APPEALED

RESOLUTION NO. 2019-026

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PACIFICA RECOMMENDING THAT THE CITY COUNCIL ENACT AN ORDINANCE APPROVING GENERAL PLAN AMENDMENT GPA-97-19 TO APPLY THE HIGH DENSITY RESIDENTIAL LAND USE DESIGNATION AND REZONING RZ-202-19 TO CHANGE THE ZONING CLASSIFICATION TO R-3 (MULTIPLE-FAMILY RESIDENTIAL); APPROVING SITE DEVELOPMENT PERMIT PSD-818-17, COASTAL DEVELOPMENT PERMIT CDP-387-17, USE PERMIT UP-116-19, AND PARKING EXCEPTION PE-174-17, SUBJECT TO CONDITIONS, FOR CONSTRUCTION OF A SINGLE-FAMILY RESIDENCE ON A VACANT LOT ON SALADA AVENUE KNOWN AS LOT 37 OF BLOCK 1 OF THE REVISED SALADA BEACH SUBDIVISION (APN 016-050-400) (FILE NO. 2017-021); AND FINDING THE PROJECT EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA).

Initiated by: Consult Design Build, Inc. ("Applicant").

WHEREAS, an application has been submitted to amend the General Plan land use designation from Medium Density Residential to High Density Residential, to change the zoning classification from the R-2 (Two-Family Residential) zoning district to the R-3 (Multiple- Family Residential) zoning district, to construct a new 1,398-square foot (sf) single-family residence on a 2,250-sf nonconforming lot, and to deviate from the off-street parking standards for a single-family residence ("Project"), at the Project site located on a vacant lot on the south side of Salada Avenue approximately 325 feet west of the intersection of Palmetto Avenue and Salada Avenue (APN 016-050-400) in the West Sharp Park neighborhood; and

WHEREAS, the Project would require City Council enactment of a general plan amendment and rezoning; and

WHEREAS, the Planning Commission of the City of Pacifica did hold a duly noticed public hearing on July 15, 2019, at which time it considered all oral and documentary evidence presented, and incorporated all testimony and documents into the record by reference; and

NOW, THEREFORE BE IT RESOLVED by the Planning Commission 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 Planning Commission 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 Section 15303 (14 Cal. Code Regs. §15303).

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

1. That the Project is exempt from the CEQA as a Class 3 exemption provided in Section 15303 of the CEQA Guidelines.

15303. New Construction or Conversion of Small Structures

Class 3 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The numbers of structures described in this section are the maximum allowable on any legal parcel. Examples of this exemption include but are not limited to:

(a) One single-family residence, or a second dwelling unit in a residential zone. In urbanized areas, up to three single-family residences may be constructed or converted under this exemption.

* * * * *

In this case, the Project involves the construction of one single-family residence in a residential zone. 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 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 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 hereby recommend City Council enactment of the proposed ordinance in Exhibit A to change the land use designation in the Land Use Element of the General Plan for the Project site to High Density Residential (HDR) and the zoning classification in the Zoning Map to R-3 (Multiple-Family Residential). The Planning Commission relied on the following findings when determining that on balance the change in land use designation and zoning classification would be consistent with the General Plan and its policies that are intended to:

a. Provide safe and consistent access for the development (Circulation Element #4);
b. Promote orderly growth in land uses and circulation (Circulation Element #15);
c. Place the priority on residential infilling (Housing Element #4);
d. New development shall be compatible with existing development and shall have safe access (Housing Element #5); and
e. Preserve the unique qualities of the City's neighborhoods (Community Design Element #1); and
f. Land use and development shall protect and enhance the individual character of each neighborhood (Land Use Element #8).

BE IT FURTHER RESOLVED that the Planning Commission of the City of Pacifica does hereby recommend City Council enactment of an ordinance to change the land use designation in the Land Use Element of the General Plan for the Project site to High Density Residential (HDR) as shown in Attachment 1 of Exhibit A, and to reclassify the Project site to the R-3 (Multiple-Family Residential) zoning district as shown in Attachment 2 of Exhibit A, because the Project would reflect an appropriate development density and type based on the existing size of the subject lot; would be consistent with development that exists in the vicinity of the Project; and would not increase the development potential for the subject site beyond one dwelling unit. For these reasons, the proposed General Plan Amendment GPA-97-19 and Rezoning RZ-202-19 would be consistent with the General Plan and would protect public health, safety, and welfare.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Pacifica does hereby make the following findings pertaining to Site Development Permit PSD-818-17 for new construction within the R-3 (Multiple-Family Residential) zoning district on a nonconforming lot. The Planning Commission shall not issue a Site Development Permit if the Commission makes any of the findings in PMC Sec. 9-4.3204(a):

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.*

   Discussion: The Project proposes construction of 1,398 sf single-family residence with three bedrooms and three bathrooms. The Project is proposed in an area where single-family, two-family, and multi-family residential developments are intermixed. The Project would generate one peak hour vehicle trip in the morning and evening peak hours according to the Institute of Transportation Engineers Trip Generation Manual. The limited number of vehicle trips generated by the Project would not be a significant addition to existing traffic in the neighborhood and would not worsen traffic conditions on Salada Avenue and the vicinity. The establishment of a single-family residence in this

location would be consistent with the surrounding neighborhood and appropriate for the small, 2,250 sf lot. Thus, as conditioned, the location, size and intensity of the Project's operation would not create inconvenient vehicular and pedestrian traffic patterns in the neighborhood.

