Policy Role in Land Use Planning

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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

- Becoming Less General

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
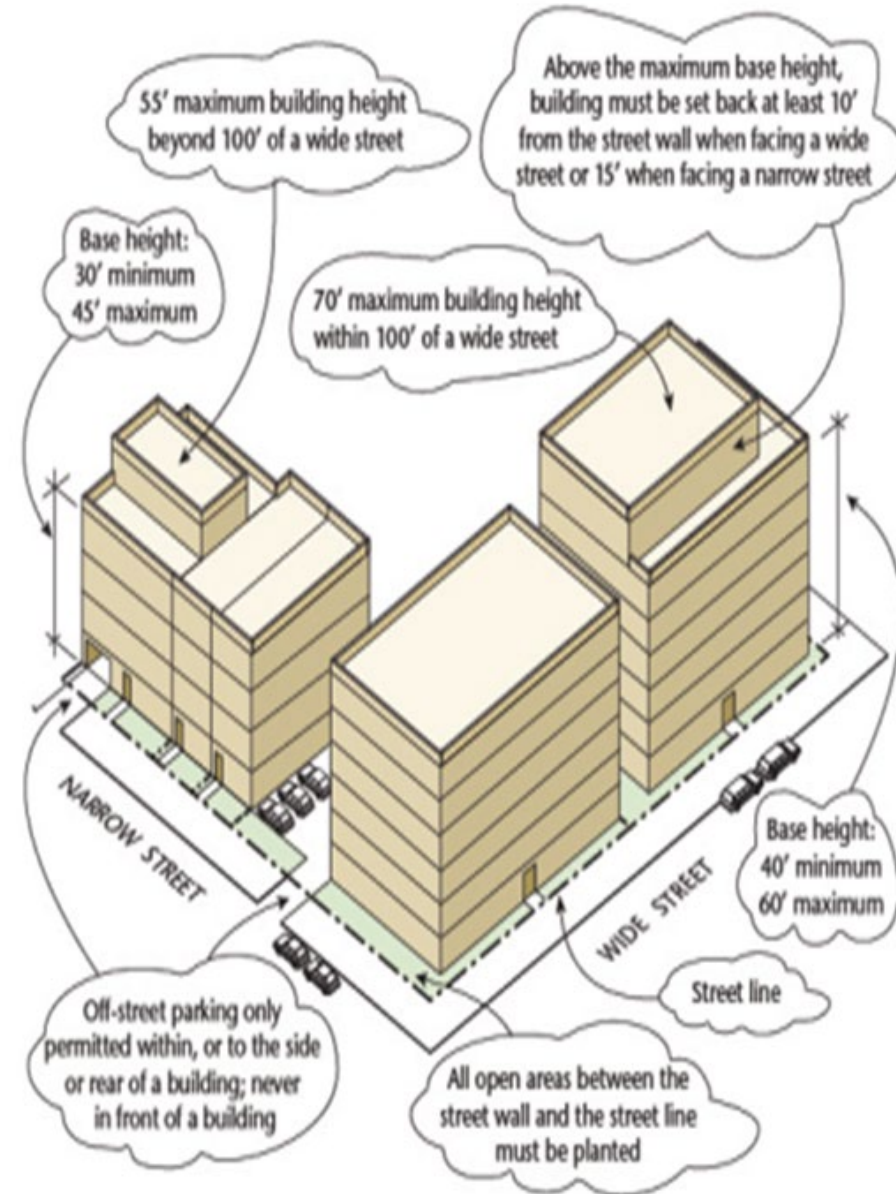
ZONING

