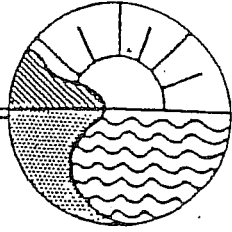


# AGENDA



## Planning Commission – City of Pacifica

**DATE:** August 3, 2009

**LOCATION:** Council Chambers  
2212 Beach Boulevard

**TIME:** 6:00 p.m.

### PLANNING COMMISSION STUDY SESSION

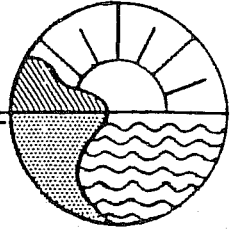
#### AGENDA

- 1. Expansion of an existing auto wrecking business and legalization of existing fencing on vacant bluff-top property north of, and adjacent to, 830 Palmetto Avenue, Pacifica (APN: 009-074-070, 080, 090 and 110).**

The purpose of a study session is to offer an opportunity for informal discussion with the Planning Commission. Any statements made by a Commissioner or staff member at a study session are informal only and are not to be considered commitments or guarantees of any kind.

The City of Pacifica will provide special assistance for disabled citizens upon at least 24-hour advance notice to the City Manager's office (738-7300). If you need sign language assistance or written material printed in a larger font or taped, advance notice is necessary. All meeting rooms are accessible to the disabled.

# STAFF REPORT



PLANNING COMMISSION-CITY OF PACIFICA

**Date:** August 3, 2009

**LOCATION:** Council Chambers  
2212 Beach Boulevard

**TIME:** 6:00 p.m.

**ITEM:** 1

## STUDY SESSION

**APPLICANT:** James Payne

**LOCATION:** 830 Palmetto Avenue

**APNs:** 009-074-070, 080, 090 and 110

**PROJECT DESCRIPTION:** Expansion of an existing auto wrecking business and legalization of existing fencing on vacant bluff-top property north of, and adjacent to, 830 Palmetto Avenue, Pacifica (APN: 009-074-070, 080, 090 and 110).

General Plan: Commercial

Zoning: C-3 (Service Commercial), CZ (Coastal Zone), Appeals Area

**CEQA STATUS:** To Be Determined

**REQUIRED APPROVALS:** Planning Commission approval of a Coastal Development Permit and Use Permit

**RECOMMENDED ACTION:** None

**PREPARED BY:** Christina Horrisberger

**ZONING STANDARDS CONFORMANCE:**

| <u>Standards</u>            | <u>Required</u>           | <u>Proposed</u>         |
|-----------------------------|---------------------------|-------------------------|
| Lot Size                    | 5,000 sf min.             | 25,000 sf<br>(combined) |
| Lot Width                   | 50 feet min.              | 120 feet                |
| Landscaping                 | 10% min                   | Unknown                 |
| Setbacks (materials stored) | 2 feet from fence<br>min. | Unknown                 |
| Height (materials stored)   | 8 feet min/max            | Unknown                 |
| Height (perimeter fencing)  | 8 feet min/max            | 6 ft and Unknown        |
| Parking                     | Unknown                   | Unknown                 |

**DISCUSSION**

**1. Background:** The subject project encompasses 4 parcels of land on the western side of Palmetto Avenue along the coastal bluff (see attachment b). In 1985 a Use Permit was approved to allow the property owner to operate an auto-wrecking business with storage of vehicles to be dismantled and sale of used auto parts at 830 Palmetto Avenue. The permit was needed because an ordinance was adopted in 1985 that required auto-dismantling businesses to obtain a Use Permit. The subject business had been in operation prior to City incorporation and was required to obtain the permit in order to continue operating. Pacifica Municipal Code Section 9-6.05 states that such permits are non-transferrable. At that time the Use Permit encompassed several parcels; the four subject parcels and two neighboring parcels to the south. The adjacent lot to the south, 830 Palmetto, was where the main part of the business was located and the surrounding lots (including the subject lots) were used mainly for vehicle storage. It was conditioned upon project approval that if the subject parcels were used for vehicle storage that the lot south of 830 Palmetto could not be used for that purpose without amending the approved permit. The condition also stated that if the lot south of 830 Palmetto was used for storage, that the subject lots could not be used without amending the permit.

