

Planning Commission 101:

The Nuts and Bolts of Planning



Panelists

- » **Colin Drukker**, Principal, PlaceWorks
- » **Marc Roberts**, Former City Manager, City of Livermore
- » **Eric Nelson**, Planning Commissioner, City of Dana Point

Session Flow

- » **Introductions and presentations** (*first half*)
- » **Q & A, especially questions with broad applicability** (*second half*)
- » **Additional discussion and follow up** (*time permitted*)

Broad Overview

- » 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
- » Sometimes called “constitution” or “blueprint” for planning, development, and conservation
- » Long-range perspective / vision (20- to 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



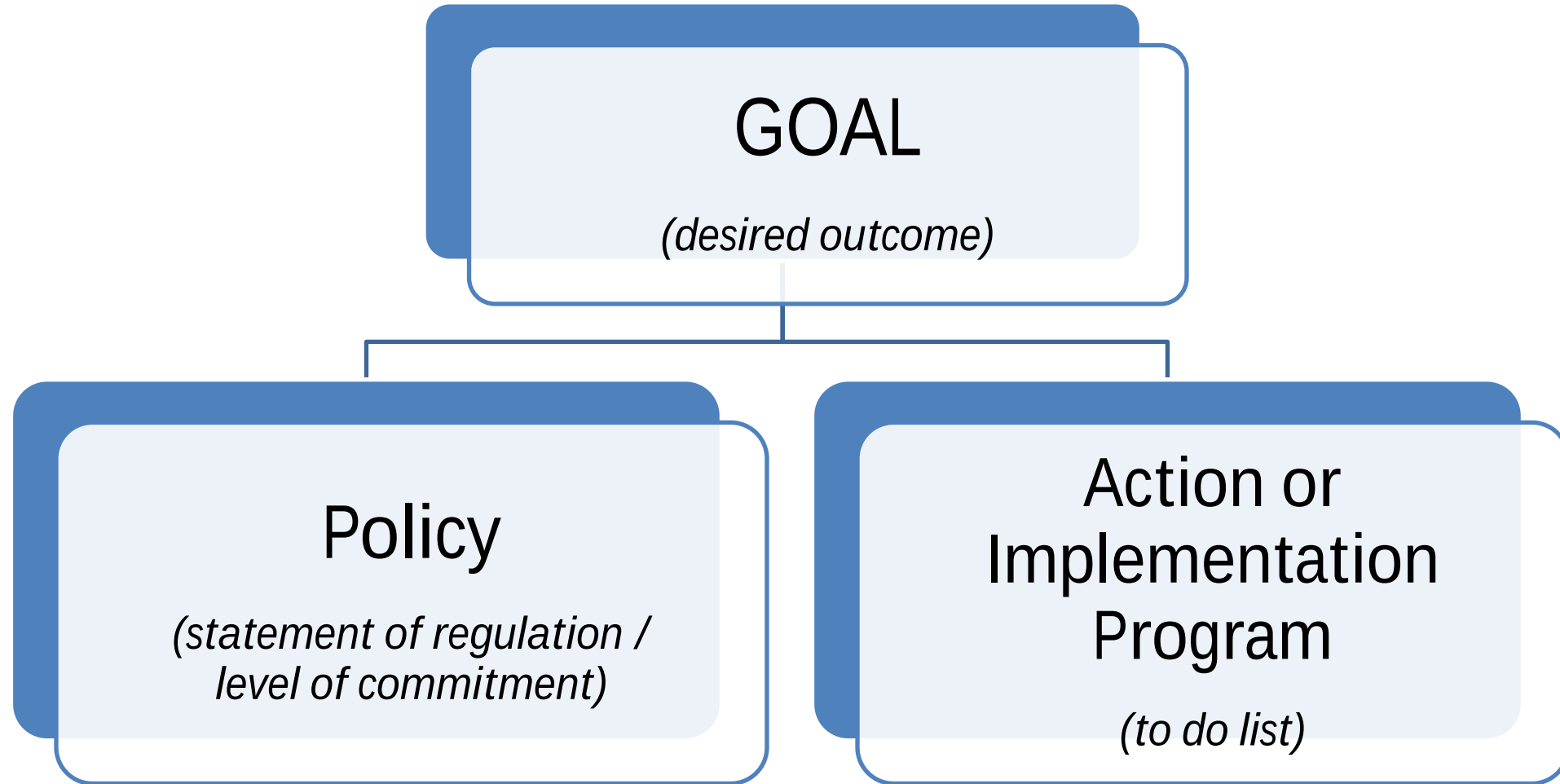
AIR QUALITY



ENVIRONMENTAL
JUSTICE

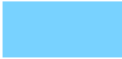


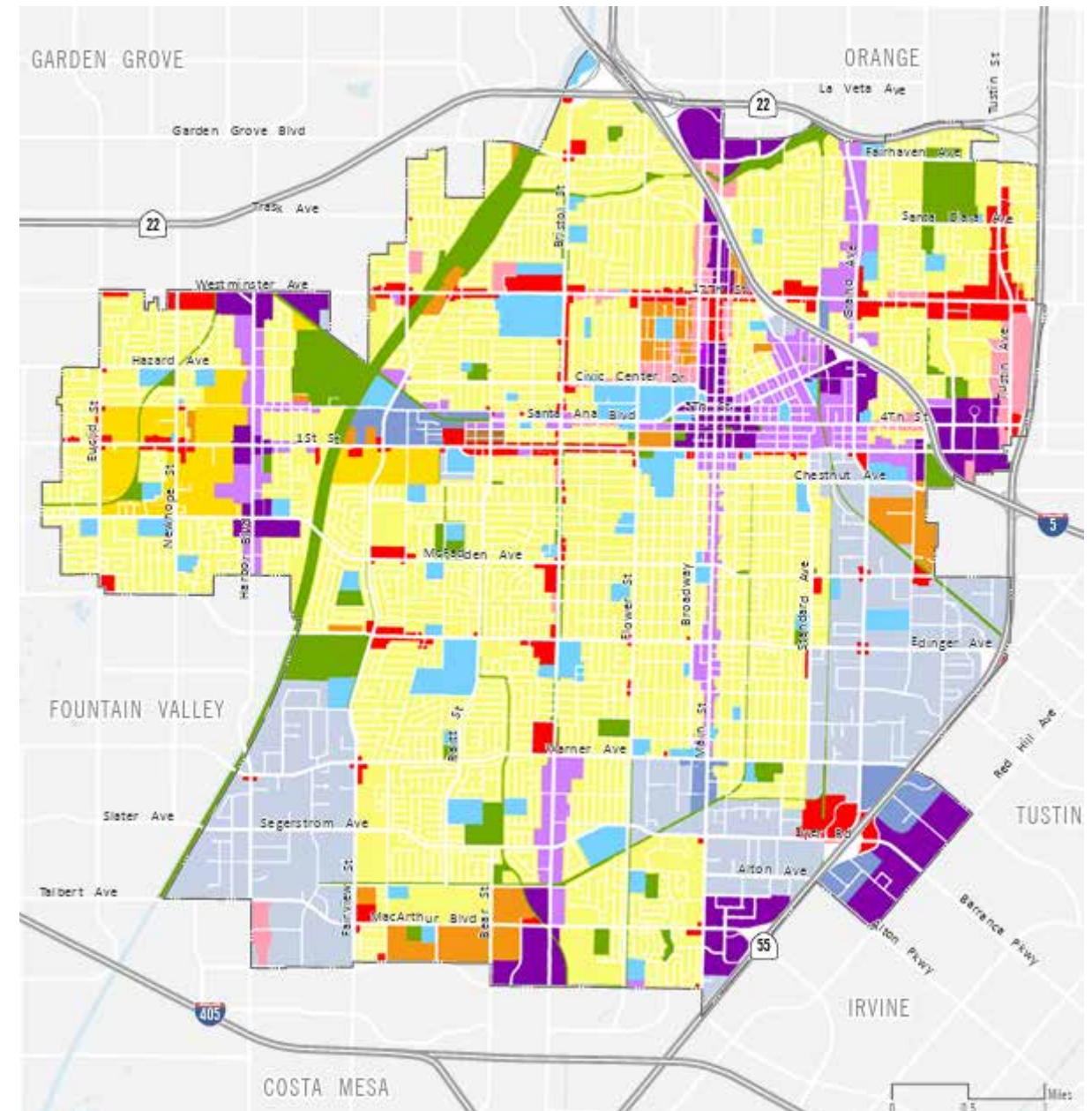
General Plan Content



Typical Land Use Plan

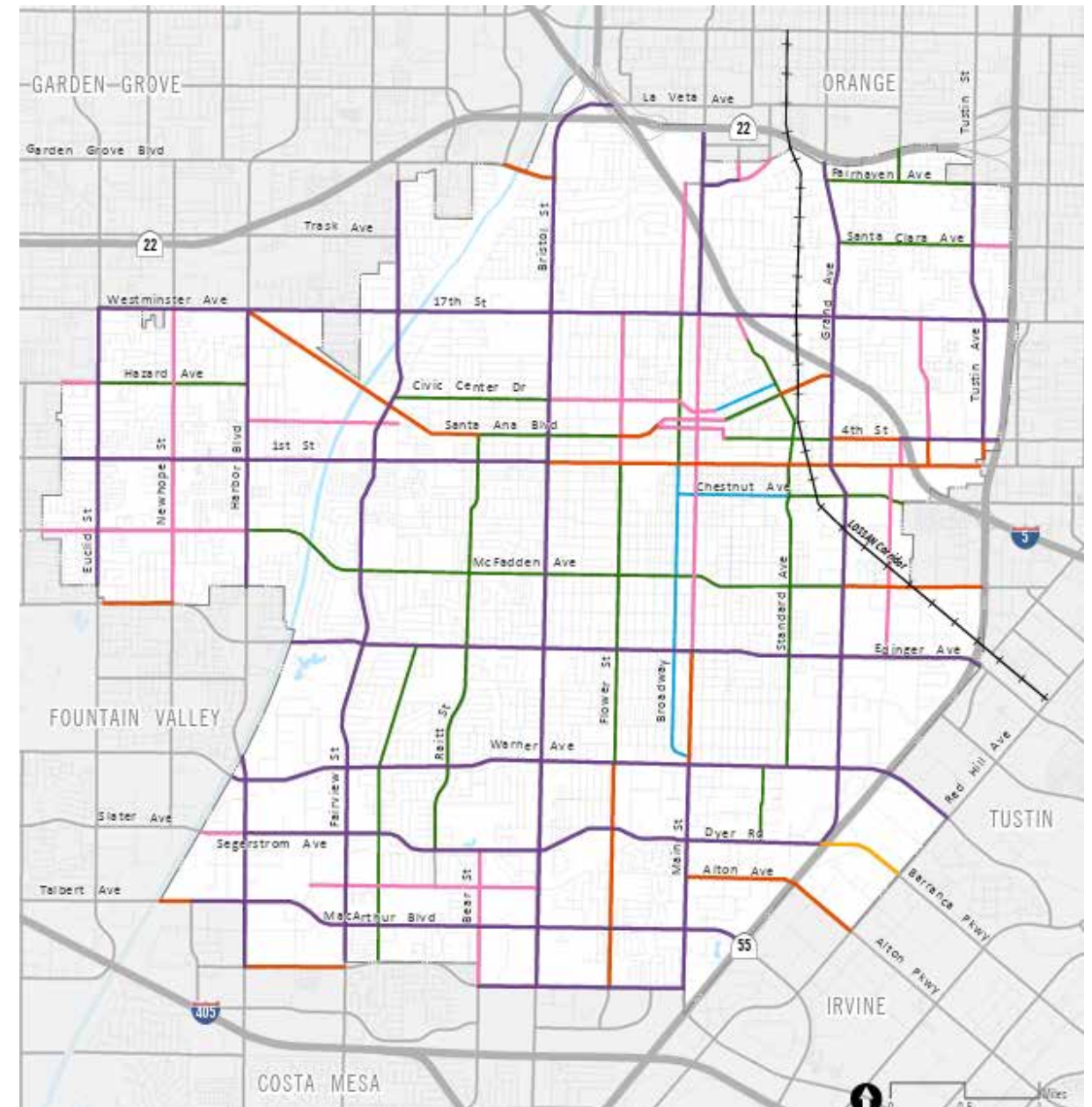
General Plan Land Use

-  LR-7, Low Density Residential
-  LMR-11, Low-Medium Density Residential
-  MR-15, Medium Density Residential
-  CR-30, Corridor Residential
-  INS, Institutional
-  OS, Open Space
-  PAO, Professional and Administrative Office
-  GC, General Commercial
-  IND, Industrial
-  FLEX, Industrial/Flex
-  UN, Urban Neighborhood
-  OBPDC, One Broadway Plaza District Center
-  DC, District Center



Typical Circulation Plan

- Principal Arterial
- Major Arterial
- Primary Arterial
- Secondary Arterial
- Divided Collector
- Collector



Housing Element

- » Updated based on schedule in State law (generally 8 years)
- » Certified by the State's Department of Housing and Community Development (HCD)
