

HERE TODAY

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HISTORY & USE**
- 3 ELEMENTS OF A
GENERAL PLAN**
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ELEMENT**
- 5 COMMON COURT CHALLENGES
TO GENERAL PLANS**
- 6 IN-CLASS
ACTIVITY**

Glendora Ave

A Mexican,
and a German
into a bar.

LONG BEACH FIRE DEPARTMENT

4

17

LONG BEACH
FIRE
DEPARTMENT

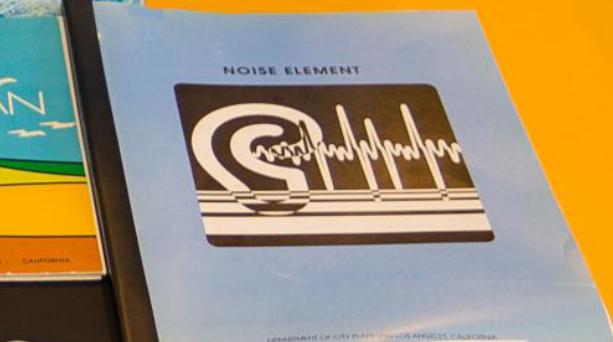
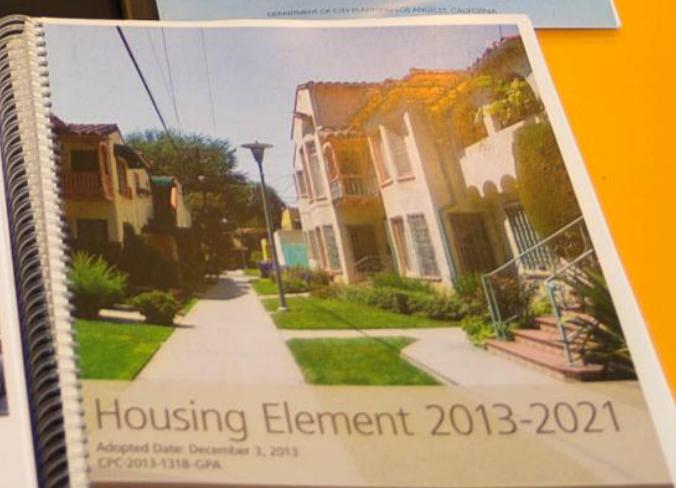
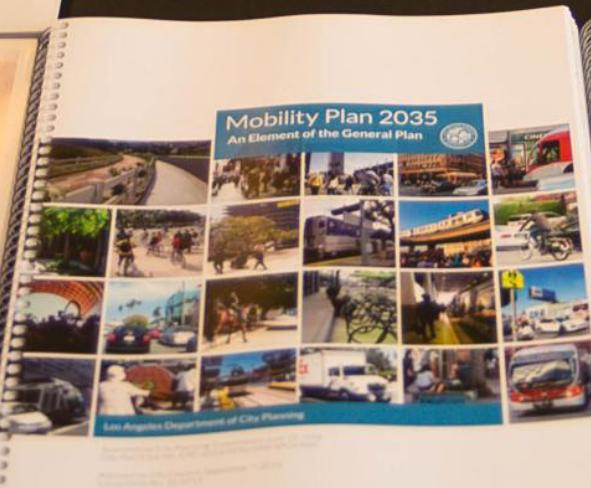
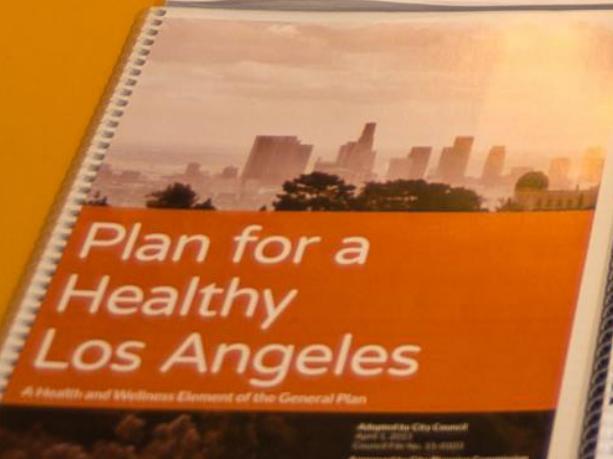






D E P A R T M E N T O F PLANN
IN
G







THE ZONING ORDINANCE SAN DIEGO COUNTY

IMPORTANT NOTE:

Zoning ordinances are continually undergoing additions, deletions and alterations. Up-to-date ordinance information is available at the Zoning Information Counter at Planning & Development Services. Any questions regarding possible changes in zoning ordinances should be directed to the Zoning Information Counter.

**Plan for a
Healthy
Los Angeles**

A Health and Wellness Element of the General Plan

Adams to City Council
April 5, 2012
Item No. 03-0403
Assessor-City Manager Committee

COUNTY OF SAN DIEGO
Planning & Development Services



Los Angeles Department of City Planning

Housing Element 2013-2021

Adopted Date: December 3, 2013
CPC 2013-1318-GPA

Plan for a Healthy Los Angeles

A Health and Wellness Element of the General Plan

SUBDIVISION REGULATIONS

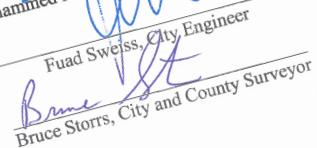
2015

DEPARTMENT OF PUBLIC WORKS
CITY AND COUNTY OF SAN FRANCISCO

Adopted by Department of Public Works Order No. 183447

Approved March 24, 2015


Mohammed Nuru, Director of Public Works


Fuad Swiss, City Engineer


Bruce Storrs, City and County Surveyor



Housing Element 2013-2021

Adopted Date: December 3, 2013
CPC 2013-1318-GPA

AIR QUALITY ELEMENT

THE CITYWIDE GENERAL
PLAN FRAMEWORK
An Element of the City of Los Angeles General Plan

SAFETY ELEMENT

Adams to City Council
April 5, 2012
Item Number: 03-0403
Assessor-City Measure Committee

Los Angeles Department of City Planning

BASIC TOOLS: GENERAL PLAN

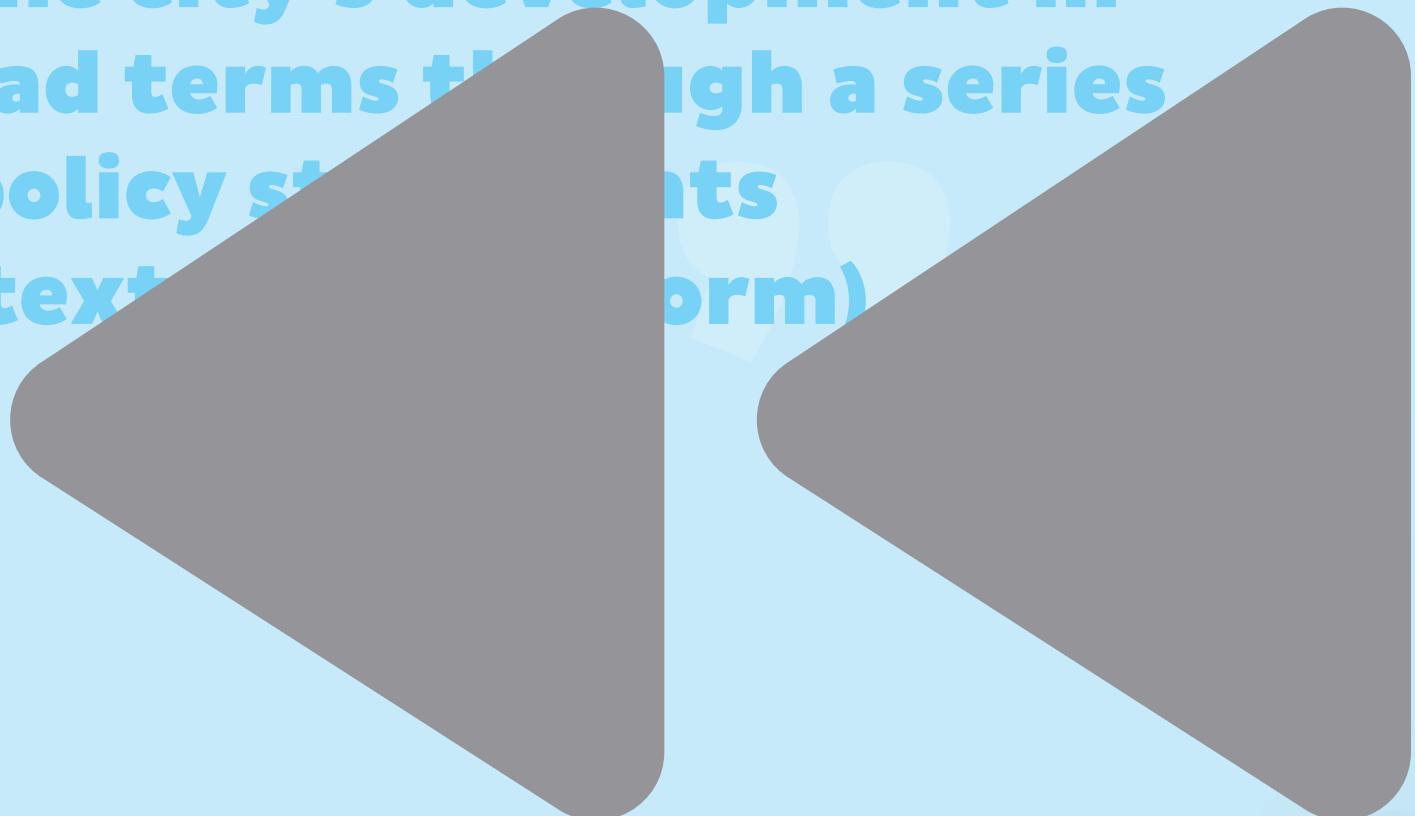


BASIC TOOLS: GENERAL PLAN

**General Plans lay out the future
of the city's development in
broad terms through a series
of policy statements
(in text and map form).**

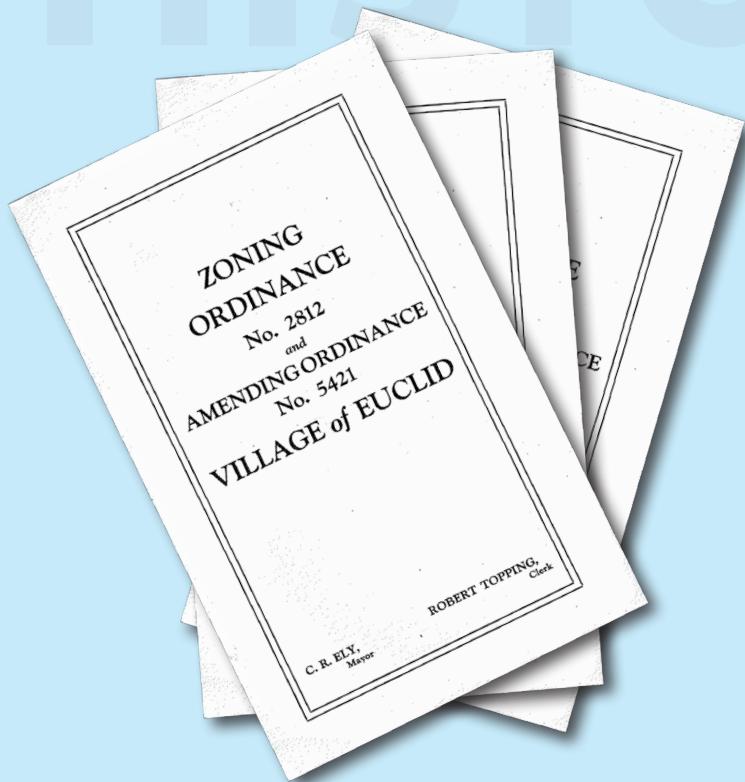
BASIC TOOLS: GENERAL PLAN

**General Plans lay out the future
of the city's development in
broad terms through a series
of policy statements
(in text and/or map form)**



HISTORY OF PLANNING AS LAND USE REGULATION

HISTORY?



