant</p>	<p>Measure AES-1: The Codes, Covenants and Restrictions (CC&Rs) for the Harmony @ 1 development shall, consistent with the Project Description (section 2.0) and Project Design Features (section 4.2.2) herein, fully define the intent of the term "Coastal Green Architecture." The CC&Rs shall provide detailed descriptions of specific measures or features that shall be imposed to ensure that the custom homes conform to the definition of Coastal Green Architecture and incorporate the design measures discussed in this EIR that reduce or eliminate visual impacts. The specific features to be described in the CC&Rs shall include, but not be limited to, the following design and construction measures:</p> <p>Homes shall be located in the building envelope presented in the Preliminary Grading Plan described in this EIR.</p> <p>Excavation of the building pad. The homes shall be designed with a lowered or excavated building pad in order to reduce the mass of the homes. The degree or amount of excavation shall be determined by the custom home architect, the Harmony @ 1 Architectural Control Committee, and the City's design review process.</p> <p>Berming: The CC&Rs shall require berming of excavated soil to help hide homes, and shall describe desirable locations and methods for such berming.</p>	<p>Implementation Responsibility:</p> <p>Individual lot owners shall submit building plans to HOA Architectural Control Committee (ACC) and City of Pacifica for design review. Lot owners shall submit a letter to City Planning Department confirming ACC's review and acceptance of the proposed building design.</p> <p>Timing:</p> <p>City Planning Department shall confirm compliance with Design Guidelines prior to City issuance of Building Permits.</p>	<p>Monitoring Responsibility:</p> <p>City of Pacifica Planning Department.</p>	<p>Initials _____</p> <p>Date _____</p>

Impact	Mitigation Measure	Implementation Responsibility & Timing	Monitoring Responsibility	Verified Implementation
<p>Impact: The proposed project could have nighttime light and glare impacts.</p> <p>Significance of Impact Before Mitigation:</p> <p>Potentially Significant</p> <p>Significance of Impact After Mitigation:</p> <p>Less-than-Significant</p>	<p>Hidden garages: The CC&Rs shall describe what constitutes a "hidden garage" and establish when a home shall have the garage under the main structure in order to minimize visual impacts.</p> <p>Living Roofs: The CC&Rs shall describe what constitutes a "living roofs" and establish when a home shall include a living roof in order to minimize visual impacts.</p> <p>The CC&Rs shall describe appropriate exterior materials and color palette to ensure compatibility of the homes with the surrounding area.</p>			
<p>Impact: The proposed project could have nighttime light and glare impacts.</p> <p>Significance of Impact Before Mitigation:</p> <p>Potentially Significant</p> <p>Significance of Impact After Mitigation:</p> <p>Less-than-Significant</p>	<p>Measure AES-2: To ensure night light and glare from the project is minimized the following measures shall be implemented:</p> <ul style="list-style-type: none"> • Exterior lighting shall include low mounted, downward casting and shielded light that does not cause spillover onto adjacent properties. • No flood lights shall be used in public areas or the conserved habitat areas. Night security lighting within residential lots shall be restricted to normal exterior lighting. • Language shall be added to the development's CC&Rs stating that lighting fixtures shall not be located at the periphery of individual lots. Lighting shall be restricted to the area immediately around the house and any landscaped areas. 	<p>Implementation Responsibility:</p> <p>Applicant shall submit exterior lighting plan to City Planning Department.</p> <p>Timing:</p> <p>City Planning Department shall review lighting plan for conformance prior to Building Permit approvals.</p>	<p>Monitoring Responsibility:</p> <p>City of Pacifica Planning Department.</p>	<p>Initials _____</p> <p>Date _____</p>

Impact	Mitigation Measure	Implementation Responsibility & Timing	Monitoring Responsibility	Verified Implementation
BIOLOGY				
<p>Impact: Conserved open space areas could be damaged if used for construction staging areas or if heavy construction equipment strays into open space areas.</p> <p>Significance of Impact Before Mitigation: Less-than-Significant, Recommended as a Good Practice Measure</p> <p>Significance of Impact After Mitigation: Less-than-Significant</p>	<p>Measure BIO-1: Prior to construction, a temporary barrier fence shall be erected along the northern open space habitat areas to prevent damage to the areas during construction of project infrastructure improvements. Authorized construction staging areas shall be designated on the final version of the site plan so all contractors know where they are allowed to park vehicles and equipment and store building materials. Appropriate construction staging areas would include existing roads or areas slated for development or grading. Storm water runoff and management of any fluids would be according to the required Storm Water Pollution Prevention Plan, described in the Hydrology section. Storm water runoff from construction staging areas shall be directed away from open space habitat areas.</p>	<p>Implementation Responsibility: Applicant shall designate construction equipment staging areas on the final grading plan submitted to the City Building Division. The final grading plan shall provide details on how the open space areas would be protected from construction disturbance. Applicant shall erect barrier fence to prevent equipment access into open space habitat areas. Applicant shall include these measures in project specifications. The HOA shall be responsible for maintaining the fencing.</p> <p>A qualified biologist shall make weekly inspections of the site during construction to assure fences are left intact and biological resources in open space areas have not been damaged.</p> <p>Timing: Documentation specifying staging areas shall be submitted to the City Building Division</p>	<p>Monitoring Responsibility: City of Pacifica Building Division of Planning Department.</p>	<p>Initials _____ Date _____</p>

Impact	Mitigation Measure	Implementation Responsibility & Timing	Monitoring Responsibility	Verified Implementation
<p>IMPACT: The project proposes removal of 122 Monterey pine and 3 Monterey cypress trees most of which are diseased and in poor condition, but provide wildlife habitat. 31 trees occur in the project road and building envelope areas, 48 occur on individual lots outside of the construction zone, and 46 occur on a lot to be held in private open space. (For impacts to Heritage Trees, see Measure BIO-3).</p> <p>Significance of Impact Before Mitigation: Less-than-Significant, Recommended as a Good Practice Measure</p>	<p>Measure BIO-2: In order to provide continued wildlife values on the project site, trees in designated open space areas (Lot A, Lot B and Parcel A) shall not be removed. Tree removal on individual lots shall be approved only upon demonstration that 1) the tree is within the designated building envelope and removal is required for construction, 2) the tree is close to the building envelope and its condition represents a safety hazard to the proposed residence, or 3) the tree is substantially dead (at least 50%) as determined by a certified arborist or if visually apparent. Homeowners shall be encouraged to retain impaired trees where there is no impact to use and enjoyment of property. Conditional tree removal would prevent unnecessary reductions in wildlife resources on the site while protecting the safety and enjoyment of property by landowners. All trees specified for removal in Specific Plans for individual lots shall be replaced with a native species.</p>	<p>prior to grading permit approvals. Biological monitoring shall occur throughout construction of project improvements.</p> <p>Implementation Responsibility: Applicant shall specify tree protection language in CC&Rs. Lot owners shall specify all trees proposed for removal on site development plan submitted to City Planning Department.</p> <p>Timing: Site plans showing tree removal locations shall be submitted to City Planning Department prior to site plan approval.</p>	<p>Monitoring Responsibility: City of Pacifica Planning Department.</p>	<p>Initials _____ Date _____</p>

Impact	Mitigation Measure	Implementation Responsibility & Timing	Monitoring Responsibility	Verified Implementation
<p>Significance of Impact After Mitigation: Less-than-Significant</p>				
<p>IMPACT: Construction of the proposed project would result in the removal of 12 trees that meet the definition of Heritage Tree in the local ordinance. With preservation of trees on the private open space parcel under Measure BIO-2, the number of heritage trees removed by the project is reduced to 7.</p> <p>Significance of Impact Before Mitigation: Potentially Significant</p> <p>Significance of Impact After Mitigation: Less-than-Significant</p>	<p>Measure BIO-3: The Applicant shall comply with all provisions of the City's Municipal Code (sec. 4-12-04) for preservation of Heritage Trees. Prior to the removal of the 7 Heritage Trees, the Applicant must obtain a Heritage Tree Removal Permit from the City. The Applicant shall replace the 7 Heritage Trees removed with 7 new native shrub/tree species suitable for the site (e.g. coast silk tassel (<i>Garrya elliptica</i>), California buckeye (<i>Aesculus californica</i>), or others). Recommended planting locations are shown in Figure 17 of this EIR.</p>	<p>Implementation Responsibility: Applicant shall show location of heritage tree replacements on a planting plan submitted to the City Planning Department.</p> <p>Timing: Documentation shall be submitted to City Planning Department prior to issuance of Heritage Tree Removal Permit.</p>	<p>Monitoring Responsibility: City of Pacifica Planning Department.</p>	<p>Initials _____ Date _____</p>
<p>IMPACT: The new residential use and increased human activity on the site could adversely impact</p>	<p>Measure BIO-4: The development's Covenants, Codes, and Restrictions (CC&Rs) shall contain language that shall ensure the protection of all open space habitat (including Lot A, other open space areas and the portions of lot 11 that are not built</p>	<p>Implementation Responsibility: Applicant shall include required language in CC&Rs submitted to</p>	<p>Monitoring Responsibility: City of Pacifica Planning Department.</p>	<p>Initials _____</p>

Impact	Mitigation Measure	Implementation Responsibility & Timing	Monitoring Responsibility	Verified Implementation
<p>biological resources found within the open space habitat areas and result in a significant decline of habitat values for wildlife over time.</p> <p>Significance of Impact Before Mitigation: Potentially Significant</p> <p>Significance of Impact After Mitigation: Less-than-Significant</p>	<p>upon) from degradation as a result of resident activities and shall ensure that the open space habitat is managed and protected in a manner that would ensure the long-term viability of all the biological resources currently found on the project site. The CC&Rs shall include provisions that prevent activities within the open space habitat that would permanently damage native vegetation, cause erosion, or harass or harm wildlife. These restrictions do not apply to any authorized native habitat management efforts such as invasive species control, erosion repair, or native plant revegetation. The CC&Rs shall include the following restrictions on human activity: New volunteer trails within the open space areas shall be controlled so that trails do not damage vegetation and cause erosion. All pets (dogs and cats) shall be controlled within open space areas so that they do not hunt, harm, or harass wildlife or otherwise damage biological resources. Residents shall not store or dispose of items (including yard trimmings) within the open space areas. The use of rodenticides within the open space areas shall be prohibited unless approved by CDFG. Management of the open space areas shall also include the control of feral cats, and limitations on domestic cat ownership The large, vegetated drainage along the eastern boundary of the project property may contain</p>	<p>City as project specifications. Applicant shall submit habitat Management and Monitoring Plan to City Planning Department and US Fish and Wildlife Service (USFWS) for review and approval. Applicant shall submit evidence of consultation with USFWS to City. Timing: City Planning Department shall review Management Plan and USFWS documentation prior to issuance of Building Permits.</p>		<p>Date</p>

Impact	Mitigation Measure	Implementation Responsibility & Timing	Monitoring Responsibility	Verified Implementation
	<p>USACE jurisdictional waters (this drainage does not support perennial flow, but has a defined drainage channel). The drainage shall be protected from impacts of runoff from urban areas, damage due to humans or pets, or other activities that degrade the natural habitat.</p> <p>In addition, through consultation with City of Pacifica, US Fish and Wildlife Service and the CDFG, a Management and Monitoring Plan shall be developed and implemented for the open space areas and the portions of lot 11 that are not built upon. The Plan shall include the following:</p> <ol style="list-style-type: none"> 1. A description of the goals of the Management Plan. The goals should foster the protection of native habitat and wildlife diversity at the site, should protect the wildlife corridor, and should support a healthy ecosystem. 2. A description of methods to protect and enhance native habitat on the site, including coastal terrace prairie, coastal riparian scrub, and northern coastal scrub. A program to control exotic invasive plant species shall be included in these methods. 3. A description of the methods to protect and enhance habitat of sensitive species on the site, including the Mission blue butterfly, the San Francisco dusky-footed woodrat, the loggerhead shrike, and the white-tailed kite, and how individually-owned lots with restriction on them (see Measure BIO-10) may fit into the scheme. 			

Impact	Mitigation Measure	Implementation Responsibility & Timing	Monitoring Responsibility	Verified Implementation
<p>Impact: Non-native, invasive plants could escape from landscaped areas within yards and colonize and spread into the open space areas, converting native habitat and significantly reducing biological diversity.</p> <p>Significance of Impact Before Mitigation:</p>	<p>4. A schedule of management and enhancement activities. Management activities shall address open space habitat areas and include routine maintenance and care of replacement and screening trees planted as part of the project.</p> <p>5. Annual monitoring and reporting, including surveys of the species of concern and the results of any enhancement activities undertaken at the site.</p> <p>6. An educational component, so that lot owners understand the purpose of the management plan and can choose to apply the measures to their own lots.</p> <p>The applicant or homeowner's association shall request a letter of concurrence from the US Fish and Wildlife Service that the management plan will not result in take of the Mission blue butterfly or any other federally-listed species.</p>			
<p>Impact: Non-native, invasive plants could escape from landscaped areas within yards and colonize and spread into the open space areas, converting native habitat and significantly reducing biological diversity.</p> <p>Significance of Impact Before Mitigation:</p>	<p>Measure BIO-5: The development's Covenants, Codes, and Restrictions shall contain language restricting all landscape planting so that those plants identified by the California Invasive Plant Council (Cal-IPC) in Table 1 of the California Invasive Plant Inventory shall not be planted. In addition, only native plant species may be used for landscaping that are consistent with the regional plant communities found in the local region. A qualified biologist shall review all proposed planting lists and compare it to the most recent Cal-IPC list to ensure no invasive plants on the list are planted. The biologist shall also check the plants to insure consistency with local</p>	<p>Implementation Responsibility: Applicant shall include language prohibiting invasive species identified in Cal-IPC Invasive Plant Inventory. Applicant shall submit letter from qualified biologist confirming plant lists specified on landscaping plans do not contain species on most recent Cal-IPC inventory list and are</p>	<p>Monitoring Responsibility: City of Pacifica Planning Department.</p>	<p>Initials _____ Date _____</p>

Impact	Mitigation Measure	Implementation Responsibility & Timing	Monitoring Responsibility	Verified Implementation
<p>Potentially Significant Significance of Impact After Mitigation: Less-than-Significant</p>	<p>native ecosystems. The biologist shall inspect the plants at the time of installation to make sure that no substitutions have been made by the landscape contractor. (The most recent version of the California Invasive Plant Inventory can be found at http://www.cal-ipc.org/ip/inventory/bdff/Inventory2006.pdf). This measure shall apply to all landscaping within the project site, including landscaping of common areas and within each of the housing lots.</p>	<p>consistent with local native ecosystems. Biologist shall inspect landscaping after installation. Subsequent homeowners shall submit landscape plans to HOA for review. HOA shall provide written confirmation to City that homeowner landscape plans comply with this measure. Timing: City Planning Department shall review CC&Rs for compliance with measure prior to issuance of Grading Permit. Biologist letter of inspection shall be submitted to City Planning Department prior to issuance of Occupancy Permits. HOA documentation shall be submitted to City Planning Department prior to issuance of Building Permits.</p>		
<p>Impact: Construction of the proposed project would result in ground disturbance that could facilitate the spread of invasive plant species</p>	<p>Measure BIO-6: Invasive species shall be removed during project construction on a quarterly basis within the graded areas and on adjacent open space lands. Species to be removed include existing invasive species on site, such as French broom, fennel, pampas grass, and cotoneaster as well as any</p>	<p>Implementation Responsibility: Applicant shall include measures to control exotic species in Grading Plan specifications and in habitat Management Plan</p>	<p>Monitoring Responsibility: City of Pacifica Planning Department.</p>	<p>Initials _____ Date _____</p>

Impact	Mitigation Measure	Implementation Responsibility & Timing	Monitoring Responsibility	Verified Implementation
<p>within the designated open space areas on site, and result in increased erosion that would adversely impact plant and wildlife habitat.</p> <p>Significance of Impact Before Mitigation: Potentially Significant</p> <p>Significance of Impact After Mitigation: Less-than-Significant</p>	<p>others that establish as a result of project grading activities. In addition, to ensure longterm control of invasive species, this provision shall be included in the Management Plan required in Measure BIO-4.</p>	<p>established by the HOA.</p> <p>Timing: City Planning Department shall review Grading Plan and Management Plan for compliance prior to issuance of Building Permits.</p>		
<p>Impact: Special status bird species could use and potentially nest within the project site. Project construction could adversely impact the breeding of special status bird species resulting in violation of CDFG code and the Migratory Bird Treaty Act and a significant impact.</p> <p>Significance of Impact Before Mitigation: Potentially Significant</p>	<p>Measure BIO-7: If any trees or shrubs are proposed to be removed during the nesting season (February 15 to August 31), pre-construction surveys for nesting birds shall be conducted. This measure shall apply to all construction occurring on the project site, both the infrastructure improvements and construction within each of the housing lots. The surveys shall identify active nests and establish a disturbance buffer if nests are located. A minimum buffer of 50 feet is required by CDFG for songbird nests and a minimum of 250 feet for raptor nests. Construction activity within an established buffer area is prohibited until nesting is complete.</p>	<p>Implementation Responsibility: Applicant and subsequent homeowners shall submit pre-construction surveys to City Planning Department.</p> <p>Timing: City Planning Department shall review results of nesting bird survey and determine Grading Plan compliance with measure prior to issuance of Grading Permit.</p>	<p>Monitoring Responsibility: City of Pacifica Planning Department.</p>	<p>Initials _____ Date _____</p>

Impact	Mitigation Measure	Implementation Responsibility & Timing	Monitoring Responsibility	Verified Implementation
<p>Significance of Impact After Mitigation: Less-than-Significant</p>				
<p>Impact: Construction of the proposed project would result in the removal of four to six San Francisco dusky footed woodrat houses within the proposed roadway on the north side of the property, and potentially one more woodrat house from grading of building sites on the western portion of the property. Removal of coastal scrub habitat could adversely impact carnivores in violation of CDFG code if any are denning there.</p> <p>Significance of Impact Before Mitigation: Potentially Significant</p> <p>Significance of Impact</p>	<p>Measure BIO-8: The following mitigation plan shall be implemented:</p> <ol style="list-style-type: none"> 1. <u>Preconstruction surveys for woodrat houses.</u> A preconstruction survey for woodrat houses shall be conducted within all areas proposed for disturbance, prior to any disturbance on site. These surveys shall include surveys for carnivore dens (such as bobcat) on site. If any carnivore dens are detected within the construction area, CDFG shall be contacted for guidance to avoid impacting any dens. 2. <u>Preconstruction woodrat house dismantling and/or relocation.</u> For all woodrat houses that will be impacted by construction impacts, the houses shall be dismantled and relocated to appropriate locations within the open space areas on the project site, and any woodrats captured and released into their relocated houses. House dismantling and/ or relocation shall be conducted only when necessary, during the non-breeding season (September to February), and under guidance from the CDFG. 3. <u>Control of non-native species.</u> The 	<p>Implementation Responsibility: A qualified biologist shall conduct a pre-construction survey documenting the number and location of woodrat houses impacted by project improvements. Biologist shall dismantle and relocate houses. Biologist shall prepare a letter report to the City documenting the survey and relocation effort.</p> <p>Timing: City Planning Department shall review pre-construction survey report for project compliance with this measure prior to issuance of Grading Permits.</p>	<p>Monitoring Responsibility: City of Pacifica Planning Department.</p>	<p>Initials _____ Date _____</p>

Impact	Mitigation Measure	Implementation Responsibility & Timing	Monitoring Responsibility	Verified Implementation
<p>After Mitigation: Less-than-Significant</p>	<p>management of the onsite common open space area (Lot A) per Measure BIO-4, shall include control of non-native invasive weeds to maintain the native plant species that provide important cover and food resources for the San Francisco dusky-footed woodrat, prohibit the use of rodenticides within the open space area unless approved by CDFG and the control of feral cats and limitations on domestic cat ownership.</p>			
<p>Impact: While suitable aquatic habitat for California red-legged frog (CRLF) and San Francisco garter snake (SFGS) is not present with the project site, there remains an extremely low chance that CRLF and/or SFGS could disperse through the project site from the eastern border. Project construction has a low potential to impact dispersing CRLF and SFGS, however if take of either of these species occurred, it would be significant.</p> <p>Significance of Impact Before Mitigation:</p>	<p>Measure BIO-9: A qualified biologist shall be retained by the applicant to oversee construction and ensure that take of the San Francisco garter snake or California red-legged frog does not occur during construction. The following procedures shall apply:</p> <p>Prior to any grading or vegetation removal, a biologist shall conduct a preconstruction survey for San Francisco garter snake and California red-legged frog. During construction, a trained biologist or a trained on-site monitor (such as the construction foreman) shall check the site in the morning and in the evening for the presence of California red-legged frog and San Francisco garter snake. This includes checking holes, under vehicles and under boards left on the ground. If any CRLF or SFGS are found, construction shall be halted until they disperse naturally, and the monitor shall immediately notify the biologist in charge and the USFWS. Construction shall not proceed until adequate measures are taken to prevent dispersal of any individuals into the construction zone, as directed by the USFWS. Subsequent recommendations made by</p>	<p>Implementation Responsibility: Applicant shall include these measures on the grading plan specifications.</p> <p>Monitoring biologist shall submit a letter report to City Planning Department documenting the monitoring activity and results.</p> <p>Timing: City Planning Department shall review monitoring report for project compliance prior to issuance of Building Permits.</p>	<p>Monitoring Responsibility: City of Pacifica Planning Department.</p>	<p>Initials _____ Date _____</p>

Impact	Mitigation Measure	Implementation Responsibility & Timing	Monitoring Responsibility	Verified Implementation
<p>Potentially Significant</p> <p>Significance of Impact After Mitigation:</p> <p>Less-than-Significant</p>	<p>the USFWS shall be followed. The monitor shall not handle or otherwise harass the animal. The biologist in charge shall train the on-site monitor in the identification of CRLF and SFGS. The biologist in charge shall visit the site at least once a week during construction and confer with the trained on-site monitor.</p> <p>Construction workers shall be informed of the potential presence of California red-legged frog and San Francisco garter snake, that these species are to be avoided, that the foreman must be notified if they are seen, and that construction shall be halted until authorization to proceed is obtained from the USFWS. Construction workers shall be informed that harassment of these species is a violation of federal law.</p> <p>During construction, all holes shall be covered at night to prevent CRLF and/or SFGS from becoming trapped in holes on the construction site.</p>			
<p>Impact: Construction of the proposed project could impact the federally endangered Mission blue butterfly. Mission blue butterfly adults have not been observed on site during field surveys however eggs were found on the host plants. The site plan for Lot 11 has</p>	<p>Measure BIO-10: Project development shall avoid Mission blue butterfly host plant <i>Lupinus formosus</i> and provide a minimum 50-foot setback from areas containing the host plant. Any parcel containing Mission blue butterfly host plants shall be subject to a CC&R provision that requires the owner to obtain permission from the US Fish and Wildlife Service to undertake any activities that result directly or indirectly in the removal of Mission blue butterfly host plants. The owners of lots containing Mission blue host plant shall also coordinate with the Homeowner's Association in the implementation of</p>	<p>Implementation Responsibility:</p> <p>Applicant and subsequent homeowners shall include location of <i>Lupinus formosus</i> on site plans for individual lots.</p> <p>Grading Plans for lots containing <i>Lupinus formosus</i> shall specify 50' buffer zones around plants with protective fencing.</p>	<p>Monitoring Responsibility:</p> <p>City of Pacifica Planning Department.</p>	<p>Initials _____</p> <p>Date _____</p>

Impact	Mitigation Measure	Implementation Responsibility & Timing	Monitoring Responsibility	Verified Implementation
<p>been redesigned to avoid the Mission blue host plant <i>Lupinus formosus</i>.</p> <p>Significance of Impact Before Mitigation: Potentially Significant</p> <p>Significance of Impact After Mitigation: Less-than-Significant</p>	<p>the open space management plan required in Measure BIO-4.</p>	<p>A qualified biologist shall monitor during site grading activity to ensure adequate placement of fencing and that no damage occurs to plants. Biologist shall submit monitoring report to City Planning Department documenting monitoring activity and results.</p> <p>Timing: City Planning Department shall review monitoring report for compliance with measure prior to issuance of Building Permits.</p>		
<p>Impact: The project is subject to applicable state and federal laws governing endangered species.</p> <p>Significance of Impact Before Mitigation: Potentially Significant</p> <p>Significance of Impact After Mitigation: Less-than-Significant</p>	<p>Measure BIO-11: The applicant shall obtain all necessary permits from California Department of Fish and Game and U.S. Fish and Wildlife Service as required by federal and State law to avoid, minimize, or offset impacts to any species listed under either the State or federal Endangered Species Acts or protected under any other State or federal law. Evidence that the applicant has secured any required authorization from these agencies shall be submitted to the City of Pacifica Planning Department prior to issuance of any grading or building permits for the project.</p>	<p>Implementation Responsibility: Applicant shall submit evidence of project compliance with State and federal Endangered Species Act to City Planning Department.</p> <p>Timing: City Planning Department and Building Division shall review documentation for compliance prior to issuance of Grading Permits.</p>	<p>Monitoring Responsibility: City of Pacifica Planning Department and Building Division.</p>	<p>Initials _____ Date _____</p>

Impact	Mitigation Measure	Implementation Responsibility & Timing	Monitoring Responsibility	Verified Implementation
GEOLOGY				
<p>Impact: Strong groundshaking associated with a major earthquake in the region could impact the project development by causing damage or collapse of buildings or endanger the health and welfare of persons.</p> <p>Significance of Impact Before Mitigation: Potentially Significant</p> <p>Significance of Impact After Mitigation: Less-than-Significant</p>	<p>Measure GEO-1: The new residential construction and any other site improvements shall comply with the provisions of Title 24 of the California Administrative Code, and the most recent edition of the Uniform Building Code, Seismic Zone 4 standards, or local seismic requirements, whichever is most stringent. All recommendations included in the June 19, 2006 EIC preliminary soil investigation report shall be met, including: 1) City review of all plans and specifications and observation by the project geotechnical engineer of foundation excavations to ensure compliance with the recommendations in the project geotechnical report; and 2) Observation and testing of engineered fill, finish subgrade and aggregate base for new pavements by the project geotechnical engineer.</p>	<p>Implementation Responsibility: Applicant and subsequent lot owners shall submit detailed construction plans incorporating recommendations of EIC soil investigation report (dated June 19, 2006). Project Geotechnical Consultant shall inspect foundation excavations and engineered fill and submit observations to City Engineer for review. Timing: City Building Official, City Engineer and City Geotechnical Consultant shall review site plans and specifications for each lot for compliance with EIC report recommendations. City shall confirm compliance with soil recommendations prior to issuance of Grading Permits. City Engineer shall review observation letter from Project</p>	<p>Monitoring Responsibility: City of Pacifica Building Division of Planning Department.</p>	<p>Initials _____ Date _____</p>

Impact	Mitigation Measure	Implementation Responsibility & Timing	Monitoring Responsibility	Verified Implementation
<p>Impact: Surficial landslides affecting the Roberts Road cut slope will continue to degrade the cut slope and produce sediment onto the traveled roadway.</p> <p>Significance of Impact Before Mitigation: Potentially Significant</p> <p>Significance of Impact After Mitigation: Less-than-Significant</p>	<p>Measure GEO-2: A detailed remediation plan that addresses the surficial landsliding affecting the Roberts Road cut slope shall be prepared by a qualified engineering geologist. The remediation plan shall identify any grading and drainage improvements necessary to, prevent future landsliding. The remedial grading improvements shall be implemented by the applicant.</p>	<p>Geotechnical Consultant prior to issuance of Building Permits.</p> <p>Implementation Responsibility: Applicant shall submit a landslide remediation plan to City Engineer.</p> <p>Timing: City Building Division, City Engineer, and City Geotechnical Consultant shall review and approve landslide remediation plan. City Engineer shall review Final Grading Plan for compliance with landslide remediation plan prior to issuance of Grading Permits.</p>	<p>Monitoring Responsibility: City of Pacifica Building Division of Planning Department.</p>	<p>Initials _____ Date _____</p>
<p>Impact: The potential for erosion of the clayey sand surface soils on the project site is moderate to high. Erodeable soils at the site present potentially significant impacts.</p> <p>Significance of Impact Before Mitigation: Potentially Significant</p>	<p>Measure GEO-3: The impacts from erosion can be mitigated by incorporating appropriate grading and drainage measures into the project design. A final grading plan and drainage plan shall be prepared for the project. These plans shall provide for positive drainage on building pads and removal of water from foundation areas into area drains and closed pipe systems which carries runoff to a suitable drainage facility located below the erodible colluvial deposits which exist downhill of the ridgeline. Slopes shall be graded so that water is directed away from the slope face. Permanent slopes shall be protected from erosion through the use of erosion-</p>	<p>Applicant shall incorporate these measures into the Final Grading and Drainage Plan.</p> <p>Timing: City Building Division shall review Final Grading and Drainage Plan for compliance with these measures prior to issuance of Grading Permit.</p>	<p>Monitoring Responsibility: City of Pacifica Building Division of Planning Department.</p>	<p>Initials _____ Date _____</p>

Impact	Mitigation Measure	Implementation Responsibility & Timing	Monitoring Responsibility	Verified Implementation
<p>Significance of Impact After Mitigation: Less-than-Significant</p>	<p>resistant vegetation and jute netting. Erosion control seed mixes used on site shall utilize native grasses and forbes appropriate for the site to replace and improve existing habitat values of grasslands disturbed on the site. Temporary erosion control measures such as positive gradients away from slopes, straw bales, silt fences and swales shall be used during construction.</p>			
<p>Impact: Although considered unlikely by the EIC report (June 2006), deep erosion and landsliding on the southern slopes could impact Lots 9 and 10. Significance of Impact Before Mitigation: Potentially Significant Significance of Impact After Mitigation: Less-than-Significant</p>	<p>Measure GEO-4: Although the house sites appear to be sufficiently far from the deep erosion gullies and landsliding on the southern slopes and existing data indicates that the house sites are on shallow bedrock, design-level geotechnical investigations for Lots 9 and 10 shall be conducted to determine whether surface or subsurface drainage improvements are necessary to prevent accelerating erosion trends in these gully areas and to mitigate encroachment into the building sites. Any necessary improvements shall be implemented by applicant or future owners of Lots 9 and 10.</p>	<p>Implementation Responsibility: Applicant or subsequent lot owners shall submit design-level geotechnical investigation for Lots 9 and 10. Recommendations of investigation shall be incorporated into project site plans. Timing: Building Official, City Engineer, and City Geotechnical Consultant shall review geotechnical investigation for Lots 9 and 10. City Engineer shall review site plans to determine compliance with recommendations of geotechnical report prior to issuance of Grading Permits.</p>	<p>Monitoring Responsibility: City of Pacifica Building Division of Planning Department.</p>	<p>Initials _____ Date _____</p>

Impact	Mitigation Measure	Implementation Responsibility & Timing	Monitoring Responsibility	Verified Implementation
<p>Impact: The near surface clay soils and bedrock have a moderate plasticity as discussed in the EIC report. Expansive soils can detrimentally affect building foundations, slabs, pavements, retaining walls and other site improvements.</p> <p>Significance of Impact Before Mitigation: Potentially Significant</p> <p>Significance of Impact After Mitigation: Less-than-Significant</p>	<p>Measure GEO-5: The EIC report provides recommended measures for mitigating the effects of expansive soils on the project improvements. These protective measures include: 1) mixing on-site soils to a plasticity index of 15 or less; 2) moisture conditioning of fill materials to three percent over optimum; and 3) overexcavation of slab subgrade areas. The following additional measures shall also be taken to minimize the effects of expansive soils: a) providing a layer of non-expansive granular materials beneath slabs-on-grade as a cushion against building slab movement; b) the use of aggregate base under exterior flatwork; and c) control of irrigation adjacent to the new buildings.</p>	<p>Implementation Responsibility: City shall include these measures on the building permits.</p> <p>Timing: The City Building Division shall review plans for compliance prior to issuance of Building and Grading Permits.</p>	<p>Monitoring Responsibility: City of Pacifica Building Division of Planning Department.</p>	<p>Initials _____ Date _____</p>
HYDROLOGY				
<p>Impact: The proposed project could result in water quality impacts to the city's storm drain line and Calera Creek as a result of increased siltation of surface water runoff from construction grading</p>	<p>Measure HYD-1: The applicant shall apply to the RWQCB to obtain coverage under the State General Construction Activity NPDES Permit. The applicant shall comply with all provisions and conditions of the general permit and prepare a Storm Water Pollution Prevention Plan (SWPPP). Project construction shall conform to the requirements of the general permit and the SWPPP. Construction BMPs that will be used to reduce or avoid impacts shall</p>	<p>Implementation Responsibility: Applicant to prepare Notice of Intent (NOI), Storm Water Pollution Prevention Program (SWPPP) and Storm Management Program (SMP) per the San Francisco Regional Water Quality Control Board</p>	<p>Monitoring Responsibility: City of Pacifica Planning Department and Building Division</p>	<p>Initials _____ Date _____</p>

Impact	Mitigation Measure	Implementation Responsibility & Timing	Monitoring Responsibility	Verified Implementation
<p>activities.</p> <p>Significance of Impact Before Mitigation: Potentially Significant</p> <p>Significance of Impact After Mitigation: Less-than-Significant</p>	<p>include:</p> <ul style="list-style-type: none"> • Keeping materials out of the rain by covering exposed piles of soil or construction materials with plastic sheeting; sweeping paved surfaces that drain to creeks or wetlands; using dry cleanup methods whenever possible, and if water must be used, use just enough to keep the dust down; • Use of hay bales or other mechanical barriers to trap sediment on the project site and prevent discharge into storm water drainage; • Scheduling construction activities for periods of dry weather; and • Restricting fueling of construction vehicles to approved staging areas. 	<p>guidelines as listed in the websites (also see http://www.swrcb.ca.gov/stormwater/construction.html)</p> <p>SWPPP shall be submitted to City Engineering Division.</p> <p>Timing: City Engineer, City Building Division, and City Planning Department shall review prior to issuance of Grading Permit.</p>		
<p>Impact: Up to six acres of the project site would be developed with building envelopes and roads. Site development will introduce impervious surfaces to the property and increase the amount of stormwater runoff generated on site. Detention basins constructed for the</p>	<p>Measure HYD-2: The Project shall implement the site design, source control, and stormwater treatment measures detailed in the Stormwater Control Plan, included as Appendix B. The project applicant shall also enter an Operations and Maintenance (O&M) agreement with the City, as required by the County-wide NPDES permit. This O&M agreement shall run with the land.</p>	<p>Implementation Responsibility: Applicant shall submit engineered drawings of detention basins and a signed Operations and Maintenance agreement with the City of Pacifica to the City Building Division.</p> <p>Timing: City Engineer, City Building Division, and City Planning Department shall review</p>	<p>Monitoring Responsibility: City of Pacifica Planning Department and Building Division.</p>	<p>Initials _____</p> <p>Date _____</p>

Impact	Mitigation Measure	Implementation Responsibility & Timing	Monitoring Responsibility	Verified Implementation
<p>project have adequate capacity to handle the increased runoff and would require routine maintenance.</p> <p>Significance of Impact Before Mitigation: Potentially Significant</p> <p>Significance of Impact After Mitigation: Less-than-Significant</p>		<p>stormwater plan and engineering drawings prior to issuance of Grading Permit.</p> <p>City Planning Department and Building Division shall review operation and maintenance agreement prior to issuance of Grading Permit.</p>		
TRAFFIC				
<p>Impact: The project access road intersects Roberts Road on the inside of a curve where there are inadequate sight line distances for vehicles exiting the project street onto Roberts Road. The limited visibility creates unsafe an unsafe traffic condition.</p> <p>Significance of Impact Before Mitigation: Potentially Significant</p> <p>Significance of Impact After Mitigation: Less-than-Significant</p>	<p>Measure TRF-1: Project slopes at the intersection of the new access road and Roberts Road shall be trimmed back to establish the minimum safe sight line distance of 200 feet. The site distance at the driveway shall be increased as much as feasible beyond the minimum requirement to provide additional safety at the intersection. Landscaping placed in these areas shall be restricted in height to prevent reduction of the sight line.</p>	<p>Implementation Responsibility: Applicant shall submit documentation demonstrating adequate sight line distances and necessary treatment of sight corners to City Engineer.</p> <p>Timing: City Engineer shall review documentation for compliance prior to issuance of Grading Permit.</p>	<p>Monitoring Responsibility: City of Pacifica Building Division of Planning Department.</p>	<p>Initials _____ Date _____</p>

Impact	Mitigation Measure	Implementation Responsibility & Timing	Monitoring Responsibility	Verified Implementation
After Mitigation: Less-than-Significant				

**CITY OF PACIFICA
COUNCIL AGENDA SUMMARY REPORT
November 13, 2007**

Agenda Item No. _____

SUBJECT:

Certification of an Environmental Impact Report, Adoption of Mitigation Monitoring and Reporting Plan, and Adoption of CEQA Findings, and Introduction of Ordinance Rezoning property to P-D (Planned Development), with a Development Plan for the subdivision of 65 acres of vacant land into 14 residential lots, with approximately 27.3 acres proposed as common open space located south of Fassler Avenue and east of Roberts Road (APN 022-150-420 and 022-150-310).

ORIGINATED BY:

Planning and Economic Development Department

DISCUSSION:

On October 15, 2007, the Planning Commission conditionally approved (subject to approval by the City Council of the necessary rezoning described in this Report) the subdivision of a 65 acre parcel into 14 lots, which included the dedication of a 2 acre lot for affordable housing. A Use Permit and Site Development Permit were also approved by the Commission for the development of an adjoining two-acre vacant lot with one-single family home with a second residential unit. No further action would be required by the Council for the development of the adjoining two-acre lot. The Planning Commission staff report and minutes are attached.

The Planning Commission fully supported the proposal, and many members of the community also spoke in favor of this project during the proceedings. The Commission also amended the conditions of approval as follows:

- Condition 2 (original): The maximum floor area of all the residential units shall be 4,300 square feet. Floor area shall mean the gross measurement of all enclosed floor area from outside wall to outside wall with the following exceptions: (a) Garages; (b) areas where there is no floor (i.e. "open-to-be-low" areas); (c) Outdoor decks and patios, whether covered or uncovered.

Modified Condition 2: The maximum floor area of all the residential units shall be 4,300 square feet. Floor area shall mean the gross measurement of all enclosed floor area from outside wall to outside wall with the following exceptions: (a) Garages; (b) areas where there is no floor (i.e. "open-to-be-low" areas); (c) Outdoor decks and patios, whether covered or uncovered. In addition, all accessory buildings or structures, whether attached to the main structure or not, should be included in the 4,300 square foot size limitation including but not limited to gazebos, clubhouses, pool houses, spa

structures, conservatories, greenhouses, guest structures, play houses, studios and offices. All accessory buildings should be attached to the house where possible, and/or designed with the same visual impact mitigation measures applied to the main structures. The only exception could be a small tool or storage shed attached to the house behind the bermed side of the home so as to be invisible from all views.

- Condition 7 (original): All retaining walls, grading and paving shall blend into the hillside by using natural colors, texture and materials.

Modified Condition 7: All retaining walls, grading and paving shall blend into the hillside by using natural colors, texture and materials, to the satisfaction of the Planning Director.

- Condition 8 (original): The applicant shall plant 100 (24-gallon) trees to screen the access road from northern views.

Modified Condition 8: The applicant shall plant 100 trees to screen the access road from northern views with a variety of trees to promote species habitat.

- Condition 27 (original): As proposed by the applicant, all the new buildings shall be designed and constructed to attain all the points necessary to achieve a LEEDs Gold certification at a minimum and a Platinum certification wherever possible, subject to review and approval by the Planning Director.

Modified Condition 27: As proposed by the applicant, all the new buildings shall be designed and constructed to attain all necessary points to achieve LEED certification and shall seek to obtain a Gold standard whenever possible.

- Condition 32 (original): Lots 7 and 8 and Lots 1-11 homes shall be required to have living roofs to further reduce visual impacts.

Modified Condition 32: Lot 7, 8 and 11 homes will have living roofs, and living roofs are strongly recommended for all homeowners as a way to further mitigate visual impacts.

As mentioned above, the applicant proposes to subdivide 65 acres of undeveloped land into 14 residential lots which includes the dedication of a 2-acre lot for affordable housing. Thirteen (13) of the proposed single-family residential lots would range in size from 1.1 to 2.7 acres. One lot, Lot 11, is 5.6 acres. Proposed lots would be sold for custom development by individual lot owners with the exception of Lot 12 which is conditioned to be developed with Below Market Rate Units. The City's Inclusionary Housing Ordinance requires the project to provide two units of affordable housing for low and moderate income families as part of the residential development. Approval of a Specific Plan by the Planning Commission would be required for the development of each of the proposed 14 lots which includes the 2-acre dedication parcel.

In addition, approximately 27.3 acres on the central and southern portion of the site are proposed as common open space for project residents. The open space area would be protected in perpetuity by the CC&Rs and maintained by the Homeowner's Association (HOA). Another 11 acres would be held in private open space on two separate lots located on the northern section of the project site between Fassler Avenue and the project access road.

The project site comprises two parcels. The majority of the site is designated Open Space Residential. The southern portion of the site is designated Very Low Density Residential. The residential development density for Open Space Residential is an average density of more than five (5) acres for each residential unit. The development density for Very Low Density Residential is an average of one-half to five acres per dwelling unit. The two designations allow different development densities. Twelve of the proposed lots (Parcel 1, 2 and Lot 1-10) are located within an Open Space Residential designation and have an overall development density of 5.06 acres per unit. This is consistent with the development density of the Open Space Residential designation which permits a maximum of one unit per 5 acres. Lot 11 and Lot 12 are located in an area designated by the General Plan as Very Low Density Residential designation which permits a density range of one unit per one-half acres to 5 acres. This would also be consistent with the overall development density which would allow a maximum of 9 units.

The two parcels (65 acres) are zoned P-D, Planned Development with the exception of the northwest corner of the parcel fronting Fassler Avenue, which is zoned Commercial. Both project parcels are within the Hillside Preservation District overlay district. A rezoning from P-D, Planned Development to P-D, Planned Development is required to permit the 14 lot subdivision. The rezoning will also correct the Commercial zoning on the northwest of the corner of the parcel fronting Fassler. The purpose of the Planned Development District is to allow diversification of the relationships of various buildings, structures and open spaces in planned building groups, while ensuring substantial compliance with the district regulations and other provisions.

As stated above, the project, as proposed, requires that the site be rezoned to P-D. The P-D section of the Municipal Code states that development standards in the P-D zone shall be guided by the regulations of the zoning district most similar in nature to the proposed use. In this case, the R-1 district would be most similar to the proposed use. Conformance with the R-1 development regulations would be determined at the time the units on the 14 lots are proposed for construction.

Additionally, properties proposed for development in the Hillside Preservation District must be rezoned to Planned Development with a Development Plan. The HPD limits the amount of site coverage that is permissible on the project site based on a slope density formula. Using this formula, roughly 6 acres of the 65-acre project site may be developed. This comprises 9% of the 65 acres in the total project site. The proposed project access road, retaining walls, lot driveways, landscaping, and building envelopes comprise less than 6 acres which is consistent with the HPD requirements.

The HPD also requires that parking be provided off-street. Two covered spaces and two uncovered spaces (such as driveways outside garages, or carports and off-street parking bays) must be provided per each single family dwelling unit. In addition, one guest space must be provided for every ten dwelling units. Six (6) parking bays are being proposed along the access road to provide additional guest parking.

Further, the City of Pacifica adopted Design Guidelines provide a framework for the review and evaluation of new construction. Design Guidelines generally address site planning, building design, landscaping, and water conservation. Specific guidelines are identified for hillside development projects such as the proposed project. They address slope stability and erosion, excavation, visual impact, and access difficulty.

The project, as proposed, is consistent with the City Design Guidelines. Buildings are proposed to be uniquely designed by each individual lot owner. Structures would be designed using low profile architecture and berming to reduce building mass visibility. Building materials and colors would be selected to blend with the natural environment. Only native plant landscaping would be used to preserve the natural landscape appearance of the hillside. The applicant has committed to incorporating green design principles into the project which will be required as a condition of approval and included in the CC&R's. All the proposed residential units would be required to comply with green building principles.

The applicant proposes a new style of architecture called "Coastal Green Architecture." The Applicant defines Coastal Green Architecture as, "balancing the needs of the city, community, environmentalists and homeowners to create a beautiful ocean view project."

"Coastal Green Architecture" is a term used to describe Field Architecture's interpretation of an architectural language appropriate to this stretch of Northern Californian coast. Building form is derived primarily from the desire to minimize visual impact and the relationship of these man-made structures with the surrounding ecology. Site integration, building geometry, orientation, material palette and sustainable design are the main elements which together impart a sense of a community of houses which belong to this portion of coastal hills.

The proposed Coastal Green Architecture design would be enforced by the HOA and Architectural Control Committee. Mitigation Measure AES-1 will also require that the CC&Rs provide detail descriptions of specific measures or features that shall be imposed to ensure that the custom homes conform to the definition of Coastal Green Architecture and incorporate the design measures discussed in the EIR that reduce or eliminate visual impacts. According to the applicant, Federal-style, Colonial style, Victorians, or Tudor style architectural designs would not be approved for construction by the Architectural Control Committee. The HOA and the Architectural Control Committee shall require consistency of materials and design elements while allowing some variation to keep homes from looking exactly alike.

The future houses would be nestled into the sloping hillside, using their rear walls for earth retention, and carve out a suitable living space which bends to conform to the natural contours of the ground. The lower portions of the houses use earth berms and natural concrete, which support the upper level of the houses. The low-profile rooflines are broken into discrete planes

which slope up in the center of the house, and fall towards the edges of the house. The design continues the slope of the hill, resulting architecture reads as 'indigenous' and echoes the outcroppings of the surrounding hills and ravines.

An example of the coastal green architecture is shown in DEIR Figure 6, Architecture Design. The design principles include the following:

1. Minimize visual impact by maintaining the natural grade; prohibit padding or terracing.
2. Architectural design of house should have a low profile and appear as a natural extension of the landscape.
3. Maximize energy-efficiency by integrating passive and active solar design and ecological material choices.
4. Utilize colors and materials blend into the natural environment

Building materials would include concrete, steel, and windows that can handle high winds associated with the coastal environment. The CC&Rs would require the colors for the homes and materials to blend into the natural environment. The CC&Rs would dictate the color pallet from which the homes can be painted as well as encourage each homeowner to utilize concrete as a core building material to allow the homes to be aligned with the contours of the hill.

Each home would be custom designed by the individual owners. CC&Rs would restrict the maximum size of homes to 4,300 square feet in living area to minimize their footprint on the land. Every house would be designed with a low profile to appear as a natural extension of the landscape. The development regulations permit homes to be constructed 35 feet above grade as measured from the finished grade between the lowest point of site covered by any portion of a building to the top most point of the roof. As mentioned above, the applicant has committed to a maximum building of 29 feet which will also be added as a condition of approval.

Each lot would be developed to minimize the southern profile which is visible to residents of Linda Mar. This would be accomplished through architectural design, building siting, excavation, and berming. The siting for each home is based on the best location on each lot for the home to be placed that would minimize visual impact. It is the goal to excavate each home to help lower its profile and make the home appear smaller from homes in the Linda Mar area. The berms would be 3 to 10 feet in height depending on the lot and siting of the home. Site plans for each lot would be reviewed by the City of Pacifica and the HOA Architectural Committee. The Planning Commission would have oversight on all the home designs through the approval of a Specific Plan and all designs would be reviewed and approved through the Harmony @ 1 HOA Architectural Committee.

The new project road would be constructed from Roberts Road and Fassler Avenue to access project lots. Lot 11 would be directly accessed by a new private driveway constructed directly off Roberts Road. The new project road would be publicly accessible and privately maintained by the HOA. The road would be constructed to a standard subdivision width of 26 feet. The project road includes a sidewalk on the south side of the street and street lights. The slope along the east side of Roberts road south of the access road would be trimmed to improve site

line distances for motorists leaving the project site.

Environmental Review:

In summary, the Environmental Impact Report found that the environmental impacts associated with this project can be mitigated and reduced to less than significant levels. In particular, the EIR found that biological, geological, hydrological, and traffic impacts will have less than significant impacts provided mitigation measures are incorporated. Below is a summary of some of the environmental issues associated with the proposed project:

a) Geology - This section addresses the geologic conditions of the Harmony @ 1 property and the potential effects of the development. A peer review of the Applicant's geotechnical reports concurs that the proposed project is feasible from the geotechnical standpoint. Compliance with seismic standards as well as engineering review and testing would reduce earthquake risks. A detailed remediation plan that addresses the surficial landsliding affecting the Roberts Road cut slope is recommended as a mitigation measure. The remediation plan would identify any grading or drainage improvements necessary to prevent future landsliding. Another mitigation measure would require design level geotechnical reports for Lot 9 and 10 to determine whether surface or subsurface drainage improvements are necessary to prevent accelerating erosion trends in the deep erosion gullies. Finally, measures would be implemented to mitigate the effects of expansive soils. This analysis concludes that potential impacts from seismic shaking, landslides, soil erosion and expansive soils can be mitigated to a level of insignificance.

An Engineering Geologic Feasibility Study (December 2005) and a Preliminary Geotechnical Investigation (June 2006) were prepared by Earth Investigations Consultants (EIC) to address the existing geologic conditions of the site and its suitability for residential construction. These reports were peer reviewed by Cleary Consultants who conducted several site visits during the period from August 30, 2006 to January 5, 2007. A geotechnical investigation performed by GeoForensics Inc. for the adjacent 2-acre homesite parcel dated March 2000, and received on May 11, 2007, was also reviewed. Stereographic aerial photographs of the site vicinity covering the last 60 years were studied as part of the review process.

b) Hydrology - The project development would increase impervious surfaces on the site resulting in increased storm runoff. Water quality of the storm runoff would be impacted by increased sediment loads and oil or grease from the project road and driveways. To mitigate the impact, the applicant must comply with all conditions of the State General Construction Activity National Pollutant Discharge Elimination System (NPDES) permit to reduce sediment in storm water. In addition, storm water will be directed to detention basins fitted with grease traps to remove oil and grease prior to discharge into the city storm drain lines. The detention basins will also allow sediment loads to settle out of the stormwater prior to discharge. With these measures, the water quality impact to storm runoff is reduced to less than significant levels.

The proposed storm water drainage for the project would direct all drainage to two detention basins - one at the southeast corner of Roberts Road and Fassler Avenue and one at the

southwest corner of Fassler Avenue and the new project access road. The Homeowners' Association would maintain the drainage system. Overflow from the basins would enter the municipal storm drain system under Fassler Avenue.

Water quality of storm water runoff has the potential to be impacted by oil and grease from the project road and driveway parking areas. An increase in silt load of the stormwater can also be expected due to site grading and development. Proper drainage controls shall be in place during site construction. Measures to prevent soil erosion are discussed in Geology (Section 6.0). Grease traps shall be installed and maintained to remove pollutants from the surface runoff prior to discharge from the detention basin. Measure HYD-2 would reduce the water quality impact from grease and sediment to a less than significant level.

c) Biology - The project would remove roughly 5.0 acres of grassland, 2.2 acres of coastal scrub, and 0.1 acres of Monterey pine forest. No special status plants were detected during rare plant surveys of the site. The project would require the removal of up to seven Heritage Trees (six Monterey pines and one Monterey cypress). The removal of the trees would be mitigated by replacing them with native tree and/or shrub species at a 1:1 ratio. Mitigation is identified to reduce potential impacts from increased human activity on site and control of invasive plant species during project construction.

Three California Species of Special Concern (San Francisco dusky-footed woodrat, California thrasher, and loggerhead shrike) and one CDFG Fully Protected Species (white-tailed kite) were confirmed present. Approximately four to six woodrat houses (stick structures for nesting that average five feet long and four feet in height) would be impacted by construction of the project access road and two detention basins. The majority of woodrat habitat is unimpacted and would remain in private open space. A management plan including specific protection measures is required as mitigation to minimize impacts to woodrat. Preconstruction surveys and avoidance protocols required as project mitigation eliminates impacts to nesting birds (including white tailed-kite, loggerhead shrike, and California thrasher).

Habitat for the federally endangered Mission blue butterfly occurs on two areas of the project site. Initial surveys conducted in spring 2007 during the flight season of the Mission blue butterfly have not detected adults of the species, however other evidence (presence of eggs, density of host plants, and distance to other mission blue colonies) suggests that the butterfly is likely present. It may not be present every year. Final surveys were also completed in July 2007 after the DEIR was completed. The survey results had the same findings as reported in the DEIR. No adult mission blue butterflies were observed but eggs that could belong to the mission blue butterfly were found in the same location as identified in the previous surveys considered in the DEIR. The proposed project would avoid impacts to the Mission blue host plants (*Lupinus formosus*) on the south side of the project area (Lot #11). The project would impact the small patch of *Lupinus variicolor* on the northwest side of the parcel which is not expected to be used by the Mission blue butterfly. A management plan for the open space is required as mitigation, including specific habitat protection measures to protect and preserve host plant habitat. Measure BIO-4 specifies the content of the management plan which will protect the habitat. Protective measures include restriction of activities that would degrade the

vegetation, cause erosion, or harass and/or harm wildlife such as 1) volunteer trails, 2) uncontrolled pets, 3) disposal of items including yard waste by residents, 4) use of rodenticides, and 5) drainage or human activity which could damage the drainage area on the eastern boundary of the project site. Additionally, through consultation with the City, US Fish and Wildlife Service and the California Department of Fish and Game the plan must specify protection goals and methods, a schedule of management and enhancement activities, annual monitoring and reporting, and an educational component.