- » Annual progress report to the State on implementation
- » Key Required Contents:
 - Regional Housing Needs Assessment (RHNA)
 - Future housing need by income category
 - Specific sites zoned for housing at appropriate densities
 - Policies to facilitate housing development, greater affordability, and safety
 - 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
 - § Less emphasis on building form

Form Based Zoning

» 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

1 DETACHED HOME

BUILDING TYPES

A detached home is a residential structure occupied by a single family.

Lot Dimensions

- Width: 30 ft min, 80 ft max
- Depth: 150 ft max

Pedestrian and Vehicle Access

- The main entry to a home shall be through the front street facing façade.
- For homes served by an alley, vehicle access to the home shall be provided through the alley, where possible.
- Vehicle garages may be attached to or detached from the main structure.

Landscape

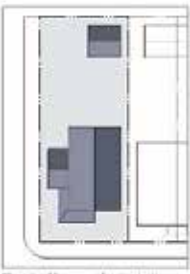
- A pathway shall be provided from the public sidewalk to the front entry of the home.
- Maximum percentage of yard areas landscaped with irrigated turf: 50%
- Maximum amount of impervious surface in front and rear yard areas: 25%

Massing and Scale

- Building massing shall be oriented towards the front street.
- Building massing shall be varied through techniques such as recessed porches, bay windows, dormers and other variations in roof form, and varying planes or setbacks.
- Façades shall be broken into smaller components through elements such as windows, wall insets, balconies, ledges, trees and stepped-back upper stories.
- Minimum setback of garage from primary front façade of home: 5 ft.