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.*

Discussion: As noted above, the proposed Project would establish one single-family residence in an existing, substantially developed neighborhood. The proposed use would generate a maximum of one trip during morning and evening peak hours. The off-street parking area proposed for the site would consist of a conventional driveway from Salada Avenue. The driveway would be a single-car driveway of 10 feet in width, which meets the requirements for minimum driveway width pursuant to PMC Sec. 9-4.2813. The narrow dimension of the driveway would limit the distance pedestrians would need to walk to traverse the driveway, limiting the opportunity for vehicle-pedestrian conflict. The significant remaining share of the site proposed to be in a landscaped condition, combined with the vacant lot abutting the site to the east, would provide full visibility for pedestrians and vehicle operators to see one another and would provide another means to limit vehicle-pedestrian conflicts. Therefore, as conditioned, the Project would 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.*

Discussion: The proposed Project is a single-family residence; thus, it does not have "service and storage areas" which may cause concern with respect to this finding. The Project does not propose a garage, thus potential storage within a garage facing the street would not be component of this Project. All storage areas are proposed on the side of the single-family residence integrated with the building or in a shed in the rear yard. In both cases, the discrete placement of the storage locations would minimize their visibility from the street and adjoining building sites, particularly if the surrounding lots are developed in the future.

The Project also does not have large expanses of paved areas or parking lots which require screening from the street and adjoining building sites. Paving visible from the street would include the driveway, which must remain accessible and cannot completely be screened, and the pedestrian walkway from the street to the covered porch of the residence. Proposed landscaping would flank the pedestrian walkway to help screen its visibility from other sites.

Based on these factors, the Planning Commission does not believe that there is evidence to find that insufficient landscaped areas have been reserved for the specified purposes.

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.*

Discussion: The proposed Project would result in the development of single-family residence. Based on the Project plans, the Project would include significant front and rear setbacks which will provide ample access to light and air on the subject property and other property in the neighborhood, including the abutting vacant lots if they are developed in the future. The narrow side setbacks of three feet may affect access to light for any future development, but such small setbacks are permissible by the PMC and are necessary because of the very narrow 25-foot width of the subject site. Thus, any effect on access to light caused by the side setbacks would not be unreasonable. Until the abutting vacant lots develop, no adjacent structures would be affected in terms of access to light or air from the proposed Project.

Therefore, the Project as conditioned would not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof. Moreover, the proposed Project setbacks would not unreasonably restrict access to light or to air by existing or future buildings on adjacent properties.

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.*

Discussion: The proposed Project includes the development of a single-family residential structure. 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.*

Discussion: The subject site is currently undeveloped and relatively flat. The site in its current condition is dominated by non-native ice plant. The Project site does not contain any trees, shrubs, creeks, or rocks; thus, none will be removed. No significant grading is proposed because the Project site is flat. Therefore, the Project will not excessively damage or destroy natural features, including trees, shrubs, creeks, and rocks, and the natural grade of the site.

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

Discussion: The proposed Project would incorporate variety in the use of materials and treatment of elevations and would avoid monotony in its external appearance. Elements of variation in the design of the proposed structure's architectural features include but are not limited to a covered porch on the front elevation; varied window and door placement on the left and right elevations; and inclusion of a partially enclosed rear deck on the rear and side elevations. The small size of the structure justifies use of consistent siding materials throughout all four elevations as excessive variations in materials would distract from unity of the overall design on the small proposed structure. Therefore, there

is 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.*

Discussion: The Planning Commission'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 discussion):

SITE PLANNING

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.*

Site improvements should be designed to work with site features, not against them. Lot grading should be minimized and disruption of natural features such as trees, ground forms, rocks, and water courses should be avoided.

Discussion
No distinctive natural features are present on-site. Additionally, the Project would involve minimal grading because the site is relatively flat.

BUILDING DESIGN

Design. *The style and design of new buildings should be in character with that of the surrounding neighborhood. This does not mean that new buildings should be identical to existing buildings on neighboring lots, but that new buildings should complement, enhance, and reinforce the positive characteristics of surrounding development. This can be accomplished by incorporating the dominant architectural features of an area into the design of new development. Such features may include bay windows, chimneys, balconies, porches, roof shapes, and other architectural details and materials.*

Discussion
The proposed development is consistent with the building form of other buildings constructed on narrow 25-foot lots along Salada Avenue, including but not limited to the properties at 8, 30, 54, and 88 Salada Avenue. These properties feature narrow but proportionately tall structures which seek to achieve sufficient usable floor area on small, dimensionally-constrained lots. The proposed Project also incorporates a dominant architectural feature from the surrounding neighborhood. The Project includes a gable roof design with asphalt shingles, which is present on most structures on Salada Avenue between Beach Boulevard and Palmetto Avenue.

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 is proposed at a scale which is appropriate for the surrounding neighborhood. The proposed height of 23'-7" is well below the 35-foot height limit and the proposed structure would not appear imposing as compared to others nearby. The covered porch at the front helps to break up the mass of the front of the building to make it feel and appear smaller from the sidewalk and street to achieve a pedestrian scale. Omitting a garage from its design also allows the proposed structure to orient well to the pedestrian scale of many of the existing buildings along Salada Avenue between Beach Boulevard and Palmetto Avenue. Lastly, the open sides of the covered porch at the rear of the structure help to break up the structure's mass when viewed from its sides which are currently exposed due to the vacant lots abutting to the left and right of the Project site. Breaking up the mass on the left and right elevations achieves an appropriate scale from the side perspectives.

Details. *Use architectural features and details to help create a sense of human scale. Wall insets, balconies, window projections, etc., are examples of building elements which may help reduce the scale of larger buildings.*

Discussion

While not a large building, the narrow width of the building when viewed from the front could cause it to have a large appearance if not properly designed. The proposed Project incorporates a covered porch which serves as an important detail to break up the front façade. The dormers proposed on the right elevation also provide points of interest to break up the side elevation. A similarly interesting visual detail is the opening on the left and right elevations for the second-story covered deck at the rear of the proposed structure.

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 building includes consistent board and batten siding materials on all elevations. A consistent siding material is appropriate given the small size of the structure since excessive material variations could detract from architectural unity. Window size and design is consistent across all four elevations. The same pitched roof design is also carried throughout the proposed structure which aids in achieving a consistent design.

