

**MINUTES**

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

January 17, 2023

7:00 p.m.

Acting Chair Hauser called the meeting to order at 7:02 p.m.

**ROLL CALL:** Present: Commissioners Ferguson, Godwin, Leal, Wright and Vice Chair Hauser  
Absent: Commissioners Domurat and Berman

**SALUTE TO FLAG:** Led by Commissioner Wright

**STAFF PRESENT:** Planning Director Murdock  
Asst. City Attorney Murphy  
Asst. City Manager Carter  
Sr. Planner O'Connor  
Sr. Planner Cervantes  
Assoc. Planner Lin  
Sr. Civil Engineer Donguines

**APPROVAL OF ORDER OF AGENDA** Commissioner Leal moved approval of the Order of Agenda; Commissioner Wright seconded the motion.

Planning Director Murdock asked that they open up public comments before voting on this item.

Assoc. Planner Lin confirmed there were no call-ins.

The motion carried **5-0**.

Ayes: Commissioners Ferguson, Godwin, Leal, Wright and Acting Chair Hauser  
Noes: None

**APPROVAL OF MINUTES:** None

**DESIGNATION OF LIAISON TO CITY COUNCIL MEETING OF JANUARY 23, 2023:**

None

**ORAL COMMUNICATIONS:**

None.

**CONSENT ITEMS:**

None.

**PUBLIC HEARINGS:**

- RZ-210-22**  
**DP-86-22**  
**SP-179-22**  
**UP-71-16**  
**PV-531-22**  
**TP-1-22**  
**Final EIR**

**File No. 2016-001 – Rezoning RZ-210-22, Development Plan DP-86-22, Specific Plan SP-179-22, Quarry Use Permit UP-71-16 Variance PV-531-22, Tree Permit TP-1-22 and Certification and Adoption of a Final Environmental Impact Report (EIR),** for approval of a Quarry Reclamation Plan to reclaim the approximately 86-acre former Rockaway Quarry. The project requires a Planning Commission recommendation to the City Council on the proposed Rezoning and Development Plan and Planning Commission action on the proposed Specific Plan, Quarry Use Permit, Variance, Tree Permit and Final EIR. Reclamation of the former quarry site is required by the State Mining and Reclamation Act (SMARA) and Chapter 2, Surface Mining and Reclamation of Title 9 of the Pacifica Municipal Code. The proposed Quarry Reclamation Plan would restore the former quarry to a safe condition by importing approximately 1,000,000 cubic yards of soil to restore the excavated quarry face and other areas to a pre-mining condition, establishing 144 acres of new seasonal wetlands and a new 0.20-acre California red-legged frog pond, and constructing new unpaved recreational trails and drainage improvement throughout the reclaimed site. The proposed reclamation activities would not include any changes in use or building construction on the project site. The site would be rezoned to the P=D (Planned Development) zoning district from the existing C-3X (Service Commercial with Public Vote Required to Rezone for Residential Use) zoning district as required by the Hillside preservation district (HPD) overlay zoning district. The reclamation activities would also involve protected tree removal for reestablishment of the quarry access road along Highway 1 south of Reina del Mar Avenue and to allow other grading activities to occur as part of the reclamation. The proposed reclamation activities would require a variance to exceed the coverage limitation for grading within the HPD overlay zoning district. Recommended CEQA Action: N/A.

Planning Director Murdock presented the staff report.

Acting Chair Hauser opened the Public Hearing.

Owen Brizgys, Pacifica, stated that he will be out of the country on March 6 and thus he will address his comments now. He sent comments on this previously and he feels they are important and should be addressed before they complete the EIR as well as addressing concerns about whether this project will improve the environment or make it worse.

Assoc. Planner Lin stated there were no call-ins at this time.

Planning Director Murdock mentioned that, due to Pacifica TV live stream only broadcasts at this time, there are actually longer delays than typically experienced.

Acting Chair Hauser asked how much time would be advisable.

Planning Director Murdock didn't know but thought several more seconds to allow for the additional time.

Acting Chair Hauser gave them 30 seconds, then closed the Public Hearing.

Commissioner Leal moved that the Planning Commission continue the item to the Planning Commission meeting on March 6, 2023; Commissioner Ferguson seconded the motion.

The motion carried **5-0**.

Ayes: Commissioners Ferguson, Godwin, Leal, Wright and  
Acting Chair Hauser

Noes: None

**2. TA-123-22**

**File No. 2022-036 – Text Amendment TA-123-22**, initiated by the City of Pacifica, to repeal and replace Article 49, “Short-Term Rentals” of the City of Pacifica Zoning Regulations (Title 9, Chapter 4 of the Pacifica Municipal Code (“PMC”)) to establish a cap of 150 short-term rental permits issued citywide and various other conforming amendments and finding the text amendment exempt from the California Environmental Quality Act (CEQA).  
Recommended CEQA Action: Exempt from the California Environmental Quality Act (CEQA) under the “General Rule” exemption in CEQA Guidelines § 15061(b)(3).

Sr. Planner O’Connor presented the staff report.

Acting Chair Hauser asked if the commissioners had any questions.

Commissioner Wright stated that he would save his questions for deliberation.

Acting Chair Hauser referred to the number of houses allowed for each permit and asked clarification as to whether they are trying to limit permits or number of houses.

Sr. Planner O’Connor stated that she wasn’t clear on her question.

Acting Chair Hauser reiterated that permits allowed multiple homes so 150 permits could include 180 homes, and she then referred to the resolution, Sec. 9-4.4901D before them, and said it seemed to be limiting units of housing and not permits.

Sr. Planner O’Connor stated that it was not the intention of the definition to address that point, and the full definition is that the permit or short term rental permit means a permit issued by the city pursuant to this article to allow the use of a dwelling unit property or portion thereof, as a short term rental is not to limit that permit to just one unit. She thought it was the property of that unit and it could be broader.

Acting Chair Hauser understood and asked, if they are creating a wait list and someone renews their permit, are they able to keep their permit or are they put at the bottom of the wait list.

Sr. Planner O’Connor explained that they will be able to keep their permit and revisions direct that the renewal be submitted October 1-31, they would have an opportunity to renew their permit before it expires, and it never becomes available for another person.

Acting Chair Hauser wanted to confirm that what they are reviewing at this time and will go to Council for final approval is a stopgap measure that has a cap of 150, but does not mean that Council would not be discussing this at goal setting, and adding additional items. She asked if that was a correct understanding.

Sr. Planner O’Connor stated that Council made it clear when providing staff direction that they had full intention of bringing it back for discussion during Council goal setting to include it in the other priorities staff will be working on.

Acting Chair Hauser concluded it was not one or the other but both. She thanked her for that clarification.

Planning Director Murdock stated that there is no guarantee that Council will place further short term rental regulation amendments on the work plan for the next fiscal year, but he is confident that Council will carefully consider doing that, but will need to weigh that among all their other priorities and desires for items to be worked on next year and they will make that decision as part of the goal setting process.

Commissioner Godwin referred to the comments they received regarding a number of companies that own a large number of housing units that they are using as STRs in the city, and he asked if there was a way of limiting the number of units per company or group of individuals that could be included in this evening's decision.

Sr. Planner O'Connor stated that it was an option presented to Council in the October meeting that they create a cap of how many STR permits could be issued to an individual person, and she thought it was recognized that there are too many loopholes that could be created where the effectiveness would not meet the immediate goal of pausing things, and they directed staff to create a cap. She agreed that it was a possibility to limit the number of permits per permittee but that wasn't the direction provided to staff.

Commissioner Godwin concluded there was no simple rule they could put together and assemble a group of related people which was their assumption at that time that of what Council made.

Planning Director Murdock didn't know if there was a simple way to do that and it is a common issue with various types of regulatory permits. He thought one approach that Council took with the cannabis permitting ordinance which set a single permit allowance for any entity or individual in Pacifica which sets thresholds of percentage of ownership by any individual owner of an entity such as an LLC or corporation and sets limits on the ability to transfer that. In the cannabis context, that was about as restrictive and imposing a method that they could come up with to help address fairness and highly restricted ownership and transfer. He stated that can be explored as part of the more robust regulatory process if Council prioritizes that for next year, but no approach that he is aware of will be 'bulletproof' or be without a potential loophole, but there are ways to make a good effort to tamp down on the ability of a single person or entity having multiple permits.

Commissioner Wright asked Asst. City Attorney Murphy if it would be possible for someone to buy a large apartment building and turn it into a hotel by using this ordinance.

Asst. City Attorney Murphy agreed that there was a possibility that they could turn units into short term rentals under the ordinance when applying for a permit and complying with the requirements in the ordinance but it would not technically be a hotel but a short term rental unit.

Commissioner Wright concluded that it would count as one permit out of the 150 even though it is a large apartment building.

Asst. City Attorney Murphy responded affirmatively.

Acting Chair Hauser opened the Public Hearing.

Cindy Abbott, Pacifica, stated that she provided public comments at previous Council meetings on the issue of short term rentals and shared the ongoing and growing impact in her West Sharp Park neighborhood. She mentioned the proposed cap of 150 units, and didn't think it was enough and shared her concerns, such as increased real estate investment businesses that are dominating short term rentals and the problems that creates and mentioned possible solutions.

Jim Kremer, Pacifica, expressed his concerns and thoughts, such as a cap on STRs is a good step, but insufficient and doesn't solve the problem, then proposed other alternative approaches that might be more effective than a cap, such as a moratorium.

Suzanne Moore, Pacifica, stated she was a member of Pacifica Housing for All, and expressed her thoughts on this issue. She supports a moratorium as the present situation is onerous to many residents and we need to address the problem. She offered thoughts for staff and Council to consider.

