

## Mads Odom

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**From:** Daniel Chandler [REDACTED]  
**Sent:** Friday, April 21, 2023 2:46 PM  
**To:** Peter Lehman; Scott Davies; Christian Figueroa; Judith Mayer; Dan Tangney; Matthew Simmons; Joel Yodowitz  
**Cc:** David Loya  
**Subject:** Thanks and Gateway

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I want to thank the Planning Commission and City Council for the very informative presentations on sea level rise, which I watched on video. I had no idea how much the subsidence varied from the north to the south of the Bay and that Crescent City is rising!

In general I support the points raised in the CRTP letter to you. CRTP is following the Gateway project much more closely than I am and I'm grateful for their detailed suggestions.

For this coming week's meetings the main issues seem to be:

- On Saturday please confirm that projects that comply with objective Gateway Plan requirements will receive by-right, or ministerial, approval. It seems clear that otherwise there will be obstructive attempts to block projects that fit the approved criteria.
- On Tuesday please confirm the need for taller buildings to allow walkable, transit-supportive residential density in the Gateway Area. This is really a key component of Gateway.
- On Thursday please adopt new General Plan policies that support public transit improvements and avoid perpetuating the car infrastructure. I recently visited my daughter in Los Angeles and was impressed all over again what a tragedy it is that the the early 20th century use of electric vehicles and widespread public transit had been destroyed by the automobile and its promoters.

Thanks for considering these points.

Dan Chandler

Daniel Chandler  
[REDACTED]

## Mads Odom

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**From:** Colin Fiske [REDACTED]  
**Sent:** Friday, April 21, 2023 12:43 PM  
**To:** Peter Lehman; Scott Davies; Christian Figueroa; Judith Mayer; Dan Tangney; Matthew Simmons; Joel Yodowitz  
**Cc:** David Loya  
**Subject:** CRTP Comments for Upcoming Meetings: 4/22, 4/25 and 4/27

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Planning Commissioners,

You've got a busy schedule over the next week! I am writing on behalf of CRTP to provide comments on agenda items for each of your three upcoming meetings. As always, please feel free to reach out to me if you would like to discuss any of these items in greater detail.

### Saturday, 4/22

- It is crucial that projects which meet objective standards (which will be contained in the Gateway form-based code) be subject to ministerial (not discretionary) approval. The objective standards will ensure that project conform to community priorities, while the ministerial approval will ensure that projects can actually be built and not subjected to unproductive, years-long reviews such as those we've sometimes seen in the past.
- We understand the desire for public meetings on a large project, even when that project will be subject to ministerial approval. However, we fear such a procedure would lead to even more frustration and anger from both the Planning Commission and the public, since the inevitably subjective opinions on the project will have to be disregarded in favor of applying the adopted objective standards.
- Regarding the community benefits program, a program like this must balance a number of considerations, including the importance of each benefit to the community, the cost of each benefit to the developer, and the overall impact of the program on the feasibility of potential projects. We imagine that staff and consultants considered these variables when developing the point system, and we do not object to the general scheme. But we have some concern that the system as proposed could lead to transportation-related benefits being left out of many or most projects.
- We have the following specific comments on proposed benefits:
  - We encourage you to provide points for nonprofit, land trust, and/or co-op housing, along with tribal housing (the last one is already proposed).
  - The benefit related to dedicating setbacks to expand the right-of-way says that points will be awarded for dedicated ROW used for pedestrian uses or off-street parking. Dedicating land for pedestrian use is great, but not for off-street parking. As the Commission has previously discussed, we should not be incentivizing off-street parking in the Gateway area. In fact, exactly the opposite should be encouraged.
  - For commercial or mixed-use projects, points should be awarded for providing free bus passes to employees, not just residents.
  - The latest draft of the Plan calls for encouraging "unbundling" of parking and residential rents. This should be a benefit with available points in the program.
  - There should be more specificity provided on what it means to "exceed requirements" for bus stop facilities.