Detached home - isometric illustration



Detached home - plan illustration



Isometric views of detached homes

PERMITTED IN ZONING



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Draft Downtown Burbank Development Standards | City of Burbank

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 should be approved, even if it some damage to the environment may occur

Types of CEQA Documents

» Exemption

- Available when project meets one of many criteria found in State law

» Negative Declaration (ND)

- If project found to have no significant impacts on the environment

» Mitigated Negative Declaration (MND)

- Specifies revisions or actions that can avoid or mitigate impacts

» Environmental Impact Report (EIR)

- If project would have significant impacts 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:

- Only for Discretionary Projects
- No role for Ministerial Projects

» For Discretionary Current Planning Projects:

- Project Review
- CEQA Review
- Project Approval



Thank You!

Colin Drukker

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Planning Commission 101:

The Nuts and Bolts of Planning



Presented by
Marc Roberts, AICP, Retired Livermore City Manager
Consultant, Renne Public Management Group

Inception of Downtown Revitalization

Ø Visioning 2001 - 2002

- The City conducted a City-wide visioning effort
- Downtown was in decline and was a focus of concern
- Visioning call for a revitalization plan and led to a Specific Plan process

Ø 2003 Specific Plan Workshops

- Community discussion on important issues for Downtown:
 - ü Where to concentrate growth
 - ü Density and height
 - ü Transit
 - ü Traffic impacts and pedestrian orientation

