



Scenic Pacifica
Incorporated Nov. 22, 1957

ZONING ADMINISTRATOR Agenda

DATE: February 12, 2020
LOCATION: Planning Department Conference Room, 1800 Francisco Boulevard
TIME: 5:30 PM

ADMINISTRATIVE BUSINESS:

1. **Approval of Minutes** June 12, 2019
2. **Oral Communications** This portion of the agenda is available to the public to address the Zoning Administrator on any issue within the subject matter jurisdiction of the Zoning Administrator that is not on the agenda. The time allowed for any speaker will be three minutes.

PUBLIC HEARINGS:

3. **UP-120-19** **FILE NO. 2019-035 FOR USE PERMIT UP-120-19 and COASTAL DEVELOPMENT PERMIT CDP-417-19**, filed by owners Eduardo Barba, Sr. and Eduardo Barba, Jr., to convert second-floor commercial space into two residential dwelling units located above existing ground-floor commercial space located at 2500 and 2530 Francisco Boulevard (APN 016-400-010 and 016-400-020) in Pacifica. The project area was previously converted into a single residential dwelling unit without authorization from the City of Pacifica and this project would legalize the conversion of the second-story into residential use. The project site is located within the C-1 (Neighborhood Commercial) zoning district. Recommended California Environmental Quality Act (CEQA) status: Class 3 Categorical Exemption, CEQA Guidelines Section 15303 (New Construction or Conversion of Small Structures)
CDP-417-19
Proposed Action: Approve as conditioned.

ADJOURNMENT

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

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



Scenic Pacifica
Incorporated Nov. 22, 1957

ZONING ADMINISTRATOR Minutes

DATE: June 12, 2019
LOCATION: Planning Department Conference Room, 1800 Francisco Boulevard
TIME: 5:30 PM

Zoning Administrator (ZA) Tina Wehrmeister called the meeting to order at 5:31 PM. Senior Planner Christian Murdock was present along with the applicant, Judy Hayes.

ADMINISTRATIVE BUSINESS:

1. **Approval of Minutes** ZA Wehrmeister approved the minutes from May 1, 2019, without revision.
2. **Oral Communications** No speakers.

PUBLIC HEARINGS:

3. **TUP-1-19** **FILE NO. 2019-013 FOR TEMPORARY USE PERMIT TUP-1-19** filed by applicant Judy Hayes on March 21, 2019, to establish and operate a temporary outdoor retail coffee service for a period of up to six months on a portion of the Sea Bowl Entertainment & Bowling Center site located at 4625 Coast Highway (APN 022-150-440) in Pacifica. The project site is located within the C-1 (Neighborhood Commercial) zoning district.
Recommended California Environmental Quality Act (CEQA) status: Class 4 Categorical Exemption, CEQA Guidelines Section 15304 (Minor Alterations to Land).

Proposed Action: Approve as conditioned.

- Sr. Planner Murdock presented the staff report.
- ZA Wehrmeister opened the public hearing. The applicant indicated she was agreeable to all conditions of approval. There were no other speakers.
- ZA Wehrmeister closed the public hearing.
- ZA Wehrmeister found the project exempt from the California Environmental Quality Act and approved the project.

ADJOURNMENT

Zoning Administrator Wehrmeister adjourned the meeting at 5:36 PM.



Scenic Pacifica
Incorporated Nov. 22, 1957

ZONING ADMINISTRATOR Staff Report

DATE: February 12, 2020

FILE: UP-120-19
CDP-417-19

ITEM: 1

PUBLIC NOTICE: Notice of Public Hearing was published in Pacifica Tribune on January 29, 2020, mailed to 308 surrounding property owners and occupants, and posted in three locations in the vicinity of the project site.

APPLICANT: Eduardo Barba, Sr. and Eduardo Barba, Jr.
580 Crespi Dr., Suite A2
Pacifica, CA 94044

PROJECT LOCATION: 2500 and 2530 Francisco Boulevard (APN 016-400-010 and 016-400-020) – West Sharp Park

PROJECT DESCRIPTION: File No. 2019-035 – FOR USE PERMIT UP-120-19 and COASTAL DEVELOPMENT PERMIT CDP-417-19, filed by owners Eduardo Barba, Sr. and Eduardo Barba, Jr., to convert second-floor commercial space into two residential dwelling units located above existing ground-floor commercial space located at 2500 and 2530 Francisco Boulevard (APN 016-400-010 and 016-400-020) in Pacifica. The project area was previously converted into a single residential dwelling unit without authorization by the City of Pacifica and this project would legalize the conversion of the second-story into residential use. Recommended California Environmental Quality Act (CEQA) status: Class 3 Categorical Exemption, CEQA Guidelines Section 15303 (New Construction or Conversion of Small Structures).

SITE DESIGNATIONS: General Plan: Commercial
Zoning: C-1 (Neighborhood Commercial) / C-Z (Coastal Zone Combining) / CO-SP (Cannabis Operation, Sharp Park Overlay District)

RECOMMENDED CEQA STATUS: Class 3 Categorical Exemption, CEQA Guidelines Section 15303.

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

RECOMMENDED ACTION: Approve as conditioned.

PREPARED BY: Christy Usher, Contract Planner

PROJECT DESCRIPTION, FINDINGS, AND RECOMMENDATION

1. Project Description:

The proposed project includes converting second-floor commercial space into two residential dwelling units located above existing ground-floor commercial space located at 2500 and 2530 Francisco Boulevard (APN 016-400-010 and 016-400-020) in Pacifica. The project area was previously converted into a single residential dwelling unit without authorization from the City of Pacifica and this project would legalize the conversion of the second-story into residential use.