Caitlyn Quinn, Pacifica, stated she appreciated their support of the cap on STRs, but added her thoughts on it not being enough to ensure that neighborhoods don't become unregulated hotels, giving specific concerns and suggestions to fix the problem with further amendments.

Dinah Verby, Pacifica, stated that she supported the previous speakers, i.e., this is a good start but this issue is a bigger problem and gave her thoughts on possible solutions.

Assoc. Planner Lin introduced one call-in speaker, then acknowledged that he was not able to be heard.

Planning Director Murdock stated that he could send an email with his comments and they would be included as part of the record.

Acting Chair Hauser asked him to give the caller an email address so he could send it in, and Planning Director Murdock could read it into the record.

Planning Director Murdock gave the email address, [publiccomment@pacificagov](mailto:publiccomment@pacificagov).

Acting Chair Hauser closed the Public Hearing.

Commissioner Wright voiced his concern on this problem, saying that he knows this is a serious concern for all the community and he wanted to make sure they gave all the community a chance to have a voice.

Acting Chair Hauser thought reopening the comments to add his comments to the record was the best they can do at this time.

Planning Director Murdock stated that this was only impacting one person and it was possible that his comment will be included before the end of the meeting. He added that, because the call-in option is a second option, there is no legal requirement for that and, if it can't be fixed, there is no reason when they can't proceed with the item at this meeting.

Commissioner Wright understood the legal aspect, but he felt that, as they were used to following the meeting on Comcast where they are given written instructions for participating, that inability to watch on Comcast could be impacting more residents from being able to be involved.

Acting Chair Hauser confirmed with Assoc. Planner Lin that the caller was back on, so she reopened the Public Hearing.

Planning Director Murdock asked that the caller speak loudly and clearly into his phone.

Acting Chair Hauser stated, as the caller could still not connect, she again closed the Public Hearing.

Commissioner Ferguson stated, as a West Sharp Park resident, he echoes their comments. Adding that he has noticed a change in the community as families move out and are replaced by corporation short term rentals. He applauds putting a cap as he didn't see how that would hurt neighborhoods, but he had a couple of questions regarding how they can go a few steps further to get at the root cause of their concerns. He stated that they have only addressed a citywide cap and he didn't think that was an equal problem in the entire city and he wondered about thoughts of doing it neighborhood by neighborhood such as a specific zoning ordinance for different sections. He suggested increasing it for visitor serving areas but not for those in residential areas. He then mentioned the possible different types of short term rentals such as government employees who live for different lengths of time in other locations and could have the opportunity to rent to offset the costs of living in two places as opposed to a corporation that is technically operating a so-called "hotel" in a zone not permitted for hotels. He thought they could take a separate approach layered on top of the cap to allow the type of user augmenting his income from that of a corporation displacing a family.

Commissioner Godwin thought he might have a question for the Asst. City Attorney. He asked if there was a summary of police activity in reference to residents' concerns about the level of activity going on versus resident houses that they can refer to in their discussion.

Asst. City Attorney Murphy stated that Planning Director Murdock could address that.

Planning Director Murdock stated that, regarding quality of life impacts, the data research staff did as well as input from the police and corroborated by code enforcement officers concluded that short term rentals don't trigger a high volume of calls to the police department or complaints to code enforcement officers, but at least one commenter has indicated that they don't want to bother the police department with these complaints as they recognize short staffing and staff having to deal with more urgent calls. In terms of dealing with that issue of reporting or not reporting isn't something he has any data on to make a definitive judgment but, anecdotally, he concludes that the residents aren't reporting all the situations that could be reported to the police department regarding short term rentals.

Commissioner Godwin then mentioned that a portion of his street was shut down and there was a rumor about drug manufacturing going on in one of the homes, and he asked if there was a provision in the short-term rentals if there are any violations of the law to remove the permits immediately following the discovery of a significant allegation of something unacceptable.



Planning Director Murdock stated that there is. The ordinance contains a revocation process, but they have to provide due process to all parties. There is a process to revoke a short-term rental, and the city has undertaken that in the past. He only recalls one, but there may be a short handful that Asst. City Manager Carter may have information on the number of revocations. They are very rare but they do require sufficient evidence to substantiate the revocation proceeding, and if it exists, the city will initiate the process. The city has no interest in allowing unruly short-term rentals to operate in violation of the adopted regulations. Regarding whether the adopted regulations cover all the conducts of concern is a fair question and is a question for a more robust short-term rental ordinance process the city could choose to undertake in the next fiscal year.

Commissioner Wright stated he had a few more questions. He asked staff how much they thought this would affect the availability of housing for the general public. If they can have more rentals per building and they are talking about 150 rentals. He asked if they have conducted an analysis of their expectations.

Sr. Planner O'Connor stated that information has not been collected and she is not aware that is information that needs to be reported as to how many units are covered under the permit. She doesn't think they have the data available at this time to do that analysis. If Council directs staff to do a comprehensive update, they can do the research and get more information.

Planning Director Murdock added that they have provided estimates of the conservative number of dwelling units that are impacted, i.e., less than 1% of dwelling units overall with over 2% in the coastal zone and a disproportionate level of dwelling units affected in the coastal zone as compared to non-coastal zone areas, which is a relatively small number of city dwelling units affected. He thought, in our current housing crisis, any dwelling unit taken off the long-term rental market was impactful. With so many land uses, the city has to strike the right balance and figure out where the balance should be drawn. One consideration is our requirement to comply with the coastal act and Coastal Commission certification of an ordinance and other factors short-term rentals generate such as tax revenue that supports other city programs that the community desires. He stated that it isn't a simple ban them all and there are no tradeoffs, as there is a give and take and Council will have to make that policy decision. The last impact to housing stock that he wants to address is that, in a prior update to Council, they explained that the data staff had showed different impacts to different types of housing units, i.e. there are relatively few studio and one-bedroom housing units in Pacifica's overall housing stock and they are disproportionately operated as short-term rentals based on the data they have. He added that a very large share of the housing stock in Pacifica are 3 or 4 bedroom single-family housing stock and relatively few of those are operated relative to the overall housing stock. He stated that it isn't easy to speak in terms of housing impacts without understanding the types of housing that are impacted disproportionately compared to others and logically, studios and one-bedrooms may be the more affordable long-term housing types available to people of lower moderate income. He stated that there is more to the story that could be analyzed or developed as part of a more robust ordinance development process, and they need to think if they should focus limitations on the size of the housing units or different parts of the city as mentioned in Commissioner Ferguson's question. He stated that there is more that can be done in terms of zoning in neighborhoods, which requires a lot more time and analysis than they have to dedicate to this issue right now.

Commissioner Wright stated that another concern was that, during prom time, when you have kids who want to have a party and one night stays, you are inviting people to come and bother all

their neighbors. He asked if there was any consideration or analysis on making a minimum number of stays.

Planning Director Murdock stated that he will defer to Sr. Planner O'Connor if she has any information relative to that issue, but any potential regulatory option needs to be part of a more robust ordinance development process and this cap is the extent of regulation that they can offer the Commission and Council now without sacrificing other priority work and taking that off of the work plan. Council has focused on the cap for now and they will decide if more staff resources should be committed to a more robust ordinance process in the next fiscal year.

Sr. Planner O'Connor added that she hasn't heard of any consideration of a minimum night stay for consideration at this time.

Acting Chair Hauser wanted to ask a process question, i.e., was it possible to make a recommendation at this meeting of a base recommendation that staff has put forth and a more robust ordinance development process so they don't lose all of the time and effort of pertinent comment that the public has given them to provide a framework of what that should, at the bare minimum, include.

Planning Director Murdock thought that could be very helpful to Council if staff prioritizes that ordinance development process listing to and including, in terms of potential factors the city should consider in any future ordinance.

Acting Chair Hauser stated, if okay with the commissioners, she has been taking notes of what people are recommending, including members of the community, and they can go through the list.

Commissioner Wright stated that he loves that process then asked if he can continue.

Acting Chair Hauser agreed that he can continue.

Commissioner Wright asked if there is any consideration given by staff of limiting the number of permits such as for a rental family needing to rent for a couple of weekends in the summer to get more income to get them through the year versus seniors needing to supplement income by renting out bedrooms of children who have moved out.

Sr. Planner O'Connor stated that the cap of 150 was identified by City Council because it allowed for all current STR permittees to renew their permit without being affected by the cap. By December 2022, there were 129 STR permits issued and a cap of 150 would allow all the current permittees relying on that income, as he mentioned, can continue if they need to.

Commissioner Wright asked Asst. City Attorney Murphy if there was any number of days per year, such as 30 or 60 days per year for any given unit, that they could limit their operations as opposed to limiting the number that are out there and available and essentially stop them from becoming a business and unlicensed hotel.

Assist. City Attorney Murphy stated that it is something they can look at and would need to consider the existing permits that have been granted, as well as any concerns the Coastal

Commission may have, adding that, if that is something the Planning Commission desires, that could be included.

Commissioner Wright thought it was a more equitable decision for a seasonal community and could have a positive effect on our budget as it may generate more revenue for us. He thought it was something worth considering. He asked staff, if they are issuing permits to something that is effectively a hotel, will they be held to the same building standards and codes as hotels are, from a safety perspective, such as sprinkler or alarm systems .

Planning Director Murdock stated that currently the STR process did not provide enough information for staff to flag those potential issues as those are lumped into a change in occupancy classification. Even though it is zoned residential and constructed as residential, when changing to short-term occupancy has the potential to convert the occupancy classification under the building codes and trigger upgrades of the type he described, such as sprinklers, etc. He stated that the potential exists, but they did not have information to date to address that and that is an issue for a more robust regulatory program and they will flag and follow through on those issues. He stated that, if someone is aware of a property that has been converted, they should contact the Planning Department and they will take a look at it as their ultimate interest is ensuring the health and safety of the occupants of the building and the neighborhood issues are separate and more of a zoning issue as part of this more robust process. He stated that the tools already exist to address changes in occupancy classification when the city learns about them.

