

# FIRST QUESTION

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WORTH 0.5%  
OF TOTAL GRADE

WRITE YOUR FULL NAME  
AND ANSWER ON A SMALL PIECE  
OF PAPER AND **HOLD ONTO IT.**

**HOW MANY 'ELEMENTS' ARE COMMONLY FOUND  
IN MOST CITY AND COUNTY GENERAL PLANS IN CALIFORNIA?**



TWO



SEVEN



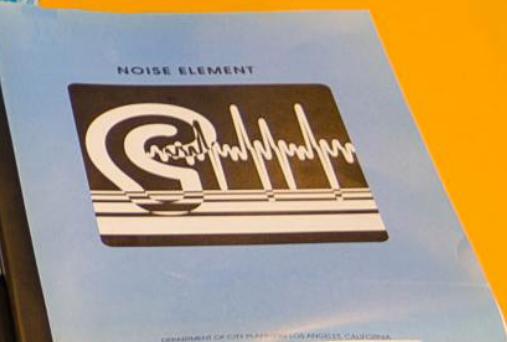
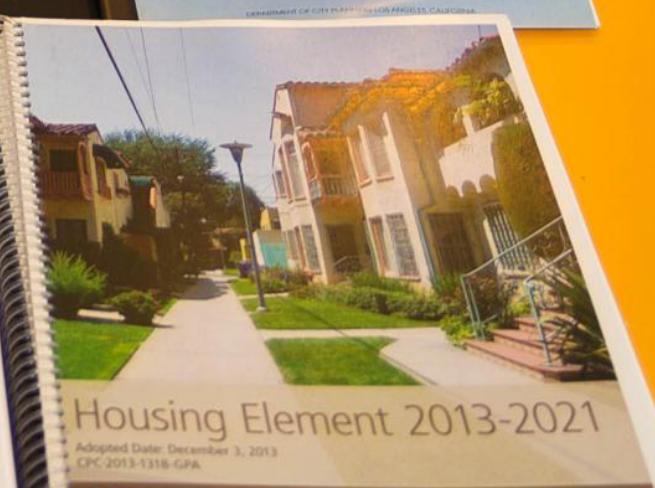
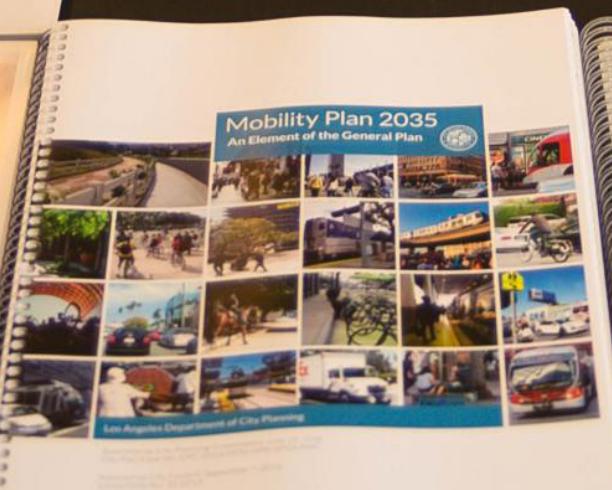
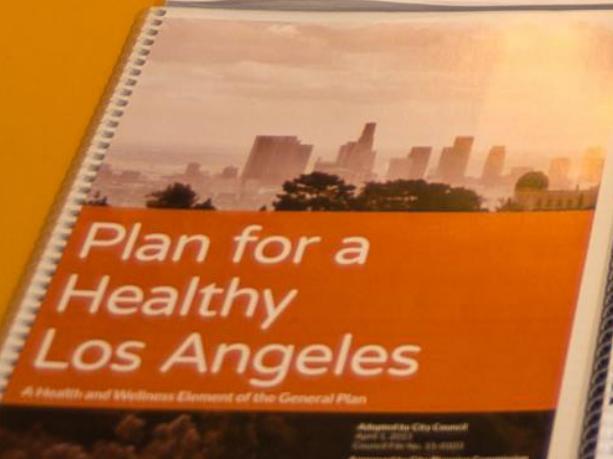
EIGHT



TEN

# HERE TODAY

- 1 BASIC TOOLS:  
ZONING ORDINANCES**
- 2 ZONING  
TOOLS**
- 3 BASIC TOOLS:  
SUBDIVISION MAP ACT**
- 4 MOVIE  
TIME!**





## 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.

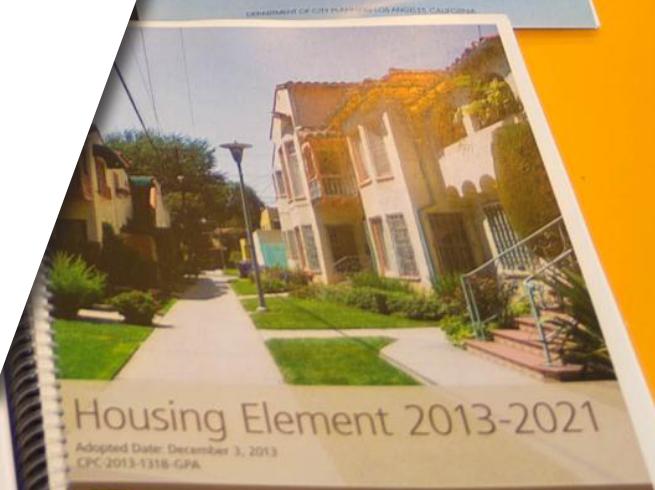
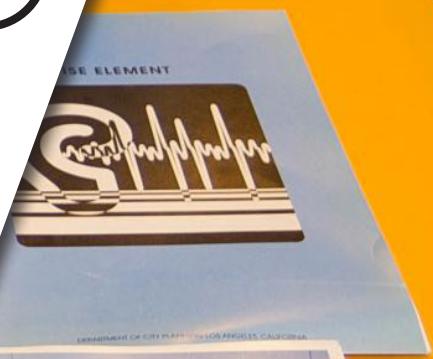
**Plan for a  
Healthy  
Los Angeles**

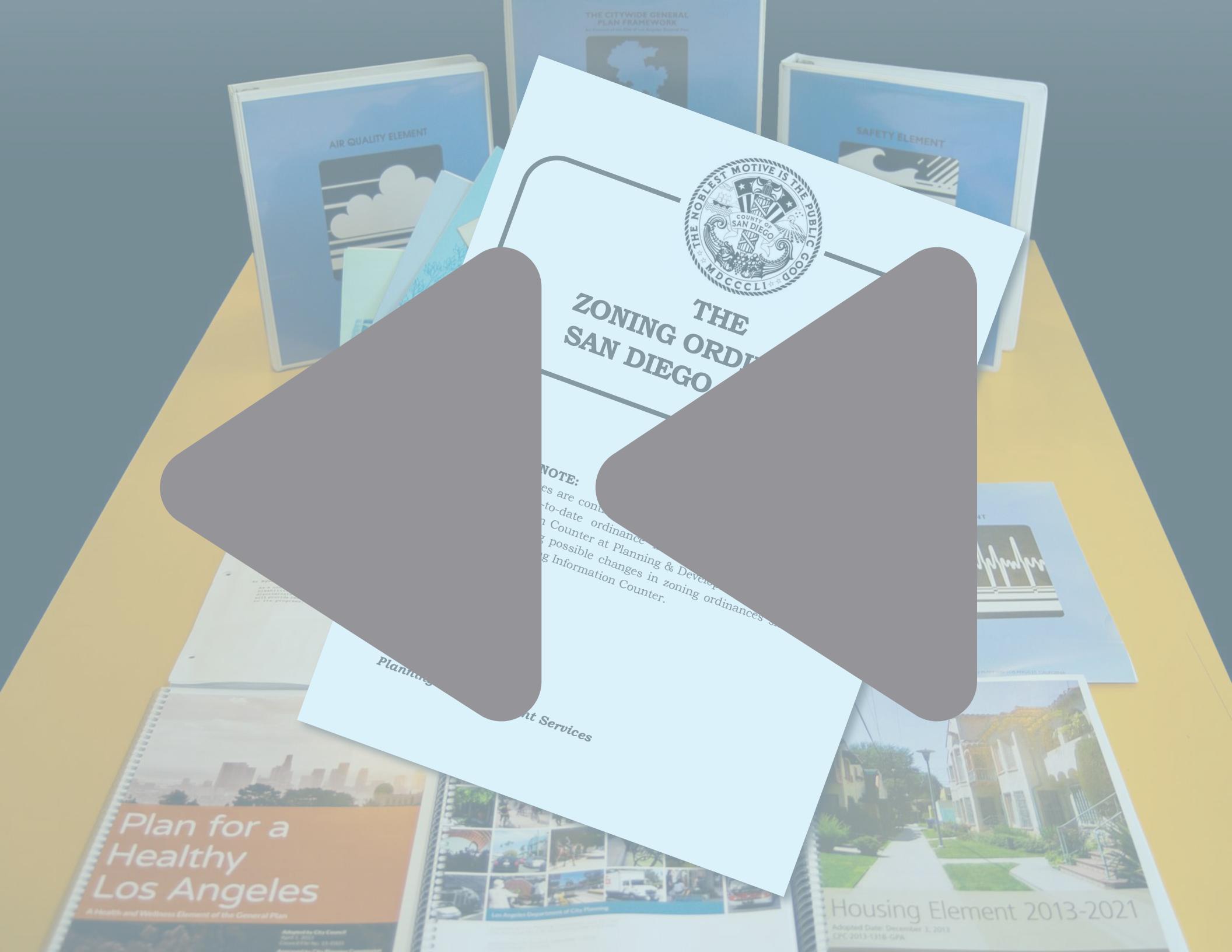
A Health and Wellness Element of the General Plan

COUNTY OF SAN DIEGO  
Planning & Development Services

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

Adopted by City Council  
April 9, 2002  
Ordinance No. 02-0001  
Assessor-Recorder's Commission



Los Angeles Department of City Planning

## Housing Element 2013-2021

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# HISTORY OF PLANNING AS LAND USE REGULATION

# HISTORY?



## 1916 Zoning Resolution

Concerns from people living near factories led to separation of uses.



