Planning Commission 101:
The Nuts and Bolts of Planning

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 (SZEA)

» 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 (SPEA)
  • 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.

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**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**

- LAND USE
- HOUSING
- CIRCULATION
- CONSERVATION
- OPEN SPACE
- NOISE
- SAFETY
**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**

- Sustainability
- Healthy Communities
- Climate Change / Resiliency
- Urban Design / Livability / Quality of Life

INTEGRATE INTO MANDATED ELEMENTS

GENERAL PLAN
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.

» 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.
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.

» 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.