

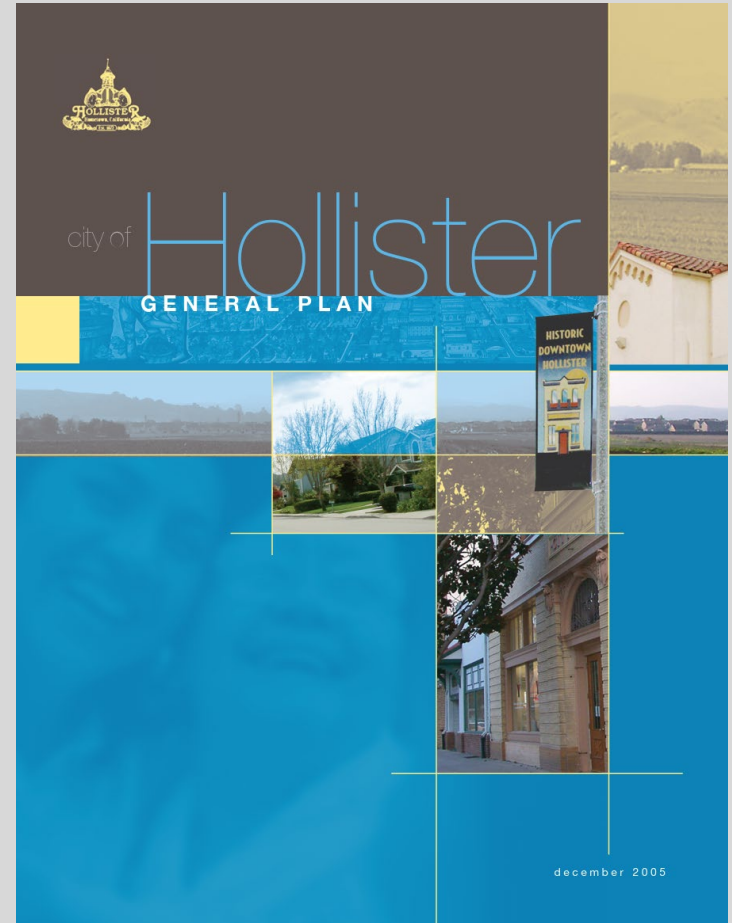
PLANNING PROCESS OVERVIEW

AGENDA

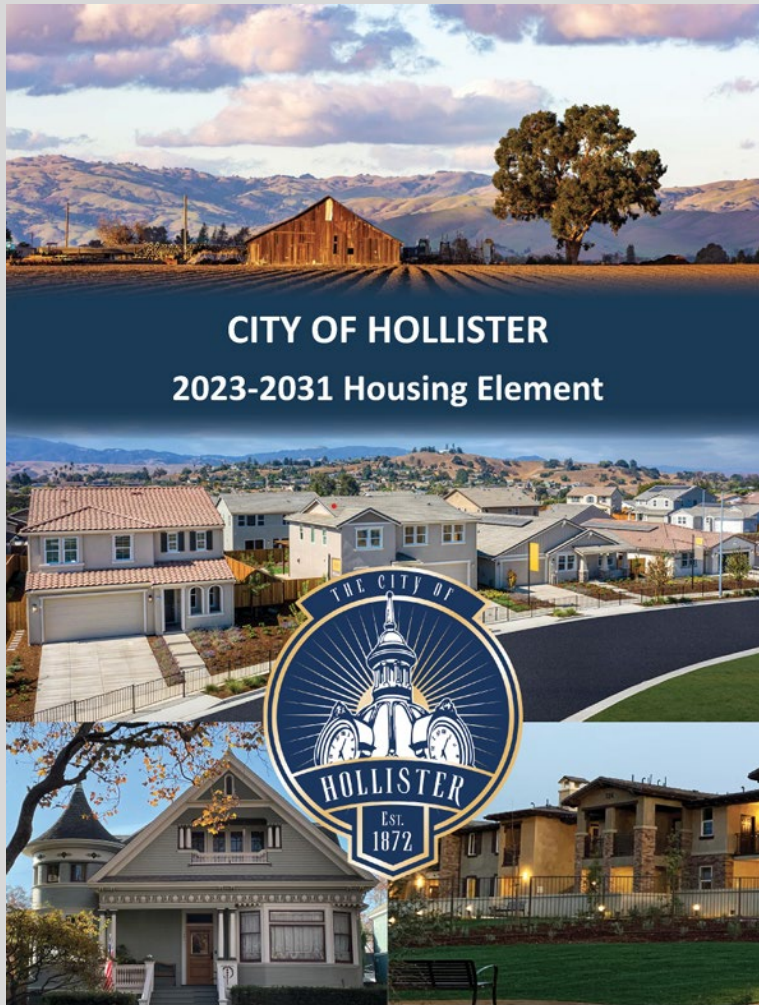
- Legislative Framework
- Process Overview
 - Completeness
 - Environmental Review
 - Design Review
 - Entitlement Decision
- Appeals
- Post-Entitlement Processes
- Ministerial Applications
- Preliminary Review
- Development Applications
 - Legislative applications