Village of Euclid vs. Ambler Realty Co.

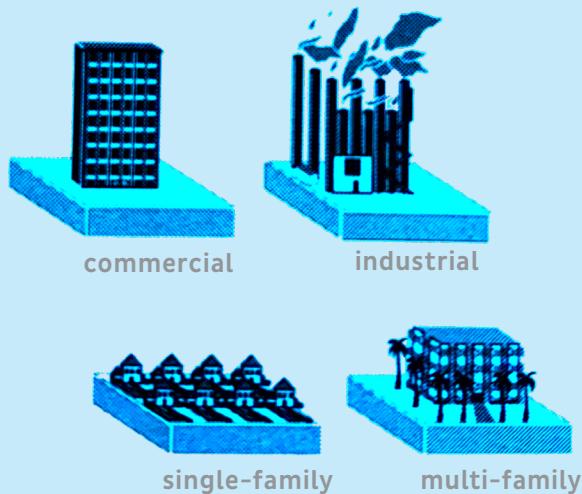
A 1926 U.S. Supreme Court case regarding the relatively new practice of zoning, which substantially bolstered zoning ordinances in towns nationwide in the United States and in other countries of the world, including Canada

Euclid vs. Ambler upheld the constitutionality of zoning



HISTORY OF PLANNING AS LAND USE REGULATION

HISTORY?



Mid 19th Century

The SSEA and other states called for zoning to be prepared "in accordance with a comprehensive plan" (comprehensive plan = general plan)

Today, all of California's cities and counties must establish a planning agency and adopt a General Plan (required by SEPA)



Exclusive Zoning: a zoning system that permits one—and only one—use in each zoning district

We will get into what General Plans look like another day.



HISTORY OF PLANNING AS LAND USE REGULATION

Mid 19th Century

California and other states called for planning to be prepared "as a comprehensive plan" (general plan)

Washington State required counties to prepare and adopt a "comprehensive plan" (SEPA)

Single Zoning: a zoning system that permits one—and only one—use in each zoning district

We will get into what General Plans look like another day.



BASIC TOOLS: GENERAL PLAN

The comprehensive plan is supposed to be the supreme document guiding the future physical development of a community...from the plan's set of policies, all decisions flow.

BASIC TOOLS: GENERAL PLAN



GENERAL PLAN HISTORY & USE

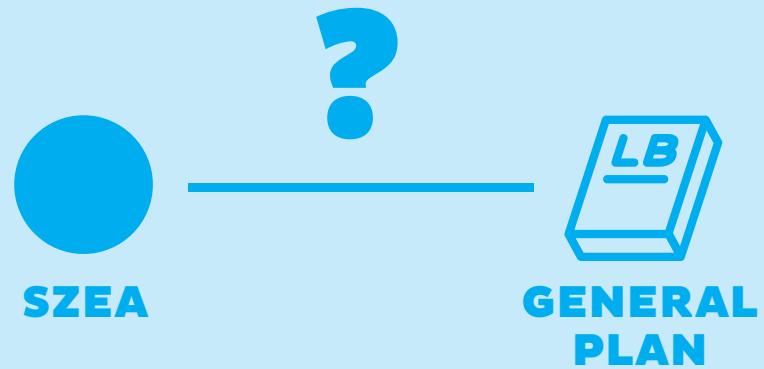


SSEA



**GENERAL
PLAN**

GENERAL PLAN HISTORY & USE



GENERAL PLAN HISTORY & USE

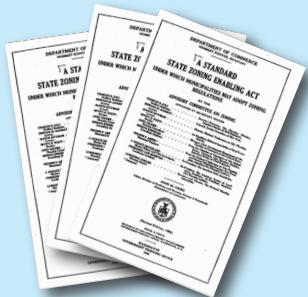


SSEA



**GENERAL
PLAN**

GENERAL PLAN HISTORY & USE



1921



SSEA

Standard State Zoning Enabling Act
was developed by an advisory committee
on zoning appointed by Secretary of Commerce
(and later President) Herbert Hoover

Allowed local governments to divide land
into zones with regulations in each zone

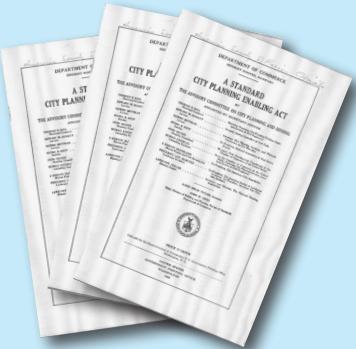
The SSEA and other states called for zoning to be
prepared “in accordance with a comprehensive plan”

In California, comprehensive plan = general plan

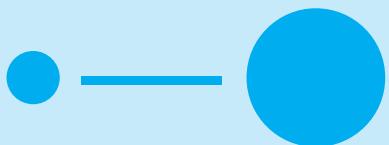


GENERAL PLAN

GENERAL PLAN HISTORY & USE



1927



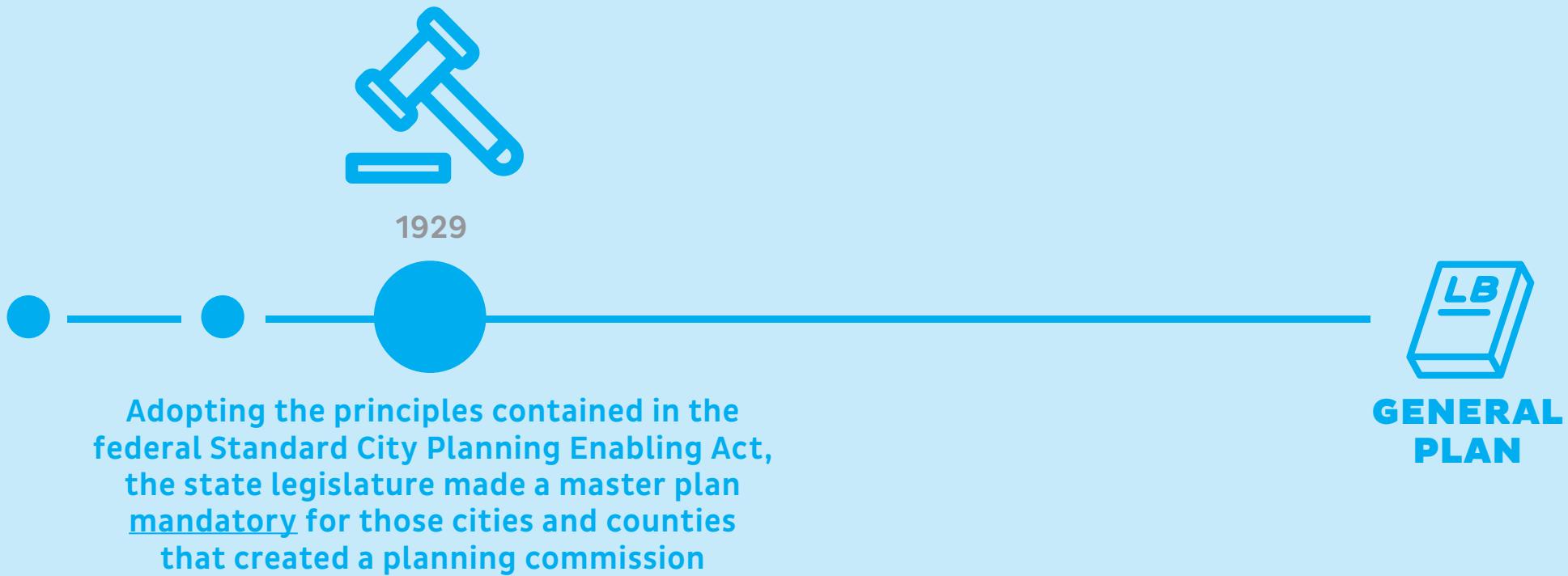
SPEA

Standard City Planning Enabling Act defines the organization and power of the planning commission, the content of a 'master plan', control of private subdivision of land, and provision for the establishment of a regional planning commission and a regional plan



