
Planning Commission Agenda Item 5A

From Sutter Creek CA <noreply@civicplus.com>

Date Mon 1/13/2025 4:23 PM

To Tom DuBois <tdubois@cityofsuttercreek.org>

Name: Susan Peters

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Message: Honorable Mayor and Members of the City Council and Planning Commission, I'm writing today in response to City Manager DuBois' January 13, 2025 staff report regarding Planning for Joint Session with City Council. As a long-time Sutter Creek resident and professional Planner, I have serious concerns regarding the appearance that the City Manager is urging the Planning Commission to essentially take positions on developments prior to hearing two subdivision applications. The role of the Planning Commission is, without prejudice (Public Resource Code Section 21005), to review development applications for consistency with the City's Zoning and General Plan and either approve, deny or make recommendations to the City Council based on the information they have been provided. The Planning Commission's role is not simply to "assist" the City Council, or to "receive direction from the Council to insure they are aligned." In fact, the Planning Commission's role is to sit as a quasi-judicial body which is responsible for the orderly implementation of environmental review pursuant to the California Environmental Quality Act (CEQA). CEQA requires that all development decisions are made based solely on evidence and documentation in the public record, and without prior prejudice. It is a violation of law for any Planning Commissioner to decide on a development project based on prior knowledge of information not in the public record. Economic considerations (e.g. "the City needs revenue therefore it must need this project") must not be a part of the Planning Commission's decision making process. The staff report states that there are two subdivision projects in the early planning process, explains the City's need for various improvements which are overdue due to a lack of capital, and then describes a process of securing community benefits from developers to address its various needs. The Planning Commissioners are then queried about their personal viewpoints on growth and development, and whether or not growth "is one of their priorities". Such coaching from staff gives the appearance of a prejudice toward development as long as it comes with community benefits and capital, and risks suggesting to the public that development of any type and scope is welcome, proper and thorough environmental review pursuant to CEQA notwithstanding, provided the developer opens wide his or her checkbook. Please understand that I'm not writing this because I have a personal position on either of the projects discussed in the City Manager's staff report. I have not seen either application or do I know any of the project specifics. I'm writing today because I'm concerned that this "position seeking" workshop will potentially expose the City of Sutter Creek, the City Council and especially the Planning Commission to allegations from the public of due process and ethics violations. It's extraordinarily important that the public trust the development review process – this staff report is breaking that trust before the entitlement process has even started. Thank you for your consideration and please reach out if you have any questions. Sincerely, Susan M. Peters, AICP 209.304.7406 smpaicp@gmail.com