

RESOLUTION NO. 978

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PACIFICA APPROVING SIGN PERMIT S-125-17 AND COASTAL DEVELOPMENT PERMIT CDP-386-17 FOR A MASTER SIGN PROGRAM AND REMOVAL AND REPLACEMENT OF FOUR MONUMENT SIGNS AT 100 ESPLANADE AVE (APNS 009-023-070 AND 009-024-010), AND FINDING THE PROJECT EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA).

Initiated by: Todd Mros of Ramsay Signs, Inc. ("Applicant").

WHEREAS, an application has been submitted for a master sign program and demolition and replacement of four existing monument signs located at 100 Esplanade Ave (APNs 009-023-070 and 009-024-010); and

WHEREAS, the project requires approval of a Sign Permit for the Master Sign Program, because the property meets the definition of a multi-unit development per Pacifica Municipal Code Section 9-4.2902(ah); and

WHEREAS, the project requires approval of a Coastal Development Permit as development would occur within the Coastal Zone Combining District; and

WHEREAS, the Planning Commission of the City of Pacifica did hold a duly noticed public hearing on August 7, 2017, 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:

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.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Pacifica does hereby make the following findings pertaining to Sign Permit S-125-17:

1. *A freestanding sign is necessary for the business or businesses located on the premises to achieve a reasonable degree of identification; and*

Discussion: The freestanding signs are necessary for the multi-unit apartment complex to achieve a reasonable degree of complex identification, address identification, and contact information for perspective renters. Window or wall mounted sign alternatives would not provide the same reasonable degree of identification due to the size parcels and setback of the buildings from the street.

2. *The sign is consistent with the intent and provisions of this article; and*

Discussion: The MSP is consistent with the provision of Article 29 of the PMC. The design of the proposed signs is consistent with the PMC Section 9-4.2910(b), which states "a sign

permit shall not be issued by the Planning Administrator unless the subject sign is found to be consistent with the applicable design criteria contained in the City's adopted Design Guidelines." The Design Guidelines do not address signs in residential development; however, it does provide guidance for signs in commercial development. The proposed MSP is consistent with applicable sections of the Commercial Sign section of the City's adopted Design Guidelines as further discussed below:

- (a) *All signs should relate to their surroundings in terms of size, height, shape, color, material, and lighting so that they are complementary to the overall design of the building and site.*

The proposed MSP would require signs to provide uniformity to the apartment complex. The design and construction requirements in the MSP would require all signs to have a similar design theme and a professional appearance. Sign colors would need to complement the existing building colors.

- (b) *Signs should be unobtrusive and convey their message clearly and legibly.*

The criteria of the MSP would ensure that sign copy is clear and legible as the MSP details font size and spacing minimums. Copy for the proposed signs would propose signs would only include the complex name, address and contact information.

- (d) *Sign illumination should not be unnecessarily bright, and should not cause glare or light intrusion into other signs or premises. [...] Internal illumination should feature low intensity lamps.*

Interior illumination of the sign is proposed. Condition of Approval No. 4 would require the applicant to provide specifications of the low intensity illumination to confirm that the lighting would not be unnecessarily bright or cause glare or light intrusion prior to issuance of the building permit.

- (e) *A freestanding sign should only be used for shopping centers or when deemed the most feasible means by which a business may obtain a reasonable degree of identification.*

See response to Section 1 of these findings.

- (g) *Monument signs are generally preferred over pole signs. The support or base of a freestanding sign should match or complement the materials and colors of the building or buildings with which it is associated. Planting at the base of a freestanding sign is encouraged.*

The MSP would include monument signs and would require the color of the signs to complement existing building color. Condition of Approval No. 2 would require a final landscaping plan for the sign areas detailing low growing plants along the sign frontage to ensure continued address identification.

The proposed sign is consistent with the Article 29, Signs, of the PMC as described above and throughout these findings.

3. *The sign does not exceed the square footage set forth in subsection (3) of subsection (a) of this section; and*

Discussion: The proposed signs do not exceed the square footage set forth in PMC Section 9-4.2906(a)(3).

4. *The sign does not exceed a height of twenty (20') feet above the sidewalk or paved area over which it is erected.*

Discussion: As shown in Table 2, the monument signs allowed under the MSP would not exceed 20 feet.

5. *In addition to the other provisions of this article, signs requiring a sign permit shall be subject to the design criteria for signs contained in the City's adopted Design Guidelines.*

Discussion: See response to Section 2 of these findings.

6. *A sign permit shall not be issued by the Planning Administrator unless the subject sign is found to be consistent with the applicable design criteria contained in the City's adopted Design Guidelines.*

Discussion: See response to Section 2 of these findings.

7. *Each sign in the master sign program shall be compatible in character and in quality of design with other signs in the program.*

Discussion: The three design variations detailed in the MSP are all compatible in character and quality of design. Each of the signs would have complementing colors, design features, and requires the use of similar non-corrosive materials.

8. *More than one freestanding sign is necessary for reasonable identification.*

Discussion: As shown in Figure 1, the apartment complex is located on two parcels and has multiple street frontages and entrances.

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-386-17:

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

Discussion: 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 many 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 signs would help appropriately identify the property which may improve accessibility by creating an accurate landmark near public access ways. Therefore, the project will not impact or otherwise interfere with the public's right of access to the sea.

The beach access trail located at 100 Esplanade Ave. has been closed since the winter of 2016. A sinkhole formed and the beach access trail subsequently collapsed. On July 3, 2017, the Coastal Commission issued a Notice of Violation to the property owner as a result of the not providing the requested maintenance notification for trail restoration.

