

**PUBLIC HEARINGS/GENERAL BUSINESS**

2.        [20-0436](#)        Recommend that the City Council Introduce an Uncodified Ordinance to Authorize One-Year Extensions of Land Use Entitlements and Legal Non-Conforming Uses Due to the COVID-19 Emergency, and Find that the Action is Exempt from the California Environmental Quality Act

Assistant Director Andrew Miner presented the staff report.

Commissioner Weiss asked for clarification about when the permit extension would begin. Senior Assistant City Attorney Rebecca Moon answered that the one year extension would begin when the permit would normally expire and not from the effective date of the ordinance. Assistant Director Miner added that staff can clarify the City Council staff report.

Commissioner Harrison asked if staff has received notification about any projects negatively affected by their permit expirations. Assistant Director Miner responded that staff is not aware of any and the proposed ordinance is an effort to prevent any issues for permit holders.

Vice Chair Simons asked staff if a similar ordinance in the late 2000s helped a significant number of projects. Assistant Director Miner stated that it benefitted some smaller projects and that this ordinance is different because it would apply to all permit types and could benefit a wider range of permit holders.

Commissioner Howe added that the ordinance in the late 2000s excluded some permit types which resulted in the City Council individually considering extending permits for some projects. He further remarked that this ordinance is the right thing to do so that projects that have already received approval but are possibly experiencing delays for various reasons as a result of the COVID-19 emergency do not experience further delays.

Chair Howard opened the Public Hearing.

There were no public speakers for this agenda item.

Chair Howard closed the Public Hearing.

MOTION: Commissioner Howe moved and Vice Chair Simons seconded the motion for Alternative 1 - Introduce an Uncodified Ordinance to Authorize One-Year Extensions of Land Use Entitlements and Legal Non-Conforming Uses Due to the COVID-19 Emergency (Attachment 1 to the report), and Find that the Action is Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) with the following modification:

1. Clarify that the permit extension starts from the expiration date of each planning permit and not from the effective date of the ordinance.

Commissioner Howe stated that it is in the City's interest to support this ordinance in these uncertain economic times and the ordinance is well written and can be improved by clarifying when the permit extension would begin. He encouraged the Commissioners to support the motion.

Vice Chair Simons stated that he fully supports the ordinance and that it is a good

idea to help projects that might encounter this issue in the future.

The motion carried by the following vote:

**Yes: 7 -** Chair Howard  
Commissioner Howe  
Commissioner Harrison  
Commissioner Olevson  
Commissioner Rheaume  
Vice Chair Simons  
Commissioner Weiss

**No: 0**

Chair Howard stated that this recommendation will be forwarded to the City Council for consideration at the Tuesday, June 9, 2020 meeting.