

**MINUTES**

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

September 19, 2011

7:00 p.m.

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

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

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

**STAFF PRESENT:** Planning Director White  
Planning Intern Bartoli

**APPROVAL OF ORDER OF AGENDA** Commissioner Leon moved approval of the Order of Agenda, with one change, i.e., moving Oral Communications following Public Hearing and before Commission Communications; Commissioner Clifford seconded the motion, following his clarification of the change.

The motion carried **6-0**.

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

**APPROVAL OF MINUTES: SEPTEMBER 6, 2011**

Commissioner Evans moved approval of the minutes of September 6, 2011; Commissioner Leon seconded the motion.

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

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

**DESIGNATION OF LIAISON TO CITY COUNCIL MEETING OF SEPTEMBER 26, 2011:**

Planning Director White stated that the Council would be reviewing the Alternatives Report that was before the Planning Commission at a previous meeting, and he thought it would be in the best interest of the Commission to have one or more representatives at that meeting.

Acting Chair Gordon asked for volunteers, with Commissioners Leon, Evans and Clifford volunteering.

Commissioner Leon understood from the Planning Director that, because of the vast amount of input at the meeting, it would be desirable to have as many Commissioners as possible in attendance.

Planning Director White stated that, while he didn't recall saying that, he thought because of the long detailed meeting with many specific recommendations made, he agreed that the more the merrier.

Commissioner Leon stated that he planned on attending, and he hoped that would not preclude anyone else from attending, adding that they had 44 pages of minutes pertaining to that item. He thought it was posted on the website.

Planning Director White confirmed that it was posted on the website.

Commissioner Clifford pointed out that there were three of them who agreed to attend, and he thought with one more attending, they would wind up with a quorum and maybe four was too many. He stressed that they needed to be aware of that because they were not having a Commission meeting but merely representing the Commission.

Acting Chair Gordon acknowledged the point made, and asked if they should cap it at three members.

Planning Director White thought three was sufficient, and he would communicate with the Chair in the interim if he had a desire to go.

Commissioner Evans added that he was usually in attendance anyway, and he was interested in it.

**CONSENT ITEMS:**

None.

**PUBLIC HEARINGS:**

**CDP-332-11**                    **COASTAL DEVELOPMENT PERMIT filed by the applicants/ owners, Jeremy and Jennifer Hoover, to extend the attached garage, construct an addition to an existing second story and remove a detached garage, at an existing two-story single family residence at 223 Kent Road (APN 023-031-120). Recommended CEQA status: Exempt.**

Planning Director White introduced Planning Intern, Rob Bartoli, who has been with the city for nine months and has expressed an interest in working on projects and bringing something to the Planning Commission. They identified this project, and he has taken it from the beginning to the present with help from staff.

Planning Intern Bartoli presented the staff report.

Jeremy Hoover, applicant, gave a brief introduction, mentioning their desire to have an oceanfront home. He stated that they enjoyed living here. He then introduced his architect who would speak on the project. Prior to Mr. Ridgeway speaking, Mr. Hoover stated that he had one more letter of support from their immediate next door neighbor, and presented it to the Planning Director.

Chris Ridgeway, architect, stated that he was based in Half Moon Bay and appreciated the opportunity to present the project. He explained that there were basic deficiencies in the home, such as no interior staircase connecting the first and second floors. There was also not enough square footage and they wanted to improve the house at the same time. He suggested that the commissioners look at the picture of the existing house which had additions made in a haphazard way and he and the applicant felt this was an opportunity to improve the appearance of the house. He stated that it was challenging, referring to some of the changes proposed, such as the tower and the balcony beside it, etc. He referred to the changes planned with the present garage, concluding that they felt that they have planned a project that would contribute to Pedro Point.

Acting Chair Gordon opened the Public Hearing.

Bob DeLouche, Pacifica, stated that he lived two doors up from the project. He stated that most know him from projects he has done in town, and he was speaking in favor of the project. He felt the architect has done a terrific job with a very difficult lot. He felt it would be a great asset to the neighborhood and he hoped the project would be approved at this time.

