

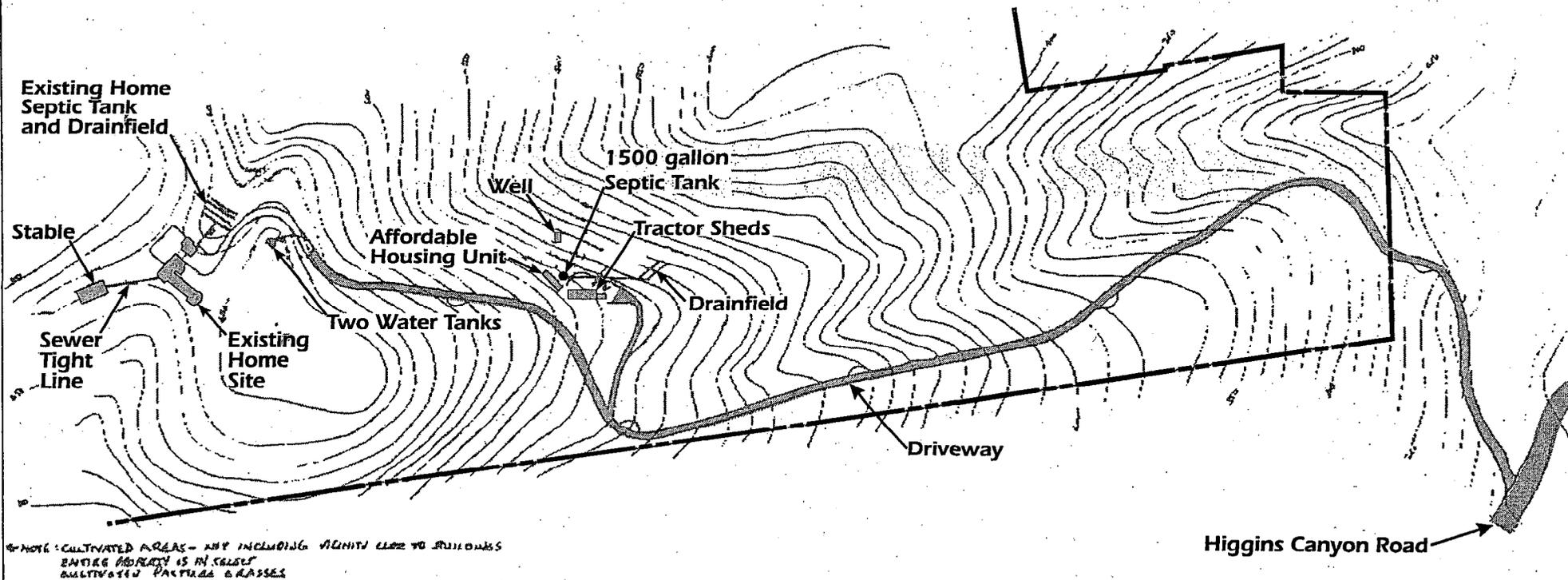
San Mateo County Board of Supervisors Meeting

Applicant: Braun

Attachment: **B**

File Numbers: PLN 1999-00079





Site Plan

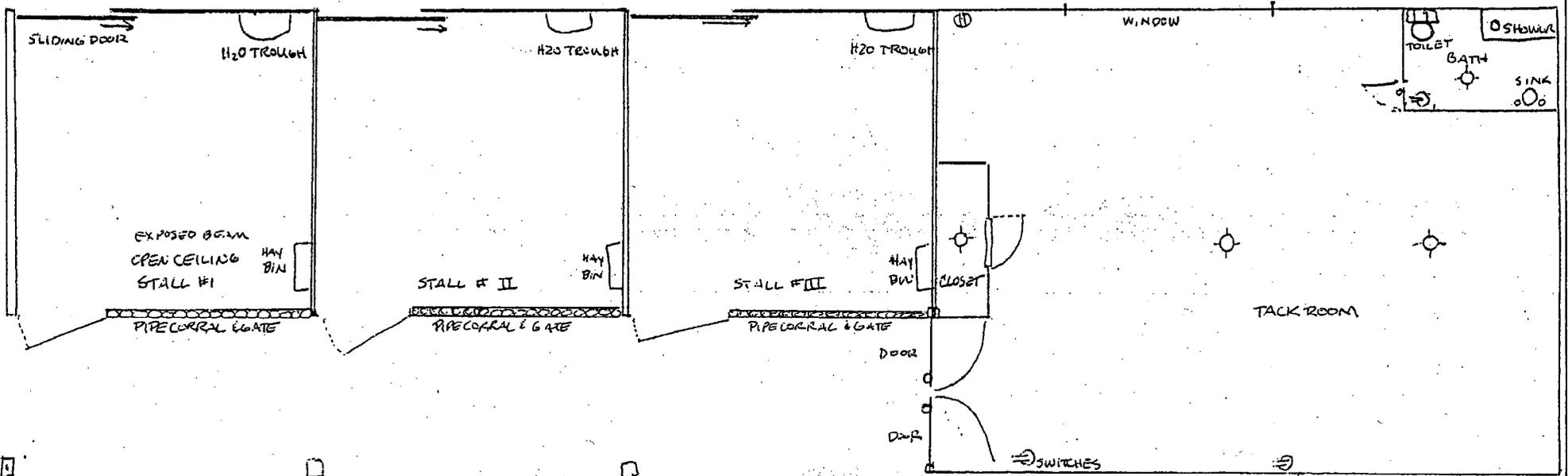
San Mateo County Planning Commission Meeting

Applicant: Braun

Attachment: **C**

File Numbers: PLN 1999-00079





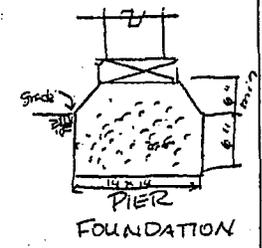
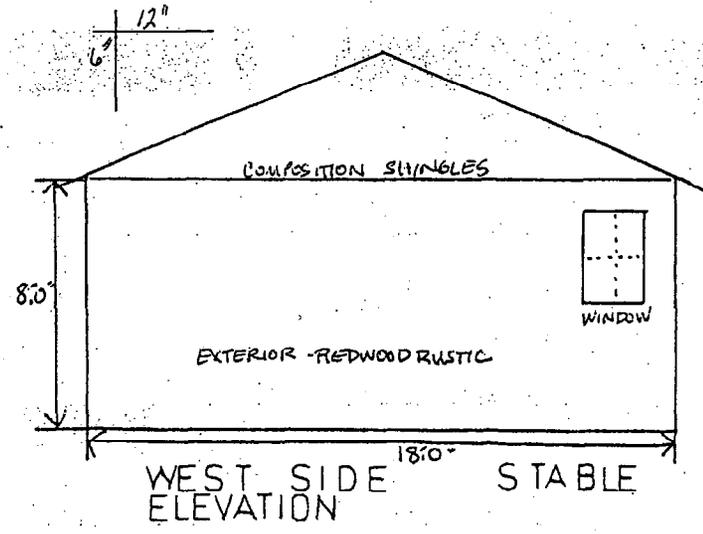
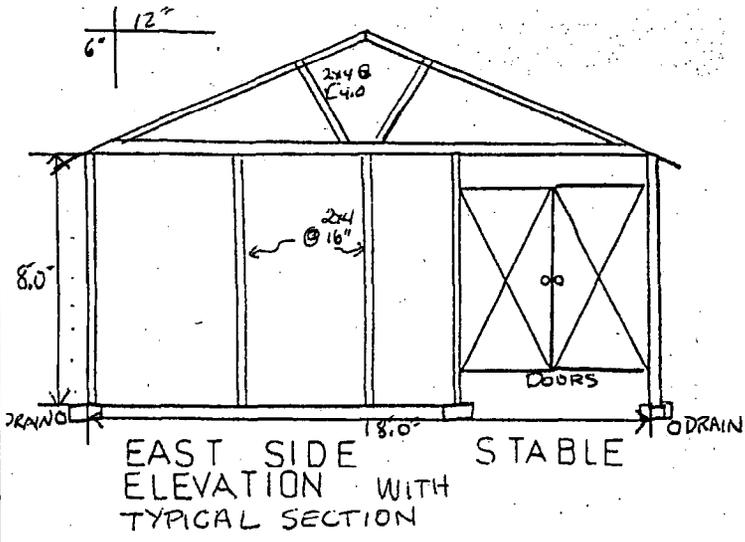
Stable Floor Plan