Commissioner Wright asked if they solicited input from existing hotels to see how they feel about this.

Sr. Planner O'Connor stated not to her knowledge.

Commissioner Wright asked if there was any consideration given to limiting the number of cars per one rental unit and the occupancy level.

Sr. Planner O'Connor thought that would be folded into the future comprehensive revising of the ordinance should that be prioritized.

Commissioner Wright asked if she could explain to him the benefits and negatives to renewing the permit, i.e., is renewing a better option than going to the back of the line.

Sr. Planner O'Connor stated, if someone has a current permit and they wish to operate the STR in the future, they should choose to renew their STR in a timely fashion but if they don't plan to use their property as an STR in the future, they would save themselves the business license and the STR permit fee.

Commissioner Wright didn't think he made his question clear. He questioned why the 151<sup>st</sup> person at the top of the list had less right than someone who had the benefit of a year of having a permit for a year.

Sr. Planner O'Connor thought the intention of Council when they provided that direction was to maintain the status quo and current permittees had the option of continuing to operate should they choose and, thus, getting priority.

Commissioner Leal stated he had two questions for staff. He didn't see in the staff report if there was an estimated number of unpermitted short term rentals operating across the entire city of Pacifica at this time. He saw the number of 34 estimated in the coastal zone, but not in the entire city's estimate.

Sr. Planner O'Connor stated that data was not in the report, but they did receive data from HDL that could probably identify that number. She didn't know if she could pull it up now but they had the data to identify that number.

Commissioner Leal stated that he did a random data search on the 16<sup>th</sup> and he came up with 166 available STRs but doesn't show those already booked or those booked through other platforms. He stated he will start with the 166 number, and if they cap it at 150, they would have a wait list and that was a healthy thing to maintain. He referred to enforcement, and asked if staff was aware of any STRs that have operated within the city since the ordinance passing where the city has contacted the operator of a non-permitted STR and they rectified the issue.

Sr. Planner O'Connor stated that the city has hired a consultant, HDL, to help with the processing of the STR permits and part of their scope is to also identify unpermitted STRs, reach out to them and bring them in compliance. She then referred to his previous question, stating that in a presentation to Council in September 2022, there were 121 registered STRs, 49 closed or seized STR activity locations and four unregistered or unresponsive STRs. And there were about 170 permitted STRs that had occurred in the city.

Planning Director Murdock stated that the number operating permitted and unpermitted was fluid, going up and down, so they can't pin a particular number but HDL has had some fair amount of success in getting unpermitted operators to register but not all of them have. So with all the violations in the city, they have to prioritize their enforcement resources to address those which is a longer term process for the STR administrator and the Planning Department code enforcement team and the city attorney's office are all there to help support that effort which is an ongoing "cat and mouse" game so it is difficult to be specific about that information.

Commissioner Godwin asked, if they decide to do nothing at this meeting and recommend Council do a more robust ordinance during the 2023 planning and allocate resources for it, what would be the downside of not doing anything in 2023 and wait for the new ordinance to be studied and planned out.

Planning Director Murdock thought the risk was proliferation of STRs could continue which could exceed the cap if it was in place and however limited the protections of those that don't support the cap, they at least provide a ceiling to the number of properties that can be used for the STR use and provide some measure of protection and limits the scope of the impact for the community until such a time that the city provides a more robust ordinance to be developed.

Acting Chair Hauser stated that she was going to go through a few thoughts she has. She wanted to speak to something one of the community members said, i.e. there is something in the ordinance that prohibits STRs in both ADUs and new junior accessory dwelling units. She thought, if they are going to approve something at this meeting, it has to be a stopgap measure where something is considered more robustly as they are all on the same page that this is not enough. She thought they needed to consider lowering the cap over time, i.e., if there are 125 permittees, maybe the goal is 100, and as people have violations to rule out, they don't offer a

new permit. So, she thought they need to consider what that cap is as she thinks 150 is too much. She also thought, for obvious reasons, this needs to be a cap on units and not a cap on permits, as a six plex could be all Airbnb or that the Airbnb could own an apartment building is absurd when they are trying to get new housing units in our housing element. She thought those were easy things to move forward. She appreciated a lot of the comments they received with a common thread through a lot of them and she would also recommend that they put forth to Council a primary residence requirement which means that no out of town person can live in Montana and own a Pacifica home as an STR and limiting the maximum number of rental nights to 60 unhosted nights makes sense. She stated that was essentially the Half Moon Bay ordinance that was quoted by a lot of commenters. She thought the maximum number of STRs per owner operator goes away if you have a primary residence requirement. She wasn't married to that one but she thought they do want to implement compliance standards and any violations that are part of the STR standards that they don't rectify and cure within 30 days is grounds for losing their permit. She thought performance standards that help to ensure the safety of the surrounding neighborhood are really important. She heard horror stories of unjust evictions for people who are converting their homes to Airbnbs and it is very frustrating to not know who to contact in this circumstance as you don't know who owns the house and you can't talk to the neighbor. She had Airbnb of luxury car rentals in her neighborhood and, in front of her home, there was a Maserati and three other luxury cars for weeks on end. She stated that there was no trash, no noise, just cars, but she thought there was something overwhelming about having strangers coming into your neighborhood and not understanding what is happening. She thought, when they make this recommendation to Council, and the Commission agrees that they do this with the framework in mind, these are things that they have enumerate to Council as there are a lot of comprehensive thoughts that have gone into what should be here and there was more needed.

Commissioner Wright stated that he had a couple of more questions. He referred to the ADU piece, and stated his understanding of the purpose of the ADU is to add more units for people to live. If they were to ask for proof of full time residency in the ADU and anyone trying a short term rental in the larger unit to stop someone from utilizing the ADU as a crash pad when renting out their bigger place, they are getting around the whole point of the ADU and it might be something worth considering. He also wondered if staff considered what the impacts would be to the willingness for larger developers to come in and build future hotels here, as there are a couple of sites he can think of such as the lot near the Council Chambers or at the quarry. He asked if staff has done an analysis or consideration of that.

Planning Director Murdock stated that they have not as part of the cap consideration at this time. He thought it was important to consider that these are somewhat different product types and experiences for people and he cautions concluding that they are direct competitor with one another. He did think it was a valid thought and warrants some analysis.

Commissioner Wright asked if they gave any consideration as to what kind of value impact it will have on the property for a permit holder, as he thought the property would be worth a little more if you can generate all this income out of it and it would detract from the value of the people who live next door. He has a concern about that, and asked if staff gave any consideration to that and how they might address some equity issues in that regard.

Planning Director Murdock stated his simple answer was no, adding that all of these factors would require significant time from staff to research and analyze them and for that reason they focused on preparing the cap, consistent with Council's direction to do so until more resources

are committed by Council through the goalsetting process. He stated that, when preparing the accessory dwelling unit ordinance update, he thought, with the first comprehensive update they did in 2015 timeframe, he did analyze and compare what typical rents were for a rental dwelling unit on a long term basis and what the types of rent can be from a short term rental, operated 30 days per month, and there was significantly more revenue potential from the short term rental operation. He stated that the economic pressure is to rent the short term rental rather than a long term housing unit and there are potential housing availability impacts. He presumed there could be a potential property value impact favorably for the short term rental operator. He didn't have any data that indicates that property values of non-STR properties surrounding an STR necessarily diminishes.

Commissioner Wright asked what the fine structure was around people who are not getting their permit or abusing their privilege of permit and causing trouble for the neighbors.

Planning Director Murdock referred to his question as well as public commenters questioning enforcement, and stated that the STR ordinance is a relatively basic regulatory construct that has basic operational requirements and when this ordinance was first developed it was a mechanism to clarify the lawfulness STRs operating in compliance with the operational standards and provided a mechanism to ensure they were registered for transient occupancy tax and helped support the city's desire to collect transient occupancy tax and no more robust enforcement process was included in the ordinance. He stated that, currently, violation of the STR standards is the same as any other city's violations of zoning codes and there are administrative citations that can be assessed, at about \$100 with increasing costs for repetitive violations and the city has the option to charge it as a misdemeanor and prosecute it as a criminal violation or pursue administrative misdemeanor citations of up to \$1,000 for a violation. There are a variety of options from a traditional enforcement standpoint and other civil remedies where the city could sue, issue a restraining order, etc., which Asst. City Attorney Murphy could possibly explain in more detail. He stated that they have the full range of possible enforcement options for violations such as any other zoning situation.

Commissioner Wright stated that he has his own concerns about this and understands the amount of work staff has put into this and there is a lot of community input with their concerns on this, and asked if there were any other amendments or concerns that staff thinks would be a good idea to pose to Council if they move forward with this at this time.

Planning Director Murdock didn't think there was anything he could present other than the cap they are putting forward as any other regulatory option would require analysis and staff time which they don't have the ability to commit to doing that analysis. He stated that what seems simple is complex when it comes to STR regulations, figuring out where you are compared to other communities, are there property rights that could complicate the city's ability to take away a permit that someone already has that purchased property to exercise that permit. He stated there are a lot of complexities to STR regulations that aren't evidence on its face, and it could trigger other unintended consequences that require staff and city attorney staff time to analyze, vet and make a recommendation. He thought doing anything other than the cap would be inconsistent with Council's direction so it was his recommendation to include those as factors to be considered if and when the Council prioritizes a more robust ordinance development process.

