

NOTICE OF AVAILABILITY AND NOTICE OF INTENT TO ADOPT A NEGATIVE DECLARATION FOR PROPOSED ZONING CODE AMENDMENTS/ADDITIONS

NOTICE IS HEREBY GIVEN that the City of Pacifica has prepared and intends to adopt a Negative Declaration that determines the project will not have any significant adverse affects on the environment.

The proposed project is Miscellaneous Zoning Code amendments/additions that would involve; 1) increasing the maximum height of fences within the required front yard setback of residentially zoned properties; 2) amending section 9-4.2311. Barbed wired fences; 3) clarifying Section 9-4.402 (d) of the R-1 (Single-Family Residential) development regulations; 4) adding a definition to Section 9-4.2704 (a) (1) relating as to when a building is considered attached to another building; 5) excluding subdivision signs and other signs permitted by state law; 6) allowing pet care sales establishments, including boarding and grooming in the C-1, Neighborhood Commercial District; 7) requiring a Specific Plan application to be submitted simultaneously with an application to classify a parcel to Planned Development District; and 8) amend sections of the zoning code relating to bed and breakfast inns.

The draft Negative Declaration is available for public review and comment for 30 days, beginning Wednesday, August 12, 2009. The deadline to submit comments is Friday, September 11, 2009. A copy of the draft Negative Declaration and documents referenced in the Negative Declaration are available for public review in the Planning and Economic Development Department, 1800 Francisco Boulevard. The draft Negative Declaration is also available at the Pacifica Library at 104 Hilton Way, and the Sanchez Library at 1111 Terra Nova Boulevard, located within the City of Pacifica. In addition, the draft Negative Declaration is posted on the City's website at www.cityofpacifica.org.

Michael Crabtree
Planning Director

Published in the Pacifica Tribune August 12, 2009



INITIAL STUDY & CHECKLIST/ NEGATIVE DECLARATION

CITY OF PACIFICA -- CITYWIDE ZONING CODE AMENDMENTS/ADDITIONS TO:

1. INCREASE THE MAXIMUM HEIGHT OF FENCES WITHIN THE REQUIRED FRONT YARD SETBACK OF RESIDENTALLY ZONED PROPERTIES;
2. AMEND SECTION 9-4.2311. BARBED WIRED FENCES. THE TITLE WOULD CHANGE FROM BARBED WIRED FENCES TO FENCES AND INCLUDE A DESCRIPTION OF FENCING MATERIALS;
3. CLARIFY SECTION 9-4.402 (d) OF THE R-1 DEVELOPMENT REGULATIONS RELATING TO MINIMUM FRONT SETBACK TO GARAGES AND ACCESSORY BUILDINGS;
4. ADD AN ATTACHED BUILDING DEFINITION TO SECTION 9-4.2704 (a) (1);
5. EXCLUDE SUBDIVISION SIGNS AND OTHER SIGNS PERMITTED BY STATE LAW, SECTION 9-4.2903 (k);
6. ALLOW PET CARE SALES ESTABLISHMENTS, INCLUDING BOARDING AND GROOMING IN THE C-1, NEIGHBORHOOD COMMERCIAL DISTRICT, SECTION 9-4.1001 (b) (13);
7. REQUIRE A SPECIFIC PLAN APPLICATION TO BE SUBMITTED CONCURRENTLY WITH A DEVELOPMENT PLAN APPLICATION, SECTION 9-4.2208; AND
8. AMEND SECTION 9-4.462. BED AND BREAKFAST DEFINED. AMEND SECTION 9-4.463 (C) (1) OF THE BED AND BREAKFAST DEVELOPMENT REGULATIONS THAT WOULD REQUIRE A USE PERMIT AND SITE DEVELOPMENT PERMIT IN ANY RESIDENTIAL AND COMMERCIAL DISTRICT INCLUDING PROJECTS LOCATED WITHIN THE HILLSIDE PRESERVATION DISTRICT (HPD). AMEND SECTION 9-4.2306 (a) TO ELIMINATE SUBSECTION (12) BED AND BREAKFAST INNS FROM THE SPECIAL USE PERMIT ALLOWABLE USES.

