

ANNUAL REPORT TO THE COUNCIL
City Council Agenda
April 18, 2012

TO: City Council
FROM: Robert Flint, Planning Commission Chair
BY: David Loya, Community Development Deputy Director
SUBJECT: 2011 Annual Report of the Planning Commission
DATE: April 10, 2012

SUMMARY:

Pursuant to Government Code Section 65400, the following is the Annual Report to the City Council. The following discussion items were established in the City Resolution No. 201-07, dated August 16, 2000.

DISCUSSION:

1) Progress on Goals:

The Planning Commission recommended several goals in its last annual report; and through study sessions and the fiscal year goal setting process, the City Council identified important focal points for the Commission and Staff. These goals were tasked in addition to the regular duties of the Commission, which are ongoing, such as discretionary permit review.

Chief among the goals was completing the Local Coastal Program (LCP) permitting process for the Land Use Code (LUC). The Planning Commission received regular updates from staff regarding the progress on this goal, held six hearings on the LCP, and provided recommendation to the Council on the City's application. The Coastal Commission heard the item at its September 8, 2011 hearing. The Commission has continued to take an active interest in the update and has considered several potential amendments to the LCP. The City has yet to receive the Coastal Commission's final action.

Permit streamlining has also been identified by the Council as an important goal. The Planning Commission attended joint study sessions, worked with staff to ensure hearing timelines were met, and provided clear direction to staff on several key projects to ensure that the most efficient permit review process was adhered to.

In addition, the Planning Commission was involved in reviewing two general plan consistency requests for forest land acquisitions; a consistency determination for the Mad River Hospital Master Plan special consideration; and several amendments to the Land Use Code.

Finally, among the recommended goals outlined in the 2011 annual report, the Commission made progress on many. The Commission addressed broad planning issues of local importance as well in its deliberations on several LUC amendments. The Commission held business items addressing protocol and procedures, and has worked to ensure the discretionary projects incorporated Low-Impact Design and other “green” measures.

2) How Community/Citizen needs are being met:

The Planning Commission is concerned with meeting the needs of the community as a whole as well as the individual needs of each applicant and members of the public who come before the Commission. The Planning Commission is responsible for reviewing discretionary projects and acting in a manner consistent with applicable laws, that takes into account the needs of the applicant, the neighborhood, and the community as a whole.

The Commission reviewed and took action on two acquisitions over the year. It recommended approval of a Historic Landmark. Finally, the Commission reviewed four discretionary permits, including two use permits, a planned development/subdivision permit, and a coastal development permit. All of these projects affect the community and its citizens in different ways. The Commission's determinations and recommendations to the City Council on these items helped meet the community's needs.

In addition, each Planning Commission agenda includes a scheduled opportunity for public input on matters not on the agenda. The Planning Commission provides ample opportunity for public participation. And in order to encourage public participation, Oral Communications is located at the beginning of each meeting. The Planning Commission meetings are televised live for the benefit of the public. Similar to the City Council meetings, the Planning Commission meetings and staff reports are also available for viewing on the City's website via the *Granicus* link. All agendas are provided to local newspapers and posted on the City's web-site, in addition to the direct mail and other legally required public notices.

As in the past, several other departmental Staff members often attend Commission meetings for consultation on projects. Their attendance allows the Commission the opportunity to explore details and options of the project during the meeting.

3) How the responsibilities of the Commission are being fulfilled:

The Planning Commission reviews projects as either a quasi-judicial body or as an advisor to the legislative body. It is also responsible for advising the City Council on issues as may be referred by the Council. The Planning Commission advises the City Council on the adoption of plans and ordinances (legislative matters) and it is also responsible for taking action on discretionary permits (quasi-judicial matters). The Planning Commission must review discretionary projects to determine if they are in conformance with General Plan policies, local ordinances

such as the Land Use Code (LUC) or the Land Use and Development Guide (LUDG) (Coastal Zone) and the balance of the Municipal Code, and State laws like the California Environmental Quality Act (CEQA), the Coastal Act, and the State Subdivision Map Act. Each member of the Commission provides valuable input in his or her area of expertise, as well as thoughtful input in the other features of each project, especially in analyzing impacts and mitigation measures associated with environmental documents. The Commission has shown a willingness to work with applicants to fulfill their goals while approving projects that conform to the General Plan, the LUDG and / or LUC, and other local and State laws, and which incorporate the desires and needs of the neighborhood and community. The Commission, however, has encountered difficulty in having to review projects based on an outdated LUDG and trying to balance decisions between a Coastal Commission recognized 1985 General Plan and the Arcata General Plan: 2020.

4) **The effectiveness of the policies and procedures:** Currently, in addition to the "Committee, Commission, Board and Task Force Handbook (Revised May 20, 2005)," the Planning Commission uses the "Planning Commissioners Handbook" produced by the League of California Cities as a guide for policies and procedures. It has also been an objective of the Planning Commission to develop their own ground rules that everyone can follow and know what to anticipate from a procedural standpoint; this process began in October of 2000.

The Commission recognizes the challenges of the community and Staff in applying the policies of two General Plans (1985 General Plan for Coastal Zone areas and the Arcata General Plan: 2020 for inland areas). In addition, there have been questions in the interpretation of the policies of the Arcata General Plan: 2020 with regards to the standards of the former LUDG. This will continue to be problematic until the LUC is approved by the Coastal Commission.

5) **Goals for 2012:** The Planning Commission has the following recommendations:

- Make the Samoa Specific Plan a priority for the Planning Commission and the Community Development Department.
- Initiate the periodic review process on the Land Use Code to further refine this implementation tool of the General Plan.
- Provide local training for Commissioners.
- Conduct study sessions on regional planning issues that affect Arcata.
- Periodically consider Commission procedures as business items