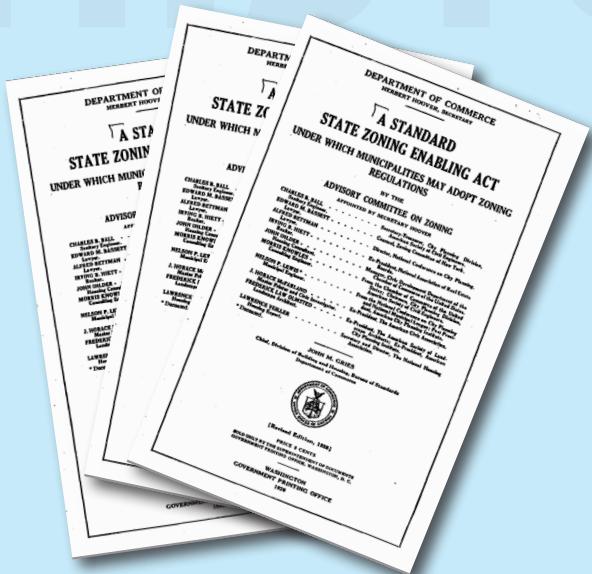
## 19th Century

National Conference on City Planning in 1913 published several model zoning ordinances for state and local governments to follow

During the 1920s, the federal government proposed the Standard State Zoning Enabling Act (SSEA) and the Standard City Planning Enabling Act (SPEA).

# HISTORY OF PLANNING AS LAND USE REGULATION

HISTORY?



## Standard State Zoning Enabling Act (SSEA)

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

8 CITIES WITH  
ZONING ORDINANCES

1916



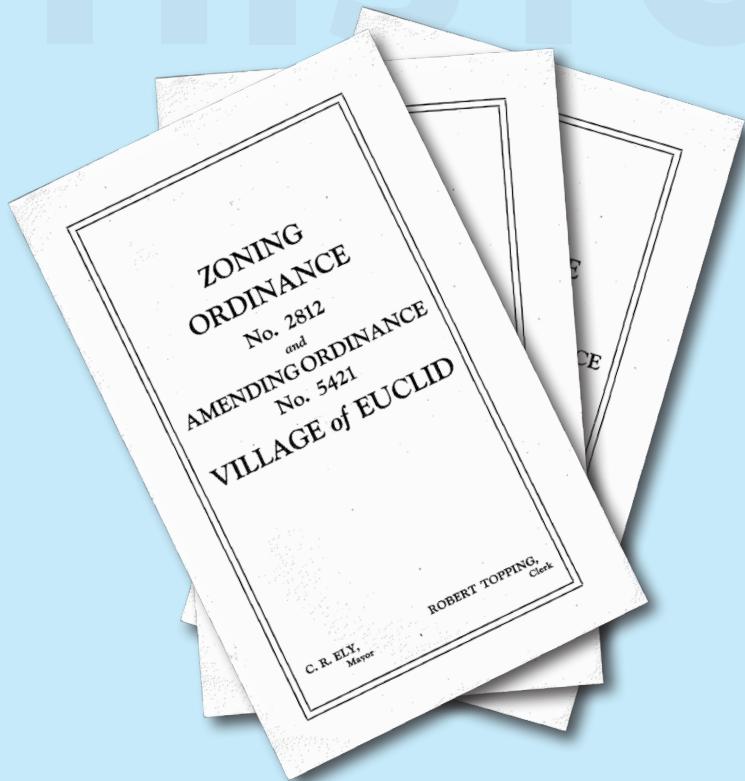
800+ CITIES WITH  
ZONING ORDINANCES

1930



# **BASIC TOOLS: ZONING ORDINANCES**

HISTORY?



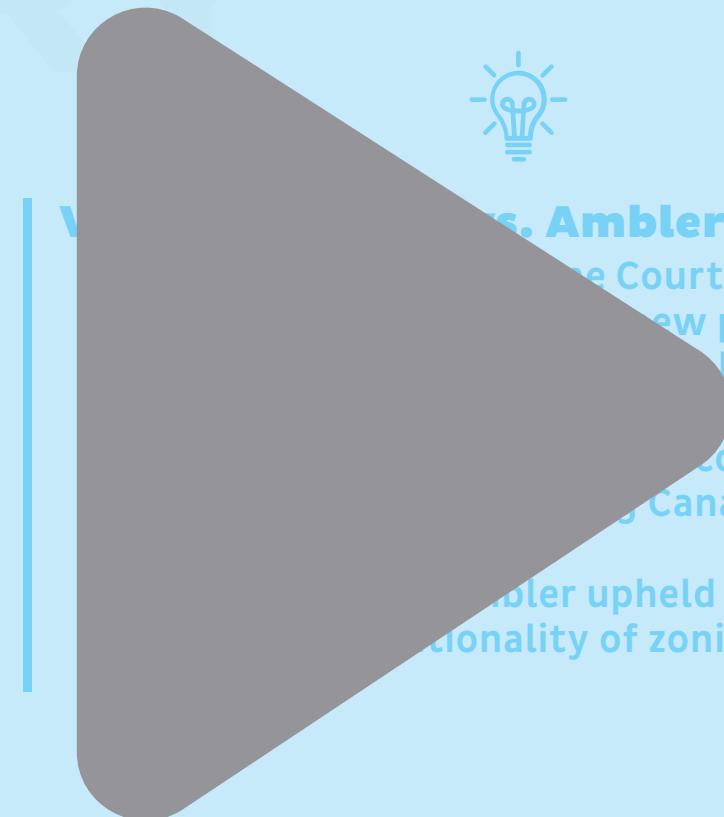
## **Village of Euclid vs. Ambler Realty Co.**

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



# BASIC TOOLS: ZONING ORDINANCES



**WILLIAMSON V. AMBLER REALTY CO.**  
In 1926, the U.S. Supreme Court case *Williamson v. Ambler Realty Co.* upheld the constitutionality of zoning. This decision has been cited in numerous court cases since then, including the Canadian case *Metropolitan v. Amherstburg* in 1930, which also upheld the constitutionality of zoning.



## **BASIC TOOLS: ZONING ORDINANCES**

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**Zoning performs the basic chore of dividing a community into districts and prescribing what can and cannot be built on each parcel.**

## **BASIC TOOLS: ZONING ORDINANCES**

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**In California, of course, zoning is supposed to be a tool to implement the general plan. The goals and principles of the plan are supposed to be translated into parcel-specific regulations by the zoning ordinance.**

# **BASIC TOOLS: ZONING ORDINANCES**

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The original architects of zoning imagined that zoning ordinances would contain only a few use districts that would segregate major categories of land uses from one another: single-family homes, apartments, retail, factory.



# **BASIC TOOLS: ZONING ORDINANCES**

The original architects of zoning imagined that zoning ordinances would contain only a few use districts that would segregate major categories of land uses from one another: single-family homes, apartments, retail, factory.



Today, most zoning ordinances have at least 20 “use districts”, a number that is often multiplied with the implementation of overlay zones.

The term “use districts” will be used to describe a zoning category

# **BASIC TOOLS: ZONING ORDINANCES**

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[https://library.municode.com/CA/long\\_beach/  
codes/municipal\\_code?nodeId=TIT21Z0](https://library.municode.com/CA/long_beach/codes/municipal_code?nodeId=TIT21Z0)



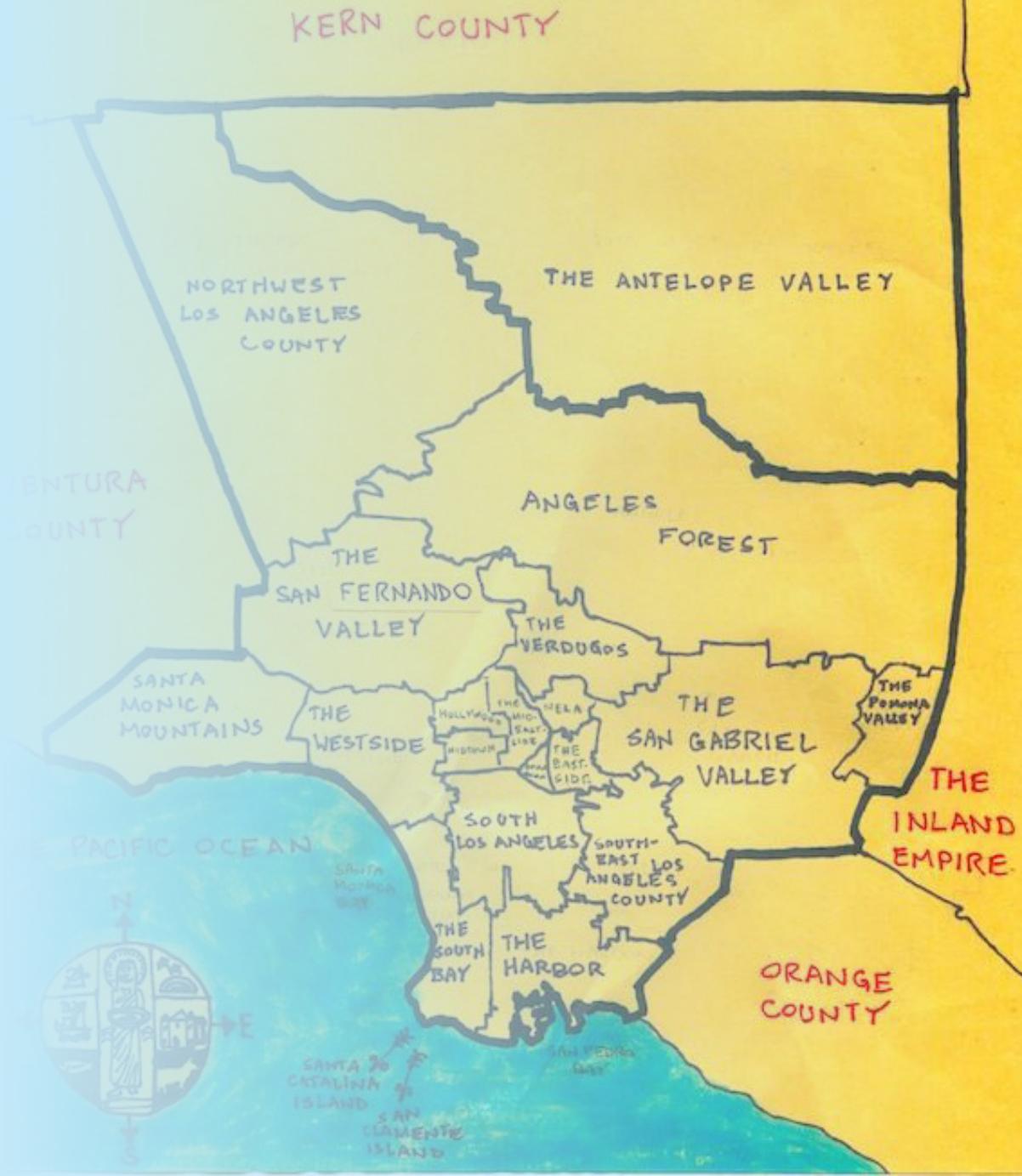
The zoning ordinance will typically be catalogued as part of the municipal code, along with ordinances covering other typical subjects of local government concern, such as meeting rules, business license taxes, nuisance abatement, and animal control

Often, the zoning ordinance, along with subdivision regulations, design review guidelines, and other planning requirements, will be included in a comprehensive “development code”, which can be several hundred pages

# BASIC TOOLS: ZONING ORDINANCES

Los Angeles County is the nation's largest local government unit, and its zoning ordinance must cover myriad situations, ranging from uninhabited desert to urban areas developed to Manhattan-like densities.

