

RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PACIFICA RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE AMENDING THE MUNICIPAL CODE TO EXTEND TITLE 9, CHAPTER 5 – GROWTH MANAGEMENT ORDINANCE OF THE PACIFICA MUNICIPAL CODE FOR FIVE (5) YEARS (TEXT AMENDMENT TA-107-17).

WHEREAS, in January 1982, the voters of the City of Pacifica adopted Ordinance No. 322-C.S., an initiative ordinance which provided for controlled residential growth through 1992; and

WHEREAS, in 1993, the voters of the City of Pacifica updated multiple sections of the ordinance, including extending the expiration date for the ordinance to June 30, 1997; and

WHEREAS, the City Council has extended the Growth Management Ordinance (GMO) several times since then in five year increments. Most recently, the City Council enacted Ordinance No. 789-C.S. extending the GMO until June 30, 2017; and

WHEREAS, the Planning Commission finds that amendment of Ordinance 789-C.S. to extend it for five years is consistent with the General Plan, Local Coastal Plan and the Coastal Act because it slows the rate of specified residential development pursuant to the growth control ordinance and ensures the adequacy of the Implementation Plan to carry out the policies of the City’s certified land use plan by helping to ensure that adequate public services will be available to accommodate new residential development.

WHEREAS, the Planning Commission finds that amendment of Ordinance 789-C.S. to extend it for five years is necessary so that the timing of residential growth in the City does not outpace the City’s ability to provide public services and infrastructure for such growth, and therefore extension of the said ordinance is necessary to protect the public health, safety, and welfare; and

WHEREAS, the Planning Commission finds that the current unused Residential Development Allocations combined with the annual allotment of 70 additional permits per year and various exemptions will allow the City to meet its Regional Housing Needs Allocations as established by Association of Bay Area Governments; and

WHEREAS, the Planning Commission find and declares that amendment of Ordinance 789-C.S. is exempt from the California Environmental Quality Act (CEQA) for the following reasons:

- a. Amendment of Ordinance 789-C.S. is not a project within the meaning of Public Resource Code Section 21065 because it has no potential for resulting in a physical change in the environment, directly or indirectly.

The purpose of this ordinance is to extend the current ordinance as a reflection of the current land use policies;

- b. This ordinance amendment is categorically exempt from CEQA per Sections 15307 and 15308 of the CEQA Guidelines. This ordinance amendment is a regulatory action taken by the City in the exercise of its constitutional and statutory authority to assure the maintenance, restoration, or enhancement of a natural resource or protection of the environment where the regulatory process involves procedures for the protection of the environment.
- c. This ordinance amendment is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. For the reasons set forth above, it can be seen with certainty that there is no possibility that this ordinance amendment will have a significant effect on the environment, and therefore, the ordinance is not subject to CEQA.

NOW, THEREFORE BE IT RESOLVED, that the Planning Commission of the City of Pacifica does hereby recommend City Council adopt an ordinance amending the Municipal Code to extend Title 9, Chapter 5 – Growth Management Ordinance of the Pacifica Municipal Code for five (5) years.

* * * * *

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the City of Pacifica, California, held on the 15th day of May 2017.

AYES, Commissioners:

NOES, Commissioners:

ABSENT, Commissioners:

ABSTAIN, Commissioners:

John Nibbelin, Chair

Tina Wehrmeister, Planning Director

APPROVED AS TO FORM:

Michelle Kenyon, City Attorney

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PACIFICA
AMENDING CHAPTER OF TITLE 9 OF THE PACIFICA MUNICIPAL CODE:
ARTICLE 11. RELATING TO GROWTH CONTROL:
TERMINATION (TA-107-17)**

The City Council of the City of Pacifica does hereby ordain as follows:

SECTION I. Section 9-5.11 of Title 9, Chapter 5 of the Pacifica Municipal Code, relating to Growth Control: Termination, is hereby amended to read in its entirety as follows:

“Section 9-5.11. Termination. This Chapter shall terminate on June 30, 2022. On or after June 30, 2020, this chapter shall be reviewed and revised, if determined to be necessary, to insure consistency with the City General Plan, including its Housing Element, or with other laws.”

SECTION II. The City Clerk shall cause this ordinance to be published once in the Pacifica Tribune, a newspaper of general circulation in the City of Pacifica, within fifteen (15) days of its adoption. This ordinance shall become effective thirty (30) days after its adoption by the City Council and not before approval by the California Coastal Commission.

* * * * *

The foregoing ordinance was introduced on _____, 2017 and passed and adopted at a regular meeting of the City Council of the City of Pacifica held on the __th, day of ____, 2017 by the following vote:

- AYES, Councilmembers:
- NOES, Councilmembers:
- ABSENT, Councilmembers:
- ABSTAIN, Councilmembers:

Mike O’Neill, Mayor

ATTEST:

Kathy O’Connell, City Clerk

APPROVED AS TO FORM:

Michelle Kenyon, City Attorney