



Policy Role in Land Use Planning

Eric Nelson

Planning Commissioner
City of Dana Point

Mark Teague, AICP

Principal Advisor Land Use &
Environmental Strategies
PlaceWorks

Mayors & Council Members Academy

January 22, 2026 : 9:00 AM

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 (YES, SERIOUSLY!)

GENERAL PLAN

- Vision for the City
- Mostly very long term
- Becoming Less General
- Keep it Current



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

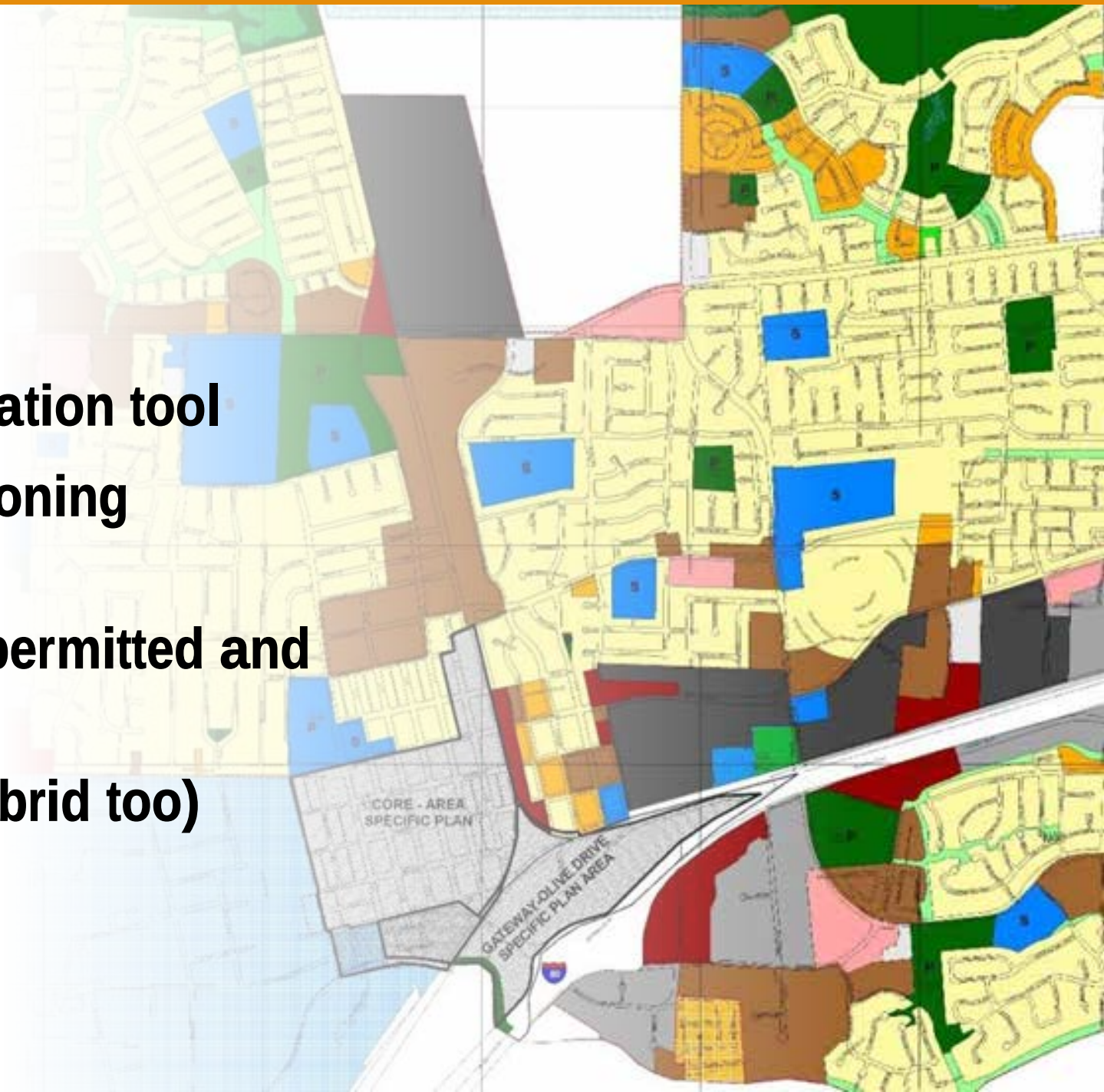
Implements the goals and policies of the General Plan for a specific area

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.

