General Plan Overview Contra Costa County

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Agenda

► A) OPR Overview

- ▶ B) Review of GP Guidelines:
 - ► Guideline Recommendations
 - ▶ Tools and Resources in GP Guidelines

► C) Topic Areas: Legislative Updates

▶ D) Review of Best Practices and Tools/Data Resources

Governor's Office of Planning and Research (OPR)





Kate Gordon, Director

Overview of OPR

- Formulation of long-range land use goals and policies
- Coordination of research on growth and development
- Management of state planning grants and encouragement of local and regional planning
- ▶ <u>Creation and adoption of General Plan Guidelines (We do not approve General Plans)</u>
- Drafting of CEQA Guidelines (for adoption by the Secretary of Natural Resources)
- Operation of the State Clearinghouse for distribution and review of CEQA documents
- ▶ Operation of the Integrated Climate Adaptation and Resiliency Program
- ► Coordination of federal grants for environmental goals
- Coordination of statewide environmental monitoring
- ▶ Creation of a State Environmental Goals and Policy Report, every four years
- Coordination of environmental justice activities
- ▶ Coordination with US military for land use and other issues in the state
- Conflict resolution among state agencies

(OPR continued) Strategic Growth

Council



CALIFORNIA STRATEGIC G R O W T H C O U N C I L

1.78 million TONNES OF CO2E EQUIVALENT TO

SGC PROGRAMS HAVE REDUCED

1.78 million

TONNES OF CO2E

EQUIVALENT TO

SQC PROGRAMS HAVE REDUCED

\$1.04 BILLION INVESTED THROUGH ITS GRANT PROGRAMS

What is a General Plan

A general plan is the local government's long-term blueprint for the community's vision of future growth.

The GPG serves as the "how to" resource for drafting a general plan.

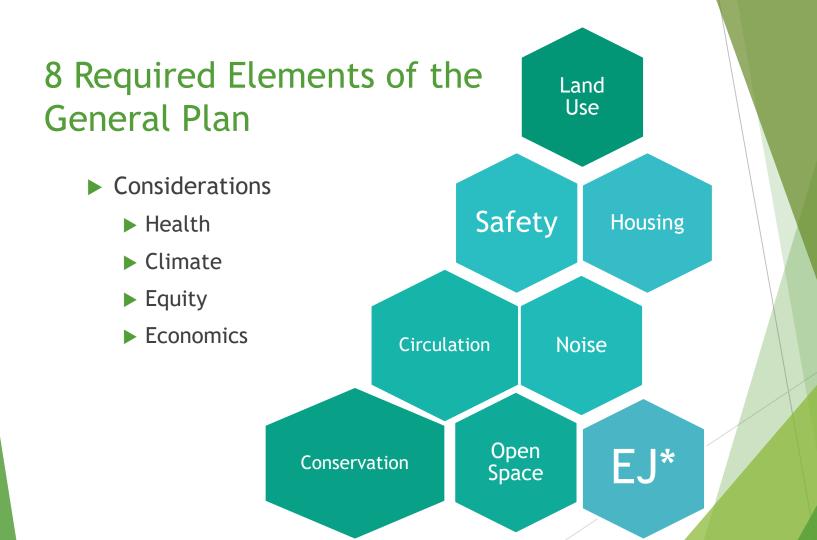
Each county and city must adopt a comprehensive, long-term general plan for the physical development of the county or city, and of any land outside its boundaries which in the planning agency's judgement bears relation to its planning. (§65300)

The general plan acts as a "constitution for future development."

Lesher Communications v. City of Walnut Creek

Basic Requirements

- ► Long term (typically 15-20 years)
- ▶ Comprehensive Planning
 - ▶ Geographic
 - ► Issues
- ▶ Consistency
 - ► Equal status among elements
 - ▶ Between elements
 - ▶ Within elements



Optional Elements of the General Plan

- Most popular optional elements
 - ► Air Quality
 - Design
 - ► Economic Development
 - ► Growth Management
 - ▶ Historic Preservation
 - ▶ Parks and Recreation
 - ▶ Public Facilities
 - ► Scenic Highway
 - Seismic

Format of Elements of the General Plan

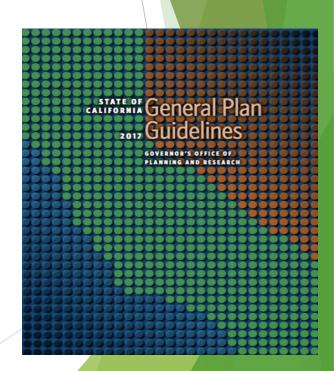
- ► Format and Flexibility
 - ► Elements may be combined
 - ▶ Plan may be adopted as one document or several documents
 - ► The degree of specificity and level of detail of the discussion of each element shall reflect local conditions and circumstances. (§ 65301)

General Plan Guidelines

- ▶ Published by OPR as required by state planning law (§ 65040.2).
- ► Guidelines are *advisory* only.
- ► Guidelines include discussion of general plan process, format, statutory requirements, and other laws and issues which can influence the general plan.