LEGISLATIVE FRAMEWORK

- 2005-2023 General Plan
 - Blueprint for growth and development for the City
 - Establishes community vision and supporting goals, policies, and actions
 - Required Elements:
 - Land Use and Community Design
 - Circulation
 - Housing
 - Natural Resources and Conservation
 - Open Space and Agriculture
 - Health and Safety (noise)
- 2040 General Plan Update



LEGISLATIVE FRAMEWORK



- Housing Element
- Updated on 8-year Cycle
 - 5th Cycle 2015-2023
 - 6th Cycle 2023-2031 (update currently ongoing)
- Regional Housing Needs Assessment
 - Designated by the State
 - Number of Housing Units, by affordability level, that the City must plan for
 - 6th Cycle RHNA: 4,163 units
- Department of Housing and Community Development (HCD) reviews and approves Housing Element
- City of Hollister does not currently have a certified housing element

LEGISLATIVE FRAMEWORK

City of Hollister Municipal Code

- Serves as the framework for all action taken by any elected and appointed officials of the City – including staff, commissions, and City Council
- May only be amended by ordinance of the City Council

Title 17 Zoning

- Implements the policies of the General Plan
- Regulates uses of land and structures in the city
- Protect and promote the health, safety, convenience, and welfare of the community

Title 16 Subdivisions

- Implements the Subdivision Map Act (SMA)
- Guides the process for subdivision and merger of property

LEGISLATIVE FRAMEWORK – STATE LAWS PERTAINING TO LAND USE

California Environmental Quality Act (CEQA) – PRC §21000-§21189.91

Completeness Determination – GC §65943

Decision Timelines – GC §65950

Housing Accountability Act – GC §65589.5

SB 330 Preliminary Application – GC §65941.1

SB 35 Ministerial Applications – GC §65913.4

HOUSING ACCOUNTABILITY ACT (HAA)

