

CALIFORNIA COASTAL COMMISSION

NORTH CENTRAL COAST DISTRICT
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F7a

A-2-PAC-22-0029 (Pacifica Safe Parking Program – Bradford Way) August 12, 2022

EXHIBITS

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**LOCATION MAP – PACIFICA SAFE PARKING PROGRAM – BRADFORD WAY
CITY OF PACIFICA, SAN MATEO COUNTY**



**SITE PHOTOS- PACIFICA SAFE PARKING PROGRAM – BRADFORD WAY
CITY OF PACIFICA, SAN MATEO COUNTY**



OSV Permit Parking Spot Implementation - Bradford Way

Summary

This is to get City road spots agreed upon by City Council ready for OSV parking. The elements are signage and pavement markings.

1. **Sign & Poles** – 2 signs (generally) denoting where the OSV spots are will be placed at each location, except otherwise said. One where the spot(s) begin and end.
2. **Pavement marking** – traffic paint will used to denote the pavement begin, end and width of the OSV spot(s). Where multiple spots exist in one area, there will not be denotation of each individual spot but just beginning and end and width limit.

Signs & Poles

Signs will be placed adjacent the OSV space(s). Poles to be 2" galvanized steel pipe, hardware to be tamper proof. New pole installation will be account of any possible ADA issues and place poles behind sidewalk when ROW exists.

Sample sign shown below. Pole and sign installation, per site plan layouts attached.



Pavement Marking

A 4" white pavement marking will be used to outline the three non-curb sides of the designated OSV space, as shown in the site layouts in yellow.

Bradford Way

- 2 sign and pole installations
- 4" white stripe- offset from edge of pavement 10' and front and back of zone. Will be field marked. Approx. 60' in length.





Scenic Pacifica
Incorporated Nov. 22, 1957

CITY OF PACIFICA
Planning, Building, and Code Enforcement
540 Crespi Drive • Pacifica, California 94044-3422
(650) 738-7341 • www.cityofpacifica.org

MAYOR
Mary Bier

MAYOR PRO TEM
Tygarjas Bigstyk

COUNCIL
Mike O'Neill
Sue Vaterlaus
Sue Beckmeyer

NOTICE OF FINAL LOCAL ACTION

California Coastal Commission
Attn: Julia Koppman Norton, District Supervisor
455 Market Street, Suite 228
San Francisco, CA 94105

June 8, 2022

VIA CERTIFIED MAIL

RE: Coastal Development Permit CDP-439-22 (File No. 2022-014), Safe Parking Program Spaces along Bradford Way Right-of- Way

Pursuant to Coastal Act Section 30603(d), Coastal Commission Regulations Section 13571, and Pacifica Municipal Code Section 9-4.4304(n), this notice will serve to confirm that the City of Pacifica approved the above-referenced Coastal Development Permit, and to furnish the following additional information:

APPLICANT NAME/ADDRESS: Ryan Marquez, Associate Engineer, City of Pacifica Public Works Department, 151 Milagra Drive, Pacifica, CA 94044

PROJECT DESCRIPTION: Establish two on-street Safe Parking Program spaces, including minor right-of-way (ROW) improvements such as, signs and poles, and pavement markings in the right-of-way of Bradford Way (east of 2600 Francisco Blvd, APN 016-430-020) in Pacifica.

DECISION: The subject permit was approved by the Planning Commission of the City of Pacifica on May 16, 2022, based on the required findings contained and adopted in the resolution of approval.

APPEAL PROCEDURES: The appeals process may involve the following:

- LOCAL** ☒ The local appeal period ended on 5/26/2022 and no appeal was filed; or,
 ☐ The permit was appealed to and decided by the City Council, exhausting the local appeals process.
- STATE** ☒ The project IS within the Appeals Zone and the permit IS appealable to the State of California Coastal Commission if the appeal is made in writing to the Coastal Commission prior to the close of business on the 10th working day from the date of receipt of this notice by the Executive Director of the Commission. For additional information, contact the California Coastal Commission, 455 Market Street, Suite 228, San Francisco, CA 94105, (415) 904-5260; or,
 ☐ The project is NOT in the Appeals Zone and the permit is NOT appealable to the Coastal Commission.

Additional information may be obtained by contacting the Pacifica Planning Department at 540 Crespi Drive, Pacifica, CA 94044, (650) 738-7341, or permittech@pacifica.gov.

Christian Murdock
Acting Planning Director

Attachments: ☒ Resolution of Approval with conditions ☒ Staff Report(s) ☒ Meeting Minutes ☒ Project Plans

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Scenic Pacifica
Incorporated Nov. 22, 1957

PLANNING COMMISSION Staff Report

DATE: May 16, 2022

FILE: CDP-439-22

ITEM: 2

PUBLIC NOTICE: Notice of Public Hearing was published Pacifica Tribune on May 4, 2022, and mailed to approximately 728 surrounding property owners and occupants and posted in four locations in the vicinity of the project site.

APPLICANT: Ryan Marquez, Associate Engineer
City of Pacifica, Department of Public Works
151 Milagra Drive
Pacifica, CA 94044

PROJECT LOCATION: West side of the Bradford Way public right-of-way (east of 2600 Francisco Blvd, APN 016-430-020) and immediately southwest of the State Route 1 Exit 505 ("Sharp Park Road") off-ramp and Bradford Way intersection - Sharp Park Golf Course- West Fairway Park- Mori Point- Rockaway Beach

PROJECT DESCRIPTION: File No. 2022-014 - Establish two on-street Temporary Safe Parking Program (Program) parking spaces (60' by 10', tandem orientation). The on-street parking spaces would be reserved for the use by a Program participant(s) living in an operational recreational vehicle, trailer or motorhome with operating restroom facilities for a limited period of time. Improvements include installation of signage and use of pavement markings to denote location of the Program parking spaces.

SITE DESIGNATIONS: General Plan/Local Coastal Land Use Plan: N/A (Public right-of-way)
Zoning: C-Z (Coastal Zone Combining District)

RECOMMENDED CEQA STATUS: Class 1 Categorical Exemption, CEQA Guidelines Section 15301 "Existing Facilities"; Class 4 Categorical Exemption, CEQA Guidelines Section 15304 "Minor Alterations to Land"; and "Common Sense" exception, CEQA Guidelines Section 15061(b)(3).

ADDITIONAL REQUIRED APPROVALS: None. Subject to appeal to the City Council and the California Coastal Commission.

RECOMMENDED ACTION: Approve as conditioned.

PREPARED BY: Bonny O'Connor, AICP, Senior Planner

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PROJECT SUMMARY, RECOMMENDATION, AND FINDINGS

1. Project Background

On February 28, 2022, the City of Pacifica City Council adopted Resolution No. 12-2022 to approve a three-year Temporary Safe Parking Program (Program) in the City of Pacifica which provides up to 13 parking spaces for exclusive use by Program participants living in an operational recreational vehicle, trailer or motorhome with operating toilet facilities¹. The Program would allow temporary parking of such vehicles for a limited period of time in designated spaces that have been approved by the City Council while Program participants seek permanent housing solutions². The resolution also authorized the City Manager to execute the Operations Agreement in substantially the form attached hereto between the City of Pacifica and the Pacifica Resource Center (PRC), which details the terms, provisions, and obligations of the PRC and City to implement the Program. The City Council also adopted Ordinance No. 873-C.S. adding a new PMC Section 4-7.1207, which, among other things, specifies various parameters for the use of Regular, Provisional, and Short-Term Permits under the Program and amended PMC Section 5-2.03 to create an exemption from the City's 72-hour parking limitation for vehicles displaying either a valid Regular Permit or Provisional Permit under the Program.

The Program includes the establishment of two on-street Program parking spaces (combined size of both spaces is 60' by 10') in tandem orientation on the west side of the Bradford Way public right-of-way (ROW), east of 2600 Francisco Blvd, APN 016-430-020, and immediately southwest of the State Route 1 Exit 505 ("Sharp Park Road") off ramp and Bradford Way intersection. Improvements, including installation of two pole signs and pavement markings, will be used to designate the area of public ROW being reserved for the Program parking spaces.

Program parking space locations both within and outside of the coastal zone include:

Location	Number of Spaces
West side of Oceana Boulevard, across from City of Pacifica Public Works Dept. at 151 Milagra Avenue	4
South side of Milagra Drive, across from City of Pacifica Public Works Dept. at 151 Milagra Avenue	1
East side of Lundy Way, north of Rifle Range Road	3
West side of Francisco Boulevard adjacent to North Coast County Water District at 2400 Francisco Boulevard ³	1
San Pedro Avenue in the dirt ROW in front of ACE Hardware ⁴	2
<i>West side of Bradford Way near the Sharp Park Golf Course (Project site)</i>	2

¹ The City Council approved the location of the Program parking spaces as part of the approval of a Settlement Agreement between the City of Pacifica and Plaintiffs, Sean Geary, Linda Miles, Jared Carr, Harry Bode, and Stephen Sanders on November 8, 2021 ([Pacifica City Council Resolution No. 72-2021](#))

² [Pacifica City Council Resolution No. 12-2022](#).

³ File No. 2022-012, Coastal Development Permit CDP-437-22

⁴ File No. 2022-013, Coastal Development Permit CDP-438-22

2. Project Description

The Project includes reserving 60' by 10' of public ROW for exclusive use of Program participants for a period of three years. The City will install two pole signs adjacent to the Program parking spaces. An example of the proposed 12" by 18" signs is shown in Attachment B. Additionally, a 4" white thermoplastic marking will be used to outline the three non-curb sides of the designated Program parking spaces.

3. General Plan, Local Coastal Land Use Plan, Zoning, and Surrounding Land Uses

The Project site is not designated by the General Plan or Local Coastal Land Use Plan as the entire Project would occur within City of Pacifica ROW (Attachment C). The Project is located in the appeals zone of the Coastal Zone. The Sharp Park Golf Course is located west of the Project, State Route 1 is located to the north and east of the Project. The West Fairway Park residential neighborhood is located south of the Project.

4. Municipal Code and Other Development Regulations

The establishment of the Program parking spaces and implementation of the improvements⁵ in the Coastal Zone meets the definition of "development" per Pacifica Municipal Code (PMC) sec. 9-4.4302(z). Development in the Coastal Zone requires issuance of a Coastal Development Permit per PMC sec. 9-4.4303(a).

5. Required Findings

Coastal Development Permit CDP-439-22 – The Planning Commission shall grant a coastal development permit only when all of the following findings are made:

1) The proposed development is in conformity with the City's certified Local Coastal Program.

Discussion: The City's certified Local Coastal Program (LCP) includes the 1980 Local Coastal Land Use Plan (LCLUP) that contains policies to further the City's coastal planning activities. Applicable policies and references in the City's LCLUP are discussed further below:

Coastal Act Policy No. 2: Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rock coastal beaches to the first line of terrestrial vegetation.

Finding: The Program would reserve two on-street parking spaces on the existing street. Public access to the sea would be maintained between the Program parking spaces and the shoreline through the use of the existing sidewalk along the west side of Bradford Way which connects to

⁵ Proposed signs are exempted from a sign permit per Pacifica Municipal Code (PMC) sec. 9-4.2904(s).

various public access points to the sea. The Code of Conduct associated with the Program would require Program participants to keep all personal property within the participants' vehicles and would prohibit Program participants from blocking any access to the sidewalk. Additionally, the signage proposed at the site will be located within the public ROW but outside of the street and sidewalk, similar to other existing traffic and parking signage along Bradford Way. Therefore, the use of the Program parking spaces or the signage will not obstruct or degrade physical access along Bradford Way and will not impact on the public's right of access to the sea.

The Program parking spaces are located an approximately equal distance from the two closest coastal access point accessible from the sidewalk along Bradford Way, which are Clarendon Road (Coastal Access Point No. 9 in LCLUP) and Top of Mori Point (Coastal Access Point No. 9 in LCLUP). These coastal access points are approximately 0.75-miles away from the Program parking spaces. The Program would remove 60 linear feet of existing public parking along Bradford Way. The segment of Bradford Way containing the Program parking spaces provides approximately a 0.25-mile of on-street parking, which is generally only minimally used at any time. Due to the distance of the Program parking spaces from nearby coastal access points and the general high availability of on-street parking along Bradford Way, the reserved public ROW will not adversely affect coastal visitor parking and will not impact the public's right of access to the sea.

Coastal Act Policy No. 3: *Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where: (a) It is inconsistent with public safety, military security needs, or the protection of fragile coastal resources; (b) Adequate access exists nearby; or (c) Agriculture would be adversely affected. Dedicated accessway shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway.*

Finding: As discussed under the Finding for Coastal Act Policy No. 2, public access to the sea would be maintained between the Program parking spaces and the shoreline through the use of the existing sidewalk along the west side of Bradford Way which connects to various public access points to the sea and which would not be obstructed or otherwise affected by the Project. The Code of Conduct associated with the Program would require Program participants to keep all personal property within their vehicles and would prohibit Program participants from blocking any access to the sidewalk. Additionally, the signage proposed at the site will be located within the public ROW but outside of the street and sidewalk, similar to other existing traffic and parking signage along Bradford Way. Therefore, the use of the Program parking spaces or the signage will not impact public access to the shoreline and along the coast.

Coastal Act Policy No. 5: *Lower cost visitor and recreational facilities and housing opportunities for persons of low and moderate income shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred. [...]*

Finding: The Program parking spaces will provide a low cost temporary housing opportunity for Program participants for a limited period of time while participants in the Program seek

permanent housing solutions. Therefore, the Project would encourage and provide housing opportunities for persons of low and moderate income.

Page C-104 of LCLUP: *New development within the viewshed shall not destruct the views to the sea from public roads, trails and vista points. [...]*

Finding: The Program will involve parking of certain operational recreational vehicles, trailers or motorhomes in designated Program spaces along the west side of Bradford Way. These vehicles will be located between motorists traveling along Bradford Way and the coast. However, due to tree density within the Sharp Park Golf Course, coastal views are not available along Bradford Way. No vista points or trails are located in the vicinity east of the Program parking spaces. Therefore, the use of the Program parking spaces would not destruct the view to the sea from public roads, trails and vista points.

Page C-106 of LCLUP: *Design review shall be required of all new development that is subject to discretionary review in the Coastal Appeals Zone to the shoreline. To assure attractive, appropriate development that is compatible yet subordinate to its shoreline topography, factors such as architectural style, scale, site use, materials, signing, lighting and landscaping shall be considered.*

Finding: The City has adopted Design Guidelines which are intended to accomplish the following purposes:

- Ensure at least a minimum standard of design through the application of consistent policies.
- Encourage new construction which exceeds minimum standards and discourage construction which falls short of those standards.
- Provide a framework for review and evaluation of design proposals.
- Implement applicable General Plan and Local Coastal Plan goals and policies.
- Expedite and facilitate the planning permit process.
- Provide direction for design and redesign of projects.

The Design Guidelines are advisory in nature and, unlike zoning, do not contain explicit standards for determining strict compliance. Rather, they address significant elements of project design that, when balanced overall, result in the best possible site layout and building architecture for a project. An applicant may propose a project which complies with some but not all guidelines and the Planning Commission may still find the project consistent with the Design Guidelines. It is up to the Commission's discretion to determine the appropriate balance and relative priority of the guidelines for a particular project when considering whether a project has achieved Design Guidelines consistency.

Due to the location of the Project in the public ROW, the minimal physical changes to the existing environment anticipated from the Project, and the temporary nature of the Project, many of the guidelines are not applicable to the Project. In staff's assessment, as conditioned, the Project is consistent with applicable City's adopted Design Guidelines as discussed below (Design Guidelines guidance followed by staff discussion):

Infill Development, Neighborhood Compatibility

(c) A design which has the potential to negatively impact a neighbor's view, sunlight, and/or privacy, should be avoided.

Finding: The Program parking spaces are located between Sharp Park Golf Course and State Route 1. No residential properties are located adjacent to the Project. The Project will have no impact on a neighbor's view, sunlight, and/or privacy.

Coastal Development, Access

(a) Public access from the nearest public roadway to the shoreline and along the coast should be provided in the new development except as otherwise specified in the City's adopted Local Coastal Program Land Use Plan. [...]

Finding: As discussed under the Finding for Coastal Act Policy No. 2, public access to the sea would be maintained between the Program parking spaces and the shoreline through the use of the existing sidewalk along the west side of Bradford Way which connects to various public access points to the sea. The Code of Conduct associated with the Program would require Program participants to keep all personal property within their vehicles and would prohibit Program participants from blocking access to the sidewalk. Additionally, the signage proposed at the Program spaces will be located within the public ROW but outside of the street and sidewalk, similar to other existing traffic and parking signage along Bradford Way. Therefore, the use of the Program parking spaces or the signage will not impact public access from the nearest public roadway to the shoreline and along the coast.

Additionally, the City's certified Local Coastal Program includes an Implementation Plan (IP) to implement the policies contained in the LCLUP. The IP generally consists of the City's zoning provisions and other PMC provisions relating to the regulation of development and coastal resources protection. As noted above, the Project site is not located within an underlying zoning district. However, it is located within the C-Z combining district and is subject to the supplementary standards contained in PMC Title 9, Chapter 4, Article 44 applicable to development in the Coastal Zone. Because of the nature of the activity involved with parking of Program vehicles in designated spaces on the existing Bradford Way public ROW, the Program would not conflict with the habitat preservation, geotechnical suitability, grading and drainage, shoreline protection, public shoreline access, coastal view corridors, growth management procedures, or neighborhood commercial district supplementary regulations. Therefore, the Project would be in conformity with the City's IP component of the certified LCP.

For all the reasons provided above, the Project is in conformity with the City's certified Local Coastal Program.

2) Where the Coastal Development Permit is issued for any development between the nearest public road and the shoreline, the development is in conformity with the public recreation policies of Chapter 3 of the California Coastal Act.

Discussion: The Project would be located between the shoreline and the nearest public road (Bradford Way). Staff finds that the development is in conformity with the public recreation policies of Chapter 3 of the California Coastal Act for the reasons discussed below:

Section 30220 Protection of certain water-oriented activities *Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.*

Finding: The Project includes reserving two Program parking spaces on an existing public street. The existing public street is not suited for water oriented recreational activities. Therefore, conformity with this policy does not apply.

Section 30221 Oceanfront land; protection for recreational use and development *Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area. (Amended by Ch. 380, Stats. 1978.)*

Finding: The Project includes reserving two Program parking spaces on an existing public street located east of the existing oceanfront Sharp Park Golf Course. The Project would not impact the Sharp Park Golf Course. The Project would not impact oceanfront recreational use and would conform with this policy.

Section 30222 Private lands; priority of development purposes *The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.*

Finding: The Project would not occur on private land, therefore conformity with this policy does not apply.

Section 30222.5 Oceanfront lands; aquaculture facilities; priority *Oceanfront land that is suitable for coastal dependent aquaculture shall be protected for that use, and proposals for aquaculture facilities located on those sites shall be given priority, except over other coastal dependent developments or uses. (Added by Ch. 1486, Stats. 1982.)*

Finding: The Project includes reserving two Program parking spaces on an existing public street. The existing public street is not suited for coastal dependent aquaculture. Therefore, conformity with this policy does not apply.

Section 30223 Upland areas *Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.*

Finding: The Project includes reserving two Program parking spaces on an existing public street. The area is not necessary to support coastal recreational uses due to the distance of the Program parking spaces from nearby coastal access points, the general high availability of parking along Bradford Way, and the location of the Program parking spaces outside of the Coastal Access Parking area. Therefore, conformity with this policy does not apply.

Section 30224 Recreational boating use; encouragement; facilities *Increased recreational boating use of coastal waters shall be encouraged, in accordance with this division, by developing dry storage areas, increasing public launching facilities, providing additional berthing space in existing harbors, limiting non-water-dependent land uses that congest access corridors and preclude boating support facilities, providing harbors of refuge, and by providing for new boating facilities in natural harbors, new protected water areas, and in areas dredged from dry land.*

Finding: The Project includes reserving two Program parking spaces on an existing public street. The area is not suitable for recreational boating use. Therefore, conformity with this policy does not apply.

6. CEQA Recommendation

Staff analysis of the proposed Project supports a Planning Commission finding that it qualifies for a categorical exemption from the California Environmental Quality Act (CEQA). The Project qualifies for Class 1 and 4 exemptions under CEQA Guidelines Sections 15301 and 15304 and the “Common Sense” exception, CEQA Guidelines Section 15061(b)(3), as described below:

15301. *“Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. The types of “existing facilities” itemized below are not intended to be all-inclusive of the types of projects which might fall within Class 1. The key consideration is whether the project involves negligible or no expansion of use. [...]”*

The Project includes reserving 60’ by 10’ of public ROW for the use by participants of the Program for a period of three years. The existing use of the public ROW allows for vehicle parking; therefore, the proposed use is a negligible expansion of the existing use.

15304. *“Class 4 consists of minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry or agricultural purposes. Examples include, but are not limited to:
 [...]”*

(e) Minor temporary use of land having negligible or no permanent effects on the environment, including carnivals, sales of Christmas trees, etc;”

The Project includes reserving 60' by 10' of public ROW for the use by participants of the Program for a period of three years. The negligible temporary change of land use will have no permanent effects on the environment. Installation of two pole signs and pavement markings are minor alterations and do not involve removal of healthy, mature scenic trees.

Additionally, none of the exceptions applicable to a Class 1 and 4 exemptions in Section 15300.2 of the CEQA Guidelines apply, as described below.

- Sec. 15300.2(a): This exception does not apply to the Class 1 exemption. Furthermore, there is no evidence in the record that the Project would impact an environmental resource of hazardous or critical concern in an area designated, precisely mapped, and officially adopted pursuant to law by federal, State, or local agencies.
- Sec. 15300.2(b): There is no evidence in the record that cumulative projects of the same type would occur within the same place to create a significant cumulative impact.
- Sec. 15300.2(c): There is no evidence that the activity would have a significant effect on the environment due to unusual circumstances.
- Sec. 15300.2(d) through (f): The Project is not proposed near an officially designated scenic highway, does not involve a current or former hazardous waste site, and, does not affect any historical resources. Therefore, the provisions of subsections (d) through (f) are not applicable to this Project.

Because the Project is consistent with the requirements for Class 1 and Class 11 exemptions and none of the exceptions to applying Class 1 and 11 exemptions in Section 15300.2 of the CEQA Guidelines apply; therefore, there is substantial evidence in the record to support a finding that the Project is categorically exempt from CEQA.

Additionally, CEQA Guidelines Section 15061(b)(3) states "The activity is covered by the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA." The Project includes reserving 60' by 10' of existing public ROW for the use by participants of the Program for a period of three years. The negligible temporary change of land use will have no permanent effects on the environment. Installation of two pole signs and pavement markings are minor alterations to the existing environment. It can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment.

PC Staff Report
Temporary Safe Parking Program CDP - Bradford Way
May 16, 2022
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7. Staff Analysis

The Project, as conditioned, would meet the necessary findings for approval of a Coastal Development Permit and would support the Program approved by City Council.

COMMISSION ACTION

MOTION FOR APPROVAL:

Move that the Planning Commission **FINDS** the Project is exempt from the California Environmental Quality Act; **APPROVES** Coastal Development Permit CDP-439-22 by adopting the resolution included as Attachment A to the staff report, including conditions of approval in Exhibit A to the resolution; and, incorporates all maps and testimony into the record by reference.