**GENERAL
PLAN**

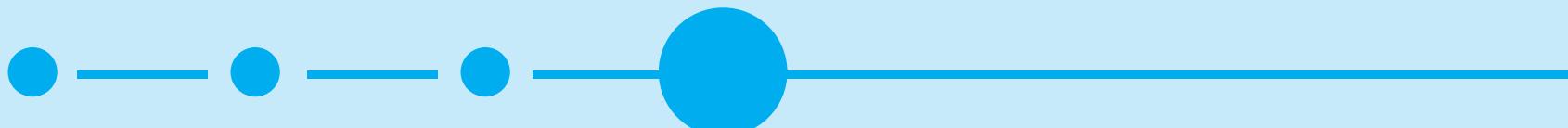
GENERAL PLAN HISTORY & USE



GENERAL PLAN HISTORY & USE



1937

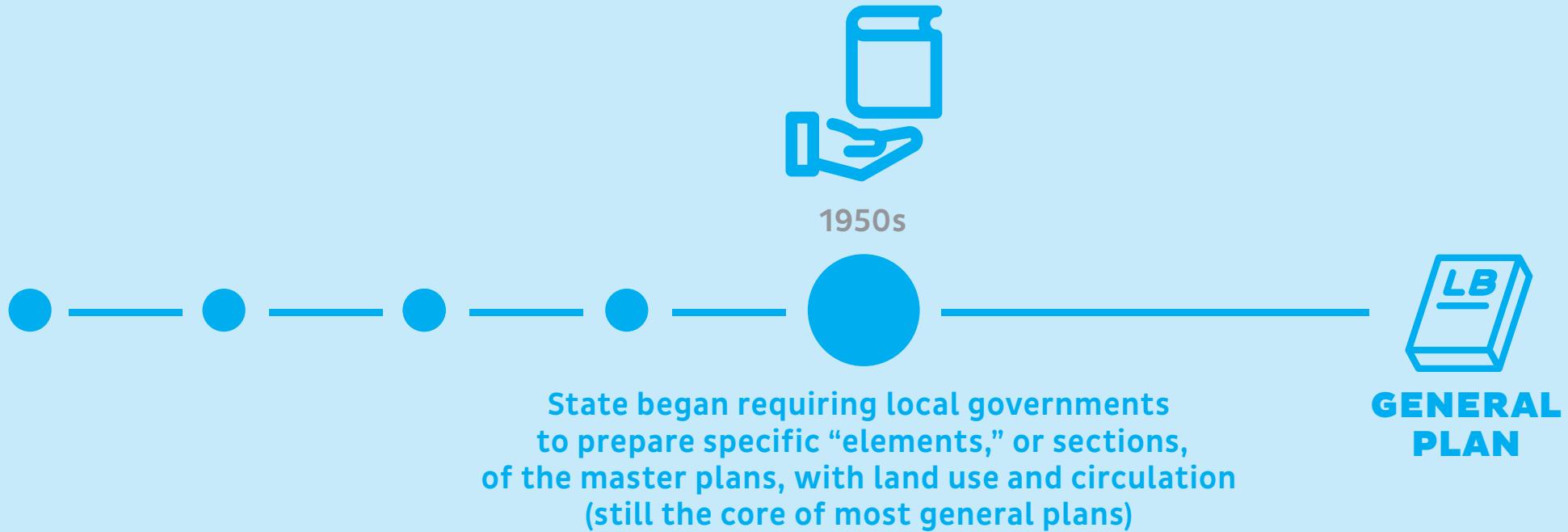


California became
one of the first states in the nation
to require all cities and counties
to adopt master plans



**GENERAL
PLAN**

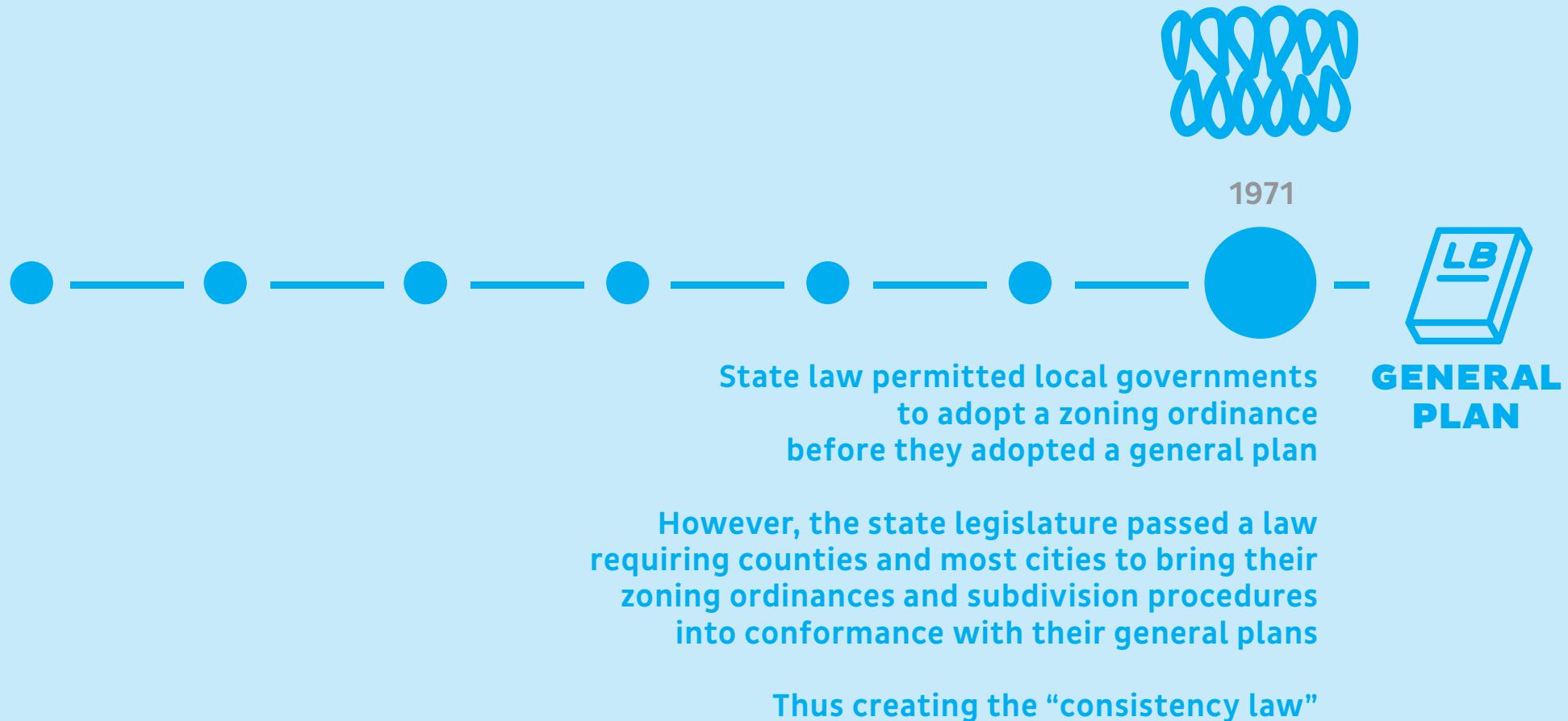
GENERAL PLAN HISTORY & USE



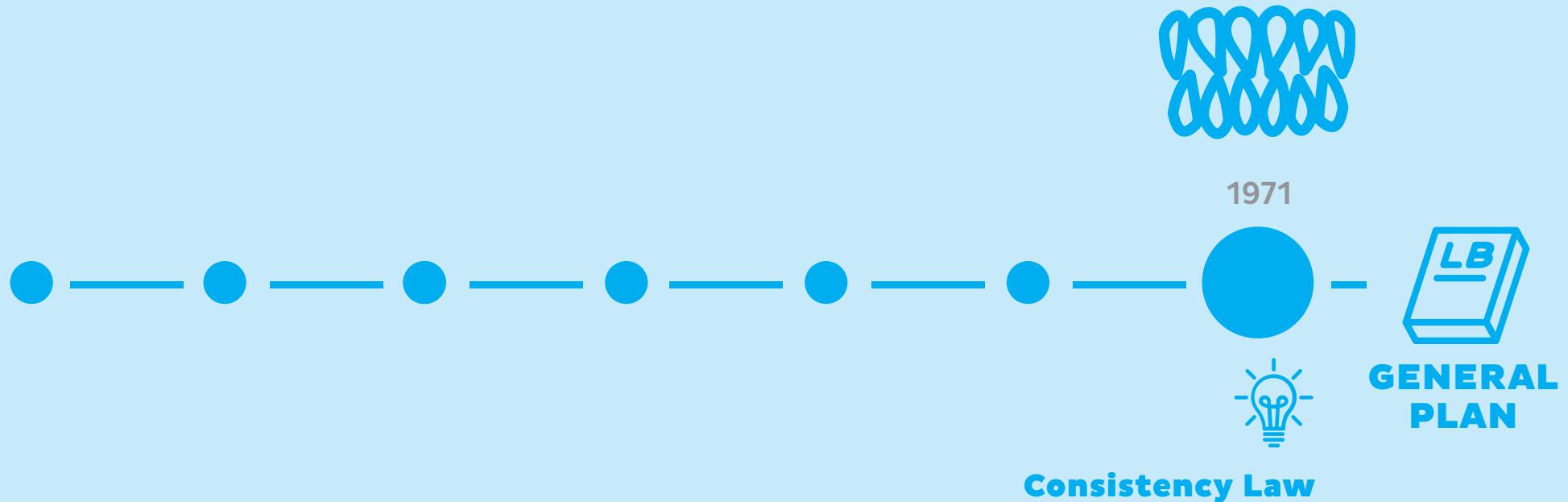
GENERAL PLAN HISTORY & USE



GENERAL PLAN HISTORY & USE



GENERAL PLAN HISTORY & USE

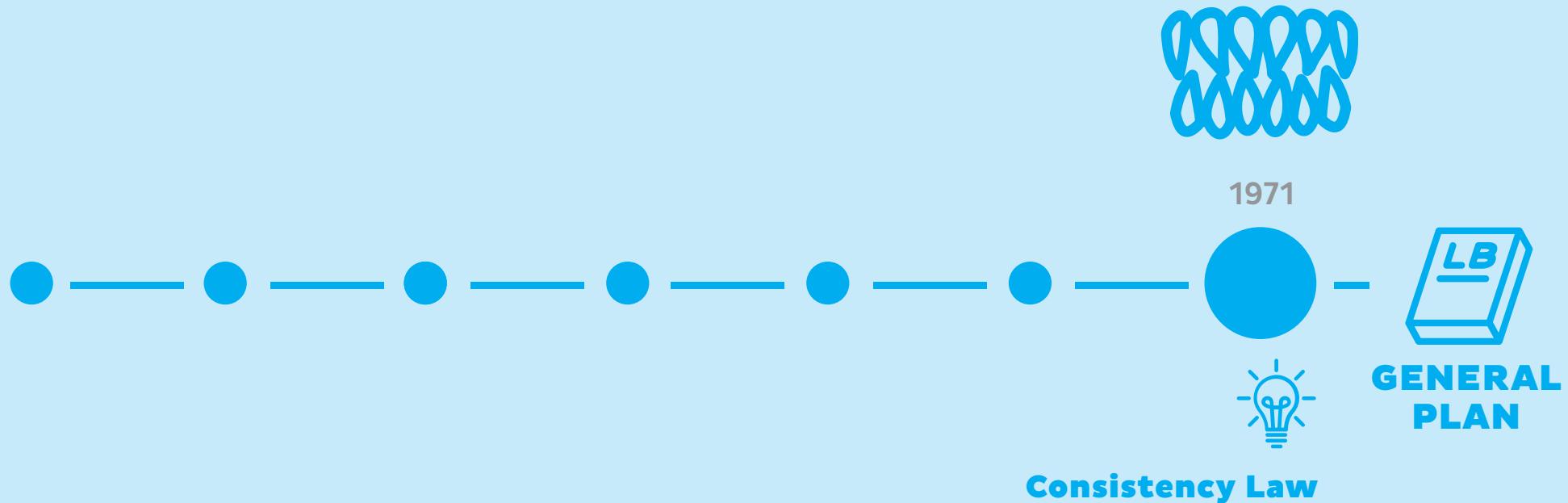


Essentially reverses the legal hierarchy
of the general plan and the zoning ordinance