Acting Chair Gordon closed the Public Hearing.

Commissioner Leon complimented the applicant for the diligence in the application and submitting a thorough geological investigation which adds greatly to the body of knowledge for the coastal area. It helped him understand the stability of his lot as well as the contributing factors around the project. He was in favor of the application and was prepared to make a motion, but would wait until further comments.

Commissioner Clifford also liked the project, especially taking non-compliant situations and either reducing the impact or making them completely go away. He loved the look of the

proposed project. He was also happy with the large body of geological information which helps for the future. He would be in favor of the project.

Commissioner Evans stated that he was in favor of it, adding that he was pleased to have someone come before them to ask to go to conformity instead of non-conformity. He added that he didn't know how they lived in that house as it was. He felt the plan was great, and he thought it would improve the look of the house and the neighborhood. He had visited the property and he thought it would be nice to get rid of the front garage area. He reiterated that he was in favor of it, with it being a great improvement in making it conforming.

Commissioner Brown agreed with all the statements by the commissioners. He pointed out that, for every question he had, there was an answer in the paperwork. They put together a great package, with the plans and the letters, and it made the decision quite easy.

Commissioner Langille agreed with everyone, adding that it was a great design and improvement to the neighborhood and she was definitely in favor of it.

Acting Chair Gordon stated that there was "a lot of ambivalence" on the Commission and he thought it might be a tight vote. He then seriously added that he fully concurred with everyone that it was a great project and he was excited for the applicants.

Commissioner Clifford moved that the Planning Commission find the project exempt from CEQA and **APPROVE** Coastal Development Permit, CDP-332-11, subject to conditions 1 through 17 and **ADOPT** findings contained in the September 19, 2011 staff report, and incorporate all maps and testimony into the record by reference; Commissioner Leon seconded the motion.

The motion carried **6-0**.

Ayes: Commissioners Brown, Clifford, Langille, Leon, Evans  
and Acting Chair Gordon

Noes: None

Acting 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.

**ORAL COMMUNICATIONS:**

Todd Bray, Pacifica, stated he was addressing whether or not Pacifica has jurisdiction over the Highway 1 widening project. He stated that, in the EIR, it states that part of the project was within Pacifica's right-of-way and conforms to Pacifica's local coastal program, but there was no indication whether it would come before the Commission for a determination. He mentioned a previous letter from the Coastal Commission to Caltrans and Pacifica which indicated that a Coastal Development permit would have to be issued for Caltrans and Pacifica but it was not reflected in the EIR. He was asking the Planning Commission to look into this since their job was to advise the City Council and determine where Pacifica has jurisdiction over the project.

Hal Bohner, Pacifica, stated he was also speaking on the same subject, the draft EIR for the Calera Parkway project. He assumed they knew it was out for public review, adding that the deadline for public comments was October 7. He was asking that the Planning Commission request that the deadline be extended and that the Commission review the draft EIR from Caltrans and comment on it. He felt Pacifica should provide Commission comments, staff comments, etc., on the draft EIR, stating that there were many reasons for this but the main one was that this project will be one of the most significant to affect Pacifica in many years. He felt that to have it taken completely out of our hands by Caltrans was absurd and wrong. He felt it needed to be vetted by Pacifica and the Commission and they should at least get involved in the DEIR and the coastal permitting. There were implications regarding Pacifica's involvement but he felt it wasn't spelled out. He felt the Commission needed to tell the Council that they need to be involved, review the document and make comments on behalf of Pacifica. He then read selections from the DEIR, where Caltrans was making assertions on behalf of Pacifica. He felt that Pacifica, as a responsible agency, had a legal obligation to review the DEIR and a moral obligation to the residents of Pacifica to take on this project.