Based on these factors, the Planning Commission does not believe that there is evidence to conclude the Project is inconsistent with the City'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.*

Discussion: 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 proposed single-family residential development, as conditioned, would be consistent with the General Plan, Local Costal Plan, and other applicable laws of the City. General Plan and Local Coastal Plan consistency includes, but is not limited to, the following policies:

GENERAL PLAN

Circulation Element.

- Policy No. 4: *Provide safe and consistent access for the development.*

  The proposed Project would include a one-car driveway for off-street parking. Access to the driveway would be provided from Salada Avenue, an existing street with one-way traffic. The driveway placement, including open views on both sides of the driveway, would provide safe and consistent access for the development.

- Policy No. 15: *Promote orderly growth in land uses and circulation.*

  The proposed Project would be an in-fill development in an existing neighborhood and would utilize an existing street, Salada Avenue. Reliance on an existing subdivision and street, rather than creating new lots and streets in a new subdivision, promotes orderly growth in land uses and circulation.

Community Design Element.

- Policy No. 1: *Preserve the unique qualities of the City's neighborhoods.*

  The proposed single-family residence reinforces the unique development pattern of several other sites that are 25 feet wide and which contain single-family residences. The West Sharp Park neighborhood has an existing character dominated by small lots which has resulted in residential development that orients well to the street, creating a pedestrian and human scale to the development. The proposed Project would reinforce the unique qualities of the West Sharp Park neighborhood by establishing a single-family residence of a modest scale and quality architectural design.

- Policy No. 2: *Encourage the upgrading and maintenance of existing neighborhoods.*

  The Project proposes in-fill development in an existing subdivision on an existing street. Introducing new development into this location will favorably complement existing development in the vicinity and may encourage other property owners to upgrade and maintain their properties to reflect the improvements made on the

subject site.

- Policy No. 5: *Require underground utilities in all new development.*

  The Project would be constructed on an existing vacant lot and is considered new development. Consistent with this General Plan Policy, a condition of approval shall ensure that all utilities would be installed underground.

Housing Element

- Policy No. 4: *Place the priority on residential infilling.*

  The proposed Project would be constructed on an existing lot in an existing subdivision. Thus, it is filling in a vacant lot which is substantially surrounded by existing residential development with the exception of the lots immediately abutting the Project to the east and west. The proposed Project would not require construction or extension of new streets and would obtain all utilities from existing sources within the Salada Avenue public right-of-way.

- Policy No. 5: *New development shall be compatible with existing development and shall have safe access.*

  As noted above, the proposed Project would be compatible with the scale and design of existing development along Salada Avenue between Beach Boulevard and Palmetto Avenue. The proposed access to the site would be a narrow residential driveway serving one automobile. The driveway would not service excessive traffic or otherwise provide unsafe access to the site.

Land Use Element

- Policy No. 8: *Land use and development shall protect and enhance the individual character of each neighborhood.*

  The surroundings of the site are characterized by an established neighborhood of single-, two-family, and multi-family residential buildings. Several of the single-family dwellings in the neighborhood are constructed on lots with the same dimensions as the subject site (25 feet wide by 90 feet deep). Therefore, the proposed Project would be consistent with developments on similar sites in the neighborhood.

  The architectural character of the proposed Project also would be appropriate for the neighborhood. The pedestrian-scale of the Project when viewed from the street, achieved in part by the covered porch which minimizes the apparent mass of the structure on the front elevation, would be consistent with other similar sized buildings along Salada Avenue between Beach Boulevard and Palmetto Avenue.

  Therefore, because of its development type and architectural scale, the proposed development would protect and enhance the individual character of the West Sharp Park neighborhood.

LOCAL COASTAL PLAN

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 would be located east of the shoreline, across Beach Boulevard, and would not affect or interfere with the existing public promenade along Beach Boulevard, which provides access to the sea. Therefore, the Project would not impact or otherwise interfere with the public's right of access to the sea.

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, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels. Where feasible, new hazardous industrial development shall be located away from existing developed areas. Visitor-serving facilities that cannot feasibly be located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors.*

The proposed development would be constructed on an infill lot on Salada Avenue. All utilities shall be extended to the Project site from existing sources within Salada Avenue. Therefore, the site would be developed contiguous with existing developed areas, would be able to accommodate the proposed development, and would not have significant adverse effects on coastal resources.

The Project would also be consistent with other applicable laws of the City, including the following:

Zoning Standards for Nonconforming Lots.

The Project site, by virtue of its 2,250 sf lot area, is governed by the provisions of PMC section 9-4.3002(a) which states that "all regular building sites which contain [3,999] square feet or less and are located in any residential district shall be used solely for one single-family residence." Therefore, by proposing a single-family residence, the Project would comply with this restriction on uses based on lot area.

R-3 (Multiple-Family Residential) Zoning Standards.

The proposed development would be located in the R-3 (Multiple-Family Residential) district if the rezoning is approved. The Project would be consistent with the applicable R-3 zoning regulations pertaining to use (upon approval of a use permit), height, lot coverage, landscaping, usable open space, and allowable reduced side setbacks as demonstrated in Table 1 of the staff report. The only zoning standard the Project would not achieve is the minimum required off-street parking required by PMC section 9-4.2818(a)(1) for which the Applicant has sought a parking exception. Importantly, upon a rezoning to R-3, the Project would comply with the minimum lot area per dwelling unit standard of 2,075 sf per dwelling unit found in PMC section 9-4.602(b). No Project at

the site could currently comply with the R-2 zoning district's standard for 2,900 sf of lot area per dwelling unit (PMC section 9-4.502(b)).

Based on the above discussion the Project would be consistent with the General Plan, Local Coastal Plan, or other applicable laws of the City, and the Planning Commission does not believe that there is evidence to make this finding.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Pacifica does hereby make the following findings pertaining to Coastal Development Permit CDP-387-17 for development within the Coastal Zone:

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

Discussion: As more fully described above, the Project would be consistent with Coastal Act Policy Nos. 2 and 23 as adopted in the City's Local Coastal Program (LCP). Specifically, the Project would not interfere with the public's right of access to the sea, and would be in close proximity to existing developed areas where utilities and public services can be extended to the site. The Project would also comply with all applicable zoning standards except the off-street parking, for which the Applicant has sought a parking exception. Therefore, the Planning Commission believes there is sufficient evidence to find that the Project is in conformity with the City's certified Local Coastal Program.