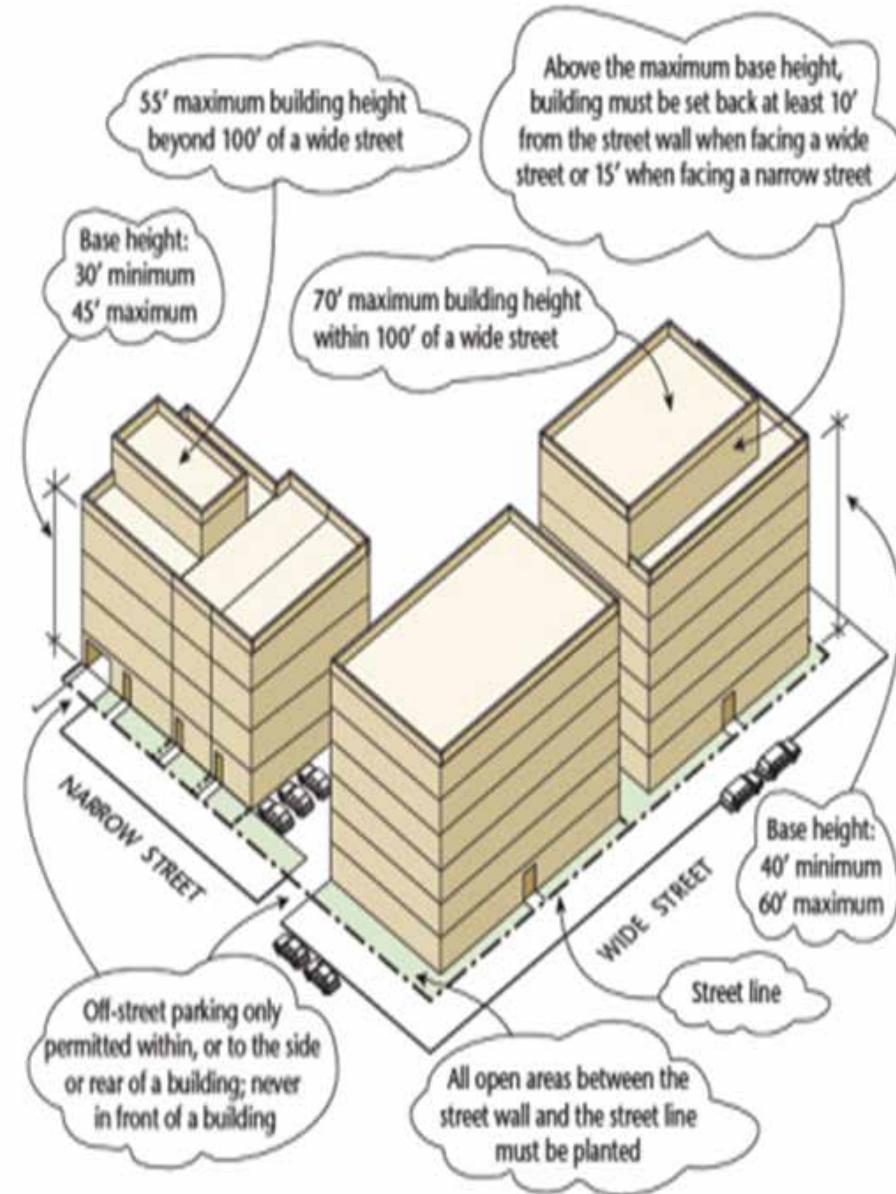
- **The General Plan's implementation tool**
- **Divides the city into various zoning districts**
- **Identifies different land uses permitted and allowed in each district**
- **Euclidian and Form-Based (hybrid too)**



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

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

Main Street-Medium (MS-M)

40.13.120 Main Street-Medium



A. Intent

A walkable, vibrant district of medium footprint, moderate-intensity mixed-use buildings and housing choices from Main Street Buildings to Courtyard Buildings and Townhouses, supporting and within short walking distance of neighborhood-serving ground floor retail, food and services, including indoor and outdoor artisanal industrial businesses.

The following are generally appropriate form elements in this zone:

Medium Building Size

Primarily Attached Buildings

Medium Building Site Width

Medium Building Footprint

Small-to-None Front Setbacks

Small-to-None Side Setbacks

Up to 4 Stories; Up to 5 stories, see

Figure 40.13.070.A (Zoning Map).

Min. 14' Ground Floor Ceiling Height

Forecourts, Shopfronts, Terraces, Galleries, Arcades

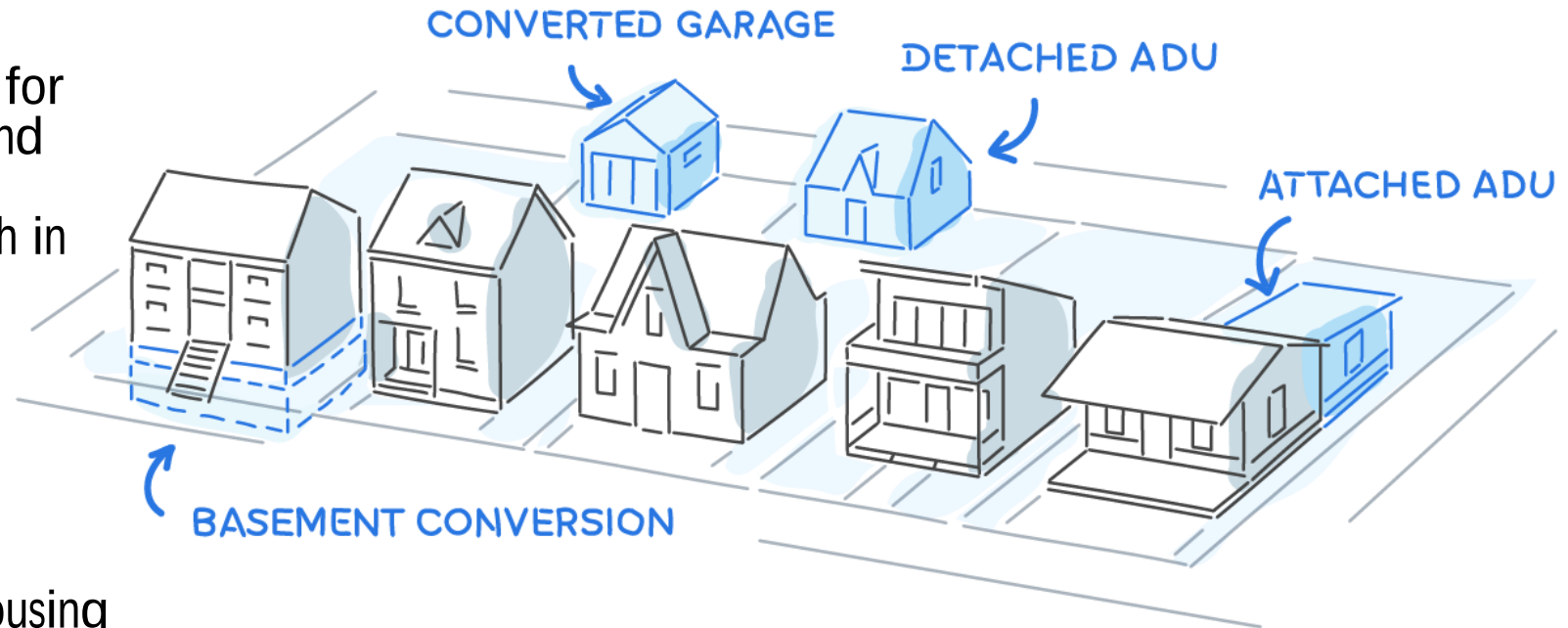
B. Sub-Zone(s)

None

General note: The image above is intended to provide a brief overview of this form-based zone and is illustrative.