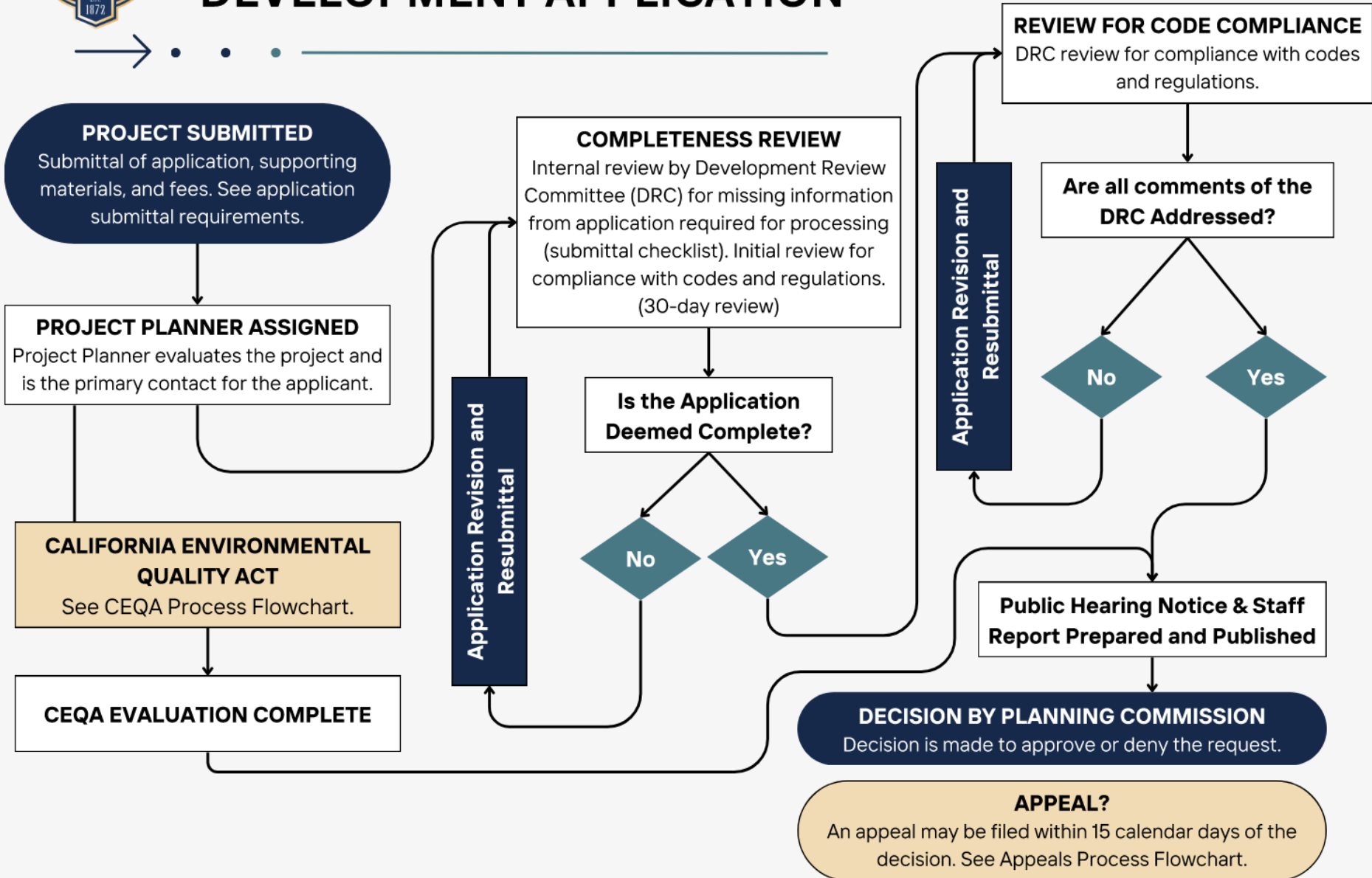
- Government Code §65589.5
- Cannot deny an affordable housing project unless the jurisdiction makes specific findings
 - High standard of proof upon the city
- Specific, adverse impact to public health or safety

- “Builder’s Remedy”
 - 20% affordable to Low Income or 100% affordable to Moderate Income
 - Projects may be approved even if they do not meet many local zoning standards and requirements
 - Certain objective, quantifiable standards may still be applicable
 - CEQA remains applicable
 - Major modifications came into effect on January 1, 2025
 - (Builder’s Remedy 1.0 versus Builder’s Remedy 2.0)



Process Flowchart:

DEVELOPMENT APPLICATION

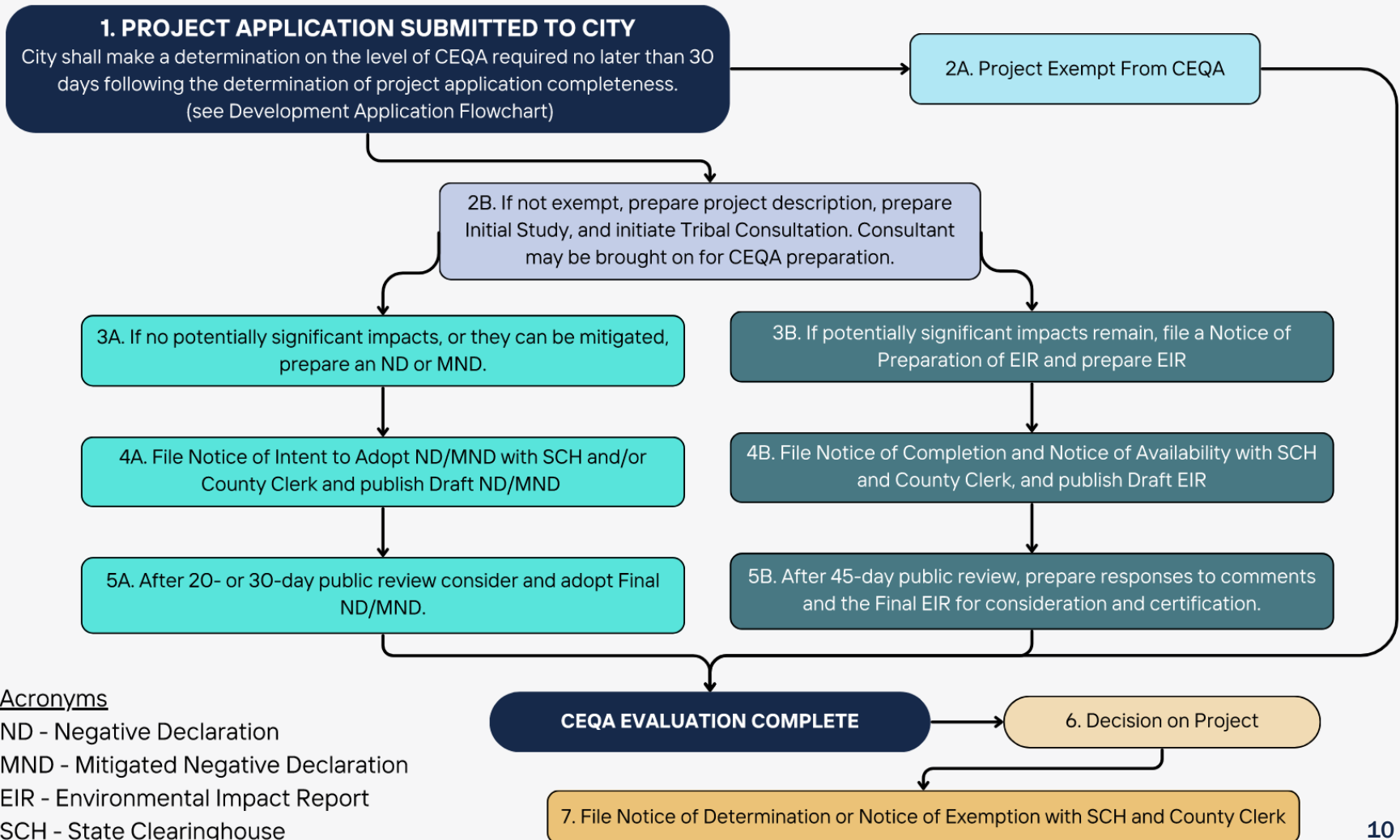


COMPLETENESS DETERMINATION

- Upon submittal of any development application to the Planning Division, the City has 30 days to review the application for “completeness”.
- Submittal checklist
- City must provide exhaustive list of any missing items or deem the application “complete for processing”
 - Upon resubmittal, there is another 30-day completeness review
- Initial comments on design are provided where feasible

Project Submittal Checklist	Sheet #	Required?	Completed?
All Sheets			
1. Drawn to a standard engineering or architectural scale (with the scale noted on each sheet).			
2. All plans must be prepared and designed by a design professional per the California Business and Professions Code or other applicable State Law.			
3. The page/sheet number shall be labeled on the lower right-hand side of each page.			
4. All sheets shall be drawn on 24" x 36" paper and folded to approximately 10" x 12".			
5. All text must be a minimum of 0.1" in height if typed, 1/8" if handwritten.			
6. Reserve a 3.5" wide x 2" tall box on the lower right corner, above sheet number, on all pages for city stamp.			
7. All plans sheets shall include the date of preparation and the date of any subsequent revisions (if made to that particular sheet).			
Title Sheet			
1. Project or Development Name.			
2. Project address(es) and Assessor Parcel Number(s).			
3. Project description.			
4. Names, addresses, phone numbers, and email addresses for the property owner, applicant, and design team.			
5. Table of contents listing all plan set sheets, their content and sheet number.			
6. Vicinity Map and north arrow.			
7. Complete legend and abbreviations list.			
8. List of all development permits previously approved for the site.			
Existing Site Plan			
1. Location of all existing buildings, dwelling units, structures, and their use located on or within 100 feet of the project site. For buildings that are to be removed clearly note on the plan.			
2. For the removal of dwelling units, note the total number of units to be removed and the affordability level for any proposed removed restricted affordable units.			
3. For non-residential uses, note the existing square footage and square footage to be removed.			
4. Location of all existing trees and note trees to be removed, including diameter measured four (4) feet from grade.			
5. Topographic information for the site, including at least 50 feet beyond the project limits.			
6. All existing utilities and easements on and surrounding the property.			
7. Total number of existing off-street parking, bicycle, and loading spaces. For sites where parking is designated to multiple tenants, identify the number of spaces, location, and tenant to which parking is assigned.			
Proposed Site Plan (More than one sheet may be necessary to include the information listed below)			
1. Size and location of all proposed buildings, structures, and their proposed uses.			
2. Size and location of all existing buildings and structures to remain, and their proposed uses.			
3. Distance between structures.			

