

RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PACIFICA ADOPTING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (“CEQA”) AND APPROVING SITE DEVELOPMENT PERMIT PSD-788-14, HERITAGE TREE REMOVAL AUTHORIZATION, AND LOGGING OPERATION (FILE NO. 2014-001), SUBJECT TO CONDITIONS, FOR CONSTRUCTION OF A SINGLE-FAMILY RESIDENCE AND STREET AND UTILITIES EXTENSIONS ON AN UNDEVELOPED 38,765-SQUARE FOOT LOT KNOWN AS “LOTS 4-12 ODDSTAD WAY,” LOCATED ALONG THE UNIMPROVED PUBLIC RIGHT-OF-WAY ODDSTAD WAY APPROXIMATELY 275 FEET SOUTHWEST OF THE INTERSECTION OF ROCKAWAY BEACH AVENUE AND BAY VIEW ROAD (APNs 022-056-080, 022-056-090, 022-056-060, 022-056-070, and 022-064-010).

Initiated by: Javier Diaz-Masias (“Applicant”)

WHEREAS, Applicant has submitted a proposal to construct one single-family residence; to construct an approximately 360-foot long street and utilities extension; to remove three heritage trees; and, to remove more than 20 heritage and non-heritage trees measuring six inches or greater in diameter at 12 inches above grade (“Project”); and

WHEREAS, the Project site consists of two areas: a private lot where a single-family residence and associated improvements are proposed (“Development Site”), and, an undeveloped public right-of-way named “Oddstad Way” where an approximately 360-foot extension of street paving and utilities are proposed in relation to the proposed single-family residence (“R.O.W. Improvements”); and

WHEREAS, the Project requires Planning Commission approval of a site development permit pursuant to Pacifica Municipal Code (“PMC”) Section 9-4.953 because the Project proposes construction of a new structure within the R-1-H (“Single-Family Residential Hillside”) zoning district; and

WHEREAS, the Project requires Planning Commission approval of a site development permit pursuant to PMC Section 9-4.954 because it proposes to develop an unimproved, platted street into an improved street in the R-1-H zoning district; and

WHEREAS, the Project requires approval of a Heritage Tree Removal Authorization pursuant to PMC section 4-12.07(a) because the Project proposes removal of three heritage trees as part of the R.O.W. Improvements; and

WHEREAS, the Project requires approval of a Logging Operation pursuant to Ordinance No. 636-C.S. and Ordinance No. 673-C.S., because it proposes to remove more than 20 trees as defined in Ordinance No. 636-C.S.; and

WHEREAS, pursuant to Public Resources Code Section 21080.1 and Section 15063 of the California Environmental Quality Act Guidelines located in Title 14, California Code of Regulations (“CEQA Guidelines”), the City, as CEQA lead agency, determined that prior to considering the approval of the Project that an Initial Study and Mitigated Negative Declaration (“IS/MND”) should be prepared in accordance with CEQA and the CEQA Guidelines; and

WHEREAS, the City prepared an Initial Study/Mitigated Negative Declaration (IS/MND) dated November 2018 to consider, identify and analyze all potential environmental impacts of the proposed Project (State Clearinghouse No. 2018112017), which concluded that the Project could result in potentially significant impacts to aesthetics, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, noise, transportation and circulation and tribal cultural resources, and that all the potentially significant impacts of the Project can be avoided or reduced to insignificance with implementation of mitigation measures; and

WHEREAS, the City provided notice of the availability of the IS/MND and its intent to adopt a mitigated negative declaration to and sought comments from all interested individuals and agencies on the IS/MND as required by CEQA by (i) Publishing “Notice of Intent to Adopt a Mitigated Negative Declaration for the Lots 4-12 Oddstad Way Project” (“NOI”) in the Pacifica Tribune newspaper on October 31, 2018; (ii) Submission of the NOI to the County Clerk of the County of San Mateo for posting; (iii) Provision of copies of the NOI to individuals and organizations that previously submitted written requests for the notice; (iv) Publication of a Notice of Completion with the State Clearinghouse, State Clearinghouse No. 2018112017; and, (v) Posting of the draft IS/MND on the City of Pacifica Planning Department webpage; and

WHEREAS, pursuant to the above-described notices provided, the City made the IS/MND available for a 30-day review and comment period that ran from November 5, 2018 to December 5, 2018; and

WHEREAS, the City received seven (7) comment letters on the IS/MND during the 30-day public comment period, six (6) of which were submitted by members of the public and one of which was submitted by a public agency, the Native American Heritage Commission, and City staff and consultants prepared a Response to Comments (“RTC”) document to respond to all seven of the comment letters received on the IS/MND as well as an Errata Sheet which incorporated minor modifications made to the IS/MND as a result of those responses to comments and a Mitigation Monitoring and Reporting Program (“MMRP”) which includes all of the mitigation measures identified in the IS/MND as clarified in the RTC and Errata Sheet, along with the party responsible for monitoring implementation of the mitigation measures, the milestones for implementation and monitoring, and a sign-off that the mitigation measure has been implemented; and

WHEREAS, the City provided notice of the Planning Commission’s intent to hold a public hearing to consider adoption of the IS/MND and approval of the Project as required by law by publishing a Notice of Public Hearing in the Pacifica Tribune on April 22, 2020, and May 6, 2020, and mailing the Notice of Public Hearing to 268 surrounding property owners, occupants and interested parties; and

WHEREAS, the Planning Commission has read and considered the IS/MND, the RTC, Errata Sheet and MMRP prior to making its decision to approve the Project; and

WHEREAS, the Planning Commission of the City of Pacifica did hold a duly noticed public hearing on May 18, 2020, at which time it considered all oral and documentary evidence presented, and incorporated all testimony and documents into the record by reference.

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

- A. The above recitals are true and correct and material to this Resolution.
- B. In making its findings, the Planning Commission relied upon and hereby incorporates by reference all correspondence, staff reports, and other related materials.
- C. The IS/MND, RTC, Errata Sheet and MMRP have been prepared, circulated for public review, and adopted pursuant to the requirements of CEQA.
- D. The Planning Commission has independently reviewed, analyzed, and considered the IS/MND, RTC, Errata Sheet, MMRP and all written documentation and public comments prior to approval of the proposed Project and finds the IS/MND, inclusive of the RTC and Errata Sheet, reflect the Planning Commission's independent judgment and analysis.
- E. The IS/MND, inclusive of the RTC and Errata Sheet, constitutes an adequate, accurate, objective, and complete document in compliance with all legal standards.
- F. The modifications made to the IS/MND in the RTC and Errata Sheet simply provide minor clarifications and do not amount to substantial revisions requiring recirculation of the IS/MND pursuant to Section 15073.5 of the CEQA Guidelines.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Pacifica does hereby certify that the IS/MND, inclusive of the RTC and Errata Sheet, has been prepared in accordance and full compliance with CEQA, has been made available and circulated via the State Clearinghouse (SCH #2018112017) for review and comment by interested members of the public and relevant agencies as required by law, and has been presented to and reviewed and considered by this Planning Commission prior to the Commission's decision on the Project. Therefore, the Planning Commission does hereby find that on the basis of the whole record before it (including the IS/MND, RTC, Errata Sheet and comments received thereon), that there is no substantial evidence that the Project, as revised and conditioned, will have a significant effect on the environment and adopts the IS/MND entitled "Lots 4-12 Oddstad Way Project INITIAL STUDY/MITIGATED NEGATIVE DECLARATION" dated November 2018, inclusive of the RTC dated May 2020 and the Errata Sheet dated May 2020, and also adopts the MMRP dated May 2020 and included as Exhibit B, as the valid environmental review for this Project. The IS/MND, Response to Comments, Errata Sheet, and MMRP are herein incorporated into this Resolution by reference. The custodian of the documents and other materials which constitute the record of proceedings upon which this decision is based is the Planning Department of the City of Pacifica, 1800 Francisco Boulevard, Pacifica, CA 94044.