Prior to the consistency law, the zoning ordinance usually had the
most teeth

Today, the zoning ordinance's legal function
is to serve as a tool by which
the general plan may be implemented

GENERAL PLAN HISTORY & USE



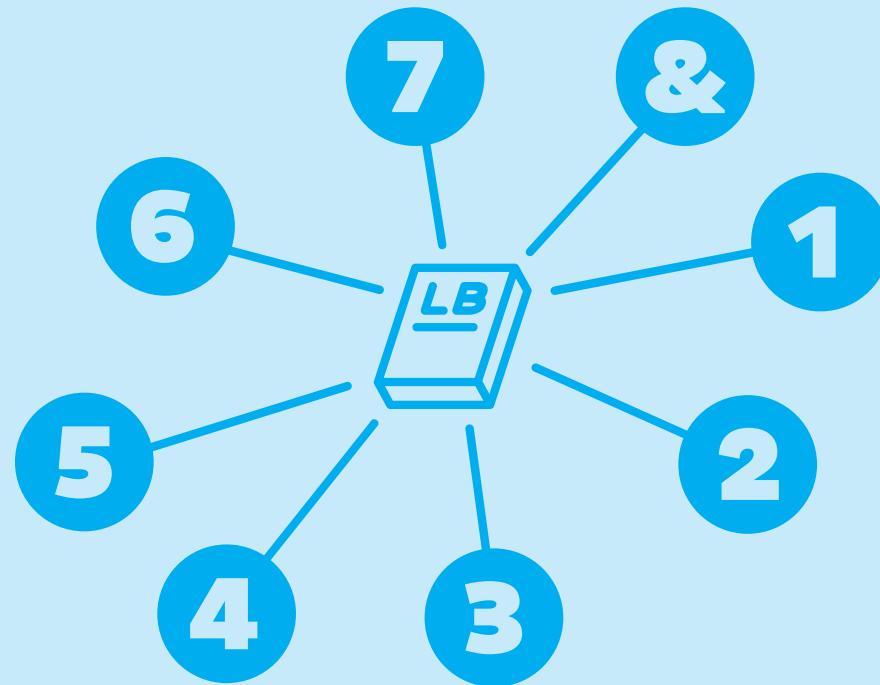
Furthermore, state law requires
all subdivisions and public works projects
in a city, charter or general law,
to be consistent with the general plan

The consistency legislation applies only
to counties and general law cities,
not to California's 120 charter cities

ELEMENTS OF A GENERAL PLAN



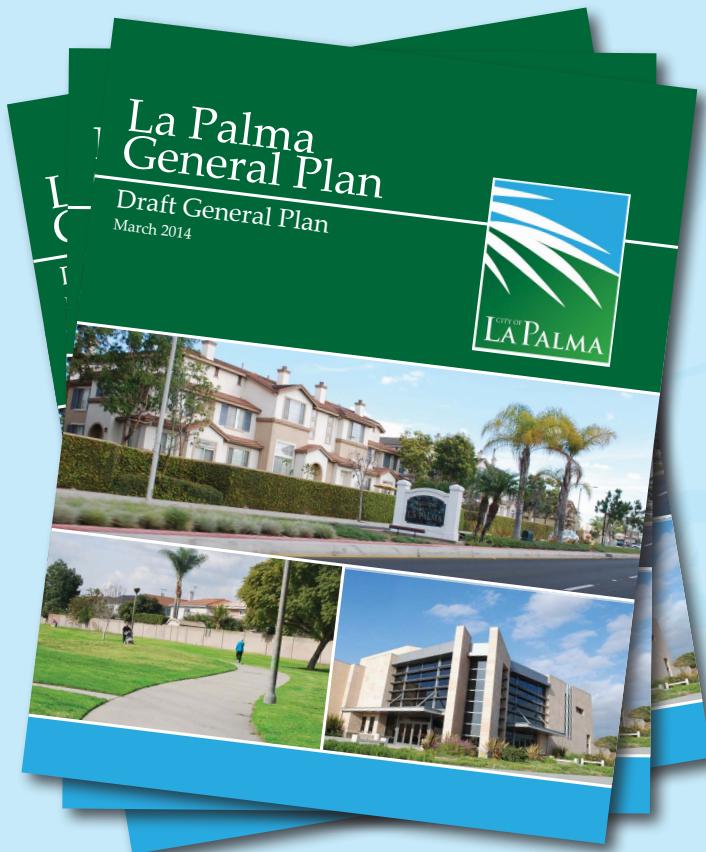
ELEMENTS OF A GENERAL PLAN



ELEMENTS OF A GENERAL PLAN



ELEMENTS OF A GENERAL PLAN



All general plans are supposed to contain a vision of the community's future



Many general plans contain a preamble that includes a set of inspirational comments about this vision

ELEMENTS OF A GENERAL PLAN

Our motto is

The City of Vision.

**It took real vision to imagine
those dairy farms becoming
the La Palma of today.**

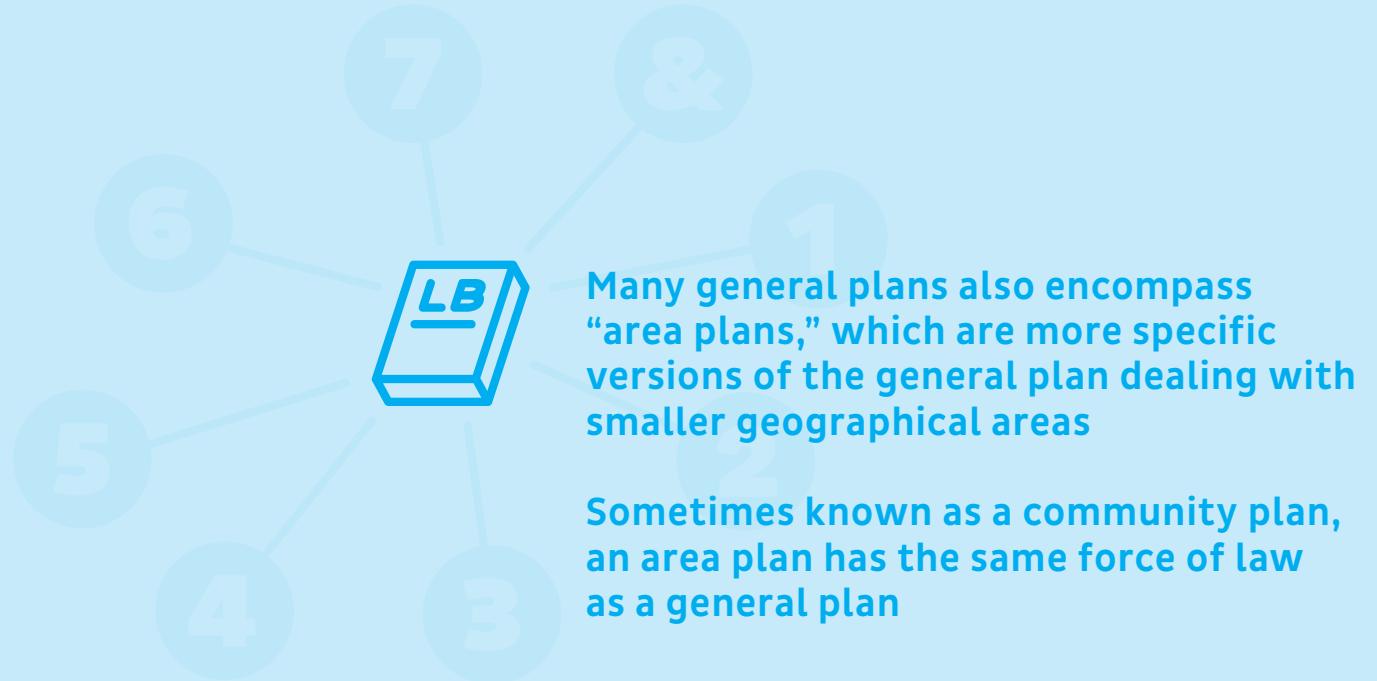
**Now, our vision is one of
carefully stewarding what
we have built and preserving
our quality of life.”**



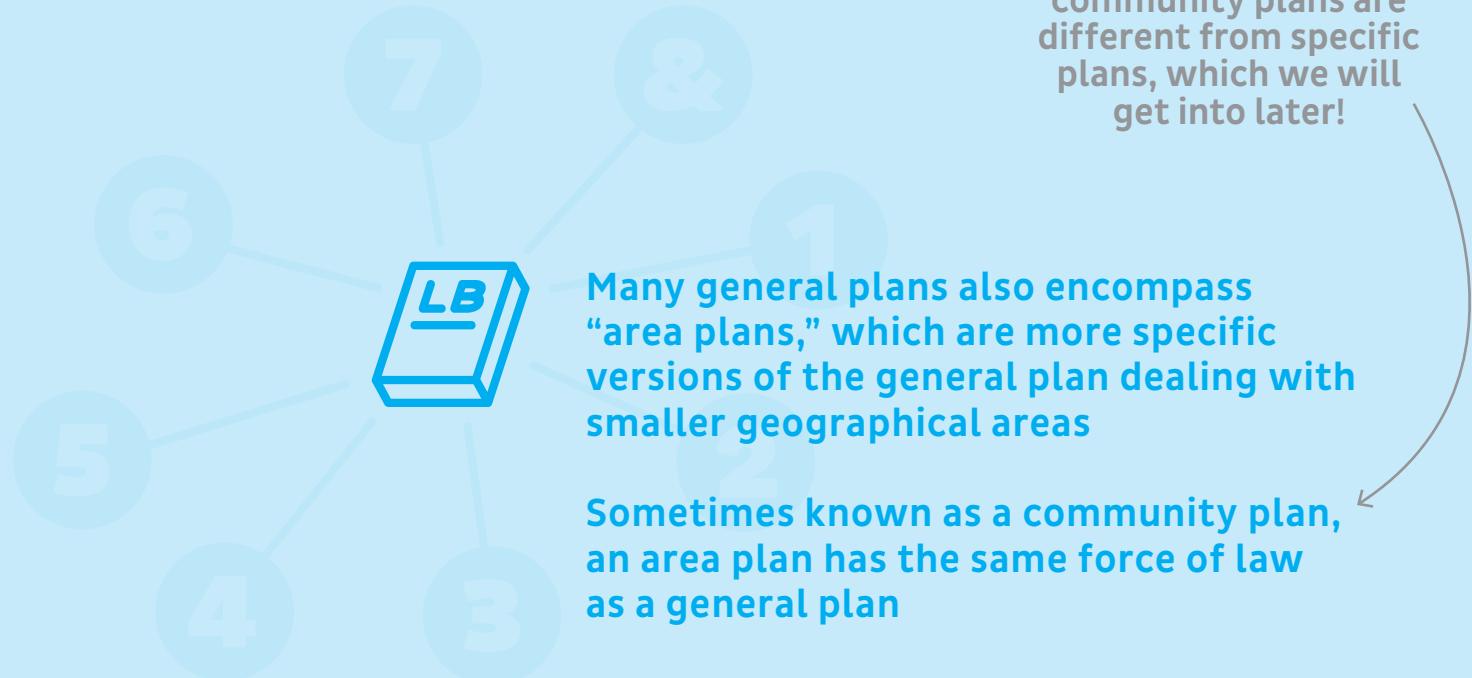
All general plans are supposed to contain a vision of the community's future