ATTACHMENT LIST:

Attachment A - Draft Resolution - Bradford Way	(DOCX)
Attachment B - Permit Parking Spots Scope - Bradford Way	(PDF)
Attachment C - Land Use and Zoning Exhibit - Bradford Way	(DOCX)

RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PACIFICA APPROVING COASTAL DEVELOPMENT PERMIT CDP-439-22 (FILE NO. 2022-014), SUBJECT TO CONDITIONS, TO ESTABLISH TWO ON-STREET TEMPORARY SAFE PARKING PROGRAM PARKING SPACES ON THE WEST SIDE OF THE BRADFORD WAY PUBLIC RIGHT-OF-WAY (EAST OF 2600 FRANCISCO BLVD, APN 016-430-020) AND IMMEDIATELY SOUTHWEST OF THE STATE ROUTE 1 EXIT 505 (“SHARP PARK ROAD”) OFF RAMP AND BRADFORD WAY INTERSECTION AND FINDING THE PROJECT EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA).

Initiated by: City of Pacifica (Applicant)

WHEREAS, On February 28, 2022, the City of Pacifica City Council adopted Resolution No. 12-2022 to approve a three-year Temporary Safe Parking Program (“Program”) in the City of Pacifica which provides up to 13 parking spaces for Program participants living in an operational recreational vehicle, trailer or motorhome with operating toileting facilities a temporary parking space for a limited period of time while participants try to find permanent housing solutions; and

WHEREAS, Program includes the establishment of two on-street Program parking spaces (total size of 60’ by 10’) in tandem orientation on the west side of the Bradford Way public right-of-way (ROW) (east of 2600 Francisco Blvd, APN 016-430-020) and immediately southwest of the State Route 1 Exit 505 (“Sharp Park Road”) off ramp and Bradford Way intersection. Improvements, including installation of two pole signs and pavement markings, will be used to designate the area of public ROW being reserved for the Program parking spaces (File No. 2022-014)(“Project”); and

WHEREAS, the Project requires approval of a coastal development permit pursuant to Pacifica Municipal Code (PMC) Section 9-4.4303 on the basis that the Project constitutes “development,” as defined in PMC Section 9-4.4302(z)(7), and the Project does not qualify as a category of excluded development; and

WHEREAS, the Planning Commission of the City of Pacifica did hold a duly noticed public hearing on May 16, 2022, at which time it considered all oral and documentary evidence presented, and incorporated all testimony and documents into the record by reference.

NOW, THEREFORE BE IT RESOLVED by the Planning Commission of the City of Pacifica as follows:

- A. The above recitals are true and correct and material to this Resolution.
- B. In making its findings, the Planning Commission relied upon and hereby incorporates by reference all correspondence, staff reports, and other related materials.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Pacifica does hereby make the finding that the Project qualifies for Class 1 and 4 exemptions under CEQA Guidelines Sections 15301 and 15304 and the “Common Sense” exception, CEQA Guidelines Section 15061(b)(3), as described below:

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Exhibit 4

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15301. “Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. The types of “existing facilities” itemized below are not intended to be all-inclusive of the types of projects which might fall within Class 1. The key consideration is whether the project involves negligible or no expansion of use. [...]”

The Project includes reserving 60’ by 10’ of public ROW for the use by participants of the Program for a period of three years. The existing use of the public ROW allows for vehicle parking; therefore, the proposed use is a negligible expansion of the existing use.

15304. “Class 4 consists of minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry or agricultural purposes. Examples include, but are not limited to:
[...]

(e) Minor temporary use of land having negligible or no permanent effects on the environment, including carnivals, sales of Christmas trees, etc;”

The Project includes reserving 60’ by 10’ of public ROW for the use by participants of the Program for a period of three years. The negligible temporary change of land use will have no permanent effects on the environment. Installation of two pole signs and pavement markings are minor alterations and do not involve removal of healthy, mature scenic trees.

Additionally, none of the exceptions applicable to a Class 1 and 4 exemptions in Section 15300.2 of the CEQA Guidelines apply, as described below.

- Sec. 15300.2(a): This exception does not apply to the Class 1 exemption. Furthermore, there is no evidence in the record that the Project would impact an environmental resource of hazardous or critical concern in an area designated, precisely mapped, and officially adopted pursuant to law by federal, State, or local agencies.
- Sec. 15300.2(b): There is no evidence in the record that cumulative projects of the same type would occur within the same place to create a significant cumulative impact.
- Sec. 15300.2(c): There is no evidence that the activity would have a significant effect on the environment due to unusual circumstances.
- Sec. 15300.2(d) through (f): The Project is not proposed near an officially designated scenic highway, does not involve a current or former hazardous waste site, and, does not affect any historical resources. Therefore, the provisions of subsections (d) through (f) are not applicable to this Project.

Because the Project is consistent with the requirements for Class 1 and Class 11 exemptions and none of the exceptions to applying Class 1 and 11 exemptions in Section 15300.2 of the CEQA Guidelines apply; therefore, there is substantial evidence in the record to support a finding that the Project is categorically exempt from CEQA.

Additionally, CEQA Guidelines Section 15061(b)(3) states “The activity is covered by the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no

possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.” The Project includes reserving 60’ by 10’ of existing public ROW for the use by participants of the Program for a period of three years. The negligible temporary change of land use will have no permanent effects on the environment. Installation of two pole signs and pavement markings are minor alterations to the existing environment. It can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Pacifica does make the following findings pertaining to Coastal Development Permit CDP-439-23 as required by PMC section 9-4.4304(k):

1) *The proposed development is in conformity with the City’s certified Local Coastal Program.*

Discussion: The City’s certified Local Coastal Program (LCP) includes the 1980 Local Coastal Land Use Plan (LCLUP) that contains policies to further the City’s coastal planning activities. Applicable policies and references in the City’s LCLUP are discussed further below:

Coastal Act Policy No. 2: Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rock coastal beaches to the first line of terrestrial vegetation.

Finding: The Program would reserve two on-street parking spaces on the existing street. Public access to the sea would be maintained between the Program parking spaces and the shoreline through the use of the existing sidewalk along the west side of Bradford Way which connects to various public access points to the sea. The Code of Conduct associated with the Program would require Program participants to keep all personal property within the participants’ vehicles and would prohibit Program participants from blocking any access to the sidewalk. Additionally, the signage proposed at the site will be located within the public ROW but outside of the street and sidewalk, similar to other existing traffic and parking signage along Bradford Way. Therefore, the use of the Program parking spaces or the signage will not obstruct or degrade physical access along Bradford Way and will not impact on the public’s right of access to the sea.

The Program parking spaces are located an approximately equal distance from the two closest coastal access point accessible from the sidewalk along Bradford Way, which are Clarendon Road (Coastal Access Point No. 9 in LCLUP) and Top of Mori Point (Coastal Access Point No. 9 in LCLUP). These coastal access points are approximately 0.75-miles away from the Program parking spaces. The Program would remove 60 linear feet of existing public parking along Bradford Way. The segment of Bradford Way containing the Program parking spaces provides approximately a 0.25-mile of on-street parking, which is generally only minimally used at any time. Due to the distance of the Program parking spaces from nearby coastal access points and the general high availability of on-street parking along Bradford Way, the reserved public ROW will not adversely affect coastal visitor parking and will not impact the public’s right of access to the sea.

Coastal Act Policy No. 3: Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where: (a) It is inconsistent with public safety, military security needs, or the protection of fragile coastal

resources; (b) Adequate access exists nearby; or (c) Agriculture would be adversely affected.

Dedicated accessway shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway.

Finding: As discussed under the Finding for Coastal Act Policy No. 2, public access to the sea would be maintained between the Program parking spaces and the shoreline through the use of the existing sidewalk along the west side of Bradford Way which connects to various public access points to the sea and which would not be obstructed or otherwise affected by the Project. The Code of Conduct associated with the Program would require Program participants to keep all personal property within their vehicles and would prohibit Program participants from blocking any access to the sidewalk. Additionally, the signage proposed at the site will be located within the public ROW but outside of the street and sidewalk, similar to other existing traffic and parking signage along Bradford Way. Therefore, the use of the Program parking spaces or the signage will not impact public access to the shoreline and along the coast.

Coastal Act Policy No. 5: *Lower cost visitor and recreational facilities and housing opportunities for persons of low and moderate income shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred. [...]*

Finding: The Program parking spaces will provide a low cost temporary housing opportunity for Program participants for a limited period of time while participants in the Program seek permanent housing solutions. Therefore, the Project would encourage and provide housing opportunities for persons of low and moderate income.

Page C-104 of LCLUP: *New development within the viewshed shall not destruct the views to the sea from public roads, trails and vista points. [...]*

Finding: The Program will involve parking of certain operational recreational vehicles, trailers or motorhomes in designated Program spaces along the west side of Bradford Way. These vehicles will be located between motorists traveling along Bradford Way and the coast. However, due to tree density within the Sharp Park Golf Course, coastal views are not available along Bradford Way. No vista points or trails are located in the vicinity east of the Program parking spaces. Therefore, the use of the Program parking spaces would not destruct the view to the sea from public roads, trails and vista points.

Page C-106 of LCLUP: *Design review shall be required of all new development that is subject to discretionary review in the Coastal Appeals Zone to the shoreline. To assure attractive, appropriate development that is compatible yet subordinate to its shoreline topography, factors such as architectural style, scale, site use, materials, signing, lighting and landscaping shall be considered.*

Finding: The City has adopted Design Guidelines which are intended to accomplish the following purposes:

- a. Ensure at least a minimum standard of design through the application of consistent policies.

- b. Encourage new construction which exceeds minimum standards and discourage construction which falls short of those standards.
- c. Provide a framework for review and evaluation of design proposals.
- d. Implement applicable General Plan and Local Coastal Plan goals and policies.
- e. Expedite and facilitate the planning permit process.
- f. Provide direction for design and redesign of projects.

The Design Guidelines are advisory in nature and, unlike zoning, do not contain explicit standards for determining strict compliance. Rather, they address significant elements of project design that, when balanced overall, result in the best possible site layout and building architecture for a project. An applicant may propose a project which complies with some but not all guidelines and the Planning Commission may still find the project consistent with the Design Guidelines. It is up to the Commission's discretion to determine the appropriate balance and relative priority of the guidelines for a particular project when considering whether a project has achieved Design Guidelines consistency.

Due to the location of the Project in the public ROW, the minimal physical changes to the existing environment anticipated from the Project, and the temporary nature of the Project, many of the guidelines are not applicable to the Project. The Project is consistent with applicable City's adopted Design Guidelines as discussed below:

Infill Development, Neighborhood Compatibility

(c) A design which has the potential to negatively impact a neighbor's view, sunlight, and/or privacy, should be avoided.

Finding: The Program parking spaces are located between Sharp Park Golf Course and State Route 1. No residential properties are located adjacent to the Project. The Project will have no impact on a neighbor's view, sunlight, and/or privacy.

Coastal Development, Access

(a) Public access from the nearest public roadway to the shoreline and along the coast should be provided in the new development except as otherwise specified in the City's adopted Local Coastal Program Land Use Plan. [...]

Finding: As discussed under the Finding for Coastal Act Policy No. 2, public access to the sea would be maintained between the Program parking spaces and the shoreline through the use of the existing sidewalk along the west side of Bradford Way which connects to various public access points to the sea. The Code of Conduct associated with the Program would require Program participants to keep all personal property within their vehicles and would prohibit Program participants from blocking access to the sidewalk. Additionally, the signage proposed at the Program spaces will be located within the public ROW but outside of the street and sidewalk, similar to other existing traffic and parking signage along Bradford Way. Therefore, the use of the Program parking spaces or the signage will not impact public access from the nearest public roadway to the shoreline and along the coast.

Additionally, the City's certified Local Coastal Program includes an Implementation Plan (IP) to implement the policies contained in the LCLUP. The IP generally consists of the City's zoning provisions and other PMC provisions relating to the regulation of development and coastal resources protection. As noted above, the Project site is not located within an underlying zoning district. However, it is located within the C-Z combining district and is subject to the supplementary standards contained in PMC Title 9, Chapter 4, Article 44 applicable to C-Z projects.

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in the Coastal Zone. Because of the nature of the activity involved with parking of Program vehicles in designated spaces on the existing Bradford Way public ROW, the Program would not conflict with the habitat preservation, geotechnical suitability, grading and drainage, shoreline protection, public shoreline access, coastal view corridors, growth management procedures, or neighborhood commercial district supplementary regulations. Therefore, the Project would be in conformity with the City's IP component of the certified LCP.

For all the reasons provided above, the Project is in conformity with the City's certified Local Coastal Program.

2) *Where the Coastal Development Permit is issued for any development between the nearest public road and the shoreline, the development is in conformity with the public recreation policies of Chapter 3 of the California Coastal Act.*

Discussion: The Project would be located between the shoreline and the nearest public road (Bradford Way). The City finds that the development is in conformity with the public recreation policies of Chapter 3 of the California Coastal Act for the reasons discussed below:

Section 30220 Protection of certain water-oriented activities *Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.*

Finding: The Project includes reserving two Program parking spaces on an existing public street. The existing public street is not suited for water oriented recreational activities. Therefore, conformity with this policy does not apply.

Section 30221 Oceanfront land; protection for recreational use and development *Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area. (Amended by Ch. 380, Stats. 1978.)*

Finding: The Project includes reserving two Program parking spaces on an existing public street located east of the existing oceanfront Sharp Park Golf Course. The Project would not impact the Sharp Park Golf Course. The Project would not impact oceanfront recreational use and would conform with this policy.

Section 30222 Private lands; priority of development purposes *The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.*

Finding: The Project would not occur on private land, therefore conformity with this policy does not apply.

Section 30222.5 Oceanfront lands; aquaculture facilities; priority *Oceanfront land that is suitable for coastal dependent aquaculture shall be protected for that use, and proposals for aquaculture facilities located on those sites shall be given priority, except over other coastal dependent developments or uses. (Added by Ch. 1486, Stats. 1982.)*

Finding: The Project includes reserving two Program parking spaces on an existing public street. The existing public street is not suited for coastal dependent aquaculture. Therefore, conformity with this policy does not apply.

Section 30223 Upland areas Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.

Finding: The Project includes reserving two Program parking spaces on an existing public street. The area is not necessary to support coastal recreational uses due to the distance of the Program parking spaces from nearby coastal access points, the general high availability of parking along Bradford Way, and the location of the Program parking spaces outside of the Coastal Access Parking area. Therefore, conformity with this policy does not apply.

Section 30224 Recreational boating use; encouragement; facilities Increased recreational boating use of coastal waters shall be encouraged, in accordance with this division, by developing dry storage areas, increasing public launching facilities, providing additional berthing space in existing harbors, limiting non-water-dependent land uses that congest access corridors and preclude boating support facilities, providing harbors of refuge, and by providing for new boating facilities in natural harbors, new protected water areas, and in areas dredged from dry land.

Finding: The Project includes reserving two Program parking spaces on an existing public street. The area is not suitable for recreational boating use. Therefore, conformity with this policy does not apply.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Pacifica does hereby approve Coastal Development Permit CDP-439-22 to establish two on-street Temporary Safe Parking Program (Program) parking spaces (60' by 10', tandem orientation) and improvements on the west side of the Bradford Way public right-of-way (east of 2600 Francisco Blvd, APN 016-430-020) and immediately southwest of the State Route 1 Exit 505 ("Sharp Park Road") off ramp and Bradford Way intersection, subject to conditions of approval included in Exhibit A to this Resolution.

* * * * *

File No. 2022-014
 Coastal Development Permit CDP-439-22
 Safe Parking Program – Bradford Way

Passed and adopted at a regular meeting of the Planning Commission of the City of Pacifica, California, held on the 16th day of May 2022.

AYES, Commissioners:

NOES, Commissioners:

ABSENT, Commissioners:

ABSTAIN, Commissioners:

 Lauren Berman, Chair

ATTEST:

APPROVED AS TO FORM:

 Christian Murdock, Acting Planning Director

 Michelle Kenyon, City Attorney

Attachment: Attachment A - Draft Resolution - Bradford Way (4986 : Temporary Safe Parking Program CDP - Bradford Way)

Exhibit A

Conditions of Approval: File No. 2022-014 – Coastal Development Permit CDP-439-22, to establish two on-street Temporary Safe Parking Program parking spaces and improvements on the west side of the Bradford Way public right-of-way (east of 2600 Francisco Blvd, APN 016-430-020).

Planning Commission Meeting of May 16, 2022**Planning Division of the Planning Department**

1. Development shall be substantially in accord with the plans entitled “OSV Permit Parking Spot Implementation – Bradford Way” included as Attachment B of the May 16, 2022 Planning Commission staff report, except as modified by the following conditions.
2. The term of this approval shall be limited to the period of effectiveness of the Temporary Safe Parking Program approved by the City of Pacifica City Council in Resolution No. 12-2022. This approval shall have no further force or effect upon termination of the Temporary Safe Parking Program unless expressly authorized in another action by the City Council.
3. The City of Pacifica shall remove associated signage and pavement markings upon termination of the Temporary Safe Parking Program unless expressly authorized in another action by the City Council.
4. All vehicles and occupants of the spaces authorized in this approval shall comply with the terms, conditions, and other requirements of the Temporary Safe Parking Program, including but not limited to the Code of Conduct.

END

OSV Permit Parking Spot Implementation - Bradford Way

Summary

This is to get City road spots agreed upon by City Council ready for OSV parking. The elements are signage and pavement markings.

1. **Sign & Poles** – 2 signs (generally) denoting where the OSV spots are will be placed at each location, except otherwise said. One where the spot(s) begin and end.
2. **Pavement marking** – traffic paint will be used to denote the pavement begin, end and width of the OSV spot(s). Where multiple spots exist in one area, there will not be denotation of each individual spot but just beginning and end and width limit.

Signs & Poles

Signs will be placed adjacent the OSV space(s). Poles to be 2" galvanized steel pipe, hardware to be tamper proof. New pole installation will be account of any possible ADA issues and place poles behind sidewalk when ROW exists.

Sample sign shown below. Pole and sign installation, per site plan layouts attached.



Pavement Marking

A 4" white pavement marking will be used to outline the three non-curb sides of the designated OSV space, as shown in the site layouts in yellow.

Bradford Way

- 2 sign and pole installations
- 4" white stripe- offset from edge of pavement 10' and front and back of zone. Will be field marked. Approx. 60' in length.



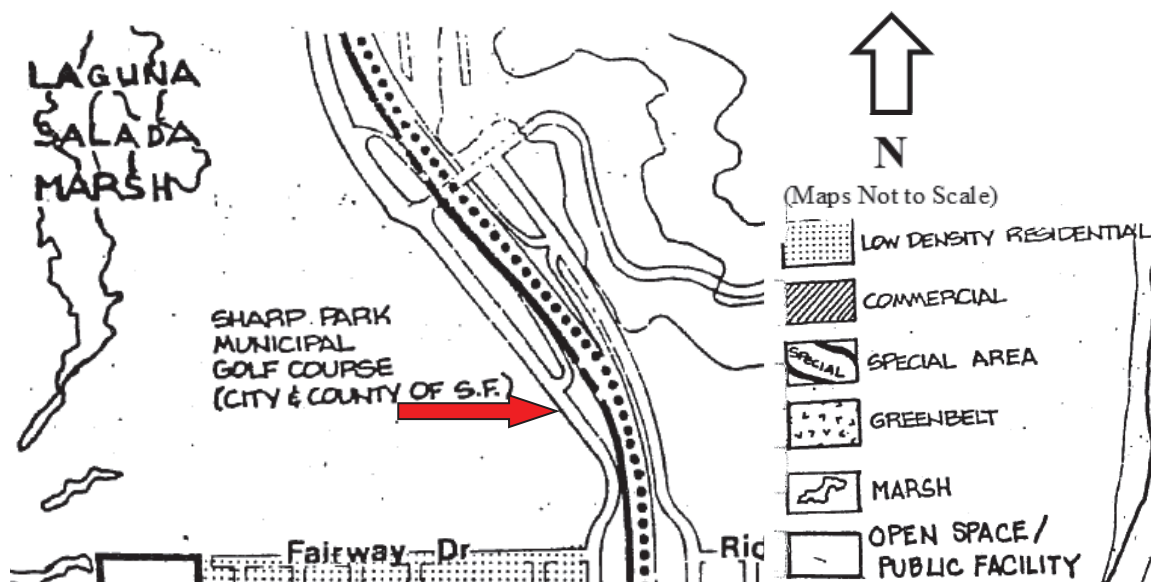
Land Use & Zoning Exhibit

City of Pacifica Planning Department

General Plan / Local Coastal Land Use Plan (1980) Diagram

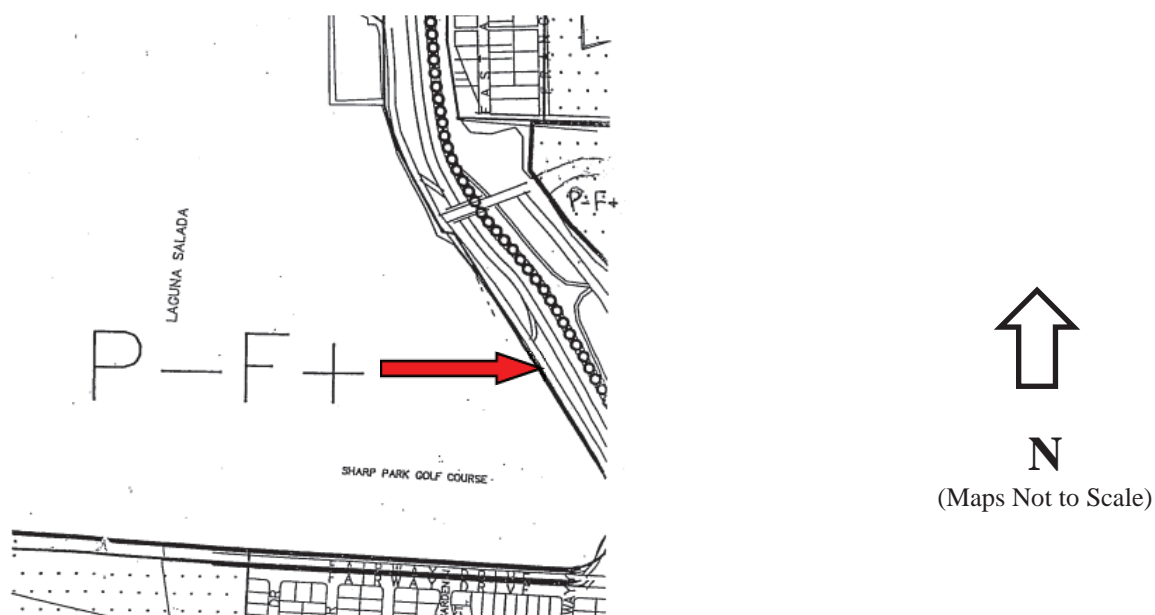
Neighborhood: Sharp Park Golf Course- West Fairway Park- Mori Point- Rockaway Beach

Land Use Designation: N/A



Zoning Map Diagram

Zoning District: C-Z (Coastal Zoning Combining District)



PUBLIC HEARINGS:

Chair Berman stated that it was her understanding that some Commissioners need to recuse themselves and she asked if now was the time or they can wait.

