



# Policy Role in Land Use Planning

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## New Mayors & Council Members Academy

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**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**

# GENERAL PLAN

- Vision for the City
- Mostly very long term
- Expensive to change
- Not very nimble



# 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**

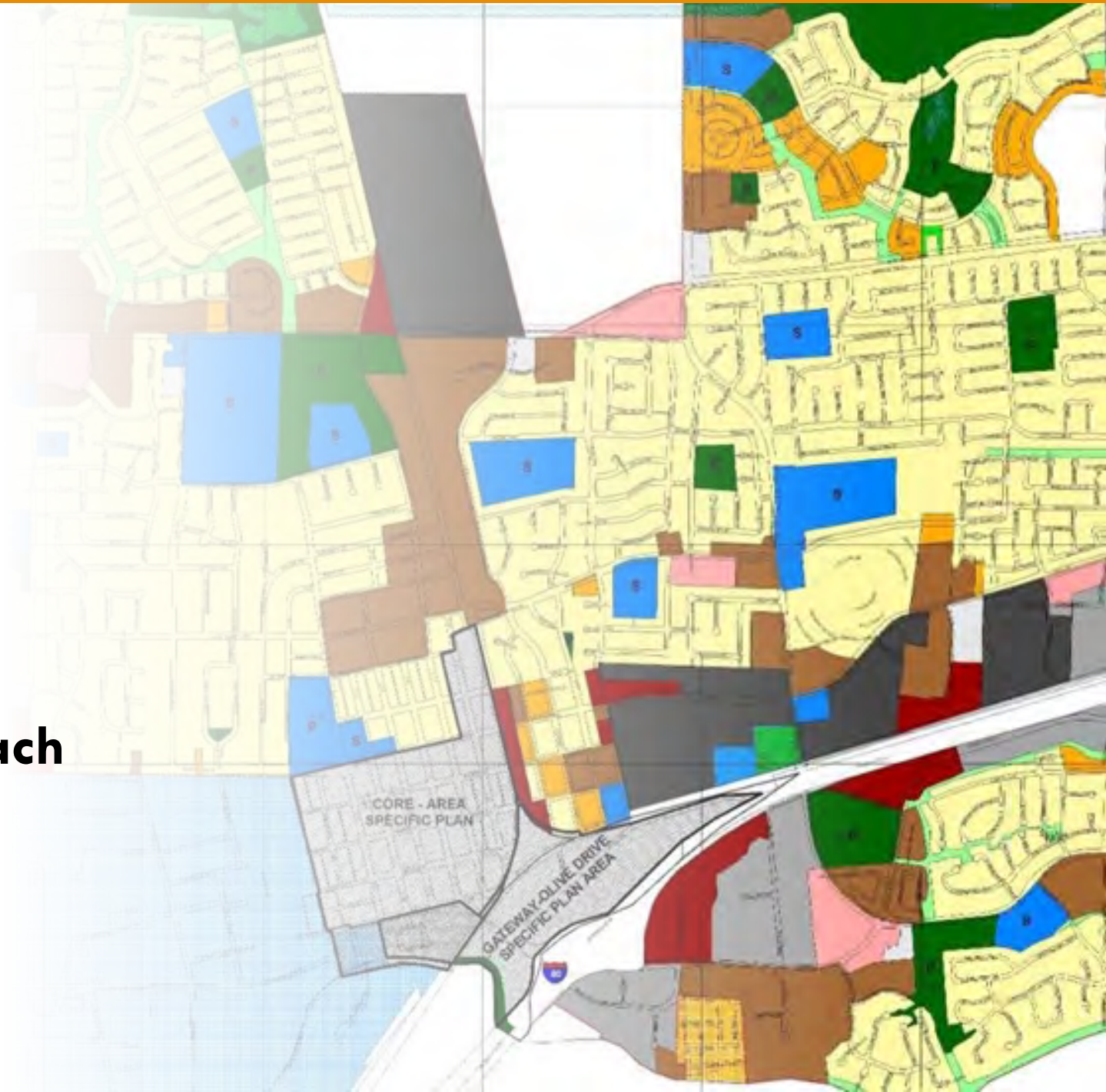
**Contains standards for land use densities, streets, and other public facilities in greater detail than the general plan map and text**