Date Prepared:

August 12, 2009

Prepared By:

**CITY OF PACIFICA
PLANNING DEPARTMENT
1800 FRANCISCO BOULEVARD
PACIFICA, CA 94044
(650) 738-7341**

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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CITY OF PACIFICA
 PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT
INITIAL STUDY AND CHECKLIST

Date: August 12, 2009

California Environmental Quality Act (CEQA) Requirements

This report has been prepared in accordance with the provisions of the California Environmental Quality Act (CEQA) of 1970, as amended, and applicable guidelines.

Project Title: Zoning Code Amendments/Additions

<u>Lead Agency:</u>	City of Pacifica 170 Santa Maria Ave. Pacifica, CA 94044	<u>Contact Person:</u>	Michael Crabtree, Planning Director (650) 738-7341
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Project Sponsor/Owner: City of Pacifica
170 Santa Maria Avenue
Pacifica, CA 94044

Project Location: City of Pacifica--Citywide

General Plan Designation/Zoning Classification: The proposed Zoning Code amendments/additions will apply citywide-- to those parcels in the City of Pacifica ("City") where the General Plan and Local Coastal Land Use Plan (LCP) would permit residential and/or commercial uses, including signage.

Project Description: The proposed Zoning Code amendments/additions would involve; 1) increasing the maximum height of fences within the required front yard setback of residentially zoned properties; 2) amend section 9-4.2311. Barbed wired fences. The amendment would change the title from Barbed wired fences to Fences and would include a description of fencing material; 3) clarifying Section 9-4.402 (d) of the R-1 (Single-Family Residential) development regulations relating to the minimum front setbacks for garages and accessory buildings; 4) adding a definition to Section 9-4.2704 (a) (1) relating as to when a building is considered attached to another building; 5) excluding subdivision signs and other signs (as listed in Section 9-4.2903(k)) permitted by state law; 6) allowing pet care sales establishments, including boarding and grooming in the C-1, Neighborhood Commercial District, Section 9-4.1001 (b) (13); 7) requiring a Specific Plan application to be submitted simultaneously with an application to classify a parcel to planned development district, Section 9-4.2208 (k); and 8) amend section 9-4.462. Bed and breakfast defined. Amend section 9-4.463 (c) (1) of the bed and breakfast development regulations that would require a use permit and site development permit in any residential and commercial district including projects located within the hillside preservation district (HPD). Amend section 9-4.2306 (a) to eliminate subsection (12) bed and breakfast inns from the special use permit allowable uses.

These changes/additions to the Pacifica Municipal Code are intended to provide further code clarification or memorialize current policies and practices. Pet care and sales establishment, including boarding and grooming would require the

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approval of a Use Permit. The proposed changes/additions listed below. Text in double underline format denotes text to be added:

Proposed Amendment

Section 9-4.2502 Fences, hedges, walls, and plantings (a) (b)

“(a) No fence, hedge, wall, or screen planting of any kind shall be constructed or grown to exceed six (6’) feet in height (unless otherwise required by law) within any required side yard to the rear of the required front yard of any dwelling or within any required rear yard; nor exceed three (3’) feet in height within the required front yard of any dwelling, or, for corner lots, within twenty-five (25’) feet of a street corner measured at the property line. Fences or walls limited to three (3’) feet in height may be vertically extended up to four (4’) feet with open work fence material, as defined in subsection (b) of this section, subject to approval of the Planning Director, who shall consider the compatibility of the fence design with its site and surrounding uses. Commercial fences may not exceed six (6’) feet in height, unless additional height is allowed with a site development permit.”

(b) When there is a difference in the ground level on opposite sides of a retaining wall or fence, height shall be measured from the higher ground level, however, any portion of a fence above the maximum allowable height as measured from the lower ground level may be required by the Planning Administrator to be an open work fence. An “open work fence” means a fence in which the component solid portions are evenly distributed and constitute not more than sixty (60%) percent of the total surface area of the fence. In addition, the height of fences or walls which are located within the front setback, parallel to the front property line, or within twenty-five (25’) feet of a street corner, shall be limited to three (3’) feet in height as measured from the side of the fence facing the street.

