



Scenic Pacifica
Incorporated Nov. 22, 1957

ZONING ADMINISTRATOR Agenda

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

ADMINISTRATIVE BUSINESS:

1. **Approval of Minutes** May 1, 2018
2. **Oral Communications** This portion of the agenda is available to the public to address the Zoning Administrator on any issue within the subject matter jurisdiction of the Zoning Administrator that is not on the agenda. The time allowed for any speaker will be three minutes.

PUBLIC HEARINGS:

3. **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.

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.



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Incorporated Nov. 22, 1957

ZONING ADMINISTRATOR Minutes

DATE: May 1, 2019
LOCATION: Planning Department Conference Room, 1800 Francisco Boulevard
TIME: 6:00 PM

Zoning Administrator (ZA) Tina Wehrmeister called the meeting to order at 6:05 PM. She stated that Asst. Planner Helen Gannon and Senior Planner Christian Murdock were present along with the applicant.

ADMINISTRATIVE BUSINESS:

- Approval of Minutes** ZA Wehrmeister approved the minutes from December 5, 2018, without revision.
- Oral Communications** No speakers.

PUBLIC HEARINGS:

- PSD-836-18
CDP-401-18** **FILE NO. 2018-049 FOR SITE DEVELOPMENT PERMIT PSD-836-18 and COASTAL DEVELOPMENT PERMIT CDP-401-18** filed by applicant and property owner Richard Stephens on October 10, 2018, to construct a second-story addition to an existing single family residence at 147 Salada Ave. (APN 016-042-130) in Pacifica. The project site is located within the Multiple-Family Residential (R-3) and Coastal Zone Combining (CZ) District.

Proposed Action: Approve as conditioned.

- Assistant Planner Helen Gannon presented the staff report.
- ZA Wehrmeister had no questions and asked if the applicant would like to say anything.
- Rich Stephens, the applicant, stated that he had no questions and had read the provided packet information.
- ZA Wehrmeister asked the applicant if he read the Conditions of Approval.
- Mr. Stephens indicated that he had read them and had a question about Condition of Approval #15.
- Senior Planner Murdock suggested amending Condition of Approval #15 and #2.
- Mr. Stephens agreed.
- ZA Wehrmeister closed the public hearing and asked if staff had any more comments or concerns.
- Assistant Planner Helen Gannon stated that she did not.
- ZA Wehrmeister approved the project and finds it exempt for the California Environmental Quality Act.

ADJOURNMENT

Zoning Administrator Wehrmeister adjourned the meeting at 6:12 PM.



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ZONING ADMINISTRATOR Staff Report

DATE: June 12, 2019

FILE: TUP-1-19

ITEM: 3

PUBLIC NOTICE: Notice of Public Hearing was published in San Mateo Daily Journal on June 1, 2019, and mailed to 205 surrounding property owners and occupants.

APPLICANT Judy Hayes
744 Crespi Drive
Pacifica, CA 94044

PROJECT LOCATION: 4625 Coast Highway (APN 022-150-440) – Linda Mar

PROJECT DESCRIPTION: File No. 2019-013 – 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.

SITE DESIGNATIONS: General Plan: Visitor-Serving Commercial
Zoning: C-1 (Neighborhood Commercial)

RECOMMENDED CEQA STATUS: Class 4 Categorical Exemption, CEQA Guidelines Section 15304.

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:

On March 21, 2019 the Planning Department received an application for a Temporary Use Permit TUP-1-19 to operate a “Craftsman Coffee” mobile coffee and espresso bar. The temporary use would consist of a coffee/espresso bar contained within a *Citroen HY Van*. The van is a retro style, solid white vehicle with ribbed body work. Because it is located within a motor vehicle, the San Mateo County Health Department considers the proposed use to be a “mobile food facility.” Employees of the proposed operation would utilize the restroom within the existing Sea Bowl Entertainment Center. All utilities, including water and electricity, would be provided within the van and no utilities connections would be required for the operation. The applicant’s description of the proposed operation and details of the Citroen HY Van are contained in Attachment B.

The operation would be open from 6:30 AM to 2:00 PM, Monday through Friday, for a period not to exceed six months. The applicant intends to commence operations on September 1, 2019. The applicant is seeking to test the business concept and location on a temporary basis before investing more resources in a regular use permit which could allow the outdoor mobile operation on a long-term basis.

