


## MEMORANDUM

**TO:** Transportation Advisory Commission

**FROM:** Vincent P. Bertoni, AICP, Director of Planning and Community Development Department 

**DATE:** July 24, 2013

**SUBJECT:** Matrix Management Study

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### Background

Matrix Consulting Group was contracted by the City to conduct an independent assessment of the City's development review process. Matrix specializes in providing extensive assessments of development review processes. They have conducted studies at the local, county and state levels across the Country. The consultant was directed to look at all aspects of the development review process and provide recommendations for improvement.

The resulting study prepared for the City of Pasadena provides a wide spectrum of 278 different recommendations and includes all departments and Commissions that are part of the development review process. The report also includes an analysis of the Permit Center functions, staffing and service within each division of the Planning and Community Development Department, and a study of how technology can be used to improve service and efficiencies. The recommendations are presented exactly as prepared by the consultant; no changes have been made by staff.

Matrix conducted a series of focus groups and interviewed the Mayor, City Council members, Commissioners, staff, residents, and applicants who have worked in the City. Recommendations were compiled for consideration by the City which, if implemented would result in a: a) streamlined development review process, Commission reviews and internal structures, b) enhanced customer service in the Permit Center, c) expanded use of new technologies and d) clearer long range planning efforts.

Recommendations that are specific to staffing, organizational changes and certain aspects of policy and process will be implemented by staff. Recommendations related to changes to Commissions, policy and process changes that require amendments to the Municipal Code and changes that require budget approvals will be selected by the City Council. Not all of the recommendations will be implemented; the final

recommendations will be implemented and approved by staff or the City Council. The process is seen as a multi-year effort to reach full implementation.

Recommendations for City Council Consideration:

There are a number of recommendations that modify Commissions structures or procedures contained in the Municipal Code. The City Council will review these recommended changes and those that require budget approvals. Chapter 11 "Analysis of the Commissions" is attached for your reference. This chapter of the study looks at all of the Commissions involved in the development review process. The entire report can be accessed electronically from the Planning and Community Development Department webpage at: <http://www.ci.pasadena.ca.us/PlanningandDevelopment/> (entitled "*Pasadena Development Review Study*" under General Interest).

There are no recommended changes to the Transportation Advisory Commission. There is a recommendation to the member structure of the Design Commission which could affect TAC representation. Specifically, the study recommends that the Design Commission be reduced from nine members to five (#257). The study also recommends that the Commission consist of not less than three members that are licensed architects and the remaining members be in a related field such as landscape architecture, urban planning, engineering etc. (#258).

Next Steps

The study has been presented to the Economic Development Technology Committee, the Design Commission, Planning Commission and the Environmental Advisory Commission. Staff will be making presentations to the Historic Preservation Commission, Code Enforcement Commission, Arts and Culture Commission, Transportation Advisory Commission and Northwest Commission this month and continuing through August. Informational presentations will also be made to neighborhood, community and business groups starting in the fall. Staff will return to the Planning Commission in late fall with a summary of all the various Commission's recommendations and seek a formal recommendation from the Planning Commission before presenting the changes to the City Council.

ATTACHMENT: Chapter 11 "Analysis of Commissions" from the Matrix Management Study

## **11. ANALYSIS OF COMMISSIONS**

This section presents an analysis of the Design Commission, Historical Preservation Commission, and Planning Commission and approaches that could be utilized by the Planning and Community Development Department to enhance the effectiveness of the Commissions.

**1. EACH OF THE COMMISSIONS SHOULD CONDUCT AN ANNUAL RETREAT WITH STAFF OF THE PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT.**

The Matrix Consulting Group recommends that a stronger relationship should be developed between staff and the Commissions.

The staff should conduct a retreat with each Commission annually. The purpose of the retreat is to enable the Commissions to get away from the ordinary routine and discuss strategic issues such as the annual work program, for example. One city's annual retreat agenda for its Planning Commission consisted of the following:

- The Commissions' role in implementing City Council policy;
- Variances and planned unit developments zoning regulations; and
- The code enforcement process, coordination with Planning and case studies.

Other cities utilize these annual retreats to discuss zoning regulations, the grounds upon which applications can be denied, transportation issues, etc.

Managerial and supervisory staff of the Planning and Community Development Department and the Planning Director should participate in this annual retreat with the Planning Commission, Design Commission and Historical Preservation Commission.

An important part of the annual retreat is to define the relationship between the Commissions and the staff of the Planning and Community Development Department.

