California Land Use and Zoning: Overview and Recent Developments

Description: Learn about the latest issues impacting California land use and zoning regulations.

This topic will provide professionals and attorneys who are new to land use with a brief comprehensive overview of the structure and major tools you need to understand and address many development and zoning issues. For more experienced professionals, the topic will highlight recent major cases and statutes to keep you current.

Learning Objectives:

- You will be able to describe the overall structure of land use and most development issues.
- You will be able to identify the procedures and requirements for considering and granting variances and conditional use permits, including necessary findings, standard of review for challenges and imposing conditions.
- You will be able to recognize different types of zoning districts.
- You will be able to discuss nonconforming uses, the right to continue nonconforming uses and the termination of such uses.

Contents:

The Land Use Hierarchy

Zoning
- Types of Zoning Districts - Residential, Commercial, Industrial, Agricultural, Open-Space, Public, Mixed-Use, Planned Unit, Transit-Oriented, Airport, Hazard, Historic
- Regulatory Approaches to Zoning - Use, Performance, Form
- Limitations on Zoning Authority - Housing Laws, RLUIPA, Environmental Laws, Sign Regulations

Subdivision Map Act
- When a Map Is Required
- Types of Maps
- Conditions of Approval - General Process, Findings, Compliance, Limitations
- Impact of Public Infrastructure Statutes - School Impact Fees, Quimby Act, Mitigation Fee Act, California Environmental Quality Act, Assessment Districts

Variances and Conditional Use Permits
- Variances - Requirements for Granting, Procedures Required for Consideration, Imposing Conditions, Findings Required
- Conditional Use Permits - Requirements for Consideration, Imposing Conditions as Part of Consideration, Findings Required

Illegal Uses and Nonconforming Uses
- Definition and Types
- Right to Continue Nonconforming Use - Prohibiting Expansion of Nonconforming Use; Extension, Increase, or Enlargement of Nonconforming Use; Effect of Similarity and Intensity of Changed Use, Repairs or Alterations
- Termination - Conversion to Less Intense Nonconforming Use, Rebuilding After Damage or Destruction, Abandonment, Termination on Nuisance Theory

Challenging Land Use Approvals
- Standards of Review
- Statutes of Limitation

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