The applicant would service customers through side of the van parked in the northwest corner of the project site. Customers would not enter the vehicle. A vast and underutilized parking lot serves both Sea Bowl Entertainment Center and the now-vacant Surf Spot Restaurant (proposed Pacifica Brewery, currently under renovations) where the proposed operation would be conducted. The proposed use would utilize between six and seven parking spaces. The van would utilize four to five parking spaces and up to two employees would utilize two additional parking spaces.

More details of the proposed use, business, coffee, location, van, lease, and hours of operation can be found in the Applicant’s Mobile Business Permit Application, attachment B.

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

The General Plan designation for the subject property is “Commercial” and the zoning classification is C-1 (Neighborhood Commercial). The site is bordered by and located east of Highway One. Several other major roadways and arterials also border the site including Fassler Avenue, Roberts Road and Sea Bowl Lane. These roadways all connect neighborhoods of Pacifica to Highway One.

3. Municipal Code and Regulatory Standards:

The authority to grant permission to operate temporary uses for up to six months is provided in section 9-4.2305(a) of the Pacifica Municipal Code (PMC):

The Commission may grant temporary uses for a period of up to six (6) months in developed areas and up to one year in undeveloped areas by using the procedure set forth in Article 33 of this chapter governing the granting of use permits.

The Zoning Administrator's authority to consider and issue a Temporary Use Permit is provided in section 9-4.3802(b) of the PMC.

4. Findings for Approval

In order to approve Temporary Use Permit TUP-1-19, the Zoning Administrator must make the following findings required by PMC Section 9-4.3303. 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 use will occupy underutilized parking spaces in an existing vast, under-utilized commercial parking lot. It will operate primarily during hours which do not overlap significant activity of the existing and proposed businesses which also occupy the parking lot. Because the parking lot is vast and underutilized, particularly during the early morning and early afternoon operating hours of the proposed use, staff has identified no impacts from the utilization of up to seven parking spaces by the proposed use, in addition to customer traffic parking temporarily to make purchases. In addition, the proposed business "Craftsman Coffee" will provide a convenient amenity, product, and service to residents, commuters, and visitors to Pacifica and surrounding areas. Visual impacts of the proposed white van parked for a portion of each weekday in an existing parking lot will be negligible.

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 site is zoned C-1 (Neighborhood Commercial) and designated as Commercial in the City's General Plan. Therefore, the proposed "Craftsman Coffee" use will be consistent with the types of commercial activities envisioned for the site in the General Plan and Zoning Regulations contained in Chapter 4 of Title 9 of the PMC.

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

The proposed use is temporary and would not have permanent aesthetic impacts; therefore, the City's adopted Design Guidelines are not applicable. Nevertheless, visual impacts from the proposed use would be limited to the presence of a retro style, solid white panel van for a limited period of up to nine hours per day, five days per week, for up to six months. The van dimensions are 14 feet long by 6.4 feet wide by 7.6 feet high. Because the van is small, and because the van would be on-site for a limited duration each day for up to six months, any visual impacts would be negligible and would not adversely impact the surrounding commercial area and businesses.

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 4 exemption under CEQA Guidelines Section 15304, as described below:

15304. Minor Alterations to Land

Class 4 consists of minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry and agricultural purposes. Examples include but are not limited to:

* * * * *

(e) Minor temporary use of land having negligible or no permanent effects on the environment, including carnivals, sales of Christmas trees, etc.

* * * * *

Because the proposed use would be temporary for a period not to exceed six months; and, because the use would not involve any permanent alterations to the site which could 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 use would provide a convenient product, amenity, and service to the residents and neighborhoods of the City of Pacifica, as well as visitors. The proposed use and associated van would not create visual impacts that will alter the existing visual character of the surrounding area and parking lot it would be located in. It would not impact parking demand and the proposed hours of operation would be compatible with existing business in the vicinity; therefore staff recommends that the Zoning Administrator approve the project.

RECOMMENDED ZONING ADMINISTRATOR ACTION

FIND that the project is exempt from the California Environmental Quality Act; **APPROVE** Temporary Use Permit TUP-1-19 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:

Zoning Administrator Staff Report
File No. 2019-013: TUP-1-19
4625 Coast Highway (APN 022-150-440)
June 12, 2019
Page 5

- A. Draft Resolution for Approval and Conditions of Approval (DOCX)
- B. Applicant's Mobile Business Permit Application

RESOLUTION NO.