This includes the expectations the Commissions have of staff and, similarly, what expectations staff has of the Commissions. Without discussing the expectations each has of the other, misunderstandings can result. This, in turn, can lead to publicly aired disagreements that reflect poorly on the City as a whole.

To develop better working relationships between the commissions, the City should conduct joint retreats sessions with the commissions not less than once every two years. The purpose of these joint work sessions is to discuss matters involving planning, land use, and community change management issues. A working dinner is a common approach. To avoid being haphazard and disjointed, an agenda should be developed by the Planning and Community Development Department and followed.

The Planning and Community Development Department should utilize an outside facilitator to keep this annual retreat on track, develop the agenda, coordinate the meeting, and conclude the retreat by developing an agreed upon list of actions or next steps.

**Recommendation #247: The Planning Commission, Design Commission and Historic Preservation Commission should each continue conduct annual retreats.**

**Recommendation #248: At the first annual retreat, the commissions and the staff of the Planning and Community Development Department should define the expectations the commissions have of staff and, similarly, what expectations staff has of the commissions.**

**Recommendation #249: The Planning and Community Development Department should use an outside facilitator to facilitate the annual retreats.**

**Recommendation #250: The Planning Commission, Design Commission, and Historic Preservation Commission should hold a joint retreat not less than once every two years.**

**2. NEW COMMISSION MEMBERS SHOULD BE PROVIDED WITH ORIENTATION, AND ALL MEMBERS SHOULD BE PROVIDED WITH ONGOING ANNUAL TRAINING AND EDUCATIONAL RESOURCES.**

Upon appointment, new members to the Planning Commission, Design Commission, and Historic Preservation Commission should be provided with an orientation by the Planning and Community Development Department. The chairpersons of the Planning Commission, Design Commission, and Historic Preservation Commission should also participate in this orientation of new members of the commission or the board.

This issue is so important that the states of Kentucky and Tennessee have passed legislation in the past few years that mandates orientation for new Planning Commissioners and continuing education for these commissioners (as well as staff).

The orientation that should be provided by the Planning and Community Development Department to new commission or board members should include such topics as the following:

- The legal basis for the Commission;
- The duties, roles and responsibilities of the Commission including the kinds of decisions that the Board and Commission make and the required legal basis for making those decisions;
- The structure and staffing of the Planning and Community Development Department and the duties, roles and responsibilities of staff;
- Recent significant issues, significant applications, and advanced planning program initiatives that the Commission and Council have considered;
- The general plan, the zoning ordinance, and design guidelines that have been developed by the City, and the overall planning and land use framework;
- The bylaws of the Commission and the Council, meeting management and procedures;

- Public participation both in terms of noticing and at Commission and Council meetings;
- CEQA and environmental issues;
- Sources of funding for the Planning and Community Development Department and the most recent adopted annual budget for the department – both revenues and expenditures;
- The most recent advanced planning work program adopted by the Commission and City Council; and
- Publications available from the Planning and Community Development Department.

In addition, the members of the Commissions and the Council should be provided with ongoing, annual training. Training should include attendance at the annual Planner's Institute sponsored by the League of California Cities as well as training developed by staff of the Planning and Community Development Department to cover topics that the Commission and Board identify as relevant.

In addition, each member of the Planning Commission, Design Commission, and Historic Preservation Commission should be provided with membership in the American Planning Association. The American Planning Association provides information specifically for Planning Commissioners including a Commissioner newsletter, a CD-ROM and video training package series for planning commissioners, audio training packages, a planning commissioner training resource center, a planners book service and a series of retreats at the annual American Planning Association annual conference, the monthly Planning magazine, and other relevant material. This membership is available at a discounted rate for "planning board" members.

**Recommendation #251: New Planning Commission, Design Commission, and Historic Preservation Commission members should be provided with orientation by the Community Development Department.**

**Recommendation #252: Planning Commission, Design Commission, and Historic Preservation Commission members should be provided with ongoing training of not less than four hours a year.**

**Recommendation #253: The members of the Planning Commission, Design Commission, and Historic Preservation Commission should be provided with membership in the American Planning Association.**

**3. THE CITY COUNCIL SHOULD CONDUCT A JOINT MEETING EACH YEAR WITH THE PLANNING, ARCHITECTURAL AND DESIGN REVIEW COMMISSIONS.**

It is extremely critical for the effective implementation of the general plan and the zoning ordinance that the City Council, the Planning Commission, Design Commission, and Historic Preservation Commission speak from the basis of a common vision for the city. This should be accomplished by a joint meeting of the City Council with the he Planning Commission, Design Commission, and Historic Preservation Commission on an annual basis.

