

RESOLUTION NO. 2019-036

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PACIFICA APPROVING SITE DEVELOPMENT PERMIT PSD-841-19, SUBJECT TO CONDITIONS, FOR CONSTRUCTION OF A SINGLE-FAMILY RESIDENCE ON A VACANT NONCONFORMING LOT WITHIN THE R-1 (SINGLE FAMILY RESIDENTIAL) AND B-5 (LOT SIZE OVERLAY) ZONING DISTRICT AT 1693 HIGGINS WAY (APN 023-341-080), AND FINDING THE PROJECT EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA).

Initiated by: Mike O'Connell ("Applicant").

WHEREAS, an application has been submitted to construct a new 3,128 square foot (sf), three-story single-family residence on a 39,049-sf vacant lot at 1693 Higgins Way (APN 023-341-080), with associated street and utilities extensions (File No. 2019-011); and

WHEREAS, the project requires approval of a Site Development Permit, prior to issuance of a building permit, because the project site is a nonconforming lot and the project does not comply with the development standards for nonconforming lots contained in Pacifica Municipal Code (PMC) Section 9-4.3002(a); and

WHEREAS, the Planning Commission of the City of Pacifica did hold a duly noticed public hearing on December 16, 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 Planning Commission 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 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 finding that the Project qualifies for a Class 3 exemption under the California Environmental Quality Act (CEQA). CEQA Guidelines Section 15303(a), as described below, applies to the Project:

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

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

The subject proposal to construct a single-family residence fits within the scope of a Class 3 categorical exemption. Specifically, the project (1) includes one single-family residence; and, (2) is located within the R-1 (Single-Family Residential) zoning district where the PMC authorizes single-

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Site Development Permit PSD-841-16
Single-family Residence in R-1(Single Family Residential)/B-5 (Lot Size Overlay) Zoning District
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family residential uses For these reasons, there is substantial evidence in the record to support a finding that the project is categorically exempt from CEQA pursuant to Section 15303 of the CEQA Guidelines.

Additionally, none of the exceptions to application of an exemption contained in Section 15300.2 of the CEQA Guidelines apply to the project, as described below:

Sec. 15300.2(a): There is no evidence in the record that the project will impact an environmental resource of hazardous or critical concern in an area designated, precisely mapped, and officially adopted pursuant to law by federal, State, or local agencies. The project site is located within a substantially developed residential neighborhood and is not located in a sensitive environmental area. Therefore, it would not have a significant impact on the environment.

Sec. 15300.2(b): There is no evidence in the record that successive projects of the same type in the area would have a significant environmental impact. The project involves construction of one single-family residence within a substantially developed residential neighborhood and staff is aware of no evidence of impending development of other similar projects in the area that would have a significant impact on the environment either alone or cumulatively with other projects in the vicinity.

Sec. 15300.2(c): There is no evidence in the record of any possibility that the project would have a significant effect on the environment due to unusual circumstances. The project site is zoned for residential use and the hillside development pattern is consistent with the development pattern of many other homes along the north side of Higgins Way. There is no evidence to indicate the site has any value as critical habitat. Therefore, there are no unusual circumstances applicable to the project.

Sec. 15300.2(d) through (f): The project is not proposed near a scenic highway, does not involve a current or former hazardous waste site, and, does not affect any historical resources. Therefore, the provisions of subsections (d) through (f) are not applicable to this project.

Because the project is consistent with the requirements for a Class 3 exemption and none of the exceptions to applying an exemption in Section 15300.2 apply; therefore, there is substantial evidence in the record to support a finding that the project is categorically exempt from CEQA.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Pacifica does make the following findings:

Site Development Permit. The Planning Commission finds that none of the following findings can be made that would preclude issuance of a site development permit under PMC Section 9-4.3204:

- a. That the location, size, and intensity of the proposed operation will create a hazardous or inconvenient vehicular or pedestrian traffic pattern, taking into account the proposed use as compared with the general character and intensity of the neighborhood.*

The proposed increase in housing would not substantially increase traffic since only one new residential unit is proposed, in an area of established residences. The proposed development will provide adequate emergency access and will have no effect on alternative transportation modes. The project would include a new sidewalk to facilitate safe pedestrian access to and from the site. Therefore, the location, size, and

intensity of the proposed project will not create a hazardous or inconvenient vehicular or pedestrian traffic pattern.

