



American Planning Association  
**California Chapter**

*Creating Great Communities for All*

March 24, 2020

The Honorable Gavin Newsom  
Governor, State of California  
State Capitol  
Sacramento, California 95814

**SUBJECT: Request to Delay Specific Statutory Local Government Deadlines in Light of COVID-19 Crisis**

Dear Governor Newsom:

The American Planning Association, California Chapter, represents over 6,000 local government, state and private consulting planners in this state. Our organization appreciates your leadership in steering California through the COVID-19 crisis. Our members remain committed to finding solutions that allow us to continue delivering quality, critical services to the communities we serve.

The requirements for social distancing and self-quarantine, the technological and equity challenges of moving public services online, as well as the fact that our members and their colleagues may be suffering from illness, has severely impeded the ability of local agencies to comply with statutory requirements in the usual time frames.

As a result, the California Chapter of APA respectfully requests that you support the recent calls from the League of California Cities and the California State Association of Counties to take immediate action to pause their specific lists of statutory requirements, specifically those related to Review and Approval of Development Projects, Housing Elements, Housing and Community Development (HCD) Grant Programs, Public Records Act, and Solar Permits and Wireless Telecommunication Facilities. This pause will give much needed breathing room to staff doing their best to meet their normal demands, as well as assist their local agencies in addressing the unique actions necessary to make sure that our communities are safe and well run regardless of the virus and the necessary actions to combat it.

APA also requests that two additional statutory and regulatory requirements that impact planning activities be addressed, in addition to the League and CSAC deadline lists:

## REVIEW AND APPROVAL OF DEVELOPMENT PROJECTS

Existing law requires cities and counties to analyze and take final action on housing development projects submitted pursuant to SB 35 within 90 days (for projects with 150 or fewer housing units) or 180 days (for projects with more than 150 housing units).

**Relief Requested:** Extend by 120 days the SB 35 deadlines in Government Code Section 65913.4, subsections (b) and (c).

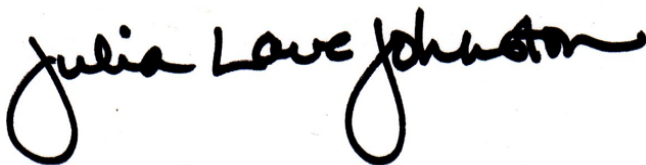
## CALIFORNIA ENVIRONMENTAL QUALITY ACT:

Existing law requires public entities to post a Notice of Exemption following a determination that a project is exempt from the California Environmental Quality Act (CEQA) and a Notice of Determination following adoption of a negative declaration or mitigated negative declaration or following certification of an environmental impact report to define a statute of limitations of 35 and 30 days, respectively, for causes of action under CEQA.

**Relief Requested:** Provide that a Notice of Exemption or Notice of Determination can qualify for the statutes of limitation specified under CEQA Guidelines Sections 15062, 15075, and 15094 by posting notices on the agency's website during the time while a local or statewide shelter-in-place order is in effect.

APA California continues to be very supportive of the very difficult measures you and your administration have taken to deal with this horrific pandemic. Our members appreciate your consideration of the statutory pause requests in the midst of all of the other critical issues you are addressing. Be assured that these pauses will not deter our members' commitment to providing the best possible service to the communities we work in and call home. If you need any additional information, please contact me. My phone number is 916-508-6823, or you can email me at [JulialaveJohnston@gmail.com](mailto:JulialaveJohnston@gmail.com).

Sincerely,

A handwritten signature in black ink that reads "Julia Lave Johnston". The signature is written in a cursive, flowing style with a large loop at the end of the last name.

Julia Lave Johnston  
President, American Planning Association  
California Chapter