

CITY COUNCIL AND PLANNING
COMMISSION
Alma Hernandez, Mayor
Princess Washington, Mayor Pro Tem
Jenalee Dawson, Member
Marlon L Osum, Member
Amit Pal, Member



CITY COUNCIL AND PLANNING
COMMISSION MEETING

A G E N D A
SPECIAL JOINT MEETING OF THE
SUISUN CITY COUNCIL AND PLANNING COMMISSION
TUESDAY, AUGUST 29, 2023
6:00 PM

Suisun City Council Chambers - 701 Civic Center Boulevard - Suisun City, California

*CITY COUNCIL MEETINGS ARE HELD IN-PERSON
PUBLIC PARTICIPATION IS ALSO AVAILABLE VIA ZOOM*

ZOOM MEETING INFORMATION:

WEBSITE: <https://zoom.us/join>

*MEETING ID: **828 3489 5509***

CALL IN PHONE NUMBER: (707) 438-1720

*REMOTE PUBLIC COMMENT IS AVAILABLE FOR THE CITY COUNCIL MEETING BY EMAILING
CLERK@SUISUN.COM (PRIOR TO 5 PM), VIA WEBSITE, OR ZOOM CALL IN PHONE NUMBER (707) 438-1720*

*(If attending the meeting via phone press *9 to raise your hand and *6 to unmute/mute for public comment.)*

(Next Ord. No. – 805)

(Next City Council Res. No. 2023 – 123)

(Next Suisun City Council Acting as Successor Agency Res. No. SA2023 - 06)

(Next Housing Authority Res. No. HA2023 – 03)

ROLL CALL

Councilmembers / Planning Commissioners
Pledge of Allegiance
Invocation

CONFLICT OF INTEREST NOTIFICATION

(Any items on this agenda that might be a conflict of interest to any Councilmembers / Commissioners should be identified at this time.)

REPORTS (Informational items only.)

- 1 City Manager/Executive Director/Staff.

PUBLIC COMMENT

(Request by citizens to discuss any matter under our jurisdiction other than an item posted on this agenda per California Government Code §54954.3. Comments are limited to no more than 3 minutes unless allowable by the Mayor/Chair. Speaker cards are available on the table near the entry of the meeting room and should be given to the City Clerk. By law, no prolonged discussion or action may be taken on any item raised during the public comment period, although informational answers to questions may be given and matters may be referred for placement on a future agenda.)

COUNCIL/PLANNING COMMISSION COMMENTS

- 2 Council Updates.
- 3 Planning Commission Comments.

GENERAL BUSINESS

Joint City Council / Planning Commission

- 4 City Council and Planning Commission Joint Workshop - (Bermudez: jbermudez@suisun.com).

REPORTS: (Informational items only)

- 5 Non-Discussion Items.

ADJOURNMENT

Public Access To Agenda Documents

A complete packet of information containing staff reports and exhibits related to each item for the open session of this meeting, and provided to the City Council, are available for public review at least 72 hours prior to a Council /Agency/Authority Meeting at Suisun City Hall 701 Civic Center Blvd., Suisun City. Agenda related writings or documents provided to a majority of the Council/Board/Commissioners less than 72 hours prior to a Council/Agency/Authority meeting related to an agenda item for the open session of this meeting will be made available for public inspection during normal business hours. An agenda packet is also located at the entrance to the Council Chambers during the meeting for public review. The city may charge photocopying charges for requested copies of such documents. To the extent feasible, the agenda packet is available for online public viewing on the City's website: <https://www.suisun.com/Government/City-Council/Agendas>

The City Council/Agency/Authority hopes to conclude its public business by 10:00 p.m. No new items will be taken up after 10:00 p.m., unless so moved by a majority of the City Council, and any items remaining will be agendaized for the next meeting. The agendas have been prepared with the hope that all items scheduled will be discussed within the time allowed.

Accommodations

If you require an accommodation to participate in this meeting, please contact the City Clerk at (707) 421-7302 or clerk@suisun.com. The City's reasonable accommodation policy is available for review on the City's website at www.suisun.com/government/city-council/, you may request an electronic copy or have a copy mailed to you. Please note that for accommodations that are not readily available, you must make your request as soon as you can prior to the time of the meeting.