**39** use districts



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**39**

use  
districts

**6** residential  
areas

**3** agricultural  
areas

**7** commercial  
areas

**9** industrial  
areas

**14** special districts &  
overlay zoning districts

ex: billboard exclusion, watersheds,  
open space, arts and crafts, professional  
offices in residences, and specific plan



# **BASIC TOOLS: ZONING ORDINANCES**

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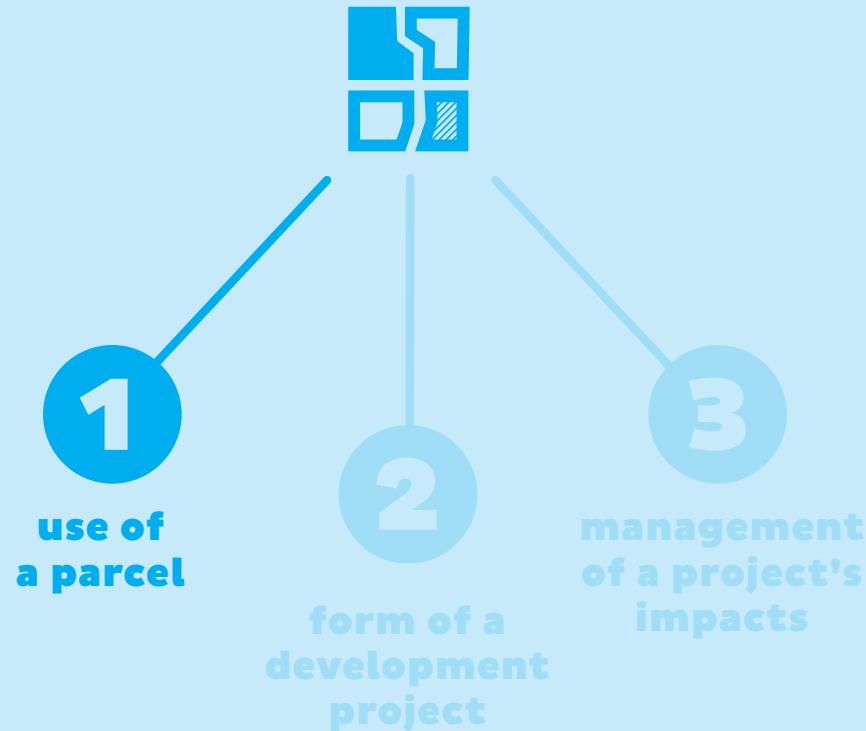


# BASIC TOOLS: ZONING ORDINANCES

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Every piece of property must be assigned to a district, and the uses permitted in each district must be explicitly spelled out

Though the use district has been the foundation of zoning since the 1920s, attitudes toward rigid segregation of uses have changed, largely because the economy is becoming more fluid

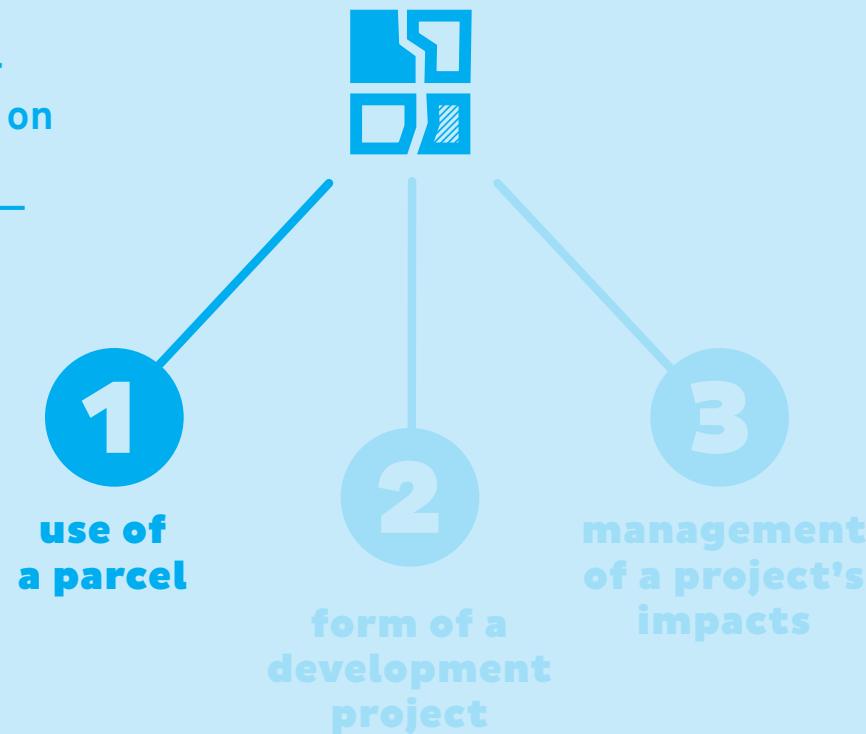


# BASIC TOOLS: ZONING ORDINANCES

Over the past 15 years we have seen a revival of what might be called the urban or village-scale mixed-use district—a dense concentration of residential, retail, and office activities located in downtowns and other mostly urban locations

These mixed-use districts are often organized around transit stops or a set of parking garages

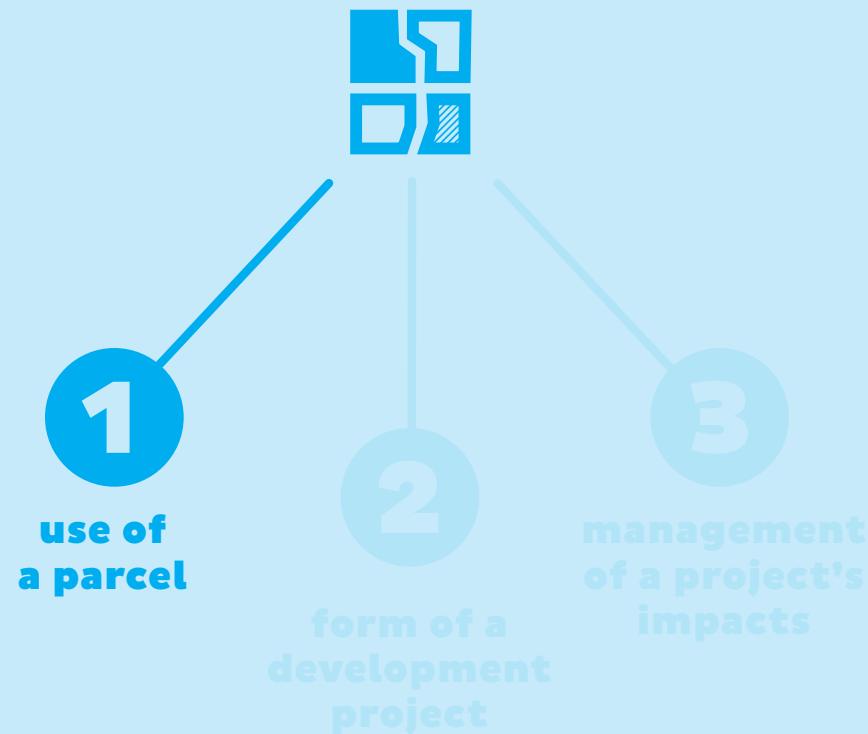
Additionally, developers of “lifestyle centers”—open-air shopping centers that focus on the experience of shopping as well as the goods for sale—have found that some of the most popular projects mix ground-floor retail with upper-floor offices and residences



## **BASIC TOOLS: ZONING ORDINANCES**

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In response, more than half of California's cities and counties have adopted mixed-use zoning ordinances, and many of these jurisdictions also report that they have approved mixed-use projects





anywhere, USA



**Americana, Glendale**



Santana Row, San Jose



**State Street, Santa Barbara**

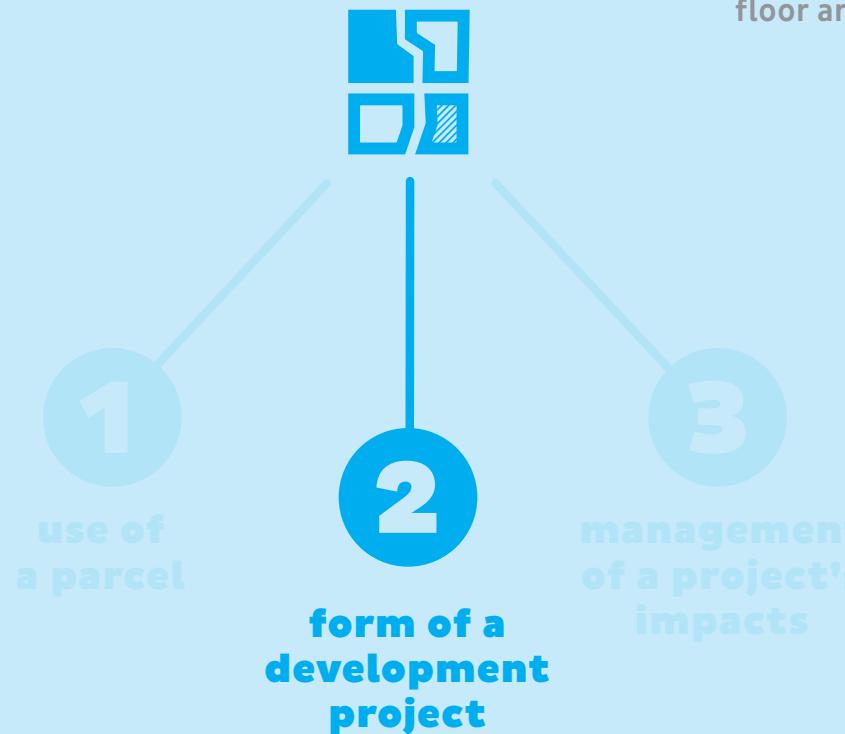
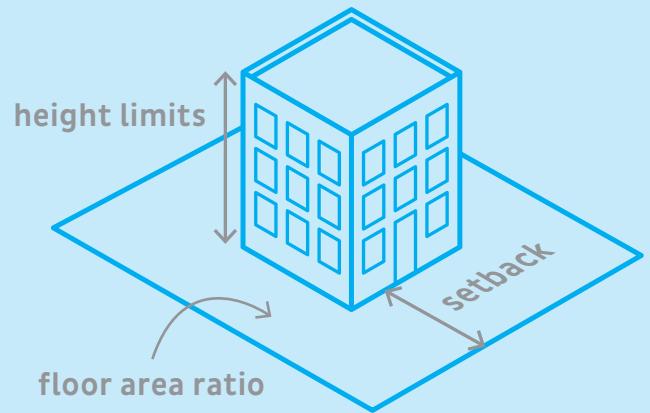


