




“PLAN CALIFORNIA”

CCAPA LEGISLATIVE PLATFORM – FINAL February 11, 2005

2005-2006

GUIDELINES FOR NEW LEGISLATIVE PLATFORM

-  **Change the name of the existing Legislative Platform to “CCAPA Good Planning Principles” or something similar and put it on the website as a smart planning policy guideline**
-  **Provide a press friendly main title for the Legislative Platform, such as “Plan California”**
-  **The Platform should be viewed as CCAPA’s positions on hot state planning issues – so that planners as a profession are viewed as an authority on these issues**
-  **The Platform format should be in bullet form and be easy to read, but action oriented with specific solutions so that the pieces could be inserted into legislation**
-  **The January Legislative Agenda and press conference format should be consistent with the Platform, and highlight the top issues from the Platform – Hopcraft should assist the Board is developing a press friendly document**
-  **The draft Platform will be reviewed by the Legislative Platform Committee, the Board, and the Legislative Review Teams, with a draft final approved by the Board and placed on the web for member comment – the final Platform will be approved by the Board and posted on the website by the end of each even-numbered year, and reviewed by the Board and Legislative Review Teams every odd-numbered year to be sure it remains current**
-  **Members of the 2005-2006 Legislative Platform Committee were:**
 - Vince Bertoni, Chair**
 - Alex Amoroso**
 - Art Bashmakian**
 - Ted Commerdinger**
 - Andy Katz**
 - Barb Kautz**
 - Kevin Keller**
 - Leslea Meyerhoff**
 - Jeanette Dinwiddie-Moore**
 - Collette Morse**
 - George Osner**
 - Pete Parkinson**
 - Steve Preston**
 - Jeri Ram**
 - Terry Rivasplata**
 - Janet Ruggiero**
 - Bruce Smith**

<p><u>PLAN</u> <u>CALIFORNIA</u></p>	<p>FINAL</p>
<p>CCAPA'S LEGISLATIVE PLATFORM – 2005-2006</p>	<p>February 11, 2005</p>
<p>FUNDING FOR PLANNING</p>	<ul style="list-style-type: none"> • The state should provide cities and counties with state and local funding sources for planning: general plans, specific plans, Master EIRs, rezoning, and other long range planning tools – this will allow local agencies to streamline housing approvals and deal upfront with growth issues • Sources for these funds could include a portion of a real estate transfer fee or portion of local 55% vote bonds
<p>PLANNING FLEXIBILITY – SUPPORT “SMART LOCAL GOVERNANCE”</p>	<ul style="list-style-type: none"> • The state should support “smart local governance”: regional thinking applied by empowered local communities, not imposed from the state without regard to local needs, financial capability, or other factors • One size fits all doesn’t work – many planning requirements include too much detail that apply equally statewide no matter what the local circumstances • The state should encourage or require regions and communities to develop and test new planning and governance models and options – new state requirements for planning and financing should not be so strictly limited that they won’t allow new ideas
<p>COMPREHENSIVE PLANNING AND INTEGRATION</p>	<ul style="list-style-type: none"> • General plans and any major amendments to planning law must seek to balance and integrate the full range of important state and local concerns that local governments are required to address, including affordable housing, water supply and quality, open space and parks, resource areas and wildlands, protected agricultural lands, transportation needs and impacts, and air pollution mitigation – issues cannot be viewed in isolation
<p>HOUSING</p>	<ul style="list-style-type: none"> • There should be an equal commitment to housing from the federal and state governments, regional and local governments, developers and lenders

<p>1. 20-year planning and 10-year zoning for housing</p>	<ul style="list-style-type: none"> • Communities should continue to provide for a land supply of housing over a 20-year period, allowing for phased and orderly growth, as they currently do • The 20-year plans should be comprehensive and seek to balance the full range of important state and local concerns, including affordable housing, water supply and quality, open space and parks, resource areas and wildlands, protected agricultural lands, transportation needs and impacts, and air pollution mitigation – it should be fully integrated • The 20-year plans should be consistent with the principles of AB 857, including encouraging infill first, then growth near existing urbanized areas, while at the same time protecting resource, open space and agricultural lands • Housing element horizons should be extended from five years to ten years consistent with the census, and should be the vehicle for determining zoned, adequate sites; zoning actions can be phased consistent with the comprehensive plan and must consider infrastructure capacities • Major changes in zoning law, such as a requirement to plan for a 20-year supply of housing and zone for a 10-year supply of housing, must include how such changes fit into the existing housing element process, LAFCO review of services and growth, and coordination between city/county general plans and special district capital facility plans • The state should be part of the housing and growth solution by providing state funding and local funding mechanisms to assist local governments in providing affordable housing and the infrastructure to support all housing in the plan
<p>2. Housing Distribution</p>	<ul style="list-style-type: none"> • The state should develop a strategic plan for housing that looks at 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 • The state or regional councils of governments, as part of the housing element process, should determine important resource areas it wants protected before it determines the “proportionate share” of housing for each city and county • The regional housing need numbers should be distributed to cities and counties in a manner that encourages infill, not greenfield development; in addition infill upzonings should be encouraged, while downzonings that reduce

