

DISCUSSION/STAFF ANALYSIS

State Planning, Zoning, and Development Law (California Government Code Sections 65000-66037) requires, in part, that each planning agency shall prepare, and the legislative body of each county and city shall adopt, a comprehensive, long-term general plan for the physical development of the county or city. Section 65302 further states, “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.” Section 65302 (a) applies specifically to land use elements and sets forth the requirement for the land use element to include a statement of the standards for population density and building intensity recommended for the various districts (land use designations) covered by the General Plan. To satisfy this requirement, the 2004 General Plan includes Policy 2.2.1.3, Table 2-2, Land Use Densities and Residential Population Ranges (Exhibit A) and Policy 2.2.1.5, Table 2-3, Building Intensities (Exhibit B).

Floor Area Ratios – General Purpose and Intent

Intensity standards for non-residential development, such as floor area ratios, are commonly used to set limits on the amount of allowable development to address various issues, such as aesthetics, land use compatibility, and environmental impacts. Floor area ratios are usually expressed as a ratio of total floor area (including all floors and not just the footprint of a building) when compared to a lot or parcel area. Floor area ratios for non-residential development land uses vary by jurisdiction but fall within a range of 10 percent to 300 percent within this region. In addition to defining building intensity, FARs can provide a basis for generalized traffic and employment projections. Floor area ratios in combination with acreage and compatibility standards for various non-residential land use designations are often intended as guidelines and not as absolute restrictions.

Diagrams representing different levels of FAR percentages are provided in Exhibits C. These show examples of the current standards provided in Table 2-3 as well as examples of FAR standards in other jurisdictions.

Comparative FARs

Planning Services staff conducted a survey of 11 public agencies located within the Foothill and adjoining Central Valley region to collect data from general plans and/or zoning ordinances that describes current approaches to FARs. Of the 11 agencies, 7 use FARs, 1 proposes to include FARs in their general plan update, and 3 do not use FARs as General Plan standards but do use similar development standards within their zoning ordinances. Example FARs for commercial land uses vary within a range of 20 percent to 85 percent, with commercial FARs applicable to central business districts or otherwise intensely developed areas reaching 250 percent to 300 percent. Industrial land use designations utilize FARs in the range of 20 to 85 percent. Research and Development areas were subject to FARs in the range of 20 to 85 percent. Agricultural lands were subject to FARs from 10 to 30 percent. Sacramento County and Amador County employed both density averaging concepts and/or specific floor area ratios (survey results are provided as Attachment 1.)

Agencies that employ FARs do so as either absolute standards, or as guidelines expressed as a range, relying upon market forces to shape actual and average expressions of FARs on a project-by-project and area wide basis. Sacramento County demonstrates the application of the latter approach, by including commercial, industrial, and business commercial/business office (R&D) land use data/statistics for existing and projected development in their General Plan. In addition, some agencies encourage the application of higher FARs to projects because it results in conservation of associated land use inventory, achieves enhanced project development, and may support alternative forms of transportation and affordable housing.

Finally, the building intensity of development planned and/or allowed to occur in agricultural areas needs to be addressed. Currently, Table 2-2, Land Use Densities and Residential Population Ranges, includes a statement of population/dwelling unit density for residential development allowed to occur in areas designated as Agricultural Lands. Similarly, Table 2-3, Building Intensities, currently includes a 10 percent FAR applicable to Agricultural Lands; however, A06-0001 proposes to delete this requirement. The Zoning Ordinance allows a variety of agricultural structures by-right or by approval of a special use permit, however, with the removal of the 10 percent FAR requirement from Table 2-3, there is no accounting for potential building coverage that could result in new employment nor is there any consideration of limitations to the amount of land coverage on choice soils. The Commission may wish to distinguish FARs applicable to choice agricultural lands vs. non-choice agricultural lands. FARs applied could be selected to protect choice agricultural soils from excessive building coverage, thus selecting “non-choice” agricultural soils, and/or other land use designations for more intensive agricultural uses that are dependent upon greater building coverage requirements.