Proposed Amendment

Section 9-4.2311. Fences.

(a) Barbed wire fences. It shall be unlawful for any person to place, or allow to be placed, or to maintain a fence made wholly or partially of barbed wire in any district.

~~Exception. If approved by the Animal Advisory Commission, Barbed wire may be used in fencing when necessary to contain horses and other livestock. This exception shall only apply to fences constructed in accordance with the approval of the Animal Advisory Commission or the Building Official for animal control purposes.~~

(b) Fencing material. Fencing material shall be either solid or of other substantial construction including but not limited to wood, chain link, wire (non-barbed), or other similar material. Exception. Plastic mesh fencing and/or canvas tarp fencing material or similar material shall be allowed only on a temporary basis during construction.

Proposed Amendment

Section 9-4.402 (d) R-1 Development regulations

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“(d) Minimum front setback: fifteen (15’) feet; however, the minimum front setback to a garage entrance shall be twenty (20’) feet. The minimum setback entrance on the street side of a corner lot shall be twenty (20’) feet. (For nonconforming lots, see Sec. 9-4.3002 and for garages as accessory buildings, see Sec. 9-4.2704).”

Proposed Amendment

Section 9-4.2704 (a) (1) Accessory buildings

“(1) All portions of the accessory building shall be located at least five (5’) feet from any building existing or under construction on the same lot; a building is considered attached to another building when there is a common wall, common roof or a horizontal connection 30 inches above grade such as a deck. Retaining walls and/or decking between buildings that are less than 30 inches above grade are not considered a connection.”

Proposed Amendment

Section 9-4.2903 (k) Prohibited signs

“(k) Off-site signs, excluding real estate A-frames, and also excluding subdivision signs and other signs permitted by State law;”

Proposed Addition

Section 9-4.1001(b) of the C-1, Neighborhood Commercial District shall be amended to allow the following as a conditional use:

A “conditional use” under the zoning provisions of the Code. “(13) Pet care and sales establishments, including boarding and grooming.”

Proposed Addition

Section 9-4.2208 Specific Plans: Submission (P-D) shall be amended to include the following:

“(k) “A Specific Plan application shall be submitted concurrently with the Development Plan application. A Specific Plan application may be submitted subsequent to approval of the Development Plan if the Planning Commission finds that the later submittal will provide for the implementation of the Development Plan and is warranted in terms of the proposed development, or units thereof, in accordance with the regulations and limitations set forth in this article. As part of the Specific Plan application, the owner or applicant shall submit the following.”

Proposed Amendments

Section 9-4.462. Bed and breakfast inn defined.

“As stated in this article, “bed and breakfast inn” shall refer to any structure containing not more than twelve (12) guest bedrooms, which may be occupied by no more than twenty-four (24) persons, which are intended to be let to transient guests for compensation. A “guest bedroom” is a room primarily intended for sleeping and contained in the primary

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structure, which may contain furnishings, but may not lawfully contain any kitchen equipment. Bath facilities may be shared or may be separate for each guest bedroom. An inn is a conditional use in all residential and commercial zoning districts. An inn shall provide guest bedrooms and breakfast for transient guests."

Section 9-4.463 Development standards; Permits required (c) (1).

"(c) (1) A ~~special~~ use permit and site development permit must be approved by the Planning Commission for any inn proposed in any district Residential or Commercial ~~with the exception of the Commercial~~ Districts. If located in the Hillside Preservation District (HPD), the HPD regulations shall be followed; however, a ~~special~~ use permit and site development permit shall also be required;"

Proposed Amendment

Section 9-4.2306. Special use permit procedures (a).