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**

- **Euclidian and Form-Based (hybrid too)**
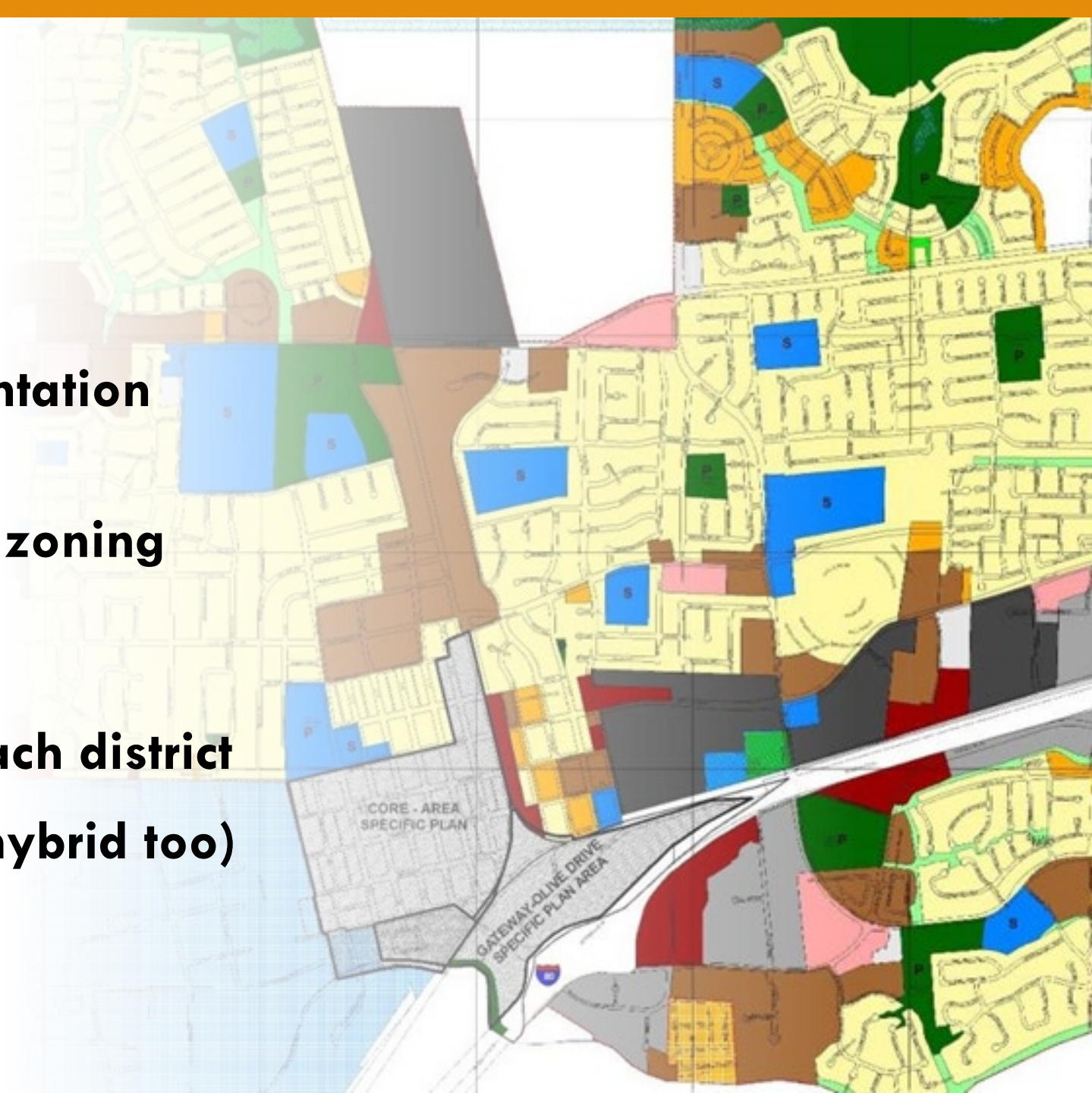
EUCLIDIAN ZONING

Establishes Detailed Standards

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

FORM-BASED ZONING

Establishes Detailed Standards

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

Main Street-Medium (MS-M)

40.13.120   Main Street-Medium

A. Intent

A walkable, vibrant district of medium footprint, moderate-intensity mixed-use buildings and housing choices from Main Street Buildings to Courtyard Buildings and Townhouses, supporting and within short walking distance of neighborhood-serving ground floor retail, food and services, including indoor and outdoor artisanal industrial businesses.

The following are generally appropriate form elements in this zone:

- Medium Building Size
- Primarily Attached Buildings
- Medium Building Site Width
- Medium Building Footprint
- Small-to-None Front Setbacks
- Small-to-None Side Setbacks
- Up to 4 Stories; Up to 5 stories, see Figure 40.13.070.A (Zoning Map).
- Min. 14' Ground Floor Ceiling Height
- Forecourts, Shopfronts, Terraces, Galleries, Arcades

B. Sub-Zone(s)

None

General note: The image above is intended to provide a brief overview of this form-based zone and is illustrative.