Based on these factors, the Planning Commission does not believe there is evidence to make this finding.

- b. That the accessibility of off-street parking areas and the relation of parking areas with respect to traffic on adjacent streets will create a hazardous or inconvenient condition to adjacent or surrounding uses.*

The proposed land use will not result in a hazardous or inconvenient condition with respect to off-street parking areas. The proposed increase in housing would not substantially increase traffic since only one new residential unit is proposed. Vehicular access will be from Higgins Way, which will be improved in front of the property with sufficient width and visibility for safe ingress and egress from the site. The proposed garage and driveway would provide the two garage spaces and guest parking in the driveway necessary to satisfy off-street parking required by the PMC. The location of the proposed driveway provides a separation of approximately 44 feet from the neighboring driveway located to the west. Therefore, no hazardous or inconvenient condition to adjacent or surrounding uses will be created with respect to the relationship of off-street parking area to traffic and accessibility of off-street parking.

- c. That insufficient landscaped areas have been reserved for the purposes of separating or screening service and storage areas from the street and adjoining building sites, breaking up large expanses of paved areas, and separating or screening parking lots from the street and adjoining building areas from paved areas to provide access from buildings to open areas.*

The proposed garbage and recycling containers, and storage areas would all be located downslope on the site in the vicinity of the garage and would not be immediately visible from the street. The project proposes landscaping that would include plantings on terraces and coast live oak trees that would soften the appearance of and shield the development from the adjoining building sites.

Based on these factors, the Planning Commission does not believe there is evidence to make this finding.

- d. That the proposed development, as set forth on the plans, will unreasonably restrict or cut out light and air on the property and on other property in the neighborhood, or will hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof.*

The project proposes development of a 3,128-sf residence with a 400-sf detached garage on a 39,049-sf site. The location of the proposed building allows for a setback of 48.45' from the common property line between the site and the residential property to the west. Area to the east and south of the property is currently undeveloped. Appropriate setbacks for the residence will ensure that there are no light and air impacts to surrounding properties, should these properties eventually be developed. The project also will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof, since the proposed single-family residence is a use consistent with the use in the vicinity and will be constructed at a scale consistent with the existing development pattern in the neighborhood. Therefore, the project will not unreasonably restrict or cut out light and air on the property or on other properties in the neighborhood, or hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof.

Based on these factors, the Planning Commission does not believe there is evidence to make this finding.

- e. That the improvement of any commercial or industrial structure, as shown on the elevations as submitted, is substantially detrimental to the character or value of an adjacent R District area.*

The proposed development is a residential project and no improvements to any commercial or industrial structures are proposed. Therefore, this finding is inapplicable to the subject project.

- f. That the proposed development will excessively damage or destroy natural features, including trees, shrubs, creeks, and rocks, and the natural grade of the site, except as provided in the subdivision regulations as set forth in Chapter 1 of Title 10 of the Municipal Code.*

The vacant site is currently covered with vegetation, including 29 eucalyptus trees, 13 of which are proposed for removal. Eucalyptus trees are not protected under the City's Heritage Tree Preservation Ordinance, however, the applicant is proposing to replace 12 of the trees with coast live oak trees on the site. Additionally, the project proposes a mix of shrubs and ground cover around the residence on step down retaining walls to the north and east of the proposed building. The only other potentially significant natural feature is the natural grade present on the site. However, the severe topography of the project site presents significant challenges to minimizing excavation and the project proposes extensive retaining walls, to the north and the east of the proposed structure, as part of development on this site. However, the step down design of these retaining walls for terracing would follow the natural grade of the site. Moreover, the grading to be performed would be the minimum necessary to develop the project and therefore, would not be excessive. Additionally, the project proposes a landscape plan that would include 1:1 replacement planting with coast live oak trees for the eucalyptus trees removed on the site to re-establish vegetation cover on the site. The precise design of grading and drainage would be reviewed and approved during the building permit review process.

Based on these factors, the Planning Commission does not believe there is evidence to make this finding.