The project site is located at the corner of Francisco Boulevard and Clarendon Road. An existing two story commercial building and an existing one story residential building occupy the site. The existing one story residential building fronts on Francisco Boulevard. The commercial building has frontage on both Francisco Boulevard and Clarendon Road.

There are three existing one-story residential units on the site including one studio and two one-bedroom units. A three-bedroom unit and a studio unit are proposed for a total of 5 residential units on site. The existing ground floor commercial space is 1,308 square feet (sf).

A parking lot immediately adjacent to the existing commercial building and residential units provides 15 parking spaces. Currently there are no covered parking spaces on the site. An existing detached garage functions as a storage area and is not used for parking.

2. General Plan, Zoning, and Surrounding Land Use:

The General Plan and Local Coastal Program land use designations for the subject property are "Commercial" and three zoning classifications apply to the site: C-1 (Neighborhood Commercial), C-Z (Coastal Zone Combining District), and CO-SP (Cannabis Operation, Sharp Park Overlay District). Residential uses are permitted in the C-1 zoning district with a use permit when they are in the same building as a commercial use and located entirely above the ground floor.

The site is bordered by Francisco Boulevard to the east, and Clarendon Road to the north. Multi-family residential uses border the site to the west and south. Highway One is located to the east of Francisco Boulevard which serves as a frontage road to Highway One; therefore, the project site is in very close proximity to Highway One.

3. Municipal Code Requirements:

The proposed project requires two approvals under the Pacifica Municipal Code (PMC). The first is a use permit to allow one or more residential dwelling units in the same building as a commercial use when located entirely above the ground floor (PMC sec. 9-4.1001(b)(11)). The second is a coastal development permit (PMC sec. 9-4.4303(a) because the conversion of the second-story commercial space into two residential dwelling units is a "change in the density or intensity of use of land..." (PMC sec. 9-4.4302(z)(4)) which constitutes "development."

The Zoning Administrator may consider the use permit under the authority provided in PMC section 9-4.3802 and the coastal development permit under PMC section 9-4.4306 because the proposed development is minor in nature, is located outside the Coastal Commission appeal jurisdiction, and would not have a significant adverse environmental impact, either individually or cumulatively, on sensitive coastal resources.

4. Findings for Approval

A. Use Permit

In order to approve a use permit, the Zoning Administrator must make the findings required by PMC Section 9-4.3303 (a-c). The following discussion supports the Zoning Administrator's findings in this regard.

Finding #1: 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.

The proposed residential use is compatible with existing surrounding land uses which include a mixture of residential and commercial land uses. The addition of two new residential units will not create any odor, light, glare, noise, or run-off that would negatively impact surrounding properties in the neighborhood. Off-street parking for the two residential units will be provided in the existing off-street parking lot. Based on the proposed unit types, a total of three off-street parking spaces will be required plus one guest parking space when combined with the three existing residential units pursuant to PMC section 9-4.2818(a)(2). A condition of approval would require that two of these off-street parking spaces be provided in a carport constructed by the applicant. In addition, a condition of approval would require the applicant to construct three carports for the existing lawful nonconforming residential uses at ground-level on the site. These carports are necessary to reduce the degree of nonconformity of the residential units with the City's parking standards because no covered parking is currently provided. The provision of sufficient off-street parking will prevent adverse impacts to the surrounding area. No trees are proposed for removal. City services are adequate to serve the proposed increase in density of two residential units.

The proposed residences will not adversely affect the businesses located in the three commercial lease spaces below. One lease space is vacant, and the remaining two are comprised of a café and a barber shop. The addition of residential uses on the second floor will not cause noise, vibration, or other impacts which would be detrimental to these commercial uses below.

Therefore the establishment, maintenance or operation of the proposed use will not 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.

Finding #2: *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.*

The proposed residential use will result in the addition of two residential units to the City’s housing supply, and as such the project supports the goals, policies and vision of the Housing Element of the City’s General Plan which embraces the need to maintain, preserve, improve, and develop housing for persons at all income levels and for persons with certain special housing needs (Housing Element Policy 4) and prioritizes in-fill residential development including but not limited to inclusion of second floor residential units where feasible (Housing Element Policy 4.D.i). Therefore, the proposed residential use is consistent with the goals and policies of the City’s General Plan Housing Element and Local Coastal Plan.

The project would also be consistent with Local Coastal Plan Policy #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. Developments providing public recreational opportunities are preferred. New housing in the Coastal Zone shall be developed in conformity with the standards, policies, and goals of the local housing elements adopted in accordance with the requirements of subdivision (c) of Section 65302 of the Government Code.

The proposed residential use, as conditioned, also meets other City development standards. These include, but are not limited to, density, minimum dwelling unit size standards in PMC section 9-4.2313, and parking standards in PMC section 9-4.2818(a)(2). The project site area is 10,307 sf. Based on the requirement for at least 2,000 square feet of lot area per dwelling unit provided in PMC sec. 9-4.1001(b)(11) and the “Commercial” land use designation of the General Plan, the site may construct up to five dwelling units. With the three existing and two proposed dwelling units, the site would result in five dwelling units, consistent with the zoning and General Plan standards.

The two dwelling units comply with the minimum floor area per dwelling unit standards in PMC sec. 9-4.2313. These standards are summarized below in Table 1:

Table 1

<u>Unit Type</u>	<u>Minimum Floor Area</u>
Bachelor or studio units	450 square feet
One bedroom units	600 square feet
Two bedroom units	800 square feet
Three bedroom units	850 square feet
Each additional bedroom in excess of three	100 additional square feet

The three bedroom dwelling unit proposed by the applicant has 851 sf in floor area and the studio unit has 457 sf. These unit sizes satisfy the minimum standards in the PMC.

