Policy Role in Land Use Planning

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IMAGINE...AT YOUR FIRST MEETING
A BRIEF INTRODUCTION TO PLANNING

• Seeing the future is hard
• The public believes the future is now
• All planning is local
TOOLS OF THE TRADE

GENERAL PLAN
SPECIFIC PLANS
ZONING
OTHER REGULATIONS & TOOLS
CEQA
GENERAL PLAN

- Vision for the City
- Mostly very long term
- Expensive to change
- Not very nimble
REQUIRED GENERAL PLAN ELEMENTS

1. Land Use
2. Circulation
3. Open Space
4. Conservation
5. Housing
6. Noise
7. Safety

Depending on Circumstances

1. Environmental Justice
2. Air Quality
EXAMPLES OF “OPTIONAL” ELEMENTS

• Parks and Recreation
• Sustainability
• Public Health
• Economic Development
• Public Facilities and Services
• Implementation
SPECIFIC PLANS

Implements the goals and policies of the General Plan for a specific area

Contains standards for land use densities, streets, and other public facilities in greater detail than the general plan map and text
ZONING

The pointy end of the stick.

- The General Plan’s implementation tool
- Divides the city into various zoning districts
- Identifies different land uses permitted and allowed in each district
ZONING

Establishes Detailed Standards

- Building uses
- Building size (height, lot coverage and setbacks)
- Landscaping
- Signs and billboards
- Parking requirements
- Other performance standards
OTHER TOOLS

- DESIGN STANDARDS
- SUBDIVISION REGULATIONS
- CONDITIONAL USE PERMITS
- DEVELOPMENT PERMITS
- SPECIAL OVERLAYS
- VARIANCES
## THINGS THAT MAKE YOU GO HUH?

<table>
<thead>
<tr>
<th>Policy</th>
<th>Staff Perspective</th>
<th>Developer Perspective</th>
<th>Commissioner Perspective</th>
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<td>Importance of Zoning</td>
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OBJECTIVE VS. SUBJECTIVE STANDARDS

Advance Planning Pays Off

- Design Guidelines are Negotiable
- Design Standards are Not (normally)
- Discuss the look and feel of a land use before an application
- Pay the most attention to edges
- Write it all down
WHAT DO THESE TWO HAVE IN COMMON?
THEY BOTH HAVE A DENSITY OF 30 DUA (DWELLING UNITS PER ACRE)

175 x 165 building
- 3 stories
- 60 units
- X 3 blds
- 180 units total
- 30 units/ acre

50 x 65 building
- 2 stories
- 5 units
- 29 units/ acre
DENSITY — NOT A SILVER BULLET

EXAMPLE – LA County Site

Land Cost 3mm Acre

Highest and Best Use
12 Du/Ac

Net Revenue Vs Density

<table>
<thead>
<tr>
<th>Density</th>
<th>Per Unit</th>
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<tr>
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<td>2-Story Town</td>
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<td>8-Pack</td>
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<td>Zero Lot Line</td>
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<tr>
<td>Small Lot</td>
<td>70,000.00</td>
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PLANS ARE POLICIES and policies, in a democracy at any rate, equals politics. The question is not whether planning will reflect politics but whose politics will it reflect?

• Opposition to a new policy renders it bad; A new policy with no opposition is good, right? Wrong.

• Knowledge and information will make you a better policy maker. The League of Cities has a plethora of information related to the topics discussed today.

• Change is hard because people overestimate the value of what they have—and underestimate the value of what they may gain by giving that up.
OTHER TOOLS

• DESIGN STANDARDS
• SUBDIVISION REGULATIONS
• CONDITIONAL USE PERMITS
• DEVELOPMENT PERMITS
• SPECIAL OVERLAYS
• VARIANCES
TIPS

• Listen to your staff, you pay them to help
• Not all experts are right
• Not all opponents are wrong
• Don’t be afraid to change your mind
• Mind reading is rare, tell staff what you want
• Ask questions
• Sometimes you must decide without answers to all your questions

...and finally,...
Intent of CEQA
Why does it take so long and cost so much?
Mitigation Measures
How to read an EIR
Showing your work
Tips to a speedy CEQA process…Really!
INTENT OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

- To provide objective information regarding the environmental consequences of a proposed project to the decision makers who will be reviewing and considering the project.

- To provide the public and applicable regulatory agencies the ability to participate in the public decision-making process and comment on the environmental effects of a proposed project (based on established thresholds).
THE NEW AGE OF CEQA STREAMLINING

- Declaring of Certain Projects Ministerial
- Exemptions and Addendums
- Tiering from existing EIR
- Supplemental EIR
PAPERWORK IS NOT THE PURPOSE

Digital Docs are Still Too Long!

- Reports on solutions to environmental impacts of the project
- Provides environmental alternatives
- No requirement to speculate (on some things)
- Not an advocacy document
- Not an exhaustive study
- Not Perfect
- Not a ‘worst-case’ analysis
WHY DOES CEQA TAKE SO LONG?

• Incomplete project information
• Changing project information
• Statutory review periods
  • 30 – days IS/MND
  • 85 – days EIR
• Timing of Technical Studies
• Having to solve the problem

Are you still reading the EIR?
LATE HITS

• A “late hit” = lengthy comment arriving just before a decision on a project.
  • Intentional delays to review comments
  • Delays decision by requesting additional studies after the CEQA document has been completed

• They happen so don’t let the late hit derail your process.
  • Give your staff time to review
  • Don’t be afraid to postpone a decision
  • Don’t be afraid to make a decision
WHAT TO READ FIRST...

• Final EIR & Errata
• Project Description
• Comment Letters & Responses
• Findings
• Staff Report

What to Skim
• Introduction & Setting
• Methodology & Thresholds
EIR MYTHS

• The EIR will stop the project.
• The EIR will tell me how to vote.
• The EIR will be more expensive than a mitigated negative declaration.
• The EIR will take longer and than a mitigated negative declaration.
• The EIR will be more thorough than a ND/MND.
• The EIR will be challenge-proof.
FINAL THOUGHTS

• All microphones and cameras are on.
• Someone who isn’t your friend will see that email/text.
• The EIR is not the project.
• Yes, you have read the EIR.
• A project can be environmentally sound… and still a bad idea.
• A project can impact the environment… and still be a good idea.
• The answer to any planning question is always “it depends”.
QUESTIONS?

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And in this diagram we see how Planning and CEQA works. Any Questions?