General Plan Guidelines

- ▶ For each mandatory element, the OPR guidelines provide:
 - ▶ Background
 - ► Court cases and Attorney General's Opinions
 - ► Relevant issues
 - ▶ Ideas for data and analysis
 - ▶ Ideas for policy development
 - ▶ Updates for 2017
 - ► Second update in 2019



General Plan Guidelines Update 2017

- ► New Section on Environmental Justice, healthy communities, equitable and resilient communities, economic development and climate change
- Statutory checklists for all mandatory elements
- ► Each section contains links to online resources and tools
- Cut and Paste format Policies
- ► Updated with incorporated legislative changes
- New section on community engagement

Update Example: OPR Guidelines 2017

- ▶ Climate Change
 - ➤ The safety element may be the "home" for adaptation discussions in the general plan, but climate change adaptation should be integrated throughout the elements of a general plan to create internal consistency and support holistic consideration of this important issue.
 - ► CAPs and GPs that incorporate GHG emissions reductions are required to analyze impacts of policies on environment. A robust CAP may entail environmental tradeoffs

Example: OPR Guidelines

- ► Issue: Water Resources
- ► Ideas for Data and Analysis
 - ► Inventory water resources, including rivers, lakes, streams, bays, estuaries, reservoirs, groundwater basins and watersheds (map).
- ► Policy Suggestion
 - Protect, use and develop water bodies and water courses
 - ► Protect water quality

Example: Local General Plan

Objective: Manage Arcata's water resources from a watershed perspective, to maintain surface and subsurface water quality and quantity. Runoff will be managed for the benefit of aquatic habitats.

- Policy: Protection of surface waters from point and nonpoint pollution sources. The use of natural stormwater drainage systems, which preserve and enhance natural features shall include the following:
- 5. New development shall be required to mitigate to the maximum extent feasible increases in stormwater peak flows and/or volume. Mitigation measures should take into consideration impacts on the Mad River, Arcata Bay, and adjoining lands in the City and Planning Area.
- 6. New project designs shall minimize drainage concentrations, maximize permeable surfaces (such as unpaved parking areas) and maintain, to the extent feasible, natural site drainage conditions.

Example: Local General Plan

Implementation. Surface Water Quality Ordinance. Prepare and adopt a water quality ordinance using water quality standards established in the Drainage Master Plan. The ordinance shall address the physical biological, and chemical parameters of water quality, including monitoring provided through the MOU with water district, and shall be updated at least every five years.

Vision

- Policy Direction
- Community Vision

Analysis

- Current Context/Data Collection
- Analysis of Opportunities and Constraints
- Alternatives Analysis

Adoption

- Adoption Process
- Implementation

- ► Public Participation (§ 65351)
 - ► Goals
 - ► Inform the public
 - ▶ Obtain input regarding major issues and objectives
 - ▶ Participate in alternative selection
 - ► Inform decision makers of public opinion
 - ► Work towards community consensus

- ► Public Participation Tools
 - ► Townhall meetings
 - ▶ Workshops
 - ▶ Publications & surveys
 - ► Website, interactive technology
- ▶ Committees
 - Steering
 - Advisory

- ▶ The Draft General Plan
 - ► Goals & objectives, policies, implementation measures
 - ▶ Background data in appendices or separate document

- Adoption
 - ► Inter-governmental Coordination (§ 65352)
 - ► Cities, counties, special districts
 - ► School districts
 - ► Regional planning agencies
 - ► Federal agencies
 - ▶ Public water system (3000+ Connections)
 - **▶**BAAQMD

- ► Adoption deadlines
 - ► Housing element revised every 5-8 years
 - ► Safety element updates triggered with LHMP and HE
 - ▶ 30 months after incorporation of new city

- ► Adoption: Legislative act (§ 65301.5)
 - Submittal to state agencies
 - ► HCD: Housing Element
 - ▶ Div. of Mines & Geology; OES: Safety Element
 - ► Cal Fire: Safety Element
 - ► Special Situations
 - ▶ Board of Forestry: Fire Protection
 - ► Mining & Geology Board: SMARA
 - ► Coastal Commission: Local Coastal Plan

