

Planning Commission 101:

The Nuts and Bolts of Planning



League of Cities 2019: Planning Commissioners' Academy | March 6, 2019

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 (SZA)
- » 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 plan types 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.**

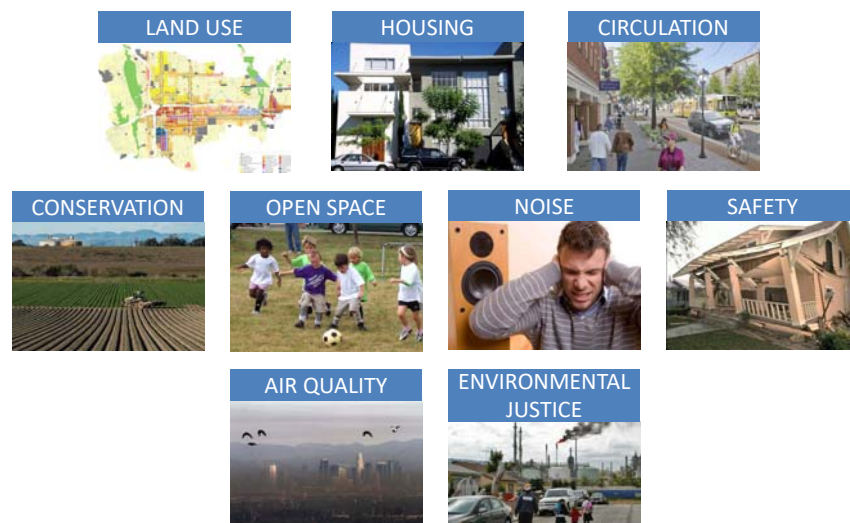
Policy Plans and Regulations



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

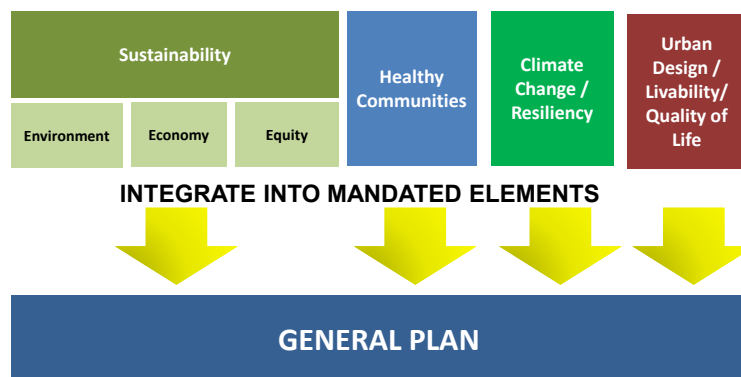
Required General Plan Elements



Additional General Plan Topics

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

Additional General Plan Topics



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.

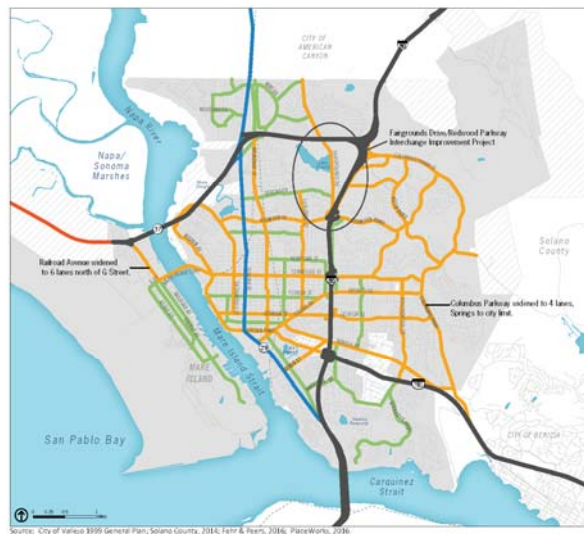
Typical General Plan Land Use Plan



League of Cities 2019: Planning Commissioners' Academy

Planning Commission 101

General Plans – Typical Circulation Map



Source: City of Vallejo 1999 General Plan, Solano County, 2014, Feit & Teitz, 2016, PlaceWorks, 2016

League of Cities 2019: Planning Commissioners' Academy

Planning Commission 101

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

SB 2 & Technical Assistance

- » SB 2 establishes a permanent source of funding to increase affordable housing stock in California.
- » Half of the first year funding (\$125 million) for financial and technical assistance to update planning documents to streamline housing production.
- » Funds distributed on an "over the counter" non-competitive basis
 - Application form will be released March 29th 2019.
 - Applications can be submitted April 1st through November 29th 2019.
- » PlaceWorks will be providing technical assistance to applicants.
- » Additional funds may be available for larger projects on a competitive basis later in 2019

SB 2 & Technical Assistance

» Eligible projects:

- Targeted General Plan updates
- Community Plans and Specific Plans
- Zoning updates, particularly by-right zoning for housing
- Objective design standards
- Accessory dwelling unit regulations
- Environmental analyses that eliminate the need for project-specific review
- Process updates to improve and expedite local permitting
- Other planning projects that will directly enhance housing production

SB 2 & Technical Assistance

» Eligible funding amounts:

- Population less than 60,000: \$125,000 grant
- Population 60,000 to 200,000: \$250,000 grant
- Population over 200,000: \$500,000 grant

» Eligibility criteria:

- Certified Housing Element
- 2017 or 2018 Annual Progress Report submitted to HCD

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.

CEQA Documents

- » **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

- General Plan Elements.
- Specific Plans and other specialized plans.
- Zoning Code.

- Review.
- Conduct public hearings.
- Make recommendations to the 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.

Planning Commission 101: The Nuts and Bolts of Planning



League of Cities 2019: Planning Commissioners' Academy | March 6, 2019