

PLAN CALIFORNIA

The Legislative Platform of the American
Planning Association of California 2015-16

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Plan California

The 2015-2016 Legislative Platform of APA California

As professional planners, we have a special responsibility to comprehensively implement "on the ground" solutions that balance the needs of California's diverse population, the environment and the economy to move our state forward. Our unique role in the decision making process at the local, regional and state levels means that we must strive to shape the debate around important planning-related issues. Thus, professional planning in California—for land use, transportation and other infrastructure systems, environmental and personal health, and economic vitality—must monitor the shifts in statewide policy that are now underway while at the same time continue planning for even more change in the future.

To address the critical issues facing our state, and to set the standard for our profession, the American Planning Association California Chapter (APA California) prepares a Legislative Platform. The Platform serves the purpose of outlining our professional position on key priority issues. The Legislative Platform is designed to be flexible enough to address unanticipated legislative issues that inevitably arise. The Platform is used as the guiding document for the Chapter's lobbying efforts in Sacramento and for positions taken by the Chapter on legislative matters.

The following are the legislative priorities for the 2015 -2016 Legislative cycle:

APA California supports:

Issue Area #1: Smart Planning and Regional Vision

APA California supports:

- Full implementation of the planning principles of AB 857 regarding use of state funds by the Governor and state agencies
- State funding for regional and local planning efforts to develop and implement Sustainable Communities Strategies required under SB 375
- Local General Plans that are consistent with regional Sustainable Communities Strategies and, where feasible, with regional Alternative Planning Scenarios needed to meet greenhouse gas reduction targets
- Urban Agriculture, subject to local control to ensure scale and nature of such uses (such as points of sale issues) fit within the urban fabric and do not result in health, safety or welfare impacts
- Cultural resource protection and historic preservation
- Regional housing need allocations consistent with SB 375 that encourage infill development and steer growth away from important natural resources areas

- City and county infill plans or policies with incentives to encourage and allow developers to build at higher densities with a range of housing types in infill areas.
- Discouraging downzonings or development approval practices that reduce housing opportunities or that encourage greenfield development
- Protection and preservation of important agricultural lands;
- Maintaining local control over design and location of telecommunications facilities, without further erosion of local authority from state or federal regulations
- Encourage efficient water use and the development of sustainable local water resources
- Reform of environmental review policies and processes to reduce review times and uncertainty, especially related to housing, water and energy efficiency and infill development consistent with approved local general plans and specific plans.

Issue Area #2: Infrastructure

APA California supports:

- Adequate infrastructure planning that includes, but is not limited to, roads and transit, highways, schools, parks, open space, sewage treatment and disposal, water supply, energy, communications, storm water capacity and flood control
- State funding for adequate infrastructure to meet growth needs; cities and counties will be able to reduce their development fees if the State adequately funds the infrastructure needed for growth
- Use of state infrastructure funds as an incentive for smart growth development – these funds should be used to help pay for existing infrastructure deficiencies in communities that are achieving smart growth results with mixed uses, increased densities, walkable communities and infill development
- State authority for cities and counties to pass local housing and infrastructure bonds and special taxes with a 55 percent vote
- Tailored park, open space, school, and road standards for circumstances in infill areas
- Requiring special district and school (including CSU and UC) capital improvement plans and projects to be consistent with city and county general

plans and requiring general plans and zoning to include adequate provision for public facilities and schools

Issue Area #3: Planning Housing for All Californians

The magnitude of California's projected growth means that expanding the supply of housing must be a top priority. California also faces a housing affordability crisis forcing many California homeowners to spend a disproportionate share of their income on housing, and resulting in overcrowded homes.

APA California supports:

- A state strategic plan for housing that considers the constraints and opportunities for providing housing throughout the state, with an estimate of the services, infrastructure and funding that would be necessary to accommodate the projected population, and a review of state laws that conflict with the ability to build more affordable housing
- Reform of the State Housing Element law to:
 - Eliminate unnecessary Housing Element requirements and focus on the core features that truly encourage housing and result in more available housing sites
 - Allow housing in predominantly residential zones at minimum densities without a use permit or other discretionary entitlement that would allow the use to be denied, provided that local government has the ability to place reasonable development standards and conduct appropriate and clearly defined design and environmental review; retain the ability of local government to require discretionary reviews for mixed use development
 - Improve coordination between housing plans and the LAFCO review of services and growth, and between local general plans and special district capital facility plans
 - Streamline environmental review for projects consistent with the housing plan
- State density bonus law reform to better integrate with local communities' housing plans; current density bonus law requires communities to give substantial concessions for a small amount of affordable housing, regardless of whether the community has already zoned for higher densities. Density bonus reform should include:
 - Incentives, waivers or concessions required under a density bonus program should be proportionate in value to the amount of affordable housing provided
 - Allowance for local communities to choose which concessions are offered