San Mateo County Planning Commission Meeting

Applicant: Braun

Attachment: **D (i)**

File Numbers: PLN 1999-00079

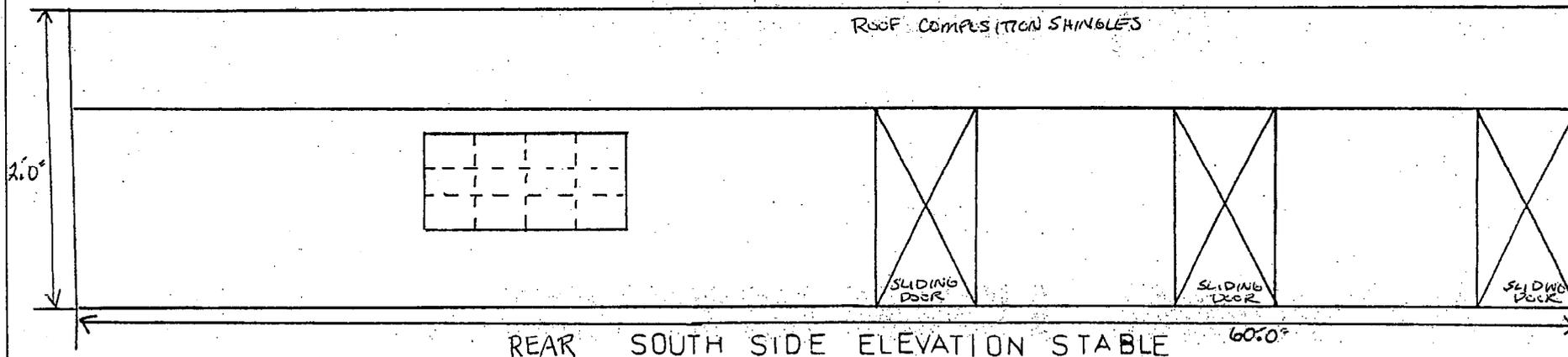
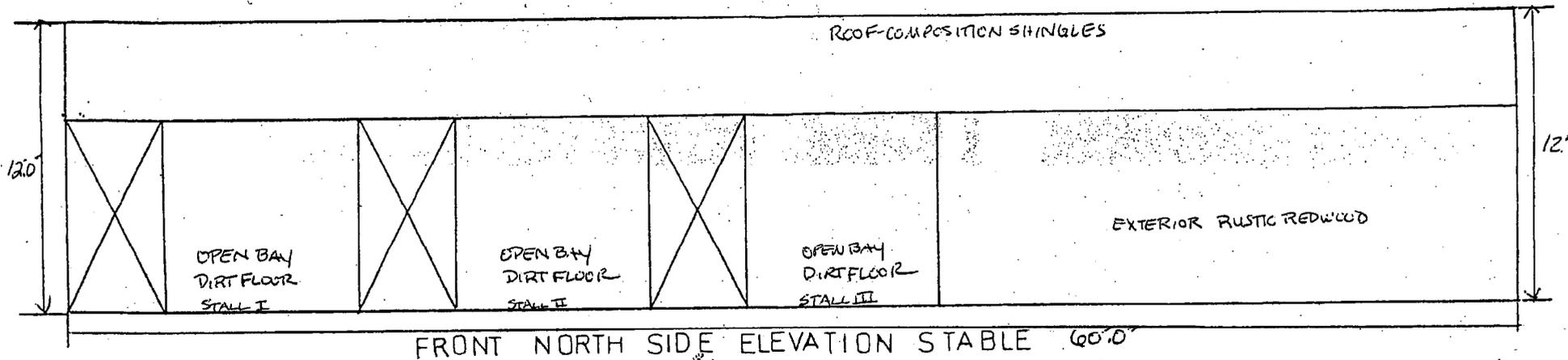


DETAILS:
 STICK CONSTRUCTION
 COMPOSITION ROOF
 FOUNDATION ON PERIMETER
 DIRT FLOOR IN STALLS
 CEMENT SLAB IN TACK ROOM

MR. + MRS. OSCAR BRAUN
 1589 HIGGINS CANYON RD
 HALF MOON BAY, CA
 APN #064-370-130

STABLE: EXTERIOR ELEVATIONS
 MARCH 1999
 REVISED AUGUST 2000
 SCALE: 1/4" = 1 FT

Stable East & West Elevations



Stable Front & Rear Elevations

MR. & MRS. OSCAR BRAUN
 1589 HIGGINS CANYON RD
 HALF MOON BAY, CA 94019
 APN #064-370-130

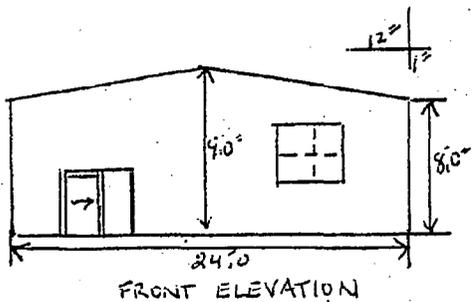
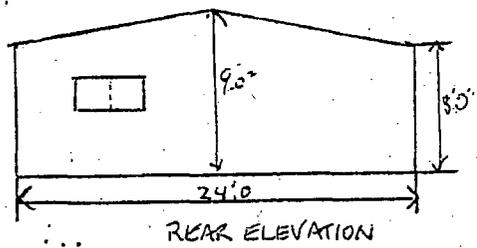
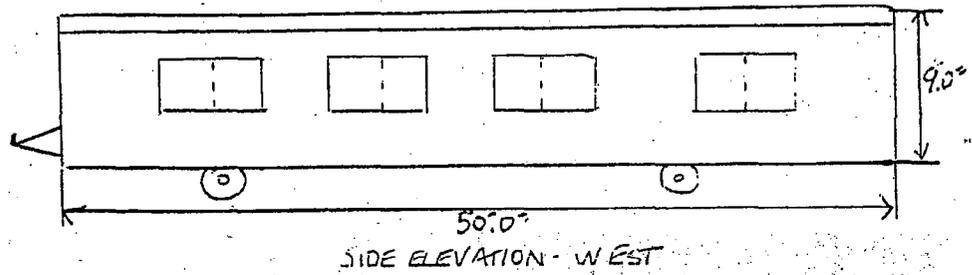
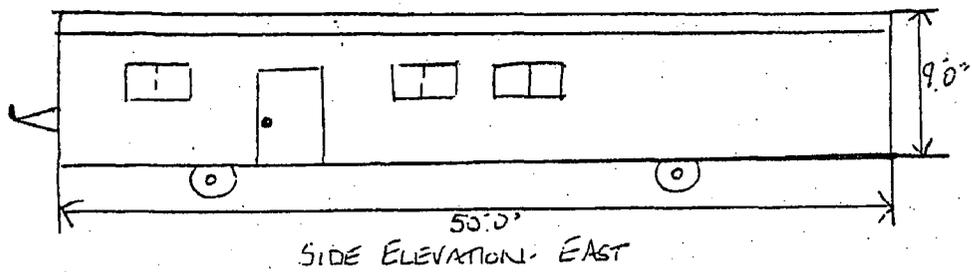
STABLE EXTERIOR ELEVATIONS
 MARCH 1999
 REVISED AUGUST 2000
 SCALE 1/4" = 1 FT

