**PLAN CALIFORNIA**

**Legislative Platform**

**American Planning Association**

**California Chapter**

**2019-20 Legislative Session**

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**The 2019-20 Legislative Platform for 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 the local, regional and State levels provides unique insight to help shape the debate on planning-related issues. This effort requires planners in California – for land use, transportation and other infrastructure systems, environmental and human health, and economic vitality – to monitor shifts in Statewide policy and identify planning solutions in the context of local, State and national trends.

To address the priority issues facing our State and set the standard for our profession, APA California adopts a Legislative Platform prior to the start of each State two-year legislative session. The Platform outlines our professional position on priority issues. The Platform is designed to be flexible enough to address the 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 advocacy positions taken by the Chapter on legislative matters.

The Platform is also intended as the framework for local advocacy efforts by the Sections. While the Chapter does not take positions or advocate for or against on local planning issues, that does not preclude individual Sections to get involved in such issues consistent with the Platform. That said, the Chapter will provide input and advice to local Section regarding consistency and advocacy tools and methods. Collaboration between Sections to share advocacy experiences is also encouraged.

The following priority issues in order of importance. It is anticipated that most of lobbying and advocacy efforts will focus on the top two or three priorities. Where appropriate, specific action items have been identified for priority issues.

**ISSUE AREA #1: HOUSING**

**PLANNING PRINCIPLE: Designate adequate sites for all types of residential development**

1. Support RHNA reform that ties allocations and performance to existing and proposed community jobs/housing balance and greater allowance for mixed use projects and zoning.
2. Support the expanded development of accessory dwelling units (ADU’s) through relaxed development standards and fees that balance the needs of future and current neighborhood stakeholders and service needs, while preserving local options to mandate owner occupancy and limit short term rentals.
3. Support State model programs and funding to address the homeless population and farmworker housing needs.

**PLANNING PRINCIPLE: Encourage the provision of adequate affordable housing**

1. Advocate for the preparation of a State strategic plan for housing to accommodate projected growth with estimates of needed services, infrastructure and funding, and a review of State laws that inhibit efforts to build more housing.
2. Enhance fiscal incentives for local housing production and retention, including calculation of more State subventions on a per capita basis and priority for infrastructure and other grant funds based on actual housing production, including programs which link transportation funding to cities and counties increasing affordable and workforce housing production.
3. Provide financial and other incentives for communities that zone and for all housing types and income levels that meet local RHNA targets.
4. Revise State density bonus law to better integrate with local housing plans. Density bonus reform should ensure incentives, waivers or concessions are proportionate in value to the amount of affordable housing provided, provide local community choice of concessions offered, and requests for density bonuses are included with the related development application.
5. Support State funding and legislative authority for local funding mechanisms for housing element implementation such as 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.
6. Apply Statewide housing policies and mandates to coastal zones where no significant impact to coastal natural resources or public access are likely.

**PLANNING PRINCIPLE: Conserve and improve existing housing stock**

1. Protect affordable mobile home parks from ~~rental to ownership conversions unless they are bona fide resident conversions~~ conversion to non-affordable or closure without adequate relocation or replacement conditions.

**PLANNING PRINCIPLE: Minimize constraints to housing production**

1. Require ~~Allow~~ by right housing in residential and mixed-use zones at permitted densities, including State mandated density bonuses, 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.
2. Streamline environmental review, including expanded exemptions, for projects consistent with approved housing elements, general and specific plans, especially for infill and transit served sites.
3. Support innovation in zoning and development standards to ~~that~~ facilitate new affordable housing projects.
4. Support targeted enforcement actions by the State Attorney General to address serious violations of current State housing law resulting in the denial or reduction in density of housing projects.
5. Support reform of State housing element law to streamline requirements and focus on core features proven to encourage housing and result in more available housing sites.
6. ~~Improve coordination between housing plans and the LAFCO review of services and growth.~~

**ISSUE AREA #2: INFRASTRUCTURE**

**PLANNING PRINCIPLE: Promote a balanced, integrated multi-modal circulation system that is efficient and safe**

1. Support implementation of complete streets initiatives to increase mobility options and safety.

**PLANNING PRINCIPLE: Maintain and modernize the quality of infrastructure through ongoing planning and investment**

1. Support increased per capita State subventions and property tax equalization for infrastructure maintenance and updates to improve equity for low tax revenue communities.
2. Support State authority for cities and counties to pass infrastructure bonds and special taxes with a 55 percent vote.
3. Advocate for State funding for infrastructure to meet growth needs and enable local efforts to reduce development impact fees to support growth, especially related to housing development and improved jobs/housing balance efforts.
4. Advocate for the use of State infrastructure funds as an incentive for smart growth, including efforts to remove infrastructure deficiencies in communities committed to smart growth principles of mixed use, increased densities, walkable communities and infill development.