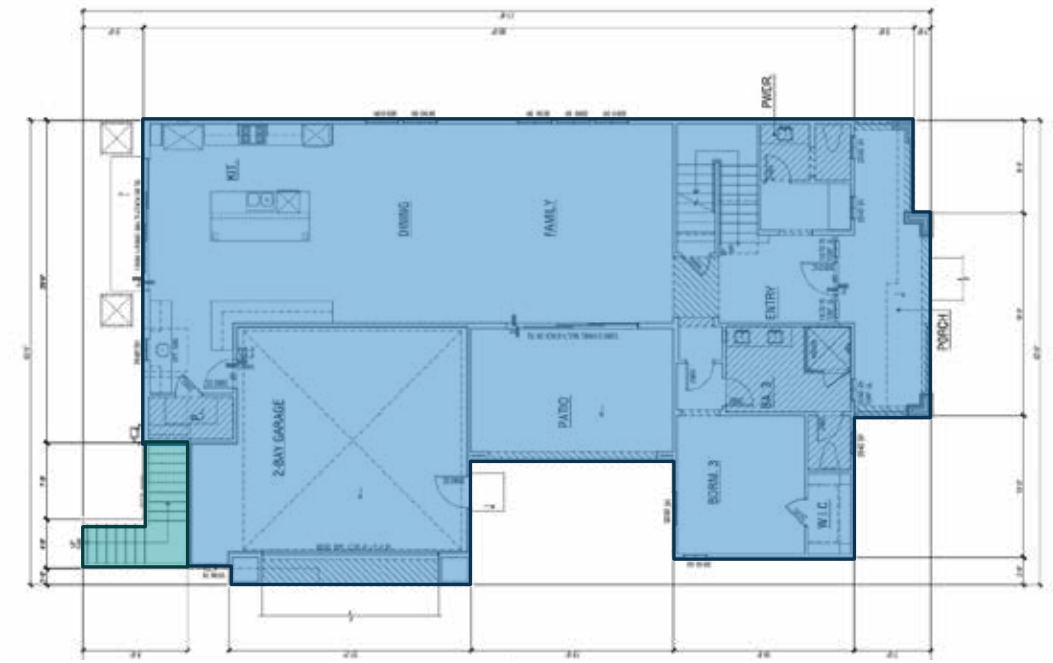
STATE FOCUS ON HOUSING

- SB 330 (GOVT 65589.5(j)(4)) – In essence creates a one-map system for residential land use designations and zoning. This means that residential designations and zoning must match in terms of unit yield.
- Mixed Use is largely baked into commercial zoning depending on location.
- Less emphasis on traditional single-family zoning, more flexibility in housing types.
- State law relying heavily on the General Plan rather than zoning. Be sure your General Plan is current.

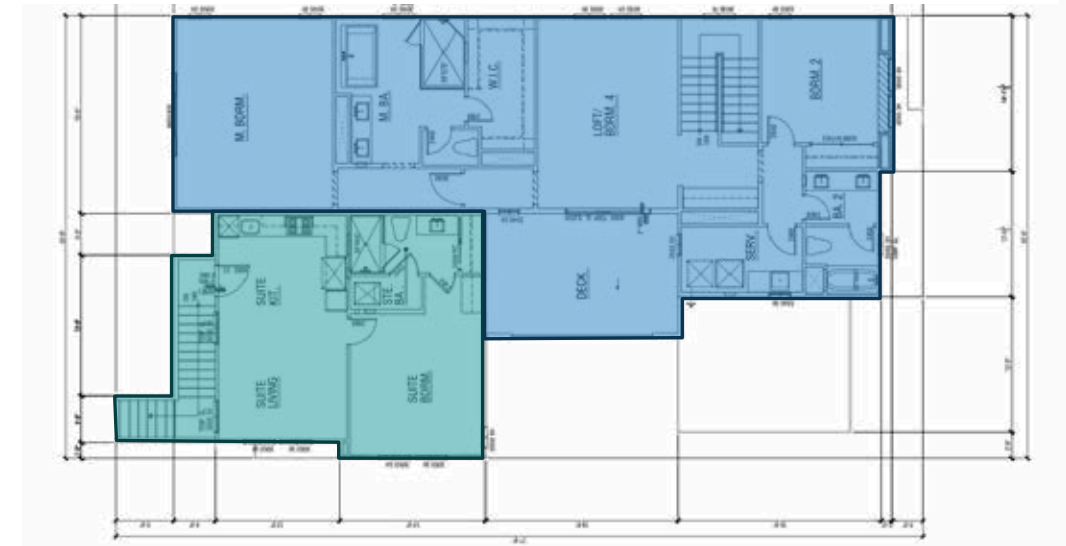




Front Elevation



1st Floor

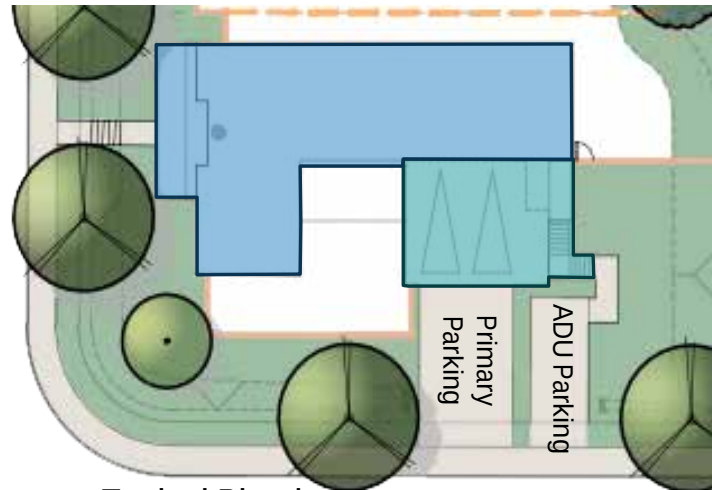


2nd Floor



Dwelling Unit Summary

First Floor - 1,655 SF
 Second Floor – 1,366 SF
 ADU - 1,300 SF
 Min Lot Size – 4,500 SF



