

MINUTES

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

September 19, 2022

7:00 p.m.

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

ROLL CALL:

Present: Commissioners Domurat, Godwin, Hauser (Arrived after rollcall), Leal, Wright, and Chair Berman

Absent: Commissioner Ferguson

SALUTE TO FLAG:

Led by Commissioner Wright

Vice Chair Hauser arrived at the meeting at 7:02 p.m.

STAFF PRESENT:

Planning Director Murdock
Asst. City Attorney Sharma
Sr. Planner O'Connor
Contract Planner Garcia

Chair Berman explained the conditions for having Planning Commission meetings pursuant to Government Code Section 54953 (as amended by AB 361), to conduct necessary business as an essential governmental function as a teleconference meeting with no meeting location open to the public. She also gave information on how to present public comments participating by Zoom or phone.

Chair Berman opened public comments on administrative business and, seeing no one, closed public comments.

APPROVAL OF ORDER OF AGENDA

Commissioner Leal moved approval of the Order of Agenda; Vice Chair Hauser seconded the motion.

Planning Director Murdock took a verbal roll call.

The motion carried **6-0**.

Ayes: Commissioners Domurat, Godwin, Hauser, Leal,
Wright and Chair Berman

Noes: None

APPROVAL OF MINUTES: SEPTEMBER 6, 2022

Commissioner Leal moved approval of the minutes of September 6, 2022; Commissioner Domurat seconded the motion.

Planning Director Murdock took a verbal roll call.

The motion carried **6-0**.

Ayes: Commissioners Domurat, Godwin, Hauser, Leal,
Wright and Chair Berman
Noes: None

DESIGNATION OF LIAISON TO CITY COUNCIL MEETING OF SEPTEMBER 26, 2022:

Chair Berman stated that they do need a liaison for the outdoor commercial ordinance and safe parking program CDP appeal on Francisco Boulevard. She stated that they can have two separate commissioners if desired.

Planning Director Murdock agreed, adding that Commissioner Leal has a conflict of interest with respect to the safe parking program CDP appeal and he would not be able to be the Commission liaison for that item.

Chair Berman stated that they have heard background on the safe parking program appeal in the past, but they haven't heard background on the appeal for the outdoor commercial permit ordinance. She asked if Planning Director Murdock can share a little background on that appeal.

Planning Director Murdock agreed, and he stated that the phrasing may be confusing but the outdoor commercial permit ordinance has not been appealed but simply the introduction of the ordinance to the Council and the liaison would be representing what the Planning Commission's action was at the last Planning Commission meeting where the Commission considered the various scenarios under which an outdoor commercial permit could be issues, private property in a parking area, parking lane in the public right of way, public sidewalk and other private property areas. The Commission's discussion focused on a number of safety issues, including tripping hazards, sufficient lighting and noise levels as well other discussion topics. He stated that Council would be considering the introduction of the ordinance and whether or not to make any changes, refer it back to the Planning Commission or introduce as recommended by the Commission.

Chair Berman thanked him for the clarification, and she asked if there were any volunteers for either or both items. Not seeing any volunteers, she asked Planning Director Murdock if it would help them on looking at their schedules to know when the meeting will begin.

Planning Director Murdock stated that the regular portion of the meeting is expected to begin around 7 p.m. and those items would come up for consideration shortly after that time. He stated that, if no liaison is identified at this time, the Commission might consider returning to this item later in the meeting to see if that could be identified at that time.

Chair Berman stated that they will return to this item before Communications.

ORAL COMMUNICATIONS:

None.

CONSENT ITEMS:

None

PUBLIC HEARINGS:

PSD-856-22

File No. 2022-001 – Site Development Permit PSD-856-22

To construct a 323-square foot (sf), two-story addition to the rear of an existing 3,111-sf-single-family residence at 218 Juanita Avenue (APN 018-094-060). Recommended CEQA Action: Class 1 Categorical Exemption, CEQA Guidelines Section 15301.

Planning Director Murdock stated that Contract Planner Garcia will be making the staff presentation.

Contract Planner Garcia presented the staff report.

Planning Director Murdock asked him if there were any visuals to accompany the staff presentation.

Contract Planner Garcia stated that he does have visuals available and can show them now or as needed, but they have floor plans, elevations and existing photos of the site.

Chair Berman thought that would be great.

Planning Director Murdock agreed.

Contract Planner Garcia then showed the visual slides.

Chair Berman stated that, if no one on the Commission is opposed, she thought they can let the applicant speak and clarified that they have ten minutes to speak and can reserve time for response after public comments.

