

# **Public Comments**

## **Agenda Item 3**

Written Comments Received After 12pm on 1/24/2022



*January 24, 2022*  
*City Council Meeting*

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**From:** Christine Boles [REDACTED]  
**Sent:** Tuesday, January 25, 2022 9:21 AM  
**To:** Public Comment  
**Subject:** Public comments from last night's Council meeting

**[CAUTION: External Email]**

## Consent Agenda

Good evening Mayor Bier, Councilmembers and staff, this is Christine Boles.

I have a few questions about Consent agenda Item 3. I'm really glad to see that North County Fire is applying for \$ 200,000 in grants for vegetation management to prevent wildfires, and another 100,000 for community education. It sounds like a lot of money, but a friend recently told me that the cost to remove one large hazardous tree was about \$10,000, so this funding would only remove 20 trees total. I understand this money is not just to remove trees, and this comparison is just for perspective.

I have been trying to understand the fire maps in the Draft General Plan and EIR for three weeks now and have reached out to Cal Fire, North County Fire, and the California Offices of Emergency Services. The fire map in the draft General Plan is blank inside the city limits.

It's really odd because the 2014 draft General Plan fire map showed many areas of high fire risk in Pacifica. Communities near Milagra, Rockaway, Vallemar, Park Pacifica, and southern Linda Mar seem to be at the highest risks and some were labeled with a different overlay term, Very High Fire Hazard Severity Zones, which I understand requires different construction techniques. We need to get these maps fixed right away so we can then understand and comment on land use and other proposed changes to the General Plan.

The current fire in Big Sur, and the recent CZU fire shows us that conditions have changed dramatically on our coast in the last few years with climate change induced droughts.

I have four questions for staff and Deputy Chief Kavanaugh if he is here tonight:

- 1) are there other potential sources of funding vegetation management that the city is currently pursuing?
- 2) how will decisions be made as to where to spend these limited resources? I saw reference to a Vegetation Management Program in the draft EIR, but there were no links and I was not able to find it on the Pacifica or Fire department website. Would that document answer this question?
- 3) Should the General Plan not start to consider Wildland Urban Interface zones for parts of Pacifica so that new construction is required to be built to fire resistive standards that would give residents and firefighters an extra hour to fight fires and evacuate?
- 4) The draft EIR mentions that Pacifica and North County Fire have been talking for years about the need to add a third fire station in the middle of town. Is that under consideration as part of our General Plan update? This seems important as later this year we'll be planning for the eventual 1900 new units of housing under RHNA requirements.

Thank you.

## **Oral Communications**

This is Christine Boles. I want to echo the concerns of other speakers in terms of the issues with the General Plan and EIR. Can I also ask staff to please tell us what the process looks like for fixing major errors like missing fire maps that affect our ability to analyze other sections of the General Plan? Will the documents be fixed and recirculated for another 45 day review period?

Tonight, I want to speak in support of Bijan Khosravi, the owner of Harmony One Lot 3.

As you know from our appeal hearing last August, the Planning department missed key information about Hillside Preservation, prominent ridgelines and LEED requirements in their review of the project. These errors led to an appeal process and a redesign of the home. We worked very hard with Bijan for months to bring a revised project to you that met the Original Conditions of Approval for the subdivision. You approved the project on August 9, and Bijan submitted his construction drawings for building permit two weeks later. The project seems to have stalled in the Planning Department since then.

I understand that Planning must sign off on the project before a building permit is granted and that Mr. Murdock is busy with other priorities, but that is no reason to hold up the building department review for 5 months. These things usually happen concurrently in other cities. Bijan is losing a lot of money with these delays and meanwhile construction costs continue to rise. This lost time is also not in Pacifica's interest as it delays important property tax income when construction is finished. My guess is that the home will be worth at least 8 million when it is finished, so that would mean almost \$90,000 dollars a year in property tax revenue for this one home.

Planning fees and staff time are paid by the project. If Pacifica does not have the senior staff capacity to handle the workload, then other employees can easily be brought in to help. I know we've recently hired junior staff, but it seems the senior staff is also overburdened, especially given the continued work needed on the General Plan.

It is not in anyone's financial interests to not be able to provide essential planning services in a timely manner, and it can also add to Pacifica's already poor reputation as being a difficult place to build. I urge the City Manager and Planning Director to ascertain how staff can be better supported as soon as possible.

## **Item 8**

I would like to thank Councilmember Mike O'Neill and Superintendent Olson for taking the lead on this important topic. I would like to express my support for a public-private partnership with Pacifica School District.