	<p>housing opportunities or that result in the development of greenfields should be discouraged</p> <ul style="list-style-type: none"> • Communities should be encouraged to zone for all housing types – single family, apartments, condominiums, row-homes, mixed use, etc., given market demands for a variety of housing products
<p>3. Streamlined Housing Approvals</p>	<ul style="list-style-type: none"> • Housing in predominantly residential zones should be allowed without a use permit, provided that local government has the ability to place reasonable development standards and conduct appropriate environmental review on these housing projects and that local government still has the ability to require discretionary reviews for mixed use development
<p>4. Inclusionary Zoning</p>	<ul style="list-style-type: none"> • Inclusionary zoning ordinances are one of the few tools cities and counties have to ensure affordable housing, as well as moderate and above moderate housing, is built in and throughout each community • Inclusionary zoning requirements should be viewed as the “developers’ fair share” of the affordable housing crisis, particularly given the substantial inflation in the housing market, resulting in significantly greater profits from market rate housing, and as the most effective way to integrate different housing types throughout the community • In most cases, the concessions and bonuses provided under the new density bonus law should provide adequate incentives for inclusionary housing • Inclusionary zoning requirements should not be restricted through either a school fee type of arrangement or other mechanism unless there are adequate state bond funds and funds provided to local governments to fully pay for the affordable housing need
<p>5. Second Units</p>	<ul style="list-style-type: none"> • Allow existing laws to be fully implemented before any changes are again made to laws governing approvals of second units
<p>6. Density Bonus Law</p>	<ul style="list-style-type: none"> • SB 1818, just signed into law, will be very difficult for local governments to implement, contains many conflicting sections, and is unclear in many areas – this law has never worked well and should be revisited in light of 20-year planning for housing and housing element changes • It would be better for communities to plan for an adequate amount of housing in their general plans and for the State to provide adequate subsidies than to grant bonuses as high as 35% that will exceed planned infrastructure capacity for small amounts of affordable housing. Economic studies completed for inclusionary ordinances

	show that the law grants concession in excess of those needed for housing construction
7. Housing Funding – ongoing and permanent	<ul style="list-style-type: none"> • State – provide state bond or other funding for affordable housing, infrastructure to support that housing, and planning to streamline housing approvals • Regional – state money that is currently available for the construction of affordable housing could be allocated to regional governments for distribution to cities and counties who are planning for smart growth to encourage local buy-in • Local – allow 55% vote for local housing and infrastructure bonds and special taxes and authorize a local real estate transfer fee to provide a permanent source of local housing funding
8. Prevailing Wage	<ul style="list-style-type: none"> • Amend the law to clarify what triggers prevailing wage, particularly with regard to redevelopment requirements, such as replacement housing for existing tenants • Clarify that prevailing wage means the prevailing wage by region • Continue exemptions for affordable housing using public funding
9. Minimum Densities	<ul style="list-style-type: none"> • Cities and counties should establish minimum densities to assure that land is utilized efficiently, the supply of housing is increased, and impacts on transportation, air quality and infrastructure are minimized • The Housing Element Working Group recommended densities for urban and rural areas should be used as the model for local mandated minimum densities, not a specific standard such as 4 units per acre
10. Infill Incentives	<ul style="list-style-type: none"> • State infrastructure funds should be targeted to infill projects • Each city and county should adopt an infill ordinance and determine incentives to encourage and allow developers to build a range of housing types in infill areas rather than on greenfields • Fees for housing on greenfields should be higher than on infill development where infrastructure already exists • Building codes should be modified to remove barriers to adaptive reuse and conversion of existing commercial office space for mixed use
11. Special Needs Housing	<ul style="list-style-type: none"> • The state should provide sample programs for dealing with the homeless population and farmworker housing issues