A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF PACIFICA APPROVING TEMPORARY USE PERMIT TUP-1-19 (FILE NO. 2019-013), SUBJECT TO CONDITIONS, TO ALLOW THE ESTABLISHMENT AND OPERATION OF A TEMPORARY OUTDOOR RETAIL COFFEE SERVICES FOR A PERIOD OF UP TO SIX MONTHS AT 4625 COAST HIGHWAY (APN 022-150-440), AND FINDING THE PROJECT EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA).

Initiated by: Judy Hayes of Craftsman Coffee (“Applicant”)

WHEREAS, the application for Temporary Use Permit TUP-1-19 was submitted by Judy Hayes of Craftsman Coffee on March 21, 2019, to request authorization 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 at 4625 Coast Highway (APN 022-150-440); and

WHEREAS, the Zoning Administrator of the City of Pacifica did hold a duly noticed public hearing on June 12, 2019, at which time it considered all oral and documentary evidence presented, and incorporated all testimony and documents into the record by reference.

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

- 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 4 categorical exemption under CEQA Guidelines Section 15304 “Minor Alterations to Land.”

Class 4 consists of minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry and agricultural purposes. Examples include but are not limited to:

* * * * *

(e) Minor temporary use of land having negligible or no permanent effects on the environment, including carnivals, sales of Christmas trees, etc.

* * * * *

Because the proposed use would be temporary for a period not to exceed six months; and, because the use would not involve any permanent alterations to the site which could 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 Temporary Use Permit TUP-1-19, pursuant to PMC Section 9-4.3303:

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 use will occupy underutilized parking spaces in an existing vast, under-utilized commercial parking lot. It will operate primarily during hours which do not overlap significant activity of the existing and proposed businesses which also occupy the parking lot. Because the parking lot is vast and underutilized, particularly during the early morning and early afternoon operating hours of the proposed use, staff has identified no impacts from the utilization of up to seven parking spaces by the proposed use, in addition to customer traffic parking temporarily to make purchases. In addition, the proposed business "Craftsman Coffee" will provide a convenient amenity, product, and service to residents, commuters, and visitors to Pacifica and surrounding areas. Visual impacts of the proposed white van parked for a portion of each weekday in an existing parking lot will be negligible.

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 site is zoned C-1 (Neighborhood Commercial) and designated as Commercial in the City's General Plan. Therefore, the proposed "Craftsman Coffee" use will be consistent with the types of commercial activities envisioned for the site in the General Plan and Zoning Regulations contained in Chapter 4 of Title 9 of the

PMC.

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

The proposed use is temporary and would not have permanent aesthetic impacts; therefore, the City's adopted Design Guidelines are not applicable. Nevertheless, visual impacts from the proposed use would be limited to the presence of a retro style, solid white panel van for a limited period of up to nine hours per day, five days per week, for up to six months. The van dimensions are 14 feet long by 6.4 feet wide by 7.6 feet high. Because the van is small, and because the van would be on-site for a limited duration each day for up to six months, any visual impacts would be negligible and would not adversely impact the surrounding commercial area and businesses.

BE IT FURTHER RESOLVED that the Zoning Administrator of the City of Pacifica hereby approves Temporary Use Permit TUP-1-19, 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 June, 2019.

APPROVED AS TO FORM:

Tina Wehrmeister, Planning Director

Michelle Kenyon, City Attorney

Exhibit A

Conditions of Approval: Temporary Use Permit TUP-1-19 (File No. 2019-013), to allow the establishment and operation of a temporary outdoor retail coffee service for a period of up to six months at 4625 Coast Highway (APN 022-150-440)

