



**CITY OF PACIFICA  
OPEN SPACE & PARKLAND ADVISORY COMMITTEE**

**July 21, 2021**

**6:00 – 7:30 P.M.**

**Virtual Meeting via Zoom Link**

**<https://zoom.us/j/92726074774?pwd=WINVQ2lVdmVpWFU5a3hHT3lSOFRUT09>**

**CORONAVIRUS DISEASE (COVID-19) NOTICE**

THIS MEETING WILL BE CONDUCTED PURSUANT TO THE PROVISIONS OF THE GOVERNOR'S EXECUTIVE ORDER N-08-21 WHICH SUSPENDS CERTAIN REQUIREMENTS OF THE BROWN ACT. THIS MEETING IS NECESSARY SO THAT THE CITY CAN CONDUCT NECESSARY BUSINESS AND IS PERMITTED UNDER THE ORDER AS AN ESSENTIAL GOVERNMENTAL FUNCTION.

Consistent with the above-referenced Orders, this City Committee Meeting will not be physically open to the public and Committee Members and staff will be video/teleconferencing into the meeting. To maximize public safety while still maintaining transparency and public access, members of the public can observe and participate in the meeting as detailed below.

**How to Join the Meeting:**

- Join using Zoom meeting link:  
<https://zoom.us/j/92726074774?pwd=WINVQ2lVdmVpWFU5a3hHT3lSOFRUT09>

(Meeting ID: 927 2607 4774; Password: 804017)

- To dial-in via phone:  
DIAL:+1 (669)900-6833 Meeting ID: 92726074774#
- Contact Associate Planner, Bonny O'Connor by email with questions:boconnor@pacifica.gov

**How to Submit Public Comments:**

There are 2 options for providing public comments.

- (1) **By EMAIL** to [boconnor@pacifica.gov](mailto:boconnor@pacifica.gov). Comments submitted by email should adhere to the following:
  - Subject Line: "Public Comment – OSPAC Mtg 7/21/2021 [AGENDA ITEM NO. or "ORAL COMMUNICATIONS" for topics not on the agenda]"
  - Submitter's Full Name
  - 350 word maximum
- (2) Use **Raise Hand** feature within the Zoom meeting to provide a verbal comment during the appropriate agenda item. Participants that dial-in can press \*9 to raise their hand.

Electronic Comments received by email will be monitored during the meeting and read into the record at the appropriate time with a maximum allowance of 3 minutes per individual comment, subject to the Chair's discretion.

Note: The format of this meeting may be altered or the meeting may be cancelled, if needed. You may check on the status of the meeting by visiting the City's website at [www.cityofpacifica.org](http://www.cityofpacifica.org) for any updates.

**CALL TO ORDER:**

**ADMINISTRATIVE BUSINESS:** *(5 minutes)*

**Approval of Order of Agenda**

**Approval of Minutes of June 16, 2021 (distributed to OSPAC with Agenda)**

**PUBLIC COMMUNICATIONS:**

**Oral Communications:**

*This portion of the agenda is available to the public to address the Committee on any issue within the subject matter jurisdiction of the Committee that is not on the agenda (3 minutes per speaker).*

**INFORMATIONAL ITEMS:** *(5 minutes)*

- 1. Update by GGNRA/GGNPC, including general information on their capital improvement project planning process**
- 2. Update by City Council Liaison**

**STAFF COMMUNICATIONS:** *(5 minutes)*

- 3. Development project updates**

**DISCUSSION ITEMS:**

- 4. Debrief the OSPAC related actions made by City Council on July 12, 2021. *(20 minutes)***
- 5. Discuss planning for the proposed November 6, 2021 ribbon cutting event of Ahni Trail. *(20 minutes)***
- 6. Subcommittee to discuss study session request to City Council, identify objectives and goals of study session. *(20 minutes)***

**COMMITTEE COMMUNICATIONS:** *(5 minutes)*

**Committee Communications:**

**ADJOURNMENT**

*\*\*Please note that timeframes were provided at the request of the Committee Chair and are meant to provide guidance and not limitations.*

THE CITY OF PACIFICA WILL PROVIDE SPECIAL ASSISTANCE FOR DISABLED CITIZENS UPON AT LEAST 24 HOUR ADVANCE NOTICE TO THE CITY MANAGER'S OFFICE (738-7301). IF YOU NEED SIGN LANGUAGE ASSISTANCE OR WRITTEN MATERIAL PRINTED IN A LARGER FONT OR TAPED, ADVANCED NOTICE IS NECESSARY. ALL MEETING ROOMS ARE ACCESSIBLE TO THE DISABLED.