"(a) Purpose. The purpose of this section is to prescribe the procedure for the accommodation, in any zoning district and General Plan designation, of uses with special site or design requirements, operating characteristics, or potential adverse effects on surroundings through the review and imposition of special conditions of approval. For the purposes of this section, a special use shall include the following:

- (1) Heliports;
- (2) Convalescent homes and nursing homes;
- (3) Hospitals and convalescent hospitals;
- (4) Institutions of a philanthropic or charitable nature;
- (5) Sanitary landfill sites, solid waste transfer stations, and materials recovery facilities;
- (6) Organized off-road vehicle parks;
- (7) Ambulance facilities;
- (8) Lodges and clubhouses;
- (9) Churches;
- (10) Civic Center facilities;
- (11) Mortuaries and cemeteries; and
- ~~(12) Bed and Breakfast inns; and~~
- ~~(13)~~ (12) Wastewater treatment and reclamation facilities."

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Site Description: The proposed Zoning code amendments/additions will apply City-wide-- to those parcels in the City of Pacifica ("City") where the General Plan and Local Coastal Land Use Plan (LCP) would permit residential and/or commercial uses, including signage.

Surrounding Land Uses and Setting: Because, as described above, the zoning code amendments will apply to all residential and commercial zoned properties, the land uses surrounding such potential development sites are expected to be residential and commercial uses.

Other public agency approval(s) required: The Planning Commission will review the proposed amendments/additions and recommend City Council approval. The City Council is required to introduce the Zoning Code amendments/additions at a publicly-noticed meeting and then adopt the Zoning Code amendments/additions at a publicly-noticed meeting. In addition, the California Coastal Commission must approve the amendments/additions prior to the introduction and adoption of the Zoning Code amendments/additions. For proposed development subject to the Zoning Code amendments/additions, all existing public agency approvals would continue to apply.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked (X) below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|--|---|--|
| <input type="checkbox"/> Land Use and Planning | <input type="checkbox"/> Public Services | <input type="checkbox"/> Utilities / Service Systems |
| <input type="checkbox"/> Population and Housing | <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Aesthetics |
| <input type="checkbox"/> Geology / Soils | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Cultural Resources |
| <input type="checkbox"/> Hydrology / Water Quality | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Noise | <input type="checkbox"/> Agricultural Resources |
| <input type="checkbox"/> Transportation/Traffic | <input type="checkbox"/> Mandatory Findings of Significance | |

DETERMINATION

On the basis of this initial evaluation:

- I find that the proposed project **COULD NOT** have a significant effect on the environment and a **NEGATIVE DECLARATION** will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because mitigation measures, as described on an attached sheet and agreed to by the applicant, have been added to the project. **A MITIGATED NEGATIVE DECLARATION** will be prepared.
- I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- I find that the proposed project **MAY** have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must

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|--|---|---|----------|----------|
| 1) Rupture of known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? | — | — | <u>X</u> | — |
| 2) Strong seismic ground shaking? | — | — | — | <u>X</u> |
| 3) Seismic-related ground failure, including liquefaction? | — | — | — | <u>X</u> |
| 4) Landslides? | — | — | — | <u>X</u> |
| b) Result in substantial soil erosion or the loss of topsoil? | — | — | — | <u>X</u> |
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? | — | — | — | <u>X</u> |
| d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1997), creating substantial risks to life or property? | — | — | — | <u>X</u> |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of wastewater? | — | — | — | <u>X</u> |

Discussion of Evaluation: Adoption of the Zoning Code amendments/additions would have no effect on any existing exposure of people or structures to geologic hazards.

The Zoning Code amendments/additions would not encourage, promote or guarantee any new development and therefore the City's adoption of the Zoning Code amendments/additions would not create any new substantial risk to life or property, or promote any physical alteration of land. The Zoning Code amendments/additions also does not include any provisions that would change or eliminate any current requirements that proposed projects meet existing geologic and soil hazards regulations.

Mitigation: None required.