Commissioner Ferguson referred to what he just said, and he liked the existing cap at 150 for now with a handful of bullet points they talked about as a recommendation for further analysis. If

they leave it at 150 with current permittees at 129 and the problem as it exists now, they do nothing to address the problem that already exists. He thinks, if they want to fix the sticky problem they have let things get to, they have to find a way to walk back from where they are to a level that is allowable for the community and fits in with all the work they do to protect our neighborhoods as is, thus, he would be in favor of a motion that starts at 150 because they can get it done as it is a direction they have been given, but provide a recommendation for a scale down to a number that is less than 129 as there is a consensus that where it is now, is not where they need to be. It should be focused on the number of units they are talking about. If possible, he would love to see a recommendation to conduct some kind of analysis as far as the impact to existing commercial hotels pertaining to city revenue streams. He stated that he has visiting families who have used short term rentals in Pacifica as they are within walking distance of where they live and availability of hotels during holiday weekends such as the one nearest their home is often not an option. He mentioned the analysis looking at whether pushing back on STRs would just create more business at hotels which is a plan that has been our city's goal. He stated that, on looking at a recommendation, he thought 60 days would be too much as the revenue for STRs comes from a handful of key weekends and weeks throughout the year. He thought a long term rental was the solution they are looking at with a family living in the house, not living in it as a hotel. If someone moving away wants to rent the house, that would achieve our goals. He thought a goal of 30 days annually was a better incentive to push new and existing permittees in the long term to keeping our neighborhoods in the character of the neighborhood and not operating as businesses.

Commissioner Leal stated he is also a resident of West Sharp Park and in one of the more impacted neighborhoods in Pacifica. A home across from his sold and was turned into a short term rental so he is aware of the challenges community members are facing. He stated that he is also a short term rental operator of a property outside of San Mateo County and he sees both perspectives and understands the impacts to our community. Regarding his observations of situations outside the county and Pacifica, he wanted to share some things they may be able to bring to Pacifica to better regulate these short term rentals. He referred to guest safety, and where his short term rental is, they have onsite fire department inspections required, so he thought they should consider that in Pacifica for these properties that have business licenses. He stated that a Good Neighbor Fire has been implemented in other communities and he added the thought of ocean safety could be included in that along with the other factors. He referred to number of permits, and he thought it was standard that, permittees have first rights in renewals but if you miss your deadline, you go to the end of the line and that would incentivize them to get the renewed permits as soon as possible. He referred to number of nights rented, and he thought, if you have a permit, you should have a minimum number of nights rented rather than a maximum. He referred to getting a permit, stating that the city assumes if you get a permit you will use it and it provides TOT taxes. He stated what he has seen in other communities is that people have separate homes, living out of the state or out of the area, the homes will be vacant except for a few weeks, except when someone comes to spend time in their second home. With short term rentals, it opens up the opportunity for those homes to be occupied with tax dollars being spent in Pacifica. If they limit the amount of short term rentals in our community, it may not improve the overall available housing stock. He stated that there are examples of that on Beach Boulevard where homes are vacant most of the year and he never sees anyone in the house. Regarding what is in front of them now, he thought it was clear that they either postpone or make a decision at this meeting. He thought the risk of postponing is that it may not be taken up in the future depending on priorities of Council's goals. He was okay with moving forward with staff's

recommendation as it is a stopgap and change to the current ordinance and they will get to revisit this in less than two months.

Acting Chair Hauser asked Planning Director Murdock if the caller has submitted his comments in writing through email.

Planning Director Murdock asked Assoc. Planner Lin if he has the last four numbers of that caller's phone number.

Assoc. Planner Lin stated they were 9309.

Planning Director Murdock stated that the individual did submit comments.

Acting Chair Hauser asked the Assist. City Attorney if they need to open public comments to hear those comments and have them officially read into the records.

Assist. City Attorney Murphy stated that they can reopen the public hearing to hear the comments.

Acting Chair Hauser reopened the Public Hearing.

Planning Director Murdock stated, before reading the comments, he wanted to state that it was not the ordinary procedure even during Covid, and he then stated the speaker was Clifford Lawrence and he was unable to connect. He then read his comments, i.e., this proposal will not address the loss of residential housing to commercial parties converting them to STRs. He commented that controlling the maximum number of permits which does not control the number of units doesn't make sense and no enforcement makes no sense. After expressing his concerns, he asked that they invoke a moratorium.

Acting Chair Hauser then closed the Public Hearing. She wanted to know if they had a consensus on the framework she laid out in the beginning, i.e., making a recommendation similar to staff's recommendation but with inclusion of a framework for City Council to consider.

Commissioner Wright asked if she can itemize them.

Acting Chair Hauser stated that she will itemize each one and, if she misses anything, they can raise their hand. She will go through each one to get a consensus or at least a majority. She recommended that they leave TOT or anything referring to finance to City Council's purview, acknowledging consensus. She heard consideration of a neighborhood by neighborhood cap rather than an overall city cap, acknowledging consensus. She heard not allowing single night stays to avoid parties and other single night events, acknowledging consensus. She heard, if multiuse building are allowed, they need to meet the same code requirements for occupancy appropriate to the use, but she suggested not allowing multi-unit buildings to be covered by this.

Commissioner Ferguson thought the important thing was to clarify it was units and not permits and permits should not be an unlimited number of units.



Acting Chair Hauser stated that is the one thing she would like to change when making the motion that it refers to units, and not permits and that should go to Council if that is the Commission's direction. She asked if that was amenable to staff.

Planning Director Murdock thought it was a complicated point and distinction to make as that is a potential complication for a multi-unit operator who has a permit and may not be able to get permits for all the units currently operating. He thought that was an issue that required a fair amount of research and consideration before becoming law.

Acting Chair Hauser stated that Commission is saying that a permit represents a unit and maybe Council, in their deliberation, could issue five permits, although that is not what they are recommending. Since they are making suggestions for their deliberation, as long as they are equating a permit to a unit and Council can subsequently consider the amount. She asked if Planning Director Murdock follows that distinction.

Planning Director Murdock stated Council's direction was to implement a cap of 150 STRs and they know many of the permittees currently may operate multiple units, and to allow them to continue to operate, which he understands is Council's guidance, is to maintain the status quo but impose a cap, and that could throw into question what the appropriate number is and staff doesn't have data at this time to determine what that number would be in terms of STR permits above 150 to allow all of the current permittees to continue operating.

Commissioner Godwin stated that there was a discussion that a lot of the units were permits that are currently operating and covering one and two bedroom units and he assumes there could be multiple units covered under one permit and proposing one permit per unit could get messy and be different from what the operator thought he had a permit for.

Commissioner Ferguson stated that there are also short term rentals that rent individual bedrooms within a single unit as separate rental units. He asked if there was a way to lay out a guideline for something that would take effect on October 31, 2023 so existing permit holders aren't affected until the renewal period.

Planning Director Murdock stated that there are a number of different ways to craft the regulations, which are all complicated and require time to analyze and make a recommendation but staff does not have time to do that, specifically not at this meeting or for the remainder of this fiscal year so anything other than a 150 cap or some other numerical number related to a simple cap is not something staff can fully develop into an ordinance or recommendation for the foreseeable future until prioritized by Council.

Commissioner Wright thought the definition of STR that they are using at this time is a lot, not a unit.

Commissioner Ferguson stated it was a permit.

Sr. Planner O'Connor confirmed that it is a permit which could include one unit on a lot or it could include multiple units on a lot or a portion of a structure on a lot.

Commissioner Godwin likes Commissioner Leal's idea of minimum nights rented, and he asked if it was a possibility of including that so you get a permit and you rent it out or not at all or a

couple of nights a year as that is not what they are trying to do. He asked if they can add a sentence saying it must be at least 15 nights a year or so, without making it more burdensome on staff or harder to implement.

Planning Director Murdock thought one component of the short term rental ordinance that has not been discussed and he would like to clarify is that they spent a lot of time and effort to analyze and craft such an ordinance, but every ordinance has an enforcement component and the more tailored and sophisticated the ordinance is, the higher the burden on the staff on what it will take to implement and enforce. Without the proper assignment of resources on administration and enforcement side, you are left with dissatisfied residents expecting one outcome when the city is not able to resource the administration to ensure that outcome, thus, that is a resourcing decision that Council will have to make in order to determine, not only the appropriate regulations, but how much staff and financial resources are we willing to commit to that program which is complicated in its application.

Commissioner Godwin understood and was just trying to make an argument for one point he thought was useful.

Acting Chair Hauser stated she will go through the items listed and they can get to the minimum versus maximum. She went back to the number of units versus number of permits, and she saw it, at the very least, as a deficiency on the application that they didn't ask this question. She stated that it is too messy now and they just want Council to consider it, and at the very least, she thought it was important to add a row on the application to at least get them to add data. If they are asking them to submit an application, it is a very easy thing to fill out.

Planning Director Murdock reiterated that it is a simple thing to do, but the genesis of the current ordinance is to ensure registration primarily for tax purposes and the particular characteristics of the operation weren't important to the Council's regulatory approach at that time. He agreed that it was something they could consider crafting into the administration of applicant materials moving forward.

Commissioner Wright asked if it was staff's opinion, with the fees, permits, and tax generating revenue, as to whether this would generate revenue and pay for itself or end up being a burden on the city.

Planning Director Murdock stated he didn't have first hand knowledge regarding the sufficiency of the fees they charge for these permits but his impression is that they cover the cost of the consultant they have but it is for a very limited and regulatory scheme and the level of fee to administer that will likely need to increase with the amount of sophistication and detailed standards of requirements, etc. for a more robust STR ordinance and that will place a financial burden on operators, may increase costs for per night stays so there are a variety of potential effects but ultimately, the city's goal is to achieve cost recovery with its permitting processes. He imagines that whatever proportionate increase there is in staff and consultant time to do that, there would be a proportionate increase in the cost of the permit to ensure cost neutrality for the city.