BE IT FURTHER RESOLVED that the Planning Commission authorizes City Planning staff to prepare and file a Notice of Determination with the County Clerk and/or to provide the Notice of Determination pursuant to the alternative methods required by Governor Newsom's Executive Order N-54-20.

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

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

- 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.*

The proposed Project site is located on a hillside, and would be accessed by a street extension within the Oddstad Way public right-of-way. The Applicant has proposed R.O.W. Improvements which include a street of 20 feet in width, widening to 30'-8" to accommodate parking bays for on-street parking, and an adjacent three-foot wide pedestrian path on the south side of the Oddstad Way public right-of-way along the proposed street extension. The street design proposed by the Applicant does not meet City standards, however, and as a result has the potential to create a hazardous or inconvenient vehicular pattern.

The City Engineer has determined that the appropriate standard for the proposed street is the "Residential Collector Street" standard from Table 2 of Administrative Policy 42. The Residential Collector Street standard requires construction of a street 26 feet in width. The Planning Commission has included a condition of approval to require construction of the street extension in accordance with the Residential Collector Street standard. Additionally, the construction of one single-family residence in the Rockaway Beach neighborhood which consists exclusively of single-family residences would result in a traffic pattern consistent with the general character and intensity of the neighborhood.

The City Engineer has evaluated the proposed three-foot wide decomposed granite pedestrian path and determined it meets minimum width standards for disability access as well as general public use.

Because the Project, as conditioned, would construct a street extension to the Residential Collector Street standard and because construction of a three-foot wide pedestrian path would meet minimum standards for pedestrian accessibility; therefore, the Planning Commission concludes there is not sufficient evidence to make this finding.

- 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.*

The off-street parking area for the proposed single-family residence would be accessed via a new driveway connecting the proposed two-car garage to Oddstad Way. The proposed driveway would be 20 feet wide at the property line and would

widen behind the front setback line to 25'-4" at the garage door opening. The driveway width would comply with the maximum 20-foot width limit in PMC Section 9-4.2813(c)(4).

The proposed driveway would be located roughly in the center of the Development Site's frontage. There are no driveways for other sites east of the Development Site and the nearest driveway to the west is more than 360 feet away. Therefore, there would be no immediate conflicts with traffic generated by other properties on Oddstad Way. The nearest driveway east or west of the Project site associated with any future development would be more than 75 feet to the east, beyond the limits of the former Lot 12. Any future driveway on the north side of Oddstad Way, even if located directly across from the proposed driveway, would not cause a hazardous or inconvenient condition because the street would be 26 feet wide, as conditioned, which would allow safe backing out of either driveway while avoiding any cross-traffic.

Because the proposed off-street parking areas would be accessed from a driveway compliant with PMC standards; because the proposed driveway would be the only driveway for more than 360 feet along Oddstad Way; and, because the proposed driveway would remain distant from any future development approved on Oddstad Way, including directly across the street; therefore, the Planning Commission concludes there is not sufficient evidence to make this finding.

- 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.*

This finding is most applicable to commercial projects and multi-family residential projects because single-family residences do not include service or storage areas, large expanses of paved areas, or parking lots. However, the Project would include 80.9 percent of site area in a landscaped condition. This would be far in excess of the 20 percent minimum standard contained in PMC Section 9-4.402(i).

The Project would not include service or storage areas or a parking lot. The Project also would not include large expanses of paving on the Development Site (although the R.O.W. Improvements necessarily would consist of large expanses of paving for the street extension). The paving which would exist on the Development Site includes the driveway, patio areas, and pedestrian pathways. The driveway would be constructed of Turfstone pavers, a type of pervious paving which integrates landscaped area within the paver structure. The Turfstone pavers would result in a soft aesthetic appearance which would not be objectionable to surrounding properties. The patio areas would be constructed with Stone Terrace permeable pavers. Except for a small patio area near the front entryway to the single-family residence, other patio areas on the site would either be screened from the street and other properties by trees or screened by the single-family residence. The pathways would be narrow in width and would not be extensive throughout the site; thus, they

would not constitute expansive paved areas.

Because the Project would include extensive landscaping; and, because paving improvements on the Development Site either would not constitute expansive paved areas, would integrate landscaping into their design, or would be screened from view; therefore, the Planning Commission concludes there is not sufficient information to make this finding.

- 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.*

The proposed development would not unreasonably restrict light or air on the property or other property in the neighborhood. The proposed single-family residence would be setback substantially from all property lines at the rear, left, and right of the site. In regard to the front of the Development Site, the large front setback of 25 feet (in excess of the 15-foot minimum requirement in PMC Section 9-4.402(d)), combined with the 40-foot width of the Oddstad Way public right-of-way, would ensure sufficient distance between the proposed single-family residence and other improvements on the Development Site, and nearby properties across Oddstad Way, such that air and light to these properties would not be affected by the proposed Project. The R.O.W. Improvements would primarily consist of paving at grade, as well as retaining walls with low heights which would not unreasonably restrict air or light on the subject property or property in the neighborhood.

The proposed single-family residence on the Development Site would not hinder or discourage the appropriate development or use of land and buildings in the neighborhood, or impair the value thereof. The Development Site improvements would comply with all zoning standards, would far exceed the minimum landscaping requirement, would be consistent with the Design Guidelines (as discussed in a later finding), and would preserve all heritage trees on the Development Site (as discussed in the review of the heritage tree removal authorization).

However, the proposed R.O.W. Improvements could hinder or discourage appropriate development and use of land and buildings in the neighborhood as currently proposed. As indicated in the Project description contained in the staff report, the R.O.W. Improvements include retaining walls and stormwater treatment measures which either obstruct the entirety of the Oddstad Way public right-of-way or obstruct the frontages of other properties in the vicinity. Of note, a retaining wall nearly six feet in height would obstruct further extension of Oddstad Way in the event of future development to the east. Retaining walls would also obstruct a part or the whole of the frontages of Lots 147 through 150. A Project retaining wall would also obstruct several feet of the frontage of the lot west of the former Lot 4. Stormwater treatment weirs would obstruct access in part or in whole to Lots 153 through 156 (the obstruction to a part of the 598 Rockaway Beach Avenue property is not of concern because the site already has an established point of access to the northwest).