Bill Collins, Pacifica, thanked the Commission for serving. He then mentioned that he had spoken to several business owners on Highway 1 in the area of the proposed construction to see what they knew about the project. He stated that he showed them the official mailer that they were to have received from the TA, Pacifica and Caltrans, and all said they didn't get it and he felt they were all clueless about the project except for one that had done research on it. He felt the vetting was not thorough. He stated that, after reading the DEIR, the document made statements that were not true, giving examples, such as conclusions on potential bus service, etc. He pointed out that, at the scoping hearing, the public made constructive alternatives and the DEIR summarily dismissed them all. He felt the widening was the most destructive option which would not provide any traffic relief for years and was temporary because TA staff admits that someday six lanes will not be enough and they will be back for more. He asked if that was the kind of Pacifica we want. He then mentioned that the project will have piledrivers pounding the earth for years of construction and they will not put up sound barriers. He felt the losers on this project were the people living anywhere near the project even after it was completed. He urged the City to weigh in on this.

Dinah Verby, Pacifica, stated she was also present to speak on the highway widening project. She just started to read the report but she fully agreed that there was a traffic problem that needs to be addressed. She agreed with the other speakers' concerns because she didn't know how the process was developed to the point where it seems that there will be no official hearing with the Commission or City Council. She was concerned that a project which affects her neighborhood and the entire center of town would be approved by Caltrans without Pacifica weighing in. She

wasn't sure about the appropriate process but she wanted the Commissioners to be aware that there was an issue concerning the process. She thought it would be good if they can get involved and have this on their agenda sooner rather than later. She felt, at a minimum, the public comment period for the draft EIR was going to expire by October 7, and she didn't think it was sufficient time to understand what the project is. She stated that, in the notice that announced that the public comment period had opened, it indicated that Caltrans was the lead agency but that the county TA and Pacifica were co-sponsors. She felt that implied that the City was sponsoring the project and the draft EIR but she was not aware that the City had ever acted to do that, and she was asking staff at what point and when did the City sponsor this particular project and the EIR. She felt these were important questions that need to be answered for such a huge project. She was not saying that the highway should not be widened, but that the process needs to be opened up and understood by the public.

#### **COMMISSION COMMUNICATIONS:**

Commissioner Leon followed up on one comment, asking staff to clarify when the City became co-sponsor and how it took place, such as a public meeting or delegation of authority. He stated that he had a meeting with Councilmember Digre and she indicated to him that it was her desire to have this item put on the agenda by the Planning Commission. He referred to the handout provided to them by Mr. Bray, and pointed out that the standard for review for the entire project was the Coastal Act. He then went to Pacifica's coastal land use plan which was adopted, and he stated that it incorporates the Coastal Act into the City's plan. He concluded that there was a correlation to them exploring the standard of review for the project. He stated that there were 33 elements of the Coastal Act, mentioning several of them such as sensitive habitat areas. He was interested in looking at any actions that would significantly degrade any such areas. He also referred to the Pacific Plan adopted by the City, stating that it referred to future public improvements such as modifications to Highway 1. He stated that, after listening to other commissioners, he would like to make a motion to put this item on the agenda and hopefully their comments would add value and information to this process. He mentioned that their agendas have been quite light of late and they have plenty of opportunity to study and discuss these issues.

Commissioner Langille stated that, after listening to the comments and talking to different people, she was aware that the deadline was coming up for public comments. She had concluded that people were very under-informed about this project in Pacifica and she agreed that it was going to be the biggest project to impact this City in many years, especially the Rockaway Beach area. She stated that there was no photo simulation in the draft EIR of what it would look like, adding that they were going to take out businesses. She felt that a lot of Pacificans do not know what is going to happen with this project. She realized that Caltrans was the lead agency but she was not sure what a co-sponsor's position entailed and she felt Pacifica should provide more information to the public. She stated that the City website had no information about the Caltrans meeting on Thursday, adding that she didn't know how many even knew there was a Caltrans meeting this Thursday. The City appeared not to be part of the project, and she felt we should be taking a more active role in letting people know that this is going to be a huge impact to both sides of Highway 1. She talked to a business owner today who didn't know it would extend as far as the Sea Bowl, and she could not tell from looking at the EIR if it will impact that business. She felt extending the public comment period was a good first step, then letting the City Council know that this was an issue because such a huge project has not been fully vetted by the public in Pacifica.

