



Scenic Pacifica

Incorporated Nov. 22, 1957

---

## PLANNING COMMISSION Agenda

---

**DATE:** December 5, 2016  
**LOCATION:** Council Chambers, 2212 Beach Boulevard  
**TIME:** 7:00 PM

**ROLL CALL:**

**SALUTE TO FLAG:**

**ADMINISTRATIVE BUSINESS:**

Approval of Order of Agenda

Approval of Minutes: October 17, 2016; November 7, 2016; November 21, 2016

Designation of Liaison to City Council Meeting:

Oral Communications:

This portion of the agenda is available to the public to address the Planning Commission on any issue within the subject matter jurisdiction of the Commission that is not on the agenda. The time allowed for any speaker will be three minutes.

**CONSENT ITEMS:** None

**CONTINUED PUBLIC HEARINGS:**

- CDP-364-16** **COASTAL DEVELOPMENT PERMIT CDP-364-16**, filed by applicant Carissa Savant and owner CRP/PSE Seaside Pacifica Owner LLC, for the renovation of an existing 93-unit mobile home park commonly known as "Pacific Skies Estates" located at 1300 Palmetto Avenue, Pacifica (APN 009-291-020).  
*Recommended Action:* Continue to a future date. This item will be re-noticed to the public.
- CDP-374-16** **COASTAL DEVELOPMENT PERMIT CDP-374-16, SITE DEVELOPMENT PERMIT PSD-813-16, and**  
**PSD-813-16** **VARIANCE PV-517-16**, filed by applicant Chris Loeswick, to construct a balcony enclosure for a 154-square foot (sf) balcony located at 2355 Beach Boulevard, Apartment 202 (APN 115-210-050) in Pacifica. A variance is required as the unit would no longer meet the 150 sf private open space standard per Pacifica Municipal Code Section 9-4.2402(c). Recommended California Environmental Quality Act (CEQA) status: Class 1 Categorical Exemption, Section 15301(e).  
*Recommended Action:* Denial.  
*Alternative Action:* Approve, as conditioned.

**NEW PUBLIC HEARINGS:**

- CDP-376-16** **COASTAL DEVELOPMENT PERMIT CDP-376-16**, filed by owner Joshua Moore, to construct a one-story addition of approximately 661 square feet and attached deck of approximately 250 square feet to the rear of an existing single-family dwelling at 1493 Grand Avenue, Pacifica (APN 023-021-110). Recommended California Environmental Quality Act (CEQA) status: Class 1 Categorical Exemption, Section 15301  
*Recommended Action:* Approved, as conditioned
- S-117-15** **SIGN PERMIT S-117-15**, filed by Ruth Bennett of JB Signs, Inc., to construct an approximately four-foot wide and six-foot high, double-sided monument sign containing a total of 30.36 square feet of sign area at 137 Manor Drive, Pacifica (APN 009-141-320). The on-site sign would be located within an island at the front and center of the existing commercial parking lot. Recommended CEQA status: Class 11 Categorical Exemption, Section 15311(a).  
*Recommended Action:* Approved, as conditioned.

**CONSIDERATION ITEMS:** None

**COMMUNICATIONS:**

**Commission Communications:**

**Staff Communications:**

**ADJOURNMENT**

Anyone aggrieved by the action of the Planning Commission has 10 calendar days to appeal the decision in writing to the City Council. 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.

***NOTE: Off-street parking is allowed by permit for attendance at official public meetings. Vehicles parked without permits are subject to citation. You should obtain a permit from the rack in the lobby and place it on the dashboard of your vehicle in such a manner as is visible to law enforcement personnel.***



Scenic Pacifica  
Incorporated Nov. 22, 1957

---

## PLANNING COMMISSION Staff Report

---

**DATE:** December 5, 2016

**ITEM:** 1

**SUBJECT:** Proposed continuance of Coastal Development Permit CDP-364-16, filed by applicant Carissa Savant and owner CRP/PSE Seaside Pacifica Owner LLC, for the renovation of an existing 93-unit mobile home park commonly known as “Pacific Skies Estates” located at 1300 Palmetto Avenue, Pacifica (APN 009-291-020).

### **DISCUSSION**

On October 3, 2016, the Planning Commission continued this item to December 5, 2016. The purpose of the continuance was to provide additional time for supplemental analysis regarding geotechnical reports prepared for the project. This information is being prepared but is not completed for the December 5<sup>th</sup> meeting.

A future meeting date has not been identified. This item will be re-noticed to the public when the future hearing date is determined.

### **RECOMMENDED COMMISSION ACTION**

1. Open the public hearing to accept public comments; and
2. Move to continue Coastal Development Permit CDP-364-16 to a future date. This item will be re-noticed to the public.



Scenic Pacifica  
Incorporated Nov. 22, 1957

---

## PLANNING COMMISSION Staff Report

---

**DATE:** December 5, 2016

**FILE:** PV-517-16  
PSD-813-16  
CDP-374-16

**ITEM:** 2

**PUBLIC NOTICE:** Notice of Public Hearing was published in Pacifica Tribune on November 9, 2016, and mailed to 177 surrounding property owners and occupants. The Planning Commission continued the public hearing to December 5, 2016.

**APPLICANT** Chris Loeswick  
2355 Beach Boulevard, Apartment 202  
Pacifica, CA 94044

**PROJECT LOCATION:** 2355 Beach Boulevard, Apartment 202 (APN 115-210-050)

**PROJECT DESCRIPTION:** The project applicant is requesting a Variance (PV-517-16), Site Development Permit (PSD-813-16), and a Coastal Development Permit (CDP-374-16) to lawfully permit completed improvements to an existing 154-square foot (sf) second-story private balcony, which reduced the private open space for a residential cluster development unit below the minimum 150-sf requirement.

**SITE DESIGNATIONS:** General Plan: High-Density Residential (HDR)  
Zoning: R-2 (Two-Family Residential) / CZ (Coastal Zone Combining)

**RECOMMENDED CEQA STATUS:** Class 1 Categorical Exemption, Section 15301(e).

**ADDITIONAL REQUIRED APPROVALS:** None. Subject to appeal to the City Council and California Coastal Commission.

**RECOMMENDED ACTION:** Deny.

**ALTERNATIVE ACTION:** Approve, as conditioned.

**PREPARED BY:** Bonny O'Connor, Assistant Planner

**PROJECT DESCRIPTION, FINDINGS, AND RECOMMENDATION**

**Table 1. Zoning Standards Conformance**

<b><u>Major Standards</u></b>	<b><u>Required</u></b>	<b><u>Existing</u></b>	<b><u>Proposed</u></b>
Unit Size	850 sf min	950 sf	1,080 sf
Private Open Space	150 sf min	154 sf	~24 sf
<b>Setbacks</b>			
<i>Front</i>	15'-0" min	N/A	No Change
<i>Side</i>	5'-0" min	N/A	No Change
<i>Rear</i>	20'-0" min	N/A	No Change

**1. Background**

On November 21, 2016 the Planning Commission received a presentation by staff recommending denial of Site Development Permit PSD-813-16, Coastal Development Permit CDP-374-16, and Variance PV-517-16 for the proposed enclosure of 130 sf of a 154 sf balcony based on the inability to make the findings for both the Site Development Permit (PSD) and Variance.

During the hearing, the applicant identified that the area is being used as a bedroom rather than an office. The Planning Commission decided to continue the hearing and requested the following information:

- Confirm that the use of the space is compliance with the California Building Code (CBC; see Section 2)
- Complete analysis for the CDP (see Section 4)
- Complete analysis to support the variance and PSD (see Section 4)

Additionally, Commissioners noted interest in the findings for the variance approved in 1998 for the enclosed balconies within Building A, which is located along Beach Boulevard and reduced their private open space from 178 sf to 70 sf per unit and below the zoning standard of 150 sf per unit. The Planning Commission approved the variance and amendment based on the findings that extreme effects of the coastal weather inhibited their enjoyment of the open space (PV-394-98) (Attachment E). A current image of Building A showing the original balconies versus the enclosed balconies is provided in Attachment F.

**2. Compliance with Building Code**

On November 29, 2016, Planning staff and the Building Official met with the applicant to discuss building code issues with the proposed development. The Building Official identified concerns with the added room, no matter the use, and the impact that it has on the egress for the original master bedroom. The development removes the original bedroom's direct egress to the outdoors which violates California Building Code Section 1030.1 – "Such openings shall open directly into a public way, or to a yard or court that opens to a public way". The proposed development would make the original bedroom out of compliance with the provisions of the CBC.

Additionally, CBC Section 1208.1 requires not less than 7 feet in any plan dimension for habitable space (Attachment G); therefore, after further research the Building Official finds he would not support the

use of the development with a 5 foot wide dimension for anything other than storage (considered as non-habitable) providing it has at least 7 foot clear ceiling height.

The Building Official has since determined that in order to incorporate this balcony area into habitable space, it would be necessary for the removal of the existing exterior walls and extending the building envelope to the outer reaches of the balcony area with a minimum 7'-6" clear ceiling height throughout, similar to how the Building A enclosures were completed. This concept does not address any needed structural enhancements in order to make this expansion of the current living space, or the other improvements required by other codes such as the Energy Code.

### **3. Findings for Denial**

Based on the additional information staff obtained since the November 21 Planning Commission meeting regarding incompliance with the Building Code and noted above under section 1 of this staff report, staff has made the following revisions to the second required findings for the Variance (PV-517-16) as shown in strikethrough and underline below:

- ii. Required Finding: *That the granting of such variance will not, under the circumstances of the particular case, materially affect adversely the health or safety of persons residing or working in the neighborhood of the subject property and will not, under the circumstances of the particular case, be materially detrimental to the public welfare or injurious to property or improvements in the area.*

Discussion: The proposed project requests the approval of a Variance (PV-517-16) to allow the reduction in private open space by enclosing approximately 130 sf of a 154-sf second story private balcony. ~~The effected open space is private and the owners of the unit would be the only one affected from the change. Therefore, granting of the requested variance would not adversely affect the health or safety of persons residing or working in the neighborhood of the subject property and would not be detrimental to the public welfare or injurious to property or improvements.~~ The enclosed balcony would create a building code violation as a result of the development blocking the direct outdoor egress for the original bedroom as well as the development not meeting the minimum dimension for use as a bedroom. The stated purpose of the California Building Codes is provided below:

**1.1.2 Purpose.** *The purpose of this code is to establish the minimum requirements to safeguard the public health, safety and general welfare through structural strength, means of egress facilities, stability, access to persons with disabilities, sanitation, adequate lighting and ventilation and energy conservation; safety to life and property from fire and other hazards attributed to the built environment; and to provide safety to fire fighters and emergency responders during emergency operations.*

The fact that the development would not comply with the CBC would conclude that the development would adversely affect the health or safety of persons residing or working in the neighborhood of the subject property and would be detrimental to the public welfare or injurious to property or improvements. The required finding is not supported.



None of the other findings in the resolution supporting the denial of the project were revised from the November 21, 2016 meeting.

#### **4. Findings for Approval**

As noted above, the Planning Commissioners asked staff to prepare the findings that would support approval of the variance and PSD and complete the analysis for the CDP. The project as proposed would create building code violations. Therefore, as part of the resolution for approval, staff included Condition of Approval 7, which would require the applicant to redesign the project to meet the building code requirements and to provide the necessary calculations that light and ventilation standards are being met. Additionally, due to the potential life threatening concerns, Condition of Approval 1, would require the applicant to rectify any CBC violations associated with the unpermitted development within 30 days.

- A. In order to approve the subject Variance (PV-517-16), the Planning Commission must make the four findings required by PMC Section 9-4.3404(a). The following discussion supports the Commission's findings in this regard.
- i. Required Finding: *That because of special circumstances applicable to the property, including size, shape, topography, location, or surroundings, the strict application of the provisions of this chapter deprives such property of privileges enjoyed by other property in the vicinity and under an identical zoning classification.*

Discussion: The proposed project is located in an existing five building residential cluster development. Dwelling units within Building A, which is located along Beach Boulevard, have previously been granted similar approvals for enclosing a private balcony, which reduced their private open space from 178 sf to 70 sf per unit and below the zoning standard of 150 sf per unit. The Planning Commission approved the variance and amendment based on the findings that extreme effects of the coastal weather inhibited their enjoyment of the open space (Attachment E).

The proposed project is located in Building E, which is located adjacent to Building A. Building E experiences the same extreme effects of the coastal weather as Building A, which inhibits the applicant's enjoyment of the open space.

- ii. Required Finding: *That the granting of such variance will not, under the circumstances of the particular case, materially affect adversely the health or safety of persons residing or working in the neighborhood of the subject property and will not, under the circumstances of the particular case, be materially detrimental to the public welfare or injurious to property or improvements in the area.*

Discussion: The applicant requests the approval of a Variance (PV-517-16) to allow the reduction in private open space by enclosing approximately 130 sf of a 154-sf second story private balcony. The effected open space from the proposed project, as conditioned, is private and the owners of the unit would be the only one affected from the change. Condition of Approval 7 would require the applicant to redesign the project to meet the building code requirements and to provide the necessary calculations that light and

ventilation standards are being met. Additionally, due to the potential life threatening concerns, Condition of Approval 1, would require the applicant to rectify any CBC violations associated with the unpermitted development within 30 days. Implementation of Conditions of Approval 7 and 1 would ensure that the development is meeting the minimum standards for health and safety of the persons residing in the unit. Therefore, granting of the requested variance would not adversely affect the health or safety of persons residing or working in the neighborhood of the subject property and would not be detrimental to the public welfare or injurious to property or improvements.

- iii. Required Finding: *Where applicable, that the application is consistent with the City's adopted Design Guidelines.*

Discussion: See discussion under Section 4.B.viii of this staff report.

- iv. Required Finding: *If located in the Coastal Zone, that the application is consistent with the applicable provisions of the Local Coastal Plan.*

Discussion The project is consistent with the City's Local Coastal Program. See discussion under Section 4.B.ix of this staff report.

B. In order to approve the subject Site Development Permit (PSD-813-16) which would amend the previous PSD for the development, the Planning Commission must not make any of the nine findings required by PMC Section 9-4.3.204(a). The following discussion supports the Commission's findings in this regard.

- i. Required Finding: *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.*

Discussion: The proposed project would enclose an existing second story balcony and would not include any modifications that would impact the vehicular or pedestrian traffic patterns.

- ii. Required Finding: *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.*

Discussion: The proposed project would enclose an existing second story balcony and would not impact the accessibility of off-street parking areas and the relation of parking areas with respect to traffic on adjacent streets, which will create a hazardous or inconvenient condition to adjacent or surrounding uses.

- iii. Required Finding: *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.*



Discussion The proposed project would enclose an existing second story balcony and would not impact landscaped areas that 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.

- iv. Required Finding: *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.*

Discussion: The project improvements include enclosing approximately 130 sf of the 154-sf east-facing balcony with two 70-inch by 36-inch double pane windows and a 38-inch by 84-inch exterior door. The proposed project would reduce the amount of private open space for one unit (Apartment 202) in an existing residential cluster development, and would not block the all-day southern exposure to adjacent properties, or change the existing interior setback affecting building separation. As conditioned, the proposed project would meet, at minimum, the light and ventilation requirements of the CBC.

As a result, the proposed project will not unreasonably restrict or cut out light and air on the property and on other property in the neighborhood. Furthermore, for the same reasons, the project will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof.

- v. Required Finding: *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.*

Discussion: The proposed project does not include any commercial or industrial uses. Therefore, this finding is not applicable to the subject project.

- vi. Required Finding: *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 this Code.*

Discussion: The proposed project does not include any construction that would damage or destroy natural features. Therefore, this finding is not applicable to the subject project.

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

Discussion: The existing design of the eastern elevation of 2355 Beach Boulevard includes sufficient variety in design as determined by the approval of the original PSD for the development (PSD-515-85). The proposed project would add inconsistency to the design of the east elevation of 2355 Beach Boulevard. The presence of the windows along the balcony rail would result in a design variety which would not add value to the overall

building design. However, since the east elevation is located in the back of the property and only slightly visible from the adjacent street to the east, Palmetto Avenue, the visual impacts of this design inconsistency would be minimal.

- viii. Required Finding: *That the proposed development is inconsistent with the City's adopted Design Guidelines.*

Discussion: The proposed project would overall be consistent Design Guidelines. The following discussions provide further details of its compatibility with some of the various elements:

1. Site Planning

- *Lighting. Exterior Lighting should be subdued, and should enhance building design as well as provide for safety and security.*

The proposed project encloses an existing balcony with dual pane glass windows. The applicant proposed to install indoor sconces within the new enclosed area. No impacts on exterior lighting would occur.

2. Building Design

- *Design. The Style and design of new building should be in character with that of the surrounding neighborhood.*

The proposed project would add inconsistency to the design of the east elevation of 2355 Beach Boulevard. The presence of the windows along the balcony rail would result in a design variety which would not add value to the overall building design. However, since the east elevation is located in the back of the property and only slightly visible from the adjacent street to the east, Palmetto Avenue, the visual impacts of this design inconsistency would be minimal.

- *Scale. Scale is the measure of the relationship of the relative overall size of one structure with one or more other structures.*

The proposed project encloses an existing balcony with windows and does not alter the existing scale of the residential cluster development.

- *Materials. Compatibility of materials is an essential ingredient in design quality.*

The proposed project would add inconsistency to the material of the east elevation of 2355 Beach Boulevard. The presence of the windows along the balcony rail would result in a variety which would not add value to the overall building design. However, since the east elevation is located in the back of the property and only slightly visible from the adjacent street to the east, Palmetto Avenue, the visual impacts of this material inconsistency would be minimal.

### 3. Coastal Development

- *Views. New development within the coastal view shed should not impair views to the sea from public roads, trails, and vista points.*

The proposed project encloses an existing second-story balcony on the east side of the 2355 Beach Boulevard with windows and would not disrupt existing views to and along the ocean and scenic coastal areas.

### 4. Multi-Unit Development

- *Building Design. Variety is a key ingredient in the appearance of multi-unit developments. Developments which feature a series of identical structures are visually monotonous and are not acceptable.*

The existing design of the eastern elevation of 2355 Beach Boulevard includes sufficient variety in design as determined by the approval of the original PSD for the development (PSD-515-85). The proposed project would add inconsistency to the design of the east elevation of 2355 Beach Boulevard. The presence of the windows along the balcony rail would result in a design variety which would not add value to the overall building design. However, since the east elevation is located in the back of the property and only slightly visible from the adjacent street to the east, Palmetto Avenue, the visual impacts of this design inconsistency would be minimal.

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

Discussion: The requested reduction in private open space is not inconsistent with the City's General Plan or LCLUP as further described below. The proposed project, as conditioned, would be consistent with PMC, specifically Section 9-4.2402(c), with an approved variance.

- *Community Design Element Policy No. 2: Encourage the upgrading and maintenance of existing neighborhoods.*

The proposed project includes improvements to an existing 154-sf second-story private balcony. The balcony improvements are comprised of two 70-inch by 36-inch double pane windows, a 38-inch by 84-inch exterior door, interior laminate flooring, and exterior tile flooring. The balcony enclosure and exterior tile flooring is anticipated to better protect the existing balcony from the harsh coastal environment, which would extend the life of the balcony. Therefore, staff believes the proposed project, as conditioned, would be considered an interior improvement to the existing residential cluster development and neighborhood.

The City's certified Local Coastal Program includes a Local Coastal Land Use Plan (LCLUP) that contains policies to further the City's coastal planning activities. The proposed project would not contradict these policies, as discussed below.

- Coastal Act Policy No. 2: *Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rock coastal beaches to the first line of terrestrial vegetation.*

The proposed project encloses an existing second-story private balcony; therefore, will not interfere with the public's right of access to the sea. The proposed project is located on the opposite side of Beach Boulevard and will not affect the existing Pacifica Beach Park that provides coastal access. As a result, the project will not impact or otherwise interfere with the public's right of access to the sea.

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

The proposed project encloses an existing second-story private balcony located within an existing residential cluster development. The surrounding neighborhood is a substantially developed residential neighborhood. Therefore, development will not occur outside of existing developed areas.

Because the proposed project will be located in an existing area substantially developed with residential units, and will be setback from the sea, substantial evidence exists to support a Planning Commission finding that the proposed development is in conformity with the City's certified Local Coastal Program.

- C. In order to approve the subject Coastal Development Permit (CDP-374-16), the Planning Commission must make the two findings required by PMC Section 9-4.4304(k). The following discussion supports the Commission's findings in this regard.

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

Discussion: See discussion under Section 4.B.ix of this staff report.

- 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 (Beach Boulevard) and the shoreline; therefore, this Coastal Development Permit finding does not apply in this case.

- D. Staff analysis of the proposed project supports a Planning Commission finding that it qualifies for a categorical exemption from the California Environmental Quality Act (CEQA). The project qualifies as a Class 1 exemption under CEQA Guidelines Section 15301(e), as described below, applies to the project:

**15301. Existing Facilities**

Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The types of "existing facilities" itemized below are not intended to be all inclusive of the types of projects which might fall within Class 1. The key consideration is whether the project involves negligible or no expansion of an existing use. Examples include but are not limited to:

- (e) Additions to existing structures provided that the addition will not result in an increase of more than:
  - (1) 50 percent of the floor area of the structures before the addition, or 2,500 square feet, whichever is less; or
  - (2) 10,000 square feet if:
    - (A) The project is in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan and
    - (B) The area in which the project is located is not environmentally sensitive.

Additionally, none of the exceptions to application of a categorical exemption in Section 15300.2 of the CEQA Guidelines apply, as described below.

- Sec. 15300.2(a): There is no evidence in the record that the project 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 will 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 will have a significant environmental impact. The project is a small addition to an existing residential cluster development and will not 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 will have a significant effect on the environment due to unusual circumstances. The project site consists of existing residential cluster development that is zoned for residential development. 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 1 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.

In accordance with Section 21080(b)(5) of Public Resource Code, projects rejected or disapproved by a public agency are exempt from CEQA.

### **COMMISSION ACTION**

#### **MOTION FOR DENIAL:**

Move that the Planning Commission **DENY** Variance PV-517-16 and Site Development Permit PSD-812-16, and decline to take action on the Coastal Development Permit CDP-373-16, by adopting the resolution included as Attachment B to the staff report; and, incorporate all maps and testimony into the record by reference.

#### **MOTION FOR APPROVAL:**

Move that the Planning Commission finds the project is exempt from the California Environmental Quality Act; **APPROVE** a Variance PV-517-16, Site Development Permit PSD-812-16, and Coastal Development Permit CDP-373-16, by adopting the resolution included as Attachment C to the staff report, including conditions of approval in Exhibit A to the resolution; and, incorporate all maps and testimony into the record by reference.

#### **Attachments:**

- A. November 21, 2016 Staff Report for 2355 Beach Blvd. #202
- B. Draft Resolution for Denial
- C. Draft Resolution for Approval and Conditions of Approval
- D. Photos of Development
- E. July 6, 1998 staff report and meeting minutes for conversion of existing second story decks to interior living space on seven adjacent townhouse condominium units (PV-394-98)
- F. Photo of Building A with original and enclosed balconies.
- G. CBC Section 1208.1





Scenic Pacifica  
Incorporated Nov. 22, 1957

---

PLANNING COMMISSION  
Staff Report

---

**DATE:** November 21, 2016

**FILE:** PV-517-16  
PSD-813-16  
CDP-374-16

**ITEM:** 2

**PUBLIC NOTICE:** Notice of Public Hearing was published in Pacifica Tribune on November 9, 2016, and mailed to 177 surrounding property owners and occupants.

**APPLICANT** Chris Loeswick  
2355 Beach Boulevard, Apartment 202  
Pacifica, CA 94044

**PROJECT LOCATION:** 2355 Beach Boulevard, Apartment 202 (APN 115-210-050)

**PROJECT DESCRIPTION:** The project applicant is requesting a Variance (PV-517-16), Site Development Permit (PSD-813-16), and a Coastal Development Permit (CDP-374-16) to lawfully permit completed improvements to an existing 154-square foot (sf) second-story private balcony, which reduced the private open space for a residential cluster development unit below the minimum 150-sf requirement.

**SITE DESIGNATIONS:** General Plan: High-Density Residential (HDR)  
Zoning: R-2 (Two-Family Residential) / CZ (Coastal Zone Combining)

**RECOMMENDED CEQA STATUS:** Class 1 Categorical Exemption, Section 15301(e).

**ADDITIONAL REQUIRED APPROVALS:** None. Subject to appeal to the City Council and California Coastal Commission.

**RECOMMENDED ACTION:** Deny.

**PREPARED BY:** Kevin Valente, Contract Planner

**PROJECT DESCRIPTION, FINDINGS, AND RECOMMENDATION**

**Table 1. Zoning Standards Conformance**

<u>Major Standards</u>	<u>Required</u>	<u>Existing</u>	<u>Proposed</u>
Unit Size	850 sf min	950 sf	1,080 sf
Private Open Space	150 sf min	154 sf	~24 sf
<b>Setbacks</b>			
<i>Front</i>	15'-0" min	N/A	No Change
<i>Side</i>	5'-0" min	N/A	No Change
<i>Rear</i>	20'-0" min	N/A	No Change

**1. Project Description**

The applicant’s existing unit is approximately 950 sf and on the second story of a three story apartment house condominium at 2355 Beach Boulevard. The unit contains two bedrooms, two bathrooms, a kitchen, dining room, and living room. A 154 sf private balcony for the unit runs along the eastern side of the structure and is accessible from two sliding glass doors (one in master bedroom and one in dining room). The proposed project would enclose approximately 130 square feet of the northern portion of the balcony. The balcony improvements would include installation of two 70-inch by 36-inch double pane windows between the top of the existing solid stucco balcony railing and the roof of the balcony, a 38-inch by 84-inch exterior door, interior laminate flooring (approximately 130 sf), and exterior tile flooring (approximately 25 sf). A new exterior door would provide access to the 130-sf room addition from the remaining portion of the exterior balcony (approximately 24 sf). The applicant’s purpose for the balcony enclosure and exterior tile flooring is to better protect the existing balcony from the harsh coastal environment, which would extend the life of the balcony. The new enclosed area would be used by the applicant as an office area.

The Beach Park Home Owners Association (HOA) has conceptually approved the proposed project (see Attachment C) and recommended the applicant seek City approval and permits.

***Beach Park Home Owners Association Balcony Enclosure History***

In June of 1985, the Planning Commission approved the development of a 36 unit apartment/condominium project that included 5 building groups (Buildings A through E; Attachment D). The proposed project would occur in Building E.

Building A comprises four duplex townhouses (total of 8 units) and borders front of the property along Beach Boulevard. Each of the units had a west facing second story balcony. In April of 1993, the owner of the unit at 2328 Beach Boulevard received approval from the Planning Commission for a 120 sf greenhouse addition to the second floor balcony (PSD-570-92). Staff did not identify the need for a variance for that project, assumingly because the greenhouse design would meet the description of private open space as described in PMC Section 9-4.2402(c)<sup>1</sup>. The development was never built.

<sup>1</sup> Private open space. Each unit within the project shall have an appurtenant private patio, deck, balcony, atrium, or solarium with a minimum area of 150 square feet, except that a studio or one-bedroom unit shall be allowed to have a minimum area of 130 square feet. Such space shall be designed for the sole enjoyment of the unit owner, shall have at least one duplex weatherproofed electrical convenience outlet and shall have a shape and size which would allow for optimal usable space. Such space shall be at the same level as, and immediately accessible from, a room within the unit.

In July of 1998, seven of the eight owners of the Building A units applied for a variance to reduce their private open space from 178 sf to 70 sf per unit and enclose their second floor balcony using similar architectural detailing as the existing structure. Staff recommended denial of this variance and amendment of the original PSD, however the Planning Commission approved the variance and amendment based on the findings that extreme effects of the coastal weather inhibited their enjoyment of the open space (PV-394-98). Only four of the seven units enclosed their second story balcony.

## **2. General Plan, Zoning, and Surrounding Land Uses**

The subject site's General Plan land use designation is High-Density Residential (HDR). The HDR land use designation permits residential development at an average density of 16 to 21 units per acre. The subject site's location is within the R-2 (Two-Family Residential) and CZ (Coastal Zone Combining) zoning districts. The R-2 zone conditionally allows clustered housing development and the CZ zone supplements the underlying zoning district (R-2) with additional standards. Land uses surrounding the project site consist of multi-family residences in the R-2 and R-3 zoning districts as well as commercial uses in the C-1 zoning district.

## **3. Municipal Code**

The applicant's proposal requires three approvals under the Pacifica Municipal Code (PMC), including a Site Development Permit (PSD), Coastal Development Permit (CDP) and a variance. The proposed development would amend the development's original PSD (PSD-515-85). The proposal would result in approximately 24 sf of private open space for the unit. A variance is required as the unit would no longer meet the 150 sf private open space standard per Pacifica Municipal Code Section 9-4.2402(c). The Planning Commission must make the following four findings in order to approve a Variance application (PMC Sec. 9-4.3404[a]) to allow the reduction of existing private open space:

- i. That because of special circumstances applicable to the property, including size, shape, topography, location, or surroundings, the strict application of the provisions of this chapter deprives such property of privileges enjoyed by other property in the vicinity and under an identical zoning classification;
- ii. That the granting of such variance will not, under the circumstances of the particular case, materially affect adversely the health or safety of persons residing or working in the neighborhood of the subject property and will not, under the circumstances of the particular case, be materially detrimental to the public welfare or injurious to property or improvements in the area;
- iii. Where applicable, that the application is consistent with the City's adopted Design Guidelines; and
- iv. If located in the Coastal Zone, that the application is consistent with the applicable provisions of the Local Coastal Plan.

The Planning Commission shall not issue a PSD if the Commission makes any of the following findings [PMC Sec. 9-4.3204(a)]:

- i. 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;
- ii. 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;
- iii. 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;
- iv. 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;
- v. 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;
- vi. 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 this Code;
- vii. That there is insufficient variety in the design of the structure and grounds to avoid monotony in the external appearance;
- viii. That the proposed development is inconsistent with the City's adopted Design Guidelines; or
- ix. That the proposed development is inconsistent with the General Plan, Local Coastal Plan, or other applicable laws of the City.