As described above, the site currently has 15 off-street parking spaces, of which 4 are required for existing commercial uses. Therefore, the site can provide the 2] required parking spaces for the proposed residential uses (2 spaces for the 3-bedroom dwelling unit and 1 space for the studio dwelling unit) plus the 1 guest parking spaces required because there will be more than four dwelling units on the property. PMC section 9-4.2818(a)(2) also requires one of the required parking spaces for each dwelling

unit to be provided in a garage or carport. However, the applicant has not indicated a garage or carport parking space as required. Staff has included a condition of approval to require construction of a carport with a minimum interior height of 7 feet and a maximum overall height of 10 feet in the existing parking area immediately adjacent to the existing building, subject to approval of the final location, materials, and design by the Planning Director, for the two proposed dwelling units as well as the three existing lawful nonconforming dwelling units. Constructing the carports for the existing lawful nonconforming dwelling units is necessary to reduce the degree of nonconformity.

The project, as conditioned, would comply with density, dwelling unit size, and parking standards, in addition to Housing Element of the General Plan and Local Coastal Program policies. Therefore, there is sufficient evidence to make this finding.

Finding #3: Where applicable, that the use or building applied for is consistent with the City's adopted Design Guidelines.

No exterior changes are proposed as part of the proposed project except for construction of five carports. The condition of approval requiring construction of the carports requires that they be designed with an architectural style and materials which are consistent with the existing building in order to achieve Design Guidelines consistency. Existing exterior materials, colors, windows and window openings of the building are all existing and will remain. Therefore, the proposed project will be consistent with the City's adopted Design Guidelines.

B. Coastal Development Permit

In order to approve a coastal development permit, the Zoning Administrator must make the findings required by PMC Section 9-4.4304(k). The following discussion supports the Zoning Administrator's findings in this regard.

- i. Required Finding: 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 project is consistent with the following LCLUP policies:

- 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. Developments providing public recreational opportunities are preferred. New housing in the Coastal Zone shall be developed in conformity with the standards, policies, and goals of the local housing elements adopted in accordance with the requirements of subdivision (c) of Section 65302 of the Government Code.

The proposed residential units, by virtue of being rental units, provide an opportunity for low and moderate income housing which contributes to the unique character and social mix of the neighborhood. The proposed units would comply with minimum dwelling unit sizes as

described in the findings for approval of the use permit, and parking requirements for the proposed residential units are provided off-street and will not impact parking in the project vicinity. These project elements ensure the suitability of the proposed units for residential occupancy.

- Coastal Act Policy No. 23: New development, except as otherwise provided in this policy, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. 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 residential units are located within an existing building. The surrounding neighborhood is substantially developed with subdivided lots, consisting of residential and commercial uses. The proposed project will not occur outside of existing developed areas.

Because the proposed project provides additional housing supply, meets parking requirements with off-street parking, and will be located in an existing area substantially developed with residential units and commercial uses, that is setback from the sea, substantial evidence exists to support a Zoning Administrator finding that the proposed development 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 and the shoreline; therefore, this Coastal Development Permit finding does not apply in this case.

5. CEQA Recommendation

Staff analysis of the proposed project supports a Zoning Administrator finding that it qualifies for a categorical exemption from the California Environmental Quality Act (CEQA). The project qualifies as a Class 3 exemption under CEQA Guidelines Section 15303, as described below:

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.

* * * * *

Because the proposed residential use is the conversion of second floor commercial space to two residential dwelling units within an existing small commercial building, and associated minor construction of five carports with a maximum height of 10 feet immediately adjacent to the existing building, the proposed residential use would not involve any permanent alterations to the site which could adversely affect the environment. Therefore, there is substantial evidence in the record to support a finding that the project is categorically exempt from CEQA.

Furthermore, none of the exceptions to application of a categorical exemption in Section 15300.2 of the CEQA Guidelines would apply.

6. Staff Summary

In summary, the proposed residential use would provide two additional housing units which are needed to achieve progress with the City's regional housing needs allocation (RHNA). The proposed project will not create noise, vibration, odor, glare, run-off, or other impacts that would adversely affect surrounding properties or the existing businesses below. The residential use will not create any visual impacts and meets the City's minimum dwelling unit size, parking, and density development standards, as well as, supports the City's General Plan and Local Coastal Program goals, polices and vision. Therefore, staff recommends that the Zoning Administrator adopt the attached resolution to approve the project.

RECOMMENDED ZONING ADMINISTRATOR ACTION

FIND that the project is exempt from the California Environmental Quality Act; **APPROVE** Use Permit UP-120-19 and Coastal Development Permit CDP-417-19 by adopting the resolution included as Attachment A to the staff report, including conditions of approval in Exhibit A to the resolution; and, **INCORPORATE** all exhibits and testimony into the record by reference.

Attachments:

- A. Draft Resolution for Approval and Conditions of Approval
- B. Project Plans

RESOLUTION NO. _____

A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF PACIFICA APPROVING USE PERMIT UP-120-19 AND COASTAL DEVELOPMENT PERMIT-417-19 (FILE NO. 2019-035), SUBJECT TO CONDITIONS, TO ALLOW THE ESTABLISHMENT OF TWO RESIDENTIAL DWELLING UNITS LOCOATED ABOVE GROUND- FLOOR COMMERCIAL SPACE LOCATED AT 2500 AND 2530 FRANCISCO BOULEVARD (APN 016-400-010 AND 016-400-020) AND FINDING THE PROJECT EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA).

Initiated by: Eduardo Barba, Sr. and Eduardo Barba, Jr. (“Owners”)

WHEREAS, the application for Use Permit UP-120-19 and Coastal Development Permit CDP-417-19 was submitted by Eduardo Barba, Sr. and Eduardo Barba, Jr. on December 12, 2019, to convert second-floor commercial space into two residential dwelling units located above existing ground-floor commercial space located at 2500 and 2530 Francisco Boulevard (APN 016-400-010 and 016-400-020); and

WHEREAS, the Zoning Administrator of the City of Pacifica did hold a duly noticed public hearing on February 12, 2020, at which time it considered all oral and documentary evidence presented, and incorporated all testimony and documents into the record by reference.