These retaining wall and stormwater treatment weir obstructions could affect the ability to construct safe access to the affected properties. A lack of safe access to these properties would hinder or discourage their appropriate development, and has the potential to impair their value. Therefore, the Planning Commission has included a condition of approval to require that the retaining walls and stormwater treatment weirs be constructed in a manner such that individual segments of these improvements could be readily removed and the function thereof be readily adapted to the removal, consistent with the original (unmerged) lot line boundaries of the Rockaway Beach Subdivision No. 1, to the satisfaction of the City Engineer. The City Engineer has assessed this issue and determined that it is feasible to design and construct the improvements in this adaptable fashion without adversely affecting their function. Inclusion of this condition of approval would resolve these adverse impacts to adjacent properties.

Because the Project would have significant space from adjacent properties; because the Project would preserve desirable heritage trees on the Development Site; because the R.O.W. Improvements would be low-lying; and because a condition of approval would ensure the ability to provide access to adjacent sites in the event of their future development; therefore, the Planning Commission concludes there is not sufficient evidence to make this finding.

- 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.*

The proposed Project includes the construction of a single-family residence and a street extension, neither of which are a commercial or industrial structure. Therefore, this finding is not applicable.

- 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.*

The proposed Project does not include a subdivision and, therefore, is not entitled to consideration of excessive damage or destruction of natural features as permitted in certain instances in Chapter 1 of Title 10 of the PMC. In the Planning Commission's assessment, the Project as proposed would not excessively damage or destroy heritage trees and the natural grade of the site, but could potentially damage Rockaway Creek.

The prominent natural features on the Development Site and in the area of the R.O.W. Improvements are heritage trees and natural topography. The Project would protect and retain all heritage trees present on the Development Site, thus leaving this natural feature unaffected by the Project. However, as discussed in further detail below in consideration of the heritage tree removal authorization, the Project would remove three heritage trees as part of the R.O.W. Improvements, but removal of the

heritage trees in conjunction with the R.O.W. Improvements is not excessive because it is necessary for economically viable use of the Development Site. In addition to removal of some heritage trees, the Project would involve construction and grading within the driplines of some heritage trees when constructing the Development Site and R.O.W. Improvements but a tree protection plan submitted by the Applicant would ensure construction and grading does not harm these trees. Grading of the R.O.W. Improvements is the minimum necessary to construct a street to City standards which is a pre-requisite to economically viable use of the Project site. Therefore, grading for the R.O.W. Improvements would not constitute excessive damage or destruction of natural features. Otherwise, removal of trees on the Development Site is generally limited to the immediate area of development, and the same is true for the R.O.W. Improvements. Therefore, removal of non-heritage trees is not excessive as described in further detail in discussion of the logging operation approval below.

The Project description describes the proposed creation of yard areas at Elevation 154 (rear, left, and right of residence). The Elevation 154 yard area is located proximate to the proposed single-family residence and would be directly accessible from the structure. It would measure slightly more than 2,800 sf in area. The Elevation 154 yard area (rear, left, and right of residence) would provide ample outdoor recreation area for the proposed development but would not be so large in proportion to the proposed single-family residence and the 0.89-acre Project site to constitute excessive grading, and consequently would not damage or destroy natural features.

While grading-related impacts would not excessively damage or destroy natural features, the Project as proposed has the potential to damage Rockaway Creek. As noted in the Project description in the staff report, stormwater discharges from Drainage Management Area (DMA) R-2 would not be captured and treated in the bioretention area prior to discharge into Rockaway Creek. The Applicant's Stormwater Control Plan ("SCP") states that the steepness of the westernmost section of the street extension prevents capture and treatment of stormwater in this area. The Planning Commission's assessment of this issue does not support the conclusion in the SCP. The Planning Commission has included a condition of approval to require that the DMA-R2 stormwater discharges are captured and treated before discharge into Rockaway Creek.

The Project would not damage or destroy rocks because these features are not known to be on the Development Site or in the area of the R.O.W. Improvements.

Because the Project as conditioned would only remove trees and perform grading necessary to construct the R.O.W. Improvements, the single-family residence on the Development Site, and adequate yard areas on the Development Site; and, because the Project, as conditioned, would treat all stormwater discharges before entering Rockaway Creek; therefore, the Planning Commission concludes there is not sufficient evidence to make this finding.

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

As discussed more fully in the Design Guidelines discussion below, the Project would not be monotonous. The proposed single-family residence on the Development Site would feature varying elements on all sides of the building. Each building elevation would feature interesting materials, roof angles, windows, and other elements, such as balconies and trellises. The building elements would be tied together with consistent materials across all elevations.

Because of the varying details on each building elevation, the Planning Commission concludes there is not sufficient evidence to make this finding.

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

The proposed Project, as conditioned, would be consistent with the City's adopted Design Guidelines with respect to Site Planning, Building Design, Landscaping, and Hillside Development guidelines. Major areas of Project consistency and inconsistency (exterior lighting) with the Design Guidelines are discussed below:

SITE PLANNING

Site Improvements. Locate site improvements such as buildings, parking areas, and walkways to take advantage of desirable site features. For example, existing healthy trees and distinctive berms or rock outcroppings should be incorporated into site design. Buildings should be oriented to capitalize on views of hills and ocean.

Site improvements should be designed to work with site features, not against them. Lot grading should be minimized and disruption of natural features such as trees, ground forms, rocks, and water courses should be avoided.

The Project, as revised, would incorporate all existing heritage trees on the Development Site into the overall site landscaping design. The Project also would not include extensive removal of non-heritage trees outside of the immediate development footprint of the proposed single-family residence. The Elevation 154 yard area is modest in size and would not result in excessive grading to create level areas on the Development Site. There are no water courses or significant rocks on the Development Site.

Lighting. Exterior lighting should be subdued, and should enhance building design as well as provide for safety and security. Lighting which creates glare for occupants or neighbors should not be used. In general, large areas should be illuminated with a few low shielded fixtures. Tall fixtures which illuminate large areas should be avoided.

The Project, as proposed, would not be consistent with this Design Guideline. The Project proposes extensive exterior lighting on all building elevations as shown on

Sheets A-5.1 and A-6.1. The Project proposes 3 exterior light fixtures at the first story (garage) level, 26 at the second story level, and 17 at the third story level (a total of 46 exterior light fixtures). While these fixtures are down-facing light fixtures, the position of the proposed single-family residence on prominent topography above the lower elevation floor of the Rockaway valley where most existing development is located would be likely to result in these fixtures producing light that is not subdued as suggested in this Design Guideline.

The Planning Commission has included a condition of approval which would allow exterior lighting on the proposed single-family residence i) only in locations required by the California Residential Code, such as at doorways as a safety measure; ii) mounted in the ceiling of covered porch, deck, and balcony areas; and, iii) with one light fixture above the garage door. Landscaping lighting and safety lighting along pathways would be permitted provided the light fixtures are down-facing and located not more than four feet above the ground. The condition of approval would provide for limited lighting to ensure safety while bringing down the overall amount of exterior light generated by the Project. Staff estimates this condition of approval would reduce the number of exterior light fixtures attached to the proposed single-family residence by approximately 30 fixtures.

