



Scenic Pacifica

Incorporated Nov. 22, 1957

PLANNING COMMISSION Agenda

DATE: Monday, January 4, 2016
LOCATION: Council Chambers, 2212 Beach Boulevard
TIME: 7:00 PM

ROLL CALL:

SALUTE TO FLAG:

ADMINISTRATIVE BUSINESS:

Approval of Order of Agenda

Approval of Minutes: December 7, 2015

Designation of Liaison to City Council Meeting

Oral Communications:

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

CONSENT ITEMS: None

PUBLIC HEARING:

1. **CDP-361-15** **COASTAL DEVELOPMENT PERMIT CDP-361-15**, to demolish an existing apartment building located at 320 Esplanade Drive (APN 009-413-020) which has been uninhabited for several years due to unsafe building conditions. Recommended California Environmental Quality Act (CEQA) status: Statutory Exemption, CEQA Guidelines Section 15269. *Proposed Action:* Approve as conditioned.

CONSIDERATION ITEM:

2. **CDP-359-15** **EMERGENCY COASTAL DEVELOPMENT PERMIT CDP-359-15**, informational report regarding issuance of Emergency Coastal Development Permit CDP-359-15, to construct improvements at an existing Recology of the Coast recycling facility to retain and treat stormwater on-site, and to prevent stormwater from flowing into the Pacific Ocean, at 1046 Palmetto Avenue (APN 009-074-160). *Proposed Action:* Receive and file.

COMMUNICATIONS:

Commission Communications:

Staff Communications:

ADJOURNMENT

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

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

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



Scenic Pacifica
Incorporated Nov. 22, 1957

PLANNING COMMISSION Staff Report

DATE: January 4, 2016

ITEM: 1

PROJECT SUMMARY/RECOMMENDATION AND FINDINGS

Notice of Public Hearing was published in the Pacifica Tribune on December 23, 2015, 158 surrounding property owners and tenants were notified by mail, and three locations in the vicinity of the site were posted.

FILE: CDP-361-15

APPLICANT: City of Pacifica

OWNER: Millard W. Tong Trust and Alicia W. Tong Trust

LOCATION: 320 Esplanade Drive (APN 009-413-020) – West Edgemar-Pacific Manor

PROJECT DESCRIPTION: Abatement and demolition of a two-story apartment building including foundation. Site will be graded to allow infiltration and positive drainage to the storm drain system at Esplanade Drive. Project to include installation of erosion control measures and perimeter fencing.

Project also includes removal of any demolition debris from the beach below and temporary closure of the beach during demolition. These activities will require separate approval from the Coastal Commission which has permit jurisdiction over the beach and base of bluff.

RECOMMENDED CEQA STATUS: Statutory Exemption, CEQA Guidelines Section 15269(c) “Emergency Projects” – Specific actions necessary to prevent or mitigate an emergency.

ADDITIONAL REQUIRED APPROVALS: California Coastal Commission approval of work on beach/bottom of bluff. Planning Commission’s action on the Coastal Development Permit for demolition of the structure is appealable to the City Council and Coastal Commission. If approved, a Building Permit is required for the demolition after the appeal periods have ended.

RECOMMENDED ACTION: Approval with conditions.

PREPARED BY: Planning Department Staff.

PROJECT SUMMARY:

1. Background: In the winter of 2009-2010, Pacifica experienced severe storms with associated wave action that caused severe bluff erosion and subsidence adjacent to the Pacific Ocean from Manor Drive northward to approximately 100 Palmetto Avenue, inclusive of the subject site. The City Council proclaimed the existence of a local emergency related to these storm events on February 22, 2010. The storms directly impacted the property at 320 Esplanade Drive, eroding the bluff supporting the apartment structure at the site, and undermining the structure. The City's Building Division shortly thereafter condemned or "red-tagged" the building, identifying it as unsafe for occupancy. Since that time, the building has remained unoccupied and the owners have taken no action to make the structure safe or to demolish the building. It is predicted that this season will bring another "El Nino" episode with storm conditions similar to or worse than those in 2010. Because of this, it is imperative that immediate remediation action be taken before further significant bluff erosion occurs.

The Planning Commission approved Coastal Development Permit CDP-356-15 on November 16, 2015, for demolition of an apartment building adjacent to the project site at 330 Esplanade Drive. The building at 330 Esplanade Drive is situated in a substantially similar manner to the subject site at 320 Esplanade Drive, and the proposals contained in this permit are largely similar to those approved for the adjacent property.

2. Past Code Enforcement Activity: The following is a summary of efforts by the City, in particular the Code Enforcement Division of the Planning Department and the City Attorney's Office, to obtain property owner compliance with health and safety regulations at 320 Esplanade Drive.

- June 11, 2015: Code Enforcement Officer and Building Official conducted a preliminary site inspection.
 - During the inspection, staff identified a condemned (red-tagged) apartment building in a dilapidated and deteriorating state. The building exterior was in poor shape with deteriorating stairs, peeling exterior paint on walls, and warping of exterior walls. Several front door entrances had been left un-boarded and unsecured, adding to neighborhood mischief and inviting vagrants and trespassers. Furthermore, an unsecured window was found open adjacent to Unit #39. An accumulation of trash, litter and various other rubbish and debris were found within the front and side yards of the property. Overgrown vegetation at the front landscaped area had encroached onto walkways and the public sidewalk (right-of-way), creating a sidewalk trip hazard. Lastly, staff observed the prohibited parking and storage of a trailer on the front yard.
- June 15, 2015: Code Enforcement Officer conducted a site inspection with Building Official to document the current condition of the bluffs, viewed from the public beach directly below. The inspection revealed concerning conditions with respect to the advanced state of bluff erosion.

- June 25, 2015: Mailed *Request to Inspect* notice to property owner.
- July 13, 2015: Code Enforcement Officer conducted a property inspection with the Building Official, a Building Inspector, and a consulting geologist contracted by the City.
 - The inspection confirmed the original basis for condemning (red-tagging) the building continues to exist. It revealed that the apartment building, as well as adjoining patio and deck areas, were partially undermined by bluff erosion and appeared structurally unsound. The inspection further identified an exterior laundry room addition on the south side of the building where exterior stucco was partially missing, some of which was seen having fallen down onto the bluff below. There was no ground (earth) under this 10 feet by 15 feet corner of the building. The laundry room and adjacent patios were cantilevered over the edge of the bluff.
 - The building exterior had not been maintained and was severely weathered with vertical cracks in the stucco, chipped and peeling paint, damaged and missing stucco, and overgrown vegetation encroaching onto the walkways between units and the adjacent sidewalk. Large amounts of trash and litter had accumulated on the front landscaped area and the front entry ways of units.
 - There were several indications of unsafe and unsanitary conditions at the site including rodent droppings throughout the structure, rear decks which were unsafe to walk on, and a rear guard rail which was significantly deteriorated and partially missing.
 - Unit #46, the lower unit at the north end of the building, was unlawfully inhabited as a maintenance shop and storage facility. Staff observed tools, gasoline canisters, and desk top work stations set up in the unit. Staff advised the property owner in writing that the building was not safe for habitation structure, and posted an updated notice on the exterior door indicating the same.
- July 30, 2015: Mailed *Declaration of Public Nuisance and Notice of Intent to Abate*.
 - In addition to the above conditions, staff identified the following violations and conditions in the *Declaration of Public Nuisance*:
 - Violation [PMC Sec. 5-25.03(B)(1)]: Land, the topography, geology or configuration of which whether in natural state or as a result of the grading operations, excavation or fill, causes erosion, subsidence, or surface water drainage problems of such magnitude as to be injurious or potentially injurious to the public health, safety and welfare or to adjacent properties.
 - Condition: The apartment building and adjoining patio and laundry room were partially undermined by bluff erosion and are

potentially injurious to the public health because they are structurally unsound. Erosion of the bluff undermined portions of the building at the southwestern corner of the building. The building is directly adjacent to the adjoining beach below. The structure was not safe for occupancy, but occupancy has continued as a result of the building being unsecured. This posed a danger both to the public on the beach below and people who continue to utilize the structure.

- Violation [PMC Sec. 5-25.03(B)(2)]: Buildings or other structures which are abandoned, partially destroyed, partially constructed or allowed to remain unreasonably in a state of partial construction or neglect.
 - Condition: The building was condemned (“red-tagged”) in 2010 and is not safe to occupy because the building, patio, and deck were partially undermined by bluff erosion. Since that time, the owners have not taken action to make the structure safe or to demolish the building. The rear of the building, portions of the laundry room, and the adjacent patio were undermined and overhanging precariously above the adjoining beach below.
- Violation [PMC Sec. 5-25.03(B)(3)]: The maintenance of vacant or abandoned buildings or structures with doorways, windows or other openings left open, unlocked, unsecured or otherwise easily accessible to trespassers, vagrants, vandals or other persons not authorized to enter.
 - Condition: As described above, entrances to the building were unsecured and open to access by unauthorized persons. Evidence of unauthorized access included personal effects within the building including in Unit #46.
- Violation [PMC Sec. 5-25.03(B)(4)]: Building exteriors, walls, fences, driveways, sidewalks, walkways and parking areas which are maintained in such condition as to become so defective, unsightly, or in such condition of deterioration or disrepair that they cause depreciation of the values of surrounding property or are materially detrimental to nearby properties and improvements.
 - Condition: The building exterior was in poor shape with vertical cracks in the stucco, chipped and peeling paint, and overgrown vegetation encroaching onto the walkways between units and the adjacent sidewalk. These conditions were visible from abutting and adjacent properties including, but not limited to, 325 Esplanade, 330 Esplanade, 335 Esplanade, 340 Esplanade, and 345 Esplanade.

- Violation [PMC Sec. 5-25.03(B)(6)(b): Overgrown vegetation including, but not limited to, any one of the following: Vegetation causing detriment to neighboring properties, or out of conformity with neighboring community standards to such an extent as to result in appreciable diminution of property values
 - Condition: Overgrown vegetation was located at the front landscaped area and was encroaching onto the adjacent sidewalk and walkways between units.

- Violation [PMC Sec. 5-25.03(B)(11)]: Packing boxes, lumber, pallets, trash, dirt and other junk deposited or stored for unreasonable periods either inside or outside buildings, visible from the street or nearby property which constitute visual blight or are offensive to the senses or are detrimental to nearby property values.
 - Condition: Large amounts of trash and litter were present on the front landscaped area and the front entry ways of units. This debris was clearly visible from the street and sidewalk and attracted vermin to the Property. Trash and litter were visible from abutting and adjacent properties including, but not limited to, 325 Esplanade, 330 Esplanade, 335 Esplanade, 340 Esplanade, and 345 Esplanade. These conditions were first observed by the City on June 9, 2015; June 11, 2015, were observed again on July 13, 2015, September 1, 2015; September 8, 2015, and, most recently were observed on December 29, 2015.

- Violation [PMC Sec. 5-25.03(B)(13)]: Improper maintenance of signs, or sign structures, on property relating to uses no longer conducted or products no longer sold on property or signs in violation of the Pacifica Sign Ordinance, Title 9, Chapter 4, Article 29.
 - Condition: Unpermitted signage on the exterior building advertised apartment rental units although the building has been condemned since 2010.

- Violation [PMC Sec. 5-25.03(B)(14)]: Property maintained in such condition as to become so defective, unsightly, or in such condition of deterioration or disrepair that it causes appreciable diminution of the property values of surrounding properties or is materially detrimental to proximal properties and improvements.
 - Condition: In addition to the trash and litter accumulating on the property, the exterior portions of the structure were severely weathered with cracked and peeling paint, damage to and missing stucco, and damaged and/or missing rear patio railings which

contributed to neighborhood blight. These conditions, except for those on the rear of the building, were visible from abutting and adjacent properties including, but not limited to, 323 Esplanade, 325 Esplanade, 330 Esplanade, 335 Esplanade, 340 Esplanade, and 345 Esplanade.

- Violation [PMC Sec. 5-25.03(B)(19)]: Obstruction or encroachment on any public property, including but not limited to any public street, public alley, highway, right-of-way, park, building, or other land dedicated to public use.
 - Condition: Overgrown vegetation and foliage encroached onto the adjacent sidewalk on Esplanade Drive.
- Violation [PMC Sec. 5-25.03(B)(29)]: Any violation of Pacifica Zoning Ordinance. Section 9-4.2808(a)(1): In any residential district, no required yard space, except as provided in this section, shall be used for the parking and storage of the following: Motor vehicles, automobiles, house cars, buses, campers, camper shells, trailer coaches, trailers, semitrailers, trucks, truck tractors, tractors, motorcycles, or boats
 - Condition: There was parking and storage of a trailer within the front yard of the property between 310 Esplanade Drive and 320 Esplanade Drive. Contents of the trailer consisted of trash, litter, and debris which could be seen overflowing into the adjacent area.
- August 8, 2015: Code Enforcement Division received a complaint from the City's franchised waste hauler Recology of the Coast indicating that the property owner had been self-hauling putrescible waste through City streets with the trailer at 320 Esplanade Drive, in violation of Recology's franchise agreement with the City.
- August 17, 2015: Property owner submitted documents to file to an appeal to the Declaration of Public Nuisance. The filing of the appeal was determined to be untimely and therefore, invalid.
- September 1, 2015: Staff conducted a follow-up site inspection to determine whether the property owner had taken corrective actions in response to the Declaration of Public Nuisance. Staff observed no noticeable improvements or corrective actions at the property to cure any of the listed violations.
- September 8, 2015: Staff conducted a follow-up site inspection to determine whether the property owner had taken corrective actions in response to the Declaration of Public Nuisance. No noticeable improvements or corrective actions were made on the property to cure any of the listed violations.

- October 1, 2015: The City initiated criminal code enforcement action against property owner Millard W. Tong in San Mateo County Superior Court as a result of failure to respond to administrative code enforcement action related to the City's identified code violations and nuisance abatement.
- December 10, 2015: Staff conducted a follow-up site inspection to determine whether the property owner had taken corrective actions in response to the Declaration of Public Nuisance and criminal prosecution. Staff observed no noticeable improvements or corrective actions on the property to cure any of the listed violations.
- December 14, 2015: Code Enforcement Officer issued 1st Administrative Citation for the continued Pacifica Municipal Code violations as referenced in the Declaration of Public Nuisance and Notice of Intent to Abate.
- December 15, 2015: Staff conducted a follow-up site inspection to determine whether the property owner had taken corrective actions in response to the Declaration of Public Nuisance, criminal prosecution, and administrative citation. No noticeable improvements or corrective actions were made on the property to cure any of the listed violations.
 - Code Enforcement Officer issued a 2nd Administrative Citation for the continued Pacifica Municipal Code violations as referenced in the Declaration of Public Nuisance and Notice of Intent to Abate.
- December 16 through December 29, 2015: Staff conducted daily follow-up site inspections on working days to determine whether the property owner had taken corrective actions in response to the Declaration of Public Nuisance, criminal prosecution, and administrative citations. No noticeable improvements or corrective actions were made on the property to cure any of the listed violations.
 - Code Enforcement Officer issued administrative citations for each the Pacifica Municipal Code violations referenced in the Declaration of Public Nuisance and Notice of Intent to Abate continued. The Code Enforcement Officer had issued a 16th administrative citation as of December 29, 2015.
 - The criminal prosecution of the property owner is ongoing.