Commissioner Wright asked if the Commission and community will have a chance for additional input later if this is a stopgap measure with another discussion and another decision point once they have gone through this whole process.

Planning Director Murdock stated that there will be multiple public input opportunities moving forward after this meeting as the next logical opportunity is the City Council's public hearing on whatever the Planning Commission's recommendation ends up being for this ordinance and the public can send comments at any time to the city's website, [publiccomment@pacificacounty.gov](mailto:publiccomment@pacificacounty.gov) or to their City Council members, by mail or dropping it off at the Planning Department and the next opportunity would be at the goal setting process where Council will be deciding what items to put on the work plan for the next fiscal year starting in July and at any point thereafter at Council meetings through public comment, so there are ample opportunities for the public to relay their desires and concerns related to short term rental regulations.

Acting Chair Hauser stated she would continue going through the list. She referred to Commissioner Wright's suggestion of limiting the number of occupants and vehicles allowed, acknowledging a majority of three. She referred to discussion of safety standards needing to be implemented, acknowledging a consensus. She referred to considering a minimum and maximum number of nights, both 60 and 30, and thought it needs more deliberation. She is in favor of the maximum and would be comfortable with Commissioner Ferguson's recommendation of 30 or Half Moon Bay at 60.

Commissioner Wright suggested 45.

Commissioner Ferguson didn't see how that solves either issue but he thought there could be a binary approach and they were making nonbinding recommendations to Council to consider their own priorities and not be held hostage by what is achievable or not with our resources, and he recommended suggesting a binary approach, mentioning some specific examples, or recommend they look into fixing the existing problem through the use of limited days and leave it to them to decide.

Commissioner Wright likes the idea of a short term permit and a year long one and thought there was a lot of merit to that.

Commissioner Ferguson stated it was just recommendations.

Commissioner Wright agreed.

Commissioner Ferguson stated that they will do nothing about the existing problem and will actually allow 21 more permits with this. He apologized to all the community members who came thinking there would be a solution to the problem in the existing neighborhoods, but he thought that was beyond their scope for this decision.

Acting Chair Hauser was fond of considering setting a cap from 150 to a lower number that she thought would solve the problem, and the number that comes to mind is 75, but she thinks it needs to be studied by their consultant.

Commissioner Ferguson stated that, considering the recommendation to split it to units instead of permits, he wondered what it looks like existing in the future.

Commissioner Wright asked if they could suggest a goal of a certain amount and consideration for further review to be considered.

Acting Chair Hauser stated that the goal she is suggesting is 75.

Commissioner Wright stated that he would support a goal of 75 units instead of permits.

Acting Chair Hauser agreed.

Commissioner Wright thought she was talking about long term permits now.

Acting Chair Hauser stated that, in their recommendation, permits would equate to units at some point when it is feasible.

Commissioner Wright thought the Coastal Commission gets to vote on 75 or whatever they allow.

Acting Chair Hauser agreed. She referred to the primary residence requirement is a big one and asked if they want to recommend that the owner is the primary resident.

Commissioner Ferguson stated that he was for that, adding that you can't have a minimum number of days if you live there.

Commissioner Godwin asked if it was legal.

Acting Chair Hauser stated that it was.

Commissioner Godwin asked if you can limit other state residents from issuing this.

Asst. City Attorney Murphy stated that is definitely something they can look into in greater detail.

Commissioner Godwin thought there were potentially issues.

Planning Director Murdock understood the question was requiring the property owner to be on site during the rental.

Acting Chair Hauser stated no, just you are renting your primary residence.

Commissioner Godwin stated that there are a significant number of people in Pacifica with secondary houses and maybe they live elsewhere in the county or in another state. He stated that there are other mechanisms other than short term rentals to achieve that income in that situation.

Commissioner Ferguson stated that people do that all over the place all the time.

Commissioner Leal stated that, on this topic, he didn't agree with that but agreed it should be looked at from Council's perspective as all the ideas raised at this meeting should be passed on to Council and studied further in our community. He stated, if Council and the community choose this as a requirement so be it, but he didn't think it should be a requirement, especially with the cap and other restrictions. He omitted something from his prior statement and wanted to add something they should pass on to Council if they all agree, i.e., having a local contact person as someone can be at the property within 60 minutes which is something other municipalities

implement 24/7 and the person would be on record with the police department within the city so they can contact them if there is an issue at the property and they can be there and rectify the issue.

Acting Chair Hauser asked and acknowledged that they had consensus on that.

Commissioner Wright asked clarification as to whether renters are eligible for permits and lease holders or just property owners or lease holders and property owners with property owner permission.

Sr. Planner O'Connor stated that the definition of permittee does include renters but they would need property owner permission and authorization.

Acting Chair Hauser stated that the other two items on her list was compliance standards such as violations you don't take care of within a specified period cause you to lose your permit and then what she would call neighborhood unity standards where you aren't putting a commercial dumpster in front of the house or other things akin to that.

Commissioner Wright asked if they could suggest a number of violations in any given permit period.

Acting Chair Hauser asked if he had a number in mind.

Commissioner Wright stated he was good with her indication of two.

Acting Chair Hauser stated that she was good with two which is what Half Moon Bay was doing.

Commissioner Godwin asked her to repeat that.

Acting Chair Hauser stated she will call them neighborhood unity standards where people who own these are not putting commercial signage out, or a dumpster or things that interfere with the feel of the neighborhood. She asked if there was anything else before they move on, and seeing no one, she asked if anyone had a motion.

Planning Director Murdock stated that he would like to read back the recommendations he has captured before proceeding to the motion.

Acting Chair Hauser agreed.

Planning Director Murdock stated that what he heard from Planning Commission consensus was future ordinance to be developed, if identified as a priority work plan, should include factors, including but not limited to a neighborhood based cap requiring more than one night minimum stay, verification changes in occupancy classification under the building code, occupancy limits, minimum off street parking requirements, one permit required per dwelling unit, not for property, on site safety inspections for smoke detectors, carbon monoxide detectors and other safety code requirements, diminishing cap over time, requirement for a local contact person, requirement that the STR be a primary residence for the operator, but not require that the primary occupant be onsite during STR operation, abandonment of STR permit if violations are not addressed within 30 days of notice by the city, trash receptacle design and placement standards. He wasn't sure he

heard consensus on the number of night limits or the recommendation is more general to impose such a limit. He stated previously noted is a number of STRs operating by an individual operator but he didn't hear it discussed recently.

Acting Chair Hauser stated he was correct. She asked if the commissioners had an issue with adding that each operator has a maximum number of STRs they can operate.

Commissioner Wright was okay with limiting it.

Commissioner Ferguson asked if it was per permittee.

Acting Chair Hauser responded affirmatively.

Commissioner Ferguson stated he was okay with that but didn't know what it would look like.

Acting Chair Hauser stated that the only thing she takes note of is the violations, as they would recommend two violations before the permittee loses the permit. She thought the sunset for the cap that they were recommending was 75 units.

Commissioner Wright asked for parking clarification regarding a certain number of vehicles per unit, per bedroom. He heard off street parking but that doesn't stop someone from throwing a big party in the house and having the whole neighborhood impacted with the cars but the number of cars per bedroom would accomplish that goal.

Planning Director Murdock envisioned it being addressed in a couple of different ways based on what was stated, one being occupancy limits such as the number of people allowed in the building or STR in any given time would not be exceeded which he thinks would likely function to limit the number of vehicles associated with the STR and also requiring a certain number of off street parking spaces. He can't speculate what the standards would be but he imagines they would be tailored to the size of the STR and they would need to demonstrate that they have several parking spaces if they have several bedrooms that are being rented and there is the ability to provide parking those vehicles off the street. He didn't know if there was any good mechanism to attribute one vehicle parked on the street to an STR as compared to some other use in the public streets for public parking, particularly in the coastal zone where visitors have an equal rights with others to use the parking. He thinks there is some enforcement complexity there but he thought they could make good headway towards that issue with other parameters that they would impose.

Acting Chair Hauser stated that one other thing she would like to add, which goes without saying, but she thought it would be helpful to have it written in their recommendation which is to clarify that they are recommending a more robust ordinance development process and this is being viewed as a stopgap measure.

Planning Director Murdock understood, stating that there is actually something that he prepared that will be added to the resolution recommendation once they pin down the specific criteria. He made a revision to diminishing cap over time to 75 STRs and abandonment of an STR permit if two violations are substantiated by the city within one year. He didn't think he heard where they were going regarding the recommendation on the number of nights, and if that is important, as there was some support for a maximum and some support for a minimum, so he asked if it is to

explore a minimum or maximum days with a more generalized recommendation. He didn't currently have enough to include that.

Acting Chair Hauser had personal thoughts on that, but asked if any commissioner wanted to comment.

Commissioner Leal thought they should recommend that Council look at a number of nights but he didn't know if they needed to recommend a minimum or maximum but he did think that topic should be reviewed or passed on as a topic of deliberation.

Planning Director Murdock assumed that the minimum or maximum stays per STR.

Acting Chair Hauser thought maybe both points could be delineated so Council understands what the Commission's thinking was, i.e., there was a concern about TOT and that encouraged conversation about a minimum as well as conversation about a maximum or 30-60 days. She didn't know if they want to delineate a minority or majority in that if appropriate but, if appropriate, they could poll the Commission.