Many general plans contain a preamble that includes a set of inspirational comments about this vision

ELEMENTS OF A GENERAL PLAN



ELEMENTS OF A GENERAL PLAN



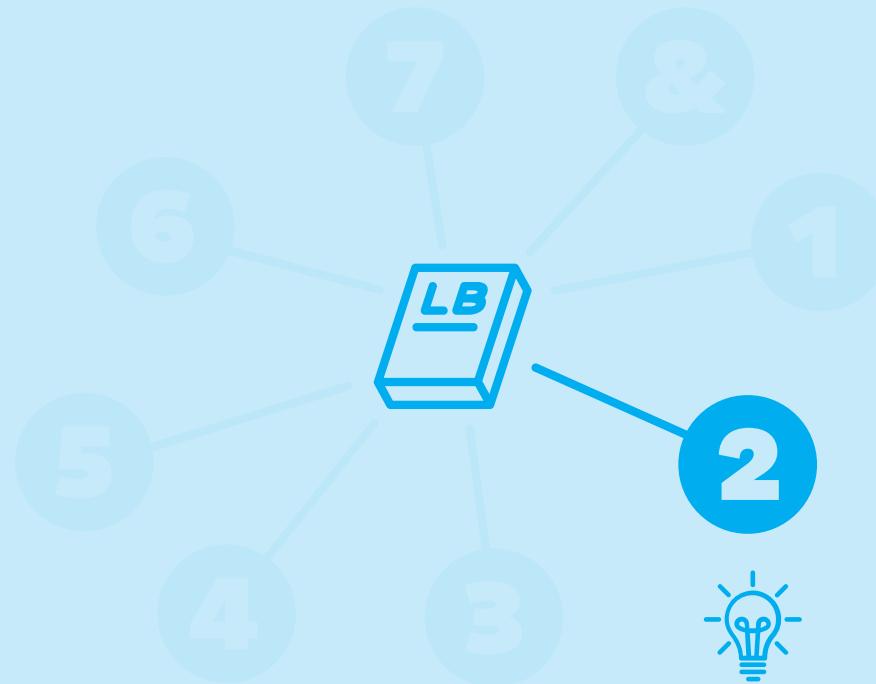
ELEMENTS OF A GENERAL PLAN



ELEMENTS OF A GENERAL PLAN



ELEMENTS OF A GENERAL PLAN

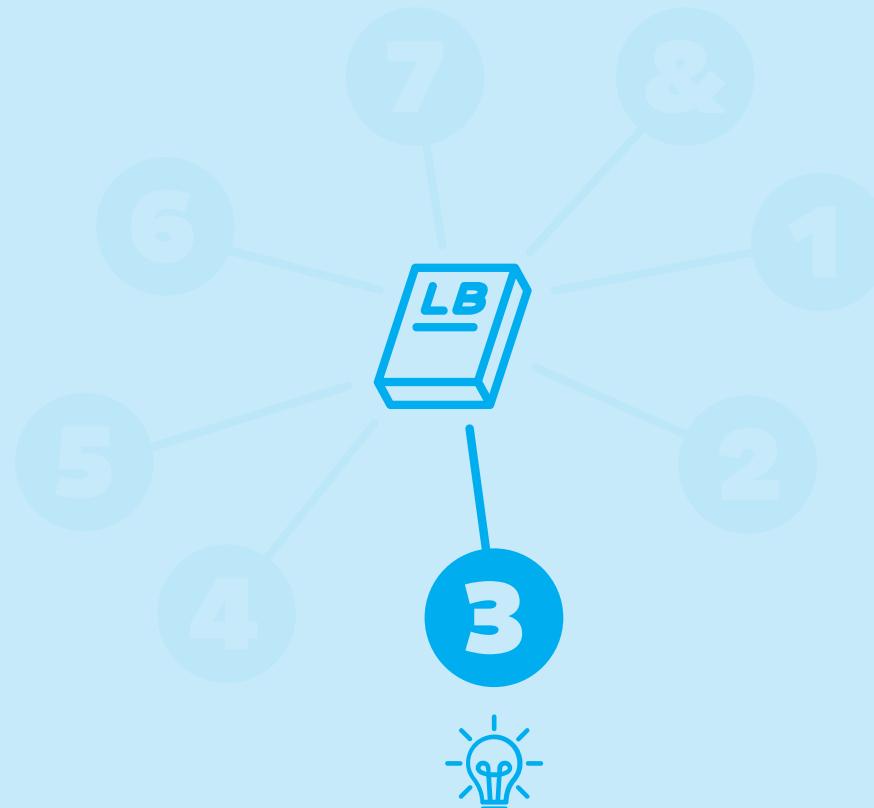


Circulation Element

Deals with all major transportation improvements and utility lines

It serves as an infrastructure plan that must be specifically "correlated" with the land use element (the infrastructure must address the development expected by the land use element)

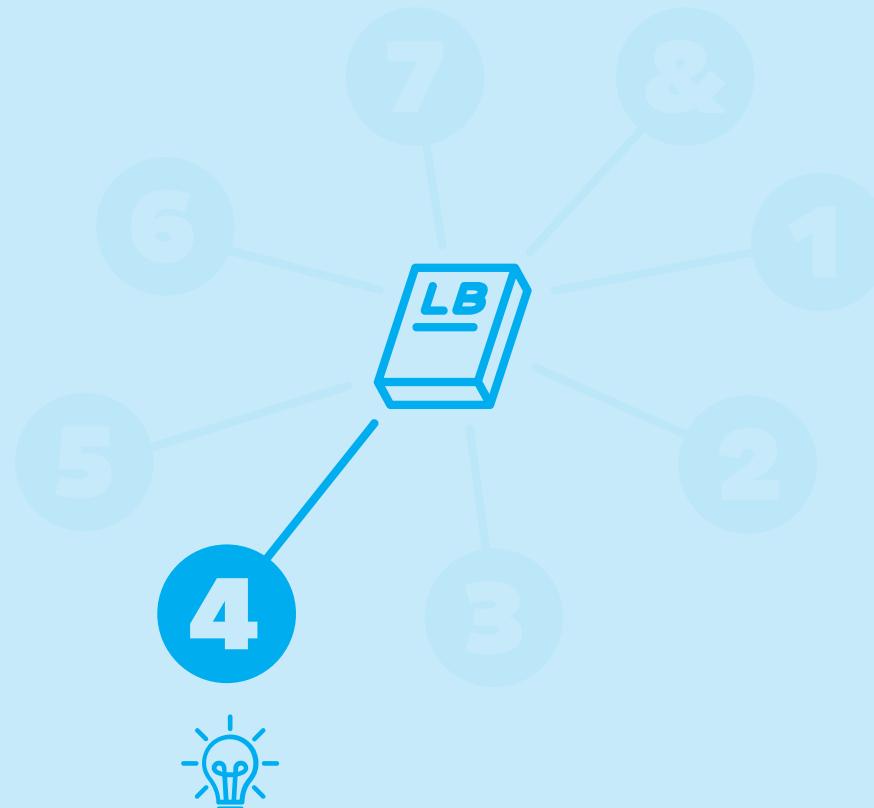
ELEMENTS OF A GENERAL PLAN



Housing Element

Assesses the need for housing for all income groups
and lays out a program to meet those needs

ELEMENTS OF A GENERAL PLAN



Conservation Element

Deals with flood control, conservation of natural resources such as agricultural land and wildlife, and air and water pollution