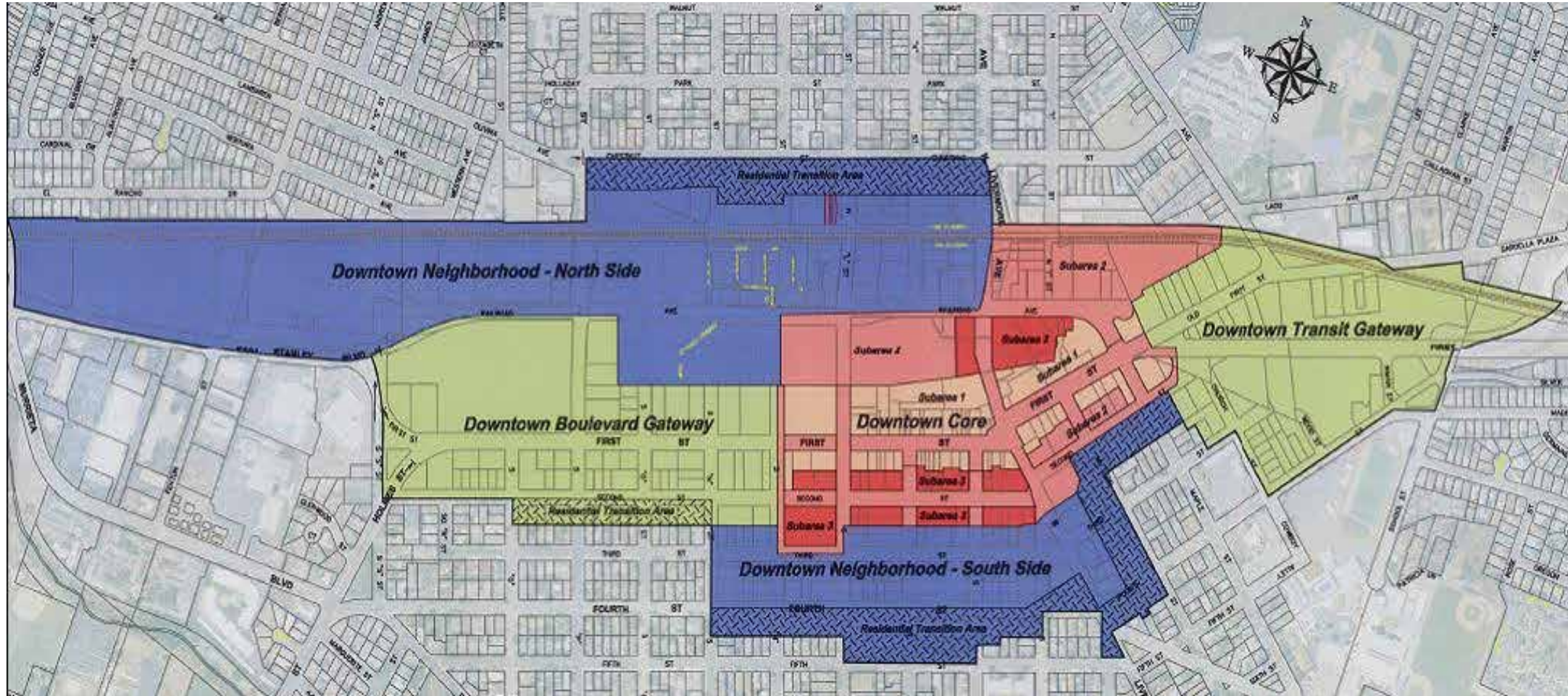
Ø 2017 Specific Plan Workshops

- Design of 8.2 Acre Catalyst Site

Community Workshops



Specific Plan Area



Downtown Specific Plan Components

Existing Conditions:

Documents the land use pattern that existed in 2003/2004

Revitalization Strategy:

Provides a coordinated direction for all plan elements to achieve specific community objectives.

Land Use and Development Policies

Provides the regulatory framework governing development.

Development Standards:

Provides detailed regulations for site development.

Design Standards and Guidelines:

Provides specific direction on appropriate building types and principles of urban design to simplify the review process and provide greater certainty for developers.

Downtown Specific Plan Components

Circulation and Transportation:

Contains specific recommendations for First Street, new mid-block streets and alleys and other roadway improvements.

Parking:

Identifies specific parking standards for new development and provides a parking strategy to meet the overall parking demand as the Downtown redevelops.

Public Utilities and Infrastructure:

Identifies major capital improvements needed to support Downtown revitalization.

Implementation:

Lists priorities for revitalization and identifies specific areas where focused investment will provide the most benefit in achieving community objectives. It also includes specific recommendations for Catalyst Projects that are designed to “jump-start” revitalization.

Revitalization Strategy

1. Promote the concentration of activity-generating uses in a compact cluster in the center of Downtown.
2. Maximize investment in new housing construction throughout the Specific Plan Area.
3. Dramatically transform the character of the Downtown's primary pedestrian space, First Street.
4. Focus immediate attention on opportunity sites capable of delivering dramatic short-term beneficial change.
5. Maximize transit opportunities.

Role of the Planning Commission

» Approval/Amendment Process

- Review General Plan, Housing Element, and Zoning Code
- Conduct a public hearing
- Make a recommendation to the Board/City Council
- Board/City Council Adoption (Legislative Action)



First Street Before



First Street After



First Street Before



First Street After



Outdoor Dining: Flex Zone

Blacksmith Square Before



Blacksmith Square After



Blacksmith Square After



LVC Site: Mixed Use



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 Specific Plan
- Public hearing

» Project approval (Quasi-Judicial Action)



Design Standards

BUILDING MASS AND INCREMENT		
SITING AND ORIENTATION Buildings shall be sited to reinforce the public street network of Downtown, aligning with primary street frontages and public pathway spaces.	<u>Standards:</u> ▪ Main facades with entrance doors and windows shall front upon the primary street. Buildings shall not orient to parking lots at the expense of street and pathway frontages. ▪ Downtown buildings shall be “four-sided” buildings, and maintain quality architectural articulation and finishes around all visible sides of the buildings, not just the front. ▪ All building walls that face streets shall incorporate active facades, with windows, doors and other architectural elements giving interest to the building. <u>Guidelines:</u> ▪ All building walls that face sidewalks or pathways should incorporate active facades, with windows, doors and other architectural elements giving interest to the building wall along the sidewalk.	 Primary facades facing the street and enlivening the sidewalk.  All building facades should create interest along streets or pathways.
OVERALL BUILDING MASSING Building scale shall be compatible with the existing fine-grained, pedestrian friendly, small-storefront fabric of the Downtown Core.	<u>Standards:</u> ▪ Commercial buildings shall be simple in form and massing, with a primary building mass accentuated by a few important features, such as a major entrance and a top treatment (i.e. a roof, cornice or parapet). <u>Guidelines:</u> ▪ Ancillary elements shall be used to add interest to simple facades (such as building volumes, cantilevered balconies, window bays and decorative detailing).	 Simple massing, with a major entrance and roof/cornice.

Staff Report



PLANNING COMMISSION AGENDA REPORT

TO: Chairperson Bjorklund and
Members of the Planning Commission

FROM: Benjamin Murray, Senior Planner
Tricia Pontau, Assistant Planner

REVIEWED BY: Steve Stewart, Planning Manager
Scott Lee, Principal Planner

DATE: March 6, 2018

SUBJECT: Legacy Livermore – Downtown Design Review (DDR 17-012);
Tentative Parcel Map 10757 (SUB 17-008); Certificate of
Appropriateness (COA 17-019); and Tree Removal (TREE 17-006)

RECOMMENDATION

Staff recommends the Planning Commission adopt a resolution certifying a Mitigated Negative Declaration and approving Downtown Design Review (DDR 17-012), Tentative Parcel Map 10757 (SUB 17-008), and Tree Removal (TREE 17-006), authorizing the development of a mixed-use residential and retail development known as Legacy Livermore.

