

# ZONING ADMINISTRATOR Agenda

**DATE**: May 1, 2019

LOCATION: Planning Department Conference Room, 1800 Francisco Boulevard

**TIME**: 6:00 PM

#### **ADMINISTRATIVE BUSINESS:**

1. Approval of Minutes December 5, 2018

2. Oral Communications This portion of the agenda is available to the public to address the Zoning Administrator on any issue within

the subject matter jurisdiction of the Zoning Administrator that is not on the agenda. The time allowed for

any speaker will be three minutes.

#### **PUBLIC HEARINGS:**

3. PSD-836-18 FILE NO. 2018-049 FOR SITE DEVELOPMENT PERMIT PSD-836-18 and COASTAL DEVELOPMENT CDP-401-18 PERMIT CDP-401-18 filed by applicant and property owner Richard Stephens on October 10, 2018, to

construct a second-story addition to an existing single family residence at 147 Salada Ave. (APN 016-042-130) in Pacifica. The project site is located within the Multiple-Family Residential (R-3) and Coastal

Zone Combining (CZ) District. *Proposed Action*: Approve as conditioned.

#### **ADJOURNMENT**

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

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



# ZONING ADMINISTRATOR Minutes

DATE: December 5, 2018

**LOCATION:** Planning Department Conference Room, 1800 Francisco Boulevard

**TIME**: 6:00 PM

Zoning Administrator (ZA) Tina Wehrmeister called the meeting to order at 6:03 PM. She stated that Asst. Planner Helen Gannon and Senior Planner Christian Murdock were present along with the applicant.

#### ADMINISTRATIVE BUSINESS:

1. **Approval of Minutes** ZA Wehrmeister approved the minutes from April 24, 2017, without revision.

2. **Oral Communications** No speakers.

#### **PUBLIC HEARINGS:**

3. A-3-17

**FILE NO. 2018-045 FOR VARIANCE PV-525-18**, filed by Fabio Penny on August 29, 2018, for the construction of a six (6) foot tall fence within the required front setback at 707 Prairie Creek Dr. (APN 022-371-170). Recommended California Environmental Quality Act (CEQA) status: Class 3 Categorical Exemption, CEQA Guidelines Section 15303 (New Construction or Conversion of Small Structures).

Proposed Action: Approve as conditioned.

- Assistant Planner Helen Gannon presented the staff report.
- ZA Wehrmeister had questions relating to site safety and whether staff believed Engineering would be okay with approving an Encroachment Permit for the proposed fence.
- Assistant Planner Gannon stated that through conversations with Engineering and staff analysis, site safety would not be an issue and that Engineering would approve an Encroachment Permit.
- Senior Planner Murdock added that the property was analyzed and treated as if it were a corner lot to confirm site safety.
- ZA Wehrmeister opened the public hearing. Mr. Penny stated that he and his family would like to have this fence primarily for the safety of their family and the general public.
- ZA Wehrmeister asked if Mr. Penny had read through the revised Condition of Approval #2.
- Mr. Penny stated that he had.
- ZA Wehrmeister closed the public hearing.
- ZA Wehrmeister approved the project and finds it exempt for the California Environmental Quality Act.

#### **ADJOURNMENT**

Zoning Administrator Wehrmeister adjourned the meeting at 6:23 PM.



# ZONING ADMINISTRATOR Staff Report

**DATE:** May 1, 2019 **FILE:** PSD-836-18

CDP-401-18

ITEM:

**PUBLIC NOTICE:** Notice of Public Hearing was published in Pacifica Tribune on April 17, 2019, and mailed to 260 surrounding property owners and occupants.

**APPLICANT/OWNER:** Richard Stephens

147 Salada Ave. Pacifica, CA 94044 (650)255-2210

PROJECT LOCATION: 147 Salada Ave. (APN 016-042-130) – West Sharp Park

**PROJECT DESCRIPTION:** File No. 2018-049 - Construct a second story addition to a single-family

residence on a nonconforming lot at 147 Salada Ave.

**SITE DESIGNATIONS:** General Plan: High Density Residential (HDR)

Zoning: R-3 (Multiple-Family Residential) / CZ (Coastal Zone Combining)

**RECOMMENDED CEQA STATUS:** Class 1 Categorical Exemption, Section 15301.

ADDITIONAL REQUIRED APPROVALS: None. Subject to appeal to the Planning Commission.

**RECOMMENDED ACTION:** Approve as conditioned.

PREPARED BY: Helen Gannon, Assistant Planner

#### PROJECT SUMMARY, RECOMMENDATION, AND FINDINGS

Major Standards	<u>Required</u>	Existing	<b>Proposed</b>
Lot Size	5,000 sq. ft. min	2,250 sq. ft.	No change
Lot Coverage	60% max	42%	45%
Lot Area Per	2,075 sq. ft.	N/A	2,250 sq. ft.
Dwelling Unit			
Height			
Building	35'-0" max	12'	24'-9"
Front yard fence	36" (up to 48" if open work)	48"	36"
Usable Open Space	400 sq. ft. min	392 sq. ft.	518 sq. ft.
Landscaping	20% min	17%	21%
Setbacks			
Front	15'-0" min	25'-4"	No change
Side	3'-0" min (west)	3'-0"	No change
	3'-0" min (east)	6'-0"	No change
Rear (east)	20'-0" min	26'-0"	No change
Parking	2 garage spaces	1 uncovered space	No change

### 1. Project Description

The proposed project is for a second-story addition to a 705-square foot (sq. ft.) existing one-story single-family residence on a 2,250-sq.ft. lot. The second story addition will consist of a new bedroom, bathroom, sitting room, and deck totaling 638-sq. ft. of new living space. The addition will be accessed from a narrow stairway off the proposed entryway and kitchen area. The existing first floor will be expanded in the front and will be remodeled to accommodate a new floor plan.

The project site also contains a 238 sq. ft. accessory structure in the rear yard that was added in 2013. The front yard consists of some landscaping and a 4-foot high fence. Currently, the project site and the adjacent residence to the east at 155 Salada Avenue share a driveway. Both homes were built in 1948 and neither have existing garages. Instead, an 8.5' by 18' uncovered parking spot is provided in the rear of both properties. Despite the existing nonconformity in off-street parking (single-family residences require a two-car garage pursuant to PMC Section 9-4.2818(a)(1)), the Applicant does not need to provide additional off-street parking since there will be no increase in the number of bedrooms. PMC Section 9-4.3002(c)(2)(vi) states:

On a residential lot or parcel where the required number of covered off-street parking spaces has not been provided, additional covered off-street parking spaces shall be required when the addition increases the number of bedrooms of the existing building. Such additional required parking shall meet the requirements of this chapter to the maximum extent feasible as determined by the Planning Administrator or designee.