3. Project Description: Abatement and demolition of a two-story apartment building including foundation. Site will be graded to minimize infiltration and provide positive drainage to the storm drain system at Esplanade Drive. The project will also include installation of erosion control measures and perimeter fencing.

Project also includes removal of any demolition debris from the beach and temporary beach closure during demolition. These activities will require separate approval from the Coastal Commission who has permit jurisdiction over the beach and base of bluff.

4. General Plan, Zoning, and Surrounding Land Use: The subject site's General Plan land use designation is HDR (High Density Residential). Properties to the north, east, and south share the same HDR designation. The site is bounded to the west by the Pacific Ocean.

The zoning classification of the site is R-3 (Multiple-Family Residential)/CZ (Coastal Zone Combining District). Adjacent properties to the north, east, and south share the same R-3/CZ zoning classification. Additionally, the sites west of Esplanade Drive (and some areas east of Esplanade Drive) are within the Appeals Jurisdiction of the California Coastal Commission (CCC), meaning the City's final determination on a Coastal Development Permit in these areas is subject to appeal to the CCC.

The project site is surrounded by apartment buildings on all sides except to the west, where the site is bounded by the Pacific Ocean. Esplanade Drive runs north-south adjacent to the property and provides vehicular access to the site.

5. Municipal Code: The project requires issuance of a Coastal Development Permit (CDP) under Section 9-4.4304(k) of the Pacifica Municipal Code (PMC) prior to issuance of a building permit for demolition of the existing structure. Issuance of a CDP requires the Planning Commission to make two findings, as follows:

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

With respect to the first finding, the proposed building demolition can be found to be in conformity with the City's certified Local Coastal Program (LCP). The project is consistent with the following land use policies for the West Edgemar-Pacific Manor neighborhood:

- A. Pg. C-26: "Development on the northern property shall be designed to provide view corridors over at least one-third of the site from the intersection of Aura Vista (now named Bill Drake Way) and along Esplanade Drive."
 - i. The project involves the demolition of an existing two-story apartment building which will create a view corridor over the entire property.
- B. Pg. C-26: "The setback [for development] shall be sufficient to protect the developed portion of the site assuming erosion resulting [from] a 100-year recurrent seismic or storm event."
 - i. The project site is vulnerable to a 100-year recurrent seismic or storm event. Bluff erosion has continually and rapidly affected the site which has led to its

current undermined condition. Demolition of the building will create a setback in which no buildings exist on this property.

The project can also be found to be consistent with the more general land use policies of the LCP, as follows:

- A. Pg. C-9, Policy No. 24: “The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural landforms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan, prepared by the Department of Parks and Recreation and by local government, shall be subordinate to the character of its setting.”
 - i. While not new development, the project involves demolition of an existing two-story apartment building along a substantially developed coastal bluff top. Existing two-story apartment buildings flank the project site for more than 100 feet to the north and more than 600 feet to the south. These apartment buildings obstruct coastal views. Demolition of the apartment building at the project site will open a view area to the public from Esplanade Drive and from adjacent properties along the east of Esplanade Drive. The demolition will restore coastal views and enhance visual quality in this visually degraded area, which is consistent with this LCP policy.

- B. Pg. C-10, Policy No. 26: “New development shall: (a) Minimize risks to life and property in areas of high geologic, flood and fire hazard; (b) Assure stability and structural integrity and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs; (c) Be consistent with requirements imposed by an air pollution control district or the State Air Resources Control Board as to each particular development; (d) Minimize energy consumption and vehicle miles traveled; and, (e) Where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses.”
 - i. While not new development, the project involves demolition of an existing two – story apartment building which, in its current eroded status, conflicts with the provisions of subsections (a) and (b) of this LCP policy. The existing building is situated on a coastal bluff top with unstable soils which are subject to persistent and progressive erosion. This erosion has undermined the building, creating a risk to life and property on the project site and on the adjoining beach at the base of the bluff. The risk is associated with a catastrophic failure of the slope and/or the structural integrity of the building.

Demolition of the apartment building at the project site will eliminate the risks of catastrophic failure of the building, minimizing risks to life and property. Undertaking grading work will assure stability and structural integrity by retaining similar net surface infiltration by incorporating a low permeability barrier and specific drainage improvements to direct water efficiently to the storm drain system in the street, resulting in the bluff top retreat risks being substantially similar to the existing conditions.

The project is consistent with this policy also because demolition of the building would advance the provisions of subsections (c) and (d) since the demolition would eliminate a potential source of vehicle miles traveled; it would eliminate a source of demand for gas, water, and electrical energy usage; and, it would be undertaken in accordance with the regulations and permit requirements of the Bay Area Air Quality Management District (BAAQMD).

Therefore, given advancement of the provisions of subsections (a) through (d) of LCP Policy No. 26, the project is consistent with this LCP policy.

With respect to the second finding, the proposed building demolition can be found in conformity with the public recreation policies (Sections 30220-30224) of Chapter 3 of the California Coastal Act. The building demolition will not impact public recreation. The bluff top orientation of the site makes it unsuitable for the coastal boating and fishing activities described in Chapter 3 of the California Coastal Act. The demand for coastal recreation activities in this area has been provided for at a more suitable location via the beach access pathway at 100 Esplanade Drive and at the Pacifica Municipal Pier in the Sharp Park neighborhood. Therefore, the demolition of the existing apartment building will have no effect on public recreation.

Separate from the CDP and demolition process, staff recommends that the owner of the subject property consider requesting that the site be considered for designation as a "sending area" under the Transfer of Residential Development Rights (TRDR) provisions of PMC Title 9, Chapter 4, Article 42. The TRDR provisions provide a mechanism to relocate residential development density from potentially hazardous areas, and other special areas, to more appropriate locations in the city. Since bluff erosion is likely to continue at this site, it may not be suitable for new residential development. A TRDR may be beneficial to the property owner.

6. CEQA Recommendation: Proposed demolition qualifies for a statutory exemption under the California Environmental Quality Act (CEQA) Guidelines, Section 15269(c) Emergency Projects - actions necessary to prevent or mitigate an emergency. The demolition of the structure at 320 Esplanade Drive is necessary to prevent an emergency in the form of a building collapse.

The structure to be demolished was damaged in a severe storm during the last El Nino episode in 2010 during which the project site experienced significant coastal bluff erosion. The severe damage resulted in a declaration of a local emergency by the City Council in 2010. Weather experts have forecasted an El Nino episode at least as powerful, and perhaps more powerful, than that experienced in 2010. Therefore, the City anticipates additional significant coastal bluff erosion due to weather circumstances outside the control of the property owner.

Demolition of the building will prevent a catastrophic collapse which could occur at any time during the series of severe storms expected during the forecasted El Nino episode of winter 2015-2016. Given the severe and ongoing undermining of the coastal bluffs supporting the building, the forecast of recurrent severe storms and associated severe wave action as part of the ongoing El Nino event which will serve to accelerate coastal bluff erosion and undermining of the building, and the unpredictability of a building collapse during one of the anticipated El Nino storm events, it is appropriate and necessary to apply the statutory exemption in Section 15269(c) of the CEQA Guidelines in order to prevent an emergency that could endanger life and property at and in the vicinity of the project site.

Progressive bluff erosion has created a condition where the structure is in serious danger of toppling over the bluff in the severe storms predicted during the 2015-2016 El Nino episode. A publicly accessible beach is located below the structure, and allowing the structure to remain precariously positioned on the bluff above the public beach presents a threat to public health, safety, and welfare. These hazards pose an imminent danger that must be addressed to prevent an emergency.

The urgency to undertake the demolition work, and thereby, the prevention of an emergency, is being driven by the severe El Nino storm episode forecast for winter 2015-2016. The National Weather Service has stated there is a 95 percent chance that an El Nino event will occur and continue through winter 2015-2016, gradually weakening through spring 2016. Oregon State University research has determined that El Nino episodes tend to bring increased wave size and accelerated erosion. The Washington State Department of Ecology has observed a similar phenomenon of greatly increased wave size from El Nino episodes. The increased wave sizes observed during El Nino episodes can increase the rate of erosion by two to three times the normal rate. Reports supporting these facts are on file with the Planning Department.

Specific to the project site, the City's consulting geologist Cotton, Shires & Associates (CSA) has determined that historical evidence suggests the erosion from a single severe storm event during the winter 2015-2016 El Nino episode could result in bluff retreat of 10 to 20 feet. Portions of the existing building already overhang the beach in part or in whole. The southern wall of the building displays vertical tension cracks. A major storm event combined with the recent formation of a bluff cavity at the toe of the slope (which is anticipated to propagate up the bluff face in the coming months) and the ineffectual wave run-up protection at the base of the bluff to prevent additional erosion could result in a condition where portions of the building or the entire building could fall down the bluff.

CSA determined in a letter on July 27, 2015, that the potential exists for such an event during the 2015-2016 winter season, and recommended demolition of the building prior to October 2015. The October 2015 timeframe was not a prediction of when slope failure may occur, but rather was a conservative recommendation based on the historical start of the storm season in Pacifica (see PMC Section 8-1.21). According to CSA, a hypothetical erosion event at the low end of what is expected – 10 feet – would remove support from the entire patio area and a portion of the entire western edge of the building. Significant undermining of this sort would lead to a heightened risk of structural failure. A structural failure involving some or all of the building would be injurious to public health, particularly for those at the beach beneath the project site

who would be at risk of injury from falling building debris. A copy of CSA's geotechnical evaluation is attached to this report.

Civil engineering firm RJR Engineering (RJR) made similar findings in a letter dated November 3, 2015, evaluating the adjacent property at 330 Esplanade Drive. RJR identified a lack of toe protection at the bluff, significant projected rainfall, and wave action during winter 2015-2016 that would result in significant bluff loss. Bluffs in the vicinity of the project site experienced bluff loss of 20 to 50 feet in 2010, and similar bluff loss is possible during winter 2015-2016. RJR's findings led to a recommendation to demolish the building at 330 Esplanade Drive as soon as possible to decrease the risk to public health and safety. A copy of RJR's letter is attached to this report.

The weather events predicted for the 2015-2016 winter season have created a circumstance that differs from the previous winters since the building was first undermined in 2010. The uncontrollable weather events forecast for winter 2015-2016 present an immediate and discrete timeframe within which a substantial risk of severe bluff erosion and potential building collapse may occur in the recent opinions of two qualified experts. The predicted bluff erosion and resulting hazard of a building collapse constitute a potential emergency, and it is therefore appropriate and necessary to apply the statutory exemption in Section 15269(c) of the CEQA Guidelines in order to prevent an emergency that could endanger life and property at and in the vicinity of the project site.

7. Concerns Raised by Residents: Some nearby residents have expressed concerns about the safety of the proposed demolition of the properties at 320 Esplanade Drive and 330 Esplanade Drive on surrounding structures. This portion of the report provides additional information about the safety of the project.

The primary threat to surrounding structures is bluff retreat, which, according to the building officials, engineers and consulting geologist advising the City, is primarily driven by wave erosion and will not be affected by the project. Stated differently, the surrounding structures face a significant baseline threat to their structural integrity which exists independently from the demolition project.

A secondary threat to bluff retreat is erosion caused by infiltration. The building's slabs, roofs and drainage systems may help to reduce infiltration into bluff top materials with some consequent positive impact to bluff stability. The building's shallow footing foundations do little if anything to hold the bluff together beyond the infiltration factor. The demolition plans have been conditioned to include engineered measures that will retain similar net surface infiltration to the current circumstance by incorporating a low permeability barrier and specific drainage improvements to direct water efficiently to the storm drain system in the street. The demolition is also being conditioned to begin during an appropriate weather window where the work can safely proceed. The first priority should be to remove the building above the slab and foundation, as this would remove the risk of a large quantity of debris falling onto the beach below in the event of a catastrophic collapse. The slab and foundation could be scheduled for spring removal weather conditions have improved. Leaving the slab in place will assist in reducing infiltration during the winter season. The project has been conditioned as such. In light of these conditions,

the project will not increase the threat of bluff retreat.

Staff's decision to recommend approval of this project and impose the conditions described above was based upon consideration of weighing the potential harm to the public if the project is not undertaken versus the potential harm to the public of undertaking the project. On balance, staff has determined that the risks to the public of not undertaking the work substantially outweigh the risks of undertaking the work on the public and on surrounding properties, which can be mitigated and avoided through conditions of approval. As noted above, undertaking the work does not increase the threat of bluff retreat, which is primarily driven by wave erosion. Further, undertaking the work will not only eliminate the risk of the building collapsing, it will also eliminate blight conditions currently present.

8. Summary: Staff recommends that the Planning Commission approve CDP-361-15 for demolition of a condemned structure at 320 Esplanade Drive.

COMMISSION ACTION

MOTION FOR APPROVAL:

Move that the Planning Commission find that the project is exempt from the California Environmental Quality Act and **APPROVE** Coastal Development Permit CDP-361-15 by adopting the attached resolution, including conditions of approval in Exhibit A; and, incorporate all maps and testimony into the record by reference.

Attachments:

- A. Resolution
- B. Exhibit A – Conditions of Approval
- C. Geotechnical Evaluation (Cotton, Shires & Assoc. letter of 7/27/15)
- D. Engineering Evaluation of 330 Esplanade Drive (RJR Engineering letter of 11/3/2015)

RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PACIFICA APPROVING COASTAL DEVELOPMENT PERMIT CDP-361-15, SUBJECT TO CONDITIONS, FOR ABATEMENT AND DEMOLITION OF A TWO-STORY APARTMENT BUILDING INCLUDING FOUNDATION WITHIN THE R-3/CZ (MULTIPLE-FAMILY RESIDENTIAL/COASTAL ZONE COMBINING DISTRICT) ZONING DISTRICT AT 320 ESPLANADE DRIVE (APN 009-413-020), AND FINDING THE PROJECT EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA).

Initiated by: City of Pacifica (“Applicant”).

WHEREAS, an application has been submitted to abate and demolish an existing two-story apartment building including foundation at 320 Esplanade Drive (APN 009-413-020); and

WHEREAS, demolition of the proposed structure requires approval of a Coastal Development Permit prior to the issuance of a building permit or demolition permit because the project site is located within the CZ (Coastal Zone Combining District) zoning district; and

WHEREAS, the Planning Commission of the City of Pacifica did hold a duly noticed public hearing on January 4, 2016, at which time it considered all oral and documentary evidence presented, and incorporated all testimony and documents into the record by reference.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Pacifica does hereby make the following findings pertaining to Coastal Development Permit CDP-361-15:

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

The building demolition is in conformity with the City’s certified Local Coastal Program (LCP). The project is consistent with the following land use policies for the West Edgemar-Pacific Manor neighborhood:

- A. Pg. C-26: “Development on the northern property shall be designed to provide view corridors over at least one-third of the site from the intersection of Aura Vista (now named Bill Drake Way) and along Esplanade Avenue.”
 - i. The project involves the demolition of an existing two-story apartment building which will create a view corridor over the entire property.
- B. Pg. C-26: “The setback [for development] shall be sufficient to protect the developed portion of the site assuming erosion resulting [from] a 100-year recurrent seismic or storm event.”

- i. The project site is vulnerable to a 100-year recurrent seismic or storm event. Bluff erosion has continually and rapidly affected the site which has led to its current undermined condition. Demolition of the building will create a setback in which no buildings exist on this property.

