Policy Role in Land Use Planning

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New Mayors & Council Members Academy
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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
• Becoming Less General
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
• Euclidian and Form-Based (hybrid too)
EUCLIDIAN ZONING

Establishes Detailed Standards

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

Establishes Detailed Standards

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OTHER TOOLS

• OBJECTIVE DESIGN STANDARDS
• SUBDIVISION REGULATIONS
• CONDITIONAL USE PERMITS
• DEVELOPMENT PERMITS
• SPECIAL OVERLAYS
• VARIANCES
HOUSING KPI %
3 SITES | 3 COUNTIES | 3 DISTINCT DEVELOPMENTS
Total Cost & Revenue by Project & Per Unit

3 SITES | 3 COUNTIES | 3 DISTINCT DEVELOPMENTS

Land Cost  | Total Revenue  | Total Cost  | Per Unit Land  | Per Unit Revenue

A: 55 UNITS
B: 73 UNITS
C: 151 UNITS
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
A FEW THINGS TO KEEP IN MIND

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 California 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.
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).
IMPORTANCE — FOR NOW ANYWAY

CEQA

Planning
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
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 but don’t let them derail the 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 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.
• 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.
• Someone who isn’t your friend will see that email/text about the project.
• The answer to any planning question is always “it depends”.