

PLAN CALIFORNIA



American Planning Association
California Chapter

Creating Great Communities

LEGISLATIVE PLATFORM 2021-2022 LEGISLATIVE SESSION

ADOPTED FEBRUARY 24, 2021



The 2021-2022 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 positions on priority issues on behalf of the California planning community broadly. 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, this does not preclude individual Sections from getting involved in such issues consistent with the Platform. Collaboration between Sections on advocacy positions and sharing advocacy experiences is also encouraged.

On statewide issues where the Chapter has not taken a position, Section advocacy is permitted, provided that positions are consistent with this Platform. Before taking a position on state legislation, regulations or ballot initiatives, please contact the Chapter President, Vice President for Policy and Legislation, and Chapter Lobbyist to ensure Section advocacy plans are consistent with the Chapter positions.

HOUSING

PLANNING PRINCIPLES

- **Designate adequate vacant and underutilized sites for all types of residential development**
- **Encourage both development standards to facilitate affordable housing and adequate state funding to help meet the demand**
- **Conserve and improve existing housing stock with state funding as feasible**
- **Minimize constraints to housing production**
- **Plan for higher densities in urban areas with a range of housing types**

ACTIONS

1. Advocate for the state to provide new sources of funding required to build infrastructure and provide services that meet the needs of planned future housing growth.
2. 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.
3. Expand use of 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.
4. 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.
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 or a tax-increment redevelopment replacement option to provide a permanent source of local housing funding.
6. Support duplexes, triplexes and fourplexes in single-family zones that are generally consistent with the footprint and massing permitted for single- family housing.

7. Discourage downzoning and other development review practices that reduce housing production and encourage sprawl.
8. Encourage local infill plans or policies with incentives to encourage and allow developers to build at higher densities and on commercial properties with a range of housing types while maintaining vibrant and sustainable communities.
9. Encourage zoning and development standards to facilitate new affordable and workforce housing projects, such as simplifying small lot subdivisions or providing incentives for developing smaller units in a range of styles and configurations.
10. Leverage relaxed ADU laws to create additional housing development opportunities and identify strategies to build homeowner equity, especially for first-time homebuyers and long-term residents in disadvantaged communities.
11. Support state model programs and funding to address the unhoused population, and expand rapid housing solutions such as Project HomeKey.
12. Address state farmworker housing needs, including through streamlining programs specifically designed for rural housing types.
13. Apply statewide housing policies and mandates to coastal zones where no significant impact to coastal natural resources or public access are likely.
14. Protect affordable mobile home parks from conversion to non-affordable parks or from closure without adequate relocation or replacement conditions.
15. 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.

INCLUSION AND SOCIAL JUSTICE

PLANNING PRINCIPLES

- **Support policies and programs that advance inclusiveness and diversity in communities**
- **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**
- **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. Protect tenants and homeowners from displacement, both as a result of planned redevelopment and for those experiencing economic hardship as a result of the COVID-19 pandemic.
2. Maintain support and funding for high-quality public transit systems that efficiently serve the needs of transit-dependent residents.
3. 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.
4. Expand affordable housing supply in high opportunity areas in proximity to schools, jobs, parks, transportation, and other critical amenities and resources.
5. While encouraging new investment and development, incorporate strategies for capacity building of impacted populations, preserving cultural assets, being responsive to the needs of underserved and underresourced markets, expanding minority business ownership, managing externalities that could overwhelm vulnerable populations.
6. Continue to consider potential impacts to tribal cultural resources when adopting new plans and reviewing development projects.

7. 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.
8. 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.
9. Encourage developers and local entities to provide early community consultation and comment before an application is deemed complete, especially for large controversial projects.
10. Use city and county websites and social media to provide a venue for public outreach and comments on projects and proposed legislative actions.
11. Apply lessons learned during the COVID-19 Pandemic to allow expanded use of email notification, postings on agency websites, publicizing at community groups, and/or other methods of outreach available to the local agency.
12. As public health guidelines allow, provide in-person participation options for those who are unable to participate in digital meetings and hearings and for those who otherwise prefer in-person participation.

HAZARDS AND HAZARD MITIGATION

PLANNING PRINCIPLES

- **Prepare emergency management, hazard mitigation, planning and response strategies for natural disasters, pandemics, and extreme weather 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 towards urbanized areas with capacity for intensified growth.
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 state-funded financing to supplement impact fees to pay for infrastructure, community benefits and services to reduce housing development costs**

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. Ensure lower-income areas have adequate financial support to provide for streets, water, waste water, and parks to serve existing and new residents.
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. 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.
5. Advocate for investments in green infrastructure to ensure new development is planned to minimize negative effects on climate change.
6. Support increased per capita state subventions and property tax equalization for infrastructure maintenance and updates to improve equity for low-tax-revenue communities.
7. Support state authority for cities and counties to pass infrastructure bonds and special taxes with a 55 percent vote.
8. Support implementation of complete streets initiatives to increase mobility options and safety.

9. Support the implementation of next generation telecommunication infrastructure, including expanded access to wireless and broadband internet in communities that lack reliable internet access, while protecting reasonable local control over aesthetics, impacts to surrounding properties and fees for the use of local government property.
10. Support flexible park, open space, school, and road standards to facilitate infill development.
11. 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.
12. Support efforts to provide greater transparency surrounding mitigation fees by requiring, including tools to estimate a project's fee stack and post-approval evaluation of fees actually imposed.

CEQA

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).
5. 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.
6. Require climate change analysis in CEQA at the plan level and for other large projects, not for small and infill projects.
7. 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. Encourage building and open space design that provides air flow and ventilation, particularly in common public and quasi-public spaces.
3. 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.
4. Support the provision of adequate parks, recreation and open space at the neighborhood, community and regional levels.
5. 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.
6. 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.

7. Incorporate sustainability policies, objectives and actions in general and specific plans and other local planning documents.
8. Encourage planning strategies to reduce carbon emissions and facilitate adaptations to the effects of climate change that are reasonable, feasible, effective and equitable.
9. 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.
10. Protect and preserve important agricultural lands.
11. Support local, regional and state programs that encourage remediation and redevelopment of brownfield and gray field sites.
12. Support incentives for strategic deployment of small and large scale solar.
13. Encourage training for planners and public officials to understand how to better apply principles of health equity in planning for communities.
14. Improve access to health care, both by strengthening transportation links to existing facilities and supporting the development of treatment and educational centers in underserved areas and nontraditional settings for health care such as community centers, schools, and others.

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 affordable housing, air quality, greenhouse gas emissions, regional transportation, fire management, and 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.