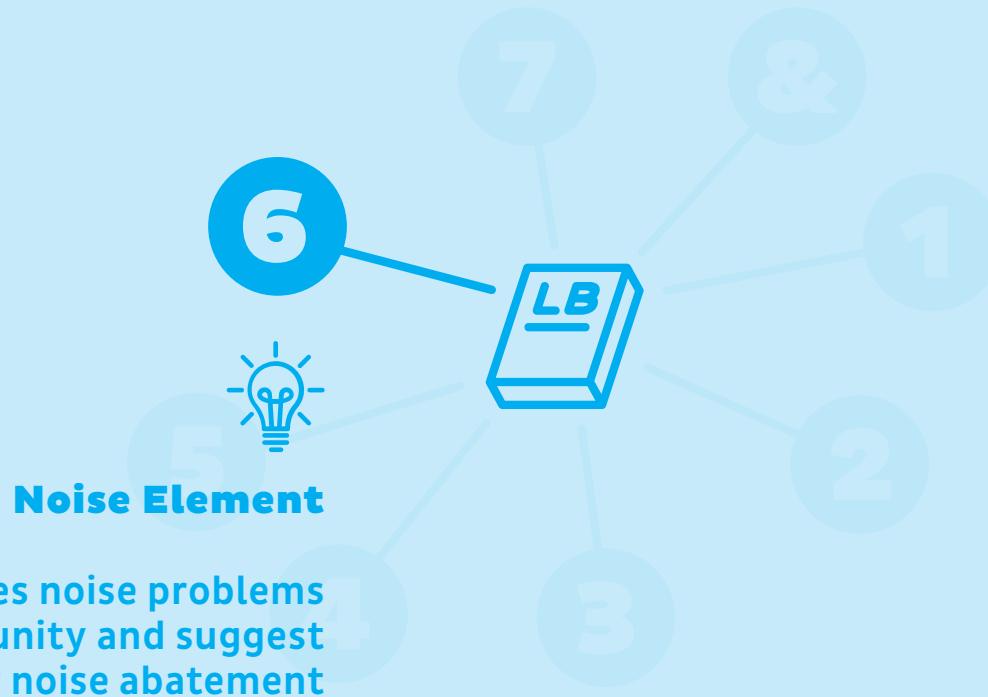
ELEMENTS OF A GENERAL PLAN



Open Space Element

Provides a plan for the long-term preservation of open space in the community

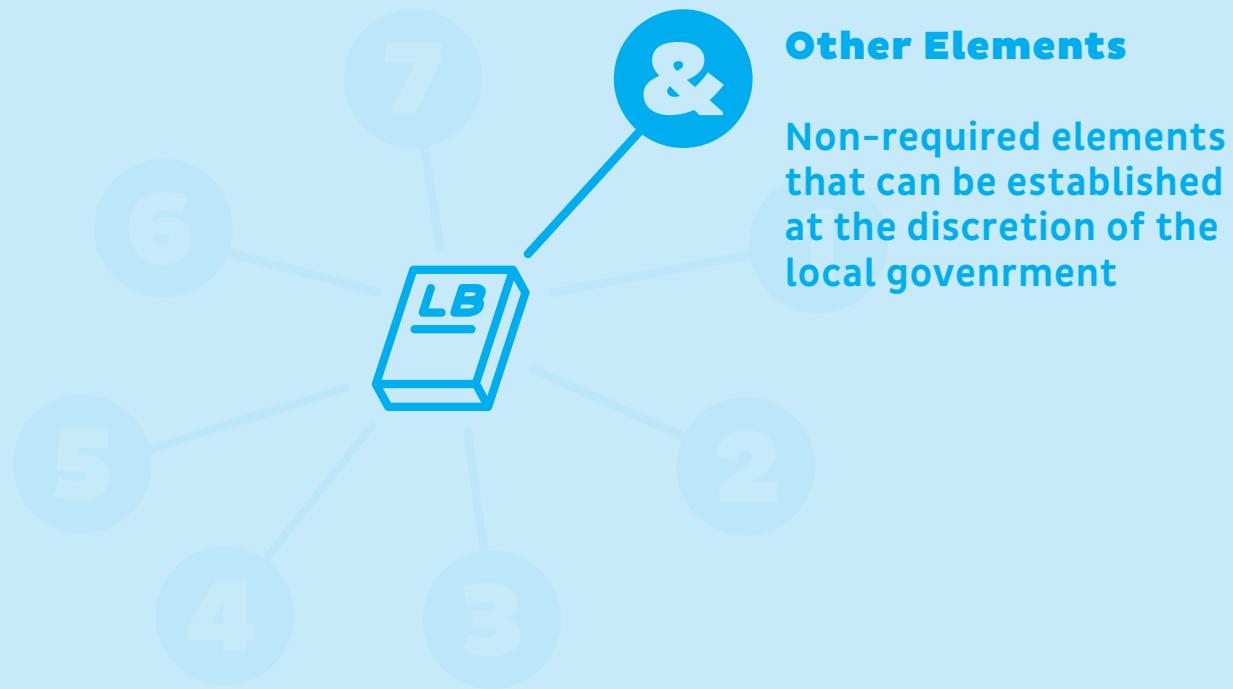
ELEMENTS OF A GENERAL PLAN



ELEMENTS OF A GENERAL PLAN



ELEMENTS OF A GENERAL PLAN



Lists, the most common optional elements are:

- Parks and Recreation, 265 cities
- Economic, 228 cities
- Public Facilities, 223 cities
- Design, 170 cities
- Air Quality, 163 cities
- Public Services, 141 cities
- Seismic, 137 cities
- Historic Preservation, 126 cities
- Community, 108 cities
- Resource Conservation, 98 cities
- Growth Management, 94 cities
- Cultural, 90 cities
- Scenic Highways, 90 cities
- Water Resources, 86 cities
- Bicycle, 84 cities
- Hazardous Waste, 77 cities
- Energy, 77 cities
- Waste, 71 cities
- Transportation, 69 cities
- Implementation, 69 cities

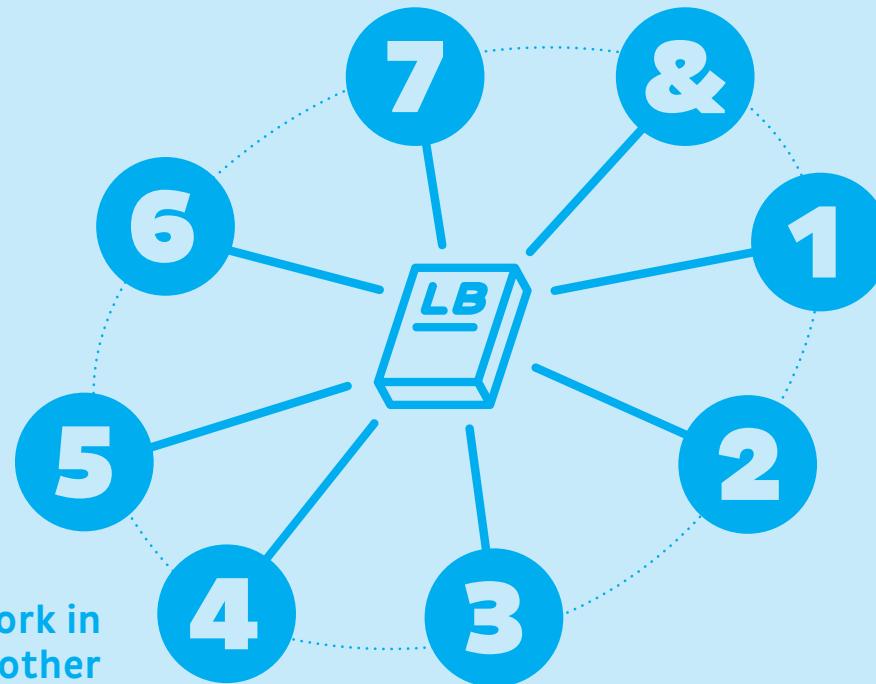
GENERAL PLAN



Other Elements

Non-required elements
that can be established
at the discretion of the
local government

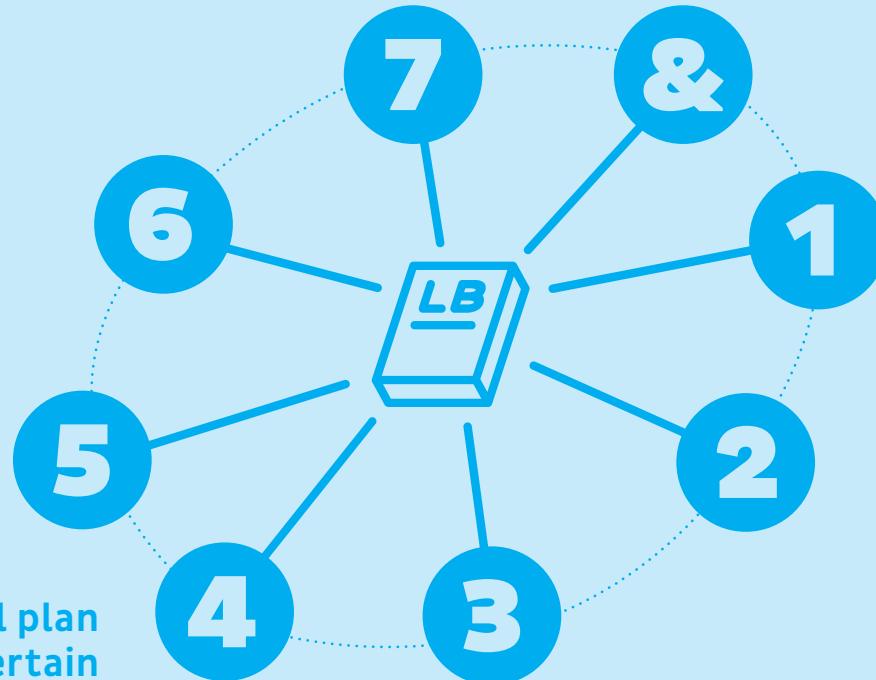
ELEMENTS OF A GENERAL PLAN



Must all work in
harmony with one another
and be internally consistent

...which is difficult to do
and opens local governments
to legal attack

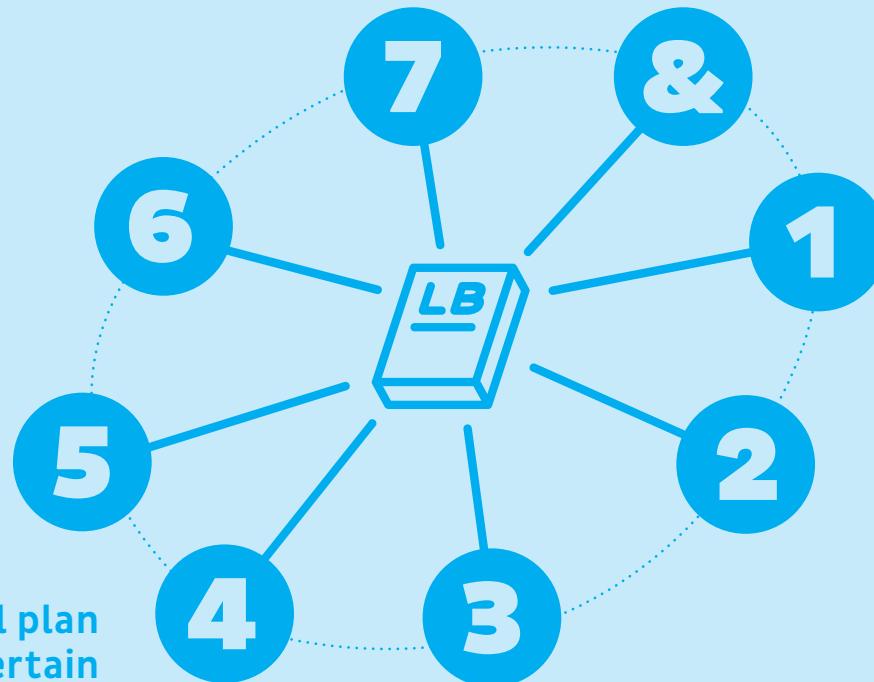
ELEMENTS OF A GENERAL PLAN



The general plan
also must follow certain
requirements contained in the
state Planning and Zoning Law

One such law is CEQA,
which often is an expensive
and time-consuming part of a
general plan update