Planning Director Murdock thought determining what the minimums and maximums should be studied and compared with other cities with the pros and cons of the various approaches vetted as part of that process. He thought it was hard to sit here now and know what that number should be. He also thought, regarding specifying a cap of 75, he didn't know what that was grounded in. If it is the Commission's recommendation, so be it, but currently there is a rationale behind a cap of 150 and he thought they would need to further develop a specific cap if that is part of the recommendation but he thought perhaps that could wait.

Acting Chair Hauser stated that they will leave the vague language at a maximum of 75 but leave studying the minimum or maximum nights.

Planning Director Murdock asked if the Commission wants some criteria to balance neighborhood impacts with TOT and other considerations, and are those two of the key factors the Commission is attempting to balance or just more generally the appropriate minimum or maximum.

Commissioner Ferguson stated that it is the Council's purview and they are just notifying them that they recognize both priorities and leave it to them to study it and make the decision.

Commissioner Godwin stated his concern with the minimum is that, if you limit the number of facilities, and the businesses aren't generating any revenue because they have no customers, do you want to have them keep renewing their permit when you don't get a revenue stream from them versus someone who is in the waiting line who would be much more vigorous in their pursuit of business and generate a lot more money for the city. That is his thoughts on the minimum idea.

Planning Director Murdock thought Commissioner Leal made an interesting point, and he presumes, if the city has an STR permit process, it is because they want a certain number of STRs to operate within the delineated parameters and not have people hoarding permits because they are afraid they won't be able to get an STR permit in the future having non-operating or less than

efficient operations. He thought he was assuming a lot, but he thought there was some reasonable reasons.

Commissioner Godwin stated that was his general idea, that they wanted efficient operations and some tax revenue if they issue a permit and if someone doesn't meet that criteria, they want them to not be able to renew and give someone else who has a better idea with a more robust pursuit of the business a chance.

Planning Director Murdock thought there was a sound policy basis to that and there are also other policy bases, but for this level of recommendation and detail, appropriate minimum and maximum, such as 30-60 day maximum per year is how he has crafted it for now.

Commissioner Godwin thought that was perfect and that was his motivation but he didn't think it needed to go to that level of detail.

Planning Director Murdock stated that the full language that would be added to the resolution recommending City Council action on this would read as follows; i.e., whereas the public testimony related to the host ordinance has demonstrated that the short term rentals in residential neighborhoods has created quality of life noise and parking congestion have warranted further study by the city in order to develop more robust short term regulations and the Planning Commission recommends that the City Council prioritizes this item in its goal setting process for fiscal year 2023-2024. Factors to be considered in a future ordinance should include but not be limited to a neighborhood based cap, more than one night minimum stay, verification of potential changes in occupancy classification under the building code, occupancy limits, minimum off street parking requirements, one permit required per dwelling unit and not per property, on site guest safety inspections for smoke and carbon monoxide detectors and other safety code requirements, a diminishing cap over time to 75 STRs, requirement for a local contact person for the STR operator, requirement that an STR be a primary residence for the operator but not requiring that the primary occupant be on site during the STR operation, abandonment of STR permit if two violations are substantiated by the city within one year, trash receptacle design and placement standards, maximum number of STRs operated by individual operator and appropriate minimum and maximum stays per year of STR operation including possibly a maximum of 30-60 days per year.

Acting Chair Hauser thanked him for capturing that. She asked if anyone wanted to make a motion.

Commissioner Ferguson stated that it was her list but, if she wanted, he would take a crack at it.

Acting Chair Hauser didn't think he needed to read the list.

Commissioner Ferguson moved that the Planning Commission finds that the proposed ordinance be exempt from the California Environmental Quality Act and adopts the resolution as included in Attachment A to the staff report to initiate Text Amendment TA-123-22 and recommends approval to the City Council; and incorporates all maps and testimony into the record by reference including the recommendation the Commission has agreed tonight and as read by Planning Director Murdock; Commissioner Godwin seconded the motion.



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The motion carried **5-0**.

Ayes: Commissioners Ferguson, Godwin, Leal, Wright  
Acting Chair Hauser

Noes: None

Acting Chair Hauser called a 2-minute break and then reconvened the meeting.

- 3. TUP-1-22**                      **File No. 2020-029** – Installation of a temporary structure to enclose  
**CDP-445-22**                      Ocean Shore Railroad Car No. 1409 and performance of restoration  
work on the railroad car on a portion of a City-owned parking lot  
located at 1910 Francisco Boulevard (APN 016-060-100).  
Recommended CEQA Action: Class 4 Categorical Exemption,  
CEQA Guidelines Section 15304(Minor Alterations to Land).

Sr. Planner Cervantes presented the staff report.

Commissioner Wright wondered what the consideration was for the shorter hours and why they were limited to 9:00 to 5:00.

Sr. :Planner Cervantes stated that was the time proposed by the Pacifica Historical Society.

Acting Chair Hauser opened the Public Hearing, and then asked if the applicant had a presentation.

Kathleen Manning, applicant, stated that the Pacifica Historical Society has owned the railroad car since 2004 when they realized they had a great opportunity to acquire the only remaining rolling stock from the Ocean Shore Railroad that once traveled on Highway 1. Its restoration was put on hold while they were restoring the Little Brown Church into their historical museum and meeting place for approximately seven years. During that time, they put it at Shamrock Ranch and volunteers worked on its restoration. Then, after completing the Little Brown Church, they moved the car to several places and worked on its restoration as their vision was for it to be a show piece, visible from Highway 1, and they plan to fill it with exciting displays and interactive devices. They now need permission to move it to the southwest corner of the lot and will work on finishing it with the help of the contractor and pro bono architect, Bob Boles. They will use no electricity as they will be using battery operated tools and do a lot of offsite work. They will make sure it is secure with a tent and a chain link fence as they finish the outside work.

Acting Chair Hauser didn't see any speaker cards.

Ms. Manning said that Shirley Gibbs would like to provide some pictures.

Assoc. Planner Lin said there were no call-ins.

Acting Chair Hauser closed the Public Hearing.

Commissioner Leal stated that, regarding the Vallemar neighborhood, he was curious about the current timelines for it remaining there and if the Commission should consider the timeframe for moving it from that location.

Ms. Manning stated that they were negotiating a contract for moving it, and it will probably be moved by the end of February.

Commissioner Leal asked if it will have to be moved because the current site is no longer available or some other reason.

Ms. Manning stated that they originally leased the property for two years, and extended the timeline several times, but they assume the owners want to do something else with the property.

Commissioner Leal then asked if they have an estimated timeline when the renovation for the car will be completed.

Ms. Manning stated that their plan is to have the exterior completed by the time the Civic Center is completed so that they will then be able to move it to the front corner of the lot at Salada and Francisco.

Acting Chair Hauser also had a question for the applicant. She asked what the temporary tent will look like.

Ms. Manning stated that it will be the same tent as in place on the car at the Vallemar Station.

Acting Chair Hauser asked for deliberations.

Commissioner Wright stated that he would like to amend the resolution so that they can do the restoration work during normal working hours.

Acting Chair Hauser thought that was fair and asked him to restate it.

Commissioner Wright stated that he would like to amend it to state that they are allowed to do the work during normal construction hours, and not limiting them to 9:00 to 5:00.

Commissioner Ferguson stated that he has nothing to deliberate and was ready to make a motion when there was no further deliberation by the Commission.

Commissioner Leal stated that, when they approved the Civic Center project, there was a parking requirement of 50 spaces and at that time they had taken into consideration 30 spaces. Then considering the rail car, it reduced the spaces to 39 parking spaces. He wanted to bring that to the Commission's consideration, given that part of Francisco is impacted by parking at different times, and he thought that, at least for the temporary time, this may not be the best location. He stated that his thoughts were that, at least temporarily, the former wastewater treatment plant might be the best spot, adding that it will need to be moved again to its final location once everything is completed. He thought the cost of another move would need to be absorbed anyway. He stated those are his comments and he was interested in his fellow commissioners' thinking.

Commissioner Wright asked, in thinking about that, if he would be interested in asking the petitioner to consider the problems that presents, and they apparently have about a month to consider if that is doable. He asked if their consideration was sufficient to satisfy his concern or is he seeking something more.

Commissioner Leal stated that he thought he was seeking something more, and he thought, at least temporarily, it probably should be at the former wastewater treatment plant lot adjacent to the Council Chambers. He felt, considering all the needs, that they can be met at that location without impacting parking temporarily and give them more time to consider the final location and study it further. His concern is that they haven't finished the Civic Center project yet and

parking impacts related to that is unknown and they will further reduce the parking in that area and his fellow neighbors in West Sharp Park already have concerns about parking.

Acting Chair Hauser stated that she was going to ask staff to weigh in, as she stated it has been analyzed and it is an appropriate question.

Sr. Planner Cervantes stated that Commissioner Leal is correct that the temporary use permit allows extensions for up to two months and the draft resolution required that the circumstances for initial project approval have not changed and if it has changed, Planning Commission shall consider for an extension and it allows the applicant, if the parking requirements change, to come back for an extension.

Acting Chair Hauser asked the applicant if she can weigh in on the answer to this question.

Ms. Manning thought the number of parking places required was recently eliminated statewide as they want to encourage people to not drive to places so often. She asked if that was true that there was an ordinance passed by the state that changed the number of parking places required.

