

What's The Role Of Planning Commissioners In An Age Of Zoning Reform?



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A New World

- q Major reform at state level has **changed role of local government in housing**
- q **Planning Commissions in particular** are seeing their role change





What Has Changed

It is the *quasi-judicial* authority for *housing projects* that is being changed by the laws.

The *advisory role* of the PC in General Plans and other legislative decisions has **not** changed.

The *quasi-judicial role for non-residential projects* has **not** changed.

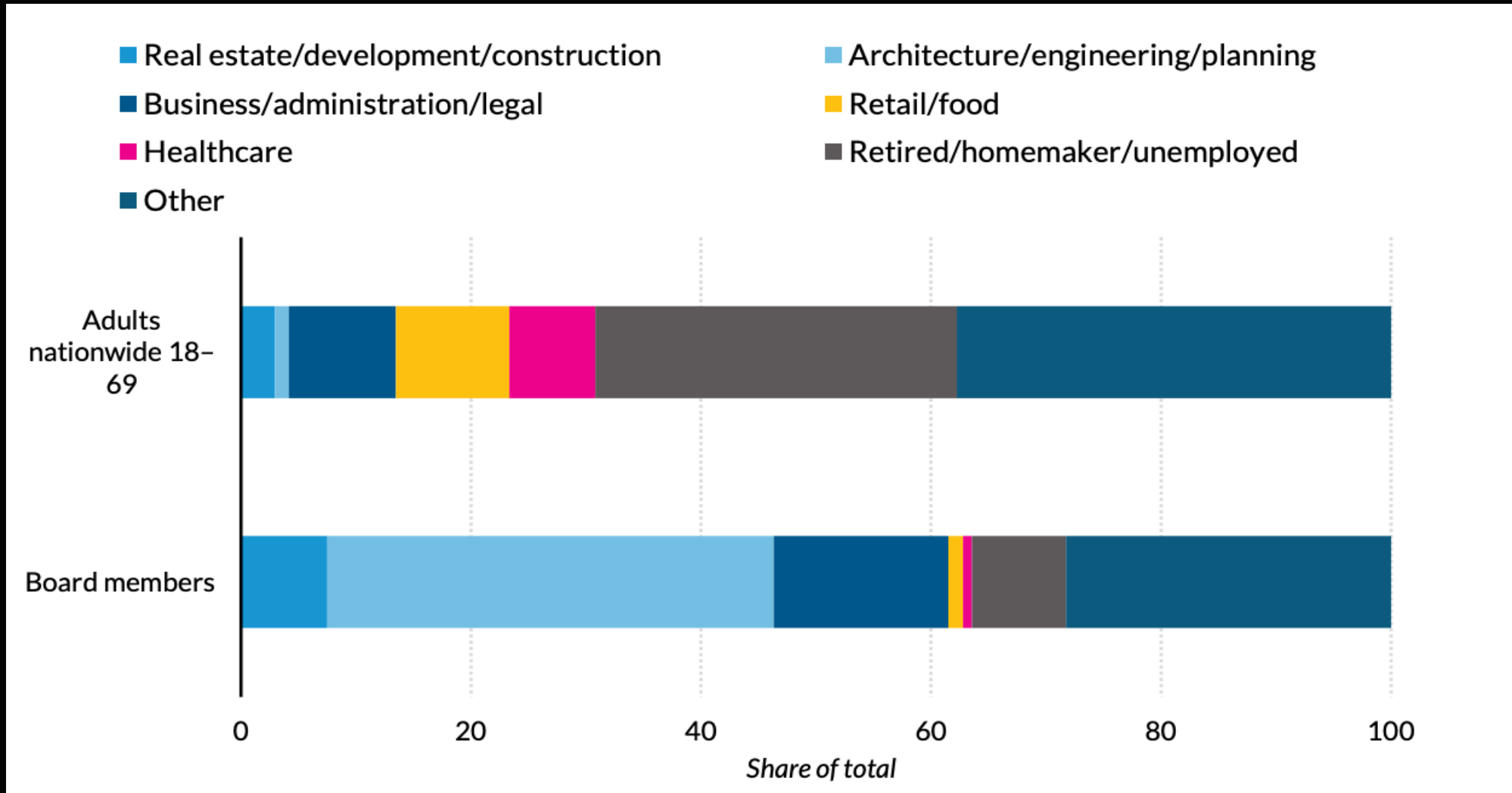
This Is What You Are Up Against

- **Density Bonus Law:** Increase in density AND relief from standards
- **SB 35/SB 423:** Ministerial approval for some housing projects
- **AB 2011/SB 6:** Streamlined approval for housing on commercial property
- **SB 4:** Streamlining for housing on land owned by churches and other faith-based institutions
- **AB 130:** CEQA exemption for infill housing 20 Acres or less
- **SB 79:** Mandatory midrise zoning near major transit stops

It Goes Against Your Training And Tradition

Most Planning Commissioners are “in the business” and used to applying their judgment

Source:
Urban institute



But This Isn't Your Role Anymore – At Least On Housing

- Yes, these new laws **take the bat out of your hands** in certain situations ... at least on **individual projects**.

