

ORDINANCE NO. 830-C.S.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PACIFICA APPROVING GENERAL PLAN AMENDMENT GPA-93-16 TO APPLY THE LOW DENSITY RESIDENTIAL LAND USE DESIGNATION AND REZONING RZ-195-16 TO CHANGE THE ZONING CLASSIFICATION TO R-1 (SINGLE FAMILY RESIDENTIAL), FOR A 2.42-ACRE VACANT PARCEL LOCATED ADJACENT TO SAN PEDRO CREEK AT THE WESTERLY TERMINUS OF SAN PEDRO TERRACE ROAD (APN 023-075-050); AND ADOPTING THE MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM, PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA).

WHEREAS, an application has been submitted to amend the General Plan land use designation to change the General Plan Land Use Designation from High Density Residential to Low Density Residential, to change the zoning classification from the C-3 (Service Commercial) zoning district to the R-1 (Single Family Residential) zoning district, to subdivide a 2.42-acre lot into six residential lots ranging in size from 9,379 to 34,145 square feet (sf) for future single-family residential development, 15,742 sf private street, and, to authorize the removal and replacement of heritage trees, at the Project site located at the western terminus of San Pedro Terrace Road, Pacifica (APN 023-075-050) in the West Linda Mar neighborhood;

WHEREAS, the Planning Commission held a duly noticed public hearing on the proposed Project on November 20, 2017, and January 16, 2018, and adopted Resolution No. 986 recommending City Council approval of GPA-93-16 and Rezoning RZ-195-16 on January 16, 2018; and

WHEREAS, the City Council of the City of Pacifica held a duly noticed public hearing on February 12, 2018.

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

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

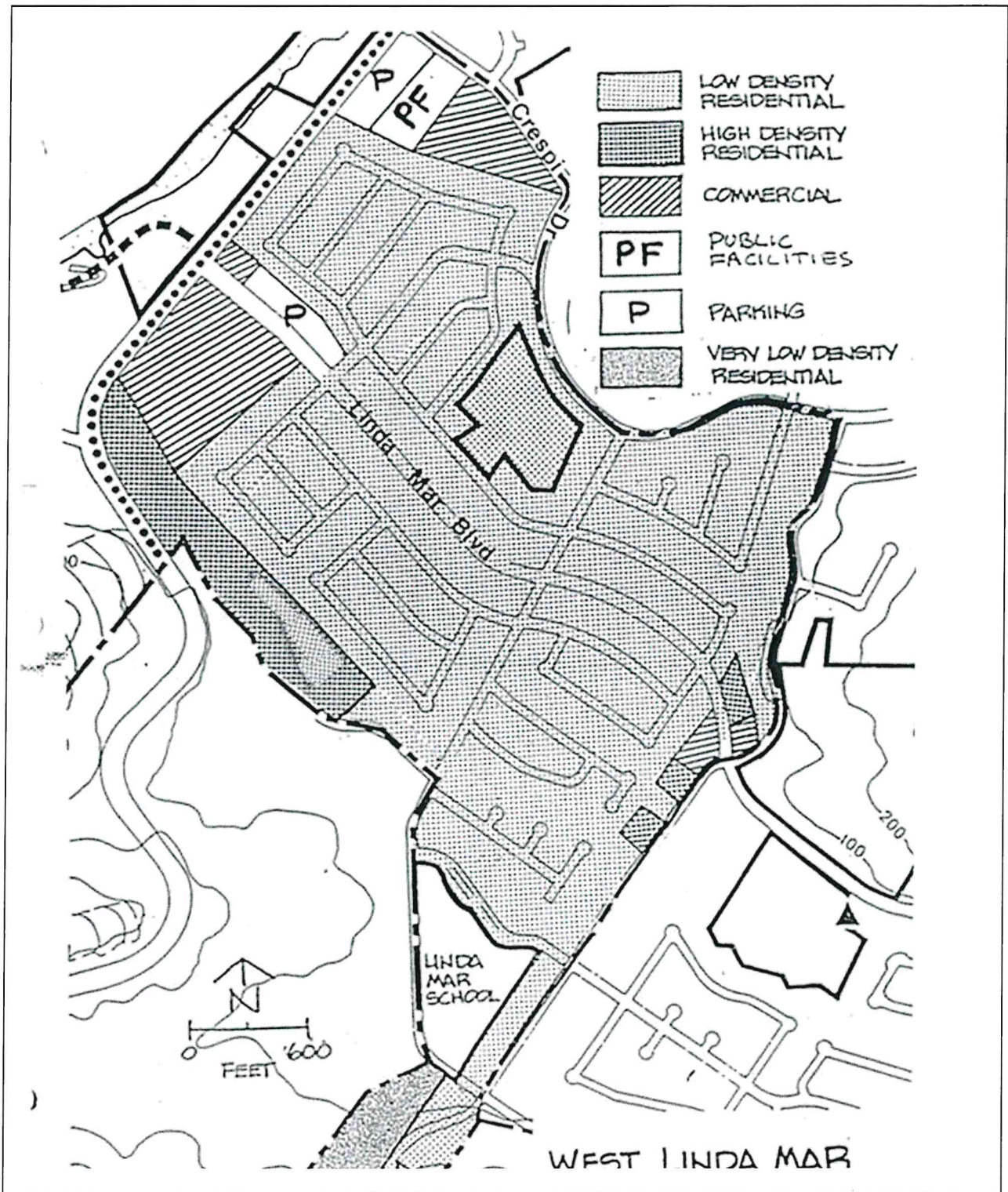
Section 2. Findings. Specific findings of fact for approval of the General Plan Amendment and Rezoning are contained in the Planning Commission Resolution No. 986 on January 16, 2018, including without limitation findings related to the consistency of the residential development with the General Plan, and the City Council concurs with said findings and incorporates the findings herein by reference.