California red-legged frog (federal threatened; California Species of Special Concern) and San Francisco garter snake (federal endangered; California endangered; California fully-protected) are known to occur in the Pacifica area, but are highly unlikely to occur on the project site. In addition, given the amount of open space retained on the property and mitigation measures proposed to maintain the habitat value of the open space, a habitat corridor for the species will remain even after development of the project. In order to avoid harm to either species, an exclusion fence and preconstruction surveys are recommended as mitigation.

d) Aesthetics - Development on the project site could potentially result in a significant change in the visual character of the parcel and degrade the quality of views of the project site. The threshold for determining whether a project has a significant visual impact is not whether it is visible, but whether it substantially degrades the visual character of the site and its surroundings or have a substantial adverse effect on a scenic vista (e.g., exceeds significance criteria). While the proposed project homes would be constructed along a highly visible ridgeline, the applicant has incorporated a comprehensive visual mitigation strategy into the project design that includes excavation, berming, siting, building geometry, colors, compliance, flat roofs, sod roofs, sustainable design, landscaping, elimination of perimeter fencing, and numerous other components to make sure the visual impact of the homes is minimized. The Draft EIR concludes that these design elements and mitigation measures reduce the visual impact of this development to a less than significant level. The project was designed to comply with the existing limitations of general plan policies, zoning ordinance, and Hillside Preservation requirements.

Lot 11 is below the prominent ridgelines on the property and does not impact the natural contour line of the higher elevation ridgeline. Sweeny Ridge and Mori Point are located roughly one mile away from the project site. At this distance, project development, including Lot 11, would not be highly visible. The project would not substantially affect a scenic vista. A view of the project site from the Pacifica State Beach parking lot is shown in Draft EIR Figure 12, Photo 8. Development on Lot 11 would be visible from this viewpoint. Photo simulations of the project from Mori Point and Linda Mar Beach are shown in Attachment B and confirm the conclusion that the view of the natural ridgeline would not be substantially altered. Elimination of Lot 11 is discussed in the Draft EIR as a project alternative (Section 10.4). This discussion concludes that elimination of Lot 11 would only slightly reduce the project's visual impacts. As proposed, the project incorporates many design features that reduce or eliminate aesthetic impacts. The development's Covenants, Codes and Restrictions (CC&Rs) would provide detailed descriptions of the required features that would reduce or eliminate visual impacts. Additional measures would minimize night light and glare. With these mitigation measures, the

visual impact of the project is reduced to less than significant.

e) Traffic and Circulation - The Harmony @ 1 project would add daily traffic trips to intersections near Fassler Avenue. The project including the land dedication for affordable housing would add 12 trips during the A.M. peak hour and 16 trips during the P.M. peak hour to two signalized intersections along Highway 1 which operate at unacceptable levels. The Highway 1 and Fassler Avenue/Rockaway Beach Avenue intersection operates at LOS F during the AM peak hour and Highway 1 and Reina Del Mar Avenue intersection operates at LOS F during both the AM and PM peak hour. Based on the increased traffic delay and volume to capacity ratios at these intersections, the project impact on these intersections and the project's contribution to cumulative impacts is not considered significant. The unsignalized intersection at Roberts Road and Fassler Avenue currently operates at LOS F during the AM peak hour. Project traffic would increase the delay on Roberts Road at this intersection by 5.9 seconds. The project traffic does not cause the traffic volumes at the intersection to satisfy the peak-hour volume traffic signal warrant adopted by Caltrans and therefore, the impact is not considered significant. The proposed project access road does not meet minimum safety requirements for sight line distances at its intersection with Roberts Road and with Fassler Avenue. Measures would be implemented to mitigate the project access road's impact on sight line distances.

f) Alternatives - Five alternatives to the project are considered in the Draft EIR. They are as follows:

- The **No Project alternative** assumes the continuation of existing conditions within the project site.
- The **Reduced Lots alternative** would reduce the number of lots proposed on the 65-acre lot. The same basic site plan configuration would be developed with several of the lots on the south side of the project access road eliminated. Reducing the number of lots on the south side of the project access road would reduce the number of homes constructed along a property ridgeline. Lots 3 through 6 and Lot 8 are the most visually prominent from areas south of the project site. Eliminating any of these lots would reduce the visibility of project development from the Linda Mar and Pedro Point areas. The Reduced Lots alternative would moderately reduce the project's less than significant visual impacts by eliminating one or more homes which would be partially visible along the ridgeline.
- The **Elimination of Lot 11 alternative** would remove development of this lot from the project tentative map. All other development would remain as proposed. The purpose of this alternative would be to avoid development near Mission Blue butterfly habitat.
- The **Clustered Development Alternative** would entail the same number of homes as the proposed project but with smaller building envelopes, structures and lot sizes. The intent would be to increase the development density on a smaller footprint to reduce environmental impact. The clustered homes would have to be located at the top of the hill or center of site where the slopes are less steep and most accommodating to development.

Clustering the development is an alternative to the project's linear lot design along the ridgeline. There are several constraints to a clustered development. Homes on a ridgeline or on flatter slopes can be excavated into the ground to reduce the visible portion of the building elevation. The flatter portions of the site most suited for development occur along the property ridgelines. Homes built on steeper slopes have more building elevation exposure along the face of the slope. A clustered design alternative which moves the homes off the ridgeline and places them as a close group on steeper slopes increases the amount of building mass visible to the community view shed.

The slopes along Roberts Road are excessively steep which limits where home sites could be clustered. In response to public comment, the applicant has prepared alternate design concepts (see Attachment C in the FEIR). The Clustered Scheme design alternative would cluster small lots along Roberts Road near Fassler Avenue. The size and location of the lots would be constrained by the 500 foot maximum length of a cul-de-sac permitted by city code. Lots sizes would be roughly 5,000 square feet in size in order to accommodate the same number of units proposed by the project. This alternative increases the density of development and visual massing of building facades on the lower ridgeline closest to Roberts Road. The upper ridgeline would remain largely undeveloped with the exception being the 2-acre parcel (Lot 14) which would be visible.

The Draft EIR concludes that with the implementation of design measures specified in Mitigation Measure AES-1, the visual impacts of the proposed project are reduced to a less than significant level.

- The **Environmentally Superior alternative**-- CEQA requires that the EIR analysis of project alternatives identify an "environmentally superior" alternative. If the environmentally superior alternative is the "No Project" alternative, the EIR shall also identify an environmentally superior alternative from among the other alternatives. Based on the above alternative analysis, it is determined that the Reduced Lots Alternative is the environmentally superior alternative which allows project objectives to be accomplished. The Reduced Lot Alternative would moderately reduce the project's visual impact and slightly reduce project impacts on Biology, Geology, Hydrology, Public Services, and Transportation.

Since publication of the DEIR, the applicant developed in more detail how it intended to comply with the City's Inclusionary Housing Ordinance. As discussed above, the applicant proposed to dedicate a two acre parcel in the southern portion of the site for development of below market rate housing. The FEIR clarified how the project would comply with the Inclusionary Housing Ordinance, considered the environmental effects of adding 2 BMR units to the project site and determined it would not result in any new significant impacts that were not already considered in the DEIR and would not substantially increase the severity of any environmental impacts identified in the DEIR.

The above is not meant to summarize the EIR, but merely to highlight some of the issues discussed in greater detail in the document.

FISCAL IMPACTS:

None

ATTACHMENTS:

- a. Conditions of Approval for Harmony @ 1
- b. Planning Commission staff report, October 15, 2007 (with some attachments)
- c. Planning Commission Minutes, October 15, 2007
- d. Resolution Certifying EIR, Adopting Mitigation Monitoring and Reporting Plan, and Adopting CEQA Findings (with Exhibit A, Mitigation Monitoring and Reporting Plan, and Exhibit B, CEQA Findings)
- e. Ordinance Rezoning property with a Development Plan (with Exhibit A, Rezoning Map)
- f. Full Size Plans

COUNCIL ACTION REQUESTED

1. Move that the City Council of the City of Pacifica open the public hearing and accept public testimony on the ordinance, then close the hearing.
2. Move that the City Council **ADOPT** the attached resolution certifying the Environmental Impact Report, Adopting the Mitigation Monitoring and Reporting Plan, and Adopting CEQA Findings for the Harmony @ 1 Project. *include resolution 10711*
3. Move that the City Council of the City of Pacifica **ADOPT** the findings contained in the October 15, 2007 and November 13, 2007 staff reports, incorporate into the record by reference all maps and testimony referenced therein, and adopt conditions of approval 1 through 79 as shown in Attachment A. *finding also refer to mmrp of 10711*
4. Move that the ordinance entitled "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PACIFICA RECLASSIFYING (RZ188-07) PROPERTY SOUTH OF FASSLER AVENUE AND EAST OF ROBERTS ROAD (APN 022-150-420 AND 022-150-310) FROM P-D, PLANNED DEVELOPMENT RESIDENTIAL DISTRICT/C-1, NEIGHBORHOOD COMMERCIAL, TO P-D, PLANNED DEVELOPMENT RESIDENTIAL DISTRICT, WITH A DEVELOPMENT PLAN (DP-70- 07) FOR THE SUBDIVISION OF 65 ACRE SITE INTO 14 RESIDENTIAL LOTS" be read by title only and that further reading be waived.

with Resolution 10711

5. Move introduction of the ordinance.

6. Direct staff to place the second reading and adoption of the ordinance on the consent calendar for the next regular Council meeting.

Conditions of Approval – Harmony @ 1 Residential Project

Planning Department:

1. Development shall be substantially in accord with the Plans titled “PRELIMINARY GRADING AND DRAINAGE PLAN 13 RESIDENTIAL LOT SUBDIVISION, PACIFICA, CALIFORNIA,” consisting of ten (10) sheets, dated 08/02/07 and with the plans titled “DUNSTAN/HUSSON Sunset breezhouse 4096 FASSLER AVENUE, PACIFIC CALIFRONIA A.P.N. 022-150-030, consisting of nine (9) sheets, dated 09-24-07.
2. The maximum floor area of all the residential units shall be 4,300 square feet. Floor area shall mean the gross measurement of all enclosed floor area from outside wall to outside wall with the following exceptions: (a) Garages; (b) areas where there is no floor (i.e. “open-to-be-low” areas); (c) Outdoor decks and patios, whether covered or uncovered. In addition, all accessory buildings or structures, whether attached to the main structure or not, should be included in the 4,300 square foot size limitation including but not limited to gazebos, clubhouses, pool houses, spa structures, conservatories, greenhouses, guest structures, play houses, studios and offices. All accessory buildings should be attached to the house where possible, and/or designed with the same visual impact mitigation measures applied to the main structures. The only exception could be a small tool or storage shed attached to the house behind the bermed side of the home so as to be invisible from all views.
3. As proposed by the applicant, the CC&Rs shall include a provision that no second residential units shall be allowed on Lots 1-11.
4. Only living and natural fencing shall be allowed near the homes as a pet, child or personal yard enclosure, not to exceed 2,000 square feet, and no fencing or tree lining of the overall property line shall be permitted.
5. No lots shall be allowed to be further subdivided.
6. The maximum height for the single-family residential project is 29 feet, measured at the finished grade, between the lowest point on the site covered by any portion of a building to the topmost point of the roof.
7. All retaining walls, grading and paving shall blend into the hillside by using natural colors, texture and materials to the satisfaction of the Planning Director.
8. The applicant shall plant 100 trees to screen the access road from northern views with a variety of trees to promote species habitat.

9. The applicant shall be required to construct two (2) Below Market Rate Units consistent with the City's Inclusionary Housing Ordinance provisions regarding alternatives.
10. The first Below Market Rate Unit shall be constructed prior to occupancy of the eighth market rate residence and the second Below Market Rate Unit shall be construction prior to occupancy of the tenth market rate residence
11. The developer shall execute an inclusionary Zoning Compliance Agreement prior to recordation of the Final Map.
12. The applicant shall submit a final landscape plan for the single-family residence with a second unit on the 2-acre homesite parcel prior to the issuance of a building permit. All landscaping shall be maintained and shall be designed with efficient irrigation practices to reduce runoff, promote surface filtration, and minimize the use of fertilizers, herbicides and pesticides. The landscape plan shall show each type, size and location of plant materials. The landscaping shall be installed prior to occupancy. Landscaping materials included on the plan shall be appropriate to site specific characteristics such as soil type, topography, climate, amount of timing of sunlight, prevailing winds, rainfall, air movement, patterns of land use, ecological consistency and plant interactions to ensure successful establishment. Landscaping shall incorporate [native plants]. All landscaping on the site shall be adequately maintained and replaced when necessary as determined by the Planning Director.
13. As a condition of the Tentative Map, the subdivider shall defend, indemnify, and hold harmless the City of Pacifica and its agents, officers, and employees from any claim, action, or proceeding against the City of Pacifica and its agents, officers, or employees to attack, set aside, void, or annul approval of subdivision, SUB-213-07. Pursuant to this condition, the City of Pacifica shall promptly notify the subdivider of any claim, action, or proceeding regarding the subdivision, and the City of Pacifica shall cooperate fully in the defense of such claim, action, or proceeding.
14. Adequate, accessible, and convenient Recycling Areas shall be provided within the development. The dimensions of Recycling Areas shall be adequate to accommodate receptacles sufficient to meet the recycling needs of the Development Project. An adequate number of bins or containers shall be provided in Recycling Areas to allow for the collection and loading of recyclable materials generated by the Development Project. Recycling Areas shall be designed to be architecturally compatible with nearby structures and with the existing topography and vegetation. Recycling areas shall provide unobstructed access for collection vehicles and personnel. A sign clearly identifying all recycling and solid waste collection and loading areas and the materials accepted therein shall be posted adjacent to all points of direct access to Recycling Areas.

Areas adjacent to Recycling Areas shall be adequately protected from any adverse impacts associated with Recycling Areas by means of measures such as adequate separation, fencing and landscaping. Recycling Areas shall be located so they are at least as convenient for those persons who deposit, collect, and load the recyclable materials placed therein as the locations where solid waste is collected and loaded. Whenever feasible, areas for collecting and loading recyclable materials shall be located adjacent to the solid waste collection areas.

15. Plant-guild colonies shall be planted, where not directly under a structure, and shall be fenced off during construction for protection of flora and fauna, and shall be reviewed by a qualified botanist for the purpose of long term conservation.
16. All construction equipment and materials shall be kept on each individual building site and only on the street for short periods of time and never shall be kept in the designated open space areas.
17. Leaf blowers that create noise pollution shall be prohibited.
18. All toxic pesticides and herbicides shall be prohibited.
19. The applicant shall provide a documented plan and management program for the protection of native species including guild-colonies, trees and significant habitat.
20. In conjunction with a certified botanist, a detailed preservation/implementation/maintenance plan for natural and landscaped areas that preserves/provides over-all landscaping that is contiguous with existing native flora for a fully integrated habitat-friendly site covering all periods of construction and the lifetime of the project shall be implemented.
21. All permanent landscaping shall be primarily native plants and non-native/drought tolerant plants and trees. Fruits and vegetable gardens in private yard spaces shall be excluded. All of the individual lots shall be kept in their natural state or planted to be botanically contiguous with existing plant guild colonies.
22. Prior to occupancy and as proposed by the applicant, the applicant shall incorporate the green building elements described in the project information materials to all the Planned Development units including, but not limited to the following:
 - Design and landscape to create comfortable micro-climates and reduce heat island effects based on the recommendations of our landscape designer.

- Maximize onsite storm water management through landscaping and/or permeable pavement
- Use water-conserving landscape technologies such as drip irrigation, moisture sensors, and watering zones
- Use of drought tolerant native and non-native, plant materials and tree groupings to reduce visual impact of man-made structures.
- No planting of invasive species (such as pampas grass, scotch broom, etc...) may be introduced to the hillside.
- Preserve existing vegetation and protect soil during construction, to the extent possible
- Whenever possible, use recycled rubble for backfill drain rock.
- Use flyash in concrete based on the specific standards set forth by the City of Pacifica or the County of San Mateo
- Use prefabricated forms or save and reuse wood form boards for construction of homes, whenever possible
- Use sustainably harvested lumber (FSC certified) for wood framing
- Use durable roofing materials as suggested by standards set forth by the City of Pacifica or the County of San Mateo
- Use sustainable siding materials as suggested by standards set forth by the City of Pacifica or the County of San Mateo
- Utilize low profile, flat roof structures that minimize visual impact
- Use roof structures that can support passive and active solar solutions
- Exterior colors are to utilize more "earth" tones rather than bright, light reflective hues. Specific colors will be detailed in the homeowner's handbook to be created in conjunction with local artists
- Plan windows and skylights, light shelves, and window treatments to provide daylight that improves indoor environments
- Choose window sizes, frame materials, and glass coatings to optimize energy performance
- Stop air leakage at doors and windows
- Use water-conserving plumbing fixtures
- Use water-saving appliances and equipment
- Insulate hot and cold water pipes
- Use heat recovery equipment, tankless water heaters and/or on-demand hot water circulation pumps
- Pre-plumb for future gray water use for toilet flushing and landscape irrigation
- Design lighting levels for actual use, and use task lighting to reduce general lighting levels
- Use lighting that minimizes glare, reflection and light pollution
- Use energy-efficient lamps and lighting fixtures
- Use lighting controls that save energy such as occupancy sensors
- Use ENERGY STAR® appliances
- Utilize natural gas where possible since it is less polluting than burning fossil fuels in a power plant to generate electricity.

- Use passive solar design where feasible, thermal mass, and insulation to reduce space heating needs
- Use natural ventilation and passive cooling whenever possible
- Use wall, floor, and ceiling insulation that exceeds minimum State requirements
Use high-efficiency equipment including furnaces, boilers, fans, and pumps Place ductwork within conditioned living space, seal joints properly, and clean before occupancy
- Use recycled-content, formaldehyde-free fiberglass insulation, cellulose insulation, or other green insulation products
- Separate ventilation for indoor pollutant sources and provide advanced filtration to improve indoor air quality
- Use clean and efficient alternatives to wood-burning fireplaces
- Use solar hot-water systems for domestic use and swimming pools
- Use solar hot-water systems for space heating
- Pre-plumb for a solar hot-water system
- Use artistic wind columns to generate electricity for the light poles
- Use low light polluting street lights
- Use low- or no-VOC, formaldehyde-free paints, stains, and adhesives
- Use low- or no-VOC carpets, furniture, particleboard, and cabinetry
- Use natural materials such as wool and sisal for carpets and wall coverings
- Install plug-in electric car ports in garages.
- Dramatically reduce demand for energy and natural resources (water, petroleum, gas, coal, through renewable tie-in's, building designs that minimize footprint on sensitive habitat. – The goal is to create an energy footprint that is smaller than most 1,500 square foot homes.
- Every home will bermed to minimize visual impact
- Locate structures to minimize off-site views – Every home has been excavated lower to hide the home and many other specific strategies to minimize the visual impact.
- There shall be design review by the city including design criteria and standards for each dwelling.
- Limit the amount of turf to less than 2,000 square feet
- **Incorporate Natural Cooling** –Any combination of natural cooling techniques can be used to reduce overheating in homes. Use deep window overhangs and/or trellises primarily on south and west facing glass to provide a balance between summer cooling and winter heating through solar gain. Natural cooling reduces the need for air conditioning, saves money on energy bills, and utilizes “fresh air” to make homes more comfortable.
- **Design Plumbing for Solar Water Heating** – Insulated pipes are pre-installed to a hot water closet or mechanical room for solar water heating installation.
- **Solar Water System** – Solar water heating systems use solar panels to collect heat from the sun. The hot water is stored for use at a later time. Water pre-heated by a solar system can also supplement use of a standard water heater. Use these systems for domestic use and heating of swimming pools. Consider use of solar hot water systems for space heating.

- **Demand or Tankless Water Heaters** - The National Renewable Energy Laboratory (NREL) found that even in high-water-use homes (e.g., about 86 gallons per day), demand or tankless heaters are at least 8-14 percent more efficient than storage tanks. For low-water-use homes (e.g., about 41 gallons per day and less), demand heaters were 24-34 percent more efficient than storage tanks.
- **Integrate Photovoltaic (PV) Systems** –All homes are required to have some form of solar power. All PV systems are to be integrally designed into the roof structure. A minimum of 50% of power should come from renewable sources with a goal of 80%.
- **Grey water systems.** All homes are required to have a gray water system such as ReWater captures, filters and reuses shower, tub, bathroom sink, and laundry water, which is about 50% of all water used inside a residence. From an average 3.2-person home, this annual flow is 46,000 gallons of water. That water is then used in an underground drip irrigation system, which is up to 60% more efficient than sprinklers. An automated process keeps half the house's wastewater from being turned into sewage, which saves treatment costs.
- **Water harvesting systems.** All homes are required to have rain catchment systems connected to roof edge guttering and also to driveway runoff channels. The tanks are fiberglass, and are partially buried beside each house. A small pump connects the rainwater catchment system to the grey water tank so that this water is all used for irrigation. www.rainwater.org offers some useful data on these systems.
- **The developers will install small, silent wind power turbines** on 5-10 streetlight poles on the main spine road. This will ensure that streetlights are energy-neutral.
- **Use structural insulated panels to replace wood-framed walls.** These types of walls have up to a 55 R rating and are incredible energy efficient. We are standardizing on Thermasteel Systems. (www.thermasteelsystems.com)
- **Use natural building materials and techniques** – Homeowners are encouraged to use natural building materials and techniques that are environmentally-friendly, minimize waste and comes from sustainable sources.
- **Other sustainable methods or materials used.** We require active participation in the recycling program provided by the city of Pacifica.
- **Dishwasher** – The most water-efficient dishwashers currently on the market use about 4 gallons of hot water per load, which is half as much as the least efficient ones. Dishwashers using half the amount of water as a standard dishwasher also require only half as much energy to heat the water.
- **Refrigerator** – The refrigerator is the single biggest power consumer in most households. Energy Star labeled refrigerators incorporate a number of advanced features to save energy while keeping food fresh. They are readily available in side-by-side, freezer top or bottom models, and many even offer through door ice and water features.
- **Clothes Washer** – Horizontal axis washing machines (front-loaders) use 60% less energy due to much lower water consumption. Energy Star washers often spin-dry clothes better, resulting in energy conservation during the drying process as well.

- **Clothes Dryer** – The dryer is typically the second-biggest electricity-using appliance after the refrigerator. Compared to electric dryers, using a natural gas dryer can cut costs per load in half. Models with a moisture sensor may further reduce energy use by an additional 15%. Homeowners are encouraged to search for dryers that can run on solar power.
 - **Cooking Stove** – Gas with electric ignition stove tops and ovens are twice as efficient as electric or gas with pilot light models. Ovens with a self-cleaning function are up to 20% more energy-efficient due to the increased insulation required to withstand the higher temperatures sustained during the cleaning cycle.
23. Prior to occupancy and to the maximum extent feasible as determined by the Planning Director, the applicant shall incorporate the green building elements described in the project information materials (suggested recommendations) to all the Planned Development units including, but not limited to the following:

Site and Landscape;

- Reduce building footprint — smaller is better
- Use recycled rubble for backfill drain rock

Waste Reduction and Management;

- Use recycled aggregate in non-structural concrete

Exterior Treatments, Siding and Roofing;

- Use a green or living roof
- Use sustainable decking materials

Wood and Framing;

- Use spacings, sizes, and modular dimensions that minimize lumber use and optimize performance
- Use engineered lumber or metal stud framing to replace solid-sawn lumber
- Use reclaimed or salvaged lumber

Windows and Doors;

- Provide shading on east, west and south windows with overhangs, awnings, or deciduous trees.

Plumbing;

- Use sustainable materials for pipes

Heating and Cooling;

- Use ceiling fans and use a whole-building fan for night-time cooling

Renewable Power and Solar Energy

- Generate clean electricity onsite using wind turbines

Interior Materials;

- Use exposed concrete as a finished floor
- Use sustainable materials for flooring, trim, and interior surfaces
- Use recycled-content floor tile, carpets and pads, cabinets, and countertops
- Use reclaimed / salvaged, sustainable harvested (FSC certified), or engineered wood for flooring and trim, or use wood alternatives such as bamboo and cork

Other Green Alternatives;

- Use insulated concrete forms
- Use structural insulated panels to replace wood-framed walls
- Use natural building materials and techniques
- Use other sustainable methods or materials used
- Use ceiling fans and use a whole-building fan for night-time cooling
- Provide shading on east, west and south windows with overhangs, awnings, or deciduous trees
- Installation of radiant heating systems
- Living roofs are encouraged and must be properly maintained at all times.

24. A certified green building professional, at the developer's expense, shall review the green building elements proposed by the applicants for compliance with green building practices identified in condition 22 and 23 above.
25. The green building elements proposed by the applicants in condition 22 and 23 above shall be incorporated into the CC&R's.
26. The applicant shall incorporate the green building elements proposed by the applicant in condition 22 and 23 above to the affordable units on the 2-acre dedication parcel and on the 2-acre homesite parcel to the maximum extent feasible as determined by the Planning Director.
27. As proposed by the applicant, all the new buildings shall be designed and constructed to attain all necessary points to achieve LEED certification and shall seek to obtain a Gold standard whenever possible.

28. As proposed by the applicant, the applicant shall record in a form acceptable to the City Attorney a restriction against the property requiring that the approximately 27.3 acre area of land shown on the Tentative Subdivision Map on the central and southern portions as open space will remain open space in perpetuity. The recorded open space restriction shall run with the land, and any future conditions, covenants and restrictions ("CC&R's") for the project also shall require that the approximately 27.3 acre area of land shall remain open space and shall not be developed.
29. The following programs shall be implemented by the applicant/developer:
- a. **Cowan Spiegel Teaching Garden** – Proposal to work with the school district, students and/or individual schools to create a garden project.
 - b. **Mission Blue Habitat Expansion** – Support the creation and expansion for the Mission Blue Butterfly. Create a safe sanctuary for the butterflies to reproduce, creating one of the largest natural butterfly sanctuaries in the state.
 - c. **Native Wildflower Project** – Purchase seeds and bulbs and work with students and volunteers to help spread them throughout the property.
 - d. **100 Tree Initiative** – Partner with local arborists and Go Native Nursery to plant native trees that will provide protection from the wind, minimize visual impact of man-made structures and be around for decades to come.
 - e. **Bird Sanctuary** – Actively work with experts, the Autobahn Society and volunteers to create safe places for birds to breed and live.
 - f. **Habitat Model** – Designate a large portion of the project to creating habitat for animals and plants to have a protected area to thrive.
 - g. **Buyers' club** for our environmental products and services. Anyone in Pacifica wishing to aggregate their purchasing power, can group their purchases reducing the overall cost for items such as gray water systems, water harvesting, solar, wind, plants, etc.
30. The CC&R's and Design Guidelines provided by the applicant shall control design, styles, size, materials, fencing, colors, design of private outdoor space and use of native and non-native drought tolerant landscaping.
31. An architectural committee shall be created by the Homeowners Association, consisting of an architect, environmental consultant, and developers. They shall remain members of this committee until all homes are designed and built to meet the strict standards set forth in the design guidelines and adopted as conditions of approval for this project. All builders shall be required to adhere to the standards set forth by the architectural committee and the conditions of approval.
32. Lots 7 and 8 and 11 homes will have living roofs, and living roofs are strongly recommended for all homeowners as a way to further mitigate visual impacts.

33. The applicant shall plant trees near all the retaining walls as recommended by a certified arborist.
34. The applicant shall provide wind generated power to the maximum extent feasible as determined by the Planning Director.
35. The applicant shall provide an overall plan for watershed management plan including the usage of permeable hard-scapes, berms and swales and other significant measures to retain storm water on-site, replenishing groundwater and minimizing impacts to local wastewater systems.
36. Each homeowner within the Planned Development shall be required to purchase and maintain a rainwater harvesting system for collection, retention and re-use of water for gardens and landscaping. All homes shall have systems connected to roof edge guttering and also to driveway runoff channels connected to adequate holding tanks and properly designed usage systems.
37. All homes within the Planned Development shall provide a gray-water system, such as ReWater, that captures and filters shower, tub, bathroom sink, and laundry water that is then used in underground drip irrigation systems.
38. The applicant shall create standards and implement a maintenance program for private road street lighting, paths, common areas and any other street furniture subject to approval of the Planning Director.
39. Pollution from man-made lighting shall be minimized by using low pollution light poles as well as requiring homeowners to take measures to minimize light pollution from outdoor lights and indoor lights through, placement, window tinting and other strategies recommended by our architect and/or city planners.
40. The applicant shall provide the required amount of parking for the project and shall integrate permeable parking bays and/or sidewalks, patios, driveways and other hardscapes subject to approval of the Planning Director and City Engineer.
41. All recreational vehicles shall be stored in garages or out of site from the homes below.
42. Prior to the issuance of a building permit, the applicant shall submit information on exterior finishing, including colors and materials, subject to approval by the Planning Director.
43. All project-related easements, including drainage easement shall be to the satisfaction of the City Engineer, Planning Director and City Attorney, and shall be recorded prior to or concurrent with the Final Map.

44. Trash enclosures and dumpster areas must be covered and protected from roof and surface drainage. If water cannot be diverted from the 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 need.
45. No wastewater (including equipment cleaning wash water, vehicle wash water, cooling water, air conditioner condensate, and floor cleaning washwater) shall be discharged to the storm drain system, the street or gutter.
46. 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 Coastside Scavenger. 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 and any 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.
47. 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.
48. 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.
49. 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.
50. Roof drains shall discharge and drain away from the building foundation to an unpaved area wherever possible.
51. All outstanding and applicable fees associated with the processing of this project shall be paid prior to the issuance of a building permit.
52. A detailed on-site exterior lighting plan shall be submitted for review and approval by the Planning Director prior to issuance of building permits. Said plan shall indicate fixture design, illumination (photometric plan), location, height, and

method of shielding. Lighting shall be directed away from adjacent properties to avoid adverse affects thereto. Building lighting shall be architecturally integrated with the building style, materials and colors, and shall be designed to minimize glare. Fixture locations, where applicable, shall be shown on all building elevations.

53. The applicant shall hereby agree to indemnify, defend and hold harmless the City, its Council, Planning Commission, advisory boards, officers, employees, consultants and agents (hereinafter "City") from any claim, action or proceeding (hereinafter "Proceeding") brought against the City to attack, set aside, void or annul the City's actions regarding any development or land use permit, application, license, denial, approval or authorization, including, but not limited to, variances, use permits, developments plans, specific plans, general plan amendments, zoning amendments, approvals and certifications pursuant to the California Environmental Quality Act, and /or any mitigation monitoring program, or brought against the City due to actions or omissions in any way connected to the applicant's project. This indemnification shall include, but not be limited to, damages, fees and/or costs awarded against the City, if any, and costs of suit, attorneys 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.
54. All transformers, HVAC units, and 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 concrete or masonry walls, berming, painting and landscaping, to the satisfaction of the Planning Director.
55. Wastewater from vehicle and equipment washing operations shall not be discharged to the storm drain system.
56. Roof drains shall discharge and drain way from the building foundation to an unpaved area wherever practicable.
57. Declaration of Covenants, Conditions & Restrictions (CC&Rs). Prior to issuance of a building permit, the developer/owner shall prepare and record with the San Mateo County Recorder's Office a Declaration of Covenants, Conditions & Restrictions and Equitable Servitude's (one set of CC&Rs shall prepared for the 2-acre dedication parcel and a separate set shall be prepared for the 63 acre parcel that will contain 13 residential lots) which shall run with the land and be binding on all future owners and occupants of each of the residential units within the subject property and their successors, heirs and assigns, and shall be approved as

to form and content by the City Attorney and Planning Director, which accomplishes the following:

- a) The Declaration shall be binding upon each of the owners of each of the residential and commercial units on the subject property and their heirs, successors and assigns.
- b) There shall be a Homeowners Association to manage the project. The Declaration shall specify that the Homeowners Association shall be responsible for the repair, maintenance and replacement of the building exteriors, exterior lighting, park, common areas, utility areas within common areas, parking, landscaping and building signage, sanitary sewer, private storm drain and other features. Maintenance of the private storm drain shall be the responsibility of the applicant and property owners.
- c) The Declaration shall establish standards and guidelines for the maintenance, repair and replacement, where applicable, all building exteriors, exterior lighting, park, parking, landscaping, signage, sanitary sewer, private storm drain, and other features and utility facilities within the common areas, to the satisfaction of the City of Pacifica. Maintenance of the private storm drain shall be the responsibility of the applicant and property owners.
- d) The Declaration shall establish a mechanism for placing assessments against the owners of all residential and commercial units within the subject property for the purpose of financing the maintenance, repair and replacement of the building exteriors, common areas, parking, landscaping and building signage. The assessments shall be apportioned in an equitable manner.
- e) The assessments shall be made, work shall be contracted for, and funds shall be disbursed by such person ("Agent") as may be delegated from time to time, by the Homeowners Association. The project owner shall act as the Agent as long as the project owner owns at least two of the units on the subject property.
- f) Any assessment not paid when due shall become a lien against the unit of the nonpaying owner, which lien may be foreclosed by the Agent.
- g) Communications. Each owner is responsible for, and shall agree to, furnish to each new tenant a copy of the CC&Rs prior to execution of a lease or purchase agreement for each unit.
- h) The Declaration shall establish procedures for designating a project "Manager," if different than the "Agent," who shall at all times be responsible for security and/or maintenance of the overall project. At all times the Manager shall provide his/her name and current phone number to the Planning Director, including any changes thereto.
- i) The Declaration shall include a provision that the provisions relating to this condition 57 shall not be amended without prior approval in writing from the City of Pacifica.
- j) The Declaration shall specify that the owners of each of the residential on the subject property shall comply with all other applicable conditions of approval for the project.

- k) The Declaration shall include the provisions required to be included in the CC&Rs by the MMRP. The MMRP requires provisions to be included in the CC&Rs when it requires the applicant to provide evidence of continuing maintenance or other responsibility of the HOA or other similar entity.
 - l) The Declaration shall name the City of Pacifica as a third party beneficiary with the right (but not the obligation) to enforce the provisions required to be included in the CC&Rs by the MMRP or these conditions.
58. The property owner(s) shall keep the property in a clean and sanitary condition at all times.
59. No building permit shall be issued until a Growth Management Ordinance allocation for each of the new residential units has been granted.
60. If archaeological resources (archeological, paleontological or human remains) are discovered during project ground disturbance activities all immediate work shall be stopped until a qualified archaeologist is consulted to ensure no harm to resources.
61. The applicant shall comply with all Mitigation Measures and implement the Mitigation, Monitoring and Reporting Program (Harmony @ 1 Roberts Road Subdivision) adopted as part of the Environmental Impact Report and attached to the Resolution Certifying the EIR. Prior to Final Map approval, the project applicant must demonstrate compliance with all mitigation measures or provide evidence ensuring that any future requirements of the mitigation measures will be met in accordance with the MMRP.

Public Works Department/Engineering Division:

62. 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.
63. In lieu of requiring to overlay half of the street width of Fassler Avenue and Roberts Road along the property frontage, applicant shall apply a slurry seal the whole width of Fassler Avenue and Roberts Road from the project's entrance at Roberts Road to the project's entrance at Fassler Avenue and the whole intersection of Roberts Road and Fassler Avenue. All pavement markings and markers that are damaged or affected shall be replaced in kind.

64. All proposed sanitary sewer system and storm drain system including detention basins up to their connection to the existing mains shall be privately maintained and shall be reflected in the project's CC&Rs.
65. To comply with the current requirements of the California Regional Water Quality Board and the San Mateo Countywide Storm Water Pollution Prevention Program, applicant shall submit both electronic and hard copy of the report produced using Bay Area Hydrology Model (BAHM) software that analyze the hydromodification effects of land development and sizing solutions to mitigate the increased runoff of the project.
66. Applicant shall submit a Final Map for APN 022-150-420 for the 15-lot (13 residential lots, a dedication of a 2 acre lot for affordable housing and a public access lot) and a Final Parcel Map for APN 022-150-310 for the 3-lot subdivision (2 residential lots and a public access lot). All required monumentations shall be shown on the map and set prior to recordation of the map. The map shall be submitted to the Engineering Division and approved by the City Engineer and staff. Prior to approval of these maps, a Subdivision Improvement Agreement must be executed and all necessary fees and bonds associated with this agreement must be paid by the applicant.
67. Applicant shall enter into a Subdivision Improvement Agreement with the City of Pacifica to construct all on-site and off-site improvements, as depicted on the approved Tentative Map and any conditions and mitigations imposed on this project, prior to approval of the final map.
68. Prior to the execution of the Subdivision Improvement Agreement, applicant shall submit to Engineering Division the construction plans and necessary reports and engineering calculations for all on-site and off-site improvements to the satisfaction of the City Engineer. Such plans and reports shall include but not limited to:
 - a. All plans and reports must be signed and stamped by a California licensed professional.
 - b. Plan, profile and cross sections of the proposed roadways including the cul-de-sacs. The proposed road must have a maximum grade of 15%.
 - c. Structural section for all proposed roadway shall be a minimum of 3 inches Asphalt Concrete and 12 inches of Aggregate Base.
 - d. The design of the entrances at Fassler Avenue and Roberts Road. The entrance design at Roberts Road including the proposed retaining wall shall be per the site distance recommendation of the traffic engineer. The entrances must have curb ramps at each corner.
 - e. A more current topographic survey performed by a California licensed surveyor.
 - f. Hydrology Calculations based on a 100-year storm for the design of the proposed storm drain system and its appurtenances including the detention

basin. The design shall also incorporate the recommendations from BAHM as required above.

- g. Design Geotechnical Report analyzing the proposed on-site and off-site improvements including but not limited to the road and retaining wall.
 - h. All site improvements including utilities and connections to existing mains must be designed according to the City Standards and to the satisfaction of the City Engineer.
69. Construction of site improvements must be to the satisfaction of the City Engineer.
70. Existing curb, sidewalk or other street improvements adjacent to the property frontage that is damaged or displaced shall be repaired or replaced as deemed by the City Engineer even if damage or displacement occurred prior to any work performed for this project
71. The existing curb along the southside of Fassler Avenue within the property frontage shall be painted in red to prevent illegal parking on Fassler.
72. All construction trucks and deliveries to the site are prohibited during morning peak hours. Construction traffic shall avoid residential areas. The primary construction access to the site shall be from Highway 1 via Sea Bowl Lane and from northbound Highway 1 shall be via Fassler Avenue. Construction equipment shall use available noise suppression devices and properly maintain and muffle loud construction equipment. Construction equipment shall avoid unnecessary idling when within 500 feet of residence.
73. Fassler Avenue and Roberts Road shall be maintained clear of construction equipments, materials and debris, especially mud and dirt tracks. Dust control and daily road cleanup will be strictly enforced. There shall be no construction vehicles parked along Roberts Road.
74. BAAQMD Construction Best Management Practices (BMPs) shall be employed to reduce dust emission during the construction phase. The project construction documents shall specify the following BMPs as dust control measures:
- Water all active construction sites at least twice daily.
 - Cover all trucks hauling soil, sand and other loose materials or require all trucks to maintain at least 0.6 meters (2 feet) of freeboard.
 - Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites.
 - Sweep daily with water sweepers all paved access roads, parking areas and staging areas at construction site.
 - Sweep streets daily with water sweepers if visible soil material is carried onto adjacent public streets.
 - Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas

(previously graded areas inactive for ten days or more.

- Enclose, cover, water twice daily or apply (non-toxic) soil binders to expose stockpiles (dirt, sand, etc.).
- Limit traffic speeds on unpaved roads to 15 mph.
- Install sandbags or other erosion control measures to prevent silt runoff to public roadways.
- Replant vegetation in disturbed areas as quickly as possible.
- Suspend excavation and grading activity when winds exceed 40 kilometers per hour (25 miles per hour).

Public Works Department/Wastewater Division:

75. 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 such as plastic bags and bottles to the Public Work Director's satisfaction.

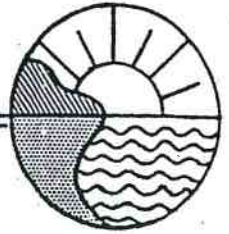
Building Division of Planning

76. Construction shall be in conformance with the San Mateo Countywide Storm Water Pollution Prevention Program. The applicant shall implement Best Management Practices during all phases of construction for the project.
77. A design level geotechnical report shall be submitted characterizing the soil conditions of each residential structure and retaining walls including drainage and grading. A peer review of the geotechnical report shall be required.

Fire Department:

78. Prior to occupancy, a final letter from North Coast County Water District shall be submitted stating that the District is able to provide sufficient water flow and pressure to the fire hydrants and automatic fire sprinkler systems.
79. A fire hydrant shall be required at the end of the cul-de-sac to serve the proposed single-family residence on the 2-acre lot.

STAFF REPORT



PLANNING COMMISSION-CITY OF PACIFICA

DATE: October 15, 2007

ITEM NO: 1

PROJECT SUMMARY/RECOMMENDATION AND FINDINGS

Notice of public hearing was published in the Pacifica Tribune on October 3, 2007 and 90 surrounding property owners were notified by mail

FILE: SUB-213-07
RZ-188-07
DP-70-07
UP-978-07
PSD-763-07

APPLICANT/

PROPERTY OWNERS:

Cowan-Newton, LLC
338 Horizon Way, Suite 200
Pacifica, CA 94044

Sea Bowl Pacifica, Inc.
4625 Coast Highway
Pacifica, CA 94044

Pacifica Land LLC
1489 Webster St., Ste 218
San Francisco, CA 94115

William Husson & Kerrie Dunstan
46 Franklin Avenue
South San Francisco, CA 94080

LOCATION:

Fassler Avenue at Roberts Road (APN 022-150-420, 022-150-310, and 022-150-030)

PROJECT DESCRIPTION:

Subdivision of a 65 acre parcel into 13 lots, development of an adjoining two-acre vacant lot with one-single family home with a second residential unit and dedication of a 2 acre lot for affordable housing

Zoning (65 Acres)

Current - P-D, Planned Development, C-1, Neighborhood Commercial/Hillside Preservation District

Proposed - P-D, Planned Development/ Hillside Preservation District

Zoning (2 Acres)

Current - Agriculture/Hillside Preservation District

Proposed - No Change

General plan (65 Acres)

Current - Open Space and Very Low Density Residential

Proposed – No Change

General plan (2 Acres)

Current - Open Space Residential

Proposed – No Change

CEQA STATUS: A Final Environmental Impact Report has been prepared for certification.

ADDITIONAL REQUIRED APPROVALS: City Council approval of Rezoning, Development Plan and Final Map

RECOMMENDED ACTION: Certify Environmental Impact Report, adopt CEQA Findings and Mitigation Monitoring and Reporting Plan, recommend Approval of Rezoning, Approve Tentative Subdivision Map (with affordable housing condition), Development Plan, Use Permit and Site Development Permit, as conditioned, Approve removal of heritage trees

PREPARED BY: Lee Diaz, Associate Planner

PROJECT SUMMARY

A. STAFF NOTES:

1. **Site Description:** The subject property consists of three (3) undeveloped parcels located in the northwest section of the Linda Mar/Rockaway Beach neighborhoods. The site is bounded by Fassler Avenue on the north and Roberts Road on the west. The project property comprises two ridge lines, one trending east-west along Fassler Avenue and one trending south toward Crespi Drive. Elevations range from 36 feet at the south east corner near the intersection of Roberts Road and Crespi Drive to 397 feet on the ridgeline knoll above Fassler Avenue. The ridge is a prominent feature in the area and is visible from points west and south such as the Pedro Point and Linda Mar areas, Pacifica State Beach, and sections of Highway 1. The site is used informally by local residents for hiking and recreation.

The project site is dominated by Northern Coastal Scrub with patches of Northern Coastal Bluff Scrub on the upper south facing slopes and Central Coast Riparian Scrub on the lower south facing slopes. Patches of ruderal vegetation exist adjacent to Fassler Road. Numerous Monterey pine and Monterey cypress trees also exist on the property.

2. **Project Description:** The applicant proposes to subdivide 65 acres of undeveloped land into 13 residential lots, develop an adjoining two-acre vacant lot with one single-family home with a

second residential unit, and dedicate 2 acres for affordable housing on the subject site. The proposed 13 single family residential lots would range in size from 1.1 to 2.7 with the exception of Lot 11 which is 5.6 acres. Proposed lots would be sold for custom development by individual lot owners with the exception of Lot 12 which is conditioned to be developed with Below Market Rate Units. In accordance with the City's Inclusionary Housing Ordinance, the applicant is proposing Lot 12 as a land dedication of 2 acres on the southern end of the property and as a condition of approval will be required to construct two Below Market Rate units. Approval of a Specific Plan by the Planning Commission would be required for the development of each of the proposed 14 lots which includes the 2-acre dedication parcel.

In addition, approximately 27.3 acres on the central and southern portion of the site are proposed as a common open space for project residents. The open space area would be protected in perpetuity by the CC&Rs and maintained by the Homeowner's Association (HOA). Another 11 acres would be held in private open space on two separate lots located on the northern section of the project site between Fassler Avenue and the project access road.

Approximately 9% of the 67 acres is designated as buildable area (project road and building envelopes). The Homeowners Association would maintain the open space. The project also includes associated grading and landscaping, and infrastructure expansion at the 67 acre site. Vehicular access to the site is proposed to be provided at Fassler Avenue and Roberts Road; there would be a right-in, right-out only access point to Fassler Avenue. Westbound vehicles on Fassler Avenue would be prohibited from turning left into the project and must enter on Roberts Road

Additional trees would be planted, including trees within rear yards and around the homes, helping to minimize the visual impact of the residences. Trees would be included in the site plan phase of individual lot developments approved by the Planning Commission. All trees shall be native, non-invasive species. A street tree planting plan would be prepared and included with the Final Map.

Required Permits: The project requires a Tentative Subdivision Map, Rezoning, Development Plan, Use Permit, and Site Development Permit. A residential development allocation for each of the new residential units would also be required.

3. General Plan, Zoning, and Surrounding Land Use: The project site comprises three parcels. The majority of the site is designated Open Space Residential. The southern portion of the site is designated Very Low Density Residential. The residential development density for Open Space Residential is an average density of more than five (5) acres for each residential unit. The development density for Very Low Density Residential is an average of one-half to five acres per dwelling unit. The two designations allow different development densities. Twelve of the proposed lots (Parcel 1, 2 and Lot 1-10) are located within an Open Space Residential designation and have an overall development density of 5.06 acres per unit. This is consistent with the development density of the Open Space Residential designation which permits a

maximum of one unit per 5 acres. Lot 11 and Lot 12 are located in an area designated by the General Plan as Very Low Density Residential designation which permits a density range of one unit per one-half acres to 5 acres. This would also be consistent with the overall development density which would allow a maximum of 9 units. The two large parcels (65 acres) are zoned P-D, Planned Development with the exception of the northwest corner of the parcel fronting Fassler Avenue which is zoned Commercial. Both project parcels are within the Hillside Preservation District overlay district. A rezoning from P-D, Planned Development to P-D, Planned Development is required to permit the 14 lot subdivision. The rezoning will also correct the Commercial zoning on the northwest of the corner of the parcel fronting Fassler. The purpose of the Planned Development District is to allow diversification of the relationships of various buildings, structures and open spaces in planned building groups, while ensuring substantial compliance with the district regulations and other provisions. As mentioned under the project description, the proposed 13 single family residential lots would range in size from 1.1 acres to 2.7 with the exception of Lot 11 which is 5.6 acres. The size of the proposed lots is also consistent with the minimum lot area requirement which is 5,000 square feet.

The 2-acre homesite parcel is also designated Open Space Residential and is zoned Agriculture. It is also within the Hillside Preservation overlay district. The Agriculture zoning district permits the development of one single-family residence with a second residential unit with approval of a Use Permit and Site Development Permit. The proposed development of the 2-acre homesite parcel with a single family residence and second residential unit is consistent with the residential land use designation in the General Plan.

Surrounding Land Uses: Land uses in the area are comprised primarily of residential and open space. Land use in the project vicinity is open space to the north and east, multi-family residences and open space to the west and residences and the Cabrillo School to the south. The nearest commercial uses are Linda Mar Shopping Center to the south, the Sea Bowl bowling alley at the intersection of Highway 1 and Fassler Avenue, and the West Rockaway Beach commercial area west of Highway 1 at Fassler Avenue. It should be noted that the Commission recently approved a 29 unit residential project on the north side of Fassler Avenue ("The Prospects").

4. Municipal Code Requirements: As stated above, the project, as proposed, requires that the site be rezoned to P-D. The P-D section of the Municipal Code states that development standards in the P-D zone shall be guided by the regulations of the zoning district most similar in nature to the proposed use. In this case, the R-1 district would be most similar to the proposed use. Conformance with the R-1 development regulations would be determined at the time the units on the 14 lots are proposed for construction. The two-acre homesite would be required to meet the B-Lot Size Overlay district development regulations. The Hillside Preservation District regulations exempt the Agriculture zoned lot from being rezoned to Planned Development.

Additionally, properties proposed for development in the Hillside Preservation District must be rezoned to Planned Development, and have a Development Plan and Specific Plan approved.

The HPD limits the amount of site coverage that is permissible on the project site based on a slope density formula. Using this formula, roughly 6 acres of the 67-acre project site may be developed. This comprises 9% of the 67 acres in the total project site (Planned Development plus the one single family residence with the second residential unit). The proposed project access road, retaining walls, lot driveways, landscaping, and building envelopes comprise less than 6 acres which is consistent with the HPD requirements.

The HPD also requires that parking be provided off-street. Two covered spaces and two uncovered spaces (such as driveways outside garages, or carports and off-street parking bays) must be provided per each single family dwelling unit. In addition, one guest space must be provided for every ten dwelling units. Six (6) parking bays are being proposed along the access road to provide additional guest parking.

The separately owned 2-acre homesite parcel included in the project application is zoned Agricultural/B-5. This parcel would not be subdivided and is proposed for development with a single family residence and second residential unit. As shown below, the development of a single-family residence with a second unit, as proposed, meets all of the applicable zoning ordinance regulations for A/B-5 HPD, Agriculture with A/B-5 and Hillside Preservation District Overlay including minimum lot area per dwelling unit, site coverage, front setbacks, side yard setbacks, rear setbacks, parking, landscaping, and structure height. No exceptions to the development regulations would be required.

The separately owned 2-acre homesite parcel is not included in the Planned Development and would not be subject to its CC&Rs. However, the owners of the 2-acre homesite parcel have voluntarily conformed their proposed home to the design requirements of the Planned Development and have incorporated energy efficient design concepts into the building plans. The 2-acre homesite parcel would be built as shown in attached plans. The residence would be designed as a Sunset Breezhouse which utilizes current green building technology. The house is designed to maximize lighting by natural day light. The residence would be built along the ridgeline contiguous with Lots 9 and 10.

The maximum height of the proposed home on the 2 acre homesite parcel would be 26 feet, 2 inches and features exterior hardi plank cement board, cedar siding, and prefabricated standing seam steel roofing. The first floor (basement) includes the second residential unit which consists of a living room, bathroom, kitchen, one bedroom, and storage area. Also included in the basement area is a foyer and stairway areas which access the main house and a three car garage. The second floor features the main house which consists of five bedrooms, four bathrooms, living room, kitchen, dining room, recreational room, home theatre/sitting room, storage space, and laundry facilities. Decking is also featured around the main perimeter of the house. Total square footage of the main house is approximately 3,721 square feet, exclusive of the 822 square foot second residential unit and 681 square foot three car garage.

The main house would be owner occupied and the second residential unit would serve as a guest house or rental unit. It should also be noted that pursuant to the City's second unit ordinance the property must be owner-occupied. Project access and utilities would be extended from the Planned Development project to this parcel.

AGRICULTURE LOT – B-5 LOT SIZE OVERLAY STANDARDS CONFORMANCE:

<u>Standards</u>	<u>Required</u>	<u>Existing</u>	<u>Proposed</u>
Lot Area	1 acres	2 acres	No Change
Lot Width	150'	353'-8"	No Change
Bldg. Height	35' (max.)	N/A	26'2" (max)
Lot Coverage HPD	20% (max)	N/A	20% (17,500 s.f.)
Impervious Surface	30%	N/A	4.6%
Landscaping	20%	79.9%	88.5%
Bldg. Setbacks:			
-Front (west):	25'	N/A	25'
-side (north)	20'	N/A	177'
-Side (east)	20'	N/A	49'
-rear (south)	25'	N/A	139'
Parking:			
-single family	2 covered/2 uncovered	N/A	3covered/2 uncovered
Second Residential Unit			
-Unit Size	850 s.f. (handicapped)	N/A	822 s.f. (handicapped)
-Parking	1 uncovered	N/A	2 uncovered

5. Use Permit: Pursuant to the provisions of the Zoning Code, the Commission may 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.
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.
3. Where applicable, that the use or building applied for is consistent with the City's adopted Design Guidelines.