San Mateo County Planning Commission Meeting

Applicant: Braun

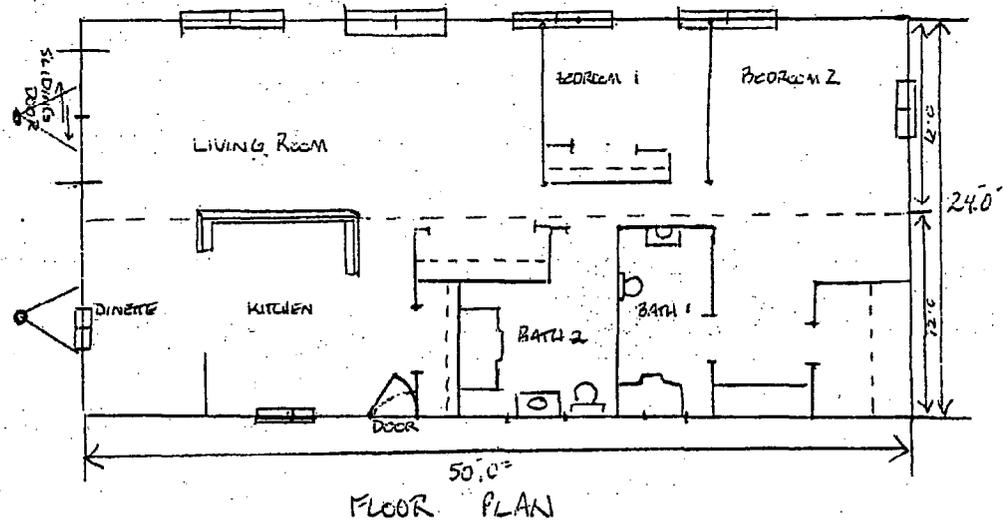
Attachment: **D (iii)**

File Numbers: PLN 1999-00079



Affordable Housing Unit Floor Plan & Elevations

DETAILS:
 EXTERIOR - ALUMINUM SIDING
 ROOF - MOBILE HOME CONSTRUCTION
 TWIN AXLE
 TWO 12' X 50' TRAILERS JOINED

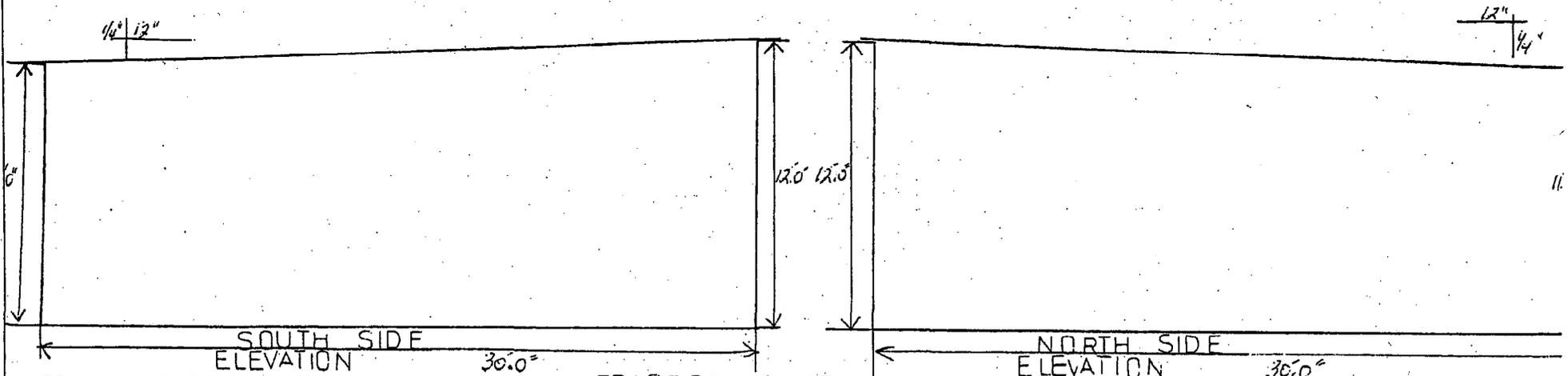
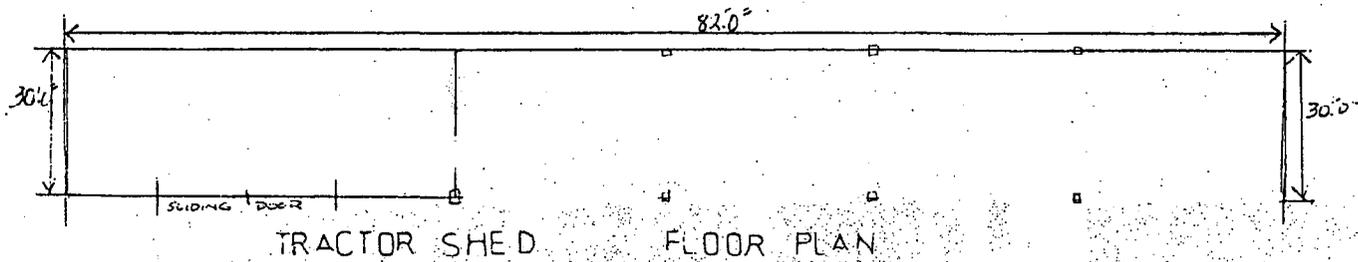


San Mateo County Planning Commission Meeting

Applicant: Braun

Attachment: **E**

File Numbers: PLN 1999-00079



TRACTOR SHED DETAILS

EXTERIOR 3/4" PLYWOOD
 ROOF STEEL DECKING
 FRAMING TUBULAR STEEL
 ENTIRE STRUCTURE WELDED TOGETHER
 SITTING ON GROUND - DIRT FLOOR
 NO FOUNDATION
 NO WATER
 FLUORESCENT LIGHTING THROUGHOUT

MR. & MRS. OSCAR BRAUN
 1589 HIGHLAND CANYON RD
 HALF MOON BAY, CA

APN #064-370-130

TRACTOR SHEDS : EXTERIOR ELEVATIONS
 MARCH 1999
 REVISED AUGUST 2000

SCALE 1/4" = 1 FT

Tractor Shed Floor Plan & Elevations

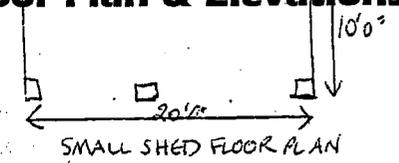
San Mateo County Planning Commission Meeting

Applicant: Braun

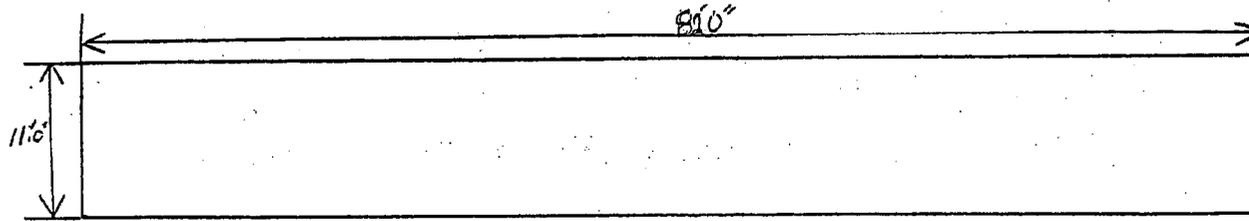
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File Numbers: PLN 1999-00079

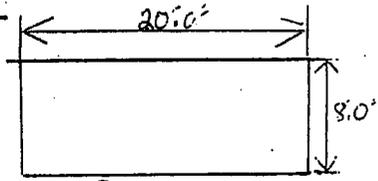
**Barn/Shed
Floor Plan & Elevations**



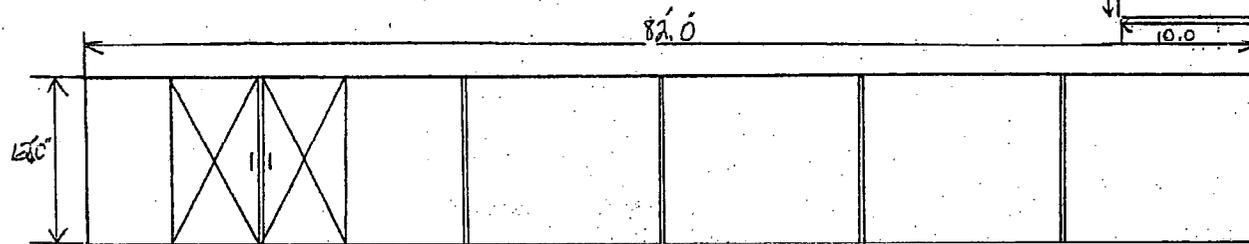
**Tractor Shed
East and West Elevations**



WEST SIDE ELEVATION TRACTOR SHED - REAR ELEVATION



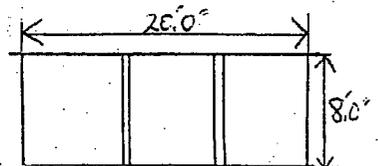
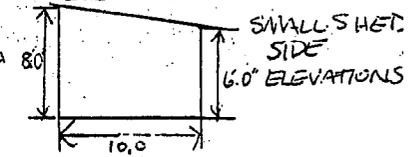
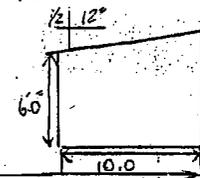
SMALL SHED WEST-REAR ELEVATION



EAST SIDE

TRACTOR SHED

FRONT ELEVATION



SMALL SHED EAST-FRONT ELEVATION

SMALL SHED DETAILS
 EXTERIOR 6 POLE CONSTRUCTION
 2 FT. WIDE GALVANIZED
 STEEL SIDING AND ROOF
 DIRT FLOOR
 NO PLUMBING
 NO WATER
 FLUORESCENT LIGHT

MR. & MRS. OSCAR BRAUN
 1589 HIGGINS CANYON RD
 HALF MOON BAY, CA
 APN # 064-370-130

TRACTOR SHEDS: EXTERIOR ELEVATIONS
 MARCH 1999
 REVISED AUGUST 2000

San Mateo County Planning Commission Meeting

Applicant: Braun

Attachment: **F (ii)**

File Numbers: PLN 1999-00079

COUNTY OF SAN MATEO, PLANNING DIVISION

NEGATIVE DECLARATION

122445

A notice, pursuant to the California Environmental Quality Act of 1970, as amended (Public Resources Code 21,000, et seq.), that the following project: Braun Property, when implemented will not have a significant impact on the environment.

FILE NO.: PLN 1999-00079

OWNER: Oscar Braun

APPLICANT: Oscar Braun

ASSESSOR'S PARCEL NO.: 064-370-130

FILED
 ENDORSED
 IN THE OFFICE OF THE
 COUNTY CLERK RECORDER OF
 SAN MATEO COUNTY, CALIF.

OCT 02 2001

WARREN SLOCUM, County Clerk

By ~~MARLENE PEREZ~~
DEPUTY CLERKPROJECT DESCRIPTION AND LOCATION

This project involves legalization of a 3-horse stable, tractor shed, agricultural barn, relocation of two water tanks, and a mobilehome as an affordable housing unit.

The project property is located approximately 1 1/2 miles east from Highway 1 on Higgins Canyon Road and consists of gently rolling hills. The vegetation consists primarily of shrub and few trees. There are no prime soils or water bodies on the property. The property is developed with a single-family residence, in addition to the structures proposed to be legalized. Access to the property is via a 50-foot wide easement running from Higgins Canyon Road through Parcel Number 064-370-160,

The project is located at 1589 Higgins Canyon Road and is within the Higgins-Purisima County Scenic Corridor.

FINDINGS AND BASIS FOR A NEGATIVE DECLARATION

The Planning Division has reviewed the initial study for the project and, based upon substantial evidence in the record, finds that:

1. The project will not adversely affect water or air quality or increase noise levels substantially.
2. The project will not have adverse impacts on the flora or fauna of the area.
3. The project will not degrade the aesthetic quality of the area.
4. The project will not have adverse impacts on traffic or land use.
5. In addition, the project will not:
 - a. Create impacts which have the potential to degrade the quality of the environment.

- b. Create impacts which achieve short-term to the disadvantage of long-term environmental goals.
- c. Create impacts for a project which are individually limited, but cumulatively considerable.
- d. Create environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly.

The County of San Mateo has, therefore, determined that the environmental impact of the project is insignificant.

MITIGATION MEASURES included in the project to avoid potentially significant effects:

Mitigation Measure 1: Prior to the issuance of a building permit, the applicant shall legalize the existing septic system serving the affordable unit. The legalization will require a soil percolation test in the immediate area of the septic system. The applicant will need to submit a plan showing the design of the septic system, location of the percolation test pits, location of the affordable unit and its driveway. The septic system shall meet current setback requirements such as 100 feet from any wells.

Applicant's response to mitigation measure is attached.

RESPONSIBLE AGENCY CONSULTATION

None

INITIAL STUDY

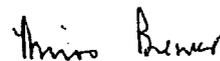
The San Mateo County Planning Division has reviewed the Environmental Evaluation of this project and has found that the probable environmental impacts are insignificant. A copy of the initial study is attached.