Planning Director Murdock agreed that the applicant can reserve up to three minutes of the ten minutes, i.e., seven minutes for the presentation and up to three minutes for rebuttal.

Mark Bucciarelli architect, stated that Contract Planner Garcia summarized it pretty good and he didn't have anything to add other than that they are replacing the mass of almost the same covered balcony but he will answer any questions.

Chair Berman brought it back to the Commission for questions for staff or the applicant.

Vice Chair Hauser has only one question. She is not opposed but asked what the impotence for the copper roof.

Mr. Bucciarelli stated that the micro-climate heats everything but the copper is a good choice.

Vice Chair Hauser concluded that the aesthetic thought is that it would patina and then blend into the aesthetics.

Mr. Bucciarelli responded affirmatively.

Commissioner Wright stated that he will have questions following public comment if that was acceptable.

Chair Berman stated that it was fine.

Chair Berman opened the Public Hearing and, seeing no one, closed the Public Hearing.

Commissioner Wright asked, if the applicant is present, if he has shared his plan with neighbors on both sides to understand his process.

Mr. Bucciarelli stated that the one resident to the right as you are facing the subject project from the street, their mother is living with her son and it was okay with her and he didn't know but thought they may have reached out to the two-story neighbor.

Commissioner Wright saw that they were adding a lawn, and he asked if it was to be watered or astro turf.

Mr. Bucciarelli stated that currently there is a lawn with natural sod and the idea is to match it, but if it is a major requirement to getting artificial, he thought they would go along with that.

Chair Berman asked if there were any other questions or were they ready for deliberation.

Planning Director Murdock stated that, during the Commission questions, one attendee hand did go up and he didn't know if it was a late raise in relationship to the public comment opportunity but he wanted to flag that.

Chair Berman stated that she sees the hand. She reopened public comment and they can hear from the commenter.

Planning Director Murdock stated he will set up for comments and introduced the speaker.

Christopher Swiedler, applicant, stated he is the applicant and he was trying to answer the question that someone asked about the lawn as it was being extended. He stated that they are in the process of trying to find a low water solution for that, and he would be happy to hear if there are recommendations about the right way to do that.

Planning Director Murdock asked if he wanted to join the meeting along with his architect in case any other questions come up and they can return him to a n attendee when the commissioners are completed with deliberations.

Mr. Swiedler agreed if that was helpful.

Planning Director Murdock asked Chair Berman if that would be helpful.

Chair Berman saw no other public comments and closed public hearing.

Vice Chair Hauser didn't want to jump ahead if others have something to say, but it seems pretty straightforward and she would be happy to make a motion.

Vice Chair Hauser moved that the Planning Commission FINDS the project is exempt from the California Environmental Quality Act; APPROVES Site Development Permit PSD-856-22 by adopting the attached resolution, including conditions of approval in Exhibit A; and incorporates all maps and testimony into the record by reference; Commissioner Domurat seconded the motion.

Planning Director Murdock took a verbal roll call.

The motion carried **6-0**.

Ayes: Commissioners Domurat, Godwin, Hauser, Leal,
Wright and Chair Berman

Noes: None

CONSIDERATION:

None

DESIGNATION OF LIAISON TO CITY COUNCIL MEETING OF SEPTEMBER 26, 2022:

Chair Berman was looking for either one commissioner to serve for both the items or two separate commissioners, one for each item. Chair Berman asked Planning Director Murdock if they had a designation of liaison for the safe parking program appeal previously.

Planning Director Murdock stated that they did, and he thought it was Commissioner Wright.

Commissioner Wright stated that he was correct. He stated that he is happy to do it if he is over his cold. At the moment, he has his voice about fifty percent of the time, and that is the only hesitancy on his part.

Chair Berman stated that, if there is an instance when he is unable to attend, what would be their protocol.

Planning Director Murdock stated that it may be best to appoint a back up now in the event he is not well during the hearing date.

Chair Berman stated that they have a primary liaison with Commissioner Wright and, in case he is unable to attend, she asked for a backup.

Commissioner Wright stated that it might work out for all their advantage for him to be quieter.

Chair Berman asked Planning Director Murdock if they can proceed at the consensus they have currently.

Planning Director Murdock agreed that they have a liaison and they will send their well wishes to Commissioner Wright over the next few days and hopefully he will feel well enough to participate as the Commission's liaison.

COMMISSION COMMUNICATIONS:

Commissioner Wright stated that, once he is better, he would love to go back to in person.

