

PLAN CALIFORNIA



**Legislative Platform
American Planning Association
California Chapter
2019-2020 Legislative Session**

Adopted by the APA California Board of Directors: October 6, 2018



The 2019-2020 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 California two-year legislative session titled “Plan California”. 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 local planning issues, that does not preclude individual Sections from getting involved in such issues consistent with the Platform. Section level advocacy on Statewide ballot proposals consistent with the Platform are also not precluded. That said, the Chapter will provide input and advice to local Sections regarding consistency, advocacy tools and methods. Collaboration between Sections on advocacy positions and sharing advocacy experiences is also encouraged.

HOUSING



PLANNING PRINCIPLES:

- **Designate adequate vacant and redeveloped sites for all types of residential development**
- **Encourage both affordable housing and adequate state resources to meet the demand**
- **Conserve and improve existing housing stock**
- **Minimize constraints to housing production**

ACTIONS:

1. Advocate for the state to identify in addition to the Regional Housing Needs Assessment for housing to accommodate projected growth, estimates of needed services, infrastructure and new sources of funding required to build and serve that growth, as well as a review of state laws that inhibit or constrain efforts to build more housing.
2. Require 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's ability to apply written, objective development and design standards.
3. 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 housing projects that are entitled by the city or county and ready for the developer to obtain the building permit.
4. 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 or a redevelopment option to provide a permanent source of local housing funding.
5. Support innovation in zoning and development standards to facilitate new affordable and workforce housing projects.
6. 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.
7. 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.
8. Support state model programs and funding to address the homeless population and farmworker housing needs.
9. Apply statewide housing policies and mandates to coastal zones where no significant impact to coastal natural resources or public access are likely.
10. Protect affordable mobile home parks from conversion to non-affordable parks or from closure without adequate relocation or replacement conditions.

DENSITY



PLANNING PRINCIPLES:

- **Plan for higher densities in urban areas with a range of housing types**

ACTIONS:

1. Support higher densities in infill/growth areas linked to transit and infrastructure, compatible with preservation of historical buildings and neighborhoods, protecting against displacement, and continuing the flexibility for communities to decide the mix of housing to both meet local needs and increase density.
2. Support revising existing planning and transit-oriented development laws or requiring station area plans similar to a specific plan, to increase density and affordability requirements near major transit stops; require a minimum average density and affordability standard on vacant and redeveloping properties along with strong protections for existing housing and tenants and allow each jurisdiction to determine how best to meet those standards accounting for regional and geographic differences around the state.
3. Support duplexes, triplexes and fourplexes in single-family zones served by high quality transit and/or adjacent to employment centers consistent with the footprint and massing generally permitted for single-family housing in the state.
4. Discourage downzoning and other development review practices that reduce housing production and encourage sprawl.
5. Encourage local infill plans or policies with incentives to encourage and allow developers to build at higher densities with a range of housing types while maintaining vibrant and sustainable communities.

HAZARDS



PLANNING PRINCIPLES:

- **Update hazard mitigation, planning and response strategies to meet the new normal of increased fire, flood and mudslide events**

ACTIONS:

1. Provide additional CEQA exemptions for hazard reduction efforts in flood and wildfire prone areas that involve proven low/negative impact practices, and on-going environmental monitoring.
2. 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 quickly to wildfire events.
3. Support local evaluation of wildfire risk arising from climate change and ongoing assessments of vegetation levels.
4. Adopt 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, and prepare for potential mudslides following wildfires.
5. Encourage regional housing need allocations that encourage infill development and steer growth away from important natural resource and fire prone areas.
6. Support increased flood protection in urban areas not already covered by SB 5 200-year flood requirements, beyond the current 100-year standard, using prioritized hazard analysis developed with state leadership and funding.
7. Ensure that the 100+-year flood risks are fully understood and properly mitigated through the CEQA process, with affirmative findings by the local government at the time new development and infrastructure is approved.

INFRASTRUCTURE, SERVICES AND FEES



PLANNING PRINCIPLES:

- **Maintain and modernize the quality of infrastructure through ongoing planning and investment**
- **Support cohesively planned and managed community infrastructure and services**
- **Promote a balanced, integrated multi-modal circulation system that is efficient and safe**
- **Support alternatives to impact fees to pay for infrastructure, community benefits and services to buy down the cost of housing and transparency of fees**

ACTIONS:

1. Advocate for state funding for infrastructure to meet growth needs and enable local efforts to reduce corresponding development impact fees to support growth, especially related to housing development and improved jobs/housing balance efforts.
2. 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.
3. Advocate for the use of state infrastructure funds as an incentive for sustainable growth, including efforts to remove infrastructure deficiencies in communities committed to sustainable growth principles of mixed use, increased densities, walkable communities and infill development.
4. Support increased per capita state subventions and property tax equalization for infrastructure maintenance and updates to improve equity for low-tax-revenue communities.
5. Support state authority for cities and counties to pass infrastructure bonds and special taxes with a 55 percent vote.
6. Support implementation of complete streets initiatives to increase mobility options and safety.
7. Support the implementation of next generation telecommunication infrastructure while protecting reasonable local control over aesthetics, impacts to surrounding properties and fees for the use of local government property.
8. Support flexible park, open space, school, and road standards to facilitate infill development.
9. 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.
10. Support greater transparency on mitigation fees by requiring, at the time an application for a housing project is deemed complete, the city or county to provide the applicant a good faith statement disclosing rate and calculation method for impact and development fees applicable to the project. Authorize project changes proposed by the applicant that result from project revisions occurring after the application is determined to be complete to be subject to the fees in effect at the time that the original housing development application was deemed complete.