Typical Plotting

EXAMPLE – NEW SINGLE-FAMILY HOME W/ ADU

Single Family Home

1- 10 DU/AC

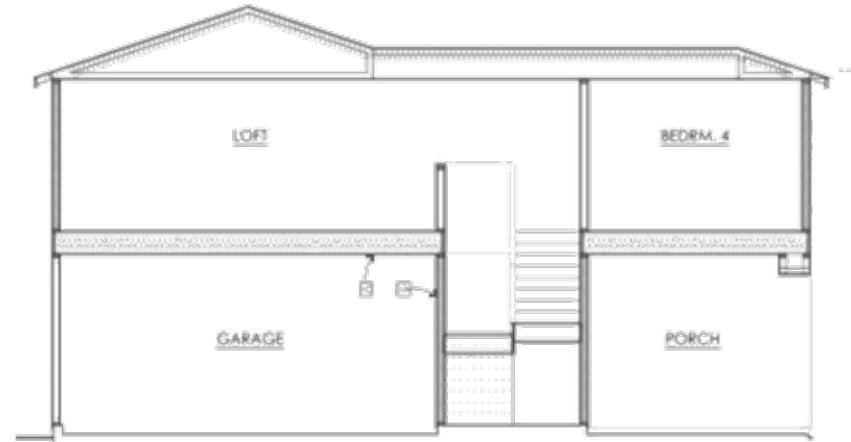
- Lowest Cost PSF to Build
- Highest Sales Price
- Limited Complexity
- Rapid Construction
- Quicker Sales Cycle
- Lower Carry Costs
- Less Capital / Carry Costs
- **Least Attainable**
- **Requires More Land**
- Least Community Opposition*

* Yimby movement has increased opposition to SFR for higher-density housing.

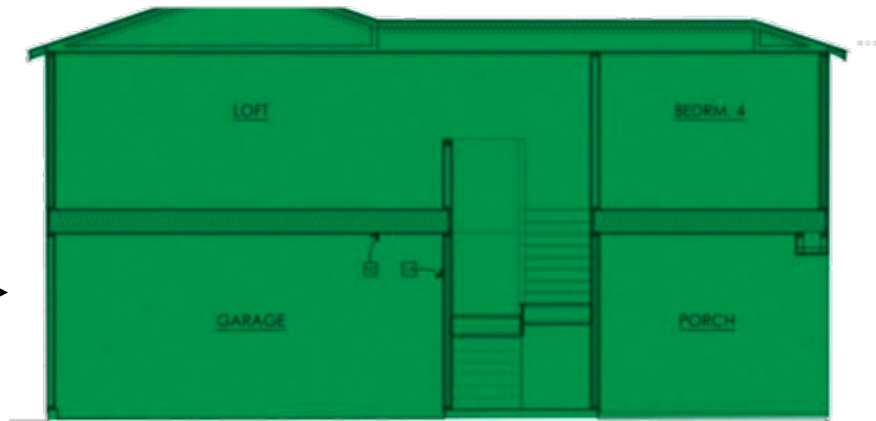
Homeowner Maintained
(lower monthly fixed cost) →



Less Complex
Building Envelope →



Simple Structure →



Townhomes (Row Towns)

12-20 DU/AC 2 & 3
Story

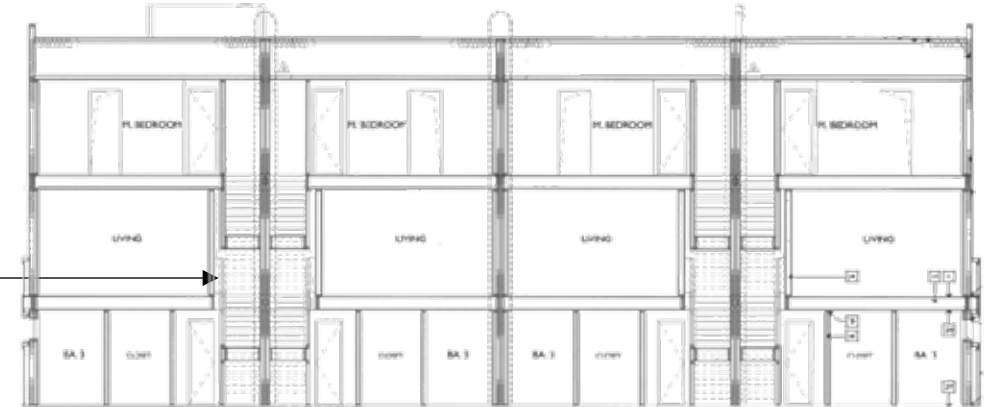
- Moderate Cost PSF to Build
- Lower Sales Price
- More Complex Construction
- Slower Construction Time
- Longer Sales Cycle (more units in same structure)
- Higher Carry Costs (requires more \$\$ and longer cycle time)
- Increased Costs for HOA & Amenities
- Requires Less Land Per Unit
- Increased Community Opposition

