

ORDINANCE NO. 833-C.S.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PACIFICA APPROVING DEVELOPMENT PLAN DP-75-14 AND REZONING RZ-192-14 TO ESTABLISH A PLANNED DEVELOPMENT (P-D) ZONING DISTRICT WITH DEVELOPMENT PLAN AT 801 FASSLER AVENUE (APN 022-083-020 AND 022-083-030), AND REPEALING ORDINANCE NO. 753-C.S.

WHEREAS, an application has been submitted to the subdivide the airspace and construct a 24-unit condominium development, including a butterfly and hummingbird garden, an upper and lower picnic area, other open space areas, and a footpath consisting of decomposed granite that would provide connection between the open space areas and the western portion of the residential development at 801 Fassler Avenue (APNs 022-083-020 and 022-083-030);

WHEREAS, the submittal of the above-mentioned development application rendered the existing Development Plan DP-67-04 and Rezoning RZ-183-04 for the project site moot, and the repeal of Ordinance No. 753-C.S. is necessary to avoid ambiguity and confusion as to the zoning applicable to the site;

WHEREAS, the Planning Commission held duly noticed public hearings on the proposed project on November 6, 2017, February 5, 2018, and March 19, 2018, and adopted Resolution No. 991 recommending City Council approval of DP-75-14 and Rezoning RZ-192-14 on March 19, 2018; and

WHEREAS, the City Council of the City of Pacifica held a duly noticed public hearing on May 14, 2018, and introduced Ordinance No. 833 on May 14, 2018.

NOW, THEREFORE, the City Council of the City of Pacifica does ordain as follows:

Section 1. Recitals. The City Council of the City of Pacifica does hereby find that the above referenced recitals are true and correct and material to the adoption of this Ordinance.

Section 2. Findings. Specific findings of fact for approval of the rezoning and development plan are contained in the Planning Commission Resolution No. 991 adopted on March 19, 2018, including without limitation findings related to the consistency of the residential development with the General Plan, and the City Council concurs with said findings and incorporates the findings herein by reference.

Section 3. Repealed. Ordinance No. 753-C.S. of the City Council of the City of Pacifica is hereby repealed.

Section 4. Development Plan. The approved Development Plan DP-75-14 for the project site, which shall be implemented through a development more particularly set forth in a specific plan approved in accordance with Article 22 of Chapter 4 of Title 9 of the Pacifica Municipal Code, shall be as set forth in the following Table 1:

TABLE 1

Standards	Approved
Permitted Uses	<ul style="list-style-type: none"> • Up to 24 residential housing units, including not less than four below market rate (BMR) housing units. • “Recreational facilities,” which shall mean facilities installed on the site, either inside or outside of structures, for the active and/or passive enjoyment of persons residing on or visiting the site. Recreational facilities shall be exempt from the coverage limitations of the Hillside Preservation District in Section 9-4.2257 of the Pacifica Municipal Code.
Lot Area	53,000 square feet (minimum), except that condominium subdivisions of airspace shall not be subject to a minimum lot area.
Lot Area per Dwelling Unit	2,189 square feet per dwelling unit (minimum)
Lot Width	50’-0” (minimum), measured at the required front setback line
Development Coverage (per Hillside Preservation District zoning standards)	<p>11%, or 53,627 square feet (maximum).</p> <p>The maximum Development Coverage shall be derived inclusive of all developable lots/parcels and all lots/parcels permanently restricted from development (the “Project Site”). The proportionate Development Coverage (calculated percentage) on an individual lot/parcel may exceed the stated maximum provided the entire absolute Development Coverage (square footage) remains within the identified limitation for the Project Site.</p>
Lot Coverage	<p>60% (maximum).</p> <p>Lot Coverage shall include the surface area covered by structures but shall not include paved or landscaped areas.</p>
Landscaping	Not less than 20 percent of lot area (minimum).
Setbacks	
Front	88’-0” (minimum)

Side	5'-0" (minimum)
Rear	20'-0" (minimum)
Height	<p>Structures (other than fences): 35'-0", except that height up to 37'-1" may be approved in a specific plan upon finding the conditions in Section 9-4.2211 of the Pacifica Municipal Code have been determined to exist.</p> <p>Fences: 4'-0" (maximum). All fences shall be open work fences, which shall mean "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."</p>
Parking	<p>Minimum of two (2) covered spaces, plus one-half (½) uncovered space, per dwelling unit. The uncovered spaces may be incorporated within a parking area shared by spaces for other units; provided, however, in no case shall the total number of spaces so located together be less than the same of the separate requirements for each unit and shall be located no farther than 100 feet from each dwelling unit entrance.</p> <p>When the determination of the number of required off-street parking spaces results in the requirement of a fractional space, any fraction under one-half (½) shall be disregarded, and fractions including and over one-half (½) shall require one off-street parking space.</p>
Guest Parking	<p>Minimum of one guest space for every ten (10) dwelling units, or fraction thereof.</p> <p>When the determination of the number of required off-street parking spaces results in the requirement of a fractional space, any fraction under one-half (½) shall be disregarded, and fractions including and over one-half (½) shall require one off-street parking space.</p>
Usable Open Space	<p>750 square feet per townhome unit and 450 square feet per unit for all other forms of clustered housing (minimum)</p> <p>"Usable open space" shall consist of an area having a slope of not more than 10 percent.</p>