IV. HYDROLOGY AND WATER QUALITY. Would the project:

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|--|---|---|---|----------|
| a) Violate any water quality standards or waste discharge requirements? | — | — | — | <u>X</u> |
| b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local | | | | |

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groundwater table level (e.g. the production rate of pre-existing nearby wells would drop to a level, which would not support existing land uses or planned uses for which permits have been granted)?	—	—	—	<u>X</u>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	—	—	—	<u>X</u>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in substantial flooding on- or off-site?	—	—	—	<u>X</u>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantially additional sources of polluted runoff?	—	—	—	<u>X</u>
f) Otherwise substantially degrade water quality?	—	—	—	<u>X</u>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate map or other flood hazard delineation map?	—	—	—	<u>X</u>
h) Place within a 100-year flood hazard area structures which could impede or redirect flood flows?	—	—	—	<u>X</u>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	—	—	—	<u>X</u>
j) Inundation by seiche, tsunami, or mudflow?	—	—	—	<u>X</u>

Discussion of Evaluation: The Zoning Code amendments/additions would have no effect on any existing exposure of people or structures to flood or tsunami hazards.

The Zoning Code amendments/additions would provide code clarification or memorialize current policies and practices and would not encourage, promote or guarantee any new development and therefore the City's adoption of the Zoning Code amendments/additions would not create any new water quality pollutants, demand for groundwater, change to drainage patterns, storm water runoff, or flood or tsunami hazard. In addition, the Zoning Code amendments/additions do not include any provisions that would change or eliminate existing regulatory standards concerning hydrology and water quality.

Mitigation: None required.

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V. **AIR QUALITY.** Would the project:

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| a) Conflict with or obstruct implementation of the applicable air quality plan? | ___ | ___ | ___ | <u>X</u> |
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? | ___ | ___ | ___ | <u>X</u> |
| c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal and state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)? | ___ | ___ | ___ | <u>X</u> |
| d) Expose sensitive receptors to substantial pollutant concentrations? | ___ | ___ | ___ | <u>X</u> |
| d) Create objectionable odors affecting a substantial number of people? | ___ | ___ | ___ | <u>X</u> |

Discussion of Evaluation: The Zoning Code amendments/additions would have no effect on any existing levels of air pollutants and existing air quality.

The Zoning Code amendments/additions would provide code clarification or memorialize current policies and practices. The Zoning Code amendments/additions would not encourage, promote or guarantee any new development and therefore the City's adoption of the Zoning Code amendments/additions would not affect implementation of applicable air quality plans, violate air quality standards, result in any emissions, expose sensitive receptors to pollutants, or create any odors. The Zoning Code amendments/additions also do not include any provisions that would change or eliminate existing regulatory standards concerning air quality.

Mitigation: None required.

VI. **TRANSPORTATION/TRAFFIC.** Would the project:

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|--|-----|-----|-----|----------|
| a) Cause an increase in traffic which is substantially in relation to the existing traffic load and capacity of the street system (i.e., result in substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? | ___ | ___ | ___ | <u>X</u> |
| b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways? | ___ | ___ | ___ | <u>X</u> |
| c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in | | | | |

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substantial safety risks?	—	—	—	<u>X</u>
d) Substantially increase hazards due to a design feature (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?	—	—	—	<u>X</u>
e) Result in inadequate emergency access?	—	—	—	<u>X</u>
f) Result in inadequate parking capacity?	—	—	—	<u>X</u>
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	—	—	—	<u>X</u>

Discussion of Evaluation: The Zoning Code amendments/additions would have no effect on any existing levels of air pollutants and existing air quality.

The Zoning Code amendments/additions would provide code clarification or memorialize current policies and practices. The Zoning Code amendments/additions would not encourage, promote or guarantee any new development and therefore the City's adoption of the Zoning Code amendments/additions would not cause any increase in traffic, change any existing level of service, have any affect on air traffic patterns, change emergency access, change parking capacity or conflict with any alternative transportation policies, plans or programs. The Zoning Code amendments/additions also do not include any provisions that would change or eliminate existing transportation and circulation regulations.

Mitigation: None required.