**Recommendation #254: The City Council, the Planning Commission, Design Commission, and Historic Preservation Commission should conduct joint meetings at least annually.**

**4. THE RESPONSIBILITY FOR APPEALS ASSIGNED TO THE BOARD OF ZONING APPEALS SHOULD BE REASSIGNED TO THE PLANNING COMMISSION AND THE BOARD OF ZONING APPEALS ELIMINATED.**

The Board of Zoning Appeals is a quasi-judicial body whose responsibility is to hear and rule on appeals from determination of the Zoning Administrator involving requests for administrative relief from land use regulations. The Board meets once a month.

The Board of Zoning Appeals is largely limited to hearing appeals, but it is not typically the final appeal authority. Conditional use permits, density bonus concessions and other incentives, density bonus waivers of development standards, Long-Term Film

Agreements, Hillside Development Permits, Lot Line Adjustments, Minor Conditional Use Permits, Minor Variances, Modifications for persons with Disabilities, Sexually Oriented Business Hardship Extension, Sign Exceptions, tentative tract and parcel maps, variances, Wireless Telecommunications Facilities Permit Extension, and Wireless Telecommunications s can be appealed to the Board of Zoning Appeals, but can be further appealed to the City Council.

The Planning Commission could readily absorb the appeal workload of the Board, particularly with the use of a consent agenda,

The elimination of the Board would reduce the extent of separate noticing and advertising required by the Zoning Section.

**Recommendation #255: The Board of Zoning Appeals should be eliminated, and appeals from determinations of the Zoning Hearing Officer or Planning Director made to the Planning Commission.**

**5. THE RESPONSIBILITY FOR POLICY RECOMMENDATIONS IN SUPPORT OF THE CITY'S ENVIRONMENTAL CHARTER AND MONITORING AND GUIDING OF THE GREEN CITY ACTION PLAN SHOULD BE ASSIGNED TO THE PLANNING COMMISSION, AND THE ENVIRONMENTAL ADVISORY COMMISSION SHOULD BE ELIMINATED.**

The purpose of the Environmental Advisory Commission members is to advise the City Council and make policy recommendations in support of the goals and objectives of the City's Environmental Charter and monitor and guide the Green City Action Plan. The Commission has nine (9) members.

In 2011, the Commission met eight (8) times. The primary new business topics and reports and comments from staff of their meetings are presented below.

- January 18, 2011 – The new business consisted of support recommendations for City Council to adopt the Water Integrated Resource Plan. There were not any reports and comments from staff.



- February 15, 2011 – There wasn't any new business. Reports and comments from staff included the zero waste strategic plan update, an update on the CALGreen building code ordinance adoption, renewable energy procurement status, Pasadena Local Governments for Sustainability membership and five milestones for climate mitigation methodology, and an update on the single use bag ban.
- April 28, 2011 – The new business consisted of appointment of commissioner(s) to the Open Space and Conservation Element Committee and determining that the water supply storage no longer exists and thereby the level 1 water supply storage measures should be terminated. The reports and comments from staff included the FY 2010 draft indicators report, and a draft ordinance prohibiting the distribution of single use plastic carryout bags and establishing a charge for specified single use paper carryout bags.
- May 17, 2011 – The new business consisted of the adoption of the 2010 Urban Water Management Plan. The reports and comments from staff consisted of the General Plan Update, the Pasadena Complete Streets Initiative, and an update on the draft ordinance prohibiting the distribution of single use plastic carryout bags and establishing a charge for specified single use paper carryout bags.
- June 21 2011 - The new business consisted of the draft Commission FY 2011 annual report, the draft Commission 2012 work plan, and the annual water quality report for 2010. The reports and comments from staff consisted of an update on the draft ordinance prohibiting the distribution of single use plastic carryout bags and establishing a charge for specified single use paper carryout bags.
- July 19, 2011 – The new business consisted of the recommendation to adopt an ordinance prohibiting the distribution of single use plastic carryout bags and establishing a charge for specified single use paper carryout bags. The reports and comments from staff consisted of the scope of work and public hearing regarding the Integrated Resource Plan update and an update on the Los Angeles County Energy Program under AB 811.
- August 23, 2011 - The new business consisted of the recommendation to adopt an Open Space and Conservation Element of the General Plan and formation of an Energy Integrated Resource Plan Update Ad Hoc Committee. The reports and comments from staff consisted of the environmental review of the draft ordinance prohibiting the distribution of single use plastic carryout bags and establishing a charge for specified single use paper carryout bags.
- September 20, 2011- There wasn't any new business Reports and comments from staff included an update on the environmental review of the draft ordinance prohibiting the distribution of single use plastic carryout bags and establishing a

charge for specified single use paper carryout bags scheduled for the City Council consideration.