- Adoption
 - ► Recommendation made by planning commission (§ 65354)
 - ► Adoption made by legislative body by Resolution (After 1 public hearing)
 - ► Charter cities, can opt for approval by commission
 - ▶ Notice and hearing (§ 65353 and 65355)

CEQA Compliance

- Adopting or amending a General Plan is an action subject to CEQA
- ► Ideally, the CEQA process should parallel the general planning process
 - Objectives
 - ▶ Data collection
 - ► Alternatives

CEQA Compliance

- ► Environmental Impact Report (EIR)
- Describes significant environmental effects, including cumulative and growth-inducing effects
- ► Mitigation measures incorporated into General Plan
- ► Tiering (15152)
 - ► Must be within scope of program EIR

CEQA Compliance

- Advantages of tiering
 - ► Streamlines environmental review by focusing future documents on project-specific effects
 - ▶ Deals with secondary, cumulative and growth inducing impacts on a broad level
 - ► Analysis and mitigation can be incorporated into second tier documents
 - ► May cover future general plan implementation actions (e.g. master plans, CIP, rezoning)
 - ► EIR required for certain exemptions (SB 1925)

- ▶ Implementation tools must be consistent with GP
 - ➤ Zoning
 - ► Specific Plans
 - ► Subdivision Regulations
 - ► Capitol Facilities
 - ► Redevelopment
 - ► Acquisition

- Implementation measures
- ► Maintenance: Annual reporting
 - ► Legislative Body (by October 1)
 - ▶ OPR (General Plan and Housing Element, April 1)
 - ► HCD (Housing Element. April 1)
 - ► http://opr.ca.gov/docs/20190426-APR_Memo_Post.pdf

- ► Amendments (§ 65358)
 - No mandatory element shall be amended more than four times during any calendar year
 - Exceptions
 - ► Low-moderate income housing projects
 - ► Consistency with Airport Land Use Plans
 - ▶ Development of Local Coastal Program
 - ► Compliance with court decisions
 - ► Affected specific plans must be reviewed and amended as required for consistency.

- Amendments
 - ► Suggested Criteria
 - ▶ Is the amendment in the public interest?
 - ▶ Is the amendment consistent with all other parts of the General Plan?
 - ▶ If other changes will be required, are they being considered at the same time ("ripple effect")?
 - ► Will the amendment necessitate changes in zoning or other implementing ordinances?

Key Planning Related Legislative Changes

- ► SB 1000 (2016)
- ► SB 379 (2016) and SB 1035 (2018)
- ► AB 72 Housing Accountability Act (2017)
- ▶ SB 2 Building Homes and Jobs Act (SB 2017)
- ► SB 743 (passed in 2013)
 - ► CEQA Regulatory Changes completed by OPR in December 2018
 - ► Statewide Implementation on 7/1/2020

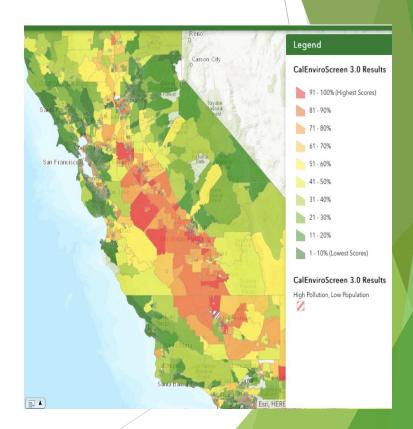
SB 1000 Overview and Implementation

SB 1000 Basic Requirements

- SB 1000 passed in 2016
- ▶ Gov Code Section 65302(h) (1) An environmental justice element, or related goals, policies, and objectives integrated in other elements, that identifies disadvantaged communities within the area covered by the general plan of the city, county, or city and county, if the city, county, or city and county has a disadvantaged community.
- = identify objectives and policies to reduce the unique or compounded health risks in disadvantaged communities
- = identify objectives and policies to promote civil engagement in the public decision making process
- =identify objectives and policies that prioritize improvements and programs that address the needs of disadvantaged communities.

Who has to implement SB 1000?

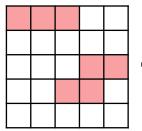
- Does your jurisdiction have a "disadvantaged community"?
- 2. Are you updating two or more elements of your General Plan?



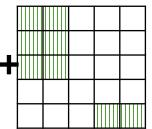
Who has to implement SB 1000?

- ▶ Does your jurisdiction have a low income area disproportionately affected by environmental pollution and other hazards that can lead to negative health effects, exposure, or environmental degradation?
- What is a "low income area"?
 - ▶ An area at or below 80% statewide area median income OR
 - An area at or below Department of Housing and Community Development's (HCD's) state income limits
- What is "disproportionately affected by environmental pollution"?
 - Look to pollution data to identify pollution burdens
 - CalEnviroScreen pollution indicators
 - Other data sources...