OTHER TOOLS

- OBJECTIVE DESIGN STANDARDS

- SUBDIVISION REGULATIONS

- CONDITIONAL USE PERMITS

- DEVELOPMENT PERMITS
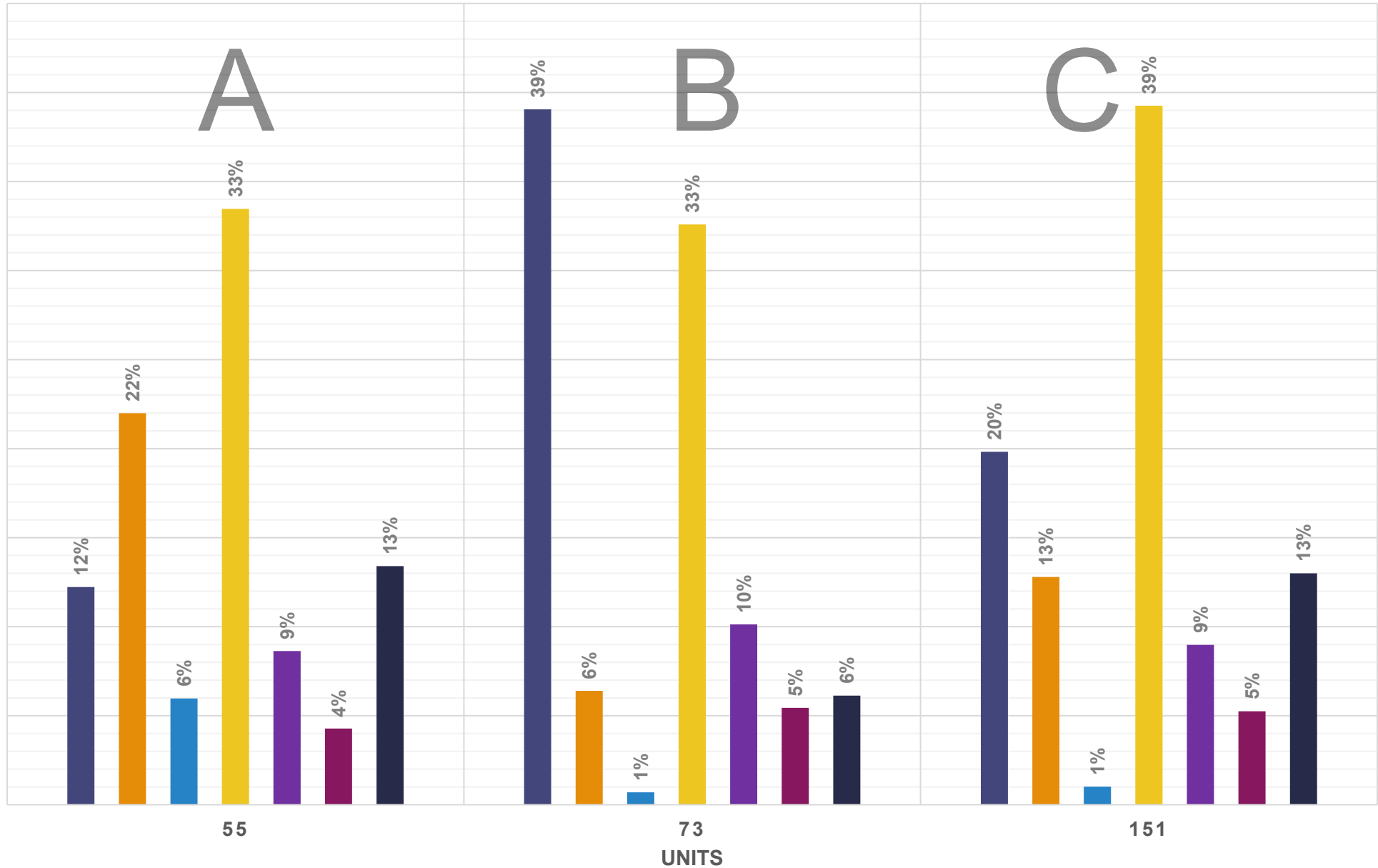
- SPECIAL OVERLAYS

- VARIANCES

Legend: Land Cost · Land Dev · Impact Fees · Directs · Other Costs · Divisional Cost · Operating Margin

A (55 Units)
- Land Cost: 12%
- Land Dev: 22%
- Impact Fees: 6%
- Directs: 33%
- Other Costs: 9%
- Divisional Cost: 4%
- Operating Margin: 13%