Decorum

All participants are expected to conduct themselves with mutual respect. Conduct that disrupts meetings will be addressed in accordance with Section 54957.95 of the Government Code.

Ordinances

Ordinances are city laws contained in the Suisun City Municipal Code. Enacting a new city law or changing an existing one is a two-step process. Government Code 36934 provides, except when, after reading the title, further reading is waived by regular motion adopted by majority vote all ordinances shall be read in full either at the time of introduction or passage; provided, however, that a reading of the title or ordinance shall not be required if the title is included on the published agenda and a copy of the full ordinance is made available to the public online and in print at the meeting prior to the introduction or passage.

Certification Of Posting

Agendas for regular and special meetings are posted in accordance with the Brown Act at Suisun City Hall, 701 Civic Center Boulevard, Suisun City, CA. Agendas may be posted at other Suisun City locations including:

- Suisun City Fire Station, 621 Pintail Drive, Suisun City, CA;
- Joe Nelson Center, 611 Village Drive, Suisun City, CA;
- Harbor Master Office, 800 Kellogg Street, Suisun City, CA.

I, Donna Pock, Deputy City Clerk for the City of Suisun City, declare under penalty of perjury that the above agenda was posted and available for review, in compliance with the Brown Act.

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AGENDA TRANSMITTAL

MEETING DATE: August 29, 2023

CITY AGENDA ITEM: City Council and Planning Commission Joint Workshop.

FISCAL IMPACT: There is no fiscal impact to the General Fund from the item.

STRATEGIC PLAN: Provide Good Governance, Section 4.7 – Improve productivity, efficiency, effectiveness, customer service, and citizen satisfaction in all areas of municipal organization.

BACKGROUND: This report aims to facilitate a thorough discussion with the City Council and Planning Commission about the responsibilities of the Planning Commission, the alignment of City Council priorities, and the collection of feedback on the development process.

STAFF REPORT: The purpose of the Joint Meeting is to have a high-level discussion with the Planning Commission regarding the City’s overall goals. The Joint Meeting presentation will cover City Council priorities, respective roles, and an overview of Land Use planning and key aspects of the development process.

STAFF RECOMMENDATION: This is an informational only item, and no recommendation is associated with this item.

DOCUMENTS ATTACHED:

1. PowerPoint Presentation

PREPARED BY:	Jim Bermudez, Development Services Director
REVIEWED BY:	Greg Folsom, City Manager
APPROVED BY:	Greg Folsom, City Manager

ATTACHMENTS:

1. [PowerPoint Presentation](#)



City Council and Planning Commission Joint Workshop

August 29, 2023

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Purpose of the Joint Meeting

- High level discussion of the purpose of the Planning Commission in relation to the overall goals of the city
- Discuss development process and projects
- Discuss areas of mutual interest

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Presentation Overview

- City Council Priorities - CM
- City Finances - CM
- Planning Commission/City Council Roles - DSD
- General Plan - DSD
- Planning and Development Process – PP
- Policies and Projects - PP
- Legal Considerations - CA

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City Council Priorities

Greg Folsom, City Manager

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2020-2025 Strategic Plan

Mission Statement

Suisun City's mission is to provide a safe, healthy, inclusive community resulting in an exceptional quality of life where our residents and businesses prosper, and visitors feel welcome.

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Strategic Plan Goals



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Strategic Plan – Moving Forward....

- City has launched a new strategic plan update
- Survey conducted
- Assess and redefine priorities
- Community discussion
- Staff and Council discussions