**CITY OF PACIFICA  
OPEN SPACE & PARKLAND ADVISORY COMMITTEE**

**Action Minutes June 16, 2021 6:00 – 7:30 P.M.**

**Virtual Meeting via Zoom Link**

*In attendance was Chair Patton, Vice Chair Arnos, Natesan, Johnson, Read and Sullivan. Durkee, Lancelle, and Kraus were absent. Council Liaison Bier and Staff Liaison Murdock were present.*

**CALL TO ORDER:** 6:00pm

**ADMINISTRATIVE BUSINESS**

**Approval of Order of Agenda.** Unanimously approved.

**Approval of Minutes of May 19, 2021.** *Chair Patton* requested that “discussion item” be added to the end of Staff Communications. Unanimously approved as amended.

**PUBLIC COMMUNICATIONS:**

**Oral Communications:**

*Christine Boles* provided a comment regarding the importance of the Hillside Preservation District (HPD) and to follow up on her previous comment letter.

**INFORMATIONAL ITEMS:**

- 1. Update by GGNRA/GGNPC.** *Natalie Dayal* (GGNRA) provided an update on their progress to address the unpermitted memorial on Mori Point. Chair Patton reported that the temporary protection around the Portola monument has been damaged. Vice Chair Arnos reported that the gate blocking the cave at Mori Point is too “flimsy”. *Jeff Guillet* (public) reported the cave was filled with boulders. *Sue Gardner* (GGNPC) reported field staff is light this year and as a result work may be delayed, mission blue butterfly is having a good year, California red-legged frogs not having a good year, and San Bruno elfin butterfly is stable this year.
- 2. Update by City Council Liaison.** *Mayor Pro Tem Bier* provided an update on fireworks, funding for back pay of rent owed, and California Coastal Commission’s certification of ADU ordinance and reported the OSPAC’s items were pushed from the June 28 meeting to the July 12, 2021 City Council meeting.

**STAFF COMMUNICATIONS:**

- 3. Development project updates.** *Deputy Director Murdock* reported that the Linda Mar Woods applicant has expressed interest in presenting to OSPAC. *Deputy Director Murdock* provided an explanation of who would investigate construction related inquiries.

**DISCUSSION ITEMS:**

- 4. Review and approve content material for the 6/28/2021 City Council staff report regarding the Mori Point trash and parking issue.** The committee reviewed the content of the City Council staff report and unanimously approved the content of the report and presentation. The report will be subject to Natesan and Arnos edit and City review. *Kelley* provided a comment that map should be included in the presentation. *Jeff Guillet* commented that various agencies would need to provide input on the solutions and would encourage removal of the Highway 1 crosswalk, does not want porta-potties as a solution. *Cindy Abbott* provided a comments regarding garbage pick-up and reminded the committee that the Caltrans highway crossing is identified as a dangerous crossing on the Pacifica Master Bike and Pedestrian Plan.

5. **Follow-up from 6/14/2021 City Council Annual Report, identify any actions to respond to Council feedback.** *Chair Patton* detailed her reporting of the annual report to the City Council. Chair Patton discussed support from Mayor Pro Tem Bier to return with amendments to the OSPAC's resolution.

#### **COMMITTEE COMMUNICATIONS:**

**Committee Communications:** *Vice Chair Arnos* requested the 6/16/21 Boles comment letter be attached to the next agenda.

