

Resolution No. 20-05

to

Accept and Agree to Implement the Conditions of Approval of the Coastal Development Permit as Detailed in The City of Half Moon Bay Planning Commission Resolution P-19-18, Exhibit B

Whereas, the San Mateo County Harbor District has as a priority to improve public access to the coastal environment and all that it has to offer; and

Whereas, the San Mateo County Harbor District is also an advocate for safe and environmentally sound facilities; and

Whereas, the San Mateo County Harbor District applied for a Coastal Development Permit to install a public restroom and to make associated improvements to the Pillar Point Recreational Vehicle Park and for an after-the-fact approval of the existing improvements on the site; and

Whereas, the City of Half Moon Bay Planning Commission, on July 9, 2019, passed and adopted Resolution P-19-18 approving the Coastal Development Permit, subject to the Conditions of Approval contained in Exhibit B of the Resolution; and

Whereas, the San Mateo County Harbor District, is the applicant and permittee for approval of the new public restroom and associated improvements; and

Whereas, the San Mateo County Harbor District and its lessee, KN Properties, LLC are the co-applicants and co-permittees for the after-the-fact approval of the existing improvements; and

Whereas, the San Mateo County Harbor District and KN Properties, LLC are required to accept and agree to implement the Conditions of Approval, as listed in Exhibit B to Half Moon Bay Planning Commission Resolution P-19-18.

BE IT RESOLVED by the San Mateo County Harbor District, the District hereby accepts and agrees to implement the Conditions of Approval as listed in Exhibit B to Half Moon Bay Planning Commission Resolution P-19-18; and

BE IT FURTHER RESOLVED the General Manager, James B. Pruett, of said San Mateo County Harbor District is hereby authorized to execute the Permittee Certification to accept and agree to implement the Conditions of Approval, as provided in Exhibit B of the City of Half Moon Bay Planning Commission Resolution P-19-18.

Passed and adopted by the San Mateo County Harbor District Commission at a duly noticed public meeting on February 19, 2020.

For: Brennan, Chang Kiraly, Larenas, Mattusch, Reyerling


Against:

Absent:

Abstaining:

Attested:

BOARD OF HARBOR COMMISSIONERS


Virginia Chang Kiraly
Secretary


Nancy Reyerling
President

**PLANNING COMMISSION RESOLUTION P-19-18
RESOLUTION FOR APPROVAL
PDP-18-006**

Coastal Development Permit, Architectural Review, and Setback Variance to allow the construction of a new public restroom facility with three all-gender accessible stalls, an outdoor shower, drinking fountains, benches, educational/informational signage, Coastal Trail retreat, public parking reconfiguration and addition of ADA parking spaces, and landscaping; and after-the-fact approval of the existing Pillar Point RV Park and associated site improvements on a 4-acre lot at 4000 Cabrillo Highway North in the Commercial – Visitor Serving Zoning District and the Commercial Recreation Land Use Plan designation (APN 047-263-010)

WHEREAS, an application was submitted requesting approval of a Coastal Development Permit, Architectural Review, and Setback Variance to allow the construction of a new public restroom facility with three all-gender accessible stalls, an outdoor shower, drinking fountains, benches, educational/informational signage, Coastal Trail retreat, public parking reconfiguration and addition of ADA parking spaces, and landscaping; and after-the-fact approval of the existing Pillar Point RV Park and associated site improvements on a 4-acre lot at 4000 Cabrillo Highway North in the Commercial – Visitor Serving Zoning District and the Commercial Recreation Land Use Plan designation (APN 047-263-010); and

WHEREAS, the San Mateo County Harbor District is considered the applicant and permittee for the approval of the new public restroom and associated improvements; and

WHEREAS, the San Mateo County Harbor District and KN Properties, LLC are considered co-applicants and co-permittees for the after-the-fact approval of the RV Park; and

WHEREAS, the procedures for processing the application have been followed as required by law; and

WHEREAS, the Planning Commission conducted a duly noticed public hearing on July 9, 2019, at which time all those desiring to be heard on the matter were given an opportunity to be heard; and

WHEREAS, the Planning Commission considered all written and oral testimony presented for consideration; and

WHEREAS, the Planning Commission has determined that the requested Coastal Development Permit, Architectural Review, and Setback Variance for the construction of a public restroom facility, associated site improvements, and after-the-fact construction of the RV Park are exempt from CEQA pursuant to California Administrative Code Sections 15301, 15303, 15311, and 15323; and

WHEREAS, the Planning Commission has made the required findings for approval of the project, as set forth in Exhibit A to this resolution pursuant to the revisions made at the public hearing;

NOW, THEREFORE, BE IT RESOLVED that, based upon the Findings in Exhibit A and subject to the Conditions of Approval contained in Exhibit B, the Planning Commission approves this application (PDP-18-006).

PASSED AND ADOPTED by the City of Half Moon Bay Planning Commission at a duly noticed public hearing held July 9, 2019.

AYES, Holt, Benjamin, Hernandez, Polgar and Ruddock

NOES,

ABSENT,

ABSTAIN,

APPROVED:



Brian Holt, Chair



Jill Ekas, Community Development Director

EXHIBIT A
FINDINGS AND EVIDENCE
Planning Commission Resolution P-19-18
PDP-18-006

Coastal Development Permit, Architectural Review, and Setback Variance to allow the construction of a new public restroom facility with three all-gender accessible stalls, an outdoor shower, drinking fountains, benches, educational signage, Coastal Trail retreat, public parking reconfiguration and addition of ADA parking spaces, and landscaping; and after-the-fact approval of the existing Pillar Point RV Park and associated site improvements on a 4-acre lot at 4000 Cabrillo Highway North in the Commercial – Visitor Serving Zoning District and the Commercial Recreation Land Use Plan designation (APN 047-263-010)

Coastal Development Permit – Findings for Approval

The required Coastal Development Permit for this project may be approved or conditionally approved only after the approving authority has made the following findings per Municipal Code Section 18.20.070:

- 1. Local Coastal Program – *The development as proposed or as modified by conditions, conforms to the Local Coastal Program.***

Evidence: The project consists of construction of a new public restroom facility and associated site improvements where public services and infrastructure are generally available. The project also consists of after-the-fact approval of site development for establishment of the RV Park. The existing and proposed development provides and enhances coastal access and recreation opportunities, conforms to all City requirements with the exception of the front setbacks for the existing and proposed restroom structures, will not impact coastal resources and is consistent with the policies of the City's Land Use Plan (LUP).

