

Planning Commission 101: The Nuts and Bolts of Planning



League of Cities 2018: Planning Commissioners' Academy | April 4, 2018

Panelists

- » **David Early**, AICP, Senior Advisor, PlaceWorks
- » **Marc Roberts**, City Manager, City of Livermore
- » **Bill Anderson**, Director of City and Regional Planning, AECOM
Former Planning Commissioner, City of San Diego

Topics

- » Source of Power to Regulate Land Use
- » General Plans
- » Zoning
- » California Environmental Quality Act (CEQA)
- » Role of the Planning Commission

Land Use Regulation

- » Arose from “good government” movements as a response to unsanitary urban conditions
- » Embodied desire to rein in private market excesses through government regulation
- » Based on local government’s Police Power:
health, safety and welfare



Key Milestones -- Nationwide

- » 1909 Los Angeles imposes first zoning ordinance limiting industrial uses (not comprehensive)
- » 1916 New York imposes first comprehensive zoning ordinance
- » 1922 Standard State Zoning Enabling Act (SSEA)
- » 1926 Euclid v. Ambler – upholds constitutionality of zoning



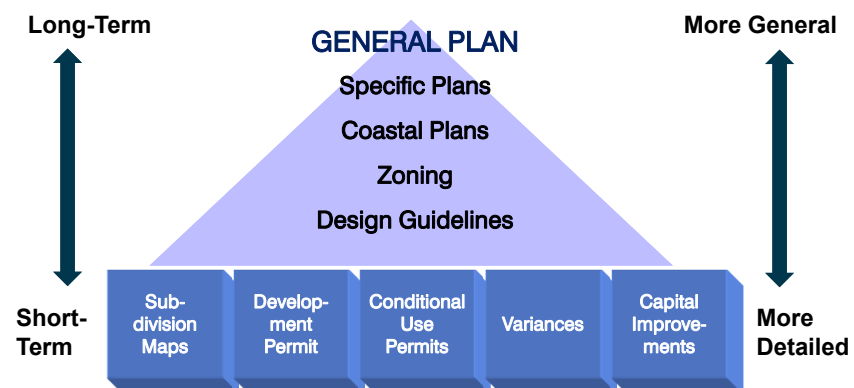
Key Planning Milestones -- California

- » **California has long been a leader in planning and land use regulation:**
 - 1927 California passes law requiring that cities and counties have a Master Plan
 - 1928 Standard City Planning Enabling Act (SCPEA)
 - Zoning and planning laws have changed faster in California than the rest of the country due to rapid growth

Land Use Regulation Today

- » **Only two planning terms are defined in California law:**
 - **General Plans** lay out a jurisdiction's future development plans through a series of policy statements in text and map form
 - **Specific Plans** are a special set of development standards that apply to a particular geographical area
 - **Zoning** provides detailed land use and design regulation.
 - Other planning documents include Master Plans, Area Plans, Vision Plans, etc., but these are not defined in the law.

Policy Plans and Regulations



General Plans

- » Bedrock of California planning; required by State Law
- » The “constitution” for planning and development
- » 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

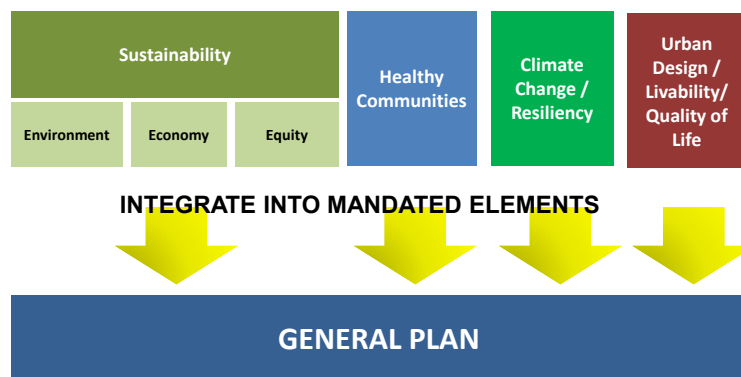
Required General Plan Elements



Additional General Plan Topics

- » Community Character / Design
- » Public Health
- » Economic Development
- » Public Facilities and Services
- » Parks and Recreation
- » Implementation