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.*

Discussion: 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.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Pacifica does hereby make the following findings pertaining to Use Permit UP-116-19 for new construction of a single-family residence within the R-3 zone:

i. Required Finding: *That the establishment, maintenance, or operation of the use or building applied for will not, under the circumstances of the particular case, be detrimental to the health, safety, and welfare of the persons residing or working in the neighborhood or to the general welfare of the City.*

Discussion: As explained above, the provisions of PMC section 9-4.3002(a) restrict the Project site to construction of a single-family residence because of its 2,250 sf lot area. Thus, to establish a single-family residence on the site would be consistent with the provisions of PMC section 9-4.3002(a) and also the R-3 zoning standards which allow a single-family residential use as a conditional use upon approval of a use permit (PMC section 9-4.601(b)(1)).

The analysis above under consideration of the proposed general plan amendment and rezoning indicate that at least three single-family residences have been developed on lots of the same size as the Project site along Salada Avenue between Beach Boulevard and

Palmetto Avenue. These existing developed sites have not generated adverse neighborhood impacts known to City staff. As a result, it is reasonable to conclude that the proposed single-family residence could be constructed and operated without adverse impacts to public health, safety, and welfare.

The Project would comply with all physical development standards to ensure its safe construction and operation. These include compliance with setbacks, lot coverage, landscaping, lot area per dwelling unit, height, and other relevant zoning standards. The Project would not, however comply with the two car garage off-street parking requirement for single-family residences contained in PMC section 9-4.2818(a)(1) and the Applicant has sought a parking exception from this standard. As analyzed below, the Planning Commission believes the Applicant faces a practical difficulty and unusual hardship in fully complying with the standards, and the Project can be operated safely upon approval of a parking exception.

A single-family residence in the location proposed would not cause changes to the level of noise, odor, or traffic currently experienced in the neighborhood and would be a consistent addition that compliments and reinforces the character of the surrounding neighborhood in terms of use and architecture.

Therefore, based on the analysis in this finding and elsewhere throughout this Resolution, there is evidence to support a finding that the Project would not have a detrimental impact on the health, safety, or welfare of the persons residing or working in the neighborhood

ii. Required Finding: *That the use or building applied for is consistent with the applicable provisions of the General Plan and other applicable laws of the City and, where applicable, the local Coastal Plan.*

Discussion: As described above, the Project would be consistent with the General Plan, in particular policies contained in the Circulation, Community Design, Housing, and Land Use elements of the General Plan. It would also comply with applicable laws of the City including those contained in the Zoning Regulations (Chapter 4 of Title 9 of the PMC), in particular the development standards and permissible uses of the R-3 (Multi-Family Residential) district, and the limitations on uses found in the City's nonconforming lot regulations. The Project would also comply with Coastal Act Policy Nos. 2 and 23 of the LCP, and would be consistent with the LCP by virtue of its compliance with applicable zoning development standards. Therefore, there is sufficient evidence to conclude the use and building applied for is consistent with the applicable provisions of the General Plan, Local Coastal Plan, and other applicable laws of the City.

iii. Required Finding: *Where applicable, that the use or building applied for is consistent with the City's adopted Design Guidelines.*

Discussion: As described in further detail above, as conditioned, the Project would be consistent with the City's adopted Design Guidelines. In particular, the Project would be consistent with guidelines related to Site Planning and Building Design.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Pacifica does make the following findings pertaining to Parking Exception PE-174-17 for deviation from the off-street parking standards for single-family residences:

i. *That the establishment, maintenance, and/or conducting of the off-street parking facilities as proposed are as nearly in compliance with the requirements set forth in this article as are reasonably possible.*

Discussion: The exception sought by the Applicant is two-fold: first, an exception to the garage requirement; and, second, an exception to allow one off-street parking spaces instead of two spaces. The Planning Commission supports the Applicant's request as discussed further below.

The minimum off-street parking requirement for a single-family residence is two garage spaces as provided in PMC section 9-4.2818(a). PMC section 9-4.2817(a) further provides that

> All required covered off-street parking spaces shall have a minimum usable area of not less than 171 square feet, exclusive of access drives or aisles, and shall be of usable shape, location, and condition. The minimum dimensions of covered parking spaces shall be nine (9′) feet in width by nineteen (19′) feet in length. The vertical clearance shall be not less than seven (7′) feet over the entire area.

The resulting garage based on the above standards would have internal dimensions of 18 feet wide by 19 feet deep.

The Project site is 25 feet wide. As noted in Table 1 of the staff report, the minimum required side setbacks for the Project site are 3 feet on both sides for a total setback distance of 6 feet. Deducting the required setback distance (6 feet) from the lot width (25 feet) yields a remaining dimension of 19 feet wide for construction of a garage. As noted above, the minimum internal dimension of the required garage is 18 feet wide, which would leave only a 1-foot width for the structural members of the garage and exterior siding. While possible to construct, it would leave no horizontal distance along the property's frontage to construct an entry to the residence along the front of the structure. In effect, the entire ground floor of the structure would be dominated by the garage door and nothing else.

To access the above-described garage would also require a two-car driveway. Pursuant to PMC section 9-4.2813(c), the minimum driveway width is 10 feet and the maximum driveway width is 20 feet. A moderately-sized driveway of 16 feet in width, common for access to two-car garages, would consume all but 9 feet of the property's frontage, leaving too little space for an on-street parking space to remain in front of the property. However, PMC section 9-4.2813(f) provides that lots with less than 40 feet of lot frontage "shall be designed to provide at least one on-street parking space whenever feasible…"

The City's Design Guidelines also address challenges with parking on certain sites, including nonconforming or "substandard" lots, as follows:

- Guideline I.A.5 "Parking" discourages placement of parking along the street frontage and encourages placement to the rear or side of a property.