VII. BIOLOGICAL RESOURCES. Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish & Game or U.S. Fish & Wildlife Service?	—	—	—	<u>X</u>
b) Have a substantial adverse effect on any riparian Habitat or other sensitive natural community identified In local or regional plans, policies, or regulations, or by the California Department of Fish & Game or U.S. Fish & Wildlife Service?	—	—	—	<u>X</u>
c) Have a substantial adverse effect on federally protected Wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or				

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other means?	—	—	—	<u>X</u>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	—	—	—	<u>X</u>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	—	—	—	<u>X</u>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	—	—	—	<u>X</u>

Discussion of Evaluation: The Zoning Code amendments/additions would not encourage, promote or guarantee any new development and therefore the City's adoption of the Ordinance would not cause any effect on protected species, effect on habitat or wetland, interfere with species movement, conflict with policies and ordinances to protect biological resources, or conflict with any habitat plan. The Zoning Code amendments/additions do not include any provisions that would change or eliminate existing biological resource protection regulations.

The proposed code amendment, in particular, to increase the maximum height of fences within the required front yard of residentially zoned properties would not result in any significant biological impact because they would not modify any sensitive plant and/or species habitat or interfere with any migratory wildlife. Furthermore, existing applicable regulations relating to protection of species, habitat and wetlands would continue to apply to the installation of any fencing.

Mitigation: None required.

VIII. MINERAL RESOURCES. Would the project:

a) Result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the State?	—	—	—	<u>X</u>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	—	—	—	<u>X</u>

Discussion of Evaluation: The Zoning Code amendments/additions would not encourage, promote or guarantee any new development and therefore the City's adoption of the Zoning Code amendments/additions would not affect any known and/or available mineral resources. There are no mineral resource recovery activities in areas of the City that would be affected by the Zoning Code amendments/additions.

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Additionally, the Zoning Code amendments/additions do not include any provisions that would change or eliminate current requirements that proposed projects be consistent with existing regulations concerning the preservation of mineral resources. Consequently, adoption of the Zoning Code amendments/additions would not result in the loss of availability of any mineral resources or mineral resource recovery sites.

Mitigation: None required.

IX. HAZARDS AND HAZARDOUS MATERIALS. Would the project:

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| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | ___ | ___ | ___ | <u>X</u> |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | ___ | ___ | ___ | <u>X</u> |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | ___ | ___ | ___ | <u>X</u> |
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Sect. 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | ___ | ___ | ___ | <u>X</u> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use of airport, would the project result in a safety hazard for people residing or working in the project area? | ___ | ___ | ___ | <u>X</u> |
| f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? | ___ | ___ | ___ | <u>X</u> |
| g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | ___ | ___ | ___ | <u>X</u> |
| h) Expose people or structures to significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? | ___ | ___ | ___ | <u>X</u> |

Discussion of Evaluation: The Zoning Code amendments/additions would not encourage, promote or guarantee any new development and therefore adoption of the Zoning Code amendments/additions would not cause any new significant hazard to the public from hazardous materials, result in hazardous pollutant emissions, impair any

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emergency response plan, or increase exposure to wildland fires. The Zoning Code amendments/additions do not include any provisions that would change or eliminate existing hazardous materials regulations.

There are no parcels potentially subject to the Zoning Code amendments/additions within two miles of a public airport or the vicinity of a private airstrip.

Mitigation: None required.

X. NOISE. Would the project result in:

a) Exposure of persons or to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	—	—	—	— <u>X</u>
b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?	—	—	—	— <u>X</u>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	—	—	—	— <u>X</u>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	—	—	—	— <u>X</u>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	—	—	—	— <u>X</u>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	—	—	—	— <u>X</u>

Discussion of Evaluation: The Zoning Code amendments/additions would not encourage, promote or guarantee any new development and therefore the City's adoption of the Zoning Code amendments/additions would not expose people to noise or vibration, or change ambient noise levels.

There are no parcels potentially subject to the Zoning Code amendments/additions within two miles of a public airport or the vicinity of a private airstrip. The Zoning Code amendments/additions do not include any provisions that would change or eliminate existing noise regulations.