- Clarify that requests for density bonuses be included with the development application
- State funding and legislative authority for local funding mechanisms to assist communities in providing the infrastructure needed to support all housing in the plan
- State authorization for a 55 percent vote for local housing and infrastructure bonds and special taxes and authorization for a local real estate transfer fee and/or a document recording fee to provide a permanent source of local housing funding
- Incentives for communities that zone for all housing types – single family, apartments, condominiums, row-homes, mixed use, etc., given market demands for a variety of housing products
- State model programs and funding to address the homeless population and farmworker housing issues
- Protection of affordable mobile home parks from rental to ownership conversions unless they are bona fide resident conversions
- Zoning and development standards that facilitate new affordable housing projects
- Expansion of environmental exemptions for housing projects that comply with existing local general plans and specific plans, especially infill and transit-served projects
- Enhance fiscal incentives for local housing development and retention, including calculation of State subventions on per capita bases as well as site based generation and priority for grant funds based on actual housing production

Issue Area #4: The Environment, Neighborhoods and Healthy Communities

A healthy, high quality environment and safe, vital neighborhoods are important to all Californians, a basis of good planning, and essential to the state's economy. Our neighborhoods—the foundation of California's communities—deserve the best that planning has to offer. Californians must also plan for a wide array of natural disasters, including earthquakes, floods, landslides and wildland fires. Communities can encourage transit opportunities, healthy lifestyle choices and increased physical activity by planning more walkable and pedestrian friendly neighborhoods and supporting transit and Safe Routes to School. Smart planning decisions like these can help reduce increasingly prevalent costly health problems like obesity, heart disease and diabetes.

APA California supports:

- Planning strategies at every level that seek to reduce carbon emissions and facilitate adaptation to the effects of climate change

- Local general plans that include up to date information about water resources (e.g., from an Urban Water Management Plan) and policies to address water-related issues including sustainable water supply, groundwater resources, conservation, flood management, and water quality
- Higher densities in infill/growth areas linked to transit and infrastructure in addition to continued preservation of historical buildings and neighborhoods and continued authority for communities to decide the mix of housing to meet those densities
- Local general plans that include community design standards and land use patterns that encourage active and healthy lifestyle choices such as increased opportunities for pedestrian, bicycle and other non-motorized transportation, and active recreation; the state should support and incentivize these shifts
- State standards that encourage new schools in areas with safe and convenient pedestrian access, including infill areas where large parcels may not be available; the state should continue its support of the California Safe Routes to School Initiative
- Local, regional, and state programs that reduce the use of fossil fuels through effective use of alternative transportation, transit, and sustainable community design, including microgeneration of power and community based reduction and offset programs
- Strategic deployment of small scale solar in our communities
- Local, regional, and state programs that encourage remediation and redevelopment of brownfield and gray field sites
- Providing communities with the authority to prevent unlicensed group homes from concentrating in particular neighborhoods, while ensuring that such uses are not excluded from the community
- Increased flood protection in urban areas beyond the current 100-year standard using prioritized hazard analysis developed with state leadership and funding
- Until a new flood protection standard can be implemented, ensuring that 100-year flood risks are fully understood and properly mitigated through the CEQA process and with affirmative findings by the local government at the time new development is approved
- Responsible planning and decision making by limiting local government liability for flood damage due to factors beyond the local agency's control

Mandate better tracking and management of underground water resources to enhance sustainable water use practices

Facilitate water rights transfer that enhance the efficient and productive use of water resources

Issue Area #5: Sustainable Building and Design

The built environment has a profound impact on our natural environment, economy, health and productivity.

Breakthroughs in building science, technology, products and operations are now available to designers, builders and property owners who want to build green buildings and significantly reduce impacts to the environment while creating a healthier environment for the building's occupants, and, oftentimes, reducing construction and operation costs. Planners can play a crucial role in improving the sustainability of communities by encouraging and supporting sustainable building and design components.

APA California supports:

- Green building programs implemented at the local, regional and state levels, including both regulations and incentives to increase the number of development projects that contain sustainable components
- Incentive based systems developed to facilitate retrofitting existing development to reduce energy and water use
- Educational programs that inform property owners, builders and the community at-large on the benefits of going green, and the many options and resources available to them
- Education of planners to increase their familiarity with sustainable design and green building components, including LEED ND and similar approaches, so they can serve as advocates for green building to project applicants, clients, and the general public
- APA's sustainability policies, objectives, and actions which should be incorporated throughout planning documents, including General Plans and Specific Plans

Issue Area #6: Envisioning the Future of Planning in California

APA California supports:

Revising the General Plan law to provide alternatives to existing General Plan requirements, not a new statewide mandate; this alternative envisions new roles at the state, regional and local levels, as well as incentives. Steps to work toward this goal include:

- Urge the State to provide support for local General Plan efforts and regional planning under SB 375, including technical information, best practices and

adequate funding for both local General Plans and regional Sustainable Community Strategies