The project site is a nonconforming lot pursuant to PMC Section 9-4.3002(a) because its 2,250 sq. ft. lot area is less than the 5,000 sq. ft. minimum lot size required by the R-3 zoning standards (PMC Section 9-4.602(a)). The 25-foot lot width also renders the lot to be nonconforming because it is less than the 50-foot lot width that is required by PMC Section 9-4.602(c). Additionally, the existing single-family residential use on the site is a lawful nonconforming use because it requires approval of a use permit pursuant to the R-3 zoning district standards but a use permit has not been granted for the site.

### 2. General Plan, Zoning, and Surrounding Land Uses

The subject site's General Plan land use designation is High Density Residential (HDR). The HDR land use designation permits residential development at an average density of 16 to 21 units per acre. The site, with its 2,250 sq. ft. lot size, is developed at a density of approximately 19 units per acre, consistent with the HDR land use designation.

The subject site's location is within the R-3 (Multiple-Family Residential) and CZ (Coastal Zone Combining) zoning districts. The R-3 zone allows development of multiple-family dwellings including single-family residences as a conditional use. The minimum lot area per dwelling unit in the R-3 zone is 2,075 sq. ft., and the project site is consistent with this requirement. However, the project site does not comply with the minimum lot area and minimum lot width development standards of the R-3 zone. The CZ zone, which is also applicable to the project site, supplements the underlying R-3 zoning district with additional standards.

Land uses surrounding the project site consist of multiple-family and single-family residences in the R-3/CZ zoning districts with the exception of City Hall and the Little Brown Church located to the east within the Public Facilities (PF) zoning district. Most structures surrounding the project site are one- and two-story structures.

# 3. Municipal Code

The applicant's proposal requires two approvals under the PMC. The project requires Zoning Administrator approval of the following entitlements:

- Site Development Permit: Prior to issuance of building permit, the Zoning Administrator must approve a Site Development Permit because the project involves i) an addition which increases an existing structure's gross square footage by 50 percent or more within the R-3 zone [Sec. 9-4.3201(a)]; and, ii) an alteration to a building on an existing nonconforming lot in excess of 25 percent of the existing floor area [PMC Sec. 9-4.3002(a)(7)(ii)]. The Zoning Administrator shall not issue a Site Development Permit if the Administrator makes any of the findings in PMC Sec. 9-4.3204(a).
- Coastal Development Permit: Prior to issuance of a building permit, the Zoning Administrator must approve a Coastal Development permit because the project involves development in the Coastal Zone [PMC Sec. 9-4.4303(a)]. The Zoning Administrator must make the two findings in PMC Sec. 9-4.4304(k) in order to approve a CDP.

The Zoning Administrator's authority to consider the subject permits is provided in section 9-4.3802(b) of the PMC.

### 4. Required Findings

#### A. Site Development Permit PSD-836-18

In order to approve Site Development Permit PSD-836-18, the Zoning Administrator must not make any of the nine findings required by PMC Section 9-4.3204(a). The following discussion supports the Administrator's findings in this regard.

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

<u>Discussion</u>: The proposed project includes the development of a second-story addition to an existing single-family residence on a developed lot within an existing neighborhood. The proposed project includes 638 sq. ft. of new gross living floor area consisting of a new bedroom, bathroom, sitting room, and deck space. The existing shared driveway will remain untouched. Therefore, the proposed project does not include any modifications to the existing roadway or pedestrian facilities that could create hazardous or inconvenient traffic patterns for vehicles or pedestrians.

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

<u>Discussion</u>: The proposed project does not include any modifications to the existing roadway that could affect existing off-street parking and parking areas that could create a hazardous or inconvenient condition to adjacent or surrounding uses. However, the existing front yard fence is 4 feet in height and is not an open work fence; thus, the fence is not compliant with the height standards contained in PMC Section 9-4.2502. The fence height and design could present a safety hazard in relation to the off-street parking area on the project site.

The applicant has indicated that the existing fence would be demolished during construction of the project and replaced with a compliant fence not to exceed three feet in height. With the removal of the nonconforming fence and replacement with a fence of conforming height, the accessibility of off-street parking areas and the relation of parking areas with respect to traffic on Salada Avenue will not create a hazardous or inconvenient condition to adjacent or surrounding uses.

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

buildings to open areas.

<u>Discussion</u>: The proposed landscaping exceeds the minimum 20 percent amount of landscaping required by the Zoning Regulations. The proposed project includes two main landscaped areas, one in the front and rear of the residence, totaling 467 sq. ft., or 21 percent. This allows for appropriate screening between adjacent structures. The front fence and landscaped areas will separate and screen the parking area from the street and adjoining building sites. Therefore, sufficient landscaped areas have been reserved for the purposes of separating or screening parking lots from the street.

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

<u>Discussion</u>: The proposed project will result in the addition of a second story to an existing single-family residential unit within an existing developed coastal area. The proposed project will significantly improve the appearance of the site and the surrounding neighborhood. The existing side setbacks will remain the same and a setback of over 20 feet will remain from the rear property line as well as a setback of over 15 feet from the front property line, providing adequate building separation so as not to unreasonably restrict or cut out light and air on the property and other properties in the neighborhood.

Furthermore, the project will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, since the proposed project is a use consistent with the neighborhood and will be constructed at a scale consistent with existing development patterns in the neighborhood.

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

<u>Discussion</u>: The proposed project includes the addition of a second-story to an existing single-story, single family residence and does not include any commercial or industrial uses. Therefore, this finding is not applicable to the subject project.

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

<u>Discussion</u>: The project site does not include any natural features, including trees, shrubs, creeks, rocks, or prominent natural slopes; therefore, the proposed development will not damage or destroy any natural features existing on site.

vii. Required Finding: That there is insufficient variety in the design of the structure and grounds to avoid monotony in the external appearance.

<u>Discussion</u>: The proposed project will incorporate variety in the type of materials and roof lines while maintaining a cohesive style that will be compatible with the mixed development in the West Sharp Park neighborhood. The applicant is proposing a shed roof line with a mixture of stucco and wood exterior materials. Therefore, the project will result in sufficient variety in the design of the structure and grounds to avoid monotony in the external appearance.

viii. Required Finding: That the proposed development is inconsistent with the City's adopted Design Guidelines.

<u>Discussion</u>: The City has adopted Design Guidelines which are intended to accomplish the following purposes:

- Ensure at least a minimum standard of design through the application of consistent policies.
- Encourage new construction which exceeds minimum standards and discourage construction which falls short of those standards.
- Provide a framework for review and evaluation of design proposals.
- Implement applicable General Plan and Local Coastal Plan goals and policies.
- Expedite and facilitate the planning permit process.
- Provide direction for design and redesign of projects.