The project requires a Coastal Development Permit because (i) project includes development<sup>2</sup> with the CZ District (PMC Sec. 9-4.4303(a)); and, (ii) the project does not qualify for an exemption (PMC Sec. 9-4.4303(h) and (i)). The Planning Commission must make two findings in order to approve a CDP application [PMC Sec. 9-4.4304(k)]:

- i. The proposed development is in conformity with the City's certified Local Coastal Program; and
- ii. 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.

#### **4. Required Findings**

- A. In order to approve the subject Variance (PV-517-16), the Planning Commission must make the four findings required by PMC Section 9-4.3404(a). The following discussion supports the Commission's findings in this regard.
  - i. Required Finding: *That because of special circumstances applicable to the property, including size, shape, topography, location, or surroundings, the strict application of the*

---

<sup>2</sup> The project qualifies as "development" under PMC Section 9-4.4302(z)(6), "The construction, reconstruction, demolition or alteration of the size of any structure, including any facility of any private, public, or municipal utility"



*provisions of this chapter deprives such property of privileges enjoyed by other property in the vicinity and under an identical zoning classification.*

Discussion: The proposed project is located in an existing five building residential cluster development. Dwelling units within Building A, which is located along Beach Boulevard, have previously been granted similar approvals for enclosing a private balcony, which reduced the private open space for a residential cluster development unit below the minimum 150-sf requirement (see Section 1 of this staff report). The balconies for Building A are west facing and are directly exposed to the ocean elements.

The proposed project is located in Building E and has a balcony on the east side of the three-story building and therefore does not experience the same extreme climatic conditions than the owners of Building A. Additionally, the applicant's stated justification for the variance is to prevent rust from occurring on the deck (Attachment F). Rusting is an issue that affects all properties in Pacifica. While the degree of rusting may be more extensive at the proposed project site than other locations of Pacifica located further inland, it is not specific to the property. Therefore there are no special circumstances applicable to the property that deprives the property of privileges enjoyed by other properties in the vicinity and under identical zoning classification. The required finding is not supported.

- ii. Required Finding: *That the granting of such variance will not, under the circumstances of the particular case, materially affect adversely the health or safety of persons residing or working in the neighborhood of the subject property and will not, under the circumstances of the particular case, be materially detrimental to the public welfare or injurious to property or improvements in the area.*

Discussion: The proposed project requests the approval of a Variance (PV-517-16) to allow the reduction in private open space by enclosing approximately 130 sf of a 154-sf second story private balcony. The effected open space is private and the owners of the unit would be the only one affected from the change. Therefore, granting of the requested variance would not adversely affect the health or safety of persons residing or working in the neighborhood of the subject property and would not be detrimental to the public welfare or injurious to property or improvements.

- iii. Required Finding: *Where applicable, that the application is consistent with the City's adopted Design Guidelines.*

Discussion: See discussion under Section 4.B.viii of this staff report.

- iv. Required Finding: *If located in the Coastal Zone, that the application is consistent with the applicable provisions of the Local Coastal Plan.*

Discussion The requested reduction in private open space is consistent with the City's Local Coastal Program. See discussion under Section 4.B.ix of this staff report.

- B. In order to approve the subject Site Development Permit (PSD-813-16) which would amend the previous PSD for the development, the Planning Commission must not make any of the nine findings

required by PMC Section 9-4.3.204(a). The following discussion supports the Commission's findings in this regard.

- i. Required Finding: *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.*

Discussion: The proposed project would enclose an existing second story balcony and would not include any modifications that would impact the vehicular or pedestrian traffic patterns.

- ii. Required Finding: *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.*

Discussion: The proposed project would enclose an existing second story balcony and would not impact the accessibility of off-street parking areas and the relation of parking areas with respect to traffic on adjacent streets, which will create a hazardous or inconvenient condition to adjacent or surrounding uses.

- iii. Required Finding: *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.*

Discussion The proposed project would enclose an existing second story balcony and would not impact landscaped areas that 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.

- iv. Required Finding: *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.*

Discussion: The project improvements include enclosing approximately 130 sf of the 154-sf east-facing balcony with two 70-inch by 36-inch double pane windows and a 38-inch by 84-inch exterior door. The proposed project would reduce the amount of private open space for one unit (Apartment 202) in an existing residential cluster development, and would not block the all-day southern exposure to adjacent properties, or change the existing interior setback affecting building separation.

As a result, the proposed project will not unreasonably restrict or cut out light and air on the property and on other property in the neighborhood. Furthermore, for the same reasons, the project will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof.



- v. Required Finding: *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.*

Discussion: The proposed project does not include any commercial or industrial uses. Therefore, this finding is not applicable to the subject project.

- vi. Required Finding: *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 this Code.*

Discussion: The proposed project does not include any construction that would damage or destroy natural features. Therefore, this finding is not applicable to the subject project.

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

Discussion: The existing design of the eastern elevation of 2355 Beach Boulevard includes sufficient variety in design as determined by the approval of the original PSD for the development (PSD-515-85). The proposed project would add inconsistency to the design of the east elevation of 2355 Beach Boulevard. The presence of the windows along the balcony rail would result in a design variety which would not add value to the overall building design (Attachment E). However, since the east elevation is located in the back of the property and only slightly visible from the adjacent street to the east, Palmetto Avenue, the visual impacts of this design inconsistency would be minimal.

- viii. Required Finding: *That the proposed development is inconsistent with the City's adopted Design Guidelines.*

Discussion: The proposed project would overall be consistent Design Guidelines. The following discussions provide further details of its compatibility with some of the various elements:

1. Site Planning

- *Lighting. Exterior Lighting should be subdued, and should enhance building design as well as provide for safety and security.*

The proposed project encloses an existing balcony with dual pane glass windows. The applicant proposed to install indoor sconces within the new enclosed area. No impacts on exterior lighting would occur.

2. Building Design

- *Design. The Style and design of new building should be in character with that of the surrounding neighborhood.*

The proposed project would add inconsistency to the design of the east elevation of 2355 Beach Boulevard. The presence of the windows along the balcony rail would result in a design variety which would not add value to the overall building design (Attachment E). However, since the east elevation is located in the back of the property and only slightly visible from the adjacent street to the east, Palmetto Avenue, the visual impacts of this design inconsistency would be minimal.

- *Scale. Scale is the measure of the relationship of the relative overall size of one structure with one or more other structures.*

The proposed project encloses an existing balcony with windows and does not alter the existing scale of the residential cluster development.

- *Materials. Compatibility of materials is an essential ingredient in design quality.*

The proposed project would add inconsistency to the material of the east elevation of 2355 Beach Boulevard. The presence of the windows along the balcony rail would result in a variety which would not add value to the overall building design (Attachment E). However, since the east elevation is located in the back of the property and only slightly visible from the adjacent street to the east, Palmetto Avenue, the visual impacts of this material inconsistency would be minimal.

### 3. Coastal Development

- *Views. New development within the coastal view shed should not impair views to the sea from public roads, trails, and vista points.*

The proposed project encloses an existing second-story balcony on the east side of the 2355 Beach Boulevard with windows and would not disrupt existing views to and along the ocean and scenic coastal areas.

### 4. Multi-Unit Development

- *Building Design. Variety is a key ingredient in the appearance of multi-unit developments. Developments which feature a series of identical structures are visually monotonous and are not acceptable.*

The existing design of the eastern elevation of 2355 Beach Boulevard includes sufficient variety in design as determined by the approval of the original PSD for the development (PSD-515-85). The proposed project would add inconsistency to the design of the east elevation of 2355 Beach Boulevard. The presence of the windows along the balcony rail would result in a design variety which would not add value to the overall building design. However, since the east elevation is located in the back

of the property and only slightly visible from the adjacent street to the east, Palmetto Avenue, the visual impacts of this design inconsistency would be minimal.

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

Discussion: The requested reduction in private open space is not inconsistent with the City's General Plan or LCLUP as further described below. The proposed project would be inconsistent with PMC Section 9-4.2402(c), without an approved variance as further described under Section 4.A of this staff report, therefore this required finding is not supported.

- Community Design Element Policy No. 2: *Encourage the upgrading and maintenance of existing neighborhoods.*

The proposed project includes improvements to an existing 154-sf second-story private balcony. The balcony improvements are comprised of two 70-inch by 36-inch double pane windows, a 38-inch by 84-inch exterior door, interior laminate flooring, and exterior tile flooring. The balcony enclosure and exterior tile flooring is anticipated to better protect the existing balcony from the harsh coastal environment, which would extend the life of the balcony. Therefore, staff believes the proposed project would be considered an interior improvement to the existing residential cluster development and neighborhood.

The City's certified Local Coastal Program includes a Local Coastal Land Use Plan (LCLUP) that contains policies to further the City's coastal planning activities. The proposed project would not contradict these policies, as discussed below.

- Coastal Act Policy No. 2: *Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rock coastal beaches to the first line of terrestrial vegetation.*

The proposed project encloses an existing second-story private balcony; therefore, will not interfere with the public's right of access to the sea. The proposed project is located on the opposite side of Beach Boulevard and will not affect the existing Pacifica Beach Park that provides coastal access. As a result, the project will not impact or otherwise interfere with the public's right of access to the sea.

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

*by the Department of Parks and Recreation and by local government, shall be subordinate to the character of its setting.*

The proposed project encloses an existing second-story private balcony located within an existing residential cluster development. The surrounding neighborhood is a substantially developed residential neighborhood. Therefore, development will not occur outside of existing developed areas.

Because the proposed project will be located in an existing area substantially developed with residential units, and will be setback from the sea, substantial evidence exists to support a Planning Commission finding that the proposed development is in conformity with the City's certified Local Coastal Program.

- C. The proposed project or any reasonable alternative to the proposed project would not be implementable without the approval of a variance and PSD. No analysis has been provided regarding the two findings for the Coastal Development Permit (CDP-374-16) as making the findings for the CDP would be moot as the findings for the Variance and Site Development Permit required to construct the project cannot be made.

#### **5. CEQA Recommendation**

In accordance with Section 21080(b)(5) of Public Resource Code, projects rejected or disapproved by a public agency are exempt from CEQA.

#### **6. Staff Analysis**

The proposed project would be inconsistent with PMC Section 9-4.2402(c), which is the private open space requirement for clustered residential housing in the zoning ordinance. The applicant's justification for the variance does not address a special circumstance that is specific to this property and therefore staff is unable to make all the necessary findings to support the variance. Without approval of the variance, staff is unable to make the findings under the PSD, that the proposed development is consistent with applicable laws of the City (Section 4.B.ix of this staff report) as the project would not comply with PMC Section 9-4.2402(c). The applicant would not be able to construct their proposed project, or any reasonable alternative to the project without the approval of the PSD and variance, therefore staff declined to analyze the findings for the CDP as making the findings for the CDP would moot as the findings for the Variance and Site Development Permit required to construct the project cannot be made.

#### **COMMISSION ACTION**

#### **MOTION FOR DENIAL:**

Move that the Planning Commission **DENY** Variance PV-517-16 and Site Development Permit PSD-812-16, and decline to take action on the Coastal Development Permit CDP-373-16, by adopting the resolution included as Attachment B to the staff report; and, incorporate all maps and testimony into the record by reference.

Planning Commission Staff Report  
PSD-813-16, CDP-374-16, and PV-517-16  
2355 Beach Boulevard, Apartment 202  
November 21, 2016  
Page 11

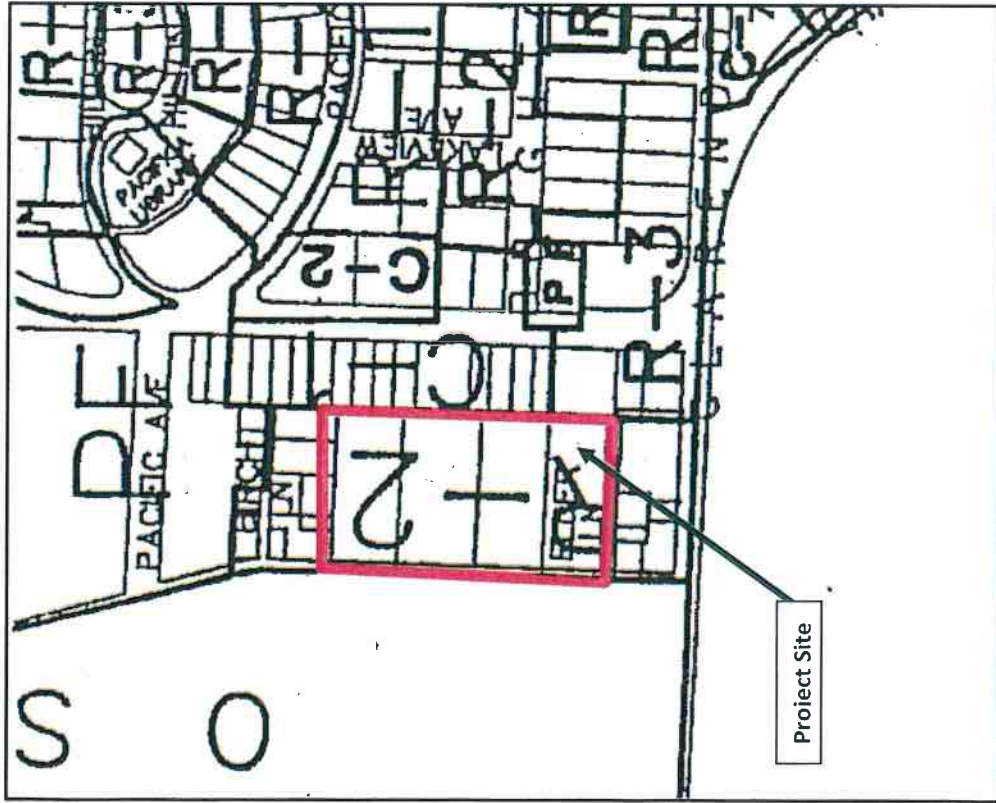
**Attachments:**

- A. Land Use and Zoning Exhibit
- B. Draft Resolution for Denial
- C. Beach Park Home Owners Association Letter
- D. Building Layout of Beach Park
- E. Project Plans
- F. Applicant's Justification for Variance

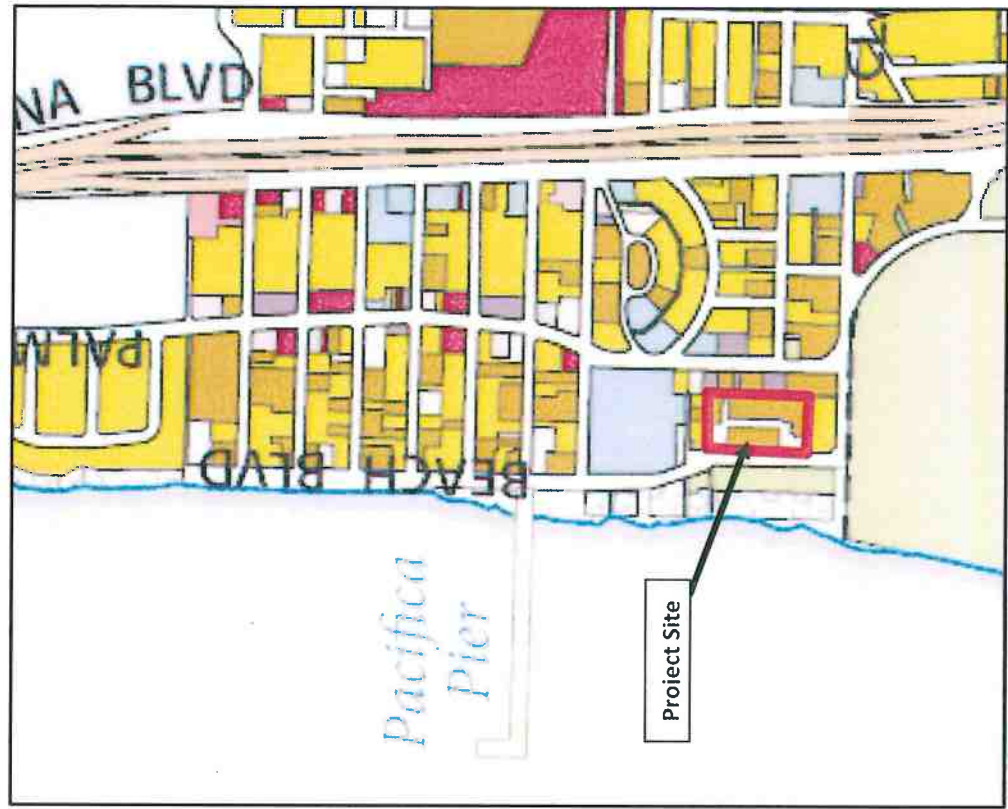


ATTACHMENT A

City of Pacifica Zoning Exhibit



City of Pacifica General Plan Land Use Exhibit





RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PACIFICA DENYING VARIANCE PV-517-16, SITE DEVELOPMENT PERMIT PSD-813-16, AND DECLINING TO ANALYZE COASTAL DEVELOPMENT PERMIT CDP-374-16, TO ENCLOSE 130 SQUARE FEET OF AN EXISTING 154-SQUARE FOOT SECOND-STORY PRIVATE BALCONY AT 2355 BEACH BOULEVARD, APARTMENT 202 (APN 115-210-050), AND FINDING THE PROJECT EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA).**

---

Initiated by: Chris Loeswick ("Applicant").

**WHEREAS**, an application has been submitted to enclose 130 square feet (sf) of an existing 154-sf second-story private balcony located at 2355 Beach Boulevard, Apartment 202 (APN 015-210-050); and

**WHEREAS**, the project requires approval of a Variance because the balcony improvements reduced the private open space for a residential cluster development unit below the standard specified in PMC Section 9-4.2402(c); and

**WHEREAS**, the project requires approval of a Site Development Permit because the proposed development would amend the development's original PSD (PSD-515-85); and

**WHEREAS**, the project requires approval of a Coastal Development Permit because the project involves development within the Coastal Zone; and, the project does not qualify as a category of exempted or excluded development; and

**WHEREAS**, the Planning Commission of the City of Pacifica did hold a duly noticed public hearing on November 21, 2016, at which time it considered all oral and documentary evidence presented, and incorporated all testimony and documents into the record by reference.

**NOW, THEREFORE BE IT RESOLVED** by the Planning Commission of the City of Pacifica as follows:

1. The above recitals are true and correct and material to this Resolution.
2. In making its findings, the Planning Commission relied upon and hereby incorporates by reference all correspondence, staff reports, and other related materials.

**BE IT FURTHER RESOLVED** that the Planning Commission of the City of Pacifica does not make the required findings pertaining to a Variance PV-517-16 to enclose 130 sf of an existing 154-sf second-story private balcony, which would reduce the private open space for a residential cluster development unit below the standard specified in PMC Section 9-4.2402(c) as supported by the discussion below:

ATTACHMENT B

- i. Required Finding: *That because of special circumstances applicable to the property, including size, shape, topography, location, or surroundings, the strict application of the provisions of this chapter deprives such property of privileges enjoyed by other property in the vicinity and under an identical zoning classification.*

Discussion: The proposed project is located in an existing five building residential cluster development. Dwelling units within Building A, which is located along Beach Boulevard, have previously been granted similar approvals for enclosing a private balcony, which reduced the private open space for a residential cluster development unit below the minimum 150-sf requirement (see November 21, 2016 staff report). The balconies for Building A are west facing and are directly exposed to the ocean elements.

The proposed project is located in Building E and has a balcony on the east side of the three-story building and therefore does not experience the same extreme climatic conditions than the owners of Building A. Additionally, the applicant's stated justification for the variance is to prevent rust from occurring on the deck. Rusting is an issue that affects all properties in Pacifica. While the degree of rusting may be more extensive at the proposed project site than other locations of Pacifica located further inland, it is not specific to the property. Therefore there are no special circumstances applicable to the property that deprives the property of privileges enjoyed by other properties in the vicinity and under identical zoning classification. The required finding is not supported.

- ii. Required Finding: *That the granting of such variance will not, under the circumstances of the particular case, materially affect adversely the health or safety of persons residing or working in the neighborhood of the subject property and will not, under the circumstances of the particular case, be materially detrimental to the public welfare or injurious to property or improvements in the area.*

Discussion: The proposed project requests the approval of a Variance (PV-517-16) to allow the reduction in private open space by enclosing approximately 130 sf of a 154-sf second story private balcony. The effected open space is private and the owners of the unit would be the only one affected from the change. Therefore, granting of the requested variance would not adversely affect the health or safety of persons residing or working in the neighborhood of the subject property and would not be detrimental to the public welfare or injurious to property or improvements.

- iii. Required Finding: *Where applicable, that the application is consistent with the City's adopted Design Guidelines.*

Discussion: See discussion under part viii of the next recital.

- iv. Required Finding: *If located in the Coastal Zone, that the application is consistent with the applicable provisions of the Local Coastal Plan.*

Discussion The requested reduction in private open space is consistent with the City's Local Coastal Program. See discussion under part ix. of the next recital.

**BE IT FURTHER RESOLVED** that the Planning Commission of the City of Pacifica does not make the following findings pertaining to Site Development Permit PSD-813-16 for the to amend the development's original PSD (PSD-515-85) as supported by the discussion below:

- i. Required Finding: *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.*

Discussion: The proposed project would enclose an existing second story balcony and would not include any modifications that would impact the vehicular or pedestrian traffic patterns.

- ii. Required Finding: *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.*

Discussion: The proposed project would enclose an existing second story balcony and would not impact the accessibility of off-street parking areas and the relation of parking areas with respect to traffic on adjacent streets, which will create a hazardous or inconvenient condition to adjacent or surrounding uses.

- iii. Required Finding: *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.*

Discussion The proposed project would enclose an existing second story balcony and would not impact landscaped areas that 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.

- iv. Required Finding: *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.*

Discussion: The project improvements include enclosing approximately 130 sf of the 154-sf east-facing balcony with two 70-inch by 36-inch double pane windows and a 38-inch by 84-inch exterior door. The proposed project would reduce the amount of private open space for one unit (Apartment 202) in an existing residential cluster development, and would not block the all-day southern exposure to adjacent properties, or change the existing interior setback affecting building separation.

As a result, the proposed project will not unreasonably restrict or cut out light and air on the property and on other property in the neighborhood. Furthermore, for the same reasons, the project will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof.

- v. Required Finding: *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.*

Discussion: The proposed project does not include any commercial or industrial uses. Therefore, this finding is not applicable to the subject project.

- vi. Required Finding: *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 this Code.*

Discussion: The proposed project does not include any construction that would damage or destroy natural features. Therefore, this finding is not applicable to the subject project.

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

Discussion: The existing design of the eastern elevation of 2355 Beach Boulevard includes sufficient variety in design as determined by the approval of the original PSD for the development (PSD-515-85). The proposed project would add inconsistency to the design of the east elevation of 2355 Beach Boulevard. The presence of the windows along the balcony rail would result in a design variety which would not add value to the overall building design. However, since the east elevation is located in the back of the property and only slightly visible from the adjacent street to the east, Palmetto Avenue, the visual impacts of this design inconsistency would be minimal.

- viii. Required Finding: *That the proposed development is inconsistent with the City's adopted Design Guidelines.*



Discussion: The proposed project would overall be consistent Design Guidelines. The following discussions provide further details of its compatibility with some of the various elements:

1. Site Planning

- *Lighting. Exterior Lighting should be subdued, and should enhance building design as well as provide for safety and security.*

The proposed project encloses an existing balcony with dual pane glass windows. The applicant proposed to install indoor sconces within the new enclosed area. No impacts on exterior lighting would occur.

2. Building Design

- *Design. The Style and design of new building should be in character with that of the surrounding neighborhood.*

The proposed project would add inconsistency to the design of the east elevation of 2355 Beach Boulevard. The presence of the windows along the balcony rail would result in a design variety which would not add value to the overall building design. However, since the east elevation is located in the back of the property and only slightly visible from the adjacent street to the east, Palmetto Avenue, the visual impacts of this design inconsistency would be minimal.

- *Scale. Scale is the measure of the relationship of the relative overall size of one structure with one or more other structures.*

The proposed project encloses an existing balcony with windows and does not alter the existing scale of the residential cluster development.

- *Materials. Compatibility of materials is an essential ingredient in design quality.*

The proposed project would add inconsistency to the material of the east elevation of 2355 Beach Boulevard. The presence of the windows along the balcony rail would result in a variety which would not add value to the overall building design. However, since the east elevation is located in the back of the property and only slightly visible from the adjacent street to the east, Palmetto Avenue, the visual impacts of this material inconsistency would be minimal.

3. Coastal Development

- *Views. New development within the coastal view shed should not impair views to the sea from public roads, trails, and vista points.*

The proposed project encloses an existing second-story balcony on the east side of the 2355 Beach Boulevard with windows and would not disrupt existing views to and along the ocean and scenic coastal areas.

#### 4. Multi-Unit Development

- *Building Design. Variety is a key ingredient in the appearance of multi-unit developments. Developments which feature a series of identical structures are visually monotonous and are not acceptable.*

The existing design of the eastern elevation of 2355 Beach Boulevard includes sufficient variety in design as determined by the approval of the original PSD for the development (PSD-515-85). The proposed project would add inconsistency to the design of the east elevation of 2355 Beach Boulevard. The presence of the windows along the balcony rail would result in a design variety which would not add value to the overall building design. However, since the east elevation is located in the back of the property and only slightly visible from the adjacent street to the east, Palmetto Avenue, the visual impacts of this design inconsistency would be minimal.

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

Discussion: The requested reduction in private open space is not inconsistent with the City's General Plan or LCLUP as further described below. The proposed project would be inconsistent with PMC Section 9-4.2402(c), without an approved variance as further described under Section 4.A of this staff report, therefore this required finding is not supported.

- *Community Design Element Policy No. 2: Encourage the upgrading and maintenance of existing neighborhoods.*

The proposed project includes improvements to an existing 154-sf second-story private balcony. The balcony improvements are comprised of two 70-inch by 36-inch double pane windows, a 38-inch by 84-inch exterior door, interior laminate flooring, and exterior tile flooring. The balcony enclosure and exterior tile flooring is anticipated to better protect the existing balcony from the harsh coastal environment, which would extend the life of the balcony. Therefore, staff believes the proposed project would be considered an interior improvement to the existing residential cluster development and neighborhood.



The City's certified Local Coastal Program includes a Local Coastal Land Use Plan (LCLUP) that contains policies to further the City's coastal planning activities. The proposed project would not contradict these policies, as discussed below.

- Coastal Act Policy No. 2: *Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rock coastal beaches to the first line of terrestrial vegetation.*

The proposed project encloses an existing second-story private balcony; therefore, will not interfere with the public's right of access to the sea. The proposed project is located on the opposite side of Beach Boulevard and will not affect the existing Pacifica Beach Park that provides coastal access. As a result, the project will not impact or otherwise interfere with the public's right of access to the sea.

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

The proposed project encloses an existing second-story private balcony located within an existing residential cluster development. The surrounding neighborhood is a substantially developed residential neighborhood. Therefore, development will not occur outside of existing developed areas.

Because the proposed project will be located in an existing area substantially developed with residential units, and will be setback from the sea, substantial evidence exists to support a Planning Commission finding that the proposed development is in conformity with the City's certified Local Coastal Program.

**BE IT FURTHER RESOLVED** that the Planning Commission of the City of Pacifica does hereby decline to analyze the findings pertaining to Coastal Development Permit CDP-373-16 for development within the Coastal Zone as the proposed project or any reasonable alternative to the proposed project would not be implementable without the approval of a variance and PSD and making the findings for the CDP would be moot as the findings for the Variance and Site Development Permit required to construct the project cannot be made:

**BE IT FURTHER RESOLVED** that the Planning Commission of the City of Pacifica does hereby make the following findings pertaining to the project:

The denial of the proposed project is exempt from the CEQA in accordance with Section 21080(b)(5) of Public Resource Code.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** that the Planning Commission of the City of Pacifica denies Variance (PV-517-16), Site Development Permit (PSD-813-16), and declines to take action on the Coastal Development Permit CDP-373-16 to enclose 130 sf of an existing 154-sf second-story private balcony, at 2355 Beach Boulevard (APN 115-210-050).

\* \* \* \* \*

Passed and adopted at a regular meeting of the Planning Commission of the City of Pacifica, California, held on the 21<sup>st</sup> day of November 2016.