2. CDP-439-22

File No. 2022-014 – Coastal Development Permit CDP-439-22

to establish two on-street Temporary Safe Parking Program (Program) parking spaces (60' by 10', tandem orientation), for the use by a Program participant(s) living in an operational recreational vehicle, trailer or motorhome with operating restroom facilities for a limited period of time on the west side of the Bradford Way public right-of-way (east of 2600 Francisco Blvd., APN 016-430-020) and immediately southwest of the State Route 1 Exit 505 ("Sharp Park Road") off-ramp and Bradford Way intersection.

Recommended CEQA Action: Class 1 and Class 4 Categorical Exemptions, CEQA Guidelines Sections 15301 and 15304 and "Common Sense" exception, CEQA Guidelines Section 15061(b)(3).

Acting Planning Director Murdock stated that he wanted to make some preliminary remarks before they embark upon this first public hearing. He stated that they have three public hearings on related subject matter but each hearing stands independently and, for purposes of the record, it was important to make sure any questions or comments the Commission asks in each of the public hearing as they relate to any common questions or concerns the Commission may have and responses from staff may reiterate the same information in each hearing in response to make sure they get the information in the record. Staff's responses, where appropriate, may refer to prior responses in a prior public hearing and incorporate them by reference and briefly summarize the points, but they need to make sure they are introducing the evidence for each of the items into the record for the respective public hearing. He then turned it over to Sr. Planner O'Connor who will make the staff presentation, and will have other staff available, including Police Chief Steidle who will be able to answer questions, and they have dialed in Anita Rees who is the Executive Director of the Pacifica Resource Center and is the city's partner for this project in terms of the operational components of the project.

Sr. Planner O'Connor presented the staff report.

Acting Planning Director Murdock wanted to clarify that it is unusual to have the city as a permit applicant as well as the reviewing body so Dep. Director Bautista is here in his capacity as the applicant representative and should be afforded the time accordingly and have the opportunity to participate in the hearing at the appropriate time for the applicant.

Chair Berman agreed, and they will do Commission questions first and move on to the applicant and ask him any questions should they have any.

Vice Chair Hauser stated she would love it if staff could give them a little bit of background as oversize vehicles have been a very large topic and she would like to know how we got to where we are at this meeting and the scope is versus what it is not.

Sr. Planner O'Connor stated she could answer a portion of that and then will look for other staff to help. She stated that the scope of this item at this meeting is the establishment and reservation

of public right-of-way for the use of the program, as well as placement of signage and pavement parking. She stated that it is not getting into the details of the program but can look to someone for help.

Acting Planning Director Murdock stated he will do his best to address the big picture issue. He stated that the phenomenon of recreational vehicles parking on streets in Pacifica has been an issue for a number of years and there is a perception that the number of such vehicles parking has increased in recent years. It is with that increase and the perceived neighborhood community impact, as well as safety impacts that prompted Council to investigate way that the city could use its police power to regulate the parking of those vehicles. This is not in the Planning Department's "wheel house" so he doesn't have all the specifics at hand, but Council sought to regulate those vehicles and considered a number of options, i.e., private property, public property, etc., didn't necessarily find any of those particularly attractive as regulatory solutions because they all have pros and cons and tradeoffs. He stated that, ultimately, Council identified a relatively narrow set of locations in the city where oversize vehicles could park, driven by safety considerations, given the size and bulk of these vehicles relative to the design configuration of the public streets. In places where the streets were too narrow where the large vehicles might obstruct safety, vehicular bicycle travel, places where bike lanes were present, where there were dangerous slopes or curvatures in the street that obstructed sight lines, the city determined those locations would be unsuitable for parking oversize vehicles and posted signage of such and then allowed them to park in an unpermitted capacity in other locations. He stated that a year or so forward, the ACLU sued the city for its enforcement of the oversize vehicle ordinance which resulted in a lengthy litigation process whereby the city reached a settlement with the litigant in that case which involved development of a safe parking program which is the program subject to the permitting actions at this meeting. Through the course of the litigation and settlement process, the city agreed to identify locations, some of which are in and some outside of the coastal zone. Those locations in the coastal zone, as Sr. Planner O'Connor mentioned, require coastal development permits and one key component is helpful not to lose sight of, is by virtue of settling this litigation, the actions against the city's oversize vehicle ordinance will be dismissed, and the city will resume its ability to enforce the oversize vehicle ordinance for locations other than the safe parking permit locations. There is a tradeoff where identifying authorized permitted locations that are supported by social programs and programmatic support from the Pacifica Resource Center will allow the city to have more extensive and expansive enforcement in regulation of oversize vehicles parked in the vast majority of locations in Pacifica. That is the big picture set up as to how they got to where they are today.

Vice Chair Hauser felt that was a very helpful description. She referred to this item's area, stating that she wanted to understand if the road width is appropriate for both emergency vehicles like fire trucks to pass and vehicular traffic will still be safe and the pedestrian walkway will be unimpeded in this location.

Sr. Planner O'Connor stated that the location of this site was analyzed by the Engineering Division of Public Works and she will leave it to Dep. Director Bautista to provide more details of how this location came to be but it provides the adequate width for through traffic to continue.

PW Dep. Director Bautista stated that she was correct, as the Engineering Division went out in the field to do the field measurements to ensure that the 10' x30' space would accommodate the street width and they had strict criteria, i.e., 10'x30' space and if not a bus route, they made sure

that the width of the street was at least 10 feet. If it is on a bus route, they made sure the width of the street would be at least 12 feet. They measured it and determined that this space did fit.

Vice Chair Hauser asked if the fire trucks were included in that analysis.

PW Dep. Director Bautista agreed that for any vehicle they made sure that it would fit.

Vice Chair Hauser wasn't sure if there was trash or any sort of item that would be generated from the vehicle, and she asked if, regarding storm basins adjacent to catch basins, they were worried about anything getting into the storm water system inappropriately.

Sr. Planner O'Connor stated that the use of the site would not be any different than how it is currently used by parking participants as there are provisions within the code contact of the program that would prohibit any release of materials that are not suitable such as grey water or trash outside of the occupied vehicle and it wouldn't change the current use of the area now.

Acting Planning Director Murdock stated that PRC Director Rees is available to further describe the process that goes into inspection of the RVs in order for them to participate in the program. There is some service ability component inspection.

Vice Chair Hauser stated that, if Ms. Rees wanted to respond, she would be happy to hear it. Her last question is about this spot as she understands they haven't heard the other two similar hearings on different locations. She stated that this location seems to be the one that is furthest from businesses and homes and she wondered if the city or applicant considered doing more oversize vehicle parking in this location to ameliorate potential questions they have about other locations.

PW Dep. Director Bautista stated that, during the analysis, they had spaces and this was one that was considered by staff to be the location in terms of having to relook at other spaces, they would have to do more analysis.

Vice Chair Hauser thought they would have to do more analysis for four rather than two.

Acting Planning Director Murdock added that an important consideration for Council was ensuring that there wasn't an over concentration and a distribution throughout the city so every location in the northern, central and southern portions of Pacifica.

Vice Chair Hauser asked if Council asked for the limit to be two or was that more of a disbursement interpretation that staff made.

Acting Planning Director Murdock stated he wasn't aware specifically if Council directed two for this location as his understanding is the settlement agreed on with 13 spaces overall and it made sense, to a certain extent, given the distribution in other site locations.

Commissioner Domurat stated that you would think that the different enforcement issues that would go along with this would be a lot easier if you had more than two so that enforcement doesn't have to go all over the city looking for violations, i.e., why not in a location that doesn't have a lot of controversy to have more than two. He thought there were some economies of scales with having more in one location.

Acting Planning Director Murdock understood his thought process. He stated that Council identified the suitable locations and number of RVs that would be appropriate in each location. City staff then applied for the permits to execute the program as designed by Council and it is likely beyond the scope of the Planning Commission at this time to seek to increase the number. He stated that they can consider the number proposed in each permit.

Commissioner Ferguson asked, regarding the program in general, if there were any other services provided by opening up the public right-of-way to the participants, such as refuse cleanup, additional street sweeping, additional patrolling by law enforcement or any additional service that will come with this program or just that they are allowed to park there.

Police Chief Steidle stated he would speak to the enforcement aspect of his question. He stated that the Police Department is aware of where the locations will be and that it will be important for the applicants of this program who will be residing in those spaces in their vehicles to adhere to the code of conduct and all of our local, state and federal laws. He stated that, in terms of enforcement, the Police Department will be keeping an eye on those locations to make sure they are protected just like everyone else and also make sure that the laws are being followed and the vehicles parked in those spaces are permitted to be parking there. He stated that it will be the routine patrol of the beat officers, and check on those as in any other areas of town.

Acting Planning Director Murdock then referred to other program components, and stated that hopefully Executive Director Rees will have an opportunity to chime in but there are a number of components, including working towards permanent housing solutions and sewage pumping components as well as trash collection and disposal components that are part of the program side and she can hopefully expand on those point.

Sr. Planner O'Connor stated that her hand is raised, and she asked if they pause to see if she can unmute herself.

Executive Director Rees stated that, along with the safe place to park for 29 days, they will be offering intensive case management, regular check ins, and working toward housing goals that they will determine and help them return to housing as quickly as possible. She stated that some will need longer time than others because the cost of living is quite high in Pacifica, but they will be encouraging them to be thinking creatively about where they may want to live in a longer term. She stated that there will be regular garbage and recycling pickups as well as grey and black water collections. She stated that they are still working on that with the city and Recology and will have that set up before they begin using the spaces.

Acting Planning Director Murdock asked her if she could address the earlier question about leakage of fluids, etc., and explain what service ability inspections the vehicles will undertake.

Executive Director Rees stated that one of the requirements is that they have basic safety and sanitation features that are in proper working condition. If for any reason during their inspection of the vehicles, they will work with them to fix any of those issues before they are in the program or within the 29 days depending on the circumstances. She stated that they want to make sure they are safe as well as the community being safe from unexpected leakage.

Commissioner Ferguson directed a question to her, asking her to describe him any criteria within the program for storage capacity of fresh water tanks, grey water tanks and black water tanks, and is there any criteria for the usage of generators with these RVs.

Executive Director Rees stated that, in terms of minimum requirements for those storage tanks, there is not anything specific but they have to have working storage and container units. If they need to dump more regularly, they will work it out with individuals, such as if they have a smaller tank and can't wait for twice a month, the present time plan. She asked him to remind her of the other item.

Commissioner Ferguson stated it was generator usage.

Executive Director Rees stated that they are allowed to use generators but have to have them off by 10:00 p.m. and cannot turn them on before 8:00 a.m.

Commissioner Ferguson asked staff if there has been any looking into an AQMD permit for these operators to use generators in the area of quality management district.

Acting Planning Director Murdock stated that not specifically, and he was not aware of the generator size and type that are common for RV operation requiring such a permit, but it was something they can look into to ensure compliance.

Commissioner Ferguson stated that he didn't hear that there was any limitation on the size they are allowed to use and if the city wanted to install a generator, the minimum size is pretty small before they have to apply for the right to use that generator for even emergency usage. He didn't see why that wouldn't apply to these cases. He asked Executive Director Rees to confirm if he understood her correctly, i.e., that there is no minimum storage capacity requirements for any of these vehicles but there is planned to be a twice monthly pick up of grey and black water.

Executive Director Rees stated that there is no minimum storage capacity but there is going to be at least bi-monthly black and grey water pick up.

Commissioner Ferguson stated that, speaking from personal experience, he added that his extended family does own a fairly large recreational vehicle with very large capacity tanks per standard, and for a long weekend of 3-4 days with 4-5 people, that is limiting and there is not a shower capability for everyone even with that set up and he questions how feasible it is to do a twice monthly pick up for people who are using and living in them constantly, but he will leave that to the program to figure out how they want to address it.

Executive Director Rees stated that they recognize that it might need to be adjusted a bit. She stated that they will come twice monthly at least initially, based on surveys and those individuals that they know have been living in motorhomes. She stated that generally, they are single, sometimes two people, and for the most part their strategy has been using public facilities during the day and having a gym membership to take showers. She stated that, in addition, PRC offers showers to all their unhoused clients and would definitely prioritize those who are in the safe parking program.

Commissioner Ferguson asked if staff can speak to where the public facilities are nearest to this particular location.

Police Chief Steidle asked if he was referring toward the nearest stepping station.

Commissioner Ferguson stated the nearest restroom, nearest garbage disposal of any kind, adding that his understand is that it is fairly remote. If they wanted to use a restroom and their grey or black water tank was full.

Sr. Planner O'Connor stated that the Mori Point trail hike has a bathroom.

Acting Planning Director Murdock stated that there are public restrooms at the Pacifica Pier, library when operating in Sharp Park.

Commissioner Ferguson asked if it was a mile walk each way.

Acting Planning Director Murdock stated that he asked the nearest, and he thought that was the nearest.

Commissioner Godwin wanted to make clear that, when these sites were being considered, they city went as far as looking at Mussel Rock and working with Daly City for locations down to Half Moon Bay and looking at RV operations there in the local RV park in the city. He stated that none of those discussions ever bore fruit but they were held. He also stated that, near the Bradford site, there are garbage cans and he uses them when walking his dog. He stated that, 20 years ago when he first bought an RV, he mounted solar panels in the top back when solar panels were a lot less efficient and it extended the life of the batteries, such as they could go to Shasta for several days to water ski and not run out of power. He suggested that they think about adding solar panels to the RVs which can be done in about an hour and it will make a difference in the battery life. He then asked Police Chief Steidle that, when he drives around town, there are a lot of out of state registered RVs that are here for longer than a couple of weeks. His understanding of state law is that, after a few weeks, they need to re-register the vehicle. He asked if that was something they are going to look at as part of the process.

Police Chief Steidle stated that it is difficult with recreational vehicles. When they are talking about registering a vehicle in the state, it is not necessarily that you are, but you have to be deemed a resident. He stated that, if he lives in Nevada and coming to California to vacation for months, not that they are vacationing, but if he is doing that, he is not required to register his vehicle in California at that point, but the vehicle code says there are 20 days. There are a list of things that the Department of Motor Vehicles looks at to determine whether they have established residency. He stated that, if someone moved from out of state and came to Pacifica and are permanently living in Pacifica, and that vehicle is registered to them, then they would have to register the vehicle in the state. Part of the agreement with the people who apply for this program is that they are allowed to occupy a vehicle that they own, lease or have permission from someone else to use. He stated that, if he lives in Nevada and he is loaning his RV to someone who lives in Pacifica who happens to be homeless and is living in the vehicle in one of the 13 locations, that would be one of the gray areas where he didn't think they would be required to register that vehicle in California unless they plan to permanently keep it in California. He stated that there are a whole bunch of ifs, ands or buts as to whether that would be required.

Commissioner Godwin stated that it makes it clearer.

Commissioner Leal referred to the 30x10 measurements, and he assumed it was based on prior averages of recreational vehicle sizes, and he was curious as to what happens if a vehicle is outside of those limits with the parking spaces. He asked if they are not allowed to be in the program, what happens in the program.

Sr. Planner O'Connor asked Executive Director Rees if she can respond to that.

Executive Director Rees stated that she didn't know the answer to that question and they would need to talk to the city about because the city determined the size of the spaces and they would do their best to get someone who was in the program to be within that range but it does exclude those who have larger vehicles at this point.

Commissioner Leal didn't think there were hard markers or barriers related to the size of the spaces. If someone in the program has a vehicle 35 feet long, enforcement of those five feet outside of that over 72 hours and if it wouldn't happen or would it be waived because they were in the program even though it is larger.

Police Chief Steidle stated that he will attempt to answer that if he understands his question. He asked, if a permit were issued to a vehicle that was 35 feet, whether they would be held to the 72-hour standard or would they be allowed to park there under the conditions of the permitting.

Commissioner Leal stated that was the gist of the question and he asked if they would be issued a permit if the vehicle was outside the size.

Police Chief Steidle stated that, at this point, he would divert some of that to Executive Director Rees as the police department does not issue the permit. He stated that, if there were a question that came up about whether, if Executive Director Rees came to the city and stated that there was a vehicle that is a couple of feet longer and is it allowed or not allowed, and they would probably would have to work with the Police Department as well as Engineering and Public Works to determine whether it would be allowed or not. He stated that once the vehicle is issued the permit, then they are not subject to the 72-hour rule.

Commissioner Leal referred to the exterior of the vehicle, and if the vehicle is 20 feet long and they want a 10-foot backyard with lounge chairs, what is permitted outside of the vehicle within that space.

Sr. Planner O'Connor asked Executive Director Rees to respond to that one.

Executive Director Rees stated that nothing is allowed outside of the vehicle, even if they have more space and everything it to be contained within the vehicle, i.e., no lawn chairs, nothing as all their items need to be inside the vehicle at all times.

Commissioner Leal referred to refuse and that they are still working with Recology and the city on that plan, and he was curious if there was any discussion or any comments on that even though it is not finalized and where those will be stored.

Executive Director Rees stated that, at this time, they would dispose their garbage on specific dates, and have access throughout the week, but they haven't figured that out. They would not have things outside, and garbage would be inside and they would need to figure out how to get

them so they aren't storing all of their garbage within the vehicle over the week and they want to make sure they have the ability to dispose of their trash before then if it becomes too much.

Commissioner Leal stated that people participating in the program or working towards getting them permanent housing, they may have additional vehicles to go to their place of work and working toward permanent housing. He wanted to confirm that the additional vehicles would not receive permits and they would be required to find additional space in the public right-of-way and subjected to other Pacifica municipal codes related to parking.

Executive Director Rees stated he was correct.

Commissioner Domurat stated that no ADU units are allowed and his mother-in-law can't move in. He stated that all the locations, but focusing on this one, are still pretty close to some residential areas. His concern is with the generators which typically are gas driven and they are not silent and very noisy. He stated that there will be a time, and legal can address this, within the next number of years that the state will mandate that none of those gas units can be used and will all have to be electrical and solar based. He stated that it wasn't in effect yet and he wondered if there was any way to enforce some kind of noise abatement on the generators and there were packages that can develop them and can help reduce some of that noise. He wondered if that was a consideration.

Acting Planning Director Murdock stated that, before he addressed his question, he wanted to follow up on Commissioner Ferguson's questions about the Bay Area air quality management district. He stated that their threshold for reservation of generators is 50 brake horsepower. He didn't know what that means in terms of a generator size but it was his understanding and impression that it was probably larger than most RVs would be likely to have. He stated that it is a known requirement and something they can continue to explore with the Resource Center to see if there is a way to incorporate that registration requirement into the program requirements. He then referred to Commissioner Domurat's question, stating that the specific regulation in the program currently is the quiet hours from 10 p.m. to 8 a.m. during which program participants would not be allowed to run their generators. During the daytime, these locations are very close to Highway 1 which is within the highest noise corridor in the city generated by the highway noise from vehicles and he can't say definitively that it won't be noticeable noise but, with respect to the surrounding context, he didn't expect it to generate objectionable noise from use of the small generators.

Commissioner Wright asked Executive Director Rees if Pacifica families were prioritized, i.e., if someone loses their house, they have an RV and are forced to move into that, do they take priority over other residents or, in the event of dissolving marriage, one of them needs to leave and move into an RV, are they prioritized.

Executive Director Rees stated that Pacifican families and individuals living in Pacifica do have priority.

Commissioner Wright asked, in the event there are some problems with the program, whether they have discretion to change the rules for their program to address those concerns.

Executive Director Rees stated that they can revoke someone's permit if they aren't moving forward in achieving their goal for housing. She stated that, with the city's approval, they can

make adjustments to their bill of rights and code of conduct. She stated that, as it is a new program, it is based on best practices of other programs that are similar, but there is not one that is like this so they are in new territory and they leave that open to make some adjustments as needed. She wanted to mention that they are hiring a Pacifica safe parking permit coordinator and one of the rules in that position is going to be the liaison with community members and if something comes up with one of their motor home neighbors, they hope they will be reaching out to PRC so they can try to alleviate any of those issues and concerns. She believes that, once the program is moving forward, it will alleviate a lot of the challenges that people in the community are having with these oversize vehicles, because people who are in the program and have these spaces want to be in the program and move towards housing and they want to be good neighbors and that is what they are trying to give them the opportunity to be.

Commissioner Wright asked if the professional would be there to field complaints as well and on call 24 hours so, if the police have an issue after normal business hours, they can divert that complaint.

Executive Director Rees stated that they are still working that out between that staff person and their director, manager and she will probably takes different days to be on call so that it is not one person potentially having to work 24/7.

Commissioner Wright asked if there was a maximum length for how long someone can be eligible for this program, such as entitled for the whole three years.

Executive Director Rees stated that theoretically yes, but their goal is to have them move into housing before that.

Commissioner Wright asked if there is a check in/check procedure once they are issued this 29-day period so they can assess the condition of the parking space when they take possession and how they leave it afterwards.

Executive Director Rees suppose that is what is going to happen, but they don't see it in that same way. She thought their goal is to have people individually assessed and oriented to their space and then on the 29th day, move to the new location. The same thing will happen. Theoretically or ideally, they will have 13 people in those 13 spaces and every 29 days there would be a move out/move in day and they would orient them to their new location.

Vice Chair Hauser stated that, based on Commissioner Leal's question, she had another question. Her initial questions were about making sure they analyze the rest of the road to make sure they are safe, and Commissioner Leal asked about what if someone was over the minimum length, and they talked about length but she didn't think they talked about width. She understands that vehicles that travel on streets are definitely less than ten feet wide. She asked if the program will ensure that there is not some sort of retrofit if the vehicle is going to be there for three years and it is outside of the 10 foot width and that becomes an issue for emergency vehicles and traveling. She didn't think there was a clear answer on whether people will be restricted. She sees on Oceana, when people park there, a lot of these add retrofits, including pitched roofs, and she wants to be sure that the width question is something they have studied.

Executive Director Rees stated that they have to move every 29 days so some of the things happening, such as building out, she didn't anticipate happening because they will have to move

every 29 days and they are not going to be setting up residence in a specific location for three years. She stated that they will definitely check in with them regularly to make sure they weren't imposing on the sidewalks or into the right-of-way as that defeats the purpose. The goal is for them to return to housing and whatever they decide that is going to be. It could be staying in their motorhome and moving to an RV lot. She stated that they may decide to live in their tiny home ongoing but their goal is to move them to other housing so they don't have to live on the streets and she thought an RV park still works well for some people and they still have that option. She stated that they would be checking in with them on a regular basis and making sure that none of those things that get in the way of the right-of-way would happen.

Vice Chair Hauser reiterated that our scope is not to amend the program that Council has worked on but to assess safety. She thought she was hearing her say that the Resource Center will work with the city to ensure that there is no retrofit or projection that encroaches outside of the ten-foot width and asked if that was correct.

Executive Director Rees responded affirmatively.

Commissioner Godwin has a follow up to Vice Chair Hauser's question. He stated that many RVs are manufactured with slide outs and whenever they park them, they get much wider because they can extend the RV hydraulically for four feet out and the standard RV width has got to be limited to 8.5 feet so it is legal on the road, but with the slide out extended, it could be well over 12 feet wide which is wider than the parking spaces. He asked if they had considered that in the ordinance, and are the slide outs permitted or not.

Executive Director Rees stated that slide outs are not permitted at all.