12. Lender commitment	<ul style="list-style-type: none"> • Lenders should be required to provide a percentage of their loans in infill areas for a variety of housing types
INFRASTRUCTURE FUNDING AND PLANNING	<ul style="list-style-type: none"> • Infrastructure includes roads and transit, highways, schools, parks, open space, sewer/storm water capacity, and water supply • The state should allow cities and counties to pass local housing and infrastructure bonds and special taxes with 55% vote – community opposition to higher density housing stems from existing deficiencies which cannot be paid for by new development • The state should use its infrastructure funds as an incentive for smart growth development – these funds should be used to help pay for existing deficiencies in communities that support increased densities • There should be adequate state funding of infrastructure to meet growth needs. Cities and counties will be able to reduce their development fees if the State adequately fund the infrastructure needed for growth • Special and school district capital improvement plans and projects should be required to be consistent with city and county general plans and zoning should include adequate provision for public facilities and schools • Park, open space, school, and road standards should be realistic given existing circumstances in infill areas
AB 857 IMPLEMENTATION	<ul style="list-style-type: none"> • The Governor should fully implement the planning principles of AB 857 regarding use of State funds: encouraging infill first, then growth near existing urbanized areas, while at the same time protecting resource, open space and agricultural lands
PUBLIC PARTICIPATION AND NOTICE	<ul style="list-style-type: none"> • Public notice participation should occur much earlier in the development process, when a planning application is first submitted to a local agency • Cost of publishing public notices in newspapers is very expensive – and citizens don't see the notices so they are not helpful to them; newspaper notice requirements should be deleted in favor of mailings and posting • The city and county websites can also be used to provide additional notice at the option of the city and county; web notice can provide a public forum for comments on projects and legislative acts as soon as they are submitted to the agency so the public can comment early on • Developers and local entities should be encouraged, particularly on large controversial projects, to provide early consultation and comment – before an application is

deemed complete

CEQA

- CEQA should be made user friendly for smart projects; up-front review of environmental impacts should be encouraged – project by project CEQA review should be limited or avoided
- CEQA should be revised to make it easier to build infill projects than projects on greenfields, and should be more flexible to allow for higher densities in infill areas
- CEQA should be amended to provide for a blanket exemption for **later urban infill** projects **provided that the project is consistent with the general plan and zoning and/or applicable redevelopment or specific plan**
- CEQA review on **non-infill projects** which are consistent with a Master EIR or Specific Plan EIR should be limited to project or site-specific issues not addressed in the MEIR or EIR, or specify that any development that is consistent with the MEIR or Specific Plan EIR for a certain period of time would not have to do an EIR or can be approved by right **provided that the project is consistent with the general plan and zoning and/or applicable redevelopment or specific plan**
- **Cities and counties should impose a fee (already authorized under current law) at the local level to defray the cost of keeping planning and zoning documents up to date, and develop development standards that will be applied to these streamlined projects**
- **To assist smaller and built-out communities that do not have the resources or the ability to impose a fee on new development to update their development standards and planning documents, CCAPA will be developing a model development standards ordinance**
- Cities and counties should be allowed to determine appropriate environmental thresholds, tied back to the general plan, for traffic, parking and cumulative impacts under SB 1925 to determine infill projects that should be exempt from CEQA - thresholds in the CEQA Guidelines should be put back in
- Cumulative impacts analysis should be removed from project level review

SOCIAL EQUITY, INCLUSION AND ENVIRONMENTAL JUSTICE

- Cities and counties should develop programs and policies to advance inclusiveness and diversity in their communities and build a climate conducive to sound, inclusionary, and non-discriminatory planning
- Community and regional planning should provide for the fair treatment of all people

	<ul style="list-style-type: none"> • The land use element of the general plan should identify the location of both desirable and undesirable facilities so that the entire community is treated fairly in the siting process • Planning documents should be disseminated to all segments of the population, including those in the community for which English is a second language and those that do not historically participate in the planning process
<p>URBAN LIMIT LINES AND PRERVATION AREAS</p>	<ul style="list-style-type: none"> • Cities and counties should, through their general planning processes, determine areas where they want to grow and areas they want to preserve • Higher densities, while still preserving historical building and neighborhoods, should be encouraged in infill/growth areas and linked to transit and infrastructure – communities can decide the mix of housing to meet those densities
<p>LOCAL GOVERNMENT FINANCING – TARGETED FUNDING FOR QUALITY COMMUNITIES</p>	<ul style="list-style-type: none"> • Implement future fiscal reform that would incentivize new residential development while supporting the principles of Prop 1A which provides local government with certainty of its revenue sources • Support 55% vote for housing and infrastructure bonds or special taxes • Support a real estate transfer fee to provide a permanent source of local revenue for affordable housing • Support state loan fund for upfront planning • Ensure new state planning, zoning and housing requirements are fully funded – the legislative fee disclaimer does not provide enough revenue to pay for new and extensive state mandates • Target new state funding to communities that already, and/or are planning to, provide projects that make tangible, physical improvement of fundamental quality of life measures, including (but not limited to) funding for: <ol style="list-style-type: none"> 1. local implementation of AB 857 priorities 2. production of housing over sales-tax generating projects 3. neighborhood conservation and rehabilitation 4. open space acquisition, protection and management 5. new, affordable housing 6. urban revitalization, code enforcement and sign control 7. cultural resource protection and historic preservation 8. community greening

	9. replacement of or upgrades to critical local infrastructure
GAMING	<ul style="list-style-type: none"> The state should adopt appropriate 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

The California Chapter of the American Planning Association (CCAPA) is a nonprofit, public interest and research organization representing over 5,000 practicing planners, elected and appointed officials, and concerned citizens involved with urban and rural planning issues in California. The Chapter is committed to making great communities happen through good planning.

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