The Design Guidelines are advisory in nature and, unlike zoning, do not contain explicit standards for determining strict compliance. Rather, the guidelines address significant elements of project design that, when balanced overall, result in the best possible site layout and building architecture for a project. An applicant may propose a project which complies with some but not all guidelines and the Zoning Administrator may still find the project consistent with the Design Guidelines. It is up to the Administrator's discretion to determine the appropriate balance and relative priority of the guidelines for a particular project when considering whether a project has achieved Design Guidelines consistency.

Staff's assessment of the project is that the proposed improvements at the site are consistent with the City's adopted Design Guidelines. Major areas of project consistency with the Design Guidelines include the following (Design Guidelines guidance followed by staff discussion):

#### Site Planning

1. Site Improvements. Locate site improvements such as buildings, parking areas, and walkways to take advantage of desirable site features. For example, existing healthy trees and distinctive berms or rock outcroppings should be incorporated into site design. Buildings should be oriented to capitalize on views of hills and ocean.

Discussion: The project site is situated on a small, narrow lot among other existing lots developed with single- and multi-family residential uses. The property is flat and does not have any existing trees or rock outcroppings to consider in the site design. The site is oriented north-south and so has no direct view or orientation to the ocean. However, the project includes a second story balcony which may allow views of the mountains to the south and potential limited views toward the ocean.

2. Lighting. Exterior lighting should be subdued, and should enhance building design as well as provide for safety and security. Lighting which creates glare for occupants or neighbors should not be used. In general, large areas should be illuminated with a few low shielded fixtures. Tall fixtures which illuminate large areas should be avoided.

Discussion: The Applicant has not proposed centralized, tall light fixtures. Exterior lighting at the project site will be down-facing and will not adversely affect adjacent properties.

#### **Building Design**

3. Scale. An important aspect of design compatibility is scale. Scale is the measure of the relationship of the relative overall size of one structure with one or more other structures. Scale is also used to refer to a group of buildings, a neighborhood, or an entire city. A development can be "out of scale" with its surroundings due to its relative height, bulk, mass, or density.

A structure which is out of scale with its site and neighborhood threatens the integrity of the overall streetscape, and residential projects, particularly single-family dwellings, which are much larger than neighboring structures are therefore discouraged. The City's height limitation is a maximum only, and the maximum height may often be inappropriate when considered in the context of surrounding development and topography. The "carrying capacity" of a given site is also an important factor in determining appropriate scale and lot coverage. As with the height limitation, the City's lot coverage limitation is a maximum only.

Discussion: The project will be consistent with the scale of nearby developments. The height and scale of the project, while larger than the adjacent properties, will remain in character with many other structures in the project area. In particular, the buildings directly across the street and behind the property have similar heights as the subject project.

4. Materials. Compatibility of materials is an essential ingredient in design quality. In areas with either historic or architecturally significant structures, the use of similar exterior construction materials should be used in new construction in order to maintain neighborhood character. Consistency and congruity of materials and design elements on individual structures is also important.

Discussion: The project includes a mix of materials consistent with the surrounding neighborhood. Exterior materials include painted stucco siding that will match with the existing color scheme with some minor changes. The stucco will be paired with natural wood trims and accents that will be consistent with neighboring properties.

5. Consistency. There should be architectural consistency among all building elevations. All elevations need not be identical, but a sense of overall design continuity must occur. Window treatment and trim, for example, should be carried out around the entire building, not just on the most visible sides.

Discussion: The proposed project architectural style is consistent with the surrounding neighborhood, including the proposed building materials to be used. The architectural style and design features will be carried through on all proposed building elevations. Outdoor spaces on every level provide multiple areas for indoor/outdoor living, which provides opportunities for visual and social engagement between inhabitants, neighbors, and passersby. The use of a shed style roof and building components such as a balcony and a front porch serve to add visual interest and texture. The combination of smooth stucco, windows, doors and balconies, and metal railings create an openness, lightness and transparency to the project.

Therefore, staff finds that the proposed project will be consistent with the City of Pacifica's adopted Design Guidelines.

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

<u>Discussion</u>: The proposed project will be consistent with the City of Pacifica's General Plan, Local Coastal Plan, and other applicable laws of the City, as described in the following analysis:

The property is located within the High Density Residential (HDR) designation of the General Plan Land Use Element and within the R-3 (Multiple-Family Residential) zoning district, both of which are intended for high-density residential development. The HDR land use designation permits residential development at an average density of 16 to 21 units per acre. The site, with its 2,250 sq. ft. lot size, is developed at a density of approximately 19 units per acre, consistent with the HDR land use designation. Furthermore, the proposed project is consistent with General Plan policies, including the following:

• Community Design Element, Policy No. 2: *Encourage the upgrading and maintenance of existing neighborhoods.* 

The project site consists of an existing single-family residence within an existing developed coastal area. The project will result in the development of a high quality, two-story residential home thus significantly improving the appearance of the site. Because the project will upgrade the aesthetic condition of the existing site, there is substantial evidence in the record to support this finding.

The City's certified Local Coastal Program includes a Local Coastal Land Use Plan (LCLUP) that contains policies to further the City's coastal planning activities. The proposed project is consistent with several of these policies, as discussed below.

• Coastal Act Policy No. 2: Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rock coastal beaches to the first line of terrestrial vegetation.

The proposed project will not interfere with the public's right of access to the sea. The proposed project is located two blocks east of the shoreline and will not affect the existing public promenades that provide coastal access; therefore, the project will not impact or otherwise interfere with the public's right of access to the sea.

 Coastal Act Policy No. 18: Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas. Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation 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.

The project will not occur on or adjacent to an environmentally sensitive habitat area. The development site is an existing developed lot surrounded by a substantially developed subdivision, and has no value as habitat. Therefore, the project is consistent with this LCP policy.

Coastal Act Policy No. 23: New development, except as otherwise provided in this policy, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources... [the remainder of this policy pertains to major land divisions other than condominiums and to visitor-serving facilities, neither of which are part of the subject project.]

The new development proposed with this project is located within an existing developed area. The surrounding neighborhood is a substantially developed suburban neighborhood with subdivided lots, most of which have already been developed with residential units. Therefore, development will not occur outside of existing developed areas.

Because the proposed project will be located in an existing area substantially developed with residential units, substantial evidence exists to support a Zoning Administrator finding that the proposed development is in conformity with the City's certified Local Coastal Program.