I realize you have many issues on the Council Priority List and wanted to advocate for adding this to your list for this coming fiscal year. It would tie in nicely to the coming update to the Housing Element. As you probably know our almost 1900 units we need to build in the next 8 years with RHNA call mostly for the construction of very low, low and moderate income housing. This housing is nearly impossible to build without public/private partnerships. Finding available land is a key first step.

As you know, we've built NO units that meet these income categories in the last two RHNA cycles in the last 16 years. We need to understand that Pacifica will never be able to meet these higher required numbers by continuing our current policies that rely only on requiring market rate projects with 8 units or more to provide a few below market rate units. As more and more Pacificans are priced out of our housing we must aggressively pursue all possible options to create truly affordable housing for our teachers, staff and other service sector employees that can't afford million dollar plus homes.

These partnerships take years to bring to fruition, please put this on your priority list and hire a consultant to help review the feasibility. I would be happy to offer up to 40 hours of my architectural services free of charge to provide sketches and building code expertise which is missing in current staffing, to help the city and school district evaluate possible site options for affordable housing.

Christine Boles, Architect

**Beausoleil Architects**

[REDACTED]

Pacifica, CA 94044

[REDACTED]

[REDACTED]

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

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# **Public Comments**

## **Agenda Item 9**

Written Comments Received After 12pm on 1/24/2022



*January 24, 2022*  
*City Council Meeting*

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**From:** Coffey, Sarah  
**Sent:** Monday, January 24, 2022 4:47 PM  
**To:** Public Comment  
**Subject:** FW: January 24, 2022 Agenda Item # 9  
**Attachments:** Pacifica TRL letter 1-24-2022.pdf

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**From:** Cummings, Paul, Public Health, CHS <Paul.Cummings@acgov.org>  
**Sent:** Monday, January 24, 2022 4:41 PM  
**To:** \_City Council Group <citycouncil@pacificagov>; Coffey, Sarah <scoffey@pacificagov>  
**Subject:** January 24, 2022 Agenda Item # 9

**[CAUTION: External Email]**

Dear Honorable Members of Pacifica City Council,

I serve as the Tobacco Control Director for Alameda County Public Health Department and am writing to share City of Oakland's experience with creating an over 21 exemption that allowed adult-only tobacco retailers to sell flavored tobacco products. Oakland City Council adopted an ordinance that prohibited the sale of flavored tobacco products in 2017 and created the adult only exemption with the belief that only 2-5 retailers out of 400 would be affected. By spring 2020, there were more than 50 retailers who identified as adult only retailers and were permitted to continue selling flavored tobacco products. Residents and other retailers were unhappy about the inequities this created. Oakland City Council heard these complaints and amended the ordinance in March 2020 to remove the exemption that had allowed adult-only tobacco retailers to continue selling flavored tobacco products.

I hope that this information is useful to you as you consider your retailer licensing ordinances.

Best,

Paul Cummings  
Tobacco Control Program Director  
(510) 208-5921

Pronouns: He/him/his

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**Alameda County Health Care Services Agency  
Public Health Department**

**Colleen Chawla, Director  
Kimi Watkins-Tartt, Director**

**1100 San Leandro Blvd.  
San Leandro CA, 94577**

**(510) 208 -5920  
(510) 267-8000**

January 24, 2022

Dear Honorable Members of Pacifica City Council,

I serve as the Tobacco Control Director for Alameda County Public Health Department and am writing to share City of Oakland's experience with creating an over 21 exemption that allowed adult-only tobacco retailers to sell flavored tobacco products. Oakland City Council adopted an ordinance that prohibited the sale of flavored tobacco products in 2017 and created the adult only exemption with the belief that only 2-5 retailers out of 400 would be affected. By spring 2020, there were more than 50 retailers who identified as adult only retailers and were permitted to continue selling flavored tobacco products. Residents and other retailers were unhappy about the inequities this created. Oakland City Council heard these complaints and amended the ordinance in March 2020 to remove the exemption that had allowed adult-only tobacco retailers to continue selling flavored tobacco products.

I hope that this information is useful to you as you consider your retailer licensing ordinances.  
Best,

Paul Cummings, MPH

Tobacco Control Director  
[paul.cummings@acgov.org](mailto:paul.cummings@acgov.org)  
(510) 208 5921

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**From:** Rc Moore <[REDACTED]>  
**Sent:** Thursday, January 27, 2022 8:34 AM  
**To:** Public Comment  
**Subject:** "Agenda Item 9" referencing the meeting on January 24, 2022,

[CAUTION: External Email]

Sales of e-cigarettes and flavored tobacco , must be restricted as well as the sale of any tobacco products in pharmacies. Flavored Tobacco Hookah should also be restricted. This is a public health issue that requires your attention. 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.