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

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

BE IT FURTHER RESOLVED that the Zoning Administrator of the City of Pacifica does hereby make the finding that the project is not subject to the California Environmental Quality Act (CEQA) because the project qualifies as a Class 3 categorical exemption under CEQA Guidelines Section 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.

* * * * *

Because the proposed residential use is the conversion of second floor commercial space to two residential dwelling units within an existing small commercial building, and associated minor construction of five carports with a maximum height of 10 feet immediately adjacent to the existing building, the proposed residential use would not involve any permanent alterations to the site which could adversely affect the environment. Therefore, there is substantial evidence in the record to support a finding that the project is categorically exempt from CEQA.

Furthermore, none of the exceptions to application of a categorical exemption in Section 15300.2 of the CEQA Guidelines would apply.

BE IT FURTHER RESOLVED that the Zoning Administrator of the City of Pacifica does make the following findings pertaining to Use Permit UP-120-19:

Finding #1: 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.

The proposed residential use is compatible with existing surrounding land uses which include a mixture of residential and commercial land uses. The addition of two new residential units will not create any odor, light, glare, noise, or run-off that would negatively impact surrounding properties in the neighborhood. Off-street parking for the two residential units will be provided in the existing off-street parking lot. Based on the proposed unit types, a total of three off-street parking spaces will be required plus one guest parking space when combined with the three existing residential units pursuant to PMC section 9-4.2818(a)(2). A condition of approval would require that two of these off-street parking spaces be provided in a carport constructed by the applicant. In addition, a condition of approval would require the applicant to construct three carports for the existing lawful nonconforming residential uses at ground-level on the site. These carports are necessary to reduce the degree of nonconformity of the residential units with the City's parking standards because no covered parking is currently provided. The provision of sufficient off-street parking will prevent adverse impacts to the surrounding area. No trees are proposed for removal. City services are adequate to serve the proposed increase in density of two residential units.

The proposed residences will not adversely affect the businesses located in the three commercial lease spaces below. One lease space is vacant, and the remaining two are comprised of a café and a barber shop. The addition of residential uses on the second floor will not cause noise, vibration, or other impacts which would be detrimental to these commercial uses below.

Therefore the establishment, maintenance or operation of the proposed use will not 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.

Finding #2: 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.

The proposed residential use will result in the addition of two residential units to the City's housing supply, and as such the project supports the goals, policies and vision of the Housing Element of the City's General Plan which embraces the need to maintain, preserve, improve, and develop housing for persons at all income levels and for persons with certain special housing needs (Housing Element Policy 4) and prioritizes in-fill residential development including but not limited to inclusion of second floor residential units where feasible (Housing Element Policy 4.D.i). Therefore, the proposed

residential use is consistent with the goals and policies of the City’s General Plan Housing Element and Local Coastal Plan.

The project would also be consistent with Local Coastal Plan Policy #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. Developments providing public recreational opportunities are preferred. New housing in the Coastal Zone shall be developed in conformity with the standards, policies, and goals of the local housing elements adopted in accordance with the requirements of subdivision (c) of Section 65302 of the Government Code.

The proposed residential use, as conditioned, also meets other City development standards. These include, but are not limited to, density, minimum dwelling unit size standards in PMC section 9-4.2313, and parking standards in PMC section 9-4.2818(a)(2). The project site area is 10,307 sf. Based on the requirement for at least 2,000 square feet of lot area per dwelling unit provided in PMC sec. 9-4.1001(b)(11) and the “Commercial” land use designation of the General Plan, the site may construct up to five dwelling units. With the three existing and two proposed dwelling units, the site would result in five dwelling units, consistent with the zoning and General Plan standards.

The two dwelling units comply with the minimum floor area per dwelling unit standards in PMC sec. 9-4.2313. These standards are summarized below in Table 1:

Table 1

<u>Unit Type</u>	<u>Minimum Floor Area</u>
Bachelor or studio units	450 square feet
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Three bedroom units	850 square feet
Each additional bedroom in excess of three	100 additional square feet

The three bedroom dwelling unit proposed by the applicant has 851 sf in floor area and the studio unit has 457 sf. These unit sizes satisfy the minimum standards in the PMC.

As described above, the site currently has 15 off-street parking spaces, of which 4 are required for existing commercial uses. Therefore, the site can provide the 2] required parking spaces for the proposed residential uses (2 spaces for the 3-bedroom dwelling unit and 1 space for the studio dwelling unit) plus the 1 guest parking spaces required because there will be more than four dwelling units on the property. PMC section 9-4.2818(a)(2) also requires one of the required parking spaces for each dwelling unit to be provided in a garage or carport. However, the applicant has not indicated a garage or carport parking space as required. Staff has included a condition of approval to require construction of a carport with a minimum interior height of 7 feet and a maximum overall height of 10 feet in the existing parking area immediately adjacent to the existing building, subject to approval of the final location, materials, and design by the Planning Director, for the two proposed dwelling units as well as the three existing lawful

nonconforming dwelling units. Constructing the carports for the existing lawful nonconforming dwelling units is necessary to reduce the degree of nonconformity.

The project, as conditioned, would comply with density, dwelling unit size, and parking standards, in addition to Housing Element of the General Plan and Local Coastal Program policies. Therefore, there is sufficient evidence to make this finding.

Finding #3: *Where applicable, that the use or building applied for is consistent with the City's adopted Design Guidelines.*

No exterior changes are proposed as part of the proposed project except for construction of five carports. The condition of approval requiring construction of the carports requires that they be designed with an architectural style and materials which are consistent with the existing building in order to achieve Design Guidelines consistency. Existing exterior materials, colors, windows and window openings of the building are all existing and will remain. Therefore, the proposed project will be consistent with the City's adopted Design Guidelines.