#### B. Coastal Development Permit CDP-399-18

In order to approve Coastal Development Permit CDP-401-18, the Zoning Administrator must make the two findings required by PMC Section 9-4.4304(k). The following discussion supports the Administrator's findings in this regard.

i. Required Finding: *The proposed development is in conformity with the City's certified Local Coastal Program.* 

<u>Discussion</u>: The proposed project is consistent with several of the City's certified Local Coastal Program policies, specifically Coastal Act Policies No. 2, 18, and 23 as more fully described above in the findings related to approval of a Site Development Permit in section A.ix.

ii. Required Finding: Where the Coastal Development Permit is issued for any development between the nearest public road and the shoreline, the development is in conformity with the public recreation policies of Chapter 3 of the California Coastal Act.

<u>Discussion</u>: The project site is not located between the nearest public road (Beach Boulevard) and the shoreline; therefore, this Coastal Development Permit finding does not apply in this case.

#### 5. CEQA Recommendation

Staff analysis of the proposed project supports a Zoning Administrator finding that it qualifies for a categorical exemption from the California Environmental Quality Act (CEQA). The project qualifies as a Class 1 exemption under CEQA Guidelines Section 15301, as described below:

#### 15301. Existing Facilities

Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The types of "existing facilities" itemized below are not intended to be all inclusive of the types of projects which might fall within Class 1. The key consideration is whether the project involves negligible or no expansion of an existing use. Examples include but are not limited to:

\* \* \* \* \*

(e) Additions to existing structures provided that the addition would not result in an increase of more than:

\* \* \* \* \*

- (2) 10,000 square feet if:
  - (A) The project is in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan and
  - (B) The area in which the project is located is not environmentally sensitive.

\* \* \* \* \*

In this case, the project involves an addition that is less than 10,000 square feet and is in an area where all public services and facilities are available to allow for maximum development and is not located in an environmentally sensitive area. Therefore, the project is exempt from further analysis under CEQA.

Additionally, none of the exceptions to application of a categorical exemption in Section 15300.2 of the CEQA Guidelines apply, as described below.

- Sec. 15300.2(a): There is no evidence in the record that the project will impact an environmental resource of hazardous or critical concern in an area designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies. The project site is located within a substantially developed residential neighborhood and is not located in a sensitive environmental area. Therefore, it will not have a significant impact on the environment.
- Sec. 15300.2(b): There is no evidence in the record that successive projects of the same type in the area will have a significant environmental impact. The project is a small residential addition within a substantially developed residential neighborhood and will not have a significant impact on the environment either alone or cumulatively with other projects in the vicinity.
- Sec. 15300.2(c): There is no evidence in the record of any possibility that the project will have a significant effect on the environment due to unusual circumstances. The project site is a vacant lot with very flat topography and no habitat value. It is zoned for residential development and the project will involve residential development consistent with the residential zoning. Therefore, there are no unusual circumstances applicable to the project.
- Sec. 15300.2(d) through (f): The project is not proposed near a scenic highway, does not involve a current or former hazardous waste site, and, does not affect any historical resources. Therefore, the provisions of subsections (d) through (f) are not applicable to this project.

Because the project is consistent with the requirements for a Class 1 exemption and none of the exceptions to applying an exemption in Section 15300.2 apply, there is substantial evidence in the record to support a finding that the project is categorically exempt from CEQA.

# 6. Staff Analysis

In staff's opinion, as conditioned, the project is consistent with the General Plan, Local Coastal Plan, and the City's adopted Design Guidelines. The project is consistent with General Plan density standards and

the uses permitted in the zoning standards. The project will also comply with all zoning development standards. Thus, staff recommends that the Zoning Administrator approve the proposed project subject to the conditions attached.

#### **ZONING ADMINISTRATOR ACTION**

#### **MOTION FOR APPROVAL:**

Move that the Zoning Administrator finds the project is exempt from the California Environmental Quality Act; **APPROVES** Site Development Permit PSD-836-18 and Coastal Development Permit CDP-401-18, by adopting the attached resolution, including conditions of approval in Exhibit A; and, incorporates all maps and testimony into the record by reference.

## **ATTACHMENT LIST:**

Attachment A - Draft Resolution and COAs (DOCX)

Attachment B - Land Use (PDF) Attachment C - Project Plans (PDF)

#### RESOLUTION NO.

A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF PACIFICA APPROVING SITE DEVELOPMENT PERMIT PSD-836-18 AND COASTAL DEVELOPMENT PERMIT CDP-401-18 FOR CONSTRUCTION OF A SECOND STORY ADDITION TO AN EIXSTING SINGLE-FAMILY RESIDENCE ON A NONCONFORMING LOT AT 147 SALADA AVENUE (APN 016-042-130), AND FINDING THE PROJECT EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA).

Initiated by: Richard Stephens ("Applicant").

**WHEREAS**, an application has been submitted to construct a 638-square foot (sq. ft.) second story addition to a single-family residence on a nonconforming lot at 147 Salada Avenue (APN 016-042-130) (the "Project"); and

**WHEREAS**, the Project requires approval of a Site Development Permit because the Project involves i) an addition which increases an existing structure's gross square footage by 50 percent or more within the R-3 zone [Sec. 9-4.3201(a)]; and, ii) an alteration to a building on an existing nonconforming lot in excess of 25 percent of the existing floor area [PMC Sec. 9-4.3002(a)(7)(ii)]; and

**WHEREAS**, the Project requires approval of a Coastal Development Permit because the Project will propose development within the Coastal Zone; and, the Project does not qualify for any exemptions or exclusions from obtaining a permit; and

**WHEREAS,** the Zoning Administrator of the City of Pacifica did hold a duly noticed public hearing on May 1, 2019, at which time it considered all oral and documentary evidence presented, and incorporated all testimony and documents into the record by reference.

**NOW, THEREFORE BE IT RESOLVED** by the Zoning Administrator of the City of Pacifica as follows:

- 1. The above recitals are true and correct and material to this Resolution.
- 2. In making its findings, the Zoning Administrator relied upon and hereby incorporates by reference all correspondence, staff reports, and other related materials.
- 3. The Project is categorically exempt from the requirements of CEQA pursuant to CEQA Guidelines 15301 and therefore directs staff to file a Notice of Exemption for the Project.

