Panelists

» David Early, AICP, Senior Advisor, PlaceWorks
» Marc Roberts, City Manager, City of Livermore
» Anders Hauge, Partner, Hauge Brueck Associates
  Planning Commissioner, Placer County
My 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 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, development and conservation
- Provides long-range vision (20-30 year horizon)
- Basis for local land use decisions and other policies
- Identifies important community issues
- Sets the ground rules

Required General Plan Elements

- Land Use
- Housing
- Circulation
- Conservation
- Open Space
- Noise
- Safety
- Air Quality
- Environmental Justice
General Plan Content

VISION

GOALS

OBJECTIVES

POLICIES

ACTIONS

INDICATORS

Typical General Plan Land Use Plan
Typical General Plan 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 at appropriate densities
  - 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.
Types of CEQA Documents

» Negative Declaration (ND)
  • If project found to have no significant effect on the environment.

» Mitigated Negative Declaration (MND)
  • Specifies revisions to project plans that can avoid or mitigate effects.

» Environmental Impact Report (EIR)
  • If project would have significant effects that cannot be eliminated through redesign or mitigation.

Role of the Planning Commission

» Long Range Planning:
  • Creation and Amendment of Plans and Regulations

» Current Planning:
  • Project Review
  • CEQA Review
  • Project Approval
Thank You!

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