Staff believes that the proposed single-family residence with a second residential unit on the 2-acre homesite parcel 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; and that the use is consistent with the City's adopted Design Guidelines, applicable provisions of the General Plan, and other applicable laws of the City. Staff also believes that the project, as conditioned, will be compatible with the character of the surrounding land use, and will not affect traffic circulation in the area or obstruct light normally enjoyed by the adjacent properties.

6. Site Development Permit: Pursuant to Section 9-4.3204 of the Zoning Code, a Site Development Permit shall not be issued if the Commission makes any of the findings regarding potential traffic hazards, parking accessibility problems, insufficiently landscaped areas, the restriction of light and air on the property or other properties in the area, the creation of a substantial detriment to an adjacent residential district, damage to the natural environment, and insufficient site and structural design variety. In addition, the proposed development must be consistent with the City's Design Guidelines, General Plan, Zoning Code and other applicable laws of the City. Staff believes that the design is consistent with the character of the surrounding neighborhood; that it will not create inconvenient traffic patterns, and the proposal will not restrict light or air to surrounding buildings or discourage additional development in the area. Additionally, the proposal would enhance the design variety of the area and will not affect the surrounding natural environment.

7. Heritage Trees:

The Heritage Tree Protection Ordinance prohibits the cutting down, destruction, removal, moving, or construction within the dripline of a heritage tree without a permit. Heritage trees are defined as trees which have a trunk with a circumference of 50 inches or 16 inches in diameter measured at 24 inches above natural grade. The granting of a permit is based on the following factors: 1) the health of the tree; 2) whether tree removal is necessary for the economic viability of the property; 3) the topography of the land; 4) the number, size and species of other trees in the area and the effect of the requested permit upon shade, noise buffers, protection from wind damage, air pollution, historic value, scenic beauty and upon the health, safety, historic value, and general welfare of the area and the City as a whole; 5) the number of healthy trees the parcel is able to support; and 6) good forestry practices.

Tree protection plans are required for any development project which requires a discretionary permit approval such as the proposed project. The protection plan must identify the size, species, aesthetics, and health of each tree located within 20 feet of the proposed development area. Trees proposed for removal must be identified as well as measures to protect the survival of remaining trees through the construction process must be identified. The plan must also show the size, species and location of trees proposed to replace those proposed for removal.

A total of 125 trees were surveyed within the development area as part of the Heritage Tree Survey and Tree Protection Plan prepared by Howard Linacre, I.S.A. Certified Arborist in accordance with the Heritage Tree Ordinance. Twelve trees were identified as Heritage Trees on

the project site. Eleven of the Heritage Trees are Monterey pine and one is a Monterey cypress. According to the Heritage Tree Survey and Tree Protection Plan, the trees are diseased and have not been recommended for protection by the arborist. Five of the Heritage Trees are located on a private parcel to be held in open space and would not be impacted by project construction.

Mitigation Measure BIO-2 would also require that trees in designated open space areas (Lot A, Lot B and Parcel A) shall not be removed in order to provide continued wildlife values on the project site. Tree removal on individual lots shall be approved only upon demonstration that 1) the tree is within the designated building envelope and removal is required for construction, 2) the tree is close to the building envelope and its condition represents a safety hazard to the proposed residence, or 3) the tree is substantially dead (at least 50%) as determined by a certified arborist or if visually apparent. Homeowners will be encouraged to retain impaired trees where there is no impact to use and enjoyment of the property. Conditional tree removal would prevent unnecessary reductions in wildlife resources on the site while protecting the safety and enjoyment of the property by landowners. All trees specified for removal in Specific Plans for individual lots shall be replaced with a native species.

Additionally, Mitigation Measure BIO-3 would require that the applicant comply with all provisions of the City's Municipal Code (sec. 4-12-04) for preservation of Heritage Trees. The Applicant shall replace the 7 Heritage Trees removed with 7 new native shrub/tree species suitable for the site (e.g. coast silk tassel (*Garrya elliptica*), California buckeye (*Aesculus californica*), or others).

8. Inclusionary Housing Ordinance: The Inclusionary Housing Ordinance was recently adopted by the City. The purpose of the ordinance is to establish below market rate (BMR) housing requirements for residential development projects of eight or more units. Not less than fifteen (15) percent of all units, lots or parcels in a residential development shall be BMR Units restricted for occupancy by Very Low, Lower or Moderate Income Households.

The City's Inclusionary Housing Ordinance requires the project to provide two units of affordable housing available for low and moderate income families as part of the residential development. The Inclusionary Housing Ordinance allows a developer to propose an alternative means of complying with the ordinance. The applicant has proposed a combination of a land dedication of 2 acres on the southern end of the project property and construction of two Below Market Rate Units (BMR) on that property. As a condition of approval the applicant will be required to construct the two Below Market Rate Units. The proposed two acre dedication will reduce the conservation easement from 28.4 to 27.3 acres and reduce Lot 11 from 6.5 acres to 5.6 acres. The proposed parcel boundaries are shown on the tentative subdivision map. Access to this parcel would be developed from an existing service road which connects to Roberts Road.

As mentioned above, the Inclusionary Housing Ordinance allows a developer to propose certain alternative means of complying with the ordinance. For example, a developer may propose any

combination of on-site construction, off-site construction, land dedication and/or in-lieu payments that the City determines to be at least equal to the cost of providing the required BMR Units on-site integrated with the residential development. The Planning Commission may approve, conditionally approve or reject the alternative proposed by the developer. The Planning Commission may only approve or conditionally approve a proposed alternative if the Planning Commission finds that purposes of the article would be better served by implementation of the proposed alternative and that the proposed alternative meets the greatest needs at that time.

In this case, the proposed alternative would meet the greatest need at this time, which is the need for affordable housing. The applicant is not only dedicating land to the City, but will be required to construct the Below Market Rate Units.

In addition this alternative meets the Ordinance's requirement that the cost of the alternative be at least equal to the cost of providing the required BMR Units on-site. According to the information provided by applicant from a certified land appraiser and a licensed contractor, the value of the 2 acre parcel is approximately \$900,000 and the cost of constructing a home is approximately \$300 a square foot. The Inclusionary Housing Ordinance specifies that the affordable units must be generally of comparable size to similar Market Rate Units. In this case, for example, a 3,300 square foot home would be generally of comparable size to the 4,300 square feet of living area of the proposed Market Rate Units. Thus the cost of providing the required BMR Units on-site would be \$990,000 for each unit. Given the estimated value of the land and the cost of constructing BMR Units, land dedication alone would not meet the requirement that the cost of the alternative be at least equal to the cost of providing the required BMR Units on-site. Land dedication alone would also not serve the City's goal of adding affordable housing as it would be costly for someone else to develop the land with affordable housing which reduces the likelihood of affordable housing being developed on the site. The proposed alternative of both dedicating and constructing the BMR units would meet the ordinance's cost related requirements.

In addition, this alternative fulfills the purposes of the Inclusionary Housing Ordinance and the purposes would be better served by the alternative as required by the Ordinance. The purpose of the Ordinance is to: (i) encourage the development and availability of housing affordable to a broad range of households with varying income levels within the City as mandated by state law, California Government Code Section 65580 and following; (ii) promote the City's goal to add affordable housing units to the City's housing stock in proportion to the overall increase in new jobs and housing units; and (iii) offset the demand on housing that is created by new development and mitigate environmental and other impacts that accompany new residential and commercial development by protecting the economic diversity of the City's housing stock, reducing traffic, transit and related air quality impacts, promoting jobs/housing balance and reducing demands placed on transportation infrastructure in the region.

The land dedication and construction of two BMR Units would provide the City with much

needed affordable housing for households of low-income levels as mandated by state law and also promote the City's goal to add affordable housing. The land dedication of 2 acres on the southern end of the project is close to schools, shopping, and accessible to public transportation. The two BMR units further add to the City's economic diversity. As discussed in the FEIR, with implementation of the same mitigation measures as those required under the proposed project, the addition of two BMR Units would not result in any significant environmental impacts.

ABAG estimated that between 1999 and 2006, a total of 666 units will be required to maintain an adequate housing supply in Pacifica. The City's distribution of need by income category breaks down as follows:

Need	Need	Units Built/Approved	Total
	<u>1999-2006</u>	<u>1999-2004</u>	<u>1999-2006</u>
Very low income	120 (17/yr)	10	110
Lower income	60 (9/yr)	0	60
Moderate income	181 (26/yr)	34	147
Above moderate income	<u>305 (44/yr)</u>	<u>165</u>	<u>140</u>
	666	209	457

The seven-year projected total of 666 units has been adjusted to 457 units to account for the 209 residential units that have already been approved and/or constructed in Pacifica. The Table above also shows that the greatest housing need in Pacifica is for residents with moderate income, above moderate income, very low income, followed by lower income residents. In addition, the proposed site is listed in the housing element as an opportunity site for affordable housing to address ABAG's housing needs.

Additionally, the BMR Units would be consistent with some of the following policies of the City's General Plan Housing Element:

- Encourage the upgrading and maintenance of the City's neighborhood.
- Land use and development shall protect and enhance the individual character of each neighborhood.
- Place the priority on residential infilling.
- New development shall be compatible with existing development and shall have safe access
- Provide housing opportunities.
- Provide a choice of housing types and densities.

The Inclusionary Housing Ordinance requires that BMR Units shall: 1) have exterior design and appearance compatible with and substantially the same as Market Rate Units within the Residential Development, including landscaping; 2) be distributed throughout the Residential Development; 3) have similar access from the exterior Market Rate Units; 4) contain

proportionately the same or a larger number of bedrooms as Market Rate Units; 5) generally be of comparable size to similar Market Rate Units, although the size of BMR Units may be reduced if the project is in a very high or high density zone; 6) have access to all on-site amenities; and 7) be constructed prior to or concurrently with Market Rate Units in the Residential Development or applicable phase of the Residential Development.

Because of the separated location of the two acre dedication site, the BMR units would not meet all requirements identified above. It is for that reason that the applicant has proposed the requested alternative. The combination of on-site construction of two Below Market Rate Units (BMR) and a land dedication of 2 acres on the southern end of the project property meets most of the requirements. Access to this parcel would be developed from an existing service road which connects to Roberts Road. The majority of the proposed home sites have been sited along the northside of the east to west trending ridgeline with the exception of proposed Lot 11 which is much further to the south than the majority of the project. The proposed 2-acre site for the development of affordable housing is not too distant from the Lot 11. The affordable housing site, as previously mentioned, is close to schools, shopping, and accessible to public transportation making it more convenient for the future occupants.

Prior to occupancy, a deed restriction will be required to be recorded with the San Mateo County Recorder, subject to approval by the City Attorney, requiring that the two BMR Units remain available as affordable income units for a minimum of forty-five (45) years after occupancy. As a condition of approval the developer is also required to execute an inclusionary Zoning Compliance Agreement prior to recordation of the Final Map. A condition of approval would require that the first BMR Unit be built prior to occupancy of the 8th market rate residence and that the second BMR unit would be required to be constructed prior to occupancy of the 10th market rate home.

9. Design: The City of Pacifica adopted Design Guidelines provide a framework for the review and evaluation of new construction. Design Guidelines generally address site planning, building design, landscaping, and water conservation. Specific guidelines are identified for hillside development projects such as the proposed project. They address slope stability and erosion, excavation, visual impact, and access difficulty.

The project, as proposed, is consistent with the City Design Guidelines. Buildings are proposed to be uniquely designed by each individual lot owner. Structures would be designed using Coastal Green Architectural principles of low profile architecture and berming to reduce building mass visibility. Building materials and colors would be selected to blend with the natural environment. Only native plant landscaping would be used to preserve the natural landscape appearance of the hillside. The applicant has committed to incorporating green design principles into the project which will be required as a condition of approval and included in the CC&R's. It should also be noted that the applicant further "strongly recommended" some green design principles in their design guidelines which will also be required as conditions of approval to the

maximum extent feasible. All the proposed residential units would be required to comply with green building principles. The home on the 2-acre homesite parcel and the 2-acre dedication parcel would also be required to comply with the green building principles to the maximum extent feasible as determined by the Planning Director. In addition, a condition of approval will require that all the new buildings must be designed and constructed to attain all the points necessary to achieve a LEEDs Gold certification at a minimum and a Platinum certification wherever possible. The project's specific conformance with the Hillside Development Design Guidelines is as follows:

Slope Stability and Erosion: In accordance with the Design Guidelines, the project site has been evaluated by an engineering geologist, Earth Investigation Consultants. The proposed residential lots have been located to avoid construction near geologically fragile or unstable areas such as steep slopes and debris flow or erosion areas. These areas would remain in natural open space. Runoff would be controlled on individual lots and erosion control measures are required during construction and replanting of graded slopes is required after construction to stabilize disturbed soils.

Excavation: In accordance with the Design Guidelines, project buildings would be designed with a coastal green architectural style which is intended to blend into the project site topography. Homes would be low profile and terraced into the hillside. The project access road follows the existing contours of the land.

Visual Impact: The proposed development places the majority of the homes on the ridgeline with the exception of Lot 11. The majority of the buildings with the exception of Lot 11 would be in a linear arrangement. Although a linear arrangement of buildings is to be avoided, this arrangement suits the project property and allows 27.3 acres of common open space. Building forms would be architecturally designed to compliment the contours and slopes of the hillside to increase integration of structure and site. Buildings would be designed with low profiles and will be excavated into the hillside to minimize their visual impact. Berming is proposed to screen the bulk of the buildings from offsite views. New buildings would not block views from existing development.

The City of Pacifica has no restrictions on the size (square footage) of homes. The applicant has proposed a size restriction of 4,300 square feet of living area, including hallways, closets and utility rooms in addition to the design guidelines. The applicant has also agreed to a maximum height of 29 feet for each residential unit. The size and height restrictions also include the 2-acre homesite parcel. A condition of approval will require that all the proposed residential units comply with the 29-foot high building limitation. These requirements will also be part of the design guidelines proposed by the applicant to ensure compliance. Secondary units would be prohibited on Lots 1 through 11. Secondary units would be permissible on the 2-acre homesite parcel, Lots 12 and 13 subject to City review and approval.

The homes would be excavated into the hill to reduce their visual impact. The garages for most units will be below the homes or bermed out of sight from neighbors in Linda Mar. The homes may be more visible by those standing on Mori Point but tree landscaping will be used to help screen the homes from view.

Portions of the development would be visible from a segment of Fassler Avenue. The project would not be widely visible from the Rockaway Beach area or from Highway 1 north of Fassler Avenue. The project would not block scenic vistas from publicly accessible areas or from other existing residential development.

Portions of the project homes, access road, and retaining walls would be visible to views from Fassler Avenue. Existing views of the project site from Fassler Avenue are shown in Draft EIR Figure 12, Photos 3 and 4. A simulated view of project structures from Fassler Avenue is shown in Attachment B, View 4. Views of the project development can be screened by planting a dense landscape buffer. The applicant has committed to planting 100 trees for screening the access road from northern views and will be required as a condition of approval.

Retaining walls would be constructed along the entire length of the access road on the south side and partially on the north side. This includes the entrance to the access road at Roberts Road. The slope along the east side of Robert Road south of the access would also be trimmed back to increase sight line distances for motorists leaving the project site. The retaining walls would not be a prominent visual feature of the project. The height of the retaining walls would range from two to eleven feet. In order to enhance the aesthetics of the retaining walls along the project a condition of approval would require the use of natural colors and materials to blend in with the hillside.

The proposed project consists of environmentally-friendly, low profile homes that would blend with the natural landscape. The applicant proposes a new style of architecture called "Coastal Green Architecture." The Applicant defines Coastal Green Architecture as, "balancing the needs of the city, community, environmentalists and homeowners to create a beautiful ocean view project."

"Coastal Green Architecture" is a term used to describe Field Architecture's interpretation of an architectural language appropriate to this stretch of Northern Californian coast. Building form is derived primarily from the desire to minimize visual impact and the relationship of these man-made structures with the surrounding ecology. Site integration, building geometry, orientation, material palette and sustainable design are the main elements which together impart a sense of a community of houses which belong to this portion of coastal hills.

The proposed Coastal Green Architecture design would be enforced by the HOA and Architectural Control Committee. Mitigation Measure AES-1 will also require that the CC&Rs

provide detail descriptions of specific measures or features that shall be imposed to ensure that the custom homes conform to the definition of Coastal Green Architecture and incorporate the design measures discussed in the EIR that reduce or eliminate visual impacts. According to the applicant, Federal-style, Colonial style, Victorians, or Tudor style architectural designs would not be approved for construction by the Architectural Control Committee. The HOA and the Architectural Control Committee shall require consistency of materials and design elements while allowing some variation to keep homes from looking exactly alike.

The future houses would be nestled into the sloping hillside, using their rear walls for earth retention, and carve out a suitable living space which bends to conform to the natural contours of the ground. The lower portions of the houses use earth berms and natural concrete, which support the upper level of the houses. The low-profile rooflines are broken into discrete planes which slope up in the center of the house, and fall towards the edges of the house. The design continues the slope of the hill, resulting architecture reads as 'indigenous' and echoes the outcroppings of the surrounding hills and ravines.

An example of the coastal green architecture is shown in DEIR Figure 6, Architecture Design. The design principles include the following:

1. Minimize visual impact by maintaining the natural grade; prohibit padding or terracing.
2. Architectural design of house should have a low profile and appear as a natural extension of the landscape.
3. Maximize energy-efficiency by integrating passive and active solar design and ecological material choices.
4. Utilize colors and materials blend into the natural environment

Building materials would include concrete, steel, and windows that can handle high winds associated with the coastal environment. The CC&Rs would require the colors for the homes and materials to blend into the natural environment. The CC&Rs would dictate the color pallet from which the homes can be painted as well as encourage each homeowner to utilize concrete as a core building material to allow the homes to be aligned with the contours of the hill.

Each home would be custom designed by the individual owners. CC&Rs would restrict the maximum size of homes to 4,300 square feet in living area to minimize their footprint on the land. Every house would be designed with a low profile to appear as a natural extension of the landscape. The development regulations permit homes to be constructed 35 feet above grade as measured from the finished grade between the lowest point of site covered by any portion of a building to the top most point of the roof. As mentioned above, the applicant has committed to a maximum building of 29 feet which will also be added as a condition of approval.

Each lot would be developed to minimize the southern profile which is visible to residents of Linda Mar. This would be accomplished through architectural design, building siting, excavation,

and berming. The siting for each home is based on the best location on each lot for the home to be placed that would minimize visual impact. It is the goal to excavate each home to help lower its profile and make the home appear smaller from homes in the Linda Mar area. The berms would be 3 to 10 feet in height depending on the lot and siting of the home. Site plans for each lot would be reviewed by the City of Pacifica and the HOA Architectural Committee. The Planning Commission would have oversight on all the home designs through the approval of a Specific Plan and all designs would be reviewed and approved through the Harmony @ 1 HOA Architectural Committee.

It should be noted that the City's Open Space Committee adopted a motion at their July 18, 2007 meeting commending the applicants about the open space aspects of the project, yet the Committee had concerns about the visual impacts of the project on the prominent ridgelines and recommended that the applicant work on further minimizing the visual impacts of the project by methods including, but not limited to, possible reduction of house sizes or change in the location of houses. Since then, the applicant has reduced the size of the homes and committed to specific standards for development that will be incorporated into the project as conditions of approval. These are described further below.

Access: In accordance with Design Guidelines, the project access road follows the contours of the hillside. The number of access roads constructed on the project site has been minimized by providing only one road which would access both Roberts Road and Fassler Avenue. Driveway lengths would accommodate parked vehicles and seven on-street parking turnouts are provided along the length of the access road to provide additional guest parking.

As previously mentioned, a new project road would be constructed from Roberts Road and Fassler Avenue to access project lots. Lot 11 would be directly accessed by a new private driveway constructed directly off Roberts Road. The new project road would be publicly accessible and privately maintained by the HOA. The road would be constructed to a standard subdivision width of 26 feet. The project road includes a sidewalk on the south side of the street and street lights. The slope along the east side of Roberts road south of the access road would be trimmed to improve site line distances for motorists leaving the project site.

10. Environmental Review: A Draft Environmental Impact Report (DEIR) was prepared by the City's environmental consultant, TRA Associates and circulated for public comments. A copy of the DEIR has been previously distributed for Commission consideration. The Planning Commission also held a public hearing on July 2, 2007 to allow the Planning Commission to take public testimony on the adequacy of the DEIR for the proposed project. The hearing also afforded the Commission an opportunity to comment on the DEIR. There were several comments from a few members of the community as well as some from the Commission. Written comments were also accepted until August 6, 2007 when the public comment period on the Draft EIR ended. There were ten (10) written responses from the general public, including one (1) from the Planning Commission and one (1) from Pacificans for Sustainable Development. In

addition there were responses from the California Department of Transportation and City of Pacifica Open Space Committee. All the comments are addressed in a response to comments document which has been provided to all who submitted public comment and circulated to the Commission. In addition, section 3.0 of the FEIR presents all instances where text, tables or figures from the Draft EIR and the Response to Comments document have been revised to correct minor inaccuracies found in the Draft EIR and the Response to Comments document subsequent to their publication and circulation.

In summary, the Environmental Impact Report found that the environmental impacts associated with this project can be mitigated and reduced to less than significant levels. In particular, the EIR found that biological, geological, hydrological, and traffic impacts will have less than significant impacts provided mitigation measures are incorporated. Geology and hydrology issues are always important in Pacifica. Seismic shaking, land stability, erosion, and drainage all bear on safety of a project and its neighbors. Below is a summary of some of the environmental issues associated with the proposed project:

a) Geology - This section addresses the geologic conditions of the Harmony @ 1 property and the potential effects of the development. A peer review of the Applicant's geotechnical reports concurs that the proposed project is feasible from the geotechnical standpoint. Compliance with seismic standards as well as engineering review and testing would reduce earthquake risks. A detailed remediation plan that addresses the surficial landsliding affecting the Roberts Road cut slope is recommended as a mitigation measure. The remediation plan would identify any grading or drainage improvements necessary to prevent future landsliding. Another mitigation measure would require design level geotechnical reports for Lot 9 and 10 to determine whether surface or subsurface drainage improvements are necessary to prevent accelerating erosion trends in the deep erosion gullies. Finally, measures would be implemented to mitigate the effects of expansive soils. This analysis concludes that potential impacts from seismic shaking, landslides, soil erosion and expansive soils can be mitigated to a level of insignificance.

An Engineering Geologic Feasibility Study (December 2005) and a Preliminary Geotechnical Investigation (June 2006) were prepared by Earth Investigations Consultants (EIC) to address the existing geologic conditions of the site and its suitability for residential construction. These reports were peer reviewed by Cleary Consultants who conducted several site visits during the period from August 30, 2006 to January 5, 2007. A geotechnical investigation performed by GeoForensics Inc. for the adjacent 2-acre homesite parcel dated March 2000, and received on May 11, 2007, was also reviewed. Stereographic aerial photographs of the site vicinity covering the last 60 years were studied as part of the review process.

b) Hydrology - The project development would increase impervious surfaces on the site resulting in increased storm runoff. Water quality of the storm runoff would be impacted by increased sediment loads and oil or grease from the project road and driveways. To mitigate the impact, the applicant must comply with all conditions of the State General Construction Activity

National Pollutant Discharge Elimination System (NPDES) permit to reduce sediment in storm water. In addition, storm water will be directed to detention basins fitted with grease traps to remove oil and grease prior to discharge into the city storm drain lines. The detention basins will also allow sediment loads to settle out of the stormwater prior to discharge. With these measures, the water quality impact to storm runoff is reduced to less than significant levels.

The proposed storm water drainage for the project would direct all drainage to two detention basins – one at the southeast corner of Roberts Road and Fassler Avenue and one at the southwest corner of Fassler Avenue and the new project access road. The Homeowners' Association would maintain the drainage system. Overflow from the basins would enter the municipal storm drain system under Fassler Avenue.

Water quality of storm water runoff has the potential to be impacted by oil and grease from the project road and driveway parking areas. An increase in silt load of the stormwater can also be expected due to site grading and development. Proper drainage controls shall be in place during site construction. Measures to prevent soil erosion are discussed in Geology (Section 6.0). Grease traps shall be installed and maintained to remove pollutants from the surface runoff prior to discharge from the detention basin. Measure HYD-2 would reduce the water quality impact from grease and sediment to a less than significant level.

c) Biology - The project would remove roughly 5.0 acres of grassland, 2.2 acres of coastal scrub, and 0.1 acres of Monterey pine forest. No special status plants were detected during rare plant surveys of the site. The project would require the removal of up to seven Heritage Trees (six Monterey pines and one Monterey cypress). The removal of the trees would be mitigated by replacing them with native tree and/or shrub species at a 1:1 ratio. Mitigation is identified to reduce potential impacts from increased human activity on site and control of invasive plant species during project construction.

Three California Species of Special Concern (San Francisco dusky-footed woodrat, California thrasher, and loggerhead shrike) and one CDFG Fully Protected Species (white-tailed kite) were confirmed present. Approximately four to six woodrat houses (stick structures for nesting that average five feet long and four feet in height) would be impacted by construction of the project access road and two detention basins. The majority of woodrat habitat is unimpacted and would remain in private open space. A management plan including specific protection measures is required as mitigation to minimize impacts to woodrat. Preconstruction surveys and avoidance protocols required as project mitigation eliminates impacts to nesting birds (including white tailed-kite, loggerhead shrike, and California thrasher).

Habitat for the federally endangered Mission blue butterfly occurs on two areas of the project site. Initial surveys conducted in spring 2007 during the flight season of the Mission blue butterfly have not detected adults of the species, however other evidence (presence of eggs, density of host plants, and distance to other mission blue colonies) suggests that the butterfly is

likely present. It may not be present every year. Final surveys were also completed in July 2007 after the DEIR was completed. The survey results had the same findings as reported in the DEIR. No adult mission blue butterflies were observed but eggs that could belong to the mission blue butterfly were found in the same location as identified in the previous surveys considered in the DEIR. The proposed project would avoid impacts to the Mission blue host plants (*Lupinus formosus*) on the south side of the project area (Lot #11). The project would impact the small patch of *Lupinus variicolor* on the northwest side of the parcel which is not expected to be used by the Mission blue butterfly. A management plan for the open space is required as mitigation, including specific habitat protection measures to protect and preserve host plant habitat. Measure BIO-4 specifies the content of the management plan which will protect the habitat. Protective measures include restriction of activities that would degrade the vegetation, cause erosion, or harass and/or harm wildlife such as 1) volunteer trails, 2) uncontrolled pets, 3) disposal of items including yard waste by residents, 4) use of rodenticides, and 5) drainage or human activity which could damage the drainage area on the eastern boundary of the project site. Additionally, through consultation with the City, US Fish and Wildlife Service and the California Department of Fish and Game the plan must specify protection goals and methods, a schedule of management and enhancement activities, annual monitoring and reporting, and an educational component.

California red-legged frog (federal threatened; California Species of Special Concern) and San Francisco garter snake (federal endangered; California endangered; California fully-protected) are known to occur in the Pacifica area, but are highly unlikely to occur on the project site. In addition, given the amount of open space retained on the property and mitigation measures proposed to maintain the habitat value of the open space, a habitat corridor for the species will remain even after development of the project. In order to avoid harm to either species, an exclusion fence and preconstruction surveys are recommended as mitigation.

d) Aesthetics - Development on the project site could potentially result in a significant change in the visual character of the parcel and degrade the quality of views of the project site. The threshold for determining whether a project has a significant visual impact is not whether it is visible, but whether it substantially degrades the visual character of the site and its surroundings or have a substantial adverse effect on a scenic vista (e.g., exceeds significance criteria). While the proposed project homes would be constructed along a highly visible ridgeline, the applicant has incorporated a comprehensive visual mitigation strategy into the project design that includes excavation, berming, siting, building geometry, colors, compliance, flat roofs, sod roofs, sustainable design, landscaping, elimination of perimeter fencing, and numerous other components to make sure the visual impact of the homes is minimized. The Draft EIR concludes that these design elements and mitigation measures reduce the visual impact of this development to a less than significant level. The project was designed to comply with the existing limitations of general plan policies, zoning ordinance, and Hillside Preservation requirements.

Lot 11 is below the prominent ridgelines on the property and does not impact the natural contour

line of the higher elevation ridgeline. Sweeny Ridge and Mori Point are located roughly one mile away from the project site. At this distance, project development, including Lot 11, would not be highly visible. The project would not substantially affect a scenic vista. A view of the project site from the Pacifica State Beach parking lot is shown in Draft EIR Figure 12, Photo 8. Development on Lot 11 would be visible from this viewpoint. Photo simulations of the project from Mori Point and Linda Mar Beach are shown in Attachment B and confirm the conclusion that the view of the natural ridgeline would not be substantially altered. Elimination of Lot 11 is discussed in the Draft EIR as a project alternative (Section 10.4). This discussion concludes that elimination of Lot 11 would only slightly reduce the project's visual impacts. As proposed, the project incorporates many design features that reduce or eliminate aesthetic impacts. The development's Covenants, Codes and Restrictions (CC&Rs) would provide detailed descriptions of the required features that would reduce or eliminate visual impacts. Additional measures would minimize night light and glare. With these mitigation measures, the visual impact of the project is reduced to less than significant.

The residence on the 2-acre homesite parcel residence would be built along the ridgeline contiguous with Lots 9 and 10. The building height is 26 feet and the living space is less than the 4300 square feet in conformance with the design guidelines of the 13-lot Planned Development. Photo simulations of the 2-acre homesite lot are included in Views 1 and 2 in Attachment B of the FEIR. As shown in View 2, the house would be visible from Linda Mar locations; however it is east of the prominent ridgelines on the property and does not visually interrupt the distant ridgeline behind the home. The Draft EIR concludes that the visual impacts of the entire project development (13-lot Planned Development and single home on 2-acre parcel) are reduced to a less than significant level by conformance with the project design features (Measure AES-1). The proposed development of the 2-acre agricultural parcel conforms to the design guidelines for the Planned Development. The visual impact of the 2-acre agricultural parcel is less than significant.

e) Traffic and Circulation - The Harmony @ 1 project would add daily traffic trips to intersections near Fassler Avenue. The project including the land dedication for affordable housing would add 12 trips during the A.M. peak hour and 16 trips during the P.M. peak hour to two signalized intersections along Highway 1 which operate at unacceptable levels. The Highway 1 and Fassler Avenue/Rockaway Beach Avenue intersection operates at LOS F during the AM peak hour and Highway 1 and Reina Del Mar Avenue intersection operates at LOS F during both the AM and PM peak hour. Based on the increased traffic delay and volume to capacity ratios at these intersections, the project impact on these intersections and the project's contribution to cumulative impacts is not considered significant. The unsignalized intersection at Roberts Road and Fassler Avenue currently operates at LOS F during the AM peak hour. Project traffic would increase the delay on Roberts Road at this intersection by 5.9 seconds. The project traffic does not cause the traffic volumes at the intersection to satisfy the peak-hour volume traffic signal warrant adopted by Caltrans and therefore, the impact is not considered significant. The proposed

project access road does not meet minimum safety requirements for sight line distances at its intersection with Roberts Road and with Fassler Avenue. Measures would be implemented to mitigate the project access road's impact on sight line distances.

e) Alternatives - Five alternatives to the project are considered in the Draft EIR. They are as follows:

- The **No Project alternative** assumes the continuation of existing conditions within the project site.
- The **Reduced Lots alternative** would reduce the number of lots proposed on the 65-acre lot. The same basic site plan configuration would be developed with several of the lots on the south side of the project access road eliminated. Reducing the number of lots on the south side of the project access road would reduce the number of homes constructed along a property ridgeline. Lots 3 through 6 and Lot 8 are the most visually prominent from areas south of the project site. Eliminating any of these lots would reduce the visibility of project development from the Linda Mar and Pedro Point areas. The Reduced Lots alternative would moderately reduce the project's less than significant visual impacts by eliminating one or more homes which would be partially visible along the ridgeline.
- The **Elimination of Lot 11 alternative** would remove development of this lot from the project tentative map. All other development would remain as proposed. The purpose of this alternative would be to avoid development near Mission Blue butterfly habitat.
- The **Clustered Development Alternative** would entail the same number of homes as the proposed project but with smaller building envelopes, structures and lot sizes. The intent would be to increase the development density on a smaller footprint to reduce environmental impact. The clustered homes would have to be located at the top of the hill or center of site where the slopes are less steep and most accommodating to development.

Clustering the development is an alternative to the project's linear lot design along the ridgeline. There are several constraints to a clustered development. Homes on a ridgeline or on flatter slopes can be excavated into the ground to reduce the visible portion of the building elevation. The flatter portions of the site most suited for development occur along the property ridgelines. Homes built on steeper slopes have more building elevation exposure along the face of the slope. A clustered design alternative which moves the homes off the ridgeline and places them as a close group on steeper slopes increases the amount of building mass visible to the community view shed.

The slopes along Roberts Road are excessively steep which limits where home sites could be clustered. In response to public comment, the applicant has prepared alternate design

concepts (see Attachment C in the FEIR). The Clustered Scheme design alternative would cluster small lots along Roberts Road near Fassler Avenue. The size and location of the lots would be constrained by the 500 foot maximum length of a cul-de-sac permitted by city code. Lots sizes would be roughly 5,000 square feet in size in order to accommodate the same number of units proposed by the project. This alternative increases the density of development and visual massing of building facades on the lower ridgeline closest to Roberts Road. The upper ridgeline would remain largely undeveloped with the exception being the 2-acre parcel (Lot 14) which would be visible.

The Draft EIR concludes that with the implementation of design measures specified in Mitigation Measure AES-1, the visual impacts of the proposed project are reduced to a less than significant level.

- The **Environmentally Superior alternative**-- CEQA requires that the EIR analysis of project alternatives identify an "environmentally superior" alternative. If the environmentally superior alternative is the "No Project" alternative, the EIR shall also identify an environmentally superior alternative from among the other alternatives. Based on the above alternative analysis, it is determined that the Reduced Lots Alternative is the environmentally superior alternative which allows project objectives to be accomplished. The Reduced Lot Alternative would moderately reduce the project's visual impact and slightly reduce project impacts on Biology, Geology, Hydrology, Public Services, and Transportation.

Since publication of the DEIR, the applicant developed in more detail how it intended to comply with the City's Inclusionary Housing Ordinance. As discussed above, the applicant proposed to dedicate a two acre parcel in the southern portion of the site for development of below market rate housing. The FEIR clarified how the project would comply with the Inclusionary Housing Ordinance, considered the environmental effects of adding 2 BMR units to the project site and determined it would not result in any new significant impacts that were not already considered in the DEIR and would not substantially increase the severity of any environmental impacts identified in the DEIR. Thus pursuant to section CEQA Guidelines section 15088.5 (a) and (b), the FEIR was not required to be recirculated for a lengthy public review.

The above is not meant to summarize the EIR, but merely to highlight some of the issues discussed in greater detail in the document.

11. Summary: Based upon the above discussion, staff believes the findings necessary to grant the Tentative Subdivision Map, Rezoning, Development Plan, Use Permit, and Development Plan for the proposed project can be made and has determined that the proposal, as conditioned, is consistent with the City's Design Guidelines, and will be consistent with the Zoning Code. Additionally, the applicant has incorporated a comprehensive visual mitigation strategy into the project design that includes excavation, berming, siting, building geometry, colors, compliance,

flat roofs, sod roofs, sustainable design, landscaping, elimination of perimeter fencing, and numerous other components to make sure the visual impact of the homes is minimized. Additionally, the applicant will be required to plant 100 (24-gallon) trees to screen the access from northern views. The Draft EIR concludes that these design elements and mitigation measures reduce the visual impact of this development to a less than significant level.

In addition, approximately 27.3 acres of the project site is proposed for common open space for project residents and the applicant will be required to construct two Below Market Rate units.

Land use in the project vicinity is open space to the north and east, multi-family residences and open space to the west and residences and the Cabrillo School to the south. In staff's opinion the proposal does not appear out of character with the existing neighborhood. In addition, an Environmental Impact Report has been prepared that concludes that all potential environmental impacts have been reduced to a level of insignificance through appropriate mitigation measures.

RECOMMENDATIONS AND FINDINGS

B. Recommendation:

Staff recommends that the Planning Commission ADOPT the attached resolution certifying the Final Environmental Report and adopt the Mitigation Monitoring and Reporting Plan for the subdivision of

13 lots, development of an adjoining two-acre lot with one single-family residence with a second unit and dedication of a 2 acre lot for affordable housing, and RECOMMEND APPROVAL of the Rezoning (RZ-188-07); APPROVE Tentative Subdivision Map (SUB-213-07), Development Plan (DP-70-07), Use Permit (UP-978-07) and Site Development Permit (PSD-763-07). These actions will allow development of the 13 lot subdivision, 13 lot subdivision, construction of one single-family residence with a second unit south of Fassler Avenue and east of Roberts Road and dedication of a 2 acre lot for affordable housing, subject to the following conditions:

Planning Department:

1. Development shall be substantially in accord with the Plans titled "PRELIMINARY GRADING AND DRAINAGE PLAN 13 RESIDENTIAL LOT SUBDIVISION, PACIFICA, CALIFORNIA," consisting of ten (10) sheets, dated 08/02/07 and with the plans titled "DUNSTAN/HUSSON Sunset breezhouse 4096 FASSLER AVENUE, PACIFIC CALIFORNIA A.P.N. 022-150-030, consisting of nine (9) sheets, dated 09-24-07.
2. The maximum floor area of all the residential units shall be 4,300 square feet. Floor area shall mean the gross measurement of all enclosed floor area from outside wall to outside

wall with the following exceptions: (a) Garages; (b) areas where there is no floor (i.e. "open-to-be-low" areas); (c) Outdoor decks and patios, whether covered or uncovered.

3. As proposed by the applicant, the CC&Rs shall include a provision that no second residential units shall be allowed on Lots 1-11.
4. Only living and natural fencing shall be allowed near the homes as a pet, child or personal yard enclosure, not to exceed 2,000 square feet, and no fencing or tree lining of the overall property line shall be permitted.
5. No lots shall be allowed to be further subdivided.
6. The maximum height for the single-family residential project is 29 feet, measured at the finished grade, between the lowest point on the site covered by any portion of a building to the topmost point of the roof.
7. All retaining walls, grading and paving shall blend into the hillside by using natural colors, texture and materials.
8. The applicant shall plant 100 (24-gallon) trees to screen the access road from northern views.
9. The applicant shall be required to construct two (2) Below Market Rate Units consistent with the City's Inclusionary Housing Ordinance provisions regarding alternatives.
10. The first Below Market Rate Unit shall be constructed prior to occupancy of the eighth market rate residence and the second Below Market Rate Unit shall be construction prior to occupancy of the tenth market rate residence
11. The developer shall execute an inclusionary Zoning Compliance Agreement prior to recordation of the Final Map.
12. The applicant shall submit a final landscape plan for the single-family residence with a second unit on the 2-acre homesite parcel prior to the issuance of a building permit. All landscaping shall be maintained and shall be designed with efficient irrigation practices to reduce runoff, promote surface filtration, and minimize the use of fertilizers, herbicides and pesticides. The landscape plan shall show each type, size and location of plant materials. The landscaping shall be installed prior to occupancy. Landscaping materials included on the plan shall be appropriate to site specific characteristics such as soil type, topography, climate, amount of timing of sunlight, prevailing winds, rainfall, air

movement, patterns of land use, ecological consistency and plant interactions to ensure successful establishment. Landscaping shall incorporate [native plants]. All landscaping on the site shall be adequately maintained and replaced when necessary as determined by the Planning Director.

13. As a condition of the Tentative Map, the subdivider shall defend, indemnify, and hold harmless the City of Pacifica and its agents, officers, and employees from any claim, action, or proceeding against the City of Pacifica and its agents, officers, or employees to attack, set aside, void, or annul approval of subdivision, SUB-213-07. Pursuant to this condition, the City of Pacifica shall promptly notify the subdivider of any claim, action, or proceeding regarding the subdivision, and the City of Pacifica shall cooperate fully in the defense of such claim, action, or proceeding.
14. Adequate, accessible, and convenient Recycling Areas shall be provided within the development. The dimensions of Recycling Areas shall be adequate to accommodate receptacles sufficient to meet the recycling needs of the Development Project. An adequate number of bins or containers shall be provided in Recycling Areas to allow for the collection and loading of recyclable materials generated by the Development Project. Recycling Areas shall be designed to be architecturally compatible with nearby structures and with the existing topography and vegetation. Recycling areas shall provide unobstructed access for collection vehicles and personnel. A sign clearly identifying all recycling and solid waste collection and loading areas and the materials accepted therein shall be posted adjacent to all points of direct access to Recycling Areas. Areas adjacent to Recycling Areas shall be adequately protected from any adverse impacts associated with Recycling Areas by means of measures such as adequate separation, fencing and landscaping. Recycling Areas shall be located so they are at least as convenient for those persons who deposit, collect, and load the recyclable materials placed therein as the locations where solid waste is collected and loaded. Whenever feasible, areas for collecting and loading recyclable materials shall be located adjacent to the solid waste collection areas.
15. Plant-guild colonies shall be planted, where not directly under a structure, and shall be fenced off during construction for protection of flora and fauna, and shall be reviewed by a qualified botanist for the purpose of long term conservation.
16. All construction equipment and materials shall be kept on each individual building site and only on the street for short periods of time and never shall be kept in the designated open space areas.
17. Leaf blowers that create noise pollution shall be prohibited.

18. All toxic pesticides and herbicides shall be prohibited.
19. The applicant shall provide a documented plan and management program for the protection of native species including guild-colonies, trees and significant habitat.
20. In conjunction with a certified botanist, a detailed preservation/implementation/maintenance plan for natural and landscaped areas that preserves/provides over-all landscaping that is contiguous with existing native flora for a fully integrated habitat-friendly site covering all periods of construction and the lifetime of the project shall be implemented.
21. All permanent landscaping shall be primarily native plants and non-native/drought tolerant plants and trees. Fruits and vegetable gardens in private yard spaces shall be excluded. All of the individual lots shall be kept in their natural state or planted to be botanically contiguous with existing plant guild colonies.
22. Prior to occupancy and as proposed by the applicant, the applicant shall incorporate the green building elements described in the project information materials to all the Planned Development units including, but not limited to the following:
 - Design and landscape to create comfortable micro-climates and reduce heat island effects based on the recommendations of our landscape designer.
 - Maximize onsite storm water management through landscaping and/or permeable pavement
 - Use water-conserving landscape technologies such as drip irrigation, moisture sensors, and watering zones
 - Use of drought tolerant native and non-native, plant materials and tree groupings to reduce visual impact of man-made structures.
 - No planting of invasive species (such as pampas grass, scotch broom, etc...) may be introduced to the hillside.
 - Preserve existing vegetation and protect soil during construction, to the extent possible
 - Whenever possible, use recycled rubble for backfill drain rock.
 - Use flyash in concrete based on the specific standards set forth by the City of Pacifica or the County of San Mateo
 - Use prefabricated forms or save and reuse wood form boards for construction of homes, whenever possible
 - Use sustainably harvested lumber (FSC certified) for wood framing
 - Use durable roofing materials as suggested by standards set forth by the City of Pacifica or the County of San Mateo
 - Use sustainable siding materials as suggested by standards set forth by the City of Pacifica or the County of San Mateo
 - Utilize low profile, flat roof structures that minimize visual impact

- Use roof structures that can support passive and active solar solutions
- Exterior colors are to utilize more “earth” tones rather than bright, light reflective hues. Specific colors will be detailed in the homeowner’s handbook to be created in conjunction with local artists
- Plan windows and skylights, light shelves, and window treatments to provide daylight that improves indoor environments
- Choose window sizes, frame materials, and glass coatings to optimize energy performance
- Stop air leakage at doors and windows
- Use water-conserving plumbing fixtures
- Use water-saving appliances and equipment
- Insulate hot and cold water pipes
- Use heat recovery equipment, tankless water heaters and/or on-demand hot water circulation pumps
- Pre-plumb for future gray water use for toilet flushing and landscape irrigation
- Design lighting levels for actual use, and use task lighting to reduce general lighting levels
- Use lighting that minimizes glare, reflection and light pollution
- Use energy-efficient lamps and lighting fixtures
- Use lighting controls that save energy such as occupancy sensors
- Use ENERGY STAR® appliances
- Utilize natural gas where possible since it is less polluting than burning fossil fuels in a power plant to generate electricity.
- Use passive solar design where feasible, thermal mass, and insulation to reduce space heating needs
- Use natural ventilation and passive cooling whenever possible
- Use wall, floor, and ceiling insulation that exceeds minimum State requirements Use high-efficiency equipment including furnaces, boilers, fans, and pumps Place ductwork within conditioned living space, seal joints properly, and clean before occupancy
- Use recycled-content, formaldehyde-free fiberglass insulation, cellulose insulation, or other green insulation products
- Separate ventilation for indoor pollutant sources and provide advanced filtration to improve indoor air quality
- Use clean and efficient alternatives to wood-burning fireplaces
- Use solar hot-water systems for domestic use and swimming pools
- Use solar hot-water systems for space heating
- Pre-plumb for a solar hot-water system
- Use artistic wind columns to generate electricity for the light poles
- Use low light polluting street lights
- Use low- or no-VOC, formaldehyde-free paints, stains, and adhesives
- Use low- or no-VOC carpets, furniture, particleboard, and cabinetry

- Use natural materials such as wool and sisal for carpets and wall coverings
- Install plug-in electric car ports in garages.
- Dramatically reduce demand for energy and natural resources (water, petroleum, gas, coal, through renewable tie-in's, building designs that minimize footprint on sensitive habitat. – The goal is to create an energy footprint that is smaller than most 1,500 square foot homes.
- Every home will bermed to minimize visual impact
- Locate structures to minimize off-site views – Every home has been excavated lower to hide the home and many other specific strategies to minimize the visual impact.
- There shall be design review by the city including design criteria and standards for each dwelling.
- Limit the amount of turf to less than 2,000 square feet
- **Incorporate Natural Cooling** –Any combination of natural cooling techniques can be used to reduce overheating in homes. Use deep window overhangs and/or trellises primarily on south and west facing glass to provide a balance between summer cooling and winter heating through solar gain. Natural cooling reduces the need for air conditioning, saves money on energy bills, and utilizes “fresh air” to make homes more comfortable.
- **Design Plumbing for Solar Water Heating** – Insulated pipes are pre-installed to a hot water closet or mechanical room for solar water heating installation.
- **Solar Water System** – Solar water heating systems use solar panels to collect heat from the sun. The hot water is stored for use at a later time. Water pre-heated by a solar system can also supplement use of a standard water heater. Use these systems for domestic use and heating of swimming pools. Consider use of solar hot water systems for space heating.
- **Demand or Tankless Water Heaters** - The National Renewable Energy Laboratory (NREL) found that even in high-water-use homes (e.g., about 86 gallons per day), demand or tankless heaters are at least 8-14 percent more efficient than storage tanks. For low-water-use homes (e.g., about 41 gallons per day and less), demand heaters were 24-34 percent more efficient than storage tanks.
- **Integrate Photovoltaic (PV) Systems** –All homes are required to have some form of solar power. All PV systems are to be integrally designed into the roof structure. A minimum of 50% of power should come from renewable sources with a goal of 80%.
- **Grey water systems.** All homes are required to have a grey water system such as ReWater captures, filters and reuses shower, tub, bathroom sink, and laundry water, which is about 50% of all water used inside a residence. From an average 3.2-person home, this annual flow is 46,000 gallons of water. That water is then used in an underground drip irrigation system, which is up to 60% more efficient than sprinklers. An automated process keeps half the house's wastewater from being turned into sewage, which saves treatment costs.
- **Water harvesting systems.** All homes are required to have rain catchment systems connected to roof edge guttering and also to driveway runoff channels. The tanks are

fiberglass, and are partially buried beside each house. A small pump connects the rainwater catchment system to the grey water tank so that this water is all used for irrigation. www.rainwater.org offers some useful data on these systems.

- **The developers will install small, silent wind power turbines** on 5-10 streetlight poles on the main spine road. This will ensure that streetlights are energy-neutral.
- **Use structural insulated panels to replace wood-framed walls.** These types of walls have up to a 55 R rating and are incredible energy efficient. We are standardizing on Thermasteel Systems. (www.thermasteelsystems.com)
- **Use natural building materials and techniques** – Homeowners are encouraged to use natural building materials and techniques that are environmentally-friendly, minimize waste and comes from sustainable sources.
- **Other sustainable methods or materials used.** We require active participation in the recycling program provided by the city of Pacifica.
- **Dishwasher** – The most water-efficient dishwashers currently on the market use about 4 gallons of hot water per load, which is half as much as the least efficient ones. Dishwashers using half the amount of water as a standard dishwasher also require only half as much energy to heat the water.
- **Refrigerator** – The refrigerator is the single biggest power consumer in most households. Energy Star labeled refrigerators incorporate a number of advanced features to save energy while keeping food fresh. They are readily available in side-by-side, freezer top or bottom models, and many even offer through door ice and water features.
- **Clothes Washer** – Horizontal axis washing machines (front-loaders) use 60% less energy due to much lower water consumption. Energy Star washers often spin-dry clothes better, resulting in energy conservation during the drying process as well.
- **Clothes Dryer** – The dryer is typically the second-biggest electricity-using appliance after the refrigerator. Compared to electric dryers, using a natural gas dryer can cut costs per load in half. Models with a moisture sensor may further reduce energy use by an additional 15%. Homeowners are encouraged to search for dryers that can run on solar power.
- **Cooking Stove** – Gas with electric ignition stove tops and ovens are twice as efficient as electric or gas with pilot light models. Ovens with a self-cleaning function are up to 20% more energy-efficient due to the increased insulation required to withstand the higher temperatures sustained during the cleaning cycle.

23. Prior to occupancy and to the maximum extent feasible as determined by the Planning Director, the applicant shall incorporate the green building elements described in the project information materials (suggested recommendations) to all the Planned Development units including, but not limited to the following:

Site and Landscape;

- Reduce building footprint — smaller is better
- Use recycled rubble for backfill drain rock

Waste Reduction and Management;

- Use recycled aggregate in non-structural concrete

Exterior Treatments, Siding and Roofing;

- Use a green or living roof
- Use sustainable decking materials

Wood and Framing;

- Use spacings, sizes, and modular dimensions that minimize lumber use and optimize performance
- Use engineered lumber or metal stud framing to replace solid-sawn lumber
- Use reclaimed or salvaged lumber

Windows and Doors;

- Provide shading on east, west and south windows with overhangs, awnings, or deciduous trees.

Plumbing;

- Use sustainable materials for pipes

Heating and Cooling;

- Use ceiling fans and use a whole-building fan for night-time cooling

Renewable Power and Solar Energy

- Generate clean electricity onsite using wind turbines

Interior Materials;

- Use exposed concrete as a finished floor
- Use sustainable materials for flooring, trim, and interior surfaces
- Use recycled-content floor tile, carpets and pads, cabinets, and countertops
- Use reclaimed / salvaged, sustainable harvested (FSC certified), or engineered wood for flooring and trim, or use wood alternatives such as bamboo and cork

Other Green Alternatives;

- Use insulated concrete forms
- Use structural insulated panels to replace wood-framed walls
- Use natural building materials and techniques
- Use other sustainable methods or materials used
- Use ceiling fans and use a whole-building fan for night-time cooling

- Provide shading on east, west and south windows with overhangs, awnings, or deciduous trees
 - Installation of radiant heating systems
 - Living roofs are encouraged and must be properly maintained at all times.
24. A certified green building professional, at the developer's expense, shall review the green building elements proposed by the applicants for compliance with green building practices identified in condition 22 and 23 above.
25. The green building elements proposed by the applicants in condition 22 and 23 above shall be incorporated into the CC&R's.
26. The applicant shall incorporate the green building elements proposed by the applicant in condition 22 and 23 above to the affordable units on the 2-acre dedication parcel and on the 2-acre homesite parcel to the maximum extent feasible as determined by the Planning Director.
27. As proposed by the applicant, all the new buildings shall be designed and constructed to attain all the points necessary to achieve a LEEDs Gold certification at a minimum and a Platinum certification wherever possible, subject to review and approval by the Planning Director.
28. As proposed by the applicant, the applicant shall record in a form acceptable to the City Attorney a restriction against the property requiring that the approximately 27.3 acre area of land shown on the Tentative Subdivision Map on the central and southern portions as open space will remain open space in perpetuity. The recorded open space restriction shall run with the land, and any future conditions, covenants and restrictions ("CC&R's") for the project also shall require that the approximately 27.3 acre area of land shall remain open space and shall not be developed.
29. The following programs shall be implemented by the applicant/developer:
- a. **Cowan Spiegl Teaching Garden** – Proposal to work with the school district, students and/or individual schools to create a garden project.
 - b. **Mission Blue Habitat Expansion** – Support the creation and expansion for the Mission Blue Butterfly. Create a safe sanctuary for the butterflies to reproduce, creating one of the largest natural butterfly sanctuaries in the state.
 - c. **Native Wildflower Project** – Purchase seeds and bulbs and work with students and volunteers to help spread them throughout the property.