Chair Berman stated no in person while anyone is ill, giving everyone permission to phone in if ill.

Commissioner Leal stated that Fog Fest is this weekend and he encouraged everyone to go to Palmetto and hang out as it should be good weather.

Commissioner Domurat asked if they would let him know if it is inappropriate to consider this proposal, but he would like the Commissioners and the public to consider if it was possible to schedule a meeting between now and the holidays where they can get some feedback on lessons learned from the public as to how the Planning Commission is performing. He thought they could do it at the end of one of their meetings or a special meeting. He would like to hear from the public as they have been working on a lot of big things for them this year and he would like to hear if they have any lessons learned for the Commission to make improvements on how they interact with everyone and they could start that off by having commissioners submit ideas of now they would like to see things get improved or not improved. He asked Planning Director Murdock if that was something they could do.

Planning Director Murdock stated that his recommendation would be to make this an agenda item for the next Planning Commission meeting and that will allow staff to identify what the options are or if there are any concerns about proceeding in that manner.

Commissioner Domurat thought that would be perfect.

Chair Berman added, as a reminder to the public, at the beginning of their meetings, when they have oral communications, that is a great opportunity for anyone in the public to provide comments to the Planning Commission, opinions on items that are not on the agenda so they can be a sounding board to the public and be direct feedback from the public.

STAFF COMMUNICATIONS:

Dep. Planning Director Murdock stated that, on September 12, Council adopted a new heritage tree ordinance which will take effect in 30 days from adoption which changes the definition of the heritage tree and expands tree protections more broadly than the prior ordinance. As a result, they will see staff's analysis of tree removal proposals change in future staff reports to reflect the provisions of the new ordinance. He stated that they also approved the Hotel Way right-of-way vacation that the Planning Commission considered at their previous meeting for General Plan consistency. He stated that the following week, the city is hosting two meetings that may be of interest to the Planning Commission, a special Council meeting on September 27, 6 pm. to discuss the triennial building code update and, more specifically, the REACH codes that Council can consider to exceed the requirements of the standard building code. He added, for those unfamiliar with the terminology, the triennial building code update is an update required by state law for all of the city's building codes to match the statewide code updates that the state's Building Standards Commission has worked on over the prior three years and it resets the new baselines for the city's building codes and the city is required to adopt that by December 31 of

each triennial code update year, which is December 31 of this year. He stated that REACH code is a term used to describe local amendments to the building code that city's can put in place to exceed the requirements, particularly for energy efficiency and pre-house gas reductions and most commonly takes the form of required electrification of different components of buildings, i.e., residential and commercial. He stated that, in the last triennial building code update, the City Council adopted REACH codes and Council wants to revisit those already adopted codes and consider if they should remain in place, as well considering whether additional REACH codes should be put in place in Pacifica. He stated that the second meeting is September 28 at 6 p.m. to discuss the city's Housing Element update process. He stated that, anyone interested in participating in that meeting to learn more can go to planpacific.org for more information. He stated that meeting, as well as the building code update meeting, via Zoom and the focusing of the Housing Element meeting on September 28 is to establish some community wide baseline information about what the Housing Element update is, why they are doing it and the importance of how the community needs to come together to try to achieve our REACH housing needs planning objectives. He stated that, at City Council's next meeting on September 26, they will consider whether and when to return to in person meetings. He stated that Commissioner Wright's comment on that point is timely. He stated that practically speaking, for the Planning Commission, they likely won't return prior to the October 17 meeting as they have already had to send notices to the newspaper for the October 3 meeting to establish the meeting location and barring extraordinary circumstances, they are not likely to return prior to October 17.

Commissioner Wright asked if they can ask Planning Director Murdock to send out a link to the September 27 and 28 meetings to facilitate attendance.

Planning Director Murdock stated that he will be happy to send that to the Commission.

Chair Berman stated, before adjournment, she would read the following statement.

Chair Berman declared that anyone aggrieved by the action of the Planning Commission has ten (10) calendar days to appeal the decision in writing to the City Council.

ADJOURNMENT:

There being no further business for discussion, Commissioner Leal moved to adjourn the meeting at 7:41 p.m.; Commissioner Godwin seconded the motion.

Sr. Planner O'Connor stated that they lost Planning Director Murdock and she took the vocal roll call.

The motion carried **6-0**.

Ayes: Commissioners Domurat, Godwin, Hauser, Leal,
Wright and Chair Berman
Noes: None

Respectfully submitted,

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Barbara Medina
Public Meeting Stenographer

APPROVED:

Planning Director Murdock