

ANNUAL REPORT TO THE COUNCIL
City Council Agenda
February 17, 2010

TO: City Council
FROM: Robert Flint, Chairperson, Planning Commission
BY: Joe Mateer, Senior Planner *fe*
SUBJECT: Annual Report of the Planning Commission
DATE: January 26, 2010

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

DISCUSSION:

1) Progress on Goals:

In 2008 the City accomplished the adoption of the Land Use Code. In 2009, the planning staff and the Commission worked with several clients during the transition from the Land Use and Development Guide to the Land Use Code. The City initiated several amendments the Land Use Code in order to meet the changing needs of the community and as a result of state law. The Land Use Code amendments included the following topics: Housing for the Homeless (SB2); and Development Agreements. In addition, the Commission reviewed and made recommendations to the City Council regarding amendments to the General Plan: 2020 and Land Use Code as a result of the City's submission of these documents to the California Coastal Commission. The City continues to evaluate the Land Use Code for amendments as issues arise. The Planning Commission also reviewed the 2009 Housing Element Update over a period of seven public meetings.

The previous year's goals included professional training for staff and the Commission. Although the budget curtailed some of the opportunities several staff members and Commissioners attended the "Environmental Law Conference", a two day workshop that covered topics such as: state housing law; green building standards; public trust doctrine; and water quality; etc. In light of the state and local economy, continuing education is still a goal for the Commission.

One of this year's goals of the Commission is to continue to support City Staff in the update of the Local Coastal Program (LCP). This is a high priority to bring the LCP in line with the General Plan: 2020 and the Land Use Code. In addition, the Commission will continue to fine tune the Land Use Code to eliminate unnecessary barriers, code ambiguities, or updates based on new legislation.

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.

During calendar year 2009, the Planning Commission approved two discretionary projects, recommended the Council approve two other projects and revoked one permit. In addition, the Commission made General Plan: 2020 consistency findings on real property acquisition, disposal, and a rights of way vacation. The two discretionary projects the Commission reviewed were Planned Developments that included major subdivisions. These projects were deliberated by the Commission over several meetings due to size and nature of the proposed projects. One of these projects represents one of the larger commercial / industrial mixed use developments the City has contemplated since Valley West, and the Alder Grove projects. The other project involved forest – hillside areas with unique development constraints. As with any quasi-judicial decision, the Commission needed to balance of the needs of the applicant, neighbors, community and the environment with the regulatory development standards and policies.

Each Planning Commission agenda includes a scheduled opportunity for public input, and the Planning Commission always provides the maximum opportunities for comments from the public. And in order to encourage public participation, the agenda time for Oral Communications is located at the beginning of each meeting, immediately following approval of the minutes. 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. The Commission looks forward to assisting in the interpretation of a new comprehensive development code to allow for a clear implementation of the goals and policies of the Arcata General Plan: 2020. This review process will also allow for some further minor amendments to the Arcata General Plan: 2020 so that the two documents can be consistent with one another.

- 5) **Goals for 2010:** The Planning Commission has the following recommendations:
- a. Make the Local Coastal Program update a priority for the Planning Commission and the Community Development Department.
 - b. Initiate the periodic review process on the Land Use Code to further refine this implementation tool of the General Plan.
 - c. Remain active in the County General Plan update process.
 - d. Assist new members of the City Council in understanding the General Plan and Land Use decision-making.
 - e. Provide assistance to the community in Low-Impact Design concepts.
 - f. Conduct a field review of approved projects.
 - g. Provide local training for Commissioners.
 - h. Meet with other staff and other planning commission members in the region.
 - i. Conduct study sessions on regional planning issues that affect Arcata.