BE IT FURTHER RESOLVED that the Zoning Administrator of the City of Pacifica does hereby make the following findings pertaining to Coastal Development Permit CDP-417-19 for development within the Coastal Zone:

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

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 project is consistent with the following LCLUP policies:

- 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. Developments providing public recreational opportunities are preferred. New housing in the Coastal Zone shall be developed in conformity with the standards, policies, and goals of the local housing elements adopted in accordance with the requirements of subdivision (c) of Section 65302 of the Government Code.*

The proposed residential units, by virtue of being rental units, provide an opportunity for low and moderate income housing which contributes to the unique character and social mix of the neighborhood. The proposed units would comply with minimum dwelling unit sizes as described in the findings for approval of the use permit, and parking requirements for the proposed residential units are provided off-street and will not impact parking in the project vicinity. These project elements ensure the suitability of the proposed units for residential occupancy.

- Coastal Act Policy No. 23: *New development, except as otherwise provided in this policy, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. 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 residential units are located within an existing building. The surrounding neighborhood is substantially developed with subdivided lots, consisting of residential and commercial uses. The proposed project will not occur outside of existing developed areas.

Because the proposed project provides additional housing supply, meets parking requirements with off-street parking, and will be located in an existing area substantially developed with residential units and commercial uses, that is setback from the sea, substantial evidence exists to support a Zoning Administrator finding that the proposed development is in conformity with the City's certified Local Coastal Program.

- ii. *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.*

The project site is not located between the nearest public road and the shoreline; therefore, this Coastal Development Permit finding does not apply in this case.

BE IT FURTHER RESOLVED that the Zoning Administrator of the City of Pacifica hereby approves Use Permit UP-120-19 and Coastal Development Permit CDP-417-19, subject to conditions of approval attached as Exhibit A.

* * * * *

PASSED AND ADOPTED at a meeting of the Zoning Administrator of the City of Pacifica, California, held on the 12th day of February, 2020.

Tina Wehrmeister, Planning Director

Exhibit A

**Conditions of Approval: Use Permit UP-120-19 (File No. 2019-035),
to convert second-floor commercial space into two residential dwelling units located above existing
ground-floor commercial space located at
2500 and 2530 Francisco Boulevard
(APN 016-400-010 and 016-400-020)**

Zoning Administrator Meeting of February 12, 2020

Planning Division

1. Operation of the residential use shall be substantially in accord with the project plans submitted and stamped received on February 7, 2020, except as modified by these conditions of approval.
2. The approval is 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 approval letter issued by the City and all conditions of approval attached thereto shall be included as plan sheets within all plan sets submitted to the City as part of any building permit application.
4. 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.
5. 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.

6. Applicant shall clearly indicate compliance with all conditions of approval on the plans and/or provide written explanations to the Planning Director's satisfaction prior to approval of a building permit.
7. All outstanding and applicable fees associated with the processing of this project shall be paid prior to the issuance of a building permit.
8. The Applicant shall modify the project as follows to achieve compliance with Pacifica Municipal Code (PMC) standards, to the satisfaction of the Planning Director:
 - a. Prior to issuance of a building permit, Applicant shall revise the project plans to demonstrate the construction of two carports for the proposed residential units and three carports for the existing residential units as required by PMC sec. 9-4.2818(a)(2). Construction of the carports for the existing lawful nonconforming residential units is necessary to reduce the degree of nonconformity.

The carports shall be constructed in the existing parking spaces adjacent to the existing building and shall not be located in the parking area located along the westerly property line. The minimum interior clear height of the carports shall be 7 feet and the maximum overall height of the carports shall be 10 feet. The architectural design of the carports shall be consistent and compatible with the existing building in terms of materials and colors to ensure Design Guidelines consistency. The final location, materials, and design of the carports shall be subject to review and approval by the Planning Director.

Public Works Division

9. Applicant shall submit a SMCWPPP C3 and C6 Development Review Checklist.
10. 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.
11. The following requirements must be clearly noted on the construction plans for the project:
 - a. Francisco Boulevard and Clarendon Road 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.

12. 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:
 - i. survey marks and identifying the reference marks or monuments used to establish the property lines;
 - ii. property lines labeled with bearings and distances;
 - iii. edge of public right-of-way;
 - iv. any easements on the subject property
 - b. site plan, showing:
 - v. the 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;
 - vi. adjacent driveways within 25' of the property lines
 - vii. 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.
13. 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.
14. No private structures, including but not limited to walls or curbs, fences, mailboxes, or stairs shall
15. encroach into the public right-of-way.
16. All new utilities shall be installed underground from the nearest main or joint pole.
17. If the utility connections are needed along Francisco Boulevard and Clarendon Road, the existing street pavement shall be restored and overlaid with a minimum 2 inch AC to the limits of all trenching or to street centerline whichever is greater across entire property frontage. If, in the opinion of the City Engineer, damage to the pavement during construction is more extensive, a larger area may have to be overlaid. All pavement markings and markers shall be replaced in kind.

Building Division

18. Design to 219 California Codes. Show stairs are compliant for rise and run and handrail.

Fire Department

19. Smoke Detectors and CO monitors required per CBC.
20. Key Box required
21. Portable fire extinguishers required. Mount fire extinguishers 3-5 feet above floor, visible and accessible. Field verify.
22. Clearly visible illuminated address identification required.
23. Utility identification required.
24. Fire permit required for Assembly per CFC.