BUILDING DESIGN

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

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

The style and design of the proposed Project is in character with the surrounding neighborhood in that the proposed single-family residence is not massive nor bulky comparative to its lot size. Although the proposed building approaches the maximum 35-foot height limit, this is largely a function of the steep topography of the Development Site and the City's method of measuring height. The proposed building only has two floors of residential floor area which is consistent with the modest scale of many homes in the Rockaway Beach neighborhood. The additional floor is a garage which is located at the lowest portion of the site, partially underground, to reduce overall building height.

Consistent with other homes in the Rockaway Beach neighborhood, the design of the proposed residence incorporates balconies, low profile roof shapes, composite shingle roofing material, wood siding, and a chimney in stacked stone material all of which collectively, complement, enhance, and reinforce the positive characteristics of surrounding development.

The design of the street-facing portions of the proposed single-family residence enhances the streetscape because the garage doors are de-emphasized from the street. The garage doors are not located on the front façade, instead they are located on the side elevation and are located partially below grade.

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

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

The proposed single-family residence would be in character with the surrounding neighborhood in mass, scale, bulk and height. The established development pattern of homes in the Rockaway Beach neighborhood includes a mixture of one and two-story residences. Older homes in the neighborhood are generally small and constructed on non-conforming lots less than 5,000 sf in area. New homes constructed in the neighborhood tend to be larger than the older homes in the neighborhood. Most of the homes described here are located along Rockaway Beach Avenue. There are no developed homes on either side of the Development Site or in the immediate vicinity in any other direction. The lots immediately adjacent to the Development Site remain undeveloped.

While it would be one of the largest homes in the Rockaway Beach neighborhood, the Project would also be located on a large site nearly one acre in size. This is larger than most all developed sites in the Rockaway Beach neighborhood. The large lot size and absence of existing development in the immediate vicinity of the Development Site would result in a building that would not be out-of-scale with its surroundings. Rather, this Project would establish the appropriate scale for development along Oddstad Way, again, with the key relationship being between the size of the development site and the proposed structure.

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

The Project has been well designed to create a sense of human scale by utilizing angular low pitched rooflines, a pedestrian pathway from the street, and ample balcony areas. The Project also includes wall insets, window openings, and changes

in materials and building planes to add interest and to reduce the apparent scale of the proposed building. These architectural features and details provide visual interest and variety on all building elevations.

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

The proposed materials are earth-tone, traditional, and common to single-family residences in general which makes the proposed materials compatible and consistent with the character of the established neighborhood in the Rockaway Beach neighborhood.

The Project consistently uses the same materials across all elevations in different configurations and applications to ensure unity in the design while avoiding monotony. The key Project materials include a composition roof shingle, cedar grooved horizontal siding, stacked stone, angled fascia boards, aluminum windows, trellises, and columns. These materials combine into a consistent and congruent design around the entire structure.

There are no historical or architecturally significant structures in the immediate vicinity of the Project which would be relevant for determining architectural context.

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

The colors proposed for the single-family residence would be compatible on all elevations. The horizontal cedar siding would be unpainted and a natural wood color. The soft natural wood color would be accented by bronze-colored window frames and the white fascia boards.

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

All building elevations of the proposed single-family residence would be consistent in terms of color, materials, roof pitch, and architectural details. The same window types and trims would be carried around all elevations. Similarly, stainless steel and glass balcony railings would be installed at all balcony areas to provide consistency in appearance.

LANDSCAPING

Purpose. Landscaping should not be used to screen or hide an otherwise unacceptable building. Building architecture should stand on its own, with landscaping incorporated as an integral element of overall project design.

As discussed above and below in this discussion of Design Guidelines consistency, the Project, as conditioned, would result in a building on the Development Site which would be desirable in its design and appearance and which incorporates suitable landscaping into the overall Project design. The building architecture, through the incorporation of interesting elements, varying details, and a unified design across all elevations, would stand on its own. Landscaping proposed on the Project site would help to soften the appearance of retaining walls, would complement the single-family residence, and would also make use of heritage trees and other existing trees to keep a mature appearance to the site's landscaping.

Amount and Variety. Applicants are encouraged to exceed the minimum amount of landscaping required by the Zoning Ordinance and landscape plans should incorporate a variety of plant species. The amount, scale, and nature of landscape materials should be appropriate to the site and/or structure. Large-scale buildings should be complemented by large-scale landscaping. Development along major streets should also include large-scale trees.

The Project, as conditioned, would include 80.9 percent of site area as landscaping. The amount of proposed landscaping is more than four times greater than the 20 percent minimum established in PMC Section 9-4.402(i). The landscape plan shown on Sheet A1.2 of Attachment C of the staff report incorporates more than 50 different plant species to ensure a variety of plant species. The proposed plant species would vary in size from 1 gallon to 24-inch box. The Project would also retain all heritage trees on the Development Site which would provide mature, large-scale landscaping immediately upon completion of the Project.

Existing Landscape Elements. Where possible, existing landscape elements, such as native and heritage trees, should be retained and incorporated into landscape plans... Mature trees and tree groupings, as well as rock outcroppings should be considered design determinants.

The Project would incorporate significant existing landscape elements, including all heritage trees and many non-heritage trees that are present on the site. These mature trees would provide developed landscaping while the new landscaping installations mature over a period of years. No rock outcroppings are known to be present on the Project site.

HILLSIDE DEVELOPMENT

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

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

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

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

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

The proposed three-story single-family residence on the Development Site is generally oriented to the existing site contours which run crosswise on the site. The widest part of the building would be aligned parallel to the contours to minimize grading. The three stories of the building allow more floor area with less grading and disturbance of natural topography.

The R.O.W. Improvements are limited in their ability to be configured to align with existing site contours because the Oddstad Way public right-of-way has already been established as part of the Rockaway Beach Subdivision No. 1. However, the road will be constructed to the minimum width required by City standards which will avoid excessive grading from widening the road beyond the minimum acceptable width.

CONCLUSION

Because the Project, as conditioned, would be consistent with Design Guidelines addressing Site Planning, Building Design, Landscaping, and Hillside Development, the Planning Commission concludes there is not sufficient evidence to make this finding.

- ix. *That the proposed development is inconsistent with the City's adopted Design Guidelines.*

The proposed development, as conditioned, would be consistent with the General Plan and other applicable laws of the City of Pacifica. Because the site is not located in the Coastal Zone, Local Coastal Plan consistency is not applicable to this Project. General Plan consistency includes, but is not limited to, the following policies:

Land Use Element

- a. East Fairway Park-Valleamar-Rockaway Land Use Plan (General Plan p. 44a)

The Project site is designated as Very Low Density Residential with an indicated density of one-half to five acres per dwelling unit. The proposed Project includes one dwelling unit on a 38,765 sf (0.89 acre) lot, which is consistent with the General Plan land use designation for the site.

