

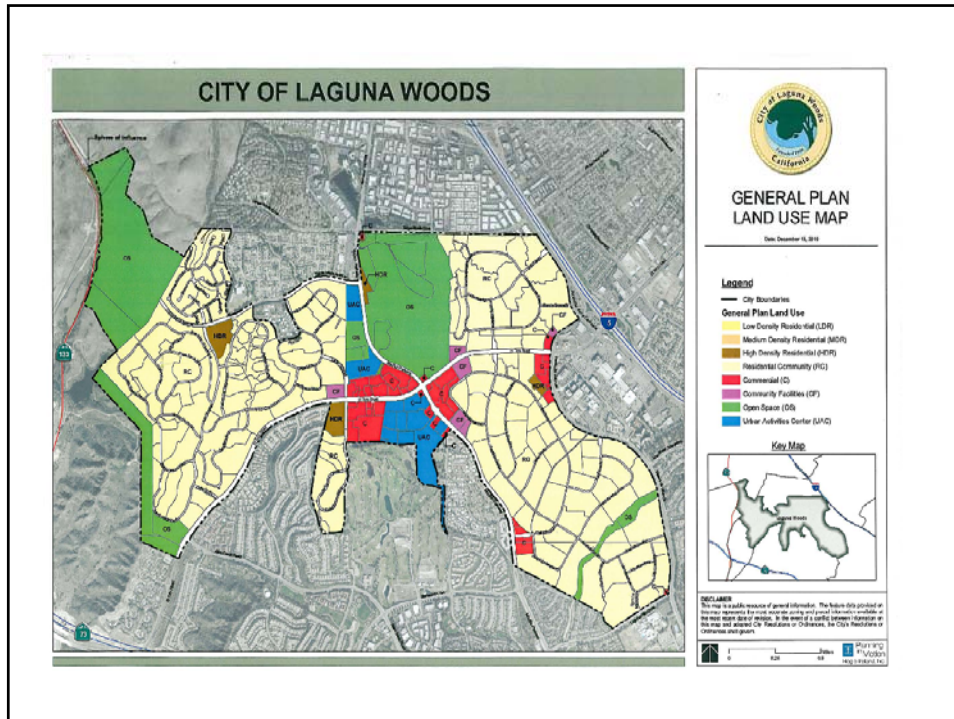


## General Plan

- Comprehensive long-term plan; a “blueprint” for the physical development of the city.
- City may not approve a specific land use regulation or development project unless it is consistent with the city’s adopted general plan.
- Statement of development policies, and seven mandatory elements:
  - Land Use
  - Circulation
  - Housing
  - Conservation
  - Open Space
  - Noise
  - Safety

### Laguna Woods General Plan

- Adopted October 2002
- Revised (Urban Runoff) July 2003
- Revised (San Sebastian) October 2005
- Revised (Laguna Laurel) August 2007
- Revised (Housing Element) January 2009
- Revised (Land Use Element) December 2010



## Regional Housing Needs Analysis (RHNA) Government Code §65584

- State mandate – new construction allocation every 5 years – next allocation available April 2012 for 2014-2019.
- City must update its General Plan Housing Element by October 23, 2013 to include new allocation.
- Current allocation (zoned for Garden Center One):

Category	Number Units	Income 1 person	2 persons
Extremely Low	0	\$19,500	\$22,300
Very low	25	\$32,550	\$37,200
Low	6	\$52,050	\$59,450
Moderate	27	\$61,400	\$70,150
Moderate+	0	\$73,260+	\$76,725+
<b>Total</b>	<b>58</b>		