- d. **100 Tree Initiative** – Partner with local arborists and Go Native Nursery to plant native trees that will provide protection from the wind, minimize visual impact of man-made structures and be around for decades to come.
 - e. **Bird Sanctuary** – Actively work with experts, the Autobahn Society and volunteers to create safe places for birds to breed and live.
 - f. **Habitat Model** – Designate a large portion of the project to creating habitat for animals and plants to have a protected area to thrive.
 - g. **Buyers' club** for our environmental products and services. Anyone in Pacifica wishing to aggregate their purchasing power, can group their purchases reducing the overall cost for items such as gray water systems, water harvesting, solar, wind, plants, etc.
30. The CC&R's and Design Guidelines provided by the applicant shall control design, styles, size, materials, fencing, colors, design of private outdoor space and use of native and non-native drought tolerant landscaping.
 31. An architectural committee shall be created by the Homeowners Association, consisting of an architect, environmental consultant, and developers. They shall remain members of this committee until all homes are designed and built to meet the strict standards set forth in the design guidelines and adopted as conditions of approval for this project. All builders shall be required to adhere to the standards set forth by the architectural committee and the conditions of approval.
 32. Lots 7 and 8 and Lots 1-11 homes shall be required to have living roofs to further reduce visual impacts.
 33. The applicant shall plant trees near all the retaining walls as recommended by a certified arborist.
 34. The applicant shall provide wind generated power to the maximum extent feasible as determined by the Planning Director.
 35. The applicant shall provide an overall plan for watershed management plan including the usage of permeable hard-scapes, berms and swales and other significant measures to retain storm water on-site, replenishing groundwater and minimizing impacts to local wastewater systems.
 36. Each homeowner within the Planned Development shall be required to purchase and maintain a rainwater harvesting system for collection, retention and re-use of water for gardens and landscaping. All homes shall have systems connected to roof edge guttering and also to driveway runoff channels connected to adequate holding tanks and properly designed usage systems.

37. All homes within the Planned Development shall provide a gray-water system, such as ReWater, that captures and filters shower, tub, bathroom sink, and laundry water that is then used in underground drip irrigation systems.
38. The applicant shall create standards and implement a maintenance program for private road street lighting, paths, common areas and any other street furniture subject to approval of the Planning Director.
39. Pollution from man-made lighting shall be minimized by using low pollution light poles as well as requiring homeowners to take measures to minimize light pollution from outdoor lights and indoor lights through, placement, window tinting and other strategies recommended by our architect and/or city planners.
40. The applicant shall provide the required amount of parking for the project and shall integrate permeable parking bays and/or sidewalks, patios, driveways and other hardscapes subject to approval of the Planning Director and City Engineer.
41. All recreational vehicles shall be stored in garages or out of site from the homes below.
42. Prior to the issuance of a building permit, the applicant shall submit information on exterior finishing, including colors and materials, subject to approval by the Planning Director.
43. All project-related easements, including drainage easement shall be to the satisfaction of the City Engineer, Planning Director and City Attorney, and shall be recorded prior to or concurrent with the Final Map.
44. Trash enclosures and dumpster areas must be covered and protected from roof and surface drainage. If water cannot be diverted from the 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 need.
45. No wastewater (including equipment cleaning wash water, vehicle wash water, cooling water, air conditioner condensate, and floor cleaning washwater) shall be discharged to the storm drain system, the street or gutter.
46. 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 Coastside Scavenger. 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 and any 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.

47. 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.
48. 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.
49. 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.
50. Roof drains shall discharge and drain away from the building foundation to an unpaved area wherever possible.
51. All outstanding and applicable fees associated with the processing of this project shall be paid prior to the issuance of a building permit.
52. A detailed on-site exterior lighting plan shall be submitted for review and approval by the Planning Director prior to issuance of building permits. Said plan shall indicate fixture design, illumination (photometric plan), location, height, and method of shielding. Lighting shall be directed away from adjacent properties to avoid adverse affects thereto. Building lighting shall be architecturally integrated with the building style, materials and colors, and shall be designed to minimize glare. Fixture locations, where applicable, shall be shown on all building elevations.
53. The applicant shall hereby agree to indemnify, defend and hold harmless the City, its Council, Planning Commission, advisory boards, officers, employees, consultants and agents (hereinafter "City") from any claim, action or proceeding (hereinafter "Proceeding") brought against the City to attack, set aside, void or annul the City's actions regarding any development or land use permit, application, license, denial,

approval or authorization, including, but not limited to, variances, use permits, developments plans, specific plans, general plan amendments, zoning amendments, approvals and certifications pursuant to the California Environmental Quality Act, and /or any mitigation monitoring program, or brought against the City due to actions or omissions in any way connected to the applicant's project. This indemnification shall include, but not be limited to, damages, fees and/or costs awarded against the City, if any, and costs of suit, attorneys 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.

54. All transformers, HVAC units, and 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 concrete or masonry walls, berming, painting and landscaping, to the satisfaction of the Planning Director.
55. Wastewater from vehicle and equipment washing operations shall not be discharged to the storm drain system.
56. Roof drains shall discharge and drain way from the building foundation to an unpaved area wherever practicable.
57. Declaration of Covenants, Conditions & Restrictions (CC&Rs). Prior to issuance of a building permit, the developer/owner shall prepare and record with the San Mateo County Recorder's Office a Declaration of Covenants, Conditions & Restrictions and Equitable Servitude's (one set of CC&Rs shall prepared for the 2-acre dedication parcel and a separate set shall be prepared for the 63 acre parcel that will contain 13 residential lots) which shall run with the land and be binding on all future owners and occupants of each of the residential units within the subject property and their successors, heirs and assigns, and shall be approved as to form and content by the City Attorney and Planning Director, which accomplishes the following:
 - a) The Declaration shall be binding upon each of the owners of each of the residential and commercial units on the subject property and their heirs, successors and assigns.
 - b) There shall be a Homeowners Association to manage the project. The Declaration shall specify that the Homeowners Association shall be responsible for the repair, maintenance and replacement of the building exteriors, exterior lighting, park, common areas, utility areas within common areas, parking, landscaping and building

- signage, sanitary sewer, private storm drain and other features. Maintenance of the private storm drain shall be the responsibility of the applicant and property owners.
- c) The Declaration shall establish standards and guidelines for the maintenance, repair and replacement, where applicable, all building exteriors, exterior lighting, park, parking, landscaping, signage, sanitary sewer, private storm drain, and other features and utility facilities within the common areas, to the satisfaction of the City of Pacifica. Maintenance of the private storm drain shall be the responsibility of the applicant and property owners.
 - d) The Declaration shall establish a mechanism for placing assessments against the owners of all residential and commercial units within the subject property for the purpose of financing the maintenance, repair and replacement of the building exteriors, common areas, parking, landscaping and building signage. The assessments shall be apportioned in an equitable manner.
 - e) The assessments shall be made, work shall be contracted for, and funds shall be disbursed by such person ("Agent") as may be delegated from time to time, by the Homeowners Association. The project owner shall act as the Agent as long as the project owner owns at least two of the units on the subject property.
 - f) Any assessment not paid when due shall become a lien against the unit of the nonpaying owner, which lien may be foreclosed by the Agent.
 - g) Communications. Each owner is responsible for, and shall agree to, furnish to each new tenant a copy of the CC&Rs prior to execution of a lease or purchase agreement for each unit.
 - h) The Declaration shall establish procedures for designating a project "Manager," if different than the "Agent," who shall at all times be responsible for security and/or maintenance of the overall project. At all times the Manager shall provide his/her name and current phone number to the Planning Director, including any changes thereto.
 - i) The Declaration shall include a provision that the provisions relating to this condition 57 shall not be amended without prior approval in writing from the City of Pacifica.
 - j) The Declaration shall specify that the owners of each of the residential on the subject property shall comply with all other applicable conditions of approval for the project.
 - k) The Declaration shall include the provisions required to be included in the CC&Rs by the MMRP. The MMRP requires provisions to be included in the CC&Rs when it requires the applicant to provide evidence of continuing maintenance or other responsibility of the HOA or other similar entity.
 - l) The Declaration shall name the City of Pacifica as a third party beneficiary with the right (but not the obligation) to enforce the provisions required to be included in the CC&Rs by the MMRP or these conditions.

58. The property owner(s) shall keep the property in a clean and sanitary condition at all times.

59. No building permit shall be issued until a Growth Management Ordinance allocation for each of the new residential units has been granted.
60. If archaeological resources (archeological, paleontological or human remains) are discovered during project ground disturbance activities all immediate work shall be stopped until a qualified archaeologist is consulted to ensure no harm to resources.
61. The applicant shall comply with all Mitigation Measures and implement the Mitigation, Monitoring and Reporting Program (Harmony @ 1 Roberts Road Subdivision) adopted as part of the Environmental Impact Report and attached to the Resolution Certifying the EIR. Prior to Final Map approval, the project applicant must demonstrate compliance with all mitigation measures or provide evidence ensuring that any future requirements of the mitigation measures will be met in accordance with the MMRP.

Public Works Department/Engineering Division:

62. 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.
63. In lieu of requiring to overlay half of the street width of Fassler Avenue and Roberts Road along the property frontage, applicant shall apply a slurry seal the whole width of Fassler Avenue and Roberts Road from the project's entrance at Roberts Road to the project's entrance at Fassler Avenue and the whole intersection of Roberts Road and Fassler Avenue. All pavement markings and markers that are damaged or affected shall be replaced in kind.
64. All proposed sanitary sewer system and storm drain system including detention basins up to their connection to the existing mains shall be privately maintained and shall be reflected in the project's CC&Rs.
65. To comply with the current requirements of the California Regional Water Quality Board and the San Mateo Countywide Storm Water Pollution Prevention Program, applicant shall submit both electronic and hard copy of the report produced using Bay Area Hydrology Model (BAHM) software that analyze the hydromodification effects of land development and sizing solutions to mitigate the increased runoff of the project.

66. Applicant shall submit a Final Map for APN 022-150-420 for the 15-lot (13 residential lots, a dedication of a 2 acre lot for affordable housing and a public access lot) and a Final Parcel Map for APN 022-150-310 for the 3-lot subdivision (2 residential lots and a public access lot). All required monumentations shall be shown on the map and set prior to recordation of the map. The map shall be submitted to the Engineering Division and approved by the City Engineer and staff. Prior to approval of these maps, a Subdivision Improvement Agreement must be executed and all necessary fees and bonds associated with this agreement must be paid by the applicant.
67. Applicant shall enter into a Subdivision Improvement Agreement with the City of Pacifica to construct all on-site and off-site improvements, as depicted on the approved Tentative Map and any conditions and mitigations imposed on this project, prior to approval of the final map.
68. Prior to the execution of the Subdivision Improvement Agreement, applicant shall submit to Engineering Division the construction plans and necessary reports and engineering calculations for all on-site and off-site improvements to the satisfaction of the City Engineer. Such plans and reports shall include but not limited to:
 - a. All plans and reports must be signed and stamped by a California licensed professional.
 - b. Plan, profile and cross sections of the proposed roadways including the cul-de-sacs. The proposed road must have a maximum grade of 15%.
 - c. Structural section for all proposed roadway shall be a minimum of 3 inches Asphalt Concrete and 12 inches of Aggregate Base.
 - d. The design of the entrances at Fassler Avenue and Roberts Road. The entrance design at Roberts Road including the proposed retaining wall shall be per the site distance recommendation of the traffic engineer. The entrances must have curb ramps at each corner.
 - e. A more current topographic survey performed by a California licensed surveyor.
 - f. Hydrology Calculations based on a 100-year storm for the design of the proposed storm drain system and its appurtenances including the detention basin. The design shall also incorporate the recommendations from BAHM as required above.
 - g. Design Geotechnical Report analyzing the proposed on-site and off-site improvements including but not limited to the road and retaining wall.
 - h. All site improvements including utilities and connections to existing mains must be designed according to the City Standards and to the satisfaction of the City Engineer.
69. Construction of site improvements must be to the satisfaction of the City Engineer.

70. Existing curb, sidewalk or other street improvements adjacent to the property frontage that is damaged or displaced shall be repaired or replaced as deemed by the City Engineer even if damage or displacement occurred prior to any work performed for this project
71. The existing curb along the southside of Fassler Avenue within the property frontage shall be painted in red to prevent illegal parking on Fassler.
72. All construction trucks and deliveries to the site are prohibited during morning peak hours. Construction traffic shall avoid residential areas. The primary construction access to the site shall be from Highway 1 via Sea Bowl Lane and from northbound Highway 1 shall be via Fassler Avenue. Construction equipment shall use available noise suppression devices and properly maintain and muffle loud construction equipment. Construction equipment shall avoid unnecessary idling when within 500 feet of residence.
73. Fassler Avenue and Roberts Road shall be maintained clear of construction equipments, materials and debris, especially mud and dirt tracks. Dust control and daily road cleanup will be strictly enforced. There shall be no construction vehicles parked along Roberts Road.
74. BAAQMD Construction Best Management Practices (BMPs) shall be employed to reduce dust emission during the construction phase. The project construction documents shall specify the following BMPs as dust control measures:
 - Water all active construction sites at least twice daily.
 - Cover all trucks hauling soil, sand and other loose materials or require all trucks to maintain at least 0.6 meters (2 feet) of freeboard.
 - Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites.
 - Sweep daily with water sweepers all paved access roads, parking areas and staging areas at construction site.
 - Sweep streets daily with water sweepers if visible soil material is carried onto adjacent public streets.
 - Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more).
 - Enclose, cover, water twice daily or apply (non-toxic) soil binders to expose stockpiles (dirt, sand, etc.).
 - Limit traffic speeds on unpaved roads to 15 mph.
 - Install sandbags or other erosion control measures to prevent silt runoff to public roadways.
 - Replant vegetation in disturbed areas as quickly as possible.
 - Suspend excavation and grading activity when winds exceed 40 kilometers per hour (25 miles per hour).

Public Works Department/Wastewater Division:

75. 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 such as plastic bags and bottles to the Public Work Director's satisfaction.

Building Division of Planning

76. Construction shall be in conformance with the San Mateo Countywide Storm Water Pollution Prevention Program. The applicant shall implement Best Management Practices during all phases of construction for the project.

77. A design level geotechnical report shall be submitted characterizing the soil conditions of each residential structure and retaining walls including drainage and grading. A peer review of the geotechnical report shall be required.

Fire Department:

78. Prior to occupancy, a final letter from North Coast County Water District shall be submitted stating that the District is able to provide sufficient water flow and pressure to the fire hydrants and automatic fire sprinkler systems.

79. A fire hydrant shall be required at the end of the cul-de-sac to serve the proposed single-family residence on the 2-acre lot.

C. FINDINGS:

1. **Findings for Approval of Tentative Map:** The Planning Commission finds that the proposed Tentative Subdivision Map and design and improvements of the proposed subdivision, as conditioned, are consistent with the applicable portions of the General Plan and Zoning Ordinance provided that the City Council rezones the site in accordance with the recommendation of the Planning Commission. In addition, the Commission finds that the site is physically suitable for the type and density of development, no substantial environmental damage will be caused by the project, and no public health problems will result from development of the subject parcels. The property is within proximity of other existing single-family and multi-family residential development.

2. **Findings of Approval for Development Plan:** The Planning Commission finds that the

proposed land use is consistent with the General Plan, Design Guidelines and other applicable laws of the City (provided City Council rezones the site in accordance with the recommendation of the Planning Commission). In addition, the proposed development will not be detrimental to the present or potential surrounding land uses. The Planning Commission also finds that the proposed development can be substantially completed within the project's time schedule as proposed by the applicant, as well as the total development, can exist as a development capable of creating an environment of sustained desirability. In particular, each independent unit can exist alone, and the project design, layout, parking and open space creates a desirable environment. Additionally, the Planning Commission finds that the project design within a Planned Development District will have a beneficial effect that cannot be achieved through other districts: The existing streets are adequate to carry anticipated traffic. The estimated traffic generation from the 13 home sites, development of a single-family residence with a second unit on an adjacent 2-acre lot and development of the BMR units will not create a hazardous or inconvenient vehicular or pedestrian traffic pattern. Primary access to the project will be from Roberts Road, with a secondary access off Fassler Avenue, and for the BMR. The Planning Commission further finds that the proposed 13 lots and single-family residence with a second residential unit on an adjacent 2-acre lot and the BMR units are compatible with the surrounding neighborhood which consists of open space to the north and east, multi-family residences and open space to the west and residences and the Cabrillo School to the south.

3. Findings for Approval of Removal of Heritage Trees: The Planning Commission finds that the removal of trees from the project site is necessary for the economically viable use of the property. The property is currently vacant with school buildings and underutilized. The 14 lot subdivision and construction of one-single family residence with a second unit on an adjacent 2-acre lot would provide additional housing opportunities in the area; create a development that enhances the visual and community character of the surrounding neighborhood. The loss of heritage trees would be migrated by replacing each removed heritage tree at a ratio of 1:1. In addition, approximately 27.3 acres of the project site is proposed for common open space for project residents. Additionally, the applicant will be required to plant 100 (24-gallon) trees to screen the access from northern views

4. Findings of Approval for Site Development Permit for the 2-acre Homesite Parcel: The Planning Commission determines that the proposed single-family residence with a second residential unit on an adjacent 2-acre lot, as conditioned, is consistent with the General Plan, Zoning Ordinance and applicable City laws. Specifically, the location, size and intensity of the proposed single-family residence with a second residential unit on an adjacent 2-acre lot, including design, is consistent with the character of the surrounding neighborhood; and the proposal will not restrict light or air to surrounding buildings or discourage additional residential development in the area. Adequate landscaping would be provided on the site. The proposal enhances the design variety of the area and would not impact traffic patterns in the vicinity. The Commission also finds that, as conditioned, the proposal is consistent with the applicable provisions of the City's Design Guidelines.

5. Findings for Approval of a Use Permit for the 2-acre Homesite Parcel: The Planning Commission finds that the proposed single-family residence with a second residential unit on an adjacent 2-acre lot 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; and that the use is consistent with the City's adopted Design Guidelines, applicable provisions of the General Plan, Design Guidelines, and other applicable laws of the City. In particular, the Commission finds that the project, as conditioned, will be compatible with the character of the surrounding land use, and will not affect traffic circulation in the area. The Commission further finds that the proposal will not obstruct light normally enjoyed by the adjacent properties, and the quality of building design and materials is equal to or greater than that of the surrounding development.

COMMISSION ACTION

D. MOTION FOR APPROVAL:

1. Move that the Planning Commission ADOPT the attached resolution certifying the Environmental Impact Report and adopting the Mitigation Monitoring and Reporting Plan for the Harmony @ 1 Project.
2. Move that the Planning Commission of the City of Pacifica ADOPT the findings contained in the October 15, 2007 staff report and incorporate all maps and testimony into the record by reference, and ADOPT the following resolutions:
 - P.C. Resolution for Rezoning
 - P.C. Resolution for Tentative Subdivision Map, etc. with CEQA Findings for Proposed Project attached as an Exhibit
3. Move that the Planning Commission APPROVE Use Permit, UP-978-07 and Site Development Permit, PSD-763-07 for the single-family residence with a second unit on the adjacent 2-acre lot and adopt the findings contained in the October 15, 2007 staff report and incorporate all maps and testimony into the record by reference.

ATTACHMENTS:

- a. Land Use/Zoning Map
- b. P.C. Resolution (Certifying Environmental Impact Report and Adopting Mitigation, Monitoring and Reporting Plan and MMRP attached as Exhibit A and CEQA Findings attached as Exhibit B)
- c. P.C. Resolution for Rezoning
- d. P.C. Resolution for Tentative Subdivision Map, Development Plan, Use Permit, etc.
- e. Letter of Commitment from the Applicant
- f. Harmony @ 1 Design and Development Guidelines Snapshot submitted by the Applicant

Planning Commission Staff Report

Harmony @ 1 Subdivision & Development of a 2-acre site with a single-family residence

October 15, 2007

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Planning Commission Only:

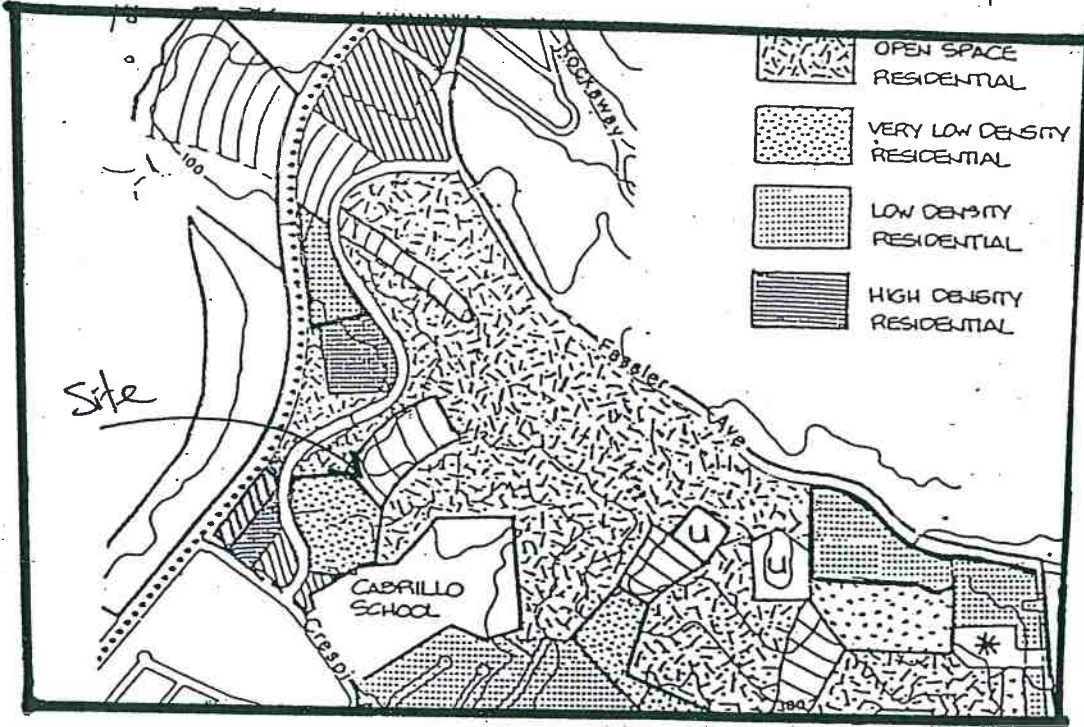
- a. Draft EIR/Final EIR (previously distributed)
- b. Packet from Applicant
- c. Full Size Plan

General Plan Diagram

Existing Land Use: Open Space Residential / Very low Density Residential

Legend

- VERY LOW DENSITY RESIDENTIAL
- LOW DENSITY RESIDENTIAL
- MEDIUM DENSITY RESIDENTIAL
- HIGH DENSITY RESIDENTIAL
- MIXED USE: HIGH DENSITY/COMM.
- COMMERCIAL
- GENERAL COMMERCIAL
- OPEN SPACE RESIDENTIAL
- GREENBELT
- PROMINENT RIDGE LINE
- SPECIAL AREA
- MARSH
- OPEN SPACE / PUBLIC FACILITY
- PROPOSED PARKING
- NEIGHBORHOOD PARK
- DEVELOPED / PROMISED BEACH ACCESS
- NORTH-SOUTH CITY TRAIL
- PUBLIC FACILITY
- UTILITIES
- AGRICULTURE
- CHURCH
- FIRE STATION



Neighborhood: LINDA MAR

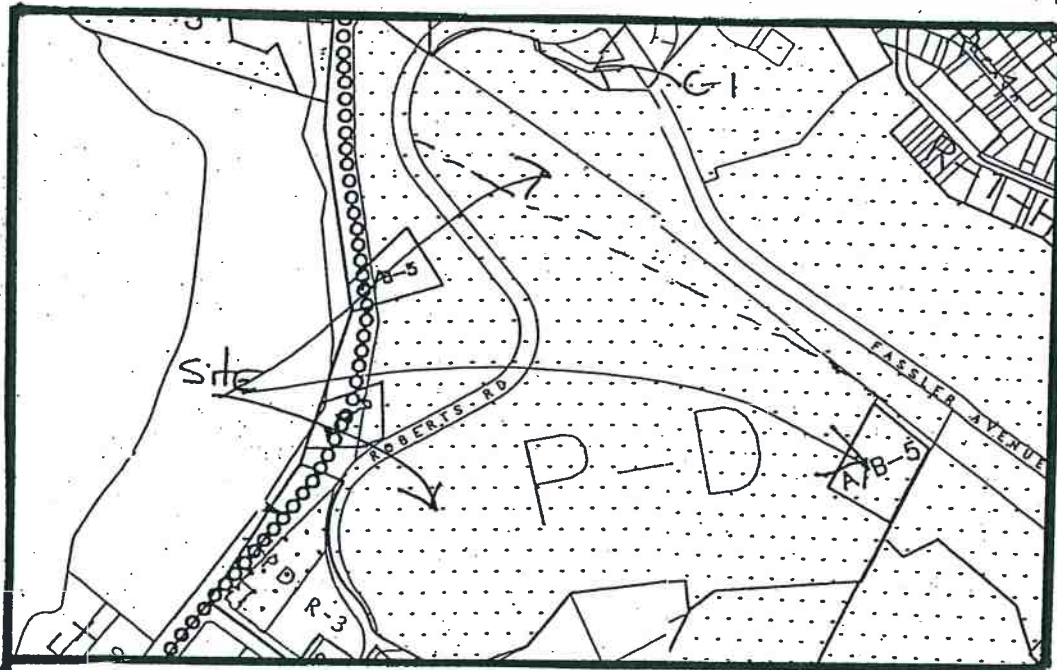
Zoning Map Diagram

Existing Zoning: P-D, Planned Development, C-1, Neighborhood
 Proposed Zoning: P-D, Planned Development Legend Commercial

ZONING DISTRICTS

- R-1 Single-Family Residential
- R-2 Two-Family Residential
- R-3 Multiple-Family Residential
- R-3.1 Multiple-Family Residential
- R-3-G Multiple-Family Residential Garden
- R-5 High Rise Apartment
- C-1 Neighborhood Commercial
- C-1-A Commercial Apartment
- C-2 Community Commercial
- C-3 Service Commercial
- O Professional Office
- C-R Commercial Recreation
- M-1 Controlled Manufacturing
- M-2 Industrial
- P Parking
- A Agricultural
- B Lot Size Overlay
- P-F Public Facilities
- P-D Planned Development
- R-M Resource Management
- O-S Open Space
- R-3/L.D. Multiple-Family/Low Density Residential
- R-1-H Single-Family Residential Hillside
- CZ Coastal Zone Combining District
- SA Special Area Combining District
- HPD Hillside Preservation District

+ Requires Vote to Rezone
 X Vote Required for Residential Develop



LAND USE AND ZONING EXHIBIT

City of Pacifica
 Community & Economic Development Department



Harmony at 1 Design and Development Guidelines Snapshot

The following is a draft of the design guidelines for Harmony @ 1. This has been compiled based on the feedback from city regulations, planners, activists, architects, biologists, neighbors, business leaders, and the owners of the project to craft design requirements that meet the collective needs.

Once finalized by the planning commission, this will become part of the design guidelines for the project and each prospective homeowner must sign off that they clearly understand that all the requirements must be met for their home to be approved by the Harmony at 1 Architectural committee as well as any other required city approvals.

PROJECT OBJECTIVES

Harmony @ 1 is a wonderful place to live. You are surrounded by other like-minded people that all are humbled by this landscape and who share a passion for the earth, the environment and the community. We are blessed to be able to call this home. From the outset, we created project objectives that have guided our actions. The objectives identified by the Project Applicant include:

- Create a high-performing, environmentally-sound development that is in harmony with the earth and the local community.
- Using LEED and other environmental standards to integrate energy efficiency, passive and active solar, wind power and other green building technologies that will help establish Pacifica as a leader in applying green solutions.
- Balance our presence on a sensitive site by establishing special habitat areas, bird and butterfly sanctuaries, as well as protecting and preserving existing native plants and wildflowers throughout the property.
- Promote a new concept called coastal green architecture that integrates the homes into the surrounding hillside demonstrating an aesthetic of harmony – we are *part* of nature and not *apart* from nature.
- Continue to work closely with Pacifica's community groups, leaders and individuals to integrate their valued perspectives and creative solutions into the project.

THE FOLLOWING ARE REQUIRED ITEMS

LANDSCAPING AND PLANT MATERIALS

- Design and landscape to create comfortable micro-climates and reduce heat island effects based on the recommendations of our landscape designer.
- Maximize onsite storm water management through landscaping and/or permeable pavement
- Use water-conserving landscape technologies such as drip irrigation, moisture sensors, and watering zones
- Use living and/or natural fencing
- No home may be greater than 4,300 square feet of floor area “Floor area” shall mean the gross measurement of all enclosed floor area from outside wall to outside wall with the following exceptions: (a) Garages; (b) Areas where there is no floor (i.e. “open-to-below” areas); (c) Outdoor decks and patios, whether covered or uncovered.
- Use of drought tolerant native and non-native, plant materials and tree groupings to reduce visual impact of man-made structures.
- No planting of invasive species (such as pampas grass, scotch broom, etc...) may be introduced to the hillside.
- Preserve existing vegetation and protect soil during construction, to the extent possible
- Use non-invasive native and non-native plants that are drought-resistant, create habitat for indigenous species, and use of toxic-free pesticides and herbicides for maintenance
- Prohibit use of leaf-blowers
- Whenever possible, use recycled rubble for backfill drain rock.
- Each homeowner is required to purchase and maintain a rainwater harvesting system for collection, retention and re-use of water for gardens and landscaping or a gray water system, whichever is better based on the LEED consultant and environmental consultant’s recommendations.

Waste Reduction and Management;

- Provide adequate space for storing and handling recyclables
- Use flyash in concrete based on the specific standards set forth by the City of Pacifica or the County of San Mateo
- Use prefabricated forms or save and reuse wood form boards for construction of homes, whenever possible

Wood and Framing;

- Use sustainably harvested lumber (FSC certified) for wood framing

Exterior Treatments, Siding and Roofing;

- Use durable roofing materials as suggested by standards set forth by the City of Pacifica or the County of San Mateo
- Use sustainable siding materials as suggested by standards set forth by the City of Pacifica or the County of San Mateo
- Utilize low profile, flat roof structures that minimize visual impact
- Use roof structures that can support passive and active solar solutions

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- Exterior colors are to utilize more “earth” tones rather than bright, light reflective hues. Specific colors will be detailed in the homeowner’s handbook to be created in conjunction with local artists

Windows and Doors;

- Plan windows and skylights, light shelves, and window treatments to provide daylight that improves indoor environments
- Choose window sizes, frame materials, and glass coatings to optimize energy performance
- Stop air leakage at doors and windows

Plumbing;

- Use water-conserving plumbing fixtures
- Use water-saving appliances and equipment
- Insulate hot and cold water pipes
- Use heat recovery equipment, tankless water heaters and/or on-demand hot water circulation pumps
- Pre-plumb for future gray water use for toilet flushing and landscape irrigation

Electricity;

- Design lighting levels for actual use, and use task lighting to reduce general lighting levels
- Use lighting that minimizes glare, reflection and light pollution
- Use energy-efficient lamps and lighting fixtures
- Use lighting controls that save energy such as occupancy sensors
- Use ENERGY STAR® appliances
- Utilize natural gas where possible since it is less polluting than burning fossil fuels in a power plant to generate electricity.

Heating and Cooling;

- Use passive solar design where feasible, thermal mass, and insulation to reduce space heating needs
- Use natural ventilation and passive cooling whenever possible
- Use wall, floor, and ceiling insulation that exceeds minimum State requirements
Use high-efficiency equipment including furnaces, boilers, fans, and pumps
Place ductwork within conditioned space, seal joints properly, and clean before occupancy
- Use recycled-content, formaldehyde-free fiberglass insulation, cellulose insulation, or other green insulation products
- Separate ventilation for indoor pollutant sources and provide advanced filtration to improve indoor air quality
- Use clean and efficient alternatives to wood-burning fireplaces

Renewable Power and Solar Energy;

- Use solar hot-water systems for domestic use and swimming pools
- Use solar hot-water systems for space heating
- Pre-plumb for a solar hot-water system
- Use artistic wind columns to generate electricity for the light poles
- Use low light polluting street lights

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Interior Materials;

- Use low- or no-VOC, formaldehyde-free paints, stains, and adhesives
- Use low- or no-VOC carpets, furniture, particleboard, and cabinetry
- Use natural materials such as wool and sisal for carpets and wall coverings

Other Green Alternatives;

Other sustainable methods or materials used.

- Install plug-in electric car ports in garages.
- Dramatically reduce demand for energy and natural resources (water, petroleum, gas, coal, through renewable tie-in's, building designs that minimize footprint on sensitive habitat. – The goal is to create an energy footprint that is smaller than most 1,500 square foot homes.
- Every home will bermed to minimize visual impact and many of the homes will have living roofs.
- Locate structures to minimize off-site views – Every home has been excavated lower to hide the home and many other specific strategies to minimize the visual impact.
- Ensure retaining walls, grading and paving, be minimized and shall be made to blend in utilizing strategies recommended by a licensed engineer.
- Plant-guild colonies, where not directly under a structure, should be fenced off during construction for protection of flora and fauna, and reviewed by a qualified botanist for the purpose of long term conservation.
- There shall be design review by the city including design criteria and standards for each dwelling.
- There shall be standards and a maintenance program for private road street lighting, paths common areas and any other street furniture.
- The color palates of all materials shall be controlled for the lifetime of the project and designed to blend in with native tones, including permeable hard-scapes and porous concrete.
- All construction equipment and materials shall be kept on each individual building site and not on the street or in the open space areas. We will require this although some equipment will need to be on the road for short periods of time.
- There shall be a documented plan for protection of native species including guild-colonies, trees and significant habitat.
- Use non-toxic pest control as defined by standards set forth by the City of Pacifica or the County of San Mateo. A complete list of safe pesticides and herbicides will be included in the Harmony @ 1 homeowner's manual.
- Limit the amount of turf to less than 2,000 square feet

GREEN DESIGN

Objective: Use green concepts, technologies and practices to create homes that are some of the most energy efficient homes on the coast.

The overarching tenet of Green Design is to use resources within their renewable limits. Incorporating Green concepts into building and landscape design provides the following benefits:

- Reduces need for using energy resources
- Reduces operating and utility costs
- Contributes to overall quality of life
- Enhances occupant comfort and health
- Improves air and water quality
- Reduces solid waste
- Conserves natural resources
- Enhances asset value and profits
- Optimizes life-cycle economic performance
- Minimizes strain on local infrastructure

RENEWABLE ENERGY

Objective: Design, create and/or purchase solutions that maximize your ability to create your own energy, minimize the use of energy and reduce the need for electricity and power from municipalities and energy companies.

Incorporating renewable energy concepts into home designs is required to reduce energy consumption and costs and to increase personal comfort. The following are the energy efficient solutions that must be integrated into homes.

- **Incorporate Natural Cooling** –Any combination of natural cooling techniques can be used to reduce overheating in homes. Use deep window overhangs and/or trellises primarily on south and west facing glass to provide a balance between summer cooling and winter heating through solar gain. Natural cooling reduces the need for air conditioning, saves money on energy bills, and utilizes “fresh air” to make homes more comfortable.
- **Design Plumbing for Solar Water Heating** – Insulated pipes are pre-installed to a hot water closet or mechanical room for solar water heating installation.
- **Solar Water System** – Solar water heating systems use solar panels to collect heat from the sun. The hot water is stored for use at a later time. Water pre-heated by a solar system can also supplement use of a standard water heater. Use these systems for domestic use and heating of swimming pools. Consider use of solar hot water systems for space heating.
- **Demand or Tankless Water Heaters** - The National Renewable Energy Laboratory (NREL) found that even in high-water-use homes (e.g., about 86 gallons per day), demand or tankless heaters are at least 8-14 percent more efficient than storage tanks. For low-water-use homes (e.g., about 41 gallons per day and less), demand heaters were 24-34 percent more efficient than storage tanks.
- **Integrate Photovoltaic (PV) Systems** –All homes are required to have some form of solar power. All PV systems are to be integrally designed into the roof structure. A minimum of 50% of power should come from renewable sources with a goal of 80%.

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- **Grey water systems.** All homes are required to have a gray water system such as ReWater captures, filters and reuses shower, tub, bathroom sink, and laundry water, which is about 50% of all water used inside a residence. From an average 3.2-person home, this annual flow is 46,000 gallons of water. That water is then used in an underground drip irrigation system, which is up to 60% more efficient than sprinklers. An automated process keeps half the house's wastewater from being turned into sewage, which saves treatment costs.
- **Water harvesting systems.** All homes are required to have rain catchment systems connected to roof edge guttering and also to driveway runoff channels. The tanks are fiberglass, and are partially buried beside each house. A small pump connects the rainwater catchment system to the grey water tank so that this water is all used for irrigation. www.rainwater.org offers some useful data on these systems.
- **The developers will install small, silent wind power turbines** on 5-10 streetlight poles on the main spine road. This will ensure that streetlights are energy-neutral.
- **Use structural insulated panels to replace wood-framed walls.** These types of walls have up to a 55 R rating and are incredible energy efficient. We are standardizing on Thermasteel Systems. (www.thermasteelsystems.com)
- **Use natural building materials and techniques** – Homeowners are encouraged to use natural building materials and techniques that are environmentally-friendly, minimize waste and comes from sustainable sources.
- **Other sustainable methods or materials used.** We require active participation in the recycling program provided by the city of Pacifica.

ENERGY STAR

The installation of Energy Star Certified Appliances is required. These appliances are significantly more efficient in their use of water and electricity. At a minimum, the following appliances are required to be Energy Star rated:

- **Dishwasher** – The most water-efficient dishwashers currently on the market use about 4 gallons of hot water per load, which is half as much as the least efficient ones. Dishwashers using half the amount of water as a standard dishwasher also require only half as much energy to heat the water.
- **Refrigerator** – The refrigerator is the single biggest power consumer in most households. Energy Star labeled refrigerators incorporate a number of advanced features to save energy while keeping food fresh. They are readily available in side-by-side, freezer top or bottom models, and many even offer through door ice and water features.
- **Clothes Washer** – Horizontal axis washing machines (front-loaders) use 60% less energy due to much lower water consumption. Energy Star washers often spin-dry clothes better, resulting in energy conservation during the drying process as well.

Energy Star also certifies heating and cooling equipment such as air-conditioners, furnaces, boilers, heat-pumps and thermostats.

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NATURAL GAS

Burning natural gas in the home creates less pollution than burning fossil fuels in a power plant to generate electricity. Natural gas models are required for the following appliances:

- **Clothes Dryer** – The dryer is typically the second-biggest electricity-using appliance after the refrigerator. Compared to electric dryers, using a natural gas dryer can cut costs per load in half. Models with a moisture sensor may further reduce energy use by an additional 15%. Homeowners are encouraged to search for dryers that can run on solar power.
- **Cooking Stove** – Gas with electric ignition stove tops and ovens are twice as efficient as electric or gas with pilot light models. Ovens with a self-cleaning function are up to 20% more energy-efficient due to the increased insulation required to withstand the higher temperatures sustained during the cleaning cycle.

Strongly Recommended

Site and Landscape;

- Reduce building footprint — smaller is better
- Use recycled rubble for backfill drain rock

Waste Reduction and Management;

- Use recycled aggregate in non-structural concrete

Exterior Treatments, Siding and Roofing;

- Use a green or living roof
- Use sustainable decking materials

Wood and Framing;

- Use spacings, sizes, and modular dimensions that minimize lumber use and optimize performance
- Use engineered lumber or metal stud framing to replace solid-sawn lumber
- Use reclaimed or salvaged lumber

Windows and Doors;

- Provide shading on east, west and south windows with overhangs, awnings, or deciduous trees.

Plumbing;

- Use sustainable materials for pipes

Heating and Cooling;

- Use ceiling fans and use a whole-building fan for night-time cooling

Renewable Power and Solar Energy

- Generate clean electricity onsite using wind turbines

Interior Materials;

- Use exposed concrete as a finished floor
- Use sustainable materials for flooring, trim, and interior surfaces
- Use recycled-content floor tile, carpets and pads, cabinets, and countertops
- Use reclaimed / salvaged, sustainably harvested (FSC certified), or engineered wood for flooring and trim, or use wood alternatives such as bamboo and cork

Other Green Alternatives;

- Use insulated concrete forms
- Use structural insulated panels to replace wood-framed walls
- Use natural building materials and techniques
- Use other sustainable methods or materials used
- Use ceiling fans and use a whole-building fan for night-time cooling
- Provide shading on east, west and south windows with overhangs, awnings, or deciduous trees
- Installation of radiant heating systems
- Living roofs are encouraged and must be properly maintained at all times.

Checklist for Harmony @ 1

This document is based on hundreds of hours of dedicated work between the Harmony @ 1 team and the steering committee for Pacificans for Sustainable Development and dozens of suggestions and recommendations from the planning commissioners based on comments during study sessions, public meetings and feedback over the past few years. This has been a landmark collaboration to create a project that meets the passionate concerns of the members of PSD, other activists, environmentalists and concerned citizens as well as the owners of the Harmony @ 1 project. We are extremely proud of this project because it creates almost 27 acres of permanent open space and about 60 of the 67 acres will remain in its natural state. We are setting standards that far exceed those of the city, county and state. We are not asking for any variances and we are making the following commitments to ensure this flagship, environmentally-friendly development is in harmony with the earth and the community.

# on PSD Checklist	Requirements	Location in Letter of Commitment	Notes
1	Open Space	4	27+ acres
2	Required design of green elements	20	Part of design guidelines
3	Size cap/height restrictions	1	
4	LEEDS standards	5	
5	Solar - Passive and active	28	
6	Solar hot water	32	
7	Star appliances	29	
8	High insulation value	28	
9	Electric car plug in	28	
10	Pervious hardscapes	43	Parking bays
11	Storm water retention/mgt. plan	32	
12	Gray water systems	40	
13	Interior air quality measures	33	
14	Living roofs	27	
15	Visual impact mitigation	8	Comprehensive strategy
16	Water harvesting	39	
17	Contract with all builders	26	
18	Retaining walls blended	23	
19	Plant guild fencing/botanist consulting	9	
20	Ongoing design review by city	NA	The city will review all plans
21	No second residential units	2	
22	Life of project usage	NA	City zoning dictates uses
23	Sufficient off street parking	43	Required by city and in plans
24	No recreational vehicles noticeable from Linda Mar	44	Stored in garage or out of sight
25	Permeable sidewalks	43	
26	Maintenance program for roads	41	City requirement
27	Color Palette	24	
28	Construction equipment off street whenever possible	11	
29	Project plan for habitat	13	
30	Lighting and glare mitigation	42	
31	No subdivisions of lots	4	
32	No gas powered leaf blowers	12	
33	Density and HPD bonus for inclusionary housing and restoration	45	
34	Recycling participation	34	
35	Living fences, no perimeter fencing	3	
36	Inclusionary housing	17	
37	Heritage trees	10	
38	Native landscaping	15	

Letter of Commitment

Based on all the feedback from the neighbors, community members, activists, planning commissioners, planning department, business leaders and a host of other concerned citizens, we wanted to make clear our intent on key aspects of the project. This letter sets forth the terms that will be memorialized in the CC&Rs and Design Guidelines for Harmony at 1. We are open to making these conditions of approval for our project based on the wishes of the commission and council.

Home Requirements

1. Reduce the square footage of the homes from the originally proposed 5,500 square feet to 4,300 square feet of living space or smaller for all homeowners. We will also cap the height of the homes at of 29 feet above finished grade, using the City of Pacifica's definition. (anything excavated below grade does not count in this calculation) with the exception of Lot 11. The maximum height of a home can be no higher than 35 feet from lowest point of finished flooring to the highest point of the home, according to the City of Pacifica. The goal is for the home to be less than 29 feet above natural grade, as defined as the natural contour of the hill prior to any excavation or grading. Berming as part of the visual mitigation strategy does not constitute "natural grade."
2. Eliminate the second residential unit for all 11 home sites on the 53 acres owned by Cowan Newton. The two acre parcel owned by the Husson family reserves the right to have a second residential unit and the Royce family reserves their right to have a second residential unit. They must follow the approval process for the City of Pacifica.
3. A requirement that only living or natural fencing will be allowed near the homes as a pet, child or personal yard enclosure, not to exceed 2,000 feet, and no fencing or tree lining of the overall property line will be permitted. A "living fence" is a fence that is in fact a hedge, bramble, berm or arbor shaped by living plants that provides partition. "Natural" is a non-living fence that is still created of natural-looking, non-lumber plant materials such as woven branches, bamboo etc so as to mimic a living fence.
4. Eliminate the ability of homeowners to subdivide their lots.
5. Required integration of LEED standards into the project based on professional advice from a LEED certified expert to achieve the highest level of LEED certification possible.

Open Space, Conservation and Special Programs

6. Create more than 27 acres of permanent open space and a total of 60 acres will remain in its natural state. The open space will be placed into a conservation easement or will be deed restricted in perpetuity and the homeowner's association will not have the ability to change it.
7. A requirement that The Permanent Open Space or Conservation Easement should include all acreage beyond the private lots/housing sites, except for the remaining land on the Royce property. The lot sizes range from 1.1 to about 2.0 acres with Lot 11 having been reduced from 6.5 acres to 5.6 acres. The conservation easement that we are working toward seems currently to amount to roughly 27 acres. The area proposed for inclusionary housing is 2.0 acres. The two acres will reduce the conservation easement from 28.415 to 27.346 acres and reduce lot 11 from 6.547 acres to 5.617 acres.

8. We will implement the following programs for the benefit of the earth and the community:
 - a. **Cowan Spiegl Teaching Garden** – Proposal to work with the school district, students and/or individual schools to create a garden project.
 - b. **Mission Blue Habitat Expansion** – Support the creation and expansion for the Mission Blue Butterfly. Create a safe sanctuary for the butterflies to reproduce, creating one of the largest natural butterfly sanctuaries in the state.
 - c. **Native Wildflower Project** – Purchase seeds and bulbs and work with students and volunteers to help spread them throughout the property.
 - d. **100 Tree Initiative** – Partner with local arborists and Go Native Nursery to plant native trees that will provide protection from the wind, minimize visual impact of man-made structures and be around for decades to come.
 - e. **Bird Sanctuary** – Actively work with experts, the Autobahn Society and volunteers to create safe places for birds to breed and live.
 - f. **Habitat Model** – Designate a large portion of the project to creating habitat for animals and plants to have a protected area to thrive.
 - g. Buyers' club for our environmental products and services. Anyone in Pacifica wishing to aggregate their purchasing power, can group their purchases reducing the overall cost for items such as gray water systems, water harvesting, solar, wind, plants, etc.
9. Plant-guild colonies, where not directly under a structure, will be fenced off during construction for protection of flora and fauna, and reviewed by a qualified botanist for the purpose of long term conservation.
10. Replace all Heritage trees that have to be removed with large specimen trees as recommended by a certified arborist.
11. Require all construction equipment and materials shall be kept on each individual building site and only on the street for short periods of time and never in the designated open space areas.
12. Prohibit leaf blowers that create noise pollution impact as well as ban on toxic pesticides and herbicides. Accepted pest management alternatives can be employed and will be referred to in the Harmony @ 1 Homeowner's Manual.
13. Provide a documented plan and management program for the protection of native species including guild-colonies, trees and significant habitat.
14. A requirement to create, in conjunction with a certified botanist, a detailed preservation/implementation/maintenance plan for natural and landscaped areas that preserves/provides over-all landscaping that is contiguous with existing native flora for a fully integrated habitat-friendly site covering all periods of construction and the lifetime of the project. There is a related requirement that no invasive, species (such as pampas grass, scotch broom, etc...) be introduced to the hillside. A complete list of undesirable plants will be included in a handbook of design guidelines made available to homeowners.
15. Require permanent landscaping to be primarily native plants and non-native/drought tolerant plants and trees. Fruits and vegetable gardens in private yard spaces will be excluded: a list of invasive, non-natives to avoid will be included in the Homeowner's handbook. The rest of individual lots shall be kept in their natural state or planted to be botanically contiguous with existing plant guild colonies.

16. A requirement that both the Royce family and the Husson family agree to comply with 80%+ design guidelines approved for the entire site. They are required and have already agreed to comply with the size, height requirements and the visual mitigation strategies of the Harmony @ 1 project.

Inclusionary Housing

17. Provide inclusionary housing in compliance with the regulation set forth by the City of Pacifica. As stated in the Inclusionary Housing Ordinance 746-C.S. section 9-4.4706 Alternatives: "A Developer may propose an alternative means of complying with this article set forth below...In lieu of building BMR Units, the Developer may propose to dedicate land to the City suitable for construction of BMR Units, provided that the Planning Commission reasonably determines that the land is of equivalent or greater value than the required BMR Units and that the land has equivalent or greater development potential of the Residential Development." We are proposing to dedicate 2+ acres on the southern portion of the property closest to the school, shopping, public transportation and post office for these units.

We understand the spirit of the new ordinance is not to provide just the land but actually provide the units. If the project is approved as proposed with 13 lots and one agricultural lot, we are open to exploring with the city a way to build the units.

Visual Impact

18. Minimize the visual impact of all the homes by strategically locating each home and building envelope. We are utilizing an innovative combination of siting, excavation, berming, design and landscaping to better conceal the homes for those living in Linda Mar and Rockaway Beach and hikers from Mori Point.
19. The homes have been designed to be excavated into the hill to dramatically minimize their visual impact. The garages for all homes will be excavated below the homes or bermed out of sight from neighbors in Linda Mar. The intent of this design feature is to strongly mitigate visual impact with the least amount of home showing above the ridgeline. In addition, the use of berming to further hide structures from off site view will be detailed in design guidelines and become a Condition of Approval.
20. Require the implementation of all Mitigation Measures noted in our Draft EIR.
21. We have engineered bends in the roadway and have committed to planting more than 100 trees along the roadway to minimize the visual impact of the road and to conceal parts of the homes.
22. The CC&R's and Design guidelines will control design, styles, size, materials, fencing, colors, design of private outdoor space and use of native and non-native, drought tolerant landscaping.
23. Minimize retaining walls, grading and paving, and where they are used, employ a detailed strategy using color, texture and finishing techniques to ensure they blend in with the hillside.

24. Regulate through the CC&Rs and design guidelines, that the color palates of all materials shall be controlled for the lifetime of the project and designed to blend in with native tones. Use appropriate exterior materials and color palette to ensure compatibility of the home with the surrounding natural area.
25. Require all homeowners to integrate our concept for "Coastal Green Architecture". The building form is derived primarily from our desire to minimize visual impact and the relationship of these man-made structures with the surrounding ecology. Site integration, building geometry, orientation, material palette and sustainable design are the main elements which together impart a sense of a community of houses which belong to this portion of coastal hills.
26. Create an architectural committee, consisting of our architect, environmental consultant, Stuart Newton and Taiten Cowan. They will remain members of this committee until all homes are designed and built to meet the strict standards set forth in our design guidelines and adopted as conditions of approval for this project. All builders will be required to adhere to the standards set forth by the architectural committee and the conditions of approval.
27. Lot 7, 8 and 11 homes will have living roofs and we are strongly recommending it for all homeowners as a way to further mitigate visual impacts.

Green Solutions

28. Require all potential homeowners to abide by very strict CC&Rs and Design Guidelines. All homeowners must integrate green technologies, (including but not limited to:
 - a. Solar power and solar hot water
 - b. Star Appliances
 - c. High insulation value
 - d. Electric car plug in
 - e. Gray water recapture
 - f. Water harvesting
 - g. Earth-friendly construction materials and methods
 - h. Landscaping with drought-tolerant native and non-native plants
 - i. Comply with the architectural language of the project
 - j. Comply with HPD calculations
 - k. Comply with a minimum 30 guidelines the San Mateo Countywide Sustainable Buildings Checklist.
 - l. Minimum standards will be required based on additional research to determine the specific technologies, sizes and output to accomplish the environmental goals of the project.
 - m. The goal of each of these technologies and solutions is to achieve highest levels of performance for sustainable green building.
29. The installation of Energy Star Certified Appliances, including refrigerators, dishwashers, washer/dryers, air-conditioners, furnaces, boilers, heat-pumps and thermostats is required of all homeowners.
30. All homes are required to generate a minimum of 50% (with a goal of 80%) of their own energy needs using onsite, renewable technologies such as solar or wind. All energy generating systems will be designed into the homes.