Furthermore, the project is consistent with the following more general policies of the LCP:

A. Pg. C-9, Policy No. 24: “The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural landforms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan, prepared by the Department of Parks and Recreation and by local government, shall be subordinate to the character of its setting.”

- i. While not new development, the project involves demolition of an existing two-story apartment building along a substantially developed coastal bluff top. Existing two-story apartment buildings flank the project site for more than 100 feet to the north and more than 600 feet to the south. These apartment buildings obstruct coastal views. Demolition of the apartment building at the project site will open a view area to the public from Esplanade Drive and from adjacent properties along the east of Esplanade Drive. The demolition will restore coastal views and enhance visual quality in this visually degraded area, which is consistent with this LCP policy.

B. Pg. C-10, Policy No. 26: “New development shall: (a) Minimize risks to life and property in areas of high geologic, flood and fire hazard; (b) Assure stability and structural integrity and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs; (c) Be consistent with requirements imposed by an air pollution control district or the State Air Resources Control Board as to each particular development; (d) Minimize energy consumption and vehicle miles traveled; and, (e) Where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses.”

- i. While not new development, the project involves demolition of an existing two-story apartment building which, in its current eroded status, conflicts with the provisions of subsections (a) and (b) of this LCP policy. The

existing building is situated on a coastal bluff top with unstable soils which are subject to persistent and progressive erosion. This erosion has undermined the building, creating a risk to life and property on the project site and on the adjoining beach at the base of the bluff. The risk is associated with a catastrophic failure of the slope and/or the structural integrity of the building.

Demolition of the apartment building at the project site will eliminate the risks of catastrophic failure of the building, minimizing risks to life and property. Undertaking grading work will assure stability and structural integrity by retaining similar net surface infiltration by incorporating a low permeability barrier and specific drainage improvements to direct water efficiently to the storm drain system in the street, resulting in the bluff top retreat risks being substantially similar to the existing conditions.

The project is consistent with this policy also because demolition of the building would advance the provisions of subsections (c) and (d) since the demolition would eliminate a potential source of vehicle miles traveled; it would eliminate a source of demand for gas, water, and electrical energy usage; and, it would be undertaken in accordance with the regulations and permit requirements of the Bay Area Air Quality Management District (BAAQMD).

Therefore, given advancement of the provisions of subsections (a) through (d) of LCP Policy No. 26, the project is consistent with this LCP policy.

2. That where the Coastal Development Permit is issued for any development between the nearest public road and the shoreline, the development is in conformity with the public recreation policies of Chapter 3 of the California Coastal Act.
 - A. The building demolition is in conformity with the public recreation policies (Sections 30220-30224) of Chapter 3 of the California Coastal Act. The building demolition will not impact public recreation. The bluff top orientation of the site makes it unsuitable for the coastal boating and fishing activities described in Chapter 3 of the California Coastal Act. The demand for coastal recreation activities in this area has been provided for at a more suitable location via the beach access pathway at 100 Esplanade Drive and at the Pacifica Municipal Pier in the Sharp Park neighborhood. Therefore, the demolition of the existing apartment building will have no effect on public recreation.
3. That the project is exempt from the California Environmental Quality Act (CEQA) as a statutory exemption under Section 15269(c) "Emergency Projects" of the CEQA Guidelines.

- A. The demolition of the structure at 320 Esplanade Drive is necessary to prevent an emergency in the form of a building collapse. The structure to be demolished was damaged in a severe storm during the last El Nino episode in 2010 during which the project site experienced significant coastal bluff erosion. The severe damage resulted in a declaration of a local emergency by the City Council in 2010. Weather experts have forecasted an El Nino episode at least as powerful, and perhaps more powerful, than that experienced in 2010. Therefore, the City anticipates additional significant coastal bluff erosion due to weather circumstances outside the control of the property owner.
- B. Demolition of the building will prevent a catastrophic collapse which could occur at any time during the series of severe storms expected during the forecasted El Nino episode of winter 2015-2016. Given the severe and ongoing undermining of the coastal bluffs supporting the building, the forecast of recurrent severe storms and associated severe wave action as part of the ongoing El Nino event which will serve to accelerate coastal bluff erosion and undermining of the building, and the unpredictability of a building collapse during one of the anticipated El Nino storm events, it is appropriate and necessary to apply the statutory exemption in Section 15269(c) of the CEQA Guidelines in order to prevent an emergency that could endanger life and property at and in the vicinity of the project site.
- C. Progressive bluff erosion has created a condition where the structure is in serious danger of toppling over the bluff in the severe storms predicted during the 2015-2016 El Nino episode. A publicly accessible beach is located below the structure, and allowing the structure to remain precariously positioned on the bluff above the public beach presents a threat to public health, safety, and welfare. These hazards pose an imminent danger that must be addressed to prevent an emergency.
- D. The urgency to undertake the demolition work, and thereby, the prevention of an emergency, is being driven by the severe El Nino storm episode forecast for winter 2015-2016. The National Weather Service has stated there is a 95 percent change that an El Nino event will occur and continue through winter 2015-2016, gradually weakening through spring 2016. Oregon State University research has determined that El Nino episodes tend to bring increased wave size and accelerated erosion. The Washington State Department of Ecology has observed a similar phenomenon of greatly increased wave size from El Nino episodes. The increased wave sizes observed during El Nino episodes can increase the rate of erosion by two to three times the normal rate. Reports supporting these facts are on file with the Planning Department.
- E. Specific to the project site, the City's consulting geologist Cotton, Shires & Associates (CSA) has determined that historical evidence suggests the erosion from a single severe storm event during the winter 2015-2016 El Nino episode could result in bluff retreat of 10 to 20 feet. Portions of the existing building

already overhang the beach in part or in whole. The southern wall of the building displays vertical tension cracks. A major storm event combined with the recent formation of a bluff cavity at the toe of the slope (which is anticipated to propagate up the bluff face in the coming months) and the ineffectual wave run-up protection at the base of the bluff to prevent additional erosion could result in a condition where portions of the building or the entire building could fall down the bluff.

- F. CSA determined in a letter on July 27, 2015, that the potential exists for such an event during the 2015-2016 winter season, and recommended demolition of the building prior to October 2015. The October 2015 timeframe was not a prediction of when slope failure may occur, but rather was a conservative recommendation based on the historical start of the storm season in Pacifica (see PMC Section 8-1.21). According to CSA, a hypothetical erosion event at the low end of what is expected – 10 feet – would remove support from the entire patio area and a portion of the entire western edge of the building. Significant undermining of this sort would lead to a heightened risk of structural failure. A structural failure involving some or all of the building would be injurious to public health, particularly for those at the beach beneath the project site who would be at risk of injury from falling building debris. A copy of CSA's geotechnical evaluation is attached to this report.
- G. Civil engineering firm RJR Engineering (RJR) made similar findings in a letter dated November 3, 2015, evaluating the adjacent property at 330 Esplanade Drive. RJR identified a lack of toe protection at the bluff, significant projected rainfall, and wave action during winter 2015-2016 that would result in significant bluff loss. Bluffs in the vicinity of the project site experienced bluff loss of 20 to 50 feet in 2010, and similar bluff loss is possible during winter 2015-2016. RJR's findings led to a recommendation to demolish the building at 330 Esplanade Drive as soon as possible to decrease the risk to public health and safety. A copy of RJR's letter is attached to this report.
- H. The weather events predicted for the 2015-2016 winter season have created a circumstance that differs from the previous winters since the building was first undermined in 2010. The uncontrollable weather events forecast for winter 2015-2016 present an immediate and discrete timeframe within which a substantial risk of severe bluff erosion and potential building collapse may occur in the recent opinions of two qualified experts. The predicted bluff erosion and resulting hazard of a building collapse constitute a potential emergency, and it is therefore appropriate and necessary to apply the statutory exemption in Section 15269(c) of the CEQA Guidelines in order to prevent an emergency that could endanger life and property at and in the vicinity of the project site.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Planning Commission of the City of Pacifica does hereby approve Coastal Development Permit CDP-361-15 for

abatement and demolition of an existing two-story apartment building including foundation at 320 Esplanade Drive (APN 009-413-020), subject to conditions of approval included as Exhibit A to this resolution.

* * * * *

Passed and adopted at a regular meeting of the Planning Commission of the City of Pacifica, California, held on the 4th day of January 2016.

AYES, Commissioner:

NOES, Commissioner:

ABSENT, Commissioner:

ABSTAIN, Commissioner:

Richard Campbell, Chair

ATTEST:

APPROVED AS TO FORM:

Tina Wehrmeister, Planning Director

Michelle Kenyon, City Attorney

Exhibit A

Conditions of Approval: Coastal Development Permit CDP-361-15 for Demolition of an Existing Apartment Building at 320 Esplanade Drive (APN 009-413-020)

Planning Commission Meeting of January 4, 2016

The following Conditions of Approval apply to Coastal Development Permit CDP-361-15:

Planning Division

1. Demolition, fencing, erosion control, landscaping, and drainage improvements shall be performed and/or installed in accordance with applicable code requirements and best practices to the satisfaction of the Building Official and City Engineer. Additionally, all work shall be performed consistent with the Planning Commission's approval of Coastal Development Permit CDP-356-15 on November 16, 2015, except as modified by the following conditions.
2. That the approval is valid for a period of one year from the date of final determination. If the use or uses approved is/are not established within such period of time, the approval shall expire unless Applicant submits a written request for an extension and applicable fee prior to the expiration date, and the Planning Director or Planning Commission approves the extension request as provided below. The Planning Director may administratively grant a single, one year extension provided, in the Planning Director's sole discretion, the circumstances considered during the initial project approval have not materially changed. Otherwise, the Planning Commission shall consider a request for a single, one year extension.
3. Applicant shall obtain all necessary building permits from the Building Division prior to demolition.
4. Prior to issuance of building permit, Applicant shall submit for review by the Planning Director a final landscape plan that complies with the City of Pacifica Model Water Efficient Landscape Ordinance. Additionally, the Applicant shall submit a completed Model Water Efficient Landscape Ordinance Checklist. The landscape plan shall show each type, size, and location of plant materials. Landscaping materials included on the plan shall be coastal compatible, drought tolerant and shall be predominantly native. All landscaping shall be completed consistent with the final landscape plans. Landscaping on the site shall be adequately maintained and replaced when necessary as determined by the Planning Director.

5. As a condition of the Coastal Development Permit, 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.

6. The project applicant shall ensure that construction plans include the Bay Area Air Quality Management District (BAAQMD) Best Management Practices for fugitive dust control. The following will be required for all construction activities within the project area. These measures will reduce fugitive dust emissions primarily during soil movement and grading activities, but also during vehicle and equipment movement on unpaved project sites:
 - All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day;
 - All haul trucks transporting soil, sand, or other loose material off-site shall be covered;
 - All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited;
 - All vehicle speeds on unpaved roads shall be limited to 15 mph;
 - All streets, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used;
 - Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of CCR). Clear signage shall be provided for construction workers at all access points;
 - All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation;

- A publicly visible sign shall be posted with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.
7. 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.
 8. Building permit submittal shall include site fencing to protect the public from the bluff edge and discourage illegal dumping.
 9. The property owner shall continue to monitor and maintain the site after the structure is removed. This includes periodic landscape maintenance, fence maintenance, removal of dumping or litter, and maintenance of drainage and storm water facilities.
 10. Activities on the beach and bluff base below the structure are in the jurisdiction of the Coastal Commission. Any work including beach closure shall be in consultation with the Coastal Commission and shall receive all required permits and approvals of the Commission with notice to the City.
 11. Time is of the essence. The owner/applicant shall submit a building permit application immediately after approval of this CDP. This will allow for plan check while appeal periods run, at applicant's risk. However, no permits shall be granted until all appeal periods expire and all Coastal Commission approvals are obtained.
 12. Actual demolition activities shall occur prior to significant rainfall, if possible, or during weather windows considered safe by both the applicant's and City's geotechnical engineers. The project shall be completed in two phases with the structure being removed as soon as possible and the foundation scheduled for spring removal after the rainy season.

Engineering Division of Public Works

13. Demolition shall be in conformance with the San Mateo Countywide Storm Water Pollution Prevention Program. Best Management Practices (BMPs) such as straw mulch, silt fences, sediment basins or traps and/or other measures shall be employed during construction to control erosion/siltation. The project will comply with current Regional Water Quality Control Board permit requirements and the Municipal Regional Stormwater NPDES Permit (MRP) requirements and standards.
14. Roadways shall be maintained clear of construction equipment, materials and debris, especially mud and dirt tracked, onto Esplanade Drive. Dust control and daily road cleanup will be strictly enforced.

15. 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.
16. All site utilities shall be terminated to the satisfaction of the Director of Public Works or City Engineer.
17. A traffic control plan shall be submitted for review by the City Engineer. Lane closures shall be requested 72 hours in advance of schedule and coordinated with Pacifica Police and Fire Departments. Through traffic shall be maintained at all times along Esplanade Drive.
18. A City of Pacifica Encroachment Permit shall be obtained for all work undertaken in the public right-of-way. All work shall be done in accordance with City Standards, Standard Specifications for Public Works Construction (Green Book) or Caltrans Standard Specifications, Pacifica Municipal Code, Administrative Policies and to the satisfaction of the City Engineer or his designee and shall be completed prior issuance of the Certificate of Occupancy. Permit fees shall be determined per the current adopted fee schedule at the time of permit issuance.

Building Division of the Planning Department

19. All necessary grading permits shall be acquired.
20. Demolition permits shall be acquired for the existing structures.

Geotechnical

21. The site drainage improvement plan shall include property drainage inlets that direct collected flow to discharge into the street gutter through the curb.
22. The project geotechnical consultant shall direct the construction of a safety barrier near the top of bluff for worker and construction equipment safety. Any crossing of the safety barrier shall be completed with appropriate safety harness equipment. The position of the safety barrier should be moved, as directed by the geotechnical consultant, during the period of demolition.
23. Details of landscaping plans, hydroseeding plans, and measures to reduce bluff top infiltration shall be prepared in consultation with the applicant's geotechnical consultant.
24. Applicant shall prepare a beach closure notification plan including locations and details of required signage. Applicant shall implement any measures identified by the City to properly secure the beach area below the project site from entry by beach users until the

Conditions of Approval: Coastal Development Permit CDP-361-15

320 Esplanade Drive (APN 009-413-020)

January 4, 2016

Page 5

City issues final approval for the work described in CDP-361-15. Such measures may include, but are not limited to, posting notification signs and constructing and maintaining a suitable fence barrier. Applicant shall submit applications for and obtain all permits required to implement the safety measures identified by the City, including but not limited to permits pursuant to Condition No. 10. Closure posting shall be the obligation of the applicant.

END

July 27, 2015
G5174

TO: Elizabeth Rider
Chief Building Official
CITY OF PACIFICA
170 Santa Maria Avenue
Pacifica, California 94044-2506

SUBJECT: **Geotechnical Evaluation of Potentially Injurious Conditions**
RE: Code Enforcement
320 and 330 Esplanade Avenue
Pacifica, California

At your request, Cotton, Shires and Associates, Inc. (CSA) has completed a geotechnical evaluation of buildings and adjoining slope conditions at 320 and 330 Esplanade Avenue. We performed a site reconnaissance on July 13, 2015 and observed exterior conditions of both buildings. We observed conditions at several upper and lower floor apartment units for both buildings. We further observed shoreline and bluff conditions from the vantage point of the local beach. Photographs of site conditions were evaluated by our Principal Geotechnical Engineer and Engineering Geologist.