Coastal Act Section 30210: *In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.*

Compliance: The existing parking lot contains 21 standard parking spaces and two ADA spaces, all of which are currently subject to a \$10 day-use fee. As proposed, the project will replace the 21 standard parking spaces with six supplemental ADA parking spaces for a total of eight ADA parking spaces, and will remove the day use fee for all eight spaces. Although the project represents a loss in overall parking spaces, the gain of ADA-compliant parking spaces is significant as there are multiple parking locations available to the public along and across Highway 1 within close walking distance of the trail and beach stairway that do not accommodate ADA needs. Furthermore, this is one of the few locations along the City's coastline where disabled individuals can access the shoreline and ocean this closely as many sections of the Coastal Trail are separated from the beach by steep bluffs, wide dunes, or challenging grade changes. The elimination of parking fees and provision of additional ADA parking spaces supports Coastal Act goals of environmental justice and coastal access for all, not just some. The Coastal Commission

adopted an Environmental Justice Policy in March 2019 that supports equitable coastal access and recreation opportunities for disadvantaged communities, similar to the goals of this project. As stated in this guidance document, the Commission adopted the Environmental Justice Policy “to inform its decisions, policies, and programs to achieve more meaningful engagement, equitable process, effective communication, and stronger coastal protection benefits that are accessible to everyone.” The adopted policy further states that the Coastal Commission “is committed to ensuring that those opportunities not be denied on the basis of background, culture, race, color, religion, national origin, income, ethnic group, age, disability status, sexual orientation, or gender identity.” To reduce the impact of the proposed loss of total parking spaces, conditions of approval require an additional minimum of eight (8) standard vehicle public parking spaces to be located on-site with an approved final site plan.

Policy 2-5: *No structure shall be built within 15 feet of an accessway of the boundary of public shoreline recreation area ownership. A greater distance may be required to minimize adverse visual impacts, to protect residential privacy, or to protect public access.*

Compliance: The proposed structure is sited approximately 20 feet set back from the Coastal Trail, and has been sited and designed in consideration of pedestrian, bicycle, and vehicular access and circulation.

Policy 2-7: *In a zone extending approximately 200 feet inland from the mean high tide line, priority shall be given to coastal-dependent and related recreational activities and support facilities. However, camping facilities should be set back 100 feet from the beach and bluffs and near-shore areas reserved for day use activities. [...]*

Compliance: The proposed public restroom facility will enhance and support the public access and recreation experience in this area by providing much needed restroom stalls, water fountains, shower facilities, and other amenities to trail-users and beach-goers. The existing RV Park is also supportive of coastal recreation and provides a form of lower-cost visitor-serving accommodations. The southern-most portion of the RV Park area is at least 100 feet from the nearby breakwater and shoreline, separated by the day-use public parking to provide closer access for day use activities.

Policy 2-8: *Recreational uses on ocean front lands that do not require extensive alteration of natural environment shall have priority over recreational uses requiring substantial alterations. This shall apply to both public and private development.*

Compliance: As the site was previously used as a beach parking area, development of the RV Park did not require substantial alterations and consisted primarily of paving, landscaping, fencing, and the existing restroom facility. The proposed new restroom facility will be constructed entirely within an existing disturbed footprint, and will also not require extensive alterations of the natural environment.

Policy 2-12: *Encourage and, to the extent permitted by law, require improvements to be made by the San Mateo County Harbor District to the Pillar Point Harbor facility to increase access and recreational opportunities.*

(a) Resurface, grade, and improve drainage at the existing southerly parking lot and its access road from Highway 1. [...]

(d) Maintain and upgrade the Harbor District east parking area as an RV park. Provide hookups and trash collection.

Compliance: The subject site has been improved and maintained as an RV Park, as approved for an after-the-fact Coastal Development Permit herein. The existing and proposed development support and enhance public coastal access and recreation opportunities.

Coastal Act 30240(b) and Policy 3-3 (b): *Development in areas adjacent to environmentally sensitive habitat areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas.*

Compliance: The subject site is adjacent to the ocean, sandy beach areas, and dune scrub habitat. However, the existing and proposed development occurs entirely within a previously disturbed footprint. The dune scrub habitat is physically separated from the developed RV Park site by a landscaped slope and the Coastal Trail and is roped off to prevent public access, while the ocean and sandy beach areas are physically separated from the site by the existing rock revetment. The proposed restroom facility has been sited and designed to prevent impacts to these adjacent sensitive areas, and conditions of approval addressing stormwater runoff control measures will ensure any impacts to coastal waters or habitat areas from polluted runoff is prevented.

Policy 4-7: *In areas of flooding due to tsunamis or dam failure, no new development shall be permitted unless the applicant or subsequent study demonstrates that the hazard no longer exists or has been or will be reduced or eliminated by improvements which are consistent with the policies of this Plan and that the development will not contribute to flood hazards or require the expenditure of public funds for flood control works. Where not otherwise indicated, the flood hazard zone shall be considered to be a zone defined by the measured distance of 100 feet from the centerline of the creek to both sides of the creek. Non-structural agricultural uses, trails, roads, and parking lots shall be permitted, provided that such uses shall not be permitted within the area of stream corridor.*

Compliance: The subject site is not located in a flood hazard zone as defined by LUP Policy 4-7, but is located within the tsunami inundation zone due to its close proximity to the shoreline. As such, the public restroom facility has been sited and designed such that it will be safest from sea level rise and wave inundation. Its siting also takes advantage of the location of existing sewer and water utility lines such that additional infrastructure will not be introduced to this near-shore area. The new restroom is proposed to be located on the inland side of the trail near the site entrance from Highway 1, approximately 60 feet inland from the nearest point of the adjacent breakwater. Although the existing rock revetment protects this area of the shoreline from erosion, the City's Municipal Code requires a geological report to ensure site stability in this project location.

Conditions of approval require this report to be submitted prior to issuance of building permits as consistent with the evaluation requirements of Municipal Code Section 18.38.045. As projections of sea level rise are not an exact science and the timing of these sea level rise amounts is uncertain, staff recommends a condition of approval triggering assessment of coastal hazards and potential need for relocation of the restroom if the Coastal Trail becomes regularly impassible due to sea level rise and/or wave action.

Policy 7-1: *The City will establish regulations to protect the scenic corridor of Highway 1, including setbacks for new development, screening of commercial parking and landscaping associated with new development. The minimum standards shall include all areas within 200 yards of State Highway 1 which are visible from the road.*

Compliance: The subject site is located within 200 yards of State Highway 1, and provides broad ocean views across the site. Highway 1 is not designated a Scenic Highway within the City limits of Half Moon Bay; however, Coastal Commission guidance indicates an intent to protect Highway 1 and views from it as visual resources. The proposed restroom facility has been sited and designed to minimize impacts to the scenic quality of this area by locating at the bottom of significant slope down from Highway 1. The site currently contains a row of cypress trees along Highway 1 to provide visual screening of the existing RV Park, as required by Section 18.37.055 of the Municipal Code, but these trees have grown much taller than needed for the required screening and have obscured ocean views. Conditions of approval require replacement of these trees with lower vegetation comprised of coastal native species or other species that are compatible with the City's median landscaping palette.