- g. That there is insufficient variety in the design of the structure and grounds to avoid monotony in the external appearance.*

The proposed development includes decks and railings to provide visual relief and variety in a building characterized by clean surfaces and lines and simple geometry. The project incorporates large windows on the north side to take advantage of down slope views from the property. The project also incorporates lap siding along with stucco to provide variation in exterior treatment and avoid monotony in the design of the structure. The project also proposes landscaping that would include native shrubs on the stepped retaining walls and coast live oak trees on north facing slope of the property. Decorative finishes on retaining walls could potentially provide additional visual interest around the structures. The Planning Commission has included a condition of approval for application of decorative surfaces on the retaining walls for visual interest. As conditioned, there would be sufficient variety in the design of the structure and grounds to avoid monotony in the external appearance of the project.

Based on these factors, the Planning Commission does not believe there is evidence to make this finding.

h. That the proposed development is inconsistent with the City's adopted Design Guidelines.

The analysis below supports the Planning Commission's finding that the project is consistent with the City's adopted Design Guidelines.

SITE PLANNING

i. Screening. *Exterior trash and storage areas, service yards, landing docks and ramps, electrical utility boxes, etc., should be screened from view of all nearby streets and adjacent structures in a manner that is compatible with building and site design. Such facilities should be conveniently located, but must not interfere with the circulation and parking on the site.*

As indicated above, garbage and recycling containers and storage areas would all be located in the garage area and would have no visual impacts or interfere with the circulation and parking on site.

BUILDING DESIGN

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

Additions to an existing structure should also retain and/or be consistent with the positive architectural features of the original structure.

There are four existing homes within 300 feet of the project site on Higgins Way, which staff referenced as a basis for comparison of building design. These homes are located on the north side of Higgins Way and all have down-sloping lots. These residences all have pitched tile or shingle roofs, front facing garages, and terraces/patios and railings visible from the street. The prevalent materials and colors include wood siding and stucco in neutral and pastel colors and light colored or white window frames.

Generally speaking, these homes have a low profile from the street. Garage doors are the most prominent features on the street facing façade of these homes; the garage of the residence at 1689 Higgins Way, nearest to the site, is the highest feature of the building when viewed from the street.

The project would also have a low profile from the street. While the project proposes a contemporary architectural style with clean lines, a standing seam metal barrel roof and decks with railings on all three floors, it incorporates features that are consistent with the existing

structures in the vicinity including the proposed windows that match and are compatible in size with the windows on the neighboring residences assessed. The elevations possess visual interest as a result of variation in exterior materials (smooth stucco and horizontal lap siding) and location of windows and decks located on the eastern side of the building.

While the location of the proposed garage in the front yard is a departure from adjacent homes, it is side facing and the lower grade of the development overall as compared to the grade of the street minimizes the visibility of the development from the street. On balance, in the Planning Commission's assessment, the proposed project would be in character with and complement the surrounding neighborhood.

iii. *Scale. An important aspect of design compatibility is scale. Scale is the measure of the relationship of the relative overall size of one structure with one or more other structures. Scale is also used to refer to a group of buildings, a neighborhood, or an entire city. A development can be "out of scale" with its surroundings due to its relative height, bulk, mass, or density.*

A structure which is out of scale with its site and neighborhood threatens the integrity of the overall streetscape, and residential projects, particularly single-family dwellings, which are much larger than neighboring structures are therefore discouraged. The City's height limitation is a maximum only, and the maximum height may often be inappropriate when considered in the context of surrounding development and topography. The "carrying capacity" of a given site is also an important factor in determining appropriate scale and lot coverage. As with the height limitation, the City's lot coverage limitation is a maximum only.

The homes assessed along Higgins Way in the vicinity of the site have excavated to create living areas with the garages on the top-most floor. The residences approach the maximum 35 feet building height for the B-5 zoning district as a result of their orientation on lots with steep slopes.

The proposed project will have a garage at the third floor level with main entrance to the building on the third floor with two floors below. Building height will be approximately 32 feet. The proposed project, when compared to those residences situated on lots in the vicinity, is in scale with the neighborhood.