Commissioner Evans stated that he was also in favor of getting the deadline extended. He stated that they have meeting after meeting for other things in town which may or may not affect everyone, but this was going to affect everyone. He felt it was important enough to have some City meetings to get input from people. He was tired of other cities and agencies taking control of our land and Pacifica not having anything to say about it. He would like to see a lot more input on this subject. He acknowledged that Caltrans was big, but we live here and they don't.

Commissioner Clifford asked staff, since this was a non-agenda item, how many commissioners can speak to it before they get in trouble with the Brown Act.

Planning Director White thought they were in danger already.

Commissioner Clifford stated that they haven't had a quorum speak yet.

Planning Director White understood but stated that the general rule was, if it was something that was not on the agenda, there should not be any extensive discussion of that item until it was agendaized which was the basic rule. He didn't know how far beyond that they could go and still be in compliance with the Brown Act, and it probably needed to be tested through other means. He felt, to be safe, it was probably best if a quorum did not talk about it. He stated that, if there was interest in getting more information as suggested by Commissioner Leon and talking about some future agenda item, that was fair but that was what it has to be limited to at this point.

Commissioner Clifford requested that this be a future agenda item to discuss it.

Planning Director White didn't know if anyone wanted to weigh in on this before he talked further, but Commissioner Leon had given him a heads up on this and he saw the letter from Mr. Bray. He clarified that the letter established two different possibilities; one, where it was a consolidated permit and the Coastal Commission has jurisdiction and the other, where it was a split jurisdiction. He looked at the calendar and they had meetings on October 3 and October 17. He wasn't sure what they had in mind in terms of an agenda item, but if it was to have a hearing on the draft EIR, that would be a formal hearing item which would require ten days' notice and could not be accomplished by the 3<sup>rd</sup>. The soonest they could do that would be the 17<sup>th</sup>. If it was a discussion item to get information from staff, something on the 3<sup>rd</sup> would be appropriate. He suggested that they may be able to do both of them. He left it up to the Commission. He stated that the problem he was facing was that the department that was responsible for this particular project was not the Planning Department but Public Works engineering division. He did not know what their plans were. They may have conversations about consolidated permits and other schedules and hearings that he knows nothing about, therefore, he didn't want to speak out of turn without consulting with them and perhaps the City Attorney in terms of what the process should be. He was happy to do that and report back to them, or do whatever they direct him to do.

Acting Chair Gordon thought the October 7 deadline was looming and could possibly constrain the content or nature of the discussion.

Planning Director White stated that it gets back to what the permit process is. He stated that, if it was a city project, such as the assisted living facility, CEQA does not require them to have a hearing within the comment period, adding that we had a hearing on that project after the comment period was closed. He stated that was still possible, and the fact that the public comment period ends didn't preclude a hearing from taking place. He stated that the question

was what the process was and he could not answer that question because he was not the city's lead department in dealing with this.

Acting Chair Gordon asked what process he was referring to.

Planning Director White stated that he was referring to the Calera Parkway project. He stated that they were now dealing with the environmental document, but there was a project as well. He questioned whether it was intended to go through the consolidated permit process in which case the Coastal Commission would essentially process the permit, or was it going to be some other process as indicated in the letter. He stated that he didn't have the answer to that.

Commissioner Brown wondered if they could have this on the agenda twice. He understood the time constraints for the 3<sup>rd</sup>, but asked if it would be possible to have the Department of Public Works come and talk to them about the status of the plan, effectiveness of the outreach communication and the next steps which could be done on the 3<sup>rd</sup> and then on the 17<sup>th</sup> expand this to a full agenda item with appropriate advance notice.

Planning Director White stated that all he could commit to now was to inquire since he didn't know what their answer would be.