AYES, Commissioners:

NOES, Commissioners:

ABSENT, Commissioners:

ABSTAIN, Commissioners:

\_\_\_\_\_  
Josh Gordon, Chair

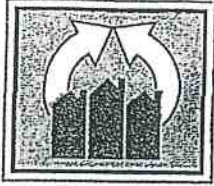
ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Tina Wehrmeister, Planning Director

\_\_\_\_\_  
Michelle Kenyon, City Attorney

BAY AREA



PROPERTY  
SERVICES

**BEACH PARK  
BOULEVARD ASSOCIATION**

Date: May 20<sup>th</sup>, 2016  
Re: Beach Park HOA: ARC Follow Up  
To: Chris Loeswick and Cecilia and Bill Long

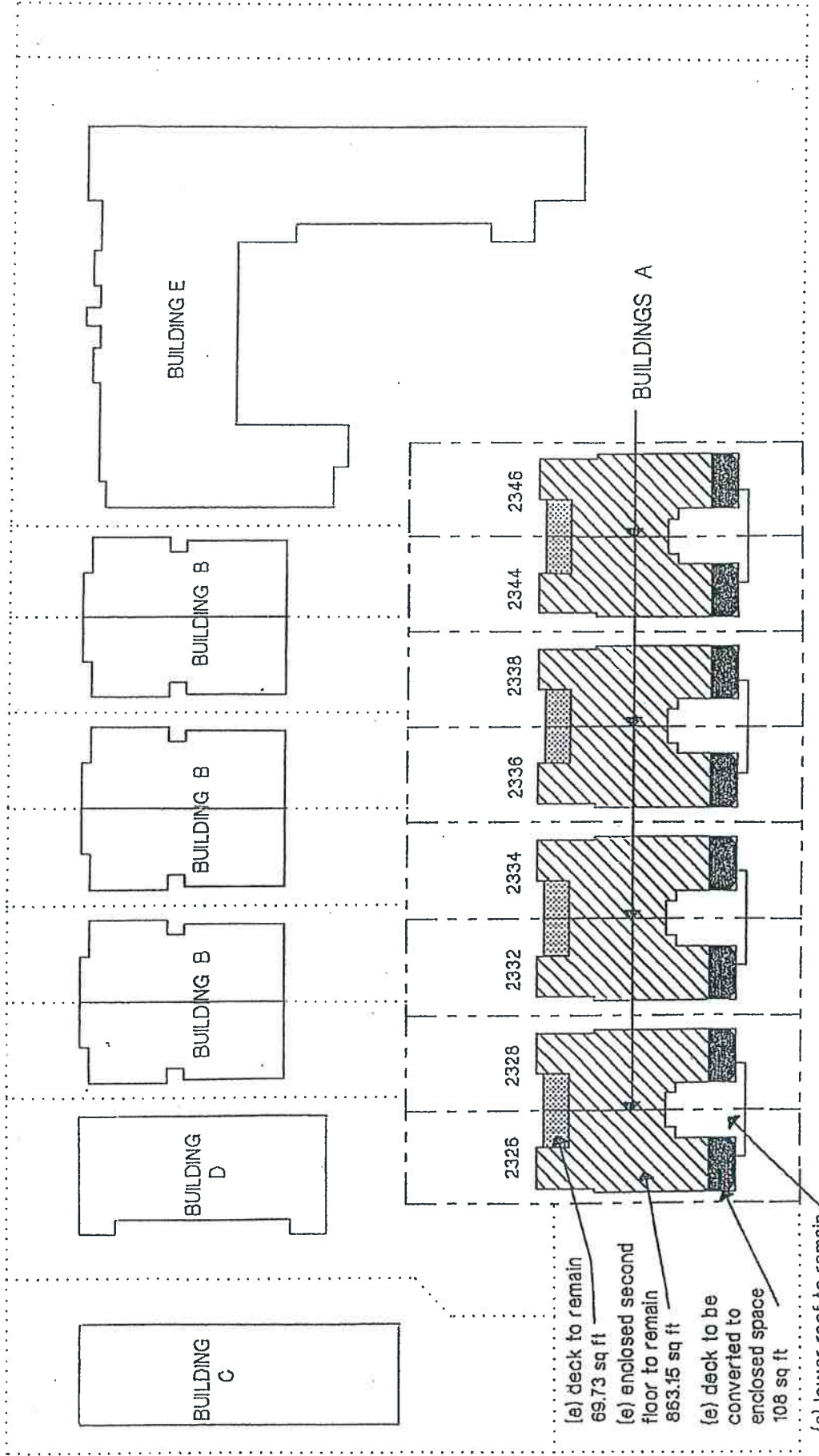
---

You advised the Board that you would like to enclose a portion of your deck/balcony with windows and a door and to install flooring on the complete deck/balcony. The Board approves your plan conceptually.

1661 Tice Valley Blvd.  
Suite 200  
Walnut Creek  
CA 94595-1648

info@bayservice.net  
800-610-0757  
Office: 925-746-0542  
fax: 925-746-0554  
www.bayservice.net

**ATTACHMENT C**



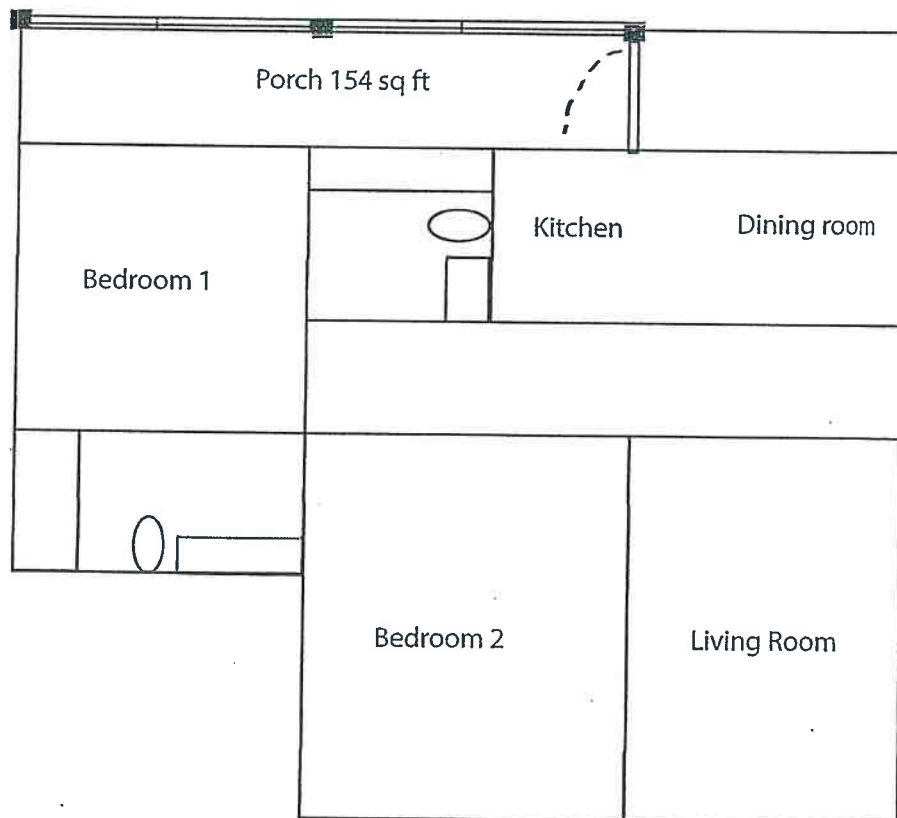
ATTACHMENT D

SITE PLAN - UPPER FLOOR 1/4" = 1'-0"

REMODEL OF EXISTING DECKS  
FOR EIGHT TOWNHOUSES  
BEACH PARK - BUILDINGS "A"  
PACIFICA - CA.

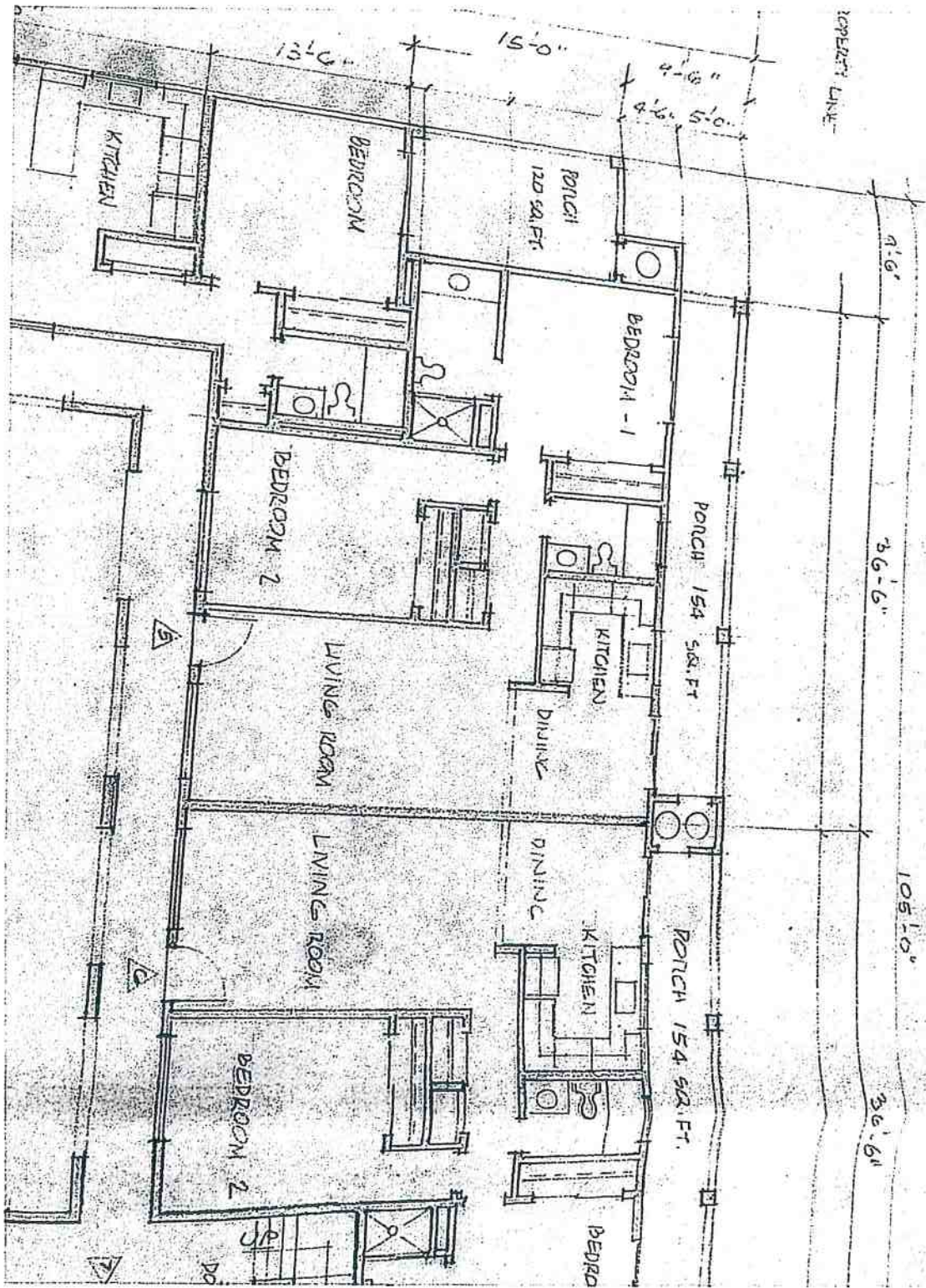
10/3/97  
3  
of 7

john fordice - other fish architect  
1828 fifth street - berkeley - ca  
510 549 1033



ATTACHMENT E







### Variance Description

When I moved into 2355 Beach Blvd. #202, I noticed the back deck was exposed to the elements. There was rust forming where there was metal underneath the painted deck. The only way to prevent this seems to me to put up windows and enclose the balcony so that it is a room.

I saw that my next-door neighbors on the North side of me had enclosed their back porches and made them into offices.

It seems like a good idea. I can put down laminate hardwood floors, enclose 2/3rds of the balcony with windows and a door and in turn prevent a lot of the natural elements from deteriorating the metal components of the balcony. In front of the sliding glass door and the other 1/3<sup>rd</sup> of the balcony I plan to tile, so that the floor is more resilient to the elements, making it a stronger balcony.

I respect and relish any advice or assessment the City planning commission can give me. Thank you for your assistance.

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PACIFICA DENYING VARIANCE PV-517-16, SITE DEVELOPMENT PERMIT PSD-813-16, AND DECLINING TO ANALYZE COASTAL DEVELOPMENT PERMIT CDP-374-16, TO ENCLOSE 130 SQUARE FEET OF AN EXISTING 154-SQUARE FOOT SECOND-STORY PRIVATE BALCONY AT 2355 BEACH BOULEVARD, APARTMENT 202 (APN 115-210-050), AND FINDING THE PROJECT EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA).**

---

Initiated by: Chris Loeswick (“Applicant”).

**WHEREAS**, an application has been submitted to enclose 130 square feet (sf) of an existing 154-sf second-story private balcony located at 2355 Beach Boulevard, Apartment 202 (APN 015-210-050); and

**WHEREAS**, the project requires approval of a Variance because the balcony improvements reduced the private open space for a residential cluster development unit below the standard specified in PMC Section 9-4.2402(c); and

**WHEREAS**, the project requires approval of a Site Development Permit because the proposed development would amend the development’s original PSD (PSD-515-85); and

**WHEREAS**, the project requires approval of a Coastal Development Permit because the project involves development within the Coastal Zone; and, the project does not qualify as a category of exempted or excluded development; and

**WHEREAS**, the Planning Commission of the City of Pacifica did hold a duly noticed public hearing on November 21, 2016, at which time the Planning Commission determined to continue the item to the December 5, 2016, Planning Commission Meeting; and

**WHEREAS**, the Planning Commission of the City of Pacifica did hold a continued hearing on December 5, at which time it considered all oral and documentary evidence presented, and incorporated all testimony and documents into the record by reference.

**NOW, THEREFORE BE IT RESOLVED** by the Planning Commission of the City of Pacifica as follows:

1. The above recitals are true and correct and material to this Resolution.
2. In making its findings, the Planning Commission relied upon and hereby incorporates by reference all correspondence, staff reports, and other related materials.

**BE IT FURTHER RESOLVED** that the Planning Commission of the City of Pacifica does not make the required findings pertaining to a Variance PV-517-16 to enclose 130 sf of an

existing 154-sf second-story private balcony, which would reduce the private open space for a residential cluster development unit below the standard specified in PMC Section 9-4.2402(c) as supported by the discussion below:

- i. Required Finding: *That because of special circumstances applicable to the property, including size, shape, topography, location, or surroundings, the strict application of the provisions of this chapter deprives such property of privileges enjoyed by other property in the vicinity and under an identical zoning classification.*

Discussion: The proposed project is located in an existing five building residential cluster development. Dwelling units within Building A, which is located along Beach Boulevard, have previously been granted similar approvals for enclosing a private balcony, which reduced the private open space for a residential cluster development unit below the minimum 150-sf requirement (see November 21, 2016 staff report). The balconies for Building A are west facing and are directly exposed to the ocean elements.

The proposed project is located in Building E and has a balcony on the east side of the three-story building and therefore does not experience the same extreme climatic conditions than the owners of Building A. Additionally, the applicant's stated justification for the variance is to prevent rust from occurring on the deck. Rusting is an issue that affects all properties in Pacifica. While the degree of rusting may be more extensive at the proposed project site than other locations of Pacifica located further inland, it is not specific to the property. Therefore there are no special circumstances applicable to the property that deprives the property of privileges enjoyed by other properties in the vicinity and under identical zoning classification. The required finding is not supported.

- ii. Required Finding: *That the granting of such variance will not, under the circumstances of the particular case, materially affect adversely the health or safety of persons residing or working in the neighborhood of the subject property and will not, under the circumstances of the particular case, be materially detrimental to the public welfare or injurious to property or improvements in the area.*

Discussion: The proposed project requests the approval of a Variance (PV-517-16) to allow the reduction in private open space by enclosing approximately 130 sf of a 154-sf second story private balcony. The enclosed balcony would create a building code violation as a result of the development blocking the direct outdoor egress for the original bedroom as well as the development not meeting the minimum dimension for use as a bedroom. The stated purpose of the California Building Codes is provided below:

**1.1.2 Purpose.** *The purpose of this code is to establish the minimum requirements to safeguard the public health, safety and general welfare through structural strength, means of egress facilities, stability, access to*

*persons with disabilities, sanitation, adequate lighting and ventilation and energy conservation; safety to life and property from fire and other hazards attributed to the built environment; and to provide safety to fire fighters and emergency responders during emergency operations.*

The fact that the development would not comply with the California Building Code would conclude that the development would adversely affect the health or safety of persons residing or working in the neighborhood of the subject property and would be detrimental to the public welfare or injurious to property or improvements. The required finding is not supported.

- iii. Required Finding: *Where applicable, that the application is consistent with the City's adopted Design Guidelines.*

Discussion: See discussion under part viii of the next recital.

- iv. Required Finding: *If located in the Coastal Zone, that the application is consistent with the applicable provisions of the Local Coastal Plan.*

Discussion: The requested reduction in private open space is consistent with the City's Local Coastal Program. See discussion under part ix. of the next recital.

**BE IT FURTHER RESOLVED** that the Planning Commission of the City of Pacifica does not make the following findings pertaining to Site Development Permit PSD-813-16 for the to amend the development's original PSD (PSD-515-85) as supported by the discussion below:

- i. Required Finding: *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.*

Discussion: The proposed project would enclose an existing second story balcony and would not include any modifications that would impact the vehicular or pedestrian traffic patterns.

- ii. Required Finding: *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.*

Discussion: The proposed project would enclose an existing second story balcony and would not impact the accessibility of off-street parking areas and the relation of parking areas with respect to traffic on adjacent streets, which will create a hazardous or inconvenient condition to adjacent or surrounding uses.

- iii. Required Finding: *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.*

Discussion The proposed project would enclose an existing second story balcony and would not impact landscaped areas that 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.

- iv. Required Finding: *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.*

Discussion: The project improvements include enclosing approximately 130 sf of the 154-sf east-facing balcony with two 70-inch by 36-inch double pane windows and a 38-inch by 84-inch exterior door. The proposed project would reduce the amount of private open space for one unit (Apartment 202) in an existing residential cluster development, and would not block the all-day southern exposure to adjacent properties, or change the existing interior setback affecting building separation.

As a result, the proposed project will not unreasonably restrict or cut out light and air on the property and on other property in the neighborhood. Furthermore, for the same reasons, the project will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof.

- v. Required Finding: *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.*

Discussion: The proposed project does not include any commercial or industrial uses. Therefore, this finding is not applicable to the subject project.

- vi. Required Finding: *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 this Code.*

Discussion: The proposed project does not include any construction that would damage or destroy natural features. Therefore, this finding is not applicable to the subject project.



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

Discussion: The existing design of the eastern elevation of 2355 Beach Boulevard includes sufficient variety in design as determined by the approval of the original PSD for the development (PSD-515-85). The proposed project would add inconsistency to the design of the east elevation of 2355 Beach Boulevard. The presence of the windows along the balcony rail would result in a design variety which would not add value to the overall building design. However, since the east elevation is located in the back of the property and only slightly visible from the adjacent street to the east, Palmetto Avenue, the visual impacts of this design inconsistency would be minimal.

- viii. Required Finding: *That the proposed development is inconsistent with the City's adopted Design Guidelines.*

Discussion: The proposed project would overall be consistent Design Guidelines. The following discussions provide further details of its compatibility with some of the various elements:

1. Site Planning

- *Lighting. Exterior Lighting should be subdued, and should enhance building design as well as provide for safety and security.*

The proposed project encloses an existing balcony with dual pane glass windows. The applicant proposed to install indoor sconces within the new enclosed area. No impacts on exterior lighting would occur.

2. Building Design

- *Design. The Style and design of new building should be in character with that of the surrounding neighborhood.*

The proposed project would add inconsistency to the design of the east elevation of 2355 Beach Boulevard. The presence of the windows along the balcony rail would result in a design variety which would not add value to the overall building design. However, since the east elevation is located in the back of the property and only slightly visible from the adjacent street to the east, Palmetto Avenue, the visual impacts of this design inconsistency would be minimal.

- *Scale. Scale is the measure of the relationship of the relative overall size of one structure with one or more other structures.*

The proposed project encloses an existing balcony with windows and does not alter the existing scale of the residential cluster development.

- *Materials. Compatibility of materials is an essential ingredient in design quality.*

The proposed project would add inconsistency to the material of the east elevation of 2355 Beach Boulevard. The presence of the windows along the balcony rail would result in a variety which would not add value to the overall building design. However, since the east elevation is located in the back of the property and only slightly visible from the adjacent street to the east, Palmetto Avenue, the visual impacts of this material inconsistency would be minimal.

### 3. Coastal Development

- *Views. New development within the coastal view shed should not impair views to the sea from public roads, trails, and vista points.*

The proposed project encloses an existing second-story balcony on the east side of the 2355 Beach Boulevard with windows and would not disrupt existing views to and along the ocean and scenic coastal areas.

### 4. Multi-Unit Development

- *Building Design. Variety is a key ingredient in the appearance of multi-unit developments. Developments which feature a series of identical structures are visually monotonous and are not acceptable.*

The existing design of the eastern elevation of 2355 Beach Boulevard includes sufficient variety in design as determined by the approval of the original PSD for the development (PSD-515-85). The proposed project would add inconsistency to the design of the east elevation of 2355 Beach Boulevard. The presence of the windows along the balcony rail would result in a design variety which would not add value to the overall building design. However, since the east elevation is located in the back of the property and only slightly visible from the adjacent street to the east, Palmetto Avenue, the visual impacts of this design inconsistency would be minimal.

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

Discussion: The requested reduction in private open space is not inconsistent with the City's General Plan or LCLUP as further described below. The proposed project would be inconsistent with PMC Section 9-4.2402(c), without an approved variance as further described under Section 4.A of this staff report, therefore this required finding is not supported.

- Community Design Element Policy No. 2: *Encourage the upgrading and maintenance of existing neighborhoods.*

The proposed project includes improvements to an existing 154-sf second-story private balcony. The balcony improvements are comprised of two 70-inch by 36-inch double pane windows, a 38-inch by 84-inch exterior door, interior laminate flooring, and exterior tile flooring. The balcony enclosure and exterior tile flooring is anticipated to better protect the existing balcony from the harsh coastal environment, which would extend the life of the balcony. Therefore, staff believes the proposed project would be considered an interior improvement to the existing residential cluster development and neighborhood.

The City's certified Local Coastal Program includes a Local Coastal Land Use Plan (LCLUP) that contains policies to further the City's coastal planning activities. The proposed project would not contradict these policies, as discussed below.

- Coastal Act Policy No. 2: *Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rock coastal beaches to the first line of terrestrial vegetation.*

The proposed project encloses an existing second-story private balcony; therefore, will not interfere with the public's right of access to the sea. The proposed project is located on the opposite side of Beach Boulevard and will not affect the existing Pacifica Beach Park that provides coastal access. As a result, the project will not impact or otherwise interfere with the public's right of access to the sea.

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

The proposed project encloses an existing second-story private balcony located within an existing residential cluster development. The surrounding neighborhood is a substantially developed residential neighborhood. Therefore, development will not occur outside of existing developed areas.

Because the proposed project will be located in an existing area substantially developed with residential units, and will be setback from the sea, substantial evidence exists to support a Planning Commission finding that the proposed development is in conformity with the City's certified Local Coastal Program.

**BE IT FURTHER RESOLVED** that the Planning Commission of the City of Pacifica does hereby decline to analyze the findings pertaining to Coastal Development Permit CDP-373-16 for development within the Coastal Zone as the proposed project or any reasonable alternative to the proposed project would not be implementable without the approval of a variance and PSD and making the findings for the CDP would be moot as the findings for the Variance and Site Development Permit required to construct the project cannot be made:

**BE IT FURTHER RESOLVED** that the Planning Commission of the City of Pacifica does hereby make the following findings pertaining to the project:

The denial of the proposed project is exempt from the CEQA in accordance with Section 21080(b)(5) of Public Resource Code.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** that the Planning Commission of the City of Pacifica denies Variance (PV-517-16), Site Development Permit (PSD-813-16), and declines to take action on the Coastal Development Permit CDP-373-16 to enclose 130 sf of an existing 154-sf second-story private balcony, at 2355 Beach Boulevard (APN 115-210-050).

\* \* \* \* \*

Passed and adopted at a regular meeting of the Planning Commission of the City of Pacifica, California, held on the 5<sup>th</sup> day of December 2016.

AYES, Commissioners:

NOES, Commissioners:

ABSENT, Commissioners:

ABSTAIN, Commissioners:

---

Josh Gordon, Chair

Enclosure of an Existing Balcony  
2355 Beach Blvd, Apartment 202 (APN 115-210-050)  
December 5, 2016  
Page 9

ATTEST:

APPROVED AS TO FORM:

---

Tina Wehrmeister, Planning Director

---

Michelle Kenyon, City Attorney



RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PACIFICA APPROVING A VARIANCE PV-517-16, SITE DEVELOPMENT PERMIT PSD-813-16, AND COASTAL DEVELOPMENT PERMIT CDP-374-16, SUBJECT TO CONDITIONS, TO LAWFULLY PERMIT COMPLETED IMPROVEMENTS TO AN EXISTING 154-SQUARE FOOT SECOND-STORY PRIVATE BALCONY AT 2355 BEACH BOULEVARD, APARTMENT 202 (APN 115-210-050), AND FINDING THE PROJECT EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA).**

---

Initiated by: Chris Loeswick (“Applicant”).

**WHEREAS**, an application has been submitted to lawfully permit completed improvements to an existing 154-square foot (sf) second-story private balcony located at 2355 Beach Boulevard, Apartment 202 (APN 015-210-050); and

**WHEREAS**, the project requires approval of a Variance because the balcony improvements reduced the private open space for a residential cluster development unit, as specified in PMC Section 9-4.2402(c); and

**WHEREAS**, the project requires approval of a Site Development Permit which would amend the previous Site Development Permit for the development; and

**WHEREAS**, the project requires approval of a Coastal Development Permit because the project involves development within the Coastal Zone; and, the project does not qualify as a category of exempted or excluded development; and

**WHEREAS**, the Planning Commission of the City of Pacifica did hold a duly noticed public hearing on November 21, 2016, at which time the Planning Commission determined to continue the item to the December 5, 2016, Planning Commission Meeting; and

**WHEREAS**, the Planning Commission of the City of Pacifica did hold a continued hearing on December 5, at which time it considered all oral and documentary evidence presented, and incorporated all testimony and documents into the record by reference.

**NOW, THEREFORE BE IT RESOLVED** by the Planning Commission of the City of Pacifica as follows:

1. The above recitals are true and correct and material to this Resolution.
2. In making its findings, the Planning Commission relied upon and hereby incorporates by reference all correspondence, staff reports, and other related materials.

**BE IT FURTHER RESOLVED** that the Planning Commission of the City of Pacifica does hereby make the following findings pertaining to a Variance PV-517-16 to lawfully permit completed improvements to an existing 154-sf second-story private balcony, which reduced the private open space for a residential cluster development unit:

- i. Required Finding: *That because of special circumstances applicable to the property, including size, shape, topography, location, or surroundings, the strict application of the provisions of this chapter deprives such property of privileges enjoyed by other property in the vicinity and under an identical zoning classification.*

Discussion: The proposed project is located in an existing five building residential cluster development. Dwelling units within Building A, which is located along Beach Boulevard, have previously been granted similar approvals for enclosing a private balcony, which reduced their private open space from 178 sf to 70 sf per unit and below the zoning standard of 150 sf per unit. The Planning Commission approved the variance and amendment based on the findings that extreme effects of the coastal weather inhibited their enjoyment of the open space.

The proposed project is located in Building E, which is located adjacent to Building A. Building E experiences the same extreme effects of the coastal weather as Building A, which inhibits the applicant's enjoyment of the open space.

- ii. Required Finding: *That the granting of such variance will not, under the circumstances of the particular case, materially affect adversely the health or safety of persons residing or working in the neighborhood of the subject property and will not, under the circumstances of the particular case, be materially detrimental to the public welfare or injurious to property or improvements in the area.*

Discussion: The applicant requests the approval of a Variance (PV-517-16) to allow the reduction in private open space by enclosing approximately 130 sf of a 154-sf second story private balcony. The effected open space from the proposed project, as conditioned, is private and the owners of the unit would be the only one affected from the change. Condition of Approval 7 would require the applicant to redesign the project to meet the building code requirements and to provide the necessary calculations that light and ventilation standards are being met. Additionally, due to the potential life threatening concerns, Condition of Approval 1, would require the applicant to rectify any CBC violations associated with the unpermitted development within 30 days. Implementation of Conditions of Approval 7 and 1 would ensure that the development is meeting the minimum standards for health and safety of the persons residing in the unit. Therefore, granting of the requested variance would not adversely affect the health or safety of persons residing or working in the neighborhood of the subject property and would not be detrimental to the public welfare or injurious to property or improvements.

- iii. Required Finding: *Where applicable, that the application is consistent with the City's adopted Design Guidelines.*

Discussion: See discussion under Finding *viii* for the Site Development Permit.

- iv. Required Finding: *If located in the Coastal Zone, that the application is consistent with the applicable provisions of the Local Coastal Plan.*

Discussion The project is consistent with the City's Local Coastal Program. See discussion under Finding *ix*. for the Site Development Permit.

**BE IT FURTHER RESOLVED** that the Planning Commission of the City of Pacifica does hereby make the following findings pertaining to Site Development Permit PSD-813-16 for the granting of a Variance (PV-517-16) to lawfully permit completed improvements to an existing 154-sf second-story private balcony within a residential cluster development:

- i. Required Finding: *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.*

Discussion: The proposed project would enclose an existing second story balcony and would not include any modifications that would impact the vehicular or pedestrian traffic patterns.

- ii. Required Finding: *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.*

Discussion: The proposed project would enclose an existing second story balcony and would not impact the accessibility of off-street parking areas and the relation of parking areas with respect to traffic on adjacent streets, which will create a hazardous or inconvenient condition to adjacent or surrounding uses.

- iii. Required Finding: *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.*

Discussion The proposed project would enclose an existing second story balcony and would not impact landscaped areas that 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.

- iv. Required Finding: *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.*

Discussion: The project improvements include enclosing approximately 130 sf of the 154-sf east-facing balcony with two 70-inch by 36-inch double pane windows and a 38-inch by 84-inch exterior door. The proposed project would reduce the amount of private open space for one unit (Apartment 202) in an existing residential cluster development, and would not block the all-day southern exposure to adjacent properties, or change the existing interior setback affecting building separation. As conditioned, the proposed project would meet, at minimum, the light and ventilation requirements of the CBC.

As a result, the proposed project will not unreasonably restrict or cut out light and air on the property and on other property in the neighborhood. Furthermore, for the same reasons, the project will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof.

- v. Required Finding: *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.*

Discussion: The proposed project does not include any commercial or industrial uses. Therefore, this finding is not applicable to the subject project.

- vi. Required Finding: *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 this Code.*

Discussion: The proposed project does not include any construction that would damage or destroy natural features. Therefore, this finding is not applicable to the subject project.