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

The proposed development includes decks and railings to provide visual relief and variety in a building characterized by clean lines and simple geometry. The project incorporates a significant number of large windows, which in addition to panels of horizontal lap siding on exterior elevations provide visual relief in the appearance of the building.

v. *Materials. Compatibility of materials is an essential ingredient in design quality. In areas with either historic or architecturally significant structures, the use of similar exterior construction materials should be used in new construction in order to maintain neighborhood character. Consistency and congruity of materials and design elements on individual structures is also important.*

The proposed building will employ lap siding along with stucco exterior finish and decks to add interest to the building. In the Planning Commission's assessment, the material change integrates well and fascia on all sides of the building provide consistency. The proposed aluminum framed stainless steel cable railing and metal seam roof are consistent with the modern theme of the building. There are no historical or architecturally significant structures in the neighborhood.

vi. *Color. Building color should be compatible with the neighborhood and should reinforce and complement the visual character of the building's environment. Multiple colors applied to a single building should relate to changes of material or form.*

The project proposes dark colors for both the stucco and wood siding, which are not particularly complimentary of the color schemes in nearby residences. In order for the building colors to complement the visual environment and better relate the colors to changes in material, the Planning Commission has incorporated a condition of approval requiring a light colored stucco with a darker shade/color of siding. Prior to building permit issuance, staff will review the final colors based upon this condition of approval to ensure that the building colors would be compatible with the neighborhood and would reinforce and complement the visual character of the building's environment.

vii. *Privacy. Consideration should be given to the impact of development on the privacy of surrounding properties. Use judicious windows placement and appropriate landscaping to help minimize the potential for loss of privacy.*

There is one nearby adjacent neighbor to the west side of the site. Areas to the east and the south are undeveloped. The lot size and siting of the proposed building and location of windows of the proposed project will yield a development which preserves the privacy of the neighboring home to the west at 1689 Higgins Way. The project maintains a minimum setback of 48.45 feet from the common property line on the west side. The proposed building is so oriented that the windows on this side do not face the adjacent façade of the neighboring building. As such, there will be no significant impacts to the privacy of the residence at 1689 Higgins Way.

The properties to the rear (north) of the project site are located down slope along Monte Verde Drive. The distance between these buildings and the proposed project is at least 100 feet and the proposed building orientation is such that its rear façade does not directly face the homes to the rear of the subject property. Additionally proposed plantings in between will minimize any loss of privacy for neighbors at the rear of the project site.

viii. Consistency. *There should be architectural consistency among all building elevations. All elevations need not be identical, but a sense of overall design continuity must occur. Window treatment and trim, for example, should be carried out around the entire building, not just on the most visible sides.*

All sides of the proposed residence are well articulated, possess visual interest and consistent in the use of materials as described in Section 4.H.v of this report. The proposed project includes windows of the same style and shape on all sides.

HILLSIDE DEVELOPMENT

ix. Excavation. *Large amounts of cut and/or fill are unattractive on hillsides, and can have a detrimental impact on the immediate and surrounding environment.*

(a) Structures should relate to and follow site topography to work with the slope, not against it.

(b) Whenever feasible, buildings and roads should be sited to align with existing contours of the land.

(c) Retaining walls should be avoided or, if necessary, their height should be reduced to the minimum feasible.

(d) Avoid one-level solutions which would result in excessive lot coverage and more disruption of the site. Multi-level structures which step down the slope can help to minimize cut and fill.

The severe topography of the project site presents significant challenges to minimizing excavation. The applicant has proposed a multi-level design of three stories to avoid a one level solution that would have substantially increased the amount of grading. The living area steps down the slope, as necessary, to minimize grading to the maximum extent practicable. The retaining walls are terraced to minimize wall height and the tallest of them are located behind the driveway shielded from the public right-of-way. The result is that grading is not excessive but instead is the minimum necessary to allow development of the project. This trade-off reduces usable outdoor area for the applicant in order to minimize grading and the height of the retaining walls. The precise design of grading and drainage would be reviewed and approved during the building permit review process. On balance, the project is consistent with this design guideline.

SUBSTANDARD LOT

- x. *Neighborhood Compatibility. Radical changes from an established neighborhood building style may be unacceptable to the residents and may provide a jarring contrast to existing development.*

(a) Structures should relate to and follow site topography to work with the slope, not against it.

(b) Whenever feasible, buildings and roads should be sited to align with existing contours of the land.

The project is located in the B-5 lot size overlay, which requires minimum lot size of 1 acre (43,560 sf) rendering the site nonconforming. However, the lots in the vicinity are smaller and carry lot size overlay designations B-3, B-2, and B-1 going downhill toward Adobe Drive to the west. The minimum lot size requirements in B-3, B-2, and B-1 overlays are 10,000 sf, 7,500 sf and 6,000 sf, respectively. As such, the concerns related to substandard lots which are often smaller than the surrounding neighborhood do not apply in this case. As indicated in discussion regarding 'Building Design' the proposed building would be compatible with the neighborhood. In particular, the multi-level design and terracing to minimize grading and the orientation of the driveway along the elevation contours of the property result in a project that relates to and follows the site topography to work with the slope, not against it.

