

# PLAN CALIFORNIA

The Legislative Platform of the American  
Planning Association of California 2017-18

Adopted by the APA California Board of  
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## **Plan California**

### **The 2017-18 Legislative Platform of APA California**

Professional planners have a responsibility to comprehensively implement practical solutions to pressing issues that balance the needs of California’s diverse population, environments and economies. Our pivotal role in the decision-making process at local, regional and state levels provides unique insight to help shape the debate around planning-related issues. This effort requires professional planners in California—for land use, transportation and other infrastructure systems, environmental and personal health, and economic vitality— to monitor current shifts in statewide policy and identify planning solutions in the context of local, state and national trends.

To address the issues facing our State and set the standard for our profession, the American Planning Association California Chapter (APA California) prepares a Legislative Platform. The Platform outlines our professional position on priority issues. The Platform is designed to be flexible enough to address unanticipated issues that inevitably arise during the legislative session. The Platform serves 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 2017-18 Legislative session:

APA California supports:

#### **Issue Area #1: Smart Growth and Regional Vision**

- Implementation of the planning principles of AB 857 (Wiggins) regarding State infrastructure plans
- State funding for regional and local planning efforts to update and implement Sustainable Communities Strategies required under SB 375 (Steinberg)
- Local general plans that are consistent with regional Sustainable Communities Strategies and, where feasible, with regional Alternative Planning Scenarios 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) are safe and compatible with the urban fabric
- Cultural resource protection and historic preservation
- Regional housing need allocations 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.

- Discouraging downzoning and other development review practices that reduce housing production and encourage sprawl
- Protection and preservation of important agricultural lands;
- Maintaining local control over design and location of telecommunications facilities, while supporting the rollout of new technologies
- Encouraging efficient water use and sustainable local water resources
- Reform of environmental review policies and processes to streamline review and reduce uncertainty

### **Issue Area #2: Infrastructure**

- 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 infrastructure to meet growth needs to enable local efforts to reduce their development fees to support growth
- Use of State infrastructure funds as an incentive for smart growth development, including efforts to remove infrastructure deficiencies in communities committed to smart growth principles of mixed uses, increased densities, walkable communities and infill development
- State authority for cities and counties to pass 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: Housing**

A State strategic plan for housing to accommodate projected population growth with estimates of needed services, infrastructure and funding, and a review of State laws that inhibit efforts to build more housing

- Reform of the State Housing Element law to:
  - Streamline Housing Element requirements and focus on core features proven to encourage housing and result in more available housing sites

- Allow by right housing in residential and mixed-use zones at permitted densities without a use permit or other discretionary entitlement, while preserving local government ability to place reasonable development standards and conduct appropriate and clearly defined design and environmental review
- Improve coordination between housing plans and the LAFCO review of services and growth
- Streamline environmental review, including expanded exemptions, for projects consistent with approved housing elements, general plans and specific plans, especially for infill and transit served sites
- Revising State density bonus law to better integrate with local housing plans. Density bonus reform should ensure:
  - Incentives, waivers or concessions that are proportionate in value to the amount of affordable housing provided
  - Local community choice of concessions offered
  - Requests for density bonuses are included with the development application
- State funding and legislative authority for local funding mechanisms to assist communities in housing element implementation such as State authorization for a 55 percent vote for local housing bonds and special taxes and authorization for local real estate transfer and document recording fees to provide a permanent source of local housing funding
- Incentives for communities that zone for all housing types and income levels that meet local RHNA.
- State model programs and funding to address the homeless population and farmworker housing needs
- 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
- Enhancing fiscal incentives for local housing development and retention, including calculation of more State subventions on per capita bases and priority for grant funds based on actual housing production
- Targeted enforcement actions by the State Attorney General's Office to address serious violations of current State housing law resulting in the denial or reduction in density of housing projects

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

- . Planning strategies 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 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 compatible with preservation of historical buildings and neighborhoods and the authority for communities to decide the mix of housing to meet local needs
  - Local general plans that include design standards and land use patterns that encourage active and healthy lifestyle choices by increasing opportunities for pedestrian, bicycle and other non-motorized transportation, and active recreation
  - State standards that support new schools in areas with safe and convenient pedestrian access, including infill areas where large parcels may not be available; consistent with the California Safe Routes to School Initiative
  - Local, regional, and State programs that reduce the use of fossil fuels through alternative transportation, transit, and sustainable community design, including microgeneration of power and community based reduction and offset programs
  - Strategic deployment of small scale solar
  - 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 concentrations 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
  - 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 and infrastructure is approved
  - Responsible planning and decision making by limiting local government liability for flood damage due to factors beyond the local agency's control
- Mandating better tracking and management of underground water resources to enhance sustainable water use practices

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

**Issue Area #5: Sustainable Building and Design**

- 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 development to reduce energy and water use
- Educational programs that inform property owners, builders and the community at-large on the benefits of sustainable development and the options and resources available Educating planners on sustainable design and green building components, including LEED ND and similar approaches, so they can advocate for green building to project applicants, clients, and the public
- Incorporation of APA's sustainability policies, objectives, and actions in General Plans and Specific Plans and other local planning documents

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

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:

- Urging State 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

Discouraging new mandatory elements

Opposing new mandates on cities and counties unless funding sources are provided, and recognize that the fee disclaimers for new mandates in legislative measures may not provide adequate funding particularly during economic downturns

- Identifying issues more effectively planned at the regional or sub-regional level – such as air quality, greenhouse gas emissions, regional transportation, water and flood control
- Supporting implementation of SB 375 through targeted State funding
- Advocating for provision of technical information to assist local planning efforts

- Advocating for a modified regional role in local decision making through increased infrastructure funding with fiscal incentives to raise the bar on plan implementation especially for 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.

#### **Issue Area #7: The California Environmental Quality Act**

- Amending CEQA to maximize the use of tiering to encourage up-front review of environmental impacts 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 continuing to allow 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 to streamline and reduce 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**

- 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

Local, 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 negotiation between recognized Native American tribes and local, regional and State agencies to ensure that tribal gaming facilities provide proper environmental planning, protection, and mitigation of adverse impacts on the environment, regional infrastructure and 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**

Public participation that occurs throughout the planning and development review process in as many ways as possible to engage the community. This can include providing notice 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 and proposed legislative actions
- Revisiting public noticing requirements to account for current technology and methods. Where appropriate to a community, replace newspaper notice requirements with mailings, email notification, posting on an agency's website, publicizing at community groups, and/or other 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 Vice President for Policy & Legislation proposes a draft 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 membership.