31. Natural gas models are required for the following appliances:
- **Clothes Dryer** –unless Homeowners find dryers that can run on solar power, and the PV array is substantial enough to provide power for such.
 - **Cooking Stove**
 - **Water Heater** –A simple board of rigid insulation under the tank of an electric water heater prevents heat from leaking into the floor, and will save 4 to 9% of water heating energy.
32. The following elements are requirements for heating and cooling:
- **Incorporate Natural Cooling** –Any combination of natural cooling techniques can be used to reduce overheating in homes. Architectural design, use deep window overhangs and/or trellises primarily on south and west facing glass to provide a balance between summer cooling and winter heating through solar gain.
 - **Design Plumbing for Solar Water Heating** – Insulated pipes are pre-installed to a hot water closet or mechanical room for solar water heating installation.
 - **Solar Hot Water System** Use these systems for domestic use and heating of swimming pools. Consider use of solar hot water systems for space heating.
 - **Demand or Tankless Water Systems**
33. Each home will have an indoor air quality program.
34. Homeowners are required to participate in the city-run recycling program.
35. Harmony@1 is required to plant trees in and near the retaining walls and replace all Heritage trees that have to be removed with large specimen trees as recommended by our arborist.
36. Wind power will be employed to the degree possible and feasible. For example, we are currently investigating wind powered street lights.

Water Systems Management

37. The project will have a storm water management plan.
38. The applicant has is working with experts to craft an overall plan for watershed management plan including the usage of permeable hard-scapes, berms and swales and other significant measures to retain storm water on-site, replenishing groundwater and minimizing impacts to local wastewater systems.
39. Each homeowner is required to purchase and maintain a rainwater harvesting system for collection, retention and re-use of water for gardens and landscaping. All homes are required to have systems connected to roof edge guttering and also to driveway runoff channels connected to adequate holding tanks and properly designed usage systems.
40. All homes are required to have a gray-water system, such as ReWater, that captures and filters shower, tub, bathroom sink, and laundry water that is then used in underground drip irrigation systems.

Other Project Requirements

41. Create standards and implement a maintenance program for private road street lighting, paths, common areas and any other street furniture.
42. Minimize pollution from man-made lighting by using low pollution light poles as well as requiring homeowners to take measures to minimize light pollution from outdoor lights and indoor lights through, placement, window tinting and other strategies recommended by our architect and/or city planners.
43. Provide the required amount of parking for the project and integrating permeable parking bays and/or sidewalks, patios, driveways and other hardscapes.
44. Require that all recreational vehicles be stored in garages or out of site from the homes below.
45. There are no variances being requested by this project except for the inclusionary housing density and HPD coverage bonus. We are only asking for this variance to create the affordable housing element on the property. If the commission is willing, we would also ask to use a portion of that coverage bonus for gully repair and restoration and for additional landscaping to add to our already comprehensive plan for minimizing visual impact of the homes.

DRAFT

PUBLIC HEARINGS:

1. **SUB-213-07 CERTIFICATION OF ENVIRONMENTAL IMPACT
RZ-188-07 REPORT AND ADOPTION OF MITIGATION MONITORING
DP-70-07 AND REPORTING PLAN, SUBDIVISION, REZONING,
UP-978-07 DEVELOPMENT PLAN, USE PERMIT, AND SITE
PSD-763-07 DEVELOPMENT PERMIT, filed by Cowan Newton LLC,
 applicant, to subdivide 65 acres of vacant land into 13 residential
 lots and develop an adjoining two-acre vacant lot with one single
 family home with a second unit, with approximately 32.1 acres
 proposed as common open space, located south of Fassler
 Avenue and east of Roberts Road (APN 022-150-420, 022-150-
 310 and 022-150-030).**

Associate Planner Diaz presented the staff report.

Commissioner Campbell asked if the garages were included in the square footage of the home.

Associate Planner Diaz stated that the garage was not, just the main house.

Commissioner Campbell asked if there were any general requirements for garages pertaining to size.

Associate Planner Diaz stated that the minimum was to accommodate two cars and approximately 18' x 20' were minimum standards.

Commissioner Campbell asked what that would be in square footage.

Associate Planner Diaz responded that it would be about 171 square feet.

Commissioner Maykel acknowledged that the minimum was for a two-car garage, and asked if they had the option to put in a three-car garage.

Associate Planner Diaz responded affirmatively.

Commissioner Maykel asked the measurements for a two-car garage.

Associate Planner Diaz reiterated that for two cars it was approximately 18 x 20 feet.

Commissioner Maykel asked if that was about 17 x 25 feet or 360 square feet.

Associate Planner Diaz responded affirmatively.

Commissioner Maykel mentioned that the committee on mega homes was discussing the three-car garages as being very large. Some felt that they were ostentatious. He asked if they would be dealing with the garages at this time or later when they dealt with the specific development permits.

Associate Planner Diaz stated that the applicants would be returning for the specific plan approvals and the Commission would be dealing with the size of the garages. He stated that the two-acre site adjacent to the 13 lots was requesting approval which included the garage for that specific home.

Commissioner Maykel asked if that was a three-car garage.

Associate Planner Diaz responded affirmatively.

Chair Ranken invited the applicant to speak.

Stu Newton, applicant, gave an overview of the standards set by the project. He mentioned that their goal was to create a flagship project, including sanctuaries, green solutions, as well as the important issues of minimizing visual impacts and the development of ridgelines. He then turned the presentation over to Stan Field, the architect.

Stan Field mentioned that he was a surfer who lived in Half Moon Bay and had a great love of the ocean and the coast. He explained that their sense of belonging and understanding the significance of the specific project led to their idea of a coastal green architecture. He then addressed the specifics of the project, pointing out that they were part of nature not separate from it, and man had the ability to design within a pristine natural environment. He felt that they were striving to enhance the landscape, which included leaving a huge area of the land as part of open space. He pointed out that the homes were designed to tie in with the topography of the land, with the garages out of sight. He pointed out the various specific aspects of the homes, including the minimal views from the surrounding areas such as Linda Mar.

Mr. Newton mentioned several programs they were including, such as the teaching garden, butterfly expansion, 100-tree initiative, and inclusionary housing.

Commissioner Leon mentioned that they had received a memo regarding changes to the conditions, and he asked the applicant to elaborate on them.

Mr. Newton stated that there had been a miscommunication on some conditions, such as the living roofs being recommended only for homes 7, 8, and 11 and strongly recommended for all the others, but not required. He stated that their goals were for achieving as high a LEED certification as possible such as gold, but not being required to achieve it. They also added that accessory buildings would be included in the 4,300 foot calculation.

Commissioner Leon asked if that last item would include the garages.

Mr. Newton stated that the City had not made any requirements about the garage size and that was not included.

Chair Ranken opened the Public Hearing.

Kathy Meeh, 1276 Alicante, stated that her comments were redundant after the presentation, but she wished to comment, mentioning the scope of the project. She stated that it was a green development with more designated permanent open space, consideration for the natural land and habitat, low visual impact, etc. She mentioned that the architectural firm was innovative, site

specific and contemporary. She hoped that the Commission would vote to approve the project, adding that each house would come before them in the future to be built. She mentioned that San Francisco was only asking for silver, with gold a hard standard to hit.

Melinda Zarrett, 628 Arguello, stated that she was speaking on behalf of Nancy Hall and read her letter which mentioned that this project was the most important and challenging project she had ever faced. It would normally find her in opposition, but she stated that Pacificans for Sustainable Development had worked with the applicant on several issues, such as house size, height, secondary units, living roofs to reasonably hide the homes, permanent open space, water management system, highest LEED certification as possible. She felt proud of the process represented by this proposal, regardless of the outcome.

Chair Ranken stated that he had spoken to Nancy Hall, who was sorry that she couldn't be present. He felt her reason for not being present was valid, and he asked the Commissioners to consider her letter as though she was present.

John Curtis, 423 Belfast Avenue, stated that he had no financial connection with anyone involved in the project but was present to recommend that the Commission approve the project. He agreed with Nancy Hall's statement that it was an open process. His major concern was for the future of the hill, and he liked that the project had so much visible open space saved with habitat as well. He mentioned that the idea was not that nothing should be built on the site but rather what level intensity and type could occur consistent with protecting open space resources, which he felt this project accomplished. He mentioned some of the thoughts by HPD regarding coverage, as well as some of the other positive aspects of the project. He concluded by urging that the Commission approve the project.

Dinah Verby, 338 Reichling Avenue, stated that she was a member of Pacificans for Sustainable Development and was present to read PSD's position on the project. She mentioned that there was a revised letter of commitment sent to the Commission. She briefly mentioned PSD's ideas of sustainable development in Pacifica, acknowledging the hours spent by the applicants in meeting with many of them and making design improvements to the project which reflected current green building practices. PSD recommended that they remain as conditions of approval. She mentioned that PSD would prefer to work with a local developer who lived in the community and planned to live on the site rather than one speculating for a profit driven project. PSD acknowledged that a project would be approved, and they would like to be involved in shaping an acceptable project which would adhere to high visual and performance standards, and specifically achieving the highest level of LEED certification possible.

Greg Cochran, 183 San Jose Avenue, stated that he currently worked with all Chambers of Commerce in the North San Mateo area, and was a member of the Pedro Point Surf Club. He thanked the developer for working so hard on a smart growth, environmentally sound project. He felt this was a dream project for Pacifica. He added that Pacifica had more open space than any other incorporated city in San Mateo County, but the citizens needed to open their arms to smart and innovative projects such as this one, and he requested that the Commission support this project.

Peter Loeb, 411 Martland Road, stated that he was finishing the statement started by Dinah Verby. He stated that the last point was PSD urged the conditions of approval with a comprehensive list of green components be enforced and only renegotiated if there was

redundancy or new technologies which surpassed the proposed performance levels. Then, as an individual, he mentioned that he had been part of meetings with the applicants and he felt the conditions of approval should be enforceable, but not to the extent that they make things worse, with technology that might no longer be the best. He urged that the Commission approve the project.

Rick Lee, 704 Corona, stated that development in Pacifica had taken a new direction. He mentioned that the applicants were proposing an environmentally sensitive project, and he thought Pacifica might consider having more mandatory green building policies. Presently, it was voluntary and he felt their efforts were better than his on his project. He complimented them on that.

Izzy Szczepaniak, 130 San Jose Avenue, stated that this was one of the finest proposals he had ever seen. As a biologist, he was excited about the remaining open space. He commented on the fact that the applicants were local residents and mentioned what they contributed in other areas to involve residents. He mentioned the community events in which the applicant, Mr. Cowan, was involved because he loved Pacifica, mentioning the recent event at the Sea Bowl which he sponsored. He urged the Commission to approve the proposal.

Greg Figueroa, 1136 Park Pacifica, stated that he was Mr. Cowan's dad. He stated that he was a businessman in the town for 30 years, and he felt this was an innovative project. He felt that everyone should help the project because it was a good thing going and ahead of its time.

Michael Lehr, Pacifica, stated that he was raised in Pacifica. He now lived in Pedro Point with a perfect view of the hillside. He was in support of the project which he felt would be good for Pacifica. He asked that the Commission grant them their due.

Lisa Lehr, Canyon Drive, stated that she was present in support of this carefully planned project. She felt that, with all the open space and the inclusionary housing, this was good for Pacifica. She was happy to see someone doing something positive.

Jeff Simons, 231 Beaumont, stated that, as a representative of Pacificans for Progress, he thanked Commissioner Maykel for attending their green building seminar, adding that he had a different perspective of Mr. Maykel prior to that event. He mentioned the LEED program, stating that the City had taken a step forward by approving the Prospects project, and he felt they could continue to set a standard for green development by approving this project. He supported this project, adding that the applicants had gone above and beyond what most developers would do by combining innovative technology to make the most energy efficient homes on the coast, as well as the thoughtful additions such as the butterfly sanctuary and the teaching garden. He stated that we could garner a lot of green credibility by supporting this project, and he encouraged the Commission to approve it.

Janet Kennedy, Fassler Avenue, stated that she was going to comment on the positive visual impacts which had been mentioned many times, and she chose instead to quote something written on the project that stated the applicants were trying to "create homes that were a part of nature and not apart from nature." She hoped the Commission would approve the project.

Erik Noyes, 796 Crespi Drive, stated that he had recently moved to Pacifica from San Francisco, and commented on a San Francisco neighbor who took input from his neighbors and came up

with a nice addition to his property and a developer who came from out of town and put up a three-story home which blocked his view of Ocean Avenue which gave him the sense that a local person would make sure that it was good with the community. He also pointed out the monstrous houses which have been built at Stinson Beach. He added that he had put solar power on his roof and now neighbors were getting interested in it, and he felt that having LEED standards would lead to other people adopting that approach.

Mike Panesi, 1331 Livingston, stated that he was a friend of the applicant. He stated that he lived on Pedro Point, walked to the beach and looked at the hills, and acknowledged that a lot of things had slipped through the cracks, such as Pedro Point. He felt that the City had never seen a project where the applicant put this much effort into something that would make the community better. He didn't see much negative about the project. He felt the Commission would make the right decision.

Brian Brinkman, 698 Navarre Drive, stated that he had worked with the applicants and members of Pacifica staff on the process helping to create the drawings. He thought that it was hard to take all points of view into consideration and create a project that was in the best interest of all of Pacifica, but he felt that had been achieved with this project. He mentioned how the project had changed following all the feedback. He felt that the applicants should be commended on how they had gone about the project, and he urged the Commission to approve the project.

Julia Boyle, Vallemar, stated that Pacifica had the opportunity to embrace this wonderful project, mentioning the proactive manner in which the applicants had worked with the population and government to please everyone. She mentioned their efforts to ensure that the homes would blend in with the hillside, as well as being energy efficient, green, luxury homes. It would be a great way to raise the image of Pacifica and the expectations of what can be done here. She mentioned studies suggesting that a strong sense of community was vital. She also felt that this would bring an infusion of new commerce into the area and a new sense of pride to our City. She mentioned many of the additional features of the project, such as the garden, inclusionary housing, etc. She encouraged the Planning Commission to be proactive and let Pacifica be in the forefront of a new standard.

Stephanie Vinces, Park Pacifica, stated that she also supported the project, dittoing some of the previous comments. She also felt that the donation of 27 acres was a benefit to us. She felt the project made a statement regarding the values and quality of living that we expect in Pacifica, and she appreciated the efforts from the applicants to find out what they needed to have everyone agree with their perspective. She hoped the Commission would make sure it was of quality so that everyone can support it.

Mary Keitelman, Pacifica, stated that there wasn't much more that she could add. She commended the developer for working with the community to create what appeared to be an amazingly great project. She liked the idea of striving for LEEDS gold and adapting new technology, such as fluorescent lighting. She was concerned about water, because she understood there were possibly swimming pools and we were in a major drought. She also would like to hear more about the Buyers' Club to help other homes become low cost and more sustainable. She was concerned about the tree removal, but she thought they had addressed that. She congratulated them on a good project.

Jim Lange, 735 Balboa Way, stated that it was amazing to see how many people this group had worked with to make this a positive project. He mentioned Tate Cowan who was an inspiration because he contributed so much to the community for the youth. He hoped the project would be approved in a timely manner to allow them to go forward.

David Vesica, 1 Andorra Court, stated that he lived off of Fassler and had some questions for the architect with a couple of concerns. He asked if the homes were going to be designed by the architect, Fields, and what standards would the homes have to meet and who would define that, because of concern about the visual end product. He mentioned the road which followed the ridgeline, and he asked about the design consideration for the road, such as type of lighting, etc., because the road would be quite visible. He asked whether the heights of the homes would exceed the heights of the ridgeline. He also asked whether there would be fencing for the homes. He asked if it would necessitate a stop light at Roberts Road and Fassler. He asked if the road from the development to Fassler was necessary.

Scott Davis, Pacifica, stated that he was a real estate broker from NEIBT Commercial and he represented the previous owner to the present applicants who purchased the property, and he gave some perspective on what the previous owner went through in marketing the property. He listed it in May 1999. He went to developers he had known who came in with plans for 50 to 70 homes on the site and were told that it was too ambitious and they withdrew their offer. He mentioned several other developers who had been interested with very ambitious plans. He stated that he then got a call from Darcy Newton who mentioned their interest, as well as other people interested in small parcels. He also got a call from Tate Cowan and then put the two together. He then briefly mentioned their two-year process and encouraged the Commission to approve the project.

Trish Hudson, 1571 Yosemite Drive, stated that she was interested in the ways in which the pro-growth and pro-environment groups were coming together with new innovations to honor both the land and people at the same time. She felt this was a pilot project which broke the inertia. She congratulated all the players who worked together. She stated that this resulted in a better project for the community, but one that redefined redevelopment. She recognized both Rick Lee and Stu and Tate for their approach, demonstrating their respect for the entire community. She hoped the Commission supported the project because she felt it reflected the future of our community. She suggested we take time to learn what made this work well, along with what Rick Lee did with his project.

Mary Ann Nihart, Hilton Lane, felt as though we were entering some kind of historic time, beginning with working together on Rick Lee's project, and now another period. She thought it was a unique statement about the talents and brains in this City. She thanked the developers for having the foresight to reach out to the community and the Pacificans for Sustainable Development for the time they spent working to make the project better.

Gil Anda, Pacifica, acknowledged that the project asked for no variances and met all the necessary requirements for HPD, as well as meeting and exceeding LEEDS standards but went beyond that. He mentioned the expansion of the Mission Blue butterfly habitat, the teaching garden, and the buyers' collective. He mentioned the Urban Land Institute's online handout, reading a portion which applied to this project. He stated that this project was perfect, and he asked that we allow it to proceed.

Janet Kleinfeld, Alta Vista Drive, stated that she had no financial interest or connection to Harmony @ 1 project, but stated that it was the right use of this site, mentioning that she drove the Crespi area during the morning. She thought this development would bring positive attention to Pacifica and asked the Commission to approve it.

Laurie Frater, Pacifica, stated that there were so many commendable things on this project, but he felt it was wonderful to have the project incorporate inclusionary housing. He urged the Commission to approve the project in its entirety.

Sue Vaterlaus, 1367 Linda Mar, stated that this was a cross section from the entire community who approved the project, and she urged the Commission to approve it and not continue it.

Chair Ranken again called on Christy Julian, who apparently left. He read her short note, "I strongly support this project and believe it to be a great asset to Pacifica." He stated that before the applicant came forward, he wished to thank everyone for coming out. He felt that what made Pacifica so special was that people cared so much.

Chair Ranken closed the Public Hearing.

Stu Newton asked if anyone could imagine Nancy Hall, John Curtis, Pacificans for Progress, Pacificans for Responsible Government, Pacificans for Sustainable Development, Peter Loeb, Greg Cochran, Rick Lee would all say they were in favor of the same project. He stated that they were proud of what they had created and were only asking for the lowest density possible. They were interested in living on the hill. They were also open to adding more inclusionary housing based on collaboration between the Planning Department and other citizens. He stated that there were only 274 LEED certified homes today, but they were requiring that all the project's homes meet LEEDS certification standard and lean toward the highest. He stated that they were going to have a great water recapture system. They had eight acres set aside for a bird sanctuary, as well as butterfly habitat. He stated that Stan Field is either the lead architect or at least required to be on their team, with the design guidelines being mandatory. He stated that the fencing would be natural or living, without fencing in the perimeter of the property. He stated that there would not be a stop light at Roberts Road and the road on Fassler was due to the fact that the Fire Department required that a road of more than 500 feet have two exits. He stated that, regarding the Buyers' Club, as they buy solar, they would open it to anyone in Pacifica who was interested in buying solar. He stated that the teaching garden was in honor of Tate's dad and his dad who were avid gardeners, and they would be working with Cabrillo School to cultivate native plants.

Commissioner Leon commented that, if you lived in Pacifica long enough, sooner or later you would agree and disagree with everyone in town, however, he never thought he would see it in one room at one time. He stated that his sentiments were in line with the public's line. He felt it was a wonderful project. He commended staff for the report which he felt was excellent. He felt the environmental impact report was very thorough. He stated that they were looking at a tentative map and there were specific site approvals required for every residence and he was confident that the level of attention would be given to any concerns. He stated that he would like to consider the applicant's request for modifications to the conditions of approval and he also had a condition change pertaining to the retaining walls, etc., to include "to the satisfaction of the Planning Director" to ensure that they get a sufficient level of approval.

Commissioner Clifford stated that he spent time with Stuart and he was impressed with his reaching out to everyone. He mentioned that they had been given plans for the house on the two-acre parcel, and he asked clarification if they were voting to approve that house at this point in time.

Associate Planner Diaz responded that they were voting for the use permit and site development permit on that particular house only.

Commissioner Clifford asked if there was going to be a presentation on that particular house, because he had been focusing on the overall subdivision part of the project rather than in terms of this house.

Chair Ranken asked Stu Newton if he would like to address that issue or turn it over to the owner of the house.

Stu Newton stated that he would like to turn it over to the owner of that house for discussion.

William Husson stated that he and his wife had met surfing in Pacifica. They had come across this property, stating that it was their dream to build a green home on the property. After they purchased the property, they ran into Stuart and Tate and discovered that their vision for a green community matched theirs. He stated that they had gone to one of the best green architects in the nation, Michelle Kaufman, and they were using the *Sunset* idea house from several years ago. He stated that it was a state of the art green house and they expected it to have a successful LEEDS approval as they went through the process. He asked Mr. Clifford if he had any questions.

Commissioner Clifford stated that he was embarrassed because he hadn't focused that much attention on the individual house.

Commissioner Leon thanked Commissioner Clifford for bringing the item up. He stated that he understood the agricultural parcel was the only specific site plan that they were considering along with the tentative map. He stated that one thing they asked for at the last meeting was a visual simulation to determine the potential visual impacts. He stated that, in this submittal, there was no close visual simulation of the agricultural parcel. He reviewed the plans proposing the use of berming to mitigate visual impacts. He asked Mr. Husson what types of things that would mitigate visual impacts from his structure because of no visual simulation.

Mr. Husson referred to a couple of concerns mentioned at the initial draft EIR, specifically house height, size and location of the house in regard to visual impact from Linda Mar. He stated that 35 feet was the City's maximum and his house was at 26 feet. They also reduced the size of the house to 4,300 square feet and moved the house back 20 feet from the edge of the property line.

Commissioner Leon stated that the plans showed quite a bit of landscaping around about half of the building site. He mentioned that staff was satisfied that the visual impacts were less than significant. However, since they had asked for photo simulation, he was looking for that.

Commissioner Nathanson asked Commissioner Leon about the retaining wall, and asked clarification on which condition that was.

Commissioner Leon stated that it was Item #7 on page 23, stating that he was only adding the phrase, "to the satisfaction of the Planning Director."

Commissioner Nathanson was in agreement with everything that was said already. She stated that it was a plus to have it being developed at one time. She mentioned that each house would have to submit a specific plan to the Commission. She mentioned complaining many times about builders maxing out things, and she loved that this was the opposite of that. She loved the berming of the houses. She thought it was Rick Lee that made the point that the City might consider making LEEDS certification a requirement for all projects. She thought, in addition to being the City known for these two forward thinking projects, we could be the City that made this a requirement all the time. She thought Pacifica was an appropriate city to do that. She thanked staff for the comprehensive report with 79 conditions. She was glad they were getting inclusionary housing out of this. She felt this was a project that would do what was intended by all the things mentioned by John Curtis. She stated that this project would preserve the hill and save it from over development. She was glad they had the project and she hoped they would approve it this evening.

Commissioner Campbell thanked Stuart for the tour of the property. He also thanked Nancy Hall and the members of PSD. He agreed that this was the way the process should work. He commended the developers for recognizing the resource at issue. He mentioned that the condition on modification for accessory buildings put a lot of concerns he had to bed. He mentioned that he had the pleasure of listening Michele Kaufman speak and he agreed that she was one of the premier green builders in the country. He agreed with Rick Lee's suggestion of getting some green building ordinance and he would welcome working with him on that. He referred to a HPD ordinance regarding preserving the outstanding natural physical features, such as the highest crest of the hill, etc., should be preserved and the project was in partial compliance with the HPD. He stated that, looking at the overall project, they weren't a slave to 100% conformity with the HPD when it made sense with the whole thing. He added that this was a site specific decision and he wouldn't expect anyone to think there was any precedent value to this partial compliance. He urged the developer to get the LEEDS certification to put the community on the map, adding that getting the certification would be what puts Pacifica on the map, not just getting the points. He was comforted to know they would be seeing the homes again.

Commissioner Maykel echoed the remarks by his colleagues, and he appreciated their thinking. He thanked both Stuart and Tate for getting him involved. He agreed that there was a lot of potential on the site for restoring native plants. He had respect for them, stating that it was an innovative project. He stated again that the City was in a positive cycle. He had respect for their process of reaching out, adding that the Commission had a responsibility to judge on the merit of the project, regardless of where they live. He hoped that the 100 trees would not be a monoculture and he hoped they planted useful trees that provided food source for the wildlife. He mentioned use of storm drains that screened out artificial debris. He pointed out the controversy of the City calling it vacant land and someone else called it undeveloped land, and he admired the developers for working on restoring the natural area and enhancing it. He requested that they work with their biologist to create habitat so that species don't get lost forever which would bother him. He was concerned about the ridgeline but he knew they were doing everything possible to minimize the visual impact.

Commissioner Leon echoed comments made by other Commissioners, but in addressing the items for modification submitted by the applicant, he was inclined to modify the condition regarding

coverage as submitted by the applicant. On condition #8, he asked staff regarding the 24-gallon size, mentioning that it wouldn't be feasible to put it in next to retaining walls. He agreed with Commissioner Maykel's suggestion for a variety of trees to accommodate species habitat. He asked staff if that was reasonable to make those changes.

Associate Planner Diaz stated that they were agreeable to modifying the condition. He mentioned that the original thought for the 24-gallon was to ensure that the applicant didn't plant tiny trees that would take forever to grow.

Commissioner Leon agreed that the number of trees was an issue but, on the size, but he felt that sometimes a younger tree might be more vigorous and do better on the long haul. He stated that the last item was regarding LEEDS, and that they should strive for the highest rating. He asked the applicant regarding the level they were trying to attain.

Mr. Newton stated that, in LEEDS, there was LEED certification, then silver, gold and platinum. They were saying that, as a requirement, they were requiring everyone to get to LEEDS certification, but because of minimizing the visual impact and how the house was placed, you would lose some points. They were setting LEED certification as a standard but everyone was striving to get to a gold standard.

Commissioner Leon stated that he had heard that, in fact, the applicant might lose points in an effort to reduce visual impact and it didn't seem fair to penalize them for not attaining a higher score while achieving another goal that the Commission was placing on them. He asked staff to look at it and clarify what he said and what the applicant said.

Ms. Gallanter asked Commissioner Leon if he would like to change the condition to incorporate what the applicant said, it could be amended to say "as proposed by the applicant, all the new buildings shall be designed and constructed to attain all the points necessary to achieve a LEED certification and shall seek to attain a gold certification whenever possible.

Commissioner Leon stated that they could incorporate that in if agreeable by the Planning Commission. He summarized that the changes were condition #2 as submitted by the applicant was acceptable in its entirety, condition #8 as submitted by the applicant with a further condition that there be a variety of trees to promote species habitat and condition #27 as proposed and read by our environment attorney.

Chair Ranken asked if it was sufficient or did they need more clarification from the Commission.

Commissioner Leon stated that his only other change was condition #7 on the retaining walls with the addition of "to the satisfaction of the Planning Director."

Commissioner Nathanson referenced page 41 where the motions for approval were, and asked where the conditions were included.

Ms. Gallanter stated that it was probably in the resolution itself.

Commissioner Nathanson asked, in part 2, where talking about adopting the following resolutions, if she should say "subject to the following amendments" and then list them.

Commissioner Nathanson moved that the Planning Commission **ADOPT** the attached resolution certifying the Environmental Impact Report and adopting the Mitigation Monitoring and Reporting Plan for the Harmony @1 Project;

Moved that the Planning Commission of the City of Pacifica **ADOPT** the findings contained in the October 15, 2007 staff report and incorporate all maps and testimony into the record by reference, and **ADOPT** the following resolutions:

P.C. Resolution for Rezoning.

P.C. Resolution for Tentative Subdivision Map, etc., with CEQA Finding for Proposed Project attached as an Exhibit, with the following amendments. Condition #7 will add the phrase "to the satisfaction of the Planning Director", condition #2, 8, 27 and 32, will be amended as submitted by the applicant in his October 15 letter to the Planning Department, and further condition #8 will also add the language involving that there will be a variety of trees to promote species habitat and condition #27 will add language to the effect that, regarding LEEDS certification, they will get all the points necessary to achieve a LEEDS certification and shall seek to obtain gold whenever possible;

Moved that the Planning Commission **APPROVE** Use Permit UP-978-07 and Site Development Permit, PSD-763-07 for the single-family residence with a second unit on the adjacent 2-acre lot and **ADOPT** the findings contained in the October 15, 2007 staff report and incorporate all maps and testimony into the record by reference; Commissioner Leon seconded the motion.

Chair Ranken stated that it was remarkable seeing everyone come together in such harmony. He stated that 25 years ago in college, he wrote his environmental planning senior thesis on growth controls in small towns, and had been continually exposed to this kind of thing playing out over and over again, and he thought the many sides coming together wasn't just remarkable for Pacifica but remarkable in the planning process in general. He acknowledged that they were motivated by wishing to live on one of the most beautiful places on the planet which was a greater motivation than money. He specifically gave accolades to PSD because he hadn't ever seen an advocacy group be so proactive and they had created something remarkable in this town. He thanked everyone who came out for this.

The motion carried 6-0.

Ayes: Commissioners Campbell, Maykel, Leon, Nathanson,
Clifford, and Chair Ranken.

Noes: None.

Chair Ranken declared that anyone aggrieved by the action of the Planning Commission has ten (10) calendar days to appeal the decision in writing to the City Council.

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PACIFICA CERTIFYING THE ENVIRONMENTAL IMPACT REPORT, ADOPTING THE MITIGATION MONITORING AND REPORTING PLAN, AND ADOPTING CEQA FINDINGS FOR THE HARMONY @ 1 RESIDENTIAL PROJECT

Initiated by: City of Pacifica

WHEREAS, an application has been submitted to construct the Harmony @ 1 Residential Project on a 65-acre parcel south of Fassler Avenue and east of Roberts Road (APN 022-150-420, 022-150-310, and 022-150-030); and

WHEREAS, the proposed Harmony @ 1 Residential Project has undergone public review at a Planning Commission study session and neighborhood meetings; and

WHEREAS, the City of Pacifica (City) published a Notice of Preparation pursuant to CEQA to obtain comments on the proposed scope of the Environmental Impact Report (EIR) for the project on November 9, 2006; and

WHEREAS, a public hearing to take public testimony on the adequacy of the EIR, which was noticed to all property owners located within 300 feet of the project, was held on July 2, 2007; and

WHEREAS, an Environmental Impact Report (EIR) has been prepared to assess potential environmental impacts of the proposed Harmony @ 1 Residential Project; and

WHEREAS, the EIR has been prepared, publicized, circulated, and reviewed in accordance with applicable law and, together with the staff report of October 15, 2007, including the findings and conditions of approval contained therein, constitute an adequate, accurate, objective, and complete EIR in accordance with the requirements of the California Environmental Quality Act (CEQA) and the State CEQA guidelines; and

WHEREAS, on October 15, 2007 the Planning Commission did hold a duly noticed public hearing to consider the EIR and the proposed development; and

WHEREAS, on October 15, 2007 the Planning Commission certified the EIR prior to approving elements of the proposed development; and

WHEREAS, on November 13, 2007 the City Council did hold a duly noticed public hearing to consider the EIR, and the zoning change needed for the proposed development; and

WHEREAS, the Final EIR for the development consists of the Draft EIR, the responses to comments received on the Draft EIR, the Mitigation Monitoring and

Reporting Plan, the Planning Commission and City Council staff reports, and the project conditions of approval; and

WHEREAS, the Planning Commission and City Council have independently reviewed and analyzed the information in the Final EIR; and

WHEREAS, the information and analysis contained in the Final EIR reflects the City's independent judgment as to the environmental consequences of the proposed development;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Pacifica does hereby certify the EIR for the Harmony @ 1 Residential Project, adopt the Mitigation Monitoring and Reporting Plan, attached hereto as Exhibit A and adopt the CEQA findings attached hereto as Exhibit B.

* * * * *

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Pacifica, California, held on the 13th day of November 2007.

AYES, Councilmembers:

NOES, Councilmembers:

ABSENT, Councilmembers:

ABSTAIN, Councilmembers:

Pete DeJarnatt, Mayor

ATTEST:

Kathy O'Connell, City Clerk

APPROVED AS TO FORM:

Cecilia Quick, City Attorney

4.0 MITIGATION, MONITORING, AND REPORTING PLAN

This Mitigation, Monitoring and Reporting Plan (MMRP) has been prepared pursuant to CEQA Guidelines (California Code of Regulations, Title 14), which state the following:

“In order to ensure that the mitigation measures and project revisions identified in the EIR or negative declaration are implemented, the public agency, [here, the City of Pacifica (City)] shall adopt a program for monitoring or reporting on the revisions which it has required in the project and the measures it has imposed to mitigate or avoid significant environmental effects.” (CEQA Guidelines §15097(a))

“The public agency may choose whether its program will monitor mitigation, report on mitigation, or both. ‘Reporting’ generally consists of a written compliance review that is presented to the decision making body or authorized staff person. A report may be required at various stages during project implementation or upon completion of the mitigation measure. ‘Monitoring’ is generally an ongoing or periodic process of project oversight. There is often no clear distinction between monitoring and reporting and the program best suited to ensuring compliance in any given instance will usually involve elements of both.” (CEQA Guidelines §15097 (c))

Table 1 lists the potentially significant impacts and proposed mitigation measures identified in the Environmental Impact Report (EIR). The Table also lists certain impacts that, although less than significant and no mitigation is required, the EIR suggests additional measures as good practice to further reduce the already less than significant impact. Table 1 also describes the timing of implementation of the mitigation measures (i.e., when the measure will be implemented) and the City department or individual responsible for ensuring implementation of the measures. Finally, Table 1 describes the City department of individual responsible for monitoring the mitigation measures.

According to CEQA Guidelines Section 15126.4 (a) (2), “Mitigation measures must be fully enforceable through permit conditions, agreements, or other legally-binding instruments.” Therefore, the City Council will consider whether to adopt the mitigation measures when it considers whether to approve the project.

Impact	Mitigation Measure	Implementation Responsibility & Timing	Monitoring Responsibility	Verified Implementation
AESTHETICS				
<p>Impact: The custom homes could have a significant visual impact if they are not designed and constructed using the Coastal Green Architecture described in this EIR.</p> <p>Significance of Impact Before Mitigation: Potentially Significant</p> <p>Significance of Impact After Mitigation: Less-than-Significant</p>	<p>Measure AES-1: The Codes, Covenants and Restrictions (CC&Rs) for the Harmony @ 1 development shall, consistent with the Project Description (section 2.0) and Project Design Features (section 4.2.2) herein, fully define the intent of the term "Coastal Green Architecture." The CC&Rs shall provide detailed descriptions of specific measures or features that shall be imposed to ensure that the custom homes conform to the definition of Coastal Green Architecture and incorporate the design measures discussed in this EIR that reduce or eliminate visual impacts. The specific features to be described in the CC&Rs shall include, but not be limited to, the following design and construction measures:</p> <p>Homes shall be located in the building envelope presented in the Preliminary Grading Plan described in this EIR.</p> <p>Excavation of the building pad. The homes shall be designed with a lowered or excavated building pad in order to reduce the mass of the homes. The degree or amount of excavation shall be determined by the custom home architect, the Harmony @ 1 Architectural Control Committee, and the City's design review process.</p> <p>Berming: The CC&Rs shall require berming of excavated soil to help hide homes, and shall describe desirable locations and methods for such berming.</p>	<p>Implementation Responsibility: Individual lot owners shall submit building plans to HOA Architectural Control Committee (ACC) and City of Pacifica for design review. Lot owners shall submit a letter to City Planning Department confirming ACC's review and acceptance of the proposed building design.</p> <p>Timing: City Planning Department shall confirm compliance with Design Guidelines prior to City issuance of Building Permits.</p>	<p>Monitoring Responsibility: City of Pacifica Planning Department.</p>	<p>Initials _____</p> <p>Date _____</p>

Impact	Mitigation Measure	Implementation Responsibility & Timing	Monitoring Responsibility	Verified Implementation
<p>Impact: The proposed project could have nighttime light and glare impacts.</p> <p>Significance of Impact Before Mitigation: Potentially Significant</p> <p>Significance of Impact After Mitigation: Less-than-Significant</p>	<p>Hidden garages: The CC&Rs shall describe what constitutes a "hidden garage" and establish when a home shall have the garage under the main structure in order to minimize visual impacts.</p> <p>Living Roofs: The CC&Rs shall describe what constitutes a "living roofs" and establish when a home shall include a living roof in order to minimize visual impacts.</p> <p>The CC&Rs shall describe appropriate exterior materials and color palette to ensure compatibility of the homes with the surrounding area.</p>			
<p>Impact: The proposed project could have nighttime light and glare impacts.</p> <p>Significance of Impact Before Mitigation: Potentially Significant</p> <p>Significance of Impact After Mitigation: Less-than-Significant</p>	<p>Measure AES-2: To ensure night light and glare from the project is minimized the following measures shall be implemented:</p> <ul style="list-style-type: none"> • Exterior lighting shall include low mounted, downward casting and shielded light that does not cause spillover onto adjacent properties. • No flood lights shall be used in public areas or the conserved habitat areas. Night security lighting within residential lots shall be restricted to normal exterior lighting. • Language shall be added to the development's CC&Rs stating that lighting fixtures shall not be located at the periphery of individual lots. Lighting shall be restricted to the area immediately around the house and any landscaped areas. 	<p>Implementation Responsibility: Applicant shall submit exterior lighting plan to City Planning Department.</p> <p>Timing: City Planning Department shall review lighting plan for conformance prior to Building Permit approvals.</p>	<p>Monitoring Responsibility: City of Pacifica Planning Department.</p>	<p>Initials _____</p> <p>Date _____</p>

Impact	Mitigation Measure	Implementation Responsibility & Timing	Monitoring Responsibility	Verified Implementation
BIOLOGY				
<p>Impact: Conserved open space areas could be damaged if used for construction staging areas or if heavy construction equipment strays into open space areas.</p> <p>Significance of Impact Before Mitigation: Less-than-Significant, Recommended as a Good Practice Measure</p> <p>Significance of Impact After Mitigation: Less-than-Significant</p>	<p>Measure BIO-1: Prior to construction, a temporary barrier fence shall be erected along the northern open space habitat areas to prevent damage to the areas during construction of project infrastructure improvements. Authorized construction staging areas shall be designated on the final version of the site plan so all contractors know where they are allowed to park vehicles and equipment and store building materials. Appropriate construction staging areas would include existing roads or areas slated for development or grading. Storm water runoff and management of any fluids would be according to the required Storm Water Pollution Prevention Plan, described in the Hydrology section. Storm water runoff from construction staging areas shall be directed away from open space habitat areas.</p>	<p>Implementation Responsibility: Applicant shall designate construction equipment staging areas on the final grading plan submitted to the City Building Division. The final grading plan shall provide details on how the open space areas would be protected from construction disturbance. Applicant shall erect barrier fence to prevent equipment access into open space habitat areas. Applicant shall include these measures in project specifications. The HOA shall be responsible for maintaining the fencing.</p> <p>A qualified biologist shall make weekly inspections of the site during construction to assure fences are left intact and biological resources in open space areas have not been damaged.</p> <p>Timing: Documentation specifying staging areas shall be submitted to the City Building Division</p>	<p>Monitoring Responsibility: City of Pacifica Building Division of Planning Department.</p>	<p>Initials _____ Date _____</p>

Impact	Mitigation Measure	Implementation Responsibility & Timing	Monitoring Responsibility	Verified Implementation
<p>IMPACT: The project proposes removal of 122 Monterey pine and 3 Monterey cypress trees most of which are diseased and in poor condition, but provide wildlife habitat. 31 trees occur in the project road and building envelope areas, 48 occur on individual lots outside of the construction zone, and 46 occur on a lot to be held in private open space. (For impacts to Heritage Trees, see Measure BIO-3).</p> <p>Significance of Impact Before Mitigation: Less-than-Significant, Recommended as a Good Practice Measure</p>	<p>Measure BIO-2: In order to provide continued wildlife values on the project site, trees in designated open space areas (Lot A, Lot B and Parcel A) shall not be removed. Tree removal on individual lots shall be approved only upon demonstration that 1) the tree is within the designated building envelope and removal is required for construction, 2) the tree is close to the building envelope and its condition represents a safety hazard to the proposed residence, or 3) the tree is substantially dead (at least 50%) as determined by a certified arborist or if visually apparent. Homeowners shall be encouraged to retain impaired trees where there is no impact to use and enjoyment of property. Conditional tree removal would prevent unnecessary reductions in wildlife resources on the site while protecting the safety and enjoyment of property by landowners. All trees specified for removal in Specific Plans for individual lots shall be replaced with a native species.</p>	<p>prior to grading permit approvals. Biological monitoring shall occur throughout construction of project improvements.</p> <p>Implementation Responsibility: Applicant shall specify tree protection language in CC&Rs. Lot owners shall specify all trees proposed for removal on site development plan submitted to City Planning Department.</p> <p>Timing: Site plans showing tree removal locations shall be submitted to City Planning Department prior to site plan approval.</p>	<p>Monitoring Responsibility: City of Pacifica Planning Department.</p> <p>Initials _____ Date _____</p>	

Impact	Mitigation Measure	Implementation Responsibility & Timing	Monitoring Responsibility	Verified Implementation
<p>Significance of Impact After Mitigation: Less-than-Significant</p>				
<p>IMPACT: Construction of the proposed project would result in the removal of 12 trees that meet the definition of Heritage Tree in the local ordinance. With preservation of trees on the private open space parcel under Measure BIO-2, the number of heritage trees removed by the project is reduced to 7.</p> <p>Significance of Impact Before Mitigation: Potentially Significant</p> <p>Significance of Impact After Mitigation: Less-than-Significant</p>	<p>Measure BIO-3: The Applicant shall comply with all provisions of the City's Municipal Code (sec. 4-12-04) for preservation of Heritage Trees. Prior to the removal of the 7 Heritage Trees, the Applicant must obtain a Heritage Tree Removal Permit from the City. The Applicant shall replace the 7 Heritage Trees removed with 7 new native shrub/tree species suitable for the site (e.g. coast silk tassel (<i>Garrya elliptica</i>), California buckeye (<i>Aesculus californica</i>), or others). Recommended planting locations are shown in Figure 17 of this EIR.</p> <p><i>Use part of Lot 11</i></p>	<p>Implementation Responsibility: Applicant shall show location of heritage tree replacements on a planting plan submitted to the City Planning Department.</p> <p>Timing: Documentation shall be submitted to City Planning Department prior to issuance of Heritage Tree Removal Permit.</p>	<p>Monitoring Responsibility: City of Pacifica Planning Department.</p>	<p>Initials _____ Date _____</p>
<p>IMPACT: The new residential use and increased human activity on the site could adversely impact</p>	<p>Measure BIO-4: The development's Covenants, Codes, and Restrictions (CC&Rs) shall contain language that shall ensure the protection of all open space habitat (including Lot A and other open space areas) from degradation as a result of resident</p>	<p>Implementation Responsibility: Applicant shall include required language in CC&Rs submitted to</p>	<p>Monitoring Responsibility: City of Pacifica Planning Department.</p>	<p>Initials _____</p>

Impact	Mitigation Measure	Implementation Responsibility & Timing	Monitoring Responsibility	Verified Implementation
<p>biological resources found within the open space habitat areas and result in a significant decline of habitat values for wildlife over time.</p> <p>Significance of Impact Before Mitigation:</p> <p>Potentially Significant</p> <p>Significance of Impact After Mitigation:</p> <p>Less-than-Significant</p>	<p>activities and shall ensure that the open space habitat is managed and protected in a manner that would ensure the long-term viability of all the biological resources currently found on the project site. The CC&Rs shall include provisions that prevent activities within the open space habitat that would permanently damage native vegetation, cause erosion, or harass or harm wildlife. These restrictions do not apply to any authorized native habitat management efforts such as invasive species control, erosion repair, or native plant revegetation. The CC&Rs shall include the following restrictions on human activity:</p> <p>New volunteer trails within the open space areas shall be controlled so that trails do not damage vegetation and cause erosion.</p> <p>All pets (dogs and cats) shall be controlled within open space areas so that they do not hunt, harm, or harass wildlife or otherwise damage biological resources.</p> <p>Residents shall not store or dispose of items (including yard trimmings) within the open space areas.</p> <p>The use of rodenticides within the open space areas shall be prohibited unless approved by CDFG.</p> <p>Management of the open space areas shall also include the control of feral cats, and limitations on domestic cat ownership</p> <p>The large, vegetated drainage along the eastern boundary of the project property may contain USACE jurisdictional waters (this drainage does not</p>	<p>City as project specifications.</p> <p>Applicant shall submit habitat Management and Monitoring Plan to City Planning Department and US Fish and Wildlife Service (USFWS) for review and approval.</p> <p>Applicant shall submit evidence of consultation with USFWS to City.</p> <p>Timing:</p> <p>City Planning Department shall review Management Plan and USFWS documentation prior to issuance of Building Permits.</p>		<p>Date _____</p>

Impact	Mitigation Measure	Implementation Responsibility & Timing	Monitoring Responsibility	Verified Implementation
	<p>support perennial flow, but has a defined drainage channel). The drainage shall be protected from impacts of runoff from urban areas, damage due to humans or pets, or other activities that degrade the natural habitat.</p> <p>In addition, through consultation with City of Pacifica, US Fish and Wildlife Service and the CDFG, a Management and Monitoring Plan shall be developed and implemented for the open space areas. The Plan shall include the following:</p> <ol style="list-style-type: none"> 1. A description of the goals of the Management Plan. The goals should foster the protection of native habitat and wildlife diversity at the site, should protect the wildlife corridor, and should support a healthy ecosystem. 2. A description of methods to protect and enhance native habitat on the site, including coastal terrace prairie, coastal riparian scrub, and northern coastal scrub. A program to control exotic invasive plant species shall be included in these methods. 3. A description of the methods to protect and enhance habitat of sensitive species on the site, including the Mission blue butterfly, the San Francisco dusky-footed woodrat, the loggerhead shrike, and the white-tailed kite, and how individually-owned lots with restriction on them (see Measure BIO-10) may fit into the scheme. 4. A schedule of management and enhancement activities. Management activities shall address 			

Impact	Mitigation Measure	Implementation & Timing Responsibility	Monitoring Responsibility	Verified Implementation
<p>Impact: Non-native, invasive plants could escape from landscaped areas within yards and colonize and spread into the open space areas, converting native habitat and significantly reducing biological diversity.</p> <p>Significance of Impact Before Mitigation: Potentially Significant</p> <p>Significance of Impact</p>	<p>open space habitat areas and include routine maintenance and care of replacement and screening trees planted as part of the project.</p> <p>5. Annual monitoring and reporting, including surveys of the species of concern and the results of any enhancement activities undertaken at the site.</p> <p>6. An educational component, so that lot owners understand the purpose of the management plan and can choose to apply the measures to their own lots.</p> <p>The applicant or homeowner's association shall request a letter of concurrence from the US Fish and Wildlife Service that the management plan will not result in take of the Mission blue butterfly or any other federally-listed species.</p>			
<p>Impact: Non-native, invasive plants could escape from landscaped areas within yards and colonize and spread into the open space areas, converting native habitat and significantly reducing biological diversity.</p> <p>Significance of Impact Before Mitigation: Potentially Significant</p> <p>Significance of Impact</p>	<p>Measure BIO-5: The development's Covenants, Codes, and Restrictions shall contain language restricting all landscape planting so that those plants identified by the California Invasive Plant Council (Cal-IPC) in Table 1 of the California Invasive Plant Inventory shall not be planted. In addition, only native plant species may be used for landscaping that are consistent with the regional plant communities found in the local region. A qualified biologist shall review all proposed planting lists and compare it to the most recent Cal-IPC list to ensure no invasive plants on the list are planted. The biologist shall also check the plants to insure consistency with local native ecosystems. The biologist shall inspect the plants at the time of installation to make sure that no</p>	<p>Implementation Responsibility: Applicant shall include language prohibiting invasive species identified in Cal-IPC Invasive Plant Inventory. Applicant shall submit letter from qualified biologist confirming plant lists specified on landscaping plans do not contain species on most recent Cal-IPC inventory list and are consistent with local native ecosystems. Biologist shall</p>	<p>Monitoring Responsibility: City of Pacifica Planning Department.</p>	<p>Initials _____ Date _____</p>

Impact	Mitigation Measure	Implementation & Timing	Monitoring Responsibility	Verified Implementation
<p>After Mitigation: Less-than-Significant</p>	<p>substitutions have been made by the landscape contractor. (The most recent version of the California Invasive Plant Inventory can be found at http://www.cal-ipc.org/ip/inventory/pdf/Inventory2006.pdf). This measure shall apply to all landscaping within the project site, including landscaping of common areas and within each of the housing lots.</p>	<p>inspect landscaping after installation. Subsequent homeowners shall submit landscape plans to HOA for review. HOA shall provide written confirmation to City that homeowner landscape plans comply with this measure.</p> <p>Timing: City Planning Department shall review CC&Rs for compliance with measure prior to issuance of Grading Permit. Biologist letter of inspection shall be submitted to City Planning Department prior to issuance of Occupancy Permits. HOA documentation shall be submitted to City Planning Department prior to issuance of Building Permits.</p>		
<p>Impact: Construction of the proposed project would result in ground disturbance that could facilitate the spread of invasive plant species within the designated open space areas on site, and result in</p>	<p>Measure BIO-6: Invasive species shall be removed during project construction on a quarterly basis within the graded areas and on adjacent open space lands. Species to be removed include existing invasive species on site, such as French broom, fennel, pampas grass, and cotoneaster as well as any others that establish as a result of project grading activities. In addition, to ensure longterm control of invasive species, this provision shall be included in</p>	<p>Implementation Responsibility: Applicant shall include measures to control exotic species in Grading Plan specifications and in habitat Management Plan established by the HOA.</p>	<p>Monitoring Responsibility: City of Pacifica Planning Department.</p>	<p>Initials _____ Date _____</p>

Impact	Mitigation Measure	Implementation Responsibility & Timing	Monitoring Responsibility	Verified Implementation
<p>increased erosion that would adversely impact plant and wildlife habitat.</p> <p>Significance of Impact Before Mitigation: Potentially Significant</p> <p>Significance of Impact After Mitigation: Less-than-Significant</p>	<p>the Management Plan required in Measure BIO-4.</p>	<p>Timing: City Planning Department shall review Grading Plan and Management Plan for compliance prior to issuance of Building Permits.</p>		
<p>Impact: Special status bird species could use and potentially nest within the project site. Project construction could adversely impact the breeding of special status bird species resulting in violation of CDFG code and the Migratory Bird Treaty Act and a significant impact.</p> <p>Significance of Impact Before Mitigation: Potentially Significant</p>	<p>Measure BIO-7: If any trees or shrubs are proposed to be removed during the nesting season (February 15 to August 31), pre-construction surveys for nesting birds shall be conducted. This measure shall apply to all construction occurring on the project site, both the infrastructure improvements and construction within each of the housing lots. The surveys shall identify active nests and establish a disturbance buffer if nests are located. A minimum buffer of 50 feet is required by CDFG for songbird nests and a minimum of 250 feet for raptor nests. Construction activity within an established buffer area is prohibited until nesting is complete.</p>	<p>Implementation Responsibility: Applicant and subsequent homeowners shall submit pre-construction surveys to City Planning Department.</p> <p>Timing: City Planning Department shall review results of nesting bird survey and determine Grading Plan compliance with measure prior to issuance of Grading Permit.</p>	<p>Monitoring Responsibility: City of Pacifica Planning Department.</p>	<p>Initials _____ Date _____</p>

Impact	Mitigation Measure	Implementation Responsibility & Timing	Monitoring Responsibility	Verified Implementation
<p>Significance of Impact After Mitigation: Less-than-Significant</p>	<p>Measure BIO-8: The following mitigation plan shall be implemented:</p> <ol style="list-style-type: none"> 1. <u>Preconstruction surveys for woodrat houses.</u> A preconstruction survey for woodrat houses shall be conducted within all areas proposed for disturbance, prior to any disturbance on site. These surveys shall include surveys for carnivore dens (such as bobcat) on site. If any carnivore dens are detected within the construction area, CDFG shall be contacted for guidance to avoid impacting any dens. 2. <u>Preconstruction woodrat house dismantling and/or relocation.</u> For all woodrat houses that will be impacted by construction impacts, the houses shall be dismantled and relocated to appropriate locations within the open space areas on the project site, and any woodrats captured and released into their relocated houses. House dismantling and/ or relocation shall be conducted only when necessary, during the non-breeding season (September to February), and under guidance from the CDFG. 3. <u>Control of non-native species.</u> The management of the onsite common open space area (Lot A) per Measure BIO-4, shall include control of non-native invasive weeds 	<p>Implementation Responsibility: A qualified biologist shall conduct a pre-construction survey documenting the number and location of woodrat houses impacted by project improvements. Biologist shall dismantle and relocate houses. Biologist shall prepare a letter report to the City documenting the survey and relocation effort.</p> <p>Timing: City Planning Department shall review pre-construction survey report for project compliance with this measure prior to issuance of Grading Permits.</p>	<p>Monitoring Responsibility: City of Pacifica Planning Department.</p>	<p>Initials _____ Date _____</p>
<p>Significance of Impact Before Mitigation: Potentially Significant</p>				
<p>Significance of Impact After Mitigation: Less-than-Significant</p>				

