IN THE TRENCHES WITH YOUR GENERAL PLAN
GENERAL PLAN 101
Nature of the General Plan

The general plan is often described as a **blueprint** or **constitution** for land use, development and resource decisions.

**A Vision for Cupertino**

Cupertino aspires to be a **balanced community** with quiet and attractive residential neighborhoods; exemplary parks and schools; accessible open space areas, hillsides and creeks; and a **vibrant, mixed-use “Heart of the City.”** Cupertino will be safe, friendly, healthy, connected, walkable, bikeable and inclusive for all residents and workers, with ample places and opportunities for people to interact, recreate, innovate and collaborate.
Minimum Requirements

- Comprehensive
- Long-term planning horizon (20-25 years)
- Identified planning area
- Internal consistency
Land Use Planning Hierarchy

GENERAL PLAN

SPECIFIC PLANS
ZONING
Discretionary/Legislative

SUBDIVISION MAPS
CONDITIONAL USE PERMITS
VARIANCES
Discretionary/Quasi-Adjudicatory

BUILDING PERMITS
GRADING PERMITS
Ministerial

Long-Term
More General

Short-Term
More Detailed
**Required General Plan Elements**

- **Land Use Element**: Identifies how land can be used and distributes those uses.
- **Circulation Element**: Identifies transportation and mobility solutions for all modes of travel.
- **Housing Element**: Addresses housing issues and projects future housing needs.
- **Open Space Element**: Details plans for open land preservation and parks.
- **Conservation Element**: Addresses the conservation and development of natural resources.
- **Safety Element**: Establishes programs to protect communities from natural hazards.
- **Noise Element**: Identifies noise issues in the community and addresses their impacts on sensitive uses.
- **Environmental Justice Element**: Ensures all people are treated fairly by land use decisions.
Basic Structure

Background Information

Policy (text + diagrams)

Implementation Programs
Consistency with the General Plan

- There are over **20 types of approvals and actions** that must be consistent with the General Plan
- CEQA review of projects **requires** a General Plan consistency analysis

- Specific Plans
- Zoning
- Conditional Use Permits
- Development Agreements
- Development Projects
- Capital Improvement Programs
- Public Works Projects
- Open Space Zoning
- Acquisitions
- Disposals
- Easements
- Reserving Land For Public Uses (Police/Fire Stations, Parks)
- Road/Utility Rights-of-Way
Inadequate General Plan Consequences

- **Court order** to fix the General Plan
- **Limits** on future development
- **Vulnerability** of past approvals
- Attorney’s **fees**
GENERAL PLAN AMENDMENTS AND UPDATES
General Plan Amendments

- The State encourages general plans to be current and relevant
- However, cities and counties are limited to four amendment “cycles” per year
General Plan Updates

- While amendments are good, general plans typically require more comprehensive updates every 15 to 20 years.
- General plan updates are opportunities to engage the community, confirm the long-term vision and fully update, analyze and evaluate all parts of the document.
RECENT CONTENT REQUIREMENTS
Complete Streets (AB 1358)

Requires Circulation Elements to include a plan for a balanced, multi-modal transportation network to meet the needs of all modes of transportation and users.
Climate Change (AB 32, SB 97, S-13-08)

Requires local jurisdictions to identify ways to reduce greenhouse gas emissions to 1990 levels by 2020 through land use and mobility policy and programs.
Sustainable Communities Strategies (SB 375)

Links land use, transportation and housing planning to greenhouse gas reductions strategies, and requires regional coordination.
Flooding (AB 170/SB 5)

Requires local jurisdictions to:

• **Identify** areas subject to flooding
• **Consider** the location of natural resources used for groundwater recharge and stormwater management
• **Include** flood hazard information
• **Exclude** housing from areas not adequately protected from flooding
Healthy Communities

While not a legal requirement, addressing community health through the general plan is a growing trend:

• Walkable neighborhoods
• Access to healthy foods
• Parks and recreation
• Healthy schools and nutrition
• Health care access
• Worksite wellness
Environmental Justice (SB 1000)

Requires the fair treatment of people of all races, cultures and incomes with respect to the development, adoption, implementation and enforcement of the general plan.

Includes specific requirements to address EJ when revising two or more General Plan elements and when disadvantage communities have been identified.
Housing (over 15 new laws enacted in 2017)

- Population has almost reached 38 million
  - US Census, 2017

- World's 6th largest economy
  (ranked between the UK and France)
  - International Monetary Fund, 2016

- The State has around 16 million jobs and 14 million housing units
  - US Department of Labor and California Department of Finance, 2017
“California builds around 125,000 housing units a year. The LAO said the state probably needs **100,000 additional units** annually, **almost exclusively in coastal communities**, to dent the housing shortage. People with the good fortune to have bought in coastal California **like it how it is**. Understandably, the greater good is someone else’s problem...”

- Sacramento Bee, August 19, 2017
Historic 2017 State “Housing Package”

1. **Strengthen** housing element requirements to identify adequate sites
2. **Connect** requirement to identify adequate sites to approval of housing development
3. **Monitor** housing element implementation
4. **Enable** Housing Accountability Act
5. **Authorize** inclusionary rental housing ordinance
6. **Provide** state funding for planning and housing production
Affordable Housing Streamlining (SB 35)

Allows a ministerial permit instead of discretionary review if a project/developer meets the following:

• The site is **suitable for development** and adjoins urban uses

• The project **includes affordability requirements** and a determined percentage of affordable units

• The project is **consistent with local zoning** and design review requirements

• The construction workers for the development will be paid with at least general **prevailing wages**
What’s Next...?

**Developer tries to fast-track housing at Vallco Mall under new state law**

Plan includes 2,402 housing units

**Berkeley housing development first to seek fast-track under controversial new state law**

A 500-unit rental-only affordable and workforce proposal for West Berkeley in a controversial new law aimed at fast-tracking approvals of residential developments.

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**IN THE TRENCHES WITH YOUR GENERAL PLAN • LEAGUE OF CALIFORNIA CITIES PLANNING COMMISSIONERS ACADEMY**
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