Commissioner Godwin stated that, from the questions, motorhomes are normally identified by class and it sounds like they have spaces for Class C motorhomes, up to 27-28 feet but Class A motorhomes, which can be converted city buses would obviously extend past the 30-foot length and there are small mini and truck campers which would fit in comfortably. He asked if they considered limiting the motorhome by space by classes that would definitely fit.

Executive Director Rees asked if that was a question for the city.

Police Chief Steidle stated he would speak on that, as in the conversations he heard in all the planning for this, he never heard of a class, but always based on a size that was going to be safe for the location and safe for traffic.

Commissioner Godwin stated that, if you talk to motorhome dealers and purchasers, you will find that motorhomes are sold by class and advertised by class and class affects the length of the motorhome and he thought it would be worth their while to look into that as a side point. He then referred to generators and cabinets in RVs and motorhomes frequently are available for small generators but many people use an external generator which is much larger. He asked if there were any limits on external generators in this ordinance versus ones that are designed into the unit initially.

Acting Planning Director Murdock thought there were two answers to that question. First, deploying that as personal property off of the vehicle would be prohibited by the program regulations. To whatever extent it is integrated or connected to the vehicle, and complies with

the space limitations, then the operations would not be limited other than during the quiet hours currently established in the program.

Commissioner Godwin stated that they are all connected, the external ones at least electrically to make them valuable, and he asked what he means by connected.

Acting Planning Director Murdock stated that he means physically attached to the vehicle.

Commissioner Godwin stated that to be attached to a vehicle, the fuel source has to be from the motorhome.

Acting Planning Director Murdock stated that he is not familiar with all of the workings of portable generators but the primary concern in his mind is that it would be deployed in some location outside of the dimensions of the space that is permitted, such as obstructing a sidewalk and that would not be allowed under the program.

Commissioner Godwin stated that he could take an external generator as long as it is within the 10-foot width space and set it out of the motorhome, connected electrically, fired up and have it run and that is acceptable within the program.

Acting Planning Director Murdock thought Executive Director Rees would need to comment more on whether a placement in the street is acceptable or not, but he was referring to is generators that he has seen on various RVs connected to some type of cargo rack in the back of the vehicle, strapped down and that may or may not be an acceptable operating condition for the generator but that is beyond his scope of knowledge. He stated that was the type of connection or physical attachment to which he is referring.

Commissioner Godwin stated that is usually not an operating configuration as that is a transport version typically mounted external to the vehicle and connected. He stated that there are some that are designed in cabinets. He stated that it sounds like it's a legal thing under this ordinance to carry an external generator and mount it on the ground.

Executive Director Rees stated that it wouldn't be allowed unless it is physically attached, not sitting on the ground as they are not allowed to have any of their property outside the vehicle. If it was on the rack that was mentioned, it would work and she can't speak exactly to whether it was functionally attached to a cargo rack but if they had to remove it from the cargo rack, it wouldn't be allowed.

Commissioner Domurat wanted to readdress some of the signs that will be posted, such as the example given with Planning information. He asked if they proposed any signs that would have emergency numbers for people who are living there who may not be from the area, there is a sign for the police, for the city with phone numbers that they can directly contact with some kind of issue. He knows that signs that would say what that spot is and who to contact if they would like to reserve that spot, such as people from out of town driving by as certain people would do their homework and find out if that's available but others may not. He wasn't sure what more information they are planning to do for some of the signs.

Senior Planner O'Connor stated that signage he is proposing wasn't proposed by the applicant and just proposed to describe the reservation of the space for the program members. She

suggested that either Executive Director Rees or Police Chief Steidle comment on if more informational signage was considered.

Police Chief Steidle stated that there was not to his knowledge any other informational signage that was considered. He stated that, toward the end of this process of constructing these signs that they came up with, the reason for the signs is that the applicant wanted the ability to be able to immediately tow or remove a vehicle that was unlawfully parked there so as not to obstruct that permitted space for someone with the right to park there with a permit. He explained that the only way they can do that under California state law is to create a sign with the information that was placed on the sign notifying a potential violator that their vehicle will be immediately towed without warning if they park there.

Commissioner Domurat asked if it was part of the law to require that, if your vehicle is towed, call a specific number to find out where it went. He stated that he has seen that on some.

Police Chief Steidle stated that was for private property. He stated that there is a section of vehicle code that talks about private property. If you pull into a shopping center, you will see the vehicle code selection of who to call to get your vehicle and the Police Department's phone number.

Acting Planning Director Murdock stated that, if he understands a component of his question, it may be something Executive Director Rees can speak about, i.e., what the pipe line is like of identifying potential program participants. He wasn't sure if people driving through Pacifica is necessarily the target audience or if there is any shortage of people identified by the Resource Center, but he thought Ms. Rees may be able and willing to do that, mentioning the various possible candidates.

Commissioner Domurat stated he was more concerned that the signage that shows numbers for the local police if there is some challenge so the people don't have to try to figure out how to look for numbers as they are on the sign.

Senior Planner O'Connor wondered if Executive Director Rees can comment on a permit that will be posted to inform the public how to be a valid participant.

Executive Director Rees stated that there will be a permit that they will need to show in the window of the vehicle. She stated that they are conducting outreach to people who are living in Pacifica in motorhomes and would be eligible for this program and oversize vehicles that are eligible for this program. They are working with them to make sure they meet the requirements and, once they start the program, they will be able to move in immediately for 29 days. She stated that their goal is to have 13 participants move in at once and, as people move out because they are moving into housing, they would have a new space and would have a wait list to add the next person in. She stated that, if there is an open space, someone who has an oversize vehicle could apply and receive a permit that was temporary permit that would allow them to park there for three days legally and they would not have the other benefits of the safe parking program. The intention was to make sure every space was used. She stated that there are other oversize vehicles that are not supposed to be on city streets that are subject to ticketing and they would be able to use those spaces if they want to. She thought people from out of town could as well but that is not their target. Their target is Pacifica residents.

Commissioner Ferguson asked her if there were any provisions in place when there are mechanical issues with the vehicles, and with a 29-day shuffle of 13 RVs. He stated that he spent enough time on vehicles before to know it is not an if but a when one of them are not going to be able to move and there will be someone lined up to take their space. He asked if there was an on call oversize vehicle towing operation, and asked where they are towing them to and who will be footing the bill for maintenance such as does the cost fall on the city.

Executive Director Rees stated that they have funds set aside to help with repairs on vehicles as they are needed and, in the event that they need to tow a vehicle, they are going to use Miller O'Brien who has helped them with other programs and they would pay them and work it out to have it towed to a place where it can be repaired or towed to the next site and work on a repair process for that vehicle so they can move again as they will have to move it in 29 days.

Commissioner Ferguson concluded that she said they have retained the services from someone who can tow these size vehicles around different places and work on them in their new parking spots.

Executive Director Rees stated that not necessarily in those parking spaces. She stated that they have a few vendors that work on motor homes but they aren't necessarily in Pacifica so they would need to tow it there. She stated that, in the event that, on the move day, they couldn't move, they would work with Miller O'Brien to move it to the next location or a place where they can be repaired, depending on whether they know that it wasn't useable before. She stated that the goal is to make sure they are able to move on the day they need to move and make sure they are maintained and functioning.

Commissioner Ferguson saw, over a three-year program, that this will happen more than once. He asked if there was a provision in place for the vehicles, if they get towed, to be worked on outside the city of Pacifica because he has driven around and he didn't recall a lot of large vehicle maintenance centers. He asked if there was a provision to house them during the time that their vehicle is under maintenance, potentially for multiple days or even a week as you can wait for parts for up to 3-5 weeks.

Executive Director Rees stated that they would work that out on a case by case basis, but they have resources available to cover the cost of hotel space in certain circumstances and they are also eligible for shelter, and they would have them assessed for shelter. In the event that their vehicle needed to be sent for repairs, there is one in Pacifica but there are a couple of spots in Redwood City that do work on motorhomes, and we would have it taken there for repairs and, during that time, they would encourage them to use the shelter program, and if not the shelter program, they would work out to house them in a hotel.

Chair Berman stated that most of her questions were answered, but she has a question related to maintenance which might be for PW Dep. Director Bautista to answer. She stated that, as they will be a large vehicle, often when large vehicles are sitting on asphalt, it will deteriorate the asphalt. She asked if there was a concern by PW on deterioration and maintenance in the right-of-way.

PW Dep. Director Bautista stated that, as the oversize vehicles move to different locations or if they become vacant, PW will inspect the site to make sure that the site is in good condition for use.

Chair Berman asked, after year one with potholes, rutting, if PW plans to repair the site in preparation for the next year and then the third year.

PW Dep. Director Bautista stated that, as they inspect the site, they will see what treatment is needed to make the site suitable.

Chair Berman stated that her last question circles back on Commissioner Ferguson's earlier questions regarding disposal of black water because, in her opinion, this is a safety concern. She asked if there will be an ability to locate porta-potties, especially in this location as there is a good amount of right-of-way available, and has it been considered.

Acting Planning Director Murdock stated that he thought the requirement for the operable toilet facilities was intended to address the sanitation needs. He thought Executive Director Rees can speak more, as she has tried to communicate that, based on her assessment and research on this issue, the twice monthly pumping should be suitable. She has communicated and can further clarify that this program will need to be adapted in response to the emerging and individual needs of some program occupants in that he thought her intention was to be responsive to those needs and have the twice monthly be the base and not necessarily the maximum service provided.

Executive Director Rees stated that he explained it very well. She agreed that, since this is the first time doing this program and they don't have anything to compare it to, they are going to start with this and will adapt as needed to be sure that the needs of those individuals who are in the program are met, as well as the community's needs.

Acting Planning Director Murdock referred to the specific question of portable toilets, he thought that was a different range of impacts that staff has not analyzed and he asked that the Commission carefully consider seeking to add that at this time if it was their desire, adding that they would need to do some further analysis of the suitability of such locations, and whether the city engineer would be amendable to placement of those toilets in the public right-of-way.

Chair Berman stated that she would defer to the experts, adding that she thought Executive Director Rees is very knowledgeable and has done a lot of research. She stated that, after year one or two, if it is determined that it may be very beneficial to have a porta-potty in a more accessible location to these parking spots, is that something that would have to come back to the Planning Commission.

Acting Planning Director Murdock thought it could if the placement of those portable toilets constituted development and required a coastal development permit, but it is possible that it may not. He stated that is a fact specific analysis that staff has not undertaken and would need to undertake. He didn't think it would be limited to an amendment to the existing permits and could be its own permit if that requirement was necessary. He reiterated that those are issues they haven't fully analyzed.

Chair Berman thought it might not be necessary at this time, but she asked if would be a beneficial idea to add a condition of approval that said, to the discretion of the PW Director or Planning Director, should additional sanitation facilities be required and can be located to their discretion.

Acting Planning Director Murdock thought it was possible, explaining that from a condition of approval standpoint, he didn't think they should condition items that have impacts that would fall within the umbrella of the analysis that has been performed. He thought outside portable toilets may have a different range of impacts than they have considered for the operation of recreational vehicles that have functional sanitation systems and something they haven't analyzed as to whether they would be consistent with policies in such a way that could be approved. He asked that they defer to the managers of the program so that, if the need arises, they take the appropriate steps to address that, such as increased pumping or some other solution.

Chair Berman thought that was fair and she appreciated his response.

Commissioner Wright asked Police Chief Steidle if he would say it is safe to assume that this program will have a net positive effect on public safety in Pacifica.

Police Chief Steidle believes that is the case, adding that having a program like this where these people who are forced to live in their vehicles and have a safe place, and they know based on the analysis that it is safe to park their vehicles in those areas based on the size of their vehicles. They will be held to a certain code of conduct where certain things will be allowed and certain things not and that will certainly mitigate some of the quality of life issues that currently exist and they currently receive complaints about in neighborhoods where there are some oversized vehicles parked, such as the trash or setting up encampments outside of their vehicle and those things won't be allowed. He stated that, as it is a structured program, his opinion was that it provides a safe environment for the neighborhoods as well as the people living within their recreational vehicles.

Commissioner Ferguson stated that they are usually hearing applicants who are private developers or private citizens within Pacifica and they often deliberate on 100-year storm catch basins, etc., for potential mitigation of future issues arising from a property or a development. He stated that, in this case, it is an odd situation where the city is the applicant. He asked the city attorney, if they have a situation where there was a spill, such as black water, gasoline, etc., and it was subject to some environmental or other litigation, whether it would be the city's liability as the applicant for this program for clean up or anything associated with something that happened around these sites.

Asst. City Attorney Sharma stated that it would depend on how the circumstances have arisen and what the city's knowledge would be at the time that such a circumstance occurred.

Commissioner Ferguson stated that it is a yes or no question as to whether there is an opportunity for risk of liability for the city.

Asst. City Attorney Sharma stated that, in approving a permit, there is always some risk of exposure that comes along with that.

Acting Planning Director Murdock added that he would offer a non legal response to the question. He stated that an issue of what are known as illicit discharges are familiar to the city and the PW Department has a procedure for responding to them. In conjunction with the Police Department or Code Enforcement Officer's attempt to identify the party responsible for the illicit discharge to ensure that they are held accountable, and they attempt to recover the expenses of the cleanup response and to that end, there is a mechanism that is routine for the city for addressing

illicit discharges and they try to identify the responsible parties. Whether the city as a permit holder would incur and specific liability is, as mentioned, a legal question for the City Attorney's office and is probably beyond the scope of this meeting's hearing and probably beyond the ability of the Asst. City Attorney to answer.

Commissioner Ferguson stated that it seems like the city has directed these to some very specific locations and has been a city process from start to finish and they have identified exact intersections and locations, with some in protected waterways and it was something he wanted to understand.

Acting Planning Director Murdock thought, through the program requirements, the city has taken diligent measures to ensure service ability in inspecting these vehicles in partnership with the Resource Center and we can't prevent every potential of an illicit discharge but reasonable prudent measures are included in the program to help diminish the potential for that.

Commissioner Wright asked if it was safe to assume the program does require insurance on the part of these occupants for their vehicles and would that not defer some of that liability from the city toward that insurance company.

Police Chief Steidle stated that he couldn't speak as to what the insurance would cover but he stated that the vehicles must have automobile insurance to be part of the program.

Commissioner Domurat thought they could see, from a lot of the questions by the Commissioners, that there was a lot of debate still going on with what could or might happen. He asked if the city required a formalized learn process as at the end of year one they will reassess and may make changes based on that or at the end of year three, prior to extending any program, there would be a formal process to review and make improvements.

Acting Planning Director Murdock stated that the Planning staff has not been involved in the detailed program development, and he thought Executive Director Rees could speak to what, he thought was intended to be a cooperative relationship between the city and the Resource Center as the program manager. He imagined there will be an opportunity to revisit, not just on an annual basis but as needed, to make sure that the program requirements are true to the requirements of the legal settlement as well as incorporating real world lessons to ensure that the issues and impacts that are intended to be mitigated by the program are adequately addressed. He suggested that Ms. Rees speak to those points.

Executive Director Rees stated that they will make adjustments as needed, and some will require them checking in with the city and some things they can tweak on their own. She stated that they also plan, at about a year and a half in, to have an independent evaluation of the program to further document lessons learned and make additional adjustments as needed.

Chair Berman stated that they will be taking the applicant position and they will have an opportunity for more questions. She stated that she had some public comments and they will have another opportunity for deliberation. She then left it up to applicant, PW Dep. Director Bautista, to present, concluding that they will follow the usual format of ten minutes, etc.

Acting Planning Director Murdock agreed with her, adding that it would help to formalize that she was opening the public hearing.

Chair Berman opened the Public Hearing.

PW Dep. Director Bautista stated that he has nothing further to add to this discussion but would be happy to answer any other questions.

Acting Planning Director Murdock stated, regarding public comment, he wanted to mention that the Commission has received a hand delivered written comment from a member of the public, seemingly intended to apply to all three public hearings on CDPs, and they distributed that to the Commission.

Chair Berman asked if he had a copy for the record as well.

Acting Planning Director Murdock stated that they did.

Chair Berman stated that she would call the speakers, and she asked if she should call the next person to be ready.

Acting Planning Director Murdock explained that the Chair will mention speaker one, followed by speaker two, as it helps facilitate efficient meeting management if they make their way to the podium for their opportunity.

Chair Berman apologized in advance if she mispronounces their name.

Lindy Kwock, Pacifica, stated she was sorry that not many Fairway Park residents showed up but a lot of the homeowners were concerned about the potential RV parking spaces, and she shared their concerns on the issue. She asked PW Dep. Director Bautista for comment.

Chair Berman explained that it is not a back and forth.

Ms. Kwock asked if she could ask a question.

Chair Berman stated that she can, but she will not get a response.

Ms. Kwock asked, on behalf of the homeowners, at what phase is this proposed development and do they have the option of appealing it and petitioning for it.

Jim Candors, Pacifica, stated he is a taxpayer and he understood that there is not going to be an answer for him at this time, concluding that it is all about the Commission even though they pay the taxes.

Acting Planning Director Murdock clarified that the Commission receives any questions or comments made by the public and can ask those questions of staff once the public hearing is closed but the structure of the public hearing is not such that the Planning Commissioners can engage in a dialogue with the commenters at the time of their comments. He stated that the questions are valuable but not an active dialogue at the time the comments are being made.

Chair Berman thanked him for that clarification. She stated that they receive their comments and during their deliberation after public comment is closed, they re-ask their questions.

Tim Blanchard, Pacifica, stated that he was opposed to this plan and expressed his earlier and present concerns regarding RVs, mentioning specific negative situations in the past.

Alison Thompson, Pacifica, stated that she is a resident with small children and expressed her objection regarding these safe parking proposals, and mentioned specific concerns she had.

Chair Berman wondered if she could give Mr. Candors another opportunity of public comment.

Asst. City Attorney Sharma stated it was at the Chair's prerogative.

Chair Berman asked Mr. Candors if he wanted to make further comment, and he said no.

Senior Planner O'Connor stated that they have one call-in and she introduced the speaker.

Acting Planning Director Murdock asked Chair Berman to confirm that she did not close the Public Hearing.

Chair Berman stated that she did not.

Paige Saunders, Pacifica, stated she lived near where the two RVs are going to be parked, and she then expressed her concerns regarding her opposition to this issue.

Chair Berman closed the Public Hearing.

PW Dep. Director Bautista stated that, regarding the first speaker's questions, he would defer them to Executive Director Rees to answer the questions regarding who the people are and how are they interviewed and what phase is the development. He stated that they would address those questions first, then address the other speakers' questions.

Chair Berman asked Executive Director Rees if she would mind answering the questions.

Executive Director Rees agreed. She stated that those who are awarded a permit need to go through an assessment done by the Pacifica Resource staff and their safe parking permit program coordinator will be the one to make the final determination. She stated that they do a thorough review of their circumstances, and they need to have a commitment to returning to housing, which is a key condition of the program, as the safe parking place is the first part of the program and allows them to work on the issues that have led to them becoming homeless. She stated that they will be providing intensive case management and working towards their housing goals. She stated that they will be considering the individualized housing plan based on where they want to live and what their goals are for housing and it may include moving out of this area and include renting a room. She stated that, on looking at all of those factors, the core is going to be that they have an eligible vehicle that meets the requirements of the program and that they are working towards their housing goal. She stated that each case will be considered on a case by case basis and there isn't any "cookie cutter" type of person who is going to be in the program. In terms of the phase of the development, that is a question for the city manager because she understood that this is something that needs to move forward based on the lawsuit that was settled and it needs to

be implemented by the end of June. She didn't know whether there are any other opportunities to change this in terms of them moving forward. She stated the settlement included 13 spaces and a lot of those spaces can move to other locations. She thought the city has tried to find the most ideal spots, and these are the spots they have determined will work best for this program, adding that the Pacifica Resource Center was not part of that discussion, just implementing the program and not making decisions about where those spaces are going to be.

PW Dep. Director Bautista stated that the other comment was about the black water and safety. He stated that if there is any incident, Public Works responds and they are anywhere in the city and if there is a discharge, they are out there. He stated that, in terms of the safety of the spots, the engineer who went out into the field for verifications also took into consideration such as length of site. They made sure that the spots were safe.

Chair Berman if there was anything else he wanted to add.

PW Dep. Director Bautista responded that there was not, as he thought he addressed most of the comments brought up.

Chair Berman then brought it to the Commission for deliberation.

Commissioner Wright wondered what data is being collected on this program to enhance public safety and help make the program more successful and help them try to figure out how it can be made better over time, such as whether it includes a background check and sex offender status, etc., to address the public's concerns.

Senior Planner O'Connor invited Executive Director Rees to respond to that.

Executive Director Rees stated that, regarding the data being collected in general for the program, one of their biggest outcomes is going to be how many people return to housing, adding that the kind of services they will be receiving or how often do they need to help people repair vehicles, what are the barriers for them to return to housing, and increasing their income so they can cover those costs are very specific to moving people toward housing and is their focus to figure out what supports they are planning to offer result in the ultimate goal of helping people return to housing. At the same time, they will be addressing the safety issues and concerns that the community has around garbage and black water and gray water waste and all those things as she believes that once they are in the program because they want to be in the program to return to housing. She stated that their goal, as well as the city and PRC's goals, is to make sure that they are good neighbors.

Vice Chair Hauser reiterated some of the questions that the community speakers asked so they can hear a little bit more of the answer to the questions they had. She stated a couple of the speakers talked about the temporary parking program and she wanted to understand if the two spaces that are proposed are in the same spot as the test program.

Police Chief Steidle stated that he was not aware of any test program that occurred.

Executive Director Rees stated that she was not aware of any test program either.

Vice Chair Hauser thought that was helpful information. She asked if there was any comment pertaining to the bus with the slides out, as those items were not part of the city program.

Executive Director Rees stated that those motorhomes that were on Francisco near Bradford were not part of any program, and they have not started the program. They were parking there on their own and, if they were in the program, they would not have been using the slide outs and would have stayed in the marked spaces.

Vice Chair Hauser stated the other question asked by the community was what was the appeal process, adding that she would like to understand that.

Acting Planning Director Murdock stated that the permit at this meeting and whatever action the Planning Commission takes on it is subject to appeal to City Council, with a ten-day appeal period following this meeting, assuming that the Commission takes action on the permit. He stated that this location is also subject to appeal to the California Coastal Commission and following any potential appeal by City Council or, if no appeal is filed to Council, in either case there is an appeal opportunity to the California Coastal Commission and that would allow them to make the final determination on the permit.

Vice Chair Hauser stated that her last question that came through public comment was that the litigation is pertinent, and she would like to understand what obligation they have as a Commission or the city has as part of the lawsuit to make a decision in a timely manner and what must we do.

Acting Planning Director Murdock stated that they don't necessarily have all of the details of the settlement readily available at this time but, in general terms, there are a number of obligations for the city, a number of demonstrable discrete steps the city must take in order to implement and execute this program. He stated that some have due dates in May and some due dates in June. He cannot confirm it, but he thought the city's required action to obtain the coastal development permits is required to be completed by the end of May. He stated that, in the event that there is an appeal process, that is beyond the city's control and they would have to address that with the plaintiff's counsel in the event that they have concerns about the timeline. As long as the city is making a good faith effort in attempts to get the action on the permit by the end of May, he believed it would be compliant with that particular component. He stated that, as discussed in general terms, the city is obligated to identify 13 safe parking program spaces and take the steps necessary to enact the program, including partnering with the Resource Center for program management. He stated that this is one of several specific steps that the city is obligated to take under the settlement.