# ZONING

*The pointy end of the stick.*

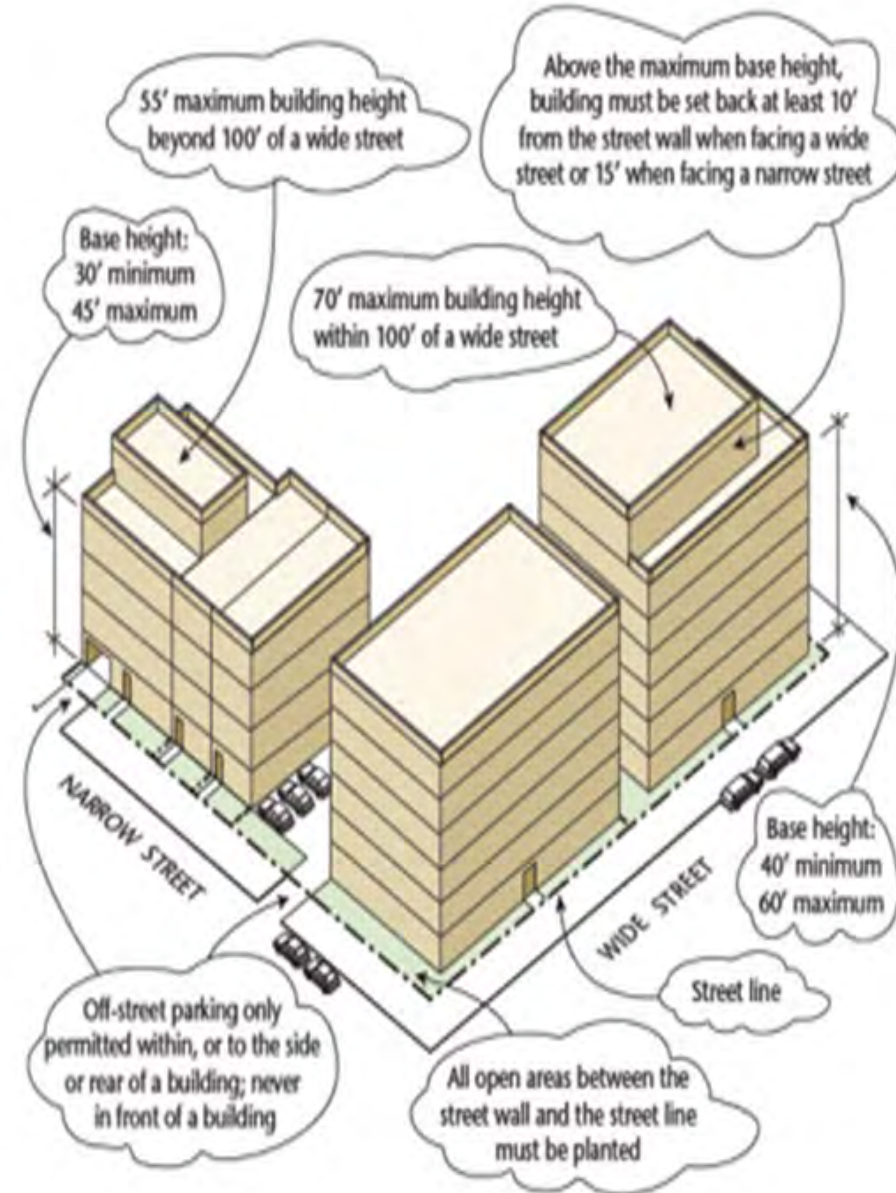
- **The General Plan's implementation tool**
- **Divides the city into various zoning districts**
- **Identifies different land uses permitted and allowed in each district**



# ZONING

## Establishes Detailed Standards

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
























# OTHER TOOLS

- DESIGN STANDARDS
- SUBDIVISION REGULATIONS
- CONDITIONAL USE PERMITS
- DEVELOPMENT PERMITS
- SPECIAL OVERLAYS
- VARIANCES



# THINGS THAT MAKE YOU GO HUH?

Policy	Staff Perspective	Developer Perspective	Commissioner Perspective
AFFH			
SB-35			
SB-330			
SB-9			
Importance of Zoning			
End of Process			
Consumer Driven			

# OBJECTIVE VS. SUBJECTIVE STANDARDS

## Advance Planning Pays Off

- Design Guidelines are Negotiable
- Design Standards are Not (normally)
- Discuss the look and feel of a land use **before** an application
- Pay the most attention to edges
- Write it all down