Policy 7-5: *All new development, including additions and remodeling, shall be subject to design review.*

Compliance: The proposed development has been subject to design review by the Planning Commission. The project has also been subject to a Planning Commission study session on January 8, 2019 and a Harbor District Board meeting on June 19, 2019, at which the public, the Commission, and the Board had the opportunity to provide input on the proposed siting and design.

Policy 7-6: *Parking facilities and recreational structures, including campers, located in public regional recreational areas, private recreational areas, visitor-serving commercial areas and other developments shall be designated to minimize visibility from the beach.*

Compliance: The subject site is a visitor-serving commercial area developed with a recreational vehicle park. The RV parking area is separated from the beach area to the south by the day-use parking area, the Coastal Trail, and the breakwater. The proposed restroom facility and additional landscaping will further screen the RV Park from Surfer's Beach.

Policy 7-7: *Recreational vehicle parks shall be sited and landscaped within five years of development to assure full screening from public roads, vista points, public recreation areas, and residential areas.*

Compliance: The existing cypress trees along the Highway 1 site frontage were originally planted to provide a screen hedge of the RV Park. However, the trees have not been sufficiently maintained as such and have reached a height that blocks ocean views. Conditions of approval require submittal of a final landscape plan that includes replacement fencing and landscaping screening along Highway 1 that shall be maintained at an appropriate height to optimize screening of the parked RVs while not blocking ocean views. Final landscape plans also require additional screening along the western border of the RV Park to screen the RVs from the adjacent Coastal Trail.

Policy 7-11: *New development along primary access routes from Highway 1 to the beach, as designated on the Land Use Map, shall be designed and sited so as to maintain and enhance the scenic quality of such routes, including building setbacks, maintenance of low height of structures, and landscaping which establishes a scenic gateway and corridor.*

Compliance: The subject site is located along Highway 1 and contains a segment of the Coastal Trail, both of which provide direct coastal access to the beach. The project is intended to enhance coastal access and recreation opportunities by providing public restroom facilities and associated amenities at this heavily used beach and trail area. The restroom structure has been set back approximately 20 feet from the trail, allowing space for the public to step off the trail and use the facilities without impeding bicycle and pedestrian flow. The project is also intended to create a public space, with additional seating and viewing opportunities, educational signage, and new landscaping. The restroom structure has also been sited and designed to be low in height and minimize visual impacts across the site.

Policy 7-12: *In areas affording broad views of the ocean from Highway 1 as indicated on the Visual Resources Overlay Map, all new development shall be reviewed by the Planning Commission to ensure conformance with the following criteria:*

- (a) Structures shall be sited and designed to preserve unobstructed broad views of the ocean and shall be clustered to the maximum extent feasible.*
- (b) A landscaping plan shall be included in the development plans for approval and shall provide for landscaping which, when mature, will not impede public views of the ocean.*
- (c) Building height shall not exceed one story or 15 feet, unless an increase in height would not obstruct public views to the ocean from the Highway or would facilitate clustering of development so as to result in greater view protection.*

Compliance: The proposed restroom structure has been sited at the bottom of a significant grade change from Highway 1 down to the trail level, which allows the structure to be least impactful to ocean views as seen from the Highway 1 scenic corridor. At a 14.5-foot maximum height from finished grade, the roof of the proposed restroom structure will protrude approximately five feet above the highway level. Conditions of approval require submittal of a final landscape plan that includes replacement fencing and landscaping screening along Highway 1 that shall be maintained at an appropriate height to optimize screening of the parked RVs while not blocking ocean views.

Coastal Act 30244: *Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.*

Compliance: The proposed development is not located at or near identified archaeological or paleontological resources. If cultural resources or paleontological resources are unexpectedly encountered, the permit has been conditioned to require that construction halt until the find can be evaluated and appropriate mitigation identified.

- 2. Growth Management System – *The development is consistent with the annual population limitation system established in the Land Use Plan and Zoning Ordinance.***

Evidence: The proposed development does not include a dwelling unit and is therefore not subject to the requirements of the City's growth management system.

- 3. Zoning Provisions – *The development is consistent with the use limitations and property development standards of the base district as well as the other requirements of the Zoning Ordinance.***

Evidence: The existing and proposed development conforms to the requirements of the Commercial – Visitor Serving Zoning District, which allows RV parks and park and recreation facility uses. The proposed setbacks, height, and landscaping meet the requirements of the Commercial – Visitor Serving Zoning District and other relevant provisions of the Zoning Code, with the exception of the front setback of the existing and proposed restroom structure. Setback variance findings are discussed further below.

- 4. Adequate Services – *The proposed development will be provided with adequate services and infrastructure in a manner that is consistent with the Local Coastal Program.***

Evidence: The site is located in an urbanized area along Highway 1 where utilities and services are generally available. Sewer and water lines currently run adjacent to the site along Highway 1. The restroom facility will be connected to the municipal services as it will be fully plumbed.

- 5. California Coastal Act – *Any development to be located between the sea and the first public road parallel to the sea conforms to the public access and public recreation policies of Chapter 3 of the California Coastal Act.***

Evidence: The subject site is located between the sea and the first public road parallel to the sea. The project conforms to the public access and recreation policies of the Coastal Act as it provides a public benefit of much needed public restrooms, water fountains, seating areas, and more at a heavily used area of the Coastal Trail and nearby Surfer's Beach. There are no public restrooms within sight of this very popular beach area. The site also provides a significant opportunity for ADA access, as this is one of the few areas along the coast where the trail is directly adjacent to the ocean rather than separated by steep bluffs or wide dunes. By reconfiguring the parking and eliminating the day use parking fee to provide a total of eight ADA parking spaces, the proposed development maximizes coastal access for all. As conditioned, the project will also maximize coastal access by diversifying public parking options with an EV charging station, a van pick-up/drop-off space for surf schools or other coastal recreation groups, a potential car-share space, and both standard and ADA-compliant day-use parking spaces. To ensure the RV Park maintains its purpose as a visitor-serving commercial use and that this use remains sufficiently available to the public, conditions of

approval also require a maximum 14 consecutive day stay with no more than 30 days in one calendar year for RV Park patrons.

