

RESOLUTION NO. 2023-012

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PACIFICA APPROVING COASTAL DEVELOPMENT PERMIT CDP-453-23 (FILE NO. 2023-029), SUBJECT TO CONDITIONS, FOR DEMOLITION OF AN EXISTING FENCED AREA AND REPLACEMENT WITH A 1,920-SQUARE-FOOT GOLF CART STORAGE STRUCTURE AT 1 SHARP PARK ROAD (APN 016-430-020); AND FINDING THE PROJECT EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA).

Initiated by: NBC Construction & Engineering, Inc.

WHEREAS, an application has been submitted to demolish an existing fenced area used for golf cart storage and replace it with a 1,920 square-foot permanent storage structure located at 1 Sharp Park Road (APN 016-430-020) in Pacifica (File No. 2023-029) (“Project”); and

WHEREAS, the Project requires approval of a coastal development permit pursuant to PMC Section 9-4.4303(a) due to the project site being within the CZ (Coastal Zone Combining District); and

WHEREAS, the Planning Commission of the City of Pacifica did hold a duly noticed public hearing on September 18, 2023, 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 Planning Commission of the City of Pacifica as follows:

- A. The above recitals are true and correct and material to this Resolution.
- B. In making its findings, the Planning Commission relied upon and hereby incorporates by reference all correspondence, staff reports, and other related materials.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Pacifica does hereby make the finding that the Project is exempt as a Class 3 exemption under CEQA. Guidelines Section 15303, as described below, applies to the Project:

Section 15303 (New Construction Conversion of Small Structures) of the CEQA Guidelines states in part:

Class 3 consists of construction of limited number of new, small facilities or structures:

* * * * *

(e) Accessory (appurtenant) structures including garages, carports, patios, swimming pools, and fences.

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The proposed project fits into the scope of the Class 3 exemption in that it involves a small structure in the same footprint of the existing fenced off area used for storage. The proposed storage structure is an accessory structure to the existing golf course. The project footprint is proposed to be within an already developed area (i.e. existing paved area) between the golf course and parking lot. The

new structure will not create new disturbance to currently undeveloped areas and there are no changes to the square-footage of impervious surface area. The project will not alter any other structures on the site.

Additionally, none of the exceptions to application of an exemption contained in Section 15300.2 of the CEQA Guidelines apply to the project, 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 an existing golf course. The project footprint is proposed to be within an already developed area between the golf course and parking lot.
- Sec. 15300.2(b): There is no evidence in the record that successive projects of the same type in the area would have a significant environmental impact. The proposed project involves the construction of a 1,920 square-foot storage structure for the current use of the area. There are no other projects of this type in the area. Therefore, there is no foreseeable cumulative impact from this type of project which could have a significant environmental impact.
- Sec. 15300.2(c): There is no evidence in the record of any possibility that the project would have a significant effect on the environment due to unusual circumstances. The project site is designated for the existing golf course. The proposed project is to construct an accessory storage structure for the existing golf course. As such, there are no identifiable unusual circumstances that would have a significant effect on the environment.
- Sec. 15300.2(d) through (f): The project is not proposed near a designated scenic highway, does not involve a current or former hazardous waste site, and does not affect any historical buildings. The proposed structure does not substantially affect any historic significance that may be associated with the site. Therefore, the provisions of subsections (d) through (f) are not applicable to this project.

Because the project is consistent with the requirements of a Class 3 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 Planning Commission of the City of Pacifica does make the following findings pertaining to the approval of the Coastal Development Permit CDP-453-23 as indicated as required by PMC section 9-4.4303(a):

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

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

- Coastal Act Policy No. 5: Lower cost visitor and recreational facilities and housing opportunities for persons of low and moderate income shall be protected, encouraged, and, where feasible, provided.

The Sharp Park Golf Course and Clubhouse provides an important lower cost recreational opportunity to residents and visitors. The project proposes improvements to the existing golf cart storage area abutting the existing parking lot. It would create an enclosed structure for the storage of golf carts, replacing the prior fenced enclosure. The construction of an enclosed storage structure would be an overall improvement to the aesthetics and operation of the golf course site because the appearance of the storage area would improve and the enclosed building would provide greater protection to the golf carts and other equipment stored therein from the harsh coastal weather elements present due to the proximity of the site to the coast.

- Coastal Act Policy No. 26: New development shall:
 - (d) Minimize energy consumption and vehicle miles traveled.

The project proposed to replace the existing fenced golf cart storage area with a new storage building would allow the golf course to phase out the gasoline powered golf carts and transition toward an all-electric cart fleet. The project will allow the golf course to minimize gasoline consumption which would minimize energy consumption that generates greenhouse gases.

In addition, the LCLUP establishes a design review requirement for sites located in the appeal jurisdiction of the Coastal Zone. 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 regulations, do not contain explicit standards for determining strict compliance. Rather, they 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 Planning Commission 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.