ENVIRONMENTAL REVIEW (CEQA)



Acronyms

- ND - Negative Declaration
- MND - Mitigated Negative Declaration
- EIR - Environmental Impact Report
- SCH - State Clearinghouse

DESIGN REVIEW

Development Review Committee (DRC)

- Internal reviewing body
- Consists of: Planning, Building, Engineering, Police, Fire, Airport, Public Works, Parks and Recreation, Recology, and other departments and agencies relevant to the review of the project
- Every DRC member is provided with the complete application submittal and materials for review against their relevant regulations and requirements
- Comments and conditions of approval are compiled by the Planning Division in a formal comment letter package and provided to the applicant

If comments require plan revisions, the applicant must revise and resubmit to address design/code compliance issues

Once all design issues are resolved, the project will be finalized for a decision by the decision-making body

ENTITLEMENT DECISION

- Staff-level decisions
 - Action Notice prepared with conditions of approval
- Planning Commission decisions
 - Public Noticing
 - Staff Report
 - Public Hearing
 - Planning Commission decision
- City Council decisions
 - Planning Commission hearing and recommendation (see above)
 - Public Noticing
 - Staff Report
 - Public Hearing
 - City Council Decision (Ordinances require 2 readings before the Council)
- Most entitlements have a 2-year approval period