The Historic Preservation Commission and staff recommend the Planning Commission adopt the resolution approving Certificate of Appropriateness (COA 17-019) for the demolition of buildings over 50 years old on the site.

The Planning Commission's action is subject to a 15-day appeal period.

PROJECT DESCRIPTION

Legacy Partners proposes to develop a mixed-use commercial and residential development, consisting of two buildings that, together, contain 222 apartments and approximately 14,000 square feet of ground-floor retail space. The proposal includes one three-story building that fronts onto First Street and contains approximately 14,000 square feet of ground-floor retail space with 34 apartments in two floors above. A surface parking lot behind the building with 49 spaces serves the retail space. A second proposed building, located on the northern half of the site ranges from three to four



Staff Report

	General Plan Designation	Current Zoning Classification	Existing Land Use
Subject Site	Downtown Area	Downtown Specific Plan, Downtown Core Subareas 1 and 2	Vacant Commercial
North	Downtown Area	Downtown Specific Plan, Downtown Neighborhood North Side	Residential and Office
South	Downtown Area	Downtown Specific Plan, Downtown Core Subarea 3	Commercial and Office
East	Downtown Area	Downtown Specific Plan, Downtown Core Subareas 1 and 2	Commercial and Vacant Commercial
West	Downtown Area	Downtown Specific Plan, Downtown Neighborhood – North Side and Downtown Boulevard Gateway	Residential and Commercial

STAFF ANALYSIS

General Plan

The project site has a General Plan land use designation of Downtown Area. The Downtown Area seeks to provide a unique, pedestrian-friendly shopping environment supported by higher-intensity residential development. [Livermore General Plan Land Use Element, p. 3-22]. The proposal to redevelop the project site with commercial and residential uses is consistent with the land use designation and General Plan goals for the Downtown area.

The project supports policies established in the 2015-2022 Housing Element. The Housing Element calls for a diversity of housing choices to serve all economic segments of the community. The development will be the first market-rate apartment development in over 20 years, thus contributing to a market segment that has seen little recent development in Livermore.

The project implements policies in the Climate Change Element. For example, the project involves infill redevelopment that will add 222 residential units located within walking distance of high frequency transit service, including Livermore Amador Valley Transit Authority (LAVTA) bus routes and the Altamont Corridor Express (ACE) train station at the LAVTA Transit Center. The project also complies with City requirements for water conservation and energy efficiency.

Zoning

The project site is located in Subareas 1 and 2 of the Downtown Core of the Downtown Specific Plan. The purpose of the Downtown Core is to revitalize the City's historic core area as the center of the City of Livermore. [Downtown Specific Plan, Downtown Core p. 1] The intent of this Plan Area is to, "promote the continued development and revitalization of

Staff Report

groundborne vibrations resulting from railroad operations to negligible levels [Infill Checklist, p. 4.0-47]. Therefore, the project is not expected to generate nor expose residents to excessive groundborne vibration.

Affordable Housing

The proposed development is exempt from the City's inclusionary housing requirement and residential In-Lieu Low Income Housing Fee. Per Development Code Section 10.06.050.A, subdivision applications for the development of rental units outside Neighborhood Plan areas (Brisa Neighborhood Plan and Arroyo Vista/Pell Neighborhood Plan) are exempt from the City's inclusionary housing requirement. This exemption relieves the project of the 10 percent inclusionary build requirement that applies to ownership housing in the Downtown Specific Plan area (per Development Code Section 10.06.050.A.1.b).

Per Livermore Municipal Code section 3.26.040.B.1.f, residential rental development outside of Neighborhood Plan areas is exempt from the in-lieu affordable housing fee. However, the retail component of the development will be subject to the retail commercial Low Income Housing Impact Fee (currently \$1,343 per 1,000 square feet) in effect at the time of Building Permit.

Growth Management

The proposed development is consistent with the City's growth management policies. Projects in the Downtown Specific Plan area receive automatic allocation of units through the Housing Implementation Program. Of the 2,000 DSP available allocations, the City has allocated 434, leaving 1,566 DSP available allocations. Therefore, the proposed 222 units are within the remaining number of units allocated for the DSP.

Downtown Design Review

The Downtown Specific Plan establishes residential density limits, development standards, and design standards and guidelines. The proposed development meets all applicable development standards. As outlined in this report section, staff recommends the Planning Commission find the project consistent with the applicable development standards and applicable design standards and guidelines.

The following table summarizes the applicable development standards.

Development Criteria DSP Ch. 4 Downtown Core	DSP Standard	Proposed	Analysis
Density			
Minimum	30 du/ac	55 du/ac based on net area	Complies
Maximum	55 du/ac	49 du/ac based on gross site area	

Staff Report

Development Criteria DSP Ch. 4 Downtown Core	DSP Standard	Proposed	Analysis
Open Space			
Public and Private Open Space for residential units in mixed-use projects (§6.3.B)	150 square feet of publicly accessible open space and 60 square feet of private open space per unit. Public open space can be provided through payment of an in-lieu fee or off-site if within 500 feet of the project. Per Specific Plan §6.3.A.1, the ground floor retail space fronting First Street is exempt from the open space requirement. Usable public open space must be publicly accessible during daylight hours (Specific Plan §6.3.F) and shall be designed to connect with public rights-of-way and adjacent public open spaces.	The project requires 33,000 square feet of public open space and 13,320 square feet of private open space (see Open Space Exhibit, Sheet A2.00, Attachment 9). The project provides 39,305 square feet of publicly accessible open space. This includes two large courtyards that front South L Street, a linear plaza to the south of the residential building, and a 30-foot wide landscaped corridor with a pedestrian path along the western edge of the property (see Sheet L-2, Attachment 9). The L Street courtyards and pedestrian path are gated for nighttime security but will remain open during daylight hours. The project provides 23,740± square feet of private open space, consisting of 12,990± square feet of private balconies and decks and a 10,750± square foot rooftop deck with pool, spa, and seating.	The project exceeds the minimum required public and private open space. Nearly all apartments will have private balconies or decks. All units have access to the private rooftop deck. Staff recommends a condition of approval to ensure gates to publicly accessible open space remain unlocked during daylight hours (see Conditions of Approval, Attachment 2)