- Coastal Act Policy No. 24: *The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural landforms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan, prepared by the Department of Parks and Recreation and by local government, shall be subordinate to the character of its setting.*

The signs will be located on a site with existing multi-family residential development on the property. The signs will complement the existing building and provide uniformity to the apartment complex. Additionally, the signs would not exceed above 4'-8" feet in height. Therefore the proposed project would not disrupt existing views to and along the ocean and scenic coastal areas, and will continue to be visually compatible with the character of surrounding areas.

2. *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 located atop the bluff in the West Edgemar/ Pacific Manor District in Pacifica. The proposed signs would not change the existing residential use of the property and therefore would not impact the property's conformity with the public recreation policies of Chapter 3 of the California Coastal Act.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Pacifica does hereby make the finding that the project qualifies for Class 2 and 3 exemptions under CEQA Guidelines Section 15302 and 15303, as described below, applies to the project:

15302. Replacement or Reconstruction

Class 2 consists of replacement or reconstruction of existing structures and facilities where the structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced [...].

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 proposal to replace four existing monuments signs with new signs in the same locations and approval of MSP that would allow for the construction of small structures is within the scope of Class 2 and 3 categorical exemptions. Additionally, none of the exceptions applicable to a Class 2 and 3 exemptions 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 would 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.
- Sec. 15300.2(b): There is no evidence in the record that cumulative projects of the same type would occur within the same place to create a significant cumulative impact.
- Sec. 15300.2(c): There is no evidence that the activity would have a significant effect on the environment due to unusual circumstances. .
- Sec. 15300.2(d) through (f): The project is not proposed near an officially designated 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 2 and Class 3 exemption and none of the exceptions to applying to a Class 2 and 3 exemptions 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.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Planning Commission of the City of Pacifica approves Sign Permit S-125-17 and Coastal Development Permit CDP-386-17 to remove four existing monument signs and replace with four new monument signs in the same locations under a new Master Sign Program at 100 Esplanade Ave. (APNs 009-023-070 and 009-024-010), 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 7th day of August 2017.

AYES, Commissioners: Nibbelin, Gordon, Baringer, Campbell, Clifford

NOES, Commissioners: None

ABSENT, Commissioners: Cooper

ABSTAIN, Commissioners: None




John Nibbelin, Chair

ATTEST:



Tina Wehrmeister, Planning Director

APPROVED AS TO FORM:



Michelle Kenyon, City Attorney
Cliff Herrington, Deputy City Attorney

Exhibit A

Conditions of Approval: Sign Permit S-125-17 and Coastal Development Permit CDP-386-17 to remove four existing monument signs and replace with four new monument signs in the same locations under a new Master Sign Program at 100 Esplanade Ave. (APNs 009-023-070 and 009-024-010)

Planning Commission Meeting of August 7, 2017

Planning Division

1. Development shall be substantially in accord with the plans entitled “Master Sign Program, Multi-Family Residential Development, OceanAire Apartment Homes, 100 Esplanade Ave. Pacifica, CA” received by the City of Pacifica on July 31, 2017, except as modified by the following conditions.
2. Prior to the issuance of a building permit, Applicant shall submit a final landscape plan for approval by the Planning Director. The landscape plan shall show each type, size, and location of plant materials, as well as the irrigation system. Landscaping materials included on the plan shall be coastal compatible, drought tolerant and shall be predominantly native, and shall include an appropriate mix of trees, shrubs, and other plantings to soften the expanded structure. All landscaping shall be completed consistent with the final landscape plans prior to occupancy. In addition, the landscaping shall be maintained as shown on the landscape plan and shall be designed to incorporate efficient irrigation to reduce runoff, promote surface filtration, and minimize the use of fertilizers, herbicides, and pesticides. Landscaping on the site shall be adequately maintained in a healthful condition and replaced when necessary as determined by the Planning Director. Plant species proposed to be located along the front elevations of the signs shall not have a potential growth height that would obstruct visibility of the address.
3. That 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 or Planning Commission 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.
4. Prior to the issuance of a building permit, the applicant shall provide the Planning Department with specifications and evidence that the project shall include low intensity illumination and that lighting would not be unnecessarily bright or cause glare or light intrusion.
5. 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.
6. All outstanding and applicable fees associated with the processing of this project shall be paid prior to the issuance of a building permit.
7. 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.

8. 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, but excluding any approvals governed by California Government Code Section 66474.9. 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 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.
9. – DELETED –
10. Prior to removing or engaging in demolition or new construction within the dripline of a heritage tree, as defined by PMC Section 4-12.02(c), the applicant shall obtain a tree removal permit in accordance with PMC Sections 4-12.02 through 4-12.11.

Building Division

11. 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 or demolition activity.
12. Lighting will be subject to requirements found in the Californian Energy Code – Section 140.8.
13. Signs may be subject to engineered foundation designs.

Engineering Division

14. Prior to approval of the Building Permit, applicant shall provide a Site Distance Analysis for the site access at Palmetto Avenue and Esplanade Avenue, which shall be signed and stamped by a registered engineer. New signs shall not be located in the sight lines of the driveways or intersections.
15. Construction shall be in conformance with 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.
16. Roadways shall be maintained clear of construction materials, equipment, storage, and debris, especially mud and dirt tracked onto Esplanade Avenue and Palmetto Avenue. Dust control and daily road cleanup will be strictly enforced. A properly signed no-parking zone may be established during normal working hours only.

17. Existing curb, sidewalk or other street improvements adjacent to 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.
18. 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 Building Permit Final.
19. No private structures, including but not limited to walls or curbs, fences, mailboxes, or stairs shall encroach into the public right-of-way.

North County Fire Authority

20. The number address shall be located so as not to be obstructed by landscaping.

END