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Engineering • Surveying • Planning

The View from Andy's Desk

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June 25, 2019-Andrew R. Cassano is a Town/Regional Planner and Professional Land Surveyor with 50 years of experience in Northern California. He is CEO of Nevada City Engineering, Inc., a firm offering regional planning, surveying, and civil engineering consulting to the private and public sector since 1978.

What's Fair?

After being a professional planner for most of my 50-year career, I've been in countless public hearings either representing local government or the land use applicant. The debates can be furious at times.

Neighbors and some community groups are understandably concerned with change and the possible effects of a new project. The applicant is understandably defensive about their reasonable expectation to improve the property. Planning commissioners and elected officials are there to sort it out.

But what is truly fair? The General Plan is the definition of the proverbial "level playing field" when it comes to land use and development. It's there to protect and give assurances to the neighbors of new development proposals. It's also there to protect land development applicants from their neighbors, by providing advanced notice of what will happen with all new development.

The General Plan is a detailed policy document required in every California jurisdiction, both cities and counties, to provide the community's plan and policies for growth and development. You can Google it for your community, and it will probably be online.

From the General Plan flows zoning and all related land use and development requirements. With a few exceptions, California law requires that all zoning be consistent with the General Plan and that all discretionary project approvals be consistent with the General Plan. The professional planning staff's in each jurisdiction keep an eye on this and help their decision-making planning commissions, city councils, and boards of supervisors feel confident that their decisions comply.

The General Plan is the ruling document in land use decisions. It provides the information, for all to see and understand, on how each vacant or under-developed piece of property is likely to be used in the future.

As such, the General Plan is also the definition of property value. Property value is the basis for taxation, which funds government services and schools. We all rely on this land value when we make any real estate investment, including our personal residence.

Real estate sales prices are based on the value indicated by the General Plan's designation for how you can use your land. The Assessor's role is to assess land at fair market value based on the highest and best use under the General Plan. Property taxes are based on the assessed value.

Zoning is the way that most of the General Plan requirements are implemented. Zoning has more detail than the general plan and it has become the first document that land use applicants and County/City staff look to for development requirements. Zoning typically includes density standards, lot coverage limits, building setbacks, and even building design standards.

As a professional planner, I turn to the General Plan and zoning often as the official declaration from the community on what they want and plan to see with respect to the property that I'm working on.

So, if you're wondering what will become to the vacant parcel next door to your house, turn to the General Plan and Zoning Ordinance for insight. These documents will provide you with a good idea of the development possibilities that you should anticipate or call us and we will help you understand these documents and their implications to you.