Staff Report

CONDITIONS OF APPROVAL

Downtown Design Review (DDR) 17-012, Tentative Parcel Map 10757 (SUB 17-008), Certificate of Appropriateness (COA) 17-019, and Tree Removal (TREE) 17-006

A request to redevelop the former Groth Brothers Chevrolet site, which occupies the block bounded by First Street, South L Street, South M Street, and Railroad Avenue, with a mixed-use development consisting of two buildings that, together, contain 222 apartments and 14,000± square feet of ground-floor retail space, with landscaping and amenities.

Location: 1934-1962 First Street and 57-59 South L Street

Approved by Planning Commission
May 15, 2018

A. PROJECT AUTHORIZATION

1. The project shall be in conformance with all City Ordinances, rules, regulations, and policies. The conditions listed below are particularly pertinent to this permit and shall not be construed to permit violation of other laws and policies not so listed.
2. Downtown Design Review, Tentative Parcel Map, Certificate of Appropriateness, and Tree Removal permits shall expire unless all building permits are issued by May 15, 2020, or a request for extension is received and approved by the City.

B. PROJECT SPECIFIC CONDITIONS

The applicant shall respond in writing to all conditions contained in this document and its attachments. Responses shall describe how the condition has been met and shall, where applicable, direct the plan checker to the page and/or drawing detail that demonstrates compliance with the condition. A copy of these responses shall be provided with each set of improvement plans.

1. The applicant shall distribute the 10 required bicycle parking spaces between one rack in front of the mixed-use building and one rack behind the mixed-use building.
2. The applicant shall modify the project to add two single-post trellises to the First Street frontage. The project shall alternate between trees and single-post trellises every two parking spaces.

Staff Report

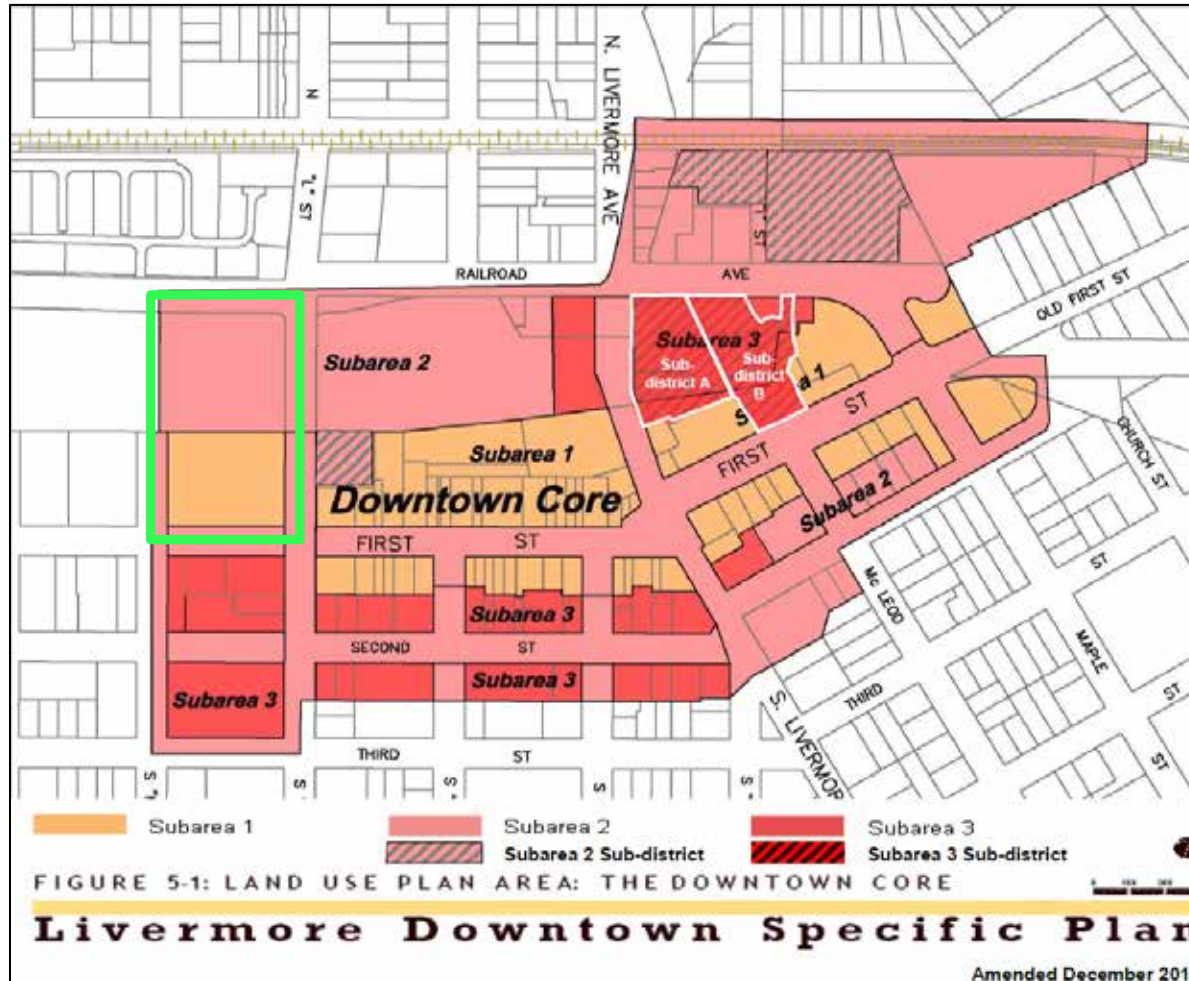
19. The applicant shall work with staff and the Historic Preservation Commission to incorporate bronze or metal plaques into the sidewalks of the project to commemorate the Reimers stable at 59 South L Street and the Baughman building at 1934 First Street. [Condition added by Planning Commission on March 6, 2018]
20. The applicant shall revise the design of the main arched entrance on First Street to match the design in the applicant's March 6, 2018, presentation on the sheet designated as First Street Colonnade (shown in Figure 1 below). [Condition added by Planning Commission on March 6, 2018]