Commissioner Leon stated that, after listening to the commissioners and Planning Director, there were some unknowns. He thought the operative goal was to get on with understanding the impacts, effects and the process of the proposal itself which seemed puzzling at this late hour that they would be grasping for process so close to the end of the comment. He saw value and necessity in extending the deadline. He felt that, with the vast amount of information and the late date at which they were volunteering to participate versus being part of a participative process by the City, it seemed reasonable to extend the comment period or communicate our desire for the comment period to be extended. He felt it best to happen at the first opportunity which would be on the 3<sup>rd</sup>. He asked for confirmation that engineering was the lead agency.

Planning Director White clarified that it was the Public Works/Engineering Department.

Commissioner Leon thought it was necessary that they be present to account for any questions that come up which would be beneficial to have on the 3<sup>rd</sup>. He saw two separate actions taking place. One, the extension of the public comment, and then a recommendation after discussion of the facts and comments they receive. He asked for confirmation that there was a constraint with notification.

Planning Director White confirmed that it was with the required ten-day notice for the 3<sup>rd</sup>.

Commissioner Leon stated that they could have a discussion on the 3<sup>rd</sup>.

Planning Director White agreed that a discussion was appropriate as long as it was limited to something that did not require any action.

Commissioner Leon asked if they could have a discussion and then a recommendation on the extension.



Planning Director White clarified that he would have to inquire about the mechanics of getting an extension. He stated that, typically, the lead agency can grant an extension, and in this case the lead agency was Caltrans.

Commissioner Leon stated that the point he was trying to make was, if it was the desire of the Planning Commission for an extension, then that was what their desire was.

Planning Director White agreed that they could make that desire known, short of taking action on an item that has not been noticed. He felt the best he could do would be to get them to agree on what general item they want to have on the 3<sup>rd</sup> with flexibility of the wording, then, reestablish their desire to have an additional item on the 17<sup>th</sup>.

Acting Chair Gordon requested that Mr. Bray sit down and let them work this out.

Planning Director White suggested they take this in two parts. In the meantime, he will hopefully have more information that can inform them of whatever happens next.

Acting Chair Gordon asked if one question was to ask exactly what the role of the City Council was in terms of jurisdiction and approval.

Planning Director White thought it was to best understand what the intended role of the City was in the process and leave it as general as that. In terms of the item itself for the 3<sup>rd</sup>, it could be as general as a general discussion of the Calera Parkway project, thereby not tying themselves down to having a hearing on the EIR, which we could not be done because there wasn't enough time for noticing it.

Acting Chair Gordon thought, without being comfortable with the jurisdictional hook, it was hard to get too specific about what they would be recommending. He agreed that the language needed to be general. He was in favor of having a discussion about extending the deadline for the comment period and how they do that which needs to be folded into the meetings that they were about to be discussing.

Commissioner Leon stated that he understood that Commissioner Clifford made a motion earlier or was it an intent to make a motion.

Commissioner Clifford stated that he made no motion and he suggested that Commission Leon make it if he wanted to make one. He questioned if they could make a motion at this time.

Planning Director White stated that they can make a motion to put an item on the agenda which would be appropriate and that was what he would ask them to do for the 3<sup>rd</sup>, even if it was for discussion purposes. He just reminded them that it would be limited because they would not have the ability to do any sort of legal notice which was required under the government code. He stated that it would be a discussion and, hopefully, information back from staff, although it may not be this staff, but some City staff as to how the process was supposed to unfold.

Commissioner Clifford clarified that he had stated he was in favor of it becoming a discussion item.

Commissioner Brown stated that he would like the discussion on the 3<sup>rd</sup> and would like to have them come up with a motion for a simple discussion on the agenda. He proposed that it be a process discussion covering an overview of the communications to date regarding this matter to homeowners, etc., some discussion around the role of the City in this process such as co-sponsor, etc., and discussion of the plan going forward, such as the significant milestones, etc., something simple and broad, aimed at a discussion and more informational. He would appreciate the Public Works being part of the discussion in order to hear straight from them. He was aware that Planning staff did a fantastic job of pulling things together, so he wouldn't be too disappointed if Public Works couldn't make it.

