

MINUTES

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

May 21, 2012

7:00 p.m.

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

ROLL CALL: Present: Commissioners Brown, Langille, Campbell, Leon,
Evans and Chair Gordon
Absent: Commissioner Clifford

SALUTE TO FLAG: Led by Commissioner Brown

STAFF PRESENT: Planning Director White

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

The motion carried **6-0**.

Ayes: Commissioners Brown, Langille, Campbell, Leon,
Evans and Chair Gordon
Noes: None

**APPROVAL OF
MINUTES:
MAY 7, 2012** Commissioner Evans moved approval of the
minutes of May 7, 2012; Commissioner Langille
seconded the motion.

Commissioner Leon stated that he was abstaining because of being absent from the previous meeting.

The motion carried **4-0-2**.

Ayes: Commissioners Brown, Langille, Evans and Chair
Gordon
Noes: None
Abstain: Commissioners Campbell and Leon

Commissioner Campbell stated that he also was abstaining because he was absent from the previous meeting.

DESIGNATION OF LIAISON TO CITY COUNCIL MEETING OF MAY 29, 2012:

None.

CONSENT ITEMS:

None.

PUBLIC HEARINGS:

Discussion and possible approval of a Resolution requesting the City Council to initiate Municipal Code amendments in relation to development project approval extensions.

Planning Director White presented the staff report.

Chair Gordon asked what the step by step process was, assuming that we were at the very beginning of a lengthy public process.

Planning Director White stated that they were before the beginning. He stated that, if this resolution was adopted by the Planning Commission, it would be forwarded to the City Council to request that they consider it. Whether they do consider it immediately, and whether they agree or disagree, was hard to say until they deliberate on the issue.

Commissioner Leon stated that, from previous discussions, he understood that the City was not recovering its costs as a consequence of these projects not following through. He wanted the City Council to know that the question was asked as to whether we were in a better position to recover costs. He mentioned that there was language which gives the impression that they would change the approach.

Planning Director White clarified what was explained at the previous meeting, which was that currently they took the equivalent of one hour of staff time to process the extension. He stated that, in some cases, if it was simple and didn't require any research, it might actually work. However, he felt that, in most cases, there were enough staff members involved that they exceeded the hour. What they had suggested at the previous meeting and was mentioned in the resolution was to process the extension applications as they do other applications, which was based on time and materials used, which may be an hour or two hours, but would be fully recovered.

Commissioner Leon concluded that it will be tracked and billed.

Planning Director White responded affirmatively.

Commissioner Brown asked how they tracked time and materials.

Planning Director White stated that each project had its own recordkeeping component, and they coordinated that with the Finance Department. He explained that, typically, at the time of a project application they would make an estimate and, if they exceeded the amount, they would require the applicant to submit additional funds.

Commissioner Brown asked if the time was tracked with approvals in short increments or if, at the end of the day, someone said what time was spent.

Planning Director White didn't think there was a well-established convention, but in his own experience in other places, they typically track it in 15-minute increments plus the cost of copying materials, etc., and there was an established hourly blended rate.

Commissioner Evans understood that they weren't going into details, but he would like them to look into the administrative approval end of things for the first go-around.

Planning Director White understood and agreed, adding that he thought about how detailed he wanted to go into things. He tried to capture some specific things mentioned but he thought there would be all sorts of details not anticipated, and if they felt there were revisions necessary, he would try to incorporate them into the resolution. He tried to capture the essence of their conversation and this was what he came up with.

Commissioner Evans understood his thinking, but he didn't want to lose the opportunity to discuss that and put it into the resolution, but he wanted to bring it out for the record.

Chair Gordon opened the Public Hearing.

Planning Director White stated that he had an email from Gil Anda that he was passing on to the Commission, adding that Mr. Anda was present and would probably be speaking also.

Gil Anda, 1227 Redwood, stated that one of the main concerns for the city was to recoup their costs. His concern regarding putting a limit on the number of extensions was that we go through recessions and he felt it was in the best interest of a developer to be able to economically see their projects through and also in the best interest of the city because property tax was where the city gets most of its revenue and we do need to think about that.

Chair Gordon closed the Public Hearing.

Commissioner Leon was in favor of passing the resolution and moving it forward to the City Council for their consideration and approval.