Impact	Mitigation Measure	Implementation Responsibility & Timing	Monitoring Responsibility	Verified Implementation
<p>Impact: While suitable aquatic habitat for California red-legged frog (CRLF) and San Francisco garter snake (SFGS) is not present with the project site, there remains an extremely low chance that CRLF and/or SFGS could disperse through the project site from the eastern border. Project construction has a low potential to impact dispersing CRLF and SFGS, however if take of either of these species occurred, it would be significant.</p> <p>Significance of Impact Before Mitigation: Potentially Significant</p> <p>Significance of Impact</p>	<p>to maintain the native plant species that provide important cover and food resources for the San Francisco dusky-footed woodrat, prohibit the use of rodenticides within the open space area unless approved by CDFG and the control of feral cats and limitations on domestic cat ownership.</p> <p>Measure BIO-9: A qualified biologist shall be retained by the applicant to oversee construction and ensure that take of the San Francisco garter snake or California red-legged frog does not occur during construction. The following procedures shall apply: Prior to any grading or vegetation removal, a biologist shall conduct a preconstruction survey for San Francisco garter snake and California red-legged frog. During construction, a trained biologist or a trained on-site monitor (such as the construction foreman) shall check the site in the morning and in the evening for the presence of California red-legged frog and San Francisco garter snake. This includes checking holes, under vehicles and under boards left on the ground. If any CRLF or SFGS are found, construction shall be halted until they disperse naturally, and the monitor shall immediately notify the biologist in charge and the USFWS. Construction shall not proceed until adequate measures are taken to prevent dispersal of any individuals into the construction zone, as directed by the USFWS. Subsequent recommendations made by the USFWS shall be followed. The monitor shall not handle or otherwise harass the animal. The biologist in charge shall train the on-site monitor in</p>	<p>Implementation Responsibility: Applicant shall include these measures on the grading plan specifications. Monitoring biologist shall submit a letter report to City Planning Department documenting the monitoring activity and results. Timing: City Planning Department shall review monitoring report for project compliance prior to issuance of Building Permits.</p>	<p>Monitoring Responsibility: City of Pacifica Planning Department.</p>	<p>Initials _____ Date _____</p>

Impact	Mitigation Measure	Implementation Responsibility & Timing	Monitoring Responsibility	Verified Implementation
<p>After Mitigation: Less-than-Significant</p>	<p>the identification of CRLF and SFGS. The biologist in charge shall visit the site at least once a week during construction and confer with the trained on-site monitor.</p> <p>Construction workers shall be informed of the potential presence of California red-legged frog and San Francisco garter snake, that these species are to be avoided, that the foreman must be notified if they are seen, and that construction shall be halted until authorization to proceed is obtained from the USFWS. Construction workers shall be informed that harassment of these species is a violation of federal law.</p> <p>During construction, all holes shall be covered at night to prevent CRLF and/or SFGS from becoming trapped in holes on the construction site.</p>			
<p>Impact: Construction of the proposed project could impact the federally endangered Mission blue butterfly. Mission blue butterfly adults have not been observed on site during field surveys however eggs were found on the host plants. The site plan for Lot 11 has been redesigned to avoid the Mission blue host plant <i>Lupinus</i></p>	<p>Measure BIO-10: Project development shall avoid Mission blue butterfly host plant <i>Lupinus formosus</i> and provide a minimum 50-foot setback from areas containing the host plant. Any parcel containing Mission blue butterfly host plants shall be subject to a CC&R provision that requires the owner to obtain permission from the US Fish and Wildlife Service to undertake any activities that result directly or indirectly in the removal of Mission blue butterfly host plants. The owners of lots containing Mission blue host plant shall also coordinate with the Homeowner's Association in the implementation of the open space management plan required in Measure BIO-4.</p>	<p>Implementation Responsibility: Applicant and subsequent homeowners shall include location of <i>Lupinus formosus</i> on site plans for individual lots. Grading Plans for lots containing <i>Lupinus formosus</i> shall specify 50' buffer zones around plants with protective fencing. A qualified biologist shall monitor during site grading activity to ensure adequate placement of fencing and that no</p>	<p>Monitoring Responsibility: City of Pacifica Planning Department.</p>	<p>Initials _____ Date _____</p>

Impact	Mitigation Measure	Implementation Responsibility & Timing	Monitoring Responsibility	Verified Implementation
<p>formosus.</p> <p>Significance of Impact Before Mitigation: Potentially Significant</p> <p>Significance of Impact After Mitigation: Less-than-Significant</p>		<p>damage occurs to plants.</p> <p>Biologist shall submit monitoring report to City Planning Department documenting monitoring activity and results.</p> <p>Timing: City Planning Department shall review monitoring report for compliance with measure prior to issuance of Building Permits.</p>		
<p>Impact: The project is subject to applicable state and federal laws governing endangered species.</p> <p>Significance of Impact Before Mitigation: Potentially Significant</p> <p>Significance of Impact After Mitigation: Less-than-Significant</p>	<p>Measure BIO-11: The applicant shall obtain all necessary permits from California Department of Fish and Game and U.S. Fish and Wildlife Service as required by federal and State law to avoid, minimize, or offset impacts to any species listed under either the State or federal Endangered Species Acts or protected under any other State or federal law. Evidence that the applicant has secured any required authorization from these agencies shall be submitted to the City of Pacifica Planning Department prior to issuance of any grading or building permits for the project.</p>	<p>Implementation Responsibility: Applicant shall submit evidence of project compliance with State and federal Endangered Species Act to City Planning Department.</p> <p>Timing: City Planning Department and Building Division shall review documentation for compliance prior to issuance of Grading Permits.</p>	<p>Monitoring Responsibility: City of Pacifica Planning Department and Building Division.</p>	<p>Initials _____</p> <p>Date _____</p>

Impact	Mitigation Measure	Implementation Responsibility & Timing	Monitoring Responsibility	Verified Implementation
GEOLOGY				
<p>Impact: Strong groundshaking associated with a major earthquake in the region could impact the project development by causing damage or collapse of buildings or endanger the health and welfare of persons.</p> <p>Significance of Impact Before Mitigation: Potentially Significant</p> <p>Significance of Impact After Mitigation: Less-than-Significant</p>	<p>Measure GEO-1: The new residential construction and any other site improvements shall comply with the provisions of Title 24 of the California Administrative Code, and the most recent edition of the Uniform Building Code, Seismic Zone 4 standards, or local seismic requirements, whichever is most stringent. All recommendations included in the June 19, 2006 EIC preliminary soil investigation report shall be met, including: 1) City review of all plans and specifications and observation by the project geotechnical engineer of foundation excavations to ensure compliance with the recommendations in the project geotechnical report; and 2) Observation and testing of engineered fill, finish subgrade and aggregate base for new pavements by the project geotechnical engineer.</p>	<p>Implementation Responsibility: Applicant and subsequent lot owners shall submit detailed construction plans incorporating recommendations of EIC soil investigation report (dated June 19, 2006). Project Geotechnical Consultant shall inspect foundation excavations and engineered fill and submit observations to City Engineer for review. Timing: City Building Official, City Engineer and City Geotechnical Consultant shall review site plans and specifications for each lot for compliance with EIC report recommendations. City shall confirm compliance with soil recommendations prior to issuance of Grading Permits. City Engineer shall review observation letter from Project Geotechnical Consultant prior to issuance of Building Permits.</p>	<p>Monitoring Responsibility: City of Pacifica Building Division of Planning Department.</p>	<p>Initials _____ Date _____</p>

Impact	Mitigation Measure	Implementation Responsibility & Timing	Monitoring Responsibility	Verified Implementation
<p>Impact: Surficial landslides affecting the Roberts Road cut slope will continue to degrade the cut slope and produce sediment onto the traveled roadway.</p> <p>Significance of Impact Before Mitigation: Potentially Significant</p> <p>Significance of Impact After Mitigation: Less-than-Significant</p>	<p>Measure GEO-2: A detailed remediation plan that addresses the surficial landsliding affecting the Roberts Road cut slope shall be prepared by a qualified engineering geologist. The remediation plan shall identify any grading and drainage improvements necessary to, prevent future landsliding. The remedial grading improvements shall be implemented by the applicant.</p>	<p>Implementation Responsibility: Applicant shall submit a landslide remediation plan to City Engineer.</p> <p>Timing: City Building Division, City Engineer, and City Geotechnical Consultant shall review and approve landslide remediation plan. City Engineer shall review Final Grading Plan for compliance with landslide remediation plan prior to issuance of Grading Permits.</p>	<p>Monitoring Responsibility: City of Pacifica Building Division of Planning Department.</p>	<p>Initials _____ Date _____</p>
<p>Impact: The potential for erosion of the clayey sand surface soils on the project site is moderate to high. Erodeable soils at the site present potentially significant impacts.</p> <p>Significance of Impact Before Mitigation: Potentially Significant</p> <p>Significance of Impact After Mitigation: Less-than-Significant</p>	<p>Measure GEO-3: The impacts from erosion can be mitigated by incorporating appropriate grading and drainage measures into the project design. A final grading plan and drainage plan shall be prepared for the project. These plans shall provide for positive drainage on building pads and removal of water from foundation areas into area drains and closed pipe systems which carries runoff to a suitable drainage facility located below the erodible colluvial deposits which exist downhill of the ridge line. Slopes shall be graded so that water is directed away from the slope face. Permanent slopes shall be protected from erosion through the use of erosion-resistant vegetation and jute netting. Erosion control seed mixes used on site shall utilize native grasses</p>	<p>Implementation Responsibility: Applicant shall incorporate these measures into the Final Grading and Drainage Plan.</p> <p>Timing: City Building Division shall review Final Grading and Drainage Plan for compliance with these measures prior to issuance of Grading Permit.</p>	<p>Monitoring Responsibility: City of Pacifica Building Division of Planning Department.</p>	<p>Initials _____ Date _____</p>

Impact	Mitigation Measure	Implementation & Timing	Monitoring Responsibility	Verified Implementation
<p>Less-than-Significant</p>	<p>and forbes appropriate for the site to replace and improve existing habitat values of grasslands disturbed on the site. Temporary erosion control measures such as positive gradients away from slopes, straw bales, silt fences and swales shall be used during construction.</p>			
<p>Impact: Although considered unlikely by the EIC report (June 2006), deep erosion and landsliding on the southern slopes could impact Lots 9 and 10. Significance of Impact Before Mitigation: Potentially Significant Significance of Impact After Mitigation: Less-than-Significant</p>	<p>Measure GEO-4: Although the house sites appear to be sufficiently far from the deep erosion gullies and landsliding on the southern slopes and existing data indicates that the house sites are on shallow bedrock, design-level geotechnical investigations for Lots 9 and 10 shall be conducted to determine whether surface or subsurface drainage improvements are necessary to prevent accelerating erosion trends in these gully areas and to mitigate encroachment into the building sites. Any necessary improvements shall be implemented by applicant or future owners of Lots 9 and 10.</p>	<p>Implementation Responsibility: Applicant or subsequent lot owners shall submit design-level geotechnical investigation for Lots 9 and 10. Recommendations of investigation shall be incorporated into project site plans. Timing: Building Official, City Engineer, and City Geotechnical Consultant shall review geotechnical investigation for Lots 9 and 10. City Engineer shall review site plans to determine compliance with recommendations of geotechnical report prior to issuance of Grading Permits.</p>	<p>Monitoring Responsibility: City of Pacifica Building Division of Planning Department.</p>	<p>Initials _____ Date _____</p>
<p>Impact: The near surface clay soils and</p>	<p>Measure GEO-5: The EIC report provides recommended measures for mitigating the effects of</p>	<p>Implementation Responsibility:</p>	<p>Monitoring Responsibility:</p>	

Impact	Mitigation Measure	Implementation Responsibility & Timing	Monitoring Responsibility	Verified Implementation
<p>bedrock have a moderate plasticity as discussed in the EIC report. Expansive soils can detrimentally affect building foundations, slabs, pavements, retaining walls and other site improvements.</p> <p>Significance of Impact Before Mitigation: Potentially Significant</p> <p>Significance of Impact After Mitigation: Less-than-Significant</p>	<p>expansive soils on the project improvements. These protective measures include: 1) mixing on-site soils to a plasticity index of 15 or less; 2) moisture conditioning of fill materials to three percent over optimum; and 3) overexcavation of slab subgrade areas. The following additional measures shall also be taken to minimize the effects of expansive soils:</p> <p>a) providing a layer of non-expansive granular materials beneath slabs-on-grade as a cushion against building slab movement; b) the use of aggregate base under exterior flatwork; and c) control of irrigation adjacent to the new buildings.</p>	<p>City shall include these measures on the building permits.</p> <p>Timing: The City Building Division shall review plans for compliance prior to issuance of Building and Grading Permits.</p>	<p>City of Pacifica Building Division of Planning Department.</p>	<p>Initials _____ Date _____</p>
HYDROLOGY				
<p>Impact: The proposed project could result in water quality impacts to the city's storm drain line and Calera Creek as a result of increased siltation of surface water runoff from construction grading activities.</p>	<p>Measure HYD-1: The applicant shall apply to the RWQCB to obtain coverage under the State General Construction Activity NPDES Permit. The applicant shall comply with all provisions and conditions of the general permit and prepare a Storm Water Pollution Prevention Plan (SWPPP). Project construction shall conform to the requirements of the general permit and the SWPPP. Construction BMPs that will be used to reduce or avoid impacts shall include:</p>	<p>Implementation Responsibility: Applicant to prepare Notice of Intent (NOI), Storm Water Pollution Prevention Program (SWPPP) and Storm Management Program (SMP) per the San Francisco Regional Water Quality Control Board guidelines as listed in the websites (also see</p>	<p>Monitoring Responsibility: City of Pacifica Planning Department and Building Division</p>	<p>Initials _____ Date _____</p>

Impact	Mitigation Measure	Implementation Responsibility & Timing	Monitoring Responsibility	Verified Implementation
<p>Significance of Impact Before Mitigation: Potentially Significant</p> <p>Significance of Impact After Mitigation: Less-than-Significant</p>	<ul style="list-style-type: none"> Keeping materials out of the rain by covering exposed piles of soil or construction materials with plastic sheeting; sweeping paved surfaces that drain to creeks or wetlands; using dry cleanup methods whenever possible, and if water must be used, use just enough to keep the dust down; Use of hay bales or other mechanical barriers to trap sediment on the project site and prevent discharge into storm water drainage; Scheduling construction activities for periods of dry weather; and Restricting fueling of construction vehicles to approved staging areas. 	<p>http://www.swrcb.ca.gov/stormwtr/construction.html</p> <p>SWPPP shall be submitted to City Engineering Division.</p> <p>Timing: City Engineer, City Building Division, and City Planning Department shall review prior to issuance of Grading Permit.</p>		
<p>Impact: Up to six acres of the project site would be developed with building envelopes and roads. Site development will introduce impervious surfaces to the property and increase the amount of stormwater runoff generated on site. Detention basins constructed for the project have adequate capacity to handle the increased runoff and</p>	<p>Measure HYD-2: The Project shall implement the site design, source control, and stormwater treatment measures detailed in the Stormwater Control Plan, included as Appendix B. The project applicant shall also enter an Operations and Maintenance (O&M) agreement with the City, as required by the County-wide NPDES permit. This O&M agreement shall run with the land.</p>	<p>Implementation Responsibility: Applicant shall submit engineered drawings of detention basins and a signed Operations and Maintenance agreement with the City of Pacifica to the City Building Division.</p> <p>Timing: City Engineer, City Building Division, and City Planning Department shall review stormwater plan and engineering drawings prior to issuance of</p>	<p>Monitoring Responsibility: City of Pacifica Planning Department and Building Division.</p>	<p>Initials _____ Date _____</p>

Impact	Mitigation Measure	Implementation Responsibility & Timing	Monitoring Responsibility	Verified Implementation
<p>would require routine maintenance.</p> <p>Significance of Impact Before Mitigation: Potentially Significant</p> <p>Significance of Impact After Mitigation: Less-than-Significant</p>		<p>Grading Permit.</p> <p>City Planning Department and Building Division shall review operation and maintenance agreement prior to issuance of Grading Permit.</p>		
TRAFFIC				
<p>Impact: The project access road intersects Roberts Road on the inside of a curve where there are inadequate sight line distances for vehicles exiting the project street onto Roberts Road. The limited visibility creates unsafe an unsafe traffic condition.</p> <p>Significance of Impact Before Mitigation: Potentially Significant</p> <p>Significance of Impact After Mitigation: Less-than-Significant</p>	<p>Measure TRF-1: Project slopes at the intersection of the new access road and Roberts Road shall be trimmed back to establish the minimum safe sight line distance of 200 feet. The site distance at the driveway shall be increased as much as feasible beyond the minimum requirement to provide additional safety at the intersection. Landscaping placed in these areas shall be restricted in height to prevent reduction of the sight line.</p>	<p>Implementation Responsibility: Applicant shall submit documentation demonstrating adequate sight line distances and necessary treatment of sight corners to City Engineer.</p> <p>Timing: City Engineer shall review documentation for compliance prior to issuance of Grading Permit.</p>	<p>Monitoring Responsibility: City of Pacifica Building Division of Planning Department.</p>	<p>Initials _____</p> <p>Date _____</p>

Exhibit B

FINDINGS AND ADOPTION OF MITIGATION MEASURES FOR THE CITY OF PACIFICA, HARMONY @ 1 ROBERTS ROAD RESIDENTIAL PROJECT

The following findings and the mitigation measures specified herein are hereby adopted by the City of Pacifica City Council ("City") in accordance with the California Environmental Quality Act ("CEQA"), Public Resources Code sections 21081, 21081.5, and 21081.6, and CEQA Guidelines, title 14, California Code of Regulations section 15091 through 15093, for the City's approval of the Harmony @ 1 Roberts Road Residential Project ("Project"). The Project consists of the subdivision of 65 acres of undeveloped land into 13 lots for custom residences and 1 lot for dedication of land for affordable housing. In addition the Project includes development of an adjoining two-acre vacant lot with one single-family home with a second residential unit on the subject site. The Project is described in more detail in the Environmental Impact Report ("EIR") and in the staff report for the October 15, 2007 Planning Commission meeting ("Staff Report").

A. ENVIRONMENTAL REVIEW PROCESS

The City circulated a Notice of Preparation ("NOP") pursuant to CEQA to obtain comments on the proposed scope of the EIR for the Project. The NOP included a list of potential environmental effects that could result from the proposed Project. The NOP was published on October 17, 2006 and was distributed to interested parties and local, regional, and state agencies for a 30-day review period. The NOP process solicited comments from identified responsible and trustee agencies, as well as interested parties regarding the scope of the EIR. The Draft EIR ("DEIR") was available for public comment from June 20, 2007 to August 6, 2007. The general public was advised of the availability of the DEIR through a public notice of availability in the local newspapers. In addition, the Project site was posted with notices of availability, and notices were sent to property owners within 300 feet of the Project site and to other neighbors.

On July 2, 2007, the City's Planning Commission conducted a public hearing on the adequacy of the DEIR at which oral comments were presented to the Commission. On August 6, 2007 the public comment period on the adequacy of the DEIR was closed. Ten written comment letters on the DEIR were received. One public agency commented on the DEIR prior to the close of the comment period.

The Final EIR ("FEIR") was made available to the public on October 8, 2007. The Final EIR responds to the written comments received and the oral comments made by members of the public and the Planning Commission during the public hearing on the Draft EIR and includes the Mitigation Monitoring and Reporting Plan ("MMRP") to ensure implementation of the proposed mitigation measures. Everyone who provided a written comment was notified of the Final EIR's availability. The Final EIR was also provided to the Planning Commission. The Planning Commission held a meeting on the Project on October 15, 2007 and the City Council held a meeting on the rezoning for the Project on

November 13, 2007. At each of these meetings, the public had an opportunity to provide comments.

The FEIR consists of the DEIR; the Final EIR Comments and Responses document containing copies of all written and oral comments, a list of commenters, all responses to oral and written comments and proposed revisions to the DEIR; the MMRP; staff reports and memos (including all attachments thereto); and findings. The analysis and conclusions contained in the FEIR reflect the independent judgment of the City.

B. SIGNIFICANT UNAVOIDABLE ADVERSE IMPACTS

The FEIR identifies no significant unavoidable adverse impacts or cumulative impacts associated with the Project. The land dedication for affordable housing will not have any significant environmental impacts that were not analyzed in the EIR.

C. POTENTIALLY SIGNIFICANT ENVIRONMENTAL IMPACTS IDENTIFIED IN THE FEIR THAT ARE REDUCED TO A LEVEL OF "LESS THAN SIGNIFICANT" BY THE MITIGATION MEASURES IDENTIFIED IN THE FEIR AND ADOPTED FOR THE PROJECT

The FEIR identifies the following potentially significant impacts associated with the Project, which are reduced to "less-than-significant" or "not significant" by mitigation measures identified in the FEIR. It is hereby determined that the potentially significant environmental impacts which these mitigation measures address will be mitigated to a less-than-significant level or avoided by incorporation of the mitigation measures into the Project.

The impacts and related mitigation measures identified below are presented in summary form. For a detailed description of impacts and mitigation measures, see the appropriate text in the FEIR.

1. Aesthetics (visual character and scenic vistas)

Impact

Given the location of the custom homes on the 13 lots, the custom homes could have a significant visual impact if they are not designed and constructed using the Coastal Green Architecture described in this EIR.

Mitigation

Several elements were incorporated into the Project and are required as conditions of approval to minimize the aesthetic impact of the Project. These are further described in the Staff Report and DEIR. In addition, to reduce the Project's potentially significant impacts to the existing visual character and scenic vistas, the Codes,

Covenants and Restrictions (CC&Rs) for the Harmony @ 1 development must, consistent with the Project Description (section 2.0 of the DEIR) and Project Design Features (section 4.2.2 of the DEIR), fully define the intent of the term “Coastal Green Architecture,” provide detailed descriptions of specific measures or features that shall be imposed to ensure that the custom homes conform to the definition of Coastal Green Architecture and incorporate the design measures discussed in this EIR that reduce or eliminate visual impacts. The specific features that must be included include, but not be limited to, the following design and construction measures:

- Homes shall be located in the building envelope presented in the Preliminary Grading Plan described in this EIR.
- Excavation of the building pad. The homes shall be designed with a lowered or excavated building pad in order to reduce the mass of the homes. The degree or amount of excavation shall be determined by the custom home architect, the Harmony @ 1 Architectural Control Committee, and the City’s design review process.
- Berming: The CC&Rs shall require berming of excavated soil to help hide homes, and shall describe desirable locations and methods for such berming.
- Hidden garages: The CC&Rs shall describe what constitutes a “hidden garage” and establish when a home shall have the garage under the main structure in order to minimize visual impacts.
- Living Roofs: The CC&Rs shall describe what constitutes a “living roofs” and establish when a home shall include a living roof in order to minimize visual impacts.
- The CC&Rs shall describe appropriate exterior materials and color palette to ensure compatibility of the homes with the surrounding area. In addition, the colors used for exterior building surfaces shall match the hue, lightness, and saturation of colors of the immediately surrounding trees and vegetation. Several colors matching those of the surrounding trees and vegetation shall be used in order to minimize uniformity.

Prior to building permit issuance, the grading plan, development plan, landscaping plan, sign plan, elevations, and colors and materials shall receive review and approval of the City of Pacifica staff through the design review procedures with the Planning Commission during approval of the Specific Plan. This will further reduce the Project’s visual impacts.

Finding

Because the Project will be constructed according to the standards set forth in the conditions of approval detailed in the Staff Report and the CC&Rs shall require the homes meet certain conditions designed to reduce aesthetic impacts to a level of insignificance, the Project will not substantially alter the visual character or scenic vistas and will ensure that the Project blends into the landscape as much as possible.

The City hereby adopts and incorporates into the Project the mitigation measures described above and finds that such mitigation will substantially lessen the significant aesthetic impacts of the Project to a less than significant level.

2. Aesthetics (Light and Glare)

Impact

Development of the Project would introduce new sources of light and glare to the site and the surrounding area, which would be noticeable to viewers in the surrounding area, particularly to drivers traveling along Fassler Avenue and residents located near the Project site.

Mitigation

To minimize impacts associated with light and glare from residences within the project, mitigation measures require that exterior lighting include low mounted, downward casting and shielded light that does not cause spillover onto adjacent properties. Mitigation Measure prohibit the use of flood lights in public areas or within the conserved habitat areas and limit night security lighting within residential lots to normal exterior lighting. In addition language must be included in the development's CC&Rs stating that lighting fixtures shall not be located at the periphery of individual lots but rather shall be restricted to the area immediately around the house and any landscaped areas.

Finding

Preparation and implementation of the measures described above and in the FEIR and Staff Report will keep the light and glare generated by the Project from affecting neighboring communities and wildlife. Therefore, implementation of these measures will ensure that new sources of light and glare introduced by the Project are minimized and that related impacts are reduced to a less than significant level.

The City hereby adopts and incorporates into the Project the mitigation measures described above and finds that such mitigation will reduce the Project's impacts with respect to increased light and glare to a less than significant level.

3. Biological Resources

a. Trees

Impact

The project proposes removal of 122 Monterey pine and 3 Monterey cypress trees most of which are diseased and in poor condition, but provide wildlife habitat. 31 trees

occur in the project road and building envelope areas, 48 occur on individual lots outside of the construction zone, and 46 occur on a lot to be held in private open space. In addition, construction of the proposed project would result in the removal of 12 trees that meet the definition of Heritage Tree in the local ordinance. With preservation of trees on the private open space parcel as proposed, the number of heritage trees removed by the Project is reduced to 7.

Mitigation

In order to provide continued wildlife values on the project site, trees in designated open space areas (Lot A, Lot B and Parcel A) shall not be removed. Tree removal on individual lots shall be approved only upon demonstration that 1) the tree is within the designated building envelope and removal is required for construction, 2) the tree is close to the building envelope and its condition represents a safety hazard to the proposed residence, or 3) the tree is substantially dead (at least 50%) as determined by a certified arborist or if visually apparent. Homeowners shall be encouraged to retain impaired trees where there is no impact to use and enjoyment of property. Conditional tree removal would prevent unnecessary reductions in wildlife resources on the site while protecting the safety and enjoyment of property by landowners. All trees specified for removal in Specific Plans for individual lots shall be replaced with a native species. The applicant shall replace the Heritage Trees removed with new native shrub/tree species suitable for the site (e.g. coast silk tassel (*Garrya elliptica*), California buckeye (*Aesculus californica*), or others). Recommended planting locations are shown in Figure 17 of the DEIR.

Finding

Implementation of the above measures to minimize the loss of trees and provide for the replacement of Heritage Trees would reduce impacts of the Project due to the loss of trees to a less-than-significant level

b. Special Status Mammal Species

Impact

Proposed grading and development could result in the loss of 4-6 of San Francisco dusky-footed woodrat nests. The possible loss of active nests and individuals on the developed portions of the site would be considered a significant impact. Although this subspecies is not protected under the state or federal Endangered Species Acts, it is considered a California Species of Concern by the California Department of Fish and Game (CDFG).

Mitigation

In order to address the Project's potential affect on the San Francisco dusky-footed woodrat, the following mitigation plan shall be implemented:

Preconstruction surveys for woodrat houses. A preconstruction survey for woodrat houses shall be conducted within all areas proposed for disturbance, prior to any disturbance on site. These surveys shall include surveys for carnivore dens (such as bobcat) on site. If any carnivore dens are detected within the construction area, CDFG shall be contacted for guidance to avoid impacting any dens.

Preconstruction woodrat house dismantling and/or relocation. For all woodrat houses that will be impacted by construction impacts, the houses shall be dismantled and relocated to appropriate locations within the open space areas on the project site, and any woodrats captured and released into their relocated houses. House dismantling and/or relocation shall be conducted only when necessary, during the non-breeding season (September to February), and under guidance from the CDFG.

Control of non-native species. The management of the onsite common open space area (Lot A) per Measure BIO-4, shall include control of non-native invasive weeds to maintain the native plant species that provide important cover and food resources for the San Francisco dusky-footed woodrat, prohibit the use of rodenticides within the open space area unless approved by CDFG and the control of feral cats and limitations on domestic cat ownership.

Finding

This trapping and relocation program, and the control of non-native species and management of the open space areas will prevent damage to active nests and prevent inadvertent harm of San Francisco dusky-footed woodrats, and therefore will reduce the Project's impacts on this animal to a less-than-significant level.

c. Special Status Bird Species

Impact

Three special status bird species were observed on site during biological surveys: the California thrasher, the white tailed kite and a loggerhead shrike. In addition, special status bird species could use and potentially nest within the project site. Project construction could adversely impact the breeding of special status bird species resulting in violation of CDFG code and the Migratory Bird Treaty Act and a significant impact.

Mitigation

If any trees or shrubs are proposed to be removed during the nesting season (February 15 to August 31), pre-construction surveys for nesting birds shall be conducted. This measure shall apply to all construction occurring on the project site, both the infrastructure improvements and construction within each of the housing lots. The surveys shall identify active nests and establish a disturbance buffer if nests are located. A minimum buffer of 50 feet is required by CDFG for songbird nests and a

minimum of 250 feet for raptor nests. Construction activity within an established buffer area is prohibited until nesting is complete.

Finding

Avoidance of construction activities during nesting season, or, if avoidance of nesting season does not occur, pre-construction surveys prohibiting grading and vegetation removal activities near the nesting raptor or shrikes, will ensure the birds will not be encouraged to abandon their nests and the impacts of construction on the nesting raptors will be avoided. Therefore, implementation of the above mitigation measures will reduce the Project's impacts on these species to a less-than-significant level.

d. Special-Status Amphibian and Reptile Species

Impact

While biologists have determined that suitable aquatic habitat for California red-legged frog (CRLF) and San Francisco garter snake (SFGS) is not present within the project site, and that the project includes significant open space, thus providing a habitat corridor, there remains an extremely low chance that CRLF and/or SFGS could disperse through the project site from the eastern border. Project construction has a low potential to impact dispersing CRLF and SFGS; however there remains a remote possibility that one or more individuals could disperse into the construction area and be inadvertently harmed.

Mitigation

In order to prevent a significant impact on the CRLF and SFGS, a qualified biologist shall be retained by the applicant to oversee construction and ensure that harm to San Francisco garter snake or California red-legged frog does not occur during construction. The following procedures shall apply. Prior to any grading or vegetation removal, a biologist shall conduct a preconstruction survey for San Francisco garter snake and California red-legged frog.

During construction, a trained biologist or a trained on-site monitor (such as the construction foreman) shall check the site in the morning and in the evening for the presence of California red-legged frog and San Francisco garter snake. This includes checking holes, under vehicles and under boards left on the ground. If any CRLF or SFGS are found, construction shall be halted until they disperse naturally, and the monitor shall immediately notify the biologist in charge and the USFWS. Construction shall not proceed until adequate measures are taken to prevent dispersal of any individuals into the construction zone, as directed by the USFWS. Subsequent recommendations made by the USFWS shall be followed. The monitor shall not handle or otherwise harass the animal. The biologist in charge shall train the on-site monitor in the identification of CRLF and SFGS. The biologist in charge shall visit the site at least once a week during construction and confer with the trained on-site monitor.

Construction workers shall be informed of the potential presence of California red-legged frog and San Francisco garter snake, that these species are to be avoided, that the foreman must be notified if they are seen, and that construction shall be halted until authorization to proceed is obtained from the USFWS. Construction workers shall be informed that harassment of these species is a violation of federal law. During construction, all holes shall be covered at night to prevent CRLF and/or SFGS from becoming trapped in holes on the construction site.

In addition, the applicant must obtain all necessary permits from California Department of Fish and Game and U.S. Fish and Wildlife Service as required by federal and State law to avoid, minimize, or offset impacts to any species listed under either the State or federal Endangered Species Acts or protected under any other State or federal law. Evidence that the applicant has secured any required authorization from these agencies shall be submitted to the City of Pacifica Planning Department prior to issuance of any grading or building permits for the project. This will further ensure that the Project does not have a substantial adverse effect on any protected species.

Finding

The biologist's oversight and adherence to the above procedures will prevent inadvertent harm to California red-legged frogs and San Francisco garter snakes and therefore will reduce the Project's impacts on these species to a less-than-significant level.

e. Wildlife Habitat

Impact

The new residential use and increased human activity on the site could adversely impact biological resources found within the open space habitat areas and result in a significant decline of habitat values for wildlife over time. In addition Construction of the proposed project would result in ground disturbance that could facilitate the spread of invasive plant species within the designated open space areas on site, and result in increased erosion that would adversely impact plant and wildlife habitat. And non-native, invasive plants could escape from landscaped areas within yards and colonize and spread into the open space areas, converting native habitat and significantly reducing biological diversity.

Mitigation

In order to address the impact identified above, invasive species shall be removed during project construction on a quarterly basis within the graded areas and on adjacent open space lands. Species to be removed include existing invasive species on site, such

as French broom, fennel, pampas grass, and cotoneaster as well as any others that establish as a result of project grading activities. In addition, to ensure longterm control of invasive species, this provision shall be included in the Management Plan required in Measure BIO-4.

The development's Covenants, Codes, and Restrictions (CC&Rs) shall contain language that shall ensure the protection of all open space habitat (including Lot A and other open space areas) from degradation as a result of resident activities and shall ensure that the open space habitat is managed and protected in a manner that would ensure the long-term viability of all the biological resources currently found on the project site. The CC&Rs shall include provisions that prevent activities within the open space habitat that would permanently damage native vegetation, cause erosion, or harass or harm wildlife. These restrictions do not apply to any authorized native habitat management efforts such as invasive species control, erosion repair, or native plant revegetation. The CC&Rs shall include the following restrictions on human activity:

- New volunteer trails within the open space areas shall be controlled so that trails do not damage vegetation and cause erosion.
- All pets (dogs and cats) shall be controlled within open space areas so that they do not hunt, harm, or harass wildlife or otherwise damage biological resources.
- Residents shall not store or dispose of items (including yard trimmings) within the open space areas.
- The use of rodenticides within the open space areas shall be prohibited unless approved by CDFG. Management of the open space areas shall also include the control of feral cats, and limitations on domestic cat ownership
- The large, vegetated drainage along the eastern boundary of the project property may contain USACE jurisdictional waters (this drainage does not support perennial flow, but has a defined drainage channel). The drainage shall be protected from impacts of runoff from urban areas, damage due to humans or pets, or other activities that degrade the natural habitat.

In addition, through consultation with City of Pacifica, US Fish and Wildlife Service and the CDFG, a Management and Monitoring Plan shall be developed and implemented for the open space areas. The Plan shall include the following:

and lot 11 as defined

1. A description of the goals of the Management Plan. The goals should foster the protection of native habitat and wildlife diversity at the site, should protect the wildlife corridor, and should support a healthy ecosystem.
2. A description of methods to protect and enhance native habitat on the site, including coastal terrace prairie, coastal riparian scrub, and northern coastal scrub. A program to control exotic invasive plant species shall be included in these methods.
3. A description of the methods to protect and enhance habitat of sensitive species on the site, including the Mission blue butterfly, the San Francisco dusky-footed woodrat, the loggerhead shrike, and the white-tailed kite, and how individually-owned lots with restriction on them (see Measure BIO-10) may fit into the scheme.

4. A schedule of management and enhancement activities. Management activities shall address open space habitat areas and include routine maintenance and care of replacement and screening trees planted as part of the project.
5. Annual monitoring and reporting, including surveys of the species of concern and the results of any enhancement activities undertaken at the site.
6. An educational component, so that lot owners understand the purpose of the management plan and can choose to apply the measures to their own lots.

The applicant or homeowner's association shall request a letter of concurrence from the US Fish and Wildlife Service that the management plan will not result in take of the Mission blue butterfly or any other federally-listed species.

In addition, the development's Covenants, Codes, and Restrictions shall contain language restricting all landscape planting so that those plants identified by the California Invasive Plant Council (Cal-IPC) in Table 1 of the California Invasive Plant Inventory shall not be planted. In addition, only native plant species may be used for landscaping that are consistent with the regional plant communities found in the local region. A qualified biologist shall review all proposed planting lists and compare it to the most recent Cal-IPC list to ensure no invasive plants on the list are planted. The biologist shall also check the plants to insure consistency with local native ecosystems. The biologist shall inspect the plants at the time of installation to make sure that no substitutions have been made by the landscape contractor. (The most recent version of the California Invasive Plant Inventory can be found at <http://www.cal-ipc.org/ip/inventory/pdf/Inventory2006.pdf>). This measure shall apply to all landscaping within the project site, including landscaping of common areas and within each of the housing lots.

The management of the onsite common open space area (Lot A) per Measure BIO-4, shall include control of non-native invasive weeds to maintain the native plant species that provide important cover and food resources for the San Francisco dusky-footed woodrat, prohibit the use of rodenticides within the open space area unless approved by CDFG and the control of feral cats and limitations on domestic cat ownership.

As described above in these findings, the Project applicant must also implement measures to reduce light and glare.

Finding

Impacts associated with the loss of open space, harm to habitat and spread of non-native, invasive species will be avoided by implementation of the mitigation described above. In addition, measures to reduce light and glare will prevent unnecessary illumination of natural habitat on the site. By implementing these mitigation measures, the City will ensure that the project does not substantially effect the movement of wildlife or any protected species of wildlife. Implementation of the above measures would therefore reduce habitat impacts of the Project to a less-than-significant level.

f. Mission Blue Butterfly

Impact

Construction of the proposed project could impact the federally endangered Mission blue butterfly. Mission blue butterfly adults have not been observed on site during field surveys however eggs were found on the host plants. The site plan for Lot 11 has been redesigned to avoid the Mission blue host plant *Lupinus formosus*.

Mitigation

Project development shall avoid Mission blue butterfly host plant *Lupinus formosus* and provide a minimum 50-foot setback from areas containing the host plant. Any parcel containing Mission blue butterfly host plants shall be subject to a CC&R provision that requires the owner to obtain permission from the US Fish and Wildlife Service to undertake any activities that result directly or indirectly in the removal of Mission blue butterfly host plants. The owners of lots containing Mission blue host plant shall also coordinate with the Homeowner's Association in the implementation of the open space management plan required in Measure BIO-4. In addition, the applicant must obtain all necessary permits from California Department of Fish and Game and U.S. Fish and Wildlife Service as required by federal and State law to avoid, minimize, or offset impacts to any species listed under either the State or federal Endangered Species Acts or protected under any other State or federal law. Evidence that the applicant has secured any required authorization from these agencies shall be submitted to the City of Pacifica Planning Department prior to issuance of any grading or building permits for the project. This will further ensure that the Project does not have a substantial adverse effect on any protected species.

Finding

By implementing these mitigation measures and thus avoiding potential Mission blue butterflies, the City will ensure that the project does not substantially effect the Mission Blue butterfly. Implementation of the above measures would therefore reduce impacts of the Project to this species to a less-than-significant level.

The City hereby adopts and incorporates into the Project all the mitigation measures for biological resources described in this Section C(3) and finds that such mitigation will lessen the potentially significant impacts on biological resources to a less-than-significant level.

4. Geology

a. Strong Seismic Groundshaking.

Impact

Strong groundshaking associated with a major earthquake in the region could impact the project development by causing damage or collapse of buildings or endanger the health and welfare of persons.

Mitigation

The new residential construction and any other site improvements shall comply with the provisions of Title 24 of the California Administrative Code, and the most recent edition of the Uniform Building Code, Seismic Zone 4 standards, or local seismic requirements, whichever is most stringent. All recommendations included in the June 19, 2006 EIC preliminary soil investigation report shall be met, including: 1) City review of all plans and specifications and observation by the project geotechnical engineer of foundation excavations to ensure compliance with the recommendations in the project geotechnical report; and 2) Observation and testing of engineered fill, finish subgrade and aggregate base for new pavements by the project geotechnical engineer.

Finding

Adherence to the Uniform Building Code design criteria and the recommendations of the geologic consultant will minimize any danger to residents from earthquakes and strong seismic shaking because all buildings will be constructed to withstand these events. The City finds that implementation of this mitigation measure will reduce impacts related to seismic-induced groundshaking to a less-than-significant level.

b. Landslides, erosion an expansion

Impact

With development of the Project, surficial landslides affecting the Roberts Road cut slope will continue to degrade the cut slope and produce sediment onto the traveled roadway, thus exposing individuals to harm from landslides. .

In addition the potential for erosion of the clayey sand surface soils on the project site is moderate to high The near surface clay soils and bedrock have a moderate plasticity as discussed in the EIC report. Expansive soils can detrimentally affect building foundations, slabs, pavements, retaining walls and other site improvements. Erodible soils at the site present potentially significant impacts. Although considered

unlikely by the EIC report (June 2006), deep erosion and landsliding on the southern slopes could impact Lots 9 and 10.

Mitigation

A detailed remediation plan that addresses the surficial landsliding affecting the Roberts Road cut slope shall be prepared by a qualified engineering geologist. The remediation plan shall identify any grading and drainage improvements necessary to, prevent future landsliding. The remedial grading improvements shall be implemented by the applicant.

The impacts from erosion can be mitigated by incorporating appropriate grading and drainage measures into the project design. A final grading plan and drainage plan shall be prepared for the project. These plans shall provide for positive drainage on building pads and removal of water from foundation areas into area drains and closed pipe systems which carries runoff to a suitable drainage facility located below the erodible colluvial deposits which exist downhill of the ridgeline. Slopes shall be graded so that water is directed away from the slope face. Permanent slopes shall be protected from erosion through the use of erosion-resistant vegetation and jute netting. Erosion control seed mixes used on site shall utilize native grasses and forbes appropriate for the site to replace and improve existing habitat values of grasslands disturbed on the site. Temporary erosion control measures such as positive gradients away from slopes, straw bales, silt fences and swales shall be used during construction.

Although the house sites appear to be sufficiently far from the deep erosion gullies and landsliding on the southern slopes and existing data indicates that the house sites are on shallow bedrock, design-level geotechnical investigations for Lots 9 and 10 shall be conducted to determine whether surface or subsurface drainage improvements are necessary to prevent accelerating erosion trends in these gully areas and to mitigate encroachment into the building sites. Any necessary improvements shall be implemented by applicant or future owners of Lots 9 and 10.

The EIC report provides recommended measures for mitigating the effects of expansive soils on the project improvements. These protective measures include: 1) mixing on-site soils to a plasticity index of 15 or less; 2) moisture conditioning of fill materials to three percent over optimum; and 3) overexcavation of slab subgrade areas. The following additional measures shall also be taken to minimize the effects of expansive soils: a) providing a layer of non-expansive granular materials beneath slabs-on-grade as a cushion against building slab movement; b) the use of aggregate base under exterior flatwork; and c) control of irrigation adjacent to the new buildings.

Finding

Implementation of the mitigation measures described above will reduce any risks caused by potential landslides to a less-than-significant level by ensuring implementation of grading and drainage improvement needed to prevent landslides.

Implementation of the measures described above will ensure that the Project is not constructed on unstable soil and therefore will reduce potential impacts related to unstable soils to a less than significant level.

The City hereby adopts and incorporates into the Project the mitigation measures relating to geological impacts described in Section C(5) above and finds that such mitigation will lessen the potentially significant geological impacts to a less-than-significant level.

5. Hydrology

a. Water Quality

Impact

The proposed project could result in water quality impacts to the city's storm drain line and Calera Creek as a result of increased siltation of surface water runoff from construction grading activities.

Mitigation

To prevent siltation and impacts to water quality, the applicant shall apply to the RWQCB to obtain coverage under the State General Construction Activity NPDES Permit. The applicant shall comply with all provisions and conditions of the general permit and prepare a Storm Water Pollution Prevention Plan (SWPPP). Project construction shall conform to the requirements of the general permit and the SWPPP. Construction BMPs that will be used to reduce or avoid impacts shall include:

- Keeping materials out of the rain by covering exposed piles of soil or construction materials with plastic sheeting; sweeping paved surfaces that drain to creeks or wetlands; using dry cleanup methods whenever possible, and if water must be used, use just enough to keep the dust down;
- Use of hay bales or other mechanical barriers to trap sediment on the project site and prevent discharge into storm water drainage;
- Scheduling construction activities for periods of dry weather; and Restricting fueling of construction vehicles to approved staging areas.
- Restricting fueling of construction vehicles to approved staging areas

Finding

Preparation of a SWPPP and implementation of the measures described therein will prevent discharge of pollutants into streams during the construction phase. Incorporation of site design, source control, and stormwater treatment facilities, as required by the county-wide NPDES permit, will prevent any significant increase in the duration, velocity, or quantity of stormwater runoff from the Project. Therefore, these mitigation measures will reduce the potentially significant erosion and related impacts to water quality to a less-than-significant level. The City finds that implementation of this measure will lessen related impacts to less-than-significant levels

b. Drainage Patterns and Flooding

Impact

Implementation of the Project would not alter the existing drainage features at the Project site, but would increase impervious cover at the Project site. Up to six acres of the project site would be developed with building envelopes and roads. Site development will introduce impervious surfaces to the property and increase the amount of stormwater runoff generated on site. Detention basins constructed for the project have adequate capacity to handle the increased runoff and would require routine maintenance.

Mitigation

As described in Section C(5)(a) above, the Project shall comply with the requirements and intent of the current County National Pollution Discharge Elimination System (NPDES) permit. The permit requires certain new development projects (including this Project) to incorporate (a) site design measures to minimize impervious area, reduce direct connections between impervious areas and the storm drain system, and mimic natural systems; (b) source control; and (c) treatment control measures, which reduce runoff and the entry of pollutants into stormwater and receiving waters. The Project shall incorporate site design measures for reducing water quality impacts of the Project in compliance with the County NPDES stormwater permit Provision C.3 requirements.

The Project shall implement the site design, source control, and stormwater treatment measures detailed in the Stormwater Control Plan, included as Appendix B. The project applicant shall also enter an Operations and Maintenance (O&M) agreement with the City, as required by the County-wide NPDES permit. This O&M agreement shall run with the land.

Finding

Implementation of the measures summarized above, and detailed in the DEIR, , including compliance with the county-wide NPDES permit requirements, will prevent pollutants from entering streams and the storm drain during the operation of the Project and therefore will ensure that surface water quality is protected. The detention basin will collect and manage runoff, and the O&M Agreement will ensure they operate effectively. The City finds that implementation of this measure will lessen related impacts to less-than-significant levels.

The City hereby adopts and incorporates into the Project the mitigation measures relating to hydrology and water quality described in Section C(5) above and finds that such mitigation will lessen the potentially significant hydrology and water quality impacts to a less-than-significant level.

7. Transportation Safety

Impact

The project access road intersects Roberts Road on the inside of a curve where there are inadequate sight line distances for vehicles exiting the project street onto Roberts Road. The limited visibility creates unsafe an unsafe traffic condition.

Mitigation

In order to address this safety issue, Project slopes at the intersection of the new access road and Roberts Road shall be trimmed back to establish the minimum safe sight line distance of 200 feet. The site distance at the driveway shall be increased as much as feasible beyond the minimum requirement to provide additional safety at the intersection. Landscaping placed in these areas shall be restricted in height to prevent reduction of the sight line.

Finding

The City hereby adopts and incorporates into the Project the mitigation measures described above and finds that such mitigation will lessen the potentially significant traffic safety impacts to a less-than-significant level.

D. MITIGATION MONITORING AND REPORTING PLAN

When making findings, a lead agency must adopt a reporting or monitoring program for the mitigation measures it has adopted in order to mitigate or avoid significant effects on the environment. The City hereby adopts the Mitigation Monitoring and Reporting Plan for the Project (Exhibit A to Resolution Certifying the

Environmental Impact Report, Adopting the Mitigation Monitoring Plan, and Adopting CEQA Findings for the Harmony @ 1 Roberts Road Residential Project). The mitigation measures designed to reduce impacts identified in the FEIR and adopted and incorporated into the Project will be monitored by the City pursuant to the MMRP.

E. ALTERNATIVES

The DEIR evaluated 4 alternatives to the originally proposed project. Because the Project would not cause any significant environmental impacts, the City is not required, under Public Resources Code section 21081, to make any findings with respect to the feasibility of alternatives to the Project. The City has nonetheless reviewed the significant impacts associated with the alternatives and has compared them with the significant impacts associated with the Project. The City has also considered the feasibility of each alternative, taking into account a range of economic, environmental, social, legal, technological and other factors. The City concludes that each of these five alternatives is infeasible and/or less desirable than the Project. The City's analysis and conclusions with respect to environmentally superior alternatives are described below.

1. The **No Project alternative** assumes the continuation of existing conditions within the project site. The existing land use and zoning designations would also remain. Because development of the site is allowed under these designations, denial of the project would not preclude development of the site in the future.

This alternative is environmentally preferable to the Project in the following respects:

- This alternative does not involve construction of new residences and therefore would not result in adverse impacts to existing scenic vistas and scenic resources and would not introduce new sources of light and glare to the area.
- This alternative does not involve construction and therefore would have no construction-related significant impacts on biological resources, such as the California red-legged frog, San Francisco garter snake, San Francisco dusky-footed woodrat, raptors, Mission Blue butterfly and sensitive natural habitats.
- This alternative would not result in any new residences and therefore would not expose structures to substantial adverse effects involving strong seismic groundshaking or unstable soils and slopes.
- This alternative does not require any grading, and therefore would not cause erosion on the site or have the potential for resulting in adverse impacts to water quality.
- This alternative would not add any additional traffic to the region and therefore would not have any impact on transportation or circulation.

The City has considered the different environmental impacts associated with the No Project Alternative and the Project, and has also considered the feasibility of the No Project Alternative. The City concludes that this alternative is infeasible and less desirable than the Project, and rejects this alternative because: (a) it would not achieve the project objective of developing a sustainable development that promotes coastal green architecture that integrates homes into the surrounding hillside, and integrates passive and active solar, wind power and other environmental technologies; (b) it would not achieve the project objective of developing the property for residential use consistent with the General Plan; (c) it would not result in the benefit of permanently protecting and managing 27 acres of wild life habitat, and creating a teaching garden, mission blue habitat sanctuary, native wildflower project and a bird sanctuary.

2. The **Reduced Lots alternative** would reduce the number of lots proposed on the 65-acre lot. The same basic site plan configuration would be developed with several of the lots on the south side of the project access road eliminated. Reducing the number of lots on the south side of the project access road would reduce the number of homes constructed along a property ridgeline. Lots 3 through 6 and Lot 8 are the most visually prominent from areas south of the project site. Eliminating any of these lots would reduce the visibility of project development from the Linda Mar and Pedro Point areas. The Reduced Lots alternative would moderately reduce the project's less than significant visual impacts by eliminating one or more homes which would be partially visible along the ridgeline. Because it would contain a smaller footprint and result in fewer residences, it would also reduce slightly the biological, geology, hydrology, public services and transportation impacts.

The City has considered the different environmental impacts associated with the Reduced Lots Alternative and the Project, and has also considered the feasibility of the Reduced Lots Alternative. The City concludes that this alternative is infeasible and less desirable than the Project, and rejects this alternative because: (a) given the economics of the project, including the cost of the property, likely sales prices of the homes and cost of providing the proposed amenities, the reduction in units would mean that the applicant could not provide many of the proposed amenities that make the project desirable to the City and its residents, including but not limited to, the permanent protection and management of 27 acres of wildlife habitat, and creation of a teaching garden, mission blue habitat sanctuary, native wildflower project and a bird sanctuary; and (b) the reduction in units would result in fewer units of affordable housing—and fewer units of housing overall—than the Project.

3. The **Elimination of Lot 11 alternative** would remove development of this lot from the project tentative map. All other development would remain as proposed. The purpose of this alternative would be to avoid development near Mission Blue butterfly habitat. Therefore, this alternative would reduce the potential impact to the Mission Blue butterfly but otherwise would have the same biological impacts. Because it slightly reduces the size of the developed area, it would result in minor reductions to the Project's impacts on aesthetics, geology, hydrology, public services and transportation.