REVIEW PERIOD October 2, 2001 to October 22, 2001

All comments regarding the correctness, completeness, or adequacy of this Negative Declaration must be received by the County Planning Division, 455 County Center, Second Floor, Redwood City, no later than 7:00 p.m., October 22, 2001.

CONTACT PERSON

Miroo Brewer
Project Planner, 650/363-1853



Miroo Brewer, Project Planner

County of San Mateo
Planning and Building Division

INITIAL STUDY
ENVIRONMENTAL EVALUATION CHECKLIST
(To Be Completed By Planning Division)

I. **BACKGROUND**

Project Title: Braun Property

File No.: PLN 1999-00079

Project Location: 1589 Higgins Canyon Road, Half Moon Bay

Assessor's Parcel No.: 064-370-130

Applicant/Owner: Oscar Braun

Date Environmental Information Form Submitted:

PROJECT DESCRIPTION

This project involves legalization of a 3-horse stable, tractor shed, agricultural barn, relocation of two water tanks, and a mobilehome as an affordable housing unit.

The project property is located approximately 1 1/2 miles east from Highway 1 on Higgins Canyon Road and consists of gently rolling hills. The vegetation consists primarily of shrub and few trees. There are no prime soils or water bodies on the property. The property is developed with a single-family residence, in addition to the structures proposed to be legalized. Access to the property is via a 50-foot wide easement running from Higgins Canyon Road through Parcel Number 064-370-160.

The project is located at 1589 Higgins Canyon Road and is within the Higgins-Purisima County Scenic Corridor.

II. ENVIRONMENTAL ANALYSIS

Any controversial answers or answers needing clarification are explained on an attached sheet. For source, refer to pages 11 and 12.

	IMPACT					SOURCE
	NO	YES			Cumulative	
		Not Significant	Significant Unless Mitigated	Significant		
1. LAND SUITABILITY AND GEOLOGY						
Will (or could) this project:						
a. Involve a unique landform or biological area, such as beaches, sand dunes, marshes, tidelands, or San Francisco Bay?	X					B,F,O
b. Involve construction on slope of 15% or greater?	X					E,I
c. Be located in area of soil instability (subsidence, landslide or severe erosion)?	X					Bc,D
d. Be located on, or adjacent to a known earthquake fault?	X					Bc,D
e. Involve Class I or Class II Agriculture Soils and Class III Soils rated good or very good for artichokes or Brussels sprouts?	X					M
f. Cause erosion or siltation?		X				M,I
g. Result in damage to soil capability or loss of agricultural land?	X					A,M
h. Be located within a flood hazard area?	X					G
i. Be located in an area where a high water table may adversely affect land use?	X					D
j. Affect a natural drainage channel or streambed, or watercourse?	X					E

	IMPACT					SOURCE
	NO	YES				
		Not Significant	Significant Unless Mitigated	Significant	Cumulative	
2. <u>VEGETATION AND WILDLIFE</u>						
Will (or could) this project:						
a. Affect federal or state listed rare or endangered species of plant life in the project area?	X					F
b. Involve cutting of heritage or significant trees as defined in the County Heritage Tree and Significant Tree Ordinance?	X					I,A
c. Be adjacent to or include a habitat food source, water source, nesting place or breeding place for a federal or state listed rare or endangered wildlife species?	X					F
d. Significantly affect fish, wildlife, reptiles, or plant life?	X					I
e. Be located inside or within 200 feet of a marine or wildlife reserve?	X					E,F,O
f. Infringe on any sensitive habitats?	X					F
g. Involve clearing land that is 5,000 sq. ft. or greater (1,000 sq. ft. within a County Scenic Corridor), that has slopes greater than 20% or that is in a sensitive habitat or buffer zone?	X					I,F,Bb
3. <u>PHYSICAL RESOURCES</u>						
Will (or could) this project:						
a. Result in the removal of a natural resource for commercial purposes (including rock, sand, gravel, oil, trees, minerals or top soil)?	X					I

	IMPACT					SOURCE
	NO	YES				
		Not Significant	Significant Unless Mitigated	Significant	Cumulative	
b. Involve grading in excess of 150 cubic yards?	X					I
c. Involve lands currently protected under the Williamson Act (agricultural preserve) or an Open Space Easement?	X					I
d. Affect any existing or potential agricultural uses?	X					A,K,M
4. <u>AIR QUALITY, WATER QUALITY, SONIC</u>						
Will (or could) this project:						
a. Generate pollutants (hydrocarbon, thermal odor, dust or smoke particulates, radiation, etc.) that will violate existing standards of air quality on site or in the surrounding area?	X					I,N,R
b. Involve the burning of any material, including brush, trees and construction materials?	X					I
c. Be expected to result in the generation of noise levels in excess of those currently existing in the area, after construction?	X					Ba,I
d. Involve the application, use or disposal of potentially hazardous materials, including pesticides, herbicides, other toxic substances, or radioactive material?	X					I
e. Be subject to noise levels in excess of levels determined appropriate according to the County Noise Ordinance or other standard?	X					A,Ba,Bc
f. Generate noise levels in excess of levels determined appropriate according to the County Noise Ordinance standard?	X					I

	IMPACT					SOURCE
	NO	Not Significant	Significant Unless Mitigated	Significant	Cumulative	
g. Generate polluted or increased surface water runoff or affect groundwater resources?	X					I
h. Require installation of a septic tank/leachfield sewage disposal system or require hookup to an existing collection system which is at or over capacity?			X			S
5. TRANSPORTATION						
Will (or could) this project:						
a. Affect access to commercial establishments, schools, parks, etc.?	X					A,I
b. Cause noticeable increase in pedestrian traffic or a change in pedestrian patterns?	X					A,I
c. Result in noticeable changes in vehicular traffic patterns or volumes (including bicycles)?	X					I
d. Involve the use of off-road vehicles of any kind (such as trail bikes)?	X					I
e. Result in or increase traffic hazards?	X					S
f. Provide for alternative transportation amenities such as bike racks?	X					I
g. Generate traffic which will adversely affect the traffic carrying capacity of any roadway?	X					S

	IMPACT					SOURCE
	NO	Not Significant	Significant Unless Mitigated	Significant	Cumulative	
6. LAND USE AND GENERAL PLANS						
Will (or could) this project:						
a. Result in the congregating of more than 50 people on a regular basis?	X					I
b. Result in the introduction of activities not currently found within the community?	X					I
c. Employ equipment which could interfere with existing communication and/or defense systems?	X					I
d. Result in any changes in land use, either on or off the project site?	X					I
e. Serve to encourage off-site development of presently undeveloped areas or increase development intensity of already developed areas (examples include the introduction of new or expanded public utilities, new industry, commercial facilities or recreation activities)?	X					I,Q,S
f. Adversely affect the capacity of any public facilities (streets, highways, freeways, public transit, schools, parks, police, fire, hospitals), public utilities (electrical, water and gas supply lines, sewage and storm drain discharge lines, sanitary landfills) or public works serving the site?	X					I,S
g. Generate any demands that will cause a public facility or utility to reach or exceed its capacity?	X					I,S
h. Be adjacent to or within 500 feet of an existing or planned public facility?	X					A

	IMPACT					SOURCE
	NO	YES				
		Not Significant	Significant Unless Mitigated	Significant	Cumulative	
i. Create significant amounts of solid waste or litter?	X					I
j. Substantially increase fossil fuel consumption (electricity, oil, natural gas, coal, etc.)?	X					I
k. Require an amendment to or exception from adopted general plans, specific plans, or community policies or goals?	X					B
l. Involve a change of zoning?	X					C
m. Require the relocation of people or businesses?	X					I
n. Reduce the supply of low-income housing?	X					I
o. Result in possible interference with an emergency response plan or emergency evacuation plan?	X					S
p. Result in creation of or exposure to a potential health hazard?	X					S
7. AESTHETIC, CULTURAL AND HISTORIC						
Will (or could) this project:						
a. Be adjacent to a designated Scenic Highway or within a State or County Scenic Corridor?		X				A,Bb
b. Obstruct scenic views from existing residential areas, public lands, public water body, or roads?	X					A,I
c. Involve the construction of buildings or structures in excess of three stories or 36 feet in height?	X					I

	IMPACT					SOURCE
	NO	YES				
		Not Significant	Significant Unless Mitigated	Significant	Cumulative	
d. Directly or indirectly affect historical or archaeological resources on or near the site?	X					H
m. Visually intrude into an area having natural scenic qualities?	X					A,I

III. **RESPONSIBLE AGENCIES.** Check what agency has permit authority or other approval for the project.

AGENCY	YES	NO	TYPE OF APPROVAL
U.S. Army Corps of Engineers (CE)		X	
State Water Resources Control Board		X	
Regional Water Quality Control Board		X	
State Department of Public Health		X	
San Francisco Bay Conservation and Development Commission (BCDC)		X	
U.S. Environmental Protection Agency (EPA)		X	
County Airport Land Use Commission (ALUC)		X	
CalTrans		X	
Bay Area Air Quality Management District		X	
U.S. Fish and Wildlife Service		X	
Coastal Commission		X	
City		X	
Sewer/Water District:		X	
Other:		X	

V. MANDATORY FINDINGS OF SIGNIFICANCE

	Yes	No
1. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal, or eliminate important examples of the major periods of California history or prehistory?		X
2. Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?		X
3. Does the project have possible environmental effects which are individually limited, but cumulatively considerable?		X
4. Would the project cause substantial adverse effects on human beings, either directly or indirectly?		X

On the basis of this initial evaluation:

I find the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared by the Planning Division.