The BLOC, Los Angeles

# BASIC TOOLS: ZONING ORDINANCES

Even the most traditional zoning ordinances typically also create an “envelope” within which any building must fit

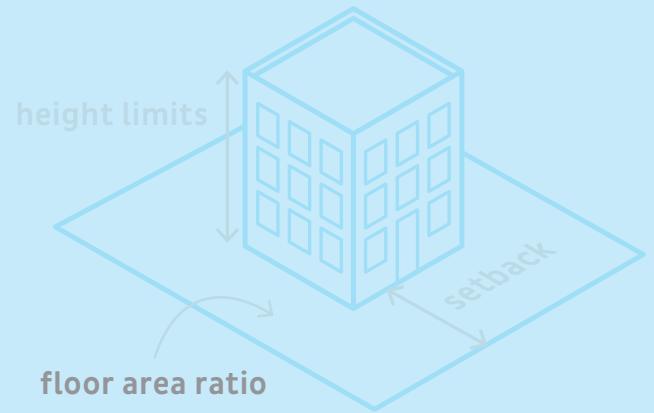
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2

form of a  
development  
project

form of  
a project

development  
of projects  
impacts

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## Floor Area Ratio (F.A.R.)

A ratio of building square footage to square footage of land.

For example, a FAR of 3:1, meaning that for every square foot of land, the landowner may build three square feet of building.

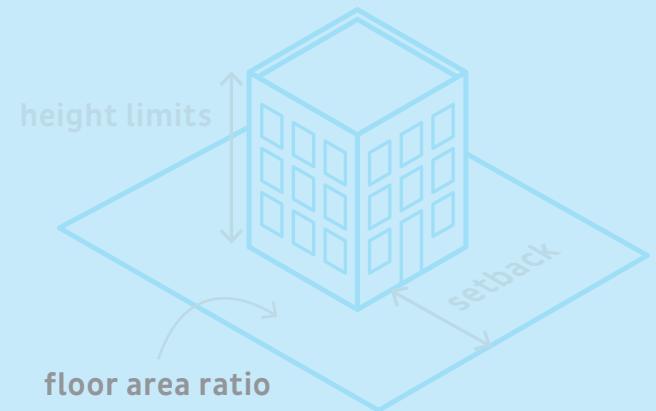
Thus, a 3:1 FAR on a 10,000-square-foot commercial lot means that the landowner may build a 30,000-square-foot building.

This does not mean the result will always be a three-story building. Because of setback and lot coverage requirements, the landowner might have to build a taller building—four, five, even six stories—to obtain the 30,000 square feet.



2

form of a  
development  
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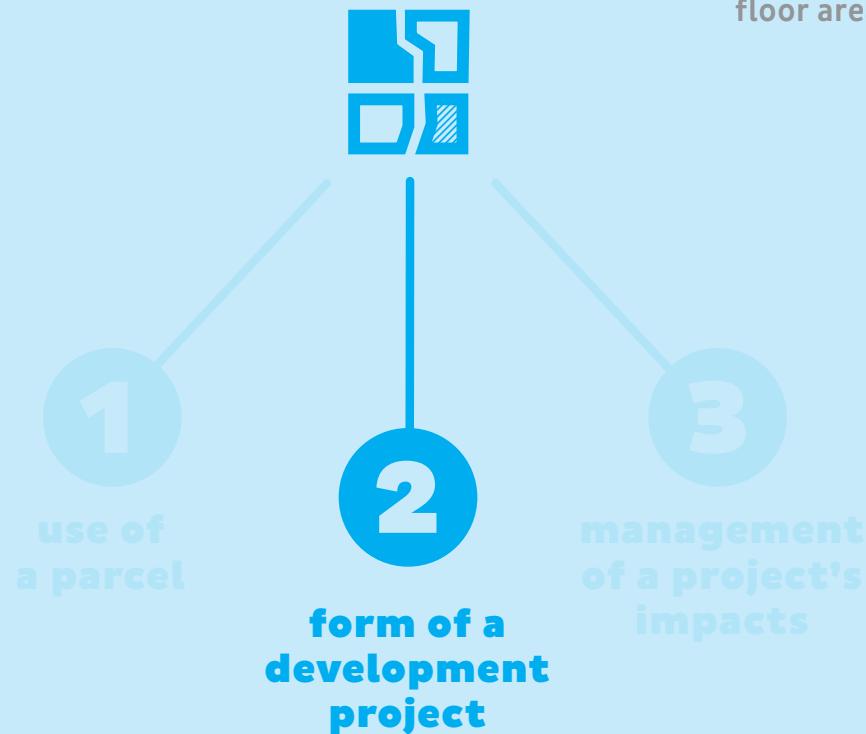
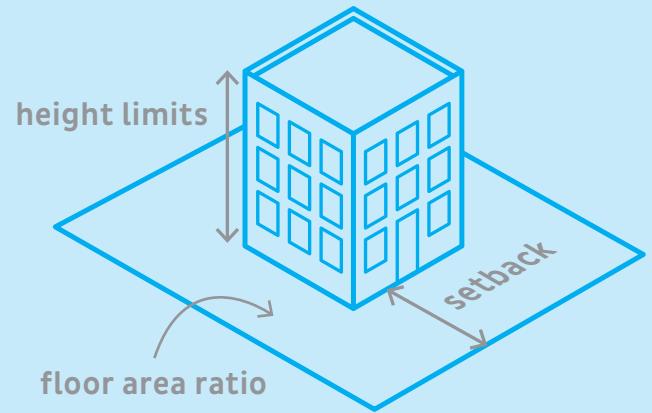


<https://www.youtube.com/watch?v=M-scUQdMab4>

# BASIC TOOLS: ZONING ORDINANCES

Many communities have FAR or lot coverage requirements that dictate a low-density, auto-oriented community

For example, the requirements of the City of Simi Valley zoning ordinance call for the creation of office, retailing, and industrial districts with FARs in the range of 0.20 to 0.32—meaning that parking and landscaping on a typical site will take up two to four times as much land area as the buildings themselves



# **BASIC TOOLS: ZONING ORDINANCES**



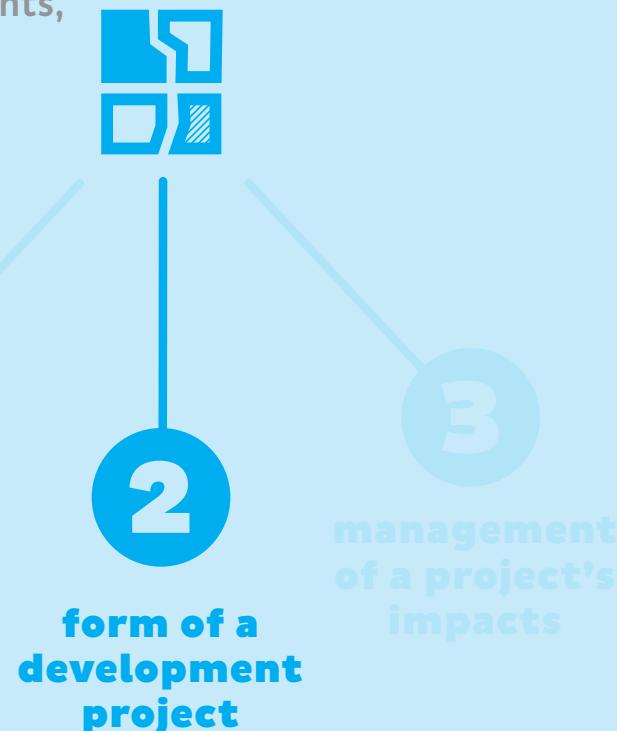
## **Form Based Codes**

Provide building envelopes just as traditional zoning ordinances do, but they also typically specify acceptable building types for each block in the zoning district—“stacked flat” apartments, townhomes, storefront retail, and so on.

Form-based codes create much more detailed form requirements than traditional zoning ordinances, pre-specifying and pre-visualizing the actual shapes—including styles, ingress/egress points, frontages, and siting—that future buildings will take.

Encourage a broad mixture of uses so long as the “form” of the buildings and their relationship to the street meets code requirements.

