

Planning Commission 101:

The Nuts and Bolts of Planning



Panelists

- » **David Early**, AICP, Senior Advisor, PlaceWorks
- » **Marc Roberts**, City Manager, City of Livermore
- » **Bill Anderson**, former Planning Commissioner, City of San Diego

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 (SZA)
- » 1926 Euclid v. Ambler — upholds constitutionality of zoning



Key Planning Milestones -- California

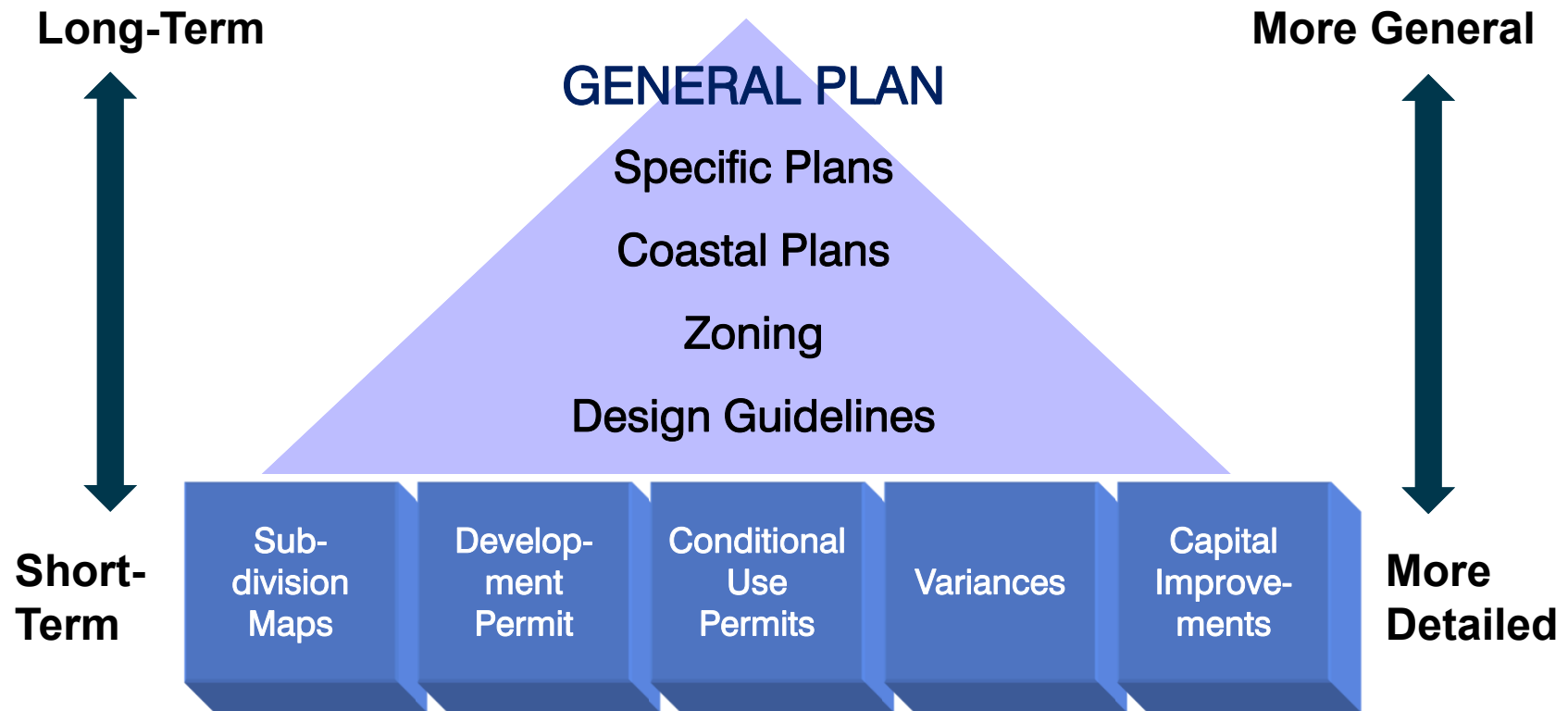
» California has long been a leader in planning and land use regulation:

- 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

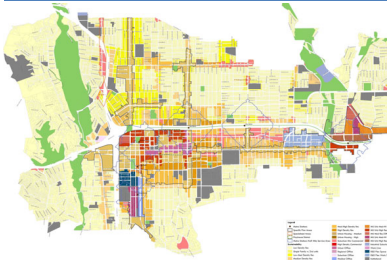


General Plans

- » Bedrock of California planning.
- » Required by State Law
- » 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
- » Promotes community participation
- » Sets the ground rules

Required General Plan Elements

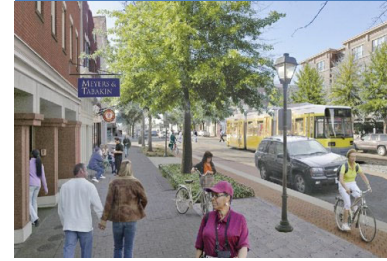
LAND USE



HOUSING



CIRCULATION



CONSERVATION



OPEN SPACE



NOISE



SAFETY



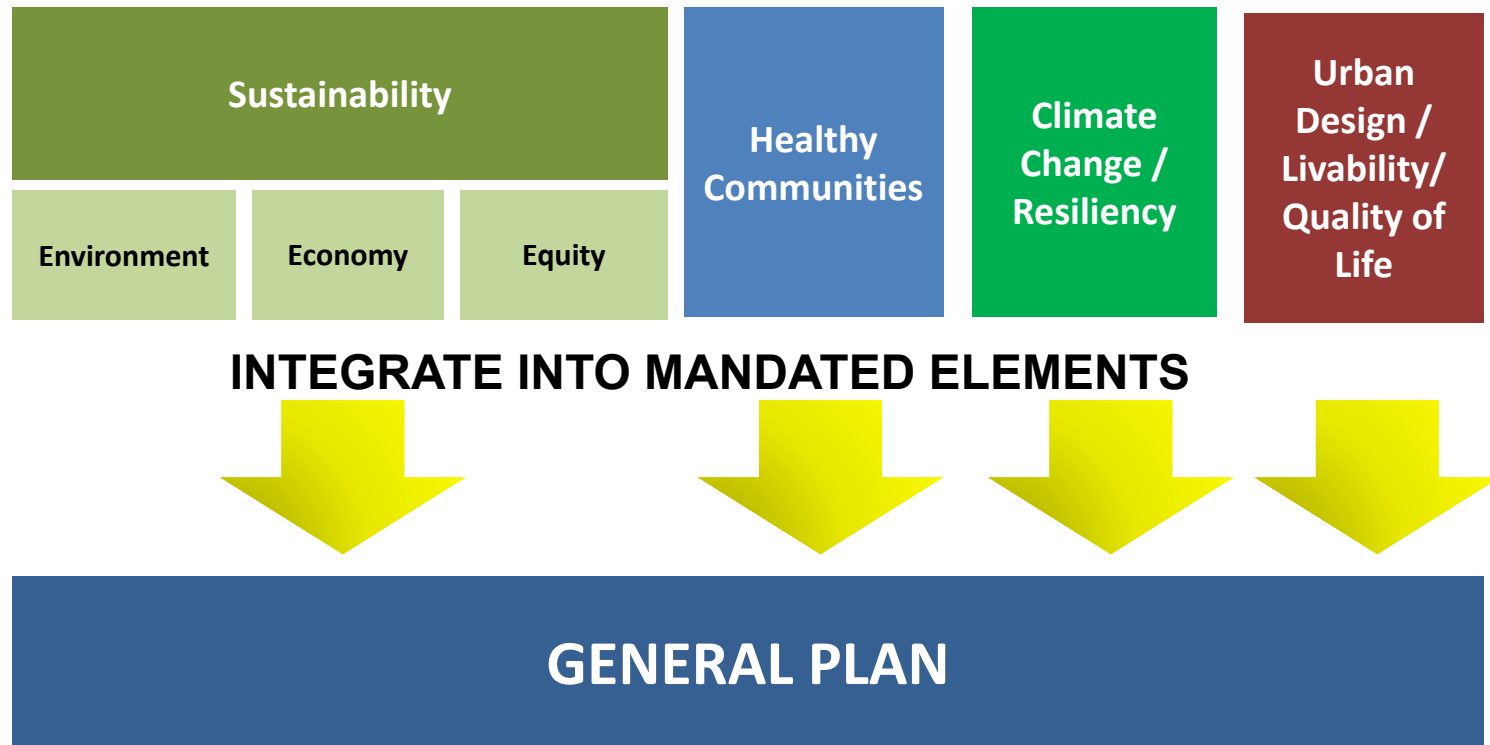
AIR QUALITY



ENVIRONMENTAL JUSTICE



Additional General Plan Topics



General Plan Content



» Vision

- Aspirational statements describing the desired, positive future for the community.