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

Discussion: The existing design of the eastern elevation of 2355 Beach Boulevard includes sufficient variety in design as determined by the approval of the original Site Development Permit for the development (PSD-515-85). The proposed project would add inconsistency to the design of the east elevation of 2355 Beach Boulevard. The

presence of the windows along the balcony rail would result in a design variety which would not add value to the overall building design (Attachment E). However, since the east elevation is located in the back of the property and only slightly visible from the adjacent street to the east, Palmetto Avenue, the visual impacts of this design inconsistency would be minimal.

- viii. Required Finding: *That the proposed development is inconsistent with the City's adopted Design Guidelines.*

Discussion: The proposed project would overall be consistent Design Guidelines. The following discussions provide further details of its compatibility with some of the various elements:

1. Site Planning

- *Lighting. Exterior Lighting should be subdued, and should enhance building design as well as provide for safety and security.*

The proposed project encloses an existing balcony with dual pane glass windows. The applicant proposed to install indoor sconces within the new enclosed area. No impacts on exterior lighting would occur.

2. Building Design

- *Design. The Style and design of new building should be in character with that of the surrounding neighborhood.*

The proposed project would add inconsistency to the design of the east elevation of 2355 Beach Boulevard. The presence of the windows along the balcony rail would result in a design variety which would not add value to the overall building design. However, since the east elevation is located in the back of the property and only slightly visible from the adjacent street to the east, Palmetto Avenue, the visual impacts of this design inconsistency would be minimal.

- *Scale. Scale is the measure of the relationship of the relative overall size of one structure with one or more other structures.*

The proposed project encloses an existing balcony with windows and does not alter the existing scale of the residential cluster development.

- *Materials. Compatibility of materials is an essential ingredient in design quality.*



The proposed project would add inconsistency to the material of the east elevation of 2355 Beach Boulevard. The presence of the windows along the balcony rail would result in a variety which would not add value to the overall building design. However, since the east elevation is located in the back of the property and only slightly visible from the adjacent street to the east, Palmetto Avenue, the visual impacts of this material inconsistency would be minimal.

### 3. Coastal Development

- *Views. New development within the coastal view shed should not impair views to the sea from public roads, trails, and vista points.*

The proposed project encloses an existing second-story balcony on the east side of the 2355 Beach Boulevard with windows and would not disrupt existing views to and along the ocean and scenic coastal areas.

### 4. Multi-Unit Development

- *Building Design. Variety is a key ingredient in the appearance of multi-unit developments. Developments which feature a series of identical structures are visually monotonous and are not acceptable.*

The existing design of the eastern elevation of 2355 Beach Boulevard includes sufficient variety in design as determined by the approval of the original Site Development Permit for the development (PSD-515-85). The proposed project would add inconsistency to the design of the east elevation of 2355 Beach Boulevard. The presence of the windows along the balcony rail would result in a design variety which would not add value to the overall building design. However, since the east elevation is located in the back of the property and only slightly visible from the adjacent street to the east, Palmetto Avenue, the visual impacts of this design inconsistency would be **minimal**.

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

Discussion: The requested reduction in private open space is not inconsistent with the City's General Plan or LCLUP as further described below. The proposed project, as conditioned, would be consistent with PMC, specifically Section 9-4.2402(c), with an approved variance.

- Community Design Element Policy No. 2: *Encourage the upgrading and maintenance of existing neighborhoods.*

The proposed project includes improvements to an existing 154-sf second-story private balcony. The balcony improvements are comprised of two 70-inch by 36-inch double pane windows, a 38-inch by 84-inch exterior door, interior laminate flooring, and exterior tile flooring. The balcony enclosure and exterior tile flooring is anticipated to better protect the existing balcony from the harsh coastal environment, which would extend the life of the balcony. Therefore, staff believes the proposed project, as conditioned, would be considered an interior improvement to the existing residential cluster development and neighborhood.

The City's certified Local Coastal Program includes a Local Coastal Land Use Plan (LCLUP) that contains policies to further the City's coastal planning activities. The proposed project would not contradict these policies, as discussed below.

- Coastal Act Policy No. 2: *Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rock coastal beaches to the first line of terrestrial vegetation.*

The proposed project encloses an existing second-story private balcony; therefore, will not interfere with the public's right of access to the sea. The proposed project is located on the opposite side of Beach Boulevard and will not affect the existing Pacifica Beach Park that provides coastal access. As a result, the project will not impact or otherwise interfere with the public's right of access to the sea.

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

The proposed project encloses an existing second-story private balcony located within an existing residential cluster development. The surrounding neighborhood is a substantially developed residential neighborhood. Therefore, development will not occur outside of existing developed areas.

Because the proposed project will be located in an existing area substantially developed with residential units, and will be setback from the sea, substantial evidence exists to support a Planning Commission finding that the proposed development is in conformity with the City's certified Local Coastal Program.

**BE IT FURTHER RESOLVED** that the Planning Commission of the City of Pacifica does hereby make the following findings pertaining to Coastal Development Permit CDP-373-16 for development within the Coastal Zone:

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

Discussion: See discussion under Finding *ix.* for the Site Development Permit above.

- 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 (Beach Boulevard) and the shoreline; therefore, this Coastal Development Permit finding does not apply in this case.

**BE IT FURTHER RESOLVED** that the Planning Commission of the City of Pacifica does hereby make the following findings pertaining to the project:

1. That the project is exempt from the CEQA as a Class 1 exemption provided in Section 15301(e) of the CEQA Guidelines.

#### **15301. Existing Facilities**

Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The types of "existing facilities" itemized below are not intended to be all inclusive of the types of projects which might fall within Class 1. The key consideration is whether the project involves negligible or no expansion of an existing use. Examples include but are not limited to:

- (e) Additions to existing structures provided that the addition will not result in an increase of more than:
  - (1) 50 percent of the floor area of the structures before the addition, or 2,500 square feet, whichever is less; or
  - (2) 10,000 square feet if:
    - (A) The project is in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan and

(B) The area in which the project is located is not environmentally sensitive.

Additionally, none of the exceptions to application of a categorical exemption in Section 15300.2 of the CEQA Guidelines apply, as described below.

- Sec. 15300.2(a): There is no evidence in the record that the project 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 will 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 will have a significant environmental impact. The project is a small addition to an existing residential cluster development and will not 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 will have a significant effect on the environment due to unusual circumstances. The project site consists of existing residential cluster development that is zoned for residential development. 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 1 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.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** that the Planning Commission of the City of Pacifica approves a Variance (PV-517-16), Site Development Permit (PSD-813-16), and Coastal Development Permit (CDP-374-16) to lawfully permit completed improvements to an existing 154-sf second-story private balcony, which reduced the private open space for a residential cluster development unit below the minimum 150-sf requirement lot located at 2355 Beach Boulevard (APN 115-210-050), subject to conditions of approval included as Exhibit A to this resolution.

\* \* \* \* \*

Passed and adopted at a regular meeting of the Planning Commission of the City of Pacifica, California, held on the 5th day of December 2016.

AYES, Commissioners:

NOES, Commissioners:

ABSENT, Commissioners:

ABSTAIN, Commissioners:

---

Josh Gordon, Chair

ATTEST:

APPROVED AS TO FORM:

---

Tina Wehrmeister, Planning Director

---

Michelle Kenyon, City Attorney



## Exhibit A

**Conditions of Approval: Variance (PV-517-16), Site Development Permit (PSD-813-16), and Coastal Development Permit (CDP-374-16) to lawfully permit completed improvements to an existing 154-square foot (sf) second-story private balcony, which reduced the private open space for a residential cluster development unit below the minimum 150-sf requirement located at 2355 Beach Boulevard (APN 115-210-050)**

### Planning Commission Meeting of December 5, 2016

#### Planning Division of the Planning Department

1. The existing unpermitted development creates significant health and safety issues due to critical California Building Code violations, specifically insufficient egress from the original northeast bedroom of the unit. The Applicant shall take immediate action to address these potential life threatening concerns. Therefore, the Applicant shall have 30 days from December 5, 2016, to rectify and correct all health and safety issues, including without limitation California Building Code violations, associated with the unpermitted development and schedule an inspection with the City's Building Inspector and Planning Staff to verify the violations have been addressed. The Applicant's failure to rectify and correct health and safety issues within the time limits prescribed in this Condition shall render code enforcement action. The time limits prescribed in this condition shall commence on the date stated, and shall not be extended in the event of an appeal or any other delay to the final approval or effective date of these permits.
2. This approval is for the improvements described in the City of Pacifica Planning Commission Staff Report dated November 21<sup>st</sup>, 2016 and December 5, 2016. The balcony requires an after the fact Building Permit(s) as conditioned below.
3. That the approvals are valid for a period of one year from the effective date provided in Section 9-4.3805 of the Pacifica Municipal Code. If the improvement(s) described herein is/are not established within such period of time, the approval(s) shall expire unless Applicant submits a written request for an extension and applicable fee prior to the expiration date, and the Planning Director or Planning Commission approves the extension request as provided below. The Planning Director may administratively grant a single, one year extension provided, in the Planning Director's sole discretion, the circumstances considered during the initial project approval have not materially changed. Otherwise, the Planning Commission shall consider a request for a single, one year extension.
4. All outstanding and applicable fees and/or fines associated with the processing of this project shall be paid prior to the issuance of a building permit.
5. 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.

6. The applicant shall indemnify, defend and hold harmless the City, its Council, Planning Commission, advisory boards, officers, employees, consultants and agents (hereinafter "City") from any claim, action or proceeding (hereinafter "Proceeding") brought against the City to attack, set aside, void or annul the City's actions regarding any development or land use permit, application, license, denial, approval or authorization, including, but not limited to, variances, use permits, developments plans, specific plans, general plan amendments, zoning amendments, approvals and certifications pursuant to the California Environmental Quality Act, and/or any mitigation monitoring program, or brought against the City due to actions or omissions in any way connected to the applicant's project, but excluding any approvals governed by California Government Code Section 66474.9. This indemnification shall include, but not be limited to, damages, fees and/or costs awarded against the City, if any, and costs of suit, attorney fees and other costs, liabilities and expenses incurred in connection with such proceeding whether incurred by the applicant, City, and/or parties initiating or bringing such Proceeding. If the applicant is required to defend the City as set forth above, the City shall retain the right to select the counsel who shall defend the City.

**Building Division of the Planning Department**

7. The applicant shall revise the design of the development to show compliance with the California Building Code (CBC). Light and air ventilation calculations shall accompany the revised plans to show conformance with CBC. The project requires review and approval of a building permit by the City of Pacifica Building Official.

**North County Fire Authority**

8. The applicant shall show compliance with the California Fire Code.

\*\*\*END\*\*\*

Attachment D. Photos of Development



Figure 1. Street view of Development. Looking westbound from Palmetto Avenue.



Figure 2. Closer view of Development

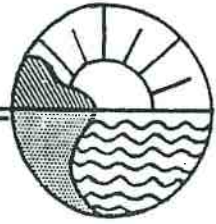


Figure 3. Closer view of Development



# STAFF REPORT

PLANNING COMMISSION-CITY OF PACIFICA



DATE: July 6, 1998

ITEM:

## PROJECT SUMMARY / RECOMMENDATIONS AND FINDINGS

Notice of public hearing was published in the Pacifica Tribune on June 24 and 43 surrounding property owners and residents were notified by mail.

Permit No: PV-394-98

APPLICANT: Jeff Bruno  
2338 Beach Boulevard  
Pacifica, CA 94044

LOCATIONS: 2326 Beach Blv (016-490-170) 2336 Beach Blv (016-490-130)  
2328 Beach Blv (016-490-160) 2338 Beach Blv (016-490-120)  
2332 Beach Blv (016-490-150) 2344 Beach Blv (016-490-110)  
2334 Beach Blv (016-490-140)

### PROJECT

DESCRIPTION: Conversion of existing second story decks to interior living space on seven adjacent townhouse condominium units.

General Plan: Medium Density Residential  
Zoning: R-2/ CZ

CEQA STATUS: Exempt

### STANDARDS OF CONFORMANCE:

<u>Standards</u>	<u>Required</u>	<u>Existing/ Proposed</u>
Lot size	5,000 sq.ft.	377.5' x 220' (83,050 sq.ft.)
Minimum Lot area per dwelling unit	2,900 sq.ft.	~25.5' x 112' (2,856 sq.ft.)
Private Open Space	150 sq.ft.	177.73 sq.ft./ 69.73 sq.ft.

RECOMMENDED ACTION: Denial

PREPARED BY: Dia Swan



## PROJECT SUMMARY

### A. STAFF NOTES

1. Project History- In June of 1985, the Commission approved the development of a 36-unit apartment/ condominium project that included 5 building groups. The four townhouse duplex buildings along beach boulevard make up the subject site for this proposal; seven of the eight units are included in the proposal.

In compliance with the Site Development Permit granted in 1985, each townhouse is a three-bedroom unit with the living and dining rooms, a half bath, and a kitchen on the first floor, adjoining the garage. The second floor has three bedrooms and a second bathroom. Two balconies were built; one off of the master bedroom on the west side, the second is placed off of another bedroom on the east side of the building. These two balconies combined for approximately 210 square feet of private open space, exceeding the code minimum requirement of 150 square feet. Each townhouse unit includes front and rear yard landscaping and a rear paved patio of 268 square feet.

In April of 1993, the owner of the unit at 2328 Beach Boulevard received approval for a project that would have enclosed the western balcony into a 120 square foot greenhouse. That project was never built.

The present proposal is to enclose the 108 square foot western balcony of seven of the eight west facing units, in order to enlarge the master bedroom, leaving 69.73 square feet of the second deck for private open space. Consequently, a variance is needed to allow the units to have less than the required 150 square feet of private open space. The design change also requires an amendment to the previously approved Site Development Permit.

2. General Plan, Zoning and Surrounding Land Use- The property is designated as Medium Density Residential in the General Plan and the Zoning for the site is R-2, Two Family Residential.

The subject site runs along Beach Boulevard and the Promenade. To the north is the City's Wastewater Treatment Plant, to the south is the Sharp Park Golf course, and additional residential uses lie to the east.

3. Municipal Code Standards- The proposal does not meet the code standard of 150 square feet of private open space for each condominium unit. The ordinance states that: each unit within the project is to have an appurtenant private patio, deck, balcony, atrium, or solarium designed for the sole enjoyment of the unit owner. The applicants proposal would eliminate one 108 sq ft. master bedroom deck from each unit leaving only 69.73 sq ft. of private open space. An amendment to the previously issued Site Development Permit is also needed for the proposed design change.

4. Design Guidelines- The project was built in a Spanish style with stucco exterior and terra-cotta tile roof. The design for the proposed deck enclosure would be consistent with the features of the original structure; specifically, the arched window features mimic the curve of the ground floor window. The roof line would be maintained and materials would be consistent. Seven windows would surround the enclosure so as to break up the effect of the added wall, and to let in light and air circulation.

5. Variance- The Code allows the Planning Commission to grant a variance to development regulations when the following findings are made:

- a. That because of special circumstances applicable to the property, including size, shape, topography, location, or surroundings, the strict application of the provisions of the Zoning Code deprives such property of privileges enjoyed by other property in the vicinity and under an identical zoning classification;
- b. That the granting of the variance will not, under the circumstances of the particular case, materially affect adversely the health or safety of persons residing or working in the neighborhood of the subject property and will not, under the circumstances of the particular improvements in the area; and
- c. Where applicable, that the application is consistent with the City's adopted Design Guidelines.

On the basis of such findings, the Commission may grant, conditionally grant, or deny the application for a variance.

6. Staff Analysis- The applicant submitted a letter (Attachment e) detailing the arguments for the variance. The three issues were, the enclosure of the decks would increase the intended use, that the enclosure of the deck would fix leak problem for the rooms below, and that the townhouse configuration provides an excellent amount of open space regardless of the required open space.

The enclosure of the deck, and consequent addition of square footage, would probably improve the quality of the master bedroom living area; the addition of several windows for light and ventilation would maximize the ocean facing view. The code requirement is for private open space though not more luxurious living space. The elimination of this deck would leave less than 70 square feet of private open space for the unit residents.

The applicant details the construction concerns with the existing west side decks and suggests that the enclosure of the decks would be a permanent fix for chronic leaks. Staff is supportive of improving the design of the Private Open Space, but sees the conversion of deck square footage to living space as a separate issue. By enclosing the existing deck in a greenhouse/ solarium, the required Private Open Space is maintained and improved.

The final point raised in the applicant's letter is not supportable by the Ordinance. It is the Zoning Ordinance that lists in the development standards for residential clustered housing:

Usable open space for townhouses is to be 750 square feet per unit, private open space is to be a minimum of 150 square feet. When combined with an analysis of the April 1993 Staff Report which specifies that the two second story balconies would be considered private open space, it is clear that the other fenced and private areas described in the letter are accounted for in other requirements.

In addition, one of the eight condominium units will remain unaltered. Staff is concerned that the inconsistency of the single open deck will detract from the merits of the proposed project. The one remaining townhouse owner that did not wish to participate in this project would prefer to maintain their deck.

Staff is sensitive to the applicants' desire to improve the usability of the open space, and to repair recurring leaks. Staff would be supportive if the proposal were to merely enclose the decks, thereby maintaining the private open space. For example, the project approved in 1993 would have accomplished the applicants' goals without decreasing the amount of required open space. In the case of the current proposal, staff does not believe the necessary findings can be made to support converting the private open space to interior living space.

### RECOMMENDATIONS AND FINDINGS

#### **B. RECOMMENDATION**

Staff recommends that the Planning Commission DENY the Variance and amendment to the previously approved Site Development Permit for the seven condominium units located at 2326, 2328, 2332, 2334, 2336, 2338, and 2344 Beach Boulevard

#### **C. FINDINGS**

1. Findings for Denial of Variance: The Planning Commission finds that the conversion of the west side decks to interior living space would result in substandard private open space and that the granting of a variance would constitute a special privilege inconsistent with the limitations imposed on other condominium owners in the City of Pacifica.
2. Findings for Denial of Amendment of Site Development Permit: The Planning Commission finds that the proposed development is inconsistent with the provisions of the City's Zoning Ordinance. Specifically, the proposal would not conform with the Private Open Space requirement of Sec.9-4.2402(c).

Planning Commission Staff Report  
Beach Blvd Deck Enclosures  
July 6, 1998  
5

**D. MOTION**

Move that the Planning Commission **Deny** PV-394-98, based on the findings contained in the July 6, 1998 staff report, and that all maps and testimony be incorporated herein by reference.

ATTACHMENTS:

- a. Plans (Commission only)
- b. Letter dated 1/20/98
- c. Letter dated 5/28/98
- d. Letter dated 6/25/98
- e. Letter dated 6/28/98
- f. Land Use and Zoning Exhibit

Jan. 20, 1998

Dear Pacifica Planning Department,

*The Architectural Committee of the Beach Boulevard Home Owner's Association has completed a review of John Fordice's architectural drawings for enclosing the balconies of the ocean facing townhouses and we have approved his design for the project.*

We have approved Mr. Fordice's plan, as it:

- 1). Provides a permanent solution to the leaking deck problems, as well as offer the occupants of those units a more year round useable space, given the coastal climatic conditions.
- 2). Enhances and maintains the overall aesthetic appearance of the current architectural elements, such as use of ceramic roof tiles, stucco, arched windows and overall **dimensions**.
- 3). Will provide a uniform guideline for ocean facing townhouses who choose to enclose their upper balconies, and thus maintain a consistent standard that is required by our association rules.
- 4). Will not negatively impact any of the other units in the total home-owner's complex.

We feel that Mr. Fordice's design captures the essential qualities that we require for approving any architectural changes that will significantly impact the outer appearance of the home-owner's complex. Mr. Fordice has attended several meetings with all the owner's of the front townhouse units to create a consensus of approval for his design. All ocean-facing townhouse owner's are in complete agreement with this design. Several years ago, Mr. & Mrs. Marquette submitted a different plan to enclose their upper balcony by simply adding a "glass greenhouse," which we understand was approved by the planning commission, but voted down by the architectural committee, because it was not in keeping with the exterior elements. We hope that you will approve this current design, which does maintain the architectural integrity of the building complex and importantly will provide a uniform standard for any unit that chooses to enclose. At this time, it appears that all but the farthest unit to the south will go ahead with the plan.

Respectfully,

  
Jeffrey Bruno

  
Ernest Scott

  
Don Hill

*Members of the Architectural Committee  
The Home Owner's Association of Beach Blvd.*

*c.c. The Home Owner's Board*



May 28, 1998

Pacifica Planning Commission  
City of Pacifica  
1800 Francisco Blvd.  
Pacifica, CA 94044

To Whom It May Concern:

Below you will find listed the applicants for the proposed Beach Blvd. Townhouse Balcony Enclosure Project, along with their addresses.

2326 Beach Blvd.	Alan W. Benner
2328 Beach Blvd.	Gary Marquette
2332 Beach Blvd.	Sharon Hsu
2334 Beach Blvd.	Christine Beales
2336 Beach Blvd.	Donald Hill
2338 Beach Blvd.	Jeffrey Bruno
2344 Beach Blvd.	Virginia Martin

The above mentioned applicants are all in agreement with going ahead and submitting the proposal for the Townhouse Balcony Enclosures as contained within this application. The enclosed checks and proof of interest or ownership of the properties above mentioned provides the written permission of the intention of all applicants to go forward with this proposal. The only exception is that we have verbal authorization from Gary Marquette, but have not yet received their proof of intent to go ahead with the project as they have been on an extended vacation. This information will be submitted upon their return. However, with the rapid approach of the summer months, we are hereby submitting this proposal so that things can progress in a timely manner.

Sincerely,



Jeffrey J. Bruno  
Authorized Agent  
on Behalf of the Above Mentioned Applicants

RECEIVED

JUN 26 1998

CITY OF PACIFICA  
COMMUNITY AND ECONOMIC  
DEVELOPMENT DEPARTMENT

Pacifica, CA.  
June 25, 1998

Pacifica Planning Commission  
170 Santa Maria Ave.  
Pacifica, CA

Re: The proposed enclosure of the existing decks on the seven adjacent townhouse condominium units on Beach Boulevard; PSD-632-98.

Dear Sirs:

My wife and I are owners of one of the above referenced townhouses having lived here since they were built in 1987.

Our deck has been a source of problems for a number of years due to leaks which invade our living quarters. Also, the deck has proved to be more of a decorative feature to the house than of any practical <sup>value</sup>. The reason for this is that with the prevailing westerly winds it is too cold <sup>to</sup> sit out there and enjoy the view except for a very few days each year. We are retired people who would enjoy many hours of pleasure if the deck was enclosed.

All of the owners have spent considerable time and money in trying to achieve a plan for enclosing the decks that would not only be functional but would be aesthetically appealing.

We strongly urge that you approve this project which, in our opinion, has no negative features.

Sincerely yours,  
Donald & Frances Hill

RECEIVED

JUN 29 1998

CITY OF PACIFICA  
COMMUNITY AND ECONOMIC  
DEVELOPMENT DEPARTMENT

June 28, 1998

Michael Crabtree  
City Planner  
City Hall, 170 Maria Ave  
Pacifica, CA 94044

Dear Mr. Crabtree,

This letter is in support of the requested Variance, PV-394-98 and Amendments to Site Permit, PSD-515-85; seeking permission to enclose existing second story decks on seven of the eight west facing condominium units, resulting in reduction of required Private Open Space for these condominium units at 2326, 2328, 2332, 2334, 2336, 2338, and 2344 Beach Boulevard. The rationale for this request include:

*Enclosing the west second story decks will actually increase their use as intended; being across the street from the ocean, the decks are too weather exposed to be used except under ideal conditions. The design the townhouse owners created includes one large window and six smaller ones with lowered sills (the existing deck walls are too high to see over when sitting) maximizing the views and available light; the side windows are operational so that cross ventilation can be regulated to suit conditions and preference. As it is now, the existing sliding glass doors create an "all or nothing" exposure to the weather which results in the closing off of the decks 90-95% of the time. Currently, half of the decks cannot be walked upon and are unusable because they have temporary seals to prevent leaks. The requested variance will allow a modification which will provide a major increase in the space's usability and the townhouse occupant's access to light and fresh air.*

*Enclosing the west second story decks will permanently "fix" the water damage and leaks problem experienced in the townhouses dining and living room areas; you are probably aware that our Beach Park Homeowners Association settled a lawsuit against the complex developers over major substandard construction issues; water damage and serious leaks from the western second story decks are part of that settlement. Retained experts reported to the Association that enclosing the decks would be the most permanent solution; striping, obtaining a mechanical resurfacing bond, and replacement of existing sliding doors will provide a solution for a period of time (most likely 10 years); however, the existing exposure and natural consequence of use will cause future failure. Because the obtained settlement must cover life safety issues first (like earth quake retrofitting-fitting, shear walls, foundation reinforcement, etc.) the available moneys must be apportioned out judiciously and is insufficient to provide a "Cadillac fix" to even important areas like our west decks. So it was agreed that the townhouse owners could apply the budgeted "Chevrolet fix" moneys allocated for their decks if they would make up the difference necessary for the enclosure plan. The point is, many of the townhouse owners have suffered considerable inconvenience and quality of life disruption and want desperately to obtain permanent relief that an enclosure would provide.*

*Enclosing the second story western decks technically violates the required 150 square foot private open space requirement. However, the townhouses' configuration provide an excellent amount of private open space even if the second story western decks are enclosed; the townhouses requesting the variance enjoy much greater privacy than their neighbors in the condominium units. Unlike the thirteen condominiums (also six apartments) within the complex, the townhouses have no shared stairs, walk ways, laundry facilities or common areas. Only three of the condominiums have backyards while all the townhouses have four hundred square feet patios across the street from the Beach Boulevard Esplanade and the ocean. Additionally, the townhouses enjoy a private fenced entry and walk way alongside the units which encloses another one hundred and ninety square feet of private open space. Finally, all the townhouses have a protected easterly facing second story deck of sixty three square feet. Like the houses in San Francisco's Richmond and Sunset districts, the only element shared with one neighbor is one common wall; everything else is individual and private. While the requested variance will, technically, reduce the required square footage of open space by "enclosing" one hundred and eight square feet, it will, in fact, make that space, the sunlight, the sea air and sounds more accessible than it currently is. The pre-existing bedrooms (with the exception of the two end units who paid for an additional window) have only the six by eight sliding glass door for light and ventilation, no other existing windows in those bedrooms exist. I submit to you that these bedrooms may be technically within code but that the requested variance will make them considerably better and much, much more enjoyable and beautiful.*

Thank you for your consideration of our requested variance. Sincerely,



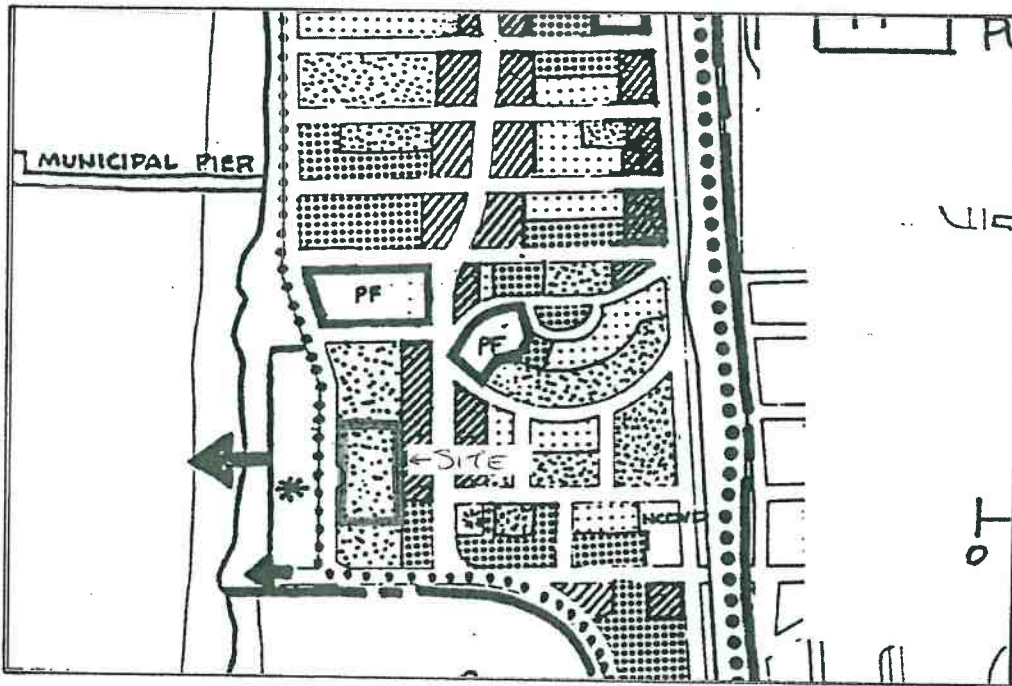
Alan W. Benner  
President, Beach Park Home Owners Assc.  
2326 Beach Boulevard



# General Plan Diagram

Existing Land Use: *MEDIUM DENSITY RESIDENTIAL*

## Legend



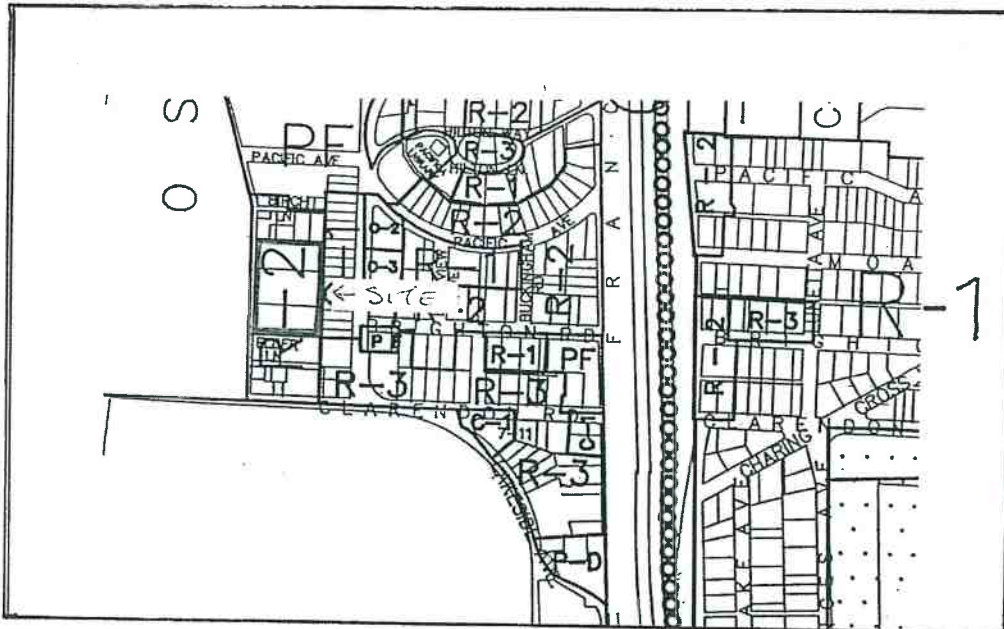
- VERY LOW DENSITY RESIDENTIAL
- LOW DENSITY RESIDENTIAL
- MEDIUM DENSITY RESIDENTIAL
- HIGH DENSITY RESIDENTIAL
- MIXED USE: HIGH DENSITY/COMM.
- COMMERCIAL
- GENERAL COMMERCIAL
- OPEN SPACE RESIDENTIAL
- GREENBELT
- PROMINENT RIGELINE
- SPECIAL AREA
- MARSH
- OPEN SPACE / PUBLIC FACILITY
- PROPOSED PARKING
- NEIGHBORHOOD PARK
- DEVELOPED / PROPOSED BEACH ACCESS
- NORTH-SOUTH CITY TRAIL
- PUBLIC FACILITY
- UTILITIES
- AGRICULTURE
- CHURCH
- FIRE STATION

Neighborhood: *WEST SHARP PARK*

# Zoning Map Diagram

Existing Zoning: *R-2: TWO FAMILY RESIDENTIAL*

## Legend



### ZONING DISTRICTS

- R-1 Single-Family Residential
- R-2 Two-Family Residential
- R-3 Multiple-Family Residential
- R-3.1 Multiple-Family Residential
- R-3-G Multiple-Family Residential Garde
- R-5 High Rise Apartment
- C-1 Neighborhood Commercial
- C-1-A Commercial Apartment
- C-2 Community Commercial
- C-3 Service Commercial
- O Professional Office
- C-R Commercial Recreation
- M-1 Controlled Manufacturing
- M-2 Industrial
- P Parking
- A Agricultural
- B Lot Size Overlay
- P-F Public Facilities
- P-D Planned Development
- R-M Resource Management
- O-S Open Space
- R-3/L.D. Multiple-Family/Low Density Residential
- R-1-H Single-Family Residential Hillside
- CZ Coastal Zone Combining District
- SA Special Area Combining District
- HPD Hillside Preservation District

+ Requires Vote to Rezone  
X Vote Required for Residential Develo

## LAND USE AND ZONING EXHIBIT

City of Pacifica  
Community & Economic Development Department



NORTH

Scale:  
N.T.S.