Sample Screen

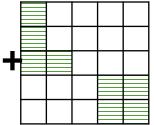


CalEnviroScreen: Examine if any of the general plan catchment planning area falls in the top



below statewide median income by census tract AND disproportionat e burden

Area at or



Area at or below
Department of
Housing and
Community
Development's
state income
limits
(if different from
statewide median

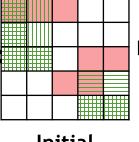
income limits)

AND

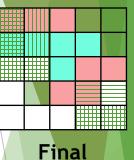
disproportionate

burden



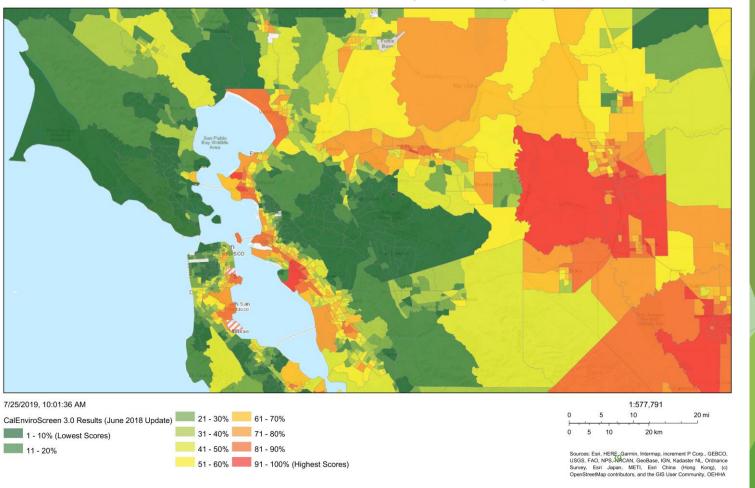


Initial Screen Incorporate granular data and examine for additional pollution burden.



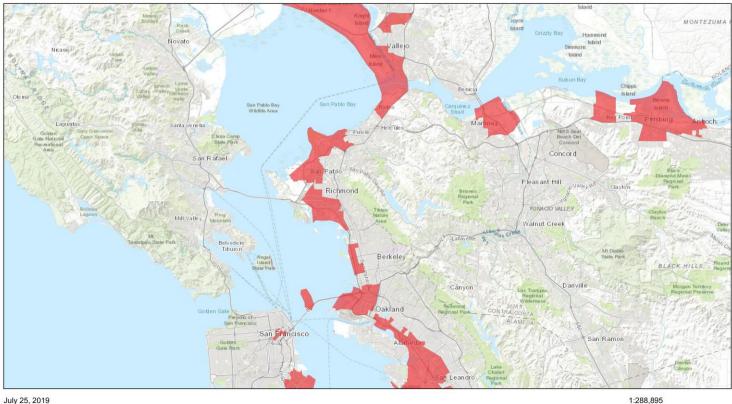
screen

CalEnviroScreen 3.0 Results (June 2018 Update)



Web AppBuilder for ArcGIS Esri, HERE, Garmin, USGS, NGA, EPA, USDA, NPS | OEHHA |

DAC in CC



SB 535 Disadvantaged Communities (June 2018 Update)



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS MRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

What do I need to do to implement SB 1000?

- ▶ Identify disadvantaged communities in your jurisdiction, including the needs and unique or compounded health risks experienced by those communities
- ▶ Identify objectives and policies to reduce the unique or compounded health risks in disadvantaged communities by:
 - reducing pollution exposure, including the improvement of air quality
 - promoting public facilities
 - food access
 - safe and sanitary homes
 - physical activity . . .



What do I need to do to implement SB 1000?

- Identify objectives and policies that
 - promote civil engagement in the public decision making process
 - prioritize improvements and programs that address the needs of disadvantaged communities



Community Engagement



Community Engagement and Outreach

Designing Healthy, Equitable, Resilient, and Economically Vibrant Places

"Cities (and counties) have the capability of providing something for everybody, only because, and only when, they are created by everybody."

-Jane Jacobs

Introduction

Robust and inclusive community engagement is a vital component of drafting and updating a general plan. State law requires the planning agency to provide opportunities for the involvement of the community, Such involvement should include public agencies, public utility companies, community groups, and others through hearings or other appropriate methods (§ 65351). The law also requires that a jurisdiction make a diligent effort to include all economic groups when drafting, adopting and implementing its housing element (§ 65583(c)(8)). For the purposes of this chapter, the term "update" will refer to adoption of new general plans as well as amontiments to existing plans.