## General Plan Revisions

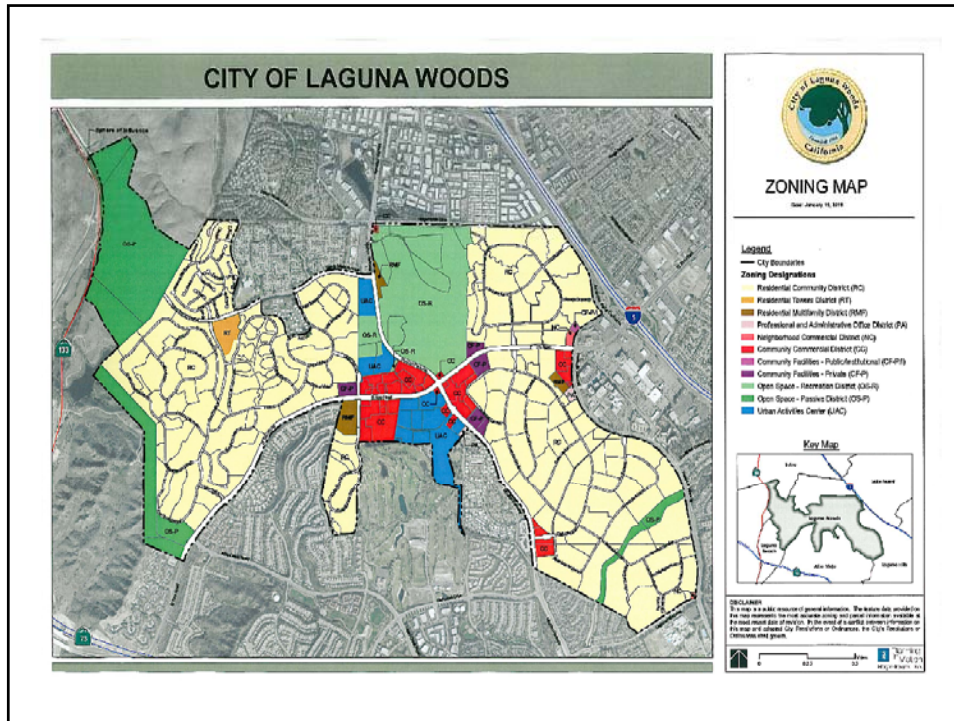
- All elements of General Plan must be consistent.
- Zoning Code must be consistent with General Plan.
- General Plan has an established timeframe – 20 years – modifications to six of seven elements only as needed.
- No element can be amended more than four times/year.
- Housing Element must be updated every five years – state legislation extended current update period to 7.5 years.
- Must report to state annually on progress toward General Plan goals.



## Zoning Code

- Implements policies of the General Plan.
- Divides city into districts and determines what can and cannot be built on the parcels of land within districts.
- Zoning regulations typically address two issues contained within the question of “what” can be built:
  - the height, bulk, and sometimes design of buildings (i.e., how big they are and how they look)
  - to what use the buildings may be put (i.e., what activities can take place)
- No restrictions on the number of modifications to the zoning code.





**LEGEND**

- RESIDENTIAL MEDIUM DENSITY
- RESIDENTIAL HIGH DENSITY
- URBAN ACTIVITIES CENTER

## Project Example

### Urban Activity Center (UAC) Specific Plan

- Specific plan area consists of 8 parcels; approximately 69 acres within three non-contiguous locations.
- Specific Plan designation requested by GRF in 2002; prior to that the property was designated commercial (1 parcel) and open space (7 parcels).
- Current Uses: undeveloped, open space, equestrian center, garden center, nursery, maintenance yard.
- The specific plan designation requires a plan for the entire area before any new construction or new use can occur.



## City Interest in the UAC

- No plan has been submitted to the City and staff has not yet seen or reviewed any plan for the UAC.
- City has no involvement in sale, purchase or lease of land in the UAC.
- State law pre-empts City from becoming involved in private property matters, including common interest development bylaws and C,C&Rs.
- City's responsibility is to assure that plan and its implementation:
  - is consistent with City codes and development standards
  - can be supported by city services and facilities, and
  - has no negative, unmitigated impact on the environment
- City Council can approve or disapprove a specific plan and individual plan components and can establish conditions and standards.

## What Is a Specific Plan?



- A specific plan is a separately adopted general plan implementation document.
- Specific plans are described by statute (§65450 et seq).
- The purpose of a specific plan is the "systematic implementation" of the general plan.
- Although a specific plan must be "prepared, adopted, and amended in the same manner as general plans" (§65453), it may be adopted by resolution or ordinance and may be amended as often as necessary.
- Specific plan applications are not subject to the Permit Streamlining Act.