**CONSENT ITEMS:**

None.

**PUBLIC HEARINGS:**

**PV-394-98**                      **Variance and Amendment to Site Development Permit filed by Jeff Bruno**  
**PSD-515-85**                      **on behalf of the owners of seven condominiums located at 2326, 2328,**  
**2332, 2334, 2336, 2338, and 2344 Beach Boulevard for conversion of**  
**existing second story decks to interior living space on seven of the eight**  
**west facing condominium units.**

City Planner Michael Crabtree presented the staff report, which recommends denial of the project.

Chair Toal clarified with staff their definition of private open space and usable open space.

Applicant, Jeff Bruno, 2338 Beach Blvd., representing the homeowners, believes a miscalculation occurred with the private open space when taking into account the front yard, the side yard and the driveway including landscaping and the two balconies upstairs. He stated the reasons for converting the decks to interior living space.

John Fordice, 1838 Fifth St., Berkeley, architect for the project, stated that preliminary consultations with the City regarding the enclosure of the decks indicated that private open space was not an issue. He believes that calculations of the private open space of the rear yard indicate sufficient private open space, which meets the requirement for private open space.

Al Benner, 2326 Beach Blvd., president of the homeowners association, addressed the comment in the staff report regarding the conversion as "luxurious living space."

Chair Toal, seeing no other speakers, closed the Public Hearing.

Commissioner Lines identified with the homeowners desire to use their decks, and believed the proposal met the criteria for approving a variance. She stated her approval of the request for a variance based on special circumstances. She stated her desire for staff to report back to the Commission with findings to support the variance.

Commissioner O'Neill is supportive of the project, citing changing needs and resolution of leaking problems. He asked if a separate variance would be required for the remaining unit. He too would support findings for approval by staff.

Commissioner Hotchkiss clarified with staff whether the fenced yards are private open space or common area. City Planner Michael Crabtree responded the yards are private areas for the exclusive use of the units, but was not the determination made at the time the original permit was granted. Commissioner Hotchkiss concurs that the requirement for private space is met and would support the project.

Commissioner Vreeland supports the project citing the degree of continuity of the project, the design and increased usefulness of the proposed area. Commissioner Vreeland recommends approval of the variance or determination whether the rear yard meets the private open space requirement. He would like the remaining homeowner to be notified of the Commission's action and given the option of converting the deck.

Chair Toal appreciates the design of the proposed conversion but would like to see windows on either side of the picture window to allow for air and light.

City Planner Michael Crabtree presented findings for approval of the variance as follows:

The Planning Commission determines that due to special circumstances of the properties, strict application of the provisions of the zoning ordinance deprives the property of privileges enjoyed by the other properties in an identical zoning classification. Specifically, the extreme effects of the coastal weather inhibits the enjoyment of the open space.

The Commission further finds that the granting of such variance will not adversely affect the health or safety of persons residing or working in the surrounding neighborhood, and that the variance would not be detrimental to public welfare, and that the granting of the variance will not degrade privacy for the surrounding neighbors. The Commission also finds that the project is consistent with the Design Guidelines in that the addition would match the existing townhomes in scale, height, architectural style, and material of construction.

City Planner Crabtree provided findings for approval of the site development permit as follows:

The Planning Commission finds that the proposal to enclose the western facing decks at 2326, 2328, 2332, 2334, 2336, 2338, and 2344 Beach Boulevard will not result in a hazardous traffic or parking pattern, that sufficient landscape areas have been provided, that the proposed development will not unreasonably restrict light and air on the property and neighboring properties, that no natural features will be destroyed, that there is sufficient variety in the design of the structure to avoid monotony, and that the proposal is consistent with the Design Guidelines, General Plan, Local Coastal Plan, and Zoning Ordinance.

He proposed a condition of approval as follows:


1. Building permit drawings and subsequent construction shall substantially conform with approved planning application drawings. Any modifications shall be reviewed by the Planning Director, who shall determine whether the modifications require additional approval by the Planning Commission.

Commissioner Thompson would prefer to maintain the variance request rather than redefine open space.

Commissioner O'Neill moved approval of PV-394-98 approving the variance and amendment to site development permit based on findings given by City Planner Michael Crabtree and subject to Condition 1 as stated by City Planner Crabtree at this meeting on July 6, 1998; Commissioner Vreeland seconded the motion.

The motion carried 6-0.

Ayes:	Commissioners Toal, Vreeland, Lines, Thompson, O'Neill and Hotchkiss
Noes:	None
Absent:	Commissioner Skrebutenas

- 
2. **DP-52-95**  
**SP-94-95**  
**SUB-162-95**  
**PV-365-95**  
**TDR-1-90**  
**Amendment to Conditions of Approval for the Skyridge Subdivision**  
**Regarding Landscaping, filed by Western Pacific Housing to amend single-family residential Skyridge subdivision at northwest corner of Skyline Blvd. and Sharp Park Road.**



# Building A

Original (shown far right and far left) and enclosed balconies (two middle units).

Legend

A

Attachment F



6:29 ft

Google earth

© 2016 Google





2.2. *High-level activity usage when high usage is present.*

**SECTION 1206  
YARDS OR COURTS**

**1206.1 General.** This section shall apply to yards and courts adjacent to exterior openings that provide natural light or ventilation. Such yards and courts shall be on the same lot as the building.

**1206.2 Yards.** Yards shall be not less than 3 feet (914 mm) in width for buildings two stories or less above grade plane. For buildings more than two stories above grade plane, the minimum width of the yard shall be increased at the rate of 1 foot (305 mm) for each additional story. For buildings exceeding 14 stories above grade plane, the required width of the yard shall be computed on the basis of 14 stories above grade plane.

**1206.3 Courts.** Courts shall be not less than 3 feet (914 mm) in width. Courts having windows opening on opposite sides shall be not less than 6 feet (1829 mm) in width. Courts shall be not less than 10 feet (3048 mm) in length unless bounded on one end by a public way or yard. For buildings more than two stories above grade plane, the court shall be increased 1 foot (305 mm) in width and 2 feet (610 mm) in length for each additional story. For buildings exceeding 14 stories above grade plane, the required dimensions shall be computed on the basis of 14 stories above grade plane.

**1206.3.1 Court access.** Access shall be provided to the bottom of courts for cleaning purposes.

**1206.3.2 Air intake.** Courts more than two stories in height shall be provided with a horizontal air intake at the bottom not less than 10 square feet (0.93 m<sup>2</sup>) in area and leading to the exterior of the building unless abutting a yard or public way.

**1206.3.3 Court drainage.** The bottom of every court shall be properly graded and drained to a public sewer or other approved disposal system complying with the *California Plumbing Code*.

**SECTION 1207  
SOUND TRANSMISSION**

**1207.1 Scope.** This section shall apply to common interior walls, partitions and floor/ceiling assemblies between adjacent dwelling units and sleeping units or between dwelling units and sleeping units and adjacent public areas such as halls, corridors, stairs or service areas.

**1207.2 Air-borne sound.** Walls, partitions and floor/ceiling assemblies separating dwelling units and sleeping units from each other or from public or service areas shall have a sound transmission class (STC) of not less than 50 (45 if field tested) for air-borne noise when tested in accordance with ASTM E 90. Penetrations or openings in construction assemblies for piping; electrical devices; recessed cabinets; bathtubs; soffits; or heating, ventilating or exhaust ducts shall be sealed, lined, insulated or otherwise treated to maintain the required ratings.

This requirement shall not apply to entrance doors; however, such doors shall be tight fitting to the frame and sill.

**1207.2.1 Masonry.** The sound transmission class of concrete masonry and clay masonry assemblies shall be calcu-

lated in accordance with TMS 0302 or determined through testing in accordance with ASTM E 90.

**1207.3 Structure-borne sound.** Floor/ceiling assemblies between dwelling units and sleeping units or between a dwelling unit or sleeping unit and a public or service area within the structure shall have an impact insulation class (IIC) rating of not less than 50 (45 if field tested) when tested in accordance with ASTM E 492.

*Exception: Impact sound insulation is not required for floor-ceiling assemblies over nonhabitable rooms or spaces not designed to be occupied, such as garages, mechanical rooms or storage areas.*

**1207.4 Allowable interior noise levels.** Interior noise levels attributable to exterior sources shall not exceed 45 dB in any habitable room. The noise metric shall be either the day-night average sound level (L<sub>dn</sub>) or the community noise equivalent level (CNEL), consistent with the noise element of the local general plan.

**SECTION 1208  
INTERIOR SPACE DIMENSIONS**

**1208.1 Minimum room widths.** Habitable spaces, other than a kitchen, shall be not less than 7 feet (2134 mm) in any plan dimension. Kitchens shall have a clear passageway of not less than 3 feet (914 mm) between counter fronts and appliances or counter fronts and walls.

*[HCD 1] For limited-density owner-built rural dwellings, there shall be no requirements for room dimensions, provided there is adequate light and ventilation and adequate means of egress.*

**1208.2 Minimum ceiling heights.** Occupiable spaces, habitable spaces and corridors shall have a ceiling height of not less than 7 feet 6 inches (2286 mm). Bathrooms, toilet rooms, kitchens, storage rooms and laundry rooms shall be permitted to have a ceiling height of not less than 7 feet (2134 mm).

**Exceptions:**

1. In one- and two-family dwellings, beams or girders spaced not less than 4 feet (1219 mm) on center shall be permitted to project not more than 6 inches (152 mm) below the required ceiling height.
2. If any room in a building has a sloped ceiling, the prescribed ceiling height for the room is required in one-half the area thereof. Any portion of the room measuring less than 5 feet (1524 mm) from the finished floor to the ceiling shall not be included in any computation of the minimum area thereof.
3. Mezzanines constructed in accordance with Section 505.1.
4. [OSHPD 1, 2 & 3] Minimum ceiling heights shall comply with Section 1224.4.10.
5. [OSHPD 4] Minimum ceiling heights shall comply with Section 1227.8

**1208.2.1 Furred ceiling.** Any room with a furred ceiling shall be required to have the minimum ceiling height in two-thirds of the area thereof, but in no case shall the height of the furred ceiling be less than 7 feet (2134 mm).



Scenic Pacifica  
Incorporated Nov. 22, 1957

---

## PLANNING COMMISSION Staff Report

---

**DATE:** December 5, 2016

**FILE:** CDP-376-16

**ITEM:** 3

**PUBLIC NOTICE:** Notice of Public Hearing was published in Pacifica Tribune on November 16, 2016, and mailed to 88 surrounding property owners and occupants.

**APPLICANT** Joshua Moore  
**AND OWNER:** 1493 Grand Ave.  
Pacifica, CA 94044

**PROJECT LOCATION:** 1493 Grand Ave. (APN 023-021-110) – Pedro Point

**PROJECT DESCRIPTION:** Construct a one story addition of approximately 661 square feet and attached deck of approximately 250 square feet to the rear of an existing 1,334 square feet single-family dwelling.

**SITE DESIGNATIONS:** General Plan: Low Density Residential (LDR)  
Zoning: R-1/CZ (Single-Family Residential/Coastal Zone Combining)

**RECOMMENDED CEQA STATUS:** Class 1 Categorical Exemption, Section 15301.

**ADDITIONAL REQUIRED APPROVALS:** None. Subject to appeal to the City Council and California Coastal Commission.

**RECOMMENDED ACTION:** Approve with conditions.

**PREPARED BY:** Christian Murdock, Associate Planner



**PROJECT SUMMARY, RECOMMENDATION, AND FINDINGS**

***ZONING STANDARDS CONFORMANCE:***

<b><u>Standards</u></b>	<b><u>Required</u></b>	<b><u>Existing</u></b>	<b><u>Proposed</u></b>
Lot Size (sq. ft.)	5,000	7,500	No change
Coverage	40% max	27%	36%
Height	35'-0" max	22'-2"	No change
Landscaping	20% min	39%	27%
Setbacks (Main Bldg.)			
-Side (interior lot)	5'-0"	5'-0" (left) 10'-10" (right)	No change
-Rear	20'	90'	70'
Setbacks (Deck > 30" Above Grade)			
-Side (interior lot)	4'	N/A	5'-0" (left) 10'-10" (right)
-Rear	14'-0"	N/A	62'-6"
Distance Between Bldgs.	5'-0"	61'-0"	33'-6"

**PROJECT SUMMARY**

**1. Background**

The Planning Commission approved the proposed project with Resolution No. 901 on August 18, 2014 (Coastal Development Permit CDP-345-14). The Planning Commission extended its approval of CDP-345-14 on September 21, 2015. However, the applicant subsequently allowed the permit to expire on September 16, 2016. The current proposal is identical to the proposal approved by the Planning Commission in 2014.

**2. Project Description**

The applicant proposes to construct a 661 square foot (sq. ft.) single-story addition to the rear of an existing 1,334 sq. ft. one-story house with detached two-car garage. The applicant also proposes to construct a new 250 sq. ft. deck attached to the rear of the addition. Materials, color, pitch, and height of the new siding and roof, as appropriate, will match the existing house, resulting in the appearance of a fully-integrated addition. There are no heritage trees with driplines extending into the project area.

New floor area created by the addition will integrate with the existing residence through a newly constructed hallway. The new addition will open onto the new deck area. Access to the deck will be available from the interior of the addition only, as the applicant has not proposed to construct exterior stairs. The applicant will use the new family room, restroom, and wet bar as an additional family recreation area.

Although the City does not have a view preservation ordinance, staff analyzed potential impacts to views from the adjacent property at 1495 Grand Ave. in response to public comments received by staff

prior to the first public hearing to consider the expired application for CDP-345-14 on August 18, 2014. The rear edge of the proposed addition will terminate approximately 20' short of an existing two-story residence at 1459 Grand Ave. located adjacent to and north of the subject site. The proposed deck area will terminate approximately 11' short of the same residence. Because the proposed addition will remain behind the existing profile of the existing residence at 1459 Grand Ave., and because the proposed addition will not increase the height of the existing structure at the subject site, therefore, the proposed addition should not affect any of the existing northerly ocean or coastal views enjoyed by the existing residence at 1495 Grand Ave., located adjacent to and south of the subject site. Additionally, due to an appreciable increase in grade between the subject site and Athenian Way to the south, the project will have no impact on other views currently enjoyed by properties to the south and east of the project area.

As a result of the downward sloping topography of the subject lot, the proposed addition will create a 661 sq. ft. unfinished storage area directly below the new living area. The new storage area will connect to unfinished storage area currently beneath the existing house. The storage area, although unfinished, is considered for purposes of California Fire Code compliance as part of the gross floor area of the addition because its ceiling heights are adequate for full access and because the applicant has proposed install a regular door to access the area. As a result, the project will trigger the requirements of Pacifica Municipal Code (PMC) Section 4-3.105 pertaining to installation of a fire sprinkler system in the new addition and throughout the existing structure. The fire sprinkler installation requirement applies to additions of 1,000 sq. ft. or more of gross floor area to R-1 and R-3 occupancy groups (i.e. transient occupancies, such as hotels, and small permanent residential occupancies, such as single-family residences). Different thresholds apply to other occupancy groups. The fire sprinkler requirement was applicable to the project at the time of the Planning Commission's approval of the now-expired CDP-345-14. However, staff believed it was important to emphasize the requirement during the current review and has added a related condition of approval. Repeated requests for fire sprinkler information by the City plan reviewer were ignored by the applicant's engineer through three building permit plan reviews between November 20, 2014, and July 27, 2016.

### **3. General Plan, Zoning, and Surrounding Land Uses**

The subject site's General Plan land use designation is Low Density Residential (LDR). The LDR land use designation permits residential development at an average density of three to nine units per acre (an average lot area of 4,840-14,520 square feet per unit). A single-family residence on a 7,500 square foot (sq. ft.) lot is consistent with the use type and densities allowed within the LDR land use designation.

The subject site's location is within the R-1 (Single-Family Residential) and CZ (Coastal Zone Combining) zoning districts. The R-1 zone allows development of most single-family dwellings including additions to most existing single-family dwellings as a permitted use. The CZ zone supplements the underlying zoning district (R-1) with additional standards.

Land uses surrounding the project site consist entirely of single-family residences in the R-1/CZ zoning districts. Most are one- and two-story structures.

#### 4. Municipal Code

The applicant's proposal requires one approval under the Pacifica Municipal Code (PMC). The project requires Planning Commission approval of a Coastal Development Permit (CDP) prior to issuance of a building permit because (i) the addition will increase building height, bulk, or floor area of an existing single-family structure by 10 percent or more [PMC Sec. 9-4.4303(h)(2)]; and, (ii) the project does not qualify as a category of excluded development since it is located within the Coastal Commission's appeal jurisdiction [PMC Sec. 9-4.4303(i)(2)]. The Planning Commission must make two findings in order to approve a CDP application (PMC Sec. 9-4.4304(k)):

i. The proposed development is in conformity with the City's certified Local Coastal Program;  
and

ii. 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.

#### 5. Required Findings

A. In order to approve the subject Coastal Development Permit, the Planning Commission must make the two findings required by PMC Section 9-4.4304(k). The following discussion supports the Commission'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 proposed project is consistent with several of these policies, as discussed below.

- Coastal Act Policy No. 2: *Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rock coastal beaches to the first line of terrestrial vegetation.*

The proposed project does not interfere with the public's right of access to the sea. It will be undertaken on an existing developed lot more than 1,700 feet from the nearest coastal access point. Between the sea and the subject site there is substantial urban development and several streets. Therefore, the project would have no impact or otherwise interfere with the public's right of access to the sea.

- 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... [the remainder of this policy pertains to land divisions and visitor-serving facilities, neither of which are part of the subject project.]*

The new development proposed with this project is located within an existing developed area. The Pedro Point neighborhood is a substantially developed suburban neighborhood with subdivided lots, most of which have already been developed with single-family homes, including the lots on either side of the project site. Therefore, development would not occur outside of existing developed areas.

Because the proposed project would be undertaken in an existing area substantially developed with single-family homes, and will be setback more than 1,700 feet from the sea; therefore, there is substantial evidence in the record to support a Planning Commission 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 subject site is not located between the nearest public road (San Pedro Avenue) and the shoreline; therefore, this Coastal Development Permit finding does not apply in this case.

Because the project would be consistent with several Local Coastal Land Use Plan policies, and would not be constructed between the nearest public road and the shoreline, therefore, there is substantial evidence in the record to support Planning Commission approval of a Coastal Development Permit.

## **6. CEQA Recommendation**

Staff analysis of the proposed project supports a Planning Commission finding that it qualifies for a categorical exemption from the California Environmental Quality Act (CEQA). The project qualifies as a Class 1 exemption provided in Section 15301 of the CEQA Guidelines (Existing Facilities). Section 15301 states in part:

Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The types of "existing facilities" itemized below are not intended to be all-inclusive of the types of projects which might fall within Class 1. The key consideration is whether the project involves negligible or no expansion of an existing use. Examples include but are not limited to:

\* \* \* \* \*

(e) Additions to existing structures provided that the addition will not result in an increase of more than:

(1) 50 percent of the floor area of the structures before the addition, or 2,500 square feet, whichever is less; or

(2) 10,000 square feet if:

(A) The project is in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan and

(B) The area in which the project is located is not environmentally sensitive.

The subject proposal to construct an addition to an existing single-family residence fits within the scope of a Class 1 categorical exemption. As identified in the staff report above and the attachments thereto, the project (1) includes an addition of 661 sq. ft. to an existing 1,334 sq. ft. structure, which is an addition of 49.6 percent of the floor area of the structure before the addition. Therefore, there is substantial evidence in the record to support a finding that the project is categorically exempt from CEQA.

## **7. Staff Analysis**

The proposed single-story addition would have no negative affect on coastal resources and is unlikely to have any negative neighborhood impacts. It would comply with all zoning standards. As designed, the addition would integrate with the architecture and materials of the existing structure. Additionally, it would create useable outdoor space on the new deck proposed at the rear of the structure. For these reasons, staff recommends Planning Commission approval of the project.

## **COMMISSION ACTION**

### **MOTION FOR APPROVAL:**

Move that the Planning Commission **FIND** the project is exempt from the California Environmental Quality Act; **APPROVE** Coastal Development Permit CDP-376-16 by adopting the attached resolution, including conditions of approval in Exhibit A; and, incorporate all maps and testimony into the record by reference.

### Attachments:

- A. Land Use and Zoning Exhibit
- B. Draft Resolution and Conditions of Approval
- C. Site Plan, Floor Plan, and Elevations



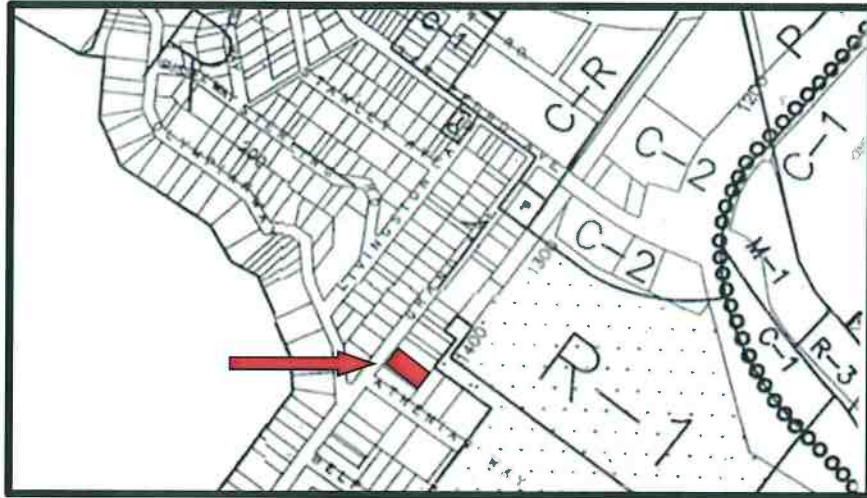
# Land Use & Zoning Exhibit

City of Pacifica Planning Department

## General Plan Diagram

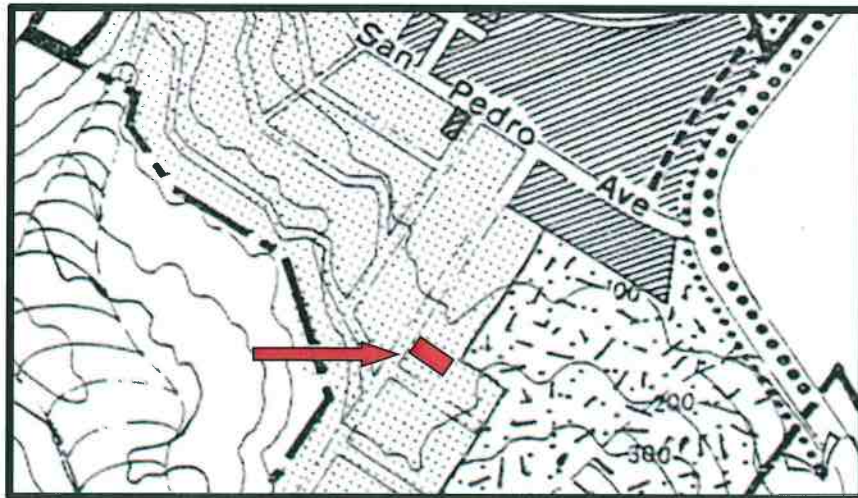
Neighborhood: Pedro Point

Land Use Designation: Low Density Residential



## Zoning Map Diagram

Zoning District: R-1(Single-Family Residential) and CZ (Coastal Zone Combining)



(Maps Not to Scale)

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PACIFICA APPROVING COASTAL DEVELOPMENT PERMIT CDP-376-16, SUBJECT TO CONDITIONS, FOR CONSTRUCTION OF A 661-SQUARE FOOT ADDITION AND 250-SQUARE FOOT DECK TO AN EXISTING 1,334-SQUARE FOOT SINGLE-FAMILY RESIDENCE AT 1493 GRAND AVENUE (APN 023-021-110), AND FINDING THE PROJECT EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA).**

---

Initiated by: Joshua Moore (“Applicant”).

**WHEREAS**, an application has been submitted to construct a 661-square foot (sq. ft.) addition and 250-sq. ft. deck to an existing 1,334 sq. ft. existing single-family residence at 1493 Grand Avenue (APN 023-021-110); and

**WHEREAS**, the project requires approval of a Coastal Development Permit because the project site is within the Coastal Zone and will increase building height, bulk, or floor area of an existing single-family structure by 10 percent or more; and, the project does not qualify as a category of excluded development since it is located within the Coastal Commission’s appeal jurisdiction; and

**WHEREAS**, the Planning Commission of the City of Pacifica did hold a duly noticed public hearing on December 5, 2016, at which time it considered all oral and documentary evidence presented, and incorporated all testimony and documents into the record by reference.

**NOW, THEREFORE BE IT RESOLVED** by the Planning Commission of the City of Pacifica as follows:

1. The above recitals are true and correct and material to this Resolution.
2. In making its findings, the Planning Commission relied upon and hereby incorporates by reference all correspondence, staff reports, and other related materials.
3. The Project is categorically exempt from the requirements of the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines 15301 (14 Cal. Code Regs. §15301) and therefore directs staff to file a Notice of Exemption for the Project.

**BE IT FURTHER RESOLVED** that the Planning Commission of the City of Pacifica does hereby make the following findings pertaining to Coastal Development Permit CDP-376-16 for development within the Coastal Zone:

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

- A. The City's certified Local Coastal Program includes a Local Coastal Land Use Plan (LCLUP) that contains policies to further the City's coastal planning activities. The proposed project is consistent with several of these policies, as discussed below.
- i. Coastal Act Policy No. 2: Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rock coastal beaches to the first line of terrestrial vegetation.
    - a. The proposed project does not interfere with the public's right of access to the sea. It will be undertaken on an existing developed lot more than 1,700 feet from the nearest coastal access point. Between the sea and the subject site there is substantial urban development and several streets. Therefore, the project would have no impact or otherwise interfere with the public's right of access to the sea.
  - ii. 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... [the remainder of this policy pertains to land divisions and visitor-serving facilities, neither of which are part of the subject project.]
    - a. The new development proposed with this project is located within an existing developed area. The Pedro Point neighborhood is a substantially developed suburban neighborhood with subdivided lots, most of which have already been developed with single-family homes, including the lots on either side of the project site. Therefore, development would not occur outside of existing developed areas.
  - iii. Because the proposed project would be undertaken in an existing area substantially developed with single-family homes, and will be setback more than 1,700 feet from the sea; therefore, there is substantial evidence in the record to support a Planning Commission finding that the proposed development is in conformity with the City's certified Local Coastal Program.

2. Where the Coastal Development Permit is issued for any development between the nearest public road and the shoreline, the development is in conformity with the public recreation policies of Chapter 3 of the California Coastal Act.
  - A. The subject site is not located between the nearest public road (San Pedro Avenue) and the shoreline; therefore, this Coastal Development Permit finding does not apply in this case.

Because the project would be consistent with several Local Coastal Land Use Plan policies, and would not be constructed between the nearest public road and the shoreline, therefore, there is substantial evidence in the record to support Planning Commission approval of a Coastal Development Permit.