Commissioner Langille preferred to have Public Works present. She asked if there was any way for the Planning Commission to make a motion or just inform them that the majority of the Commissioners were requesting an extension of the time so the information can be forwarded to City Council.

Planning Director White didn't think they needed to make that motion. He felt he could articulate that desire and they could reinforce it later if necessary. He could pass that on in the process of inquiring about the other items.

Commissioner Brown asked what the extension did for the process, stating that it was a public commentary period. He stated that they have seen things and commented on them after the public commentary period was over. He asked if that gave them leverage or what it did accomplish by making that request.

Planning Director White explained that, technically, the only comments that they are legally required to respond to were the ones received during the public comment period or through public hearings. If they extend the public comment period, they will conceivably get more public comments.

Commissioner Brown asked clarification that it didn't limit the commissioners' ability to comment on the project at any point in time.

Planning Director White clarified that it was assuming that they had a role in the process in the first place.

Commissioner Clifford stated that he would like to have Public Works present to get it from the "horse's mouth." If they are the staff handling it for the City, he would like to hear what they were doing.

Planning Director White agreed that it would be his preference also.

Acting Chair Gordon responded to Commissioner Brown's question, explaining that he saw a value in extending the public comment period. If we have a discussion oriented agenda item coming up and, based on that meeting, members of the public have a response and generate some discussion and interest, it would be good if they were able to have a place where they could make their comments and have some impact. He stated that, if the deadline was extended, their agenda item will still give the public an opportunity to respond.

Commissioner Langille asked if they were talking about the public comment period under CEQA.

Commissioner Brown responded affirmatively.

Commissioner Langille commented that the draft EIR was out for public comment and, when that closes, the lead agency, Caltrans, has the obligation to respond to all the draft comments as required under CEQA in writing and that becomes the final EIR. Once that public comment period closes, they do not have an obligation to respond to comments anymore, so she thought it was a separate thing for them. She felt that extending the public comment period would address the public perception that there has been a lack of information given.

Commissioner Leon added his comments as a Planning Commissioner regarding public comments. He referred to Commissioner Langille's comment regarding the obligation to respond to comments received during the comment period, and stated that he has seen such comments lead to supplemental reports, addendums and greatly expand the information being requested that was pertinent to the project. He stated that he would make a motion, and asked if it should be more than one motion, i.e., one for the discussion on the 3<sup>rd</sup>, one for the extension of the comment period.

Planning Director White stated that he could do them as one or separate, as he chooses.

Commissioner Leon stated that he would make two motions to be clear, and added that he was open to amending the motion. He liked the simplicity of Commissioner Brown's suggestion of an overview of notices, inviting engineering and the role of the co-sponsor and the City in what was planned and any delegations of approval that have taken place to this point regarding the proposal and the broad discussion of the plan on the 3<sup>rd</sup>.

Commissioner Leon moved as stated above.

Acting Chair Gordon asked for clarification of the jurisdiction, wanting to know what power the City has in the project. He thought it would be helpful to know that. He asked if he was talking about the draft EIR.

Commissioner Leon stated that he was referring to the discussion of the draft EIR as the proposal or plan. He was glad he raised the question to be clear that there would be a discussion of the draft EIR.

Planning Director White stated that they cannot do public comment or required public notice before the 3<sup>rd</sup>, and they cannot hold a hearing on the draft EIR itself without that public notice. They can have a general discussion to obtain information from staff but there was not enough time to do the public notice to have the discussion of the draft EIR on the 3<sup>rd</sup>. The soonest would be the 17<sup>th</sup>.

Commissioner Leon asked for confirmation that they could not have a discussion on any of the direct relevancy to the local coastal plan.

Planning Director White reiterated that they could not have a discussion of the draft EIR and its relevancy without the public notice.