DECISION TIMELINES

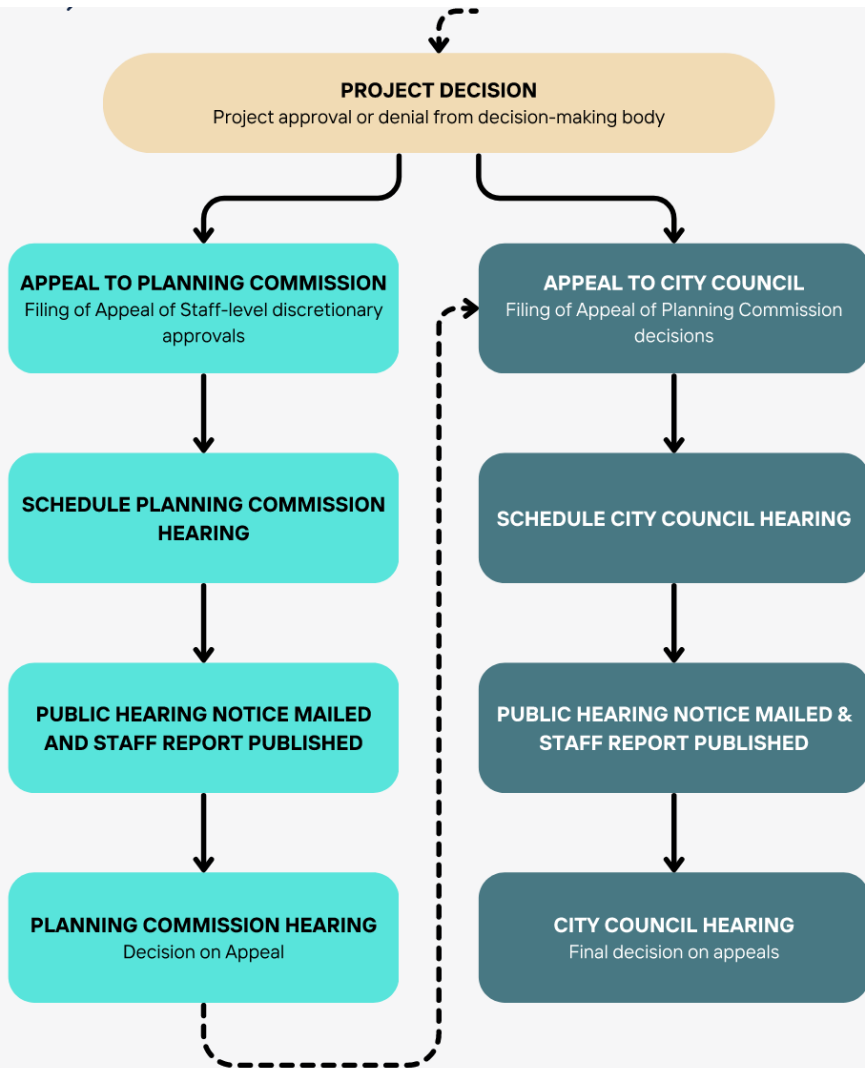
Government Code §65950

- 180 days from certification of Environmental Impact Report
 - Or 90 days for housing developments meeting specific requirements
- 60 days from adoption of Mitigated Negative Declaration or Negative Declaration
- 60 days from determination of exemption

Government Code §65905.5

- No more than 5 hearings can be held on a housing project (inclusive of study sessions, planning commission hearings, appeal hearings, and council hearings)

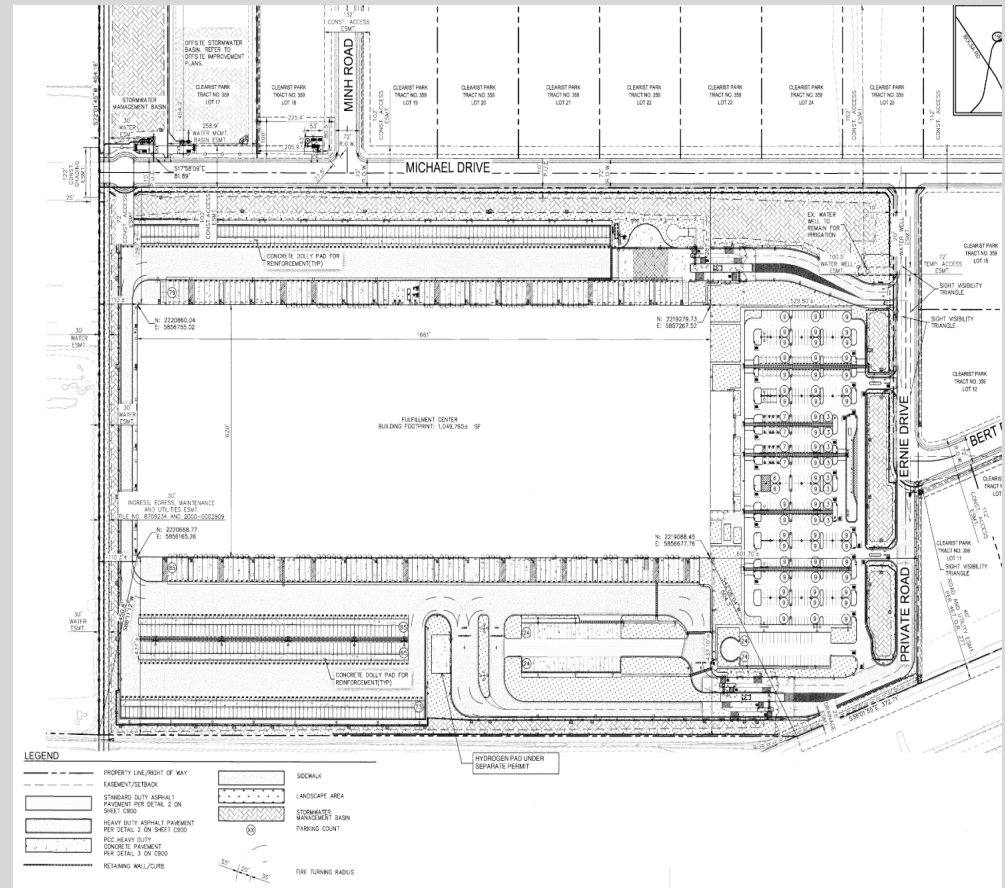
APPEALS



- 15-day appeal period
- Staff level discretionary decisions may be appealed to the Planning Commission
 - Interpretations believe to be in error
 - Determinations of incompleteness
 - Enforcement Actions (fines, permit revocations)
- Planning Commission decisions may be appealed to the City Council
- City Council decisions are final