Architectural Site and Design Review – Findings for Approval

The required Architectural and/or Site and Design Review for this project may be approved or conditionally approved only after the approving authority has made the findings per Municipal Code Section 14.37.040. In making these findings, the Planning Commission has considered the design approval criteria set forth in Municipal Code Section 14.37.035.

1. *That such buildings, structures, planting, paving and other improvements shall be so designed and constructed that they will not be of unsightly or obnoxious appearance to the extent that they will hinder the orderly and harmonious development of the city;*

Evidence: The proposed restroom facility is intended to improve the recreational experience of the Coastal Trail and nearby Surfer's Beach for residents and visitors alike. The project includes new seating areas, educational signage, landscaping, water fountains, an outdoor shower, and trash and recycling receptacles, all of which will be significant additions to this heavily used public access and recreation area. The restrooms have been sited and designed to be compatible with the coastal setting, and will not hinder the orderly and harmonious development of the city.

2. *That such buildings, structures, planting, paving and other improvements will not impair the desirability or opportunity to attain the optimum use and the value of the land and the improvements, or otherwise impair the desirability of living or working conditions in the same or adjacent areas; and*

Evidence: The proposed project will improve upon the overall Coastal Trail and Surfer's Beach experience and provide for much needed facilities and associated amenities. The Harbor District will be responsible for operations and maintenance of the proposed restroom facilities.

3. *The project has been designed in conformance and consistency with the Single-Family Residential Design Guidelines (where applicable).*

Evidence: The Single-Family Residential Design Guidelines are not applicable to this public restroom facility project and commercial recreation site.

Setback Variance – Findings for Approval

The Setback Variance for this project may be approved or conditionally approved only after the approving authority has made the following findings per Municipal Code Section 18.23.040:

1. *That there are exceptional or extraordinary circumstances or conditions applying to the land, building or use referenced to in the application which circumstances or conditions do not apply generally to the land, buildings and/or uses in the same district;*

Evidence: The subject site is located in the C-VS Commercial – Visitor Serving zoning district. In the vicinity of the subject site, the C-VS zoning district applies to seven parcels fronting Highway 1, including Sam’s Chowder House, the parking areas for Sam’s, the Beach House Hotel, and the subject Pillar Point RV Park. The subject site is exceptional as it contains a significant grade change from the highway level down to the parking lot and trail level, and currently contains only one small permanent structure (the existing restroom). Similar to the existing restroom, the proposed restroom facility would cause the least visual impacts to ocean views as seen from Highway 1 if it were sited at the bottom of the grade change, within the required 20-foot front setback. As this site is designated in the LCP as providing broad ocean views, the proposed location of the restroom is most protective of this visual resource area.

2. *That the granting of the application is necessary for the preservation and enjoyment of substantial property rights of the petitioner;*

Evidence: The subject site was originally developed with a restroom that was intended to be used by the public, but it was sited in the interior of the RV parking area such that it is not readily visible or accessible to the public. The existing restroom was, however, sited at the bottom of the grade change within the required front setback to reduce visual impacts as is proposed for the new restroom structure. As a public agency, the property owner has recognized the need for a visible and accessible public restroom in this heavily used public coastal access and recreation area. The new restroom facility has been sited and designed to provide this much needed public amenity while minimizing impacts to visual resources across the site.

3. *That the granting of such application will not, under the circumstances of the particular case, materially affect adversely the health or safety of persons residing or working in the neighborhood of the property of the applicant, and will not, under the circumstances of the particular case, be materially detrimental to the public welfare or injurious to property or improvements in said neighborhood.*

Evidence: The new restroom structure is proposed to provide a public benefit in a heavily used public coastal access and recreation area. It has been sited and designed in consideration of bicycle, pedestrian, and vehicular access and circulation, and provides ADA-compliant parking stalls, pathways, and bathroom stalls. The project has also been designed as consistent with the guidelines of Crime Prevention through Environmental Design (CPTED) principles by providing a visible layout interfacing with a heavily used public area. To minimize impacts to visual resources, a setback variance is necessary. The proposed project will not be detrimental to the public welfare or injurious to property or improvements in the surrounding area.

Environmental Review – Finding

CEQA – The project will not have a significant effect on the environment.

Evidence: The existing conditions of the project site at the time CEQA review starts is considered the baseline of environmental conditions. The project will have no impact on the existing environmental conditions of the site or the adjacent area, as it will occur entirely

within a previously disturbed footprint. In fact, as proposed and conditioned herein, the project has the potential to improve the environmental conditions of the subject site and surrounding area by providing additional landscaping in place of impervious asphalt, low-impact development site measures to treat stormwater runoff, and additional trash and recycling receptacles. The project is therefore Categorical Exempt pursuant to California Code of Regulations Section 15301, which exempts the minor alteration of existing public facilities; Section 15303, which exempts the new construction of small structures; Section 15311, which exempts the construction or replacement of minor structures accessory to existing commercial facilities including small parking lots; and Section 15323, which exempts the normal operations of existing facilities for public gatherings where there is a past history.

EXHIBIT B
CONDITIONS OF APPROVAL
Planning Commission Resolution P-19-18
PDP-18-006

A. The following Conditions shall apply to the entire subject site:

1. **CONFORMANCE WITH APPROVED PLANS.** Development of the site shall conform to the approved plans entitled “New Public Restrooms for San Mateo County Harbor District” with a City date stamp of May 31, 2019, except for any revisions required by this permit. The Community Development Director shall review and may approve any deviation from the approved plans that is determined minor in nature. Any other change shall require approval of a major modification per Title 18. (Planning)
2. **CONFORMANCE WITH CONDITIONS OF APPROVAL.** The permittee(s) shall construct and operate this Project in full conformance with these Conditions of Approval. The Community Development Director shall review and may approve any deviation from the Conditions of Approval that is determined minor in nature. Any other change shall require approval of a major modification per Title 18. (Planning)
3. **CONFORMANCE WITH THE MUNICIPAL CODE.** No part of this approval shall be construed to permit a violation of any part of the Half Moon Bay Municipal Code. (Planning)
4. **LIGHTING.** All exterior lighting shall be fully shielded and downcast so that no light source is visible from outside the property, except as otherwise expressly approved. (Planning)
5. **SITE MAINTENANCE AND LIABILITY.** It shall be the duty of the Property Owner and Lessee to reach an agreement on operations and maintenance responsibilities as it relates to the following components of the subject site:
 - a. The proposed restroom and associated amenities including water fountains, an outdoor shower, benches, and educational signage;
 - b. Landscaping and fencing;
 - c. Signage;
 - d. Lighting;
 - e. California Coastal Trail segment;
 - f. Existing restroom facility;
 - g. Public parking area;
 - h. RV parking area; and
 - i. Utilities. (Planning)
6. **PUBLIC TRAIL MAINTANENCE AND LIABILITY.** It shall be the duty of the Property Owner(s) to maintain the public trail segment in a safe and non-dangerous condition. Trail maintenance shall include removal and replacement of concrete to eliminate tripping hazards; and pruning and trimming of trees, shrubs, ground cover and other landscaping within the public trail area. The Property Owner has the primary and exclusive duty to

fund and perform such maintenance and repair, whether or not the City has notified the property owner of the need for such maintenance or repairs or has performed similar maintenance or repairs in the past, pursuant to §12.18.020 and §12.18.030 of the Half Moon Bay Municipal Code. (Engineering)