Commissioner Evans was also in favor of the resolution without detail just to get it to the City Council. He agreed with the speaker that they don't want to handcuff potential development of homes, etc. He felt we need to look at the economic times. He hoped it would get better, but they wanted to put limits on it without hindering future developers. He hoped they could look at it and come up with a viable answer for everyone concerned, but he was in favor of something and this was a start.

Chair Gordon was also conscious of the speaker's point regarding time to ride out tough times. He explained that Pacifica was a city that had no limits on the number of extensions which was odd to the Commissioners with the same projects coming up over and over and the Commission had asked the Planning Director to check on how neighboring communities approached this. They found out that Pacifica was the only city that had no limit on the number of extensions once the project was approved. He understood the tough times, but he felt this was the issue that all cities faced. He felt they needed to provide the builder with a process for extension requests but at the same time have a limit in place to provide an incentive to get the project done. He felt that was good business management to provide an incentive which resulted in the project getting built and it also results in tax bases expanded. He was in favor of the resolution, and he felt the Director did a great job of drafting a simple and concise resolution. He would be voting in favor of it.

Commissioner Langille agreed that the Director did a great job and she appreciated his work. She was in favor of the resolution and didn't think it needed changes. She felt the language of requirement for the developers to demonstrate progress in obtaining building permits gave them the chance to report on the areas of progress but stress that they weren't able to get a loan. She felt that would be progress, and those trying to work on getting a loan would be given consideration.

Commissioner Campbell thought the main thing real estate developers want was certainty. He pointed out that certainty was the biggest requirement for the clients he worked with when he was working with real estate developers. He felt this proposed resolution provided that certainty with ground rules for everyone to look at. He referred to the email from Mr. Anda, and felt he brought up a good point about flexibility when referencing a development on Fassler in the early 1980s, when there was double digit inflation and high mortgage rates and the Council denied the extension of the permit even though there was no limit on extensions. He thought it probably caught the developer unaware and spoke to the need for having this type of resolution in place so everyone knows the ground rules going forward.

Commissioner Brown appreciated the work by the Director, which captured the spirit of their conversation and would get the ball rolling. He agreed with his fellow commissioners that this provided clarity and consistency with neighboring jurisdictions and in no way prevented development. He respected the public feedback, but this was not turning down projects but putting boundaries on how long a project can go without further review along with no economic disadvantage to the city.

Chair Gordon didn't see that there was a draft motion.

Planning Director White didn't have one but felt he could come up with one which would be a motion to approve the resolution. He didn't hear any suggestions for amendments so it wouldn't have to say "as amended," however, he was open to revisions.

Commissioner Brown moved that the Planning Commission **APPROVE** the draft resolution of the Planning Commission of the City of Pacifica requesting that the City Council initiate amendments to the municipal code regarding limiting the number and duration of development project approval extensions; Commissioner Evans seconded the motion.

The motion carried **6-0**.

Ayes: Commissioners Brown, Langille, Campbell, Leon,
Evans and Chair Gordon

Noes: None

Chair Gordon 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.

COMMISSION COMMUNICATIONS:

Commissioner Leon commented on the Amgen California Bike Race. While it has come through Pacifica previously, he mentioned that Pacifica was bypassed the previous year. He stated that he saw numerous groups of bicyclers in all stages of training and families and he thought it was great to see so many groups all over town. He mentioned that a lot of people use our parking lots as staging areas and stops as they go south. He mentioned that one of the top ten bike routes was from San Francisco to Santa Cruz, adding that anyone taking that route has to come through Pacifica. He felt we should realize what a resource that was to build on. He didn't think it was within the purview of the Commission, but it was one more piece to Pacifica's future with outdoor recreation, considering the stature of a race like that with the amount of publicity it gets.

STAFF COMMUNICATIONS:

None.

ORAL COMMUNICATIONS:

None.

ADJOURNMENT:

There being no further business for discussion, Commissioner Langille moved to adjourn the meeting at 7:25 p.m.; Commissioner Evans seconded the motion.

The motion carried 7-0.

Ayes: Commissioners Brown, Langille, Campbell, Leon,
Evans and Chair Gordon
Noes: None

Respectfully submitted,

Barbara Medina
Public Meeting Stenographer

APPROVED:

Planning Director White