

## TITLE 9. LAND USE AND DEVELOPMENT

### CHAPTER 1. PLANNING

#### **Sec. 9-1.101. Purpose and Scope.**

This chapter covers the adoption and modification of the City's general and specific plans. This chapter may be cited as the City's "Planning Regulations."

The California Local Planning Law authorizes the City to enact local ordinances for planning purposes. This chapter incorporates by reference those provisions of the California Local Planning Law which are mandated by State law and adopts discretionary provisions.

#### **Sec. 9-1.102. Definitions.**

- (a) The following definitions apply to this chapter:
  - (1) "Planning agency" means the California City Planning Commission.
  - (2) "Governing body" or "legislative body" means the City Council.
  - (3) "Local agency" means the City.
  - (4) "Local ordinance" means this chapter.
  - (5) "Local Planning Law" refers to Division 1 of Title 7 (commencing with §65100) of the Government Code.
  
- (b) Except as provided herein, the definitions now, or hereinafter, set forth in the Local Planning Law are incorporated by this reference.

#### **Sec. 9-1.103. Plan: Requirement.**

The Planning Commission shall prepare and the council shall adopt a comprehensive long-term general plan for the physical development of the City and of land outside its boundaries which in the planning agency's judgment bears relation to its planning.

#### **Sec. 9-1.104. Plan: Contents.**

- (a) The general plan shall consist of a statement of development policies and shall include a diagram or diagrams and text setting forth objectives, principles, standards and plan proposals. The general plan shall include the following elements to the extent the element exists in the planning area:
  - (1) Land use;
  - (2) Circulation;
  - (3) Housing;
  - (4) Conservation;
  - (5) Open-space;
  - (6) Seismic safety;
  - (7) Noise;
  - (8) Scenic highway; and
  - (9) Safety.
  
- (b) The general plan may include the following elements:
  - (1) Natural resources;
  - (2) Parks;
  - (3) Recreation;

- (4) Beaches;
- (5) Playgrounds;
- (6) Recreational community gardens;
- (7) Other recreational areas;
- (8) Parking facilities;
- (9) Aviation and related facilities;
- (10) Public transit facilities;
- (11) Sanitation, drainage and utilities;
- (12) Public buildings;
- (13) Community design standards;
- (14) Standards for elimination of substandard housing;
- (15) Redevelopment;
- (16) Historical preservation; and
- (17) Elements which relate to physical development.

- (c) The general plan and elements shall be consistent with the standards promulgated by State agencies with jurisdiction by law.

**Sec. 9-1.105. Adoption.**

The City approved a general plan consisting of elements adopted on the dates indicated:

- (a) Conservation: 1973
- (b) Housing: 1972
- (c) Land Use and Circulation: 1978
- (d) Noise: 1975
- (e) Open Space: 1973
- (f) Safety: 1975
- (g) Scenic Highway: 1974
- (h) Seismic safety: 1975
- (i) Water and Sewer: 1972

**Sec. 9-1.106. Plan: Amendments.**

- (a) The Planning Commissions shall hold at least one public hearing before approving an amendment to the general plan or any element.
- (b) The Council shall approve, modify or disapprove amendments approved by the Planning Commission following a public hearing. A modification not considered by the Planning Commission shall be referred to the Commission for report and recommendations.

**Sec. 9-1.107. Plan: Amendments: Limitations.**

- (a) No mandatory element of the general plan shall be amended more frequently than three times during calendar year unless the proposed amendment is requested and necessary for a single development of residential units, at least 215% of which will be occupied by or available to persons and families of low or moderate income.
- (b) An amendment to a mandatory general plan element which operates to limit the number of housing units which may be constructed on an annual basis shall be accompanied by findings required by law.

**Sec. 9-1.108. Plan: Administration.**

The Planning Commission shall administer the general plan and shall:

- (a) Make recommendations to the Council concerning reasonable and practical means for putting into effect the general plan and its elements;
- (b) Render an annual report to the Council on the status of the plan and progress in its application;
- (c) Promote public interest in an understanding of the general plan; and
- (d) Consult and advise public officials, agencies, and the public generally with relation to carrying out the general plan.

**Sec. 9-1.109. Plan: Administration: Public Works.**

- (a) No real property shall be acquired or disposed of, and no public building shall be constructed if the general plan or a specific plan applies until the location, purpose and extent of such acquisition, disposition or work have been reported upon by the Planning Commission as to conformity with the general plan.
- (b) No street shall be improved and no sewers or connections or other improvements shall be laid or authorized in a street for which a specific street or highway plan has been adopted until the Planning Commission has reported on the conformity with such a plan.
- (c) The Planning Commission shall review five-year capital improvement programs prepared by other local agencies for conformity with the general plan.
- (d) The provisions of this section shall not apply to:
  - (1) The disposition of the remainder of a larger parcel which was acquired and used in part for street purposes;
  - (2) Acquisitions, dispositions, or abandonment's for street widening;
  - (3) Alignment projects, provided such dispositions for street purposes, acquisitions, dispositions or abandonment's for street widening, or alignment projects are of a minor nature.

**Sec. 9-1.110. Plan: Administration: Zoning.**

Zoning regulations shall be consistent with the general plan and specific plans.

**Sec. 9-1.111. Plan: Fees.**

A person requesting a general plan amendment shall pay a fee in an amount from time to time established by resolution unless the Commission determines the amendment benefits property other than the applicant's property.