*** END ***

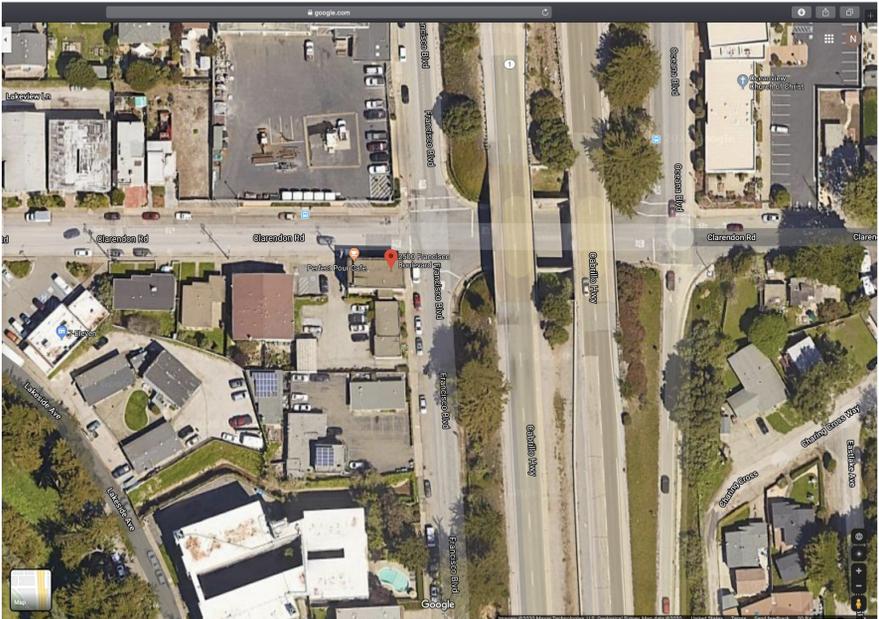
OCCUPANCY GROUP & DWELLING USE: R3 MULTY FAMILY 2 UNITS
 0- ACCESSIBLE UNITS
 CONSTRUCTION TYPE: VB
 SCOPE OF WORK:
 RECONFIGURE THE FLOOR PLAN TO MAKE 2 UNITS. UNIT 1 IS 3 BEDROOM/1 BATH AND UNIT 2 IS 1 BEDROOM /1 BATH. INSTALL NEW FURNACES AND TANKLESS WATER HEATERS IN BOTH UNITS. UPGRADE ELECTRICAL.

C-1 (NEIGHBORHOOD COMMERCIAL)
 GENERAL PLAN DESIGNATION: RETAIL COMMERCIAL
 APN# 016-400-010
 PROPOSED
 UNIT #1 SQFT - 851SQFT
 UNIT #2 SQFT - 457 SQFT
 EXISTING
 UNIT SQFT - 1308 SQFT
 NO WORK IS PROPOSED OR CURRENTLY UNDERWAY AT THE GROUND FLOOR

3D VIEWS ARE NOT TO SCALE AND MAY NOT REFLECT EXACTLY WHAT IS AVAILABLE FOR THE PROJECT. RENDER VIEWS ARE REPRESENTATIONS OF WHAT THE VIEW COULD LOOK LIKE, NOT WHAT IT WILL LOOK LIKE. 2D VIEWS ALWAYS SUPERCEDE 3D VIEWS

2500 FRANCISCO BLVD

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PAGE TITLE:
 TITLE PAGE & NOTES

DRAWN BY:
 RICHARD LEE

DATE:
 2/7/20

SCALE:
 1/4" = 1'0"

SHEET #:
 A-1

CONTRACTOR SHALL VERIFY ALL CONDITIONS & DIMENSIONS AT THE JOB SITE AND NOTIFY THE ARCHITECT OF ANY DIMENSIONAL ERRORS, OMMISIONS OR DISCREPANCIES BEFORE BEGINNING OR FABRICATING ANY WORK.