Policy Plans and Regulations: What's New



General Plan Content



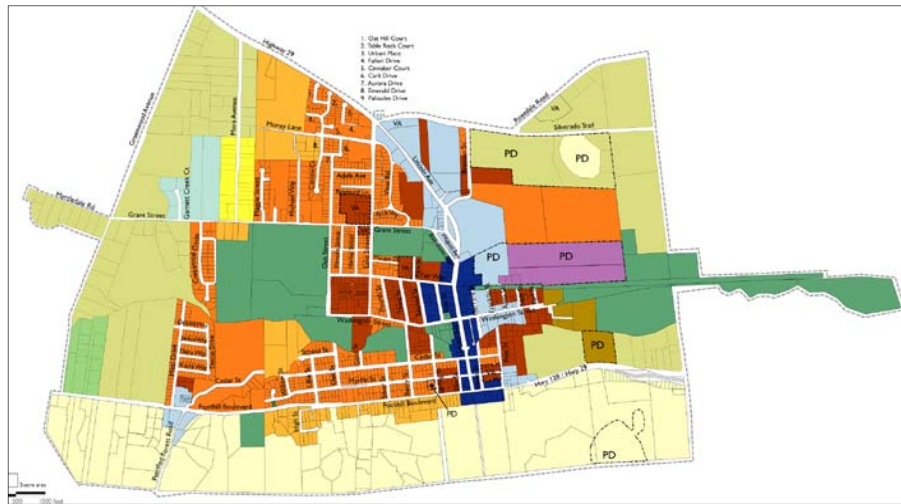
- » **Vision**
 - Aspirational statements describing the desired, positive future for the community.
 - An image of the future that the community wishes to create.
 - Succinct description of community values.
- » **Goals**
 - Ideal future end that is an expression of community values. May be abstract.
 - Not quantifiable or time-dependent.
- » **Objectives**
 - Intermediate or achievable steps to
 - Generally quantifiable, with achievement desired in a set period of time.

General Plan Content

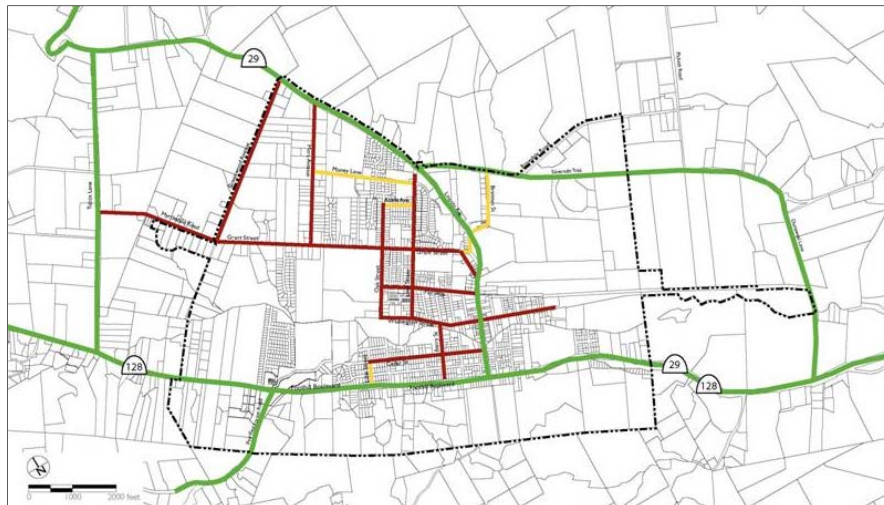


- » **Policies**
 - Specific statement that guides decision-making.
 - Rule or measure establishing a required level of quality or quantity to be fulfilled by others.
- » **Actions (Implementation Programs)**
 - Action, procedure, program, or technique that carries out a general plan policy
- » **Indicators**
 - Measures that show whether the community is achieving its goals and objectives.

Typical General Plan Land Use Plan



General Plans – Typical Circulation Map



Housing Element

- » Updated based on schedule in State law (4 or 8 years)
- » Certified by the State's Department of Housing and Community Development
- » Annual report to the State on implementation
- » **Required Contents**
 - Regional Housing Needs Assessment (RHNA)
 - Housing need by income category
 - Specific sites zoned for housing
 - Policies to facilitate housing development
 - Actions to remove barriers to housing production

Zoning

- » Ordinance that implements and is consistent with General Plan policies
- » Prescribes allowable land uses and development standards including:
 - Building uses.
 - Building size (height, lot coverage and setbacks).
 - Landscaping.
 - Signs and billboards.
 - Parking requirements.
 - Other performance standards.