- i. That the proposed development is inconsistent with the General Plan, Local Coastal Plan, or other applicable laws of the City.*

The proposed residential development, as conditioned, is consistent with the General Plan, Pacifica Municipal Code, and other applicable laws of the City. The project site is not located in the Coastal Zone; hence the Local Coastal Plan is not applicable to this project. General Plan consistency includes, but is not limited to, the following policies:

GENERAL PLAN

a. Circulation Element

- Policy No. 4. Provide access which is safe and consistent with the level of development.

Access to the site would be provided via an extension of Higgins Way which is currently unimproved in front of the property. The street will be improved from its current end to the west of the site to provide a 28'-6" wide street section with a sidewalk on the north side of the paved street. The proposed road section coupled with the project's driveway, has been deemed to be an acceptable emergency vehicle turn-around by the North County Fire Authority, given the limitations of the property whereby severely sloping topography on both sides of the right-of-way present significant challenges to design of a compliant fire truck turnaround feature. As conditioned, the project would be required to include signs and markings in accordance with Appendix D of the California Fire Code to prohibit parking in

front of the property. The vehicular access to the site has been reviewed and approved by the Engineering Division of the City. Therefore, the project is not inconsistent with this General Plan policy.

- Policy No. 14. Ensure adequate off-street parking in all development.

The development provides a parking garage for two cars consistent with the parking required for single-family residences per PMC Section 9-4.2818 (a)(1). In addition, there is a driveway approximately 100 feet in length which will provide guest parking for up to 10 cars. Therefore the project is not inconsistent with this General Plan Policy.

b. Community Design Element

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

A condition of approval would ensure that all utilities shall be installed underground on the project site. Therefore the project is not inconsistent with this General Plan Policy.

c. Land Use Element

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

As conditioned, the location, size and design of the proposed residential project is consistent with the character of the surrounding Low Density Residential neighborhood. The project would be consistent with the density standards for the LDR land use designation in the Land Use Element of the General Plan. The proposed building design is compatible with the neighborhood and the development would maintain the vegetated character of the site through installation of coast live oak planting in lieu of the eucalyptus trees removed on the site. Therefore, the project is not inconsistent with this General Plan policy.

Furthermore, the proposed development, as conditioned, meets all applicable zoning standards, except for minimum lot size in the B-5 lot size overlay. However, upon approval of this site development permit, the project would be compliant with the required approval of the permit for construction on a nonconforming lot.

Based on the foregoing, the Planning Commission believes that there is no evidence that any of the findings in PMC section 9-4.3204 could be made.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Planning Commission of the City of Pacifica does hereby approve Site Development Permit PSD-841-19 for the construction of a new 3,128-sf, three-story single-family residence on a 39,049-sf vacant nonconforming lot at 1693 Higgins Way (APN 023-341-080), with associated street and utilities extensions, subject to conditions of approval included as Exhibit A to this resolution.

* * * * *

Exhibit A

Conditions of Approval: Site Development Permit PSD-841-19, to construct a single-family residence on a vacant lot at 1693 Higgins Way (APN 023-341-080), with associated street and utilities extensions, in the R-1 (Single-Family Residential)/B-5 (Lot Size Overlay) zoning district

Planning Commission Meeting of December 16, 2019

Planning Division of the Planning Department

1. Development shall be substantially in accord with the plans entitled "New Single Family Home: 1693 Higgins Way, Pacifica, CA" revised October 23, 2019, and stamped received October 28, 2019, except as modified by the following conditions.
2. That the approval or approvals is/are valid for a period of two years 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, if 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 development permits, the Planning Director may toll expiration of the development permits 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. Prior to the issuance of a building permit, Applicant shall submit information on exterior finishes, including colors and materials, subject to approval of the Planning Director. The project shall employ a light-colored stucco with a darker shade/color of siding in the exterior treatment of the proposed building, to the satisfaction of the Planning Director.
5. Prior to the issuance of a building permit, Applicant shall submit a final landscape plan for approval by the Planning Director and City Engineer. 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. All landscaping shall be installed consistent with the final landscape plan prior to issuance of a certificate of 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.
6. Prior to the issuance of a building permit, Applicant shall submit a detailed on-site exterior lighting plan for review and approval by the Planning Director. Said plan shall indicate fixture design, illumination, location, height, and method of shielding so as not to adversely affect adjacent properties. Lighting shall be directed away from adjacent residences. Buffering techniques to reduce light and glare impacts to residences shall be required. Building lighting shall be architecturally integrated with the building style, materials and colors and shall be designed to

minimize glare. The plan shall show fixture locations, where applicable, on all building elevations.