### Tuesday, 4/25

- Regarding building height and shading, we reiterate our position that taller buildings are necessary to provide levels of density required for walkability, bikeability, and to support high-quality transit. If measures are taken to mitigate shading concerns, you should be careful not to excessively reduce effective density.
- Regarding the Public Safety Element, we request that you add a policy (or amend policy PS-5b) to commit to working with AFPD to jointly investigate purchasing smaller fire trucks, in order to reduce the perceived need for bigger and thus more unsafe streets designed solely to facilitate fire access. Such trucks are in use in many cities around the world, especially where buildings and street designs predate the automotive era.
- Also in the Public Safety Element, under Crime Prevention and Response, we request that you add a policy stating that the city does not support the use of armed police officers for traffic enforcement. In recent years, [racial disparities in traffic stops](#) has been widely exposed and reported in national and state media, and the frequently lethal results of putting armed officers in charge of enforcing traffic laws have also been well documented. A [bill in the state legislature](#) could soon present more opportunities for unarmed civilian staff to enforce traffic laws rather than police, and Arcata should be ready to take advantage.

#### Thursday, 4/27

- Regarding the "bike rack" items for Gateway Mobility and the Circulation Element, please refer to my emails to you on 4/7 and 4/12. In summary, we encourage you to adopt new or amended policies committing to public transit improvements and Class IV protected bikeways on busy streets, and abandoning the unhelpful "functional classification" system for roads (instead prioritizing safety and low speeds on all city streets).
- It is also critical that you follow up your important decision from April 11 to de-prioritize level of service (LOS) and use it only to lower speeds and encourage mode shift with corresponding changes to the rest of the Circulation Element, including removal of references to "LOS deficiencies" and removal of projects motivated solely by such "deficiencies" from the Circulation Element (and the Capital Improvement Plan).
- It appears that some items on which you already voted (such as LOS and downtown parking management) still appear in the "bike rack." We ask that you correct this error.

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Colin Fiske (he/him)  
Executive Director  
Coalition for Responsible Transportation Priorities  
[www.transportationpriorities.org](http://www.transportationpriorities.org)

## Mads Odom

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**From:** Fred [REDACTED]  
**Sent:** Friday, April 21, 2023 8:15 PM  
**To:** Scott Davies; Dan Tangney; Judith Mayer; Christian Figueroa; Matthew Simmons; Peter Lehman; Joel Yodowitz; David Loya; Delo Freitas  
**Subject:** Fred Weis: Comments on the permit and approval process - Saturday, April 22 meeting

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To: Planning Commissioners, Community Development Director David Loya, Senior Planner Delo Freitas  
From: Fred Weis  
Subject: Comments on the permit and approval process - Saturday, April 22 meeting

Highlights are used so that you can skim.

### Synopsis:

The staff report (Page 10) shows this:

Zoning Certificate Properties for Properties under 10,000 s.f. and building height <40'  
Zoning Administrator Hearing for Properties < 20,000 s.f. and building height < 50'  
Planning Commission Hearing for Properties >20,000 or Buildings >50'

### I propose:

1. **That the criteria is based on square feet of the project**, not the property size. For one thing, a project might be on just a part of the property. For example, a building was planned at one time in the parking lot of Northcoast Children's Services and Holly Yashi. Those Properties are both larger than 20,000 sq.ft., but the building could be 9,000 sq.ft. -- so to go by Parcel size would not be appropriate.

There are 55 parcels greater than 20,000 sq.ft. in the Gateway Area. Of these are roughly 20 that are likely to be built on.

There are 129 parcels that are smaller.

2. **That the criteria be much lower for Planning Commission review.** Such as: PC review required for anything over 4,000 sq.ft. building area.

Or: **PC review required for everything** (except for the simplest of projects, to be defined).

How would this work? **The Julian Berg Valley East project took 31 minutes to be approved. If a project is well-designed and adheres to the Form-Based Code, then approval by the Planning Commission would be, in the words of the Redwood City Principal Planner, "smooth sailing."**

A local architect has told me that having to prepare a project for review by an agency (i.e. Planning Commission) results in a better project -- more thoroughly gone over by the architect, and better overall.

### Specific Points:

## 1. What our Form-Based Code consultant Ben Noble had to say on the issues of permit requirements and ministerial review

Ben Noble's June 29, 2022 presentation is on [Arcata1.com](https://arcata1.com) -- there is an audio track and a full transcription that you can read. **To listen to that section is 14 minutes. Reading it is faster.**

The link to the article is: <https://arcata1.com/ben-noble-fbc-june-29/>. There is a full table of contents of each component of his talk -- you can skip right to the ministerial review section.

**The full presentation is 60 minutes.** The article includes all the slides and visuals of his presentation -- about 60 slides, including sections of Form-Based Codes from other cities.