Zoning Administrator Meeting of June 12, 2019

Planning Division

1. Operation of the temporary use shall be substantially in accord with the document entitled "Craftsman Coffee Mobile Business Permit Application," stamped received on March 21, 2019, except as modified by these conditions of approval.
2. The term of this permit shall be six months from the commencement of operations as indicated by the Applicant. Applicant shall notify the Planning Director in writing not less than 72 hours prior to commencing operations. Under no circumstances shall operations authorized by this permit extend beyond August 28, 2020.
3. Applicant shall possess and maintain in good standing all permits and/or licenses required by the San Mateo County Health Department and Franchise Tax Board during the term of operation.
4. Applicant shall make available for customer use conveniently located trash receptacles in a quantity and of a design to the satisfaction of the Planning Director. Such trash receptacles shall prevent trash or debris from blowing out of the receptacles.
5. Applicant shall deposit all trash and debris generated by its operations in the on-site dumpster as authorized by the property owner, or else, shall remove all trash and debris generated by its operations from the site at the conclusion of each day's operations and shall properly dispose of the trash and debris in a manner acceptable to Recology of the Coast.
6. Applicant shall be permitted to occupy the site from 5:30 AM to 2:30 PM, Monday through Friday, during the term of this permit. Operations shall be conducted only between 6:00 AM and 2:00 PM, Monday through Friday.
7. The temporary use shall be permitted to operate in either the primary or alternative location as identified in Exhibit B to this Resolution.
8. Applicant shall remove the temporary use from the site at the conclusion of operations each day.
9. Applicant shall be prohibited from applying for a subsequent Temporary Use Permit for a use substantially similar to the subject use on the same property for a period of one year

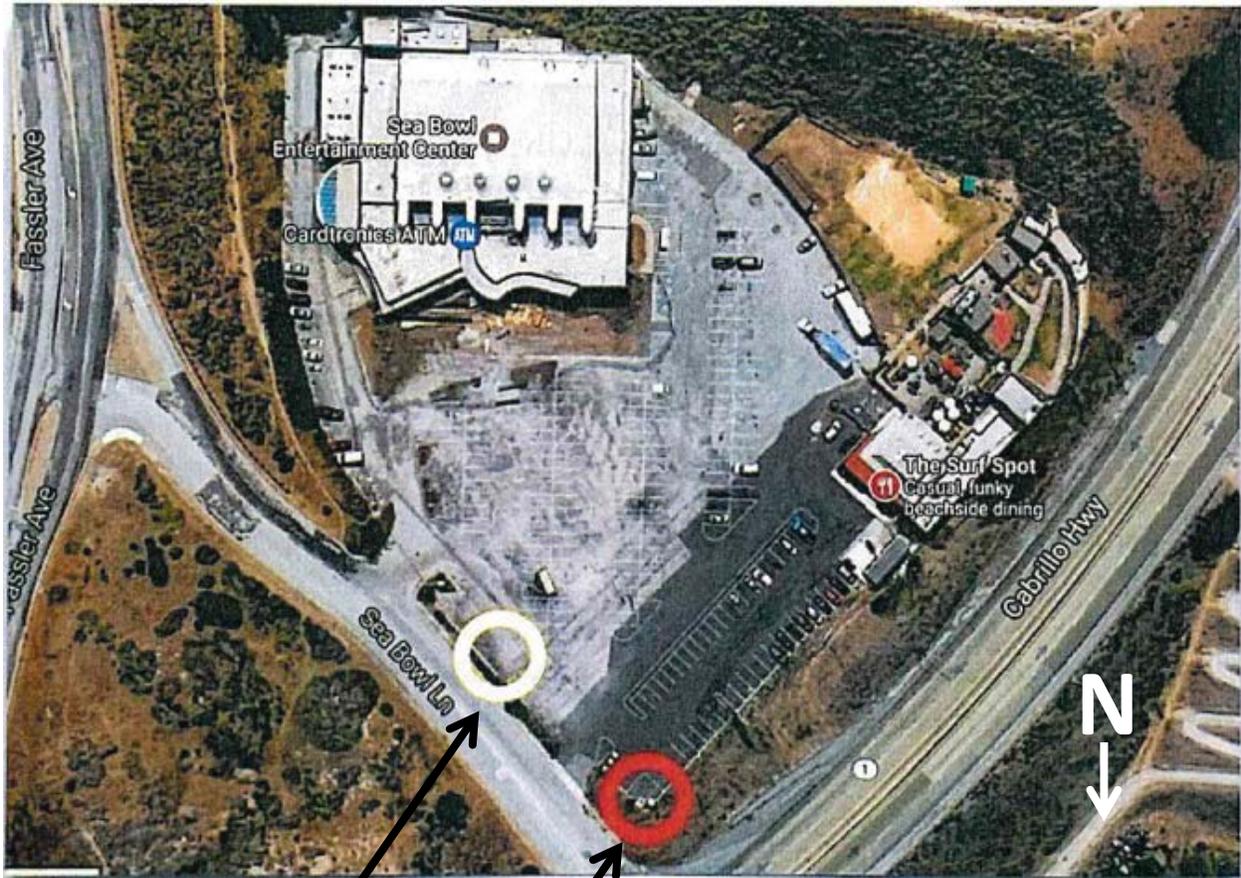
from cessation of operations. Applicant may apply for a regular use permit to authorize long-term operation of the subject use at any time.