POST-ENTITLEMENT PROCESSES

- Engineering/Civil Review
 - Improvement Plans
 - Grading Plans
 - Subdivision Maps
 - Subdivision Improvement Agreement
 - Recordation of Final Map
 - Address Assignment
 - Encroachment Permit



POST-ENTITLEMENT PROCESSES

- Building Permit Review
 - Completeness
 - Plan Check
 - Building Permit Issuance
 - Payment of Building Permit Fees
 - Construction
 - Inspections
 - Final Occupancy
-
- At each step in the post-entitlement process, all conditions of approval placed on the project must be met before the project can move to the next step.
 - A building cannot receive final occupancy nor a project fully completed until every condition of approval and mitigation measure is satisfied.

MINISTERIAL APPLICATIONS

- Staff-level approvals that have no discretion
 - Applications are reviewed for compliance with adopted codes and regulations and are approved or denied
 - Compliance with objective standards
- Includes post-entitlement applications (civil review, building permit issuance, etc.)

Accessory Dwelling Units (ADUs) and Junior ADUs

Temporary Use Permits

Sign Permits

Water Efficient Landscape Applications

Administrative Permit Review (APR)

Density Bonus*
• Approved by Decision-Making Body

MINISTERIAL APPLICATIONS

SB 9 (HMC 17.26)

- **Two-Unit Residential Development and Urban Lot Split**
- **Allows up to 4 dwelling units on any lot zoned single family and/or subdivision into two parcels**

SB 35 Ministerial Review (GC §65913.4)

- **Streamlined, ministerial approval process for multifamily development**
 - **2/3rds of square footage must be dedicated to residential uses**
 - **Project contains a certain amount of affordable units (10% or 50%, based on the City's current housing production levels in accordance with meeting our RHNA obligations)**
- **Project is reviewed against only adopted, objective design standards**
- **60-day decision timeframe from date of application submittal**
- **3-year approval, 1-year extension option**

PRELIMINARY REVIEW

SB 330 Preliminary Application (GC §65941.1)

- **17** required items to submit a complete SB 330 Preliminary Application
- **No** confirmation process by City
- **Automatically** grants vested rights to codes, ordinances, and fees as of the date of the preliminary application
- Applicant has **180** days to submit a complete development application to maintain vested rights

City Preliminary Application Review/Meeting

- Applicant may submit a preliminary set of plans and/or questions to the City to receive initial feedback from the DRC
- Comments are dependent upon the level of detail provided and are not a formal review; written comments are provided
- The City will provide any preliminary challenges, major comments upon design proposal, and information on formal application process

DEVELOPMENT ENTITLEMENT APPLICATIONS

Approved by Planning Commission

Tentative Map (TM)

- Subdivisions of property
- Post-Entitlement: Final Map

Site & Architectural Review (S&A)

- Design Review for construction of new commercial, mixed-use, or multifamily residential projects
- Design Review for major modifications to any existing commercial, mixed-use, or multifamily residential projects
- Post-Entitlement: Building Permit

Conditional Use Permit (CUP)

- Approval of a proposed use of land that requires specific review and consideration (and conditions of approval) prior to beginning operation
- Post-Entitlement: Building Permit/Certificate of Occupancy

LEGISLATIVE APPLICATIONS

- Decision Authority: City Council, with recommendation from Planning Commission
 - Planning Commission is “quasi-judicial”
- Projects that require a change to policy and/or municipal code (Legislative Action)

- Planned Development (PD)
- Zoning Amendment (ZOA)/Rezone (RZ)
- Prezone/Annexation (PZ)
- General Plan Amendment (GPA)
- Specific Plan (SP)
- Development Agreements

CONCLUSION

- Many local, state, and federal laws that shape the development process
- Any proposal that has to do with creating a new or modifying the existing use of land or a structure begins with the Planning Division
- Planning (through staff, Planning Commission, and/or City Council) issue “entitlements”, which can be thought of as “permission” to receive a permit
- After approval of an entitlement, the applicant has a certain timeframe to receive all necessary post-entitlement approvals and permits
 - Improvement Plan approval, grading permits, building permits, fire permits, environmental health, etc.

QUESTIONS?