# **Public Comments**

## **Oral Communications**

Written Comments Received After 12pm on 1/24/2022



*January 24, 2022*  
*City Council Meeting*

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**From:** Christine Boles [REDACTED]  
**Sent:** Tuesday, January 25, 2022 9:06 AM  
**To:** Bijan Khosravi; Public Comment  
**Cc:** Woodhouse, Kevin; Wehrmeister, Tina; Murdock, Christian; Building Official; Summer Lee; Dinah Verby; Dinah Verby; Richard Campbell; Javier M. Chavarria; Bier, Mary; Bigstych, Tygarjas; O'Neill, Mike; Beckmeyer, Sue; Vaterlaus, Sue  
**Subject:** Re: Lot-3 in Harmony (Olane Point)

**[CAUTION: External Email]**

I wanted to send you all my public comment from last night's Council meeting during oral communications in support of Bijan's project moving forward concurrently with the building department review.

This is Christine Boles. I want to echo the concerns of other speakers in terms of the issues with the General Plan and EIR. Can I also ask staff to please tell us what the process looks like for fixing major errors like missing fire maps that affect our ability to analyze other sections of the General Plan? Will the documents be fixed and recirculated for another 45 day review period? They need to be updated and recirculated for both the public and the state agencies to do a proper job reviewing all the plan documents for consistency.

Tonight, I want to speak in support of Bijan Khosravi, the owner of Harmony One Lot 3.

As you know from our appeal hearing last August, the Planning department missed key information about Hillside Preservation, prominent ridgelines and LEED requirements in their review of the project. These errors led to an appeal process and a redesign of the home. We worked very hard with Bijan for months to bring a revised project to you that met the Original Conditions of Approval for the subdivision. You approved the project on August 9, and Bijan submitted his construction drawings for building permit two weeks later. The project seems to have stalled in the Planning Department since then.

I understand that Planning must sign off on the project before a building permit is granted and that Mr. Murdock is busy with other priorities, but that is no reason to hold up the building department review for 5 months. These things usually happen concurrently in other cities. Bijan is losing a lot of money with these delays and meanwhile construction costs continue to rise. This lost time is also not in Pacifica's interest as it delays important property tax income when construction is finished. My guess is that the home will be worth at least 8 million when it is finished, so that would mean almost \$90,000 dollars a year in property tax revenue for this one home.

Planning fees and staff time are paid by the project. If Pacifica does not have the senior staff capacity to handle the workload, then other employees can easily be brought in to help. I know we've recently hired junior staff, but it seems the senior staff is also overburdened, especially given the continued work needed on the General Plan and DEIR.

It is not in anyone's financial interests to not be able to provide essential planning services in a timely manner, and it can also add to Pacifica's already poor reputation as being a difficult place to build.

I urge City Manager Woodhouse and Planning Director Wehrmeister to ascertain how staff can be better supported as soon as possible.

Christine Boles, Architect

[REDACTED]  
Pacifica, CA 94044  
[REDACTED]  
[REDACTED]

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

On Tue, Jan 25, 2022 at 7:31 AM Bijan Khosravi [REDACTED] > wrote:  
RESEND WITH CORRECT EMAILS!.

Good morning Kevin.

Two weeks ago, you indicated that Christian would review and release my project (Lot-3 in Ohlone Point) to the building department. I have reached out to Christian for the status, but unfortunately, he has not responded.

As I mentioned multiple times, we submitted our engineering plans to the building department on August 23rd and have not received any comments yet. We understand that Christian is holding the project and not releasing it to the building department.

My request is straightforward. Why is my project being held in planning? And when should I expect the building department to review my project and provide a building permit.

The lack of response from the planning department has had significant cost implications for me.

Thank you and I appreciate your help.

Regards, Bijan.

On Tue, Jan 25, 2022 at 7:17 AM Bijan Khosravi [REDACTED] wrote:

Good morning Kevin.

Two weeks ago, you indicated that Christian would review and release my project (Lot-3 in Ohlone Point) to the building department. I have reached out to Christian for the status, but unfortunately, he has not responded.

As I mentioned multiple times, we submitted our engineering plans to the building department on August 23rd and have not received any comments yet. We understand that Christian is holding the project and not releasing it to the building department.

My request is straightforward. Why is my project being held in planning? And when should I expect the building department to review my project and provide a building permit.

The lack of response from the planning department has had significant cost implications for me.

Thank you and I appreciate your help.

Regards, Bijan.