<https://www.cincinnati-oh.gov/planning/assets/File/CFBC%20Full%20Document%20Amended%202-10-14.pdf>



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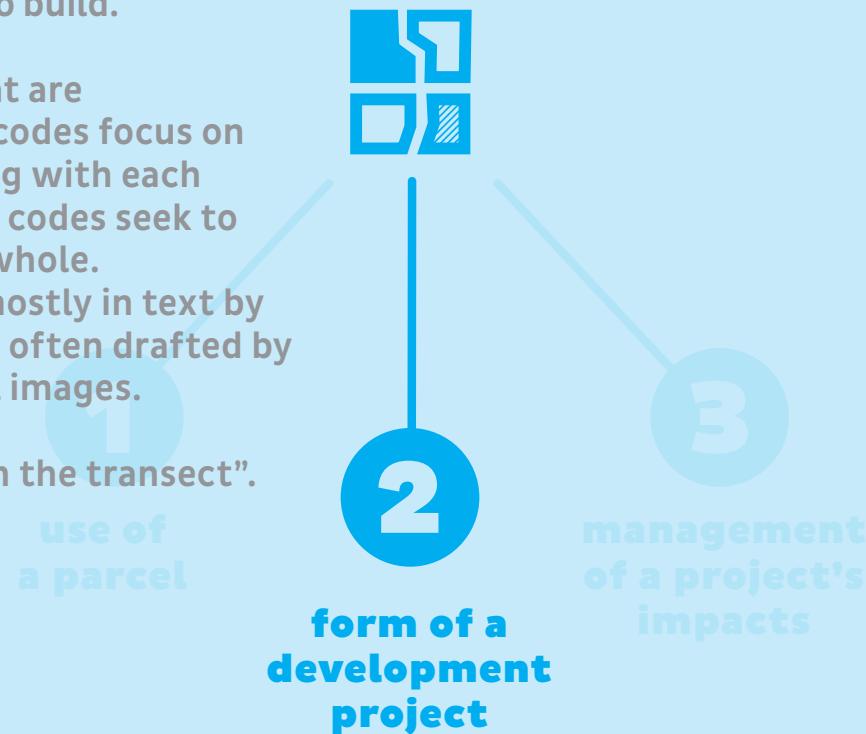


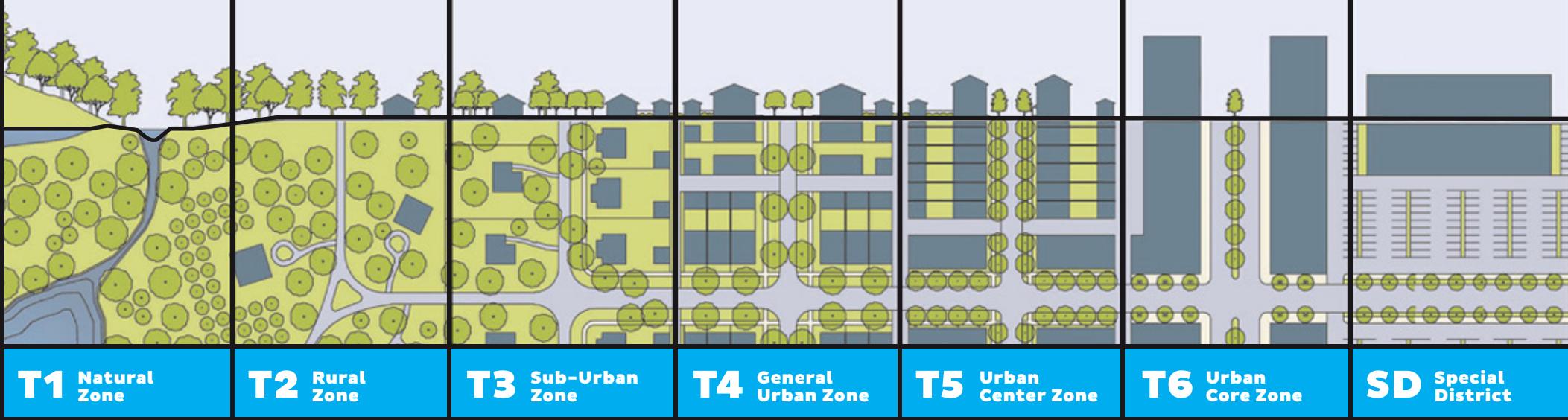
## **Form Based Codes**

In the 1990s, New Urbanists often complained that the traditional zoning code not only impedes traditional-style development but in fact makes such development impossible to build.

Instead of focusing on uses that are permitted or not, form-based codes focus on the buildings. Instead of dealing with each parcel in isolation, form-based codes seek to deal with neighborhoods as a whole. And instead of being written mostly in text by lawyers, form-based codes are often drafted by designers who use many visual images.

Form-based codes are based on the transect".





## The Transect

An urban planning model that defines a series of zones  
(or “T zones” as Fulton puts it) that transition from rural to urban

T zones will contain use restrictions, height limits,  
and parking standards, just like a traditional use zone

Unlike traditional use zones, T zones are far more detailed in specifying the form  
of the development, specifying things such as building types, frontage types,  
unique parking standards, and even streetscape standards

Traditional Euclidean zoning encourages suburban development with large areas  
dedicated to a single purpose, such as housing, offices, and shopping. In contrast,  
using the transect in form-based code model decreases the necessity for long-distance  
travel by any means and encourages in-fill development that is most appropriate



T1 Natural Zone	T2 Rural Zone	T3 Sub-Urban Zone	T4 General Urban Zone	T5 Urban Center Zone	T6 Urban Core Zone	SD Special District
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**The natural zone consists of natural and permanent open-space areas that are intended for preservation**

**The T-1 zone may also include lands unsuitable for settlement due to topography, hydrology, or vegetation**

The rural zone consists of areas that are reserved for agricultural use and have an open "country road" character and are sparsely settled

The planting is a naturalistic with relatively deep setbacks

Street blocks maybe large and the roads irregular to accommodate natural conditions

The sub-urban zone consist of low density suburban residential areas with in the community

Setbacks and landscaping are variable

Streets typically defined medium-size blocks

The general urban zone consists of a mixed-use but primarily residential urban fabric

It has a wide range of building types

It has a tight network of streets with wide sidewalks, steady tree planting, and buildings set close to the frontages

The urban center zone consists of higher density mixed-use building types that accommodate retail, office, rowhouses, and apartment uses

The urban core zone consists of the heart of Downtown, which is the highest development intensities in the city and the greatest variety of uses, and important civic buildings

The area should become richly mixed-used, with retail, offices, and residential in mixed-use buildings, predominately two and six stories in scale, attached to one another, and set close to street frontages

Special districts or zones that have a special use, such as the campus or factory, that do not easily fit into the transects zones otherwise



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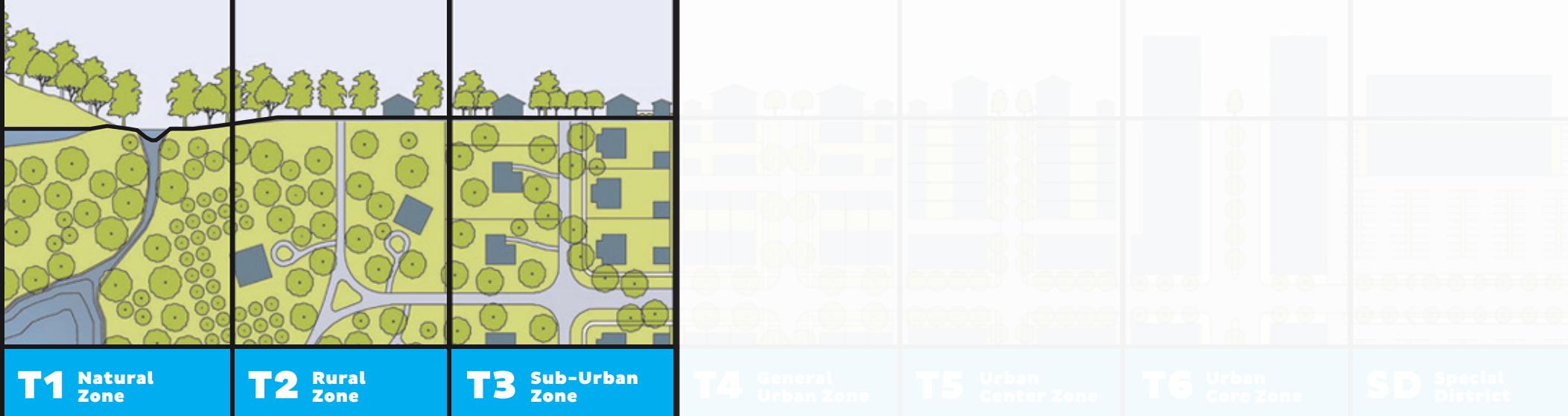
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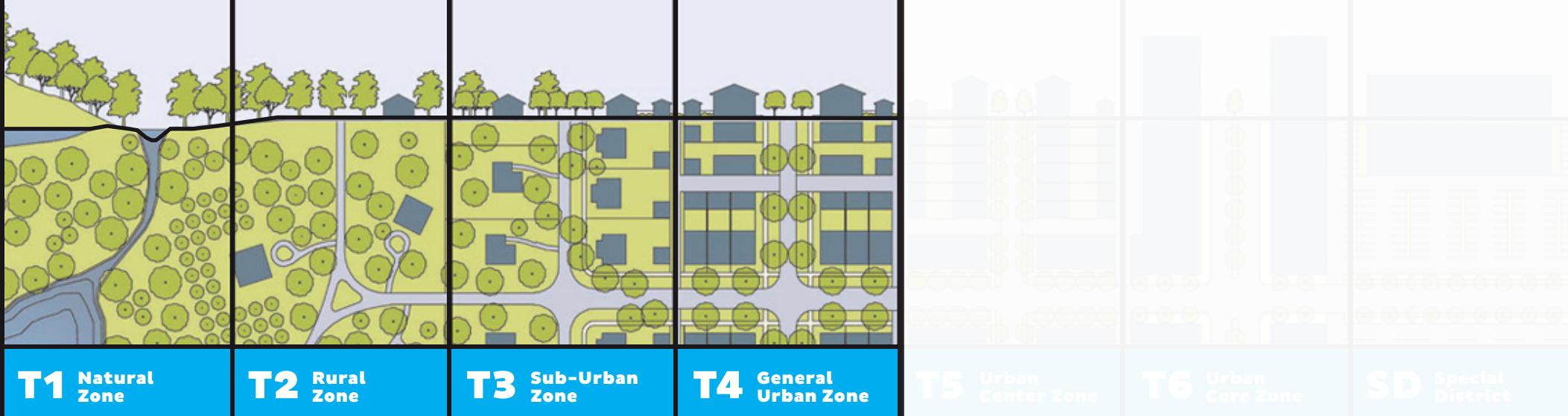
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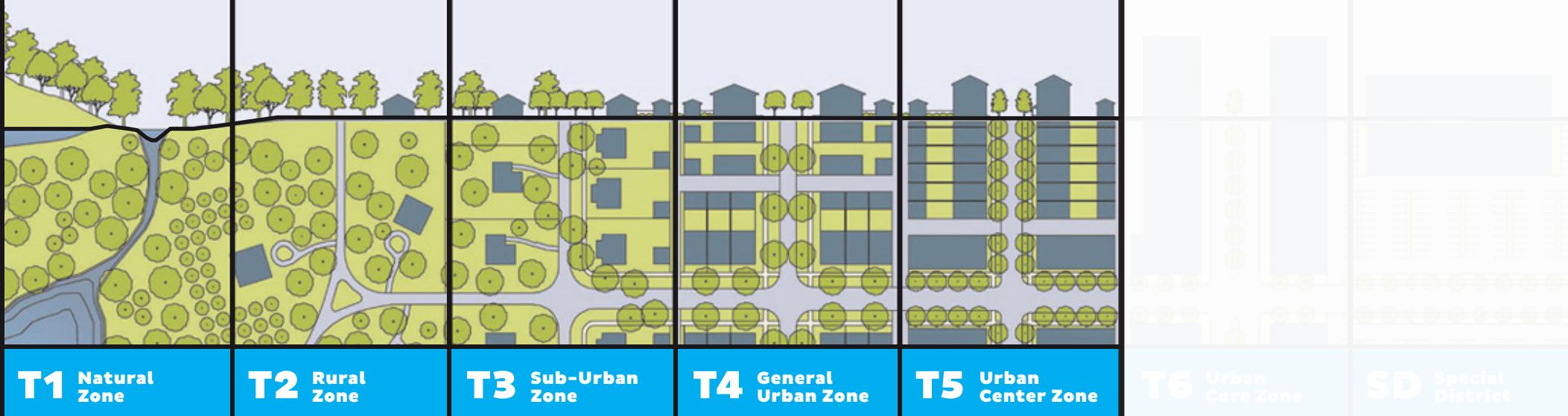
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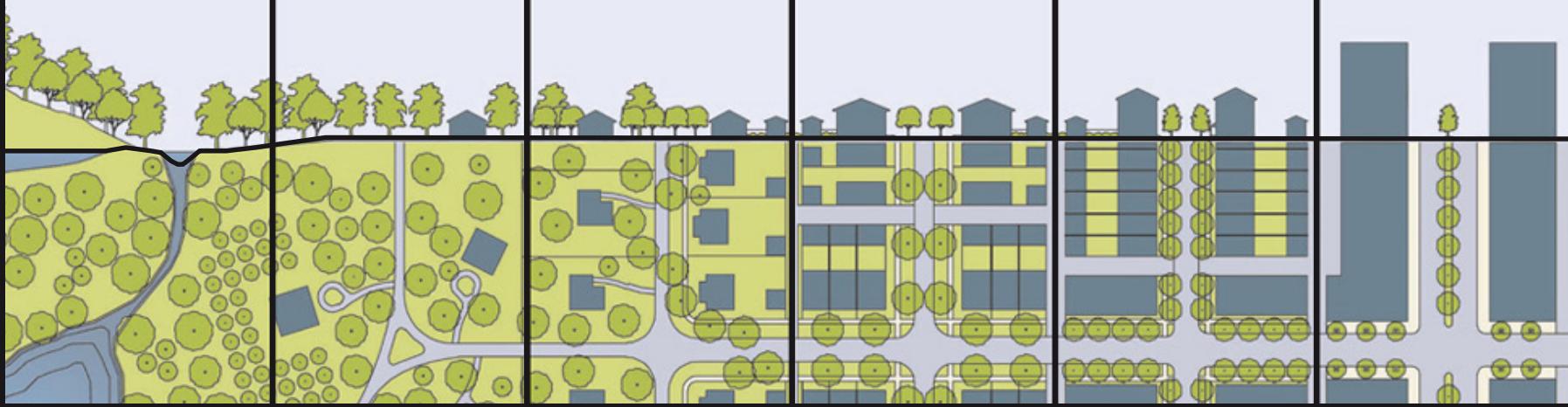
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# BASIC TOOLS: ZONING ORDINANCES