## 2. Sequence of the Commissioners' decisions

The staff report says:

A: "The Commission **should first confirm** its agreement with the following: projects in compliance with the design standards and [that] provide community benefits should receive ministerial review."

B: "If the Commission confirms, **it should then provide direction** about the permitting structure that should be in the Plan."

Analysis: **I believe the definition ("direction") of the permitting process should be discussed first.** It is against logic and decorum to vote on something prior to knowing what it is that you are voting for. I believe that **it is a certainty that the Commission will vote that Gateway projects will receive ministerial review -- the question is what that ministerial review will be.**

Suggestion: **First talk about what the forms of ministerial review are**, and come to an agreement on where each type of ministerial review is used. Then have the vote that says whether those forms of ministerial review will be used.

## 3. The reality of "objective standards" not being perfectly defined.

Recognize that regardless of how strong the attempt is made at creating "objective standards" is, and regardless of the State laws (and local desires) are to reduce the discretionary component from decisions, **even the best "objective standards" will involve some degree of interpretation.** The example in the staff report of "2x4 construction with 16" spacing" is a simplistic example of an objective standard -- it is very easy to agree on and very easy to achieve. It is more likely that we may see a Form-Based Code that does allow some interpretation. That is just the nature of trying to be objective.

## 4. We are being asked to reflect on the degree of how "objective" the Form-Based Code standards are -- and we do not have the Form-Based Code to check this against.

This conversation will have to be revisited after we see the effectiveness of our draft Form-Based Code.

## 5. We can look at how other communities handle Zoning Administrator vs Planning Commission review -- in Form-Based Codes.

In Grass Valley CA, buildings of 3 stories have one review process, and buildings above 3 stories have a different process.

Redwood City has three distinctions: Large projects, small projects, and historic projects. "Large projects" are over 3 stories (the maximum is 12) or over 30,000 sq.ft. total floor area. **For us here in Arcata this might translate to be anything above 2 stories or, say, 7,500 square feet. "Large projects" in Redwood City require Planning Commission review.**

## 6. What happens in actuality?

**The Julian Berg Valley East project** (December 2022) **took 31 minutes to be approved.** If a project is well-designed and adheres to the Form-Based Code, then approval by the Planning Commission would be, in the words of the Redwood City Principal Planner, "smooth sailing." **There is very little downside to having virtually all projects going through Planning Commission review.**

**7. More eyes and brains looking at a project results in a better project.**

We can use the unfortunate example of the fence at the data center building on 11th Street as a case of something that "got by" the eyes of the Zoning Administrator. The Dutch Bros. shop in Valley West -- and perhaps the entire Tractor Supply building -- is similar.

To me, the more eyes and brains that look at a project, the better the project will be. And the less chance of something "getting by" inadvertently.

This includes comments from the public also. The public can understand the nature of a non-discretionary decision.

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## Mads Odom

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**From:** sharon king [REDACTED]  
**Sent:** Sunday, April 16, 2023 4:33 PM  
**To:** Sarah Schaefer; Meredith Matthews; Kimberley White; Alex Stillman; Stacy Atkins-Salazar; Scott Davies; Dan Tangney; Christian Figueroa; Peter Lehman; Matthew Simmons; Judith Mayer; David Loya  
**Cc:** sharon king; Chris Richards  
**Subject:** L Street Linear Park Proposal

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April 17, 2023

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David Loya <[dloya@cityofarcata.org](mailto:dloya@cityofarcata.org)>,

Honorable Mayor, City Council members, Planning Commissioners:

I'm writing regarding the proposal of creating a vehicle roadway where the L Street Linear Park could be, and already exists, although in its infancy form.

The L Street corridor has created a peaceful, accessible, aesthetic alternative to roads with cars. we are extremely lucky that we have it, so far.

If there were a road there that included vehicle traffic, even with some kind of barrier, its aesthetic value would be gone.

If I were a mother, I would not take my children there. If I had a dog, we would go elsewhere. If I wanted to visit with friends, not there. If I were taking a walk, a bike ride, a run: no. Whatever draws me there now will be gone. We will not do art there, make music there, sit in the shade with a sandwich.

I have gratitude for all that our Commissioners and Council do for us. Please listen before it is too late, to the people in Arcata who are asking you to not allow vehicles on L Street.

So many members of the community want a linear park with no impinging roadway, bringing all that we know roads and their traffic bring.

Let us have this one thing: a beautiful, inclusive, needed sanctuary.

Thank you,

Sharon King  
[REDACTED]