**PLANNING PRINCIPLE: Support cohesively planned and managed community infrastructure**

1. ~~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.~~
2. Support the implementation of next generation telecommunication infrastructure while protecting reasonable local control over aesthetics, impacts to surrounding properties and the use of local government property.
3. Support Redevelopment-like processes to facilitate community development focused on infrastructure to support housing, improved jobs/housing balance, infill and improved conditions/opportunities for disadvantaged communities.
4. Support flexible ~~Tailored~~ park, open space, school, and road standards to facilitate infill development.
5. Require special district and school (including CSU and UC) capital improvement plans and projects to be consistent with city and county general plans and require general plans and zoning to include adequate provision for facilities and schools.
6. Support regional housing needs and population forecasting that is coordinated with water and other utility service providers to ensure regional facility and network expansions occur in a timely fashion.
7. Support additional resources to plan and implement forest and wildland interface area management, emergency access and emergency readiness in and adjacent to wildfire hazard areas to help reduce and react to wildfire events.

**ISSUE AREA #3: CALIFORNIA ENVIRONMENTAL QUALITY ACT**

**PLANNING PRINCIPLE: Support effective land use planning with consistent and reliable CEQA requirements and outcomes**

1. ~~Reform environmental review policies and processes to streamline review and reduce uncertainty.~~
2. Amend CEQA statute to provide a threshold of significance for climate change impacts that lead agencies can rely upon in preparing CEQA documents.
3. ~~For other impact areas~~ Continue to allow cities and counties to determine appropriate environmental thresholds of significance and defer to lead agencies to determine what constitutes substantial evidence.
4. Reform CEQA to streamline and reduce litigation exposure while maintaining the core environmental protections embodied in the Act.
5. Support changes in State law to limit ballot box project initiatives that circumvent CEQA or fail to meet standards set by State legislative waivers for high profile projects (i.e. sports stadia).

**PLANNING PRINCIPLE: Encourage streamlined and consistent environmental review**

1. Amend CEQA to maximize the use of tiering to encourage up-front review of environmental impacts to limit or avoid project-by-project CEQA review.
2. Restore the ability to use a Negative Declaration after adoption of a prior EIR that identified unavoidable significant effects.

**PLANNING PRINCIPLE: Use CEQA to promote other State policy objectives**

1. Require climate change analysis in CEQA at the plan level and for other large projects, not for small and infill projects.
2. Focus 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.
3. Provide additional exemptions for housing development consistent with local general and specific plans, especially for infill and transit served projects.
4. Provide additional exemptions for hazard reduction efforts in flood and wildfire prone areas that involve proven low negative impact practices and on-going environmental monitoring.

**ISSUE AREA #4: ~~The Environment,~~ NEIGHBORHOOD VITALITY AND HEALTHY COMMUNITIES**

**PLANNING PRINCIPLE: Encourage community design that maintains and enhances public health and safety**

1. Support the provision of adequate parks, recreation and open space at the neighborhood, community and regional levels.
2. Support higher densities in infill/growth areas linked to transit and infrastructure, compatible with preservation of historical buildings and neighborhoods and the authority for communities to decide the mix of housing to meet local needs.
3. Discourage downzoning and other development review practices that reduce housing production and encourage sprawl.
4. Mandate~~s for~~ better tracking and management of underground water resources to enhance sustainable water use practices.
5. Support local, regional and State programs that encourage remediation and redevelopment of brownfield and gray field sites.
6. Support increase~~d~~ flood protection in urban areas beyond the current 100-year standard using prioritized hazard analysis developed with State leadership and funding.
7. Support local evaluation of wildfire risk arising from climate change and ongoing assessments of vegetation levels and adoption of measures to reduce wildfire risk and enhance wildland interface area sustainability, including wildland interface area fuel reduction and careful introduction of new development where appropriate.

**PLANNING PRINCIPLE: Encourage local health-focused awareness, collaboration and community-based implementation or intervention**

1. Support 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.
2. Urban agriculture, subject to local control to ensure scale and nature of such uses are safe and compatible (such as point of sale issues) with the urban fabric.
3. Support local 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.
4. Ensure~~ing~~ 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.
5. Encourage 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.
6. Provide~~ing~~ communities with the authority to prevent unlicensed group home concentrations while ensuring that such uses are not excluded from communities.

**PLANNING PRINCIPLE: Reduce private and public sector costs to provide a stronger foundation for environmental sustainability and resiliency**

1. Support incentives for strategic deployment of small and large scale solar.
2. Protect and preserve important agricultural lands.
3. Facilitate water rights transfers that enhance the efficient and productive use of water resources.
4. Encourage responsible planning and decision making by limiting local government liability for flood damage due to factors beyond the local agency’s control.
5. Encourage proactive management of wildland interface areas to reduce the severity of wildfire impacts to human and natural resources.