In 1993 a Use Permit was approved to allow the business, which was then utilizing 830 Palmetto and the lot to the south, to change hands and expand further southward. Pursuant to the above described condition of approval, the subject lots were not a permitted part of the business at that time. In November 2000, the property owner requested approval to operate an outdoor storage facility with a 10,000 square foot paved area and legalize existing fencing around the subject lots. The request for approval of a storage facility was eventually withdrawn, but the chain link fence enclosure with wood slats was approved. The lots were vacant at that time and no permits have been granted since. However, it has come to staff's attention recently that a chain link fence has been constructed along the bluff edge and tall fence posts made from salvaged utility poles were

installed on an interior portion of the property (see attachment d).

**2. Project Summary:** The applicant/owner proposes to legalize the six foot chain link fence that was installed along the bluff edge. The applicant also proposes to remove the fence that currently separates the subject properties from 830 Palmetto, in order to expand the neighboring auto-wrecking business. New concrete paving is also proposed for the purpose of business expansion. The applicant has also indicated that sale of autos and RVs is proposed. The previous permits allowed for the sale of auto parts and the historical business practice has also included the sale of wrecked vehicles. Also proposed is completion of the fence on the interior portion of the lot where the posts are currently located. This structure is labeled “wood vanity fence” on the site plan provided by the applicant. There is existing fencing along the east, north and west property lines. The site plan indicates that the fencing is six feet in height, but it appears to be taller. The area between the eastern (front) fence and vanity fence would include paving and landscaping and is meant to provide a buffer between the street and the main storage area to the west of the vanity fence. This puts the bulk of the proposed operation closer to the bluff. Lastly, it appears that the property owner is once again the proprietor of Pacifica Auto Wrecking, and the Use Permit would need to be updated to reflect that.

**3. General Plan, Zoning, and Surrounding Land Use:** The property has a General Plan designation of Commercial and is zoned C-3. Surrounding land uses include the auto-wrecking yard to the south, at 830 Palmetto, a public parking lot for beach access and an RV park to the north, Highway 1 across Palmetto Avenue to the east and the Pacific Ocean to the west. All of the surrounding properties have the same General Plan designation and zoning as the subject properties.

**4. Municipal Code and Regulatory Standards:** The project would require approval of a Coastal Development Permit and Use Permit. The Coastal Development Permit is needed to allow for the paving and fencing at the site. The bluff top location of the site precludes the project from qualifying for any exemption to the Coastal Development Permit requirement. The Use Permit would be needed to allow for the use of the site as an auto-wrecking facility. This is a conditional use in a C-3 district. The use is consistent with the General Plan designation for the area. Other permits may also be necessary; however, there is not sufficient information to fully assess specific permit needs at this time.

The General Plan and Local Coastal Land Use Plan identify the subject neighborhood as the Northern Commercial Area. Both documents state that service commercial uses such as warehouse and storage facilities, welding and machine shops, auto-related uses and other light industrial uses are appropriate for the area. Visitor-serving uses that would complement the nearby RV park are also appropriate. The documents recognize that geotechnical stability can be a problem for the bluff-top properties on the west side of Palmetto Avenue. Accordingly, review of geotechnical stability is required for new development in the area. The documents also state

that consideration should also be given to visibility and scenic resources.

The proposed use is consistent with the uses prescribed for the area. If appropriate fencing, height limitations and setbacks are included in the proposal, the proposed use should not create a notable visual impact from Palmetto Avenue. The view of the site from Highway 1 is largely shielded by vegetation. The geotechnical suitability of the site is uncertain. This is discussed in a subsequent section of this report.

**5. Potential Issues:** Staff has identified issues of concern that relate to this project. These issues are briefly described below. Feedback on these, and any additional issues identified by the Commission, would be helpful in aiding the applicant and staff to evaluate the viability of the project moving forward.

Geotechnical Stability: The Zoning Code, General Plan and Local Coastal Land Use Plan all require that a geotechnical study be prepared for proposed developments on bluff-top properties. In addition to assessing site suitability, the study should show the net developable area of the site. Net Developable area is defined as the portion of the lot “determined to be adequate to withstand a 100-year hazard event.” Uses of setbacks, based on the 100-year hazard event, are encouraged to minimize damage to structures. New developments that would require shoreline protection are prohibited unless the property would otherwise be rendered undevelopable for any economically viable use. In addition, staff is concerned that the weight of the automobiles and auto parts proposed for storage on site could impact site stability.

