

MINUTES

**CITY OF PACIFICA
PLANNING COMMISSION
COUNCIL CHAMBERS
2212 BEACH BOULEVARD**

September 8, 2015

7:00 p.m.

Vice Chair Gordon called the meeting to order at 7:00 p.m.

ROLL CALL: Present: Commissioners Nibbelin, Evans, Vaterlaus and Vice Chair Gordon
Absent: Commissioners Brown, Cooper and Chair Campbell

SALUTE TO FLAG: Led by Commissioner Evans

STAFF PRESENT: Planning Director Wehrmeister
Assist. Planner Farbstein

APPROVAL OF ORDER OF AGENDA Commissioner Evans moved approval of the Order of Agenda; Commissioner Nibbelin seconded the motion.

The motion carried **4-0**.

Ayes: Commissioners Nibbelin, Evans, Vaterlaus and Vice Chair Gordon
Noes: None

**APPROVAL OF MINUTES:
JULY 20, 2015
AND AUGUST 3, 2015** Continued due to lack of quorums

DESIGNATION OF LIAISON TO CITY COUNCIL MEETING OF SEPTEMBER 21, 2015:

Planning Director Wehrmeister stated that the Commission had previously appointed Chair Campbell as liaison for the 7-Eleven appeal which was continued to the 14th.

ORAL COMMUNICATIONS:

Dan Stegink, Pacifica, stated that he had a second set of documents connected with the 7-Eleven project scheduled for 505 Linda Mar Blvd. at the Valero gas station, mentioning concerns neighboring homeowners have regarding the semi-trucks that will be coming in the middle of the night.

CONSENT ITEMS:

1. **CDP-336-13** **EXTENSION of PERMIT, filed by Neil Kopping, to construct a 400 square foot addition to an existing three story dwelling at 111 Kent Road (APN 023-032-070).**

2. **SUB-211-06** **EXTENSION of PERMIT, filed by Simon Wong, to construct a three-story building consisting of approximately 10,575 square feet of subterranean garage area and nine (9) condominium residential units with three levels of living area totalling approximately 18,768 square feet at 1567 Beach Boulevard (APN 016-011-190).**
 UP-965-06
 PSD-757-06

Commissioner Evans asked if anything had changed on the two items.

Asst. Planner agreed that nothing has changed on either of the projects.

Commissioner Nibbelin moved approval of consent items; Commissioner Evans seconded the motion.

The motion carried 4-0.

Ayes: Commissioners Nibbelin, Evans, Vaterlaus and
 Vice Chair Gordon
Noes: None

PUBLIC HEARINGS:

None

CONSIDERATION:

3. Planning Permit Process presentation.

Vice Chair Gordon stated that he had a card and asked if they took comments on presentations.

Planning Director Wehrmeister stated that they can take public comments.

Asst. Planner Farbstein presented staff report, mentioning that it was part 2 of an earlier presentation.

Commissioner Nibbelin referred to the consent items they voted on, and asked who made the determination that the extensions of permits have to come to the Planning Commission for consideration. He thought it was an issue that could be better dealt with at the staff level.

Asst. Planner Farbstein stated that it was actually a code requirement. She explained that, as in 111 Kent Road, the Planning Commission made the decision and the new owner was not able to get the permit and start construction and requested an extension. She stated that they are allowed to ask for an extension and they usually take the request to the people who made the decision.

Commissioner Nibbelin asked if there was anything that could be done that would afford some discretion to staff to make these kinds of decisions. He thought it was fine to come to the meeting, but in terms of efficiency for applicants and staff.

Vice Chair Gordon stated that he had the same question, explaining that a key issue is whether there is any change of circumstances, and he asked if there was anything they could do to grant the extension before coming to them.

Planning Director Wehrmeister stated that they can do that moving forward. She agreed that it was a good point. She also thinks that some projects are continued for a year at a time for a very long time, and building codes and other codes change. She stated, based on her experience, a year is not enough time to get a project complete. She mentioned that staff may be recommending in the future that initial approvals be valid for two or even three years with only one, one year extension.

Vice Chair Gordon thought they were excellent ideas.

Commissioner Evans assumed none of this would conflict with the California Coastal Commission if the project didn't go before the Commission.

Planning Director Wehrmeister acknowledged that, when they bring any code amendment, they will consult with the Coastal Commission to ensure that they are not running afoul of any of their requirements.

Vice Chair Gordon asked what the length of time was for a permit.

Planning Director Wehrmeister stated that they are good for a year.

Vice Chair Gordon then assumed they have the serial extensions.

Planning Director Wehrmeister clarified that the code reads that projects are allowed a one year extension. She stated that she didn't agree with the way that was interpreted, because it has been a one year extension on a continuing basis. This presents issues with very old projects that are no longer Code or policy compliant.

Vice Chair Gordon asked if she was suggesting that a good fix would be to instead grant a longer period of time for the permit and then have them max one renewal.

Planning Director Wehrmeister responded affirmatively.

Vice Chair Gordon thought it sounded nifty, adding that it would obviate the need for these.