The proposed Zoning Code amendments/additions, in particular, to increase the maximum height of fences within the required front yard of residentially zoned properties would not result in any significant noise impact because the noise created by the installation of a fence would be minor and short-term. Pet care and sales establishment,

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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including boarding and grooming would require the approval of a Use Permit. Pursuant to the provisions of the Zoning Code, the Commission may grant a Use Permit only upon making all of the following findings: 1) That the establishment, maintenance, or operation of the use or building applied for will not, under the circumstances of the particular case, be detrimental to the health, safety and welfare of the persons residing or working in the neighborhood or to the general welfare of the City; 2) that the use or building applied for is consistent with the applicable provisions of the General Plan and other applicable laws of the City and, where applicable, the Local Coastal Plan; and 3) Where applicable, that the use or building applied for is consistent with the City's adopted Design Guidelines.

Mitigation: None required.

XI. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services:

- | | | | | |
|-----------------------------|---|---|---|----------|
| a) Fire protection? | — | — | — | <u>X</u> |
| b) Police protection? | — | — | — | <u>X</u> |
| c) Schools? | — | — | — | <u>X</u> |
| d) Parks? | — | — | — | <u>X</u> |
| e) Other public facilities? | — | — | — | <u>X</u> |

Discussion of Evaluation: The Zoning Code amendments/additions would not encourage, promote or guarantee any new development and therefore the City's adoption of the Zoning Code amendments/additions would not affect provision of fire or police protection, schools, parks or other public facilities. The Zoning Code amendments/additions do not include any provisions that would change or eliminate existing regulations pertaining to the provision of public services, including any requirement that new development pay any assessment or fee to cover its contribution to the provision of such services.

Mitigation: None required.

XII. UTILITIES AND SERVICE SYSTEMS. Would the project:

- | | | | | |
|--|---|---|---|----------|
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? | — | — | — | <u>X</u> |
| b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | — | — | — | <u>X</u> |

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	—	—	—	<u>X</u>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	—	—	—	<u>X</u>
e) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	—	—	—	<u>X</u>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	—	—	—	<u>X</u>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	—	—	—	<u>X</u>

Discussion of Evaluation: The Zoning Code amendments/additions would not encourage, promote or guarantee any new development and therefore the City's adoption of the Zoning Code amendments/additions would not affect provision of wastewater treatment services, storm water drainage capacity, water supply resources, or landfill or solid waste capacity. The Zoning Code amendments/additions do not include any provisions that would change or eliminate existing regulations pertaining to the provision of utilities, including any requirement that new development pay any assessment or fee to cover its contribution to the provision of such services.

Mitigation: None required.

XIII. AESTHETICS. Would the project:

a) Have a substantial adverse effect on a scenic vista?	—	—	—	<u>X</u>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	—	—	—	<u>X</u>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	—	—	—	<u>X</u>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	—	—	—	<u>X</u>

Discussion of Evaluation: The Zoning Code amendments/additions would not encourage, promote or guarantee any

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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new development and therefore the City's adoption of the Zoning Code amendments/additions would not affect scenic vistas, scenic resources, existing visual character, or create a new source of light or glare.

The Zoning Code amendments/additions do not include any provisions that would change or eliminate existing regulations pertaining to the aesthetic, scenic and visual resources. In particular, The Zoning Code amendments/additions do not change or eliminate any existing requirement that a proposed project be consistent with the City's adopted Design Guidelines.

The only potential impacts associated with the Zoning Code amendments/additions would be the increase in the maximum height of fences within the required front yard of residentially zoned properties. Fences or walls limited to three (3') feet in height may be vertically extended up to four (4') feet with open work fence material. An "open work fence" means a fence in which the component solid portions are evenly distributed and constitute not more than sixty (60%) percent of the total surface area of the fence and also subject to approval of the Planning Director, who shall consider the compatibility of the fence design with its site and surrounding uses. Any visual impact associated with this code amendment would be minimal. In addition, plastic mesh fencing and/or canvas tarp fencing material or similar material would be prohibited except during construction. Requiring permanent, sturdy material for fencing will result in positive aesthetic impacts.