7. **LANDSCAPE MAINTENANCE.** The permittee(s) shall ensure that all landscaped areas and/or fences are continuously maintained, and all plant material is maintained free of refuse and weeds and in a healthy growing condition. (Planning)
8. **RV PARK OVERNIGHT STAY LIMITS.** The RV Park shall be operated such that each RV space is rented for no longer than fourteen (14) consecutive days and no more than thirty (30) days in any one (1) calendar year, with the exception of the permanent on-site host/manager. (Planning)
9. **OVERNIGHT STAY LIMIT MONITORING.** The RV Park on-site host/manager shall monitor and maintain records of tenancy and length of stay of the RV Park patrons for one year. One year from the date of permit approval, a report with the records of tenancy and length of stay shall be provided to the Community Development Director for review and determination of need for any further action such as enforcement of length of stay, amendment to the permit to revise the maximum length of stay, or further monitoring. (Planning)
10. **TRANSIENT OCCUPANCY TAX.** Transient Occupancy Tax (TOT) shall be collected from the RV Park operation pursuant to City requirements. (Planning)
11. **NEW SIGNAGE.** Any new signage related to the RV Park business and its operations shall require submittal of a new sign program, subject to review and approval by the Planning Commission. Educational and wayfinding signage is not considered to be business signage; however, it is subject to City review. (Planning)
12. **TEMPORARY PUBLIC RESTROOMS.** The Harbor District may maintain temporary portable public restrooms at the subject site until such time that the new restroom facility has been constructed. (Planning)
13. **FUTURE ASSESSMENT FOR COASTAL HAZARDS.** If the adjacent Coastal Trail becomes regularly impassible due to sea level rise and/or wave action, the Property Owner shall assess the vulnerability of the restroom structure to coastal hazards including wave run-up, inundation, and erosion, including an assessment of the need to relocate the restroom structure such that it is safe from these coastal hazards. (Planning)

B. The following Conditions shall apply to construction of the new restroom facility and associated site improvements, and shall be fulfilled prior to the issuance of building permits:

1. **SIGNED CONDITIONS OF APPROVAL.** The permittee(s) shall submit a signed copy of the conditions of approval to the Planning Division prior to issuance of a building permit. (Planning)
2. **FINAL PLANS.** Within 180 days of approval of this coastal development permit, the permittee(s) shall submit final project plans that include the following:

- a. **Final site plan with the following details:**
 - i. **A maximum of 40 RV parking spaces;**
 - ii. **A minimum of eight standard vehicle public day-use parking stalls to be replaced within the subject site between the existing RV Park restroom facility and the northern side of the access drive, or at an alternative location as deemed more appropriate by the Harbor District;**
 - iii. **A minimum of one EV charging station to serve two standard vehicle parking stalls with signage for a maximum time limit to ensure adequate charging time and sufficient turnover (e.g. 2-4 hours);**
 - iv. **A minimum of one van-sized pick-up and drop-off parking space with signage for a maximum 30-minute time limit, intended to serve coastal recreation groups such as surf schools;**
 - v. **A minimum of seven ADA-compliant public day-use parking stalls;**
 - vi. **A minimum of one dedicated car-share space in a standard vehicle day-use parking stall, if applicant coordination with a car-share company determines this to be a feasible use;**
 - vii. **Trash collection bins including recycling and compost as available by the applicable solid waste service provider, and a pet waste station;**
 - viii. **Signage that provides wayfinding to nearby free public beach parking areas and information on appropriate use of the trash collection bins; and**
 - ix. **A bicycle parking rack;**
- b. **Final grading and drainage plan with the following information:**
 - i. **Design details and supporting calculations for storm water detention on-site for the additional run-off from a ten-year frequency storm of two-hour duration;**
 - ii. **Elevation details showing how the paved parking areas will properly drain to an approved BMP facility, and how the finished grades on the property relate to the existing grades on adjacent property; and**
 - iii. **Pad elevation, finished floor elevation, site high and low points, drainage swales, area drains, and existing grade at adjacent property. The permittee shall provide appropriate measures to discharge the flood waters from any unfinished floor areas;**
- c. **Final elevations of the proposed restroom facility with the following information:**
 - i. **Maximum building height of 14.5 feet from finished grade;**
 - ii. **Final exterior colors and materials, including non-reflective roof materials and neutral colors compatible with the coastal setting;**

- iii. Locations and cut sheets of any exterior lighting fixtures; and
 - iv. A reduced wall height at the location of the proposed information board and adjacent bench such that it is maximum 3 feet tall;
- d. Final landscape plans, including a drought-tolerant coastal native palette for the new landscaped area between the ADA parking area and the trail.

Final plans shall be in substantial conformance with the approval conceptual site plan and elevations, and shall be subject to review and approval of the Community Development Director. The final parking plan shall indicate if the public day-use parking spaces will be time-limited and/or have a day-use fee. Final building, fencing, and landscaping heights shall be reviewed for their compliance with sight distance requirements at the Highway 1 access driveway. (Planning)