- Guidelines II.B.5 and II.B.7 applicable to "Substandard Lots" recognize the difficulty of achieving a two-car garage parking requirement on lots narrower than 50 feet in width.

They suggest that "garage doors should be de-emphasized…" and that "curb cuts should be minimized by narrowing the width of the driveway…"

- Guideline II.B.6 applicable to "Substandard Lots" recognizes the "access confusion" which can result from an entrance located to the side or rear of a house.

The Applicant is challenged in its attempt to balance the various PMC requirements indicated above. The narrow width of the subject site is the driving factor creating the challenges. As a practical matter, the 25-foot width of the subject property is among the narrowest that the Planning Commission can expect to encounter in Pacifica. Most nonconforming lots encountered by staff in its daily work range from 30 to 40 feet in width. A vacant lot with 25 feet in width is unusual. As such, development of a new single-family residence on a lot with 25-feet in width presents practical difficulties in terms of physical development and unusual hardship in balancing the City's various PMC requirements, policies, and guidelines.

Staff surveyed similar properties in the vicinity of the Project site to observe how they have been constructed with respect to garages, driveways, on-street parking, and building entry design.

San Jose Avenue: Frontage dominated by one-car garage, moderate landscaping area, entry on side, on-street parking unavailable, driveway parking available.

San Jose Avenue: Frontage dominated by garage, limited front yard landscaping, entry on side, on-street parking unavailable, driveway parking available.

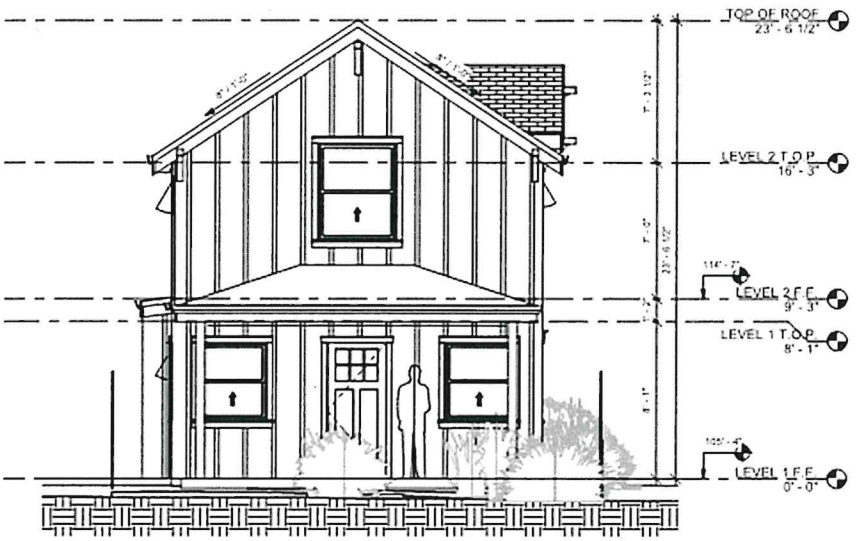
San Jose Avenue: No garage, ample front yard landscaping, front entry, on-street parking available, driveway parking unavailable.

Salada Avenue: Frontage dominated by garage, limited front yard landscaping, entry on side, on-street parking unavailable, driveway parking available.

Salada Avenue: Frontage dominated by one-car garage, moderate front yard landscaping, entry on front, on-street parking unavailable, driveway parking available.

Salada Avenue: Frontage dominated by one-car garage, moderate front yard landscaping, entry on front, on-street parking available, driveway parking unavailable.

As demonstrated in the photos above, the design approaches for similarly situated properties in the vicinity of the subject site on San Jose Avenue and Salada Avenue have varied. At sites where a one- or two-car garage is present, the garage dominates the building architecture and relationship to the street. In several cases, the garage has also resulted in placement of the building entry at the side or rear of the structures. In the Planning Commission's assessment, the Applicant's proposal, as demonstrated below, results in the optimal outcome of PMC compliance, building design, relationship to the street, and defined building entrance as demonstrated in the Project's front elevation and rendering shown below:



② NEW FRONT ELEVATION
1/4" = 1'-0"

As a final point, the Planning Commission considered the function of off-street parking at single-family residences. The Planning Commission recognizes that many owners and occupants across Pacifica do not utilize their garages for parking. Instead, garages commonly are used for storage, leaving parking to occur in a driveway or on the street. The subject Project has provided suitable additional areas for storage by integrating an understair storage area into the left side of the building and constructing a shed in the rear yard. Thus, the Project's storage needs would be satisfied without a garage. Additionally, the Project would provide a driveway space for parking of one vehicle in order to preserve one on-street parking space for general use. One alternative

would be to create a two-car driveway at the expense of losing one on-street parking space. The Planning Commission does not recommend this alternative as on-street parking provides a valuable convenience for visitors to the Coastal Zone, particularly the Beach Boulevard promenade located less than one block to the west.

Based on the analysis above, the Planning Commission believes the Applicant has faced a practical difficulty and unusual hardship providing a two-car garage on the Project site. The lots narrow 25-foot width makes full PMC compliance impossible to achieve for several reasons, not least of which is consistency with the Design Guidelines. By providing a one-car driveway parking space and preserving frontage for one on-street parking space, the Planning Commission believes there is evidence to support a conclusion that the Applicant has established off-street parking facilities which are as nearly in compliance with the requirements in Article 28 of Chapter 4 of Title 9 of the PMC as are reasonably possible. Thus, the Planning Commission grants the parking exception requested by the Applicant.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Planning Commission of the City of Pacifica approves Site Development Permit PSD-818-17, Coastal Development Permit CDP-387-17, Use Permit UP-116-19, and Parking Exception PE-174-17 for construction of a new single-family residence on a nonconforming lot on Salada Avenue known as Lot 37 of Block 1 of the Revised Salada Beach Subdivision (APN 016-050-400), subject to conditions of approval included as Exhibit A to this Resolution.