CALIFORNIA ENVIRONMENTAL QUALITY ACT



PLANNING PRINCIPLES:

- **Support effective land use planning with consistent and reliable CEQA requirements and outcomes**
- **Encourage streamlined and consistent environmental review**
- **Use CEQA to promote other state policy objectives**

ACTIONS:

1. Amend CEQA statute to provide a threshold of significance for climate change impacts that lead agencies can rely upon in preparing CEQA documents.
2. Continue to allow cities and counties to determine appropriate environmental thresholds of significance and defer to lead agencies to determine what constitutes substantial evidence.
3. Reform CEQA to streamline and reduce litigation exposure while maintaining the core environmental protections embodied in the Act.
4. 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).
6. 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.
7. Advocate for the ability to use a Negative Declaration after adoption of a prior EIR that identified unavoidable significant effects.
8. Require climate change analysis in CEQA at the plan level and for other large projects, not for small and infill projects.
9. 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.

NEIGHBORHOOD VITALITY AND HEALTHY COMMUNITIES



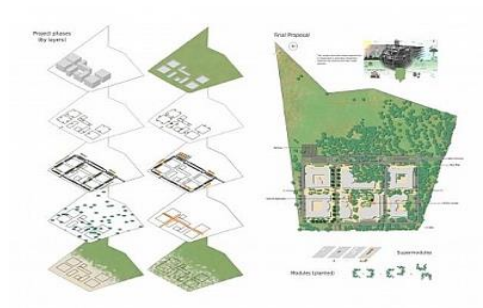
PLANNING PRINCIPLES:

- **Encourage community design that maintains and enhances public health and safety**
- **Encourage local health-focused awareness, collaboration and community-based implementation or intervention**
- **Reduce private and public sector costs to provide a stronger foundation for environmental sustainability and resiliency**
- **Promote development practices that are environmentally responsible**

ACTIONS:

1. 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.
2. Support local, regional and state programs that reduce the use of fossil fuels through alternative transportation, transit and sustainable community design, including community-based reduction and offset programs.
3. Support the provision of adequate parks, recreation and open space at the neighborhood, community and regional levels.
4. Support cost-effective 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. Promote incentive-based systems developed to facilitate retrofitting development to reduce energy and water use and increase resource reuse and recycling.
5. Adopt 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.
6. Incorporate sustainability policies, objectives and actions in general and specific plans and other local planning documents.
7. Encourage planning strategies to reduce carbon emissions and facilitate adaptations to the effects of climate change that are reasonable, feasible, effective and equitable.
8. Support 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 surrounding uses.
9. Protect and preserve important agricultural lands.
10. Support local, regional and state programs that encourage remediation and redevelopment of brownfield and gray field sites.
11. Support incentives for strategic deployment of small and large scale solar.

INCLUSION AND SOCIAL JUSTICE



PLANNING PRINCIPLES:

- **Support inclusive and non-discriminatory policies and programs that encourage diversity and provide for the fair treatment of all people**
- **Require inclusive meaningful public outreach and input throughout the planning and development review process**

ACTIONS:

1. Support policies and programs that advance inclusiveness and diversity in 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.
2. Include policies and programs in general plans to implement AB 686, the California-based affirmatively furthering fair housing statute, to ensure that natural systems, the built environment and social services address the entire community and all people are treated with equity.
3. Adopt state protocols to ensure tribal gaming facility negotiations between recognized Native American tribes and local, regional and state agencies provide proper environmental review, protection, and mitigation of adverse impacts on the environment, regional infrastructure and nearby communities.
4. Advocate for state policy solutions for housing, infrastructure, jobs and economic growth, climate change and other priority issues that provide proportionate or greater benefits to and limit financial and environmental impacts on low income, minority and disadvantaged communities.
5. 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.
6. Encourage developers and local entities to provide early community consultation and comment before an application is deemed complete, especially for large controversial projects.
7. Use city and county websites and social media to provide a venue for public outreach and comments on projects and proposed legislative actions.
8. Revisit public noticing requirements to account for current technology and methods expanding use of email notification, postings on agency websites, publicizing at community groups, and/or other methods of outreach available to the local agency.

COORDINATED PLANNING



PLANNING PRINCIPLES:

- **Recognize that planning requires the collective effort of all strategic partners to implement sustainable growth**
- **Support better coordination of local, regional and state planning efforts**

ACTIONS:

1. Encourage comprehensive programs to identify, protect and restore significant historic and cultural resources, including participation in and implementation of the state's historical resource Certified Local Government practices.
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 state support for local general plan efforts and regional planning under SB 375 and other state sustainable growth statutes, including technical information, best practices and adequate funding for both local general plans and regional Sustainable Community Strategies.
4. Discourage new mandatory general plan elements, allowing cities and counties the flexibility to determine how to include new mandatory subject matter.
5. Oppose major new mandates on cities and counties unless funding sources are provided and recognize that fee disclaimers for new mandates in legislation in many cases do not provide adequate resources.
6. Encourage local general plans to be consistent with Sustainable Communities Strategies.