- An image of the future that the community wishes to create.
- Succinct description of community values.

» Goals

- Ideal future end that is an expression of community values. May be abstract.
- Not quantifiable or time-dependent.

» Objectives

- Intermediate or achievable steps to
- Generally quantifiable, with achievement desired in a set period of time.

General Plan Content



» Policies

- Specific statement that guides decision-making.
- Rule or measure establishing a required level of quality or quantity to be fulfilled by others.

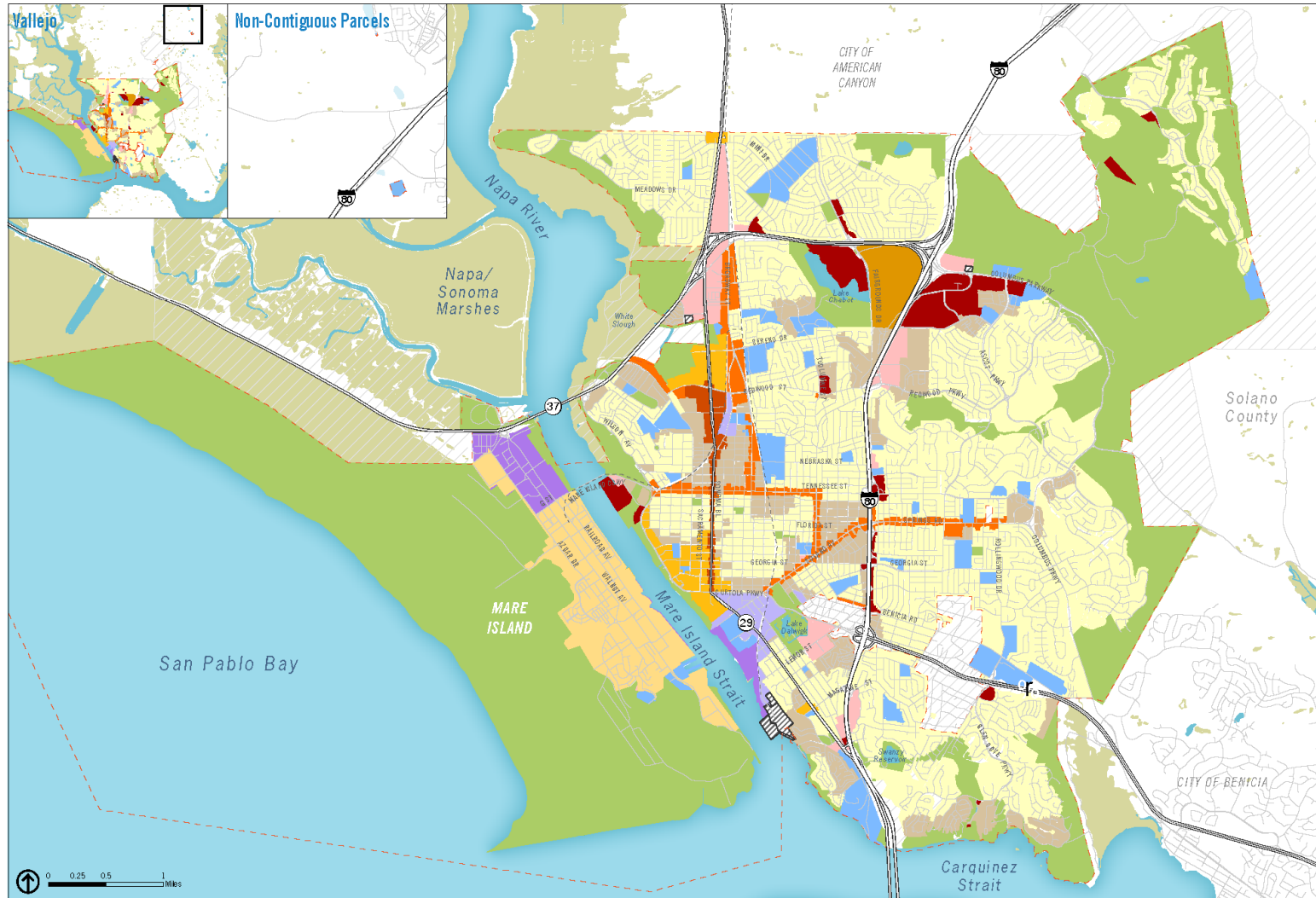
» Actions (Implementation Programs)