SITE CONDITIONS

330 Esplanade Avenue

The apartment building is located approximately 6 feet from the top of a precipitous coastal bluff composed of weakly cemented silts and sands. The 6-foot separation between the building and top of bluff is capped by a concrete patio slab (Photos 1A and 1B). Remnants of a soil nail and shotcrete facing is located on the upper 10 to 15 feet of the bluff face. Erosion has undermined portions of the shotcrete, and an approximate 25-foot long section of shotcrete is hanging from soil nails near the northwestern corner of the building (Photos 2A and 2B). A large square concrete footing beneath the northeastern corner of the building is undermined by erosion (Photos 3A and 3B). Rock boulders have been placed at the toe of the adjacent bluff but this rock material has not been properly keyed or sized to resist severe winter wave runup conditions.

320 Esplanade Avenue

The southwestern corner of the building, adjoining western patio slabs, and vertical supports for the upper floor deck are undermined by erosion of the adjoining bluff (Photos 4A and 4B). An exterior stucco wall facing has started to peel off the corner of the building, and the southern wall of the building displays vertical tension cracks (Photos 5A and 5B).

Rock boulders have been placed at the toe of the local bluff, but these temporary wave protective measures have already been overtopped and partially removed from the bluff beneath the building. This lack of protection against wave runup has resulted in recent formation of a bluff cavity near the toe of the bluff at the center of the building (Photos 6A and 6B). This cavity is anticipated to propagate up the bluff face over the next several months.

In contrast to bluff conditions at 320 Esplanade, the apartment building at 310 Esplanade has a significantly wider bluff top buffer area than 320 Esplanade (Photos 7A and 7B).

CONCLUSIONS AND RECOMMENDED ACTION

Based on observed conditions, we conclude that the apartment building and adjoining patio and deck areas at 320 Esplanade Avenue are partially undermined by bluff erosion and are potentially injurious to public health. There is a significant risk that portions of the western patio, upper deck, and pieces of the building will fall onto the adjoining beach at any time with consequent potential impacts to the public. Given the current ineffectual wave runup protection at the toe of bluff, and recent bluff cavity formation at the toe of slope, we conclude that upcoming winter storm conditions could result in significant bluff retreat beneath the building. Recent history has demonstrated that poorly protected sections of bluffs along Esplanade Avenue can experience 10 to 20 feet of bluff retreat during a single severe winter season. Given current El Nino predictions, it would be prudent to plan for severe 2015-2016 winter season conditions.

The building at 330 Esplanade is undermined at the northwestern corner, and the adjoining remnant shotcrete slope facing is at risk of falling onto the beach. The patio, building, and shotcrete slope facing are potentially injurious to public health. As noted above, the potential exists for significant bluff retreat over this next winter season. A hypothetical 10 feet of bluff retreat would remove support from the entire shotcrete structure, the entire patio area, and the entire western edge of the building.

We recommend that the City consider taking necessary steps to secure removal of both buildings from the top of bluff prior to October 2015. After removal of buildings and all exterior structures near the top of bluff (including patio slabs and shotcrete facing as feasible) we anticipate that voids and uneven surfaces will remain. We recommend that a grading, drainage and erosion control plan be prepared by a Civil Engineer to properly control drainage across the properties with minimal adverse impacts to the adjoining bluffs. Final slopes and drainage measures should be designed to secure positive surface flow towards the street and to minimize onsite infiltration. These measures should be implemented prior to seasonal rainfall.

LIMITATIONS

This geotechnical evaluation has been performed to provide technical advice to assist the City with their regulatory decisions. Our services have been limited to a visual review of the property. We have not conducted an investigation of static or seismic slope stability. Our opinions and conclusions are made in accordance with generally accepted principles and practices of the geotechnical profession. This warranty is in lieu of all other warranties, either expressed or implied.

Respectfully submitted,

COTTON, SHIRES AND ASSOCIATES, INC.
CITY GEOTECHNICAL CONSULTANT

Ted Sayre
Principal Engineering Geologist

CEG 1795

David T. Schrier
Principal Geotechnical Engineer
GE 2334

TS:DTS:kd

Attachments: Photos



Photo 1A – 330 Esplanade Southern Patio



Photo 1B – 330 Esplanade Northern Patio



Photo 2A – Damaged and Partially Detached Shotcrete Facing, 330 Esplanade



Photo 2B – Debris from Damaged Shotcrete Facing in Foreground, 330 Esplanade



Photo 3A – North Side of 330 Esplanade Building



Photo 3B – Northwest Building Corner, Undermined Footing and Shotcrete



Photo 4A – Undermined Footing, Patio and Supports for Deck, 320 Esplanade



Photo 4B – 320 Esplanade Avenue



Photo 5A – Undermined Portion of Building, 320 Esplanade



Photo 5B – Tensional Cracks, 320 Esplanade



Photo 6A – Building Proximity to Bluff, 320 Esplanade



Photo 6b – Recent Cavity Failure, 320 Esplanade



Photo 7A – Limited Remaining Top of Bluff Area, 320 Esplanade



Photo 7B – Comparatively Wide Top of Bluff Area, 310 Esplanade



Land Development & Planning
Storm Water Management & Engineering
Hydrology/ Flood Control
Soil BioEngineering & Stream Restoration
Airport Engineering Design & Support
Public Agency/ Municipality Consultant

November 3, 2015
PPN: 14-1679

HOPKINS & CARLEY ALC
70 S. First Street
San Jose, California 95113

Attention: Mr. Matthew James, Esq.

Subject: **DEMOLITION & GRADING ACTIVITIES**

Location: **330 ESPLANADE AVENUE
PACIFICA, CALIFORNIA**

Dear Mr. James:

RJR Engineering Group (RJR) has prepared this letter following the initial engineering studies prepared for the site over the past few weeks. RJR has been retained to prepare engineering drawings as part of the demolition of the building at the site. As a part of this study, RJR has identified some issues and suggestions that we recommend be considered by all parties for the betterment and safety of the project and surrounding properties.

1. DEMOLITION SCHEDULE

RJR estimates that following the asbestos abatement; demolition of the building will take approximately 3 weeks, depending on several factors. The current long-term weather forecast indicates a wet weather pattern developing in and around the end of November.

RJR recommends that the building demolition (not the concrete slab and foundation) be undertaken as soon as possible. Given the lack of toe protection, the projected rainfall, and anticipated storms and corresponding waves, we anticipate a significant bluff loss. Land's End experienced 20 to 50 feet of bluff loss in 2010, and other properties have been lost in Pacifica. The sooner the building is demolished the sooner the risk to public health and safety is decreased.



2. MAINTAIN THE CONCRETE FOUNDATION AND UTILIZED WITH GRAVEL FOR SHORT TERM

The removal of the building will increase the net pervious area, which will result in a potential increase of water into the bluff. Increased runoff infiltrating into the bluff could potentially result in a net decrease in the stability of the bluff.

Therefore the ultimate construction will need a solution to ensure that the finished rough grade pad has been treated with an admixture or erosion control treatment such that there is no net increase of infiltration.

Maintaining the foundation and add a vapor barrier and gravel layer for the short term will serve the following purposes:

- a) The gravel layer contained by the foundation will provide a stable, all weather surface to work on, and place equipment on during and/or following inclement weather. The layer will allow the tracks or outrigger to distribute and disperse loading on the bluff.
- b) Provides an impervious surface to reduce or prevent excess infiltration.
- c) Demolition of the building will result in a depressed pad, which will then need to be backfilled, compacted and treated to reduce infiltration. Any use of equipment on the pad for subsequent repairs or demolition can and will disrupt any treatment (chemical admixture, bonded fiber matrix, etc.).
- d) Any construction activities on the outer edge of the bluff, including the future demolition of the soils nail segment will be problematic. As such, if the slab is maintained, it provides a stable platform to work from and readily incorporate other measures that could be required (tieback measures for the equipment etc.).

This approach will provide some significant interim benefits until such time as the soil nail segment has been removed and import operations are to be immediately implemented.

The demolition may need to sawcut and remove the outer section of the structure to account for any immediate undermining. Such measures are going to raise the overall costs, since additional mobilizations will be required. RJR's professional opinion is that such steps will provide a justifiable benefit.

3. DELAY THE REMOVAL OF THE SOIL NAIL SEGMENT

At this time the removal of the soil nail segment is complicated by the following factors:



- a) Such demolition will require a crane and basket to have hand labor remove the grout and cut the nails. Alternatively, a piece of equipment with a rock hammer to break up the grout pieces would be required. Repelling measures will be required to cut the nails flush with the bluff, which is not advisable as winter sets in. Either option will require the beach be clear of pedestrians and the tides at a sufficient elevation to prevent chemical contamination of the ocean from falling debris.
- b) Any construction activity on and over the bluff will be disruptive and cause disturbance(s) of the integrity of the bluff.
- c) Removal operations with the adjacent building (320 Esplanade) still in place may not be safe to work crews. Local bluff failures could result in falling debris etc., from the adjacent building.
- d) Disturbances of the bluff, in conjunction with future damage to the adjacent building (320 Esplanade) could raise conflicts and allegations that the demolition operations accelerated or resulted in subsequent damage that would not otherwise have occurred at the time that it did, even if these allegations were not accurate.
- e) Once the soil nail wall is demolished, given the magnitude of seepage, there are few if any options to provide erosion control measures for the bluff and no viable option will be available to protect the toe of the bluff. Therefore, any disturbance will accelerate bluff degradation.

Based on these factors, RJR recommends that the soil nail segment not be addressed until after 320 Esplanade is demolished, and any work on the soil nail wall should not be performed in spring or summer.

4. BEACH CLOSURE

RJR recommends that the section of beach, south of Land's End and north of Aimco, be closed during the winter months until the appropriate buildings are demolished and the appropriate bluff remedial repairs are undertaken to reduce the risk to public health and safety.

CLOSURE

RJR is in receipt of review comments from the City Reviewer. RJR will address these comments and move forward with obtaining the necessary approvals. Most of these points have been discussed with the City Reviewer. We recommend that discussions with the City be undertaken





as soon as possible to ensure that all parties have a meeting of the mind so that the project, as recommended above, move forward as expeditiously as possible.

If you have any questions, or if we can be of further assistance, please do not hesitate to give us a call at (805) 485-3935.

RJR ENGINEERING GROUP

Robert W. Anderson / ps

Robert W. Anderson, N.S.P.E., R.C.E., Juris Doctorate
Principal Civil Engineer - RCE 58383 (CA)

Arizona: RCE 51923
Nevada PE 22968
New York PE 92272

Washington PE 47559
Hawaii RCE 14230

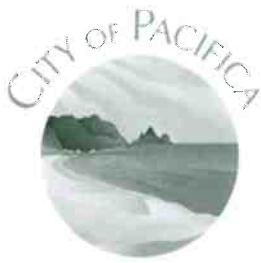
South Dakota PE11546
Oregon RCE 84690

Colorado PE 44734
North Dakota PE 8252

Certified CPESC #6840 & Instructor
California Certified QSP/QSD #21902 & Trainer of
Record (ToR) – Construction & Industrial
Certified Stormwater Manager (APWA)

Certified CISEC #1137
Certified CESSWI #3270
Certified CPSWQ #0920 & Instructor
Certified CMS4S #0223 & Instructor





Scenic Pacifica
Incorporated Nov. 22, 1957

PLANNING COMMISSION Staff Report

DATE: January 4, 2016

ITEM: 2

File: CDP-359-15

PROJECT LOCATION: 1046 Palmetto Avenue (APN 009-074-160)

PROJECT DESCRIPTION: Informational report regarding Emergency Coastal Development Permit CDP-359-15 to construct improvements at an existing Recology of the Coast recycling facility to retain and treat stormwater on-site, and to prevent stormwater from flowing from the site into the Pacific Ocean.

BACKGROUND: Pacifica Municipal Code (PMC) Section 9-4.4307 "Emergency coastal development permit" (see Attachment E) grants authority to the Planning Director to approve an emergency coastal development permit (ECDP) as an urgency measure to "protect life and property from imminent danger or to restore, repair or maintain public works, utilities or services ..." The ECDP for Recology's stormwater improvements was issued on December 15, 2015 (see Attachment A).

DISCUSSION: The proposed stormwater improvements, inclusive of amendments submitted on December 23, 2015, consist of collecting stormwater from rain events and conveying that stormwater to water treatment systems and discharging to the City storm drainage system at Palmetto Avenue. All new stormwater improvements will be above ground including the treatment system tank (25.5 feet long, 8.2 feet wide and 7 feet tall) and the two circular storage tanks (11.9 feet in diameter and 14.9 feet tall). The existing sump pump will be replaced with a 5 feet in depth, 5 feet in height and 5 feet in width concrete box that will contain a new submersible pump. In addition, the existing 6 foot chain link fence will be reinstalled and relocated away from the eroding bluffs.

Implementation of the stormwater improvements will prevent stormwater from flowing over the existing bluffs; thus, reducing the amount of bluff erosion. Coastal Act Policy #26 "New Development" (b) states that new projects shall not "contribute significantly to erosion". In this case, Recology is an existing recycling facility; however, the construction of new stormwater improvements on the site will reduce current erosion by preventing stormwater from being discharged over the bluffs.

Attachments B and C contains staff's analysis of the project, based upon the requirements as listed in PMC 9-4.4307. In this case, staff determined that granting an ECDP is appropriate to allow the stormwater improvements to be constructed as soon as possible to prevent

stormwater from flowing over the bluff which has already begun receding as a result of recent storm events (Attachment D Photos).

PMC Section 9-4.4307(d) requires the Planning Director to submit an informational report explaining the granting of an ECDP to the Planning Commission at the next scheduled meeting. Staff also provided this information to the Coastal Commission as required, including the amendment to the project description.

The ECDP was approved subject to special conditions (see Attachment A). Condition of Approval No. 5 requires that Recology of the Coast apply for a regular CDP, which will be acted on by the Planning Commission, by January 15, 2016 in order to allow the work completed under the ECDP to become permanent. The regular CDP will cover the entire project including the amendments.

RECOMMENDED ACTION: Receive and file staff report.

Attachments:

- A. Emergency Coastal Development Permit CDP-359-15, issued December 15, 2015
- B. Staff Analysis of Project in Memo Dated December 9, 2015
- C. Memo from Staff Dated December 23, 2015 Amending Project Description for ECDP-3259-15
- D. Recent Photos of Bluff
- E. PMC 9-4.4307

c: City Council Members

RECEIVED

NOV 10 2015

CITY OF PACIFICA

EMERGENCY (LOCAL) COASTAL DEVELOPMENT PERMIT City of Pacifica

Planning & Economic Development Department
1800 Francisco Boulevard
(650) 738-7341

EMERGENCY PERMIT #: CDP - 331-15

DATE OF ISSUANCE: 12/15/15

LOCATION OF WORK: 1046 Palmetto Avenue, Pacifica, CA APN: 009074160

DESCRIPTION OF WORK: Stormwater collection, conveyance and treatment

NATURE AND/OR CAUSE OF EMERGENCY: impending El Nino storms and lack of SW system
CONSEQUENCE OF INACTION (DO NOTHING): potential failure of bluff; discharge to ocean

PERMITTEE: Name: Recology
Address: 1046 Palmetto Ave
Pacifica, CA
Phone: 650 355 9000

PROP. OWNER: Name: cypress WCM Invest. LLC
Address: PO box 1695
San Francisco, CA
Phone: 415 310 6916

If Permittee is not property owner, a signed statement of authorization to act as owner's agent is required. Sign back side of this sheet or attach separately signed statement

PERMITTEE HEREBY AGREES TO THE FOLLOWING CONDITIONS OF THIS EMERGENCY PERMIT.