Planning Director Murdock stated that he was not aware that those would apply to this particular application. He stated, from staff's perspective related to alternatives, the city has not offered any other city-owned property for this purpose and the question for the Commission is whether or not to approve this location or make modifications relative to what is proposed. He stated that, if those conditions are not agreeable to the city, they may not allow the rail car to be placed here. Staff's thoughts on this location was that the parking spaces are not needed now as the Civic Center is under renovation and allowing the placement of the car in this location would minimize future logistical challenges and costs to relocating to the potential permanent location at the other corner of the parking lot and that was subject to future consideration and city approval as the owner but also through a Coastal Development permit, use permit and potentially other permits, and there is the other opportunity to consider the long term appropriateness of this particular use, but in a broader neighborhood context, the long term utilization of this lot with the historic resource significance of the Ocean Shore Railroad which is instrumental to the history of Pacifica and in close proximity to the Coastside Museum as well as the Little Brown Church really reinforces the historical fabric and character of the West Sharp Park neighborhood and would be consistent with the Sharp Park Specific Plan, LCLUP and General Plan with city efforts to retain and improve historic resources in Pacifica, and those are the reasons that staff recommends approval of this particular set of permits. He mentioned that he often refers to the fact that there are tradeoffs, and while not optimal, they think this is satisfactory and desirable in this instance.

Acting Chair Hauser asked if there was any legal issue with the Civic Center approval that the city went through, such as parking spaces. It was her understanding that staff analyzed this and it is a temporary permit and there isn't any impact to parking anticipated.

Asst. City Attorney Murphy stated she was correct as she was not aware of any legal issues.

Ms. Manning suggested they take into consideration that the architects that designed the Civic Center, were in favor of the railroad car being placed on the lot and they thought it was a great part of the Civic Center and in a visible place where it can be seen from Highway 1. They thought it would be a tourist attraction as well as a thing of beauty.

Planning Director Murdock stated that what the applicant was referring to was that during the Civic Center project process the conceptual plan that could include the rail car and was conceptualized to demonstrate whether that lot could potentially function and what a potential placement would look like. He acknowledged that it was likely some number of parking spaces would be reduced if a permanent installation was approved and constructed and that was a decision that Planning Commission would have to make as part of a future permitting process. He acknowledged that their assessment for the general temporary nature, whether six months or several extensions, is not likely to present a long term adverse parking impact through this set of permits, and the question would be open for future discussion and analysis of long term installation and the potential parking impacts.

Acting Chair Hauser appreciated the clarifications, adding that this may need more deliberation but she was personally comfortable with staff's recommendation. She asked if there was input from commissioners, and seeing none, she asked for a motion.

Commissioner Ferguson moved that the Planning Commission find the project is exempt from the California Environmental Quality Act, APPROVE Temporary Use Permit TUP-1-22 and CDP-445-22 by adopting the attached resolution, including conditions of approval in Exhibit A; and incorporate all maps and testimony into the record by reference; Commissioner Wright seconded the motion.

The motion carried **5-0**.

Ayes: Commissioners Ferguson, Godwin, Leal, Wright and  
Acting Chair Hauser

Noes: None

Planning Director Murdock stated that he didn't speak up sooner, but referring to Commissioner Wright's proposed amendment, he didn't hear that as part of the final motion.

Asst. City Attorney Murphy stated that they can modify the motion.

Commissioner Wright suggested that they modify the motion they just approved to include longer construction hours.

Acting Chair Hauser asked the maker of the motion if he accepts the modification.

Commissioner Ferguson responded affirmatively.

Acting Chair Hauser asked them to revote.

The motion carried **5-0**.

Ayes: Commissioners Ferguson, Godwin, Leal, Wright and  
Acting Chair Hauser

Noes: None

- 4. SP-175-21**                      **File No. 2021-019** – Construction of an approximately 3,475-square foot (sf) one-story single-family residence with a 1,320-sf attached garage on a 55,620-sf (1,277 acres) undeveloped lot known as Lot 4, Ohlone Point Subdivision (also known as Harmony at One subdivision (APN-022-150-490).  
Recommended CEQA Action: Adoption of an addendum to the “Harmony @ 1 Roberts Road Subdivision Final Environmental impact Report”, certified by the Planning Commission on October 15, 2007, and by the City Council on November 13, 2007.

Sr. Planner Cervantes presented the staff report.

Acting Chair Hauser wanted to go through the HPD calculations. They have talked about this so much in the past and she thought it would be worth discussing it now.

Sr. Planner Cervantes stated she needed time to pull up her staff report. She then stated that, as part of the project submittal, the applicant did provide the Hillside Preservation coverage calculation which did comply with the Municipal code requirements and found that they are allowed disturbance restructure of 27.5 % maximum of the site, and that calculation is based on the site area and scope of that site and they are meeting that maximum allowance of 27.5%.

Acting Chair Hauser opened the Public Hearing, and asked Planning Director Murdock if the applicant had 10 minutes for the presentation.

Planning Director Murdock stated they did and could reserve up to three minutes for rebuttal, which would reduce the presentation to seven minutes.

Acting Chair Hauser asked applicant how much time will be for presentation and for rebuttal.

Adam Libert, applicant, asked if they have to decide that now.

Acting Chair Hauser stated that they do because they will cap their time.

Mr. Libert stated that they will take time for rebuttal.

Acting Chair Hauser asked if they want the full three minutes.

Maryanna Saenko, applicant, stated they would take three minutes. She then opened their presentation with a brief personal story as they have lived in California for a number of years and this is the home where they intend to live their lives and never considered it home until they found Pacifica. She stated that this place caused them to set down roots as they surf, mountain bike, volunteer at the archery range and got married here, mostly because they loved this place and wanted to share it with their family. They are currently in a long term rental in Sharp Park and then found the Ohlone land and fell in love with the land, the construct of an eco-conscious project and appreciating the ancestral origins of the land and it was important for them to design a home that was environmentally friendly, low profile, in the hillsides and not be visible from the majority of the town.

Mr. Libert stated this is one of the main deviations and that is what they will focus on but they were happy to field questions on other things. He stated that the EIRs originally approved building pads and they are on top of the ridge line, expressing their confusion because they thought the goal was to preserve the ridge lines and not build on top of them, but they chose what they thought was the right thing, i.e., move the house forward off the ridge line and they can see the original EIR approved building pad which is the top of the ridge line in red. He stated that they moved the home down on the hillside to lower the home and nestle it into the hillside to avoid what is sky lining the ridge and they also lowered the home significantly into the ground and they are not redistributing that as fill as they want to minimize the disturbance on the land and they will be trucking that off as they see that as a way to reduce the visual impact of the home. He described various aspects of a Google map of the area which they prepared.

Ms. Saenko stated that, for reference, the blue is the approved Lot 3 home currently being constructed.

Mr. Libert continued to point out the visual impacts of the planned homes. He then referred to conditions of approval, specifically No. 27, which is to build the home per LEAD and strive for gold, and they have been planning that all along, and they are asking that to be included in the draft resolution No. 4. He stated that resolution No. 10 was added regarding the green point rating system and that was a surprise to them. He found the 2 resolutions having competing requirements and they would love to stick with the original condition of approval of LEAD which is clear.

Aaron Royston, Pacifica, stated that he was extremely supportive of this and they were lucky to have a conscientious and thoughtful couple building on new land, mentioning his thoughts on the owners goals and plan put in place.

Dinah Verby, Pacifica, stated that she asked Planning Director Murdock to provide them with documents from the EIR and they were on the city's website but not in the packet. She then shared information from the documents and her thoughts on the development.

Assoc. Planner Lin stated there were no call-ins.

Acting Chair Hauser gave them 30 seconds then invited the applicant back for rebuttal.

Ms. Saenko thanked and agreed with Ms. Verby's comments that they wanted to minimize their visibility on the ridge line and the map didn't appropriately delineate where the prominent ridgeline is.

Mr. Libert stated that mapping is one of his things and he pointed out some of the questionable aspects of the map, adding that they are trying to do the right thing for the intent of the original plan.

Ms. Saenko stated that their architect works for a world renowned firm for building eco-conscious subtle homes almost did not agree to take on this project, despite for his love for this land as he was concerned about where the building envelop was subscribed and said there was no way to make a subtle home on that lot envelope, and they agreed with him that all of us in Pacifica would be better off by having a home that doesn't stick out like a box on the ridge top.

Acting Chair Hauser closed the Public Hearing. She asked Planning Director Murdock if he would like to make some clarifications.

Planning Director Murdock stated he had some thoughts to offer for the Commission to consider. He referred to applicant's request about the green point rating system, there was no objection from staff if the Commission opted to strike condition No. 10. As the applicant requested, they have accurately relayed the fact that the original Harmony @ 1 approvals only talk about achieving points sufficient for LEAD certification and striving to achieve goals where possible. He referred to the green point rating system, stating that it was a practical addition from staff to reflect some of the prior approvals in the Harmony @ 1 subdivision, beginning with Lot 2 in 2015 as that project was appealed to Council and the outcome of the appeal was to include both, but the applicant at that time had proposed the green point rating system as an equivalent. He didn't think Council accepted that, but in any case, the outcome of the appeal of Lot 3, which was also appealed to Council, was to require both LEAD gold and green point rating hundred points. The applicant in that case agreed to that, and it was to achieve consistency but there is no basis in the original project approvals for the green point rating system and no objection from staff to eliminate condition No. 10 if the Commission sees fit. He has a number of points and dots to share with respect to the prominent ridgeline. He brought up the visual, and stated there were a number of considerations with respect to the prominent ridgeline, i.e., on its face, he agreed with the applicant's assessment that someone took a very crude citywide or neighborhood wide scale of prominent ridgeline drawing and plopped it on to a scaled subdivision map and said that was where the prominent ridgeline is, but he didn't think there was any evidence to support that as the actual prominent ridgeline and the applicant was articulate in explaining their evidence and staff concurs entirely with that assessment. As the professional planning practitioner and someone who has administered the prior General Plan for approaching nine years, he stated that the prominent ridgeline level of specificity in the 1980 General Plan which was used to identify the prominent ridgeline in the original Harmony approvals is meant to indicate that there is sensitive ridgeline resource in that vicinity and to take careful care when reviewing the project. He didn't know and can't substitute his judgement in 2023 for the judgement of the city in the 2007-2008 timeframe, but he thought today there is no way to conclude that the prominent ridgeline is where it was depicted in the tentative map in the EIR. He thought they should not base new decisions on that information that are old decisions and he thought the Commission should consider how much weight to put on the prominent ridgeline location where it was previously. He pointed out the Harmony @ 1 subdivision and the project site, and stated that it was difficult to see on that slide, but he stated on the next slide they can see the contours and, as the applicants demonstrated, in any plain language interpreting what a ridgeline is, i.e., the top of a topographical feature, the ridgeline is across the upper portions of the lots where Council approved them, and the approved building locations pursuant to the final EIR were flowing from the top of the lots down to the most prominent portions of the ridgelines. He stated that, to whatever Council considered where the prominent ridgeline was for visual impacts at that time, they approved the lots and the building locations of the lots in the most prominent portions of the ridgelines, closest to the top of the ridgeline with the greatest disruption of the natural ridgeline contours. He felt there was overwhelming evidence to conclude that the prominent ridgeline was not properly identified and the original locations were more impactful than alternative locations. He pointed to the addendum to the EIR, packet page 162, where the visual analyses were performed, and stated that, even if they take the public testimony about the prior draft and final EIR analyses at face value, they have done the supplemental analysis required by CEQA where there is a potential deviation from the prior analysis and as long as there is not a potentially new



