- State Authority
- Role & Responsibility
- Best Practices
STATE AUTHORITY OVER LOCAL PLANNING
California Government Code Section 65103

PLANNING AGENCY FUNCTIONS:

(a) Prepare, periodically review, and revise general plan (for City Council adoption).
(b) Implement general plan through specific plans, zoning, subdivision ordinance, etc.
(c) Annually review capital improvement program for consistency with general plan.
(d) Promote public interest understanding of general plan and related regulations.
(e) Consult and advise with public on implementation of general plan.
(f) Promote the coordination of local plans and programs with other public agencies.
(g) Perform other functions as the City Council directs.
Historic State Planning Oversight

- General Plan
- Housing Element
- CEQA
- Public Noticing
- Permit Streamlining Act
- Special Land Uses:
  - Wireless Communications
  - Accessory Dwelling Units
  - Homeless Shelters
Trending: State Removing Barriers to Housing

- By-right housing (SB 35, proposed SB 50)
- Affordable Housing Density Bonus Law (various legislation)
- Housing Element reporting & enforcement (SB 828/AB 1771)
- Housing Accountability Act (AB 3194)
- Palmer Fix (AB 1505)
- Accessory Dwelling Units
- Grants/Incentives
ROLE & RESPONSIBILITY
Public Service Values

- Fairness
- Compassion
- Respect for Others
- Responsibility
- Integrity
- Public Trust
- Vision
Purpose of Planning Commissions

Police Power – protect and further general welfare of community

- Advisory Body to City Council
  - Advance Planning
  - Policy Recommendations
  - General Plan
  - Specific and Area Plans
  - Zoning Ordinance
  - Design Guidelines

- Quasi-Judicial Body
  - Current Planning
  - Development Review
  - Discretionary Approvals
  - Site Plan/Design Review
  - Subdivision Maps
  - Planning Director Appeals
## Relationship to City Council

<table>
<thead>
<tr>
<th>City Council (Elected Body):</th>
<th>Sets policies and makes legislative decisions</th>
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<tbody>
<tr>
<td></td>
<td>Decisions can be based on broader considerations (e.g. fiscal and political considerations)</td>
</tr>
<tr>
<td>Planning Commission (Appointed Body):</td>
<td>Recommends and implements policies, zoning and design guidelines</td>
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<tr>
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<td>Decisions focused on conformance with land use policies and zoning ordinance</td>
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<tr>
<td>Common Objective:</td>
<td>Alignment on community values and planning direction for the City</td>
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<td>Joint study sessions to promote policy agreement and clarify expectations</td>
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</tbody>
</table>
Balance Application of General Plan Policies

- Quality of Life/Community Character
- Neighborhood Preservation/Community Growth
- Economic Development/Jobs
- Housing Supply/Affordability
- Transportation/Complete Streets
- Environmental Quality/Natural Resources
- Community Participation
Understand CEQA Basics

- Common vehicle for legal challenges
- Disclosure/information document vs. project approval/denial
- Can still deny project for other reasons
- Identifies potential environmental impacts
- Identifies mitigation measures to reduce significant impacts
- Project vs. cumulative impacts
PLANNING COMMISSIONER
BEST PRACTICES
Use Planning Staff as a Resource

- Encourage staff recommendations
- Ask for technical assistance
- Seek excellence, not perfection
- Be respectful
- Recognize workload and priorities
- Provide constructive feedback
Do Your Homework Prior to Meeting

- Read staff report; ask questions
- Visit project site
- Focus on relevant land use/zoning criteria
- Weigh pros and cons
- Explore potential conflicts of interest
Public Contact Before Meeting

Unavoidable, but . . .

- Discouraged particularly for quasi-judicial actions
- Disclose and share at Commission meeting
- Do not broadcast your opinion in advance of meeting
- Email replies
Practice Good Meeting Management

- You are the face of the City
- Explain meeting procedures
- Stay on agenda
- Maintain meeting decorum
- Be civil to applicants and public
- Avoid blindsiding staff
- Facilitate community input
- Practice active listening
Conduct Open and Transparent Deliberations

- Ask only clarifying questions during public hearing
- Acknowledge public comments
- Disclose applicant and community contacts
- Respect and listen to fellow commissioners
- Seek consensus among commissioners
- Be open to modifying or compromising your position
Demonstrate Fair and Objective Decision-Making

- Place priority on community values expressed in policy plans
- Recognize your personal biases and pre-conceptions
- Think big picture and long-term consequences
- Practice critical thinking skills
Balance Competing Objectives

- City goals vs. neighborhood impacts
- “Conflicting” General Plan policies
- Different public perspectives
- Current and future residents
- Personal values/community values
- Perspective of under-represented constituents
Balance Regional and Local Perspectives

- Sustainable Development
- Compact Growth
- Affordable Housing
- Inclusive Community
- Environmental Quality
Establish Legal Basis for Commission Decisions

- Conformance with General Plan policies
- Compliance with zoning standards
- Consistency with past decisions (avoid arbitrary and capricious decisions)
- Explain reasons for your vote
- Articulate findings for approval or denial
San Leandro Zoning Code Findings

- Section 5.2212
  - Use Permits
  - Variances
  - Parking Exceptions

- Section 5.2512
  - Site Plan Review Standards

- Section 3.1018
  - Planned Developments
Stay Informed on Planning Issues

- Institute of Local Government
  https://www.ca-ilg.org/

- Local Government Commission
  https://www.lgc.org/

- American Planning Association
  https://www.planning.org/commissioners/

- California Planning Roundtable
  https://cproundtable.org/

- Planners Web http://plannersweb.com/

- Planetizen https://www.planetizen.com/
Urban Planners

What We Think We Will Do
What The Public Thinks We Do
What Applicants Think We Do
What Our Friends Think We Do
What We Actually Do
What We Need To Do

Created by: John T.
Discussion

What Makes a Great Planning Commissioner?