C. GENERAL CONDITIONS OF APPROVAL

1. Development shall conform to the map designated by the City as Exhibit B-1. Exhibit B-1 plans shall include but are not limited to subdivision, landscape, and architectural plans reviewed and approved by the Planning Commission and City Council and amended by the applicant to reflect any changes indicated above in the Project Specific Conditions or required by the City in the approval process.
2. For all proposed projects, Bay Area Air Quality Management District (BAAQMD; "Air District") recommends requiring the implementation of all Basic Construction Mitigation Measures, listed in Table 8-1 of the BAAQMD CEQA Guidelines, whether or not construction-related emissions exceed applicable Thresholds of Significance. These basic construction stage recommendations are incorporated below into these Conditions of Approval as project requirements.

Downtown Specific Plan



Downtown Core

Subarea 1

- Mixed-Use Required
- Three floors, 45-foot maximum height

Subarea 2

- Multi-Family Residential
- Four floors, 55-foot maximum height

Proposed Project



Architecture













PLANNING COMMISSION 101

The Nuts and Bolts of Planning

How Commissioners Shape Outcomes





CITY OF DANA POINT

Serves as Chair of the Dana Point Planning Commission, where he applies adopted policy and planning standards to legislative and quasi-judicial land use decisions. He is currently in his 10th year



LEAGUE OF CALIFORNIA CITIES

Serves on the Board of Directors for the League of California Cities and previously served as President of the Community Development Department, contributing to statewide discussions on land use, governance, and municipal policy.



BUILDING INDUSTRY ASSOCIATION

Currently serves on the Boards of Directors for the Building Industry Association of Southern California (BIASC) and the California Building Industry Association (CBIA), contributing to regional and statewide housing and land use policy discussions.

STATE HISTORICAL BUILDING SAFETY BOARD



STATE OF CALIFORNIA

Serves as a member of the California State Historic Building Code Safety Board, contributing to statewide policy and oversight related to the preservation and adaptive reuse of historic structures.

ABOUT ME

EXPERIENCE

Eric A. Nelson is a Planning Commissioner and Chair for the City of Dana Point, a member of the Board of Directors for the League of California Cities, and Past President of the Building Industry Association of Orange County. He serves as Vice President of Community Development at Trumark Homes and brings more than 25 years of experience in California land use, entitlement strategy, and community development, with extensive experience navigating General Plans, zoning codes, and complex project approvals.



You Shape Outcomes

Land use decisions affect real people and neighborhoods. Every vote you cast influences housing availability, private investment, and the public's trust in local government. The record you build as a commissioner matters far beyond the meeting room. It becomes the foundation for how your community grows and evolves.

Housing

Your decisions directly shape where and how people live.

Investment

Predictable process attracts responsible development.

Public Trust

A strong record builds lasting community confidence.

Follow the Rules

Compliance with state law is not optional — it is the bedrock of legitimate planning decisions. Commissioners must operate within a clear legal framework to protect both the public and the integrity of the process.

1

Brown Act Compliance

All meetings must follow open meeting requirements!
Transparency is non-negotiable.

2

Due Process

Every party, applicant, neighbor, and advocate deserves a fair and impartial hearing.

3

Proper Noticing

Correct procedure and public notice protect decisions from legal challenge.

4

State Law

State mandates govern local planning authority. Know them and follow them.



Apply Adopted Policy

The General Plan is your adopted policy — the community's vision for growth, approved through a public process. The Zoning Code is the implementation tool that translates that vision into enforceable standards. Project review is the application of those standards to specific proposals.



Personal preference is not the standard. Your role is to measure projects against adopted criteria — not to substitute individual taste for community policy.

1

General Plan

Adopted policy and community vision

2

Zoning Code

Implementation and enforceable standards

3

Project Review

Application of standards to proposals

Don't Rewrite It

Public hearings are not the place to reopen policy debates. Adopted density, land use designations, and zoning standards were established through a legislative process. At the hearing table, your job is quasi-judicial review — applying the code as written, not renegotiating it.

Avoid Reopening Policy

Don't relitigate decisions already made through the legislative process.

Don't Renegotiate Density

Adopted density and use standards are settled — apply them consistently.

Separate the Roles

Legislative decisions set policy. Quasi-judicial review applies it. Know the difference.

Apply the Code

The written code is your guide — follow it faithfully and predictably.

Continuances · Conditions · Clarity

Three areas where precision and discipline define the quality of your work as a commissioner. Each one carries real consequences for applicants, neighbors, and the city's legal standing.



Continuances

Use when genuinely necessary — not reflexively. Delays affect project timing, applicant costs, and the predictability that the development community relies on.



Conditions

Every condition of approval must be clear, enforceable, and directly related to the project. Vague or unrelated conditions invite legal challenge.



Clarity

Motions should tie directly to findings. A clean, well-articulated record protects the city and withstands scrutiny on appeal.

Preparation Is Respect

Prepared commissioners elevate the entire process. When you arrive informed, you honor the time of staff, applicants, and the public. Preparation is not optional — it is the foundation of credible decision-making.

01

Read the Full Staff Report

Understand the analysis, recommendations, and conditions before the hearing begins.

02

Know the Applicable Standards

Identify which General Plan policies and code sections apply to the project.

03

Visit the Site

See the context firsthand — and disclose the visit properly on the record.