**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

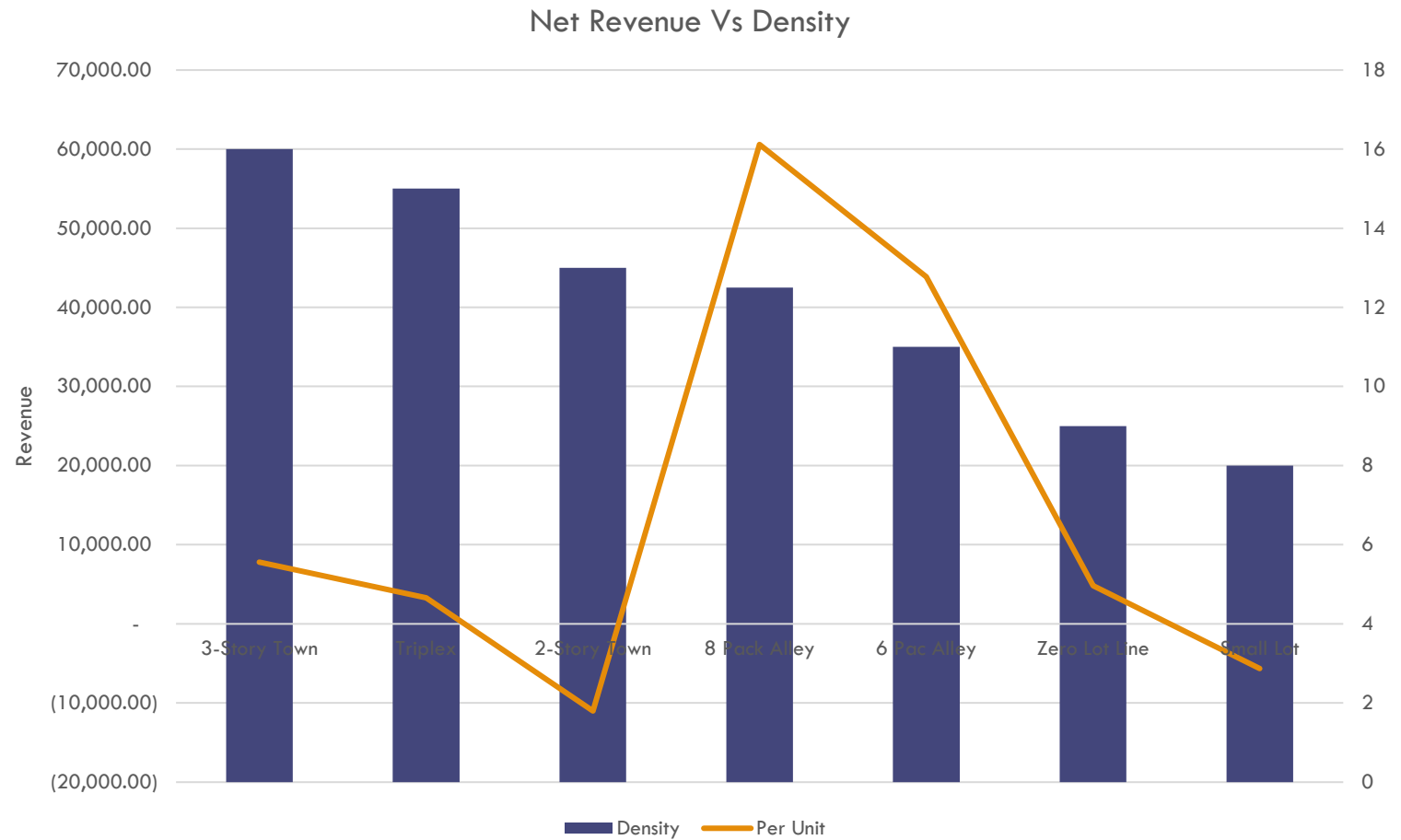


# DENSITY — NOT A SILVER BULLET

EXAMPLE — LA County Site

Land Cost 3mm Acre

Highest and Best Use  
12 Du/Ac

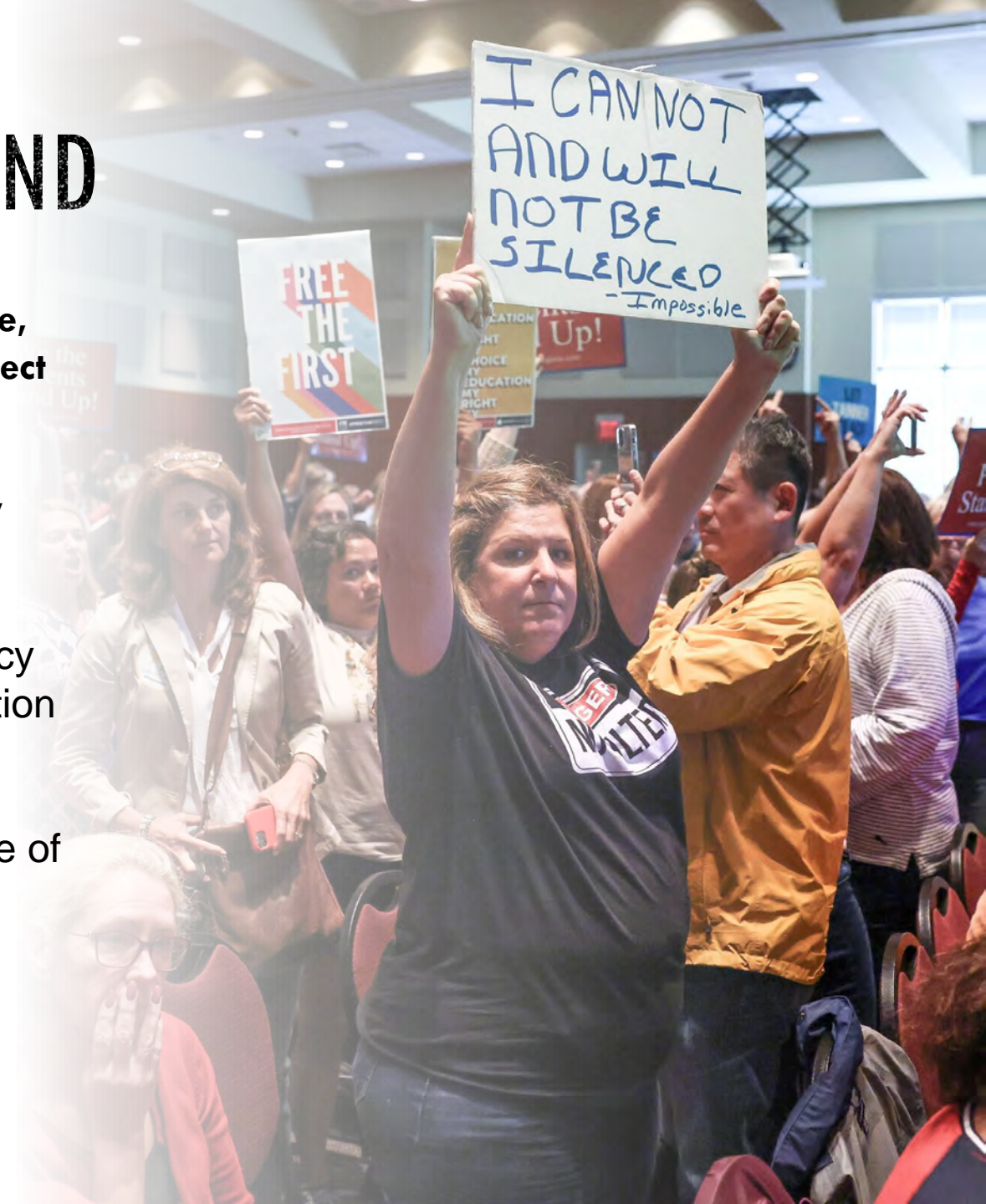




# A FEW THINGS TO KEEP IN MIND

**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 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.



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# TIPS

- Listen to your staff, you pay them to help
- Not all experts are right
- Not all opponents are wrong
- Don't be afraid to change your mind
- Mind reading is rare, tell staff what you want
- Ask questions
- Sometimes you must decide without answers to all your questions

...and finally,...

# **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!**

# INTENT OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

- ❖ To provide objective information regarding the environmental consequences of a proposed project to the decision makers who will be reviewing and considering the project.
- ❖ To provide the public and applicable regulatory agencies the ability to participate in the public decision-making process and comment on the environmental effects of a proposed project (based on established thresholds).