In the Planning Commission's assessment the proposed project, as conditioned, is consistent with the City's adopted Design Guidelines.

a. Building Design

- a. *Design: The style and design of the new buildings should be in character with that of the surrounding neighborhood. Additions to an existing structure should also retain and be consistent with the positive architectural features of the original structure.*

- b. Scale: *An important aspect of design and compatibility is scale. 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 dwelling which are much larger than neighboring structures are therefore discouraged.*
- c. Materials: *Compatibility of materials is an essential ingredient in design quality. Consistency and congruity of materials and design elements on individual structures is also important.*
- d. Consistency: *There should be architectural consistency among all building elevations.*

The proposed project includes replacement of the existing fenced golf cart storage area with a new storage building. The new storage building will be a maximum height of the 11'-6", which is similar to an existing fenced area and in scale with the existing structures on the site. The new structure will include sheet metal siding and chain link fence material for the exterior materials of the facade. The flat roof will also consist of sheet metal and will be weather resistant. The structure will blend in with the existing natural character of the site by using a natural color palette of IMETCO Weathered Copper on the roof and Emerald Forest on the siding. In staff's assessment the proposed project is consistent with the City's adopted Design Guidelines.

Additionally, the City's certified Local Coastal Program includes an Implementation Plan (IP) to implement the policies contained in the LCLUP. The IP generally consists of the City's zoning provisions and other PMC provisions relating to the regulation of development and coastal resources protection. In accordance with PMC sec. 9-4.2102, the proposed structure is compatible with the bulk, scale, design, coverage, noise, and traffic of the surrounding area and existing site; the proposed structure will enhance the successful operation of the existing golf course and enhance a service to the community; and the proposed structure is adequately buffered from the surrounding neighborhood. Additionally, the proposed structure meets all the development standards for accessory structures per PMC sec 9-4.2704. Therefore, the project would be in conformity with the City's IP, based on the discussion in this report.

Based on the foregoing policies, the Planning Commission believes the project is consistent with the City's Local Coastal Program.

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

Discussion: The project site is located between the nearest public road and the shoreline. The project is consistent the public recreation policies of Chapter 3 of the Coastal Act, which provides, among other things, policies to ensure maximum access and recreational opportunities in the coastal zone. In this case, the existing golf course provides a public visitor serving and lower-cost recreational opportunity and the project proposes a site improvement that will enhance the aesthetics of the site and experience of users. In particular, the transition to electric carts enabled by the storage shed construction will reduce noise and odors associated with golf cart operation. The

project site also contains a portion of sensitive habitat. The transition from gasoline golf carts to all electric carts, in addition to reducing noise and improving air quality as noted above, will also reduce the risk of contamination of an environmental sensitive area from spills during frequent fueling of golf carts with gasoline.

As a result, the Planning Commission believes that the project is in conformity with the public recreation policies of Chapter 3 of the California Coastal Act.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Pacifica does hereby approve and Coastal Development Permit CDP-453-23 to demolish an existing fenced area used for golf cart storage and replace it with a 1,920-square-foot permanent storage structure located at 1 Sharp Park Road (APN 016-430-020) in Pacifica (File No. 2023-029) subject to conditions of approval included in Exhibit A to this Resolution.

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Passed and adopted at a regular meeting of the Planning Commission of the City of Pacifica, California, held on the 18th day of September 2023.

AYES, Commissioners: HAUSER, FERGUSON GODWIN, WRIGHT

NOES, Commissioners: None

ABSENT, Commissioners: LEAL, BERMAN, DEVINE

ABSTAIN, Commissioners: None



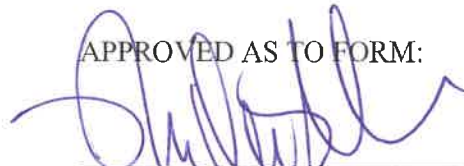
Samantha Hauser, Chair

ATTEST:



Christian Murdock, Planning Director

APPROVED AS TO FORM:



Michelle Kenyon, City Attorney

Exhibit A

Conditions of Approval: File No. 2023-029 – Coastal Development Permit CDP-453-23, to demolish an existing fenced area used for golf cart storage and replace it with a 1,920 square-foot permanent storage structure located at 1 Sharp Park Road (APN 016-430-020) in Pacifica (File No. 2023-029)

Planning Commission Meeting of September 18, 2023

Planning Division of the Planning Department

1. Development shall be substantially in accord with the plans entitled “New Golf Cart Shed For: Sharp Park Golf Course” and dated February 10, 2023, except as modified by the following conditions.
2. The approval or approvals is/are valid for a period of one year from the date of final determination. If the use or uses approved is/are not established within such period of time, the approval(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 Planning Commission 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 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.
4. The proposed structure shall utilize a natural tone color palette and consist of IMETCO colors Weathered Copper on the roof and Emerald Forest on the siding.
5. Any electric utilities upgrades needed shall be limited to excavation and/or construction within existing paved areas. If electric utilities are needed outside of existing paved areas,

the Applicant shall obtain necessary permits from the City of Pacifica and/or California Coastal Commission.

6. All outstanding and applicable fees associated with the processing of this Project shall be paid within three (3) months of the date of final determination.

Conditions added by the Planning Commission on September 18, 2023

7. Prior to project completion, Applicant shall cause removal of the existing fuel tank and associated equipment and piping in accordance with all applicable building code and environmental regulations, unless Applicant demonstrates to the satisfaction of the Planning Director that the fuel tank cannot be removed. The Planning Director may grant additional time to complete fuel tank removal for good cause.
8. Following removal of the fuel tank, and prior to project completion, Applicant shall fill in the area to continue the “No Parking” striping from where it is shown on the site plan to the new building. This condition shall not apply if the fuel tank cannot be removed as provided in the preceding condition of approval.
9. Independent of the fuel tank removal, Applicant shall restripe the staff-only parking space adjacent to the fuel tank as a “No Parking” area, prior to project completion.

END