Circulation Element

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

As noted above under the findings for approval of a site development permit, the Project, as conditioned, would include a 26-foot wide street consistent with the applicable Residential Collector Street standard in Table 2 of Administrative Policy No. 42. Providing a street constructed to City standards would provide access which is safe and consistent with the level of development.

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

The proposed Project would comply with the off-street parking standards contained in Article 28 of Chapter 4 of Title 9 of the PMC. Specifically, the Project would provide a large two-car garage as required by PMC Section 9-4.2818(a)(1) for single-family residences. On-street parking would be available on Oddstad Way; however, the Project would also have sufficient driveway length to accommodate a parked car.

Conservation Element

- d. Policy No. 1: *Conserve trees and encourage native forestation; and*
Policy No. 3: *Protect significant trees of neighborhood or area importance and encourage planting of appropriate trees and vegetation.*

The Project would preserve all heritage trees on the Development Site. Other trees on the Development Site would be removed only to the extent necessary for construction of the proposed single-family residence. A tree protection plan would ensure that heritage trees with drip lines located in the Oddstad Way public right-of-way and on the Development Site that will not be removed will also be protected during construction of the R.O.W. Improvements and the Development Site.

Historic Preservation Element

- e. Policy No. 1: *Conserve historic and cultural sites and structures which define the past and present character of Pacifica.*

As further described in the environmental review prepared for the Project, the City performed a thorough investigation of potential cultural and tribal cultural resource impacts which could result from the Project. The analysis concluded that the Project would be unlikely to result in a significant adverse impact on any cultural or tribal cultural resources.

Community Design Element

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

The proposed Project would install all utilities underground from the nearest joint pole or other point of connection. The utilities would be installed within a joint trench located within the Oddstad Way public right-of-way.

OTHER APPLICABLE LAWS

Off-Street Parking Standards in Article 28

- g. The proposed Project would comply with the off-street parking standards contained in Article 28 of Chapter 4 of Title 9 of the PMC. Specifically, the Project would provide a two-car garage as required by PMC Section 9-4.2818(a)(1) for single-family residences. On-street parking would also be available on Oddstad Way; however, the Project would also have sufficient driveway length to accommodate a parked car.

R-1-H (Single-Family Residential Hillside) Zoning District Standards

- h. The proposed Project would comply with the permitted and conditional uses authorized in the R-1-H zoning district as required by PMC Section 9-4.952 (reference to PMC Section 9-4.401) as well as the development regulations contained in PMC Section 9-4.953 (reference to PMC Section 9-4.402). The Project proposes a single-family residential use which is consistent with the permitted uses of the R-1-H zoning district. The Project would also comply with the minimum lot area per dwelling unit, minimum front setback, minimum side setback, minimum rear setback, maximum lot coverage, minimum landscaped area, and maximum height development standards of the R-1-H zoning district.

Therefore, because the proposed Project would be consistent with policies in the Land Use, Circulation, Conservation, Historic Preservation, and Community Design elements of the General Plan; and, because the Project as conditioned would comply with other applicable laws of the City of Pacifica including but not limited to the standards in

Articles 4 and 28 of Chapter 4 of Title 9 of the PMC; there is sufficient evidence to conclude that, on balance, the Project would be consistent with the General Plan, Local Coastal Plan, or other applicable laws of the City.

B. *Heritage Tree Removal Authorization.* The Planning Commission hereby authorizes removal of three heritage trees in the Oddstad Way public right-of-way based on the following criteria as required by PMC Section 4-12.05(c):

- i. The condition of the tree with respect to disease, general health, damage, public nuisance, danger of falling, proximity to existing or proposed structures, interference with utility services, and its ability to host a plant which is parasitic to another tree which is in danger of being infested by the parasite;
- ii. Whether the requested action is necessary for the economically viable use of the property;
- iii. The topography of the land and effect of the requested action on it;
- iv. The number, species, size, and location of existing trees in the area and the effect of the requested action upon shade, noise buffers, protection from wind damage, air pollution, historic value, scenic beauty and upon the health, safety, historic value, and general welfare of the area and the City as a whole;
- v. The number of healthy trees the parcel is able to support; and
- vi. Good forestry practices.

The Applicant submitted an arborist report describing the condition of all trees in the Project area, including the three heritage trees proposed for removal as part of the R.O.W. Improvements (Attachment F of the staff report). All heritage trees proposed for removal have a condition of "Fair" or better. Therefore, the Planning Commission concludes there is not sufficient information to justify removal of the heritage trees based on Criterion (i).

The Applicant must provide vehicular access to the Development Site. Because the Development Site is located within an existing subdivision, that access currently is available only from the Oddstad Way public right-of-way. Therefore, construction of the R.O.W. Improvements is necessary within the Oddstad Way public right-of-way. The Oddstad Way public right-of-way is only 40 feet wide, and the minimum street width pursuant to the standard in Table 2 of Administrative Policy No. 42 is 26 feet. The Project also requires six-inch curbs on both sides of the street, and construction of a minimum three-foot wide pedestrian pathway on one or both sides of the street. Therefore, the Applicant is constrained in construction of the street with only seven feet of deviation in the alignment possible within the public right-of-way. Shifting the roadway in this fashion would not eliminate the need to remove the heritage trees which have been identified for removal because they would be located within the path of any street built to City standards within the available public right-of-way. Therefore, there is

sufficient basis to justify removal of the heritage trees within the Oddstad Way public right-of-way under criterion (ii). The Applicant has provided a tree protection plan which would ensure the construction and grading within the dripline of certain heritage trees to complete the R.O.W. Improvements, as well as construction on the Development Site, would not harm the remaining heritage trees (Attachment E of the staff report). Measures to protect the heritage trees include, but are not limited to, establishment of tree protection zones with exclusion fencing around the dripline of the trees to protect roots from damage or soil compaction, and special procedures for cutting of certain roots under the supervision of the Project arborist.

The Applicant has not provided information to justify the proposed removal of heritage trees under Criteria (iii) through (vi).

Based on the analysis above, the Planning Commission determines there is sufficient justification for removal of three heritage trees as part of the R.O.W. Improvements under Criterion (ii) alone, and, thus, approves authorization of heritage tree removal to construct the R.O.W. Improvements. The Planning Commission assesses that the removal of three heritage trees to construct the R.O.W. Improvements is sufficiently justified under Criterion (ii) because no other means to access the Development Site is available, and vehicular access is necessary for economically viable use of the Development Site and is constrained to the subdivision's existing Oddstad Way public right-of-way. The Planning Commission further assesses that implementation of the recommendations in the tree protection plan will provide adequate protection to heritage trees on the Development Site and in the area of the R.O.W. Improvements such that these trees will be adequately protected from harm by the Project.