Dear Mr. Khosravi:

I'm sorry your New Year has had to begin with frustration at the City's process and delay. You have certainly gone through many twists and turns with your complex project, including an appeal hearing from residents and more. I understand your frustration. I know Assistant City Manager Wehrmeister provided you a lengthy response and apology on December 22<sup>nd</sup> in response to your message on December 21<sup>st</sup>. In that response, she explained the staffing shortages and pressures in Planning, the current challenges in recruiting high quality employees that all cities (if not the private sector too) are experiencing, and major City Council priorities, such as the General Plan Update, Sharp Park Specific Plan, environmental docs, and a workforce housing project for teachers, which have required priority focus of Planning staff. Additionally, Ms. Wehrmeister explained that projects such as yours that received entitlements approved by the Planning Commission and/or City Council must undergo Planning Division review to confirm all conditions of approval have been satisfied. I know you're aware your project has many complex conditions of approval.

However, the good news is that as of tonight the significant milestone of getting the Plan Pacifica documents posted for public review will have been achieved, and over the next two weeks the City has two new high-quality planners that will be coming onboard and filling current vacancies. Therefore, I anticipate Planning staff will be able to turn to your permit in the next two weeks in addition to numerous other projects that have become backlogged.

Sincerely,

Kevin Woodhouse

City Manager

City of Pacifica

[www.cityofpacificapacifica.org](http://www.cityofpacificapacifica.org)

650.738.7409



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**From:** Bijan Khosravi [REDACTED]  
**Sent:** Thursday, January 6, 2022 7:49 PM  
**To:** City Manager <[cmoffice@pacifica.gov](mailto:cmoffice@pacifica.gov)>  
**Cc:** Bier, Mary <[mbier@pacifica.gov](mailto:mbier@pacifica.gov)>; Bigstyk, Tygarjas <[tbigstyk@pacifica.gov](mailto:tbigstyk@pacifica.gov)>; O'Neill, Mike <[moneill@pacifica.gov](mailto:moneill@pacifica.gov)>; Beckmeyer, Sue <[sbeckmeyer@pacifica.gov](mailto:sbeckmeyer@pacifica.gov)>; Vaterlaus, Sue <[svaterlaus@pacifica.gov](mailto:svaterlaus@pacifica.gov)>; Murdock, Christian <[cmurdock@pacifica.gov](mailto:cmurdock@pacifica.gov)>; Wehrmeister, Tina <[twehrmeister@pacifica.gov](mailto:twehrmeister@pacifica.gov)>; Building Official <[bldgoff@pacifica.gov](mailto:bldgoff@pacifica.gov)>; Javier M. Chavarria [REDACTED]  
**Subject:** Lot-3 in Harmony (Olane Point)

Dear Mr. Woodhouse,

I am writing to express my frustration with the permitting process, particularly with the Planning Department. After five years of an intensive, expensive, and confusing process, we finally got our plans approved by the city council on August 9, 2021. However, we are still having difficulties in obtaining a building permit. It appears that the Planning Department is not processing this project in a usual way. The building department has not issued any comments nor responded to my inquiries; the only hint we received is that they will not issue the building permit until Planning releases the project.

The disappointing and discouraging part is that there are no communications - other than a short email from Tina Wehrmeister indicating that they are busy and short-staffed. My request for a 30-minute call to discuss the project has been ignored.

Here is the general history:

- Purchased the lot in 2016,
- July 14, 2017 - Completed initial submittal to the Planning Department
- August 14, 2017 - Received basic comments, with no significant issues
- December 10, 2018 - Redesign and resubmitted
- April 2020 - Planning required additional Environmental review
- April 5, 2021 - the planning commission approved the project
- April 15, 2021 - some residents filed appeals
- August 9, 2021 - City Council approved the project after we met all the conditions required by the appellants
- August 23, 2021 - we submitted for a building permit
- September 28, 2021 - we submitted for a grading permit

There has been no further communication despite my numerous emails to Christian Murdock.

When I bought lot-3 in 2016, my decision was solely based on the fact that the City had already approved Harmony Development and one lot for construction. Five years later, and hundreds of thousands of dollars in taxes and fees, I am still chasing the Planning Department for cooperation.

I have been asking to get precise information on my project's status. A project that the city council has approved and all conditions of approval have already been met. It is confusing, disappointing and shows that this department doesn't care about serving the community or how their actions impact the community. The Planning Department's actions, or lack of, are inexplicable and unprofessional. We pay taxes and fees to be productive rather than finding and creating obstacles.

Again, This project has already been approved, and Planning should have no further involvements. It should be the Building Department's responsibility now. The current approach creates unnecessary work while new projects are waiting. It's a lose/lose method for everyone.

I would appreciate it if you could look into this matter and let me know how to navigate this situation and hopefully get the building permit we need to start construction.

Regards,

--

Bijan Khosravi

[REDACTED]

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Bijan Khosravi

[REDACTED]

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Bijan Khosravi

[REDACTED]

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