**BE IT FURTHER RESOLVED** that the Planning Commission of the City of Pacifica does hereby make the following findings pertaining to the project:

1. That the project is exempt from the California Environmental Quality Act (CEQA) as a Class 1 exemption provided in Section 15301 of the CEQA Guidelines.
  - A. Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The types of "existing facilities" itemized below are not intended to be all-inclusive of the types of projects which might fall within Class 1. The key consideration is whether the project involves negligible or no expansion of an existing use.

Examples include but are not limited to:

Additions to existing structures provided that the addition will not result in an increase of more than:

(1) 50 percent of the floor area of the structures before the addition, or 2,500 square feet, whichever is less; or

(2) 10,000 square feet if:

(A) The project is in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan and

(B) The area in which the project is located is not environmentally sensitive.

B. The Planning Commission finds that substantial evidence establishes that this project is subject to this exemption. The project consists of construction of an addition to an existing single-family residence. As identified in the staff report and the attachments thereto, the project includes an addition of 661 sq. ft. to an existing 1,334 sq. ft. structure, which is an addition of 49.6 percent of the floor area of the structure before the addition, less than the 50 percent or 2,500 sq. ft. increases allowed under the exemption. Therefore, there is substantial evidence in the record to support a finding that the project is categorically exempt from CEQA.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** that the Planning Commission of the City of Pacifica approves Coastal Development Permit CDP-376-16 to construct a 661-sq. ft. addition and 250-sq. ft. deck to an existing 1,334 sq. ft. existing single-family residence at 1493 Grand Avenue (APN 023-021-110), subject to conditions of approval included as Exhibit A to this resolution.

\* \* \* \* \*

Passed and adopted at a regular meeting of the Planning Commission of the City of Pacifica, California, held on the 5th day of December 2016.

AYES, Commissioners:

NOES, Commissioners:

ABSENT, Commissioners:

ABSTAIN, Commissioners:

\_\_\_\_\_  
Josh Gordon, Chair

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Tina Wehrmeister, Planning Director

\_\_\_\_\_  
Michelle Kenyon, City Attorney



## Exhibit A

**Conditions of Approval: Coastal Development Permit CDP-376-16 to construct a 661-sq. ft. addition and 250-sq. ft. deck to an existing 1,334 sq. ft. existing single-family residence at 1493 Grand Avenue (APN 023-021-110)**

**Planning Commission Meeting of December 5, 2016**

### Planning Division of the Planning Department

1. Development shall be substantially in accord with the plans entitled “One Story Rear Addition & New Rear Deck to Building,” dated February 28, 2014, with revisions made June 18, 2014, and stamped received by the City of Pacifica on October 26, 2016, except as modified by the following conditions.
2. That the approval is valid for a period of one year from the effective date provided in Section 9-4.3805 of the Pacifica Municipal Code. If the use or uses approved is/are not established within such period of time, the approval shall expire unless Applicant submits a written request for an extension and applicable fee prior to the expiration date, and the Planning Director or Planning Commission approves the extension request as provided below. The Planning Director may administratively grant a single, one year extension provided, in the Planning Director’s sole discretion, the circumstances considered during the initial project approval have not materially changed. Otherwise, the Planning Commission shall consider a request for a single, one year extension.
3. The applicant shall indemnify, defend and hold harmless the City, its Council, Planning Commission, advisory boards, officers, employees, consultants and agents (hereinafter “City”) from any claim, action or proceeding (hereinafter “Proceeding”) brought against the City to attack, set aside, void or annul the City’s actions regarding any development or land use permit, application, license, denial, approval or authorization, including, but not limited to, variances, use permits, developments plans, specific plans, general plan amendments, zoning amendments, approvals and certifications pursuant to the California Environmental Quality Act, and/or any mitigation monitoring program, or brought against the City due to actions or omissions in any way connected to the applicant’s project, but excluding any approvals governed by California Government Code Section 66474.9. This indemnification shall include, but not be limited to, damages, fees and/or costs awarded against the City, if any, and costs of suit, attorneys 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.
4. All outstanding and applicable fees associated with the processing of this project shall be paid prior to the issuance of a building permit.
5. 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.

6. 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.
7. 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.
8. Applicant shall submit a roof plan with spot elevations showing the location of all roof equipment including vents, stacks and skylights, prior to building permit issuance. All roof equipment shall be screened to the Planning Director's satisfaction.
9. All vents, gutters, downspouts, flashing, 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.
10. A detailed on-site exterior lighting plan shall be submitted for review and approval by the Planning Director prior to the issuance of a building permit. 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. Show fixture locations, where applicable, on all building elevations.
11. Roof drains shall discharge and drain away from the building foundation to an unpaved area wherever possible.
12. Prior to the issuance of a building permit, Applicant shall submit a final landscape plan for approval by the Planning Director. The landscape plan shall show each type, size, and location of plant materials, as well as the irrigation system. Landscaping materials included on the plan shall be coastal compatible, drought tolerant and shall be predominantly native, and shall include an appropriate mix of trees, shrubs, and other plantings to soften the expanded structure. All landscaping shall be completed consistent with the final landscape plans prior to occupancy. In addition, the landscaping shall be maintained as shown on the landscape plan and shall be designed to incorporate efficient irrigation to reduce runoff, promote surface filtration, and minimize the use of fertilizers, herbicides, and pesticides. Landscaping on the site shall be adequately maintained in a healthful condition and replaced when necessary as determined by the Planning Director.

**Building Division of the Planning Department**

13. The project requires review and approval of a building permit by the Building Official. Applicant shall apply for and receive approval of a building permit prior to commencing

any construction activity.

**Engineering Division of Public Works Department**

14. Construction shall be in conformance with the San Mateo Countywide Storm Water Pollution Prevention Program. Best Management Practices shall be implemented, and the construction BMPs plan sheet from the Countywide program shall be included in the project plans.
15. The existing street pavement shall be cold-planed (ground) to a depth of 2" across the entire frontage of the property and out to the centerline of Grand Avenue, or to the extent of the longest utility trench if beyond the centerline, and an overlay of Caltrans specification ½" Type 'A' hot mix asphalt concrete shall be placed. If, in the opinion of the City Engineer, damage to the pavement during construction is more extensive, a larger area may have to be ground & overlaid.
16. Applicant shall install concrete driveway approach, curb and gutter across entire property frontage. The driveway approach must be ADA compliant with no more than 2% cross slope for a width of at least 48 inches.
17. Per the adopted City of Pacifica Complete Street Policy, development shall include bicycle and pedestrian facilities. Applicant shall install a concrete sidewalk across the entire property frontage along Grand Avenue in accordance with City standards. Show on the site plan.
18. All recorded survey points, monuments, railroad spikes, pins, cross cuts on top of sidewalks and tags on top of culvert headwalls or end walls whether within private property or public right-of-way shall be protected and preserved. If survey point/s are altered, removed or destroyed, the applicant shall be responsible for obtaining the services of a licensed surveyor or qualified Civil Engineer to restore or replace the survey points and record the required map prior to completion of the building permit.
19. No debris box or equipment shed is allowed in the street or sidewalk.
20. Add a note on the Site Plan that says, "Existing curb, sidewalk or street adjacent to property frontage that is damaged or displaced shall be repaired or replaced even if damage or displacement occurred prior to any work performed for this project."
21. Add a note on the Site Plan that says, "Any damage to improvements within the 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."
22. Roadways shall be maintained clear of construction materials, equipment, storage containers, and debris, especially mud and dirt tracked onto the street. Dust control and

daily road cleanup will be strictly enforced. A properly signed no-parking zone may be established during normal working hours only.

23. Prior to issuance of a building permit, Applicant shall apply for and receive approval of a City of Pacifica Encroachment Permit for all work undertaken in the public right-of-way. All work shall be performed in accordance with City Standards, Standard Specifications for Public Works Construction (Green Book) or Caltrans Standard Specifications, Pacifica Municipal Code, Administrative Policies and to the satisfaction of the City Engineer or his designee. Permit fees shall be determined per the current adopted fee schedule.
24. No permanent structure(s) shall be constructed within the existing 10 foot sewer easement in the rear yard of the subject site.

#### **Waste Water Department**

25. Prior to issuance of building permit, Applicant shall submit materials demonstrating the location and size of sewer laterals, appurtenances, and method of compliance with Wastewater Department standards and specifications.
26. Obtain a sewer lateral compliance certificate prior to issuance of a building permit.

#### **North County Fire Authority**

27. The applicant shall provide an area map showing the location and travel distance to the nearest hydrant and in conformance with 2013 CFC Appendix C.
  - A. The Applicant shall provide a fire hydrant per 2013 CFC Appendix C, Table C105.1 for flows per Appendix B Table B105.1. A 250 foot maximum travel distance to nearest hydrant.
28. The plans as submitted are for a two-story addition with a finished floor area increase of 661 sq. ft. but a gross floor area increase of 1,322 sq.ft.. This triggers the 1,000 sq. ft. City requirement to install fire sprinklers contained in Pacifica Municipal Code Section 4-3.105. Fire sprinklers are required throughout the entire structure.
29. Sprinkler system supervision and alarms. Project shall comply with 2013 CFC section 903.4 to 903.4.2 Alarms. Provide a horn/strobe on the address side of the building.
30. Fire system underground supply mains shall be submitted on a separate permit or in conjunction with fire sprinkler submittal. One set of plans to be submitted to the North Coast County Water District and approved by them prior to issuing of a permit.
31. Project shall comply with fire flows per 2013 CFC Appendix B for buildings with fire sprinklers and obtain a fire flow report from the local water provider showing a flow of per Table B105.1 for R-3 buildings over 3,600 sq. ft. including garage or other attached areas,

with fire sprinklers and obtain a fire flow report from the North Coast County Water District showing a flow of 750 gallons per minute (gpm) or more.

32. Premises Identification - Project shall comply with 2013 CFC Chapter 5, Section 505.1 and 2.
33. Install smoke detectors and carbon monoxide monitors as required by code.
34. Fire Safety During Construction and Demolition - Project shall conform to 2013 CFC Chapter 33 sections 3301 through 3317.

\*\*\*END\*\*\*



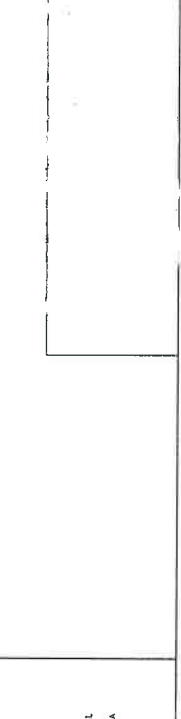
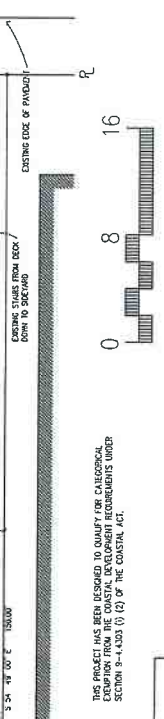
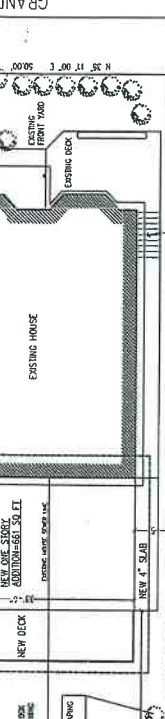
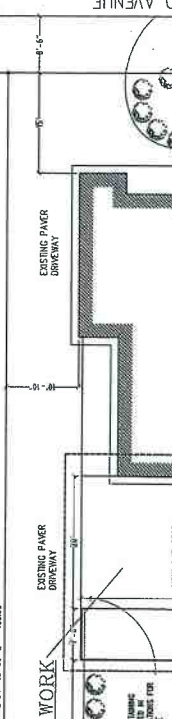
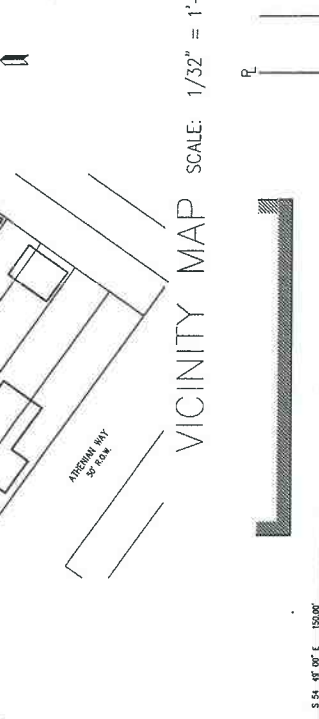
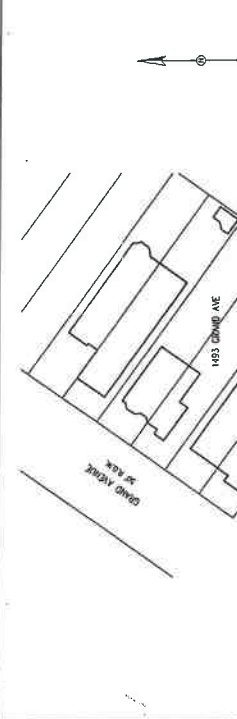
REVISIONS BY	
08-10-14	

HAWK N. LEE, P. E.  
 Consulting Engineer  
 1809 Noriega Street  
 San Francisco, California 94122  
 (415) 681-8926 fax (415) 681-1012

APN: 023-021-110  
 1493 GRAND AVENUE  
 PACIFICA, CALIFORNIA

NEW STORY REAR TO BUILDING &  
 NEW REAR DECK TO BUILDING

Date: 02-20-14  
 Scale: AS SHOWN  
 Drawing: H. LEE  
 Job: 149357P  
 Sheet: A1  
 of



**SCOPE OF WORK:**  
 REAR ADDITION:  
 WET BAR, BATHROOM AND FAMILY ROOM  
 AND NEW REAR DECK

**DEMOLITION NOTE:**  
 ALTERATION IS NOT TO EXCEED THE SCOPE OF DEMOLITION DESCRIBED IN THESE PLANS. A SEPARATE AND ADDITIONAL PERMIT IS REQUIRED FOR ANY DEMOLITION WHICH EXCEEDS THE SCOPE OF DEMOLITION DESCRIBED IN THESE PLANS.  
 OWNER TO SUBMIT SPECIAL INSPECTION FORM COMPLETED AND WHO WILL BE PERFORMING THE SPECIAL INSPECTIONS INDICATED ON PLANS

**DEMOLITION NOTE:**  
 ALTERATION IS NOT TO EXCEED THE SCOPE OF DEMOLITION DESCRIBED IN THESE PLANS. A SEPARATE AND ADDITIONAL PERMIT IS REQUIRED FOR ANY DEMOLITION WHICH EXCEEDS THE SCOPE OF DEMOLITION DESCRIBED IN THESE PLANS.  
 OWNER TO SUBMIT SPECIAL INSPECTION FORM COMPLETED AND WHO WILL BE PERFORMING THE SPECIAL INSPECTIONS INDICATED ON PLANS

**DEMOLITION NOTE:**  
 ALTERATION IS NOT TO EXCEED THE SCOPE OF DEMOLITION DESCRIBED IN THESE PLANS. A SEPARATE AND ADDITIONAL PERMIT IS REQUIRED FOR ANY DEMOLITION WHICH EXCEEDS THE SCOPE OF DEMOLITION DESCRIBED IN THESE PLANS.  
 OWNER TO SUBMIT SPECIAL INSPECTION FORM COMPLETED AND WHO WILL BE PERFORMING THE SPECIAL INSPECTIONS INDICATED ON PLANS

**BUILDING DATA:**  
 ADDRESS: 1493 GRAND AVENUE  
 PACIFICA, CALIFORNIA  
 STORIES: 2 STORIES  
 OCCUPANCY: SINGLE FAMILY  
 R2/LGARAGE)  
 TYPE: R1 AFD  
 ZONING: R1 AFD  
 APN: 023-021-110

**INDEX:**  
 A1. SITE & LOCATION PLAN  
 A2. PROPOSED & EXISTING GROUND FLOOR PLANS  
 A3. PROPOSED & EXISTING BASEMENT PLAN  
 A4. NEW REAR ELEVATION  
 A5. NORTH AND SOUTH ELEVATION  
 A6. ROOF PLAN

**RECEIVED**  
**OCT 26 2016**  
 City of Pacifica

**ASSessor's PARCEL NUMBER** 023-021-110  
**ZONING DISTRICT** R-1 SINGLE FAMILY DISTRICT  
**MIN. REQUIRED LOT AREA** 5,000 SF  
**ACTUAL LOT AREA** 7,500 SF  
**MIN. LOT AREA PER DWELLING** 5,000 SF  
**ACTUAL LOT WIDTH** 30'-0"  
**MAX. PERMITTED HEIGHT - HOUSE** 35'-0"  
**MAX. HT. OF EXISTING HOUSE TO ROOF RIDGE** 22'-0"  
**MAX. PROPOSED HT. OF HOUSE TO FINISHED FLOOR** 22'-0"  
**MAX. PROPOSED HT. OF HOUSE TO FINISHED FLOOR** 34'-10"  
**EXISTING & PROPOSED FRONT SETBACK** - NO CHANGE  
**MIN. REQUIRED FRONT SETBACK - NORTH** 5'-0"  
**MIN. REQUIRED SIDE SETBACK - NORTH** 5'-0"  
**MIN. REQUIRED DRIVEWAY SIDE SETBACK - SOUTH** 10'-0"  
**PROPOSED DRIVEWAY SIDE SETBACK - SOUTH** 10'-0"  
**MIN. REQUIRED REAR SETBACK** 20'-0"  
**PROPOSED REAR SETBACK** 20'-0"  
**MAX. % LOT COVERAGE BY ALL STRUCTURES** 40%  
**MIN. REQUIRED LOT COVERAGE** 27,500 X 40%  
**EXISTING TOTAL LOT COVERAGE** 2,661 SF  
**PROPOSED TOTAL LOT COVERAGE** 4,661 / 7,500 35.5 %  
**MIN. REQUIRED LANDSCAPE AREA** 1,500 SF 20%  
**EXISTING LANDSCAPE AREA** 1,500 SF (REAR)  
**PROPOSED PARKING SPACES:**  
 TWO - IN DRIVEWAY  
 TWO - IN DRIVEWAY  
**BASEMENT GROSS AREA** 1024 SF  
**FIRST FLOOR GROSS AREA** 1324 SF  
**REAR ADDITION GROSS AREA** 661 SF  
**BASEMENT ADDITION GROSS AREA** 661 SF  
**TOTAL GROSS AREA** 3990 SF

**ATTACHMENT C**

BY USE OF THESE PLANS THE OWNER AND THE GENERAL CONTRACTOR HAVE AGREED TO WAIVE THE LIABILITY FOR ALL LEGAL CONSEQUENCES OF THE CONTRACTOR'S NEGLIGENCE OR OMISSIONS. THE ENGINEER'S LIABILITY IS LIMITED TO FEES RECEIVED FOR SERVICES RENDERED.  
 CODE REF: ALL CONSTRUCTION WORK SHALL COMPLY WITH THE 2013 CALIFORNIA RESIDENTIAL CODE, 2013 CALIFORNIA BUILDING CODE (CBC), 2013 CALIFORNIA PLUMBING CODE (CPC), 2013 CALIFORNIA MECHANICAL CODE (CMC), 2013 CALIFORNIA ELECTRICAL CODE (CEC), 2013 CALIFORNIA FIRE CODE (FC), 2013 CALIFORNIA INTERNATIONAL BUILDING CODE (IBC), AND 2013 CALIFORNIA INTERNATIONAL EXISTING BUILDING CODE.


HAWK N. LEE, P.E.  
Consulting Engineer  
1609 Ortega Street  
San Francisco, California 94122  
(415) 681-6926 fax (415) 681-1012

APN: 023-021-110  
1493 GRAND AVENUE  
PACIFICA, CALIFORNIA

REAR ADDITION TO BUILDING

Date: 02-29-14  
Scale: AS SHOWN  
Drawn: K. LEE  
Job: 1493G/P  
Sheet: A2  
01 Sheet

ARCHITECTURAL

1. BEFORE WORKING AND OCCUPANCY PERIODS, THE GENERAL CONTRACTOR(S) SHALL CONDUCT A VISUAL INSPECTION OF THE EXISTING CONSTRUCTION DOCUMENTS AND SHALL VERIFY WITH THE ARCHITECT THAT THE CONSTRUCTION DOCUMENTS, AND ANY POSSIBLE CONSTRUCTION CHANGES, ACCURATELY REFLECT THE INTENT AND AVAILABILITY OF THE SPECIFIED PRODUCT.

2. THE GENERAL CONTRACTOR(S) SHALL SUBMIT A SPECIFIC CONSTRUCTION GENERAL SCHEDULE TO THE ARCHITECT FOR REVIEW AND APPROVAL. THE GENERAL CONTRACTOR(S) SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES AND REGULATORY CITY AND STATE AGENCIES.

3. THE GENERAL CONTRACTOR(S) SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES AND REGULATORY CITY AND STATE AGENCIES.

4. GENERAL CONTRACTOR(S) SHALL BE RESPONSIBLE FOR PROVIDING ALL WORK AND MATERIALS IN ACCORDANCE WITH ALL LOCAL, REGULATORY AGENCIES, APPLICABLE BUILDING CODES AND REQUIREMENTS.

5. THE GENERAL CONTRACTOR(S) SHALL BE RESPONSIBLE FOR CORRECTING ANY DEFECTS OR OMISSIONS IN THE CONSTRUCTION DOCUMENTS. THIS INCLUDES, BUT IS NOT LIMITED TO, UNDER-SURFACES AND FINISHES, SURFACES, TO MATCH ADJACENT ADJOINING SURFACES. ALLOW AND SAND SMOOTH.

6. THE GENERAL CONTRACTOR(S) SHALL COORDINATE THE LAYOUT AND EXACT LOCATION OF ALL PARTITIONING, DOORS, ELECTRICAL/TELEPHONE OUTLETS AND SWITCHES WITH THE ENGINEER IN THE FIELD, BEFORE PROCEEDING WITH CONSTRUCTION.

7. CONTRACTOR SHALL VERIFY THAT NO OBSTACLES EXIST IN LOCATIONS OF ANY AND ALL MECHANICAL, TELEPHONE, LIGHTING AND CONDUIT. THE CONTRACTOR SHALL PROVIDE CLEARANCES FOR INSTALLATION AND MAINTENANCE OF ABOVE EQUIPMENT AS PROVIDED.

8. CONTRACTOR SHALL PROVIDE ALL EXISTING CONSTRUCTION AND FINISHES AND SHALL BE RESPONSIBLE TO REPAIR ANY DAMAGES CAUSED BY HIM OR HIS SUBCONTRACTOR(S).

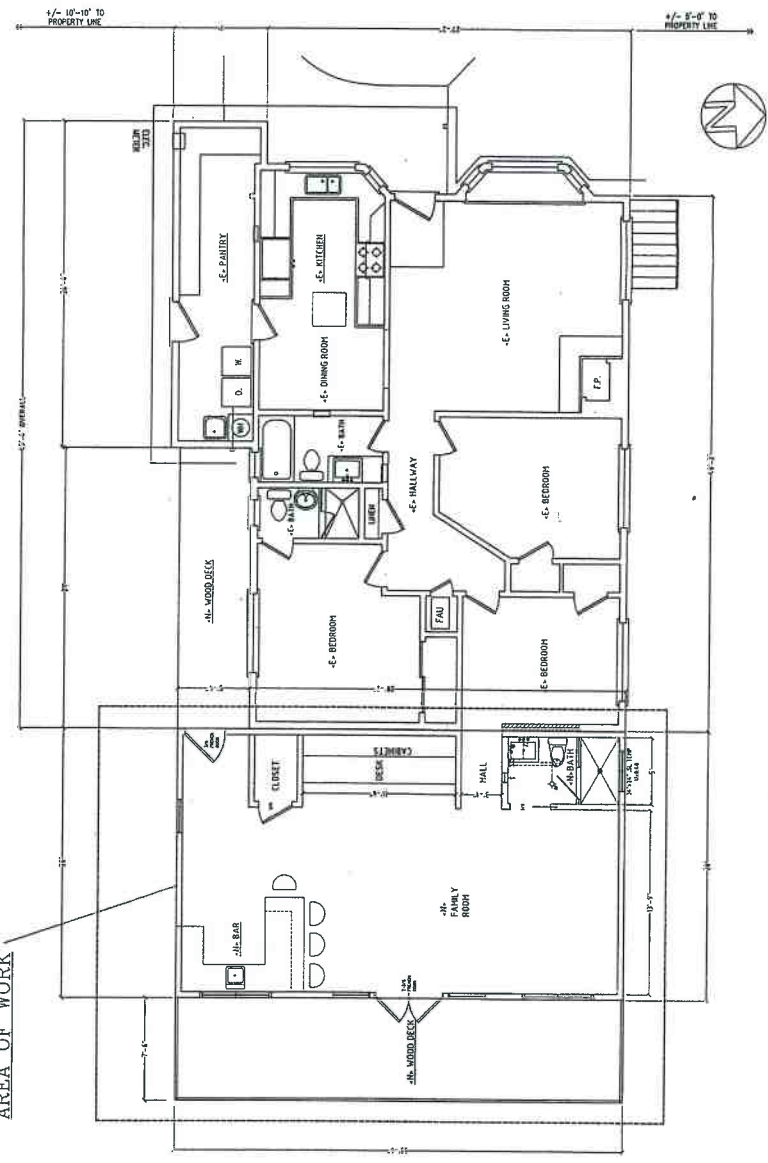
9. GENERAL CONTRACTOR(S) SHALL PROVIDE PROTECTIVE COVERING FOR EXISTING FINISH FLOOR, FURNISHINGS AND EXISTING FINISHES IN AREAS OF DEMOLITION AND CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR REPAIRING ANY DAMAGES CAUSED BY THE WORK OF THE GENERAL CONTRACTOR OR ANY SUBCONTRACTOR.

10. ALL CUSTOM BOARD PARTITIONS SHALL BE TAPPED AND SANDED SMOOTH WITH NO VISIBLE JOINTS.

P \_\_\_\_\_ Q

LEGEND

[Symbol]	EXISTING WALLS TO REMAIN
[Symbol]	NEW WALLS
[Symbol]	DEM'D WALL
[Symbol]	CEILING
[Symbol]	RIG



Emergency Escape or Rescue Windows shall have at least a window or door approved for emergency egress and rescue which shall open into a public street, public alley, yard or exit court. The emergency door or window shall be operated from the inside to provide a full clear opening per IBC E103.1, without the use of special tools. The minimum clear area is 5.7 sq. ft. Dimensions: Min. 20" minimum, 20" minimum width, sill height not more than 44".