- C. *Logging Operation Approval.* The Planning Commission hereby approves a logging operation as required by Ordinance No. 636-C.S. and Ordinance No. 673-C.S.:

The Planning Commission has evaluated the proposed removal of three heritage trees for the construction of the R.O.W. Improvements. Based on the foregoing reasons stated under the authorization for heritage tree removal, above, the Planning Commission approves the removal of the three heritage trees necessary for construction of the R.O.W. Improvements as part of the logging operation. No heritage trees are proposed for removal on the Development Site.

Regarding the removal of non-heritage trees, the Planning Commission approves the removal of all trees proposed for removal as part of the logging operation. The Planning Commission's analysis of the Project supports a conclusion that only those trees necessary for construction of the R.O.W. Improvements and those within the footprint of the Project on the Development Site are proposed for removal. The Applicant has not proposed excessive tree removal in areas outside of the minimum footprint of the Project area. Therefore, it is the Planning Commission's assessment that the logging operation should be approved as described in this analysis.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Pacifica grants authorization for the Applicant to remove three heritage trees within the Oddstad Way public right-of-way as required to construct the approximately 360-foot long street and utilities extension.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Pacifica grants approval of the proposed logging operation to remove more than 20 trees in the Oddstad Way public right-of-way and on the Lots 4-12 development site pursuant to Ordinance No. 636-C.S. and Ordinance No. 673-C.S.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Pacifica approves Site Development Permit PSD-788-14, subject to conditions of approval attached as Exhibit A.

* * * * *

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the City of Pacifica, California, held on the 18th day of May, 2020.

- AYES**, Commissioners:
- NOES**, Commissioners:
- ABSENT**, Commissioners:
- ABSTAIN**, Commissioners:

John Nibbelin, Chair

ATTEST:

APPROVED AS TO FORM:

Tina Wehrmeister, Planning Director

Michelle Marchetta Kenyon, City Attorney

Exhibit A

Conditions of Approval: File No. 2014-001 for Site Development Permit PSD-788-14, Heritage Tree Removal Authorization, and Logging Operation Approval to construct a single-family residence and street and utility improvements at Lots 4-12 Oddstad Way (APNs 022-056-080, 022-056-090, 022-056-060, 022-056-070, and 022-064-010)

Planning Commission Meeting of May 18, 2020

Planning Division

1. Development shall be substantially in accord with the plans entitled “ODDSTAD WAY NEW RESIDENCE” dated May 13, 2020, except as modified by the following conditions.
2. The approval or approvals is/are valid for a period of two years from the date of final determination. If the use or uses approved is/are not established within such period of time, the approval(s) shall expire unless Applicant submits a written request for an extension and applicable fee prior to the expiration date, and the Planning Director 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. In the event of litigation filed to overturn the City's determination on the approval or approvals, the Planning Director may toll the expiration of the approval or approvals during the pendency of such litigation.
3. The approval letter issued by the City and all conditions of approval attached thereto shall be included as plan sheets within all plan sets submitted to the City as part of any building permit application.
4. Applicant shall clearly indicate compliance with all conditions of approval on the plans and/or provide written explanations to the Planning Director's satisfaction prior to issuance of a building permit.
5. Prior to the issuance of a building permit, Applicant shall submit information on all final exterior finishes, including colors and materials, to the satisfaction of the Planning Director. All exterior metal materials shall be corrosion resistant materials.
6. All exposed retaining wall surfaces constructed by the Project shall have a decorative finish which may include, but shall not be limited to, decorative block, stone veneer, or colored and stamped concrete, to the satisfaction of the Planning Director.
7. Prior to the issuance of a building permit, Applicant shall submit a detailed on-site exterior lighting plan for review and approval by the Planning Director. Said plan shall indicate fixture design, illumination, location, height, and method of shielding so as not to adversely affect adjacent properties. Lighting shall be directed away from adjacent residences but shall be adequate to ensure security and dissuade vandalism on-site. 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. Fixture locations shall be shown, where applicable, on all building elevations.

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8. Prior to issuance of a building permit, Applicant shall revise the exterior lighting plan to the satisfaction of the Planning Director to install exterior lighting fixtures on the single-family residence i) only in locations required by the California Residential Code, such as at doorways as a safety measure; ii) mounted in the ceiling of covered porch, deck, and balcony areas, with such fixtures facing directly downward and only illuminating the associated porch, deck, or balcony areas; and, iii) with one light fixture above the garage door. Landscaping lighting and safety lighting along pathways shall be permitted provided the light fixtures are down-facing and located not more than four feet above the ground.
9. 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. 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.
10. All transformers, HVAC units, backflow preventers and other ground-mounted utility equipment shall be shown on the landscape and irrigation plans and shall be located out of public view and/or adequately screened through the use or combination of walls or fencing, berms, painting, and/or landscaping, to the satisfaction of the Planning Director.
11. Prior to the issuance of a building permit, Applicant shall submit a roof plan with spot elevations showing the location of all roof equipment including vents, stacks and skylights. All roof equipment shall be screened to the Planning Director's satisfaction.
12. 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.
13. Roof drains shall discharge and drain away from the building foundation to an unpaved area wherever possible.
14. Applicant shall incorporate into the Project all mitigation measures identified in the document entitled "Lots 4-12 Oddstad Way Project INITIAL STUDY/MITIGATED NEGATIVE DECLARATION" dated November 2018, inclusive of the RTC dated May 2020 and "Errata Sheet" dated May 2020. The MMRP containing all applicable mitigation measures to be incorporated into the Project is included as Exhibit B to this Resolution.
15. Applicant shall incorporate all recommendations detailed in the letter "Re: Geotechnical Response to CEQA Review/Request for Additional Information Oddstad Way (APNs 022-056-060/070/080/090, 022-066-010) Pacifica, California," dated October 24, 2017, and all prior geotechnical investigations and recommendations referenced therein, shall be incorporated into

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the Project plans and approved by the Building Official prior to issuance of a building permit, excepted as modified by the MMRP in Exhibit B.

16. Applicant shall incorporate all recommendations contained in the tree protection plan, included as Exhibit C to this Resolution, into construction of the Project.
17. All outstanding and applicable fees associated with the processing of this Project shall be paid prior to the issuance of a building permit.
18. 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.
19. The Applicant shall indemnify, defend and hold harmless the City, its Council, Planning Commission, advisory boards, officers, employees, consultants and agents (hereinafter "City") from any claim, action or proceeding (hereinafter "Proceeding") brought against the City to attack, set aside, void or annul the City's actions regarding any development or land use permit, application, license, denial, approval or authorization, including, but not limited to, variances, use permits, developments plans, specific plans, general plan amendments, zoning amendments, approvals and certifications pursuant to the California Environmental Quality Act, and/or any mitigation monitoring program, or brought against the City due to actions or omissions in any way connected to the Applicant's Project ("Challenge"). City may, but is not obligated to, defend such Challenge as City, in its sole discretion, determines appropriate, all at Applicant's sole cost and expense. This indemnification shall include, but not be limited to, damages, fees and/or costs awarded against the City, if any, and costs of suit, attorney's fees and other costs, liabilities and expenses incurred in connection with such proceeding whether incurred by the Applicant, City, and/or parties initiating or bringing such Proceeding. If the Applicant is required to defend the City as set forth above, the City shall retain the right to select the counsel who shall defend the City. Per Government Code Section 66474.9, the City shall promptly notify Applicant of any Proceeding and shall cooperate fully in the defense.