7. All transformers, HVAC units, backflow preventers and other ground-mounted utility equipment shall be shown on the landscape and irrigation plans and shall be located out of public view and/or adequately screened through the use or combination of walls or fencing, berming, painting, and/or landscaping, to the satisfaction of the Planning Director.
8. All trash and recycling materials, if stored outdoors, shall be fully contained and screened from public view within an approved enclosure. The enclosure design shall be consistent with the adjacent and/or surrounding building materials, and shall be sufficient in size to contain all trash and recycling materials, as may be recommended by Recology of the Coast. Trash enclosure and dumpster areas shall be covered and protected from roof and surface drainage. Prior to the issuance of a building permit, Applicant shall provide construction details for any required enclosure for review and approval by the Planning Director.
9. Prior to the issuance of a building permit, Applicant shall submit a roof plan with spot elevations showing the location of all roof equipment including vents, stacks and skylights. All roof equipment shall be screened to the Planning Director's satisfaction.
10. All vents and conduits shall be painted to match the colors of adjacent building surfaces. In addition, any mechanical or other equipment such as HVAC attached to or protruding from the building shall be appropriately housed and/or screened to the Planning Director's satisfaction.
11. Applicant shall maintain its site in a fashion that does not constitute a public nuisance and that does not violate any provision of the Pacifica Municipal Code.
12. Applicant shall incorporate at least one low impact development site design measure from Items a through i of Worksheet C of the C.3 and C.6 Development Review Checklist, and shall clearly indicate in the plans for the building permit submittal where the measure(s) is/are incorporated on the site.
13. All outstanding and applicable fees associated with the processing of this project shall be paid prior to the issuance of a building permit.
14. All exposed retaining wall surfaces shall have a decorative finish which may include, but shall not be limited to, decorative block, stone veneer, or colored and stamped concrete, to the satisfaction of the Planning Director.
15. 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.
16. The Applicant shall indemnify, defend and hold harmless the City, its Council, Planning Commission, advisory boards, officers, employees, consultants and agents (hereinafter "City") from any claim, action or proceeding (hereinafter "Proceeding") brought against the City to attack, set aside, void or annul the City's actions regarding any development or land use permit, application, license, denial, approval or authorization, including, but not limited to, variances, use permits, developments plans, specific plans, general plan amendments, zoning amendments, approvals and

certifications pursuant to the California Environmental Quality Act, and/or any mitigation monitoring program, or brought against the City due to actions or omissions in any way connected to the Applicant's project ("Challenge"). City may, but is not obligated to, defend such Challenge as City, in its sole discretion, determines appropriate, all at Applicant's sole cost and expense. This indemnification shall include, but not be limited to, damages, fees and/or costs awarded against the City, if any, and costs of suit, attorney's fees and other costs, liabilities and expenses incurred in connection with such proceeding whether incurred by the Applicant, City, and/or parties initiating or bringing such Proceeding. If the Applicant is required to defend the City as set forth above, the City shall retain the right to select the counsel who shall defend the City. Per Government Code Section 66474.9, the City shall promptly notify Applicant of any Proceeding and shall cooperate fully in the defense.