**BE IT FURTHER RESOLVED** that the Zoning Administrator of the City of Pacifica does hereby make the finding that the Project qualifies for a Class 1 exemption under CEQA. CEQA Guidelines Section 15301, as described below, applies to the Project:

1. That the Project is exempt from the CEQA as a Class 1 exemption provided in Section 15301 of the CEQA Guidelines.

#### **15301.** Existing Facilities

Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities,

mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The types of "existing facilities" itemized below are not intended to be all inclusive of the types of projects which might fall within Class 1. The key consideration is whether the Project involves negligible or no expansion of an existing use. Examples include but are not limited to:

\* \* \* \* \*

(e) Additions to existing structures provided that the addition would not result in an increase of more than:

\* \* \* \* \*

- (2) 10,000 square feet if:
  - (A) The Project is in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan and
  - (B) The area in which the Project is located is not environmentally sensitive.

\* \* \* \* \*

In this case, the Project involves an addition that is less than 10,000 square feet and is in an area where all public services and facilities are available to allow for maximum development and is not located in an environmentally sensitive area. Therefore, the Project is exempt from further analysis under CEQA.

Additionally, none of the exceptions to application of a categorical exemption in Section 15300.2 of the CEQA Guidelines apply, as described below.

- Sec. 15300.2(a): There is no evidence in the record that the Project will impact an
  environmental resource of hazardous or critical concern in an area designated,
  precisely mapped, and officially adopted pursuant to law by federal, state, or local
  agencies. The Project site is located within a substantially developed residential
  neighborhood and is not located in a sensitive environmental area. Therefore, it will
  not have a significant impact on the environment.
- Sec. 15300.2(b): There is no evidence in the record that successive projects of the same type in the area will have a significant environmental impact. The Project is a small residential addition within a substantially developed residential neighborhood and will not have a significant impact on the environment either alone or cumulatively with other projects in the vicinity.
- Sec. 15300.2(c): There is no evidence in the record of any possibility that the Project will have a significant effect on the environment due to unusual circumstances. The Project site is a vacant lot with very flat topography and no habitat value. It is zoned

for residential development and the Project will involve residential development consistent with the residential zoning. Therefore, there are no unusual circumstances applicable to the Project.

• Sec. 15300.2(d) through (f): The Project is not proposed near a scenic highway, does not involve a current or former hazardous waste site, and, does not affect any historical resources. Therefore, the provisions of subsections (d) through (f) are not applicable to this Project.

Because the Project is consistent with the requirements for a Class 1 exemption and none of the exceptions to applying an exemption in Section 15300.2 apply; therefore, there is substantial evidence in the record to support a finding that the Project is categorically exempt from CEQA.

**BE IT FURTHER RESOLVED** that the Zoning Administrator of the City of Pacifica does hereby make the following findings pertaining to Site Development Permit PSD-836-18 for i) an addition which increases an existing structure's gross square footage by 50 percent or more within the R-3 zone [Sec. 9-4.3201(a)]; and, ii) an alteration to a building on an existing nonconforming lot in excess of 25 percent of the existing floor area [PMC Sec. 9-4.3002(a)(7)(ii)]:

- 1. The proposed development is in conformity with Section 9-4.3.204(a) of the City of Pacifica's Municipal Code.
  - i. Required Finding: That the location, size, and intensity of the proposed operation will create a hazardous or inconvenient vehicular or pedestrian traffic pattern, taking into account the proposed use as compared with the general character and intensity of the neighborhood.

<u>Discussion</u>: The proposed Project includes the development of a second-story addition to an existing single-family residence on a developed lot within an existing neighborhood. The proposed Project includes 638 sq. ft. of new gross living floor area consisting of a new bedroom, bathroom, sitting room, and deck space. The existing shared driveway will remain untouched. Therefore, the proposed Project does not include any modifications to the existing roadway or pedestrian facilities that could create hazardous or inconvenient traffic patterns for vehicles or pedestrians.

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

<u>Discussion</u>: The proposed Project does not include any modifications to the existing roadway that could affect existing off-street parking and parking areas that could create a hazardous or inconvenient condition to adjacent or surrounding uses. However, the existing front yard fence is 4 feet in height and is not an open work fence; thus, the fence is not compliant with the height standards contained in PMC Section 9-4.2502. The fence height and design could present a safety hazard in relation to the off-street parking area on the Project site.

The applicant has indicated that the existing fence would be demolished during construction of the Project and replaced with a compliant fence not to exceed three feet in

height. With the removal of the nonconforming fence and replacement with a fence of conforming height, the accessibility of off-street parking areas and the relation of parking areas with respect to traffic on Salada Avenue will not create a hazardous or inconvenient condition to adjacent or surrounding uses.

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

<u>Discussion</u>: The proposed landscaping exceeds the minimum 20 percent amount of landscaping required by the Zoning Regulations. The proposed Project includes two main landscaped areas, one in the front and rear of the residence, totaling 467 sq. ft., or 21 percent. This allows for appropriate screening between adjacent structures. The front fence and landscaped areas will separate and screen the parking area from the street and adjoining building sites. Therefore, sufficient landscaped areas have been reserved for the purposes of separating or screening parking lots from the street.

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

<u>Discussion</u>: The proposed Project will result in the addition of a second story to an existing single-family residential unit within an existing developed coastal area. The proposed Project will significantly improve the appearance of the site and the surrounding neighborhood. The existing side setbacks will remain the same and a setback of over 20 feet will remain from the rear property line as well as a setback of over 15 feet from the front property line, providing adequate building separation so as not to unreasonably restrict or cut out light and air on the property and other properties in the neighborhood.

Furthermore, the Project will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, since the proposed Project is a use consistent with the neighborhood and will be constructed at a scale consistent with existing development patterns in the neighborhood.

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

<u>Discussion</u>: The proposed Project includes the addition of a second-story to an existing single-story, single family residence and does not include any commercial or industrial uses. Therefore, this finding is not applicable to the subject Project.

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

<u>Discussion</u>: The Project site does not include any natural features, including trees, shrubs, creeks, rocks, or prominent natural slopes; therefore, the proposed development will not damage or destroy any natural features existing on site.

vii. Required Finding: That there is insufficient variety in the design of the structure and grounds to avoid monotony in the external appearance.

<u>Discussion</u>: The proposed Project will incorporate variety in the type of materials and roof lines while maintaining a cohesive style that will be compatible with the mixed development in the West Sharp Park neighborhood. The applicant is proposing a shed roof line with a mixture of stucco, and wood exterior materials. Therefore, the Project will result in sufficient variety in the design of the structure and grounds to avoid monotony in the external appearance.

viii. Required Finding: That the proposed development is inconsistent with the City's adopted Design Guidelines.

<u>Discussion</u>: The City has adopted Design Guidelines which are intended to accomplish the following purposes:

- Ensure at least a minimum standard of design through the application of consistent policies.
- Encourage new construction which exceeds minimum standards and discourage construction which falls short of those standards.
- Provide a framework for review and evaluation of design proposals.
- Implement applicable General Plan and Local Coastal Plan goals and policies.
- Expedite and facilitate the planning permit process.
- Provide direction for design and redesign of projects.