## What the Plan Must Include

### CA Government Code §65451

A specific plan must include a text and diagrams which specify all of the following in detail:

- The distribution, location, and extent of the uses of land, including open space, within the area covered by the plan.
- The proposed distribution, location, and extent and intensity of major components of public and private circulation and transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities proposed to be located within the area covered by the plan and needed to support the land uses described in the plan.
- Standards and criteria by which development will proceed, and standards for the conservation, development, and utilization of natural resources, where applicable.
- A program of implementation measures including regulations, programs, public works projects, and financing measures to achieve the uses proposed.

## Development Standards

Development standards which may be considered in the specific plan preparation include such things as:

- Transfer of Development Rights
- Building Heights, Set Backs, Design Criteria
- Linkage of Land Use Types
- Phasing of Development
- Economic Feasibility
- Compatibility with Adjacent Neighborhoods
- Bulk and Massing
- Density
- Hours of Operation
- Intensity and Location of Housing



## City Actions Required



- Specific Plan Approval
- Zoning Code Modification (to add development standards)
- General Plan/Land Use Element Amendment (to designate the total square footage and the mix of allowed uses within the specific plan area)
- General Plan/Other Element Amendments (if required)
- Environmental Review and Certification



## Step 1: Project Application

- Property owner or agent submits application(s) and required studies for project.
- Property owner is defined as:
  - Legal owner: name on tax rolls
  - Owner of record: name on title
- Staff has 30 days to deem application complete or incomplete.
- Application can be returned as incomplete with request for additional information.
- Once application is deemed complete, City can ask for clarification but cannot require additional information.
- Once an application is filed, it and related documents become public information.

## Model Specific Plan Outline

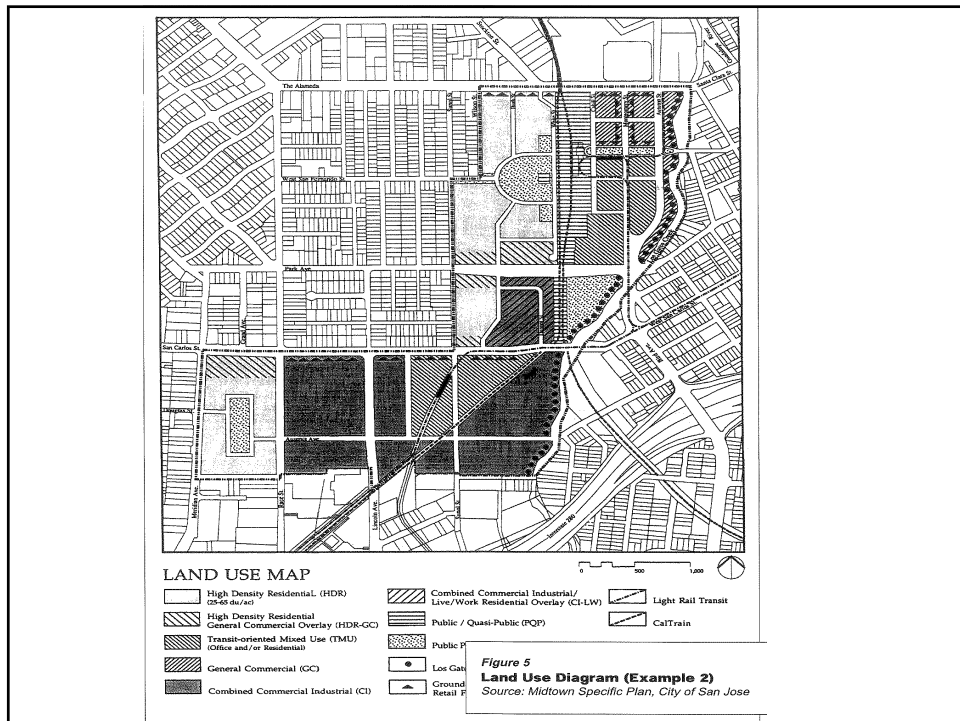
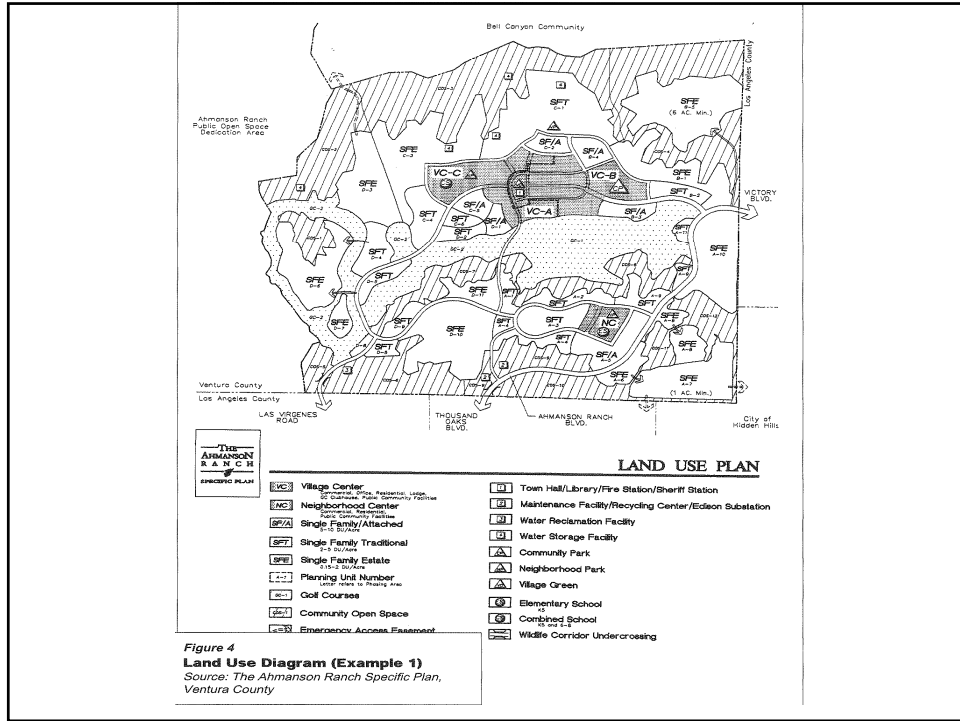
- Introductory Plan Information
- Summary (purpose statement, issues, location, process)
- Introduction (purpose, issues addressed)
- Land Use Planning and Regulatory Provisions
- Infrastructure Plan
- Program of Implementation Measures
- Relationship of the Plan's Environmental Document to Subsequent Discretionary Projects
- Specific Plan Administration
- Specific Plan Enforcement
- Appendices (special studies/reports)