Vice Chair Hauser stated that she didn't want to make any presumptions on what deliberations will lead to, but, if there was a desire by the Commission as an appointed body of the city to continue this to get more information, would they be hindering themselves in this legally described process.

Asst. City Attorney Sharma stated that, if the Commission doesn't take timely action, there is potential peril in the city's litigation posture.

Vice Chair Hauser asked if a timely action would not be any action that they make but a requirement to find 13 parking spaces.

Asst. City Attorney Sharma responded affirmatively.

Commissioner Leal had clarifying questions about the three-year term and he asked if they can get more information on what happens at the end of the three years, i.e., does it come back to the Planning Commission.

Acting Planning Director Murdock stated that the city has committed, as part of the settlement, to operate this program for a period of three years. Council could potentially take action to extend the program longer than three years and he would say that the city was not predisposed to such a program prior to the litigation and it is anyone's guess if, at the end of the three years, the Council would want to continue the program in the current locations or different locations would be speculative. He stated that, as planned now for a three-year temporary safe parking program, the conditions of approval would require "decommissioning of the space, removal of the pavement marking and the signage at the end of the three years and the program would terminate with no further safe parking program at the end of the three years as contemplated currently.

Commissioner Leal referred to the timing, and asked, when the clock starts and if on a per approval basis, whether the clock would start on these two at a certain time and then another two at a certain time, depending on what is in the permits or is it that the program starts on a certain date once the first RV parks and then to whatever three years is.

Asst. City Attorney Sharma stated that the program timeline technically begins implementation from back in February.

Commissioner Leal concluded that we are already in the three-year period.

Asst. City Attorney Sharma apologized, saying that she didn't believe that they are in the three-year period yet until this is finalized.

Acting Planning Director Murdock added that he didn't know the answer as to whether it is a per space starts the three years, could there be a staggered start and a staggered finish, but he thought, in any case, he would expect the start of each space to coincide relatively closely with all the other spaces and, on a three-year horizon, he didn't know if there was any meaningful difference but he didn't specifically know the answer to his question.

Executive Director Rees stated that her understanding is that the three-year time clock is not starting until they start the program and the program won't be started at least until the end of June based on the lawsuit requiring that the program be implemented by the end of May but because they needed to get these permits, it got extended to begin by the end of June. She stated that Acting Planning Director Murdock shared that there is a possibility of having that start point extended if they need more time but that would be something that would need to be discussed with the plaintiff to approve that extension.

Commissioner Leal stated that he wanted to touch on some comments made by the public around public safety. He was going to ask the police chief, if there was any data related to incidents with RVs specifically parked, as to whether they had any traffic data or incidents that were referenced by the public or anything they may have.

Police Chief Steidle stated that they don't have any specific data, but he can tell him that, in terms of incidents they have regarding people living in recreational vehicles are often the same type of incidents they have with people living in houses, such as they have arguments, other issues that come to law enforcement attention and occasions when they had incidents that had to do with mental health issues, but they also have those same type of incidents for people living in more traditional housing. He stated that oversize vehicles tend to draw a little bit more public attention. He stated that the community is very well aware of the 72-hour ordinance and continually complains about being parked longer than the 72 hours. He stated that the 72-hour alleged violations with a check on them are probably the biggest draw in law enforcement resources in terms of the oversized vehicles parked in the city. He stated that, from his expertise, if that is the biggest problem we're having, that is not too bad. He stated that, in terms of the collision referenced, he stated that it wasn't a normal collision. While he doesn't recall all the details, but that was a criminal event that occurred out there.

Commissioner Leal stated that he was specifically looking for vehicular collisions related to RV use and not necessarily domestic items.

Police Chief Steidle is aware of that one, as well as a documented collision that was a failure a couple of years ago but that had nothing to do with where the vehicle was parked but had to do with an accident and somebody hitting an accelerator and crushing someone who was working on the vehicle and that could have happened anywhere as that vehicle was parked.

Commissioner Leal was aware of that one, which he believed occurred on Palmetto in a similar space if not the same exact space, and a small school bus lit up in flames not too long ago. He stated that all these incidents occurred within the past three years. He stated that, on thinking on the past three years, and predicted the next three years, they are in different terms as they're intent is that it was a regulated program and is safer. He was thinking, given the position the city is in, they need to provide 13 spaces and he asked how you can put these spaces in the best places that are, not only safe for the public, respectful to existing residents of Pacifica but also safe for the tenants as well. He stated that he travels in this location often on his bicycle with his son when going to baseball fields, as well as walking the dog. Many times they are in the lane of traffic which, at certain parts on Bradford Way, he believes is a parking lane but the width of Bradford Way expands and contracts, depending on the section where you are, i.e., on the northern end where it hits Sharp Park and Francisco, you are in the right hand portion of that road which, with these parking places, they will need to veer to the left to avoid the parking lane to be in the left side of the 20 feet. He stated that there is no designation in the road that the driver needs to do that. He stated that he has never seen anyone parked on the right hand side other than RVs parked there previously and the public was referencing those locations. He stated that regarding his comments, as they deliberate, he would like to see some additional roadway improvements as part of this project because it will change traffic on how people are currently traversing, not only bicycles but vehicles, as well as additional no parking signs to clarify where you cannot park there as there is no red curb anywhere and the road goes from 20 feet to 10 feet as you move further south. He stated that, if it is within their purview, he would like to see conditions of approval to have additional roadway improvements along those lines. He stated that he would definitely defer to city staff on what they should be, but he would like to include those to make sure that those who drive on that roadway often will change their behavior with the addition of these parking places because no one ever parks there and people probably drive down the middle of the lane and they won't be able to do that any longer after this program. He stated that, south of these parking places, there are places where it does constrict, and as

mentioned earlier, he suspects that people participating in the program will have multiple vehicles due to going to their job and is unlikely they will be moving their RV every day. He stated that by the Little Brown Church there are additional vehicles associated with the RV that parks there. He stated that they want to make sure that their additional vehicles are parked in legal spaces where the roadway is 20 feet wide. Given that the roadway width is poorly marked on Bradford Way and it changes so he would like to see additional improvements on that roadway for public safety.

Commissioner Godwin stated that he did a quick Google search on Class C motorhomes and their lengths are between 25 and 35 feet so the spaces they have designated are too small. He stated that a Class A motorhome is up to 45 feet long and that will not fit in one of their spaces. He stated that they can be much higher, if he recalls correctly, at 14 feet for Class A. He didn't recall the height for Class C. He stated that the vast majority of motorhomes sold are Class C and there are also Class B, camper vans and truck campers which are more limited and would fit in the spaces. He concluded that they need to do something with defining these spaces, either make it one space at Bradford Lane and they can accommodate the full gamut of motorhomes or make it two and limit the types of motorhomes pretty drastically to ones that are only a tiny minority of motorhomes. He thought more work needs to be done to understand the motorhome population of vehicle types and provide the appropriate spaces. He stated that, as a former motorhome owner, he stated that the typical camping place offers what is called a pull through space which allows you to drive without reversing and backing up because most people don't drive their motorhomes a lot, especially if you are only moving them once a month, and you need to provide some additional space for each motorhome operator if they are not that skilled or if they are towing something at some point which is probably not applicable here, but to give them some additional room to maneuver the motorhome. He thinks 60 feet is more like one space and he was not comfortable approving two spaces. He asked if staff had some comments.

PW Dep. Director Bautista stated that part of the solution is making sure the types of OSVs are allowed to park in certain spaces and to see what other back up space or if there is some clearance in BI to verify links and make sure that there is enough link there to accommodate the different types of classes. He stated that they would work with PRC in order to make sure that spaces fit and make sure that everything is safe.

Senior Planner O'Connor added that 30 feet was proposed and is what is being described in the coastal development permit. She stated that Executive Director Rees touched on before that this is a new program and really learning the ins and outs of what is working and what is not working will be discovered as they go through. She stated that, should the director find that she is turning away potential participants due to their vehicle being too large to fit in these spaces, that might be the time that PRC comes back and talks to the city about revising the CDP to address that length issue.

Chair Berman stated that she saw that Commissioner Ferguson has a comment or question but, because it touches off of this conversation, if this item is approved and proceeds and, if Executive Director Rees determines that the parking spots need to be larger, she asked what happens then, i.e., will they have to come back to the Commission.

Senior Planner O'Connor stated that the project description that they are considering now has dimension information associated with it, and if the program is proposing to be something

broader than that, she thought it would be outside the scope of what they are approving and an amendment would probably be appropriate.

Acting Planning Director Murdock stated that he would agree in many cases, as similar to development projects that the Commission approves that may have dimensions and setbacks, occasionally there are needs to make minor adjustments to that and, if the Planning Director typically uses some discretion in determining what is a major and a minor change, and should there be a need to make a minor adjustment, he thought it was conceivable that the Planning Director might interpret that consistent with the Commission's original approval and, if there is a substantial change, hypothetically, 50% or 75% expansion of the length to allow the Class A motorhomes that Commissioner Godwin has been describing are likely to be a significant and substantial change that would likely prompt an amendment to the permit. He didn't want to commit on the record that, if it was 31 feet instead of 30 that they would trigger a permit revision. He thought there was a judgment call to be made and substantial conformance with the approved permit is typically the standard for that judgment call by staff.

Chair Berman asked if there was anything they should do. If they do proceed with a motion and approval, should they consider that in the record or just leave it to the discretion of the Planning Director.

Acting Planning Director Murdock thought he would ask Asst. City Attorney Sharma for her input as the Commission could seek to circumscribe staff's discretion if there was a reason to do that and is found in a rational basis. He would argue with staff to not do that as there are real considerations that come up that could practically obstruct implementation of this program if some minor deviation was needed. He asked the Commission to consider that. He stated that he didn't know if Asst. City Attorney Sharma had further thoughts.

Asst. City Attorney agreed that the commission has some ability to constrain the discussion of staff going forward if the Commission chooses to do so.

Acting Planning Director Murdock stated that he would also ask PW Dep. Director Bautista if he has concerns about potentially increasing the length of any of these spaces under consideration at this time in this or the other public hearings. He didn't know if specific technical analysis was completed to allow them to be expanded, but to use the similarity to a development project, the Commission can adjust setbacks, maybe allow a slightly greater floor area or slightly greater height for a structure as a consideration when making the findings and perhaps the Commission could consider that if Mr. Bautista, in his role as the City Engineer, thought that it could be done safely or at least provide some parameter that staff could consider in the field when doing the final striping and designation of the spaces.

PW Dep. Director Bautista added information regarding the OSBs, i.e., the 30 foot length was considered by staff but, since it wasn't an average OSB that was out in the field in Pacifica. He stated especially the OSVs parked over that the corporation yard seemed like 30 feet was the average length but as Acting Director Murdock said, if it is not a substantial length, he didn't think it should be limited at that point, and what they consider not substantial versus substantial. He thought, as the OSVs come out, they would work with PRC and see where the proper space for these OSBs would be and inspect the link. He stated that they could find a solution.

Acting Planning Director Murdock asked Chair Berman if she would allow it, he asked if Commissioner Godwin if he would restate the maximum length of a Class B motorhome.

Commissioner Godwin did not say the Class B because they are basically truck campers and camper vans and are smaller. He stated that a Class C, the most common one sold, is 25-35 feet long. He stated that the definition of a Class A is up to 45 feet.

Acting Planning Director Murdock stated that he misspoke as he was intending to ask about the Class C which was the 35 foot and the most common. He thought allowing the spaces to be up to 35 feet if determined to be safe by the City Engineer, that might allow a more effective program implementation and maybe a broader range of vehicles or possibly potentially some sort of buffer space.

Commissioner Godwin wanted to interject one point. He stated that, having driven one of them for a number of times, you need a little turning radius when you put it into a space. He stated that having a 35-foot space that the RV barely fits into is not adequate and certainly unsafe. He didn't know what the proper dimension is as he doesn't have it written down but it is definitely in excess of 35 feet for the most common models.

Acting Planning Director Murdock wanted to clarify one fact and then maybe present something else for the Commission to consider. He stated that, earlier, they talked about the implementation deadline in response to Vice Chair Hauser's question and they confirmed the implementation deadline for the city to obtain the coastal development permits for these spaces is May 29 and any continuance at this meeting would push the city beyond the May 29 deadline, given that the Planning Commission's next meeting is June 6. He then referred to Commissioner Godwin's concerns, stating that they are not aware of a legal reason, under the terms of the settlement why the city needs to delineate two distinct spaces of 30 feet each. He stated that, if the applicant was open to it and thought that it was safe and could be managed in the right-of-way, perhaps the space could be a single continuous space of 60 feet for not more than two RVs or OSVs and provide some flexibility to match a longer vehicle with a shorter one or provide the flexibility within the spaces. He stated that there may be some inherent program measurement challenges, given one vehicle hogging the space and parking in the middle. He didn't know all those details but he thought the general concept could probably be articulated in the condition of approval and maybe get to the heart of what Commissioner Godwin is talking about a little bit better than simply increasing the space from 30 to 35 or 40. That was just a thought, and he thought PW Dep. Director Bautista could comment if the Commission is interested in exploring that.

PW Dep. Director Bautista agreed with Acting Planning Director Murdock just said. He stated that it will take coordination between PRC and the city and trying to be flexible with the OSV will be like fitting a puzzle together. He stated that just providing the flexibility and open to making sure they can get the right vehicle in the right space.

Chair Berman thanked Commissioner Ferguson for letting them insert that discussion.

Commissioner Ferguson was in agreement, and he asked if prior to this, as the program isn't implemented yet, was overnight parking on Bradford Way allowed for the 72-hour period as there is not a red curb.

Police Chief Steidle stated that there was no prohibition on overnight parking.

Commissioner Ferguson concluded that it is essentially a free for all right now on Bradford Way.

Police Chief Steidle responded affirmatively, stating that any of those vehicles could park in that area where OSVs are allowed on Bradford Way as long as they don't violate the 72-hour limit and they may park overnight.

Commissioner Ferguson stated that it wouldn't be a new implementation in the neighborhood to have OSV parking but just a regulation on that. He understands that, culturally and socially, there is an obligation to address this issue and it is also apparently a legal obligation and they have to do it at this meeting, and he stated this is the first time they are hearing that and it feels like they are under the gun and didn't know they were walking into that. He thought they could address that better in the future but they may not have had any opportunity so that is what it is. He stated that, if that is the case, nobody wants this in their neighborhood and no one is begging to have regulated OSV parking in their neighborhood, including himself, but it is going to be somewhere and if not here, then where. He stated that, as he deliberates this in his head, he thinks about the fact that he travels in the Bay Area for work and you look at cities like Oakland, San Jose, San Francisco and you see the blight of this unregulated OSV parking everywhere, but if you go to other cities in San Mateo County, such as Burlingame, Menlo Park, etc., you won't see this anywhere, so he is having a hard time grappling with why we have a legal requirement to do this and he stated that ship has sailed so they have to decide that they either accept some civil penalty that they don't know about or they approve this permit. He asked if that is correct.

Asst. City Attorney Sharma confirms that one of the reasons they are here today is because of a lawsuit against the city of Pacifica in particular, and if the Commission does not take the requisite action based on the settlement agreement, that would imperil the city's legal position and the locations have been selected by the Council and have been before the Council at a number of public hearings at this point.

Commissioner Ferguson understood that and just wanted to enter that into the record.

Commissioner Domurat thought, based on the information regarding Class A through Class C, etc., they were only looking at five of the 13 required spaces at this meeting.

Senior Planner O'Connor stated that this item is only two of the 13.

Commissioner Domurat stated that there were three files, with one having two, another has two and the other has one, so that is five of the spaces and he stated that there were 13 spaces. He asked if it was appropriate to look at the others that they are not looking at this evening and look at more flexibility in the size and that, if you have a size greater than 40 feet, you will have to go to another one of the sites. He stated that, if that analysis has been done, maybe they don't need to do it for these five at this meeting, but maybe there is more flexibility in the remaining ones and the much larger ones can go to an area that can handle a larger size. He thought that might be something they can put into the plan. He also thought they need to work more closely with the communities to assure that background checks are going to be done and they won't be having a criminal element coming in. He thought the neighborhoods need to be assured of that, and he thought whatever they can do to assure them of that, they will feel better about that. He stated that, in a 72-hour parking, you are not assuring that, but this is a bit longer term. He thought, if

there was something more the city can do to get the neighborhoods feeling a little better about the fact that they are doing correct background checks, have a plan for eviction for violations, etc.

Vice Chair Hauser wanted to take a step back and recognized that the Commission and city staff are all in a hard position. She thought staff has probably just found out about these items as well. She thought they were between a rock and a hard place in a couple of ways, i.e., everyone recognizes that we are in a housing crisis and we need to help people, but we don't have a lot of the information that they are asking questions about and the other component of this is the lawsuit and she is hearing that they need to show that they are making a good faith effort and they really don't have options other than approve, which she also thought was hard as it was very clear that everyone on the Commission has really good questions and the community has really good questions. She stated that they want to be thorough on something as important as this. She wondered, if there is a solution as they were deliberating, if there is a way to do what they have done on cannabis manufacturing where, if going to recommend or approve this, that it comes back to the Commission for a review. She suggested that, instead of waiting a year, maybe it can come back for review in 60 days to show the good faith effort and also get some of the data on how it is working out. If they need to make amendments as a Planning Commission, she was more comfortable doing it here where the public has an opportunity to provide the information and another chance for public comment and they are able to get better answers for their questions and not do it in a vacuum where the community is not involved. She didn't know if that was a legal potential and they are able to do that, but that was her feeling on what could potentially provide success for both the city as a reviewing body and the subject of the lawsuit.

Chair Berman was interested to see if that is in their purview.

Asst. City Attorney Sharma stated that, if she understands it correctly, the proposal is in 60 days from today.

Vice Chair Hauser stated when the program starts to get 60 days of data. She is throwing 60 out, but they should talk about it as a Commission.

Commissioner Wright suggested before the fourth Commission meeting instead of 60 days.

Asst. City Attorney Sharma stated that the purpose of that review would be to amend the CDP or to reopen it and then potentially revoke the CDP.

Vice Chair Hauser didn't know if that was necessarily revoking it, but she thought they need to understand, if they are creating black water spills, if they are creating safety issues for people who are driving to their homes and are afraid of walking with their children, of people biking down and trying to understand the flow of traffic, of people claiming that they have visibility issues, vehicles that are 35 feet trying to fit into a 30-foot spot. She stated that they are all really good questions and she thought the city has done a wonderful analysis with the tools and time they have had, and she thought they are all hamstrung. She was trying to figure out if there is a process that achieves something for everybody.

Asst. City Attorney Sharma stated that the fact that there is a settlement agreement at play and, not wanting to introduce an element of uncertainty with respect to the land use approval, she thought what could be acceptable is a review process in terms of reporting back an informational

item for the Commission to get this data. As far as being able to reopen the permit is not something that would be germane to the settlement agreement.

Vice Chair Hauser asked what they would they be able to do with the data, such as providing additional recommendations of study like increase them to 40 feet or maybe they need to be moved 100 feet down the road. She stated that, if they get the data back and it says it is safe, then that is wonderful, but if they get the data back and there is something to be desired, she thought it was their obligation, as a group that is to look at the safety, and that is what the criteria should be limited to.

Commissioner Domurat asked if there was a legal way to call something, as far as a demonstration, and at the end of the demonstration period, allow them to make some of the adjustments based on 60 days' worth of data. He asked if there was a word they can use that legally gets them out of your bind of having to do something but allows them to change things in the permit later.

Asst. City Attorney Sharma stated that she would need more time to analyze whether that would be consistent with the settlement agreement, and staff has not analyzed it at this time.

Vice Chair Hauser feels for her as well because, if they can't continue it, she just doesn't know what to do.

Chair Berman added that it is a hot potato.

Acting Planning Director Murdock stated that what is unique in this instance is that the city is the permit applicant and they have a desire and obligation to ensure that its actions are safe and do not endanger the public, which is the city's fundamental purpose, i.e., to protect public health safety and welfare and he didn't think this was a situation where they have an applicant who is in a business or operation for personal profit, and maybe those profit motivations come above public health and safety. He thought the circumstance where, if there are operational safety considerations or concerns, the city would be in a position to seek to remedy them within its flexibility and discretion as the manager of the program and, should there need to be an amendment to the permit to achieve that, they do it and he felt they were in a unique position where an annual review is less compelling from his perspective as compared to a private party applicant.

Commissioner Domurat stated that a private party applicant would be required to do inspections along the way to see if they are living up to the conditions of the permit, and if not, they have to make those changes. He stated that, if they consider safety and some of the things they talked about as a condition of the permit and, in 60 days, they find it is not happening, then they would have to change that. He asked if she thought there was a legal way to do that as far as the permit process.

Acting Planning Director Murdock stated that he is aware of annual review processes for use-related permits. He stated that the coastal development permit is not clearly a use type of permit but a development permit for physical development and coastal resource protection in the coastal zone and he thought they would need to consider whether it is appropriate and in the Commission's purview for an annual review of what is, in fact, development, not a use authorization. He thought it was a different construct and was reasonable to wonder what the

impact will be as this is a novel program, and novel use that the city is seeking the permit, but he thought it was in the city's best interest to ensure it is safely operated and does not expose the city to legal claims and liability from reckless program management and the city engineer's obligation in the right-of-way is to make sure it is safely occupied and safely operated and, given that the city engineer is also the permit applicant, he has no doubt that he will accomplish that within his authority outside of this permit.

Chair Berman stated that they will put a pin in that as she thought they will circle back on that discussion.

Commissioner Leal thought it might have been Acting Planning Director Murdock who made the comment earlier around setbacks, and he wanted to revisit that with these parking spaces in terms of hearing feedback from fellow RV drivers on the Commission. He stated that parking these in tandem, especially in this location, they are in tandem back to back, and they need to think about that and how they can safely navigate these spaces without causing damage to the other vehicle, especially because they don't have any limitations in front or behind these parking places. He stated that, tying his comment around appropriate road markings and road improvements for Bradford, they need to think about setbacks in front and behind this location of parking. He didn't know what the numbers should be, suggesting minimum impact on the analysis that has already been done for site lines. He stated that the minimum number in his mind now is a minimum of 10 feet setbacks in the front and behind the spaces, and in between the RVs there probably needs to be some sort of setback so they aren't up against each other. He didn't know what has been studied in that area, such 5 or 10 feet, etc., if they were to expand the distance or what it should be. He thought they needed to think about the setup for these vehicles, given that they are large, difficult to navigate, and what he found on line says they need a pull through or the distance in front of it to back into the space. If they are limiting the large vehicles to the ten feet of the roadway which is currently 20 feet, they need to make sure they can get them close to the curb without overhanging to ensure safe travel on that roadway. He thought they needed to discuss it, and he didn't know if it would be a condition of approval or what they would do on the setbacks. He thought they should think about the setbacks. He mentioned the discussion they had around increasing the limits of 30 feet. He wouldn't be in favor of increasing the current size of the parking places, as that is what has been put out there for the public, and he thought increases the spaces is premature to do so, given that they haven't implemented the program. He would rather do that based on what they are hearing as they implement the program, given that there are some oversize vehicles less than 30 feet. He concluded those were his comments on what they have recently discussed in terms of the size of the parking places, as well as thinking about setbacks. He asked PW Dep. Director Bautista if he had comments in terms of what the size of the spaces have been studies, in terms of what length of curb has been safe and they could throw the delta in between the parking of the two RVs or if there is any guidance from fellow commissioners in terms of what their thoughts, and the RV drivers' thoughts of what should be appropriate as he isn't an expert in that area.