Because the applicant has not submitted a geotechnical study, the above issues can not be addressed at this time. However, it is evident that a large amount of erosion has already occurred at the subject site and that, without shoreline protection, more erosion will likely occur. The Coastal Commission conducted a cursory review of this project and indicated that protective measures should not be allowed, based on the information that was available at the time. Since the economic viability of the site and net developable area are unknown, it is possible that the Coastal Commission could revisit this issue if more information is submitted by the applicant.

Stormwater Run-off: Any project that creates or replaces 10,000 square feet or more of impervious surfaces is subject to requirements regulating stormwater run-off. Such measures include minimizing run-off through site design measures, treating run-off to reduce contaminants and, in some cases, reduce the flow rate of run-off. For applicable projects, such measures are required to the “maximum extent practicable.” The site plan does not indicate how much impervious surface is planned or demonstrate how run-off would be addressed. Even if the 10,000 square foot threshold is not met, given the site conditions, location and proposed auto-related use, it may be prudent to incorporate appropriate stormwater control measures.

Access: The proposed project would include a new driveway that abuts a City easement, used for beach access and public parking, on private property. Staff is unsure of the purpose of this driveway since the lot is accessible from the front and a gate is proposed along the vanity fence. Also, the applicant has not worked out the details concerning use of the easement to access the subject site. This issue would need to be resolved before the project can move forward, as proposed. One possible consequence of using the easement for site access is that it may impede public access to the beach by removing parking or adding congestion at the City parking lot. This would be inconsistent with the Local Coastal Land Use Plan policies and, therefore, inconsistent with the findings that would be needed to approve a Coastal Development Permit.

Property Configuration: Based on the parcel maps provided by San Mateo County, and all City records, the subject site consists of 4 separate, but contiguous, parcels (see attachment b). The site plan provided by the applicant shows the site as one lot. Should the project move forward, the plans should reflect the correct property lines. Also, the site plan does not appear to include the westernmost extent of the site. This should also be corrected if the project moves forward.

Code Requirements: The City's zoning standards require:

- a. Enclosure of the site with an 8 foot fence constructed so as to completely obscure vision of the site;
- b. A minimum of 10% of the lot area must be landscaped;
- c. Maintenance of the site free from rubbish, weeds, etc;
- d. No storage of automobiles or parts more than 8 feet in height or closer than 2 feet to the fence; and
- e. One parking space per employee on a maximum shift and one parking space per 5,000 square feet of lot.

It is unclear whether the on-site fencing is 8 feet in height and this should be clarified by the applicant if the project moves forward. The height of the vanity fence is not indicated on the site plan. The site plan indicates that a landscaped area would be provided, but does not include the total square foot area of landscaping. The applicant has not provided information on site maintenance or the form/height and location of materials to be stored on site. At least 5 parking spaces would be needed based on the lot size, but the applicant has not indicated how many employees would be present on a maximum shift or where the parking area would be located. The Commission may wish to explore these issues further.

California Environmental Quality Act (CEQA) Status: A determination of the applicability of CEQA to the project cannot be made until a formal application is submitted. However, based on the site location and geotechnical issues, it does not appear that the project would meet the exemption criteria needed to forego the environmental review process. Accordingly,

environmental review of the project would be required, but the type of document that would be needed to address potential environmental impacts is unknown at this time.

**6. Summary:** Although the proposed use of the subject site is consistent with the use related regulations of the C-3 district and General Plan designation, it is unclear whether all development standards would be met by the project. More information will be needed to more thoroughly evaluate the project. Moreover, more information is needed concerning the geotechnical suitability of the site, applicability of stormwater requirements, how the site will be accessed and whether coastal access would be impeded by the project.

Specific feedback from the Commission on the following items is requested:

- Would the Commission support approval of the requested permits?
- What is the Commission's position concerning geotechnical suitability, bluff setbacks and stormwater control?
- If access to the site through the neighboring lot could be established, would the Commission have concerns about coastal access?
- There is no parking shown on-site and the landscaped area does not appear to comprise 10% of the total lot area. Would the Commission be supportive of a Parking Exception and/or Variance?

ATTACHMENTS:

- a. Land Use & Zoning Exhibit
- b. Parcel Map
- c. 1985 Use Permit Grant Letter
- d. Photos
- e. Project Description From Applicant
- f. Support Letter
- g. Plans (Commission only)