Private Open Space	150 square feet per dwelling unit , except that a studio or one-bedroom unit shall be allowed to have a minimum area of 130 square feet (minimum)
Separation from other structures	At least 10'-0"
Trash Storage/Laundry	Contained within each dwelling unit
Private Storage Space	<p>200 cubic feet per dwelling unit (minimum)</p> <p>The following standards shall apply to Private Storage Space:</p> <ul style="list-style-type: none"> • It shall be in addition to guest, linen, food pantry, and clothes closets customarily provided for each dwelling unit. • It shall be enclosed, weatherproofed, and lockable. • It shall be for the sole use of the dwelling unit owner or lawful occupant • It shall have a minimum horizontal surface area of twenty-five (25) square feet, and a minimum interior dimension of 3'-6" by 6'-0" or, if a walk-in type, shall have a minimum clear access opening of 2'-6" by 6'-8". • Such space may be provided within the garage area if neither the space nor the doors leading thereto encroach upon any required parking space. • The location and the precise architectural treatment of such space shall be reviewed and approved by the Planning Commission to ensure that such areas are safe, convenient, and unobtrusive to the functional and aesthetic qualities of the project.
Circulation/Access	Not more than one entrance/exit along Fassler Avenue. All streets and driveways shall meet the requirements of the California Fire Code in effect at the time of their construction, to the satisfaction of the Fire Chief. Except, however, that the Fire Chief shall consider compliance with Hillside Preservation District street standards in Section 9-4.2258 of the Pacifica Municipal Code to the maximum extent practicable when approving street and road design.

Section 5. Reclassification. Section Map 24 of the Zoning Map of the City of Pacifica, as described in Section 9-4.302 of the Pacifica Municipal Code, is hereby amended as depicted in Exhibit 1 to this Ordinance. The specific area affected by this reclassification is more particularly described in the legal description included as Exhibit 2 to this Ordinance. The reclassification does not alter the existing Hillside Preservation District (HPD) zoning applicable to the site, which shall remain in full force and effect.

Section 6. Expiration. The approval of Development Plan DP-75-14 and Rezoning RZ-192-14 conferred in this Ordinance shall not expire unless and until this Ordinance is repealed. _

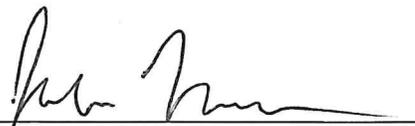
Section 7. Compliance with CEQA. The City Council hereby finds that the action to adopt this Ordinance was analyzed in the Fassler Avenue Residential Project Final Supplemental Environmental Impact Report, State Clearinghouse No. 2006062150. The City Council hereby certifies the Fassler Avenue Residential Project Final Supplemental Environmental Impact Report, State Clearinghouse No. 2006062150, adopts the Findings of Fact, Statement of Overriding Considerations, and the Mitigation Monitoring and Reporting Program in accordance with the California Environmental Quality Act contained in the Planning Commission Resolution No. 991 on March 19, 2018 and City Council Resolution 19-2018 on May 14, 2018.

Section 8. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it should have adopted the Ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

Section 9. Publication. The City Clerk is hereby ordered and directed to certify to the passage of this Ordinance by the City Council of the City of Pacifica, California, and cause the same to be published once in The Pacifica Tribune, a newspaper of general circulation, published and circulated in the City of Pacifica, California.

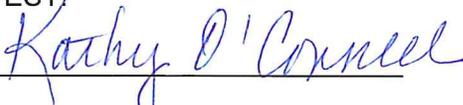
PASSED AND ADOPTED this 29th day of May, 2018, by the following vote:

AYES: Martin, O'Neill, Vaterlaus, Keener
NOES: Digre
ABSTAIN: None
ABSENT: None



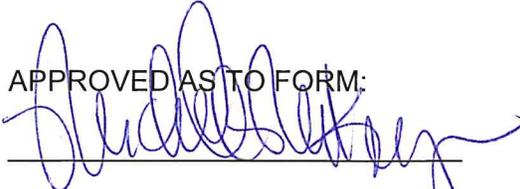
John Keener, Mayor

ATTEST:



Kathy O'Connell, City Clerk

APPROVED AS TO FORM:



Michelle Kenyon, City Attorney