PW Dep. Director Bautista said, as he mentioned earlier, staff looked at what was the average length of OSVs in the city, and 30 feet seemed to be the average length. He thought, if they went out there and took a look, especially at the spaces, there could be some clearance on the back side and the front side, but it was all about fitting the puzzle together and making sure they coupled the OSVs up with the right length, as there are going to be short ones and long ones and they were just trying to be flexible.

Commissioner Leal stated for a clarifying question, of the 60 feet they currently have before them at this time, he asked if this was the only 60 feet on Bradford Way that is safe from a site line perspective or, if extended it to 65 feet, with a 5-foot setback or a 2.5-foot setback for each one to get the five feet between the two RVs. He stated that, if they expand that to 65 feet so the front end tip of the RV in front is 65 feet away from the rear end of the RV in the rear, he asked if that negatively impacts site lines around that turn going south on Bradford Way or going north on the opposite direction of travel.

PW Dep. Director Bautista stated that, from what he recalls, he added an extra five feet. He stated that the site line would not be affected but they would have to go out there and verify everything which is their due diligence to make sure that the spaces are safe for OSB residents.

Commissioner Leal stated that it is a long road and he imagines there could be potential of a couple of feet to play with if there were necessary adjustments at the guidance of PW to ensure public safety.

Commissioner Godwin stated when he worked on military systems and put something out in an aircraft carrier, they always did what they called low rate production, and took a few, put them out there, see whether they did well in salt water and put a 20-foot wave over them if they functional well, and his suggestion is, instead of approving all 13 spots or 12 or whatever they have to do over the next meeting or two, to approve four or six, put them in double size spaces so there is plenty of room and see what happens and get a report back from the Resource Center in 60 days, or whatever they are comfortable with, and say they approved a few of them, they are working great, concerns are excessive and they can shrink everything down to the small spaces and be a big success. If they try to do everything in one shot, he had happen in his career was that they ended up stubbing their toes and saying they forgot something and it wasn't a great idea to go from having none of the device out in the world to having a full rate of production and spending a lot of money and deciding they built almost the right thing. He suggests they approve 4, 6 or some fraction of the number they are trying to do and he thought it would save them a lot of pain.

Commissioner Domurat thought there were only five on the docket for today. He guessed, for them to be able to afford and meet the legal time frame, maybe they can work out some resolutions that allows them to go forward. He stated that one solution would be to take a 60-foot, the two 30-foots, allow a 15-foot camper in one and a 55-foot or 45-foot in the other, and manage it so they keep the 60 feet for two spaces but maybe they can fit a smaller one and a larger one, as that gives you the option to have a bigger vehicle than the 40 or 45-feet. He stated that, at least for these first five spaces, they want to go forward so they meet the timetable legally and, for the next size, he agreed that they should be looking at the flexibility of what those spaces should be. He stated that it sounds like 80% of the RVs that come in are 30 feet or less. He stated that it gives them the flexibility that, if there is a 45-foot or 50-foot, you can accommodate them.

Commissioner Ferguson stated that, for reference, if you want to go to a national park in California, you have to be 27 feet or less, and it is not that unreasonable for a 30-foot space. He stated that anyone buying an RV would know for that purpose. He had two questions regarding the settlement and he didn't know if they can speak to them or not. He asked, if this becomes something that is appealed to the Coastal Commission which would apply to all three of these

items on the agenda, whether that would constitute due diligence by the city in doing the best it could and they couldn't foresee an appeal to the Coastal Commission.

Acting Planning Director Murdock stated, for clarification, he commented on this particular item being appealable to the Coastal Commission, and the same is true for the item related to the San Pedro Avenue site, but the Francisco Boulevard site is not appealable to the Coastal Commission, and all three of the items tonight are appealable to the City Council. As to compliance with the settlement, he thought Asst. City Attorney Sharma could elaborate on that point, but he did state that the city's obligation at this point in time is to obtain the permits by May 29 and, beyond that, there are appeal processes that are recognized as part of the permitting process.

Asst. City Attorney Sharma stated that there is a provision where, if the city receives an adverse decision on the Coastal Commission precluding the city's ability to comply with the settlement agreement, the litigation is restored to where the parties are and this settlement agreement would be off at that point.

Commissioner Ferguson asked, for clarity, if there was anything other than an approval of the full three-year program and development of these sites that does not violate the settlement agreement.

Asst. City Attorney Sharma stated not that she can think of at this time.

Chair Berman asked if there was an opportunity to have a special meeting, even if just the Planning Commission, and would be before their next Planning Commission meeting, giving staff an opportunity to gather the answers to a lot of their questions and they can make their determination then.

Acting Planning Director Murdock thought it would depend on the nature of the questions, as it is staff's assessment that they have evaluated and there is sufficient evidence to make the findings for approval of this permit at this meeting and they would encourage Commission to do that. He stated that a lot of the questions have related to operational components of the program that are beyond the purview of the Planning Commission as it relates to the findings for this particular permit. He wasn't saying they were unreasonable concerns, but they are concerns that relate to operation of the program and are within the auspices of City Council. He stated that, if they were related to the findings required for approval of a CDP, they could consider what those questions are, estimate how long it would take to gather that information and consider potentially continuing to a special meeting. The ability to notice a special meeting that is not continued from this evening is limited and likely could not occur by the compliance deadline of May 29. He stated that they would be threading a fine needle trying to set up such a special meeting but if they could if the circumstances were justified. He stated that they can help them with that process.

Vice Chair Hauser stated that, from a process standpoint, if they continue to a date certain tonight, then they would not have to re-notice.

Acting Planning Director Murdock stated she was correct. That would require them to ensure they have a quorum of the Commission that is available and they can confirm that at this meeting at the dais, and they could also reasonably obtain the information and analysis of what the Commission saw in relation to the findings.

Vice Chair Hauser thought there may not be enough time to do a new traffic study or a new line of site study, but there would be time to at least understand if they could have a 60-day review.

Acting Planning Director Murdock stated that, potentially, if that was germane to the findings for approval, as many of the Commission's concerns sounded related to operational components of the program, such as, are there black water spills, etc., that occur and really are not directly related to the findings for this coastal development permit and again the Commission would need to focus on those issues relevant to the permit action that is within its jurisdiction and not the program operation aspects which are in the jurisdiction of City Council.

Vice Chair Hauser stated that she definitely did not want to get into their purview, but her understanding was that their jurisdiction pertains to the safety of the configuration of the spaces and she would want to limit the 60-day review to that as she feels that is at least the bulk of the questions they were asking. She thought 80% of this discussion has been about safety.

Acting Planning Director Murdock suggested that he offer some thoughts on hearing their discussion. He thought some of the discussion relates to if the space is feasible for implementation of the program. The permit applicant has offered his opinion that it is adequate and those were the dimensions proposed by the applicant and relate to the observed sizes of RVs, and asked whether consideration was given to maneuverability and buffer spaces, and to point Commissioner Godwin has raised, he didn't know as it sounds like not. He stated that, if there are technical concerns about maneuverability, etc., one option is to continue it and allow them to evaluate the others to give some flexibility in the dimensions of the spaces and allow the city engineer some discretion to provide a buffer on the front and the back as Commissioner Leal articulated so the maneuverability could be safely achieved, and there are ways to achieve much of what he has heard the Commission through conditions of approval and staff discretion, which is often the case with other types of permits, where an intent is stated, boundaries are provided and staff is allowed to do its expert staff work. He stated that, if there are other issues that they can't provide them options on at this meeting, he thought that could be a basis for a continuance.

Chair Berman stated that Commissioner Leal has his light on but she had a quick comment that relates to that. She stated that, to stick in their purview with the findings that they have to determine at this meeting, they have to effectively determine that these locations are safe but they have to decouple that from making any comment on the program itself. She asked if that was correct.

Acting Planning Director Murdock stated that they were asking the Commission to make consideration of program components that relate to the physical aspects of the Coastal Development permit. He stated that space configuration, ability to ensure coastal access, to avoid impacts to coastal visitor parking that are unreasonable, and those types of findings articulated in the staff report, he thought it was unlikely that any aspect of these spaces is likely to adversely impact the policies in the local coastal program which are germane to the Commission's action. Everything else is a programmatic operational component. And that is within the purview of the City Council and its relationship with the Pacifica Resource Center. He thought the Commission's discretion was very narrow on this issue and you either support the findings that have been presented or you articulate that you do not support them. They either commission to make it a supportable finding or say they don't think there is evidence and they

deny the permit. He thought the Commission's discretion to look at many issues beyond the physicality of the space is relatively limited.

Chair Berman thought, if they have any safety concerns with the sanitation aspect with the program, that is outside of their purview as it doesn't have to do with the implementation of the parking spots.

Acting Planning Director Murdock stated that, if they could articulate a local coastal program policy that would be implicated by the sewage or the pumping program, it would be within the Commission's purview. He thought many of those concerns could likely be addressed with conditions of approval and staff could help them with that. He stated that it was not clear to him what further analysis would be needed to support an action at this meeting as it relates to that issue.

Commissioner Leal stated that a couple of his comments were probably related to conditions of approval and he was typing some up as to what they would be to review with staff. He stated that, as he looked through the conditions of approval again, he noticed that there is reference to the temporary safe parking program as well as the code of conduct. He stated that he may have missed it, but he didn't see either of those in their agenda packet and, based on the questions they have had, he has questions around who is creating those term conditions and other requirements of the program as well as the code of conduct as well as approving them, because he thought, if they don't include some conditions of approval that they have heard at this meeting or they are assuming that, as part of the program, they may want to add those to their conditions if they feel is necessary for the safe approval of this project. He stated that, regarding his initial question, is who is responsible for creating those terms, conditions and other requirements of the temporary safe parking program as well as the code of conduct.

Asst. City Attorney Sharma stated that the settlement agreement and the operations agreement that was entered into by Pacifica already are the negotiations between the parties at the agreement.

Commissioner Leal then referred to garbage, as he thought that was still open and being discussed, and asked if that was not a requirement or a condition, i.e., complying with the garbage requirement is not a condition of the temporary safe parking program or code of conduct.

Acting Planning Director Murdock stated that Executive Director Rees can comment on the particular document in which that requirement is contained, but compliance with the sewage or septic, and the pumping requirement and appropriate disposal of trash through the city's program or other authorized receptacles are a program code of conduct requirements with which the program participants would need to comply. If they did not go for their twice weekly minimum pumping, that could be a disqualifying characteristic or behavior that would allow someone to have their permit terminated. He stated that there is a safeguard to ensure that those minimum standards, activities and behaviors are met and the Resource Center would also work cooperatively to try to facilitate any special needs that people have for increased pumping or trash service, etc. He stated that Ms. Rees can expand upon that.

Executive Director Rees understood that as part of the settlement the City of Pacifica is required to have mobile dumping for gray and black water and garbage and recycling pickup. She stated that Pacifica [inaudible] is required as part of the program. They were working with clients.

Chair Berman stated that they were having audio difficulty and they can't hear her.

Acting Planning Director Murdock stated that this is an issue that has occurred in City Council meetings as well after several hours of the meeting, and they have not been able to identify technical solution. He stated that it does resolve itself after some period but they don't have a technical intervention at this point in time to restore that communication.

Commissioner Wright asked if she can call in on a cell phone and they can hold the cell phone up to a microphone.

Chair Berman thought, if they give the system a minute, it might resolve itself.

Acting Planning Director Murdock stated that they have had two Council meetings where this has occurred and it took more than a minute to resolve itself.

Chair Berman suggested that they take a couple of minutes and come back to Executive Director Rees. She asked if any Commissioners objected to that.

Senior Planner O'Connor stated that, in the absence of Executive Director Rees being able to participate, she highlighted that the code of conduct that the city entered into a draft copy was attached and included with the resolutions that allowed them to enter into those documents and it is available for the public to review on the city's website. She stated that Director Rees has disconnected and she was hopeful that she will return to them.

Commissioner Leal stated that the reason for his question is that one thing he wants to be sure happens is related to the use outside of the designated spaces and outside of the vehicles, and expanding that with the participating members of the program, and if that is in the code of conduct or a document that could change over time then that changes his approval. He asked if that is a condition of approval that they should add, if his fellow Commissioners agree. He stated that in their purview to add that condition of approval which is his first question. The second is whether it is necessary to add or is it covered elsewhere within the program.

Senior Planner O'Connor stated that Director Rees has returned, then stated that she is still fuzzy. She stated that she thought the problem was on the city's end and not on her phone.

Chair Berman stated that they were still having trouble hearing her.

Acting Planning Director Murdock stated that he will directly address Commissioner Leal's point. He stated that PRC has the discretion to amend the code of conduct and the documents related to this program indicate, so long as the amendments are in accordance with section 3G2, and section 3G3 of the agreement, and PRC notifies the city of any significant changes to the code of conduct. He thought, with things like no longer being required to participate in the dumping program or trash pickup program, the city would likely interpret those as significant changes to the code of conduct and, as mentioned earlier, he thought flexibility to adapt the program to advance and help with its implementation is the reason for having some flexibility in terms of the code of conduct while the spirit and intent is to remain with what they are talking about at this meeting.

Commissioner Domurat referred to the time table and asked if they envision the other eight spaces coming in front of the Planning Commission. He asked if the meeting was the 30th, after any legal requirements, and he concluded that they were going to see them later on.

Acting Planning Director Murdock stated that only the spaces in a coastal zone require a discretionary permit and the city is implementing the program spaces outside of the coastal zone without a discretionary permit and the Commission will not see those spaces.

Chair Berman asked if Commissioner Domurat was done.

Commissioner Domurat thought so, adding that he was just trying to say whether there is any way through the back door that they can consider just these five among the Commission as a demonstration and lessons learned over the next couple of weeks, but they won't see the next one. He was hoping that staff will be able to implement some of the things that they heard the Commission discuss at this meeting into those remaining eight and maybe make some changes before those eight get approved by anyone, certainly the size and dimensions of the parking spaces.

Acting Planning Director Murdock stated that the city engineer is responsible for administering those other spaces and he imagined he would want consistency among the program spaces for management, safety, etc., as well as what they recognize as the inoperability of the spaces and, as program participants are relocating from one space location to another as their 29 days come to an end that they do have a reasonable chance of parking their vehicle in another space that is not so different in its dimensions and operation to disqualify them from parking there.

Commissioner Wright asked, if the city goes ahead in doing that with the other, not the five they are considering at this meeting, if it was possible to still be in compliance with the agreement they made and add five additional spaces in those places that don't require the Commission's approval.

Acting Planning Director Murdock didn't believe it would be consistent with the program approved by Council, as well as the agreed upon locations for the spaces.

Asst City Attorney Sharma agreed, adding that the spaces and locations have already been set forth via agreement and have been approved by City Council.

Commissioner Wright asked how they did that without the Commission's approval. He was confused as he thought that was putting the cart before the horse.

Acting Planning Director Murdock supposed that one could see it that way but similarly someone who buys a piece of property and wants to construct a building on does not need the Commission's permission to buy the property and desire to have a building, but they need to come through for the permits and, if they don't get them, they cannot build the building, or in this case, operate the spaces. He stated that they permits are not only subject to appeal, but subject to City Council call up as well. He stated that, with an adverse decision, the Councilmember could call it up to ensure that the spaces are considered and hopefully approved to execute the settlement agreement and it could cut both ways. No action through the form of a continuance could delay this process. He didn't think that would be consistent with the city intent and desire to try to fulfill and effectuate the settlement agreement. He thought staff would urge the

Commission to try to make a decision, whatever that decision is, at this meeting so they can demonstrate that they are making progress towards the permits in accordance with the settlement agreement.

Asst. City Attorney Sharma added that, because it came about through a lawsuit from Pacifica, it was a unique circumstance vis a vis other developments that have come before the Commission.

Vice Chair Hauser stated that they may be a little slow to the draw. She thought she was hearing that there was a lawsuit and means they have to make a decision at this meeting and the Council has already done all the work but because it is going to the Coastal Commission, there is a process through the Municipal Code that required it to come to the Commission, and she thought it was almost per forma. She didn't know if she should be saying that exactly but they are appointed by the City Council and they have already used their expert discretion to allocate these 13 spaces and eight of them do not require the Commission's review because there is not a Municipal Code determined process. They are only here because the Municipal Code says that, if it is going to the Coastal Commission, it must go through the Commission.

Acting Planning Director Murdock thought most of that is correct. He stated that this does not need to go to the Coastal Commission, as the city has local permit jurisdiction over this space and the other two spaces to be considered at this meeting, and this space and the San Pedro Avenue space is subject to appeal to the Coastal Commission and could end up there if an appeal is filed, but he clarified that it is a Coastal Development permit process and many people assume that the Coastal Commission has to act on it, and that is not the case here unless it is appealed. He stated that the Commission can use their judgment as to the decision making process at this time, and there is no obligation for the Commission to approve these permits, and no obligation for the Commission to act at this time, but it is in the city's best interest, under the terms of the settlement agreement, to take an action at this meeting and approve the spaces as there are risks to the city to fail to act or to deny the permits, but those risks and issues are not within the Planning Commission's purview. They asked about them and they have informed them to the background related to this issue. He stated that staff thinks there is evidence to support approvals and many reasonable modifications to the spaces have been discussed at this meeting which can be effectuated through conditions of approval but, ultimately, it is up to the majority of the Commission to decide the appropriate action at this time.

Vice Chair Hauser stated that, from her personal perspective, if she is doing an internal cost benefit analysis, she is hearing that it is beneficial to make the approval and she would probably concur with that. She stated that the things she has heard at this time that personally important to her are the flexibility concept in making the 60-feet appropriate for two spaces and whatever sizes they are, they don't need to be striped as 30 feet individually. She stated that adding a condition that makes sure that there is no encroachment outside of what she will the 10x 60 zone and nothing is encroaching over the walk into the right of way further.

Chair Berman had one clarification questions for Acting Director Murdock. She asked, if he said that the Planning Commission were to deny any of these three public hearing items, if the City Council are able to do a call up and can supersede the Commission's determination.

Acting Planning Director Murdock states that she was correct. He stated that they can think of it as a City Council appeal. Legally, it is not an appeal, as they don't need a reason, don't need to state a basis and staff encourages them not to so they are simply hearing the item in

Commission's place, and that is a mechanism in the Municipal Code and could occur regardless of what the Planning Commission's action is, to approve or to deny the permit.

Chair Berman stated that she agrees with a lot that has been said, particularly with what Commissioner Leal has put forth, as in her opinion, she thinks that, in this location, additional striping and signage is necessary for clarity for the participants in the program and fellow drivers/bikers/walkers nearby. She visualizes that there is parking that is 60 feet long for up to two vehicles, and it doesn't have to be two vehicles, and roughly 10 or maybe 15, based on the determination of public works, no park striped areas in front and back, allowing space so that, if there are two vehicles there, the front vehicle could pull forward and the back vehicle can significantly pull back. She thought it might have to be more than ten feet, but she doesn't drive recreational vehicles so that is what she is visualizing. She also is visualizing a taper, like a striping taper from the shoulder, as the road does expand and contract in width in taper, so a vehicle that is driving doesn't all of a sudden see a big RV but a taper stripe from the shoulder easing into the no-park area.

Commissioner Leal stated that he had similar sentiments as Vice Chair Hauser does in terms of the position they are in at the meeting and their options. He referred to his previous comment around roadway improvements, stating that, on the east side of Bradford Way, traveling north, there is a delineation for the right hand turn to go east on Sharp Park Road. He stated that the length is from the Highway One exit all the way to the terminus of Bradford Way going north at Sharp Park Road. He imagined a very similar one going south and he would leave it at Public Work's discretion as he didn't have any qualifications to make that determination, but he envisions that, when Francisco Boulevard terminates at Sharp Park Road, he is in the right hand lane to continue going south and he needs to taper into the left hand lane to allow for the parking lane which, in his non-expert opinion, begins north of the driveway for Sharp Park Golf Course. He would expect the motorist to be guided into the left 10-foot of Bradford Way and, additionally, having setbacks with the parking spaces, he fully supports that and he thought they would need to have red curb where there is no parking allowed. He would expect, at least on the west side of Bradford Way, roadway striping improvements, including no parking signs, no parking curb paint, as well as striping in the road from Sharp Park Road to the north, all the way to Fairway Drive to the south which would cross the two pedestrian intersections, one for the golf course to go under the tunnel, as well as the pedestrian crosswalk or intersection at Fairway Drive and Bradford Way as motorists go towards Mori Point and the West Fairway neighborhood. He stated that was one condition in terms of being able to have those roadway improvements between Sharp Park Road and Fairway Drive. He added that, given where the parking places are located, Public Works may want to look at a left-hand guide lane from the Highway One exit so someone doesn't overshoot that left-hand turn driving south on Bradford Way into those parking places so they are in the lane of traffic, probably not approved as a bike lane. He was going back and forth in terms of a continuous 60 foot spot versus two delineated spots for a couple of reasons, one that they expect the RVs to be parked inches away from each other as they are large vehicles. He didn't know how feasible that is, especially if it is a puzzle that staff are putting together. He also agreed with the flexibility given that the sizes are standardized but we can't pick which ones are going to be coming, but who is applying for the program. He stated that having space between the vehicles but also allowing the flexibility supports the needs of the community that comes to the Pacifica Resource Center for support and participation in this program. He fully supports the setbacks in front and behind the space and he thought the setbacks could be given that there would be no parking setbacks, and they could be as long as could be appropriate for these vehicle sizes. He didn't know how many conditions of

approval that would be, i.e., one related to the overall roadway improvements for Bradford Way and another related to the setbacks, or would it be a condition of approval or included in the permit as well. He concluded that those were the two large items he is thinking about.

Commissioner Godwin stated that, when you back up one of these vehicles, they frequently can't use their inside mirror but your side mirrors and, if you have a trailer, it is really easy to jack-knife the trailer and not notice it until it is substantially at an angle to the back of your RV so you may want to not allow trailers or may want to provide extra space for the RV they are expecting to back up as it can be challenging backing them up blind.

Commissioner Wright asked if there would be a benefit to having no parking across the street from these RVs having no parking in order to maximize the amount of usable width to make public safety easier.

Commissioner Leal stated that he believes there is no parking on the other side of that roadway.

Commissioner Wright asked if the Resource Center's phone number will be available for public complaints on those signs or will all the complaints route through the Police Department.

Police Chief Steidle stated that the only signs set to be erected at this point are designed to say that your vehicle will be towed.

Chair Berman thought they were starting to form some conditions of approval and she asked if there is a motion or does staff have some draft conditions that provide the flexibility that this item probably needs but can give the Commission confidence in things in their purview.

Vice Chair Hauser stated that she was willing to stand behind what sounded like a motion from Commissioner Leal.

Commissioner Leal asked if those were articulated conditions of approval or are there suggestions as to how. He looked to his fellow commissioners to see if there are additional conditions that have been discussed at this meeting that he missed or intense, based off their purview and, if not, he would let staff see if those are coherent conditions or if there is suggested language.

Acting Planning Director Murdock stated that they are many of the elements staff would hope for in condition of approval but they would need to restate them in condition form to understand who is obligated when they are required to be implemented, and what discretion there may be, etc. He stated that they can attempt to read it back when Chair Berman indicates it is an appropriate time in relation to a potential motion.