X

I find that although the proposed project could have a significant effect on the environment, there **WILL NOT** be a significant effect in this case because of the mitigation measures in the discussion have been included as part of the proposed project. A **NEGATIVE DECLARATION** will be prepared.

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

Miroo Brewer

(Sign) Miroo Brewer

August 30, 2001

Date

Project Planner

(Title)

VI. SOURCE LIST

- A. Field Inspection
- B. County General Plan 1986
 - a. General Plan Chapters 1-16
 - b. Local Coastal Program (LCP) (Area Plan)
 - c. Skyline Area General Plan Amendment
 - d. Montara-Moss Beach-El Granada Community Plan
 - e. Emerald Lake Hills Community Plan
- C. County Ordinance Code
- D. Geotechnical Maps
 - 1. USGS Basic Data Contributions
 - a. #43 Landslide Susceptibility
 - b. #44 Active Faults
 - c. #45 High Water Table
 - 2. Geotechnical Hazards Synthesis Maps
- E. USGS Quadrangle Maps, San Mateo County 1970 Series (See F. and H.)
- F. San Mateo County Rare and Endangered Species Maps, or Sensitive Habitats Maps
- G. Flood Insurance Rate Map – National Flood Insurance Program
- H. County Archaeologic Resource Inventory (Prepared by S. Dietz, A.C.R.S.) Procedures for Protection of Historic and Cultural Properties – 36 CFR 800 (See R.)
- I. Project Plans or EIF
- J. Airport Land Use Committee Plans, San Mateo County Airports Plan
- K. Aerial Photography or Real Estate Atlas – REDI
 - 1. Aerial Photographs, 1941, 1953, 1956, 1960, 1963, 1970
 - 2. Aerial Photographs, 1981
 - 3. Coast Aerial Photos/Slides, San Francisco County Line to Año Nuevo Point, 1971
 - 4. Historic Photos, 1928-1937

- L. Williamson Act Maps
- M. Soil Survey, San Mateo Area, U.S. Department of Agriculture, May 1961
- N. Air Pollution Isopleth Maps – Bay Area Air Pollution Control District
- O. California Natural Areas Coordinating Council Maps (See F. and H.)
- P. Forest Resources Study (1971)
- Q. Experience with Other Projects of this Size and Nature
- R. Environmental Regulations and Standards:
 - Federal
 - Review Procedures for CDBG Programs 24 CFR Part 58
 - NEPA 24 CFR 1500-1508
 - Protection of Historic and Cultural Properties 36 CFR Part 800
 - National Register of Historic Places
 - Floodplain Management Executive Order 11988
 - Protection of Wetlands Executive Order 11990
 - Endangered and Threatened Species
 - Noise Abatement and Control 24 CFR Part 51B
 - Explosive and Flammable Operations 24 CFR 51C
 - Toxic Chemicals/Radioactive Materials HUD 79-33
 - Airport Clear Zones and APZ 24 CFR 51D
 - State
 - Ambient Air Quality Standards Article 4, Section 1092
 - Noise Insulation Standards
- S. Consultation with Departments and Agencies:
 - a. County Health Department
 - b. City Fire Department
 - c. California Department of Forestry
 - d. Department of Public Works
 - e. Disaster Preparedness Office
 - f. Other

COUNTY OF SAN MATEO
Environmental Services Agency
Planning and Building Division

Initial Study Pursuant to CEQA
Project Narrative and Answers to Questions for the Negative Declaration
File Number: PLN 1999-00079
Braun Property

PROJECT DESCRIPTION

This project involves legalization of a 3-horse stable, tractor shed, agricultural barn, relocation of two water tanks, and a mobilehome as an affordable housing unit.

The project property is located approximately 1 1/2 miles east from Highway 1 on Higgins Canyon Road and consists of gently rolling hills. The vegetation consists primarily of shrub and few trees. There are no prime soils or water bodies on the property. The property is developed with a single-family residence, in addition to the structures proposed to be legalized. Access to the property is via a 50-foot wide easement running from Higgins Canyon Road through Parcel Number 064-370-160.

The project is located at 1589 Higgins Canyon Road and is within the Higgins-Purisima County Scenic Corridor.

ANSWERS TO QUESTIONS

1. LAND SUITABILITY AND GEOLOGY

- f. Will or could this project involve erosion or siltation?

No: This project involves legalization of existing structures. No new construction or grading is proposed.

4. AIR QUALITY, WATER QUALITY, SONIC

- h. Will or could this project require installation of a septic tank/leachfield sewage disposal system or require hookup to an existing collection system which is at or over capacity?

Yes, Significant Unless Mitigated: The proposed project will include legalization of a modular unit which includes legalization of the septic system installed to serve the unit. In order to ensure that the existing septic system meets the County Environmental Health Division standards, the following mitigation measure is recommended.

Mitigation Measure 1: Prior to the issuance of a building permit, the applicant shall legalize the existing septic system serving the affordable unit. The legalization will require a soil percolation test in the immediate area of the septic system. The applicant will need to submit a plan showing the design of the septic system, location of the percolation test pits, location of the affordable unit and its driveway. The septic system shall meet current setback requirements such as 100 feet from any wells.

7. **AESTHETIC, CULTURAL AND HISTORIC**

- a. **Will or could this project be adjacent to a designated Scenic Highway or within a State or County Scenic Corridor?**

Yes, Not Significant: The project is located within the County Scenic Corridor of Higgins-Purisima Road. The mobile unit, tractor shed and agricultural barn are not visible from the scenic corridor. The two 5,000-gallon water tanks are also not visible from the scenic corridor. These two water tanks will replace an existing 8,000-gallon tank that will be removed. The stable structure is partially visible for approximately 0.7 miles on Higgins Canyon Road. However, given the distance, the visual impacts of the stable are not significant.

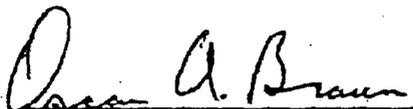
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TO: County of San Mateo
Planning and Building Division
455 County Center
Redwood City, CA 94063

Project Name: LEGALIZE STRUCTURES
Case No.: PRJ1215
Project Planner: LILY TOY

I have read and accepted the mitigation measures suggested as necessary to avoid or mitigate effects to a point where no significant effects would occur.

I agree to carry out this project in accordance with the suggested mitigation measures stated in your letter dated, 9/6/2001, and will modify my project plans or proposals accordingly.


Applicant

9-13-2001
Date

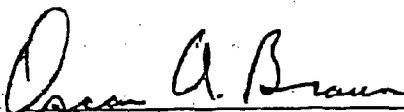
Applicant does not concur with the Mitigation Measures for Case # PLN 1999-0079, a project to legalize Moon Acres agricultural structures. San Mateo County Environmental Services Agency has conducted a four year campaign of unlawful punitive retaliation against the Braun family in response to their "lawful whistle blowing" complaints brought by the applicants against the County. Environmental Services has coerced and unlawfully compelled Oscar and Andrea Braun to sign this document. The applicants have suffered significant financial damages from the actions of San Mateo County Environmental Services Agency and are not precluded from now giving their notice of intent (NOI) to file a criminal complaint with the U.S. Attorney for violations under the U.S. anti-racketeering and environmental protection statutes. .

TO: County of San Mateo
Planning and Building Division
455 County Center
Redwood City, CA 94063

Project Name: LEGALIZE STRUCTURES
Case No.: PRJ1215
Project Planner: LILY TOY

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I agree to carry out this project in accordance with the suggested mitigation measures stated in your letter dated, 9/6/2001, and will modify my project plans or proposals accordingly.


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9-13-2001
Date

Applicant does not concur with the Mitigation Measures for Case # PLN 1999-0079, a project to legalize Moon Acres agricultural structures. San Mateo County Environmental Services Agency has conducted a four year campaign of unlawful punitive retaliation against the Braun family in response to their "lawful whistle blowing" complaints brought by the applicants against the County. Environmental Services has coerce and unlawfully compelled Oscar and Andrea Braun to sign this document. The applicants have suffered significant financial damages from the actions of San Mateo County Environmental Services Agency and are not precluded from now giving their notice of intent (NOI) to file a criminal complaint with the U.S. Attorney for violations under the U.S. anti-racketeering and environmental protection statutes.



October 22, 2001

By FAX 363-4849

Miroo Brewer, Project Planner
San Mateo County Planning Division
455 County Center, Second Floor
Redwood City, CA 94063

Re: Initial Study and Negative Declaration for File # PLN 1999-00079,
Owner and Applicant: Oscar Braun, 1589 Higgins Canyon Road,
Half Moon Bay, APN 064-370-130

Dear Miroo,

Thank you for referring the above-referenced Negative Declaration to the Committee for Green Foothills. We appreciate the opportunity to comment.

We believe the project description is incomplete, and therefore the Initial Study needs to be revised to include all elements of development that were not part of the Coastal Development Permit issued in 1991. These unpermitted elements include the following items that were enumerated in a Press Release sent to various newspapers on April 19, 2001 by Mr. Braun. Comparing the April, 2001 Press Release with the 1991 Coastal Development Permit (CDP), we note the following discrepancies:

	<u>April, 2001 Press Release</u>	<u>1991 CDP</u>
Residence	10,000 sq. ft.	7,500 sq.ft. (including 979 sq.ft. garage)
Access Road	two miles	3,400 feet
Security Gate	included	not part of permit
Sprint PCS Site	included	not part of permit
Tractor/Storage Shed	included	not part of permit
Farm Labor Housing Unit included*		not part of permit
Horse Stable/Full Bathroom included		not part of permit
Horse Arena	included	not part of permit
Helicopter pad	included	not part of permit
10,000 gal. Water Tank	included	not part of permit

* We note that what was described in April as a Farm Labor Housing Unit is now being characterized as an Affordable Housing Unit. In any event, it was built without proper permits.