Engineering Division of Public Works Department

17. 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.
18. Roadways shall be maintained clear of construction materials, equipment, storage, and debris, especially mud and dirt tracked onto Higgins Way. Dust control and daily road cleanup will be strictly enforced. A properly signed no-parking zone may be established during normal working hours only.
19. 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.
20. 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.
21. 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. a site plan, showing:
 - i. the whole width of right-of-way of Higgins Way, including existing and proposed improvements such as, but not limited to, new pavement, 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;
 - ii. the slope of Higgins Way at the centerline;
 - iii. adjacent driveways within 25' of the property lines
 - iv. 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. Provide a flexible pavement design by a registered professional for the new Higgins Way extension.
 - e. Provide structural calculations, signed and stamped by a registered professional, for all retaining walls within the City right-of-way.
 - f. Provide a design level geotechnical report, signed and stamped by a registered professional, for all retaining walls within the City right-of-way
 - g. 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.
- 22. 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, to the satisfaction of the City Engineer and prior to issuance of the certificate of occupancy.
- 23. No private structures, including but not limited to fences, mailboxes, or stairs shall encroach into the public right-of-way.
- 24. All utilities shall be installed underground from the nearest box or joint pole.
- 25. All proposed sanitary sewer system and storm drain system elements, including detention facilities, shall be privately maintained up to their connections to the existing mains.
- 26. The driveway approach must be ADA compliant with no more than 2% cross slope for a width of at least 48 inches. The transition from 2% out-slope to the in-slope driveway shall be sufficiently gradual to avoid vehicles to contact the pavement at the grade breaks. Driveway within City right-of-way shall not exceed 18% and portion exceeding 15% grade shall be grooved concrete.
- 27. Per the adopted City of Pacifica Complete Street Policy, development shall include but not limited to, bicycle and pedestrian facilities along the north side of the new extension of Higgins Way.
- 28. Extension of Higgins Way shall be per City of Pacifica Administrative Policy No. 42 from the current end of the improved street until 25 feet beyond the Applicant's driveway in order to serve this development. Administrative Policy No. 42 requires a 26-foot wide road section plus sidewalk improvements. However, the applicant shall construct a 28'-6" wide street, as shown on the plans to provide for an emergency vehicle turn around acceptable to the North County Fire Authority. The applicant shall construct the full street width along the entire length of improvements. A sidewalk is required only along the north side of Higgins Way, and curbs and gutters are required on both sides of Higgins Way. The applicant may request, prior to commencing construction of the street extension, to the City Engineer to enter into a reimbursement agreement for the south half of the street extension when properties to the south and/or east develop. Entering into a reimbursement agreement for the southern half of the street extension would require nearby properties to pay their

proportionate share of the improvements at a later date. Retaining walls and other structures necessary for the construction of the Higgins Way extension shall be covered under a Maintenance Agreement recorded prior to issuance of the certificate of occupancy, which shall run with the property.

29. Applicant shall enter into a Deferred Improvements Agreement, consistent with Pacifica Municipal Code Section 10-1.1003, with the City for street and sidewalk improvements in the Higgins Way right-of-way along the remainder of the property frontage of 1693 Higgins Way, east of the required extent of initial improvements, in the event of future development of any parcel to the east of the subject site along Higgins Way or any extension thereof. The Deferred Improvement Agreement shall be approved by the City Attorney and executed, notarized, and recorded on the Property by Applicant, prior to issuance of a certificate of occupancy.
30. Applicant shall install new street light with underground feed per City Standards. Final location is subject to the approval of the City Engineer prior to issuance of a building permit.
31. Swing gate shall be installed at the east end of the Higgins Way extension that allows passage of pedestrians and bicyclists but not motor vehicles when closed and wide enough to allow emergency vehicles to pass when open. It shall include a locking system to allow multiple locks.
32. A registered professional shall provide hydrology calculations based on a 100-year storm for the project to determine the size of all proposed storm drain facilities and the impact on the existing system (storm drains, creeks, and waterways). If the calculations reveal that the city system would be negatively impacted, those impacts shall be mitigated to the satisfaction of the City Engineer.

North County Fire Authority

33. Fire Sprinklers are required per Municipal Code, and 2016 CFC Chapter 9 section 903. If the design is to be a Passive Purge/Flow-Through system it shall be a completely looped design with no dead-ends except for the vertical sprinkler drops. This design shall be approved by North Coast County Water District. The detached 400-sf garage is exempt under the PMC.
34. Fire Sprinkler/Underground:
Fire sprinkler underground supply mains shall be submitted on a separate permit. All fire service back flow devices shall be submitted to the North Coast County Water District and approved by them prior to approval of the plans.
35. Fire Flows
The project shall comply with fire flows per 2016 CFC Appendix B for buildings with fire sprinklers and obtain a fire flow report from the local water provider showing a flow of per B105.1 for one and two-family dwellings of 500 GPM if it does not exceed 3,600 sf (with the exception for an approved fire sprinkler system).
36. Hydrant Spacing and Location
Provide a fire hydrant per 2016 CFC Appendix C Table C105.1. Maximum distance from any point on a street or road frontage to a hydrant is 200 feet from the end of the road (reduced from 250 feet by note (d) of Table 105.1).