Chair Berman stated she was trying to take notes of potential conditions, and earlier, Commissioner Ferguson mentioned the Bay Area air quality management district and confirming that participants are able to register, if needed, and she asked if that was something that would be a condition of approval that was in their purview and they can make.

Acting Planning Director Murdock stated that one perspective is that it is restating an existing legal requirement and he wasn't sure they would be running up against any jurisdiction and, in restating it for clarity may be helpful as it is not a well-known requirement. He thanked

Commissioner Ferguson for bringing it up. He didn't think it was likely to apply to many of the generators but he didn't see any harm in including that requirement for program participants.

Commissioner Ferguson asked if there were technology requirements within the program that apply to all generators.

Chair Berman thought it needs to be complied with inevitably, and she asked, if applicable, is it a legal requirement.

Acting Planning Director Murdock agreed, stating that the Bay Area Air Quality Management District has legal authority to impose certain regulations and requirements related to air quality which are within its jurisdiction, and that is one of them. He stated that they could restate, in general terms, that all requirements of Bay Area Air Quality Management District regulations pertaining to generators shall be followed to protect air quality or something along those lines and it would encompass the variety of regulations, including any other technical standards that Commissioner Ferguson states are applicable to generators.

Chair Berman stated that, to whoever ends up making the motion and they wish to include that, it is on the table.

Commissioner Leal stated that he was ready to make a motion. He asked staff if they had re-language that they should read before he makes the motion.

Acting Planning Director Murdock stated that the thing he is struggling with the most is trying to concisely capture the Bradford Way improvements and he hasn't heard and specific feedback from the city engineer in his capacity as to whether those sound generally acceptable and if we give him the flexibility to try to incorporate all of these to the maximum extent practicable or some flexibility as there may be other considerations when getting to the design level on that type of improvement. He asked if the Commission wants to ask a question of the city engineer in that regard.

Commissioner Leal asked, based on what he described and his vision of the future of Bradford Way with stripes, if that was reasonable. He was happy to defer to Public Works expertise but he asked if the things he described, whether parking signs, curbs, painting or lane striping, seemed unfeasible there.

PW Dep. Director Bautista stated that they will design to the standards and make sure that the spaces and roadway striping is to current standards and it is possible, so they will do a field check and make the necessary improvements.

Commissioner Leal agreed that it makes sense to work around roadway standards for Bradford Way's upgrading to current roadway standards between Sharp Park Road and Fairway Drive. He stated that currently he thought they have before them two 30-foot parking spaces or he asked if they are just 60 x 10. He wanted clarification as to whether they need to adjust what is before them to accommodate the flexibility as he is happy to adjust it for that and he wanted to be sure that what they put out isn't restrictive to get that intent.

Commissioner Ferguson stated it was up to the city to enforce it as it is their program.

Commissioner Godwin added that they have the flexibility to make bigger parking spaces elsewhere that they don't need the Commission's approval so they could have thought this through well enough.

PW Dep. Director Bautista stated that they would probably like to see it as one continuous 60-feet to provide that flexibility.

Commissioner Leal agreed, stating that he sees a lot of language in there around 60 x 10, so he thought they were covered there and won't have to make any adjustments.

Acting Planning Director Murdock stated that he has four potential conditions of approval, and were taking a moment to review the drafting and, when desired, he can read those into the record.

Chair Berman asked, as they wait for staff, how members of the Commission feel about a five-minute bathroom break after this item, and she stated that some of them might be leaving, but those in it for the long haul, they can do a five-minute recess if it sounds okay. She then asked if staff was ready to recite the four conditions.

Acting Planning Director Murdock stated that they were and he was happy to take feed back as this is their attempt to capture the extensive discussion on these point. He stated that the first condition would read, "that the applicant may combine the two 10-foot by 30-foot program parking spaces into a contiguous space for not more and not less than two OSVs to be parked in order to enable flexible program management for OSVs of different sizes."

Chair Berman asked if it was not more and not less.

Acting Planning Director Murdock stated that was correct, clarifying that it was awkward language and they want to make sure it is clear for purposes of the settlement agreement that this is intended for two vehicles and not one large vehicle.

Chair Berman asked if it could be no more than...

Commissioner Domurat stated that you can't have three 20-feet, there are only two vehicles and the flexibility will be in the size of the two vehicles that would accommodate the 60 feet.

Acting Planning Director Murdock agreed that it would be not more and not less than two vehicles. He stated that there may be a better way to write it, but they think it is important to get to the intent in the requirement of the settlement agreement to make that clear. He stated that the second condition is "the program space shall have a no parking buffer zone at the front and rear of the program spaces (10-foot x 60 feet to make clear it is the front and back of the overall space), not less than five feet in depth and the full width of the program space, ten feet, with the exact depth at the discretion of the city engineer."

Chair Berman stated that sounds good to her.

Acting Planning Director Murdock stated that the third condition is "all program participants shall comply with all Bay Area Air Quality Management District regulations applicable to generators proposed for operation at the program spaces."

Chair Berman stated that sounds good to her.

Acting Planning Director Murdock stated that the last condition is “prior to program operations, the city engineer shall implement pavement, striping and lane tapers in compliance with applicable traffic engineering standards to the maximum extent practicable.”

Chair Berman stated that sounds good to her, seeing head nods.

Acting Planning Director Murdock stated that he thinks he left out parking restrictions such as red curb and signage and, to the extent those are needed to implement the pavement striping, it is probably worth putting it in the condition.

Chair Berman personally thought the condition about no parking zones or buffer spaces at the front and back to the discretion of Public Works satisfies her concern.

Commissioner Leal stated that, in front of this location, Bradford Way does go back down to a single lane towards those intersections and it is also around the curve, and he wants some signage and/or designation that either the golfers or the people staying in the OSVs, if they have additional cars for whatever reason, they don't park in those areas but in appropriate areas as they probably are not going to be out there with a tape measure knowing when the size of the street gets below 20 feet and it is not clear on Bradford Way. He stated that was his concern around that area, south of the parking areas. He would like that included if they could,

Acting Planning Director Murdock stated that they were working on a revision.

Chair Berman asked if they could do a five-minute recess if that was okay with staff.

Acting Planning Director Murdock stated that it was preferable to do that at the end of the public hearing. He stated that, if it goes on for a long time, the Commission could reconsider. He stated that he had the revision to incorporate some of the curve markings and parking signage, if he understands the intent, “Prior to program operations, the city engineer shall implement pavement striping and lane tapers and any red curb markings and no parking signage required to implement the pavement striping and lane tapers in compliance with applicable traffic engineering standards to the maximum extent practicable.”

Commissioner Leal stated that his only comment is the scope of where it shall be applied. He wants to be sure it is from Sharp Park Road to Fairway Drive. He thought, per applicable standards, may still leave that discretion, but reviewing the entire scope from Sharp Park Road to Fairway Drive because that is kind of a main thoroughfare that will be there.

Chair Berman asked if that was acceptable to the applicant.

PW Dep. Director Bautista agreed, clarifying that they will verify it to make sure that they put red curbing where necessary.

Chair Berman stated so the striping improvements would be through.

PW Dep. Director Bautista stated that they will accommodate the striping.

Acting Planning Director Murdock reiterated, “prior to program operations, the city engineer shall evaluate Bradford Way between Sharp Park Road and Fairway drive to implement pavement striping and lane tapers and any red curb markings and no parking signage required to implement the paving striping and lane tapers in compliance with applicable traffic engineering standards to the maximum extent practicable.”

Chair Berman stated it sounds good.

Commissioner Leal stated he was ready to make a motion.

Chair Berman agreed.

Commissioner Leal moved that the Planning Commission FINDS the Project is exempt from the California Environmental Quality Act; APPROVES Coastal Development Permit CDP-439-22 by adopting the resolution included as Attachment A to the staff report, including conditions of approval in Exhibit A as well as the four conditions of approval just read to the resolution; and, incorporates all maps and testimony into the record by reference; Commissioner Wright seconded the motion.

The motion carried **7-0**.

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

Chair Berman called a five-minute recess then reconvened the meeting.

RESOLUTION NO. 2022-010

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PACIFICA APPROVING COASTAL DEVELOPMENT PERMIT CDP-439-22 (FILE NO. 2022-014), SUBJECT TO CONDITIONS, TO ESTABLISH TWO ON-STREET TEMPORARY SAFE PARKING PROGRAM PARKING SPACES ON THE WEST SIDE OF THE BRADFORD WAY PUBLIC RIGHT-OF-WAY (EAST OF 2600 FRANCISCO BLVD, APN 016-430-020) AND IMMEDIATELY SOUTHWEST OF THE STATE ROUTE 1 EXIT 505 ("SHARP PARK ROAD") OFF RAMP AND BRADFORD WAY INTERSECTION AND FINDING THE PROJECT EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA).

Initiated by: City of Pacifica (Applicant)

WHEREAS, On February 28, 2022, the City of Pacifica City Council adopted Resolution No. 12-2022 to approve a three-year Temporary Safe Parking Program ("Program") in the City of Pacifica which provides up to 13 parking spaces for Program participants living in an operational recreational vehicle, trailer or motorhome with operating toileting facilities a temporary parking space for a limited period of time while participants try to find permanent housing solutions; and

WHEREAS, Program includes the establishment of two on-street Program parking spaces (total size of 60' by 10') in tandem orientation on the west side of the Bradford Way public right-of-way (ROW) (east of 2600 Francisco Blvd, APN 016-430-020) and immediately southwest of the State Route 1 Exit 505 ("Sharp Park Road") off ramp and Bradford Way intersection. Improvements, including installation of two pole signs and pavement markings, will be used to designate the area of public ROW being reserved for the Program parking spaces (File No. 2022-014)("Project"); and

WHEREAS, the Project requires approval of a coastal development permit pursuant to Pacifica Municipal Code (PMC) Section 9-4.4303 on the basis that the Project constitutes "development," as defined in PMC Section 9-4.4302(z)(7), and the Project does not qualify as a category of excluded development; and

WHEREAS, the Planning Commission of the City of Pacifica did hold a duly noticed public hearing on May 16, 2022, at which time it considered all oral and documentary evidence presented, and incorporated all testimony and documents into the record by reference.

NOW, THEREFORE BE IT RESOLVED by the Planning Commission of the City of Pacifica as follows:

- A. The above recitals are true and correct and material to this Resolution.
- B. In making its findings, the Planning Commission relied upon and hereby incorporates by reference all correspondence, staff reports, and other related materials.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Pacifica does hereby make the finding that the Project qualifies for Class 1 and 4 exemptions under CEQA Guidelines Sections 15301 and 15304 and the "Common Sense" exception, CEQA Guidelines Section 15061(b)(3), as described below:

15301. *“Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. The types of “existing facilities” itemized below are not intended to be all-inclusive of the types of projects which might fall within Class 1. The key consideration is whether the project involves negligible or no expansion of use. [...]”*

The Project includes reserving 60’ by 10’ of public ROW for the use by participants of the Program for a period of three years. The existing use of the public ROW allows for vehicle parking; therefore, the proposed use is a negligible expansion of the existing use.

15304. *“Class 4 consists of minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry or agricultural purposes. Examples include, but are not limited to:
[...]*

(e) Minor temporary use of land having negligible or no permanent effects on the environment, including carnivals, sales of Christmas trees, etc;”

The Project includes reserving 60’ by 10’ of public ROW for the use by participants of the Program for a period of three years. The negligible temporary change of land use will have no permanent effects on the environment. Installation of two pole signs and pavement markings are minor alterations and do not involve removal of healthy, mature scenic trees.

Additionally, none of the exceptions applicable to a Class 1 and 4 exemptions in Section 15300.2 of the CEQA Guidelines apply, as described below.

- Sec. 15300.2(a): This exception does not apply to the Class 1 exemption. Furthermore, there is no evidence in the record that the Project would impact an environmental resource of hazardous or critical concern in an area designated, precisely mapped, and officially adopted pursuant to law by federal, State, or local agencies.
- Sec. 15300.2(b): There is no evidence in the record that cumulative projects of the same type would occur within the same place to create a significant cumulative impact.
- Sec. 15300.2(c): There is no evidence that the activity would have a significant effect on the environment due to unusual circumstances.
- Sec. 15300.2(d) through (f): The Project is not proposed near an officially designated scenic highway, does not involve a current or former hazardous waste site, and, does not affect any historical resources. Therefore, the provisions of subsections (d) through (f) are not applicable to this Project.

Because the Project is consistent with the requirements for Class 1 and Class 11 exemptions and none of the exceptions to applying Class 1 and 11 exemptions in Section 15300.2 of the CEQA Guidelines apply; therefore, there is substantial evidence in the record to support a finding that the Project is categorically exempt from CEQA.

Additionally, CEQA Guidelines Section 15061(b)(3) states “The activity is covered by the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no

possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. " The Project includes reserving 60' by 10' of existing public ROW for the use by participants of the Program for a period of three years. The negligible temporary change of land use will have no permanent effects on the environment. Installation of two pole signs and pavement markings are minor alterations to the existing environment. It can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Pacifica does make the following findings pertaining to Coastal Development Permit CDP-439-23 as required by PMC section 9-4.4304(k):

1) *The proposed development is in conformity with the City's certified Local Coastal Program.*

Discussion: The City's certified Local Coastal Program (LCP) includes the 1980 Local Coastal Land Use Plan (LCLUP) that contains policies to further the City's coastal planning activities. Applicable policies and references in the City's LCLUP are discussed further below:

Coastal Act Policy No. 2: Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rock coastal beaches to the first line of terrestrial vegetation.

Finding: The Program would reserve two on-street parking spaces on the existing street. Public access to the sea would be maintained between the Program parking spaces and the shoreline through the use of the existing sidewalk along the west side of Bradford Way which connects to various public access points to the sea. The Code of Conduct associated with the Program would require Program participants to keep all personal property within the participants' vehicles and would prohibit Program participants from blocking any access to the sidewalk. Additionally, the signage proposed at the site will be located within the public ROW but outside of the street and sidewalk, similar to other existing traffic and parking signage along Bradford Way. Therefore, the use of the Program parking spaces or the signage will not obstruct or degrade physical access along Bradford Way and will not impact on the public's right of access to the sea.

The Program parking spaces are located an approximately equal distance from the two closest coastal access point accessible from the sidewalk along Bradford Way, which are Clarendon Road (Coastal Access Point No. 9 in LCLUP) and Top of Mori Point (Coastal Access Point No. 9 in LCLUP). These coastal access points are approximately 0.75-miles away from the Program parking spaces. The Program would remove 60 linear feet of existing public parking along Bradford Way. The segment of Bradford Way containing the Program parking spaces provides approximately a 0.25-mile of on-street parking, which is generally only minimally used at any time. Due to the distance of the Program parking spaces from nearby coastal access points and the general high availability of on-street parking along Bradford Way, the reserved public ROW will not adversely affect coastal visitor parking and will not impact the public's right of access to the sea.

Coastal Act Policy No. 3: Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where: (a) It is inconsistent with public safety, military security needs, or the protection of fragile coastal

resources; (b) Adequate access exists nearby; or (c) Agriculture would be adversely affected.

Dedicated accessway shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway.

Finding: As discussed under the Finding for Coastal Act Policy No. 2, public access to the sea would be maintained between the Program parking spaces and the shoreline through the use of the existing sidewalk along the west side of Bradford Way which connects to various public access points to the sea and which would not be obstructed or otherwise affected by the Project. The Code of Conduct associated with the Program would require Program participants to keep all personal property within their vehicles and would prohibit Program participants from blocking any access to the sidewalk. Additionally, the signage proposed at the site will be located within the public ROW but outside of the street and sidewalk, similar to other existing traffic and parking signage along Bradford Way. Therefore, the use of the Program parking spaces or the signage will not impact public access to the shoreline and along the coast.

Coastal Act Policy No. 5: *Lower cost visitor and recreational facilities and housing opportunities for persons of low and moderate income shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred. [...]*

Finding: The Program parking spaces will provide a low cost temporary housing opportunity for Program participants for a limited period of time while participants in the Program seek permanent housing solutions. Therefore, the Project would encourage and provide housing opportunities for persons of low and moderate income.

Page C-104 of LCLUP: *New development within the viewshed shall not destruct the views to the sea from public roads, trails and vista points. [...]*

Finding: The Program will involve parking of certain operational recreational vehicles, trailers or motorhomes in designated Program spaces along the west side of Bradford Way. These vehicles will be located between motorists traveling along Bradford Way and the coast. However, due to tree density within the Sharp Park Golf Course, coastal views are not available along Bradford Way. No vista points or trails are located in the vicinity east of the Program parking spaces. Therefore, the use of the Program parking spaces would not destruct the view to the sea from public roads, trails and vista points.

Page C-106 of LCLUP: *Design review shall be required of all new development that is subject to discretionary review in the Coastal Appeals Zone to the shoreline. To assure attractive, appropriate development that is compatible yet subordinate to, its shoreline topography, factors such as architectural style, scale, site use, materials, signing, lighting and landscaping shall be considered.*

Finding: The City has adopted Design Guidelines which are intended to accomplish the following purposes:

- a. Ensure at least a minimum standard of design through the application of consistent policies.

- b. Encourage new construction which exceeds minimum standards and discourage construction which falls short of those standards.
- c. Provide a framework for review and evaluation of design proposals.
- d. Implement applicable General Plan and Local Coastal Plan goals and policies.
- e. Expedite and facilitate the planning permit process.
- f. Provide direction for design and redesign of projects.

The Design Guidelines are advisory in nature and, unlike zoning, do not contain explicit standards for determining strict compliance. Rather, they address significant elements of project design that, when balanced overall, result in the best possible site layout and building architecture for a project. An applicant may propose a project which complies with some but not all guidelines and the Planning Commission may still find the project consistent with the Design Guidelines. It is up to the Commission's discretion to determine the appropriate balance and relative priority of the guidelines for a particular project when considering whether a project has achieved Design Guidelines consistency.

Due to the location of the Project in the public ROW, the minimal physical changes to the existing environment anticipated from the Project, and the temporary nature of the Project, many of the guidelines are not applicable to the Project. The Project is consistent with applicable City's adopted Design Guidelines as discussed below:

Infill Development, Neighborhood Compatibility

(c) A design which has the potential to negatively impact a neighbor's view, sunlight, and/or privacy, should be avoided.

Finding: The Program parking spaces are located between Sharp Park Golf Course and State Route 1. No residential properties are located adjacent to the Project. The Project will have no impact on a neighbor's view, sunlight, and/or privacy.

Coastal Development, Access

(a) Public access from the nearest public roadway to the shoreline and along the coast should be provided in the new development except as otherwise specified in the City's adopted Local Coastal Program Land Use Plan. [...]

Finding: As discussed under the Finding for Coastal Act Policy No. 2, public access to the sea would be maintained between the Program parking spaces and the shoreline through the use of the existing sidewalk along the west side of Bradford Way which connects to various public access points to the sea. The Code of Conduct associated with the Program would require Program participants to keep all personal property within their vehicles and would prohibit Program participants from blocking access to the sidewalk. Additionally, the signage proposed at the Program spaces will be located within the public ROW but outside of the street and sidewalk, similar to other existing traffic and parking signage along Bradford Way. Therefore, the use of the Program parking spaces or the signage will not impact public access from the nearest public roadway to the shoreline and along the coast.

Additionally, the City's certified Local Coastal Program includes an Implementation Plan (IP) to implement the policies contained in the LCLUP. The IP generally consists of the City's zoning provisions and other PMC provisions relating to the regulation of development and coastal resources protection. As noted above, the Project site is not located within an underlying zoning district. However, it is located within the C-Z combining district and is subject to the supplementary standards contained in PMC Title 9, Chapter 4, Article 44 applicable to developments

in the Coastal Zone. Because of the nature of the activity involved with parking of Program vehicles in designated spaces on the existing Bradford Way public ROW, the Program would not conflict with the habitat preservation, geotechnical suitability, grading and drainage, shoreline protection, public shoreline access, coastal view corridors, growth management procedures, or neighborhood commercial district supplementary regulations. Therefore, the Project would be in conformity with the City's IP component of the certified LCP.

For all the reasons provided above, the Project is in conformity with the City's certified Local Coastal Program.

2) *Where the Coastal Development Permit is issued for any development between the nearest public road and the shoreline, the development is in conformity with the public recreation policies of Chapter 3 of the California Coastal Act.*

Discussion: The Project would be located between the shoreline and the nearest public road (Bradford Way). The City finds that the development is in conformity with the public recreation policies of Chapter 3 of the California Coastal Act for the reasons discussed below:

Section 30220 Protection of certain water-oriented activities Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.

Finding: The Project includes reserving two Program parking spaces on an existing public street. The existing public street is not suited for water oriented recreational activities. Therefore, conformity with this policy does not apply.

Section 30221 Oceanfront land; protection for recreational use and development Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area. (Amended by Ch. 380, Stats. 1978.)

Finding: The Project includes reserving two Program parking spaces on an existing public street located east of the existing oceanfront Sharp Park Golf Course. The Project would not impact the Sharp Park Golf Course. The Project would not impact oceanfront recreational use and would conform with this policy.

Section 30222 Private lands; priority of development purposes The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.

Finding: The Project would not occur on private land, therefore conformity with this policy does not apply.

Section 30222.5 Oceanfront lands; aquaculture facilities; priority Oceanfront land that is suitable for coastal dependent aquaculture shall be protected for that use, and proposals for aquaculture facilities located on those sites shall be given priority, except over other coastal dependent developments or uses. (Added by Ch. 1486, Stats. 1982.)

Finding: The Project includes reserving two Program parking spaces on an existing public street. The existing public street is not suited for coastal dependent aquaculture. Therefore, conformity with this policy does not apply.

Section 30223 Upland areas *Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.*

Finding: The Project includes reserving two Program parking spaces on an existing public street. The area is not necessary to support coastal recreational uses due to the distance of the Program parking spaces from nearby coastal access points, the general high availability of parking along Bradford Way, and the location of the Program parking spaces outside of the Coastal Access Parking area. Therefore, conformity with this policy does not apply.

Section 30224 Recreational boating use; encouragement; facilities *Increased recreational boating use of coastal waters shall be encouraged, in accordance with this division, by developing dry storage areas, increasing public launching facilities, providing additional berthing space in existing harbors, limiting non-water-dependent land uses that congest access corridors and preclude boating support facilities, providing harbors of refuge, and by providing for new boating facilities in natural harbors, new protected water areas, and in areas dredged from dry land.*

Finding: The Project includes reserving two Program parking spaces on an existing public street. The area is not suitable for recreational boating use. Therefore, conformity with this policy does not apply.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Pacifica does hereby approve Coastal Development Permit CDP-439-22 to establish two on-street Temporary Safe Parking Program (Program) parking spaces (60' by 10', tandem orientation) and improvements on the west side of the Bradford Way public right-of-way (east of 2600 Francisco Blvd, APN 016-430-020) and immediately southwest of the State Route 1 Exit 505 ("Sharp Park Road") off ramp and Bradford Way intersection, subject to conditions of approval included in Exhibit A to this Resolution.

* * * * *

Passed and adopted at a regular meeting of the Planning Commission of the City of Pacifica, California, held on the 16th day of May 2022.