**PLANNING PRINCIPLE: Promote development practices that are environmentally responsible**

1. Support green building programs implemented at the local, regional and State levels, including both regulations and incentives to increase the number of development projects with sustainable components.
2. Promote incentive-based systems developed to facilitate retrofitting development to reduce energy and water use and increase resource reuse and recycling.
3. Incorporate sustainability policies, objectives and actions in general and specific plans and other local planning documents.
4. Educational programs to inform property owners, builders and community members on the benefits of sustainable development and the options and resources available. Educate planners on sustainable design so that they can advocate for green building to applicants, clients and the public.
5. Encourage efficient water use and sustainable local water resources.
6. Encourage environmentally sensitive wildfire area management to reduce the buildup of fuels and vulnerability of structures and increase safe emergency access.
7. Encourage planning strategies to reduce carbon emissions and facilitate adaptations to the effects of climate change that are reasonable, feasible, effective and equitable.

**ISSUE AREA #5: INCLUSION AND SOCIAL JUSTICE**

**PLANNING PRINCIPLE: Support inclusive and non-discriminatory policies and programs that encourage diversity and provide for the fair treatment of all people**

1. ~~Local, regional and State planning activities (social, economic and physical) that provide for the fair treatment of all people.~~
2. Support ~~City and county~~ policies and programs that advance inclusiveness and diversity in ~~their~~ communities, and build a climate conducive to sound, equitable, inclusive and non-discriminatory planning both as a means of empowerment and to help move communities toward a more just future.
3. Include policies and programs in general plans to ensure that natural systems, built environment and social services address the entire community and all people are treated with equity.
4. 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 review, protection, and mitigation of adverse impacts on the environment, regional infrastructure and nearby communities.
5. Advocate for State policy solutions for housing, infrastructure, climate change and other priority issues that provide proportionate or greater benefits to and limit financial impacts on low income, minority and ~~Use of community information and statistics so as not to adversely impact minority and~~ disadvantaged communities.

**PLANNING PRINCIPLE: Inclusive meaningful public outreach and input should occur throughout the planning and development review process**

1. ~~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, such as when a planning application is first submitted.~~
2. Make planning documents readily available to all segments of the population.
3. Expand 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.
4. Encourage developers and local entities to provide early community consultation and comment before an application is deemed complete, especially for large controversial projects.
5. Use city and county websites and social media to provide a venue for public outreach and comments on projects and proposed legislative actions.
6. Revisit 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 website, publicizing at community groups, and/or other methods of outreach.

**ISSUE AREA #6: ~~Envisioning the Future of~~ Planning Coordination in California**

**PLANNING PRINCIPLE: Planning requires the collective effort of all strategic partners to implement smart growth**

1. Encourage comprehensive programs to identify, protect and restore significant historic and cultural resources, including Certified Local Government practices) ~~Cultural resource protection and historic preservation.~~
2. Identify issues more effectively planned at the regional or sub-regional level – such as air quality, greenhouse gas emissions, regional transportation, fire management, water and flood control.
3. Advocate for a modified regional role in local decision making through increased infrastructure funding with fiscal incentives to raise the bar on plan implementation for Sustainable Communities Strategies and meeting greenhouse gas reduction targets.

**PLANNING PRINCIPLE: Support better coordination of local, regional and State planning efforts**

1. ~~Revise General Plan Law to provide alternatives to existing requirements, not a Statewide mandate; these alternatives envision new roles at the State, regional and local levels, as well as incentives. Steps to work towards this goal follow.~~
2. Advocate State support for local general plan efforts and regional planning under SB375 and other State smart growth statutes, including technical information, best practices and adequate funding for both local general plans and regional Sustainable Community Strategies.
3. Discourage new mandatory General Plan elements, allowing for flexibility regarding how to include new mandatory subject matter.
4. Oppose new mandates on cities and counties unless funding sources are provided and recognize that fee disclaimers for new mandates in legislation may not provide adequate resources.
5. ~~Support implementation of SB375 through targeted State funding.~~
6. ~~Advocate for provision of technical information to assist local planning efforts.~~
7. Support State and regional infrastructure planning and funding directed to growth areas and to support infill development, housing, existing developed communities and sustainable communities.
8. ~~State funding for regional and local planning efforts to update and implement Sustainable Communities Strategies required under SB375.~~
9. Encourage local general plans that are consistent with Sustainable Communities Strategies and, where feasible, with Alternative Planning Scenarios meet greenhouse gas reduction targets.
10. Encourage regional housing need allocations that encourage infill development and steer growth away from important natural resource and fire prone areas.
11. Encourage local ~~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 while protecting neighborhood quality of life.

**~~Issue Area #7: Smart Growth and Regional Vision~~**

1. ~~Implement the planning principles of AB857 (Wiggins) regarding State infrastructure plans.~~
2. ~~Maintain local control over design and location of telecommunications facilities, while supporting the rollout of new technologies.~~
3. ~~Reform environmental review policies and processes to streamline review and reduce uncertainty.~~

**~~Issue Area #8: Public Participation~~**

**~~Issue Area #9: Sustainable Building and Design~~**