10. 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.
11. 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.

*** END ***

Exhibit B

Approved Operating Locations



Alternative Location

Primary Location

RECEIVED

MAR 21 2019

City of Pacifica



Craftsman Coffee

Mobile Business Permit Application

Prepared by: Craftsman Coffee, Judy Hayes

Company Description

Craftsman Coffee is a small batch, coffee roaster passionate about bringing specialty coffee into Pacifica, CA. We currently serve espresso beverages on a coffee cart at the Coastside Farmer's Markets in Pacifica and Half Moon Bay. We also participate in public events such as the Renegade Craft Fair, Touch-A-Truck, and various pop-up events with local vendors such as Rosalind Bakery, Traveler, and Fox and Glove Flowers.

Our roasting operation began as a small cottage license and has now grown to roasting in a shared roasting facility in Berkeley supporting online and future retail volumes.

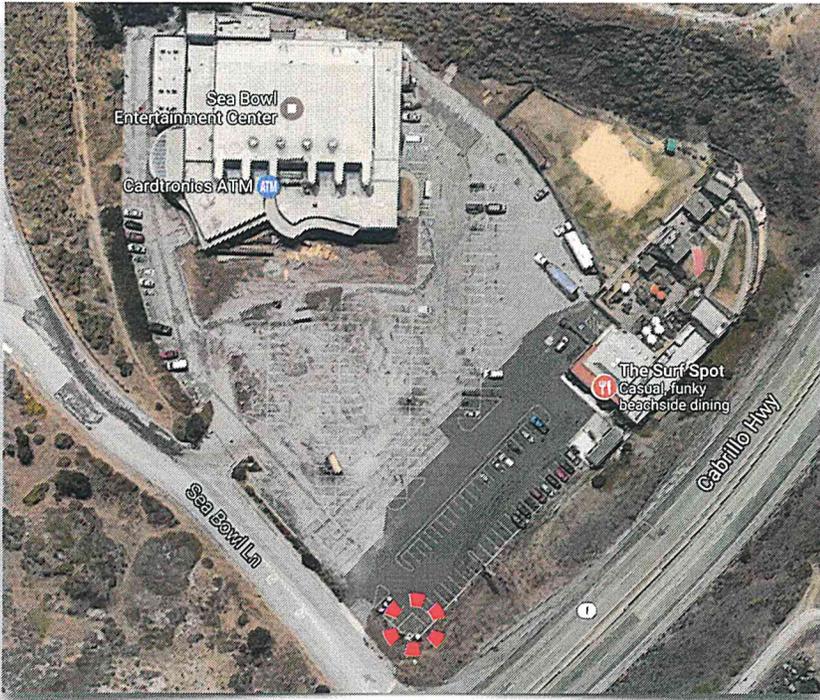
Our mission is to provide an excellent experience to the community while bringing sustainability and transparency of our craft to drinkers on the coastside. We thoughtfully source our coffee from importers or direct farm and create each blend ourselves while managing operations, creative, and marketing as a 2 person team.

Instead of a brick and mortar, we have plans to conduct business as a mobile food facility (MFF). Our goal is to provide an additional iconic location for our coastal community.

CRAFTSMAN COFFEE

Operation Structure

Operation of business will be in a parked 1966 Citroen H van on private property of 4627 Pacific Coast Hwy, Pacifica, CA and Sea Bowl Lane. This panel van will operate on the NW corner.



The hours of operation will be Monday to Friday, 6:30AM - 2PM. One employee will work on the premise.

Target opening day will be September 1, 2019. Craftsman Coffee will advise the Pacifica Planning Department to confirm the actual Start Date.

Photographs

The Citroen HY Van is a French automobile manufacturer founded in 1919. The vehicle has been retrofitted to running condition and includes a small kitchen for espresso service. Vehicle is 14ft L X 6.4 W X 7.6H. Vehicle structure style is a retro, French "box on wheels", with 3 rear doors and ribbed bodywork.