1. All emergency work shall proceed in accordance with approved plans, if any, on file with the City of Pacifica.
2. Permittee shall allow representatives of the City of Pacifica unlimited access to inspect all work performed under this permit.
3. Permittee shall notify the Building Official, at least every 24 hours, the status of emergency work being performed, until final inspection.
4. All emergency work shall be complete on or before 01/30/2016
5. Within 30 calendar days of the date of this permit, permittee shall apply for a regular Coastal Development Permit from the City of Pacifica to have the emergency work be considered permanent. If no such application is received, the emergency work shall be removed in its entirety within 150 days of the date of this permit unless otherwise determined in writing by the Planning Director.
6. This permit shall be valid for 60 days from date of issuance, unless extended pursuant to Sect. 9-4.4307 of City Code.
7. All work performed under this permit shall comply with the applicable requirements of the City of Pacifica including the Building Official, Planning Director, Administrative Policies, standard specifications, Municipal Code as well as state and federal laws.
8. SPECIAL CONDITIONS: see attached.

This permit constitutes approval of temporary emergency work necessitated by a sudden, unexpected occurrence demanding immediate action to prevent or mitigate loss or damage to life, health, property, or essential public services, based on the terms and conditions described herein, and may be revoked at any time if deemed necessary by the Planning Director. Unless prescribed as a special condition herein, issuance of this permit does NOT constitute approval of emergency work on a permanent basis until all such work has been approved by the Pacifica Planning Commission. Pursuant to Sect. 9-4.4304 of City Code, the City may determine that the emergency work shall be removed, replaced or modified. Failure to comply with provision of Sect. 9-4.4307 of City Code may result in the removal of the work undertaken pursuant to this permit in its entirety and restoration of the site to its previous condition.

The permittee by acceptance of this permit, agrees to indemnify, defend and hold harmless the City of Pacifica from and against any and all claims, demands and legal actions for inquiries or damages to persons or property resulting from processing of, approval of, construction, operations or maintenance under this permit, regardless of passive negligence of the City of Pacifica, its officers, employees, consultants and agents, and agrees to compensate the City in full for all damages to property of the City or to public property under its jurisdiction resulting from operations or maintenance under this permit.

This permit does not authorize any work within the permit jurisdiction of the California Coastal Commission, nor does it obviate any required authorizations or other permits from city, state or other agencies.

APPROVALS: CITY OF PACIFICA

By: Tina Wehmeister
Tina Wehmeister
Planning Director

AGREEMENT: PERMITTEE:

By: Stephen H. Peck
(Property Owner or Authorized Agent)
(Stephen H. Peck, Auth. Agent)

By signing above, Permittee understands all of the conditions of this emergency permit and agrees to abide by them.

Permittee also understands that the emergency work is TEMPORARY and that a regular local Coastal Development Permit is necessary to make it a permanent installation.

ATTACHMENT A

CITY OF PACIFICA
EMERGENCY (LOCAL) COASTAL DEVELOPMENT PERMIT

AGENT AUTHORIZATION:

I, Ray Wong (Cypress WCM Inv.), owner of property located at 1046 Palmetto Ave. hereby
(Address or APN)
authorize Stephen Peck, Cardno to act as my Agent and to bind me in all matters concerning the
Emergency Coastal Development Permit described on the reverse side of this sheet.


(Property Owner Signature)


11/10/2015
(Date)

REMINDERS (Permittee):

- 1) Within 30 calendar days of the date of this permit, permittee shall apply for a regular Coastal Development Permit from the City of Pacifica to have the emergency work be considered permanent. If no such application is received, the emergency work shall be removed in its entirety within 150 days of the date of this permit unless otherwise determined in writing by the Planning Director.
- 2) Permittee shall be responsible for obtaining all required authorizations or permits from the California Coastal Commission. Contact the Coastal Commission staff at (415) 904-5260.
- 3) Permittee shall pay within 30 calendar days of the date of this permit all expenses incurred by the City of Pacifica, including application and inspection fees resulting from permit review as well as monitoring and enforcement of the requirements referenced herein, and other monies as follows:

Initial fee in the amount of: \$ 2,000

Date Received: 12/15/15

Receipt #: 151713 for Planning


Bond in the amount of: \$ _____

Date Received: _____

Attachments (check boxes that apply)

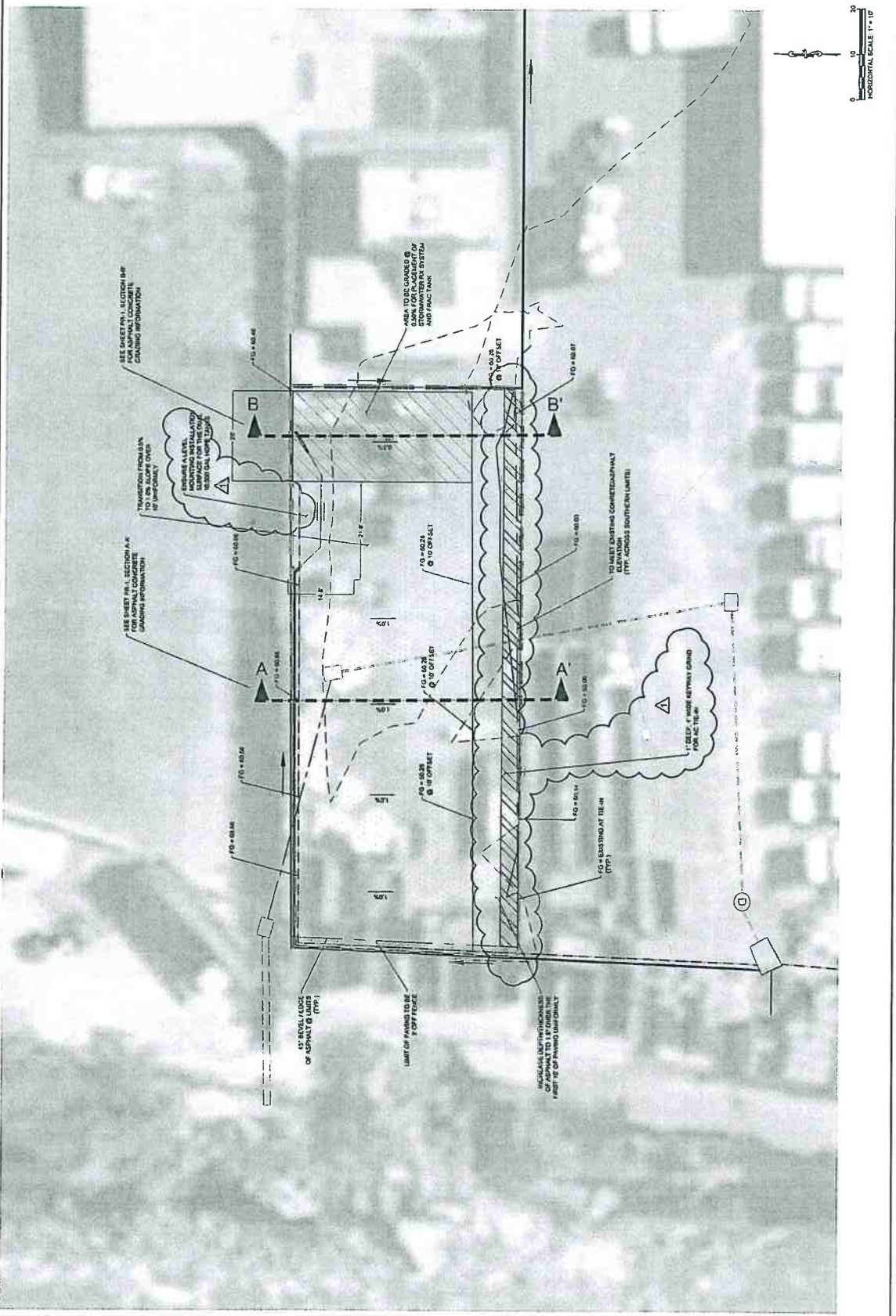
- Pacifica Municipal Code Article 43, Coastal Zone Combining District
 Other: Proposed Project Plans

**Special Conditions for Emergency Coastal Development
Permit, CDP-359-15, 1046 Palmetto Avenue
Recology of the Coast (APN 009-074-160)**

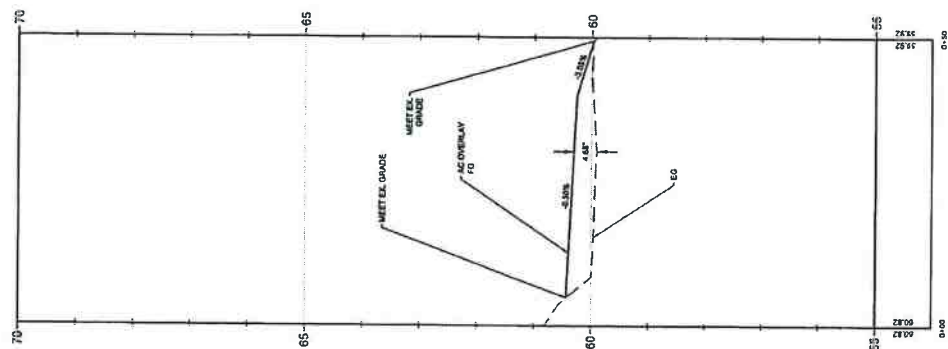
1. Only that emergency development specifically described in this ECDP is authorized. Any additional and/or different emergency and/or other development requires separate authorization from the Planning Director.
2. By acceptance of this permit, the applicant acknowledges and agrees (i) that the site may be subject to hazards from waves, erosion, storm conditions, bluff retreat, landslides, or other natural hazards; (ii) to assume the risks to the applicant and the property that is the subject of this permit of injury and damage from such hazards in connection with this permitted development; (iii) to unconditionally waive any claim of damage or liability against the City of Pacifica, and the Coastal Commission their officers, agents, and employees for injury or damage from such hazards; and (iv) to indemnify and hold harmless the City of Pacifica, and the Coastal Commission, their officers, agents, and employees with respect to the City's approval of the project against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards.
3. 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.
4. The ECDP shall expire on February 16, 2016. The Planning Director may extend the ECDP for an additional sixty (60) calendar days if the coastal development permit is on file but had not been processed yet.

5. The applicant shall apply for a coastal development permit from the City of Pacifica by January 15, 2016 to have the emergency work be considered permanent. If no such application is received, the emergency work shall be removed in its entirety by May 13, 2016 unless otherwise determined in writing by the Planning Director.
6. All emergency work shall be completed on or before February 16, 2016.
7. The emergency work shall not commence until the building permit and encroachment permit have been issued.
8. This ECDP does not obviate the need to obtain necessary authorizations and/or permits from other agencies (e.g. Army Corp of Engineers, State Lands Commission, etc.). The applicant shall submit to the Planning Director copies of all such authorizations and/or permits upon their issuance.
9. Copies of the ECDP shall be maintained in a conspicuous location at the construction job site at all times, and such copies shall be available for public review on request. All persons involved with the construction shall be briefed on the content and meaning of this ECDP, and the public review requirements applicable to it, prior to commencement of construction.

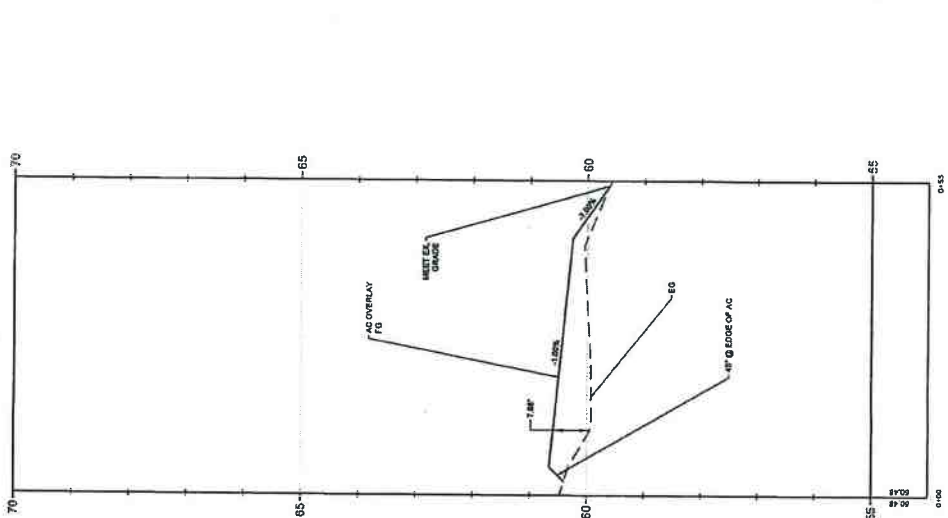
END



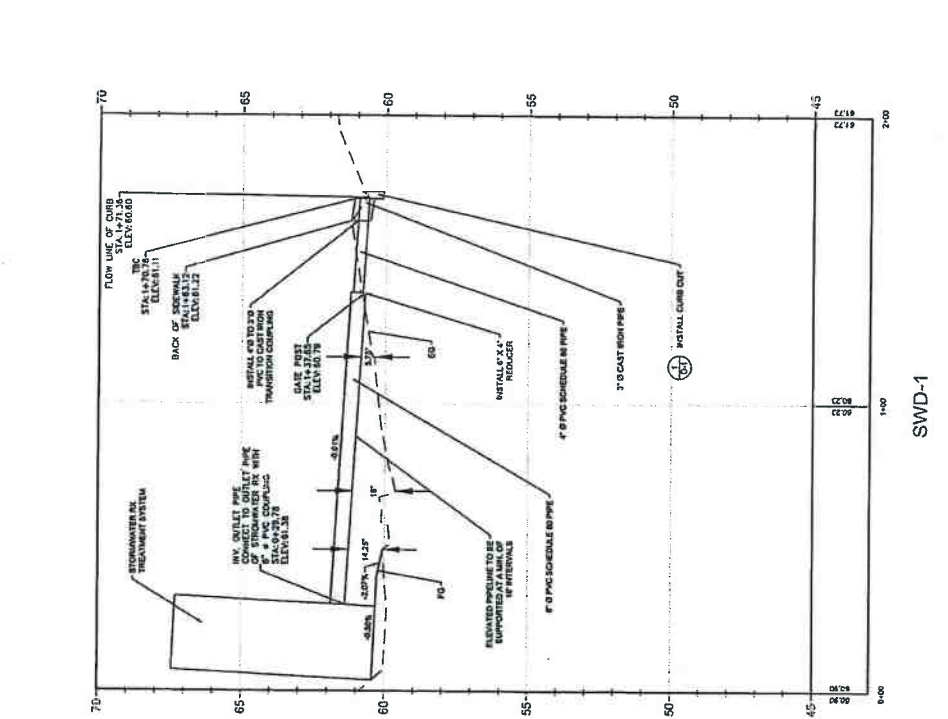
HORIZONTAL SCALE 1" = 10'



Section A-A'



Section B-B'



SWD-1 PROFILE VIEW STA: 0+00 TO 2+00

AC OVERLAY SECTIONS
 HORIZONTAL SCALE 1" = 2'
 VERTICAL SCALE 1" = 4'

SWD-1 PROFILE VIEW STA: 0+00 TO 2+00
 HORIZONTAL SCALE 1" = 2'
 VERTICAL SCALE 1" = 4'

SWD-1

SWD-1 PROFILE VIEW STA: 0+00 TO 2+00

DATE	9/21/15
DRAWN BY:	SP
CHECKED BY:	SP
SCALE	AS SHOWN
ENTIRE JOB NO.	E31000210
FIGURE NO.	