* * * * *

Passed and adopted at a regular meeting of the Planning Commission of the City of Pacifica, California, held on the 15th day of July 2019.

AYES, Commissioners:	BERMAN, CLIFFORD, KRASKE, NIBBELIN, RUBINSTEIN
NOES, Commissioners:	BIGSTYCK
ABSENT, Commissioners:	CAMPBELL
ABSTAIN, Commissioners:	N/A

Thomas Clifford, Chair

ATTEST:

Tina Wehrmeister, Planning Director

APPROVED AS TO FORM:

Michelle Kenyon, City Attorney

Exhibit A

Conditions of Approval: File No. 2017-021 – Site Development Permit PSD-818-17, Coastal Development Permit CDP-387-17, Use Permit UP-116-19, and Parking Exception PE-174-17 for construction of a 1,398-square-foot (sf) two-story single-family residence on an existing 2,250-sf nonconforming lot, and exception from the two-car garage off-street parking standard for single-family residences by providing one uncovered off-street parking space. Lot 37 of Block 1, Revised Map Salada Beach Subdivision (RSM 5/20) located on the south side of Salada Avenue approximately 325 feet west of the intersection of Palmetto Avenue and Salada Avenue (APN 016-050-400) - West Sharp Park

Planning Commission Meeting of July 15, 2019

Planning Division of the Planning Department

1. Development shall be substantially in accord with the plans entitled "New Single Family Home: APN 016-050-400 TBD Salada Avenue, Pacifica, CA," dated July 9, 2019, and stamped received by the City of Pacifica on July 9, 2019, except as modified by the following conditions.

2. The effective date of Site Development Permit PSD-818-17, Coastal Development Permit CDP-387-17, Use Permit UP-116-19, and Parking Exception PE-174-17 (the "Development Permits") shall be the effective date of any future certification of an amendment of the City of Pacifica's Local Coastal Program (LCP) by the California Coastal Commission (CCC) to approve General Plan Amendment GPA-97-19 and Rezoning RZ-202-19 ("Final Determination"). Certification of an amendment to the City of Pacifica's LCP by the CCC shall only occur subsequent to adoption by the City Council of the City of Pacifica an ordinance adopting General Plan Amendment GPA-97-19 and Rezoning RZ-202-19. The Development Permits shall have no force or effect until, and their terms of approval shall begin on, the effective date of any such LCP amendment certification.

3. The Development Permits 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.

4. 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.

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.

    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.

Engineering Division of Public Works Department

13. 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.

14. 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.

15. Applicant shall submit to Engineering Division the construction plans and necessary reports and engineering calculations for all on-site and off-site improvements to the satisfaction of the City Engineer. Such plans and reports shall include but are not limited to:
    a) An accurate survey plan, showing:
        a. Survey marks and identifying the reference marks or monuments used to establish the property lines;
        b. Property lines labeled with bearings and distances;
        c. Edge of public right-of-way;
        d. Any easements on the subject property
    b) A site plan showing:
        a. The whole width of right-of-way of Salada Avenue, including existing and proposed improvements such as, but not limited to, pavement overlay, under-sidewalk drain, driveway approach, sidewalk, curb & gutter, existing underground utilities and trenches for proposed connections, boxes for underground utility connections and meters, existing power poles and any ground-mounted equipment, street monuments, any street markings and signage;
        b. The slope of Salada Avenue at centerline;
        c. Adjacent driveways within 25' of the property lines
        d. Any existing fences, and any structures on adjacent properties within 10' of the property lines.
    c) All plans and reports must be signed and stamped by a California licensed professional.
    d) All site improvements including utilities and connections to existing mains must be designed according to the City Standards and to the satisfaction of the City Engineer.

16. 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.

17. All utilities shall be installed underground from the nearest main or joint pole. Ultimate storm drainage discharge point shall be shown on the site plan.

18. In accordance with the City of Pacifica Complete Streets Policy, Applicant shall install new Concrete Sidewalk, Curb and Gutter per City Standards across the entire property frontage.

19. The new driveway approach must be ADA compliant with no more than 2% cross slope for a width of at least 48 inches. The transition from 2% out-slope to the in-slope driveway shall be sufficiently gradual to avoid vehicles to contact the pavement at the grade breaks. Driveway within City right-of-way shall not exceed 18% and portion exceeding 15% grade shall be grooved concrete.

20. Applicant shall overlay existing asphalt with minimum 2 inch AC to the limits of all utility connection or to street centerline whichever is greater across entire property frontage of Salada Avenue. All pavement markings and markers shall be replaced in kind.

North Coast County Fire District

21. Fire sprinkler system required for building per City Ordinance. Install per NFPA 13D. Submit under separate fire permit. Provide exterior horn-strobe facing street.

22. Smoke Detectors and CO monitors required per CBC.

23. Clearly visible address identification required.

24. A flow test is required. Contact North Coast County Water District.

Wastewater Department

25. Applicant shall provide location and size of sewer lateral, appurtenances, City Standard and specifications.

    a) The following items are required to be shown on the Project drawings
        i. Standard Street Trenching and Patching (Standard Specifications, City of Pacifica)
        ii. Standard Sewer Lateral
        iii. Lateral Cleanout
        iv. Location and Size of Sewer Later System (including cleanout locations)
        v. Show all work within City Right of Way (trenching, sidewalk, curb & gutter repairs etc.)
        vi.

    The Project drawings shall include the following note: "The contractor or owner shall contact the Wastewater Treatment Plan (phone 738-7472) 24 hours prior to starting each of the following items: trenching, backfilling, pavement restoration, sewer tap, pipe installation or any other sewage work."

END

Exhibit B

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PACIFICA APPROVING GENERAL PLAN AMENDMENT GPA-97-19 TO APPLY THE HIGH DENSITY RESIDENTIAL LAND USE DESIGNATION AND REZONING RZ-202-19 TO CHANGE THE ZONING CLASSIFICATION TO R-3 (MULTIPLE-FAMILY RESIDENTIAL), ON A VACANT LOT ON SALADA AVENUE KNOWN AS LOT 37 OF BLOCK 1 OF THE REVISED SALADA BEACH SUBDIVISION (APN 016-050-400) (FILE NO. 2017-021); AND FINDING THE PROJECT EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA).