**ADJOURNMENT** *Chair Patton* adjourned the meeting at 8:20pm.

DRAFT

## Murdock, Christian

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**From:** Christine Boles [REDACTED]  
**Sent:** Wednesday, June 16, 2021 2:27 PM  
**To:** Natesan, Ellen; Arnos, Joanne; Durkee, Paul; johnsonk@ci.pacifica.us; Kraus, Stephen; Lancelle, Julie; Patton, Arlene; Read, Aaron; Sullivan, Jim; Bier, Mary; Murdock, Christian; O'Connor, Bonny  
**Cc:** Woodhouse, Kevin  
**Subject:** Open Space and HPD ordinance follow up  
**Attachments:** Boles letter to Open Space Committee 6.16.21.pdf

**[CAUTION: External Email]**

Dear OSPAC members, Mayor Pro Tem Bier, Ms. Wehrmeister, Mr. Mudock and Ms. O'Connor,

I am sending the attached letter as a follow up to your discussion at your last OSPAC meeting in May about upcoming projects and the Hillside Preservation District ordinances.

I hope this is helpful and that it can prompt a larger discussion with the city, staff and Planning Commission to bring all of us to a better understanding of our ordinances designed to protect our hillsides.

Thank you again for your service and attention to the matter.

Sincerely,

Christine Boles, Architect

**Beausoleil Architects**

[REDACTED]

Pacifica, CA 94044

[REDACTED]

[www.beausoleil-architects.com](http://www.beausoleil-architects.com)

*"Do your little bit of good where you are; it's those little bits of good put together that overwhelm the world." - Desmond Tutu*

**CAUTION: This email originated from outside of the City of Pacifica. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.**

DATE: June 16, 2021

TO: Pacifica Open Space Committee  
Mary Bier, Mayor Pro-Tem, City Council Liaison  
Tina Wehrmeister, Planning Director/Assistant City Manager  
Christian Murdock, Deputy Planning Director  
Bonny O'Connor, Associate Planner, Staff Liason



RE: Further clarification of Hillside Preservation ordinances

Dear Open Space Committee members, Mayor Pro Tem Bier, Ms. Wehrmeister, Ms. O'Connor, Mr. Murdock,

I wanted to follow up on my letter to the Open Space Committee of April 21<sup>st</sup> and on the subsequent discussion at your last meeting in May. I did not see this item on your agenda for the last meeting and am very sorry to have missed it. I had a scheduling conflict that night but would have happily rearranged my schedule if I had known. Can I ask that better communication to involved residents be addressed for future meetings?

I did go back and watch the video of the discussion that Bonny O'Connor shared with me, and I have a few follow up comments. First, I understand that several of the projects noted in my letter have not yet been deemed complete by planning. I brought them up to give you a heads up that these large projects on open space land are being considered to raise your awareness of items that may be coming before you as a committee. I am also aware that sometimes projects are brought to your committee for input before they are finalized, like the church at 650 Cape Breton.

The problem with waiting until the project is "deemed complete" by planning is that by that time, the developer has spent so much time and money refining the details and preparing technical studies of the project that there is less opportunity for your committee, the Planning Commission and the public to have meaningful input in the design, and less willingness on behalf of the developer to make changes. Linda Mar Woods neighbors on Higgins Way were told by planning staff that this is actually a very good time to for the community to be involved. Other municipalities in the Bay Area have better processes for engaging the community early on in the conceptual design phase and I have written a letter to the City Manager and Planning Director with suggestions for improving our processes months ago but have not heard back. I am happy to forward that letter to you if you're interested. Early public engagement helps the developer as well so that they can identify issues of concern to the public and try to address them from the start, thereby building consensus and support towards project approvals. I have developers as clients in my architectural business; the last thing they want is an uncertain process that leaves the project susceptible to appeals or legal challenges.

Similarly, a clear understanding of our Hillside Preservation Ordinance would help developers as well as the public. I am one of the four appellants for the Harmony One, Lot 3 project and have had multiple conversations with the owner of the property. We explained our concerns about the project's noncompliance with HPD maximum disturbance area as well as prominent ridgelines in the General Plan. We went through the ordinances in detail with him and his engineer as we reviewed his plans that were approved by the Planning Commission. They want to comply with the regulations are in the process of revising their drawings, but at great expense and delay to his project. As a members of the public, we've also spent a lot of time and money in filing the appeals and negotiating with the owner. We are not asking for anything more than compliance with our laws and the original subdivision conditions of approval that were thoroughly vetted by the community back in 2006-2007. A better process for everyone would start with a clear understanding of our ordinances. That was my intention in writing a recent [article](https://www.coastsidebuzz.com/pacifica-architect-christine-boles-questions-pacificas-understanding-of-hillside-preservation-requirements/), that was published in its entirety on the Coastside Buzz website.  
<https://www.coastsidebuzz.com/pacifica-architect-christine-boles-questions-pacificas-understanding-of-hillside-preservation-requirements/>