EC SHEET 1

RECOLOGY OF THE COAST

1046 PALMETTO AVE PACIFICA, CA

Recology-
WASTE ZERO

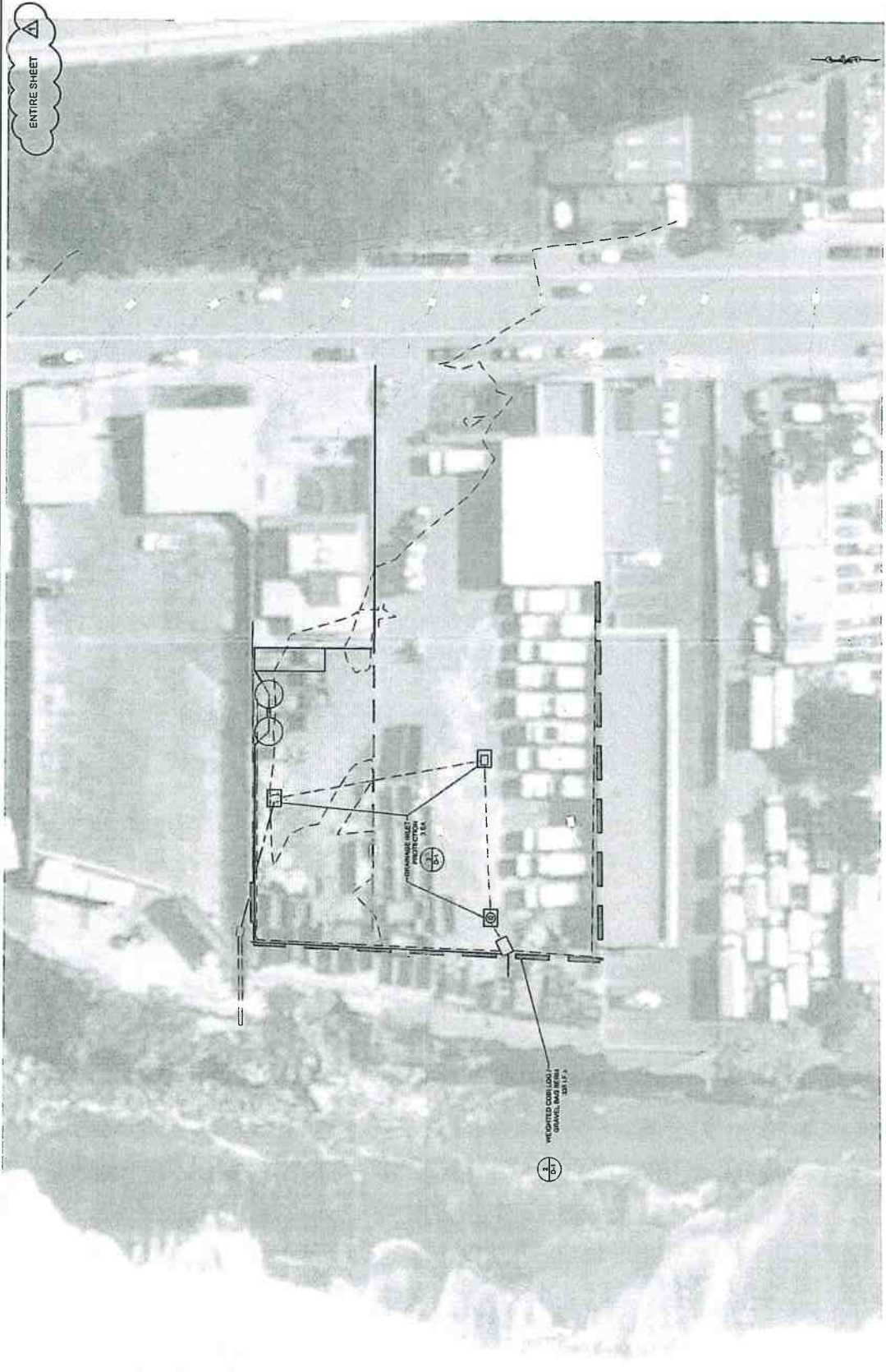
PERMIT PLANS

Seal: **Seal:**

Condino
Engineering

245 HWY 50, SUITE 1
STATELENE, WA 98449
(360) 588-9488

NO.	REVISIONS
1	CITY COMMENTS
2	
3	
4	
5	
6	
7	
8	
9	
10	

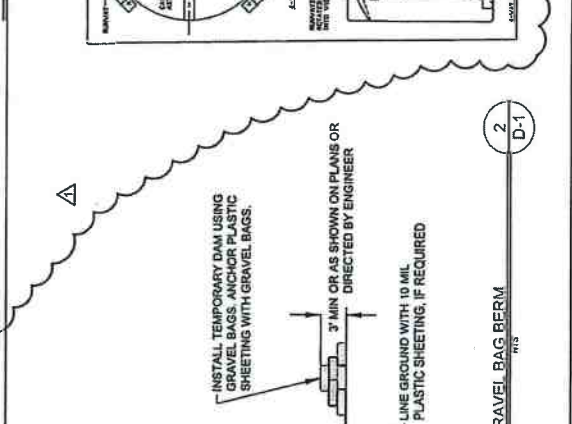
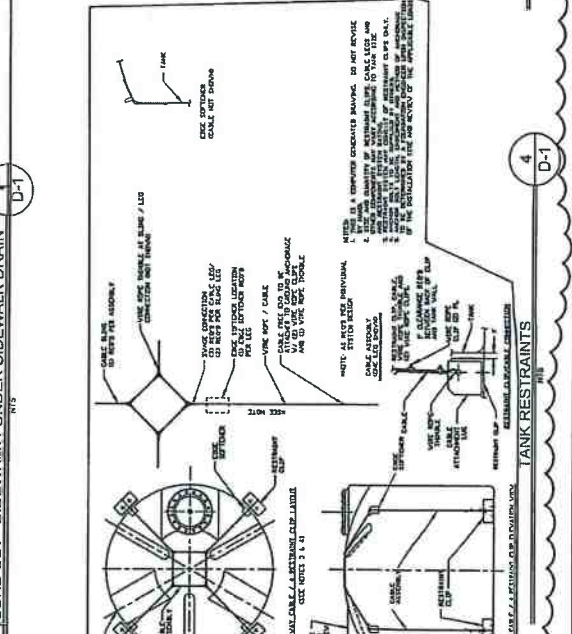
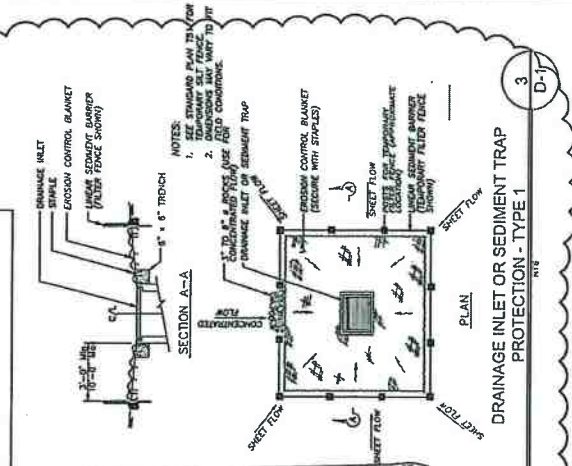
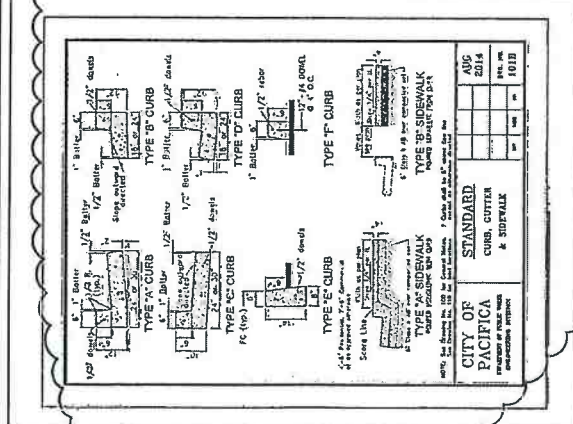
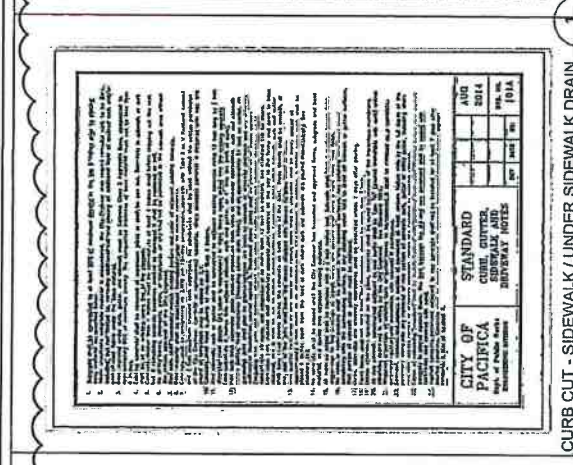
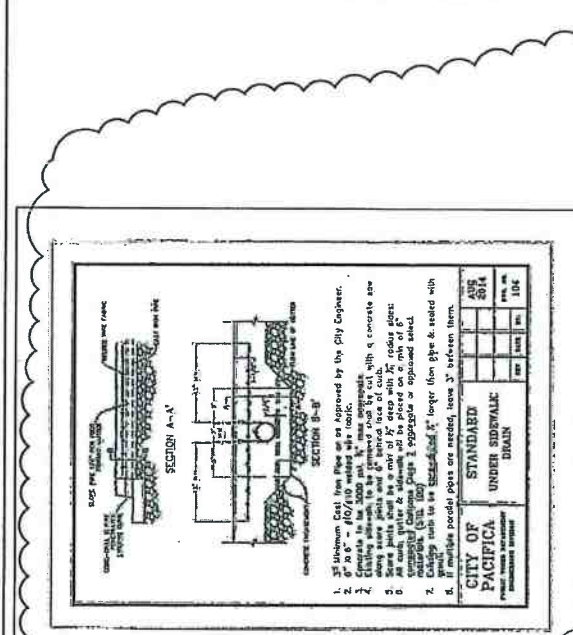


NOTE: CONSTRUCTION SHALL COMPLY WITH THE SAN MATEO COUNTYWIDE STORM WATER POLLUTION PREVENTION PROGRAM

HORIZONTAL SCALE: 1" = 20'

EC-1

SHEET 1 OF 1



City of Pacifica

Interoffice Memo

Telephone (650) 738-7341 Fax (650) 359-5807

Planning Department

TO: Tina Wehrmeister, Planning Director

FROM: Kathryn Farbstein, Assistant Planner

DATE: December 9, 2015

SUBJECT: Emergency Coastal Development Permit, CDP-359-15, Determination for Stormwater Improvements at Recology of the Coast, 1046 Palmetto Avenue

The Pacifica Municipal Code (PMC) Section 9-4.4307 Emergency Coastal Development Permit (ECDP) specifies types of projects and situations in which the Planning Administrator has the authority to grant ECDP's. In this case, Recology of the Coast located at 1046 Palmetto Avenue is requesting approval of an ECDP to allow stormwater improvements to be made at the recycling center as soon as possible before the winter storm and high surf season starts. Recology of the Coast is a recycling center that operates on the bluff above the ocean at 1046 Palmetto Avenue. The applicant has provided written information describing the stormwater improvements and plans detailing those improvements on the site. In addition, the applicant has filed for a building permit and encroachment permit for the proposed work.

Based on PMC 9-4.4307, staff has reviewed the relevant portions of the code and provided a response to justify the issuance of the ECDP in this case.

PMC Section 9-4.4307 (a) *Applicability* states:

The provisions of this section shall apply where the Director determines that an emergency coastal development permit is necessary as an urgency measure to protect life and property from imminent danger or to restore, repair or maintain public works, utilities or services during and immediately following a natural disaster or serious accident within the CZ District. The decision to issue an emergency permit may be made solely at the discretion of the Director, consistent with the provisions of this section.

ATTACHMENT B

Memo to Planning Director
1046 Palmetto Avenue
ECDP for Recology of the Coast
Page 2

In this case, approval of the ECDP is necessary as an urgency measure to maintain services during the anticipated El Nino winter storms while satisfying state mandated requirements as described below.

PMC Section 9-4.4307 (b) *Limitations* states that an ECDP cannot be granted for projects within the California Coastal Commission's (CCC) continuing permit jurisdiction pursuant to the California Coastal Act, Section 30519. The project site located at 1046 Palmetto Avenue is not within the CCC's continuing permit jurisdiction as shown on the Post LCP Certification Permit and Appeal Jurisdiction Map for the City of Pacifica.

PMC 9-4.4307 (c) *Application* for the ECDP requires the following information: 1) Describe nature of emergency, 2) Identify protective work needed to deal with emergency, 3) Explain circumstances of the emergency that justify the actions taken and consequences of failing to take action, and 4) File a Coastal Development Permit (CDP) application within 30 calendar days. A response to each of these items is provided below.

1) The proposed storm water quality improvements are necessitated by the California State Water Resources Control Board's (SWRCB) revised NPDES Industrial General Permit (IGP) for storm water discharges. The permit went into effect on July 1, 2015 and requires implementation of Best Available Technology Economically Achievable (BAT) and Best Conventional Pollutant Control Technology (BCT) to achieve performance standards. The impending El Nino storms require these improvements to be implemented as soon as possible, creating the emergency situation. Concerns associated with an El Nino storm season include erosion, flooding, falling trees, and potential land slide. According to a Staff Report to the City of Pacifica Council regarding 2015 Storm Season Preparations at the October 12, 2015 City Council Meeting, weather reports over the last several months indicate conditions are developing for El Nino like conditions for the 2015 winter season. The National Oceanic and Atmospheric Administration (NOAA) estimates there is an 80% chance of El Nino occurring, and the current most likely scenario shows a 33-40% chance of above average rainfall in the San Francisco Bay Area. Even a 30% increase in rain averages for the City of Pacifica will be problematic. The City has already begun preparations for what is being predicted as an even stronger El Nino, and businesses are being encouraged to take their own preparatory actions.