Building Division

20. Applicant shall apply for and receive approval of a building permit prior to construction of the Project.

Engineering Division of Public Works Department

21. Construction shall be in conformance with the City of Pacifica Storm Water Management and Discharge Control Ordinance and the San Mateo Countywide Storm Water Pollution Prevention Program. Best Management Practices shall be implemented, and the construction BMPs plans sheet from the Countywide program shall be included in the Project plans.
22. Applicant shall provide updated calculations based the Municipal Regional Permit for the entire development to determine the size of all proposed storm drain facilities, stormwater treatment measures and the impact on the existing system (storm drains, creeks, and waterways). If the calculations reveal that the City system would be negatively impacted, those impacts shall be

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mitigated to the satisfaction of the City Engineer. Calculation report shall be signed and stamped by a registered engineer. Stormwater improvement shall be peer reviewed by an engineering consultant for the City, and it must be found acceptable to the City, as is or with recommendations. The Applicant shall pay City the cost of the peer review, including the costs of staff time and any services determined to be necessary by the City Engineer.

23. Applicant shall revise its stormwater treatment plan to comply with all applicable requirements of Provision C.3 of the Municipal Regional Permit, including but not limited to demonstrating that sufficient treatment areas have been provided to capture and treat stormwater from all impervious surfaces created by the Project, including without limitation the widened street required to comply with the "Residential Collector Street" standard from Table 2 of Administrative Policy 42, to the satisfaction of the City Engineer. All necessary stormwater treatment measures shall be installed prior to issuance of a certificate of occupancy.
 - a. Applicant shall revise plans for the stormwater treatment weirs to demonstrate a range of slope within the swales at 4-8 percent to avoid concentrating flows in one end of the swale or eroding the treatment soil.
24. Roadways shall be maintained clear of construction materials, equipment, storage, and debris, especially mud and dirt tracked onto Rockaway Beach Avenue. Dust control and daily road cleanup will be strictly enforced. A properly signed no-parking zone may be established during normal working hours only.
25. Existing curb, sidewalk or other street improvements adjacent to the property frontage that are damaged or displaced shall be repaired or replaced as determined by the City Engineer even if damage or displacement occurred prior to any work performed for this Project.
26. 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 the issuance of the certificate of occupancy.
27. Applicant shall submit to Engineering Division the construction plans and necessary reports and engineering calculations for all on-site and off-site improvements to the satisfaction of the City Engineer. Such plans and reports shall include but are not limited to:
 - a. an accurate survey plan, showing:
 - i. survey marks and identifying the reference marks or monuments used to establish the property lines;
 - ii. property lines labeled with bearings and distances;
 - iii. edge of public right-of-way;
 - iv. any easements on the subject property
 - b. a site plan, showing:

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- i. the whole width of right-of-way of Oddstad Way, including existing and proposed improvements such as, but not limited to, new pavement, driveway approach, sidewalk, curb & gutter, existing underground utilities and trenches for proposed connections, boxes for underground utility connections and meters, existing power poles and any ground-mounted equipment, street monuments, any street markings and signage;
 - ii. the slope of Oddstad Way at the centerline;
 - iii. adjacent driveways within 25' of the property lines
 - iv. any existing fences, and any structures on adjacent properties within 10' of the property lines.
 - c. All plans and reports must be signed and stamped by a California licensed professional.
 - d. Provide a flexible pavement design by a registered professional for the new Oddstad Way extension.
 - e. Provide structural calculations, signed and stamped by a registered professional, for all retaining walls within the City right-of-way.
 - f. Provide a design level geotechnical report, signed and stamped by a registered professional, for all retaining walls within the City right-of-way
 - g. All site improvements including utilities and connections to existing mains must be designed according to the City Standards and to the satisfaction of the City Engineer.
 - h. Retaining structures or systems within the City right-of-way shall be peer reviewed by an engineering consultant for the City, and it must be found acceptable to the City, as is or with recommendations. The Applicant shall pay City the cost of the peer review, including the costs of staff time and any services determined to be necessary by the City Engineer.
28. An Encroachment Permit must be obtained for all work within public right-of-way. All proposed improvements within public right-of-way shall be constructed per City Standards, to the satisfaction of the City Engineer and prior to issuance of the certificate of occupancy.
29. Applicant shall install new concrete curb, gutter and driveway approach and must be ADA compliant with no more than 2% cross slope for a width of at least 48 inches. The transition from 2% out-slope to the in-slope driveway shall be sufficiently gradual to avoid vehicles to contact the pavement at the grade breaks.
30. A traffic control plan shall be submitted for review by the City Engineer. Lane closures shall be requested at least 72 hours in advance of schedule and coordinated with Pacifica Police and Fire Departments. Through traffic shall be maintained at all times along Rockaway Beach Avenue.
31. No private structures, including but not limited to fences, mailboxes, or stairs shall encroach into the public right-of-way.
32. All utilities shall be installed underground from the nearest box or joint pole.
33. All proposed sanitary sewer system and storm drain system elements, including detention facilities, shall be privately maintained up to their connections to the existing mains.

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34. Per the adopted City of Pacifica Complete Street Policy, development shall include but not be limited to, bicycle and pedestrian facilities (along entire Oddstad Way extension).
35. Applicant shall extend the public street Oddstad Way per City of Pacifica Administrative Policy #42 from the current end of the improved street and through Applicant's property frontage in order to serve this development. Applicant shall revise the Project plans for the Oddstad Way street extension to demonstrate compliance with all applicable City street and infrastructure standards, including but not limited to the "Residential Collector Street" standard from Table 2 of Administrative Policy 42, to the satisfaction of the City Engineer. All required street and infrastructure improvements shall be constructed and installed to the satisfaction of the City Engineer prior to issuance of a certificate of occupancy.

Administrative Policy No. 42 requires a 26-foot road section plus sidewalk improvements. The Applicant shall construct the full street width along the entire length of improvements. A three-foot wide decomposed granite sidewalk is required only along the south side of Oddstad Way, and curbs and gutters are required on both sides of Oddstad Way.

36. As an alternative to constructing the Oddstad Way street extension along the Applicant's entire property frontage, the Applicant may enter into a Deferred Improvements Agreement with the City, consistent with Pacifica Municipal Code Section 10-1.1003, for street and sidewalk improvements east of their currently proposed terminus at the eastern lot line of former Lot 9. In the event of future development of any parcel to the east of the Project site which involves an extension of Oddstad Way from the terminus proposed by the Project, the Applicant shall be required to construct the remaining improvements along the entire frontage. The Deferred Improvement Agreement shall be approved by the City Attorney and executed, notarized, and recorded on the Property by Applicant, prior to issuance of a certificate of occupancy.
37. Applicant may, at a minimum, construct the southernmost six feet of the Oddstad Way street extension with pervious paving to reduce the amount of impervious surface created by the Project and to reduce the amount of stormwater treatment infrastructure required to be constructed in the constrained 40-foot wide Oddstad Way public right-of-way. The Applicant may construct a greater portion of the street extension with pervious paving, at the Applicant's discretion, subject to approval by the City Engineer.