The answer to question 7.a. of the Initial Study states: "The mobile unit, tractor shed and agricultural barn are not visible from the scenic corridor." This is not correct. The barn is not only visible from the scenic corridor, it also breaks the ridgeline as seen from Highway One, in violation of ICP Policy 8.7. The reference in the next sentence regarding the two 5,000 gallon

water tanks states that they are not visible from the scenic corridor. Are these tanks already installed, or are they proposed? If they are not built, this sentence needs to be revised to state that the tanks, "as proposed, would not be visible..." Other elements of the project, such as the Security Gate and fence along Higgins Purisima Road, are also within the Scenic Corridor and should be evaluated in the Initial Study.

The Initial Study should include a map of the site, to scale, showing the location of all the existing (legal and illegal) elements of the project, and also showing the proposed locations of those elements that will need to be relocated. The map should also show the location of the existing water supply wells and the septic systems. The Initial Study should evaluate the project's compliance with clustering requirements of the LCP.

We note that the April 2001 Press Release states that the Horse Stable/Tack Room/Horse Wash Station also includes a Full Bathroom. What septic system exists for the waste from the Bathroom and the Horse Wash Station?

We are further concerned that the septic systems may be located too close to the domestic water supply well(s) on the property. Therefore it is essential that the Initial Study include the location of the wells, and the location of the septic tanks and drain fields for the septic systems. Do the two wells have sufficient production and adequate water quality to serve the proposed uses?

The Applicant has stated in an addendum to the document that he does not concur with the Mitigation Measures in the Negative Declaration. Given the Applicant's track record of building numerous structures without permit, what assurances does the County have that the Applicant will (a) verify accurately the location of the septic system serving the affordable unit, and (b) perform the required soil percolation tests as required by Mitigation Measure #1?

Finally, since the Applicant originally received the CDP for a single family residence, served by a 3,400 foot long narrow driveway, a second house, served in part by this driveway has been built on an adjacent parcel owned by the Applicant's brother. With the current application for a third (affordable) residential unit, are there additional requirements for fire access, such as wider paved area, turnouts, or emergency vehicle access routes?

Thank you again for the opportunity to comment.

Sincerely,

Lennie Roberts

Lennie Roberts, Legislative Advocate
Committee for Green Foothills

Sent:
To:

Thursday, April 19, 2001 1:39 PM

preang@sjmercury.com; mmaccabe@sfnchronicle.com; msimon@sfnchronicle.com;
llinden@sfnnewsletters.com; nicola@hmbreview.com; editorial@paizotodailynews.com;
anastasiaburke@mindspring.com

Cc:

Zia Chishti; Ted J. Hannig; Steve Law; Sagrid White; RSBronco@aol.com; Sdcolln@aol.com;
Richard Gordon; Michael Murphy; Mark Delaplaine; Marcia Raines; Larry DeYoung;
KEJ@globewireless.com; Kandace Bender; Jamie Ouzik;
Glenna@Halfmoonbaychamber.org; Eric Rice; Envirophors@aol.com; charise McHuge

Subject:

Today's \$100 Million Coastal Open Space Story

Media,

Please find attached current listings from EnviroBank that supports the efforts of POST and other Peninsula Land



SOS EnviroBank-Moon
Acres dot



EnviroBank March
2001 Ballot M...



Protecting California's
Future...



Protecting California's
Future...

Trust organizations.

EnviroBank: Moon Acres Ranch

The Half Moon Bay Coastside Foundation dba Save Our Bay is proud to announce the availability of Moon Acres Ranch through their EnviroBank Program. The offering of Moon Acres Ranch provides the San Francisco Peninsula land trust community an historic opportunity to complete that last remaining strategic link between open space, parklands and recreational areas extending from Skyline Boulevard to Main Street, Half Moon Bay. The Moon Acres Ranch infrastructure will provide the highest level of on-site natural heritage stewardship that is required for large protected tracts of privately held Peninsula watershed lands.

For further information on the EnviroBank, Mission, Current Projects and Moon Acres see attachments.

Contact Information:

Oscar Braun, Executive Director

Voice: 650-726-3307

Fax: 650-726-2789

Email: oscar@saveourbay.org

Protecting California's Future EnviroBank: Moon Acres Ranch



*"Change is inevitable...
Survival is not."*

The Half Moon Bay Coastside Foundation dba Save Our Bay is proud to announce the availability of Moon Acres Ranch through their EnviroBank Program. The offering of Moon Acres Ranch provides the San Francisco Peninsula land trust community an historic opportunity to complete that last remaining strategic link between open space, parklands and recreational areas extending from Skyline Boulevard to Main Street, Half Moon Bay. The Moon Acres Ranch infrastructure will provide the highest level of on-site natural heritage stewardship that is required for large protected tracts of privately held Peninsula watershed lands.

Moon Acres Ranch

The parcel that comprises Moon Acres Ranch occupies the upland boundary of the historic Johnston Ranch to the West, and the Burleigh Murray Ranch State Park to the East and North. It is approximately seventy-five to one hundred acres in size and has been historically significant as it has provided valuable agricultural lands as well as an important wildlife habitat tucked amongst its grassy, chaparral hills. The Moon Acres Ranch is in Trust and is owned by Oscar A. Braun, founder of Save Our Bay Foundation and serves as its headquarters. (See Mission and EnviroBank enclosures.) Moon Acres Ranch was acquired in 1988 and was fully developed for its highest and best use and contains all the necessary infrastructure required to provide the utmost level of stewardship services for privately held lands. Moon Acres assets and infrastructure includes but is not limited to the following:

- Approximately two miles of all weather paved access road.
- Security Gate with telephone access system - solar powered.
- All underground utilities and ten telephone lines.
- Two Water wells - one agricultural, one residential with ten thousand gallon storage capacity, and one hundred foot ice plant perimeter for fire abatement.
- Sprint PCS Site, RF coverage from Hwy 1 & Hwy 92 to the South End City of Half Moon Bay
- Tractor and Agricultural Equipment Storage Shed and heavy equipment repair shop.
- Farm Labor Housing - One two bedroom, two bath unit located near repair shop for labor.
- Horse Stable with three paddocks/ tack room/horse wash station,/ full bathroom
- Horse training Arena interchangeable helicopter landing area.

Hacienda "El Nido"

- Spanish Mission style architecture, approximately ten thousand square foot structure, clay tile roof and natural color stucco exterior with well established landscaping and fountain courtyard.
- Multi-faceted patio and balcony areas for accessing scenic corridor vistas.
- Two-two car garages.
- Master bedroom suite with integrated full bath and fireplace.
- Two private guest suites with fireplaces and handicapped accessible bathrooms.
- Full size residential elevator
- Private family room, adjoining foyer, formal dining room and private kitchen nook.
- Spacious commercially equipped kitchen with walk-in pantries and full wet bar.
- Naturally skylighted library and two business offices with DSS, DSL and LAN with wireless telecommunication capability.
- Fully equipped exercise gym.
- Rooftop observatory and garden space.
- Kennel and animal grooming room.

CYNTHIA J. GIOVANNONI

1780 Higgins Canyon Road

Half Moon Bay, Ca. 94019

(650) 726-3588

(650) 726-3582

October 19, 2001

**County of San Mateo
Planning Division
455 County Center, Second Floor
Redwood City, Ca. 94063**

Attention; Miroo Brewer

**Re; Negative Declaration, File No. PLN 1999-00079
Owner; Oscar Braun**

I am writing to voice my objection to the initial study. It appears incomplete in that it fails to address the following considerations:

- 1) Are wells adequate in quality and quantity to support proposed uses?**
- 2) How much water storage is separately required for fire suppression?**
- 3) Has there been an adequate environmental health inspection and tests to assure septic system safety for both the proposed affordable housing unit and proposed 3- horse stable?**
- 4) Have C D P clustering provisions, been followed?**
- 5) The 3-horse stable is clearly visible from Scenic Highway 1, could there have been a better location on the property? Visual resource criteria of LCP Sections 8.5 and 8.7 should be analyzed.**
- 6) Does the driveway have the proper width and required turn outs for the proposed structure legalization?**
- 7) What violations and enforcement actions have previously been associated with Mr. Braun, his property, and elements of this request and initial study?**

8) What justifies Mr. Braun's structure as an affordable unit, and what assurance mechanism is in place to confirm an annual review or audit so it will not quietly become market rate?

9) Does the existing C D P provide for the improvements on the property such as the 10,000 square foot residence, helicopter landing pad, entry gate as claimed in his own press release? (copy enclosed)

10) Does the C D P allow for the many clubs and organizations Mr. Braun headquarters and operates on site?

Until the initial study fully evaluates the above, I encourage the County to continue Mr. Braun's applications. Further I request the above issues be adequately addressed in a revised and recirculated initial study.

Sincerely,

Cynthia J. Giovanni

Half Moon Bay
Review

EDITORIAL

DEBRA GODSHALL
 Editor and Publisher
 OVERALL RESPONSIBILITY FOR ALL NEWSPAPER DEPARTMENTS

DEIRDRE HOLBROOK
 City Editor
 RESPONSIBLE FOR NEWS COVERAGE AND OPINION PAGES

GEORGE FULLER
 Community Editor
 RESPONSIBLE FOR COMMUNITY, ENTERTAINMENT AND SPORTS

SALLY COLE
 Copy Editor

MARK FOYER
 Sports Writer

NICOLE ACHS FREELING
 News Writer

BEN SCHNAYERSON
 News Writer

STACY TREVENON
 Community/Entertainment Writer

BEN OPARDUA-ASHE
 Photographer

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 Business Manager

REGINA ORCHARD
 Administrative Assistant

ADVERTISING

PHYLLIS STANDAERT
 Classified Sales Manager

LINDA PETTENGILL
 Advertising Director

ANTHONY ASPILLERA

ADAM UNDERWOOD

TALK OF THE TOWN

And the award goes to ...