Options/Alternative Approaches

The following alternatives illustrate some possible approaches for amending the General Plan to address FAR and how the changes would be analyzed in the environmental impact report. The approaches are examples which do not represent an exhaustive list and are provided as a starting point for Planning Commission discussion and public input. The Planning Commission may direct that additional approaches be developed based upon information obtained from this and or subsequent workshops

Option 1 – Modified Discretionary Review Process

- The 2004 General Plan includes programs and policies such as affordable housing, mixed use development, density bonuses, open space, alternate transportation modes, and traffic level of service standards which could be linked to increased FAR standards, or a stated range of FARs. This concept would require monitoring of development related employment to determine that projections included in the General Plan EIR are not exceeded. Projects that benefit from increased FAR standards, that do not individually or cumulatively exceed employment projections, would be required to address affordable housing, mixed land use, and other planning concepts via a discretionary review process. This represents a variation to Approach 1, A06-0001. This process would not be by-right and would follow existing discretionary permit review processes.

Option 2 – Increase in FARs for By-Right Development

- Increase FARs using a described range for Commercial, Industrial and Research and Development on a countywide basis. The environmental impact report would examine the potential environmental effects, such as; traffic, air quality, and noise, and determine the public infrastructure improvements and public services level changes necessary to support resultant build out potential. The Zoning Ordinance would allow projects to be reviewed by right unless the criteria for a special use permit are satisfied. This approach would ultimately streamline the project review/permit process for by-right projects, potentially stimulate non-residential development by providing flexibility in the application in FARs, allow the development community to better address market/competitive conditions, and provides potentially improved employment opportunities. This approach would not address mixed use, affordable housing, and other planning concepts unless performance standards are defined and included.

Option 3 – Increased FARs By-Right and New Land Use Designations

- Increase FARs for Commercial, Industrial, and Research and Development land uses as per Option 2. Develop additional land use designations, including land use map designations at appropriate locations, for mixed-use development and transit oriented development. Encourage development of these areas by defining enhanced development potential, such as density bonuses, and corresponding higher FARs than other commercial, industrial, and research and development areas. This approach provides a direct method of projecting land use needs and the actual designation of sites planned for mixed use development, affordable housing, and/or transit oriented development. This option simplifies application of policy and project review processes, may obtain similar benefits as stated in Options 1 and 2, and would address other planning concepts included in the General Plan.

Option 4 – Increased FARs with Direct Linkage to other Policy/Planning Concepts

- Increase FARs for Commercial, Industrial, and Research and Development land use designations on a countywide basis. The Zoning Ordinance would allow projects to be reviewed by right, except the Zoning Ordinance would be amended to include mixed use development, affordable housing, open space, and alternate transportation mode development standards that must be incorporated into projects with an increased FAR. Enhanced project review/streamlining benefits would be derived, stimulation of employment opportunities should occur, and enhanced community/social/aesthetic benefits would be expected as results. However, it will be challenging to develop the specific standards that create the right mix of incentives and enhancements to projects while increasing project flexibility.

Option 5 – Elimination of FARs

- Eliminate FARs completely and rely upon existing or modified development standards and design review processes to govern intensity and mass of development including, but-not-limited to building height, setbacks, lot coverage, parking, open space, and landscaping. Consider establishing design guidelines for acceptable commercial, industrial, and research and development projects. Project review processes could be based upon existing or modified by-right and/or special use permit provisions of the Zoning Ordinance. This approach would provide the most flexibility related to the potential design of project proposals and could be further modified to address other planning concepts to be incorporated into projects as mixed-use, affordable housing, and transit oriented development. Implementation would require the development of specific architectural guidelines and extensive monitoring of existing and projected employment growth to ensure that related impacts addressed by the General Plan EIR are not substantially exceeded. In addition, it will be challenging, as in Option 4, to develop the specific standards that create the right mix of incentives and enhancements to projects.

Agricultural Lands FARs

The preceding options, and/or alternative options potentially defined by the Planning Commission, may also address a range of FARs to become applicable to Agricultural Lands as discussed above.

ATTACHMENTS

Exhibit A - Table 2-2, Land Use Densities and Residential Population Ranges

Exhibit B - Table 2-3, Building Intensities

Exhibit C - Possible Building Configurations for FARs .25, .50, .85, and 3.0

Attachment 1 - Comparative FARs and Other Building Intensity Standards

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