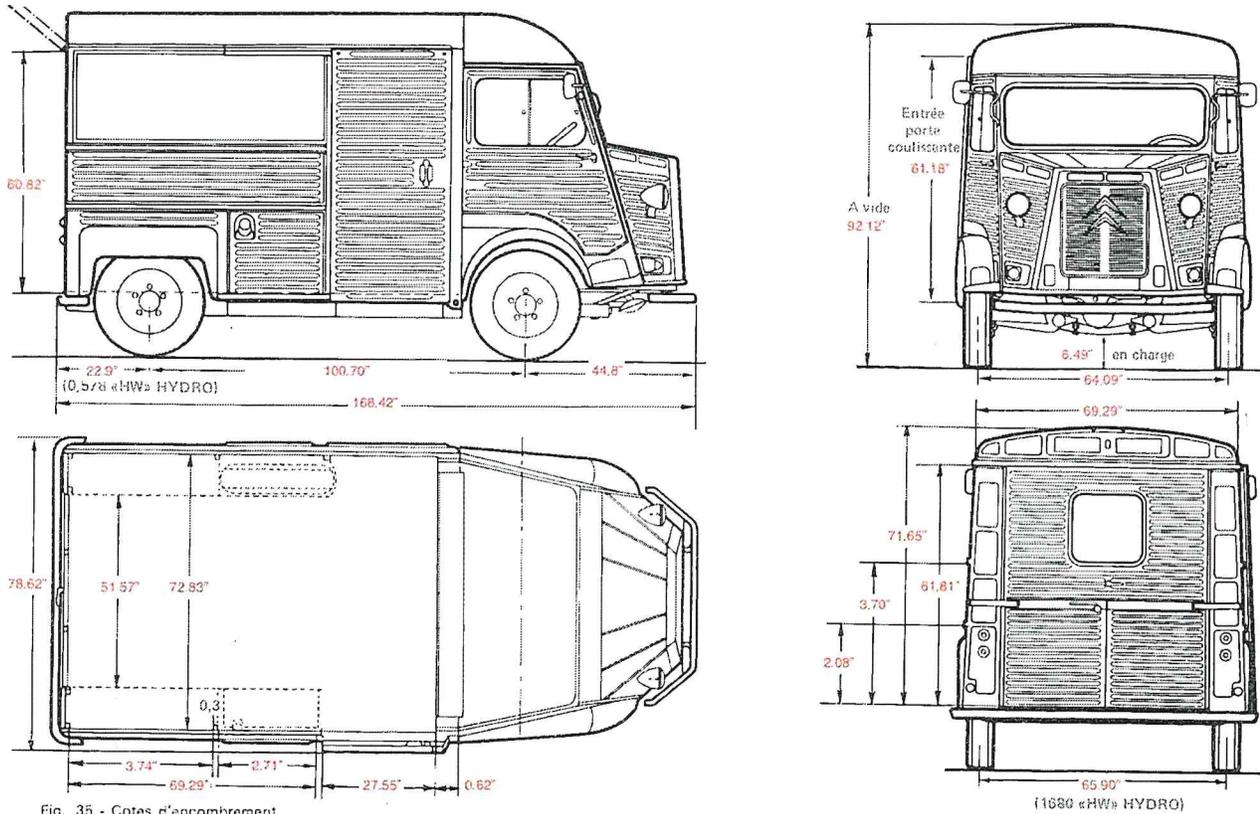
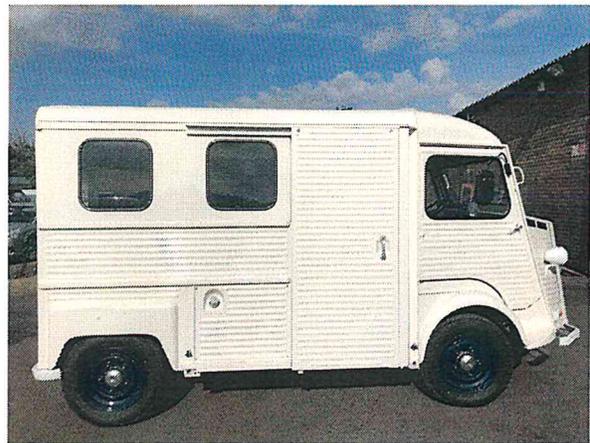


Fig. 35 - Cotes d'encombrement



Lease with Sea Bowl

Sea Bowl on 4627 Pacific Coast Hwy is designated private property. Sea Bowl and Craftsman Coffee have an agreed annual lease agreement dictating hours of operations, rent and liabilities.

Health Permitting

Mobile Food Facility health processes and approvals will be submitted directly to the San Mateo Health and Safety Department. The department reviews all mobile foods on an annual basis to ensure food safety standards are met.