significant impact, the CEQA addendum is appropriate and they have developed substantial evidence, including the visual stimulations on packet page 162, that even if those locations were appropriate locations, and he contends they are not based on substantial evidence, and that substantial evidence also supports the conclusion that the proposed project would be less impactful than the previously approved projects. He stated two key points on that are the significant topography at the top of the sites where the building locations were approved and the allowable height of up to 29 feet for the original project approvals, and they have visual simulations that show what a 29-foot building would look like in the original approved locations relative to the single story, less than 29-foot height proposed structure would be in the alternate location and he thought it was obvious that the proposed project is less visually impactful on the ridgeline location and the aesthetic condition of that area. He thanked the Commission for considering the thoughts and evidence that staff used to form its analysis and recommendations for the project.

Acting Chair Hauser thanked him for that information. She then had a question for the applicant, i.e., she would love a little more information on the eco-conscious ethos.

Ms. Saenko stated that she was an investor and her entire career is focused on investing in technologies that make the world a better place and further their capacity to live in a sustainable manner on this planet and is so core to them. She would let Mr. Libert speak to how he came to a similar mindset, but one of the reasons why they decided to build a new home in Pacifica knowing that they love it and it will be a non-trivial process was that they looked at existing properties and recognized that to live in a home to the standard of the ethos they care about, mentioning some of the specifics, it would be almost infeasible to do that on the majority of existing available properties and they saw this as an opportunity and what scared away many people from building on this land and what drove them to do it was that there was a requirement for the homes to be eco-conscious and they are deeply inspired by and driven to.

Mr. Libert stated that he was excited to have neighbors who believe in that as well. He stated that he is an engineer who works on climate and try to find sustainable clean energy pathways for the world, and one journey they took with this home was the name of the road it's on, Ohlone Drive, and they didn't know what it was or how to pronounce it, and then they realized it was from the native people and they were unsure about how to feel about it, but as they learned about it before they bought the land, they learned about it and fell in love with the opportunity to do something that was good, not just for the eco-friendly world, but more for the land, etc.

Ms. Saenko wanted to add that they spend their daily lives in the reality of climate change and the realities of that, and they are trying to build what they hope will be a multigenerational home in a coastal area and are excited about it.

Mr. Libert added that it is a single-story primary residence, and as an engineer, they have included all the different aspects of the project regarding heat pumps, rainwater collection, solar, etc.

Commissioner Wright stated he was very encouraged hearing all the considerations they have put into the project and he asked if he could hear more on their water capturing plans, such as considering future gray water, etc.

Ms. Saenko responded affirmatively, stating they will be following all California's rainwater standards such as designing the home for a 100-year storm, and she stated that Mr. Libert can talk to specifics.

Mr. Libert stated that they love rainwater collection, but explained that, based on the rain season in California, they would need to use much more land to collect all the rainwater needed for the entire dry season so they are looking at a middle ground to do their best effort and they are philosophically planning on a gray water system even though it is hard to do economically and environmentally.

Commissioner Wright asked if they were also planning on doing some ventilation underneath the slab to run the air through to cool them in the summer and warm them in the winter without having to use energy to do that.

Mr. Libert stated that they are working with the architect and LEAD firm to ensure that their home is above and beyond the Title 24 standards and what LEAD gold hopes to ensure and mentioned the different options, such as a key pump system, and hoped to be self-sustaining on the energy being used and will feel good on being like net zero.

Ms. Saenko added their plans to have natural circulation with the windows on both sides.

Mr. Libert stated that it will create good clean air through the house and will meet all the clean energy requirements.

Commissioner Ferguson commended them on an attractive, well thought out project and thought this was as good as he could imagine something being on this lot. He mentioned some of the situations with gray water but thought they may look at it differently. He has a bit of an issue comparing the bar against the maximum size that could have been on the lot, saying that the average Pacifica house is 1,300 square feet. He thought the intention of the environmental red tape was to make it prohibitively daunting so no one would ever build on it as he heard that from people who put that data in 30 years ago but, ultimately, he thought what the put is was thoughtful and creative and he commends their efforts on the project.

Acting Chair Hauser thought it looked fantastic and she commended them with going with a single-story as it was a big issue. She appreciated that they are putting in solar. She referred to condition of approval, stating that she has seen this a lot on projects in the Bay Area and typically it is LEAD or green point rating so she would offer the choice in condition of approval but she thought they might find that it is more cost efficient to do green point rating.

Mr. Libert stated that the original conditions of approval said LEAD and they have been working with LEAD raters, but he thought a lot of Californians are leaning toward the green point system and he thought there was good reason to consider that.

Commissioner Ferguson stated that it is a substantial cut as 1600 cubic yards is a 100 double standard truckload of dirt hauled off. He couldn't find a rendering of what the subsequent retaining walls might look like. He stated that the house seems to be set low, but he can't tell if the house is filling where the cut was.

Mr. Libert stated that there are no retaining walls other than the house itself and a little bit of one side of the driveway, and they were just sinking the house into that.

Commissioner Ferguson concluded that the rear wall of the house was their structural retaining wall.

Mr. Libert stated that they have chosen to spend a lot of money to try and sink the house into the hillside so it's not visible from the majority of the town. He thought moving that fill elsewhere on the site would be the economical thing to do and what everyone is recommending them to do. They are not trying to move a lot of dirt around and destroy the landscape.

Commissioner Ferguson stated if only there was a place for them to dump their dirt in Pacifica.

Mr. Libert stated he has been thinking about that.

Ms. Saenko mentioned the quarry project.

Acting Chair Hauser asked if they have a motion, and seeing no one, she stated she would make the motion.

Acting Chair Hauser moved that the Planning Commission ADOPT the Addendum to the Harmony @ 1 Roberts Road Subdivision Final EIR; and APPROVE Specific Plan SP-175-21 by adopting the resolution included as Attachment A to the staff report including conditions of approval in Exhibit A of the resolution with the amendment to the condition that they discussed regarding LEAD certification and not green point rating; Commissioner Godwin seconded the motion.

Commissioner Godwin added that it was a fantastic project.

The motion carried **5-0**.

Ayes: Commissioners Ferguson, Godwin, Leal, Wright and  
Acting Chair Hauser  
Noes: None

**COMMISSION COMMUNICATIONS:**

None.

**STAFF COMMUNICATIONS:**

Planning Director Murdock announced that the Planning Commission will participate in a joint study session with the City Council on Monday, January 23, at 5:30 p.m. to discuss the economic opportunities study that the consultant has prepared for the culmination of an effort by the city to evaluate the potential economic development opportunities across the city, particularly as they relate to land use development opportunities, which is the primary reason that the joint study session with the Planning Commission was so important to Council. He then welcomed Assoc. Planner James Lin to his first Planning Commission meeting. He joined the Planning Department team in December and they are thrilled to have him. He stated he will give him the opportunity to share his planning background and why the city was so interested in hiring him. He then added that it is with a heavy heart that he is announcing that this is Sr. Planner O'Connor's last Planning Commission meeting. He stated that she is leaving for another agency in a non-planning role with her last day in Pacifica on January 20. He thanked her, on behalf of the department and the city, for years of tremendous work and a meaningful impact in the Planning Department on important issues in the city, such as her role in leading the Local Coastal Land Use Plan which was a big process and they will be grateful for her help in getting that plan adopted as well as all the other things it took to get her job done in Pacifica. He thanked her.

Acting Chair Hauser stated that she will be missed. She then asked Assoc. Planner Lin if he wanted to speak.

Assoc. Planner Lin thanked her for the warm welcome. He stated he graduated from UCSB with a degree in environmental studies and then spent about three years working as a planning consultant and he was recently a municipal planner with the County of Madera. He is happy to have moved to Pacifica and starting his planning journey here. He was looking forward to working with them all.

Acting Chair Hauser 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 10:36 p.m.; Commissioner Wright seconded the motion.

The motion carried **5-0**.

Ayes: Commissioners Ferguson, Godwin, Leal, Wright and  
Acting Chair Hauser  
Noes: None

Respectfully submitted,

Planning Commission Minutes

January 17, 2023

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Barbara Medina

Public Meeting Stenographer

APPROVED:

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Planning Director Murdock