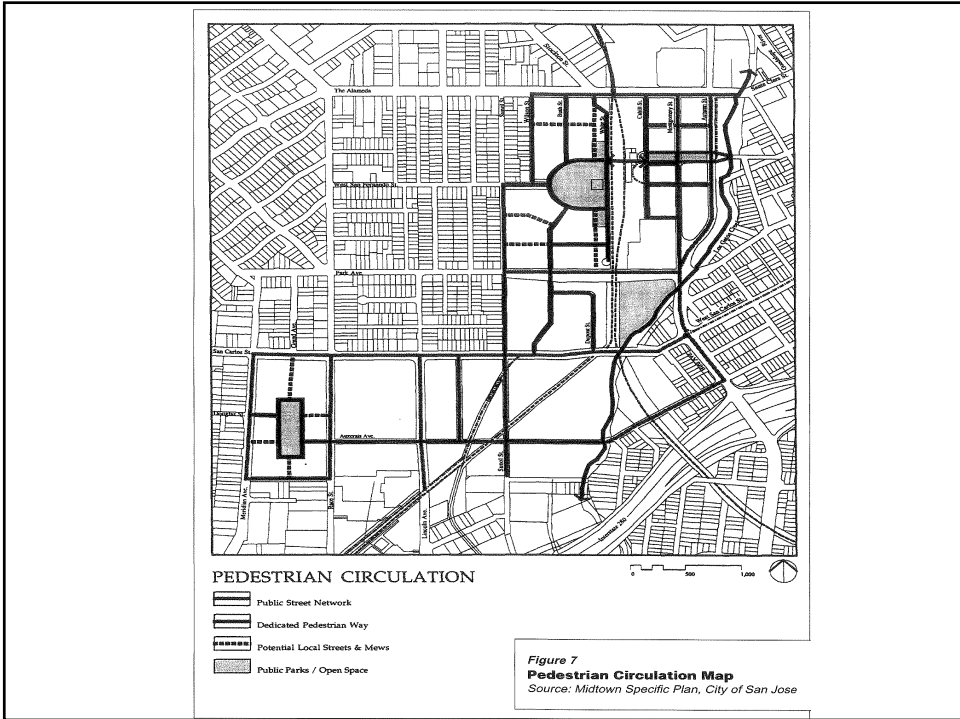
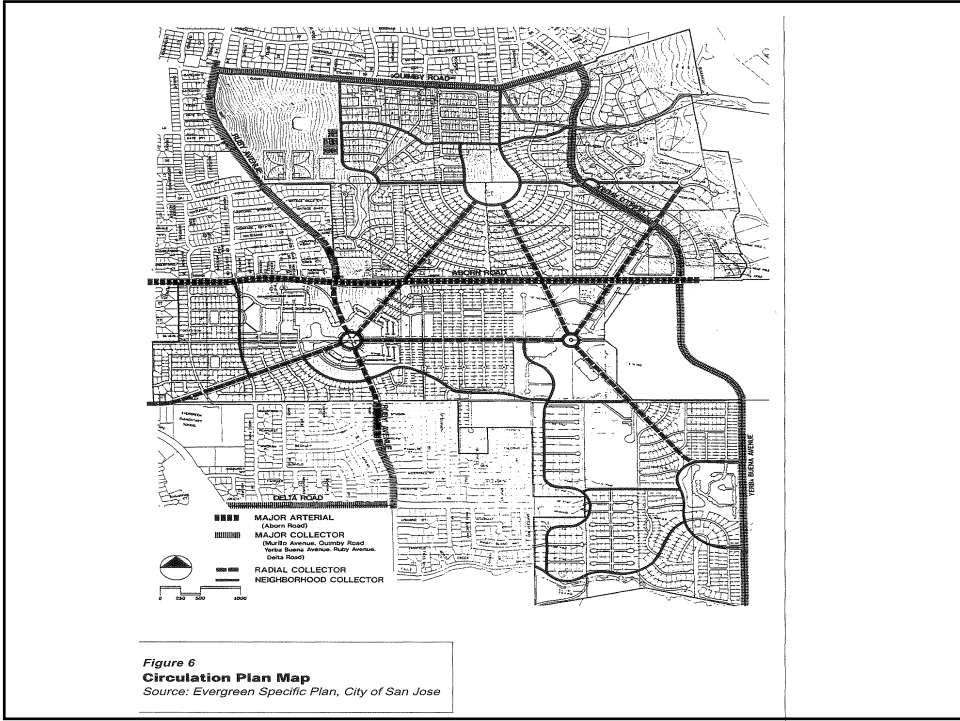