Mitigation: None required.

XIV. CULTURAL RESOURCES. Would the project:

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|---|---|---|---|----------|
| a) Cause a substantial adverse change in the significance of a historical resources as defined in §15064.5? | — | — | — | <u>X</u> |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? | — | — | — | <u>X</u> |
| c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | — | — | — | <u>X</u> |
| d) Disturb any human remains, including those interred outside of formal ceremonies? | — | — | — | <u>X</u> |

Discussion of Evaluation: The Zoning Code amendments/additions would not encourage, promote or guarantee any new development and therefore the City's adoption of the Zoning Code amendments/additions would not affect historical, archaeological, paleontological, or unique geologic resources, and would not disturb any human remains. The Zoning Code amendments/additions do not include any provisions that would change or eliminate existing regulations pertaining to the preservation and protection of cultural resources, including human remains.

The proposed Zoning Code amendments/additions would not result in any significant impact to cultural resources because all existing applicable regulations relating to protection of cultural resources would continue to apply.

Mitigation: None required.

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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XV. AGRICULTURAL RESOURCES. Would the proposal:

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|--|-----|-----|-----|----------|
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | ___ | ___ | ___ | <u>X</u> |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? | ___ | ___ | ___ | <u>X</u> |
| c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland, to non-agricultural use? | ___ | ___ | ___ | <u>X</u> |

Discussion of Evaluation: The proposed Zoning Code amendments/additions would not result in the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use. In addition, the proposed code amendments/additions would not conflict with existing zoning for agricultural use, or a Williamson Act Contract. Finally, the proposed Zoning Code amendments/additions would not involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to a non-agricultural use. Therefore, the Zoning Code amendments/additions would not result in any impact on agricultural resources.

Mitigation: None required.

XVI. RECREATION. Would the proposal:

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|---|-----|-----|-----|----------|
| a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial deterioration of the facility would occur or be accelerated? | ___ | ___ | ___ | <u>X</u> |
| b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment? | ___ | ___ | ___ | <u>X</u> |

Discussion of Evaluation: The Zoning Code amendments/additions would not encourage, promote or guarantee any new development and therefore the City's adoption of the Zoning Code amendments/additions would not affect recreational resources or require the construction of new recreation facilities. The Zoning Code amendments/additions does not include any provisions that would change or eliminate existing regulations pertaining to the provision of recreation resources, including any requirement that new development pay any assessment or fee to cover its contribution to the provision of such services.

Mitigation: None required.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE.

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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- a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

—	—	—	<u>X</u>
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- b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)

—	—	—	<u>X</u>
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- c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?

—	—	—	<u>X</u>
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Discussion of Evaluation: The Zoning Code amendments/additions would not result in or encourage a higher rate of development or any specific type of development. Further, there are no provisions in the Zoning Code amendments/additions concerning project location or development potential of improved or unimproved lots. Moreover, because the Zoning Code amendments/additions would not change or eliminate the requirement that applicable projects comply with the City's zoning code, General Plan, Local Coastal Plan or any other applicable regulations, its implementation would not create any adverse impacts. The Zoning Code amendments/additions do not have the potential to degrade environmental quality or affect or eliminate any wildlife habitats, populations, ranges or communities. No cumulative impacts of any sort would be created by the Zoning Code amendments/additions nor would there be any adverse impacts on human beings.

Mitigation: None required.

XVIII. EARLIER ANALYSES.

Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case a brief discussion should identify the following (attached additional sheets if necessary):

- a) Earlier analyses used. Identify and state where they are available for review.
- b) Impacts adequately addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
- c) Mitigation measures. For effects that are "Less than Significant with Mitigation Measures Incorporated,"

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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describe the mitigation measures that were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

Discussion of Evaluation: None.

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Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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LIST OF REFERENCES AND CONTACTS

- 1. City of Pacifica General Plan, as amended to June 1993.
- 2. City of Pacifica Zoning Code, August 1992.
- 3. City of Pacifica Local Coastal land use Plan, August 1992

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