AREA OF WORK

PROPOSED GROUND FLOOR PLAN  
(1/4" = 1'-0")

DATE: 02-29-14

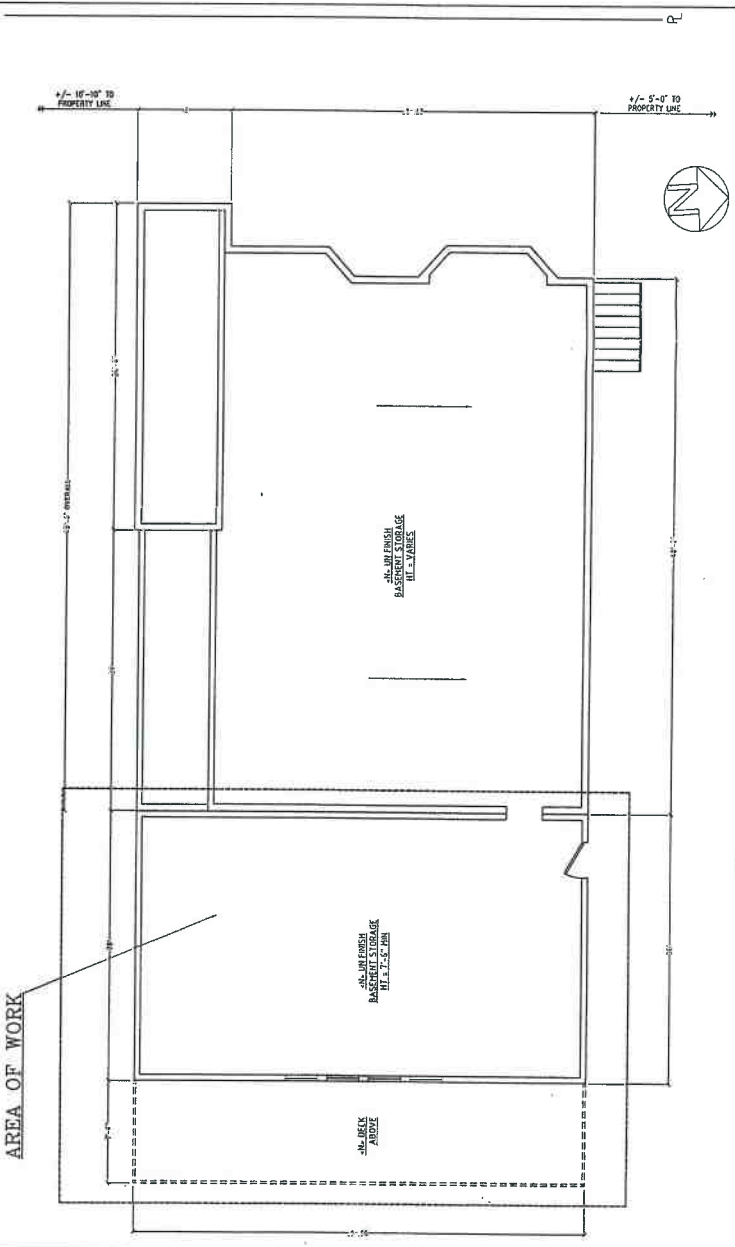
REVISIONS	BY
06-18-14	

**CalGreen REQUIREMENTS:**

- A. SITE**
  - Protect top soil and reuse after construction.
  - Limit and delineate construction footprint for maximum protection of topsoil. Disturbed areas shall be protected during construction.
  - Drainage shall be covered during construction.
- B. FOUNDATION**
  - Install foundation drainage system.
  - Moisture control crawl space.
- C. LANDSCAPING**
  - Automatic irrigation systems controllers installed at the time of final inspection shall be weather-based (4.304.1).
  - Rain water harvesting system greater than 750 gallons.
- D. STRUCTURAL FRAME AND BUILDING ENVELOPE**
  - Use of wood and window headers are size for load.
  - Use of steel and window headers are size for load.
  - Use of wood I-joists or web trusses for floors.
  - Minimum 18 overhangs and gutters.
- E. EXTERIOR**
  - Use durable and non-combustible siding materials.
  - Use durable and fire resistant roofing materials or assembly.
- F. PLUMBING**
  - Protect all hot water lines.
  - Install high efficiency shower heads (2.0 gpm @ 80 psi multiple showerheads shall not exceed maximum flow rate).
  - Install high efficiency toilets (1.6 gpm @ 60 psi).
  - Install high efficiency bidets and urinals (1.6 gpm @ 60 psi).
  - Install high efficiency toilets (bowl flush) or (1.28 gpm).
- G. HEATING**
  - Design and install HVAC system to ACCA manual JQCS recommendation. JQCS system are sized, designed, and equipment is certified and special inspectors employed by the enforcing agency must be qualified.
  - Use of condensation-free air flow rates.
  - Install seal combustion chamber furnace.
  - Use high efficiency air conditioning with environmentally friendly refrigerant.
  - Use duct mastic on all ductwork within condition space.
  - Use of pressure relief of duct system (ASHRAE 62).
  - No fireplace or install sealed gas fireplace(s) with efficiency rating greater than 80% using CSA standards. No gas heaters.
  - Use of energy star ceiling fans and light kits in living areas and all bedrooms.
  - Use of energy star ceiling fans.
  - Advance ventilation practices (Continuous operation, some limit, minimum efficiency, minimum ventilation rate, homeowners instructions).
  - Install carbon monoxide alarms.
- H. BUILDING PERFORMANCE**
  - Verified quality of construction.
  - Building performance exceeds title 24 (minimum 15%)
- I. FINISHES**
  - Use low VOC paints for walls and ceilings (4.504.2P).
  - Stains and other coatings shall be compliant with low-voc limits and other requirements.
  - Adhesives, sealants and caulks shall be compliant with VOC and other toxic compound limits (4.504.2J) and meets SCANN rule 116B.
- J. FLOORING**
  - Use environmentally preferable flooring (Minimum 15% floor area).
  - Thermo mass floors (Minimum 30%).
  - Use of low VOC adhesives and sealants.
  - Flooring shall comply with section 4.504.4 and low emitting.
- K. APPLIANCE AND LIGHTING**
  - Installed energy star dishwasher.
  - Installed energy star clothes washer and CEE tier 2 requirements. Modified energy factor 2.0, water factor 6.0 or less.
- M. OTHERS**
  - Develop home owner manual of green feature benefits.
- Q. COMMUNITY DEVELOPMENT AND PLANNING**
  - All Home Front entrances have view from the inside to the street.
  - All Home Front entrances can be seen from the street and/or from other front doors.
- R. INNOVATION**
  - Locate all woods (sliding, trim, structures) above soil.
  - Use moisture resistant materials in wet areas, kitchen, bathrooms, utility rooms and basements.

**CalGreen REQUIREMENTS:**

- AUTOMATIC IRRIGATION SYSTEMS CONTROLLERS INSTALLED AT THE TIME OF FINAL INSPECTION SHALL BE WEATHER-BASED (4.304.1).
- WEATHER-BASED IRRIGATION SYSTEMS CONTROLLERS SHALL COMPLY WITH SECTION 4.504.4.
- PROTECT MANHOLE COVERS, GROUND PIPES, ELECTRIC CHASES, CONDUITS AT EXTERIOR WALLS AGAINST THE PASSAGE OF ROBBENTS (4.606.1).
- COVER DUCT OPENINGS AND OTHER RELATED AIR DISTRIBUTION COMPONENT OPENING DURING CONSTRUCTION (4.504.2.I).
- ADHESIVES, SEALANTS AND CAULKS SHALL BE COMPLIANT WITH VOC AND OTHER TOXIC COMPOUND LIMITS (4.504.2.J).
- MINERAL FIBRE INSULATION SHALL BE COMPLIANT WITH VOC LIMITS (4.504.2.K).
- OTHER TOXIC COMPOUNDS (4.504.2.L) VERIFICATION OF COMPLIANCE SHALL BE PROVIDED.
- PAINTS AND COATINGS SHALL BE COMPLIANT WITH VOC LIMITS (4.504.3).
- EMULSION AND WATER-BASED PAINTS SHALL BE COMPLIANT WITH VOC LIMITS (4.504.3).
- SYSTEMS SHALL COMPLY WITH LOW FORMALDEHYDE EMISSION STANDARDS (4.504.3).
- INSTALL CHILLANT BREAK AND VAPOR RETARDER AT SLAB ON GRADE FOUNDATIONS (4.505.2).
- ENCLOSURE (4.505.3).
- PROVIDE INSULATED DOORS/COVERS (MIN R-4.0) WHICH CLOSE WHEN THE FAN IS OFF FOR THE WHOLE HOUSE EXHAUST FANS (4.507.1).



**PROPOSED GROUND FLOOR PLAN**  
(1/4" = 1'-0")

DATE: 06-18-14
SCALE: AS SHOWN
DRAWN: H. LEE
JOB: 14936/P
SHEET: A3
OF: 3

HAWK N LEE, P  
Consulting Engineer  
1009 Ortega Street  
San Francisco, California 94122  
(415) 681-1012

APR 03-021-110  
1493 GRAND AVENUE  
PACIFICA, CALIFORNIA

REAR ADDITION TO BUILDING

REVISIONS BY	DATE	DESCRIPTION
06-10-14		

HAWK N. LEE, P. E.  
 Consulting Engineer  
 1609 Noriega Street  
 San Francisco, California 94122  
 (415) 601-8326 fax (415) 601-1012

APN: 023-021-110  
 1493 GRAND AVENUE  
 PACIFICA, CALIFORNIA

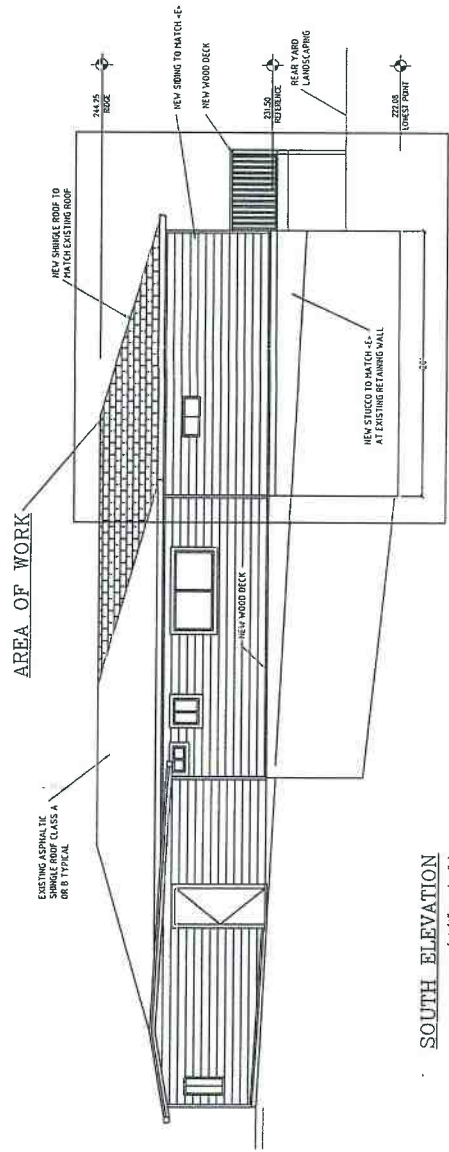
REAR ADDITION TO BUILDING

Date: 02-29-14  
 Scale: AS SHOWN  
 Drawn: H. LEE  
 Job: 1493GP  
 Sheet  
 of

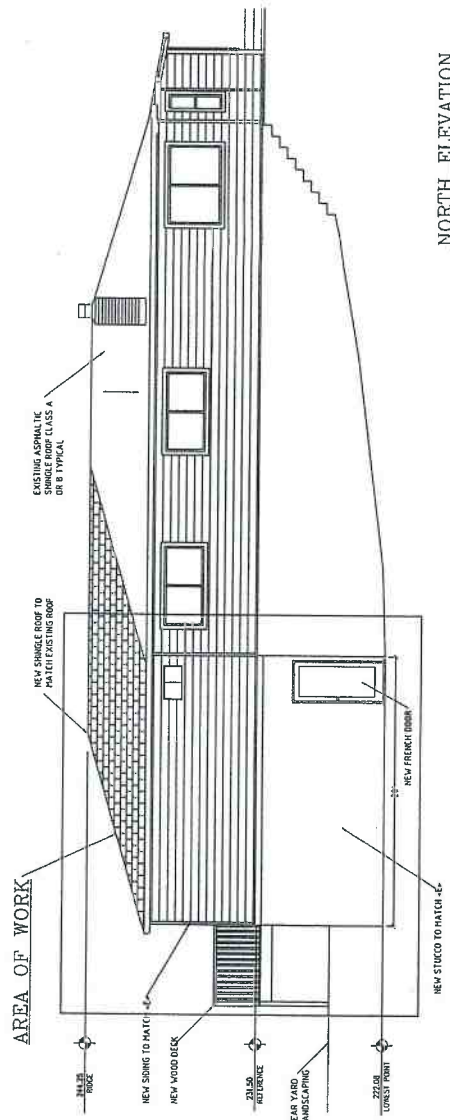
NOTES:

- MINIMUM CEILING HEIGHT OF FINISHED BATHROOM COMPARTMENTS THAT SHALL NOT BE LESS THAN 7'-0". (ICC 2012)
- INTERIOR FINISH MATERIALS SHALL HAVE SMOOTH, HARD NON-ABSORBENT SURFACES SUCH AS PORTLAND CEMENT, CONCRETE, CERAMIC TILE OR OTHER MATERIALS. FINISH MATERIALS SHALL NOT BE LESS THAN 1/8" THICK ABOVE THE DRAIN INLET (SEE SECTION 907.13).
- NO PLASTIC PLUMBING PIPES ARE ALLOWED FOR DOMESTIC WATER SUPPLY AND DRAINAGE SYSTEMS.
- WATER CLOSET SHALL HAVE A MAXIMUM 18 GALLONS PER FLUSH (GPF) (2013).
- SHOWER HEADS SHALL NOT EXCEED A WATER SUPPLY FLOW RATE OF 2.5 GALLONS PER MINUTE (GPM) (2013).
- WATER HEATERS SHALL BE INSTALLED IN ACCORDANCE WITH THE 2013 CALIFORNIA MECHANICAL CODE (CMC) AND THE 2013 CALIFORNIA PLUMBING CODE (CPC).
- PROVIDE A 30-INCH MINIMUM CLEAR WIDTH WHERE THE WATER CLOSET IS ADJACENT TO A WATER HEATER.
- STRAP WATER HEATER WITHIN THE UPPER 1/3 AND LOWER 1/3 OF VERTICAL WATER HEATER CONTROLS (CPC 2013). MUST THE WATER HEATER TO BE FROM THE WATER HEATER TO BE EXTERNALLY WRAPPED BY INSULATION HAVING A THERMAL RESISTANCE OF R-12 OR GREATER (ICC 101 (F) 8). THE MINIMUM INSULATION SHALL BE IN ACCORDANCE WITH THE 2013 CALIFORNIA MECHANICAL CODE LISTED IN TABLE 5-101C.2(1)0. THE FIRST HOUR RATING SHALL BE 8- GALLONS.
- BATHROOM OUTLET SHALL BE ON A GROUNDED 20-AMPERE CIRCUIT (ICC 2013).
- PROVIDE AT LEAST ONE GFCO PROTECTED OUTDOOR LIGHT OUTLET AT THE EXTERIOR OF THE BUILDING.
- PROVIDE AT LEAST ONE WALL SWITCHED-CONTROLLED LIGHTING OUTLET OR A SWITCH AT EACH LEVEL (ICC-724 (A)).
- UPGRADE THE EXISTING ELECTRICAL SERVICE TO AT LEAST TWO AMPERES DUE TO ADDITIONAL LOAD AREA BY THE ADDITION (ICC 230-79-C).
- PROVIDE GROUNDING OUTLET AT THE STAIRWAY CONTROLLED BY A WALL SWITCH AT EACH LEVEL (ICC-724 (A)).
- UPGRADE THE EXISTING ELECTRICAL SERVICE TO AT LEAST TWO AMPERES DUE TO ADDITIONAL LOAD AREA BY THE ADDITION (ICC 230-79-C).
- PROVIDE GROUNDING OUTLET AT THE STAIRWAY CONTROLLED BY A WALL SWITCH AT EACH LEVEL (ICC-724 (A)).
- ELECTRICAL OUTLETS INSTALLED IN BEDROOMS SHALL BE PROTECTED WITH AN ARC FACT CIRCUIT INTERRUPTER (ICC 230-12 (B)).
- ELECTRICAL OUTLETS INSTALLED IN BEDROOMS SHALL BE PROTECTED WITH AN ARC FACT CIRCUIT INTERRUPTER (ICC 230-12 (B)).
- WALLS AND CEILING SHALL BE FINISHED WITH PRESERVED CONCRETE BLOCK TAPE TESTED AND LABELED IN ACCORDANCE WITH THE 2013 CALIFORNIA MECHANICAL CODE (ICC 501.4).
- WALLS AND CEILING SHALL BE FINISHED WITH PRESERVED CONCRETE BLOCK TAPE TESTED AND LABELED IN ACCORDANCE WITH THE 2013 CALIFORNIA MECHANICAL CODE (ICC 501.4).
- EXHAUST DUCT DISCHARGE TO THE OUTSIDE OF THE BUILDING LOCATED AT LEAST 3 FEET FROM ANY OPENINGS INTO THE BUILDING (ICC 503.1).
- EXHAUST DUCT DISCHARGE TO THE OUTSIDE OF THE BUILDING LOCATED AT LEAST 3 FEET FROM ANY OPENINGS INTO THE BUILDING (ICC 503.1).
- THE MINIMUM CAPACITY FOR WATER HEATERS SHALL BE IN ACCORDANCE WITH THE FIRST HOUR RATING USED IN TABLE 5-101C.2(1)0.

ROOM	SUBFLOOR	FIN.	FR.	BASES	WALL AND CEILING
STAIRS	WOOD	HARD WOOD	WOOD	5/8" GYPSUM WALL BOARDS	5/8" GYPSUM WALL BOARDS
LIVING	WOOD	HARD WOOD	WOOD	5/8" GYPSUM WALL BOARDS	5/8" GYPSUM WALL BOARDS
DINING	WOOD	HARD WOOD	WOOD	5/8" GYPSUM WALL BOARDS	5/8" GYPSUM WALL BOARDS
FAMILY	WOOD	HARD WOOD	WOOD	5/8" GYPSUM WALL BOARDS	5/8" GYPSUM WALL BOARDS
OFFICE	WOOD	HARD WOOD	WOOD	5/8" GYPSUM WALL BOARDS	5/8" GYPSUM WALL BOARDS
KITCHEN	WOOD	HARD WOOD	WOOD	5/8" GYPSUM WALL BOARDS	5/8" GYPSUM WALL BOARDS
BEDROOM	WOOD	CARPET	WOOD	5/8" GYPSUM WALL BOARDS	5/8" GYPSUM WALL BOARDS
BATHS	WOOD	TILE	WOOD	5/8" GYPSUM WALL BOARDS	5/8" GYPSUM WALL BOARDS



SOUTH ELEVATION  
 (1/4" = 1'-0")



NORTH ELEVATION  
 (1/4" = 1'-0")



REVISIONS BY	DATE

San Francisco, California 94122  
 Consulting Engineer  
 1509 Potrero Street  
 HAWK N. LEB, P. E.

(415) 681-8265 fax (415) 681-1012

APN: 023-021-110  
 1493 GRAND AVENUE  
 PACIFIC, CALIFORNIA

REAR ADDITION TO BUILDING

Date: 02-26-14  
 Scale: AS SHOWN  
 Drawn: H. LEE  
 Job: 14930/P  
 Sheet  
 A5  
 of 1

**CALIFORNIA CODE REGULATIONS:**  
**TITLE 24, PART 6 - ENERGY BUILDING REGULATION**

Provide an Insulation Certificate form (IC-1) attached to plans. (This form shall be filled out by the insulation contractor to provide a copy to the building division on the final inspection) (CEES STD 10-103.8.1).

"Water heater shall be wrapped with R-12 insulation"  
 Any water heater with an energy factor less than 0.58 must be externally wrapped with insulation having a thermal resistance of R-12 or greater (CEC 151 (f) 6).

Provide a fluorescent light fixture or approved high efficacy lamps of not less than 40 lumens per watt for general lighting in the kitchen. Provide a wiring layout showing the high-efficacy luminaires shall be controlled by a single switch in the bathroom (CEC STD.150-(k) 1).

Replace all windows with a U-factor of 0.55 at the proposed addition and existing building, as per CF-IR specifying existing plus addition (CEES STD.151 (f) 3).

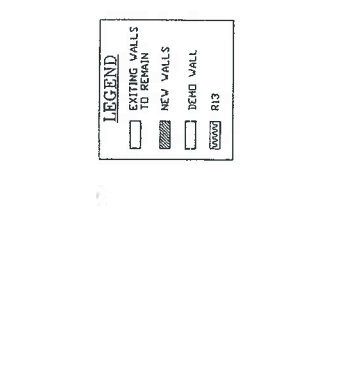
NFRC temporary labeling on new windows shall not be removed until inspected by the enforcement agency (CEES STD.11 (e) 2-B).

California Plumbing Code Requirements

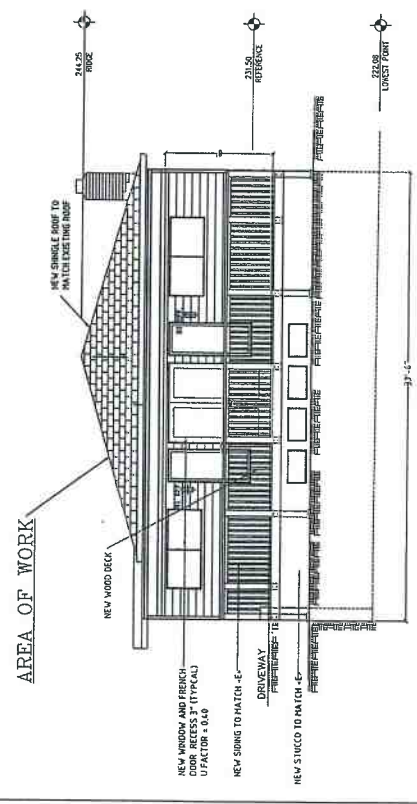
Provide a minimum square 3/4" by 3/4" shower stall. The shower s to be at least 1024 square inches and able to encompass a 30-inch diameter circle (CPC 412.7).

The minimum capacity for water heaters shall be in accordance with the first hour rating listed in Table 5-1. (CPC 201.0)

Provide a "Water Hammer Arrestor" for the dishwasher. The water hammer arrestor shall be either on or chamber or an approved mechanical device (CPC 608.10).



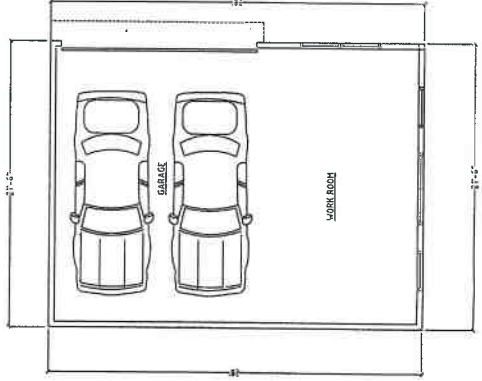
**EXISTING REAR ELEVATION**  
 ( 1/4" = 1'-0" )



**PROPOSED REAR ELEVATION**  
 ( 1/4" = 1'-0" )

**LEGEND**

[Symbol]	EXISTING WALLS TO REMAIN
[Symbol]	NEW WALLS
[Symbol]	DEMO WALL
[Symbol]	RIP



**EXISTING GARAGE PLAN**  
 ( 1/4" = 1'-0" )



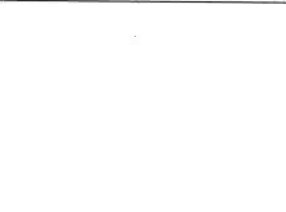
REVISIONS BY	
05-01-14	

HAWK N. LEE, P. E.  
 Consulting Engineer  
 1008 Northgate Blvd.  
 San Francisco, California 94122  
 (415) 661-6325 fax (415) 661-1012

APN: 023-021-110  
 1498 GRAND AVENUE  
 PACIFICA, CALIFORNIA

REAR ADDITION TO BUILDING

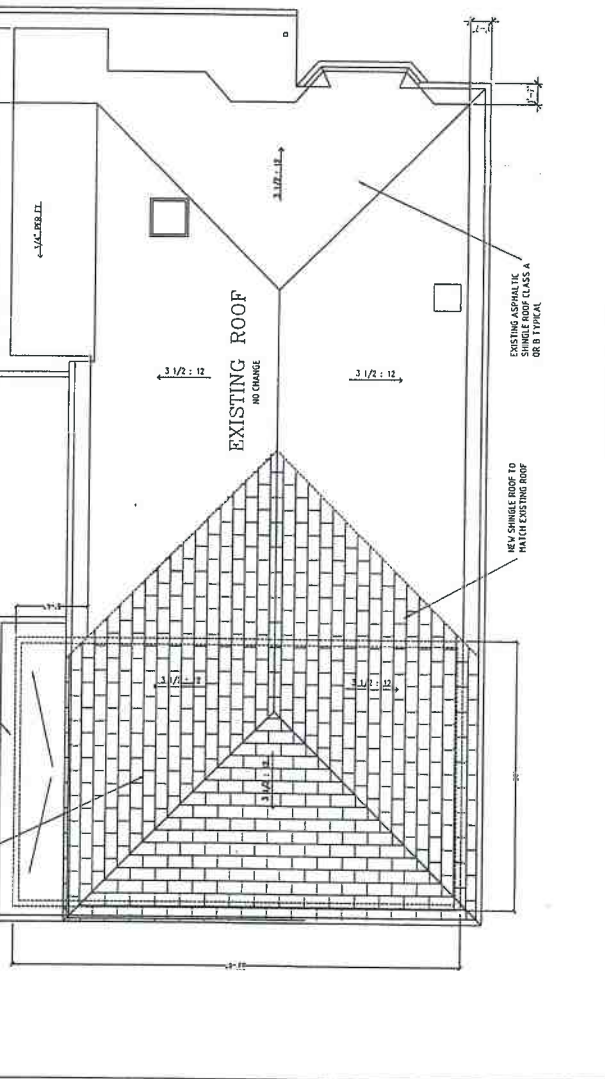
Scale: AS SHOWN  
 Drawn: H. LEE  
 Job: 14930/P  
 Sheet  
**A6**  
 of



**MECHANICAL SPECIFICATIONS:**

- All work shall be performed by Mechanical Contractor in conformance with the State 2013 California Mechanical Code.
- The contractor shall obtain all required mechanical permits.
- Permits: 200 square inches vent for garages and add 2 square inch of vent for each additional 100 square feet of garage area.
- Provide combustion air for furnaces and water heaters at the square inches per 1,000 B.T.U. of the rated capacity of the unit.
- Install thermostat w/ night set back controller at each unit.
- Provide 18 inch high platform for all water heaters.
- Provide in the garage, riser to the wall for the water heaters at 4" from the top and bottoms of the water heater.
- All outlet registers to be H & C or equal units connected to the furnace.

- All new ducts in the garage shall be 22 gauge ridged sheet metal pipes.
- For ducts installed with an approved booster to keep all ducts air tight. The duct work shall be installed at the highest quality. The ducts will be installed in concealed space hanging from the ceiling.
- FIR and smoke dampers shall be installed where duct terminate gas vents min. 4'-0" from the property line and 3'-0" above any openings.
- Terminate exhaust outlets outside and 3'-0" min. away from the property line and any window openings.
- Dryer vents shall not exceed 14'-0" without booster pumps. Provide dryer booster pump when the length of the vent exceeds 14'-0".
- The contractor shall request clarification if conflicts arise from the construction documents.
- The contractor may substitute materials that are equivalent to specified items on these plans for this construction project.



**EXISTING ROOF**  
 (1/4" = 1'-0")



Scenic Pacifica  
Incorporated Nov. 22, 1957

---

## PLANNING COMMISSION Staff Report

---

**DATE:** December 5, 2016

**FILE:** S-117-15

**ITEM:** 4

**PUBLIC NOTICE:** Notice of Public Hearing was published in Pacifica Tribune on November 23 2016, and mailed to 76 surrounding property owners and occupants.

**APPLICANT** Ruth Bennett  
JB Signs, Inc.  
2837A Whipple Road  
Union City, CA 94587

**OWNER:** Robin Bryant  
7-Eleven, Inc.  
1722 Routh Street, Ste. 1000  
Dallas, TX 75201

**PROJECT LOCATION:** 137 Manor Drive (APN 009-141-320)

**PROJECT DESCRIPTION:** Construct an approximately four-foot wide and six-foot high, double-sided monument sign containing a total of 33.68 square feet (sf) of sign area at 137 Manor Drive, Pacifica (APN 009-141-320). The on-site sign would be located within an existing island at the front and center of the commercial parking lot.

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

**RECOMMENDED CEQA STATUS:** Class 11 Categorical Exemption, Section 15311(a).

**ADDITIONAL REQUIRED APPROVALS:** None. Subject to appeal to the City Council.

**RECOMMENDED ACTION:** Approve as conditioned.

**PREPARED BY:** Bonny O'Connor, Assistant Planner

**STAFF NOTES**

**Table 1. Zoning Standards**

Standards	Required	Existing	Proposed
Lot Size	5,000	8700	No Change
Street Frontage	N/A	85 ft	No Change
Sign Area	63.75 sf max <sup>1</sup>	12.5 sf	46.18 sf
<b>Note:</b>			
1. PMC Section 9-4.2906(a)(3) Except as otherwise provided in this section, the total permitted sign area for any building shall not exceed seventy-five hundredths (.75 or $\frac{3}{4}$ ) square foot of signage per one foot of lineal street frontage.			

**1. General Plan, Zoning, and Surrounding Land Uses**

The site is zoned C-1 (Neighborhood Commercial District), which allows for retail uses such as the existing 7-Eleven that is onsite. The project site's General Plan land use designation is Commercial (C), which allows for the retail commercial that is present on site. The approximately 8700sf site is surrounded by commercial to the west, commercial and single family residential to the south, and Ocean Shore School to the east and north.

**2. Project Description**

The 7-Eleven store, located at 137 Manor Drive (APN 009-141-320) is proposing to construct a new monument style freestanding sign, located in the landscaped island at the front and center of their parking lot area. The previous freestanding sign that was located in a similar location was damaged and removed from the site. The site currently has no freestanding sign on site. The monument sign structure would be a total of 6' tall including a 1'-10  $\frac{1}{4}$ ' white brick base. The monument sign structure would be 4'-1  $\frac{3}{4}$ " wide and double sided. The maximum depth of the monument sign structure would be 11  $\frac{1}{2}$ ", which is the depth of the base.

The frontage length of 137 Manor Drive is 85 feet, which allows for 63.75 sf of signage at the site in accordance with PMC Section 9-4.2906(a)(3). The 7-Eleven store has two existing wall signs, one 5.8 sf 7-11 sign and one 6.7 sf CitiBank sign. The area of the proposed sign is 4' 1  $\frac{1}{4}$ " by 4' 1  $\frac{1}{4}$ " totaling to 16.84 square feet each side and 33.68 square feet total. Therefore the total permanent signage at the site would be 46.18 sf. The sign copy would contain the 7-Eleven logo which is representative of the business name. No other information would be present on the sign.

At the center of the one directional, half circle parking lot located in front of the store, is a 450 sf (30 ft x 15 ft) landscaped island. The landscape island is delineated by curbing and currently is landscaped with ice plant and two unidentified tree saplings and two overhead lighting posts. The proposed project would include removing all of the existing landscaping and replacing it

with new drought tolerant and mostly native plant species. The new sign would be placed approximately 5 feet from the sidewalk edge. No change would be made to the lights.

### 3. Municipal Code

The applicant's proposal requires approval of a sign permit under the PMC as the project would erect a freestanding sign. The Commission may approve the application and authorize the Planning Administrator to issue a sign permit only when the Commission makes the following findings:

- A. A freestanding sign is necessary for the business or businesses located on the premises to achieve a reasonable degree of identification; and
- B. The sign is consistent with the intent and provisions of this article; and
- C. The sign does not exceed the square footage set forth in subsection (3) of subsection (a) of this section; and
- D. The sign does not exceed a height of twenty (20') feet above the sidewalk or paved area over which it is erected.

### 4. Required Findings

In order to approve the sign permit (S-117-15), the Planning Commission must make all of the following findings required by PMC Section 9-4.2906(b):

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

**Discussion:** Currently the 7-Eleven market does not have any freestanding signage. The only current 7-Eleven signage present on site is a wall mounted sign that is mainly visible to customers in the parking lot. The proposed signage located within the landscaped island at the front and center of the existing one directional parking lot, is necessary to help potential customers traveling in the immediate vicinity of the sign to identify the presence of the market. The highly familiar 7-Eleven logo would achieve a reasonable degree of identification.