Weird science: *Rachel Kennedy*, a seventh-grader at Cunha Intermediate School in Half Moon Bay, was one of 46 young scientists in San Mateo County to win top honors in the Bay Area Science Fair held in San Francisco. Kennedy was one of six second place-winners. *Greta Mayfield*, who helped organize the science fair, said all the students who submitted projects grew from the experience.

"When I see kids competing in these science fairs, the biggest benefit I see is a broadening of their perspectives — they're talking to professors in fields they're interested in — and the interchange that goes on between the students is phenomenal," Mayfield said.

Kennedy, whose project on wetlands was the grand prize winner of Cunha's science fair in January, said of her project, "I learned maybe people need to be more concerned about where they are building." Out of the mouths of babes ...

Lion on the mountain: On an early Tuesday morning hike on Montara Mountain, Mary and her daughter Molly, both of Half Moon Bay, say they spotted an unlikely creature — a mountain lion cruising along the hillside. The two were walking with their dogs when Mary said she spotted the beautiful and rarely seen creature a mere 200 feet away. Mary, who requested the Review not use her last name, said it was the size of a yellow lab and had a "nice long tail."

"I looked at it, it looked at me, and I started yelling 'there's a cougar, there's a cougar,' and it dashed up the side of the mountain," she said. "It was amazing to see it."

Moon Acres Ranch hits the market: Save Our Bay founder and avid Montara Mountain tunnel opponent *Oscar Braun* is seeking a buyer for his 75-acre ranch, which extends from Skyline Boulevard to Main Street in downtown Half Moon Bay. The property borders the historic Johnston Ranch and Burleigh Murray State Park.

But Braun states in a media packet distributed last week that he is primarily interested in selling the property, which includes a 10,000-square-foot house, farm labor housing, horse stables, and a helicopter landing area, to an open space trust.

"The offering of Moon Acres Ranch provides the San Francisco Peninsula land trust community an historic opportunity to complete that last remaining strategic link between open space, parklands and recreational areas," Braun states in the packet.

When Braun proposed the estate, the environmental community on the coast opposed the project because of its placement on the ridgeline. Now, over a decade after it was built, he is giving his opponents an unusual opportunity to reclaim the land, albeit changed. Any takers?

COPY

Steven M Karlin
1794 Higgins Canyon Road
Half Moon Bay Ca 94019

10/22/01

Miroo Brewer
County of San Mateo
Planning Division
455 County Center, Second Floor
Redwood City, Ca, 94063

Dear Miroo,

This letter is in reference to the Negative Declaration, file# PLN 1999-00079
Owner: Oscar Brawn

The initial study seems to be incomplete, as it does not address the following items:

- 1) Does Mr. Braun have the required legal access across the neighbor's property for the additional "affordable housing" residence?
- 2) Does the current road meet proper fire standards for the additional residence and barn?
- 3) Is there proper well water to service two residents and a horse barn?
- 4) Is there proper required water storage for fire suppression?
- 5) Are there other affordable units in the rural areas of San Mateo County?
- 6) What is the assurance that these units remain "affordable"?
- 7) The illegal horse barn can be seen from Rt 1, the costal bluffs and Higgins Canyon Road.
- 8) The illegal horse barn which was built without any regard to county and state regulations, is in violation of the LCP, and greatly degrades the aesthetic quality of the area.

Thank you for your time in answering these important questions.

Sincerely,



Steven Karlin

County of San Mateo
Environmental Services Agency
Planning and Building Division

COASTAL DEVELOPMENT POLICY CHECKLIST

Based on Local Coastal Program as Adopted by
Board of Supervisors December 2, 1980
and as Last Amended in August 1992

GENERAL INFORMATION

1. File No.: PLN 1999-00079 Planner: JIM EGGEMEYER
MIRDO DESAI BREWER
2. Owner: OSCAR BRAUN Applicant: SAME
3. Project Description: LEGALIZATION OF STABLE, TWO BARN & A MOBILE HOME AS
AFFORDABLE HOUSING UNIT, REPLACEMENT OF ONE 8,000 GALLON WATER
TANK w/TWO 5,000 GALLON WATER TANKS, & 126 SQ.FT. STORAGE SHED
4. Project Address: 1589 Higgins Canyon Road, Half Moon Bay
5. APN(s): 064-370-240
6. General Plan: General Open Space Zoning: RM-CZ/CD
7. Plan Checklist is completed and attached (initial) MDB/JEE

LCP POLICIES (Answer Each Item - References are to LCP Policy Numbers).

	Not Applicable	Project Complies	Does Not Comply	Condition Required
PLANNING AND LOCATING DEVELOPMENT				
1.2 Does this project meet the definition of development?		✓		
1.9 If this is a land division in an area with a General Plan designation of Open Space, will dedication of a conservation/open space easement be required?	✓			
1.22 If this is a residential development in a Mid-Coast area without Phase 1 sewer and new water facilities, does it exceed the 125 building permit limit in one calendar year?	✓			
1.23 If this is a residential development in a South Coast area without Phase 1 sewer and new water facilities, does it exceed the 125 building permit limit in one calendar year?		✓		

		Not Applicable	Project Complies	Does Not Comply	Condition Required
1.24	Is this development in an area which may contain sensitive archaeological/paleontological resources as noted on the County Sensitivity Maps?	✓			
1.24	Will this project trigger an archaeological/paleontological mitigation plan?	✓			
1.27	Does this development warrant a Certificate of Compliance to confirm the legal existence of parcels?	✓			
1.29	Does this development meet the standards of review for legalizing parcels?	✓			
PUBLIC WORKS					
2.1	If this development involves a Public Works project, does it meet the criteria of the Public Works Component of the LCP? (See Appendix Sheet for Public Works Projects)	✓			
HOUSING					
3.13	Will this development involve demolition of structures providing affordable housing?	✓			
3.17	If this development proposes affordable housing, is it compatible with the community character?		✓		
3.19	Will this development involve construction in designated affordable housing sites?	✓			
3.20	If this development is in a designated affordable housing site, does it exceed the 60 building permit limit in one calendar year?	✓			
3.22	If this development involves placement of a mobile home on the site, does it meet all of the criteria for the appropriate zone?		✓		
3.23	If this development involves the placement of multi-family residential units in the R-3 and C-1 zoning districts, are 20% of the units reserved for low or moderate income households?	✓			
3.24	If this project involves placement of a second unit in the Mid-Coast R-1 District, does it meet the building permit limits and square footage limits as noted in the LCP?	✓			

	Not Applicable	Project Complies	Does Not Comply	Condition Required
3.25 Is the applicant seeking a 33% density bonus in R-1/S-17 Mid-Coast area after meeting all of the criteria in this Section?	✓			
3.26 If this project involves land divisions in rural areas of the South Coast, are 20% of the lots being optioned to the County for affordable housing?	✓			
3.27 Does this development meet the criteria for qualifying for the option of 40 additional dwelling units in the rural area of the South Coast?	✓			
3.28 Does the affordable housing developer accept the income, rent and cost controls of the County?		✓		✓
3.29 Does the affordable housing developer accept the conditions to guarantee the continued availability of affordable housing units?		✓		✓
ENERGY				
If this project involves energy facilities (oil and gas wells, onshore facilities for offshore oil, pipelines, transmission lines), complete and attach a separate analysis of compliance with LCP Energy Component and enter results here.	✓			
AGRICULTURE				
5.1 These policies are addressed by Planned Agricultural District. A Planned Agricultural Permit <u>(is)/(is not)</u> required.	✓			
5.18 Is any soil dependent floriculture located on prime soils while non-soil dependent floriculture is located on non-prime soils?	✓			
5.19 Does this development meet these floricultural development standards?	✓			
5.20 Does this development meet the Agricultural Management Policies?	✓			
5.21 Does this development avoid endangering sensitive habitats?	✓			
5.25 If an on-stream dam is proposed, does it meet all of this Chapter criteria?	✓			

		Not Applicable	Project Complies	Does Not Comply	Conditio Required
5.27	Is the allocation of future Mid-Coast water supplies to floriculture in accordance with the policies of the Public Works Component?	✓			
5.29	Does this development require a grading permit for water impoundments according to County Ordinance?	✓			
5.30	If this development involves land under Williamson Act contract, has conforming with zoning, the General Plan and the LCP been established?	✓			
5.30	Have Williamson Act Notices of Non-Renewal been filed for those properties not in conformance with State Code and County Policies?	✓			
5.33	Has the State explored the option of leasing prime agricultural land as a Condition of Permit Approval?	✓			
AQUACULTURE					
6.1	If this development involves aquaculture as defined in LCP Policy 6.1, complete and attach a separate analysis of compliance with LCP Aquaculture Component and enter here.	✓			
SENSITIVE HABITATS					
7.5	A biological report has been prepared in accordance with LCP Policies. Applicability of various Sensitive Habitats Policies was determined on the basis of: _____ Coastal Development Permit Application. _____ Environmental Information Form. _____ LCP Sensitive Habitats Component Text. _____ LCP Sensitive Habitat Maps. _____ Site inspection.	✓			
7.5	Will the restoration of damaged habitat be a condition of approval for this project?	✓			
7.10	Does this development minimize removal of vegetation and/or minimize construction/protect vegetation during or after construction?	✓			