The Design Guidelines are advisory in nature and, unlike zoning, do not contain explicit standards for determining strict compliance. Rather, the guidelines address significant elements of project design that, when balanced overall, result in the best possible site layout and building architecture for a project. An applicant may propose a project which complies with some but not all guidelines and the Zoning Administrator may still find the Project consistent with the Design Guidelines. It is up to the Commission's discretion to determine the appropriate balance and relative priority of the guidelines for a particular project when considering whether a project has achieved Design Guidelines consistency.

Staff's assessment of the Project is that the proposed improvements at the site are consistent with the City's adopted Design Guidelines. Major areas of project consistency with the Design Guidelines include the following (Design Guidelines guidance followed by staff discussion):

#### Site Planning

1. Site Improvements. Locate site improvements such as buildings, parking areas, and walkways to take advantage of desirable site features. For example, existing healthy trees and distinctive berms or rock outcroppings should be incorporated into site design. Buildings should be oriented to capitalize on views of hills and ocean.

<u>Discussion:</u> The Project site is situated on a small, narrow lot among other existing lots developed with single- and multi-family residential uses. The property is flat and does not have any existing trees or rock outcroppings to consider in the site design. The site is oriented north-south and so has no direct view or orientation to the ocean. However, the Project includes a second story balcony which may allow views of the mountains to the south and potential limited views toward the ocean.

2. Lighting. Exterior lighting should be subdued, and should enhance building design as well as provide for safety and security. Lighting which creates glare for occupants or neighbors should not be used. In general, large areas should be illuminated with a few low shielded fixtures. Tall fixtures which illuminate large areas should be avoided.

<u>Discussion:</u> The Applicant has not proposed centralized, tall light fixtures. Exterior lighting at the Project site will be down-facing and will not adversely affect adjacent properties.

#### **Building Design**

3. Scale. An important aspect of design compatibility is scale. Scale is the measure of the relationship of the relative overall size of one structure with one or more other structures. Scale is also used to refer to a group of buildings, a neighborhood, or an entire city. A development can be "out of scale" with its surroundings due to its relative height, bulk, mass, or density.

A structure which is out of scale with its site and neighborhood threatens the integrity of the overall streetscape, and residential projects, particularly single-family dwellings, which are much larger than neighboring structures are therefore discouraged. The City's height limitation is a maximum only, and the maximum height may often be inappropriate when considered in the context of surrounding development and topography. The "carrying capacity" of a given site is also an important factor in determining appropriate scale and lot coverage. As with the height limitation, the City's lot coverage limitation is a maximum only.

<u>Discussion:</u> The Project will be consistent with the scale of nearby developments. The height and scale of the Project, while larger than the adjacent properties, will remain in character with many other structures in the Project area. In particular, the buildings directly across the street and behind the property have similar heights as the subject Project.

4. Materials. Compatibility of materials is an essential ingredient in design quality. In areas with either historic or architecturally significant structures, the use of similar exterior construction materials should be used in new construction in order to maintain neighborhood character. Consistency and congruity of materials and design elements on individual structures is also important.

<u>Discussion:</u> The Project includes a mix of materials consistent with the surrounding neighborhood. Exterior materials include painted stucco siding that will match with the existing color scheme with some minor changes. The stucco will be paired with natural wood trims and accents that will be consistent with neighboring properties.

5. Consistency. There should be architectural consistency among all building elevations. All elevations need not be identical, but a sense of overall design continuity must occur. Window treatment and trim, for example, should be carried out around the entire building, not just on the most visible sides.

<u>Discussion:</u> The proposed Project architectural style is consistent with the surrounding neighborhood, including the proposed building materials to be used. The architectural style and design features will be carried through on all proposed building elevations. Outdoor spaces on every level provide multiple areas for indoor/outdoor living, which provides opportunities for visual and social engagement between inhabitants, neighbors, and passersby. The use of a shed style roof and building components such as a balcony and a front porch serve to add visual interest and texture. The combination of smooth stucco, windows, doors and balconies, and metal railings create an openness, lightness and transparency to the Project.

Therefore, staff finds that the proposed Project will be consistent with the City of Pacifica's adopted Design Guidelines.

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

<u>Discussion</u>: The proposed Project will be consistent with the City of Pacifica's General Plan, Local Coastal Plan, and other applicable laws of the City, as described in the following analysis:

The property is located within the High Density Residential (HDR) designation of the General Plan Land Use Element and within the R-3 (Multiple-Family Residential) zoning district, both of which are intended for high-density residential development. The HDR land use designation permits residential development at an average density of 16 to 21 units per acre. The site, with its 2,250 sq. ft. lot size, is developed at a density of approximately 19 units per acre, consistent with the HDR land use designation. Furthermore, the proposed Project is consistent with General Plan policies, including the following:

• Community Design Element, Policy No. 2: Encourage the upgrading and maintenance of existing neighborhoods.

The Project site consists of an existing single-family residence within an existing developed coastal area. The Project will result in the development of a high quality, two-story residential home thus significantly improving the appearance of the site. Because the Project will upgrade the aesthetic condition of the existing site, there is substantial evidence in the record to support this finding.

The City's certified Local Coastal Program includes a Local Coastal Land Use Plan (LCLUP) that contains policies to further the City's coastal planning activities. The proposed Project is consistent with several of these policies, as discussed below.

• Coastal Act Policy No. 2: Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rock coastal beaches to the first line of terrestrial vegetation.

The proposed Project will not interfere with the public's right of access to the sea. The proposed Project is located two blocks east of the shoreline and will not affect the existing public promenades that provide coastal access; therefore, the Project will not impact or otherwise interfere with the public's right of access to the sea.

• Coastal Act Policy No. 18: Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas. Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation 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.

The Project will not occur on or adjacent to an environmentally sensitive habitat area. The development site is an existing developed lot surrounded by a substantially developed subdivision, and has no value as habitat. Therefore, the Project is consistent with this LCP policy.

• Coastal Act Policy No. 23: New development, except as otherwise provided in this policy, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources... [the remainder of this policy pertains to major land divisions other than condominiums and to visitor-serving facilities, neither of which are part of the subject Project.]

The new development proposed with this Project is located within an existing developed area. The surrounding neighborhood is a substantially developed suburban neighborhood with subdivided lots, most of which have already been developed with residential units. Therefore, development will not occur outside of existing developed areas.

Because the proposed Project will be located in an existing area substantially developed with residential units, substantial evidence exists to support a Zoning Administrator finding that the proposed development is in conformity with the City's certified Local Coastal Program.