The City has considered the different environmental impacts associated with the Elimination of Lot 11 Alternative and the Project, and has also considered the feasibility of the Elimination of Lot 11 Alternative. The City concludes that this alternative is infeasible and less desirable than the Project, and rejects this alternative because: (a) it would result in less housing than the Project and therefore would not further the City's goal to provide additional housing pursuant to its General Plan and state requirements; (b) given the economics of the project, including the cost of the property, likely sales prices of the homes and cost of providing the proposed amenities, the reduction in units would mean that the applicant could not provide at least some of the proposed amenities that make the project desirable to the City and its residents, including but not limited to, the permanent protection and management of 27 acres of wildlife habitat, and creation of a teaching garden, mission blue habitat sanctuary, native wildflower project and a bird sanctuary, and (c) given that the Project as mitigated already reduces all impacts of the Project, including the impact to the Mission Blue Butterfly, to an insignificant level, the alternative would not provide significant additional protection of the butterfly or other resources.

4. The **Clustered Development Alternative** would result in the construction of the same number of homes as the proposed project but with smaller building envelopes, structures and lot sizes. The clustered homes would have to be located at the top of the hill or center of the site where the slopes are less steep and most accommodating to development. Clustering the development is an alternative to the project's linear lot design along the ridgeline. There are several constraints to a clustered development. Homes on a ridgeline or on flatter slopes can be excavated into the ground to reduce the visible portion of the building elevation. The flatter portions of the site most suited for development occur along the property ridgelines. Homes built on steeper slopes have more building elevation exposure along the face of the slope. A clustered design alternative which moves the homes off the ridgeline and places them as a close group on steeper slopes increases the amount of building mass visible to the community view shed and therefore would result in greater aesthetic impacts than the Project. Clustering would reduce the biological impacts of the project, and given the smaller development footprint, it would slightly reduce geology and hydrology impacts. Impacts to public services and transportation would remain the same.

The City has considered the different environmental impacts associated with the Clustered Development Alternative and the Project, and has also considered the feasibility of the Clustered Development Alternative. The City concludes that this alternative is infeasible and less desirable than the Project, and rejects this alternative because: (a) it would not achieve the project objective of developing a sustainable development that promotes coastal green architecture that integrates homes into the surrounding hillside and it would not incorporate the innovative design characteristics of the Project; and (b) given the visibility of the homes, it would result in greater aesthetic impacts than the Project .

H. RECIRCULATION NOT REQUIRED

No substantial changes to the DEIR were proposed as a result of the public comment process. The FEIR responds to comments and makes only minor technical changes, clarifications, or additions to the DEIR, including clarification of how the applicant will comply with the City's Inclusionary Housing Ordinance. The additions to the DEIR do not identify any new significant impacts or any substantial increase in the severity of any environmental impacts. No comments submitted after the FEIR identify any new significant impacts or a substantial increase in the severity of any environmental impacts. Furthermore, the dedication of property for affordable housing will not create new significant impacts or substantially increase the severity of any environmental impact identified in the DEIR. Therefore, recirculation of the EIR is not required.

I. RECORD OF PROCEEDINGS

Various documents and other materials constitute the record of proceedings upon which the City bases its findings and decisions contained herein. Documents related to this Project are located at 170 Santa Maria Ave., Pacifica, CA 94044.

J. SUMMARY

1. Based on the foregoing Findings and the information contained in the record, the City has found that each of the potentially significant effects of the Project is mitigated to a less-than-significant level by the changes or alterations that have been required in, or incorporated into, the Project.

2. Based on the foregoing Findings and the information contained in the record, it is determined that none of the other alternatives to the Project is feasible or desirable.

ORDINANCE NO.

**AN ORDINANCE OF THE CITY COUNCIL
OF THE CITY OF PACIFICA RECLASSIFYING (RZ188-07)
PROPERTY SOUTH OF FASSLER AVENUE AND EAST OF ROBERTS ROAD (APN:
022-150-420 AND 022-150-310) FROM P-D, PLANNED DEVELOPMENT RESIDENTIAL
DISTRICT/C-1, NEIGHBORHOOD COMMERCIAL, TO P-D, PLANNED DEVELOPMENT
RESIDENTIAL DISTRICT, WITH A DEVELOPMENT PLAN (DP-70-07) FOR THE
SUBDIVISION OF 65 ACRE SITE INTO 14 RESIDENTIAL LOTS**

The City Council of the City of Pacifica does hereby ordain as follows:

Section 1. The City Council did, on November 13, 2007, duly hold a public hearing and the City Council does hereby find and determine that:

1. The Planning Commission and City Council have certified the Environmental Impact Report for the Harmony @ 1 Residential project.
2. The Planning Commission, on October 15, 2007 approved the subdivision of the 65 acre site into 14 lots, approved the Development Plan for the subdivision, approved the removal of heritage trees, and approved the construction of a single-family residence with a second residential unit on an adjacent 2-acre lot.
3. The Planning Commission, on October 15, 2007 recommended that the City Council rezone the 65-acre lot site from P-D, C-1 to P-D with a Development Plan (DP-70-07) for 14 lots.
4. The reclassification and Development Plan will be in conformance with the General Plan.
5. Specific findings of fact for approval of the reclassification are contained in the Planning Commission Resolution No. 837 dated October 15, 2007, and the City Council concurs with said findings and incorporates the findings herein by reference.

Section 2. Reclassification. Section Maps 23 & 24, Article 3, Chapter 4, Title 9, of the Pacifica Municipal Code are hereby amended to reclassify to P-D (Planned Development District), and to incorporate the approved Development Plan (DP-70-07), the property shown in the Rezoning Map attached as "Exhibit AA" and described below:

APN 022-150-420 & 022-150-310
Parcel Map Volume 37/23-25
Approximately 65 acres

* * * * *

Section 3. The City Clerk shall cause this ordinance to be published once within fifteen (15) days after its passage in the Pacifica Tribune, a newspaper of general circulation, published and circulated in the City of Pacifica, in accordance with Government Code Section 36933.

* * * * *

Passed and adopted at the regular meeting of the City Council of the City of Pacifica held on the November 13, 2007 by the following vote of the members thereof:

AYES, Councilmembers:

NOES, Councilmembers:

ABSENT, Councilmembers:

ABSTAIN, Councilmembers:

Pete DeJarnatt, Mayor

ATTEST:

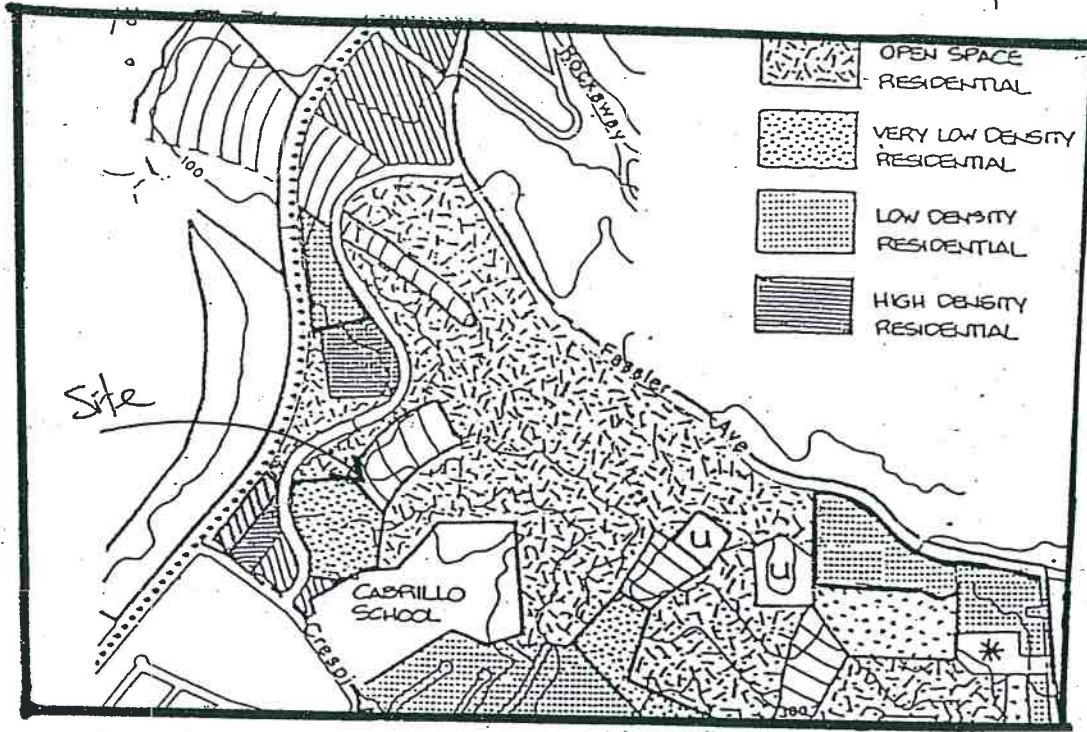
Kathy O'Connell, City Clerk

APPROVED AS TO FORM:

Cecilia Quick, City Attorney

General Plan Diagram

Existing Land Use: *Open Space Residential / Very low Density Residential*

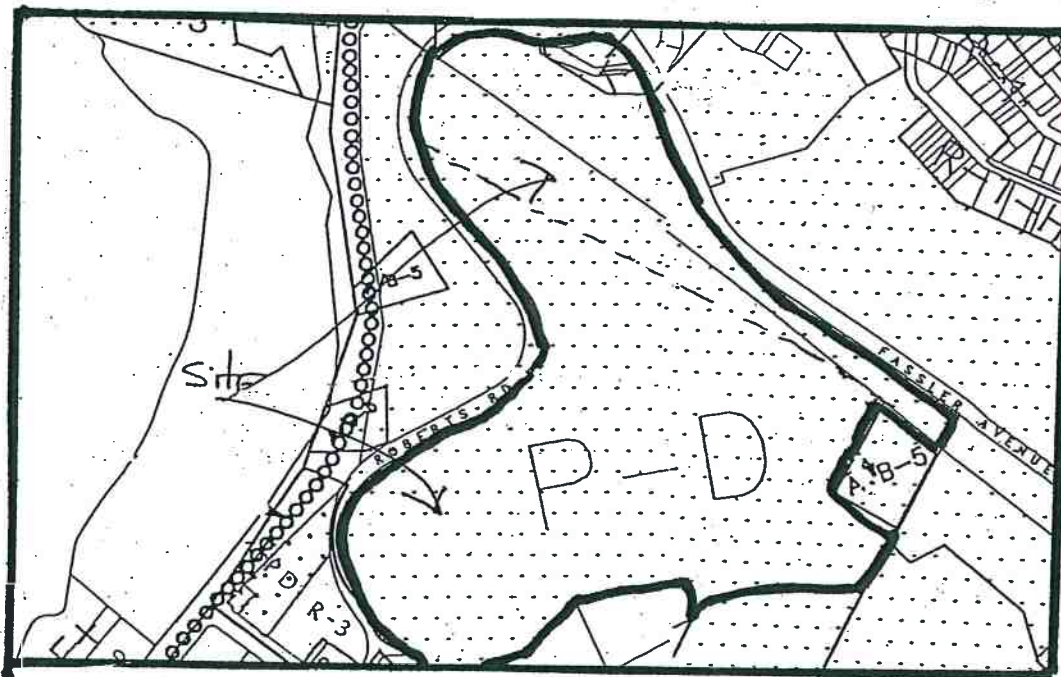


- ### Legend
- VERY LOW DENSITY RESIDENTIAL
 - LOW DENSITY RESIDENTIAL
 - MEDIUM DENSITY RESIDENTIAL
 - HIGH DENSITY RESIDENTIAL
 - MIXED USE: HIGH DENSITY/COMM.
 - COMMERCIAL
 - GENERAL COMMERCIAL
 - OPEN SPACE RESIDENTIAL
 - GREENBELT
 - PROMINENT FRINGELINE
 - SPECIAL AREA
 - MARSH
 - OPEN SPACE / PUBLIC FACILITY
 - PROPOSED PARKING
 - NEIGHBORHOOD PARK
 - DEVELOPED / PROPOSED BEACH ACCESS
 - NORTH-SOUTH CITY TRAIL
 - PUBLIC FACILITY
 - UTILITIES
 - AGRICULTURE
 - CHURCH
 - FIRE STATION

Neighborhood: *Linda MAR*

Zoning Map Diagram

Existing Zoning: *P-D, Planned Development, C-1, Neighborhood*
 Proposed Zoning: *P-D, Planned Development*

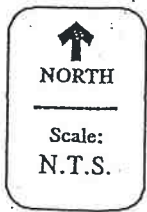


- ### ZONING DISTRICTS
- R-1 Single-Family Residential
 - R-2 Two-Family Residential
 - R-3 Multiple-Family Residential
 - R-3.1 Multiple-Family Residential
 - R-3-G Multiple-Family Residential Garde
 - R-5 High Rise Apartment
 - C-1 Neighborhood Commercial
 - C-1-A Commercial Apartment
 - C-2 Community Commercial
 - C-3 Service Commercial
 - O Professional Office
 - C-R Commercial Recreation
 - M-1 Controlled Manufacturing
 - M-2 Industrial
 - P Parking
 - A Agricultural
 - B Lot Size Overlay
 - P-F Public Facilities
 - P-D Planned Development
 - R-M Resource Management
 - O-S Open Space
 - R-3/LD Multiple-Family/Low Density Residential
 - R-1-H Single-Family Residential Hillside
 - CZ Coastal Zone Combining District
 - SA Special Area Combining District
 - HPD Hillside Preservation District
- + Requires Vote to Rezone
 X Vote Required for Residential Develop

LAND USE AND ZONING EXHIBIT

City of Pacifica
 Community & Economic Development Department

Exhibit "AA"



Harmony @ 1 Conditions Applicable to Lot 2

Planning Department Conditions

Response

2. The maximum floor area of all the residential units shall be 4,300 square feet. Floor area shall mean the gross measurement of all enclosed floor area from outside wall to outside wall with the following exceptions: (a) Garages; (b) areas where there is no floor (i.e. "open-to-be-low" areas); (c) Outdoor decks and patios, whether covered or uncovered. In addition, all accessory buildings or structures, whether attached to the main structure or not, should be included in the 4,300 square foot size limitation including but not limited to gazebos, clubhouses, pool houses, spa structures, conservatories, greenhouses, guest structures, play houses, studios and offices. All accessory buildings should be attached to the house where possible, and/or designed with the same visual impact mitigation measures applied to the main structures. The only exception could be a small tool or storage shed attached to the house behind the bermed side of the home so as to be invisible from all views.

The proposed home on Lot 2 meets this requirement.

3. As proposed by the applicant, the CC&Rs shall include a provision that no second residential units shall be allowed on Lots 1-11.

Recorded CC&Rs meet this condition and there is no second unit proposed for Lot 2.

4. Only living and natural fencing shall be allowed near the homes as a pet, child or personal yard enclosure, not to exceed 2,000 square feet, and no fencing or tree lining of the overall property line shall be permitted.

The Lot 2 proposal meets this requirement.

6. The maximum height for the single-family residential project is 29 feet, measured at the finished grade, between the lowest point on the site covered by any portion of a building to the topmost point of the roof.

The Lot 2 proposal meets this requirement.

14. Adequate, accessible, and convenient Recycling Areas shall be provided within the development. The dimensions of Recycling Areas shall be adequate to accommodate receptacles sufficient to meet the recycling needs of the Development Project. An adequate number of bins or containers shall be provided in Recycling Areas to allow for the collection and loading of recyclable materials generated by the Development Project. Recycling Areas shall be designed to be architecturally compatible with nearby structures and with the existing topography and vegetation. Recycling areas shall provide unobstructed access for collection vehicles and personnel. A sign clearly identifying all recycling and solid waste collection and loading areas and the materials accepted therein shall be posted adjacent to all points of direct access to Recycling Areas. Areas adjacent to Recycling Areas shall be adequately protected from any adverse impacts associated with Recycling Areas by means of measures such as adequate separation, fencing and landscaping. Recycling Areas shall be located so they are at least as convenient for those persons who deposit, collect, and load the recyclable materials placed therein as the locations where solid waste is collected and loaded. Whenever feasible, areas for collecting and loading recyclable materials shall be located adjacent to the solid waste collection areas.

Lot 2 provides adequate private recycling and refuse areas.

15. Plant-guild colonies shall be planted, where not directly under a structure, and shall be fenced off during construction for protection of flora and fauna, and shall be reviewed by a qualified botanist for the purpose of long term conservation.

Shown on the preliminary landscape plans. Confirmation with final landscape plan at Building Permit.

16. All construction equipment and materials shall be kept on each individual building site and only on the street for short periods of time and never shall be kept in the designated open space areas.

The construction phase of Lot 2 will comply with this condition.

17. Leaf blowers that create noise pollution shall be prohibited.

Leaf blowers are strictly prohibited by the CC&Rs.

18. All toxic pesticides and herbicides shall be prohibited.

Toxic herbicides and pesticides are prohibited by the CC&Rs.

21. All permanent landscaping shall be primarily native plants and non-native/drought tolerant plants and trees. Fruits and vegetable gardens in private yard spaces shall be excluded. All of the individual lots shall be kept in their natural state or planted to be botanically contiguous with existing plant guild colonies.

The Lot 2 landscape plan complies with this condition.

22. Prior to occupancy and as proposed by the applicant, the applicant shall incorporate the green building elements described in the project information materials to all the Planned Development units including, but not limited to the following:

Since the approval of the project, Pacifica adopted the State of California Green Building Code. All homes, including Lot 2 are required to meet the California Code. The applicant also provided a GreenPoint Rated (GPR) checklist for Lot 2 which achieved 152 total points and far exceeded the minimum points required in each of the scoring categories of community, energy, in-door air quality/health, resources, and water. The Pacifica Green Ordinance, which has sunsetted, classified the Harmony project as residential Level 4, which requires the building to be LEED Certified or have a minimum of 100 points on the GPR system, which has been exceeded. The GPR checklist for Lot 2 is provided as Attachment C to the staff report.

Heat islands are typically created by large paved areas which are not going to be used as part of the design of the homes, including Lot 2. Landscaping will include native planting to blend with current vegetation, driveways will have permeable pavers.

Lot 2 will comply with BAHM for storm water management, permeable pavers and detention tanks are being used.

The use of native landscape will minimize the need for watering, for those areas needed irrigation sensible watering system will be implemented.

Visual impact of manmade structures are minimized to the extent feasible with landscaping and site design.

Invasive species will not be planted

Exclusionary fence has been installed to protect native areas during construction.

Retaining walls are shotcrete without over excavation therefore, no drain rock was/will be used for backfill.

FlyAsh in concrete is used on the project.

All retaining walls are/will be constructed without forms, foundation grade beam and slabs will be conventionally formed with reusable materials.

Framing will be done with TJJ, PSL and lvl pre-manufactured elements. Walls will be pre-manufactured structurally insulated panels. No FSC certified lumber is proposed as all lumber is engineered and manufactured.

Durable roofing material will be used.

Design and landscape to create comfortable micro-climates and reduce heat island effects based on the recommendations of our landscape designer.

Maximize onsite storm water management through landscaping and/or permeable pavement

Use water-conserving landscape technologies such as drip irrigation, moisture sensors, and watering zones

Use of drought tolerant native and non-native, plant materials and tree groupings to reduce visual impact of man-made structures.

No planting of invasive species (such as pampas grass, scotch broom, etc....) may be introduced to the hillside.

Preserve existing vegetation and protect soil during construction, to the extent possible

Whenever possible, use recycled rubble for backfill drain rock.

Use flyash in concrete based on the specific standards set forth by the City of Pacifica or the County of San Mateo

Use prefabricated forms or save and reuse wood form boards for construction of homes, whenever possible

Use sustainably harvested lumber (FSC certified) for wood framing

Use durable roofing materials as suggested by standards set forth by the City of Pacifica or the County of San Mateo

Use sustainable siding materials as suggested by standards set forth by the City of Pacifica or the County of San Mateo

Utilize low profile, flat roof structures that minimize visual impact

Use roof structures that can support passive and active solar solutions

Exterior colors are to utilize more "earth" tones rather than bright, light reflective hues. Specific colors will be detailed in the homeowner's handbook to be created in conjunction with local artists

Plan windows and skylights, light shelves, and window treatments to provide daylight that improves indoor environments

Choose window sizes, frame materials, and glass coatings to optimize energy performance

Stop air leakage at doors and windows

Use water-conserving plumbing fixtures

Use water-saving appliances and equipment

Insulate hot and cold water pipes

Use heat recovery equipment, tankless water heaters and/or on-demand hot water circulation pumps

Pre-plumb for future gray water use for toilet flushing and landscape irrigation

Design lighting levels for actual use, and use task lighting to reduce general lighting levels

Use lighting that minimizes glare, reflection and light pollution

Use energy-efficient lamps and lighting fixtures

Use lighting controls that save energy such as occupancy sensors

Use ENERGY STAR® appliances

Utilize natural gas where possible since it is less polluting than burning fossil fuels in a power plant to generate electricity.

Use passive solar design where feasible, thermal mass, and insulation to reduce space heating needs

Sustainable and renewable materials are/will be used.

Lot 2 proposed a low profile flat roof structure, as required.

The Lot 2 roof structure supports solar panels as shown on the plans.

Exterior colors are proposed to be earth tones.

Skylights and windows are plentiful to provide interior natural lighting

Windows are sized properly to optimize energy.

See above.

All plumbing fixtures will be water conserving fixtures.

Tankless water heaters will be used along with re-circulation pumps. Appliances and equipment will be low water usage
All plumbing pipes will be insulated.

Tankless water heaters will be used along with re-circulation pumps.

Grey water systems will need to be shown on the Building Plans.

Lighting level will be designed for actual use

See above.

All fixtures and lamps will be energy efficient.

All appliances will be Energy Star rated.

Natural gas will be used instead of electricity for appliances that offer that option.

See sheet A-9.1 - Holistic Design Approach.

Homes are designed with high efficiency natural ventilation and high efficiency equipment.

Insulation will exceed the minimum requirements.

Insulation will be free of formaldehyde.

Homes are designed with high efficiency natural ventilation and high efficiency equipment to provide high indoor air quality.

Wood burning fireplaces will not be used.

Separate plumbing system is not needed for solar heated water as the water heater itself will be electric driven by solar energy.

See above.

Not applicable to Lot 2.

Not applicable to Lot 2.

Low or no VOC, formaldehyde free paints and stains will be used.

Low or no VOC, formaldehyde free carpets and cabinetry will be used.

Plug in electric car ports will be provided at each home, including Lot 2.

Use natural ventilation and passive cooling whenever possible

Use wall, floor, and ceiling insulation that exceeds minimum State requirements

Use high-efficiency equipment including furnaces, boilers, fans, and pumps Place ductwork within conditioned living space, seal joints properly, and clean before occupancy

Use recycled-content, formaldehyde-free fiberglass insulation, cellulose insulation, or other green insulation products

Separate ventilation for indoor pollutant sources and provide advanced filtration to improve indoor air quality

Use clean and efficient alternatives to wood-burning fireplaces

Use solar hot-water systems for domestic use and swimming pools

Use solar hot-water systems for space heating

Pre-plumb for a solar hot-water system

Use artistic wind columns to generate electricity for the light poles

Use low light polluting street lights

Use low- or no-VOC, formaldehyde-free paints, stains, and adhesives

Use low- or no-VOC carpets, furniture, particleboard, and cabinetry

Use natural materials such as wool and sisal for carpets and wall coverings

Install plug-in electric car ports in garages.

Dramatically reduce demand for energy and natural resources (water, petroleum, gas, coal, through renewable tie-in's, building designs that minimize footprint on sensitive habitat. – The goal is to create an energy footprint that is smaller than most 1,500 square foot homes.

Every home will bermed to minimize visual impact

Locate structures to minimize off-site views – Every home has been excavated lower to hide the home and many other specific strategies to minimize the visual impact.

There shall be design review by the city including design criteria and standards for each dwelling.

Limit the amount of turf to less than 2,000 square feet

Incorporate Natural Cooling –Any combination of natural cooling techniques can be used to reduce overheating in homes. Use deep window overhangs and/or trellises primarily on south and west facing glass to provide a balance between summer cooling and winter heating through solar gain. Natural cooling reduces the need for air conditioning, saves money on energy bills, and utilizes “fresh air” to make homes more comfortable.

Design Plumbing for Solar Water Heating – Insulated pipes are pre-installed to a hot water closet or mechanical room for solar water heating installation.

Solar Water System – Solar water heating systems use solar panels to collect heat from the sun. The hot water is stored for use at a later time. Water pre-heated by a solar system can also supplement use of a standard water heater. Use these systems for domestic use and heating of swimming pools. Consider use of solar hot water systems for space heating.

Energy footprint has been reduced to the maximum extent feasible, see GPR sheet.

The project includes a berm that is approximately 3 feet in height to further minimize the bulk.

Homes, including Lot 2, are designed following the approved footprint, the maximum height and set on site in such a way that visual impact is minimized.

See staff report discussion. The Architectural Review Committee required by the CC&Rs also reviewed this project.

The proposed landscape plan for Lot 2 complies with this requirement.

Natural cooling will be used by using overhangs and shades. See also, Plan Sheet A-9.1 - Holistic Design Approach.

See above. Solar systems will be used to the maximum feasible extent including providing energy for the tankless water heater.

See above.

Demand or Tankless Water Heaters - The National Renewable Energy Laboratory (NREL) found that even in high-water-use homes (e.g., about 86 gallons per day), demand or tankless heaters are at least 8-14 percent more efficient than storage tanks. For low-water-use homes (e.g., about 41 gallons per day and less), demand heaters were 24-34 percent more efficient than storage tanks. Integrate Photovoltaic (PV) Systems –All homes are required to have some form of solar power. All PV systems are to be integrally designed into the roof structure. A minimum of 50% of power should come from renewable sources with a goal of 80%.

Grey water systems. All homes are required to have a gray water system such as ReWater captures, filters and reuses shower, tub, bathroom sink, and laundry water, which is about 50% of all water used inside a residence. From an average 3.2-person home, this annual flow is 46,000 gallons of water. That water is then used in an underground drip irrigation system, which is up to 60% more efficient than sprinklers. An automated process keeps half the house's wastewater from being turned into sewage, which saves treatment costs.

Water harvesting systems. All homes are required to have rain catchment systems connected to roof edge guttering and also to driveway runoff channels. The tanks are fiberglass, and are partially buried beside each house. A small pump connects the rainwater catchment system to the grey water tank so that this water is all used for irrigation. www.rainwater.org offers some useful data on these systems.

Use structural insulated panels to replace wood-framed walls. These types of walls have up to a 55 R rating and are incredible energy efficient. We are standardizing on Thermasteel Systems. (www.thermasteelsystems.com)

Use natural building materials and techniques – Homeowners are encouraged to use natural building materials and techniques that are environmentally-friendly, minimize waste and comes from sustainable sources.

Tankless water heaters will be required at Building Permit stage.

Lot 2 provides a PV system.

Grey water system will need to be shown in the Building Permit submittal.

A rain water harvesting system is proposed for Lot 2 including cisterns and flow through planters.

SIP will be used instead of regular framed walls.

Natural building materials will be used to the maximum extent feasible.

Other sustainable methods or materials used. We require active participation in the recycling program provided by the city of Pacifica.

Dishwasher – The most water-efficient dishwashers currently on the market use about 4 gallons of hot water per load, which is half as much as the least efficient ones. Dishwashers using half the amount of water as a standard dishwasher also require only half as much energy to heat the water.

Refrigerator – The refrigerator is the single biggest power consumer in most households. Energy Star labeled refrigerators incorporate a number of advanced features to save energy while keeping food fresh. They are readily available in side-by-side, freezer top or bottom models, and many even offer through door ice and water features.

Clothes Washer – Horizontal axis washing machines (front-loaders) use 60% less energy due to much lower water consumption. Energy Star washers often spin-dry clothes better, resulting in energy conservation during the drying process as well.

Clothes Dryer – The dryer is typically the second-biggest electricity-using appliance after the refrigerator. Compared to electric dryers, using a natural gas dryer can cut costs per load in half. Models with a moisture sensor may further reduce energy use by an additional 15%. Homeowners are encouraged to search for dryers that can run on solar power.

Cooking Stove – Gas with electric ignition stove tops and ovens are twice as efficient as electric or gas with pilot light models. Ovens with a self-cleaning function are up to 20% more energy-efficient due to the increased insulation required to withstand the higher temperatures sustained during the cleaning cycle.

23. Prior to occupancy and to the maximum extent feasible as determined by the Planning Director, the applicant shall incorporate the green building elements described in the project information materials (suggested recommendations) to all the Planned Development units.

Recycling during construction will be enforced and is now required by State statute since original project approval.

As stated above, all appliances will be Energy Star rated.

As stated above, all appliances will be Energy Star rated.

Horizontal axis washing machines will be encouraged.

As stated above, all appliances will be Energy Star rated.

As stated above, all appliances will be Energy Star rated.

See GreenPoint Rating sheet.

24. A certified green building professional, at the developer's expense, shall review the green building elements proposed by the applicants for compliance with green building practices identified in condition 22 and 23 above.

This will be completed by the Planning Department with Building Permit submittal.

27. As proposed by the applicant, all the new buildings shall be designed and constructed to attain all necessary points to achieve LEED certification and shall seek to obtain a Gold standard whenever possible.

See discussion above.

30. The CC&R's and Design Guidelines provided by the applicant shall control design, styles, size, materials, fencing, colors, design of private outdoor space and use of native and non-native drought tolerant landscaping.

The CC&R's provide design guidelines for buildings and landscaping. Lot 2 complies with the Design Guidelines.

31. An architectural committee shall be created by the Homeowners Association, consisting of an architect, environmental consultant, and developers. They shall remain members of this committee until all homes are designed and built to meet the strict standards set forth in the design guidelines and adopted as conditions of approval for this project. All builders shall be required to adhere to the standards set forth by the architectural committee and the conditions of approval.

An architectural committee has been created with an architect, the developer and an environmental consultant. This committee reviewed and approved the proposed Lot 2 plans prior to submission to the City.

32. Lots 7, 8 and 11 homes will have living roofs, and living roofs are strongly recommended for all homeowners as a way to further mitigate visual impacts.

Lot 2 does not propose a living roof.

33. The applicant shall plant trees near all the retaining walls as recommended by a certified arborist.

The planting plan calls for Red Cedstrum which grows to a height of 8 feet.

Applies to the entire project; however, wind generated power elements are not as efficient as once presumed, therefore, alternative methods are proposed such as the use of LED lighting.

34. The applicant shall provide wind generated power to the maximum extent feasible as determined by the Planning Director

35. The applicant shall provide an overall plan for watershed management plan including the usage of permeable hard-scapes, berms and swales and other significant measures to retain storm water on-site, replenishing groundwater and minimizing impacts to local wastewater systems.

The improvement plan for the subdivision includes a system that is in compliance with BAHM.

36. Each homeowner within the Planned Development shall be required to purchase and maintain a rainwater harvesting system for collection, retention and re-use of water for gardens and landscaping. All homes shall have systems connected to roof edge guttering and also to driveway runoff channels connected to adequate holding tanks and properly designed usage systems.

A rainwater harvesting system is proposed for each lot.

37. All homes within the Planned Development shall provide a gray-water system, such as ReWater, that captures and filters shower, tub, bathroom sink, and laundry water that is then used in underground drip irrigation systems.

Grey water system will need to be shown on Building Permit plan submittal.

39. Pollution from man-made lighting shall be minimized by using low pollution light poles as well as requiring homeowners to take measures to minimize light pollution from outdoor lights and indoor lights through, placement, window tinting and other strategies recommended by our architect and/or city planners.

LED low pollution lights are to be used and will also be directed to reduce light pollution.

40. The applicant shall provide the required amount of parking for the project and shall integrate permeable parking bays and/or sidewalks, patios, driveways and other hardscapes subject to approval of the Planning Director and City Engineer.

The project is providing the required amount of parking for Lot 2 and is using permeable materials.

The CC&R's establish guidelines for storage of recreational vehicles which are not allowed to be on site unless inside the garage.

41. All recreational vehicles shall be stored in garages or out of site from the homes below.

42. Prior to the issuance of a building permit, the applicant shall submit information on exterior finishing, including colors and materials, subject to approval by the Planning Director.

A detailed finishing schedule will be provided for each home.

44. Trash enclosures and dumpster areas must be covered and protected from roof and surface drainage. If water cannot be diverted from the 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 need.

The trash enclosure area is covered by upper decks/levels.

45. No wastewater (including equipment cleaning wash water, vehicle wash water, cooling water, air conditioner condensate, and floor cleaning wastewater) shall be discharged to the storm drain system, the street or gutter.

45. No wastewater is to be discharged to the storm drain system

46. 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 Coastside Scavenger. 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 and any 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.

Trash and recycling areas for Lot 2 are properly screened.

47. 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.

All mechanical equipment will be properly screened.

48. 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.

Lot 2 will have a roof plan with all equipment detailed submitted with Building Permit.

49. 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

Vents, gutters and downspouts will be painted to match the building, other roof equipment will be screened.

50. Roof drains shall discharge and drain away from the building foundation to an unpaved area wherever possible.

Roof drains will be directed to flow through planters and a rain harvesting tank.

52. A detailed on-site exterior lighting plan shall be submitted for review and approval by the Planning Director prior to issuance of building permits. Said plan shall indicate fixture design, illumination (photometric plan), location, height, and method of shielding. Lighting shall be directed away from adjacent properties to avoid adverse affects thereto. Building lighting shall be architecturally integrated with the building style, materials and colors, and shall be designed to minimize glare. Fixture locations, where applicable, shall be shown on all building elevations.

Lot 2 will have a lighting plan as required by this condition.

<p>54. All transformers, HVAC units, and 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 concrete or masonry walls, berming, painting and landscaping, to the satisfaction of the Planning Director.</p>	<p>The final landscape plan will show all equipment and how it is screened.</p>
<p>55. Wastewater from vehicle and equipment washing operations shall not be discharged to the storm drain system.</p>	<p>See #45 above.</p>
<p>56. Roof drains shall discharge and drain way from the building foundation to an unpaved area wherever practicable.</p>	<p>See #50 above.</p>
<p>57. Declaration of Covenants, Conditions & Restrictions (CC&Rs). Prior to issuance of a building permit, the developer/owner shall prepare and record with the San Mateo County Recorder's Office a Declaration of Covenants, Conditions & Restrictions and Equitable Servitude's (one set of CC&Rs shall prepared for the 2-acre dedication parcel and a separate set shall be prepared for the 63 acre parcel that will contain 13 residential lots) which shall run with the land and be binding on all future owners and occupants of each of the residential units within the subject property and their successors, heirs and assigns, and shall be approved as to form and content by the City Attorney and Planning Director.</p>	<p>CC&R's have been prepared, approved and recorded.</p>
<p>58. The property owner(s) shall keep the property in a clean and sanitary condition at all times.</p>	<p>Property will be kept clean and sanitary.</p>
<p>59. No building permit shall be issued until a Growth Management Ordinance allocation for each of the new residential units has been granted.</p>	<p>A Growth Allocation will need to be applied for and issued prior to the issuance of the building permit.</p>

60. If archaeological resources (archeological, paleontological or human remains) are discovered during project ground disturbance activities all immediate work shall be stopped until a qualified archaeologist is consulted to ensure no harm to resources.

To date no archeological, paleontological or human remains have been identified on site. However, this condition remains in effect as the project is built out.

61. The applicant shall comply with all Mitigation Measures and implement the Mitigation, Monitoring and Reporting Program (Harmony @ 1 Roberts Road Subdivision) adopted as part of the Environmental Impact Report and attached to the Resolution Certifying the EIR. Prior to Final Map approval, the project applicant must demonstrate compliance with all mitigation measures or provide evidence ensuring that any future requirements of the mitigation measures will be met in accordance with the MMRP.

All EIR mitigations are being complied with.

Public Works/Engineering Conditions

Response

65. To comply with the current requirements of the California Regional Water Quality Board and the San Mateo Countywide Storm Water Pollution Prevention Program, applicant shall submit both electronic and hard copy of the report produced using Bay Area Hydrology Model (BAHM) software that analyze the hydromodification effects of land development and sizing solutions to mitigate the increased runoff of the project.

BAHM report submitted and approved prior to approval of improvement plans for the project. Development of individual lots must also comply with the Storm Water Pollution Prevention Plan and best management practices.

69. Construction of site improvements must be to the satisfaction of the City Engineer.

Construction work is done under the supervision of the City Engineer

72. All construction trucks and deliveries to the site are prohibited during morning peak hours. Construction traffic shall avoid residential areas. The primary construction access to the site shall be from Highway 1 via Sea Bowl Lane and from northbound Highway 1 shall be via Fassler Avenue. Construction equipment shall use available noise suppression devices and properly maintain and muffle loud construction equipment. Construction equipment shall avoid unnecessary idling when within 500 feet of residence.

Construction traffic will continue to meet this condition.

74. BAAQMD Construction Best Management Practices (BMPs) shall be employed to reduce dust emission during the construction phase. The project construction documents shall specify the following BMPs as dust control measures:

BMP's are implemented and will continue to be implemented as required.

Public Works/Waste Water Conditions

Response

75. 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 such as plastic bags and bottles to the Public Work Director's satisfaction.

No wastewater from Lot 2 will be directed into the storm drain system.

Building Department Conditions

Response

76. Construction shall be in conformance with the San Mateo Countywide Storm Water Pollution Prevention Program. The applicant shall implement Best Management Practices during all phases of construction for the project.

Construction is being done per the SMCSWPPP.

77. A design level geotechnical report shall be submitted characterizing the soil conditions of each residential structure and retaining walls including drainage and grading. A peer review of the geotechnical report shall be required.

Design level geotechnical reports have been prepared for each lot.

Fire Department Conditions

78. Prior to occupancy, a final letter from North Coast County Water District shall be submitted stating that the District is able to provide sufficient water flow and pressure to the fire hydrants and automatic sprinkler systems.

The project has a written agreement with NCCWD to serve the project.

Response

GreenPoint Rated Checklist: Single Family

The GreenPoint Rated checklist tracks green features incorporated into the home. A home is only GreenPoint Rated if all features are verified by a Certified GreenPoint Rater through Build It Green. GreenPoint Rated is provided as a public service by Build It Green, a professional non-profit whose mission is to promote healthy, energy and resource efficient buildings in California.

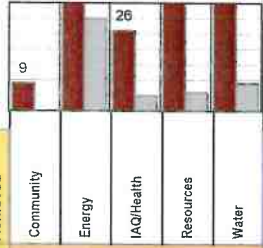
The minimum requirements of GreenPoint Rated are as follows: verification of 50 or more points; Earn the following minimum points per category: Energy (30), Indoor Air Quality/Health (5), Resources (6), and Water (9); and meet the prerequisites A.3.a (50% construction waste diversion), J.1 (Exceed Title 24 by 15%), and N.1 (Incorporate Green Point Rated checklist in blueprints).

The criteria for the green building practices listed below are described in the GreenPoint Rated Single Family Rating Manual. For more information please visit www.builditgreen.org/greenpointrated Single Family New Home 3.7

Total Points Achieved: 152



SEP 24 2014



Harmony@ 1 lot 2

Points Achieved	Community	Energy	IAQ/Health	Resources	Water	Blueprint Page No.	Notes
A. SITE							
1. Protect Topsoil and Minimize Disruption of Existing Plants & Trees							
Yes							
Yes							
No							
2. Deconstruct Instead of Demolishing Existing Buildings On Site							
				3			
3. Recycle Job Site Construction Waste (Including Green Waste)							
Yes				R			
No				2			
No				2			
4. Use Recycled Content Aggregate (Minimum 25%)							
Yes				1			
Yes				1			
Total Points Available in Site = 12							
5							
B. FOUNDATION							
1. Replace Portland Cement in Concrete with Recycled Flyash or Slag							
No				1			
Yes				1			
No					3		
2. Use Frost-Protected Shallow Foundation in Cold Areas (C.E.C. Climate Zone 16)							
No							
3. Use Radon Resistant Construction							
No			1				
[*Points automatically granted when project qualifies for measure J3: ES with IAQ]							
4. Design and Build Structural Pest Controls							
Yes					1		
[*Points automatically granted when project qualifies for measure J3: ES with IAQ]							
Yes					1		
Total Points Available in Foundation = 8							
4							
C. LANDSCAPING							
1. Construct Resource-Efficient Landscapes							
Yes					1		
Yes							
Yes				1			
2. Use Fire-Safe Landscaping Techniques							
Yes		1					
3. Minimize Turf Areas in Landscape Installed by Builder							
Yes					2		
Yes					2		
Yes					2		
Yes					2		
Yes					2		
4. Plant Shade Trees							
Yes					3		
5. Group Plants by Water Needs (Hydrozoning)							
Yes					2		
6. Install High-Efficiency Irrigation Systems							
Yes					2		
No							
No					3		
7. Incorporate Two Inches of Compost in the Top 6 to 12 Inches of Soil							
No					0		
8. Mulch All Planting Beds to the Greater of 2 Inches or Local Water Ordinance Requirement							
No					0		
9. Use 50% Salvaged or Recycled-Content Materials for 50% of Non-Plant Landscape Elements							
No					0		
10. Reduce Light Pollution by Shielding Fixtures and Directing Light Downward							
Yes		1					
Total Points Available in Landscaping = 31							
22							
D. STRUCTURAL FRAME & BUILDING ENVELOPE							
1. Apply Optimal Value Engineering							
Yes					1		
Yes					1		
Yes					1		
2. Use Engineered Lumber							
Yes					1		
No							
Yes			1				
Yes					1		
Yes					1		
No					0		
Yes					1		
Yes					1		
Yes					1		
3. Use FSC-Certified Wood							
No					0		
No					0		
Yes					1		
No					0		

		Points Achieved	Community	Energy	IAQ/Health	Resources	Water	Blueprint Page No.	Notes
4. Use Solid Wall Systems (Includes SIPs, ICFs, & Any Non-Stick Frame Assembly)									
No	a. Floors	0		2		2			
Yes	b. Walls	4		2		2			
No	c. Roofs	0		2		2			
5. Reduce Pollution Entering the Home from the Garage [*Points automatically granted when project qualifies for measure J3: ES with IAQ]									
Yes	a. Tightly Seal the Air Barrier between Garage and Living Area	1			1				
Yes	b. Install Garage Exhaust Fan OR Build a Detached Garage	1			1				
Yes	6. Design Energy Heels on Trusses (75% of Attic Insulation Height at Outside Edge of Exterior Wall)	1		1					
Yes	7. Design Roof Trusses to Accommodate Ductwork	1		1					
No	8. Use Recycled-Content Steel Studs for 90% of Interior Wall Framing	0				1			
Yes	9. Thermal Mass Walls: 5/8-Inch Drywall on All Interior Walls or Walls Weighing more than 40 lb/cu.ft.	1		1					
10. Install Overhangs and Gutters									
Yes	a. Minimum 16-Inch Overhangs and Gutters [*Points automatically granted when project qualifies for measure J3: ES with IAQ]	1				1			
Yes	b. Minimum 24-Inch Overhangs and Gutters	1		1					
Total Points Available in Structural Building Frame and Envelope = 36		20							
E. EXTERIOR FINISH			Points Available Per Measure						
Yes	1. Use Recycled-Content (No Virgin Plastic) or FSC-Certified Wood Decking	2				2			
No	2. Install a Rain Screen Wall System	0				2			
Yes	3. Use Durable and Non-Combustible Siding Materials	1				1			
Yes	4. Use Durable and Non-Combustible Roofing Materials	2				2			
Total Points Available in Exterior Finish = 7		5							
F. INSULATION			Points Available Per Measure						
1. Install Insulation with 75% Recycled Content									
Yes	a. Walls and Floors	1				1			
Yes	b. Ceilings	1				1			
2. Install Insulation that is Low-Emitting (Certified Section 01350)									
No	a. Walls and Floors	0			1				
Yes	b. Ceilings	1			1				
Yes	3. Inspect Quality of Insulation Installation before Applying Drywall [*Points automatically granted when project qualifies for measure J3: ES with IAQ]	1		1					
Total Points Available in Insulation = 5		4							
G. PLUMBING			Points Available Per Measure						
1. Distribute Domestic Hot Water Efficiently (Additive, Maximum 7 Points)									
Yes	a. Insulate Hot Water Pipes from Water Heater to Kitchen	2		1			1		
No	b. Insulate All Hot Water Pipes	0		1			1		
No	c. Use Engineered Parallel Piping	0					1		
Yes	d. Use Engineered Parallel Piping with Demand Controlled Circulation Loop	0					1		
Yes	e. Use Structured Plumbing with Demand Controlled Circulation Loop	0		1			2		
No	f. Use Central Core Plumbing	0		1		1	1		
Yes	2. Install Only High Efficiency Toilets (Dual-Flush or ≤1.28 gpf)	4					4		
Total Points Available in Plumbing = Total 11		6							
H. HEATING, VENTILATION & AIR CONDITIONING			Points Available Per Measure						
Yes	1. Design and Install HVAC System to ACCA Manual J, D, and S Recommendations [*Points automatically granted when project qualifies for measure J3: ES with IAQ]	4		4					
2. Install Sealed Combustion Units [*Points automatically granted when project qualifies for measure J3: ES with IAQ]									
Yes	a. Furnaces	2			2				
Yes	b. Water Heaters	2			2				
Yes	3. Install Zoned, Hydronic Radiant Heating	2		1	1				
No	4. Install High Efficiency Air Conditioning with Environmentally Responsible Refrigerants	0	1						
5. Design and Install Effective Ductwork [*5b,d,&e are automatically granted when project qualifies for measure J3: ES with IAQ]									
Yes	a. Install HVAC Unit and Ductwork within Conditioned Space	2		3					
Yes	b. Use Duct Mastic on All Duct Joints and Seams	1		1					
Yes	c. Install Ductwork under Attic Insulation (Buried Ducts)	1		1					
No	d. Pressure Relieve the Ductwork System	0		1					
Yes	e. Protect Ducts during Construction and Clean All Ducts before Occupancy	1		1					
Yes	6. Install High Efficiency HVAC Filter (MERV 6+) [*Points automatically granted when project qualifies for measure J3: ES with IAQ]	1			1				
Yes	7. Don't Install Fireplaces or Install Sealed Gas Fireplaces with Efficiency Rating NOT Less Than 60% using CSA Standards	1			1				
8. Install Effective Exhaust Systems in Bathrooms and Kitchens [*8a&c are automatically granted when project qualifies for measure J3: ES with IAQ]									
Yes	a. Install ENERGY STAR Bathroom Fans Vented to the Outside	1			1				
No	b. All Bathroom Fans Are on Timer or Humidistat	0			1				
Yes	c. Install Kitchen Range Hood Vented to the Outside	1			1				
9. Install Mechanical Ventilation System for Cooling (Max. 4 Points)									
No	a. Install ENERGY STAR Ceiling Fans & Light Kits in Living Areas & Bedrooms	0		1					
Yes	b. Install Whole House Fan with Variable Speeds	1		1					
No	c. Automatically Controlled Integrated System	0		2					
Yes	d. Automatically Controlled Integrated System with Variable Speed Control	3		3					
10. Install Mechanical Fresh Air Ventilation System (Maximum 3 Points)									
Yes	a. Any Whole House Ventilation System That Meets ASHRAE 62.2	0			2				
Yes	b. Install Air-to-Air Heat Exchanger that meets ASHRAE 62.2 [*Points automatically granted when project qualifies for measure J3: ES with IAQ]	3		1	2				
Yes	11. Install Carbon Monoxide Alarm(s) [*Points automatically granted when project qualifies for measure J3: ES with IAQ]	1			1				
Total Points Available in Heating, Ventilation and Air Conditioning = 30		27							

		Points Achieved	Community	Energy	IAQ/Health	Resources	Water	Blueprint Page No.	Notes
I. RENEWABLE ENERGY									
			Points Available Per Measure						
No	1. Pre-Plumb for Solar Hot Water Heating	0		4					
No	2. Install Solar Water Heating System	0		10					
Yes	3. Install Wiring Conduit for Future Photovoltaic Installation & Provide 200 ft ² of South-Facing Roof	0		2					
4. Install Photovoltaic (PV) Panels									
No	a. 30% of electric needs OR 1.2 kW (total 6 points)	6		6					
Yes	b. 60% of electric needs OR 2.4kW (total 12 points)	6		6					
No	c. 90% of electric need OR 3.6 kW (total 18 points)	0		6					
Total Available Points in Renewable Energy = 28		12							
J. BUILDING PERFORMANCE									
			Points Available Per Measure						
1. Diagnostic Evaluations									
No	a. House Passes Blower Door Test [*Points automatically granted when project qualifies for measure J3: ES with IAQ]	0		1					
No	b. House Passes Combustion Safety Backdraft Test	0			1				
2. Design and Build High Performance Homes - 15% above 2005 Title 24 - <i>Required</i>		0		≥30					
No	3. House Obtains ENERGY STAR with Indoor Air Package Certification - <i>Pilot Measure</i> (Total 45 points; read comment)	0			5	2			
Total Available Points in Building Performance = 39		0							
K. FINISHES									
			Points Available Per Measure						
1. Design Entryways to Reduce Tracked in Contaminants									
Yes		1			1				
2. Use Low-VOC or Zero-VOC Paint (Maximum 3 Points)									
Yes	a. Low-VOC Interior Wall/Ceiling Paints (<50gpl VOCs (Flat) & <150gpl VOCs (Non-Flat))	0			1				
Yes	b. Zero-VOC: Interior Wall/Ceiling Paints (<5 gpl VOCs (Flat))	3			3				
No	3. Use Low VOC, Water-Based Wood Finishes (<250 gpl VOCs)	0			2				
No	4. Use Low-VOC Caulk and Construction Adhesives (<70 gpl VOCs) for All Adhesives	0			2				
No	5. Use Recycled-Content Paint	0				1			
6. Use Environmentally Preferable Materials for Interior Finish: A) FSC-Certified Wood, B) Reclaimed, C) Rapidly Renewable, D) Recycled-Content or E) Finger-Jointed									
Yes	a. Cabinets (50% Minimum)	1				1			
Yes	b. Interior Trim (50% Minimum)	1				1			
No	c. Shelving (50% Minimum)	0				1			
No	d. Doors (50% Minimum)	0				1			
No	e. Countertops (50% Minimum)	0				1			
7. Reduce Formaldehyde in Interior Finish (CA Section 01350)									
Yes	a. Subfloor & Stair Treads (90% Minimum)	1			1				
Yes	b. Cabinets & Countertops (90% Minimum)	1			1				
No	c. Interior Trim (90% Minimum)	0			1				
No	d. Shelving (90% Minimum)	0			1				
No	8. After Installation of Finishes, Test of Indoor Air Shows Formaldehyde Level <27ppb	0			3				
Total Available Points in Finishes = 21		8							
L. FLOORING									
			Points Available Per Measure						
1. Use Environmentally Preferable Flooring: A) FSC-Certified Wood, B) Reclaimed or Refinished, C) Rapidly Renewable, D) Recycled-Content, E) Exposed Concrete. <i>Flooring Adhesives Must Have <70 gpl VOCs.</i>									
No	a. Minimum 15% of Floor Area	1				1			
No	b. Minimum 30% of Floor Area	1				1			
Yes	c. Minimum 50% of Floor Area	1				1			
No	d. Minimum 75% of Floor Area	0				1			
No	2. Thermal Mass Floors: Floor Covering Other than Carpet on 50% or More of Concrete Floors	0		1					
No	3. Flooring Meets Section 01350 or CRI Green Label Plus Requirements (50% Minimum) [*Points automatically granted when project qualifies for measure J3: ES with IAQ]	0			2				
Total Available Points in Flooring = 7		3							
M. APPLIANCES AND LIGHTING									
			Points Available Per Measure						
1. Install Water and Energy Efficient Dishwasher									
Yes	a. ENERGY STAR (total 1 point)	1		1					
Yes	b. Dishwasher Uses No More than 6.5 Gallons/Cycle (total 2 points)	1					1		
2. Install ENERGY STAR Clothes Washing Machine with Water Factor of 6 or Less									
Yes	a. Meets Energy Star and CEE Tier 2 requirements (modified energy factor 2.0, Water Factor 6.0 or less) (total 3 points)	3		1			2		
Yes	b. Meets Energy Star and CEE Tier 3 requirements (modified energy factor 2.2, Water Factor 4.5 or less) (total 5 points)	2					2		
3. Install ENERGY STAR Refrigerator									
Yes	a. ENERGY STAR Qualified & < 25 Cubic Feet Capacity	1		1					
No	b. ENERGY STAR Qualified & < 20 Cubic Feet Capacity	0		1					
4. Install Built-In Recycling Center and Composting Center									
No	a. Built-In Recycling Center	0				2			
No	b. Built-In Composting Center	0				1			
Total Available Points in Appliances and Lighting = 12		8							
N. OTHER									
			Points Available Per Measure						
Yes	1. Incorporate GreenPoint Rated Checklist in Blueprints - <i>Required</i>	0				R			
Yes	2. Develop Homeowner Manual of Green Features/Benefits [*Points automatically granted when project qualifies for measure J3: ES with IAQ]	3		1	1		1		
Total Available Points in Other = 3		3							
O. COMMUNITY DESIGN & PLANNING (maximum 20 points in this section)									
			Points Available Per Measure						
1. Develop Infill Sites									
No	a. Project is Located in a Built Urban Setting with Utilities in Place for Fifteen Years	0		1			1		
Yes	b. Development is Located within 1/2 Mile of a Major Transit Stop	2		2					

		Points Achieved	Community	Energy	IAQ/Health	Resources	Water	Blueprint Page No.	Notes
2. Cluster Homes & Keep Size in Check									
No	a. Cluster Homes for Land Preservation	0	1			1			
	b. Conserve Resources by Increasing Density (1 pt for every 5 u/a greater than 10 u/a) <i>Enter Project Density (In Units Per Acre)</i>	0	2			2			
No	c. Home Size Efficiency	0				9			
3. Subdivision Layout & Orientation to Improve Natural Cooling and Passive Solar Attributes									
4. Design for Walking & Bicycling									
0	a. Pedestrian Access to Neighborhood Services within 1/4 Mile: 1) Community Center/Library; 2) Grocery Store; 3) School; 4) Day Care; 5) Laundry; 6) Medical; 7) Entertainment/Restaurants; 8) Post Office; 9) Place of Worship; 10) Bank: <i>Enter number of services</i>	0	2						
Yes	b. Development is Connected with A Dedicated Pedestrian Pathway to Places of Recreational Interest within 1/2 mile	1	1						
No	c. At Least Two of the Following Traffic-Calming Strategies: - Designated Bicycle Lanes are Present on Roadways; - Ten-Foot Vehicle Travel Lanes; - Street Crossings Closest to Site are Located Less Than 300 Feet Apart; - Streets Have Rumble Strips, Bulbouts, Raised Crosswalks or Refuge Islands	0	2						
5. Design for Safety & Social Gathering									
No	a. All Home Front Entrances Have Views from the Inside to Outside Callers	0	1						
No	b. All Home Front Entrances Can be Seen from the Street and/or from Other Front Doors	0	1						
No	c. Orient Porches (min. 100sf) to Streets and Public Spaces	0	1						
6. Design for Diverse Households									
No	a. All Homes Have at Least One Zero-Step Entrance	0	1						
Yes	b. All Main Floor Interior Doors & Passageways Have a Minimum 32-Inch Clear Passage Space	1	1						
Yes	c. Locate at Least a Half-Bath on the Ground Floor with Blocking in Walls for Grab Bars	1	1						
No	d. Provide Full-Function Independent Rental Unit	0	1						
Total Achievable Points in Community Design & Planning = 20		5							
P. INNOVATION (maximum 20 points in this section)			Possible Points						
A. Site									
Yes	1. Reduce Heat-Island Effect - Install light-colored, high albedo materials (solar reflectance index >= 0.3) for at least 50% of site's non-roof impervious surfaces	1	1						
No	2. Build on Designated brownfield site	0	3						
B. Foundation									
[*Points automatically granted when project qualifies for measure J3: ES with IAQ]									
Yes	1. Install a Foundation Drainage System	2				2			
Yes	2. Sealed and Moisture Controlled Crawlspace	2			2				
C. Landscaping									
No	1. Meets Bay-Friendly Landscape Program Requirement (mutually exclusive with P.C.2)	0					4		
No	2. Meets California-Friendly Landscape Program Requirement	0					4		
	3. Rain Water Harvesting System (1 point for <350 gallons, 2 points for > 350 gallons)						2		
Yes	a. Less than 350 gallon capacity	1					1		
No	b. Greater than 350 gallon capacity	0					2		
Yes	4. Assess Site Climate, Exposure, Topography, and Drainage	1					1		
No	5. Perform a Soil Analysis	0					1		
No	6. Irrigation System Uses Recycled Wastewater	0					1		
No	7. FSC Certified, Recycled Plastic or Composite Lumber - Fencing: 70%	0				1			
D. Structural Frame and Building Envelope									
1. Design, Build and Maintain Structural Pest and Rot Controls									
Yes	a. Locate All Wood (Siding, Trim, Structure) At Least 12" Above Soil	1				1			
Yes	b. All Wood Framing 3 Feet from the Foundation is Treated with Borates (or Use Factory-Impregnated Materials) OR Walls are Not Made of Wood	1			1				
Yes	2. Use Moisture Resistant Materials in Wet areas of Kitchen, Bathrooms, Utility Rooms, and Basements [*Points automatically granted when project qualifies for measure J3: ES with IAQ]	1			1				
3. Use FSC Certified Engineered Lumber (3 points maximum)									
No	a. Beams and Headers	0				1			
No	b. Insulated Engineered Headers	0				1			
Yes	c. Wood I-Joists or Web Trusses for Floors	1				1			
Yes	d. Wood I-Joists for Roof Rafter	1				1			
No	e. Engineered or Finger-Jointed Studs for Vertical Applications	0				1			
No	f. Roof Trusses: 100%	0				1			
4. FSC Certified Wood									
No	a. Dimensional Lumber, Studs and Timber: 100%	0				2			
No	b. Panel Products: 100%	0				2			
E. Exterior Finish									
No	1. Green Roofs (25% of roof area minimum)	0	1	1					
No	2. Flashing Installation Techniques Specified [*Points automatically granted when project qualifies for measure J3: ES with IAQ]	0				1			
F. Insulation									
G. Plumbing									
No	1. Graywater Pre-plumbing (includes washing machine at minimum)	0					1		
No	2. Graywater System Operational (includes washing machine at minimum)	0					2		
No	3. Innovative Wastewater Technology (Constructed Wetland, Sand Filter, Aerobic System)	0					1		
No	4. Composting or Waterless Toilet	0					2		
No	5. Install Drain Water Heat-recovery System	0		1					
6. Install Water Efficient Fixtures									
Yes	a. Showerheads or Shower Towers Use <2.0 Gallons Per Minute (GPM) Total	1					1		
Yes	b. Faucets - bathrooms <1.5 gpm	1					1		
Yes	c. Faucets - Kitchen & Utility <2.0 gpm	1					1		
H. Heating, Ventilation, and Air Conditioning									
No	1. Humidity Control Systems (only in California humid/marine climate zones 1,3,5,6,7)	0			1				

	Points Achieved	Community	Energy	IAQ/Health	Resources	Water	Blueprint Page No.	Notes
I. Renewable Energy								
Yes	1		5					
J. Building Performance								
No	1		1					
2. Energy Analysis Design Review								
Yes	1		1					
No	1		1					
K. Finishes								
1. Use Environmentally Preferable Materials for Interior Finishes								
No	0				1			
No	0				1			
No	0				1			
No	0				1			
No	0				1			
L. Flooring								
No	0			1				
M. Appliances								
N. Other								
No	0	1						
No	0				2			
No	0				2			
0	0	1+						
No	0		1					
6. Additional Innovations: Points to be assessed by Build It Green and GreenPoint Rater.								
No	0							
No	0							
No	0							
No	0							
No	0							
No	0							
No	0							
No	0							
No	0							
Total Achievable Points in Innovation = 20								

Summary					
Total Available Points in Specific Categories	32+	125+	51+	103+	71+
Minimum Points Required in Specific Categories	0	30	5	6	9
Total Points Achieved	152	9	44	26	36

Project has met all recommended minimum requirements

- Title 24 Energy Section 150.000.01 (150.000.01) Pass
- Title 24 Energy Section 150.000.02 (150.000.02) Pass
- Title 24 Energy Section 150.000.03 (150.000.03) Pass
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- Title 24 Energy Section 150.000.06 (150.000.06) Pass
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- Title 24 Energy Section 150.000.100 (150.000.100) Pass

Points
Achieved

Community

Energy

IAQ/Health

Resources

Water

Blueprint Page No.