2) At this recycling facility, Recology is proposing to collect and treat stormwater to meet required EPA water quality benchmarks. Recology's proposed plan is to minimize ground disturbance with collection, conveyance and water treatment systems installed above ground. The only necessary excavation is a curb/sidewalk cut to discharge the stormwater runoff to the street. The proposed Project consists of the following items:

- Placing an above ground stormwater treatment system (25.5' long, 8.2' wide and 7' high) on the northern eastern portion of the property, including two above ground circular tanks (11.9'diameter, 14.9' high) for storage of rainwater
- Installation of
 - above ground electrical conduit (2" diameter PVC) along the south, west and north property lines
 - above ground storm water pipe (4" diameter steel) along the west and north property lines

Memo to Planning Director
1046 Palmetto Avenue
ECDP for Recology of the Coast
Page 3

- a storm drainage pump in the existing oil-water clarifier
- Plugging/abandoning the two storm drainage pipe outfalls to the Pacific Ocean
- Plugging/abandoning one storm drainage inlet (northern inlet)
- Installing a gravel bag berm along the northern property line
- Installing an asphalt concrete overlay on the northern portion of the property
- Constructing a curb/sidewalk cut at the street

The applicant has also provided a set of plans detailing the proposed improvements.

3) Some of the circumstances of the emergency that justify the actions taken have been described in the response to #1 above. In this particular case, the ECDP is necessary as an urgency measure to maintain services at the recycling center because the current configuration of the site causes stormwater to flow over the bluffs. During the winter months, more rainwater falls onto the site and as it flows over the bluffs, the rate of erosion could increase. The bluff reduction could impact the operation of the recycling center. The consequences of inaction may result in coastal flooding and erosion, which are areas of concern identified by City of Pacifica Staff for the 2015 El Nino storm season. Failure to implement the proposed storm water system improvements may exacerbate these issues. Additionally, lack of an improved storm water system may result in discharge of untreated storm water directly to the ocean. The improvements are intended to re-direct storm water away from the ocean, collect it, and treat it to meet required EPA water quality benchmarks.

4) Staff has provided a CDP permit application to Recology of the Coast and the applicant has assured staff that the CDP will be submitted within 30 calendar days of the ECDP being issued as required.

If the Planning Director determines that a ECDP can be granted based on the information provided above, PMC 9-4.4307 (d) *Application review* requires that Director submit an informational report explaining the granting of the ECDP to the next available meeting of the CCC and the Planning Commission.

Attachments:

- 1) ECDP submitted by Recology
- 2) Revised Plans

Sec. 9-4.4307. - Emergency coastal development permit.

- (a) *Applicability.* The provisions of this section shall apply where the Director determines that an emergency coastal development permit is necessary as an urgency measure to protect life and property from imminent danger or to restore, repair or maintain public works, utilities or services during and immediately following a natural disaster or serious accident within the CZ District. The decision to issue an emergency permit may be made solely at the discretion of the Director, consistent with the provisions of this section.
- (b) *Limitations.* The Director shall not grant an emergency permit for any development that lies within the California Coastal Commission's continuing permit jurisdiction pursuant to the California Coastal Act, Section 30519. In such areas and for such developments, a request for an emergency permit must be made directly to the California Coastal Commission.
- (c) *Application.* An emergency coastal development permit application shall be made to the Director in writing, or if, in the opinion of the Director, time does not allow written application, the application may be made verbally in person or by telephone within three (3) calendar days of the disaster or discovery of danger. The application shall:
 - (1) Describe the nature or cause of the emergency;
 - (2) Identify the location of the protective or preventative work either needed or accomplished to deal with the emergency;
 - (3) Explain the circumstances of the emergency that justify the actions taken, including the probable consequences of failing to take action; and
 - (4) Complete and file a coastal development permit application within thirty (30) calendar days, as established in Section 9-4.4304, Coastal Development Permit Procedures and Findings.
- (d) *Application review.* The Director shall submit an informational report explaining the granting of an emergency permit to the California Coastal Commission and the Planning Commission at their next scheduled meetings.
- (e) *Expiration.* An emergency coastal development permit is valid for sixty (60) calendar days from the date of issuance by the Director. The Director may extend an emergency permit for an additional sixty (60) calendar days if a coastal development permit application is on file but has not been processed.
- (f) *Coastal development permit required.* Prior to the expiration of the emergency permit, if the Director requests, the applicant shall submit a coastal development permit application for the proposed development as set forth in Section 9-4.4304, Coastal Development Permit Procedures and Findings. Issuance of an emergency coastal development permit may not constitute approval of the development on a permanent basis. Pursuant to Section 9-4.4304, Coastal Development Permit Procedures and Findings, the City of Pacifica may determine that the emergency coastal development shall be removed, replaced or modified.
- (g) *Compliance.* Failure to comply with the provisions of this section or failure to properly notice and report by the applicant may result in the removal of the development undertaken pursuant to the emergency permit in its entirety and restoration of the site to its previous condition.

(§ VI, Ord. 610-C.S., eff. March 16, 1994)

City of Pacifica

Interoffice Memo

Telephone (650) 738-7341 Fax (650) 359-5807

Planning Department

TO: Tina Wehrmeister, Planning Director

FROM: Kathryn Farbstein, Assistant Planner

DATE: December 28, 2015

SUBJECT: Amendment to Emergency Coastal Development Permit, CDP-359-15, to Revise Stormwater Improvements at Recology of the Coast, 1046 Palmetto Avenue

On December 21, 2015, Laura Ferrante, Environmental Projects Analyst from Recology notified me that the project description would need to be revised for the Emergency Coastal Development Permit, ECDP-359-15. A site inspection conducted on the same day by Recology, including their team of engineers working on the stormwater improvement project, discovered that due to recent storm events, the bluff along the western portion of 1046 Palmetto Avenue had eroded. Once the bluff erosion was identified, the engineers determined that a new design was needed to replace the existing sump pump. The new design consists of a 5 feet by 5 feet by 5 feet concrete box on the southwest corner of the site which will contain the submersible pump. In addition, the existing 6 foot chain link fence will be reinstalled away from the eroding bluff. Attached is the written explanation provided by Recology on December 23, 2015 and the revised plans to show those changes.

Staff has approved the revision; thus, the project description for ECDP-359-15 is amended to include the revision described above and in the attached letter from Recology. The project requires issuance of a building permit as stated in special condition 7 of the ECDP-359-15; and therefore, the Building Department will ensure that this revision is in compliance with the relevant building codes. In addition, the revised project will be submitted as part of the regular CDP by January 15, 2016.

Attachments:

- 1) Recology's Letter of Explanation for the Revised Project Description
- 2) Revised Plans

ATTACHMENT C



December 23, 2015

Kathryn Farbstein
Assistant Planner
City of Pacifica Planning Department
1800 Francisco Blvd.
Pacifica, CA 94044

Re: Recology of the Coast Storm Water Improvement Project – Updated Plans

Dear Kathryn:

As we discussed the other day, we learned some new things out at the site on Monday that would change our plans slightly, but not really change the overall project. Due to the big storms in the last couple of weeks, there has been quite a bit of erosion on the back western edge of the site. What this means for our project is that, at the southwestern corner of the site, we would **replace** the existing inlet with a concrete box to house the pumps instead of using the existing sump as the collection point. The concrete box would be no bigger than 5'x5'x5'.

We understand the Emergency Coastal Development Permit (ECDP) has already been issued. These storm events and resulting erosion happened after we had submitted our ECDP application. If anything, this issue underscores the importance of the ECDP and moving forward with this project as quickly as possible. Any new changes to the plans would, of course, be captured in the full CDP application, which we will submit by the January 15, 2016 deadline.

As for the building and encroachment permits, attached are the revised plans. We can resubmit or coordinate with Building and Engineering as appropriate.

Please contact me at 916-425-2277 or lferrante@recology.com with any questions. Thank you.

Sincerely,

Laura J. Ferrante
Environmental Projects Analyst
Recology

Att.: 2015.12.21 Recology of the Coast Updated Plans

RECOLOGY OF THE COAST 1046 PALMETTO AVE PACIFICA, CA

PROJECT PLANS FOR THE CONSTRUCTION OF THE STORMWATER QUALITY IMPROVEMENT PROJECT

DECEMBER 2015 ▲



PROJECT LOCATION MAP
N.T.S

- SCOPE OF WORK:**
- DESIGN AND CONSTRUCTION OF STORMWATER QUALITY IMPROVEMENT PROJECT TO MEET THE STATE WATER RESOURCES CONTROL ACT AND TREATMENT MEASURES TO MEET THE STATE WATER RESOURCES CONTROL ACT.
 - EFFECT ON JULY 1, 2015 AND REQUIRES THE IMPLEMENTATION OF BEST AVAILABLE TECHNOLOGY ECONOMICALLY ACHIEVABLE (BAT) AND BEST CONVENTIONAL TECHNOLOGY (BCT) FOR THE TREATMENT OF STORMWATER.
 - COLLECT AND TREAT STORMWATER TO MEET REQUIRED WATER QUALITY REQUIREMENTS AT THIS FACILITY. RECOLOGY IS PROPOSING TO INSTALL A GRAVEL BAG BERM ALONG THE NORTHERN PROPERTY LINE.
 - INSTALLING A GRAVEL BAG BERM ALONG THE NORTHERN PROPERTY LINE.
 - INSTALLING A GRAVEL BAG BERM ALONG THE NORTHERN PROPERTY LINE.
 - CONSTRUCTING A CURBSIDE WALK CUT AT THE STREET.

PROJECT CODE / ADDENDUM NO.
12180003.7720.100. 16953

ENGINEER:

295 HWY 50, SUITE 1
STATELINE, NY 89449
(775) 588-9069

OWNER:
RECOLOGY OF THE COAST
1046 PALMETTO AVE
PACIFICA, CA
(408) 842-3358
(408) 842-5664 (FAX)



VICINITY MAP
N.T.S

- NOTES:**
- CONSTRUCTION WORKING HOURS SHALL NOT EXCEED BEYOND 7 A.M. TO 8 P.M. MONDAY THROUGH FRIDAY. WITHOUT SPECIFIC APPROVAL FROM THE CITY ENGINEER, CONSTRUCTION MATERIALS AND DEBRIS AT ALL TIMES DAILY ROAD CLEANUP SHALL BE MAINTAINED.
 - PERMITS SHALL BE MAINTAINED CLEAR OF CONSTRUCTION MATERIALS AND DEBRIS AT ALL TIMES DAILY ROAD CLEANUP SHALL BE ENFORCED.
 - PERMITS SHALL BE MAINTAINED CLEAR OF CONSTRUCTION MATERIALS AND DEBRIS AT ALL TIMES DAILY ROAD CLEANUP SHALL BE ENFORCED.
 - PERMITS SHALL BE MAINTAINED CLEAR OF CONSTRUCTION MATERIALS AND DEBRIS AT ALL TIMES DAILY ROAD CLEANUP SHALL BE ENFORCED.
 - PERMITS SHALL BE MAINTAINED CLEAR OF CONSTRUCTION MATERIALS AND DEBRIS AT ALL TIMES DAILY ROAD CLEANUP SHALL BE ENFORCED.
 - PERMITS SHALL BE MAINTAINED CLEAR OF CONSTRUCTION MATERIALS AND DEBRIS AT ALL TIMES DAILY ROAD CLEANUP SHALL BE ENFORCED.
 - PERMITS SHALL BE MAINTAINED CLEAR OF CONSTRUCTION MATERIALS AND DEBRIS AT ALL TIMES DAILY ROAD CLEANUP SHALL BE ENFORCED.
 - PERMITS SHALL BE MAINTAINED CLEAR OF CONSTRUCTION MATERIALS AND DEBRIS AT ALL TIMES DAILY ROAD CLEANUP SHALL BE ENFORCED.

PROJECT ENGINEER
C 06113
R.C.E.
9/21/2015
DATE

NO.	1	REVISIONS	CITY COMMENTS	DATE
NO.	2	REVISIONS		
NO.	3	REVISIONS		
NO.	4	REVISIONS		
NO.	5	REVISIONS		
NO.	6	REVISIONS		
NO.	7	REVISIONS		
NO.	8	REVISIONS		
NO.	9	REVISIONS		
NO.	10	REVISIONS		



SEAL



Cardno
Engineering & Construction

295 HWY 50, SUITE 1
STATELINE, NY 89449
(775) 588-9069

PERMIT
PLANS



Recology
WASTE SERVICES

TITLE SHEET

RECOLOGY OF THE COAST

1046 PALMETTO AVE PACIFICA, CA

DATE

DRAWN BY: SS

CHECKED BY: SP

SCALE: AS SHOWN

ENTERED JOB NO. E13000210

FIGURE NO. 1

SHEET 1 OF 9

NO.	REVISIONS	DATE
1		
2	CITY ENGINEER COMMENTS	12/21/2015



Caridno
 295 HWY 50, SUITE 1
 STATELINE, NV 89449
 (775) 368-9088

PERMIT
 PLANS



RECOLOGY OF THE COAST
 1046 PALMETTO AVE PACIFICA, CA

DATE: 9/0/15
 DRAWN BY: SB
 CHECKED BY: SP
 SCALE: AS SHOWN
 ENTRY NO: 6315600210
 FIGURE NO:

EC-1
 SHEET 6 OF 9



NOTE: CONSTRUCTION SHALL COMPLY WITH THE SAN MATEO COUNTY WIDE STORM WATER POLLUTION PREVENTION PROGRAM

NO.	1	REVISIONS
DATE	12/8/15	



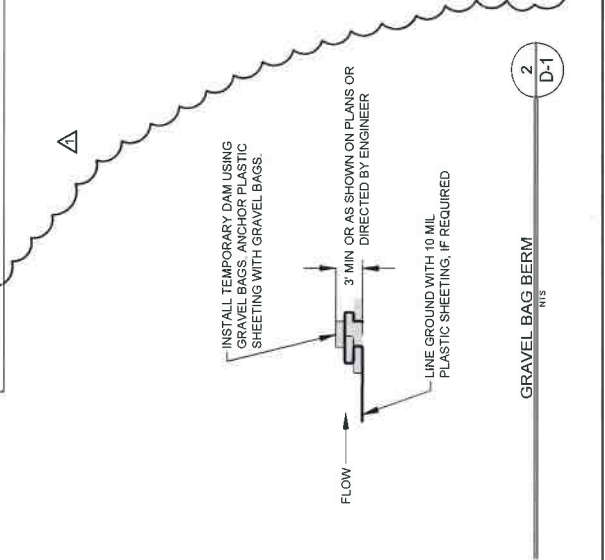
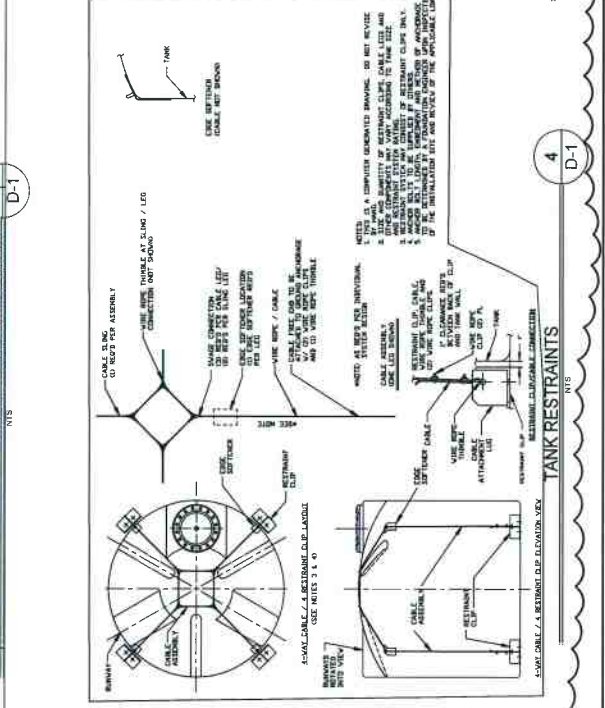
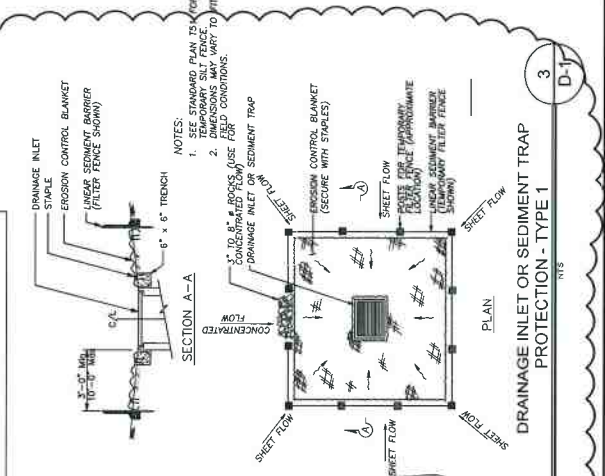
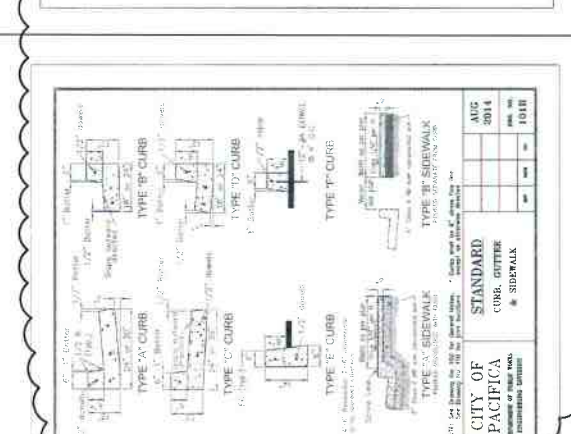
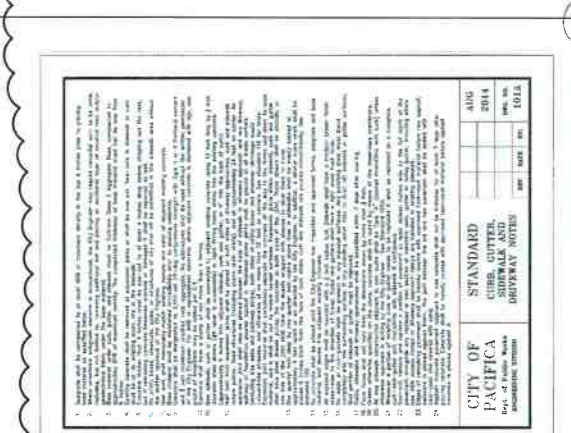
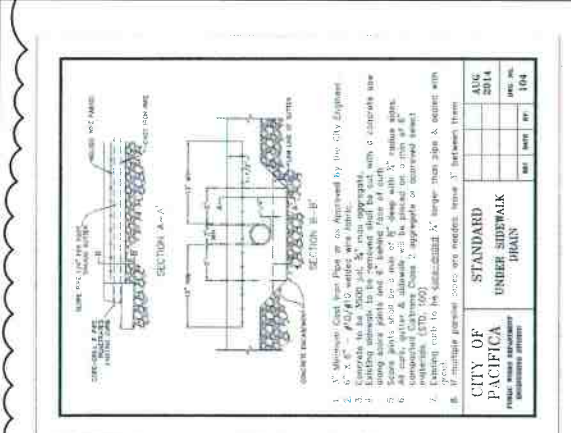

295 HWY 50, SUITE 1
STATIONVILLE, NY 13449
(716) 368-9688

PERMIT
PLANS



1046 PALMETTO AVE PACIFICA, CA
RECOLOGY OF THE COAST
DETAIL SHEET 1

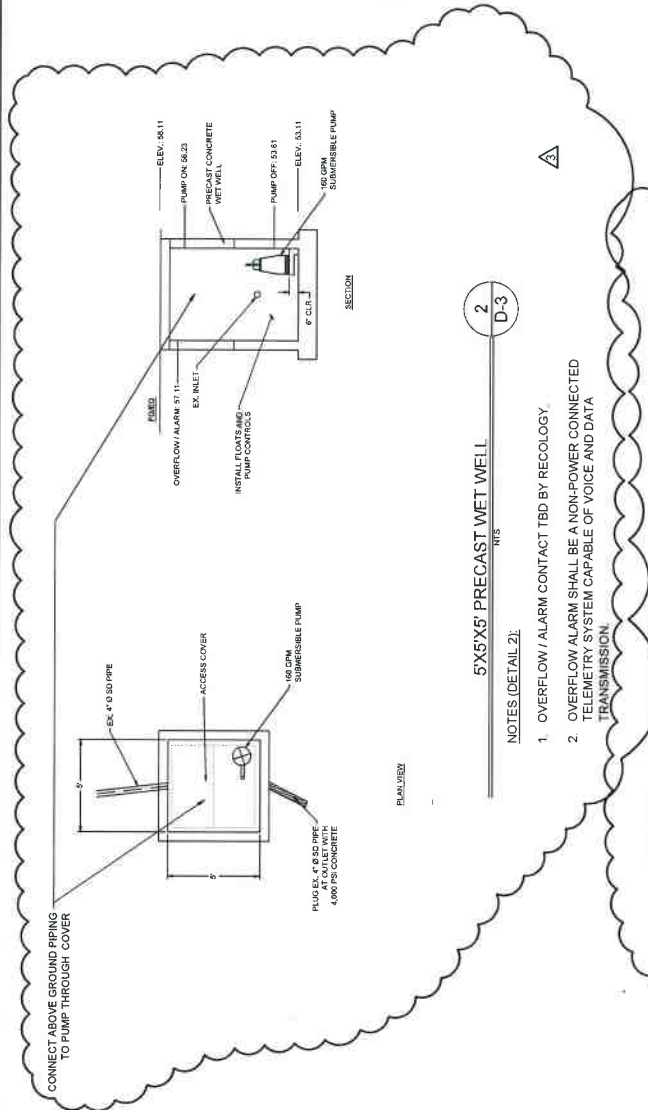
DATE	5/9/15
DRAWN BY	SB
CHECKED BY	SP
SCALE	AS SHOWN
ENTER FOR NO.	E-151600210
FIGURE NO.	D-1
SHEET	7 OF 9



3
D-1

4
D-1

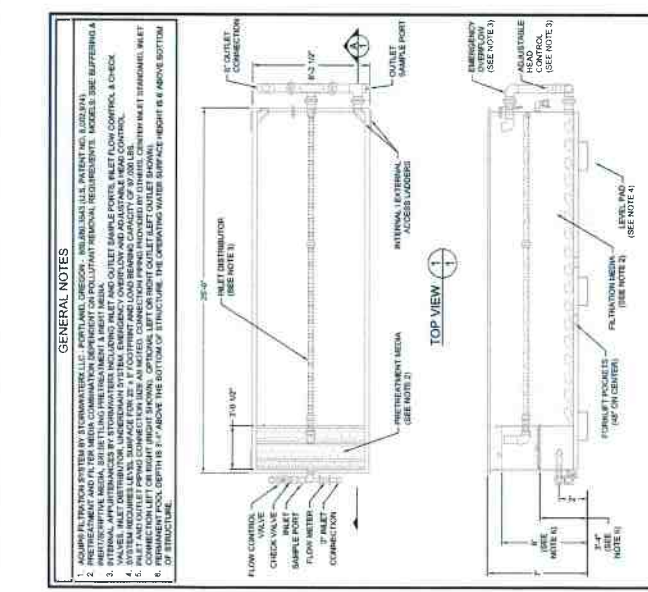
2
D-1



2 D-3
5X5X5' PRECAST WET WELL
N/E

- NOTES (DETAIL 2):
- OVERFLOW ALARM CONTACTED BY RECOLOGY.
 - OVERFLOW ALARM SHALL BE A NON-POWER CONNECTED TELEMETRY SYSTEM CAPABLE OF VOICE AND DATA TRANSMISSION.

CONSTRUCTION BEST MANAGEMENT PRACTICES
 N/E



1 D-3
STORMWATER RX TREATMENT
N/E

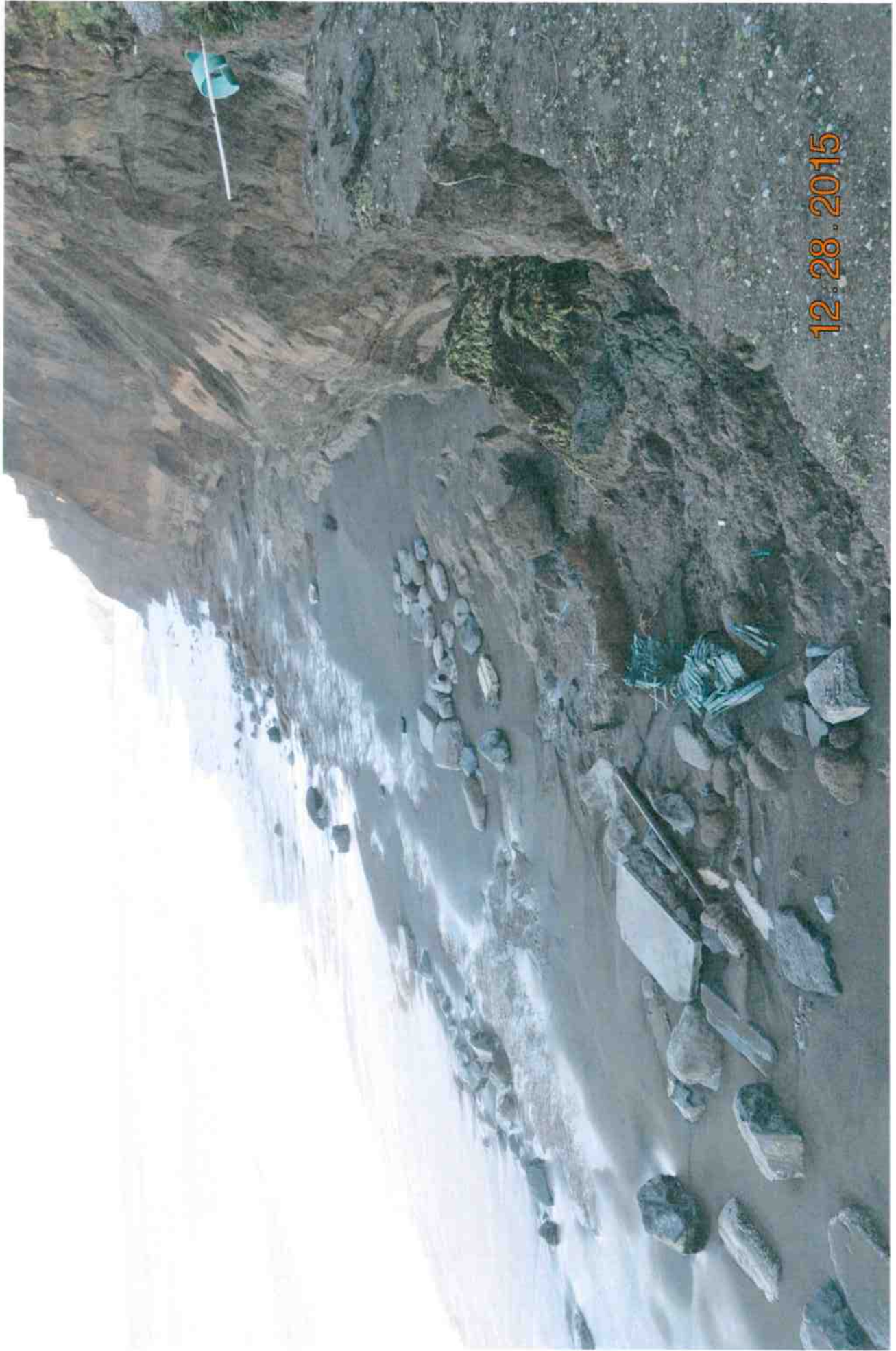
stormwaterRx
 THE CONSTRUCTION WATER SOLUTION

aqvip
 AQUIP MODEL 1805
 STORMWATER FILTRATION SYSTEM
 STANDARD DETAIL

SHEET 1 OF 1
 DATE: 11/20/15
 SCALE: 1/8" = 1'-0"
 DRAWN BY: SB
 CHECKED BY: SP



ATTACHMENT D



12.28.2015

Sec. 9-4.4307. - Emergency coastal development permit.

- (a) *Applicability.* The provisions of this section shall apply where the Director determines that an emergency coastal development permit is necessary as an urgency measure to protect life and property from imminent danger or to restore, repair or maintain public works, utilities or services during and immediately following a natural disaster or serious accident within the CZ District. The decision to issue an emergency permit may be made solely at the discretion of the Director, consistent with the provisions of this section.
- (b) *Limitations.* The Director shall not grant an emergency permit for any development that lies within the California Coastal Commission's continuing permit jurisdiction pursuant to the California Coastal Act, Section 30519. In such areas and for such developments, a request for an emergency permit must be made directly to the California Coastal Commission.
- (c) *Application.* An emergency coastal development permit application shall be made to the Director in writing, or if, in the opinion of the Director, time does not allow written application, the application may be made verbally in person or by telephone within three (3) calendar days of the disaster or discovery of danger. The application shall:
- (1) Describe the nature or cause of the emergency;
 - (2) Identify the location of the protective or preventative work either needed or accomplished to deal with the emergency;
 - (3) Explain the circumstances of the emergency that justify the actions taken, including the probable consequences of failing to take action; and
 - (4) Complete and file a coastal development permit application within thirty (30) calendar days, as established in Section 9-4.4304, Coastal Development Permit Procedures and Findings.
- (d) *Application review.* The Director shall submit an informational report explaining the granting of an emergency permit to the California Coastal Commission and the Planning Commission at their next scheduled meetings.
- (e) *Expiration.* An emergency coastal development permit is valid for sixty (60) calendar days from the date of issuance by the Director. The Director may extend an emergency permit for an additional sixty (60) calendar days if a coastal development permit application is on file but has not been processed.
- (f) *Coastal development permit required.* Prior to the expiration of the emergency permit, if the Director requests, the applicant shall submit a coastal development permit application for the proposed development as set forth in Section 9-4.4304, Coastal Development Permit Procedures and Findings. Issuance of an emergency coastal development permit may not constitute approval of the development on a permanent basis. Pursuant to Section 9-4.4304, Coastal Development Permit Procedures and Findings, the City of Pacifica may determine that the emergency coastal development shall be removed, replaced or modified.
- (g) *Compliance.* Failure to comply with the provisions of this section or failure to properly notice and report by the applicant may result in the removal of the development undertaken pursuant to the emergency permit in its entirety and restoration of the site to its previous condition.

(§ VI, Ord. 610-C.S., eff. March 16, 1994)