3. **CONSTRUCTION PLANS.** File Number PDP-18-006 and the Conditions of Approval for this project shall be provided on the cover page of the building permit application plan submittal. All plans, specifications, engineering calculations, diagrams, reports, and other data for construction of the building and required improvements shall be submitted with the appropriate permit application to the City's Building and Engineering Divisions for review and approval. Computations and back-up data will be considered a part of the required plans. Structural calculations and engineering calculations shall be prepared, wet-stamped and signed by an engineer or architect licensed by the State of California. The plans must show the location of the sewer connection, and a property line sewer cleanout must be installed prior to Building Permit approval. (Planning)
4. **WATER CONSERVATION IN LANDSCAPING.** The permittee(s) shall submit a detailed landscape plan to the satisfaction of the Community Development Director prior to issuance of a building permit for the project. If the project includes 500 square feet or more of irrigated landscaping (new or rehabilitated) the permittee shall submit landscape and irrigation plans and an Outdoor Water Efficiency Checklist that demonstrate compliance with the City's Water Conservation in Landscaping Ordinance (Chapter 13.04 of the Municipal Code) prior to issuance of building permits to the satisfaction of the Community Development Director. This submittal shall be in a form approved by the City and prepared and signed by a qualified landscape and irrigation design professional. (Planning)
5. **SURVEY REQUIRED.** Submit a detailed topographic/site boundary survey certified by a licensed surveyor with building application plans. The survey shall include a baseline elevation datum point on, or close to the construction site, indicating existing grade of the datum. This datum point shall be permanent, marked, shall remain fixed in the field, and shall not be disturbed throughout the building process. Examples of datum points include: fire hydrants, manhole covers, survey markers, and street curbs. This datum point shall be shown on all site plans including revised/resubmitted plans. The survey must show the footprint and roof plan of the proposed residence and identify the existing grade elevations at the corners and roof ridgeline of the residence. (Building)

6. **GEOLOGICAL REPORT REQUIRED.** Prior to the issuance of building permits, the permittee shall submit a geological report for the site of the proposed restroom structure. The report shall contain all applicable information, evaluation criteria, and recommendations as required by Municipal Code Section 18.38.045(B). Any major project changes necessitated by the results of the geological report shall require approval of a major modification per Title 18. (Planning/Engineering)
7. **EVIDENCE OF WATER CONNECTION CAPACITY.** Prior to the issuance of building permits, the permittee shall submit a letter from Coastside County Water District certifying that the subject site has an adequately-sized water connection for this approved project. (Building)
8. **EVIDENCE OF SEWER CONNECTION CAPACITY.** Prior to the issuance of building permits, the permittee shall demonstrate issuance of a sewer permit from the Sewer Authority Mid-Coast. (Building)
9. **CONSTRUCTION PLANS.** Construction plans submitted for building permit(s) shall include a plan sheet showing utility connections, trench restoration details, and other applicable improvements in the public right-of-way meeting City standards. (Engineering)
10. **CONSTRUCTION STAGING AND STORAGE PLAN.** Prior to issuance of building permits, the permittee shall submit a final construction staging and storage plan. The plan shall show how any construction vehicles, materials, staging and storage areas will be located to avoid impacts to the public trail area during construction.
11. **LOT GRADING, MATERIALS, EQUIPMENT AND VEHICLE STORAGE.** No lot site grading, preparation, storage, or placement of construction materials, equipment, or vehicles shall take place prior to issuance of a building permit. Any earth movement on or off the site in excess of 50 cubic yards shall require the submittal of a grading plan for review by the City Engineer and issuance of a grading permit. Lot Grading includes, but is not limited to, any leveling, scraping, clearing, or removal of lot surface area. Materials, Equipment, and Vehicles include, but are not limited to:
 1. All masonry, wood, and steel construction materials;
 2. All construction-related equipment and storage containers; and
 3. All construction-related vehicles, including temporary trailers. (Engineering)
12. **STORMWATER MANAGEMENT/TREATMENT.** Construction plans submitted for building permits shall include a storm water management/treatment plan in coordination with the after-the-fact approval of the RV Park, showing implementation of at least one of the six Low Impact Development (LID) measures listed below:
 - a. Direct runoff into cisterns or rain barrels and use rainwater for irrigation or other non-potable use;
 - b. Direct roof runoff into vegetated areas;
 - c. Direct runoff from sidewalks, walkways, and/or patios into vegetated areas;

- d. Direct runoff from driveways and /or uncovered parking lots into vegetated areas;
- e. Construct sidewalks, walkways, and/or patios with permeable surfaces; or
- f. Construct bike lanes, driveways, and/or uncovered parking lots with permeable surfaces.

The permittee(s) shall also submit the 'stormwater checklist for small projects' with the building plan submittal. (Engineering)

13. **COPPER BUILDING ELEMENTS.** The building plans shall specify that all copper building elements will be pre-patinated at the factory, or if patination will occur on the site, the plans shall identify best management practices in conformance with the *San Mateo Countywide Water Pollution Prevention Program Requirements for Architectural Copper*, to the satisfaction of the City Engineer. (Engineering)
 14. **EROSION AND SEDIMENT CONTROL.** An erosion and sediment control plan shall be submitted that shows effective Best Management Practices (BMP) and erosion and sediment control measures for the project site. Construction plans shall also include the "construction best management practices" plan sheet. (Engineering)
 15. **UNDERGROUND UTILITIES/SERVICES.** Electric, telecommunication, and cable and utility service to the property shall be through underground service connections only. No overhead utilities are allowed. (Engineering)
 16. **STREET/PUBLIC RIGHT-OF-WAY CUTS FOR UTILITY CONNECTIONS.** Street cuts for utility connections that are less than twenty (20) feet apart shall be repaired with a single patch. Asphalt repair and overlay shall be in accordance with the City Standard Details. (Engineering)
 17. **SEWER CONNECTION FEE.** The proposed development is subject to a sewer connection fee pursuant to Section 13.36.070 of the Half Moon Bay Municipal Code. The fee shall be paid to the City prior to issuance of building permits. (Engineering)
 18. **FIRE CLEARANCE REQUIREMENTS.** The permittee shall comply with all applicable fire and building codes and standards relating to fire and panic safety as identified by the Coastside Fire Protection District during the building permit process. (Fire)
 19. **COASTSIDE COUNTY WATER DISTRICT - REGULATIONS.** The permittee shall comply with all applicable regulations and requirements of the Coastside County Water District. Water service shall not be in the same trench as other utilities. (Water District)
- C. The following conditions shall apply to the new restroom facility and associated site improvements and shall be implemented prior to and during construction:**
1. **ARCHAEOLOGY-DISCOVERY OF HUMAN REMAINS.** Pursuant to Section 7050.5 of the Health and Safety Code, and Section 5097.94 of the Public Resources Code of the State of California, in the event of the discovery of human remains during construction, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected

to overlie adjacent remains. The County Coroner shall be notified and shall make a determination as to whether the remains are Native American. If the Coroner determines that the remains are not subject to his authority, he shall notify the California Native American Heritage Commission who shall attempt to identify descendants of the deceased Native American(s). If no satisfactory agreement can be reached as to the disposition of the remains pursuant to this State law, then the permittee shall re-inter the human remains and items associated with Native American burials on the property in a location not subject to further subsurface disturbance. (Planning)

