

To: Arcata Planning Commissioners  
Honorable Mayor Stacy Atkins-Salazar  
Arcata City Council Members  
Arcata City Council member-elect Alex Stillman  
Community Development Director David Loya  
Arcata Community Development Department  
Arcata City Manager Karen Diemer

From: Fred Weis

Date: June 9, 2022

Re: Planwest schedule needs re-evaluation  
Direction needs to be given about the Form-Based Code

Dear Mayor Atkins-Salazar, et al –

The material in this letter is covered in greater detail and with the original documents on the Arcata1.com website, in the article “Planwest’s schedule: We’re completely off-course.”

In brief:

1. **Schedule:** The April, 2021, contract with Planwest included a schedule for completion of tasks. That schedule could be considered as overly optimistic even at the start. It has since become so outdated that the schedule now means nothing.
2. **Tasks:** Included in the schedule are a list of tasks. Because the scheduled completion dates have passed with no evidence of work being performed, we don’t know whether these tasks will be performed in the future or if they have been abandoned.
3. **Delivery of the Form-Based Code:** In the original schedule, a draft Form-Based Code was scheduled to be released at the same time as the release of the draft plan. This was not done.

As a result, the Planning Commission – and the public – are being asked to evaluate large aspects of the plan with, essentially, half the plan missing. The plan cannot be adequately evaluated until we can see the Form-Based Code – it is very simple. It is not enough to hear the notion that “we’ll have that for you later” or “we’ll determine that after the Form-Based Code comes in.”

If you have any questions here, please consult with Planning Commission Vice-Chair Dr. Judith Mayer. She is an expert on this.

The Planning Commission has been calling for the delivery of the Form-Based Code for months – at least since February 8th, perhaps before. We’ve seen no progress.

At the previous meeting (May 24) of the Planning Commission, Planning Commission Vice-Chair Judith Mayer again asked:

“But I am wondering if at the time when — the schedule on our packet today indicates Design for three sessions — **if that is the time when the details of the Form-Based Code would be available for us to discuss?**

The reply from David Loya was, in part:

“I cannot commit at this point to having a Form-Based Code or having any components of that.”

The full text of these discussions, and a 45-minute segment of the video of the meeting along with the full transcript and additional commentary, is found at the Arcata1.com website in the “For Planning Commissioners & City Council Members” section. The comments on this start at point 2:35:15 on the video.

In my view, the entire 45-minute section of the video is worth listening to – the transcript there makes it easy to understand. (The playback speed can be made faster, so it would take 30-35 minutes to listen to and read through.) It shows a Planning Commission that is confused about the process of reviewing the draft plan, the inadequacy of reviewing it without having a Form-Based Code in hand, and the Community Development Director speaking as what may be interpreted to be as not understanding what the Commissioners are asking. It shows a Planning Commission that is confused about the process of reviewing the draft plan, the inadequacy of reviewing it without having a Form-Based Code in hand, and the Community Development Director speaking in what may be interpreted to be as not understanding what the Commissioners are asking.

David Loya has reasons for not being willing to commit. In e-mail correspondence with him over the past four months or so, he and I have discussed this. But we’ve been waiting. There needs to be some action, and some decisions.

Mr. Loya has said, on numerous occasions, that he looks to the Planning Commission and the City Council for direction.

I request the Planning Commission and the City Council to give him that direction.

In my view, there’s an impasse here. David Loya has stated, in his professional opinion, that without full Ministerial Review there’s no point in developing a Form-Based Code. The Planning Commission believes the opposite. Moreover, without seeing the Form-Based Code, we can’t even begin to have the conversation about what kind of review is appropriate.

Even more, the public has little idea what “ministerial review” is — or the implications on the future of Arcata. A vote or determination without public awareness is simply wrong.

## Summary of requests:

### **1. Revise the schedule**

Ask Planwest to revise this schedule, based on real-life considerations. Make the new schedule available to the public.

### **2. Which Tasks are still on the table?**

Determine which Tasks are in actuality being performed by Planwest. Make the new Task list available to the public.

### **4. The Form-Based Code and Ministerial Review**

Request Mr. Loya specify the direction he is seeking. Supply that direction. Pause discussion about the existing draft Gateway plan until we know if we're headed toward full Ministerial Review or not. Determine what conditions are needed for Planwest to develop and release an initial draft of the Form-Based Code. Determine an appropriate time period for public, Planning Commission, and potentially external review of the Form-Based Code, and request an appropriate new task schedule from Planwest regarding the Form-Based Code, if it is in fact to be developed by them.

Please do view the [Arcata1.com](http://Arcata1.com) website to read more about this issue and other issues.

Please feel free to contact me to initiate a dialogue on any of this.

Thank you.

Fred Weis