## Form Based Codes

The form-based code isn't well suited for all situations, and so local governments in California are increasingly creating hybrid codes that contain some form-based aspects.

For example, a hybrid code for a redeveloping commercial strip might provide strong direction for the form, massing, and design of buildings, and for the street setbacks, while strictly regulating use as well.



use of  
a parcel



**form of a  
development  
project**



management  
of a project's  
impacts

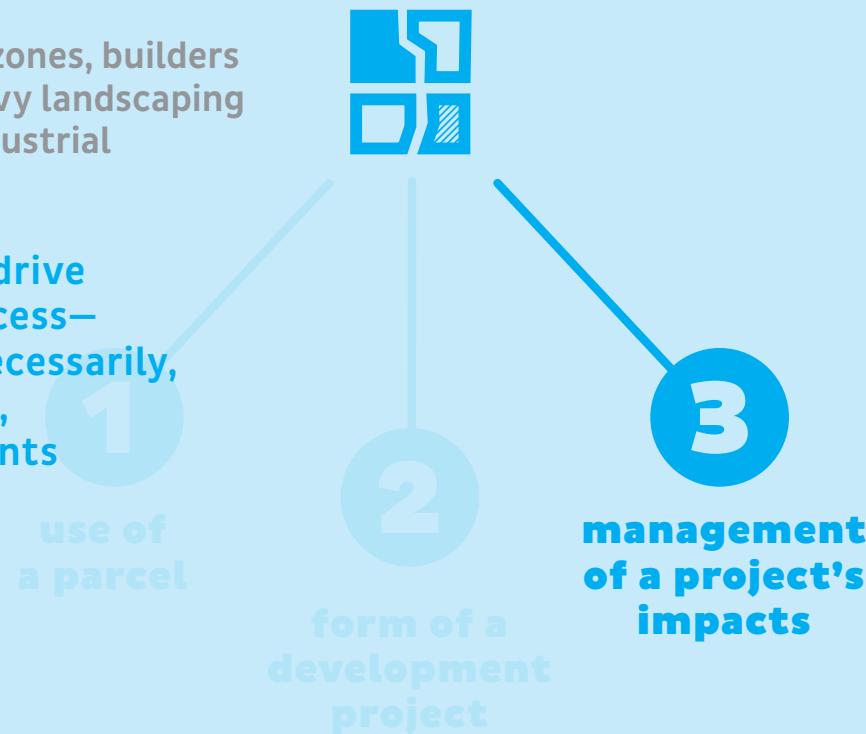
# BASIC TOOLS: ZONING ORDINANCES

The last set of requirements in the typical zoning ordinance tries to manage the external effects that a building has on its surrounding neighborhood

For example, virtually no modern zoning ordinance permits the construction of any building without parking. The only exception would be the zoning ordinance for a dense urban area with a good transit system.

Another example, in industrial zones, builders may be required to provide heavy landscaping and berms in order to shield industrial activity from public view.

Management requirements drive the entire development process—not the use of the project necessarily, but often its density, height, and other impact requirements



# ZONING TOOLS

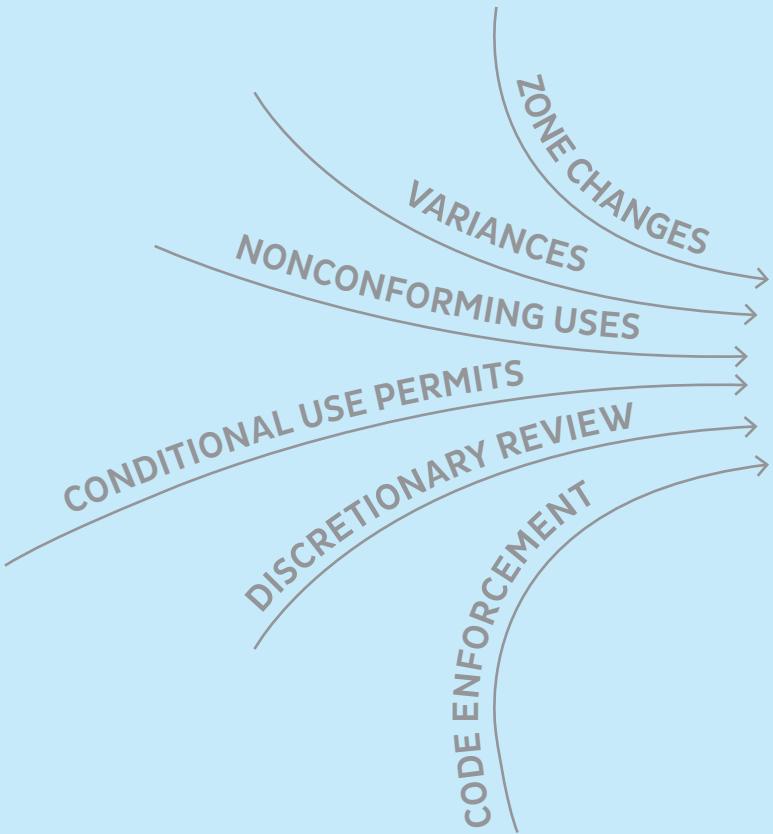


# ZONING TOOLS



Within the concept of zoning are many tools that landowners, developers, and cities may use to accommodate projects that otherwise would be unacceptable, or to stop projects otherwise allowed

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# ZONING TOOLS



## Zone Change

A request for the local government to change the zoning of a property to allow more density or different uses

Zone changes are “legislative” in nature under California law, and therefore, they must be approved by the legislative body—the city council or county board of supervisors—after a public hearing, and they are subject to initiative and referendum

They are also subject to review under the California Environmental Quality Act



# ZONING TOOLS



## Zone Change

In the past, spot zoning was probably the most abused type of zoning change. Spot zoning essentially grants one parcel of land a designation that is incompatible with the rest of the neighborhood, but probably affords the landowner an economic windfall

In theory, spot zoning is legally vulnerable, because all parcels in a zone have not been treated alike. In practice, the strengthened legal status of general plans has made spot zoning and other questionable zone changes much more difficult to achieve

Therefore, zone changes and general plan amendments are typically processed together in order to avoid inconsistencies



# ZONING TOOLS



## Zone Variances

A permit that allows landowners to do something they couldn't otherwise do

Two types of variances:

**Use Variances**  
permits an otherwise unacceptable use on the property without changing the zone

**Variances From Standards**  
permits the landowner to construct a building or open a business without having to comply with the standards required of other landowners in the same zone

"Use variances" are not permitted under California law, but "variances from standards" are common



# ZONING TOOLS



## Zone Variances

If a landowner can almost (but not quite) meet the standards required in a particular zone, and the city wants the project, then a variance offer a convenient solution

In some pro-development communities, planners may actually encourage variance applications, knowing that moving one through the political process is not difficult

Cannot be placed on the ballot, either by initiative or referendum (it is not a legislative, but quasi-judicial) because, at least in theory, it does not deal with policy issues, but, rather, with the application of city policy to one particular case



# ZONING TOOLS



## Non-Conforming Uses

A type of zoning variance where a parcel of land may be given an exception from current zoning ordinances due to improvements made by a prior owner or before the current zoning ordinances made the desired use non-conforming under local law

State law does not regulate nonconforming uses so local jurisdictions are free, within certain constitutional limits, to establish their own standards for regulation of these nonconforming situations