B (73 Units)
- Land Cost: 39%
- Land Dev: 6%
- Impact Fees: 1%
- Directs: 33%
- Other Costs: 10%
- Divisional Cost: 5%
- Operating Margin: 6%

C (151 Units)
- Land Cost: 20%
- Land Dev: 13%
- Impact Fees: 1%
- Directs: 39%
- Other Costs: 9%
- Divisional Cost: 5%
- Operating Margin: 13%

UNITS

HOUSING KPI %
3 SITES | 3 COUNTIES | 3 DISTINCT DEVELOPMENTS
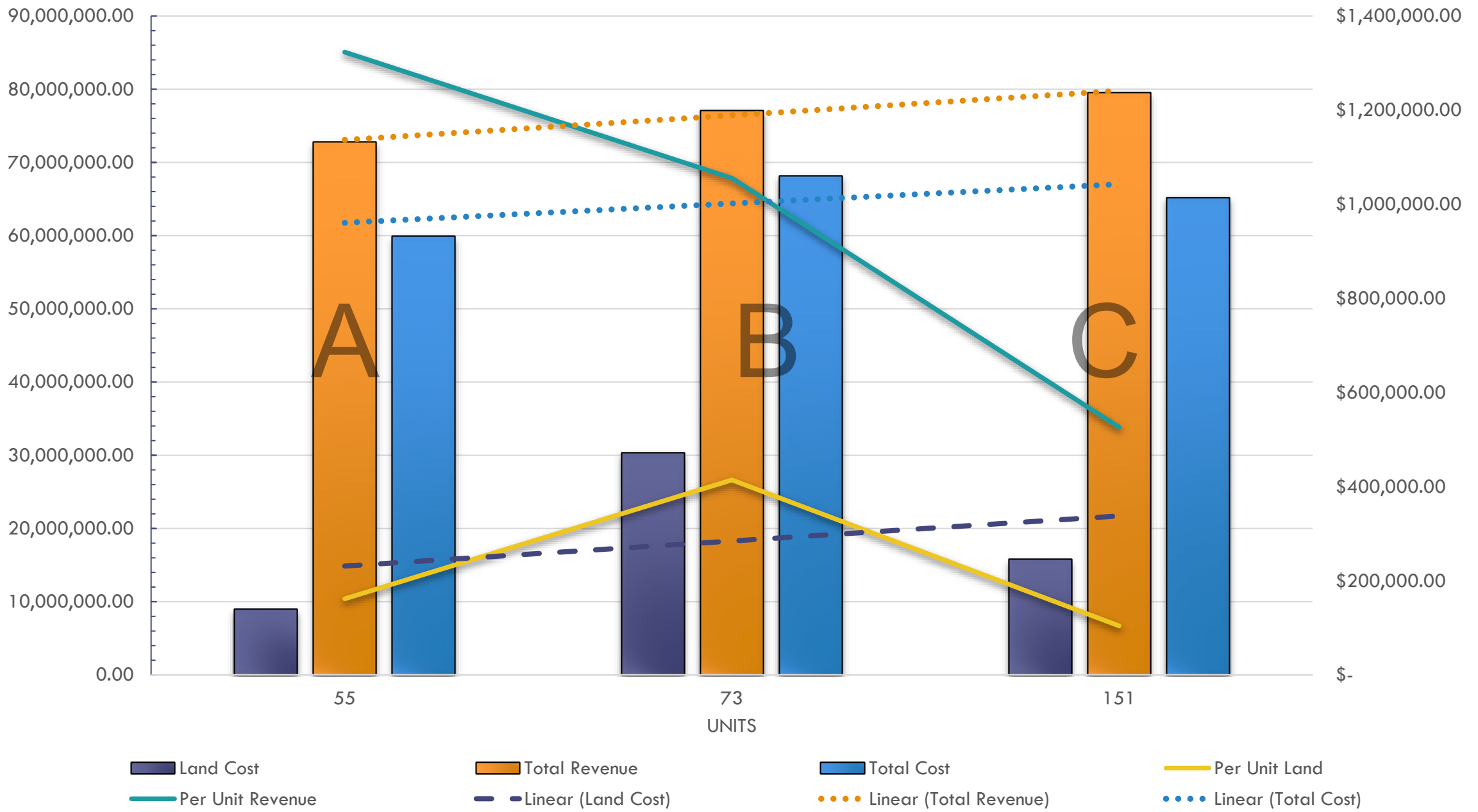
Total Cost & Revenue by Project & Per Unit
3 SITES | 3 COUNTIES | 3 DISTINCT DEVELOPMENTS