Zoning

» Traditional “Euclidean” Zoning

- Based on identification and separation of uses.
- Focuses on:
 - Uses
 - Intensity
 - Setbacks
 - No emphasis on building form

Form Based Zoning

- » Based on building form and design.
- » Focuses on:
 - Building design and mass.
 - Building scale, type and context.
 - Relationship of buildings to public space.
 - Design of streets and public realm.
- » Key Components
 - Building form.
 - Building frontage.
 - Building type.
 - Roadways.
 - Public spaces.
 - Architectural detail.

DEFINITION A detached home is a residential structure occupied by a single family.

Lot Dimensions

- Width: 20 to 40 feet
- Depth: 30 to 40 feet

Driveway and Vehicle Access

- The main entry to a home shall be through the front yard.
- For homes served by an alley, vehicle access to the house shall be provided through the alley where possible.
- Vehicle garages may be attached to or detached from the main structure.

Landscaping

- A pathway shall be provided from the public sidewalk to the front entry of the home.
- Maximum percentage of yard area landscaped with grass shall be 75%.
- Maximum amount of impervious surface on front and rear yard areas: 10%.

Forming and Scale

- Building massing shall be oriented towards the front street.
- Building massing shall be varied through techniques such as stepped eaves, low windows, porches, and other variations in roof form and varying planes of setbacks.
- Facades shall be broken into smaller components through elements such as windows and porches.
- Maximum height: 10 feet and stepped back upper stories.
- Minimum setback of garage from primary front facade of home: 3 feet.

EXHIBIT 11-10

City of Orem, Utah

California Environmental Quality Act (CEQA)

Goals

- Inform decision-makers about environmental effects.
- Identify ways to avoid environmental damage.
- Prevent avoidable environmental damage.
- Disclose to the public why a project is needed, even if it results in environmental damage.
- Foster intergovernmental cooperation.
- Enhance public participation in decision-making.

Purpose of Environmental Documents

- » Informational document that analyzes potential effects, tradeoffs and mitigation when considering a project.
- » Identifies potential impacts, and where possible, mitigation measures City can apply to prevent or eliminate impact.
- » Disclosure document vs. legislative document.
- » Does not prohibit a jurisdiction from adopting a project.

What Kind of CEQA Document?

- **Categorical Exemption**
 - Minor changes that do not trigger environmental review.
- **Initial Study (IS)**
 - Determines whether the project may have a **significant effect** on the environment (also known as “the checklist”).
- **Negative Declaration (ND)**
 - If project found to have no significant effect on the environment.
- **Mitigated Negative Declaration (MND)**
 - If IS shows effect, a MND may be prepared if revisions to project plans can avoid or mitigate effects.
- **Environmental Impact Report (EIR)**
 - If IS identifies potential significant effects that cannot be eliminated through redesign.

Role of the Planning Commission

- » **Creation Process**
 - Participate in the development of the General Plan, Housing Element, and/or Zoning Code
 - Facilitate community engagement
 - Conduct study sessions and other forums



Role of the Planning Commission

» Approval/Amendment Process

- Review General Plan, Housing Element, and Zoning Code.
- Conduct public hearings.
- Make recommendations to the Board/City Council.



Role of the Planning Commission

» Implementation Process

- Individual development project review
 - Site and Architectural Permits
 - Conditional Use Permits
 - Other
- Consistency with the General Plan and Zoning Code
- Public hearings



» Project approval (Quasi-Judicial Action)

A Good Planning Commissioner Should:

- » Know your community and bring special expertise to the Commission
- » A good Commissioner should also have:
 - An open mind to listen to new ideas.
 - An ability to see both the strengths and weaknesses of proposals.
 - Critical thinking skills leading toward finding solutions when working with others.
 - Willingness to spend the time required to study materials and attend regularly.
 - Commitment to making the process fair to all.
 - Faith in the future and the ability of the community to shape that future.

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Planning Commission 101

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