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

Section 4. Reclassification. Section Map 32 of the Zoning Map of the City of Pacifica, as described in Section 9-4.302 of the Pacifica Municipal Code, is hereby amended as depicted in Attachment A-2 to this Ordinance. The specific area affected by this reclassification is more particularly described in the legal description included as Attachment A-3 to this Ordinance.

Section 5. Compliance with CEQA. The City Council hereby finds that the action to adopt this Ordinance was analyzed in the San Pedro Terrace Subdivision General Plan Land Use Designation and Zoning Map

TTACHMENT A-1



ATTACHMENT A-3

LEGAL DESCRIPTION:

Real property in the City of Pacifica, County of San Mateo, State of California, Described as follows:

LOT 3 AS DESIGNATED ON THE MAP ENTITLED "MARGIN PARK SUBDIVISION, UNIT NO.1, PACIFICA, CALIFORNIA", WHICH MAP WAS FILED IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SAN MATEO, STATE OF CALIFORNIA ON NOVEMBER 30, 1962, IN BOOK 57 OF MAPS AT PAGE 19.

EXCEPTING THEREFROM, THAT PORTION OF SAID LOT 3 AS CONTAINED IN THE DEED EXECUTED BY VICTOR MARGRIN AND JENNIE MAGRIN, HIS WIFE, RECORDED APRIL 1, 1970, BOOK 5764, PAGE 669, OFFICIAL RECORDS.

TOGETHER WITH THAT PORTION OF THE PROPERTY VACATED AND CLOSED TO THE PUBLIC BY RESOLUTION NO. 64-2006, BY THE CITY COUNCIL OF THE CITY OF PACIFICA RECORDED ON OCTOBER 13, 2006 AS INSTRUMENT NO. 2006154854 OF OFFICIAL RECORDS.

APN: 023-075-050, JPN: 023-077-075-05A

Amendments Final Mitigated Negative Declaration Report, State Clearinghouse No. 2017082062. The City Council does hereby certify that the IS/MND has been prepared in accordance with CEQA, has been circulated via the State Clearinghouse (SCH #2017082062) for review and comment by relevant agencies, has provided for and considered public comment, has been presented to and reviewed by this City Council prior to the Council's decision on the Ordinance, and reflects the City of Pacifica's independent judgement and analysis. Therefore, the City Council does hereby adopt the IS/MND and Mitigation Monitoring and Reporting Program (MMRP) Attachment A-4 to this Ordinance

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

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

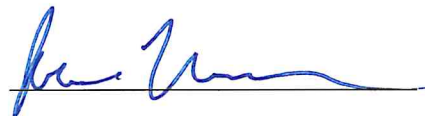
PASSED AND ADOPTED this 26th day of February, 2018, by the following vote:

AYES: Martin, O'Neill, Digre, Vaterlaus, Keener

NOES: None

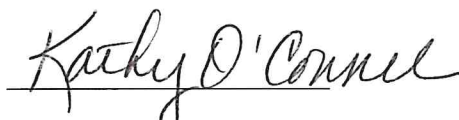
ABSTAIN: None

ABSENT: None



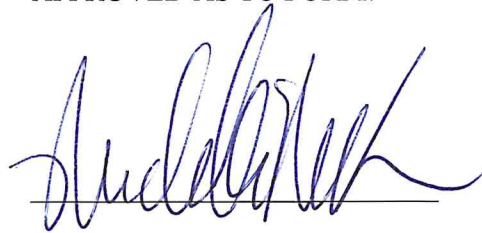
John Keener, Mayor

ATTEST:



Kathy O'Connell, City Clerk

APPROVED AS TO FORM:



Michelle Kenyon, City Attorney