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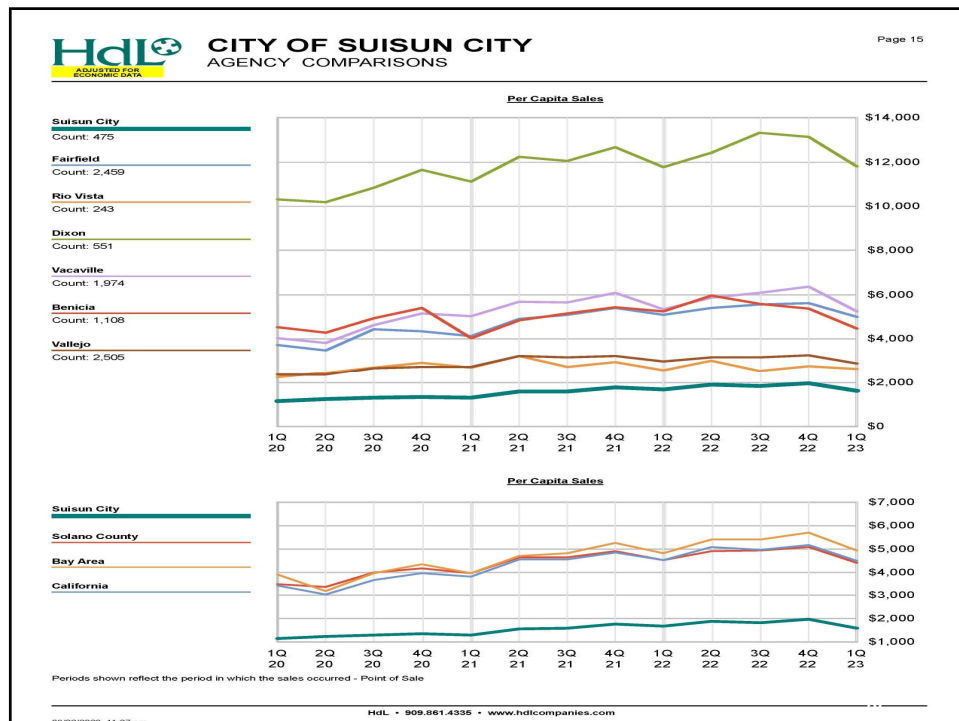
City Finances

Greg Folsom, City Manager

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City Finances – Structural Deficit in GF

- While Suisun City has a balanced budget, we operate with a structural deficit in General Fund
- Suisun City generates well below average per capita property tax revenues
- Suisun City has the lowest per capita sales tax revenues in Solano County



City Finances – Measure S

- Measure S mostly fills in the gaps in the GF
- Measure S generates a little more than regular sales tax
- Measure S has paid for much of the expansion of the Fire Department
- Measure S expires in 2026
- Suisun City faces a fiscal cliff without an extension of Measure S

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City Finances – New Development

- New Development is a critical aspect of the future financial sustainability of Suisun City
 - New Development generates increased sales tax and/or property tax
 - New Development generates increased CFD 2 revenues

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Planning Commission/ City Council Roles

Jim Bermudez, Development Services Director

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Planning Commission Role

- In 1929, the State Legislature adopted the Planning Act, which established the powers of the Planning Commission
- Chapter 2.20 of the Suisun City Code establishes the Planning Commission and its powers
- Planning Commission appointed by the City Council as an advisory body with significant authority over land use issues
- City Code provides for Planning Commission authority to consider land use applications, subdivisions, use permits, variances, interpretations, etc.

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Planning Commission Role – Examine

- Participate in the development of the Land Use Element and Housing Element in the General Plan, and the Zoning Code; make recommendations to Council
- Conduct study sessions and other forums
- Conduct public hearings on land use entitlements
- Make recommendations to Council on development agreements

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Planning Commission Role – Implementation

- Individual development project review
- Development Permits
- Planned Development and Use Permits and Variances
- Tentative Subdivision Maps
- Determinations of consistency with the General Plan and Zoning Code
- Project approval (Quasi-Judicial Action)
- Review and provide recommendations to Council on Housing Element, Land Use Element, and Zoning Code; and development agreements

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City Council Role

- Final Decisions on Land Use
 - Recommendations from PC
 - Appeals from PC
 - “Call for Review” by Councilmembers

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City Council Appeal Process

Section 18.84.050 - Appeal to City Council.

In case an applicant or any interested party is not satisfied with the decision of the Planning Commission, he or she may appeal in writing to the City Council within ten days. A copy of the appeal shall be submitted to the Planning Commission. The City Council shall consider the appeal and render its decision within 60 days after receipt of the appeal.

Section 18.84.060 - Calls for Review.

A call for review may be filed by two members of the City Council with the Development Services Director within ten days of the commission's decision. No fee shall be required. The City Council shall consider the item called for review and render its decision within 60 days after the filing of the request for review with the development services director.