2. **ARCHAEOLOGY-DISCOVERY OF RESOURCES.** If subsurface historic or archaeological resources are uncovered during construction, all work shall stop, the applicant shall notify the Community Development Director and retain a qualified archaeologist to perform an archaeological reconnaissance and identify any mitigation measures required to protect archaeological resources. Subsurface excavation shall not resume until expressly authorized by the Director. (Building)
3. **CONSTRUCTION TRAILERS.** Temporary construction trailers are permitted as accessory uses in conjunction with the development of this site, subject to the following conditions:
 - a. The construction trailer shall be used as a temporary construction office only.
 - b. Neither sanitation facilities nor plumbed water is permitted within the trailer.
 - c. No overnight inhabitation of the construction trailer is permitted.
 - d. No construction trailers are permitted on site prior to building permit issuance.
 - e. The construction trailer shall be removed prior to final inspection. (Planning)
4. **AIR QUALITY BEST MANAGEMENT PRACTICES.** The project shall implement the following standard BAAQMD dust control measures during all phases of construction on the project site:
 - All active construction areas shall be watered twice daily or more often if necessary. Increased watering frequency shall be required whenever wind speeds exceed 15 miles-per-hour.
 - Pave, apply water three times daily, or apply non-toxic soil stabilizers on all unpaved access roads and parking and staging areas at construction sites.
 - Cover stockpiles of debris, soil, sand, and any other materials that can be windblown. Trucks transporting these materials 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 or as often as necessary to keep them free of dust and debris associated with site construction. The use of dry power sweeping is prohibited.
 - Subsequent to clearing, grading, or excavating, exposed portions of the site shall be watered, landscaped, treated with soil stabilizers, or covered as soon as possible. Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas and previously graded areas inactive for 10 days or more.
 - Installation of sandbags or other erosion control measures to prevent silt runoff to public roadways.

- Replanting of vegetation in disturbed areas as soon as possible after completion of construction.
 - Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes. 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.
 - Post a publicly visible sign with the telephone number and person to contact at the City of Half Moon Bay regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations. (Building)
5. **HAZARDOUS MATERIALS.** Any materials deemed hazardous by the San Mateo County Department of Health that are uncovered or discovered during the course of work under this permit shall be disposed in accordance with regulations of the San Mateo County of Health. (Building)
 6. **COMPLIANCE WITH CBC.** All structures shall be constructed in compliance with the standards of the 2016 California Codes of Regulations Title 24, including Building Code, Residential Code, Administrative Code, Mechanical Code, Plumbing Code, Electrical Code, Energy Code, Fire Code and Green Building Code to the satisfaction of the Building Official. (Building)
 7. **FIRST FLOOR HEIGHT VERIFICATION.** Prior to below floor framing or concrete slab steel reinforcement inspection, a stamped and signed building height verification letter shall be submitted to the City from a licensed land survey certifying that the first floor height as constructed is equal to (or less than) the elevation specified for the first floor height in the approved plans. (Building)
 8. **OVERALL PROJECT HEIGHT.** Maximum overall height of the project, including any grading, foundation, pad, and building elevations shall be calculated using the elevation points indicated on the topographic survey map submitted at the time of application. The approved height of all projects developed in the City will be measured from existing grade as indicated on the submitted topographical survey. (Building)
 9. **COMPLETION OF UTILITIES.** Any public utilities requiring relocation as a result of the construction of the building(s) or improvements under this permit shall be relocated at the owner's expense. (Building)
 10. **CONSTRUCTION HOURS.** Construction work shall be limited to the hours of 7:00 a.m. to 6:00 p.m. Monday through Friday; 8:00 a.m. to 6:00 p.m. Saturdays; and 10:00 a.m. to 6:00 p.m. Sundays and holidays, except as expressly authorized by the City Engineer in conformance with Section 14.40.020 of the Half Moon Bay Municipal Code. (Engineering)
 11. **NOTICE OF DISRUPTION.** The permittee(s) shall provide written notice to affected property and business owners and a copy of such notice to the City Engineer a minimum of

two business days prior to any planned disruption of pedestrian or vehicular traffic, parking, or public service facilities. (Engineering)

12. **CONSTRUCTION MATERIAL STORAGE.** Construction material shall not be stored in the street right-of-way without prior approval from the City Engineer. (Engineering)
13. **ENCROACHMENT PERMIT.** The permittee(s) shall obtain an encroachment permit prior to starting any construction activity within the City right-of-way or affecting City improvements. All improvements constructed within the City right-of-way shall conform to City standards to the satisfaction of the City Engineer. (Engineering)

D. The following condition shall apply to the After-the-Fact approval of the RV Park site, and shall be complied with within 120 days of this CDP approval:

1. **FINAL LANDSCAPING AND FENCING PLAN.** Within 120 days of this permit approval, the permittee(s) shall submit a landscaping and fencing plan that includes the following details:
 - a. Calculations of the total amount of existing landscaping within the RV Park site. If the landscaped area is less than 14,375 square feet (15% of the RV Park site), the plan shall include additional landscaping to meet the 15% minimum landscaped area as required by Municipal Code Section 18.08.035(D).
 - b. Removal and replacement of all landscape screening along the Highway 1 frontage of the subject site, including the cypress trees.
 - c. New landscape screening along the western border of the RV Park with low shrubs to soften public views of the RVs from the Coastal Trail.
 - d. Coordination with the Beach House Hotel for pruning and maintenance of the cypress trees along the northern property line between the RV Park and the Beach House Hotel.
 - e. The replacement landscape screening may be supplemented by new fencing and shall be proposed at a maximum height established through field evaluation by the Community Development Director, but anticipated to be no more than seven (7) feet. Final landscaping and fence heights shall be reviewed for their compliance with sight distance requirements at the Highway 1 access driveway.
 - f. The landscaping palette shall comprise of drought tolerant coastal native species or species otherwise compatible with the City's median landscaping palette that will sufficiently screen the RV Park and new restroom facility without obstructing ocean views.