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

**Discussion:** The cumulative size of the existing and proposed signs at 137 Manor Drive is in compliance with PMC. The design of the proposed signs is consistent with the PMC Section 9-4.2910(b), which states "a sign permit shall not be issued by the Planning Administrator unless the subject sign is found to be consistent with

the applicable design criteria contained in the City's adopted Design Guidelines." The proposed sign is consistent with the Commercial Sign section of the City's adopted Design Guidelines as further discussed below:

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

The proposed sign, including the foundation is 6 feet tall, which would be in scale with the single story market. The base of the sign would be white brick which is complementary to the associated building.

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

The proposed sign only includes the familiar 7-Eleven logo which would clearly convey the message without excessive clutter.

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

Interior illumination of the sign is proposed. Condition of Approval No. 2 would require the applicant to provide specifications of the low intensity illumination to confirm that the lighting would not be unnecessarily bright or cause glare or light intrusion prior to issuance of the building permit.

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

See response to Section 4.A of this staff report.

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

The previous freestanding sign at the site was a pole based sign. The proposed sign is a monument sign, which is preferred. As further discussed above, the white base of the sign would complement the existing building. New landscaping around the proposed sign is included as part of the project.



The proposed sign is consistent with the Article 29, Signs, of the PMC as described above and throughout this staff report.

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

**Discussion:** As shown in Table 1 of this staff report, the proposed sign does not exceed the square footage set forth in PMC Section 9-4.2906(a)(3).

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

**Discussion:** The height of the sign would be six feet and does not exceed 20 feet above the sidewalk or paved area over which it is erected.

## 5. **CEQA Recommendation**

Staff analysis of the proposed project supports a Planning Commission finding that it qualifies for a categorical exemption from the California Environmental Quality Act (CEQA). The project qualifies as a Class 11 exemption under CEQA Guidelines Section 15311(a), as described below, applies to the project:

### **15311 Accessory Structures**

Class 11 consists of construction, or placement of minor structures accessory to (appurtenant to) existing commercial, industrial, or institutional facilities, including but not limited to:

- (a) On-premise signs.

The proposed project includes construction of an on-premise sign accessory to existing commercial. Additionally, none of the exceptions in Section 15300.2 of the CEQA Guidelines apply, as described below.

- Sec. 15300.2(a): There is no evidence in the record that the project would impact an environmental resource of hazardous or critical concern in an area designated, precisely mapped, and officially adopted pursuant to law by federal, State, or local agencies.
- Sec. 15300.2(b): There is no evidence in the record that cumulative projects of the same type would occur within the same place to create a significant cumulative impact.

- Sec. 15300.2(c): There is no evidence that the activity would have a significant effect on the environment due to unusual circumstances. .
- Sec. 15300.2(d) through (f): The project is not proposed near an officially designated scenic highway, does not involve a current or former hazardous waste site, and, does not affect any historical resources. Therefore, the provisions of subsections (d) through (f) are not applicable to this project.

Because the project is consistent with the requirements for a Class 11 exemption and none of the exceptions 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.

### **COMMISSION ACTION**

#### **MOTION FOR APPROVAL:**

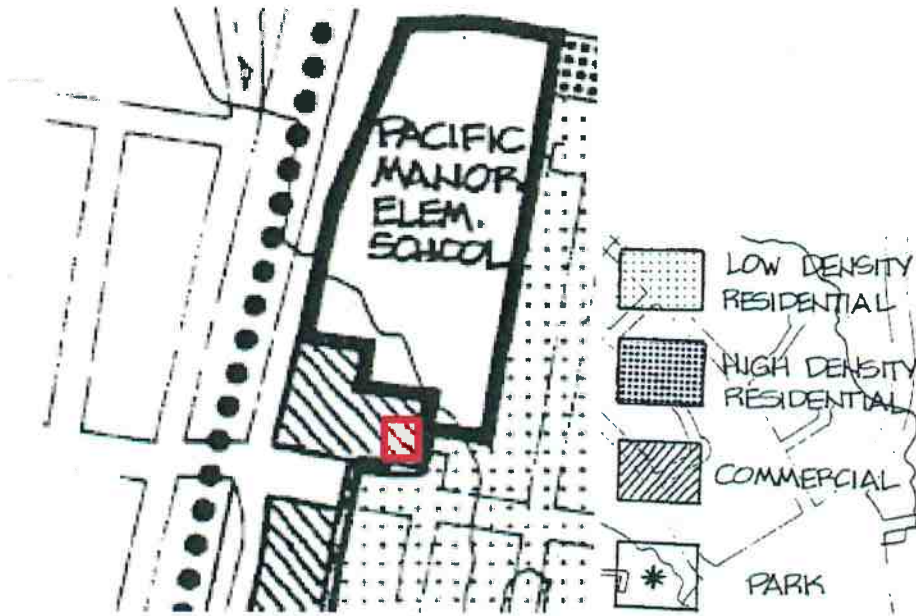
Move that the Planning Commission finds the project is exempt from the California Environmental Quality Act; **APPROVE** Sign Permit S-117-15, by adopting the resolution included as Attachment B to the staff report, including conditions of approval in Exhibit A to the resolution; and, incorporate all maps and testimony into the record by reference.

#### **Attachments:**

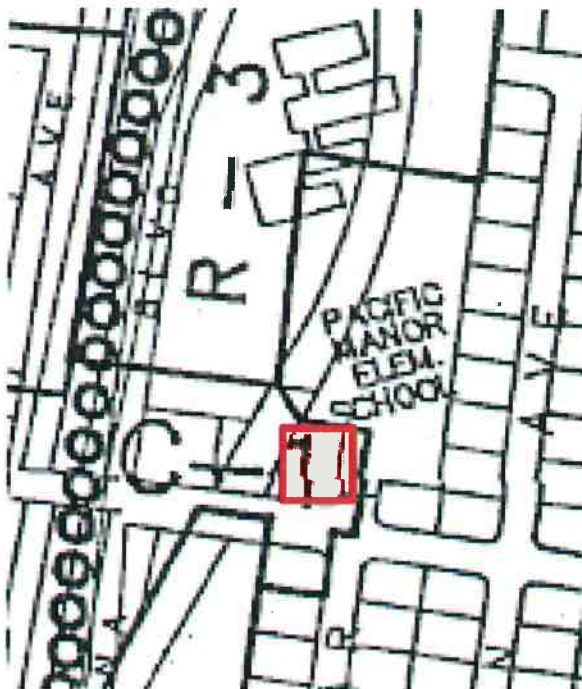
- A. Land Use and Zoning Exhibit
- B. Draft Resolution of Approval and Conditions of Approval
- C. Project Plans

# Land Use and Zoning Exhibit Attachment A

General Plan Land Use Designation: Commercial



Zoning District: C-1 Neighbor Commercial District



RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PACIFICA APPROVING SIGN PERMIT S-117-15 FOR CONSTRUCTION OF A FREESTANDING SIGN AT 127 MANOR DRIVE (APN 009-141-320), AND FINDING THE PROJECT EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA).**

---

Initiated by: Ruth Bennett (“Applicant”).

**WHEREAS**, an application has been submitted to construct an approximately four-foot wide and six-foot high, double-sided monument sign containing a total of 33.68 square feet (sf) of sign area at 137 Manor Drive, Pacifica (APN 009-141-320); and

**WHEREAS**, the project requires approval of a Sign Permit because the project involves development of a freestanding sign; and

**WHEREAS**, the Planning Commission of the City of Pacifica did hold a duly noticed public hearing on December 5, 2016, at which time it considered all oral and documentary evidence presented, and incorporated all testimony and documents into the record by reference.

**NOW, THEREFORE BE IT RESOLVED** by the Planning Commission of the City of Pacifica as follows:

1. The above recitals are true and correct and material to this Resolution.
2. In making its findings, the Planning Commission relied upon and hereby incorporates by reference all correspondence, staff reports, and other related materials.

**BE IT FURTHER RESOLVED** that the Planning Commission of the City of Pacifica does hereby make the following findings pertaining to Sign Permit S-117-15:

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

**Discussion:** Currently the 7-Eleven market does not have any freestanding signage. The only current 7-Eleven signage present on site is a wall mounted sign that is mainly visible to customers in the parking lot. The proposed signage located within the landscaped island at the front and center of the existing one directional parking lot, is necessary to help potential customers traveling in the immediate vicinity of the sign to identify the presence of the market. The highly familiar 7-Eleven logo would achieve a reasonable degree of identification.

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

**Discussion:** The cumulative size of the existing and proposed signs at 137 Manor Drive is in compliance with PMC. The design of the proposed signs is consistent with the PMC Section 9-4.2910(b), which states “a sign permit shall not be issued by the Planning Administrator unless the subject sign is found to be consistent with the applicable design criteria contained in the City's adopted Design Guidelines.” The proposed sign is consistent with the Commercial Sign section of the City’s adopted Design Guidelines as further discussed below:

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

The proposed sign, including the foundation is 6 feet tall, which would be in scale with the single story market. The base of the sign would be white brick which is complementary to the associated building.

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

The proposed sign only includes the familiar 7-Eleven logo which would clearly convey the message without excessive clutter.

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

Interior illumination of the sign is proposed. Condition of Approval No. 2 would require the applicant to provide specifications of the low intensity illumination to confirm that the lighting would not be unnecessarily bright or cause glare or light intrusion prior to issuance of the building permit.

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

See response to Section A above .

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

The previous freestanding sign at the site was a pole based sign. The proposed sign is a monument sign, which is preferred. As further discussed above, the white base of the sign would complement the



existing building. New landscaping around the proposed sign is included as part of the project.

The proposed sign is consistent with the Article 29, Signs, of the PMC as described above and throughout this staff report.

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

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

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

**Discussion:** The height of the sign would be six feet and does not exceed 20 feet above the sidewalk or paved area over which it is erected.

**BE IT FURTHER RESOLVED** that the Planning Commission of the City of Pacifica does hereby make the following findings pertaining to the project:

1. That the project is exempt from the CEQA as a Class 11 exemption provided in Section 15311(a) of the CEQA Guidelines.

#### **15311 Accessory Structures**

Class 11 consists of construction, or placement of minor structures accessory to (appurtenant to) existing commercial, industrials, or institutional facilities, including but not limited to:

- (a) On-premise signs.

The proposed project includes construction of an on premise sign accessory to existing commercial. Additionally, none of the exceptions in Section 15300.2 of the CEQA Guidelines apply, as described below.

- Sec. 15300.2(a): There is no evidence in the record that the project would impact an environmental resource of hazardous or critical concern in an area designated, precisely mapped, and officially adopted pursuant to law by federal, State, or local agencies.
- Sec. 15300.2(b): There is no evidence in the record that cumulative projects of the same type would occur within the same place to create a significant cumulative impact.

- Sec. 15300.2(c): There is no evidence that the activity would have a significant effect on the environment due to unusual circumstances. .
- Sec. 15300.2(d) through (f): The project is not proposed near an officially designated scenic highway, does not involve a current or former hazardous waste site, and, does not affect any historical resources. Therefore, the provisions of subsections (d) through (f) are not applicable to this project.

Because the project is consistent with the requirements for a Class 11 exemption and none of the exceptions in Section 15300.2 apply; therefore, there is substantial evidence in the record to support a finding that the project is categorically exempt from CEQA...

**NOW, THEREFORE, BE IT FURTHER RESOLVED** that the Planning Commission of the City of Pacifica approves Sign Permit (S-117-15) to construct an approximately four-foot wide and six-foot high, double-sided monument sign containing a total of 33.68 sf of sign area at 137 Manor Drive, Pacifica (APN 009-141-320), subject to conditions of approval included as Exhibit A to this resolution.

\* \* \* \* \*

Passed and adopted at a regular meeting of the Planning Commission of the City of Pacifica, California, held on the 5th day of December 2016.

AYES, Commissioners:

NOES, Commissioners:

ABSENT, Commissioners:

ABSTAIN, Commissioners:

\_\_\_\_\_  
Josh Gordon, Chair

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Tina Wehrmeister, Planning Director

\_\_\_\_\_  
Michelle Kenyon, City Attorney

## Exhibit A

**Conditions of Approval: Sign Permit (S-117-15) to construct an approximately four-foot wide and six-foot high, double-sided monument sign containing a total of 33.68 square feet (sf) of sign area at 137 Manor Drive, Pacifica (APN 009-141-320)**

### Planning Commission Meeting of December 5, 2016

#### Planning Division of the Planning Department

1. Development shall be substantially in accord with the plans entitled "7-Eleven #14337 137 Manor Drive Pacifica, CA 94044," received by the City of Pacifica on October 24, 2016, except as modified by the following conditions.
2. Prior to the issuance of a building permit, the applicant shall provide the Planning Department with specifications and evidence that the project shall include low intensity illumination and that lighting would not be unnecessarily bright or cause glare or light intrusion.
3. That the approval or approvals is/are valid for a period of one year from the effective date provided in Section 9-4.3805 of the Pacifica Municipal Code. If the use or uses approved is/are not established within such period of time, the approval(s) shall expire unless Applicant submits a written request for an extension and applicable fee prior to the expiration date, and the Planning Director or Planning Commission approves the extension request as provided below. The Planning Director may administratively grant a single, one year extension provided, in the Planning Director's sole discretion, the circumstances considered during the initial project approval have not materially changed. Otherwise, the Planning Commission shall consider a request for a single, one year extension.
4. 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. All outstanding and applicable fees associated with the processing of this project shall be paid prior to the issuance of a building permit.
6. 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.
7. The applicant shall indemnify, defend and hold harmless the City, its Council, Planning Commission, advisory boards, officers, employees, consultants and agents (hereinafter "City") from any claim, action or proceeding (hereinafter "Proceeding") brought against the City to attack, set aside, void or annul the City's actions regarding any development or land use permit, application, license, denial, approval or authorization, including, but not limited to, variances, use permits, developments plans, specific plans, general plan

amendments, zoning amendments, approvals and certifications pursuant to the California Environmental Quality Act, and/or any mitigation monitoring program, or brought against the City due to actions or omissions in any way connected to the applicant's project, but excluding any approvals governed by California Government Code Section 66474.9. This indemnification shall include, but not be limited to, damages, fees and/or costs awarded against the City, if any, and costs of suit, attorney fees and other costs, liabilities and expenses incurred in connection with such proceeding whether incurred by the applicant, City, and/or parties initiating or bringing such Proceeding. If the applicant is required to defend the City as set forth above, the City shall retain the right to select the counsel who shall defend the City.

### **Building Division of the Planning Department**

8. The project requires review and approval of a building permit by the Building Official. Applicant shall apply for and receive approval of a building permit prior to commencing any construction activity.

### **Engineering Division of Public Works Department**

9. Construction shall be in conformance with the San Mateo Countywide Storm Water Pollution Prevention Program. Best Management Practices shall be implemented.
10. Roadways shall be maintained clear of construction materials and debris, especially mud and dirt tracked, onto Manor Drive. Dust control and daily road cleanup will be strictly enforced.
11. 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.
12. Existing curb, sidewalk or other street improvements adjacent to the property frontage that is damaged or displaced shall be repaired or replaced as deemed by the City Engineer even if damage or displacement occurred prior to any work performed for this project.
13. Prior to approval of the Building Permit, applicant shall provide a Site Distance Analysis for the site access at Manor Drive, which shall be signed and stamped by a registered engineer. New sign shall not be located in the sight lines of the driveways.
14. Prior to approval of the Building Permit, applicant shall provide a site plan to include the ROW lines and Property lines.

\*\*\*END\*\*\*



#14337  
137 MANOR DRIVE  
PACIFICA, CA 94044



Houston Corporate Office  
5225 Katy Freeway, Suite 350  
Houston, Texas 77007  
713-977-7900  
Fax 713-977-7903

Dallas Regional Office  
2220 San Jacinto Blvd.  
Denton, TX 76205  
940-380-9153  
FAX: 940-380-9395



**AERIAL SITE PLAN & PRIOR SIGN**

**LOT FRONTAGE = 80 FEET, TOTAL SQUARE FOOTAGE OF SIGNAGE = 43.0 S.F.**



**SIGN 1**

7-11 ID/Copy Only = 5.8s.f./32"x26"

BANK SIGN/Copy Only = 6.7s.f./22"x43"



**(MOVE TO THE RIGHT 4'-0" FROM OLD LOCATION)**



**Houston  
Dallas**

**Houston Corporate Office**  
5225 Katy Freeway, Suite 350  
Houston, Texas 77007  
713-977-7900  
Fax 713-977-7903

**Dallas Regional Office**  
2220 San Jacinto Blvd.  
Suite 365  
Denton, Texas 76205  
940-380-9153  
FAX: 940-380-9395



Address: #14337

137 MANOR DRIVE

CITY: PACIFICA

State: CA 94044

Account Rep: K. NELSON

Sales Rep: SERVICE

APPROVALS

CLIENT

DESIGN

PROD.

Designer: J. WOMACK/AP

Design No. US158634-R11

DATE 02-23-15

Rev. Date: 04.29.16



**2:5**

The purchaser agrees to hold the seller harmless against any cause for action or damage which may occur as a result of drilling for price and other information. The purchaser shall be responsible for any underground obstacles which the purchaser or others may deem valuable.

THIS DESIGN AND ENGINEERING IS SUBMITTED AS OUR PROPOSAL, AND THE RIGHT TO USE OR EXHIBIT IN ANY FORM, IS NOT AUTHORIZED WITHOUT WRITTEN PERMISSION BY US SIGNS.

# D/F POLE SIGN ELEVATION

NEW D/F PAN FORMED FACED MONUMENT  
FOR EXISTING DAMAGED POLE SIGN

SIGN S.F. OF LOGO:  
15.18 PER SIDE x 2 = 30.36sf



EXISTING SIGN IS 4' X 4'



FRONT VIEW  
4'-1 3/4"

SCALE: 3/4" = 1'-0"

120v ELECTRICAL RUN FROM RIGHT SIDE  
DISCONNECT SWITCH LOCATED INSIDE CABINET

SIDE VIEW  
8"

SERVICE INSTALLATION  
HINGED ONE SIDE  
FOR SERVICE



4'-1 3/4"

1'-10 1/4"

6'-0"

8" EXTRUDED ALUMINUM CABINET &  
RETAINERS PAINTED BRONZE

BRICK TO MATCH BUILDING

4" POLE  
UTILIZING STEEL POLE FROM ORIGINAL SIGN  
TO BE SET IN NEW FOUNDATION WHEN CONCRETE IS POURED

### COLOR SPECIFICATIONS

- 3M #3630-44 ORANGE VINYL
- 3M #3630-33 RED VINYL
- 3M #3630-26 GREEN VINYL
- DURANODIC BRONZE



Houston  
Dallas

Houston Corporate Office  
5225 Katy Freeway, Suite 350  
Houston, Texas 77007  
713-977-7900  
Fax: 713-977-7903

Dallas Regional Office  
2220 San Jacinto Blvd,  
Suite 365  
Denton, Texas 76205  
940-380-9153  
FAX: 940-380-9395



Address: #14337  
137 MANOR DRIVE  
CITY: PACIFICA  
State: CA 94044  
Account Rep: K. NELSON  
Sales Rep: SERVICE  
APPROVALS  
CLIENT  
DESIGN  
PROD.

Designer: J. WOMACK/AP

Design No. US158634-R11

DATE: 02-23-15

Rev. Date: 04.29.16



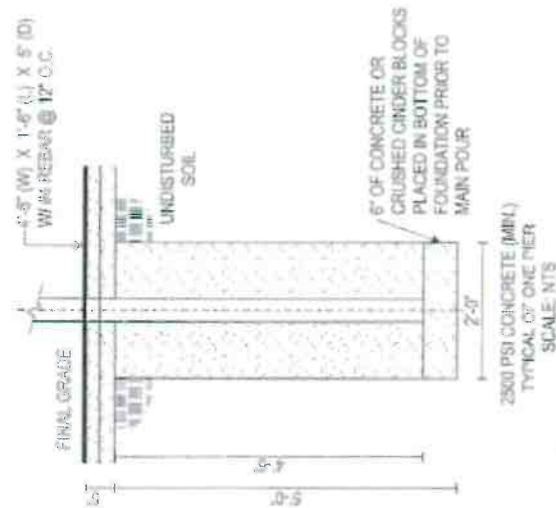
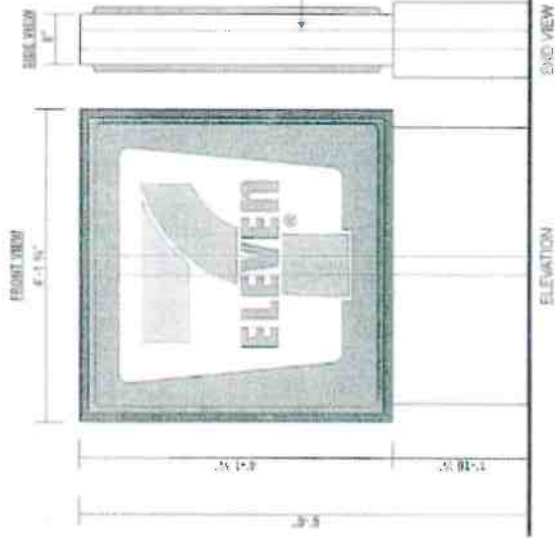
3:5

The purchaser agrees to hold the author harmless against any cause for action for damage which may occur as a result of pulling for pens and wires through the sign face or any underground obstacles, which the purchaser or others may deem valuable.

THIS DESIGN AND ENGINEERING IS SUBMITTED AS OUR PROPOSAL, AND THE RIGHT TO USE OR EXHIBIT IN ANY FORM, IS NOT AUTHORIZED WITHOUT WRITTEN PERMISSION BY US SIGNS.



ME #: 34176



<p>McIntire Engineering 1303 Lantana Rd., #118 Spring, TX 77289 Tel: 281-415-1111 Fax: 281-415-1112 www.mcintireeng.com</p>	<p><b>7 ELEVEN 14337</b></p> <p>ADDRESS: 137 MANOR DRIVE CITY: PACIFICA, CA STATE: CA 94044 ACCOUNT REP: K. NELSON SALES REP: SERVICE</p>	<p>DATE: 6-26-2015 SHEET #: 1 OF 1</p>
---	---	--



THIS DESIGN AND ENGINEERING IS SUBMITTED AS OUR PROPOSAL, AND THE RIGHT TO USE OR EXHIBIT IN ANY FORM, IS NOT AUTHORIZED WITHOUT WRITTEN PERMISSION BY US SIGNS.



Houston  
Dallas

**Houston Corporate Office**  
5225 Katy Freeway, Suite 350  
Houston, Texas 77007  
713-977-7900  
Fax 713-977-7903

**Dallas Regional Office**  
2220 San Jacinto Blvd.  
Suite 365  
Denton, Texas 76205  
940-380-9153  
FAX: 940-380-9395



Address: #14337  
City: PACIFICA  
State: CA 94044  
Account Rep: K. NELSON  
Sales Rep: SERVICE

APPROVALS  
CLIENT \_\_\_\_\_  
DESIGN \_\_\_\_\_  
PROD. \_\_\_\_\_

Designer: J. WOMACK/AP

Design No. Us158634-RT1  
DATE 02-23-15  
Rev. Date: 04.29.16

4:5

The purchaser agrees to hold the seller harmless against any cause for action for damage which may occur as a result of drilling for gas, oil, or other fluids, or any underground obstacles, which the purchaser or others may deem valuable.



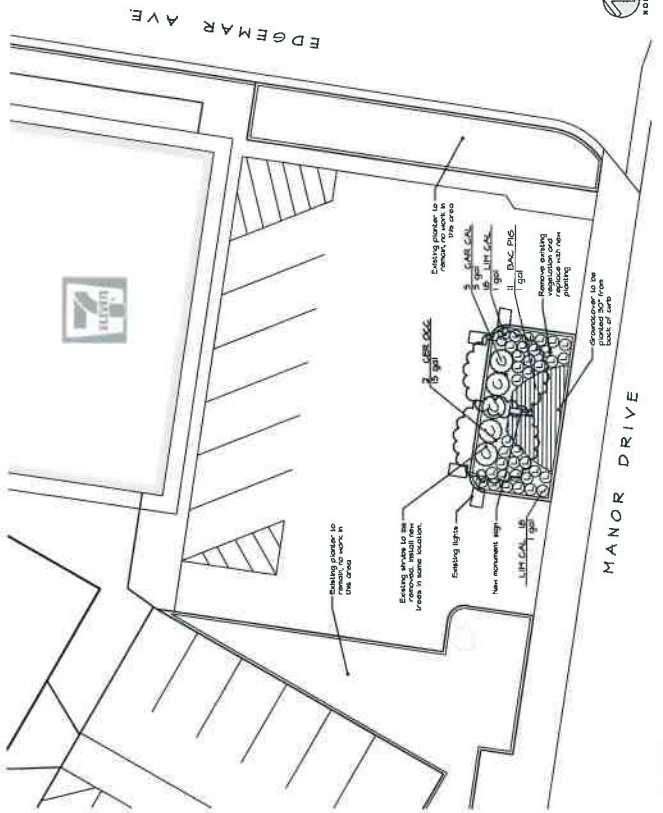
Project No.	2009
Client	Smith Development
Address	7-Eleven, Redwood City, CA



Smith Development  
1500  
California, CA 95010  
9169662725

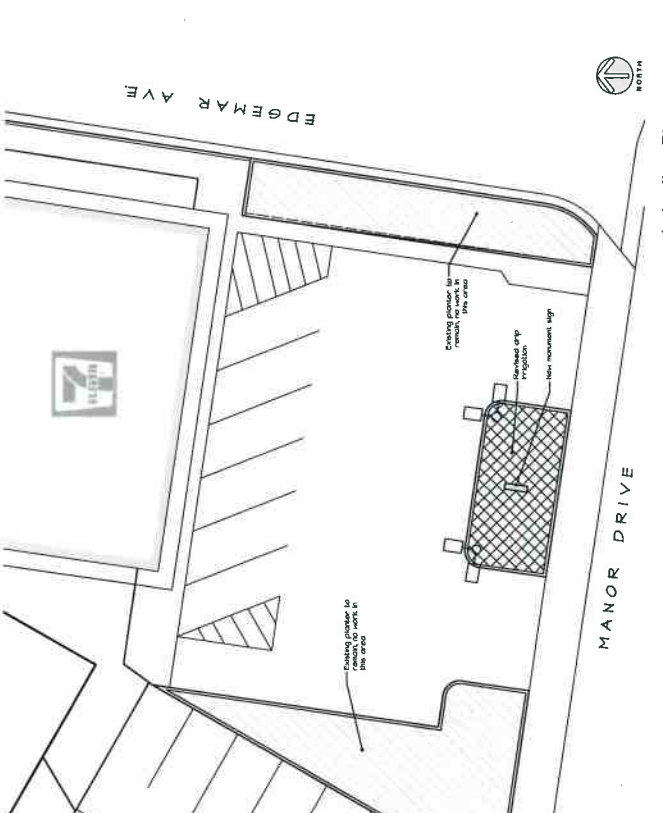
## Irrigation and Planting Plan

Scale:	1" = 10'-0"
Date:	02/20/2012
Project No.:	10-158
Sheet Number:	L1



**Irrigation Plan**  
Scale: 1" = 10'-0"

**Planting Plan**  
Scale: 1" = 10'-0"



**Planting Plan**  
Scale: 1" = 10'-0"

**PLANT SCHEDULE**

IRIS	BOTANICAL NAME	COMMON NAME	SIZE	QTY	IRIS	BOTANICAL NAME	COMMON NAME	SIZE	QTY
GER 02C	Cercis occidentalis	Redbud	5 gal	2	IRIS 02C	Malva moschata	Moschata	5 gal	2
SIB02A	Carpenteria californica	Bush Anemone	5 gal	5	IRIS 02C	Malva moschata	Moschata	5 gal	5
CAR CAL	Carpenteria californica	Bush Anemone	5 gal	5	LHM 02C	Linum catharticum	Linum	36	12
LHM 02C	Linum catharticum	Linum	36	12	BAC PHG	Baccharis pilularis 'Pigeon Point'	Coyle Brush	42' o.c.	11
BAC PHG	Baccharis pilularis 'Pigeon Point'	Coyle Brush	42' o.c.	11					

**GENERAL PLANTING NOTES**

- The contractor shall assume the conditions of the site prior to commencement of work. The contractor shall verify the conditions of the site prior to commencement of work.
- The contractor shall verify all plant quantities prior to installation. Plant quantities are listed for the convenience of the contractor and are not intended to be a final quantity. The contractor shall be responsible for the verification of plant quantities prior to installation.
- All plant material shall be inspected and approved by the Landscape Architect or Owner's Representative prior to installation. Material not approved for installation shall be replaced by the contractor at their expense.
- The contractor shall install all plants in the soil or in containers as specified in the drawings. Plants shall be installed in the soil or in containers as specified in the drawings.
- The contractor shall install all plants in the soil or in containers as specified in the drawings. Plants shall be installed in the soil or in containers as specified in the drawings.
- The contractor shall install all plants in the soil or in containers as specified in the drawings. Plants shall be installed in the soil or in containers as specified in the drawings.
- The contractor shall install all plants in the soil or in containers as specified in the drawings. Plants shall be installed in the soil or in containers as specified in the drawings.

**PLANT IMAGERY**

**Planting Detail: Redwoods**  
For Redwood Trees, refer to Detail D-1 Sheet L2  
For Redwood, refer to Detail F-1 Sheet L2

**EXISTING IRRIGATION NOTES**

- The contractor shall verify the location of the existing irrigation system. The contractor shall verify the location of the existing irrigation system.
- The contractor shall verify the location of the existing irrigation system. The contractor shall verify the location of the existing irrigation system.
- The contractor shall verify the location of the existing irrigation system. The contractor shall verify the location of the existing irrigation system.
- The contractor shall verify the location of the existing irrigation system. The contractor shall verify the location of the existing irrigation system.
- The contractor shall verify the location of the existing irrigation system. The contractor shall verify the location of the existing irrigation system.
- The contractor shall verify the location of the existing irrigation system. The contractor shall verify the location of the existing irrigation system.
- The contractor shall verify the location of the existing irrigation system. The contractor shall verify the location of the existing irrigation system.