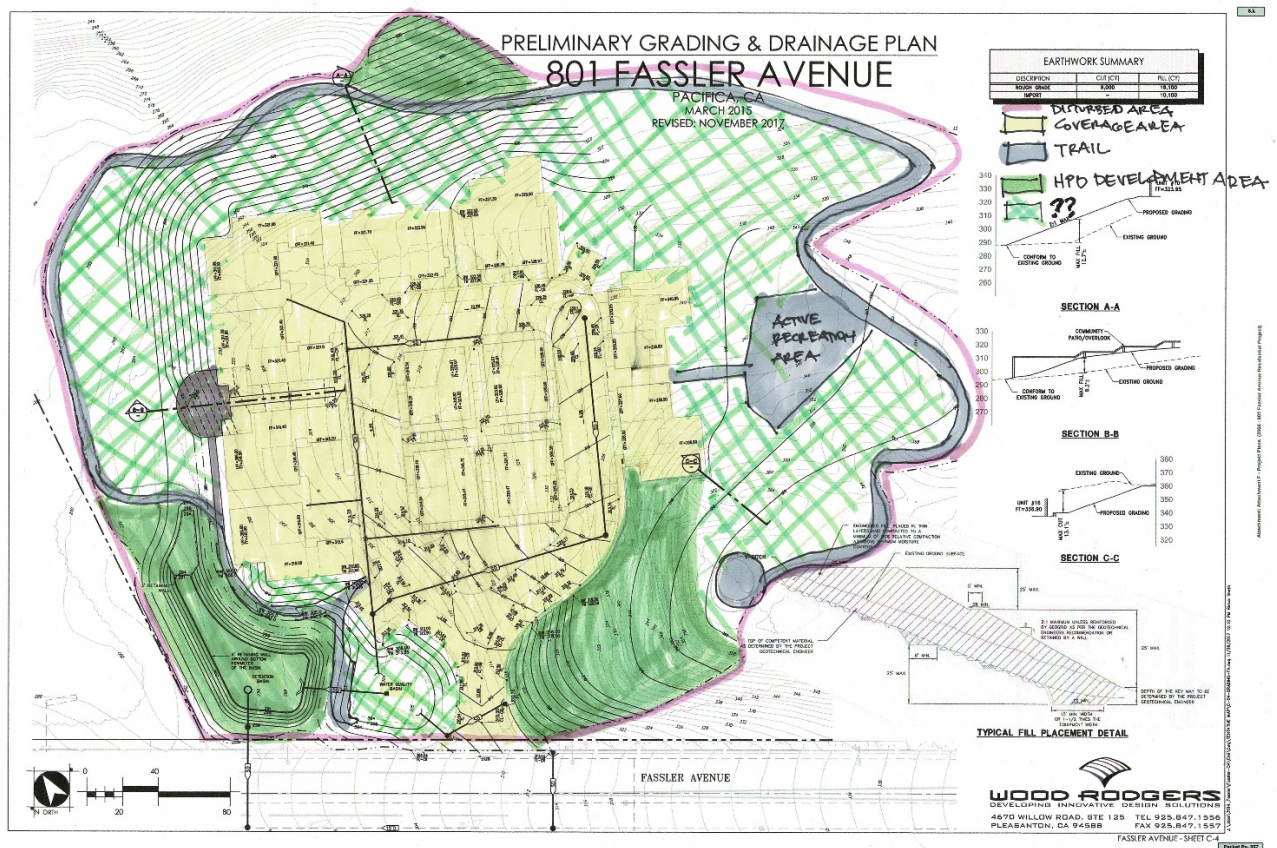


As I mentioned in my article, there are some exceptions to HPD coverage that are more nuanced and subject to discretion. It would be very helpful to have staff educate us all (decision makers, the public and project sponsors) on their interpretations as well as the process for these exceptions to be considered. From Article 22.5 of the Municipal Code Sec. 9-4.2257. - Land coverage control (HPD):