The final landscaping and fencing plan shall be subject to review and approval by the Community Development Director prior to implementation. (Planning)

E. The following conditions shall apply to the After-the-Fact approval of the RV Park site, and shall be complied with within 180-240 days of this CDP approval as specified below:

1. **STORMWATER TREATMENT PLAN.** Within 180 days of this permit approval, the permittee(s) shall submit a stormwater treatment plan showing implementation of at least one of the six Low Impact Development (LID) measures listed below:
 - a. Direct runoff into cisterns or rain barrels and use rainwater for irrigation or other non-potable use;
 - b. Direct roof runoff into vegetated areas;
 - c. Direct runoff from sidewalks, walkways, and/or patios into vegetated areas;
 - d. Direct runoff from driveways and /or uncovered parking lots into vegetated areas; or
 - e. Reconstruction of existing landscape islands to function as vegetated infiltration trenches. (Engineering)
2. **STORMWATER SITE INSPECTION.** Within 180 days of this permit approval, a site inspection shall be performed to the satisfaction of the City Engineer to identify any active non-stormwater discharges or sources of pollution. If any discharges or pollution sources are identified, the site inspector shall prepare a report including a description of the discharges or sources and recommendations for remediation to be submitted to the City Engineer for review and approval. If the report identifies any recommended remediation, such improvements shall be implemented by the permittee(s). (Engineering)
3. **LIGHTING PLAN.** Within 180 days of this permit approval, the permittee(s) shall submit a lighting plan showing the location, quantity, and type of each exterior lighting fixture in the RV Park site. The lighting plan shall be subject to review and approval by the Community Development Director. Any lighting fixtures that are not downcast and shielded or are otherwise inconsistent with City standards to protect dark night skies may require replacement light heads or fixtures. Replacement heads or fixtures shall also be subject to review and approval by the Community Development Director. (Planning)
4. **INSTALLATION OF FINAL LANDSCAPING AND FENCE SCREENING.** Within 240 days of this permit approval, the permittee(s) shall install the replacement landscaping and fencing screening along the Highway 1 frontage and the new landscape screening along the western border of the RV Park pursuant to the approved plans required by Condition D1. The replacement landscaping and fencing screening along the Highway 1 frontage shall be constructed and maintained at a height not to exceed seven (7) feet. Pursuant to the Municipal Code, the replacement and new landscape screening shall be established within five years. (Planning)

F. The following conditions shall apply to the entire subject site and shall be implemented prior to final inspection:

1. **LANDSCAPE INSTALLATION.** All landscaping shall be installed in conformance with the approved final landscape plans prior to final inspection. (Planning)

2. **LIGHTING INSTALLATION.** All replacement light heads or fixtures shall be installed in conformance with the lighting plan required by Condition E3, as approved by the Community Development Director. (Planning)
3. **EXTERIOR COLORS AND MATERIALS.** Exterior building colors and materials shall be in substantial conformance with those shown on the approved final plans to the satisfaction of the Director of Community Development. (Planning)
4. **INFORMATIONAL/ EDUCATIONAL SIGNAGE.** Prior to installation, the final elevations and copy of the proposed informational/educational signage for the new restroom structure and for wayfinding to nearby free public beach parking areas shall be submitted to the Community Development Director for review and approval. The proposed signage shall conform to Title 15 of the City's Municipal Code. (Planning)
5. **STORMWATER TREATMENT IMPLEMENTATION.** Prior to final inspection, the permittee(s) shall implement the Low Impact Development measures identified on the approved Stormwater Treatment Plan pursuant to Condition E1, as well as the remediation measures for any identified point sources of pollutant discharges pursuant to Condition E2. (Engineering)
6. **VEHICLE PARKING INSTALLATION.** All public parking stalls, EV charging station, and related signage shall be installed pursuant to the approved final plans required by Condition B2. (Planning)

G. Validity and Expiration of Permits

1. **EFFECTIVE DATE.** This site is located within the Coastal Appeal Zone. This permit shall take effect after expiration of the Coastal Commission appeal period, or if the permit is appealed to the Coastal Commission during the appeal period, it shall take effect after final Coastal Commission action. (Planning)
2. **ACCURACY OF APPLICATION MATERIALS.** The permittee(s) shall be responsible for the completeness and accuracy of all forms and material submitted for this application. Any errors or discrepancies found therein may be grounds for the revocation or modification of this permit and/or any other City approvals. (Planning)
3. **PERMIT EXPIRATION.** The Coastal Development Permit (CDP) shall expire one year from its date of final approval if development plans for a Building Permit have not been submitted. Once a Building Permit is issued, the CDP shall be deemed in effect. If plans for a Building Permit are submitted within the 1-year expiration period, and a Building Permit is not issued, the expiration of the CDP shall coincide and run concurrently with the Building Permit plan submittal/application as long as due diligence is pursued in the opinion of the Building Official in obtaining the Building Permit. (Planning)
4. **PERMIT EXTENSION.** The Community Development Director may, at the Director's discretion, approve a single one-year extension of this permit based on a written request and fee submitted to the Director prior to expiration of the permit. Any other extension shall require approval of a Permit Amendment prior to expiration of the permit. Any

Amendment Application to extend the permit shall be filed a minimum of ninety (90) days prior to permit expiration to ensure adequate processing time. (Planning)

5. **PERMIT RUNS WITH THE LAND.** The approval runs with the land and the rights and obligations thereunder, including the responsibility to comply with conditions of approval, shall be binding upon successors in interest in the real property unless or until such permits are expressly abandoned or revoked. (Planning)
6. **HOLD HARMLESS.** The permittee(s) agrees as a condition of approval of this application to indemnify, protect, defend with counsel selected by the City, and hold harmless, the City, and any agency or instrumentality thereof, and its elected and appointed officials, officers, employees and agents, from and against an and all liabilities, claims, actions, causes of action, proceedings, suits, damages, judgments, liens, levies, costs and expenses of whatever nature, including reasonable attorney's fees and disbursements (collectively, "Claims") arising out of or in any way relating to the approval of this application, any actions taken by the City related to this entitlement, any review by the California Coastal Commission conducted under the California Coastal Act Public Resources Code Section 30000 et seq., or any environmental review conducted under the California Environmental Quality Act, Public Resources Code Section 210000 et seq., for this entitlement and related actions. The indemnification shall include any Claims that may be asserted by any person or entity, including the permittee, arising out of or in connection with the approval of this application, whether or not there is concurrent, passive or active negligence on the part of the City, and any agency or instrumentality thereof, and its elected and appointed officials, officers, employees and agents. The permittee's duty to defend the City shall not apply in those instances when the permittee has asserted the Claims, although the permittee shall still have a duty to indemnify, protect and hold harmless the City. (City Attorney).

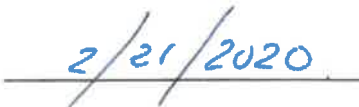
OWNER'S/PERMITTEE'S CERTIFICATION:

I have read and understand and hereby accept and agree to implement the foregoing conditions of approval of the Coastal Development Permit.

APPLICANTS:



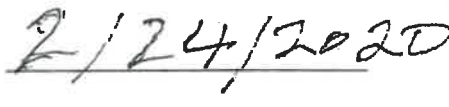
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