04

Ask Questions Early

Clarify issues with staff before the public hearing, not during deliberation.





Structure Creates Fairness

A well-run hearing is the hallmark of a professional commission. Structure isn't bureaucracy — it's the mechanism that ensures every voice is heard and every decision is defensible.

1

Follow Hearing Order

Stick to the established sequence: staff presentation, applicant, public comment, deliberation.

2

Listen First

Hear all testimony before forming conclusions. Deliberation comes after input, not during.

3

Ask, Don't Cross-Examine

Clarifying questions are appropriate. Adversarial questioning undermines neutrality.

4

Maintain Neutrality

Your demeanor during testimony signals fairness — or the lack of it.

Findings Matter - Stay Grounded

Findings Matter

Every decision must be tied to adopted standards and supported by evidence in the record. Avoid subjective language — clear, well-documented findings reduce appeal risk and protect the city's legal position.

Tie decisions to adopted standards

Reference evidence in the record

Avoid subjective language

Clear findings reduce appeal risk

Stay Grounded

Emotional testimony is part of public service. Political pressure may exist. But popularity is not the legal standard. Your obligation is to apply policy consistently — especially under pressure.

- Emotional testimony is expected
- Political pressure may arise
- Popularity ≠ legal standard
- Apply policy consistently under pressure

Protect the Process

Consistency builds trust. When you apply standards evenly, reason predictably, and treat all parties with respect, credibility grows over time. That is the long-term culture you are building.

Protect Due Process

Fairness is the foundation of public confidence.

Apply Policy Faithfully

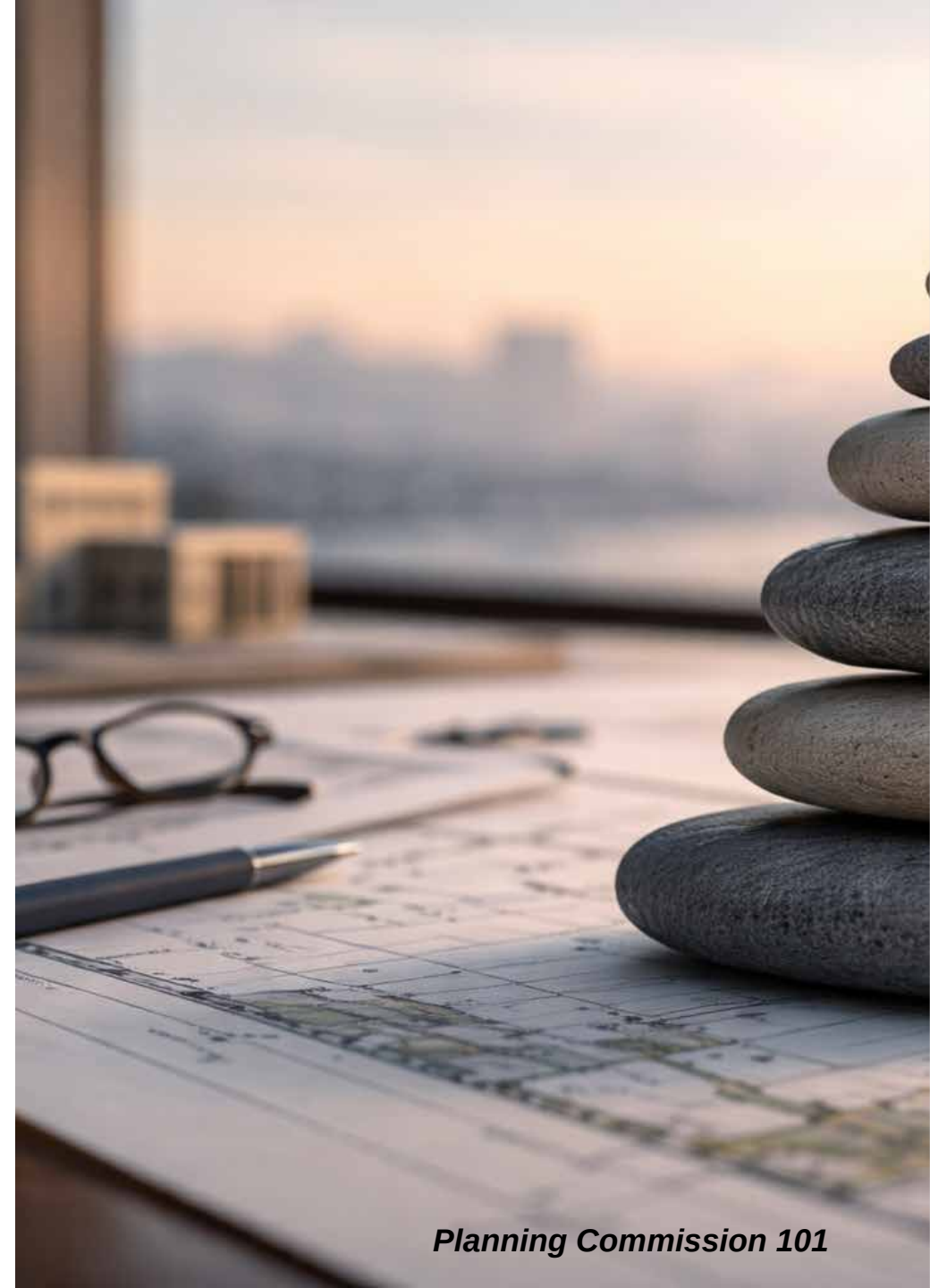
Adopted standards deserve consistent application.

Build a Defensible Record

Every decision should withstand scrutiny.

Elevate Public Discourse

Set the tone for how your community engages.



Thank You !



Panelists

- » **Colin Drukker**, Principal, PlaceWorks
- » **Marc Roberts**, Former City Manager, City of Livermore
- » **Eric Nelson**, Planning Commissioner, City of Dana Point

Questions & Answers

- » Especially questions with broad applicability
- » Additional discussion and follow up (*time permitted*)