		Not Applicable	Project Complies	Does Not Comply	Condition Required
7.10	Does this project use only native or non-invasive plant species when replanting?	✓			
7.10	Does this project adhere to State Department of Fish and Game provisions for fish passage?	✓			
7.10	Does this project minimize adverse effects of wastewater discharge?	✓			
7.10	Does this project prevent depletion of groundwater supplies and waterflows and encourage wastewater reclamation?	✓			
7.10	Does this project maintain natural vegetation buffer areas that protect habitats and minimize alteration of natural streams?	✓			
7.11	Are appropriate buffer zones established along sensitive habitats?	✓			
7.17	Will this project be required to construct catwalks so as not to impede movement of water?	✓			
7.17	Will all construction take place during daylight hours, utilize a minimum amount of lighting and use low decibel motorized machinery?	✓			
7.17	Will any construction-induced alteration to the wetlands require replanting of vegetation or the natural re-establishment of vegetation?	✓			
7.17	Does this project avoid utilizing herbicides unless approved by the Agriculture Commissioner and the Fish and Game Department?	✓			
7.17	Was this project reviewed by the State Department of Fish and Game and the State Water Quality Control Board?	✓			
7.20	If this project is in the Pillar Point Marsh, will groundwater extraction from an aquifer occur?	✓			
7.21	If this project is in the Pescadero Marsh, will a State Parks and Recreation management plan be required or will this project involve development or dredging of the marsh?	✓			

		Not Applicable	Project Complies	Does Not Comply	Condition Required
7.22	Is this project a permitted use in a marine and/or estuarine habitat? (Fitzgerald Marine Reserve, San Gregorio Estuary, Pescadero Marsh, Pigeon Point, Franklin Point, Año Nuevo Island)	✓			
7.25-7.31	Does this project comply with use and development standards for sand dunes and sea cliffs?	✓			
7.32	Will this project impact habitats of rare or endangered animal species as noted on the County Sensitive Habitat Maps or will a special biological report be required?	✓			
7.42	Will this project permit development within 50 feet of rare plant habitats as noted on County Sensitive Habitat Maps?	✓			
7.43	Will this project impact habitats of unique species, such as the Elephant Seal, Monterey Pine, California Wild Strawberry, etc., or will a special biological report be required?	✓			
7.51	Will this project involve removal or nursery sales of Pampas Grass or the eradication of Weedy Thistle?	✓			
VISUAL RESOURCES					
8.2	Does this project avoid development on beaches, sand dunes, ocean cliffs, bluffs and blufftops?		✓		
8.5	If this project is in a coastal terrace, is clustering encouraged along with limitation of structures in open fields and grasslands?	✓			
8.6	Does this project avoid development and meet setbacks for streams, wetlands and estuaries?	✓			
8.7	Does this project avoid development on ridgetops and removal of ridgeline trees?		✓		
8.7	Does this project avoid land divisions which encourage building on a ridgeline?	✓			
8.7	Does this project comply with the limitations on structure height below the ridgeline?		✓		
8.9	Is this project designed to minimize tree removal or will this project require replacement of removed vegetation?		✓		

		Not Applicable	Project Complies	Does Not Comply	Condition Required
8.12-8.15	If this project is in an urban area, will it meet Design Review Criteria including special guidelines for coastal communities and the protection of ocean views?	✓			
8.16	Will this project meet landscaping requirements for rural areas?	✓			
8.17	Will this project protect natural landforms in rural areas?		✓		
8.18	Is this project designed to minimize visual disruption through the use of colors that blend in with surroundings, properly scaled structures, and non-reflective surfaces?		✓		
8.21	Does this project meet the criteria for the placement of signs?	✓			
8.22	Does this project include underground utilities in State and County Scenic Corridors?		✓		✓
8.24	If this project involves large agricultural structures, is their visual impact limited by the use of blending colors or landscaping screening?	✓			
8.25	If this project is listed as an Official County or State Historical Landmark, are the regulations of the Historical/Cultural Preservation Ordinance being followed?	✓			
8.28	If this project is in a State/County Scenic Road Corridor, does it meet development regulations such as setback requirements, limits on timber harvesting and exemptions?		✓		
8.33	Is this project exempt from Planning Commission architectural and site review because any structures would not be visible from the roadway?	✓			
8.34	If this project is in a designated Historic Structure/District, is the project a permitted use?	✓			
HAZARDS					
9.3	If this project is in a Geologic Hazard Area as shown in the LCP, does it meet development regulations or requirements for a geotechnical report?	✓			
9.6	If this project is in a High Fire Risk area, does it meet development criteria?	✓			

		Not Applicable	Project Complies	Does Not Comply	Condition Required
9.8	If this project involves blufftop development, does it meet design, geotechnical, setback and land division requirements?	✓			
9.9	If this area is subject to flooding as noted in the LCP Hazards Maps, will the project meet development regulations for flood-prone areas?	✓			
9.11	Does this project limit development to where beach erosion hazards are minimal?	✓			
9.12	Will this development allow the construction of shoreline structures only for the protection of existing roadways or structures?	✓			
9.13	Will this project avoid the need for future protective devices which could impact sand movement?	✓			
9.18	If this site has a slope of 30% or greater, does it meet the slope development regulations?	✓			
SHORELINE ACCESS					
NOTE: Use Coastal Access Checklist as a supplement to this Policy Checklist when determining access requirements.		✓			
10.1	Does this project meet the requirements for provisions of shoreline access or in-lieu fees as a condition for development?	✓			
10.8	Does this project meet Public Safety Locational Criteria?	✓			
10.10	Does this project meet Sensitive Habitat Locational Criteria?	✓			
10.11	Does this project meet Agricultural Area Locational Criteria?	✓			
10.12	Does this project meet Residential Area Locational Criteria?	✓			
10.13	Does this project meet Commercial/Industrial Locational Criteria?	✓			
10.16	Does this project provide appropriate vertical/lateral access to the shoreline?	✓			
10.17	Does this project meet development standards for blufftop/non-blufftop lateral access?	✓			

	Not Applicable	Project Complies	Does Not Comply	Condition Required
10.19 Will this project provide for maintenance and posting for public access areas?	✓			
10.21 Where topography permits, does this project provide handicapped access to the shore?	✓			
10.22 Does this project meet all parking regulations for coastal access?	✓			
10.23- Does this project meet development standards for 10.29 protecting public safety, fragile resources and adjacent land uses?	✓			
RECREATION/VISITOR SERVING FACILITIES				
11.4 Does this project meet General Locational Criteria?	✓			
11.7 Does this project meet Urban Area Locational Criteria?	✓			
11.8 Does this project meet Rural Area Locational Criteria?	✓			
11.9 Does this project meet Oceanfront Area Locational Criteria?	✓			
11.10 Does this project meet Upland Area Locational Criteria?	✓			
11.11 Does this project meet Agricultural Area Locational Criteria?	✓			
11.12 Does this project meet Sensitive Habitat Locational Criteria?	✓			
11.14 Does this project meet development standards for public recreation facilities?	✓			
11.15 Does this project meet development standards for private recreation facilities?	✓			
11.16 Are directional/informational signs required as a condition of approval for recreational facilities and/or road projects?	✓			
11.17 Does this project meet all parking development standards?	✓			
11.18 Does this project meet development standards for protection of sensitive habitats?	✓			

	Not Applicable	Project Complies	Does Not Comply	Condition Required
11.19 Does this project meet development standards for protection of agricultural lands?	✓			
11.20 Does this project meet development standards for sewer/water connections, access and public conveniences?	✓			
11.22 Does this project meet recreational vehicle parking restrictions?	✓			
11.25 Has the State Department of Parks and Recreation submitted a long-range plan for any park unit proposed for improvement?	✓			
11.26 Does this project require trail dedication or in-lieu fees as a condition of public agency projects or any land division?	✓			
COMMERCIAL FISHING/RECREATIONAL BOATING				
If project involves facilities for commercial fishing or recreational boating, complete and attach a separate analysis of compliance with LCP Commercial Fishing/Recreational Boating Component and enter results here.	✓			

RECOMMENDATION

1. Recommended Findings (see Zoning Ordinance 6328.15):

✓ That this project, as described in the application and accompanying materials required by Section 6328.7 and as conditioned in accordance with Section 6328.14, ✓ does _____ does not conform with the plans, policies, requirements and standards of the San Mateo County Local Coastal Program.

N/A (Where the project is located between the nearest public road and the sea, or the shoreline of Pescadero Marsh.) That this project _____ does _____ does not conform with the public access and public recreation policies of Chapter 3 of the Coastal Act of 1976 (commencing with Section 30200 of the Public Resources Code).

_____ That this project ✓ does _____ does not conform to specific findings required by Policies _____ of the San Mateo County Local Coastal Program. Specific findings recommended are:

PROCESSING

1. Is Project Appealable to Coastal Commission (see Section 6328.3(r) and appeal jurisdiction maps)?

Yes No

2. Approving Authority (see Section 6328.9):

Planning Director (staff)

Zoning Hearing Officer

Planning Commission

Board of Supervisors

3. Public Hearing Required (see Section 6328.10)? Yes No

4. Notice Requirements (see Section 6318.11.1 and 6318.11.2):

Pre-Hearing (Newspaper) Owners: 100' 300' 500'

Pre-Hearing (Mailed) Residents: 100'

Pre-Decision (Mailed)

Decision (Mailed)

REVIEW

Checklist Prepared By:

Signature

Shino Desai *Buyer* *Jim Eggen*

Date

7/8/04

Checklist Reviewed By:

Signature

Date