As of July 2012, the Commission has met four (4) times. The meeting for August 2012 has been cancelled.

Given that there does not appear to be sufficient workload to sustain this committee, and that much of the staff reports and agenda items considered by this Commission are only reconsidered by the Planning Commission (e.g., Open Space and Conservation Element) which itself is cancelling meetings due to a lack of workload (six meetings were cancelled in 2011), the Environmental Advisory Commission should be eliminated. The roles and responsibilities of that commission should be assigned to the Planning Commission.

**Recommendation #256: The Environmental Advisory Commission should be eliminated, and the Planning Commission assigned responsibility for policy recommendations in support of the City's environmental charter and the monitoring and guiding of the Green City Action plan assigned to the Planning Commission.**

**6. THE MEMBERSHIP OF THE DESIGN COMMISSION SHOULD BE MODIFIED.**

The Design Commission serves as an advisory to the City Council on the establishment of design standards, criteria, concepts and policies for the implementation of public and private projects. Reviews projects for the purpose of creating uniform design concepts and to ensure the maintenance of design excellence.

The Design Commission has nine (9) members. The Mayor nominates five (5) members from persons recommended by the other seven (7) Councilmembers. Four (4) other members are appointed by other commissions: one (1) member is appointed by the Arts and Culture Commission, one (1) member by the Transportation Advisory Commission,

one (1) member by the Historic Preservation Commission, and one (1) member by the Planning Commission.

The focus groups, conducted as part of this study by the Matrix Consulting Group, indicated that membership of the Commission was an issue. Members of the Commission raised this issue themselves. The specific comments discussed during the focus groups are presented below.

- “Reduce the number of commissioners on the Design Commission.”
- “Not sure that four architects on the Design Commission is enough, or whether the non-architect members should be required to meet some minimum qualifications.”
- “The Design Commission has a Planning Commissioner, an Arts Commissioner and community representatives. This representation of people without architectural backgrounds is not helpful.”
- “A smaller membership on the Design Commission would be helpful.”

The number of commissioners on the Design Commission is much larger than other cities.

- **Santa Monica.** The Architectural Review Board in Santa Monica consists of seven (7) members. At least two (2) of the members are required to be professional licensed architects. Other members of the Board are required to be persons who, as a result of their training, experience, and attainments, are qualified to analyze and interpret architectural and environmental trends and information, etc.
- **Glendale.** The Design Review Boards in Glendale consist of five (5) members. The membership of the Board is required to consist of at least one (1) member who is a licensed architect. Other members of the board are required to be persons who, as a result of their training, experience and attainments are qualified to analyze and interpret architectural and site planning information, including, but not limited to, licensed landscape architects, urban planners, engineers and builders / developers.
- **Beverly Hills.** The Architectural Review Commission consists of five (5) members. At least one (1) of the members is required to be appointed from each of the following disciplines: building construction, architecture, landscape

architecture, and visual and graphic design, and at least three (3) members shall be laypersons.

- **Palo Alto.** The Architectural Review Board in Palo Alto is composed of five (5) members, at least three of whom are architects, landscape architects, building designers or other design professionals.

The membership of the Design Review Commission should be reduced from its current nine (9) members to five (5) members. The membership should be modified so that it consists of not less than three (3) members should be are licensed architects. The other two (2) members should be persons who, as a result of their training and experience are qualified to analyze and interpret architectural and site planning information, including, but not limited to, licensed landscape architects, urban planners, or engineers.

**Recommendation #257:** The membership of the Design Review Commission should be reduced from its current nine (9) members to five (5) members.

**Recommendation #258:** The membership of the Design Review Commission should be modified so that it consists of not less than three (3) members should be are licensed architects. The other two (2) members should be persons who, as a result of their training and experience are qualified to analyze and interpret architectural and site planning information, including, but not limited to, licensed landscape architects, urban planners, or engineers.