Complex Roof Impacts
Solar →



More Complex
Building Envelope →

Increased Structure Cost
(Fire, Sound, Structural) →



Increased Exterior
Maintenance Cost (HOA) →



Townhomes (Flats)

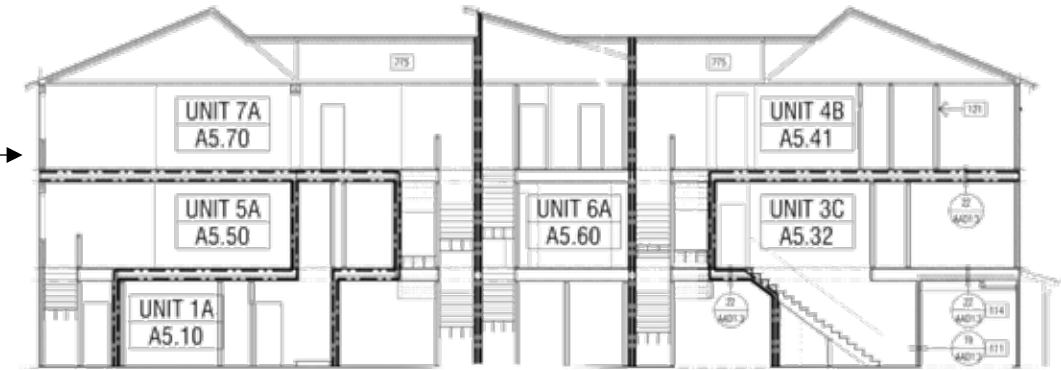
21-30 DU/AC 2 & 3
Story

- Highest Cost PSF to Build
- Lowest Sales Price
- Most Complex Construction
- Slowest Construction Time
- Longest Sales Cycle (more units in same structure)
- Highest Carry Costs (requires more \$\$ and longer cycle time)
- Decreased Costs for HOA & Amenities (more units share exterior)
- Requires Least Land Per Unit (+8 DU/AC vs Row Towns)
- Highest Rates of Community Opposition

Most Complex Roof Impacts
Solar →

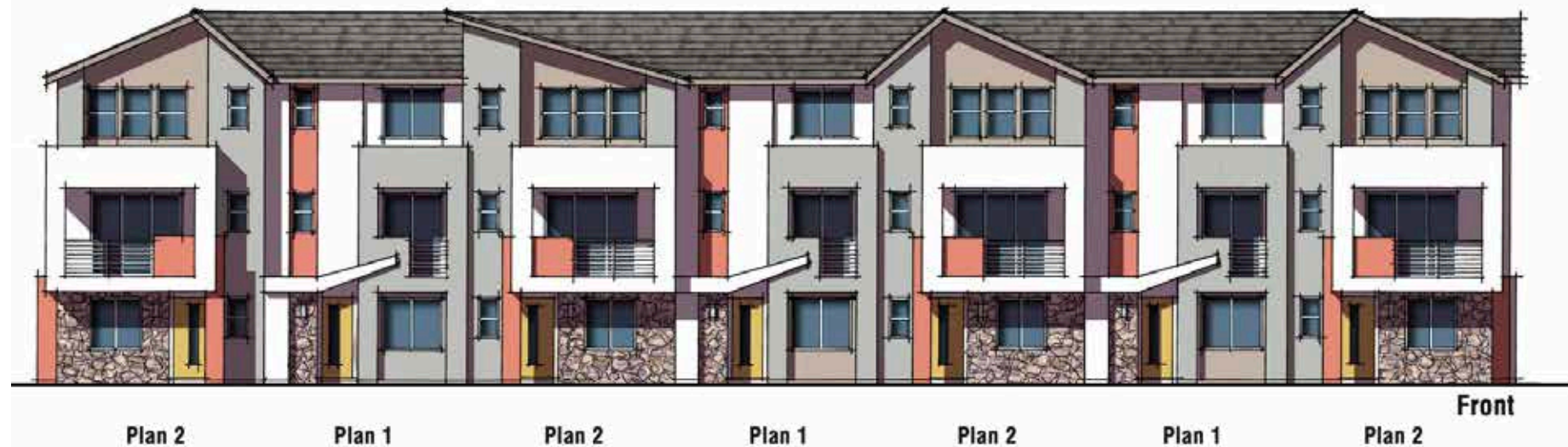


Very Complex
Building Envelope →



Increased Structure Cost
(Fire, Sound, Structural) ↘





FLATS & TOWNS AT COVINA BOWL
 COVINA, CA
 Covina | Flats & Townhomes
From \$450,400