37. **Timing of Installation**
The project shall comply with Fire Apparatus Access per 2016 CFC Chapter 5 Fire Service Features, section 501.4 for Fire Apparatus Access Roads, and Water supply. There shall be no framing construction, to include vertical framing, until all fire service features are in place, to include the fire hydrant and road.
38. **Premises Identification**
The project shall comply with 2016 CFC Chapter 5, Section 505.1 and 2
39. **Sprinkler system supervision and alarms.**
The project shall comply with the 2016 CFC section 903.4 and 903.4.2 Alarms. An applicant shall install a horn/strobe on the front (address side) of the building.
40. **Signs**
The project will conform to the 2016 CFC Appendix D section D103.6 through D103.6.2 and install signs that shall be posted on both sides of the access road of a minimum size of 12" wide X 18" high with verbiage: "NO PARKING- FIRE LANE"; letters shall be red with a white reflective background.
41. **Markings**
The project shall conform to the 2016 CFC Appendix D section 503.3 Approved Marking and California Vehicle Code section 22500 and the contour/ periphery of the fire access road shall be red striped with white letters indicating "NO PARKING- FIRE LANE"
42. **Fire Safety**
The project will comply with 2016 CFC Chapter 33 – Fire Safety During Construction and Demolition
43. **Gates**
If there is a gate installed on the driveway (the fire apparatus access road), it shall conform to 2016 CFC Appendix D, section D103.5.
44. **Key Box**
If there is a gate installed on the driveway (the fire apparatus access road), the applicant shall, prior to final inspection, install a key box and provide the key for entry to the North County Fire Authority per 2016 CFC Chapter 5 section 506, to the satisfaction of the Fire Chief. Application for a Knox Box can be obtained at Fire Administration at 10 Wembley Drive, Daly City, California.

North Coast County Water District (NCCWD)

45. Prior to the issuance of a building permit, applicant shall complete a Water Service Agreement with the North Coast County Water District because the location of the project may require a water main extension.
46. Prior to issuance of a building permit, applicant shall revise its drawings to reflect the North Coast County Water District's requirement for a Type K copper pipe up to the water meters. Currently, the plans reflect a PVC pipe.

47. Prior to the issuance of a building permit, Applicant shall determine the domestic water requirements in accordance with the Uniform Plumbing Code so that the NCCWD can provide the properly sized domestic meter or meters. Applicant must complete a *Single-Family Residence Water Service Application* and submit it to the District. Storage and Transmission Fees, Administrative Fee, and Installation Deposit must be paid in accordance with the District's Rate and Fee Schedule before the District installs any meters. The application is available on the District's website at http://nccwd.com/images/PDFs/_WATER%20SERVICE%20APPLICATION.pdf.
48. The fire sprinkler designer and/or owner/applicant may be required to have a fire flow test performed to ensure the system is designed using accurate information. In agreement with the North County Fire Authority, the District will use past fire flow tests performed in the vicinity, if available. If fire flows for the area are not available, the District will perform a Fire Flow Test. The District requires a \$500 deposit towards the cost of performing this work. The Fire Flow Test application is available on the District's website: http://nccwd.com/images/PDFs/Request%20for%20Static_Fire%20Flow_form.pdf.
49. Prior to the issuance of a certificate of occupancy, the fire sprinkler designer shall obtain the latest version of the NCCWD's Standard Specifications and Construction Details (available online at <http://nccwd.com/projects/standard-specifications-and-construction-details.html> or may be purchased at the District Office). The sprinkler designer must design the sprinkler system to meet NCCWD standards. The fire sprinkler designer must submit plans and Hydraulic Fire Sprinkler Calculations approved and stamped by a registered Fire Protection Engineer to the District for review along with the appropriate fees to cover District costs related to plan review. The fire sprinkler plans and hydraulic calculations must first obtain approval from the North County Fire Authority before submitting them to the District.
50. Prior to issuance of a certificate of occupancy, Applicant is responsible for trenching, backfilling, and resurfacing the roadway and/or sidewalk from water main, as identified by the District Engineer, to the proposed meter(s) to NCCWD (NC-23; see link) & City of Pacifica standards. http://nccwd.com/images/PDFs/standardspecs_2013/_NC-21%20to%20NC-23.pdf.

END