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Land Use, Zoning and Other Local Policies to Promote Economic Development

League of California Cities Webinar- New Tools for Economic Development
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PRESENTED BY

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Overview

- Public Agency Approach
- Existing Local Authority
- Public Private Partnerships
  - Redevelopment/Economic Development
  - Public Infrastructure

Public Agency Approach

- Need to be Entrepreneurial:
  - Assess What You Have (… and don’t have)
  - Prioritize Development Needs and Opportunities
    - Think strategically
    - Focus on Goals- Long Term and Short Term
  - "Act like a Facilitator, Not a Regulator!”
    - Assist the Process (avoid adversarial approach)
    - Work to Solutions

Public Agency Approach

- Clearly Stated Vision for Community:
  - Political and Staff Consistency
  - Adopted Polices and Goals
  - Positive Community Engagement
  - Identification of Local Incentives
  - Awareness of Regional and State Incentives

Public Agency Approach

- Transparent Review and Approval Process:
  - Clear "beginning, middle and end of process" Understood and Communicated by Staff
  - Expectation of Time to Process Entitlements
  - Efficient Process:
    - "One-Stop"
    - Dedicated Project Contact
    - Anticipate Opposition

Existing Authority

- State Constitutional Authority:
  - Local “Police Power” (Art. XI, Section 7)
    - “Health, Safety and Welfare”
    - “Economic Welfare”
  - Authority for Economic Development Programs
    - Need to Identify Public Benefits
    - Display Real Consideration
    - Based on Findings in Record

Existing Authority

- State Requirements (Planning and Zoning):
  - Flexibility in Zoning
    - Form-Based Codes
    - Planned Unit Development
    - Specific Plans
    - Pre-Zoned/Pre-Entitled Land
    - Transfer of Development Rights
  - Public Benefit Incentive Zoning/ Value Capture
  - Long Range Property Management Plans
    - Potential Catalyst

Existing Authority

- Project Processing (CEQA and Permitting):
  - Expedited Review
  - Joint Planning Efforts
    - "Area of Benefit" Districts
    - Integrated Finance District (the other IFD!) (Gov't 53175)
- Direct Project Assistance
  - Assemble Land/ Planning Grants
  - Environmental Remediation
  - Eminent Domain (only for public purposes)

Existing Authority

- Potential Incentives:
  - Infrastructure
    - Public Amenities
    - Utilities
  - Vested Rights
    - Development Agreements and Vesting Maps
  - Exactions/ Development Impact Fee
    - Citywide Waiver and Delayed Time for Collection
  - Joint Use Projects

Public Private Partnerships

- Two Types:
  - Redevelopment/ Economic Development
  - Infrastructure

- Answer the Four P's Before the P3:
  - What is the Project?
  - What is the Problem?
  - Who are the Parties?
  - What are the Politics?

Public Private Partnerships

- Keys to Success:
  - Understand the Needs of the Parties
  - Understand the Negotiation "Life Cycle"
  - Components of Successful P3's:
    - Statutory or Constitutional Authority
    - Shared Risks and Rewards
    - Stakeholder Support
    - Clarity on Local and Other Regulatory Processes
    - Contract with Escalating Remedies
    - Business Plan

Summary

- Evaluate Local Agency
    - Mindset and Vision
    - Resources (Land and Incentives)
- Explore Existing Local Authority
    - Don’t Count on State Law Changes
    - Use Constitutional Police Power
- Consider Public Private Partnerships
    - Redevelopment/ Economic Development
    - Infrastructure Investments

Thank you

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