Up to 1,827 Sq. Ft. 1 to 3 Beds
 1.5 to 3.5 Baths 1 to 2 Car Garage



ROWS AT COVINA BOWL
 COVINA, CA
 Covina | 3-Story Townhomes
From \$702,829

Up to 1,705 Sq. Ft. 1 to 5 Beds
 2.5 to 4 Baths 1 to 2 Car Garage

Multiple Housing Types & Market Entry Price

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

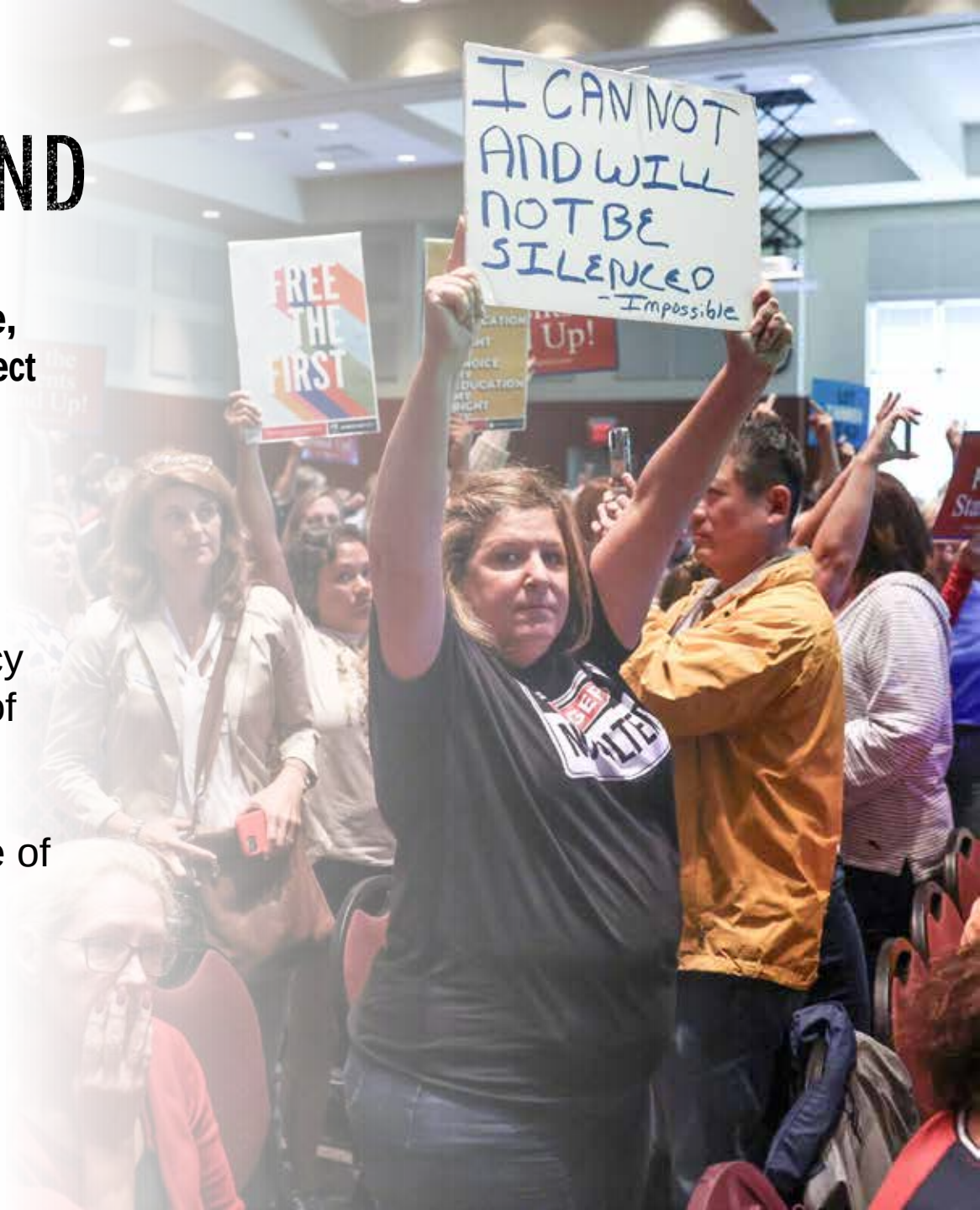
5 units

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.



CALIFORNIA ENVIRONMENTAL QUALITY ACT



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!**

THE BASIC PURPOSES OF CEQA ARE TO:

- Inform governmental decision makers and the public about the potential, significant environmental effects of proposed activities.
- Identify the ways that environmental damage can be avoided or significantly reduced.
- Prevent significant, avoidable damage to the environment by requiring changes in projects through the use of alternatives or mitigation measures when the governmental agency finds the changes to be feasible.
- Disclose to the public the reasons why a governmental agency approved the project in the manner the agency chose if significant environmental effects are involved.



THE LITTLE HOOVER COMMISSION...



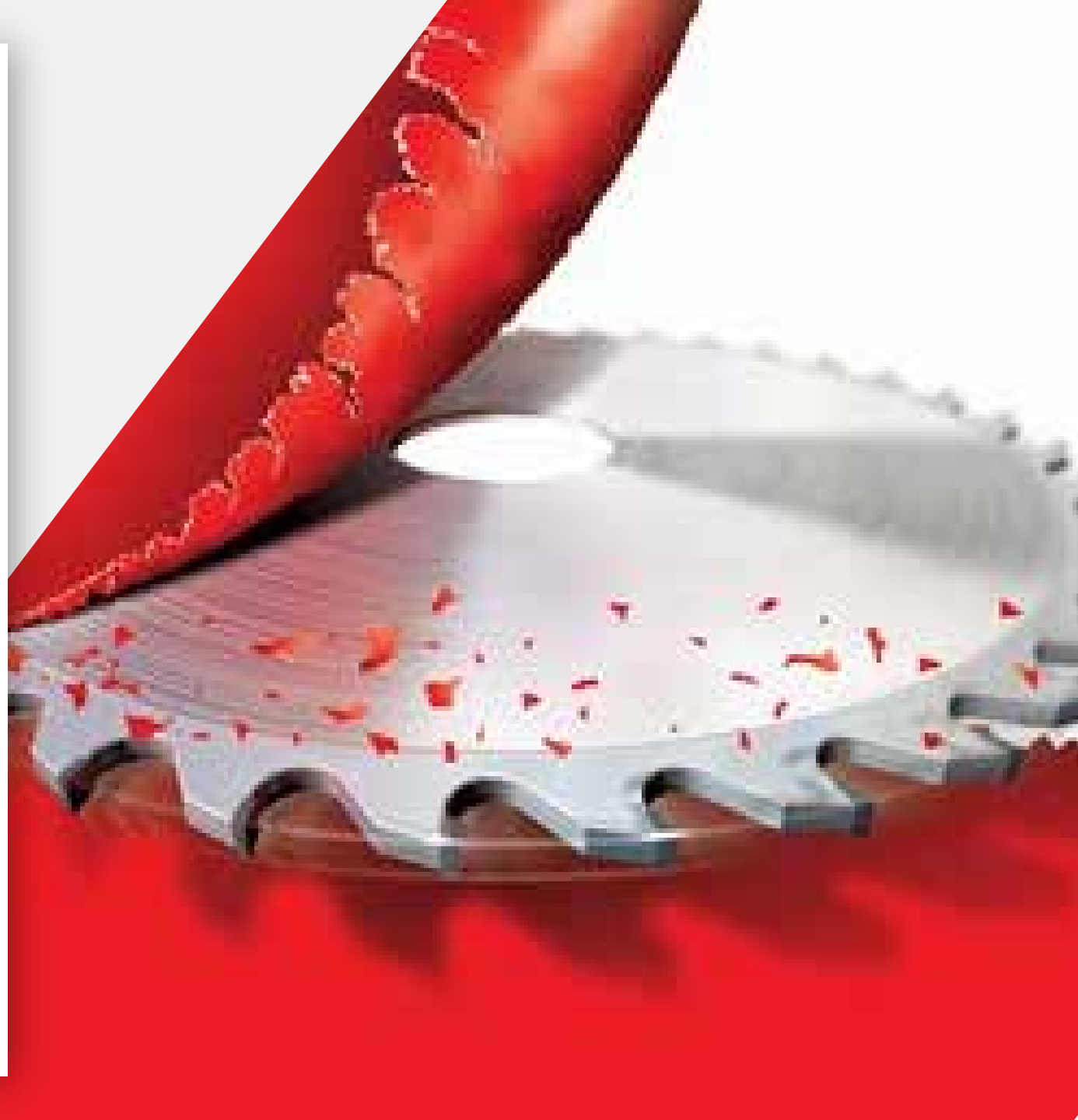
“CEQA, like any law, can have damaging, often unintended, consequences. It is an expensive and lengthy process that can add years to project timeframes. It can be used for purposes that have little relationship to environmental protection. Its strong bias toward the status quo means that it can be used to block projects that would help improve the environment.”