**BE IT FURTHER RESOLVED** that the Zoning Administrator of the City of Pacifica does hereby make the following findings pertaining to Coastal Development Permit CDP-401-18 for development within the Coastal Zone:

i. Required Finding: The proposed development is in conformity with the City's certified Local Coastal Program.

<u>Discussion</u>: The proposed Project is consistent with several of the City's certified Local Coastal Program policies, specifically Coastal Act Policies No. 2, 18, and 23 as more fully described above in the findings related to approval of a Site Development Permit in section 1.ix.

ii. Required Finding: Where the Coastal Development Permit is issued for any development between the nearest public road and the shoreline, the development is in conformity with the public recreation policies of Chapter 3 of the California Coastal Act.

<u>Discussion</u>: The Project site is not located between the nearest public road (Beach Boulevard) and the shoreline; therefore, this Coastal Development Permit finding does not apply in this case.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** that the Zoning Administrator of the City of Pacifica approves Site Development Permit PSD-836-18 and Coastal Development Permit CDP-401-18 for construction of a two-story addition to a single-family residence on a nonconforming lot at 147 Salada Avenue (APN 016-042-130), subject to conditions of approval included as Exhibit A to this resolution.

\* \* \* \* \*

Passed and adopted at a regular meeting of the Zoning Administrator of the City of Pacifica, California, held on the 1st day of May 2019.

	APPROVED AS TO FORM:	
Tina Wehrmeister, Planning Director	Michelle Kenyon, City Attorney	

#### Exhibit A

Conditions of Approval: File No. 2018-049 – Site Development Permit PSD-836-18 and Coastal Development Permit CDP-401-18 for construction of a two-story addition to a single-family residence on a nonconforming lot at 147 Salada Avenue (APN 016-042-130)

#### **Zoning Administrator Meeting of May 1, 2019**

#### **Planning Division of the Planning Department**

- 1. Development shall be substantially in accord with the plans entitled "Stephens Residence, 147 Salada Ave.," dated January 17, 2019, and stamped received by the City of Pacifica on January 18, 2019, except as modified by the following conditions.
  - 2. The approval or approvals is/are valid for a period of two years from the date of final determination. If the use or uses approved is/are not established within such period of time, the approval(s) shall expire unless Applicant submits a written request for an extension and applicable fee prior to the expiration date, and the Planning Director approves the extension request as provided below. The Planning Director may administratively grant a single, one year extension provided, in the Planning Director's sole discretion, the circumstances considered during the initial Project approval have not materially changed. Otherwise, the Zoning Administrator shall consider a request for a single, one year extension. In the event of litigation filed to overturn the City's determination on the approval or approvals, the Planning Director may toll the expiration of the approval or approvals during the pendency of such litigation.
- 3. The approval letter issued by the City and all conditions of approval attached thereto shall be included as plan sheets within all plan sets submitted to the City as part of any building permit application.
- 4. Prior to final inspection, applicant shall remove the existing front yard fence and replace it with a fence compliant with the height standards contained in Pacifica Municipal Code Section 9-4.2502.
- 5. Prior to issuance of a building permit, Applicant shall clearly indicate compliance with all conditions of approval on the plans and/or provide written explanations to the Planning Director's satisfaction.
- 6. Prior to the issuance of a building permit, Applicant shall submit information on exterior finishes, including colors and materials, subject to approval of the Planning Director.
- 7. Exterior lighting shall include buffering techniques to reduce light and glare impacts to adjacent properties to the satisfaction of the Planning Director.
- 8. All trash and recycling materials, if stored outdoors, shall be fully contained and screened from public view within an approved enclosure. The enclosure design shall be consistent with the adjacent and/or surrounding building materials, and shall be sufficient in size to contain all trash and recycling materials, as may be recommended by Recology of the Coast. Trash enclosure and dumpster areas shall be covered and protected from roof and surface drainage. Prior to the issuance of a building permit, Applicant shall provide construction details for the enclosure for review and approval by the Planning Director.

- 9. All transformers, HVAC units, backflow preventers and other ground-mounted utility equipment shall be shown on the landscape and irrigation plans and shall be located out of public view and/or adequately screened through the use or combination of walls or fencing, berming, painting, and/or landscaping, to the satisfaction of the Planning Director.
- 10. Prior to the issuance of a building permit, Applicant shall submit a roof plan with spot elevations showing the location of all roof equipment including vents, stacks and skylights. All roof equipment shall be screened to the Planning Director's satisfaction.
- 11. Applicant shall maintain its site in a fashion that does not constitute a public nuisance and that does not violate any provision of the Pacifica Municipal Code.
- 12. All outstanding and applicable fees associated with the processing of this Project shall be paid prior to the issuance of a building permit.
- 13. The Applicant shall indemnify, defend and hold harmless the City, its Council, Planning Commission, advisory boards, officers, employees, consultants and agents (hereinafter "City") from any claim, action or proceeding (hereinafter "Proceeding") brought against the City to attack, set aside, void or annul the City's actions regarding any development or land use permit, application, license, denial, approval or authorization, including, but not limited to, variances, use permits, developments plans, specific plans, general plan amendments, zoning amendments, approvals and certifications pursuant to the California Environmental Quality Act, and/or any mitigation monitoring program, or brought against the City due to actions or omissions in any way connected to the Applicant's Project ("Challenge"). City may, but is not obligated to, defend such Challenge as City, in its sole discretion, determines appropriate, all at Applicant's sole cost and expense. This indemnification shall include, but not be limited to, damages, fees and/or costs awarded against the City, if any, and costs of suit, attorney's fees and other costs, liabilities and expenses incurred in connection with such proceeding whether incurred by the Applicant, City, and/or parties initiating or bringing such Proceeding. If the Applicant is required to defend the City as set forth above, the City shall retain the right to select the counsel who shall defend the City. Per Government Code Section 66474.9, the City shall promptly notify Applicant of any Proceeding and shall cooperate fully in the defense.

#### **Building Division of the Planning Department**

- 14. The Project requires review and approval of a building permit by the Building Official. Applicant shall apply for and receive approval of a building permit prior to commencing any construction activity.
- 15. All openings between 3 feet and 5 feet of a property line must be 1 hour protected glass.

#### **Engineering Division of Public Works Department**

16. Construction shall be in conformance with the City of Pacifica Storm Water Management and Discharge Control Ordinance and the San Mateo Countywide Storm Water Pollution Prevention Program. Best Management Practices shall be implemented, and the construction BMPs plans sheet from the Countywide program shall be included in the Project plans.