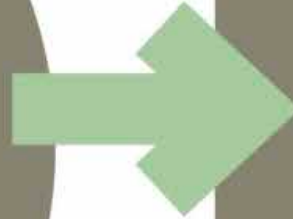


Objective Design Standards Often *Replace* Your Judgment

EXISTING SUBJECTIVE GUIDELINE:

“Accentuated inset entries or other similar features **may provide** horizontal or vertical offsets and break the [roof] eave line of the building.”

*Plano Trabuco Townhomes
Specific Plan*



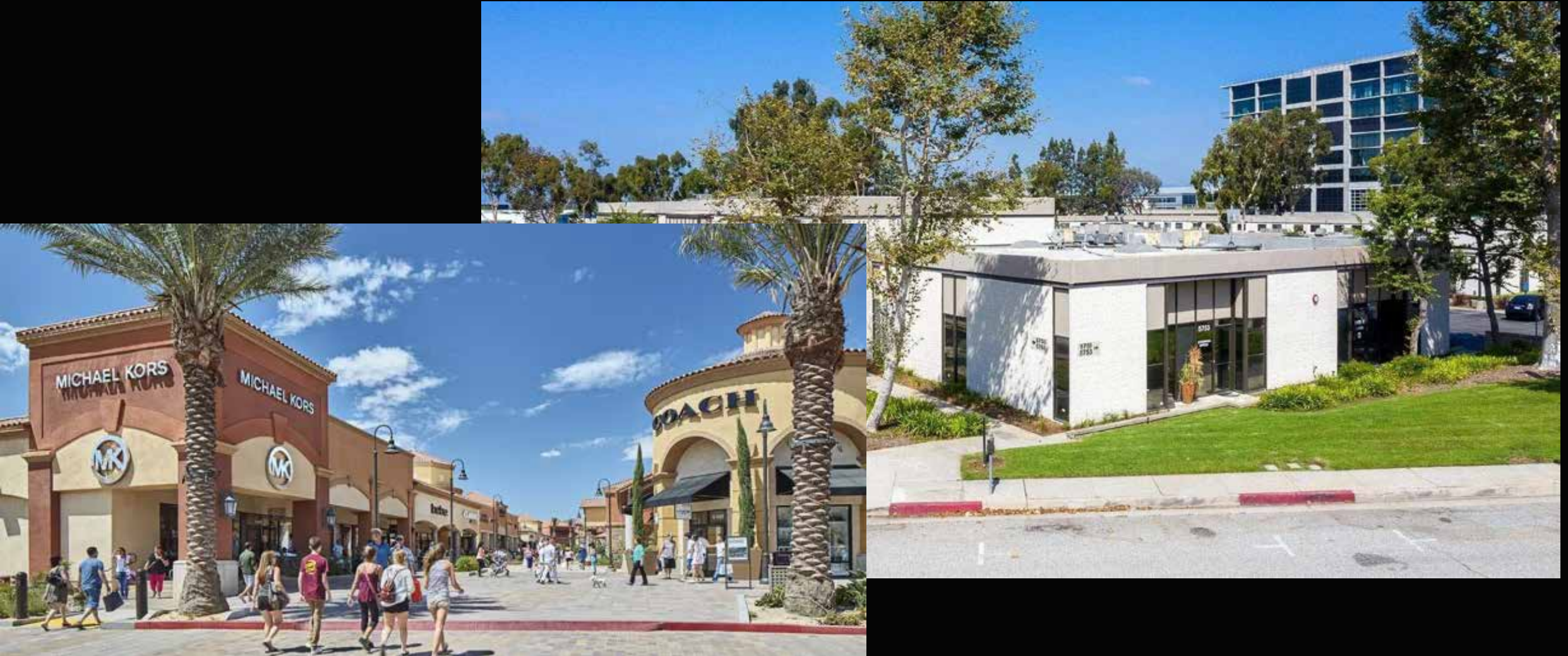
TRANSLATED OBJECTIVE STANDARD:

“Roof lines **shall** not extend more than a length of **50 feet** without... a variation of roof height of at least **18 inches** (as measured from the highest point of each roof line)”.

But As Planning Commissioners, You Can Help Shape Those Standards



Remember: You Still Have Lots of Discretion Over Commercial and Industrial Projects. Although ...





Commercial Projects Often Have Residential Components Now

So Watch Out For Those 2/3-1/3 Projects



And The State Is Getting Involved In Warehouses

- Don't forget about AB 98 from 2024



But Remember: Your *Advisory* Role Is Still Vital!

With Specific Plans in particular, you can work out details with developers ... and with ODS, you can help shape design.

This role is now more important!



GENERAL PLAN



**Moffett Park
Specific Plan**

Adopted July 2023



Bottom Line: You Now Have 3 Roles

- Housing: Did the applicant *follow the rules*?
- Commercial/Industrial: *More discretion* as in the past
- General Plan, Specific Plans and Objective Design Standards: *Advisory* to City Council



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