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General Plan

Jim Bermudez, Development Services Director

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The General Plan

- Functions as the City's constitution
- Provides long-range vision for conservation and development (20–30-year horizon)
- Basis for local land use decisions
- Identifies important community issues
- Promotes community participation
- Sets the ground rules
- 9 mandatory elements; can be combined
- City codes must be consistent with the GP

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Elements

- Elements Mandated by State Law:
 - Land Use
 - Circulation
 - Conservation
 - Open Space
 - Noise
 - Safety
 - Housing
 - Environmental Justice
 - Air Quality
- Optional Elements for Suisun City:
 - Community Character and Design
 - Economic Development
 - Community Facilities and Services
 - Public Health and Safety

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Policies

- Specific statements that guide decision-making
- Commitment to a particular course of action

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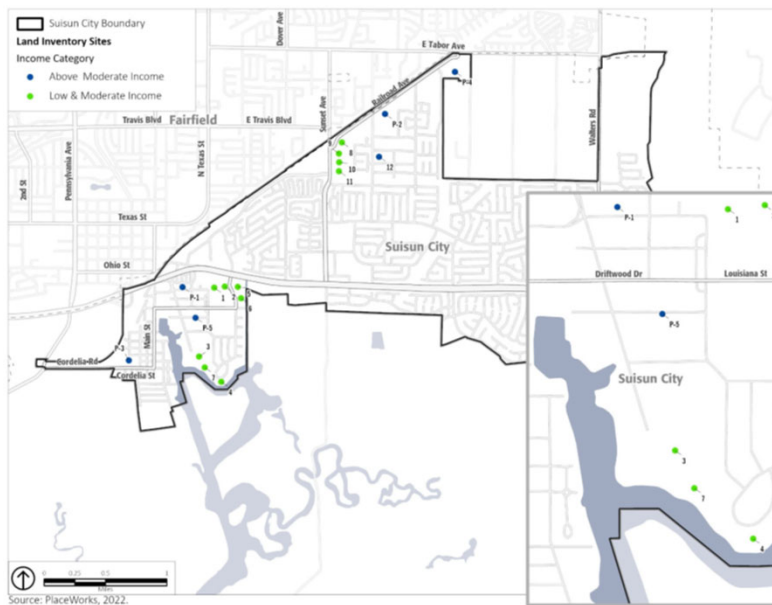
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Housing Element

- Updated based on schedule in State law (typically 8 years)
- Certified by the State Department of Housing and Community Development (HCD)
- Regional Housing Needs Assessment (RHNA) - 620 units
- Housing need by income category
- Policies to facilitate housing development
- Specific sites zoned for housing

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Housing Element Implementation

Second Dwelling Unit update

Continue to implement the second dwelling unit ordinance that follows the requirements of state law (Government Code Section 65852.1) in allowing second dwelling units on any residential lot subject to ministerial review. (Completion Date 2023)

Code Enforcement

The City will develop a **proactive code enforcement** for ensuring compliance with building and property maintenance codes, which will include property maintenance, abandoned vehicles, housing conditions, overall blight, and health and safety concerns. (Completion Date 2024)

Density Bonus

The City will comply with California Government Code Section 65915, as revised, amending the Zoning Code to be consistent with State density bonus law. (Completion Date 2024)

Objective Design Standards

The City will develop objective design guidelines and standards to provide clear and objective standards related to single family, multifamily, and mixed-use residential developments. (Completion Date 2025)

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Housing Element Implementation – cont.

Objective Design Standards

The City will develop objective design guidelines and standards to provide clear and objective standards related to single family, multifamily, and mixed-use residential developments. (Completion Date 2025)

Inclusionary Housing

Review and adopt, as appropriate, a program requiring developers of residential developments to either: (a) provide a percentage of their unit at a below-market rent or price; (b) pay a fee; or (c) propose alternative measure to meet their affordable housing requirements determined by an ordinance that will be drafted. (Completion Date 2025)

First-Time Homebuyer Program

The City will apply for funding to implement a first-time homebuyer program to provide down payment assistance and closing cost assistance to low-income first-time homebuyers. (Completion Date 2025)

Streamlined Approval (SB 35)

The City will establish a written policy and/or procedure, and other guidance as appropriate, to specify the Senate Bill (SB) 35 streamlining approval process and standards for eligible projects under Government Code Section 65913.4. (Completion Date 2025)

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General Plan Amendment – Why Amend?