Notes

PROJECT DESCRIPTION FOR:

HARMONY @ 1, **LOT 2**

Lot 2 is a 1.25 Acres parcel situated at the westerly end of Harmony @ 1. It is the second lot on the project starting from Roberts Rd at the intersection with Road "A" (new access road under construction). The property offers panoramic ocean views



The proposed building has been designed following the guidelines established for Coastal Architecture using:

- A low profile that blends with the natural landscape
- Use of sustainable construction materials and green design elements
- Building has been designed to align with the contours of the hill
- Southern profile has been minimized by grading into the hill and using berms to minimize the mass
- Design proposes a green environmentally friendly structure using solar panels, and a holistic design to make utilization of daylight with large naturally illuminated areas.



FRONT ELEVATION AS SEEN FROM ACCESS ROAD A



REAR ELEVATION (SOUTHERN)

The proposed building has 4,238 sq. ft of living space on two floors of construction and a 560 sq. ft. garage.

The ground floor is on a split level with the garage on the upper tier and the main living area on the lower tier (2,395 sq. ft.) It includes the kitchen, the dining room, the living and family room, a game room, a guest bedroom and 1-1/2 bathrooms. The upper floor (1,842 sq. ft) houses the master suite and two bedrooms each with its own bathroom.

The exterior of the building will use colors that blend with the natural landscape using durable and sustainable materials such as stucco and hardwood siding such as IPE or CAMARU, the incorporation of large windows will help reducing energy cost by allowing natural light to bathe the house throughout the day. Exterior lighting will be achieved with low pollution downward light fixtures.

The exterior usable open space has been maximized by using roof decks over the garage to minimize the impact to natural landscape. The design is such that the upper floor is set back from the lower floor with decks surrounding the living area.

Berms and native plant guild colonies will screen the house and provide a gracefully transition to the new house from the native terrain and between the new homes. The native plant guild colonies will include Baccharis and other native plants that provide food and animal habitats. The proposed plants are low water use once established and they are California natives. A native mow free sod is proposed for the lawn of 700sf. The driveway is permeable as well as the terrace and walk ways. Roof drainage will go to flow thru planters and on site dissipation systems.

RESOLUTION NO.

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF
PACIFICA APPROVING SPECIFIC PLAN (SP-151-15), FOR THE
CONSTRUCTION OF A SINGLE-FAMILY RESIDENCE ON LOT 2, PART OF
THE HARMONY @ 1 DEVELOPMENT AT FASSLER AVENUE AND
ROBERTS ROAD, SUBJECT TO CONDITIONS**

Initiated by: Javier Chavarria on behalf of Sonora Shore III, LLC

WHEREAS, an application has been submitted to construct a two story 4,238 square foot single family residence on Lot 2 which is part of the Harmony @ 1 Development located at Fassler Avenue and Roberts Road (APN 022-150-460) on property classified P-D, Planned Development; and

WHEREAS, a noticed of public hearing to consider the proposed development to all property owners located within 300 feet radius of the project site was sent via US Mail on March 26, 2015; and

WHEREAS, an Environmental Impact Report (EIR) was certified for the project by the Planning Commission on October 15, 2007 and by the City Council on November 13, 2007 for the Harmony @ 1 project which also included the single-family residence on Lot 2; and

WHEREAS, Section 9-4.2208 of the Pacifica Municipal Code states that all new development within a P-D, Planned Development Zoning District shall require a Specific Plan approval by the Planning Commission; and

WHEREAS, the Specific Plan is consistent with the approved development plan; the development of Lot 2 with a single-family residence is consistent with the approved residential development plan for the Harmony @ 1 project; and

WHEREAS, the Specific Plan is consistent with the City's adopted Design Guidelines and project's specific Design Guidelines; the proposed single-family residence would be designed with a coastal green architectural style which is intended to blend into the project site topography. The home would have a low profile and berming that blends with the natural landscape, and is designed to align with the contours of the hill. Additionally, the building pad was lowered to minimize the visual impacts of the home, especially from the south. A berm that is approximately 3 feet in height is also being incorporated on the downhill side of the house (south side) to screen the mass of the residential structure. Building materials and colors would be required to blend with the natural environment; the home would be built using a variety of green elements such as water conserving plumbing fixtures, water saving appliances, tankless water heaters, energy efficient fixtures and lamps, energy star appliances, high efficiency natural ventilation, natural cooling by using overhangs and shade, solar panels, etc.; and

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Pacifica does hereby approve the Specific Plan, SP-151-15, subject to all applicable conditions of approval for Subdivision, SUB-213-07, Site Development Permit, PSD-763-07, Use Permit, UP-978-07, Rezoning, RZ-188-07, and Development Plan, DP-70-07 referenced in the approval letter dated November 27, 2007 for the Harmony @ 1 Development.

* * * * *

Passed and adopted at a regular meeting of the Planning Commission of the City of Pacifica, California, held on the 6th day of April 2015.

AYES, Commissioners:

NOES, Commissioners:

ABSENT, Commissioners:

ABSTAIN, Commissioners:

Mike Brown, Chair

ATTEST:

Tina Wehrmeister, Planning Director

APPROVED AS TO FORM:

Michelle Kenyon, City Attorney



Scenic Pacifica
Incorporated Nov. 22, 1957

PLANNING COMMISSION Staff Report

DATE: April 6, 2015

ITEM: 3

PROJECT SUMMARY/RECOMMENDATION AND FINDINGS

Notice of public hearing was published in the Pacifica Tribune on March 26, 2015 and 18 surrounding property owners were notified by mail.

FILE: PSD-790-14
CDP-347-14
PV-513-14
PE-160-15

**APPLICANT/
OWNERS:**

David Blackman & Mike O'Connell
375 Keith Avenue
Pacifica, CA 94044

LOCATION:

4000 Block of Palmetto Avenue (APN: 009-402-270)

**PROJECT
DESCRIPTION:**

Construction of four detached studio apartments and four stall carport

General Plan: Medium Density Residential

Zoning: R-3-G/CZ, Multiple-Family Residential Garden /Coastal
Zone

CEQA STATUS: Exempt: Section 15303 (b)

ADDITIONAL REQUIRED APPROVALS: None. Appealable to the City Council

RECOMMENDED ACTION: Approval, as conditioned.

PREPARED BY: Lee Diaz, Associate Planner

STANDARDS CONFORMANCE:

Standards	Required	Existing	Proposed
Lot Area:	7,500 s.f. (min.)	18,411 s.f.	No Change
Min. lot area per dwelling	2,300 s.f.	N/A	4,602.75 s.f. per dwelling
Min. dwelling size	450 s.f.	N/A	400 s.f.*
Bldg. Height:	35' (max.)	N/A	22'
Lot Coverage (bldgs):	50% (max.)	N/A	18%
Bldg. Setbacks:			
-Front (west):	15'	N/A	15'
-sides (north & south):	5'	N/A	5'/64'
-rear (east):	20'	N/A	118'
Deck Side yard setback	4'	N/A	3'*
Landscaping:	25% (min.)	N/A	71%
Min. Useable Open Space	450 s.f. per unit	N/A	200 s.f.*
Parking:	4 spaces (min.)	N/A	4 spaces
Guest Parking	1 space	N/A	1 space**

*Variance requested.

**Parking Exception required because the parking space is within the front yard setback

PROJECT SUMMARY

A. STAFF NOTES:

1. Site Description: The project site is located on the 4000 block of Palmetto Avenue in the Fairmont West neighborhood. The triangular shaped vacant site is approximately 18,411 square feet. The majority of the site is covered with coastal scrub. A large portion of the former Edgemar Road easement/right-of-way runs through the south side of the property. The topography of the site slopes from east to west at an average of approximately 20%. The site is bounded on the west by Palmetto Avenue and on the north by the property known as “the bowl,” and to the east and south by vacant property known as “the fish.” Further east on the bluff above the site is Highway 1, single-family homes, and the Pacifica Point Condominiums.

2. Project Summary: The proposed project is the construction of four detached studio apartments with outdoor deck area. The apartments would be constructed on a raised concrete podium deck. A detached carport to accommodate four on-site parking spaces is also being proposed on the southeast of the lot. Additionally, an unenclosed guest parking space is being proposed on the southwest portion of the lot, within the required front yard setback.

Each of the studio apartments is proposed to have approximately 400 square feet of gross floor area. The overall building height of each studio apartment would be 22 feet. The height of the carport would be approximately 12 feet.

Exterior materials for the studio apartments would include a living roofs, softwood clapboard siding, soda lime glass, stone veneer, and shingles. The proposal also includes preserving and/or

restoring the majority of the existing natural landscaping which mostly consists of drought tolerant coastal scrub.

Each of the dwelling units will contain approximately 150 square feet of private deck area and a 50 square foot front porch. Access to the parking area would be provided via a 20-foot wide driveway off Palmetto Avenue and through a 10 foot wide driveway that runs along the front area of the property.

A retaining wall is also being proposed along the front of the property on the southwest portion of the property. The retaining wall would be approximately 3.4 feet high above grade. The fence height regulations allow a maximum of 3 feet in height within the front yard setback. When there is a difference in the ground level on opposite sides of a retaining wall or fence, height is measured from the higher ground level. A condition of approval would require that the retaining wall does not exceed 3 feet in height.

Required Permits: The proposal would require a Site Development Permit, Coastal Development Permit, Variance, and Parking Exception.

3. Zoning, General Plan, Coastal Plan, and Surrounding Land Uses: The site is zoned R-3-G/CZ, Multiple Family Residential Garden/Coastal Zoning District which allows multi-family residential with a minimum lot area of 2,300 square feet per unit. The size of the lot is .42 acres which would permit a total of 8 dwelling units.

The General Plan and Local Coastal Land Use Plan designation of the site is Medium Density Residential. The General Plan establishes a maximum density of 10 to 15 dwelling units per acre, equivalent to 4 to 6 units for the subject site. In addressing the project site, the General Plan and Local Coastal Land Use Plan narratives state:

"The other vacant land (+/-5 acres) in this neighborhood is on the east side of Palmetto Avenue, south of the existing condominiums. This land is moderately sloping to level, and is partially covered with bluff scrub vegetation, a portion of which has been disturbed by excessive foot and bike traffic, resulting in some erosion. Geologically, the land is much more stable than the bluff area across Palmetto to the west, and it is also significantly below the grade of Coast Highway. Proper drainage improvements and prompt revegetation of exposed areas will be necessary should this land be developed in order to prevent erosion of the neighboring condominiums. Medium Density Residential use is recommended for this land and will contribute to the medium price housing stock in the neighborhood. The proposed land use designation and planning criteria for development of the site are consistent with Sections 30253 (2) (Geologic Stability), and 30250 (Concentrate Development)."

The applicants are proposing to preserve and/or restore the existing drought tolerant coastal scrub vegetation that covers the majority of the site. In terms of drainage, the applicants are proposing to install a bioretention area of approximately 350 square feet. The bioretention area would provide 350 cubic feet of stormwater storage. Stormwater will be conveyed from the overflow drain/bioretention area via a 12-inch storm drain pipe that would connect to the existing

catch basin 140 feet south of the property. The subject site would have a medium density consistent with the General Plan, Local Coastal Land Use Plan and Zoning. Additionally, a preliminary geologic site review was conducted on August 23, 2014 by Earth Investigations Consultants for the subject property. It was concluded that the site is not constrained by geologic hazards, such as landslides and fault rapture. It was also concluded that the potential for liquefaction is considered low. Therefore, from an engineering geologic standpoint, the site is considered suitable for the proposed residential development. It is recommended, however, that a design-level geotechnical investigation is completed once the proposed development plan has been established. A condition of approval will require that the applicant comply with the recommendation by Earth Investigations Consultants.

Further, on August 13, 2014 Toyon Environmental Planning and Ecological Solutions consultants conducted a site visit to assess the presence/absence of sensitive habitat areas. No rare or especially valuable species or habitat was observed during the site visit. In addition, no evidence of wetland hydrology appeared to be present on the site. It was concluded that the lot proposed to be developed does not qualify as either an “Environmentally Sensitive Habitat Area or as a Wetland.”

4. Municipal Code: The proposal would meet the majority of the development regulations. However, the proposal would not meet the minimum development standards for dwelling size. Each studio apartment is proposed to have approximately 400 square feet of gross floor area. Section 9-4.2313 (b) (1) of the Pacifica Municipal Code requires studios to contain a minimum of 450 square feet of gross floor area. A Variance would be required to allow the dwelling units to contain less than 450 square feet of gross floor area. Each of the studio apartments is also required to provide a minimum of 450 square feet of usable open space, per Section (-4.702 (h) of the Municipal Code. Each dwelling unit will contain approximately 150 square feet of private deck area and a 50 square foot front porch. Approval of a Variance would be required to allow each unit to provide less than 450 square feet of usable open space. Additionally, the deck of the studio apartment located to the rear of the property closer to the northern property line would be situated 3 feet from the side yard. Section 9-4.2703 of the Municipal Code requires that decks 30 inches above grade must be 4 feet away from the side yard. A condition of approval will require that the deck be 4 feet away from the side yard. Further, a Parking Exception would be required to allow the proposed guest unenclosed parking space to be located within the required 15 foot front yard setback. According to Section 9-4.2808 (a) of the Municipal Code, no required yard space in any residential district shall be used for parking.

5. Design: According to the City's Design Guidelines, "variety is a key ingredient in the appearance of multi-unit development. Developments which feature a series of identical structures that are visually monotonous are not acceptable. Building design should also incorporate variety in the type of materials, colors, and heights while maintaining a cohesive style." The proposed studio apartments have been designed to prevent them from looking identical and visually monotonous. Although, the height of each unit would be 22 feet, the elevation of each unit would vary visually breaking up the height of each unit. There are several architectural elements that also add visual interest to the proposed studio apartments and are visually compatible with the character of the surrounding area. Each residential unit would be

constructed on a raised concrete podium deck and feature living roofs, large windows and deck areas with views of the Pacific Ocean. However, no public or private views to the surf line and the ocean beyond will be affected by the proposed development. A variety of exterior materials are proposed which include softwood clapboard siding, shingles, soda lime glass, and stone veneer which add visual interest. Although the design elements are different for each studio, they would maintain a cohesive style. Staff believes that the development's small scale and size, use of living roofs, preservation and/or restoration of the existing natural landscaping would minimize the visual impacts of the development.

6. CEQA Recommendation: Staff recommends that the Planning Commission find the project exempt from CEQA per section 15303 Class 3 (b) which states:

Section 15303. New Construction or Conversion of Small Structures. Class 3 consists of construction and location of limited number 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 number of structures described in this section are the maximum allowable on any legal parcel. Examples of this exemption include but are not limited to:

(b) A duplex or similar multi-family residential structure totaling no more than four dwelling units. In urbanized areas, this exemption applies to apartments, duplexes, and similar structures designed for not more than six dwelling units.

The construction of four (4) studio apartments is consistent with this exemption. The project site is within an urbanized area that permits not more than six dwelling units.

7. Site Development Permit: Pursuant to Section 9-4.3204 of the Zoning Code, a Site Development Permit shall not be issued if the Commission makes any of the findings regarding potential traffic patterns, parking accessibility problems, insufficiently landscaped areas, the restriction of light and air on the property or other properties in the area, the creation of a substantial detriment to an adjacent residential district, damage to the natural environment, and insufficient site and structural design variety. In addition, the proposed development must be consistent with the City's Design Guidelines, General Plan, Zoning Code and other applicable laws of the City. Staff believes that the design is consistent with the character of the surrounding neighborhood; that it will not create inconvenient traffic patterns or parking accessibility problems, adequate landscaping will be provided, and the proposal will not restrict light or air to surrounding buildings or discourage additional development in the area. The proposal will enhance the design variety and will not affect the surrounding natural environment. Each of the studio apartments is proposed to have approximately 400 square feet of gross floor area with an overall building height of 22 feet. Exterior materials would include living roofs, softwood clapboard siding, soda lime glass, stone veneer, and shingles. The proposal also includes preserving and/or restoring the majority of the existing natural landscaping which mostly consists of drought tolerant coastal scrub. Additionally, staff believes that the proposed construction of four (4) detached studio apartments, as conditioned, would be consistent with the General Plan, Local Coastal Land Use Plan, Zoning Code and, and other applicable laws of the

City. The development's small scale and size is appropriate for the area and to the R-3-G, Multiple Family Residential Garden Zoning and Medium Density Zoning Designations.

8. Coastal Development Permit: Section 9-4304 (k) of the Municipal Code allows the Planning Commission to issue a Coastal Development Permit based on the findings specified below:

1. The proposed development is in conformity with the City's certified Local Coastal Program; and
2. Where the Coastal Development Permit is issued for a development between the nearest public road and the shoreline, the development is in conformity with the public recreation policies of Chapter 3 of the California Coastal Act.

Staff believes that the proposed development of four (4) detached studio apartments is in conformity with the City's Local Coastal Program, and public recreation policies of Chapter 3 of the California Coastal Act. The development's small size and scale is appropriate for the site, is compatible with nearby areas and will have limited, if any, visual consequences. Additionally, staff believes that the project will not negatively impact any access to existing coastal recreation facilities, nor will it increase the demand for additional facilities or negatively affect any existing oceanfront land or other coastal area suitable for recreational use. It should also be noted that the project site is outside of the Coastal Commission appeals area.

9. Variance: The Code allows the Planning Commission to grant a Variance to development regulations when the following findings are made:

- a. That because of special circumstances applicable to the property, including size, shape, topography, location, or surroundings, the strict application of the provisions of the Zoning Code deprives such property of privileges enjoyed by other property in the vicinity and under an identical zoning classification;
- b. That the granting of the variance will not, under the circumstances of the particular case, materially affect adversely the health or safety of persons residing or working in the neighborhood of the subject property and will not, under the circumstances of the particular improvements in the area; and
- c. Where applicable, the application is consistent with the City's adopted Design Guidelines.
- d. If located in the Coastal Zone, that the application is consistent with the applicable provisions of the Local Coastal Plan.

On the basis of such findings, the Commission may grant, conditionally grant, or deny the application for a Variance.

Staff believes that the topography of the property which slopes from east to west together with the triangular shape of the lot, and the former Edgemar Road “Easement/Right-Of-Way that runs through the south side of the property limits development of the site consisted with adopted standards. The minimum dwelling unit standards require that studio apartments contain a minimum of 450 square feet of gross floor area and provide a minimum of 450 square feet of useable open space per unit. In this case, each unit will provide 400 square feet of gross floor area and approximately 200 square feet of useable open space (150 square foot deck and 50 square foot porch).

Staff believes that granting the Variance will not, under the circumstances of the subject case, materially affect adversely the health or safety of persons residing in the neighborhood of the subject property and will not, under the circumstances of the particular case, be materially detrimental to the public welfare or injurious to property or improvements in the area. By allowing a decrease in the minimum gross floor area and useable open space would not affect the health or safety of persons residing or working in the neighborhood. Staff believes that the physical constrains of the property limits practical development of the site. In addition, the applicants are proposing a small scale development which is more appropriate for the site.

The proposed construction of four (4) detached studio apartments is consistent with the City’s Design Guidelines. The style, design and materials proposed would prevent the studio apartments from looking identical and visually monotonous. There are several architectural elements that would add visual interest to the proposed buildings and be visually compatible with the character of the surrounding area. Each unit would be constructed on a raised concrete podium deck and feature living roofs, large windows and deck areas. The height of each unit would be 22 feet, however, the elevation of each unit varies visually breaking up the height of each unit. No public or private views would be affected by the proposed development. Additionally, the development’s small scale and size, use of living roofs and preservation and/or restoration of existing natural landscaping minimizes the visual impacts of the development.

10. Parking Exception: An unenclosed guest parking space is proposed within the required 15 foot front yard setback. Section 9-4.2808 (a) provides that no required yard space shall be used for parking in any residential district.

The Municipal Code states that the Planning Commission may grant exceptions to the parking requirements in the event of practical difficulties and unusual hardship. Findings need to be made that the parking facilities, as proposed, are as nearly in compliance with the requirements of the Code as is reasonably possible. Staff believes that parking facilities, as proposed, are nearly in compliance with the requirements of the Code as is reasonable possible. All the required on-site parking is being provided by the project. Staff believes that the topography which slopes from east to west, the triangular shape of the lot, and the former Edgemar Road “Easement/Right-Of-Way that runs through the south side of the property creates practical difficulties and unusual hardship to locate the unenclosed guest parking elsewhere on the property.

Further, the City’s Design Guidelines state that “the visual impact of parking areas should be minimized when appropriate to the site by locating parking areas to the rear or side of the property, rather than along the frontages.” The proposed carport and unenclosed guest parking space would be located on the front of the property. A condition of approval would require that the parking areas be screened with landscaping to minimize any visual impacts.

11. Summary: Staff, believes that the proposed construction of four (4) studio apartments, as conditioned, would be consistent with the City’s Design Guidelines, General Plan, Local Coastal Land Use Plan, Zoning Code and, and other applicable laws of the City. The small scale and size of the proposed studio apartments is appropriate for the area and to the R-3-G, Multiple Family Residential Garden Zoning and Medium Density Zoning Designations.

Each unit would be constructed on a raised concrete podium deck with living roofs, large windows and deck areas. The studios would be clustered toward the front of the property with views of the Pacific Ocean. No public or private views to the surf line and the ocean beyond will be affected. A variety of exterior materials are proposed which include softwood clapboard siding, shingles, soda lime glass, and stone veneer which add visual interest. The development’s small scale and size, use of living roofs and preservation and/or restoration of existing natural landscaping would further minimize the visual impacts of the development.

Staff also believes the proposal does not appear out of character with the existing mix of land uses. The design quality and attractiveness is equal to or greater than surrounding development.

COMMISSION ACTION

MOTION FOR APPROVAL:

Move that the Planning Commission find that the project is exempt from CEQA; **APPROVE** Site Development Permit, PSD-790-14, Coastal Development Permit, CDP-347-14, Variance, PV-513-13, and Parking Exception, PE-160-15, subject to the conditions of approval in Exhibit A and incorporate all maps and testimony into the record by reference, and **ADOPT** the following resolutions:

- P.C. Resolution for Site Development Permit
- P.C. Resolution for Coastal Development Permit
- P.C. Resolution for Variance
- P.C. Resolution for Parking Exception

ATTACHMENTS:

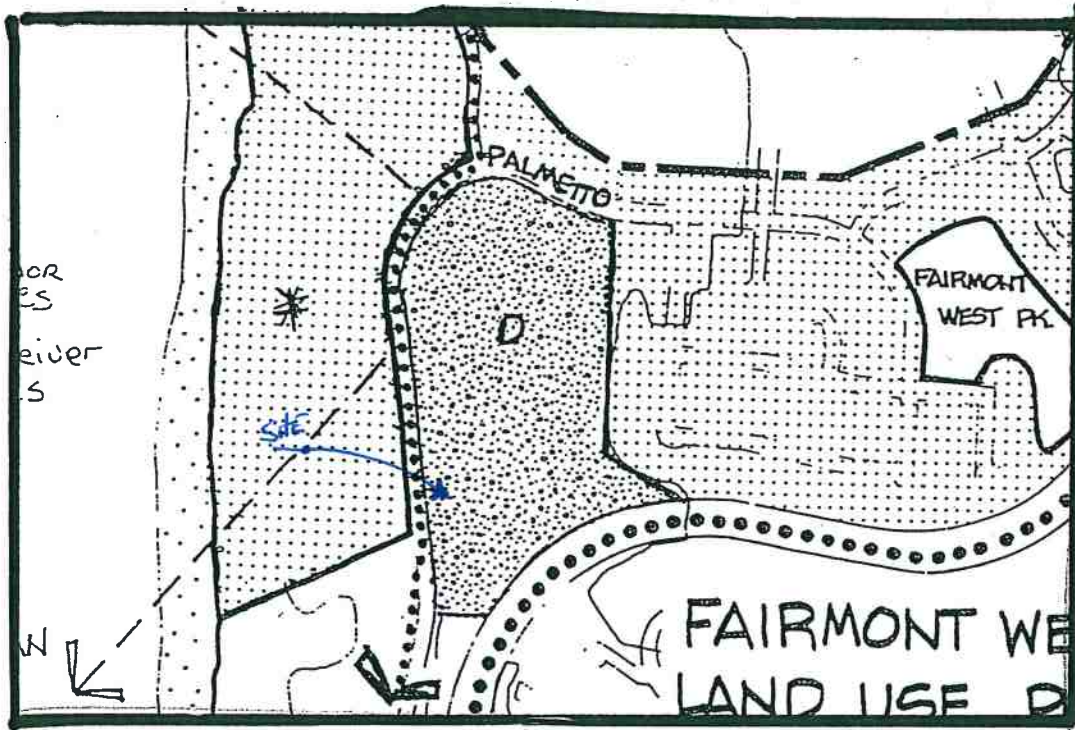
- a. Location Map
- b. P.C. Resolution (Site Development Permit)
- c. P.C. Resolution (Coastal Development Permit)
- d. P.C. Resolution (Variance)
- e. P.C. Resolution (Parking Exemption)
- f. Exhibit A for Resolutions – Conditions of Approval
- g. Conceptual Plans

General Plan Diagram

Existing Land Use: Medium Density Residential

Legend

- VERY LOW DENSITY RESIDENTIAL
- LOW DENSITY RESIDENTIAL
- MEDIUM DENSITY RESIDENTIAL
- HIGH DENSITY RESIDENTIAL
- MIXED USE: HIGH DENSITY/COMM.
- COMMERCIAL
- GENERAL COMMERCIAL
- OPEN SPACE RESIDENTIAL
- GREENBELT
- PROMINENT RIDGE LINE
- SPECIAL AREA
- MARSH
- OPEN SPACE / PUBLIC FACILITY
- PROPOSED PARKING
- NEIGHBORHOOD PARK
- DEVELOPED / PROPOSED BEACH ACCESS
- NORTH-SOUTH CITY TRAIL
- PUBLIC FACILITY
- UTILITIES
- AGRICULTURE
- CHURCH
- FIRE STATION



Neighborhood: Fairmont West

Zoning Map Diagram

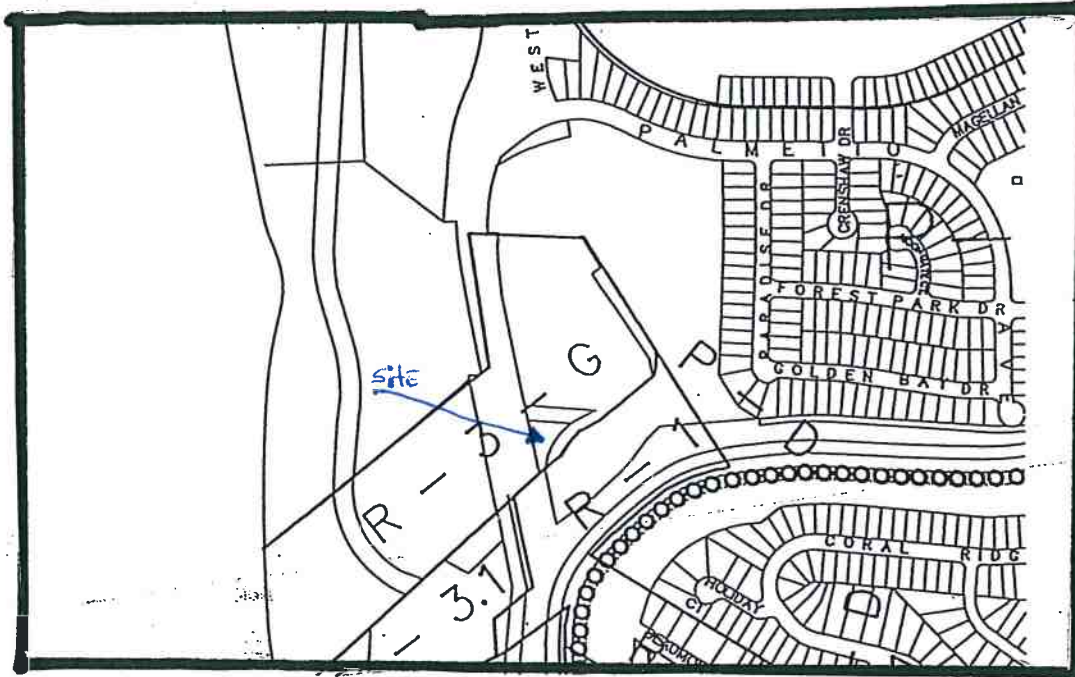
Existing Zoning: R-3-G, Multiple Family Residential Garden

Legend

ZONING DISTRICTS

- R-1 Single-Family Residential
- R-2 Two-Family Residential
- R-3 Multiple-Family Residential
- R-3.1 Multiple-Family Residential
- R-3-G Multiple-Family Residential Garden
- R-5 High Rise Apartment
- C-1 Neighborhood Commercial
- C-1-A Commercial Apartment
- C-2 Community Commercial
- C-3 Service Commercial
- O Professional Office
- C-R Commercial Recreation
- M-1 Controlled Manufacturing
- M-2 Industrial
- P Parking
- A Agricultural
- B Lot Size Overlay
- P-F Public Facilities
- P-D Planned Development
- R-M Resource Management
- O-S Open Space
- R-3/L.D. Multiple-Family/Low Density Residential
- R-1-H Single-Family Residential Hillside
- CZ Coastal Zone Combining District
- SA Special Area Combining District
- HPD Hillside Preservation District

+ Requires Vote to Rezone
X Vote Required for Residential Development



LAND USE AND ZONING EXHIBIT

City of Pacifica
Community & Economic Development Department



RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PACIFICA APPROVING SITE DEVELOPMENT PERMIT (PSD-790-14), FOR THE CONSTRUCTION OF FOUR DETACHED STUDIO APARTMENTS AND CARPORT AT THE 4000 BLOCK OF PALMETTO AVENUE (APN 009-402-270), SUBJECT TO CONDITIONS

Initiated by: David Blackman & Michael O'Connell

WHEREAS, an application has been submitted to construct four (4) detached apartments and carport on a 18,411 square foot parcel located at the 4000 block of Palmetto Avenue (APN 0209-402-270) on property classified R-3-G/-CZ, Multiple-Family Residential Garden District within the Coastal Zone Combining District; and

WHEREAS, a noticed of public hearing to consider the proposed development to all property owners located within 300 feet radius of the project site was sent via US Mail on March 26, 2015; and

WHEREAS, the Planning Commission has determined that the project is exempt from California Environmental Quality Act per section 15303 Class 3 (b) which states: Class 3 consists of construction and location of limited number of new, small facilities or A duplex or similar multi-family residential structure totaling no more than four dwelling units. In urbanized areas, this exemption applies to apartments, duplexes, and similar structures designed for not more than six dwelling units. The project site is a within an urban area and consists of four studio apartment consistent with this exemption; and

WHEREAS, the proposal will not create inconvenient traffic patterns or parking accessibility problems; and

WHEREAS, the proposal will provide adequate landscaping, in that the majority of the existing natural landscaping which consists of coastal scrub will be preserved and/or restored; and

WHEREAS, the proposed construction of four detached studios and carport will not restrict light or air on the property or other properties in the area, or discourage additional development in the area. The small scale and size of the development will have little or no impact on the property or other property in the area; and

WHEREAS, the Planning Commission finds that the proposal will enhance the design variety and will not affect the surrounding natural environment; and

WHEREAS, the Planning Commission finds that the proposed construction of four studio apartments with a carport would be consistent with the City's Design Guidelines, Local Coastal Land Use Plan, and Zoning Code. Each residential unit would be constructed on a raised concrete podium deck and feature living roofs, large windows and deck areas. A variety of exterior materials are proposed which include softwood clapboard siding, shingles, soda lime glass, and stone veneer which add visual interest; and

WHEREAS, the proposed site is physically suitable for the type and density of development, the proposed project will cause no substantial environmental damage, and no public health problems will result from development of the subject parcels; and

WHEREAS, the proposed development is compatible with the surrounding neighborhood, which is bounded by Palmetto Avenue on the west, by vacant property known as “the bowl” on the north, and to the east and south by vacant property known as “the fish,” and further east on the bluff above the site by Highway 1, single-family homes and multi-family residential; and

WHEREAS, the proposed development will not be detrimental to the present or potential surrounding land uses; and

WHEREAS, the existing streets in the area of the proposed Project are adequate to carry anticipated traffic related to the Project, and the traffic generation from the four studio apartments will not create a hazardous or inconvenient vehicular or pedestrian traffic pattern; and

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Pacifica does hereby approve the Site Development Permit, subject to conditions of approval attached in Exhibit A.

* * * * *

Passed and adopted at a regular meeting of the Planning Commission of the City of Pacifica, California, held on the 6th day of April 2015.

AYES, Commissioners:

NOES, Commissioners:

ABSENT, Commissioners:

ABSTAIN, Commissioners:

Mike Brown, Chair

ATTEST:

Tina Wehrmeister, Planning Director

APPROVED AS TO FORM:

Michelle Kenyon, City Attorney

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PACIFICA APPROVING COASTAL DEVELOPMENT PERMIT (CDP-347-14), FOR THE CONSTRUCTION OF FOUR DETACHED STUDIO APARTMENTS AND CARPORT AT THE 4000 BLOCK OF PALMETTO AVENUE, SUBJECT TO CONDITIONS

Initiated by: David Blackman & Michael O'Connell

WHEREAS, an application has been submitted to construct four (4) detached apartments and carport on a 18,411 square foot parcel located at the 4000 block of Palmetto Avenue (APN 0209-402-270) on property classified R-3-G/-CZ, Multiple-Family Residential Garden District within the Coastal Zone Combining District; and

WHEREAS, a noticed of public hearing to consider the proposed development to all property owners located within 300 feet radius of the project site was sent via US Mail on March 26, 2015; and

WHEREAS, the Planning Commission has determined that the project is exempt from California Environmental Quality Act per section 15303 Class 3 (b) which states: Class 3 consists of construction and location of limited number of new, small facilities or A duplex or similar multi-family residential structure totaling no more than four dwelling units. In urbanized areas, this exemption applies to apartments, duplexes, and similar structures designed for not more than six dwelling units. The project site is within an urban area and consists of four studio apartment consistent with this exemption; and

WHEREAS, the project is in conformity with the City's certified Local Coastal Program in that multi-family residential is permitted at this particular location and as conditioned, the proposed construction of four studio detached apartments with a carport comply with the development standards; and

WHEREAS, the proposed construction of four detached studio apartments and carport is in conformity with the public recreation policies of Chapter 3 of the California Coastal Act. The project which is located east of Palmetto Avenue will not negatively impact any access to existing coastal recreational facilities, nor will it increase demand for additional facilities or negatively affect any exiting oceanfront land or other coastal area suitable for recreational use; and

WHEREAS, the proposed site is physically suitable for the type and density of development, the proposed project will cause no substantial environmental damage, and no public health problems will result from development of the subject parcels; and

WHEREAS, the proposed development is compatible with the surrounding neighborhood, which is bounded by Palmetto Avenue on the west, by vacant property known as "the bowl" on the north, and to the east and south by vacant property known as

“the fish,” and further east on the bluff above the site by Highway 1, single-family, and multi-family residential; and

WHEREAS, the proposed small size and scale development will not be detrimental to the present or potential surrounding land uses; and

WHEREAS, the existing streets in the area of the proposed Project are adequate to carry anticipated traffic related to the Project, and the estimated traffic generation from the construction of four studio apartments will not create a hazardous or inconvenient vehicular or pedestrian traffic pattern; and

WHEREAS, the proposed development will not be detrimental to the present or potential surrounding land uses; and

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Pacifica does hereby approve the Coastal Development Permit, subject to conditions of approval attached in Exhibit A.

* * * * *

Passed and adopted at a regular meeting of the Planning Commission of the City of Pacifica, California, held on the 6th day of April 2015.

AYES, Commissioners:

NOES, Commissioners:

ABSENT, Commissioners:

ABSTAIN, Commissioners:

Mike Brown, Chair

ATTEST:

Tina Wehrmeister, Planning Director

APPROVED AS TO FORM:

Michelle Kenyon, City Attorney

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PACIFICA APPROVING VARIANCE (PV-513-14), FOR THE CONSTRUCTION OF FOUR DETACHED STUDIO APARTMENT AND CARPORT AT THE 4000 BLOCK OF PALMETTO AVENUE (APN 009-402-270), SUBJECT TO CONDITIONS

Initiated by: David Blackman & Michael O'Connell

WHEREAS, an application has been submitted to construct four (4) detached apartments and carport on a 18,411 square foot parcel located at the 4000 block of Palmetto Avenue (APN 0209-402-270) on property classified R-3-G/-CZ, Multiple-Family Residential Garden District within the Coastal Zone Combining District; and

WHEREAS, a noticed of public hearing to consider the proposed development to all property owners located within 300 feet radius of the project site was sent via US Mail on March 26, 2015; and

WHEREAS, the Planning Commission has determined that the project is exempt from California Environmental Quality Act per section 15303 Class 3 (b) which states: Class 3 consists of construction and location of limited number of new, small facilities or A duplex or similar multi-family residential structure totaling no more than four dwelling units. In urbanized areas, this exemption applies to apartments, duplexes, and similar structures designed for not more than six dwelling units. The project site is a within an urban area and consists of four studio apartment consistent with this exemption; and.

WHEREAS, Section 9-4.2313 (b) (1) of the Pacifica Municipal Code requires that studio apartments contain a minimum of 450 square feet of gross floor area and Section 9-4.702 (h) requires a minimum of 450 square feet of useable open space per unit. Each unit will provide 400 square feet of gross floor area and approximately 200 square feet of useable open space (150 square foot deck and 50 square foot porch); and

WHEREAS, because of special circumstances applicable to the property, including size, shape, topography, location, or surroundings, the strict application of the provisions of the Zoning Code deprives such property of privileges enjoyed by other property in the vicinity and under an identical zoning classification; the topography of the property slopes from east to west, the lot has a triangular shape, and a large portion of the former Edgemar Road "Easement/Right-Of-Way runs through the south side of the property which limits practical development of the site; and

WHEREAS, the granting of the variance will not, under the circumstances of the particular case, materially affect adversely the health or safety of persons residing or working in the neighborhood of the subject property and will not, under the circumstances of the particular case, be materially detrimental to the public welfare or injurious to property or improvements in the area; and

WHEREAS, the construction of four studio apartments and carport is consistent with the City's adopted Design Guidelines. The style, design and materials proposed would prevent the studio apartments from looking identical and visually monotonous. There are several architectural elements that would add visual interest to the proposed buildings and be visually compatible with the character of the surrounding area. Each unit would be constructed on a raised concrete podium deck and feature living roofs, large windows and deck areas. The elevation of each unit would vary visually breaking up the height of each unit, and the development's small scale and size, use of living roofs and preservation and/or restoration of existing natural landscaping would minimize the visual impacts of the development.; and

WHEREAS, the proposed construction of four studio apartments is consistent with the applicable provisions of the Local Coastal Plan; and

WHEREAS, the proposed site is physically suitable for the type and density of development, the proposed project will cause no substantial environmental damage, and no public health problems will result from development of the subject parcels. The development's small scale and size is appropriate for the site and to the Zoning and General Plan designations; and

WHEREAS, the proposed development is compatible with the surrounding neighborhood, which is bounded by Palmetto Avenue on the west, by vacant property known as "the bowl" on the north, and to the east and south by vacant property known as "the fish," and further east on the bluff above the site by Highway 1, single-family, and multi-family residential; and

WHEREAS, the proposed development will not be detrimental to the present or potential surrounding land uses; and

WHEREAS, the existing streets in the area of the proposed Project are adequate to carry anticipated traffic related to the Project, and the estimated traffic generation from the construction of four studio apartments will not create a hazardous or inconvenient vehicular or pedestrian traffic pattern; and

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Pacifica does hereby approve the Variance, subject to conditions of approval attached in Exhibit A.

* * * * *

Passed and adopted at a regular meeting of the Planning Commission of the City of Pacifica, California, held on the 6th day of April 2015.

AYES, Commissioners:

NOES, Commissioners:

ABSENT, Commissioners:

ABSTAIN, Commissioners:

Mike Brown, Chair

ATTEST:

Tina Wehrmeister, Planning Director

APPROVED AS TO FORM:

Michelle Kenyon, City Attorney

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PACIFICA APPROVING PARKING EXCEPTION (PE-160-15), FOR THE CONSTRUCTION OF FOUR DETACHED STUDIO APRTMENTS AND CARPORT AT THE 4000 BLOCK OF PALMETTO AVENUE (APN 009-402-270), SUBJECT TO CONDITIONS

Initiated by: David Blackman & Michael O’Connell

WHEREAS, an application has been submitted to construct four (4) detached apartments and carport on a 18,411 square foot parcel located at the 4000 block of Palmetto Avenue (APN 0209-402-270) on property classified R-3-G/-CZ, Multiple-Family Residential Garden District within the Coastal Zone Combining District; and

WHEREAS, a noticed of public hearing to consider the proposed development to all property owners located within 300 feet radius of the project site was sent via US Mail on March 26, 2015; and

WHEREAS, the Planning Commission has determined that the project is exempt from California Environmental Quality Act per section 15303 Class 3 (b) which states: Class 3 consists of construction and location of limited number of new, small facilities or A duplex or similar multi-family residential structure totaling no more than four dwelling units. In urbanized areas, this exemption applies to apartments, duplexes, and similar structures designed for not more than six dwelling units. The project site is a within an urban area and consists of four studio apartment consistent with this exemption; and

WHEREAS, Section 9-4.2808 (a) of the Pacifica Municipal Code states that in any residential district, no required yard space shall be used for parking. One unenclosed guest parking space is proposed within the required 15 foot front yard setback; and

WHEREAS, the Planning Commission may grant exceptions to the parking requirements in the event of practical difficulties and unusual hardship; the topography which slopes from east to west, the triangular shape of the lot, and the former Edgemar Road “Easement/Right-Of-Way that runs through the south side of the property creates practical difficulties and unusual hardship to locate the unenclosed guest parking elsewhere on the property; and

WHEREAS, the establishment, maintenance, and/or conducting of the off-street parking facilities as proposed are as nearly in compliance with the requirements as is reasonably possible. Staff believes that parking facilities, as proposed, are nearly in compliance with the requirements of the Code as is reasonable possible. All the required on-site parking is being provided by the project; and

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Pacifica does hereby approve the Variance, subject to conditions of approval attached in Exhibit A.

* * * * *

Passed and adopted at a regular meeting of the Planning Commission of the City of Pacifica, California, held on the 6th day of April 2015.

AYES, Commissioners:

NOES, Commissioners:

ABSENT, Commissioners:

ABSTAIN, Commissioners:

Mike Brown, Chair

ATTEST:

Tina Wehrmeister, Planning Director

APPROVED AS TO FORM:

Michelle Kenyon, City Attorney

Exhibit A

Conditions of Approval for the Construction of Four (4) Detached Studio Apartments and Carport at the 4000 Block of Palmetto Avenue (APN 009-402-270) Planning Commission Meeting April 6, 2015

Planning Department

1. Development shall be substantially in accord with the plans entitled "SCHEMATIC IMPROVEMENT PLANS 451, 4555, 4559, 4561 PALMETTO AVENUE CITY OF PACIFICA, SAN MATEO COUNTY, CALIFORNIA," consisting of seven (7) sheets, RECEIVED JAN 05 2015, except as modified by the following conditions.
2. Prior to the issuance of a building permit, the applicant shall submit information on roofing material, exterior finishes, including colors and materials, subject to approval of the Planning Director.
3. No retaining walls and/or other barriers in excess of 3 feet in height shall be constructed within the front yard setback.
4. The deck, if 30 inches or above grade, of the studio apartment located to the rear of the property closer to the northern property line shall be 4 feet away from the side yard.
5. The carport and unenclosed guest parking space shall be screened to the maximum extent feasible with native landscaping.
6. All paving area shall be permeable to the maximum extent feasible.
7. 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.
8. 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

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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.

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 property. 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, attorneys 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.

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14. The applicant/developer shall incorporate into the building permit plans all the recommendations listed in the Engineering Geologic Site Review for the proposed four (4) detached studio apartments prepared by Earth Investigations Consultants, on August 23, 2015.
15. All required stormwater controls for development shall be met by the proposal.
16. Building permit drawings and subsequent construction shall substantially conform to the approved planning application drawings. Any modifications shall be reviewed by the Planning Director, who shall determine whether the modifications require additional approval.
17. No wastewater (including equipment cleaning wash water, vehicle wash water, cooling water, air conditioner condensate, and floor cleaning washwater) shall be discharged to the storm drain system, the street or gutter.
18. The property owner(s) shall keep the property in a clean and sanitary condition at all times.

Engineering Department

19. Construction shall be in conformance with the San Mateo Countywide Storm Water Pollution Prevention Program. Best Management Practices shall be implemented.
20. Roadways shall be maintained clear of construction materials and debris, especially mud and dirt tracked, onto Palmetto Avenue. Dust control and daily road cleanup will be strictly enforced.
21. 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.
22. All proposed sanitary sewer system and storm drain system up to their connection to the existing mains shall be privately maintained.

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23. Existing curb, sidewalk or other street improvements adjacent to the property frontage that is damaged or displaced shall be repaired or replaced as deemed by the City Engineer even if damage or displacement occurred prior to any work performed for this project.
24. Applicant shall overlay existing asphalt with minimum 2 inch AC to the limits of all utility connection or whole street width across entire property frontage along Palmetto Avenue. All pavement markings and markers shall be replaced in kind.
25. Proposed new improvements within existing ROW shall be privately maintained and will require a Maintenance Agreement to be recorded.
26. Landscaping shall consist of pure native plants and to the satisfaction of the City Engineer.
27. An erosion control plan prior shall be submitted to the issuance of a building permit.
28. An Encroachment Permit must be obtained for all work within the City right-of-way. All proposed improvements within the City right-of-way shall be constructed per City Standards.