**1) Public Recreation Areas**

**“All areas not considered coverage shall remain undisturbed in their native or natural state, with the exception of the recreational areas.” and “recreation facilities and active recreation areas which can be utilized by all residents of the development.”**

The project at 801 Fassler included trails and recreation areas accessible to all residents, so this is a good example. Below is their site plan, which I have color coded with my analysis. I have highlighted in pink the engineer’s line that delineates “disturbed area”. The areas highlighted in yellow are covered by buildings, roads and paving. This yellow area measures approximately 53,600 s.f. and corresponds with their HPD calculation for “coverage” area, leaving only 38 square feet remaining for additional allowed disturbance. In gray are their identified recreation areas and trails, which do not count. In solid green are grading disturbance areas that clearly appear to put the project over the maximum allowed HPD numbers. Cross hatched areas in green are areas of substantial grading in between the trails and the buildings, which are perhaps subject to interpretation. Most of these areas are so steep that I have a hard time seeing how they can be justified to be counted as recreation areas.



Furthermore, if adding a narrow trail next to a large area of grading means the entire area counts as recreational usage, then I would argue that the HPD coverage calculations are essentially useless.

2) Public Streets

**“The HPR Board and Commission may recommend the exclusion of certain dedicated public streets from the definition of coverage (C) provided such public streets serve a major, City-wide circulation function and would not otherwise be necessary to the design and function of the individual project.”**

In response to my article, City Manager Woodhouse brought up this code section in his post on the city website, “For the Record”. Again, it would be helpful to have a clearer understanding of this exception to HPD coverage. It is hard to imagine a road being build by a developer that “would not otherwise be necessary to the design and function of the individual project” however. The road was discussed at one of the three Planning Commission hearings for 801 Fassler in relation to coverage. Staff indicated that this exception could not be used. An excerpt from the minutes is included below.

Sr. Planner Murdock stated that the project was proposed nearly at the limit of allowable coverage in the Hillside Preservation District, and without knowing the extent of this potential dedication and construction of an additional roadway feature, it was possible that could tip the project over the allowable coverage if it were constructed on private property where the Hillside Preservation District restrictions are applicable. He stated that the HPD zoning does provide for an exclusion for certain roadways, quoting from the ordinance that the Commission may recommend the exclusion of certain dedicated public streets from the definition of coverage provided such streets serve a major citywide circulation function and would not otherwise be necessary to the design and function of the project. He stated that, based on what he has heard, he didn't think it was clear that the right turn lane would qualify for an exemption from coverage and they would have to be very careful about requiring that of the applicant and causing him to violate the Hillside Preservation District limitation.

The staff reports for the Planning Commission and subsequent City Council call up of the Fassler project include no discussion of roads, recreation areas/trails, or detailed calculations that explain how these factored in to the HPD analysis. If there were indeed considerations made to allow more than the calculated maximum coverage under HPD, it seems at a minimum that analysis should have been discussed in the staff reports so that the commissioners and council members reviewing the project would be able to understand the exceptions to make the required legal findings.

I understand that it is too late to legally challenge the 801 Fassler project, but it is not too late to analyze the project to see if we can learn from it moving forward. Many residents are still with us who remember the intent and process by which the ordinance was first introduced and adopted back in the 1970's. If we can all come to the table and work together to come to a clear understanding of the HPD ordinances, it will be of great benefit to our entire community. If clear guidelines could be written up as a handout to developers and building owners whose properties include HPD overlay, that would greatly help streamline the design and review process for them as well.

Thank you again for your service and for your work to protect our valuable open spaces and hillsides from inappropriate development. Feel free to contact me with any comments or questions.

Sincerely,



Christine Boles, Architect  
Principal

Cc: Kevin Woodhouse, City Manager  
City Council Members  
Planning Commission Members

hment: Attachment C1 - Feb. 5, 20