AYES, Commissioners: BERMAN, HAUSER, DOMURAT, FERGUSON, GODWIN,
LEAL, WRIGHT

NOES, Commissioners: NONE

ABSENT, Commissioners: NONE

ABSTAIN, Commissioners: NONE



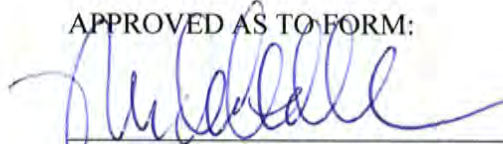
Lauren Berman, Chair

ATTEST:



Christian Murdock, Acting Planning Director

APPROVED AS TO FORM:



Michelle Kenyon, City Attorney

Exhibit A

Conditions of Approval: File No. 2022-014 – Coastal Development Permit CDP-439-22, to establish two on-street Temporary Safe Parking Program parking spaces and improvements on the west side of the Bradford Way public right-of-way (east of 2600 Francisco Blvd, APN 016-430-020).

Planning Commission Meeting of May 16, 2022

Planning Division of the Planning Department

1. Development shall be substantially in accord with the plans entitled "OSV Permit Parking Spot Implementation – Bradford Way" included as Attachment B of the May 16, 2022 Planning Commission staff report, except as modified by the following conditions.
2. The term of this approval shall be limited to the period of effectiveness of the Temporary Safe Parking Program approved by the City of Pacifica City Council in Resolution No. 12-2022. This approval shall have no further force or effect upon termination of the Temporary Safe Parking Program unless expressly authorized in another action by the City Council.
3. The City of Pacifica shall remove associated signage and pavement markings upon termination of the Temporary Safe Parking Program unless expressly authorized in another action by the City Council.
4. All vehicles and occupants of the spaces authorized in this approval shall comply with the terms, conditions, and other requirements of the Temporary Safe Parking Program, including but not limited to the Code of Conduct.

Conditions added by Planning Commission at May 16, 2022 Planning Commission Hearing

5. That the Applicant may combine the two 10' X 30' Program parking spaces into a contiguous space for not more and not less than two OSVs to be parked, in order to enable flexible Program management for OSVs of different sizes.
6. The Program space shall have a no parking buffer zone at the front and rear of the Program spaces (10' X 60') not less than 5' in depth and the full width of the program space (10'), with the exact depth at the discretion of the City Engineer.
7. All Program participants shall comply with all BAAQMD regulations applicable to generators proposed for operation at the Program spaces.
8. Prior to Program operations, the City Engineer shall evaluate Bradford Way between Sharp Park Road and Fairway Drive to implement pavement striping and lane tapers, and any red curb markings and "no parking" signage required to implement the pavement striping and lane tapers, in compliance with applicable traffic engineering standards to the maximum extent practicable.

END

CALIFORNIA COASTAL COMMISSION

NORTH CENTRAL COAST DISTRICT OFFICE
455 MARKET ST., SUITE 228
SAN FRANCISCO, CA 94105-2420
(415) 904-5260
NORTHCENTRALCOAST@COASTAL.CA.GOV

**APPEAL FORM****Appeal of Local Government Coastal Development Permit****Filing Information (STAFF ONLY)**

District Office: North Central Coast

Appeal Number: _____

Date Filed: _____

Appellant Name(s): _____

APPELLANTS

IMPORTANT. Before you complete and submit this appeal form to appeal a coastal development permit (CDP) decision of a local government with a certified local coastal program (LCP) to the California Coastal Commission, please review [the appeal information sheet](#). The appeal information sheet describes who is eligible to appeal what types of local government CDP decisions, the proper grounds for appeal, and the procedures for submitting such appeals to the Commission. Appellants are responsible for submitting appeals that conform to the Commission law, including regulations. Appeals that do not conform may not be accepted. If you have any questions about any aspect of the appeal process, please contact staff in the Commission district office with jurisdiction over the area in question (see the Commission's [contact page](#) at <https://coastal.ca.gov/contact/#/>).

Note regarding emailed appeals. Please note that emailed appeals are accepted ONLY at the general email address for the Coastal Commission district office with jurisdiction over the local government in question. For the North Central Coast district office, the email address is NorthCentralCoast@coastal.ca.gov. An appeal emailed to some other email address, including a different district's general email address or a staff email address, will be rejected. It is the appellant's responsibility to use the correct email address, and appellants are encouraged to contact Commission staff with any questions. For more information, see the Commission's [contact page](#) at <https://coastal.ca.gov/contact/#/>.

Appeal of local CDP decision

Page 2

1. Appellant information¹

Name: _____

Mailing address: _____

Phone number: _____

Email address: _____

How did you participate in the local CDP application and decision-making process?

Did not participate Submitted comment Testified at hearing Other

Describe: _____

If you did *not* participate in the local CDP application and decision-making process, please identify why you should be allowed to appeal anyway (e.g., if you did not participate because you were not properly noticed).

Describe: _____

Please identify how you exhausted all LCP CDP appeal processes or otherwise identify why you should be allowed to appeal (e.g., if the local government did not follow proper CDP notice and hearing procedures, or it charges a fee for local appellate CDP processes).

Describe: _____

¹ If there are multiple appellants, each appellant must provide their own contact and participation information. Please attach additional sheets as necessary.

Page 3

Date of local government CDP decision: _____

[illegible]

Page 3 of 17

Appeal of local CDP decision
Page 4

3. Applicant information

Applicant name(s): _____

Applicant Address: _____

4. Grounds for this appeal⁴

For appeals of a CDP approval, grounds for appeal are limited to allegations that the approved development does not conform to the LCP or to Coastal Act public access provisions. For appeals of a CDP denial, grounds for appeal are limited to allegations that the development conforms to the LCP and to Coastal Act public access provisions. Please clearly identify the ways in which the development meets or doesn't meet, as applicable, the LCP and Coastal Act provisions, with citations to specific provisions as much as possible. Appellants are encouraged to be concise, and to arrange their appeals by topic area and by individual policies.

Describe: _____

⁴ Attach additional sheets as necessary to fully describe the grounds for appeal.

Appeal of local CDP decision

Page 5

5. Identification of interested persons

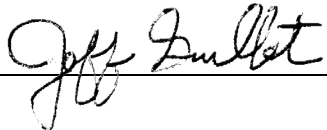
On a separate page, please provide the names and contact information (i.e., mailing and email addresses) of all persons whom you know to be interested in the local CDP decision and/or the approved or denied development (e.g., other persons who participated in the local CDP application and decision making process, etc.), and check this box to acknowledge that you have done so.

Interested persons identified and provided on a separate attached sheet

6. Appellant certifications⁵

I attest that to the best of my knowledge, all information and facts in this appeal are correct and complete.

Print name _____

Signature  _____

Date of Signature _____

7. Representative authorization⁶

While not required, you may identify others to represent you in the appeal process. If you do, they must have the power to bind you in all matters concerning the appeal. To do so, please complete the representative authorization form below and check this box to acknowledge that you have done so.

I have authorized a representative, and I have provided authorization for them on the representative authorization form attached.

⁵ If there are multiple appellants, each appellant must provide their own certification. Please attach additional sheets as necessary.

⁶ If there are multiple appellants, each appellant must provide their own representative authorization form to identify others who represent them. Please attach additional sheets as necessary.

California Coastal Commission
North Central Coast District
455 Market Street
San Francisco, CA 94105

June 22, 2022

Pacifica City Council
540 Crespi Drive
Pacifica, CA 94044

Appeal re: Coastal Development Permit (CDP-439-22), Designating Oversized Vehicle Residential Parking Spaces, Bradford Way, Pacifica, CA.

CCC Post-Cert Number 2-PAC-22-0472.

Dear California Coastal Commission:

The Pacifica Planning Commission issued a Coastal Development Permit (**CDP-439-22**) to install two side-by-side parking areas in the Coastal Zone for oversized vehicles used as residences (each 30 feet by 10 feet). These spaces on Bradford Way are described as east of 2600 Francisco Blvd, APN 016-430-020, in Pacifica. We are appealing this Coastal Development Permit.



Figure 1 - Map showing location of proposed oversized vehicle spaces on Bradford Way

We appeal CDP-439-22 on the grounds that this new development impedes bicycle and pedestrian access along the California Coastal Trail, endangers sensitive coastal areas inhabited by federally protected species, and creates a public safety hazard in this important visitor-serving coastal area.

The road that is Francisco Blvd and Bradford Way in Pacifica is an established bike route and the only corridor that connects walkers, hikers, runners, and cyclists to the California Coastal Trail (CCT). The CCT is a widely used public trail that makes the coast more accessible, encourages non-motorized transportation, and fosters appreciation and stewardship of the scenic and natural resources of the coast. This section is used for several public events, such as the annual AIDS/LifeCycle, the Relay for Life, the Pacifica Fog and Jog, and other events. It is also used nearly every day during the school year by Oceana High School's track and cross-country team for training.

Installing two long-term oversized vehicle housing areas along this corridor will impede the intended purpose as a bike route and visitor-serving route that connects the CCT. According to the planning division, it will include installation of signage denoting the exclusive use of these sites, striping and painting of boundaries, and striped no parking buffering areas in front and behind these spaces.

This pathway serves the Mori Point recreational area and the low-cost Sharp Park Golf Course that provides low-income recreation to the Bay Area, especially as an escape from oppressive summer inland heat on the San Francisco Peninsula and in the East Bay. The golf course is a designated Pacifica Historic Site in the Pacifica General Plan. (Pacifica General Plan, 1980, "Historic Sites" Map, at pages 95 and 95a (125-126/248), listing "Sharp Park Golf Course & Clubhouse" as historic sites:

<http://www.cityofpacifica.org/civica/filebank/blobdload.asp?BlobID=3443>.)

The bike pathway includes a non-uniform asphalt pedestrian path that is much narrower in some spots than others. Placing oversized vehicles here further inhibits pedestrian access, especially since access and front doors of oversized vehicles will face this path. Injuries can occur if a door opens unexpectedly and blocks the path.

The roadway itself is too narrow to accommodate cyclists and traffic around large vehicles. The roadway where the two proposed 10-foot by 30-foot spaces will go is only 16-18 feet wide from the curb to the median. Cyclists will need to enter the narrow lane of traffic to go around these spaces and vehicles will cross the median. If an easement is created by cutting into the path, there will be even less pathway space for walkers, hikers, and joggers.

The Francisco Blvd and Bradford Way corridor have been designated as a bike route for over forty years. This change in use for a single purpose inhibits cyclists and public access to our coastal resources and does not promote social justice. Bike route signs already exist, and public comment to City Council and an online petition has been created to request dedicated bike lanes through this corridor:

<https://www.change.org/PacificaSafeCycling>. The petition has been signed by 48 people so far and they add their names to this appeal along with the 77 other signers attached to this appeal.

There are grave concerns about environmental harm that would be caused by allowing oversized vehicles for long-term/semi-permanent housing in this area. There is no infrastructure or services to support proper handling of garbage and wastewater, including blackwater from mobile homes. The designated oversized vehicle residential parking area is right next to three storm drains at the curb of Bradford Way south of the golf course driveway (See Fig. 9, attached below), whose drain lines run through the golf course to outfalls into Laguna Salada and its wetlands, all as shown on the Existing Conditions Report, Appendix A to the Pacifica Local Coastal Plan. (Pacifica LCP Update, Appendix A-4, Existing Conditions Map, Sharp Park, West Fairway Park, and Mori Point:

https://drive.google.com/open?id=13iMuo-kz_DKa12ZWbz7jvksRS-WbrTI8.)



Detail, showing Pacifica stormwater infrastructure (in blue), from Appendix A-4, Pacifica LCP Update, Existing Conditions Map, Sharp Park, West Fairway Park, and Mori Point

Laguna Salada and its wetlands are home to the San Francisco garter snake and California red-legged frog, endangered species that are specifically protected by the Pacifica General Plan, Local Coastal Plan, and the Coastal Act.

Moreover, there is no electricity serving this area. Oversized vehicle dwellers would be forced to use gas- or diesel-powered generators that increase the risk of fire and fuel spills and spoil the peacefulness of the coastal area. These substantial issues are grounds for appeal.

Several of these points were also raised in the August 1, 2021 letter of the San Francisco Public Golf Alliance to the Pacifica City Council, City Engineer, and Police Department (with copy to the Planning Department), a copy of which is linked here (<https://drive.google.com/file/d/13UcQxTM9iE3Utqzovelun-94Qil0Y3a/view?usp=sharing>) and incorporated herein by this reference.

While we understand the need for housing, this is not the answer. There are other places on Pacifica streets that are not immediately adjacent and do not drain directly to environmentally sensitive and highly protected wetlands. Continuously cycling oversized vehicles for long-term residential use in this protected and environmentally sensitive coastal area constitutes development which inhibits public access and endangers coastal resources, including recreational, historical, and biological resources. We appeal to California Coastal Commission to disallow this development permit, and to protect our coast for everyone.

Jeff Guillet
284 Seaside Dr.
Pacifica, CA 94044
(650)302-0119
jeff@theguilletts.com

cc:
Pacifica Planning Commission, Planning Department, and City Engineer
San Francisco Public Golf Alliance



Figure 2 - Pacifica Notice of Coastal Development Permit Application. There is no mention on this notice of when, how or where to appeal this CDP.



Figure 3 - AIDS LifeCycle ride on June 5, 2022 with over 2,150 cyclists (<https://www.aidslifecycle.org/>). This photo shows the exact area where the oversized vehicle spaces will be placed. Locating these permanent spaces here will significantly impact the public's use of this important coastal corridor.



Figure 4 - Cyclists enjoying use of the exact area where the oversized vehicle spaces will be placed. Northbound cyclists use the pedestrian path. It is unsafe to cycle on the right side of Bradford Way due to traffic, the State Route 1 exit, and lack of bike lanes.



Figure 5 - The California Coastal Trail route along Bradford Way is a designated bike route. It is too narrow to support semi-permanent 10-foot-wide parking areas.



Figure 6 - Pedestrians use this CCT path to get to Mori Point Recreation Area to the south.



Figure 7 - On February 19, 2022, an overside vehicle parked on Bradford Way in the same proposed space was hit by another vehicle, illustrating how unsafe this area is to park.



Figure 8 - The blackwater tank from the vehicle was damaged and hangs from the bottom on the ground. It is seen leaking fluid into the street and the storm drain. This vehicle remained here for over a week despite calls to the city to have it removed.



Figure 9 - The storm drain on Bradford Way where the oversized vehicle was parked. The badge on the curb above the storm drain reads, "No Dumping. Drains to Ocean"



Figure 10 - A group of oversized vehicles parked in the same area of Bradford Way as viewed from the Sharp Park Golf Course entrance and exit. Note the pop-out extending into the path, forcing pedestrians and cyclists to go around it. Another pop-out on the other side (not shown in this photo) extends into the roadway, causing vehicles in the same lane to cross the median to go around it. Visibility is greatly reduced for vehicles exiting the Sharp Park Golf Course, restaurant, and bar.

From: KoppmanNorton, Julia@Coastal
To: Ringuette, Oceane@Coastal
Subject: FW: Oversized Vehicle Ordinance
Date: Thursday, July 14, 2022 2:30:58 PM
Attachments: [image001.png](#)

From: KoppmanNorton, Julia@Coastal
Sent: Tuesday, December 10, 2019 12:18 PM
To: Murdock, Christian <murdockc@ci.pacifica.ca.us>; Bautista, Sam <bautistas@ci.pacifica.ca.us>
Subject: Oversized Vehicle Ordinance

Hi Christian & Sam,

Thank you again for the call yesterday. If you could ensure this gets to Dan with the Police Department as well, that'd be great. As I said on the call, until we resolve how to enact the oversized vehicle ordinance in the Coastal Zone, the ordinance cannot go into effect in those areas. The basis for this is that this ordinance would change parking restrictions on roads in the Coastal Zone that would meet the definition of development (change in intensity or density of use). This can be resolved in one of two ways: either 1) through an LCP amendment, if there is an appropriate location to amend the text within the document as such, or 2) through a CDP the City would issue to the applicant (which would be appealable to the CCC) to implement the program and apply the restrictions on the roads.

As other jurisdictions have come forward and proposed these types of programs the Commission has been especially concerned with assuring these programs are Coastal Act-consistent regarding public access and environmental justice concerns. As a result of this, we would need to see that the program is narrowly tailored to address a specifically documented problem (through official data such as citations, police reports, or data collected in the community, etc.) and to then explain how the proposed parking restriction has been developed in a manner that has the least impact on public access (to streets and other public areas) and in a way that won't disproportionately affect a certain segment of the population, taking into account environmental justice implications. If there are actual or perceived impacts, we would ask for an explanation as to how Pacifica plans to address these impacts in a holistic manner. We have also asked other jurisdictions conducting parking restrictions to include a monitoring component to measure the parking program's effectiveness over time.

Please let me know if you have any questions, and let me know what the plan and timeline is for moving forward on this. Thanks!

Best,
Julia

Julia Koppman Norton
Coastal Planner

EXHIBIT A

PACIFICA SAFE PARKING PERMIT (PSPP) Participant Bill of Rights and Onsite Code of Conduct (Regular and Provisional Permit Holders)

The goal of the Pacifica Safe Parking Permit (PSPP) program is to provide unhoused individuals and families who are living in vehicles a place to park in a safe, secure, sanitary, and welcoming environment while they work toward returning to housing. All PSPP participants are asked to observe the following guidelines and code of conduct to maintain a safe and healthy space for everyone. All participants must read and have a signed agreement on file in order to participate in PSPP.

PARTICIPANT'S BILL OF RIGHTS

- a. Participant's rights will be exercised in ways that also respect the rights of other participants. No one's rights are absolute.
- b. All participants are entitled to enjoy a safe and healthful living environment at the program site.
- c. All participants are entitled to be treated in a manner that respects their dignity and individuality.
- d. All participants with disabilities, personal and cultural differences are entitled to reasonable accommodations under fair housing laws when such accommodations are necessary because of their disability, personal and cultural identity. The program will accommodate participants' needs (expressed, implicit or implied) as long as such accommodation will not result to an essential change in the program or structure.
- e. All participants are entitled to remain in the program while it is active and not be involuntarily removed without good cause and just procedures.
- f. All participants are entitled to just and standardized procedures for determining eligibility, admissions, sanctions and discharges, and resolving grievances.
- g. All participants are entitled to reasonable privacy and confidential treatment of personal, social, financial, medical, mental and behavioral health records, and in compliance with the participant's written consent to release information.
- h. All participants are entitled to the full exercise of their civil, constitutional, and legal rights.

PARTICIPANTS CODE OF CONDUCT:

- Participants will maintain quiet hours between 10p and 8a and will turn off generators during those hours.
- Participants will be considerate of neighbors near their PSPP designated space and will not loiter, trespass, publicly use drugs or alcohol, or use open flames or other burners at their designated PSPP space or in the neighborhood and the surrounding area.

- Participants will keep personal belongings within their vehicle at their designated PSPP space so that there are no personal belongings outside of the vehicle.
- Participants will conduct their living within their vehicle parked in their designated PSPP space and will not camp, cook, or live on the street, outside their vehicle, or in the neighborhood and surrounding areas.
- Participants will maintain a clear sidewalk in front of and around their designated PSPP space.
- Participants will maintain a safe and clean environment at their designated PSPP space, in or around their vehicle, free of:
 - hazardous materials
 - illegal weapons
 - illegal drugs
 - illegal activities
 - and violence.
- Participants will maintain and use the toilet in their vehicle parked at their designated PSPP space.
- Participants will properly dispose of gray and black water in the manner identified by PRC at a location that is authorized to dispose of gray and black water.
- Participants will properly dispose of all trash and recyclables.
- Participants will properly dispose all extinguished cigarettes and cigars in the garbage, not on the ground, and will not smoke within 30 feet of neighbors' doors, windows, or fence line.
- Participants will resolve all conflicts peacefully and with the support of PRC, as needed.
- Participants will abide by all laws.
- Participants will maintain PSPP's commitment to be culturally competent, equitable, and inclusive and will not act or make remarks that are ethnically degrading, racist, sexist, or homophobic.
- Participants will ensure that all visitors will abide by PSPP's Code of Conduct at all times.
- **PARTICIPANTS WITH PETS:**
 - Will keep them on leash when outside of their vehicle and will not tie them to the outside of the vehicle.
 - Will clean-up after their animals.

By signing below, I agree to participate in the Pacifica Safe Parking Permit (PSPP) program and have read and agree to the code of conduct in this agreement. I understand that failure to comply with this agreement may result in my disenrollment or prohibition from participating in the Pacifica Safe Parking Permit (PSPP) program. My participation in the Pacifica Safe Parking Permit (PSPP) program is voluntary and may be discontinued at any time by my choice or due to failure to comply with the code of conduct outlined in this agreement.

Participant Name (print): _____

Participant Signature

Date

Core Principles

Housing First

According to the webinar *Core Principles of Housing First and Rapid Re-Housing* issued by HUD and the United States Interagency Council on Homelessness (USICH), the Housing First approach is based on the following principles:

1. Housing is safe and affordable;
2. All people can achieve housing stability in permanent housing; supports may look different;
3. Everyone is “housing ready”; and
4. Improved quality of life, health, mental health, and employment can be achieved through housing.

Harm Reduction

Harm reduction policies, procedures, and practices aim to reduce the negative consequences of behaviors that are detrimental to the participant's health and well-being (i.e., abuse of drugs and/or alcohol, failure to be medication compliant, engaging in criminal activity, prostitution, choosing to sleep outside, etc.). In housing settings, harm reduction is intended to prevent a participant's loss of housing and/or termination from the program based solely on his or her inability to stop engaging in harmful behaviors.

PRC incorporates a harm reduction model utilizing all interventions possible, short of termination from the program, to enable the participant to reduce or minimize their risky behaviors, while at the same time assisting them to move into and become stabilized in permanent housing. Harm reduction is not intended to prevent the termination of a participant whose actions or behavior constitute a threat to the safety of other participants and staff.

Trauma-Informed Care

Trauma-informed care requires that every part of PRC's design and operation be approached with an understanding of trauma and the impact it has on those receiving services. Traumatic experiences can impact how clients receive services provided and the environment in which those services are delivered. PRC works to establish a safe and supportive environment, ensuring that all staff receive training on traumatic stress and its impact, as well as the relationship between trauma and mental health, substance use, and homelessness.

Cultural Competency, Racial Equity, and Inclusivity

At all levels, PRC works to provide programs that are culturally and linguistically competent, racially equitable, and gender inclusive, and address the needs of populations to be served, including, but not limited to, race and ethnicity, gender and gender identity, sexual orientation, economic class, age, family status, language spoken and understood, physical and mental disabilities, living situation, etc.

EXHIBIT B

PACIFICA SAFE PARKING PERMIT (PSPP) Participant Bill of Rights and Onsite Code of Conduct (Short-Term Permit Holders)

The goal of the Pacifica Safe Parking Permit (PSPP) program is to provide unhoused individuals and families who are living in vehicles a place to park in a safe, secure, sanitary, and welcoming environment while they work toward returning to housing. All PSPP participants are asked to observe the following guidelines and code of conduct to maintain a safe and healthy space for everyone. All participants must read and have a signed agreement on file in order to participate in PSPP.

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- m. All participants are entitled to remain in the program while it is active and not be involuntarily removed without good cause and just procedures.
- n. All participants are entitled to just and standardized procedures for determining eligibility, admissions, sanctions and discharges, and resolving grievances.
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