- Discourage requiring new mandatory elements under current General Plan law
- Ensure that new local mandates on cities and counties are avoided unless funding sources are provided, and recognize that the fee disclaimers for new programs in legislative measures may not provide adequate funding particularly during economic downturns
- Identify issues that can be more effectively planned at the regional or sub-regional level – such as air quality, greenhouse gas emissions, regional transportation, water, flood control and others where appropriate
- Support continued implementation of SB 375 through targeted funding from the State
- Advocate for provision of technical information where appropriate to assist local planning efforts
- Advocate for a modified regional role in local decision making through increased infrastructure funding; these fiscal incentives should seek to raise the bar on plan implementation especially as it relates to implementing Sustainable Community Strategies and meeting greenhouse gas reduction targets
- Support State and Regional infrastructure planning and funding directed to growth areas and to support infill development, housing, existing developed communities and sustainable communities. State planning law must balance and integrate the full range of important state and local concerns that local governments are required to address – affordable housing, water supply and quality, flooding, open space and parks, resource areas and wildlands, protected agricultural lands, parking, transportation, and air quality.

Issue Area #7: The California Environmental Quality Act

CEQA, California's landmark environmental protection statute and related guidelines have been in place for nearly 40 years. Since its adoption in 1971, CEQA compliance has become far more costly and time consuming, to the extent that it is often perceived as an obstacle by developers or used as a tool for stopping development. However, CEQA fulfills its essential mission by requiring disclosure and mitigation of environmental impacts. APA California believes that CEQA can be streamlined strategically to help achieve smart growth goals and improve CEQA's positive impacts.

APA California supports:

- Amending CEQA to maximize the use of tiering to encourage up-front review of environmental impacts so as to limit or avoid project-by-project CEQA review

- Restoring the ability to use a Negative Declaration after adoption of a prior EIR that identified unavoidable significant effects
- Amending the CEQA statute to provide a threshold of significance for climate change impacts that lead agencies can rely upon in preparing CEQA documents
- Requiring climate change analysis in CEQA at the plan level and for other large projects, not for small and infill projects
- For other impact areas authorizing cities and counties to determine appropriate environmental thresholds of significance
- Focusing CEQA on measurable physical environmental effects, not socioeconomic issues that should be addressed in another venue. For example, urban decay should be eliminated as an environmental impact subject to CEQA
- Reforming CEQA for streamlining and reduced litigation exposure while maintaining the core environmental protections embodied in the Act
- Providing additional exemptions for housing development consistent with local general plans and specific plans, especially for infill and transit served projects.
- Providing additional exemptions for water efficiency and reclamation projects

Issue Area #8: Inclusion and Social Justice

The field of planning is deeply rooted in advocating for equity, reform, and justice for its membership and all people.

APA California supports:

- City and county policies and programs that advance inclusiveness and diversity in their communities, and build a climate conducive to sound, equitable, inclusionary, and non-discriminatory planning both as a means of empowerment and to help move communities toward a more just future
- Community, regional, and state planning activities (social, economic, and physical) that provide for the fair treatment of all people
- Including policies and programs in general plans to ensure that the natural systems, built environment and social services address the entire community and all people are treated with equity
- Making planning documents readily available to all segments of the population
- Expanded public participation beyond traditional outreach efforts to engage those that historically do not participate in the planning process and to increase participation from underserved populations

- State protocols to ensure seamless negotiation between recognized Native American tribes and local, regional and state agencies to ensure that gaming facilities built on tribal lands or by tribal entities provide proper environmental planning, protection, and mitigation of adverse impacts on the environment, regional infrastructure and on nearby communities
- Use of community information and statistics so as not to adversely impact minority and disadvantaged communities

Issue Area #9: Public Participation and the Planning Process

Broad and meaningful public participation is essential to any successful planning process. The technology for communicating and sharing information has changed dramatically and planners are often at the forefront of those changes. However, state laws governing public notice requirements have changed little in several decades, still mandating the use of communication tools that are no longer effective in some communities.

APA California supports:

- Public participation that occurs throughout the planning and development review process in as many as ways as possible to engage the community. This can include providing notice much earlier in the process, such as when a planning application is first submitted
- Encouraging developers and local entities, particularly on large controversial projects, to provide early community consultation and comment – before an application is deemed complete
- Using city and county websites to provide a venue for public comments on projects as soon as they are submitted, as well as early comments on the city's or county's proposed legislative acts
- Revisiting mandatory public noticing requirements to account for more current technology and methods. Where appropriate to an individual community, newspaper notice requirements should be deleted in favor of mailings, email notification, posting on an agency's website, publicizing at community groups, and/or other appropriate methods of communication

Development of the Legislative Platform

The APA California Legislative Platform is developed bi-annually to coincide with the legislative session in Sacramento. The Platform is developed by the Legislative Platform Committee with members selected from throughout the state. Under the leadership of the APA California Vice-president for Policy & Legislation, the Committee prepares a draft Legislative Platform for consideration by the APA California Board of Directors. Following adoption by the Chapter Board, the Legislative Platform is posted on the APA California website for review by the members.