

Agenda Report

DATE: September 21, 1998
TO: CITY COUNCIL
FROM: CYNTHIA KURTZ, ACTING CITY MANAGER
SUBJECT: PROJECTS OF COMMUNITY WIDE SIGNIFICANCE -
MODIFIED PREDEVELOPMENT PLAN REVIEW
PROCESS

RECOMMENDATION:

It is recommended that the City Council direct the City Attorney to draft an Ordinance to modify the Predevelopment Plan Review Process.

BACKGROUND:

The development process for large projects in Pasadena is complex and lengthy. Frequently such projects evoke considerable public interest and debate that complicates and lengthens the process. The process does, however, most often result in projects that are responsive to public concerns and are well suited to the betterment and enhancement of Pasadena.

While there are many strengths of the process, there are also some weaknesses. Developers claim the process is too lengthy and unpredictable. Neighborhood activists suggest the process is confusing and difficult to access.

Another weakness of the current development process is that City Council members often find themselves not well informed about projects early in the review process and unaware of project changes, negotiations and concessions that have occurred in the review process prior to the Council's review and involvement.

It is recommended the City's development process be modified to better inform City Council members, the public at large and the developer of the process to be followed early in the review process and to establish a project review schedule for the project.

Existing Predevelopment Plan Review (PPR) Process

Under the current Predevelopment Plan Review (PPR) process the project developer submits to the Permit Center required information about the project. The project is then assigned a Project Case Manager. The materials about the project are then circulated to all relevant City Departments, who are required to respond with submittal requirements, questions, etc. Upon receipt of this information the Case Manager prepares a draft Plan Review Report. A Predevelopment Plan Review meeting is then held including all the affected departments and the project developer. At that meeting the draft Plan Review Report is reviewed and modified as appropriate. The Case Manager assembles required additional materials, prepares the final Plan Review Report and forwards it to the project developer.

Modification to PPR Process

It is recommended that for projects of community wide significance the Plan Review Report be forwarded to the City Council for its acceptance as the final step prior to delivering the report to the project developer. It is suggested the Plan Review Report be presented at a regular meeting of the City Council. The project developer would be given an opportunity to present the project and comment on the Plan Review Report. Chairs of all relevant Commissions or approval authorities would also be invited to the meeting and given an opportunity to comment on the Plan Review Report.

The City Council would accept the Plan Review Report as presented or it could modify it with additional review process requirements. It could not, however, reduce the minimum review requirements and thresholds set forward in the report.

Projects of Community Wide Significance

A project will be categorized as a "project of community wide significance" under any one of the following circumstances.

1. Any project of greater than 100,000 square feet with two or more discretionary actions in any non-residential zoning district.
2. Any project of greater than 50,000 square feet with two or more discretionary actions in any residential zoning district.
3. Any project of greater than 50,000 square feet that involves city financial assistance.
4. Any other project the Director of Planning and Permitting finds of major importance and significance to the City. Factors that might lead to this determination would include adverse impact on historic structures, non-conformity with the General Plan, non-conformity with Specific Plans, adverse impact on City financial resources and other similar determinations.

5. Any project located within a designated redevelopment area the Director of Housing and Development finds of major importance and significance to the City. Factors that might lead to this determination would include non-conformity with the General Plan, non-conformity with Specific Plans, conflicts with redevelopment plans, adverse impact on City financial resources and other similar determinations.

Project Review Time Schedule

The predevelopment plan review administrative guidelines will be modified to include a provision that a detailed project review time schedule shall be included in the Plan Review Report. Potential impediments to following such a schedule include delays as a result of court actions, appeals, calling up actions, the developer failing to submit complete information according to schedule, project design changes and tabling actions. When any of these events occur that cause more than a cumulative 30 day extension of the projected timeline; a revised project review time schedule shall be prepared and forwarded to the developer and City Council for information purposes. If the cumulative delay reaches 60 days the revised project review time schedule and Plan Review Report shall be returned to the City Council.

Project Changes

Frequently project delays are a result of significant project changes. Substantial design or use changes dictate the review process sometimes return to its starting point. Changes can occur as a result of changing market conditions, response to the City or commission's requests or responses to neighborhood concerns. Unfortunately, because of required environmental reviews there often is little choice other than restarting the entire process. When this occurs a new Plan Review Report and review time schedule will be prepared and returned for City Council approval.

Alternatives

In recent years, several alternatives have been offered to revise the development review process for major projects. They include the following:

1. Eliminate or merge one or more commissions and re-assign review responsibilities to other commissions.
2. Consolidate multi commissions meetings and/or public hearings into single meetings.
3. Place maximum time limits within which discretionary actions must be taken.
4. Establish completely new review and approval processes for major projects and maintain current processes for other projects.

Efforts in the past to eliminate or merge Commissions have largely been rejected because of the expertise that each of the commissions brings to its role in reviewing projects and proposals. Eliminating a Commission could reduce the complexity of the review process, as well as reduce the administrative costs of supporting the Commission. However, it would also result in the loss of specialized expertise in the process. Eliminating a Commission, absent changes to the review process, would not necessarily result in streamlining the process, rather, just a re-assignment of responsibilities and workloads. It is not recommended this be pursued at this time.

In the past efforts have been made to hold consolidated meetings and hearings. Even with consolidated meetings the individual Commissions have determined it appropriate to return to regular scheduled meetings to take action on proposals. As such, the combined and consolidated meetings have resulted in more complexity to the process and confusion to the public. Later this month back to back meetings on the same evening are being held on a project. This approach might prove useful and will continue to be evaluated.

The concept of imposing time limits on reviews is already in place for some City actions and is in place with the State Permit Streamlining Act. The option of placing additional time limits through local action should be further evaluated in conjunction with broader process changes for all project reviews. This will be undertaken as part of the comprehensive revision to the Zoning Ordinance.

Establishing a completely new review and approval process for major projects opens a very complex door of legal implications and equity issues with respects to other projects not afforded the same expedited process. It is suggested the preferred option is to develop expedited processes that are equally afforded to all projects. This too should be in conjunction with the update to the Zoning Ordinance.

WORKLOAD IMPACT

The proposed changes to the Predevelopment Plan Review process will result in additional workload responsibilities involved in preparing and presenting information to the City Council. The majority of the process is already in place and as such the workload impact will be minimal.


FISCAL IMPACT

There will be minimal additional direct costs beyond the expenses of additional staff time.

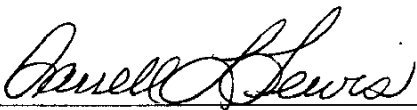
CONCLUSION

The proposed changes will result in the City Council and the public at-large becoming better informed, earlier in the development review process for significant projects. It will set in place a process for the City Council to monitor the review process and its schedule.

Respectfully Submitted,


for **CYNTHIA J. KURTZ**
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Prepared by:


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ATTACHMENTS

Attachment A – Predevelopment Plan Review Administrative Guidelines