“CEQA debates often serve as proxy battles for a variety of related but distinct policy contests. In particular, CEQA tends to be the battlefield for debates over land-use and local control. This adds an additional challenge to analyzing CEQA, in that it can be difficult to disentangle CEQA from other policy debates.”

CEQA STREAMLINING

Declaring of Certain Projects Ministerial
Exemptions and Addendums
Tiering from existing EIR
Supplemental EIR



EXEMPTIONS

Once a lead agency has determined that an activity is a project subject to CEQA, a lead agency **shall** determine whether the project is exempt from CEQA.

Statutory Exemption: Exempt from CEQA by legislative intent. Not always in the CEQA Guidelines.

Categorical Exemptions: Specific actions determined exempt from CEQA, currently 33 of them. They have specific requirements and often studies needed to support them.

Interesting Exemptions: Section 15183 which says “projects which are consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified **shall** not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site.”

NEW EXEMPTIONS

A Budget...AND MORE!
AB 130 & SB 131

Urban infill housing exemption. Urban housing projects less than 20 acres (less than 5 acres for Builder's Remedy projects) are exempt from CEQA. A tribal consultation process is required and project approval/disapproval is required within 30 days. (AB 130) PRC § 21080.66

Housing Element rezoning exemption. Rezoning that implement Housing Element programs/actions are exempt from CEQA (exceptions: distribution center projects, oil and gas infrastructure projects, natural and protected lands). PRC § 21080.085(a)

Advanced manufacturing exemption. Advanced manufacturing facilities (see definition) in industrial zones are exempt from CEQA (exception: natural and protected lands). PRC Section 21080.69(a)(4)