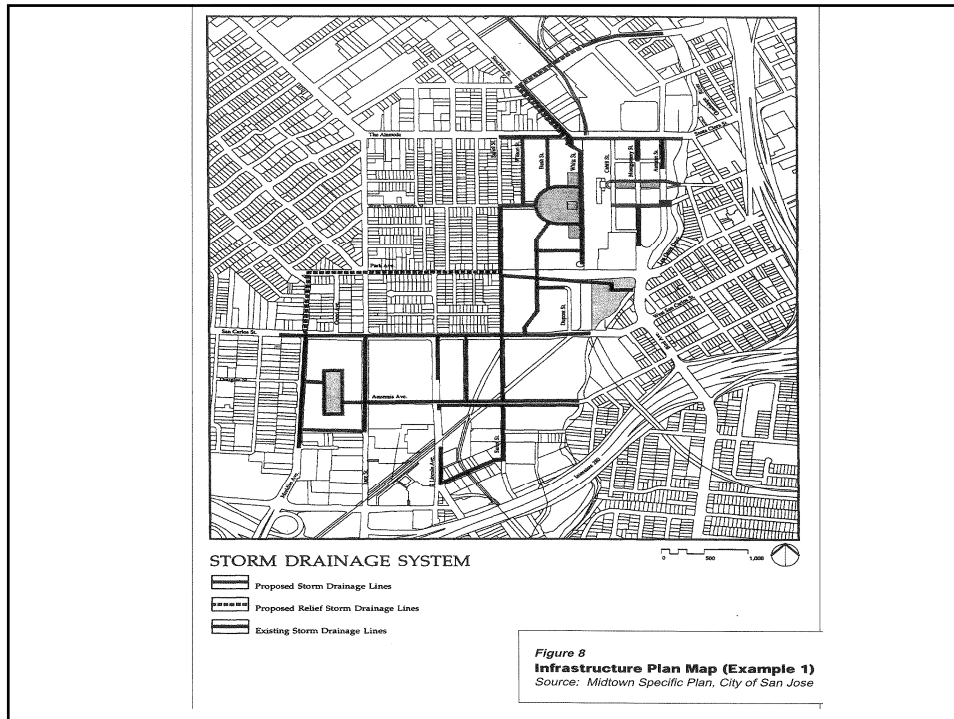
## Issues/Studies

- Transportation/Circulation
- Air Quality
- Urban Runoff
- Noise
- Fiscal Impact
  - City's ability to provide water, sewer, public safety services
  - Phasing plan









## Step 2: Staff Review

- Application is deemed complete.
- Staff review to determine if plan meets legal requirements and is consistent with the general plan.
  - Specific plans are not subject to the Permit Streamlining Act
- Identify level of required environmental review:
  - Exempt
  - Negative Declaration
  - Mitigated Negative Declaration
  - Focused Environmental Impact Report
  - Environmental Impact Report

### Step 3: Environmental Review

- Preliminary determination on the level of review circulated; if EIR required must post notice of intent to prepare.
- Post notice of determination/environmental impact report and notify interested parties and property owners with 1000 ft.
- 20-45 day public comment period depending on scope of project and/or type of certification.
- Respond to comments and revise document if appropriate.
- Council makes final certification following public hearing.
- ND/EIR must be certified within six months – one year from application completion date.



### Step 4: Land Use and Design Review Committee



- Staff recommendation for approval, modification or denial and applicable conditions presented to Committee, together with recommended environmental certification.
- Public meeting – may or may not be public hearing.
- May be several meetings depending on scope of the project.
- Committee and staff discuss modifications.
- Committee approves recommendation to City Council
- Committee and staff recommendation may differ – both presented to the Council.



## Step 5: Public Hearing and City Council Action

- 10 day notice for public hearing – public notice in newspaper and mailed to interested party list.
- To approve project, City Council must:
  - certify environmental document (resolution); and
  - approve/disapprove plan (resolution or ordinance).
  - Amend zoning code (ordinance)
  - Amend general plan (resolution)
- City Council may:
  - Close or continue public hearing
  - approve, deny, modify or continue action on the environmental certification and other plan actions – all actions must be internally consistent.

## Public Input Opportunities

- Project application and related studies are all public information.
- City will publish information updates about project on its website.
- Staff reports to Land Use Committee and City Council are available prior to meetings.
- Environmental Review:
  - Notice of availability published in the LW Globe 20-45 days in advance of City Council action and mailed.
  - Staff must address all written comments and they become part of the record.
- LUDR Meeting(s) – public opportunity to comment.
- City Council public hearing/meeting(s) – public opportunity to comment.





## What Do Councilmembers Look for?

- Compatibility with adjacent homes and businesses:
  - architecture, color palette and signage
  - sight lines and view interruption
  - type of development
- Fiscal impact on City and ability to provide services:
  - project revenues vs. costs
  - ability to provide police, fire and paramedic services
  - required recreation and social services programs
- Other impacts:
  - noise and air pollution
  - sufficient streets and sidewalks
  - Loss of open space
- Council cannot consider CID bylaw and C, C & R disputes.

## When Are Council Actions Effective?

- Resolutions approved by the City Council are effective immediately unless they related to fees (60 days) or land use (30 days).
- Ordinances:
  - require two Council meetings
    - Introduction and first reading
    - Adoption
  - become effective 30 days after adoption unless Council actions are challenged by referendum and/or environmental certification is challenged in the courts.