Local restrictions typically prohibit expansion of nonconforming uses



# ZONING TOOLS



## Conditional Use Permit

A type of permit that allows for a specific use that might not otherwise be allowed, as long as the landowner or business owner meets certain conditions

Its basic goal is to permit the full range of land uses required for a community to function, while still giving the community some control over individual situations that could cause conflict

In many communities, the CUP constitutes much of the work of the planning commission, which holds public hearings and imposes conditions in CUP cases

CUPs are quasi-judicial actions, and therefore the planning commission decision is final unless appealed to the city council or board of supervisors

Things like liquor licenses and marijuana dispensaries are often granted to businesses through the CUP process



# ZONING TOOLS



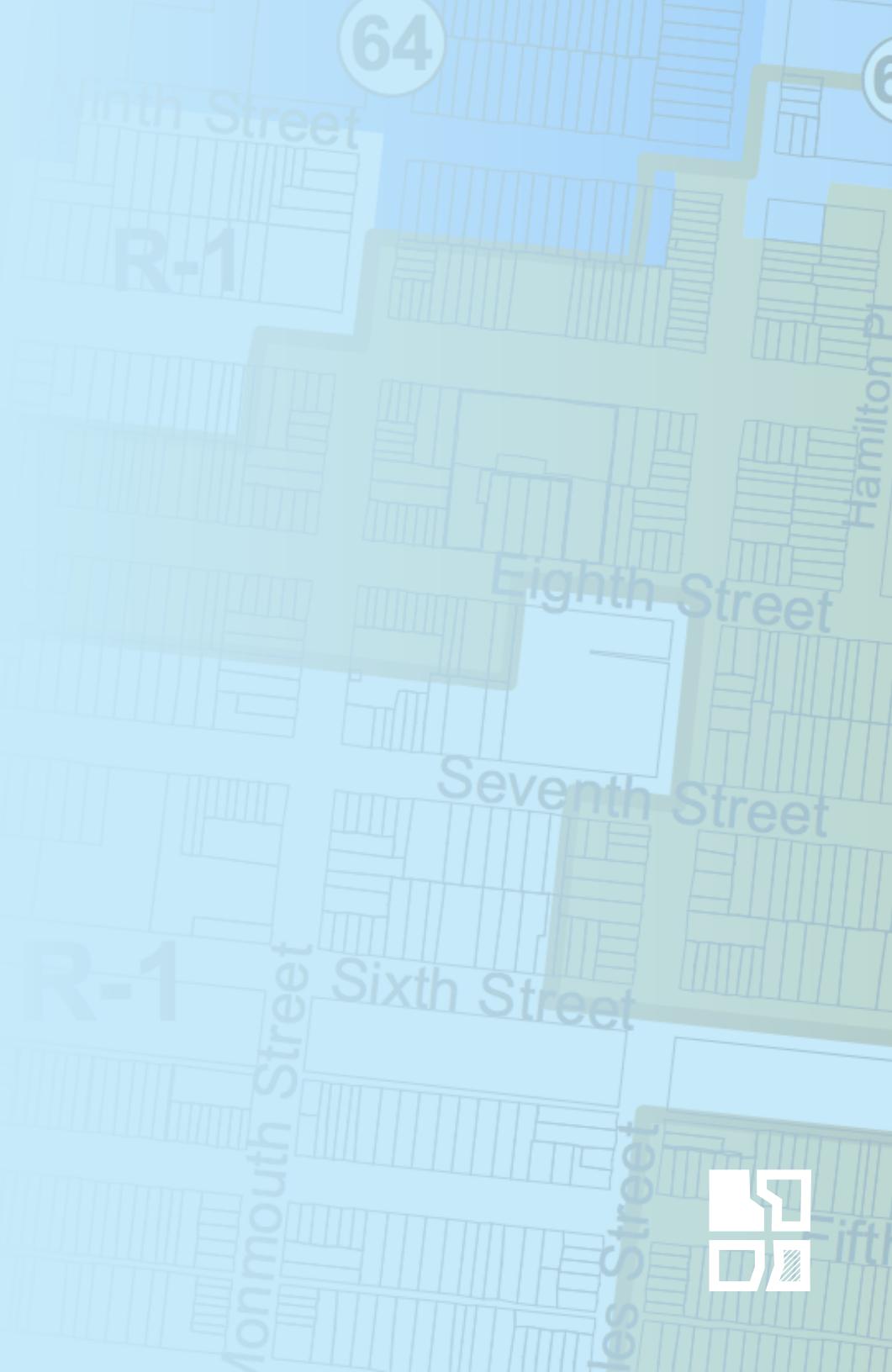
## Discretionary Review

A process that permits local officials, usually the planning commission, to review a specific development proposal and either attach conditions or deny approval

Even a proposal conforming to the paper requirements of the zoning ordinance must be reviewed by the planning commission, which may or may not give its approval

Conditions imposed on a development through discretionary review may call for anything “reasonably related” to the project— the payment of a traffic mitigation fee, the planting of a large number of trees, the construction of affordable housing

The concept of discretionary review builds on the conditional use permit process, which permits planning commission review of individual cases even if the use in question is allowed under the zoning ordinance



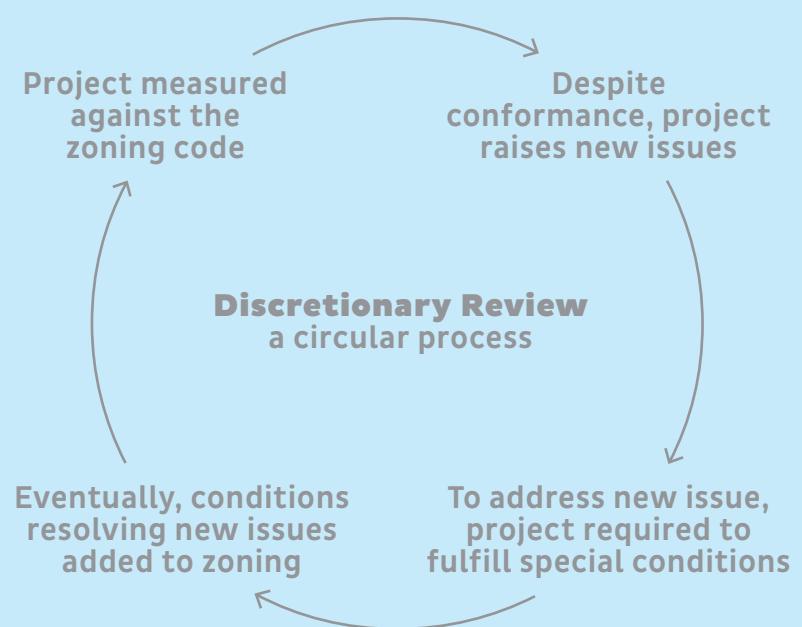
# ZONING TOOLS



## Discretionary Review

It's a response to citizen demand for more transparent decisionmaking, because it opens up for public debate many projects that would not otherwise come before a public body

At the same time, it makes the development process a lot longer and less predictable



# ZONING TOOLS



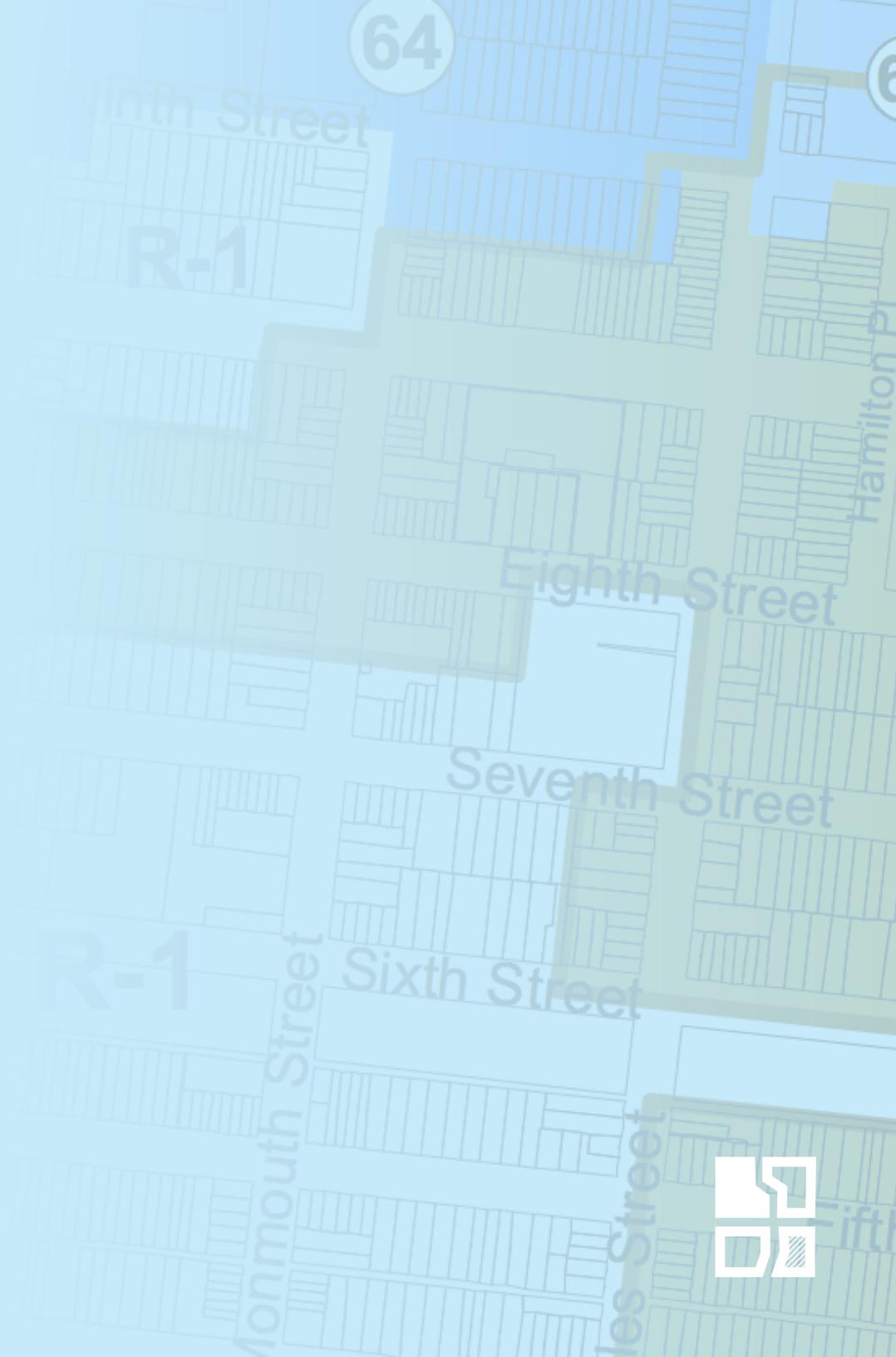
## Code Enforcement

The prevention, detection, investigation and enforcement of violations of statutes or ordinances regulating public health, safety, and welfare, public works, business activities and consumer protection, building standards, land-use, or municipal affairs