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

<u>30 units/ acre</u>


50 x 65 building

2 stories

5 units

<u>29 units/ acre</u>

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 California 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.
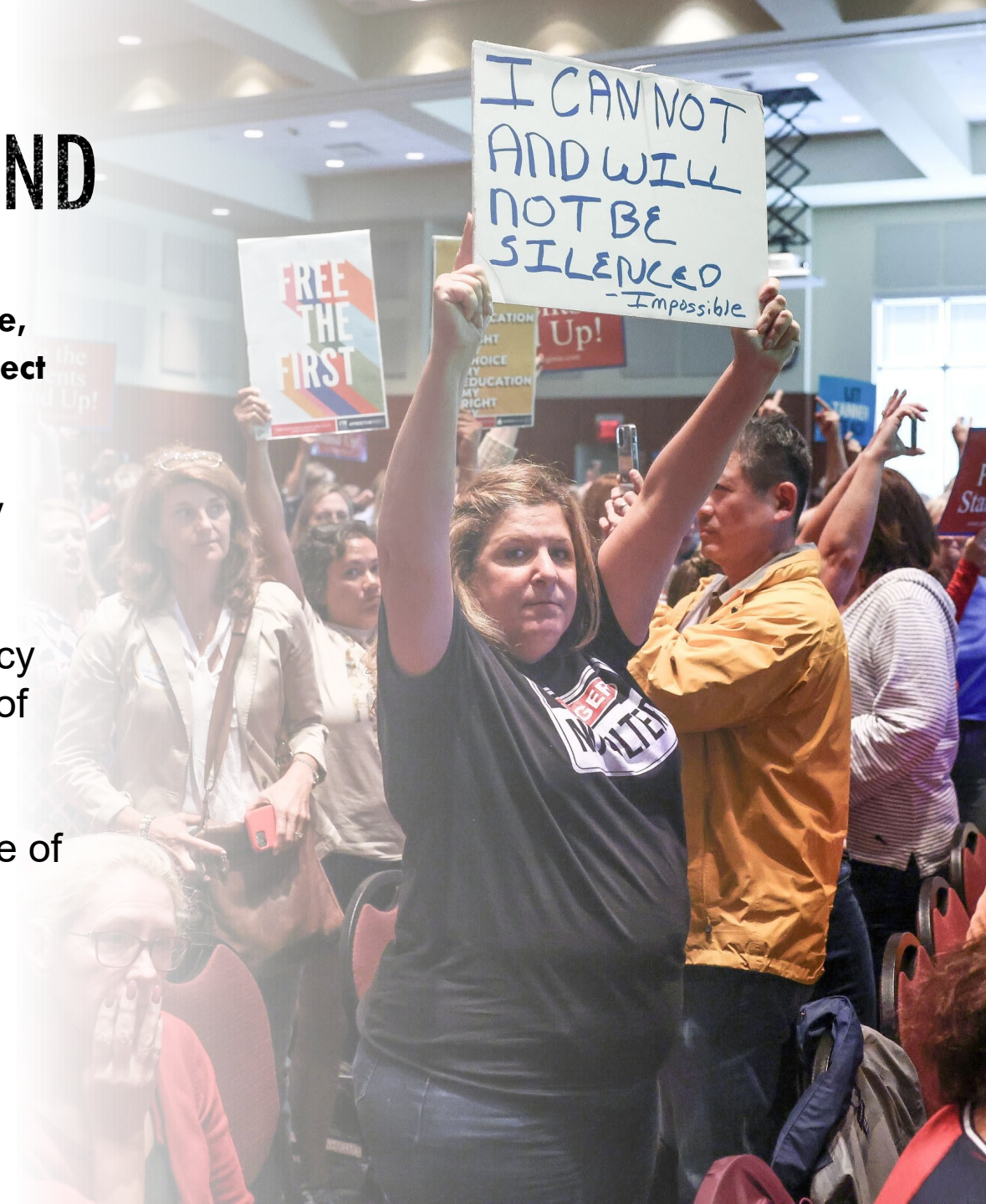
CALIFORNIA ENVIRONMENTAL QUALITY ACT

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).