Commissioner Brown clarified that his third point of the discussion of the plan was more the communications and the process going forward. He agreed that they needed to have a discussion

of the EIR and its merits, but he understood that they could not have that on the 3<sup>rd</sup> and he wanted to have a process focused discussion on the 3<sup>rd</sup>. He clarified that his question on the comment period was not about what was the value of the comments but what was the value of the extension. He felt, if they were going to extend it, he would like to see some effort to generate more comments that would be responded to in a format that would lead to a response. He thought it sounded as though the comments had to be delivered in a certain way to CEQA for them to count. He was not for a delay for delay's sake. If they ask for a delay, they should step up and encourage people to weigh in appropriately and have a communication plan to drive that behavior.

Commissioner Leon appreciated what he heard, clarifying that the second part of his comments cannot take place on the 3<sup>rd</sup>. He stated that they would have a process of roles and ask for the updates as far as what the City has agreed to do or delegated others to do for them and an overview of the noticing and the availability for questions on the matters by the Engineering Department. He asked if that covered everything for the 3<sup>rd</sup>, concluding that was the first motion for the third. He asked for a second.

Commissioner Clifford seconded the motion.

The motion carried **6-0**.

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

Commissioner Leon stated he would make a motion to notice for the soonest available date that they can legally notice to discuss the DEIR and its applicability to Pacifica's concerns and asked the Planning Director when the earliest date would be.

Planning Director White stated that the earliest would be October 17.

Commissioner Leon moved that they schedule an agenda item for discussion of the DEIR to October 17.

Acting Chair Gordon stated that it was an odd situation because the comments were scheduled to close on the 7<sup>th</sup> and the earliest date they can schedule a meeting to discuss this document was after the deadline. He thought it was as if they were trying to schedule a hearing on the assumption that there will be an extension.

Planning Director White stated that there were several assumptions; one was that there will be an extension, and the second was that the Planning Commission has a role in the process.

Acting Chair Gordon thought those were important assumptions, and he thought, as they receive more information, that might influence what happens with that meeting.

Commissioner Brown thought it was easier to take something off the agenda than it was to add it, and he suggested that they go with the motion as proposed.

Commissioner Leon stated that he would go with that motion and he would have a third motion.

Commissioner Langille seconded the motion.

The motion carried **6-0**.

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

Commissioner Leon stated that the third motion would clarify the second motion. He thought, if they proceed with the second motion on October 17, and they have a public comment period because they are always welcome to comment at noticed meetings. He was trying to get a reasonable date for the extension of the comment period based on their preparedness and ability to address those items on October 17 as well as the public, and have a reasonable time to submit the comments after that meeting, which would possibly include the minutes as well as a reference for review. He thought he was looking at an extension 30 days after the October 17, so some period in November.

Acting Chair Gordon assumed he meant 30 days after the meeting.

Commissioner Leon responded affirmatively, specifically November 17.

Commissioner Leon moved that the Planning Commission ask for the extension on the comment period based on the timeline established for their noticed meeting including the anticipated time necessary to prepare and submit the comments to the appropriate address, so the motion was to extend on that basis to November 17; Commissioner Langille seconded the motion.

The motion carried **6-0**.

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

Commissioner Evans thanked staff. He stated that he has been a customer of the Planning Department for the past week or so, and he has gotten excellent help, support and information.

Planning Director White was glad he had a good experience.

Commissioner Clifford thanked Barbara Medina for all the work she put in on the minutes for the long meeting. He was not present at the last meeting and wasn't able to thank her then, but he was thanking her now for all that hard work. He stated that it was an excellent report.

Acting Chair Gordon also thanked Barbara.

**STAFF COMMUNICATIONS:**

None.

**ADJOURNMENT:**

There being no further business for discussion, Commissioner Clifford moved to adjourn the meeting at 8:10 p.m.; Commissioner Langille seconded the motion.

The motion carried **6-0**.

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

Respectfully submitted,

Barbara Medina  
Public Meeting Stenographer

APPROVED:

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Planning Director White