- Action, procedure, program, or technique that carries out a general plan policy

» Indicators

- Measures that show whether the community is achieving its goals and objectives.

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

Housing Element Law

- » **Legislature and Governor seek to address State Housing Crisis**
- » **Key legislation passed in 2017 and 2019**
 - SB 35: Requires “housing poor” jurisdictions to approve affordable projects as of right.
 - SB 330:
 - Prohibits application of non-objective standards to housing projects
 - Prohibits moratoria and growth control adopted after xxx
 - Sunsets in 2025.
 - SB 2: Funded planning for housing provision in 2018 / 2019.
 - AB 101 creates a new funding streams
 - PlaceWorks is helping State to implement the programs

SB 2 (2017)

- » Established a permanent source of funding to increase affordable housing stock in California.
- » Half of 2018 funding (\$125 million) dedicated to technical assistance for local government.
- » 2019 and onward, about \$250 million per year for housing construction.

AB 101 (2019): LEAP / REAP Grant Amounts

» LEAP:

- Population less than 60,000: \$125,000 grant
- Population 60,000 to 200,000: \$250,000 grant
- Population over 200,000: \$500,000 grant

» REAP:

- COGs, Regions and independent counties get an amount equal to the amounts received by their members

» Eligibility criteria:

- Certified Housing Element
- 2017 or 2018 Annual Progress Report submitted to HCD

AB 101: Prohousing Communities

- » **Creates new designation for “prohousing” communities.**
 - Meet all basic housing element and fair housing requirements.
 - Implement additional prohousing policies.
 - Construct housing to meet housing targets.

- » **State will make additional funds available to communities that earn the prohousing designation.**

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.

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, trim and stepped-back upper stories.
- Minimum setback of garage from primary front façade of home: 5 ft.



Detached home - axonometric illustration



Detached home - plan illustration



Illustrative views of detached homes

PERMITTED IN: NG



16 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 is needed, even if it results in environmental damage.
- » Foster intergovernmental cooperation.
- » Enhance public participation in decision-making.

Purpose of Environmental Documents

- » Informational document that analyzes potential effects, tradeoffs and mitigation when considering a project.
- » Identifies potential impacts, and where possible, mitigation measures City can apply to prevent or eliminate impact.
- » Disclosure document vs. legislative document.
- » Does not prohibit a jurisdiction from adopting a project.

CEQA Documents

» **Categorical Exemption**

- Minor changes that do not trigger environmental review.

» **Initial Study (IS)**

- Determines whether the project may have a significant effect on the environment (also known as “the checklist”).

» **Negative Declaration (ND)**

- If project found to have no significant effect on the environment.

» **Mitigated Negative Declaration (MND)**

- If IS shows effect, a MND may be prepared if revisions to project plans can avoid or mitigate effects.

» **Environmental Impact Report (EIR)**

- If IS identifies potential significant effects that cannot be eliminated through redesign.

Role of the Planning Commission

- » Creation of Plans and Regulations
- » Plan and Regulation Amendment
- » Implementation (Project Review and Approval)



Thank You!

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