ELEMENTS OF A GENERAL PLAN

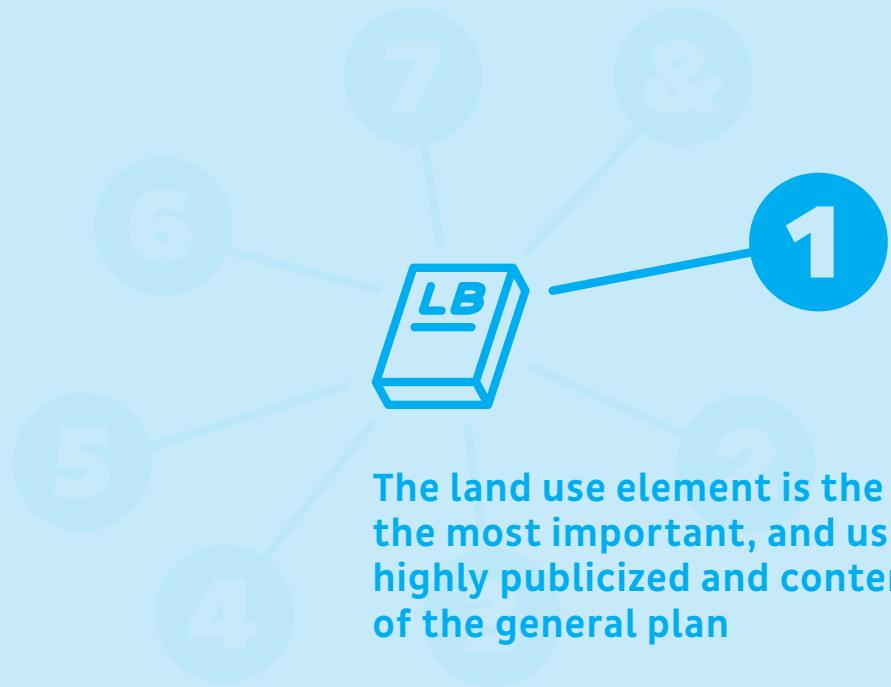


The general plan
also must follow certain
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state Planning and Zoning Law

One such law is CEQA,
which often is an expensive
and time-consuming part of a
general plan update

we will also talk about
CEQA and NEPA later!

THE LAND USE ELEMENT



The land use element is the broadest ranging, the most important, and usually the most highly publicized and contentious aspect of the general plan

COMMERCIAL
ONLY

Woodruff & Spring

DENSITY

NO DENSITY

NO ON
PLACETYPES

DENSITY



It is recommended that the City
adopt the proposed Land Use Element and
Zoning District Type and Height Map
and to replace the Project Environmental
Impact Report (Application No. 1781101).

00:00:18



[FACEBOOK.COM/SAYNOTOLUE](https://facebook.com/saynotolue)

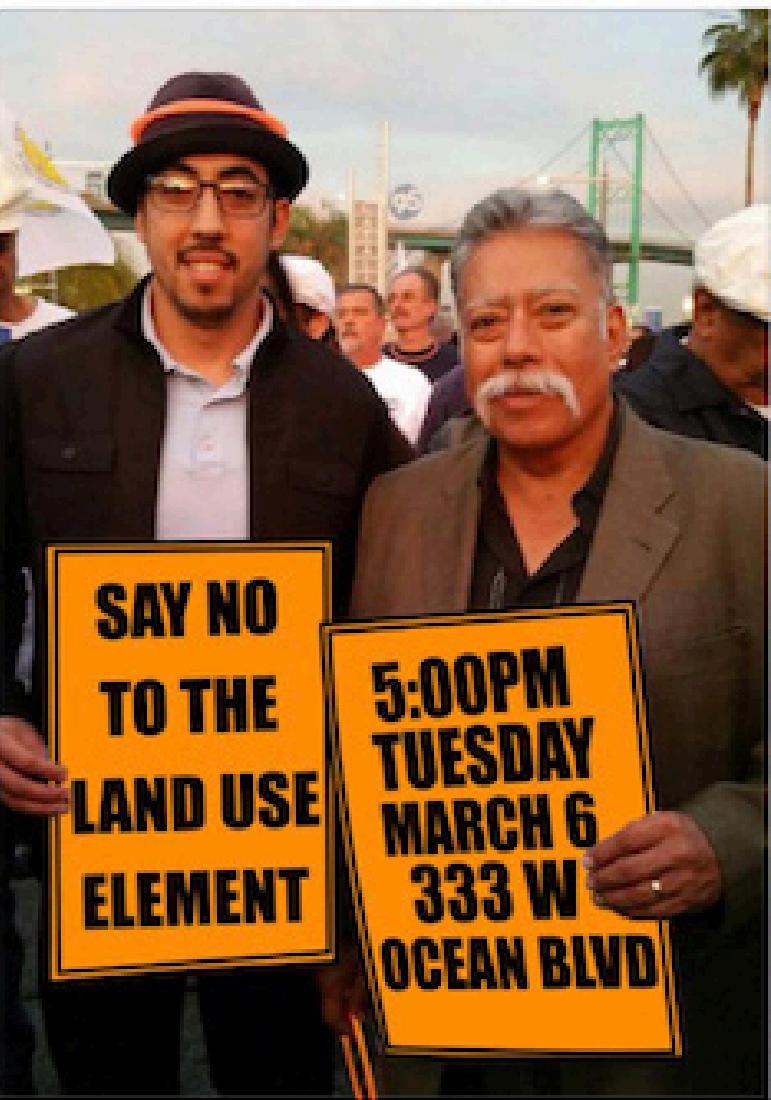
**SAY NO
TO THE
LAND USE
ELEMENT**

CALL (562) 588-9166

 Say NO to the Land Use Element
13 hrs · [View](#)



TELL THE CITY COUNCIL TO VOTE NO
TUESDAY 5:00PM
MARCH 6
333 W OCEAN BLVD



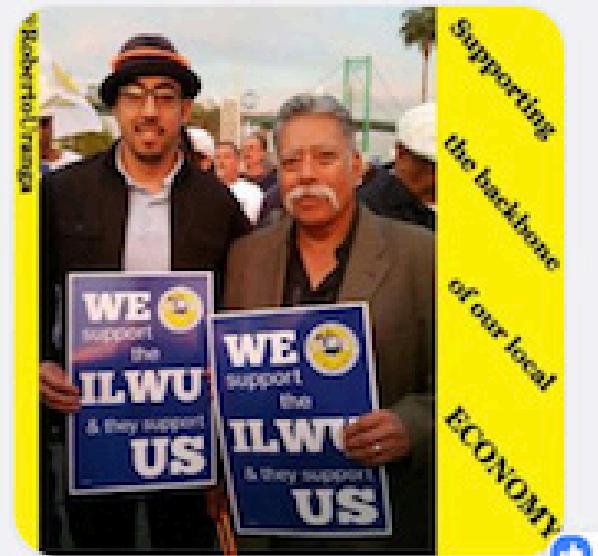
 Brian Addison This is clearly photoshopped. Can someone clarify, on ethical terms, why they would do this? 7

[Like](#) · [Reply](#) · 52m

 Brian Addison Councilmember Roberto Uranga, did you approve this?

[Like](#) · [Reply](#) · 51m 1

 Councilmember Roberto Uranga Brian Addison Here's the original image. Clearly photoshopped.



4

[Like](#) · [Reply](#) · 50m

 PaulinLeticia Vasquez Councilmember Roberto Uranga Thanks for taking the time to clarify this.

[Like](#) · [Reply](#) · 47m

THE LAND USE ELEMENT



the land use diagram is not necessarily a map and does not have to be parcel-specific

Unlike a zoning map, the land use diagram does not have to show the impact of the city's regulations on every single parcel of land, rather, it is merely a graphic representation

The land use element must lay out a vision of all the buildings, roads, and public facilities in the city—not only where they are now, but where they will be in the future

Perhaps the most important piece of the land use element is the mandatory diagram accompanying the text

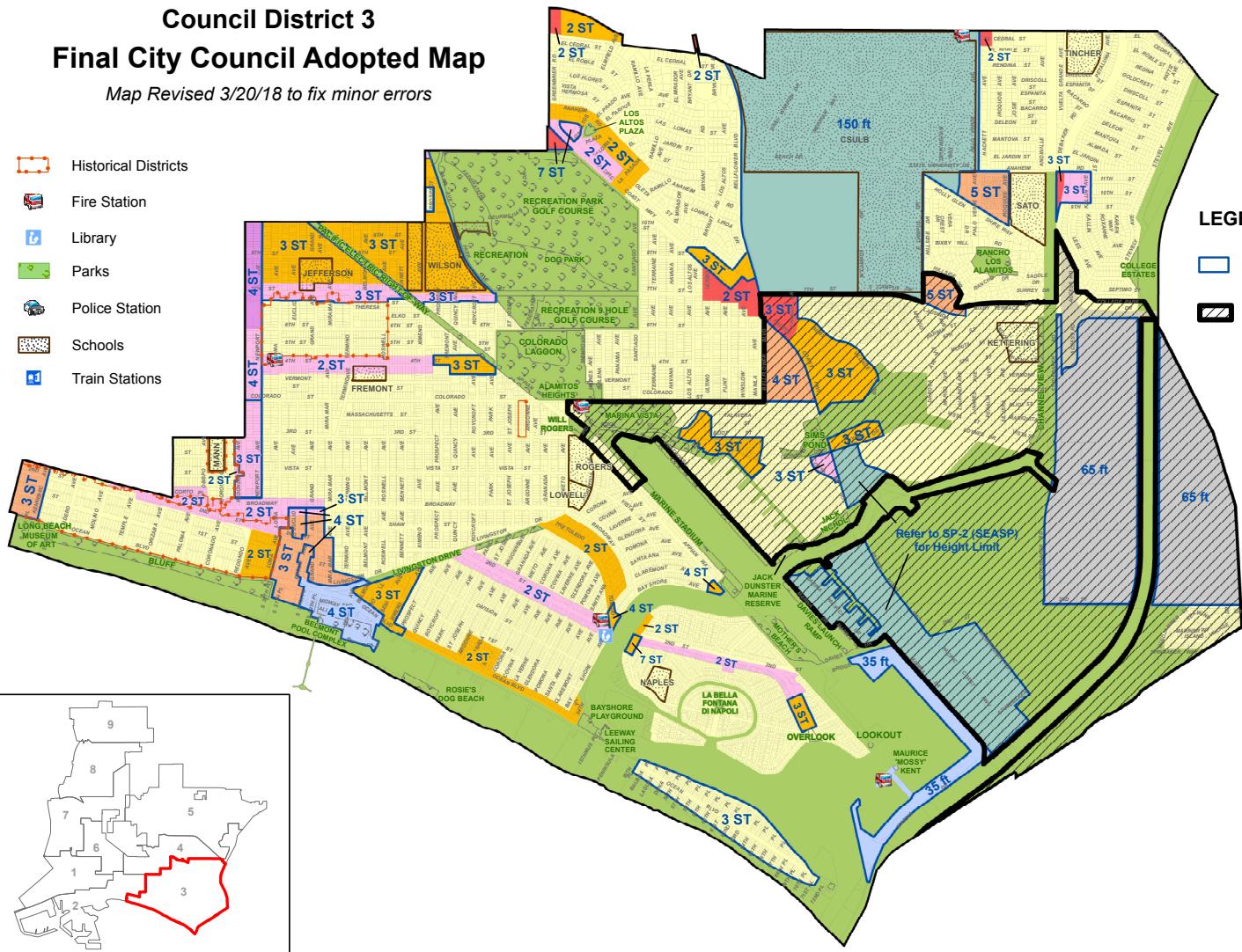
This diagram graphically represents the policies laid out in the land use element, and must be consistent with the written text