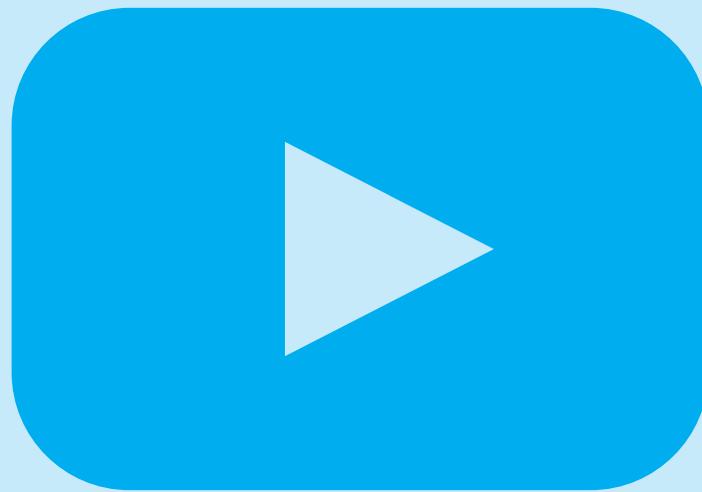
Enforced by code enforcement officers, who are typically part of the building and safety department and not the planning department, mostly respond to citizen complaints about possible building code violations—a neighbor who is constructing an addition to his house without a permit, for example

Planners rarely investigate whether conditions have been met, assuming instead that investigation is the job of code enforcement

Zoning violations are usually misdemeanors, meaning that a property owner who is cited is reviewed in criminal court

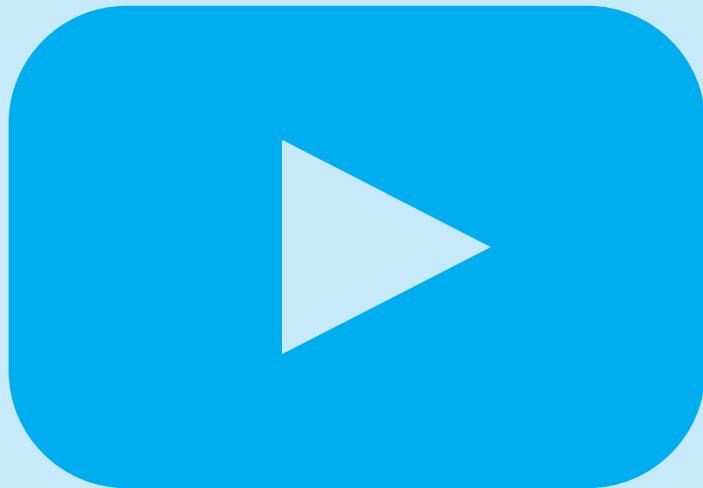


# ZONING TOOLS



<https://www.youtube.com/watch?v=9kVWDWMcLT4&feature=youtu.be>

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# **BASIC TOOLS: SUBDIVISION MAP ACT**

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**General Plan**



**Zoning Ordinances**

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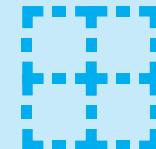
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**General Plan**



**Zoning Ordinances**



**Subdivision Map Act**

# **BASIC TOOLS: SUBDIVISION MAP ACT**



**General Plan**



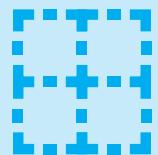
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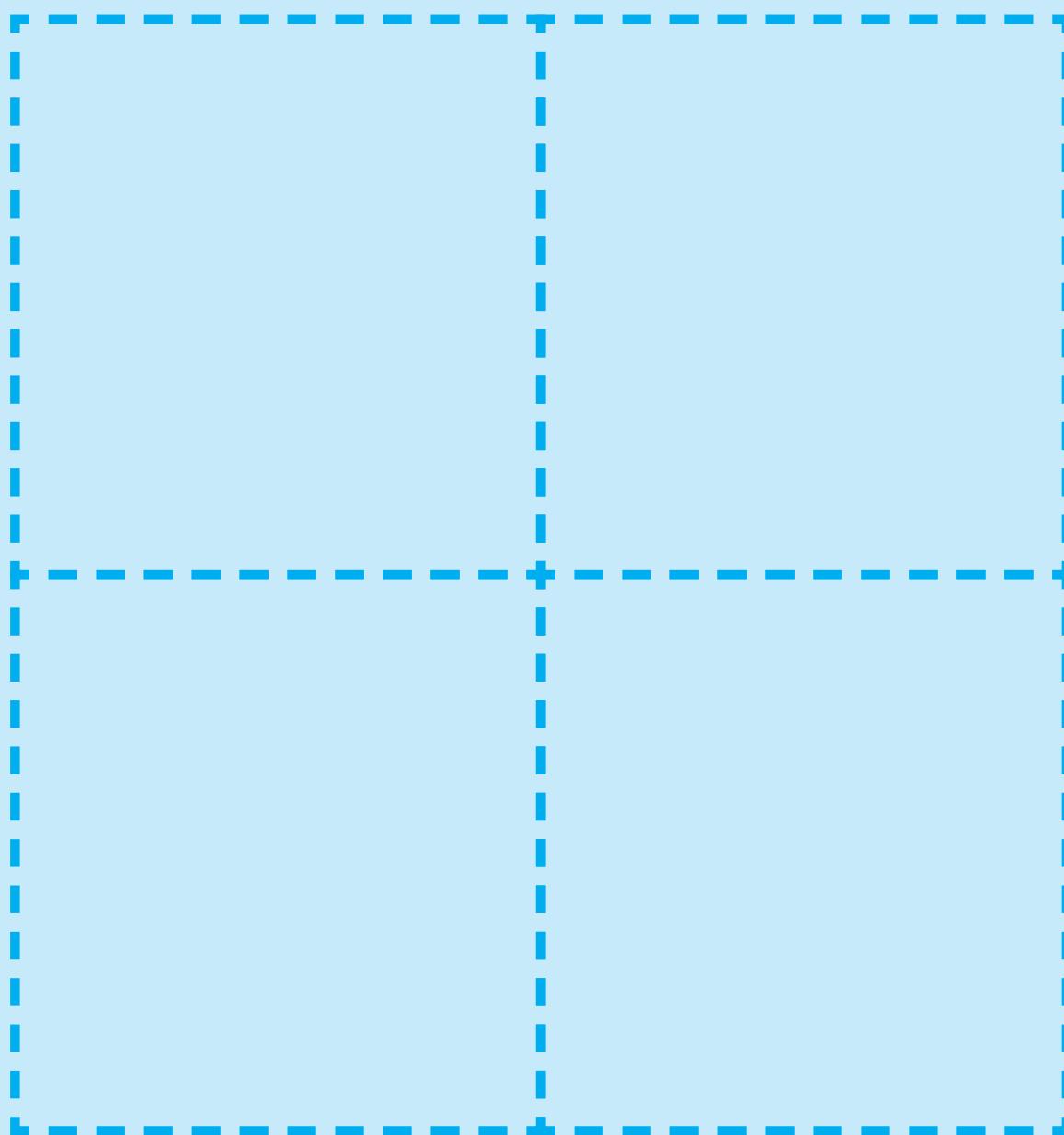
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■ A city or county must deny a landowner permission to subdivide property if, in its legal findings, the jurisdiction finds that one or more of the following conditions is present:

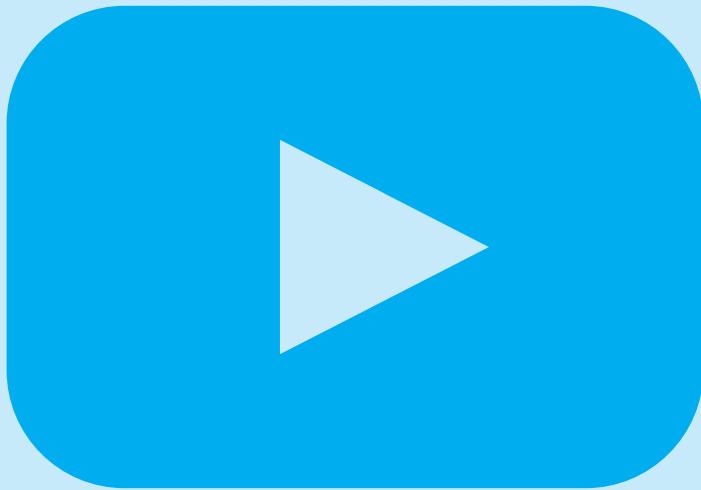
- environmental damage
- inconsistency with local plans
- physical unsuitability of the site
- Conflict with public easements
- Inadequate water supply

# **ASSIGNMENTS**

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- 1 WRITING ASSIGNMENT  
ONE DUE NEXT WEEK! (FEB. 28TH)**
- 2 READ CHAPTER  
TWELVE**
- 3 IDENTIFY A PUBLIC HEARING  
YOU WOULD LIKE TO ATTEND**
- 4 CONTINUE READING THE DEATH AND LIFE  
OF GREAT AMERICAN CITIES**
- 5 MID-TERM EXAM  
IN TWO WEEKS (MAR. 7TH)**

# CITIZEN JANE



[https://www.youtube.com/watch?v=7pq-UvE1j1Q&index=4&list=PLE4-CTjQUsn70U\\_m\\_ngQMdBUN-lpDaqlZ](https://www.youtube.com/watch?v=7pq-UvE1j1Q&index=4&list=PLE4-CTjQUsn70U_m_ngQMdBUN-lpDaqlZ)

## **LAST QUESTION**

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WORTH 0.5%  
OF TOTAL GRADE

ON THE OTHER SIDE OF YOUR PIECE OF  
PAPER, WRITE YOUR RESPONSE AND  
LEAVE IT UP FRONT.

**WHAT WAS ONE THING YOU THOUGHT WAS INTERESTING ABOUT  
THE MOVIE SO FAR?**