IMPORTANCE — FOR NOW ANYWAY

CEQA
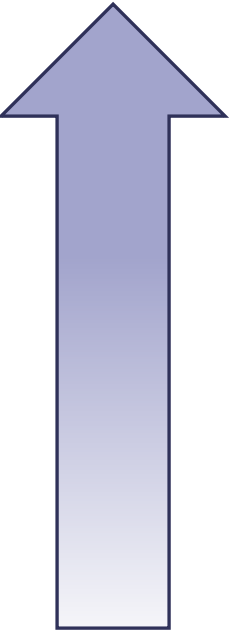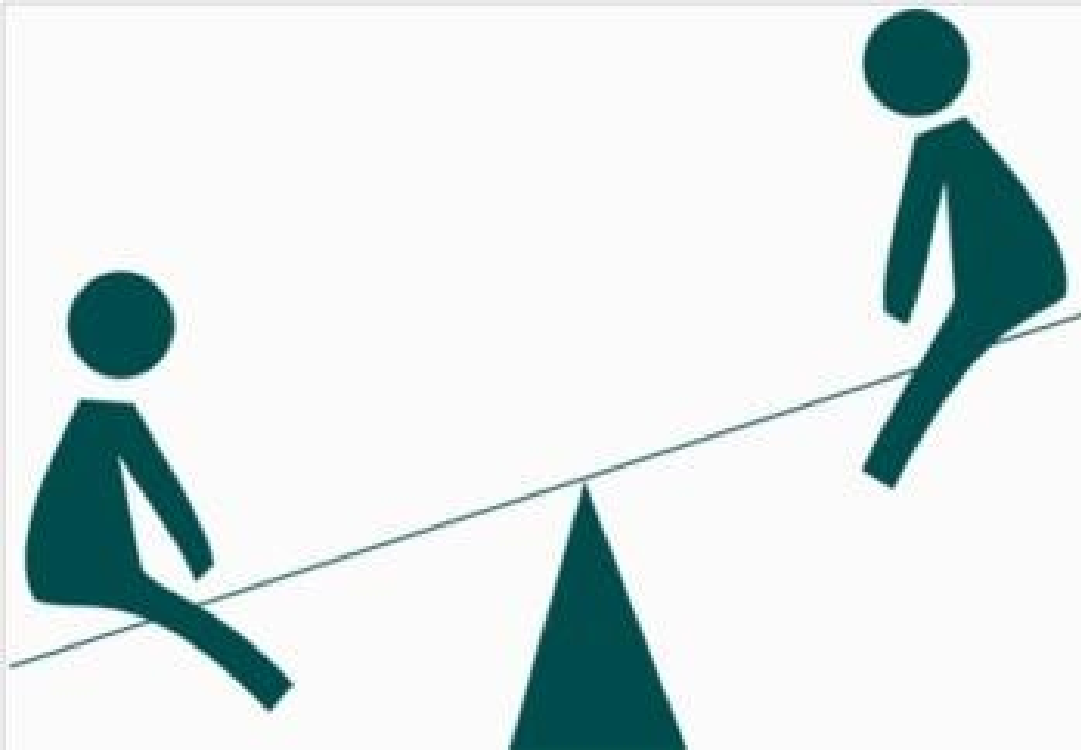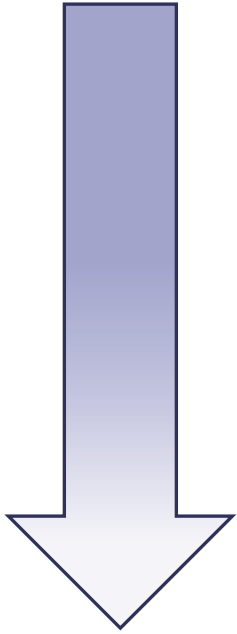
Planning

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 <u>environmental</u> 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 but don't let them derail the 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

STAFF REPORT

DATA & ANALYSIS

CITIZEN COMMENTS

ENVIRONMENTAL IMPACT REPORT

EIR APPENDICES

COUNTER CONSULTANT STUDIES

GENERAL PLAN

CLIMATE ACTION PLAN

SPECIFIC PLAN

ZONING/ REGULATIONS

DESIGN GUIDELINES

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.

- 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.

- Someone who isn't your friend will see that email/text about the project.

- The answer to any planning question is always "it depends".