Draft 2040 PlaceType and Height Map

Council District 3 Final City Council Adopted Map

Map Revised 3/20/18 to fix minor errors

- Historical Districts
- Fire Station
- Library
- Parks
- Police Station
- Schools
- Train Stations



LEGEND

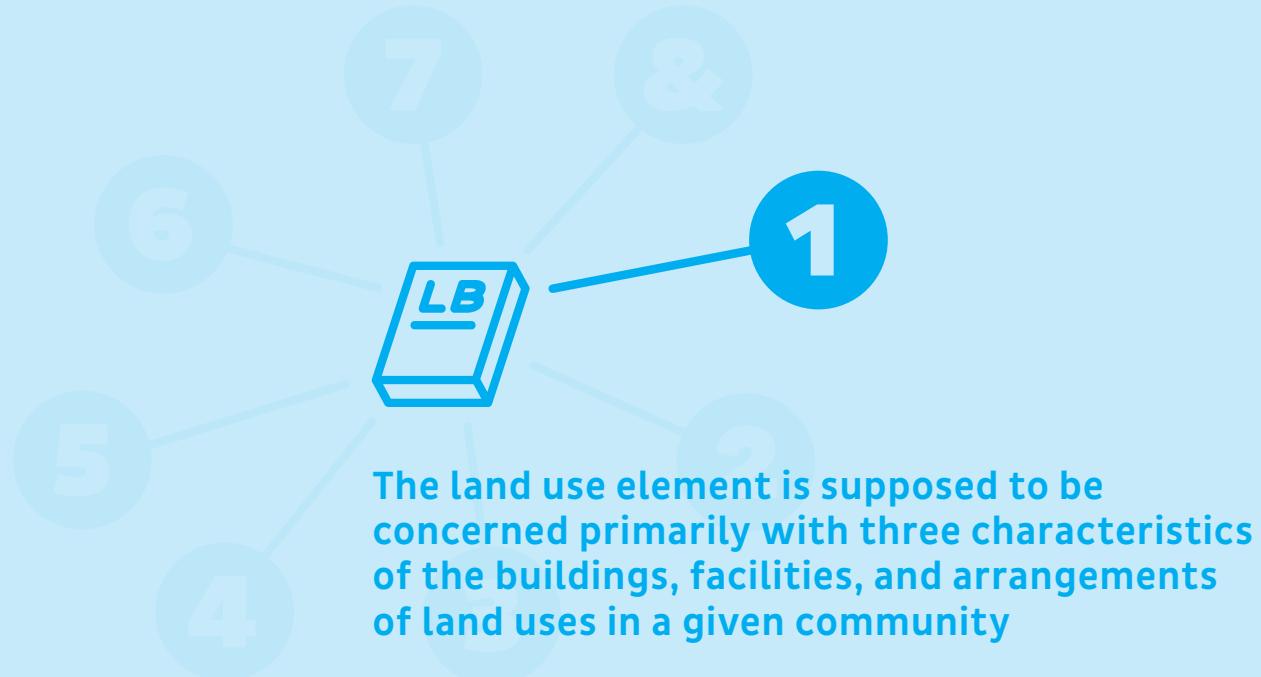
Height (ft - feet and/or ST - stories. If not indicated on the map, the height limit is 2-stories.)

Specific Plan and/or Downtown Plan Boundaries (already approved plans)

PlaceType

- Community Commercial - CC
- Downtown - DT
- Founding and Contemporary Neighborhood (Single-family and low-density) - N
- Industrial - I
- Multiple Family Residential Low Density - MFR-L
- Multiple Family Residential Moderate Density - MFR-M
- Neighborhood Serving Center or Corridor Low Density - NSC-L
- Neighborhood Serving Center or Corridor Moderate Density - NSC-M
- Neo Industrial - NI
- Open Space - OS
- Regional Serving Facility - RSF
- Transit-Oriented Development Low Density - TOD-L
- Transit-Oriented Development Moderate Density - TOD-M
- Waterfront - WF

THE LAND USE ELEMENT

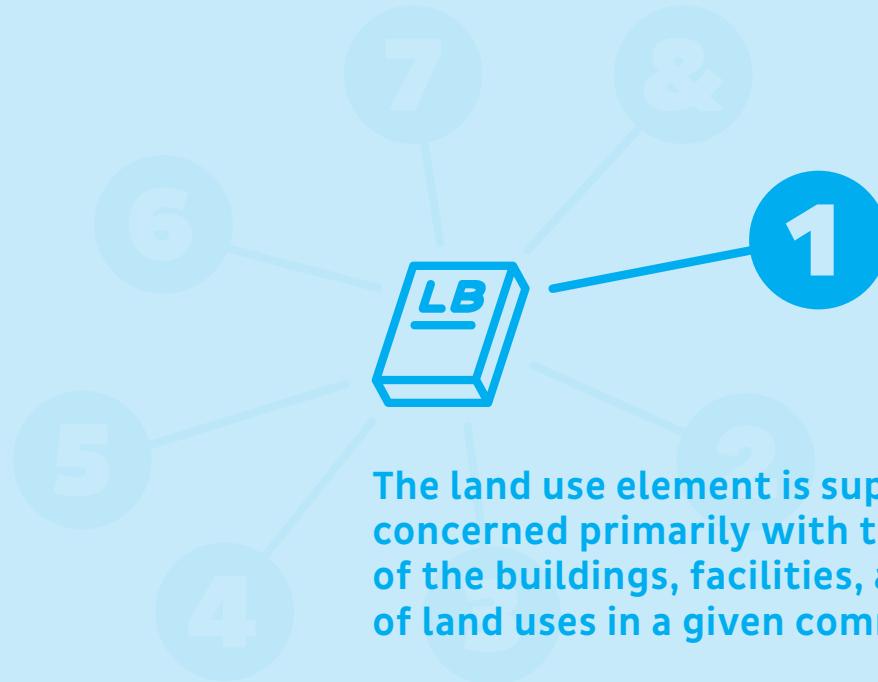


State law requires the land use element to discuss the general distribution of some land uses and the specific location of others

These are:

- Location
- Distribution
- Density & Intensity

THE LAND USE ELEMENT



The land use element is supposed to be concerned primarily with three characteristics of the buildings, facilities, and arrangements of land uses in a given community

These are:

- Location
- Distribution
- Density & Intensity

The land use element must also lay out standards for population density (how many people per square mile or a similar measurement) and building intensity (how much building space will be permitted in relation to the land area involved)

COMMON COURT CHALLENGES TO GENERAL PLANS

- 1 CONSISTENCY WITH OTHER PLANNING DOCUMENTS**
- 2 COMPLIANCE WITH STATE LAWS GOVERNING GENERAL PLANS**
- 3 INTERNAL CONSISTENCY**
- 4 EIR ADEQUACY**

COMMON COURT CHALLENGES TO GENERAL PLANS

1

CONSISTENCY WITH OTHER PLANNING DOCUMENTS

Starting in the 1980s, lawsuits attacked general plans for being inconsistent with the zoning ordinance

2

The surge of growth-control initiatives that were written as amendments to the zoning ordinance gave rise to this type of litigation

3

It is important to note that the consistency requirement does not apply to California's 120 charter cities, though in practice they often follow the same consistency policy

4

EIR
ADEQUACY

COMMON COURT CHALLENGES TO GENERAL PLANS



CONSISTENCY WITH OTHER PLANNING DOCUMENTS



COMPLIANCE WITH STATE LAWS GOVERNING GENERAL PLANS



A general plan may be the supreme document from which all other local land use policies must flow, but it still must comply with state planning laws



A general plan that does not meet some aspect of state law may be legally vulnerable

EIR
ADEQUACY

COMMON COURT CHALLENGES TO GENERAL PLANS

1

**CONSISTENCY WITH
OTHER PLANNING DOCUMENTS**

2

**COMPLIANCE WITH STATE LAWS
GOVERNING GENERAL PLANS**

3

**INTERNAL
CONSISTENCY**

4

**While most plans do not contain flagrant inconsistencies,
general plans are long and complex documents and a judge
is almost certain to find an internal inconsistency if they look hard enough**

**The internal inconsistency argument is so popular that both citizen groups
and landowners are likely to rely on it for years to come, especially in
the context of growth-related ballot measures**

Judges, however, are often reluctant to overturn a voter-approved initiative in its entirety

COMMON COURT CHALLENGES TO GENERAL PLANS

1

CONSISTENCY WITH
OTHER PLANNING DOCUMENTS

2

COMPLIANCE WITH STATE LAWS
GOVERNING GENERAL PLANS

3

INTERNAL
CONSISTENCY

4

EIR
ADEQUACY

When adopting a general plan update, a city or county must also complete an environmental impact report

These EIRs can be even more complex than the general plans themselves, and because many local governments prepare a “program” or “master” EIR that defers specific analyses to later dates general plan EIRs are often targets of litigation

IN-CLASS ACTIVITY

WORTH 1%
OF TOTAL GRADE

Form groups of 3-4 people and work together to analyze the City of Sacramento's General Plan.

[HTTP://WWW.CITYOFSACRAMENTO.ORG/COMMUNITY-DEVELOPMENT/RESOURCES/ONLINE-LIBRARY/2035--GENERAL-PLAN](http://WWW.CITYOFSACRAMENTO.ORG/COMMUNITY-DEVELOPMENT/RESOURCES/ONLINE-LIBRARY/2035--GENERAL-PLAN)

Write each of the group member's names and turn in questionnaire.

ASSIGNMENTS

- 1 READ CHAPTERS
SEVEN & EIGHT**
- 2 CONTINUE READING THE DEATH AND LIFE
OF GREAT AMERICAN CITIES**
- 3 ATTEND YOUR
PUBLIC HEARING**
- 4 WRITING ASSIGNMENT ONE PROMPT
(DUE IN TWO WEEKS (FEB. 28TH))**

3-4 pages, single-sided, double spaced, 1 inch margins, times new roman font

Prompt: Using the in-class activity questionnaire, write a review about a General Plan of your choosing. Any city or county in the State of California with a General Plan will do.