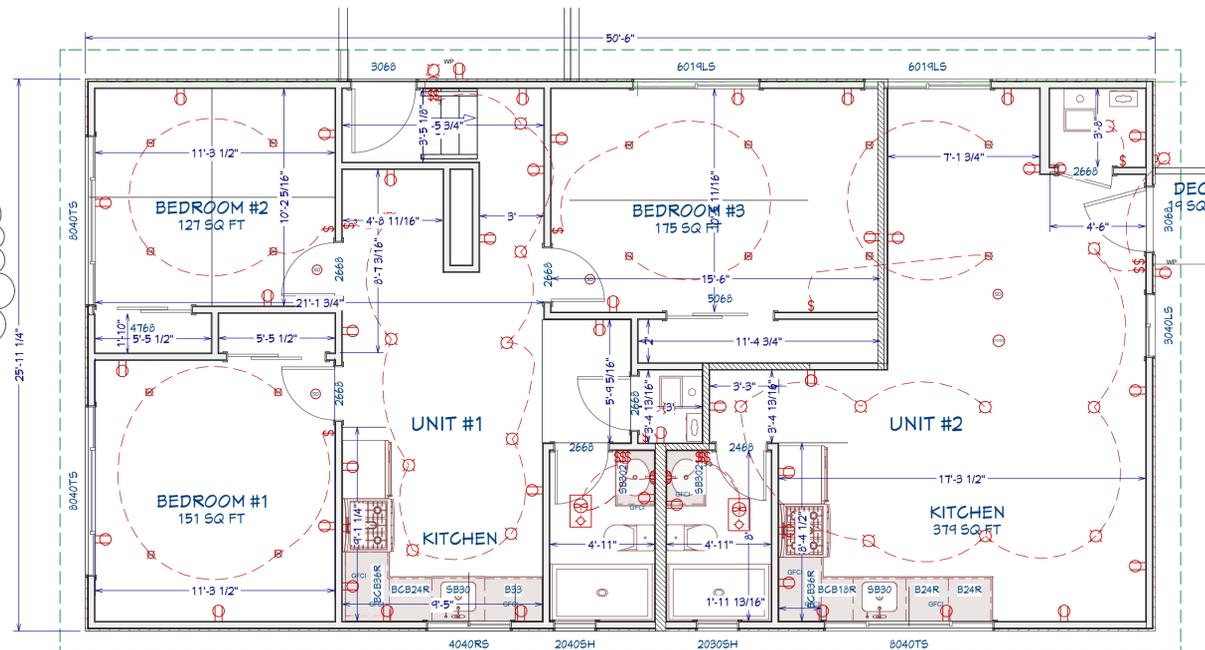


RECONFIGURE THE EXISTING SECOND FLOOR PLAN TO CONVERT ONE (OR TWO?) EXISTING UNPERMITTED RESIDENTIAL UNIT INTO TWO LEGALIZED RESIDENTIAL UNITS

PROPOSED
 UNIT #1 SQFT - 851 SQFT
 UNIT #2 SQFT - 457 SQFT
 TOTAL - 1308 SQFT

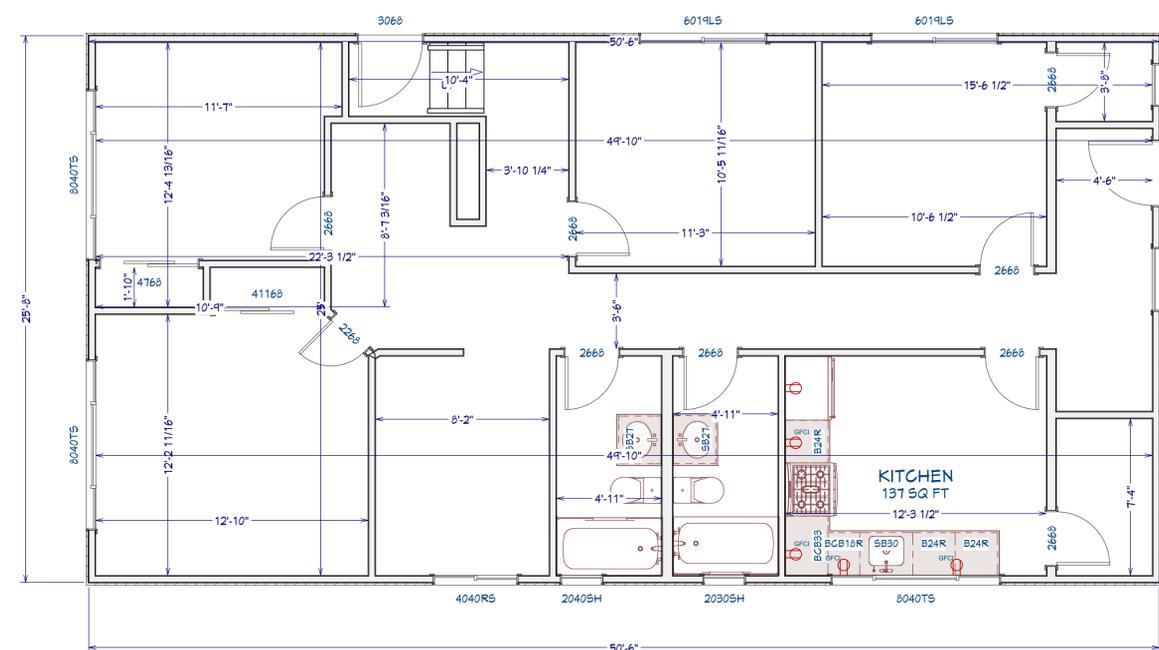
DOWNSTAIRS UNITS EXISTING
 OFFICE - 490 SQFT
 BARBER SHOP - 388 SQFT
 COFFEE SHOP - 430 SQFT
 TOTAL - 1308 SQFT