WHEREAS, an application has been submitted to amend the General Plan land use designation from Medium Density Residential to High Density Residential, to change the zoning classification from the R-2 (Two-Family Residential) zoning district to the R-3 (Multiple- Family Residential) zoning district, to construct a new 1,398-square foot (sf) single-family residence on a 2,250-sf nonconforming lot, and to deviate from the off-street parking standards for a single-family residence ("Project"), at the Project site located on a vacant lot on the south side of Salada Avenue approximately 325 feet west of the intersection of Palmetto Avenue and Salada Avenue (APN 016-050-400) in the West Sharp Park neighborhood;

WHEREAS, the Planning Commission held a duly noticed public hearing on the proposed Project on July 15, 2019, and adopted Resolution No. 2019-026 recommending City Council approval of GPA-97-19 and Rezoning RZ-202-19, and approving Site Development Permit PSD-818-17, Coastal Development Permit CDP-387-17, Use Permit UP-116-19, and Parking Exception PE-174-17, on July 15, 2019; and

WHEREAS, the City Council of the City of Pacifica held a duly noticed public hearing on [DATE], and introduced the Ordinance.

NOW, THEREFORE, the City Council of the City of Pacifica does ordain as follows:

Section 1. Recitals. The City Council of the City of Pacifica does hereby find that the above referenced recitals are true and correct and material to the adoption of this Ordinance.

Section 2. Findings. Specific findings of fact for approval of the General Plan Amendment and Rezoning are contained in the Planning Commission Resolution No. 2019-026 adopted on July 15, 2019, including without limitation findings related to the consistency of the residential development with the General Plan, and the City Council concurs with said findings and incorporates the findings herein by reference.

Section 3. Amendment. The West Sharp Park Land Use Map of the General Plan of the City of Pacifica, as described in the Land Use Element: Description by Neighborhood of the Pacifica General Plan, is hereby amended as depicted in Attachment B-1 to this Ordinance. The specific area affected by this reclassification is more particularly described in the legal description included as Attachment B-3 to this Ordinance.

Section 4. Reclassification. Section Map 7 of the Zoning Map of the City of Pacifica, as described in Section 9-4.302 of the Pacifica Municipal Code, is hereby amended as depicted in Attachment B-2 to this Ordinance. The specific area affected by this reclassification is more particularly described in the legal description included as Attachment B-3 to this Ordinance.

Section 5. Compliance with CEQA. The City Council hereby finds that the action to adopt this Ordinance qualifies for a Class 3 exemption under CEQA. CEQA Guidelines Section 15303, as described below, applies to adoption of the Ordinance because the Project involves the construction of one single-family residence in a residential zone. 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 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 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.

Section 6. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it should have adopted the Ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

Section 7. Publication. The City Clerk is hereby ordered and directed to certify to the passage of this Ordinance by the City Council of the City of Pacifica, California, and cause the same to be published once in The Pacifica Tribune, a newspaper of general circulation, published and circulated in the City of Pacifica, California.

* * * * *

PASSED AND ADOPTED this _____ day of _____, 2019, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

_____
Sue Vaterlaus, Mayor

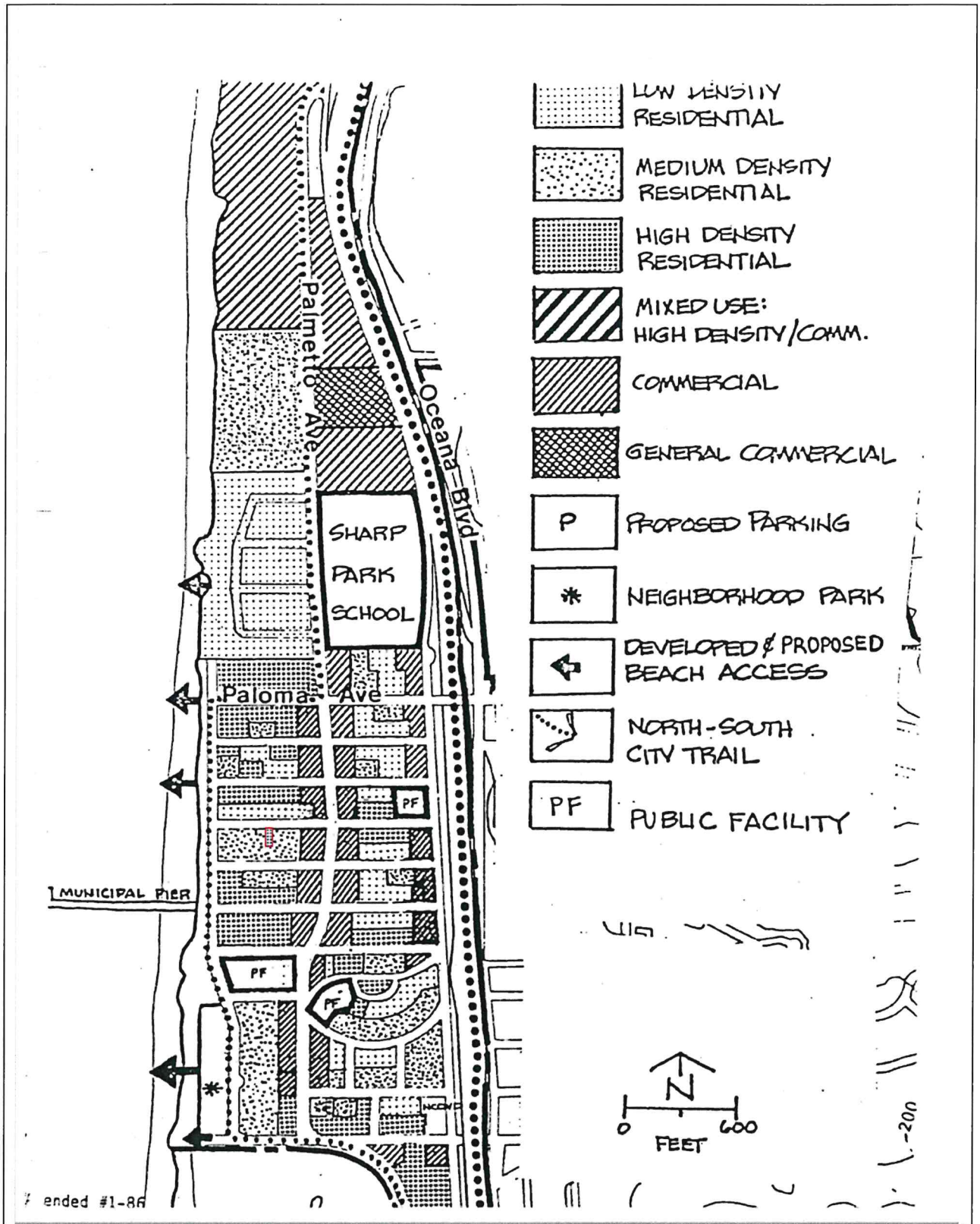
ATTEST:

_____
Sarah Coffey, City Clerk

APPROVED AS TO FORM:

_____
Michelle Kenyon, City Attorney

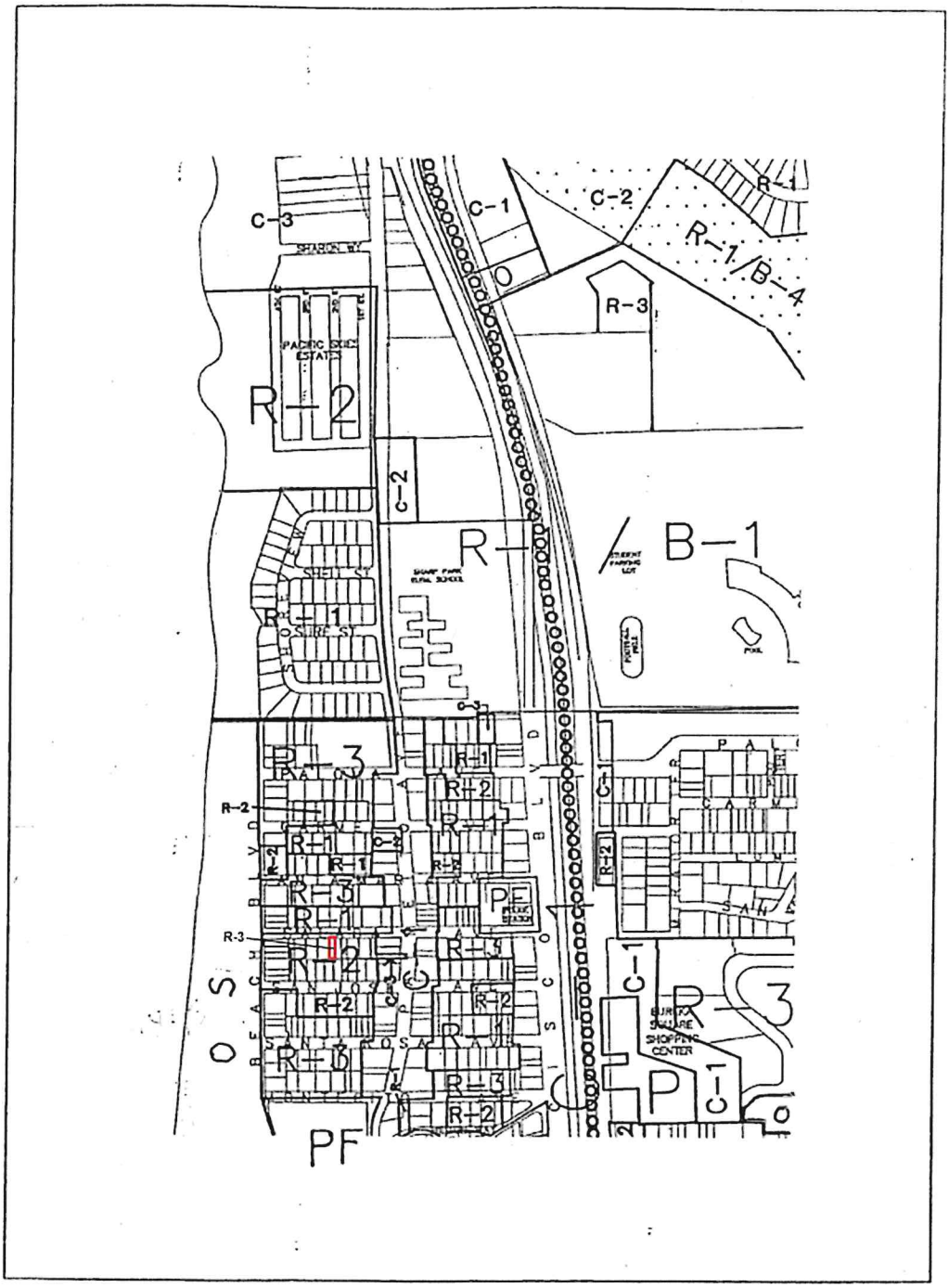
ATTACHMENT B-1



1980 General Plan, between pp. 71 & 72

ATTACHMENT B-2

Zoning Map 7



Zoning Map, Section 7

ATTACHMENT B-3

LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF PACIFICA, COUNTY OF SAN MATEO, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

LOT 37 IN BLOCK 1 AS SHOWN ON THAT CERTAIN MAP ENTITLED "REVISED MAP SALADA BEACH, SAN MATEO CO. CAL." FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN MATEO COUNTY ON AUGUST 5, 1907 IN BOOK 5 OF MAPS AT PAGE 20.

APN 016-050-400
JPN 016-005-050-05