All pervious paving segments installed within the Oddstad Way public right-of-way shall be designed to absorb the C.3 design flow and shall demonstrate that the design flow will percolate into the soil without use of subdrains. However, if soil conditions prevent percolation into the soil, or the City Engineer otherwise determines percolation is inappropriate, the Applicant shall construct stormwater treatment measures to treat the design flow from the pervious paving area. This may result in an increase in the size of the currently proposed treatment areas. Any such design shall also demonstrate that during high flows, excess runoff would flow across the surface of the street to the curb on the north side. The high flows must be routed away from the bio-swales to avoid overloading the treatment soil.

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38. Retaining walls and other structures within the City right-of-way necessary for the construction of the Oddstad Way extension shall be covered under a Maintenance Agreement recorded prior to issuance of the certificate of occupancy and to run with the property. The Maintenance Agreement shall burden the Applicant to maintain all covered improvements to the satisfaction of the City Engineer.
39. Stormwater measures shall be covered under a separate Maintenance Agreement for Stormwater Treatment Measures recorded prior to issuance of the certificate of occupancy and to run with the property. The Maintenance Agreement shall burden the Applicant to maintain all covered improvements to the satisfaction of the City Engineer.
40. Prior to issuance of a certificate of occupancy for any component of the Project, Applicant shall execute and record a Maintenance Agreement addressing future maintenance of the pervious pavement designed to Provision C.3 of the Municipal Regional Permit for areas in the public right-of-way and areas on the private Development Site.
41. The emergency vehicle turn-around shall remain unobstructed at all times and curbs within the limits of the turnaround shall be painted red and properly signed to the satisfaction of the City Engineer.
42. Applicant shall dedicate an emergency vehicle access easement for the fire apparatus turnaround. The City Council must accept the offer of dedication of the easement prior to issuance of a certificate of occupancy. The form and content of the offer of dedication shall be subject to review and approval of the City Attorney.
43. Applicant shall install curb ramps on both side of the emergency vehicle turn-around.
44. Applicant shall install new street lights with underground feed per City Standards and sufficient to meet current industry standards for public roads including but not limited to IESNA American National Standard Practice for Roadway Lighting and AASHTO Roadway Lighting Design Guide. Final location is subject to the approval of the City Engineer. All required street lights shall be installed and made operational prior to issuance of a certificate of occupancy.
45. Applicant shall install speed limit signs in locations and type to the satisfaction of the City Engineer.
46. Prior to issuance of a building permit, Applicant shall revise the Project plans to demonstrate that all improvements proposed within the Oddstad Way public right-of-way (e.g., retaining walls and stormwater treatment weirs) which would obstruct direct access to a private lot or parcel fronting upon Oddstad Way, or which would obstruct continuation of the improved portion of the Oddstad Way public right-of-way, shall be designed and constructed in a manner such that individual segments of these improvements can be readily removed and the function thereof be readily adapted to the removal, consistent with the original (unmerged) lot line boundaries of the Rockaway Beach Subdivision No. 1, to the satisfaction of the City Engineer and the Building Official. The intent of this condition of approval is to ensure that all such improvements within

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the public right-of-way shall have breakout sections to accommodate future driveways to the affected properties.

North County Fire Authority

47. Applicant shall install a fire sprinkler system in the single-family residential structure. Applicant shall submit plans to NCFCA under separate fire permit prior to issuance of a building permit.
48. Prior to issuance of a building permit, Applicant shall provide fire flow information per 2019 CFC, Appendix B, for the hydrant and fire sprinkler system, to the satisfaction of the Fire Chief.
49. Prior to issuance of a building permit, Applicant shall revise the Project plans to demonstrate installation of fire hydrants in compliance with Appendix C of the 2019 CFC along the Oddstad Way street extension, to the satisfaction of the Fire Chief and City Engineer.
50. No vertical construction or storage of combustible materials are allowed on-site until all roadways are completed per Chapter 5 of the CFC and the fire hydrant(s) along Oddstad Way is/are installed and serviceable.
51. Applicant shall install NO PARKING signs and markings as required by CFC Appendix D within the Fire Apparatus Turnaround (i.e., alternate hammerhead), prior to start of construction. Applicant shall ensure these signs and markings remain installed in a legible condition for the life of the Project.
52. Prior to issuance of a certificate of occupancy, Applicant shall install illuminated address identification on the single-family residential structure, to the satisfaction of the Fire Chief.

Wastewater Division

53. Prior to issuance of a building permit, the Applicant shall submit materials demonstrating the following information, designed and constructed to City of Pacifica standards including but not limited to Drawing Nos. WW100, WW101, WW102, WW201, WW202, WW301, subject to the satisfaction of the City Engineer:
 - a. Street trenching and patching.
 - b. Location and size of new sewer main.
 - i. The main sewer line must be installed within 50 feet of the nearest residential connection.
 - ii. The new sewer main shall be 8 inches in diameter.
 - c. Location and size of sewer lateral system (including cleanout location) and appurtenances.
 - d. Manhole(s).
 - e. All construction work proposed within the City right-of-way (including, but not limited to, trenching, sidewalk, curb and gutter repairs, etc.).
 - f. A note stated that "The contractor or owner shall contact the Wastewater Treatment Plant (phone 650-738-7472) 24 hours prior to starting each of the following items: trenching,

Conditions of Approval: File No. 2014-001 for Site Development Permit PSD-788-14, Heritage Tree Removal Authorization, and Logging Operation Approval to construct a single-family residence and street and utility improvements at Lots 4-12 Oddstad Way (APNs 022-056-080, 022-056-090, 022-056-060, 022-056-070, and 022-064-010)
May 18, 2020

backfilling, pavement restoration, sewer tap, pipe installation or any other sewer system work.”

END OF CONDITIONS

Exhibit B

MITIGATION MONITORING AND REPORTING PROGRAM

The Mitigation Monitoring and Reporting Program (MMRP) has been prepared in accordance with Section 21081.6 of the California Environmental Quality Act (CEQA) and 15097 of the CEQA Guidelines, which requires an MMRP as part of the Mitigated Negative Declaration (MND) process. CEQA requires that agencies adopting MNDs take the necessary steps to ensure that designated mitigation measures are appropriately implemented during all stages of the Project including construction and throughout the Project buildout. Therefore, the purpose of this MMRP is to document execution of required mitigations, identify the appropriate entity responsible for mitigation monitoring and reporting, document and establish frequency/duration of monitoring and reporting, and ultimately to ensure compliance.

The following MMRP matrix lists each of the mitigation measures adopted as a condition of Project approval, the method required for implementation, the party or permit responsible for implementing the measures, the timeframe for which the measure is relevant, and the status of compliance.

Exhibit C

TREE PROTECTION PLAN