- 17. The following requirements must be clearly noted on the construction plans for the Project:
  - a) Salada Avenue shall be maintained clear of construction materials, equipment, storage, debris, and soil. Dust control and daily road cleanup will be strictly enforced. A properly signed no-parking zone may be established during normal working hours only.
  - b) All recorded survey points, monuments, railroad spikes, pins, cross cuts on top of sidewalks and tags on top of culvert headwalls or end walls whether within private property or public right-of-way shall be protected and preserved. If survey point/s are altered, removed or destroyed, the applicant shall be responsible for obtaining the services of a licensed surveyor or qualified Civil Engineer to restore or replace the survey points and record the required map prior to occupancy of the first unit.
  - c) Existing public improvements within the property frontage that are damaged or displaced shall be repaired or replaced as determined by the City Engineer even if damage or displacement occurred prior to any work performed for this Project. Any damage to improvements within city right-of-way or to any private property, whether adjacent to subject property or not, that is determined by the City Engineer to have resulted from construction activities related to this Project, shall be repaired or replaced as directed by the City Engineer.
- 18. An Encroachment Permit must be obtained for all work within public right-of-way. All proposed improvements within public right-of-way shall be constructed per City Standards.
- 19. No private structures, including but not limited to walls or curbs, fences mailboxes, or stairs shall encroach into the public right-of-way.
- 20. All broken, cracked or uplifted Sidewalk, Curb, Gutter and Driveway Approach ramps across the entire property frontage shall be replaced per City Standards.
- 21. All new utilities shall be installed underground from the nearest main or joint pole.

\*\*\*END\*\*\*

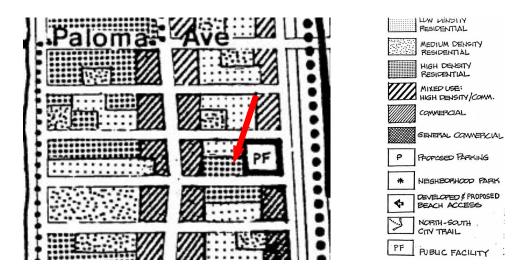
# **Land Use & Zoning Exhibit**

City of Pacifica Planning Department

# **General Plan Diagram**

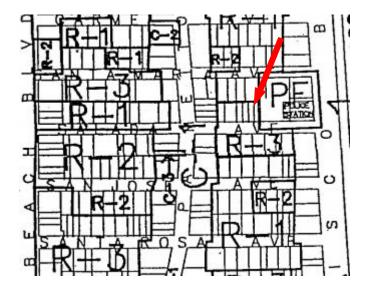
Neighborhood: Sharp Park

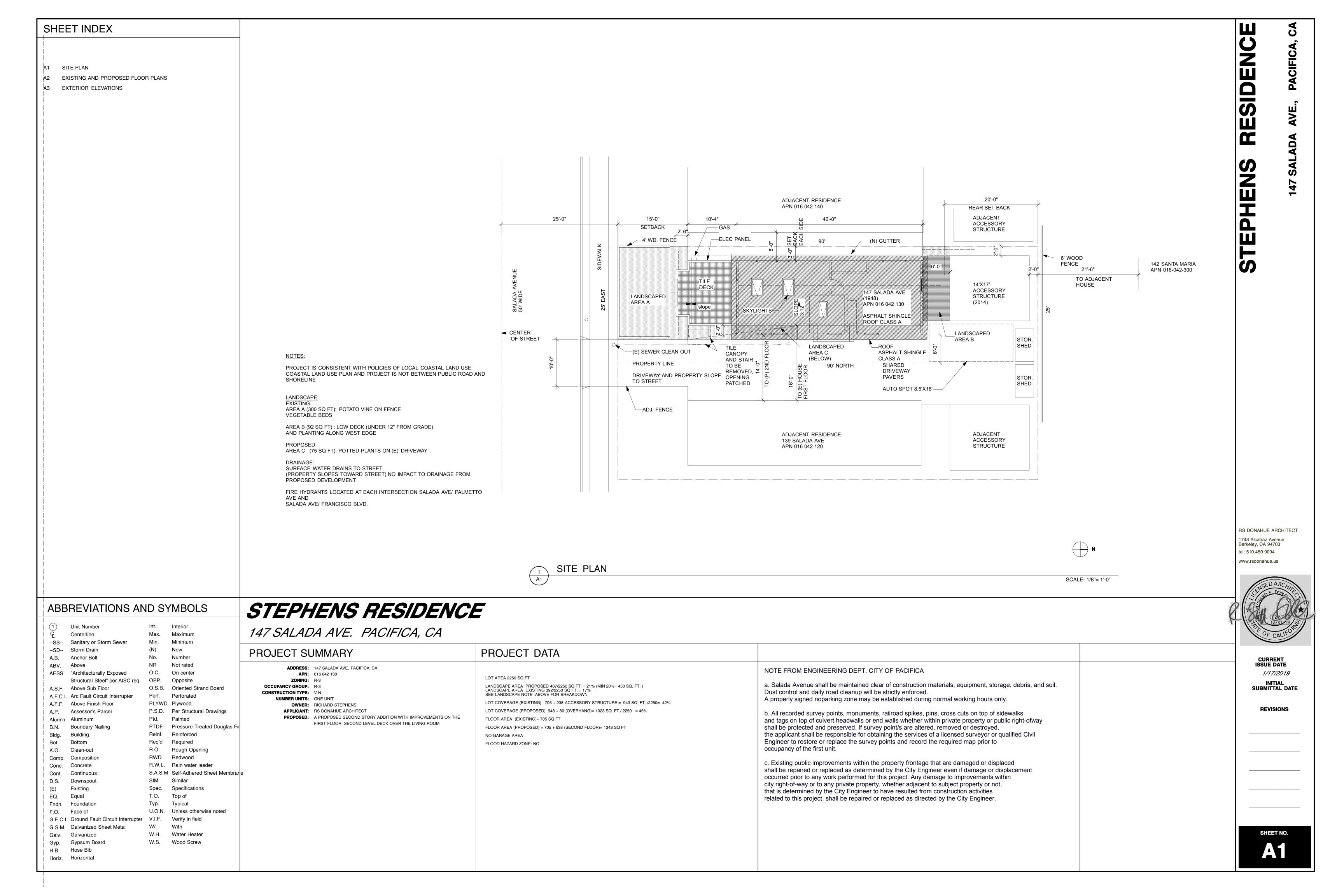
Land Use Designation: High Density Residential



# **Zoning Map Diagram**

Zoning District: R-3, Multi-Family Residential





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CURRENT ISSUE DATE 1/17/2019 INITIAL SUBMITTAL DATE

**REVISIONS** 

SHEET NO.