# THE NEW AGE OF CEQA STREAMLINING

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



# 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 so don't let the late hit derail your process.
  - Give your staff time to review
  - Don't be afraid to postpone a decision
  - Don't be afraid to make a decision

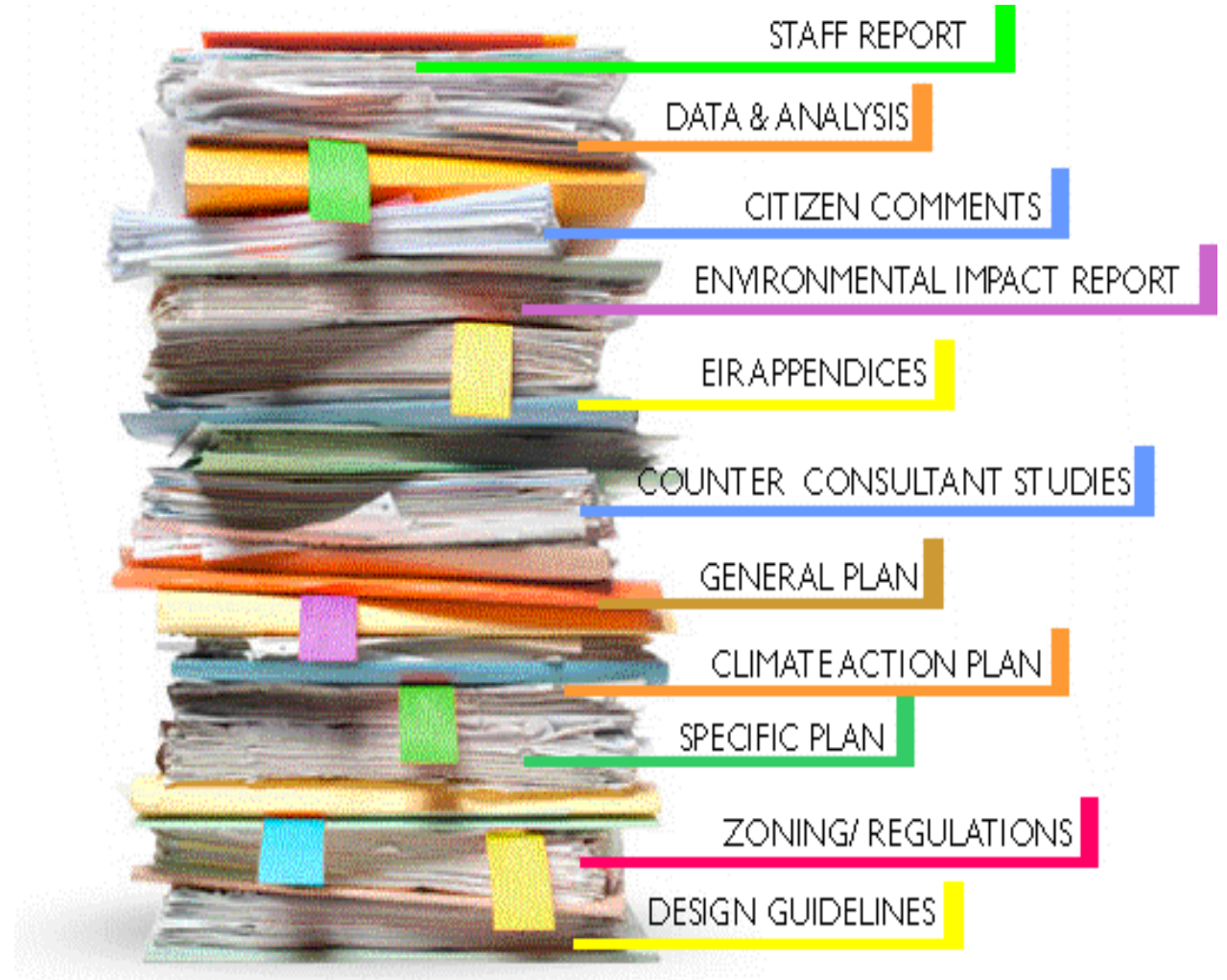


# WHAT TO READ FIRST...

- 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.
- Someone who isn't your friend will see that email/text.
- 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.
- The answer to any planning question is always “it depends”.

# QUESTIONS?

**Eric Nelson**

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And in this diagram we see how Planning and CEQA works. Any Questions?