NO HERITAGE TREES ARE LOCATED ON THIS SITE



PROPOSED SECOND FLOOR PLAN

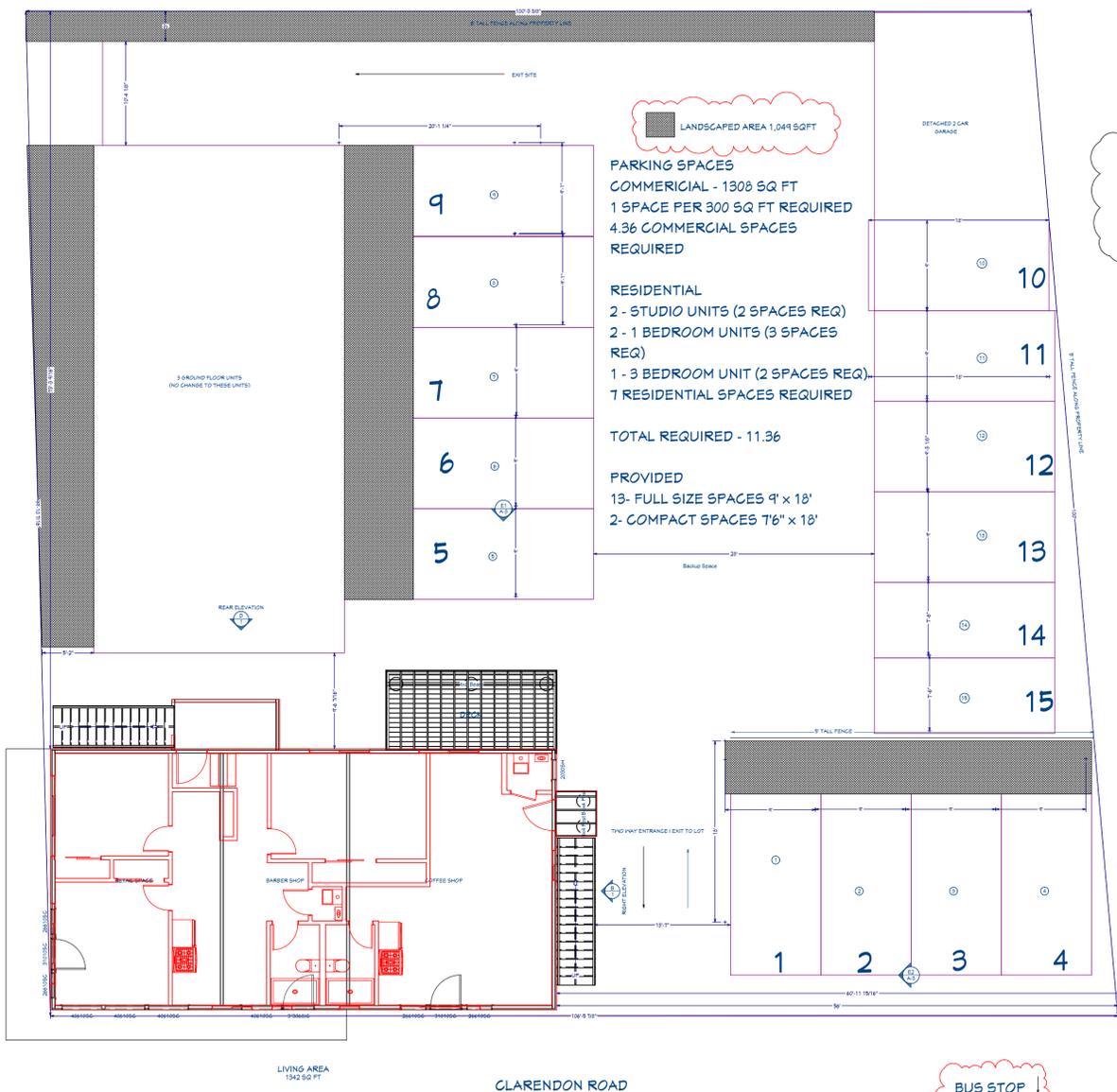
LOT SIZE 10,307 SQFT



EXISTING SECOND FLOOR PLAN

THIS IS EXISTING UNPERMITTED PLAN, NOT RECORDS OF PREVIOUS CONFIGURATION AVAILABLE.

EXISTING UNIT SQFT - 1308 SQFT



EXISTING SITE PLAN (NO CHANGES PROPOSED)

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PAGE TITLE:
FLOOR PLAN & SITE PLAN

DRAWN BY:
RICHARD LEE

DATE:
2/7/20

SCALE:
1/8"=1'-0"

SHEET #:
A-2

3D VIEWS ARE NOT TO SCALE AND MAY NOT REFLECT EXACTLY WHAT IS AVAILABLE FOR THE PROJECT. RENDER VIEWS ARE REPRESENTATIONS OF WHAT THE VIEW COULD LOOK LIKE, NOT WHAT IT WILL LOOK LIKE. 2D VIEWS ALWAYS SUPERCEDE 3D VIEWS

ALL WINDOWS ARE "EXISTING (E) TO REMAIN"



NORTH ELEVATION

ALL WINDOWS ARE "EXISTING (E) TO REMAIN"

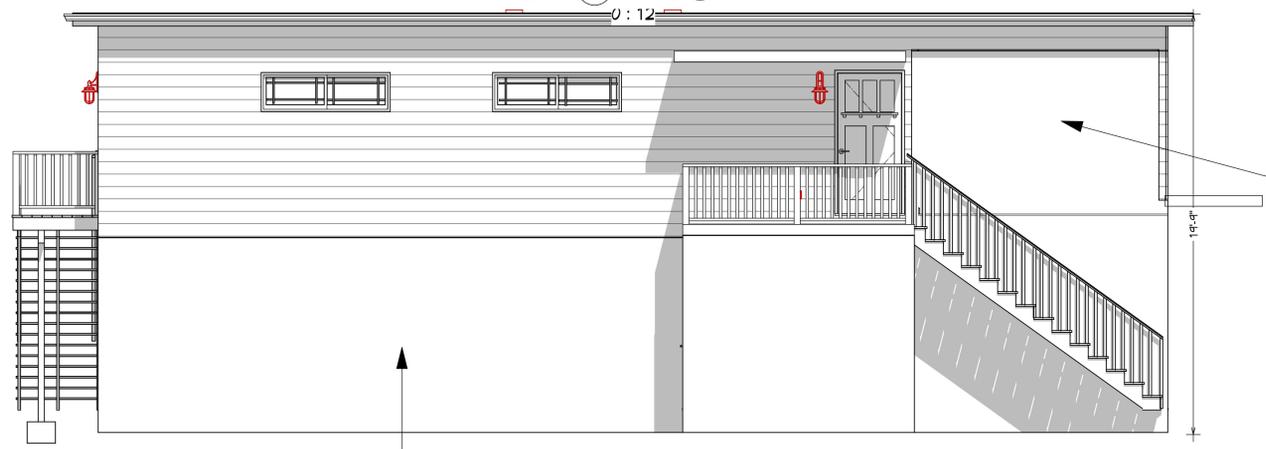


EAST ELEVATION

NOTE: NO CHANGES TO EXTERIOR OF BUILDING

EXTERIOR PAINT & MATERIAL
ELEPHANT SKIN PAINT
SWISS COFFEE TRIM
STONE EXTERIOR

ALL WINDOWS ARE "EXISTING (E) TO REMAIN"



SOUTH ELEVATION

STUCCO

ALL WINDOWS ARE "EXISTING (E) TO REMAIN"



WEST ELEVATION

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EXISTING PLAN

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SCALE:
1/4"=1'-0"

SHEET #:
A-3