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

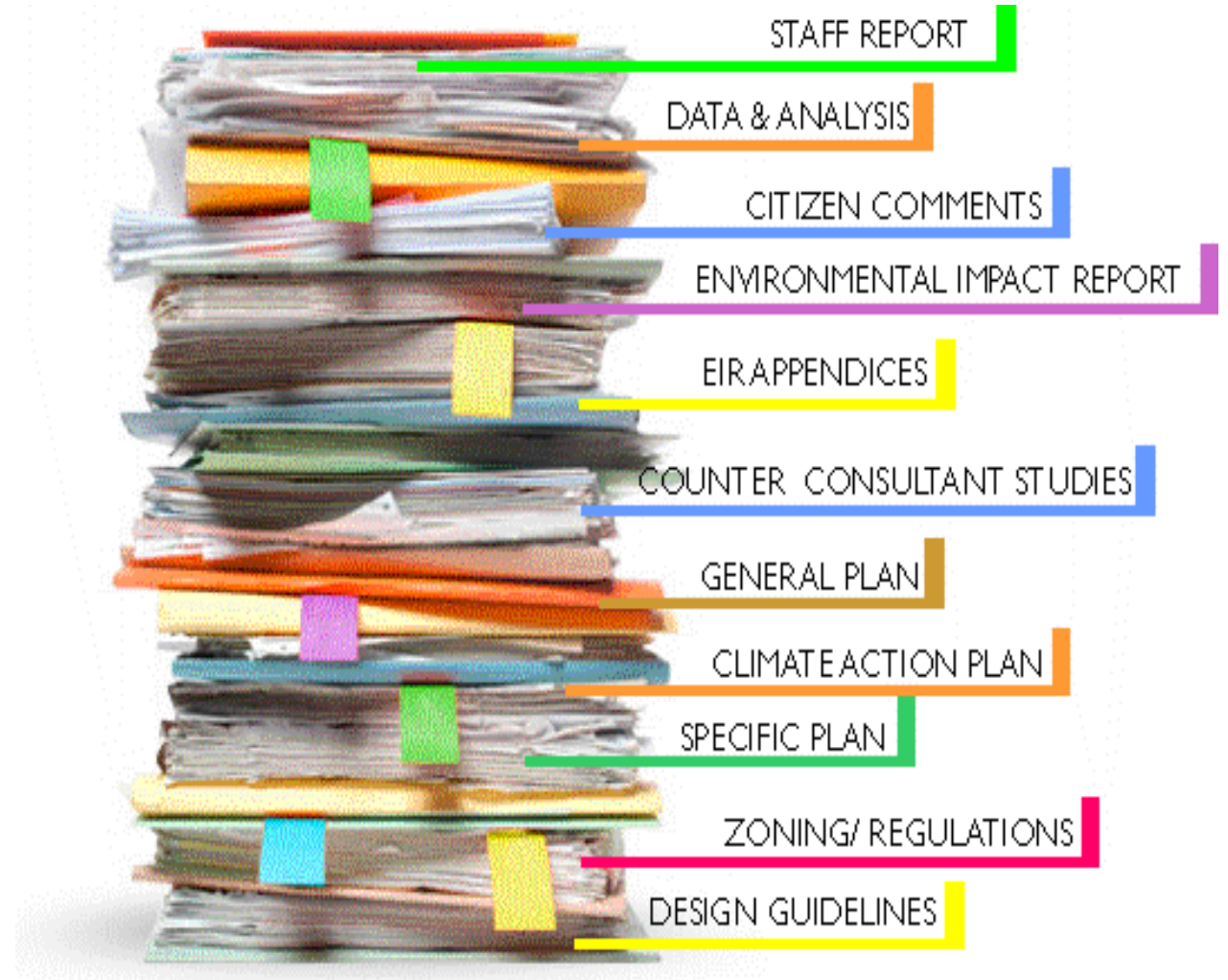


WHAT TO READ FIRST...

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

What to Skim

- Introduction & Setting
- Methodology & Thresholds

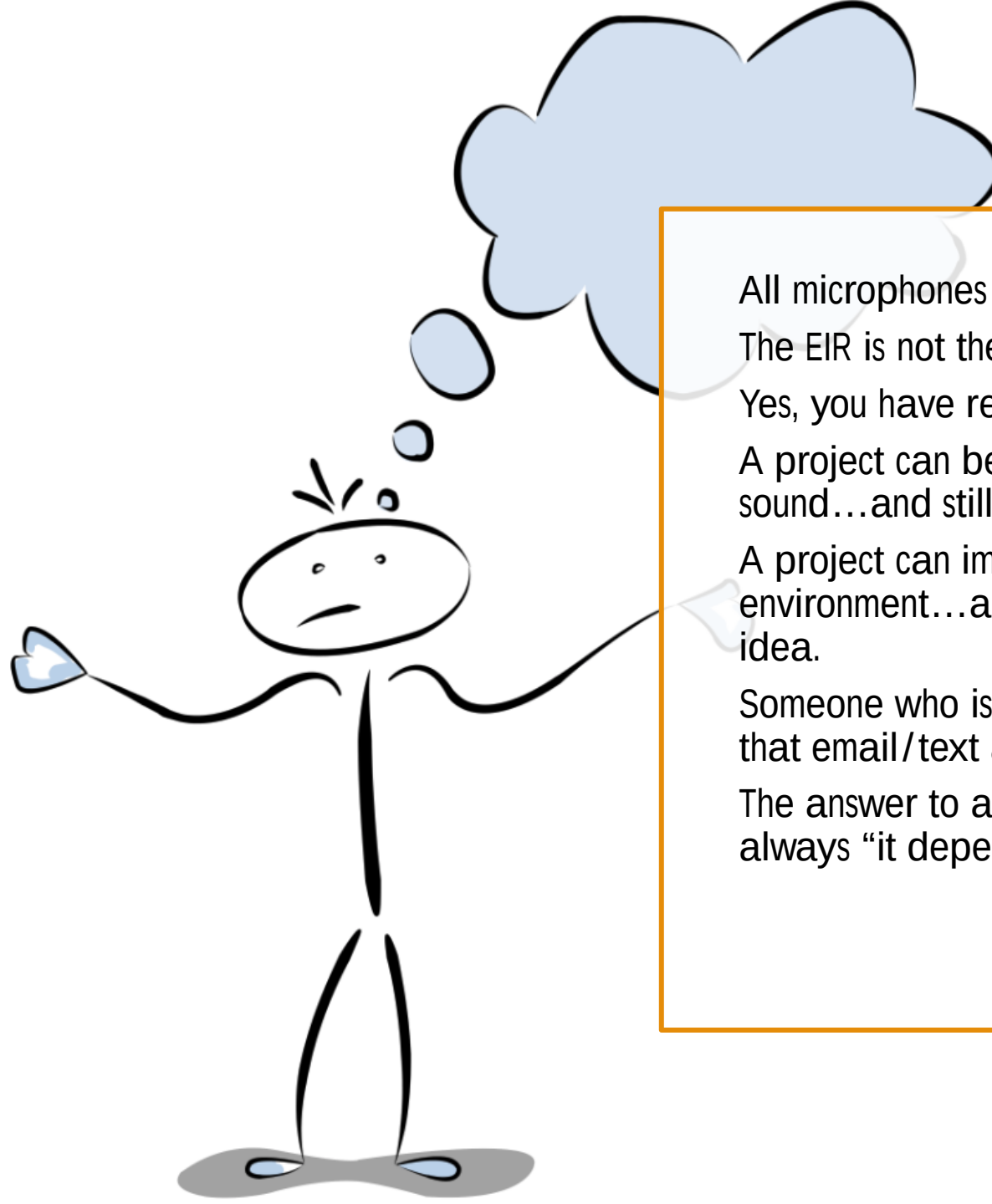


EIR MYTHS

- 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 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.

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".



Thank You

Eric Nelson

Planning Commissioner
City of Dana Point

enelson@danapoint.org

Mark Teague, AICP

Principal Advisor Land Use &
Environmental Strategies
PlaceWorks

mteague@placeworks.com