- Development proposal requires change in General Plan
- New state law requires change in the general plan or change to element
- Is the amendment in the public interest?
- To facilitate certain type of development or protect a resource
- Is the amendment consistent with all other parts of the General Plan?
- If other changes will be required, are they being considered at the same time?
- Will the amendment necessitate changes in the zoning or other implementing ordinances?
- Can amend each element four times per year

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Zoning Code

- Ensure implementation of the Zoning Code is consistent with General Plan Policies and Programs
- The Zoning Code establishes regulations for how private property may be used
- The Zoning Code provides allowable uses, standards for basic design, such as building coverage, building height, and setbacks
- Zoning Code establishes procedures for review and approval for development projects and administration

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Downtown Waterfront Specific Plan Update

- SB 2 Planning Grant Program
- Housing Yield and Feasibility Analysis and Recommendations
- Waterfront District and Zoning Code Amendments to Increase Housing Capacity
- Environmental Document Streamlining
- Storm Drain System Capacity Study in Priority Development Area (PDA)
- Fee Study for Parking In-Lieu Fees in Priority Development Area (PDA)

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Solano LAFCO – What is LAFCO?

- The Solano Local Agency Formation Commission (LAFCO) is a state mandated boundary commission responsible for coordinating logical and timely changes in local government boundaries.
- LAFCO has authority over:
 - Sphere of Influence changes – future growth boundary
 - Municipal Service Reviews (MSRs) for cities
 - Annexation requests
 - Proposed Annexations – Logistics Centers

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Planning and Development Process

John Kearns, Principal Planner

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California Environmental Quality Act (CEQA)

- Requires public agencies to identify and consider environmental consequences of their discretionary actions; does not apply to ministerial projects
- Private development applications
- Public works projects and improvements
- Not intended to deny projects; it's a process

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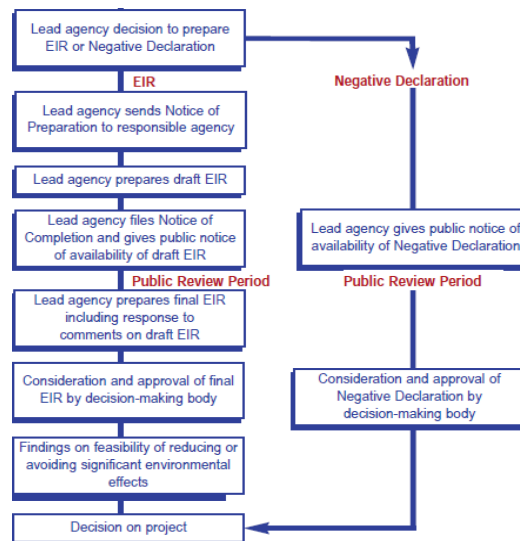
“Project” Only Discretionary Action

1. CEQA application (discretionary vs ministerial)
2. What is a discretionary action?
3. Examples of “projects”

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Determining EIR or ND (or MND)



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“Good Neighbor” Policy

- Adopted August 17, 2021, via Resolution 2021-78
- Requires community/neighborhood outreach for specific types of projects/entitlements (e.g. General Plan Amendment, Rezone, Planned Unit Development, etc.)
- Purpose is to make community/neighborhood aware of proposed project early in development process

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Conditional Use Permits (“CUPs”)

- Discretionary permit authorized by PC with conditions on the proposed use
- Purpose of Conditional Use Permit
- Examples of conditional uses may include:
 - Drive thru uses
 - Convenience Markets
 - Nightclubs
- “By right development” – projects that do not require a discretionary permit

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Chapter 18.49 Cannabis Regulatory Program

- Identified permitted types of commercial cannabis operations
- Commercial Cannabis Business Permits
 - Retail Dispensaries selection process
 - Renewal process
- Cannabis Business Zone (CBZ)