Planning Director Wehrmeister thought it was more practical because of the length of time needed to prepare construction detail drawings, engineering, and to secure financing.

Commissioner Evans asked if it would affect the income to the city for the cost of the permit extensions.

Planning Director Wehrmeister stated that they just updated their master fee schedule for the typical time it takes them to do extensions, and she stated it was 2-3 hours of staff time, and it was not a significant amount of money.

Commissioner Nibbelin didn't see that as a "profit center."

Planning Director Wehrmeister mentioned that Asst. Planner Farbstein was pointing out that when there was a subdivision involved, the subdivision map act has its own time limits on them and those projects would initially have a two-year time period to build.

Commissioner Nibbelin commented that you need to harmonize these things to the extent we can.

Asst. Planner Farbstein agreed, adding that they did that on another project where there were subdivisions and they kept all the approvals together and made it two years so they would be combined.

Vice Chair Gordon asked how these ideas move forward.

Planning Director Wehrmeister explained that they were working on a work plan for the next 1-2 years, based on the work plan that the Council developed for the city as a whole. She stated that she had just gone through an exercise with staff prioritizing projects, depending on where they fit into the Council's work plan and other factors. She also mentioned that there were code updates that are statutorily required that they haven't kept up with and the Commission will see what to expect as they move forward in the next year or more.

Vice Chair Gordon referred to the time period in which permits get approved, and he asked if that is an administrative change or does it go before some body.

Planning Director Wehrmeister stated that it would be a code update and it will be coming to the Planning Commission for recommendation and ultimately will need to go to the City Council. She stated that there may be an opportunity to take several non-controversial updates all at once and get them off the table, adding that they will be looking at those opportunities as they move along instead of doing them piecemeal.

Commissioner Evans asked if staff has looked at the idea of multiple ownership changes during the permit processing, mentioning that sometimes they see more than one new owner through the years.

Planning Director Wehrmeister stated that land use entitlements run with the land and not the owner. Just because the ownership has turned over, it doesn't really change anything from the way the Planning Department looks at the project. She added that a new owner may have different ideas and, if they want to do something different from what the Planning Commission approved, it needs to come back.

Vice Chair Gordon opened public comments.

Dan Stegink, Pacifica, assumed that the goals of this are to remove some of the burden from the Planning Commission and take less important items away from important decision makers. He thought that some priorities seemed skewed, but mentioned that with wireless licenses with the FCC, there was nothing the city could do to regulate it. He mentioned the zoning for signage, and stated that the zoning administrator information was not being adequately distributed to the public. He thought all rights by owners were prioritized over renters in this community.

Vice Chair Gordon closed the public comments.

Vice Chair Gordon referred to mention in the report that signage decisions were ministerial and non-appealable.

Asst. Planner Farbstein clarified that she mentioned certain signs were, giving the example that the Grocery Outlet had submitted their sign application to staff as part as the plan check process, and staff reviews the master sign program and to make sure those requirements are satisfied.

Planning Director Wehrmeister added that, in that case, the discretionary action was approval of the master sign program so building permits that come in after have to be checked by staff to ensure they are consistent with the master sign program.

Vice Chair Gordon posed the question of what the procedure would be when there is not a master plan, and when would a sign application be appealable or come before the Commission.

Planning Director Wehrmeister referred to any free standing signage that was proposed.

Asst. Planner Farbstein added that, if it was over 150 square feet, a free standing sign comes to mind where they don't have a master sign program, and they are asked to submit and go through a master sign program. She referred to the Linda Mar Shopping Center, etc., mentioning that they have all gotten master sign programs recently, and most of the commercial areas have master sign programs.

Vice Chair Gordon referred to the speaker's comment about the notice being distributed and the issue between renters vs owners. He thought they talked about that.

Planning Director Wehrmeister stated that they had implemented the same procedure used in the coastal zone to the entire city, which was a 300 foot radius for owners, 100 foot radius renters/occupants. She didn't think it would an administrative burden to do 300 feet. She mentioned the other issue brought up, the ZA hearing notice, which she will go over with staff, stating that the ZA was like the Planning Commission but for routine, noncontroversial items like the Starbucks outdoor seating but it does need to follow all of the same noticing procedures, and she was going to followup with staff on that.

COMMISSION COMMUNICATIONS:

Commissioner Vaterlaus thanked Asst. Planner Farbstein for finishing the presentation.

STAFF COMMUNICATIONS:

Planning Director Wehrmeister stated that, for the first time, they will have a city booth at the Fog Fest and they will be providing information to the public about various City programs and projects, such as information on the General Plan update and the community outreach.

ADJOURNMENT:

There being no further business for discussion, Commissioner Vaterlaus moved to adjourn the meeting at 7:33 p.m.; Commissioner Nibbelin seconded the motion.

The motion carried **4-0**.

Ayes: Commissioners Nibbelin, Evans, Vaterlaus and
Vice Chair Gordon
Noes: None

Respectfully submitted,

Barbara Medina
Public Meeting Stenographer

APPROVED:

Planning Director Wehrmeister