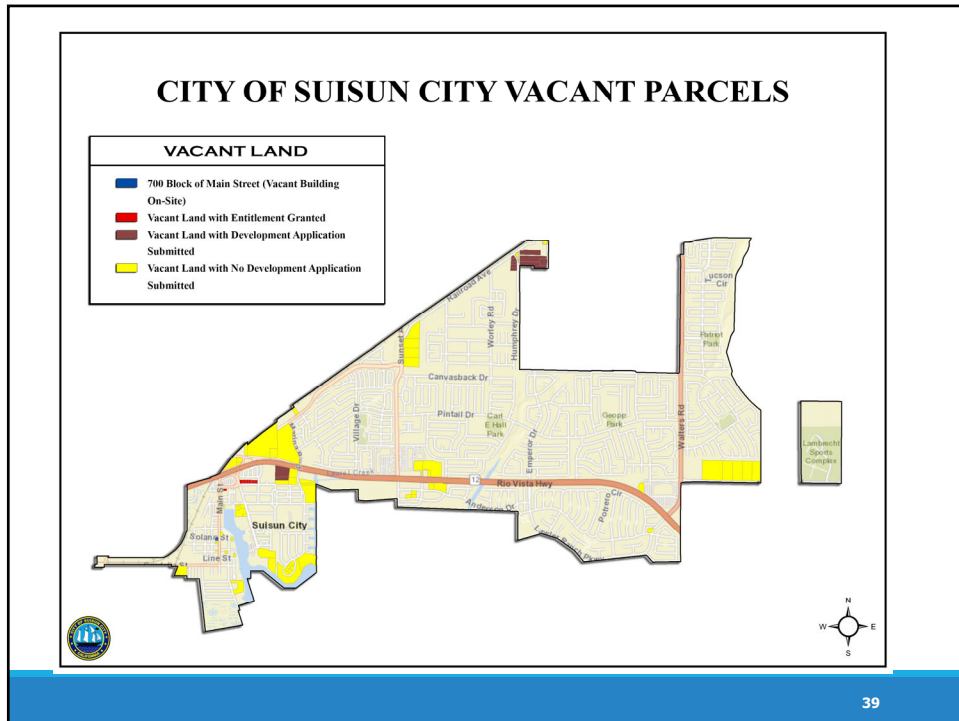
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Parcels and Projects

John Kearns, Principal Planner

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Development Projects in Planning

- Highway 12 Logistics (preparing Environmental Impact Report)
- Suisun Logistics (preparing Environmental Impact Report)
- Olive Tree Ranch Residential (application review)
- Cannabissary (application review)
- Marina Storage (application review)

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Development Projects Under Construction

- Meridian West Subdivision
- Marina Village Apartments
- Blossom Apartments
- Starbucks (Walters Road)
- Tractor Supply
- Mobility Hub – joint use parking lot with STA

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Legal Considerations

Elena Gerli, City Attorney

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Quasi-Judicial vs. Legislative Functions

Legislative: code adoptions and amendments, contracts, position resolutions

- Bias and pre-determined opinions are ok

Quasi-judicial: where law must be applied to the facts and a decision rendered

- Examples: CUPs and other discretionary entitlements, appeals – where you have to make findings in order to reach a result
- Bias and pre-determinations: violate due process; ok to have an opinion, as long as keep an open mind and decide based on the full record

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Ex Parte Communications: One-Sided Communications Outside of the Hearing

- Extra meetings, phone calls, emails with developers, applicants, and citizens outside of hearings
- Avoid initiation of contact
- If contacted, avoid stating your opinion
- Alert developer (or member of the public) that all deliberation and decisions on project application must occur at a noticed public hearing
- Disclose any ex-parte communications at hearing
- Disclose any site visits, context, observations, and conclusions you drew from the visit

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Ex Parte Communications

- Ok to receive information provided by the developers or members of the public, and acknowledge receipt
- Ok to visit site
- Any information received outside of the hearing: forward to City Clerk for distribution to Council and inclusion in agenda packet
- Avoid prolonged conversations with individuals who are lobbying you to vote one way or the other; if this happens, disclose on the record

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PC/CC Interactions

- Because Council is an appeal body and a final decision maker on recommendations from Planning Commission, Council should:
 - Avoid attending PC meetings
 - Avoid attending Good Neighbor meetings
 - Avoid pressuring Planning Commissioners to make decisions that align with their political agenda rather than the best interests of the community
 - Avoid discussions on any item where the Councilmember has a conflict of interest

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Conclusions & Questions