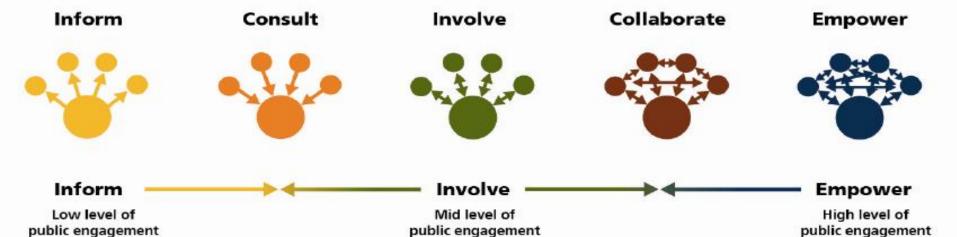
By law, cities and counties must hold at least two public hearings before adopting a general plant one by the planning commission and another by the legislative body (either the city council or the board of supervision) (§65355(a), §65355). Government Code section 65351 requires that during the preparation or amendment of a general plan, the planning agency must provide opportunities for community input through public hearings and any other means the planning agency doesns appropriate. Specifically, Government Code section 65351 requires that the planning agency shall "provide opportunities for the involvement of others, California Native American titles, public agencies, public utility companies, and citie, education, and other community groups." Government Code section 65357 requires that copies of the documents adopting or amending a general plan, including the diagrams and text, shall be made available to the public. The course have found a general plan amendment invalid when it was not made available to the public (City of Poway; v. City of San Diego (1991) 229 Cal.pp. 36 847, 861.) Most planning departments, however, conduct more than the minimal number of hearings. Many jurisdictions undertake extensive outreach that exceeds the minimum statutory requirements. The spectrum of community engagement ranges from informing and consultant the public to involving, collaborating, and ultimately empowering local communities.

- Design process from beginning
- Advisory boards and novel ways to integrate partners
- Culture and equity considerations
- Data
- Tools

Community Engagement

Traditional planning engagement falls on the <u>consult and involve</u> spectrum.

- Principles:
 - Inclusion
 - Transparency
 - Democratic participation



Process is Important

Existing Policy Analysis

- Program and Partner Analysis
- ► Forthcoming additional policy language

Internal Deliberative Draft

	Do Not Distribut
Nutrition and Food Systems	7
Urban Agriculture and Local Food	
Food Security.	
Environmental Health Exposures	9
Noise Considerations	9
Indoor and Outdoor Air Quality	9
Water Considerations	
Healthy Housing	10
Quality Hausing	
Health and Human Services	11
Access to Healthcare and Health Services	
Access to Childcare Facilities	
Alcohol, Drug, and Tobacco Prevention and Treatment	
Community Engagement	12
Transparent Governance	12
Inclusive Participation and Community Collaboration	12

SB 379 Overview and Implementation

SB 379/ SB 1035 Safety Element

Gov Code Section 65302(g) Climate change adaptation is now required in Safety Element or by reference in LHMP/other plan

- Does not preclude incorporation in other elements
- Encourages cross-linkages and co-benefits

Timing

- SB 379: Required upon update to LHMP, or by January 1, 2022
- ➤ SB 1035: After initial revision to incorporate climate, review and update, if necessary, upon revision to Housing Element but not less than every 8 years

SB 379 Update Triggers

SB 379

- LHMP
- 1/1/2022

SB 379 via SB 1035

- Housing Element
- LHMP

What do I need to do to implement SB 379?

Some distinct actions:

- Review existing plans (gap analysis)
- Assess community vulnerability
- Create a set of goals, policies, and objectives
- Create a set of "feasible" implementation measures
- Implement measures/align other plans

Data requirements: Vulnerability

- Assets, resources and populations that are sensitive to various climate change impacts;
 - ► Local, regional, state data (MPOs, LAFCOs, Counties, etc)
- Current status of climate change preparedness;
- ▶ **Historical data** on natural events and hazards;
- Vulnerability maps and areas that have repetitive loss;
- Existing and planned development in at-risk areas;
- ▶ Protection of public health, safety, and the environment.

Goals, Measures, Implementation

- Identify feasible approaches to reducing risk with new land use decisions;
- ▶ Identify the location of at-risk and resilient critical facilities;
- Identify how buildings and development can be made resilient;
- Identify an approach to working with local, regional, state, and federal agencies;
- Identify natural infrastructure options for use with adaptation projects;
- Identify how to incorporate adaptation measures in to proposed development.

Local Hazard Mitigation Plans State Hazard Mitigation Plan Consistency



Requires inclusion of climate change adaptation strategies into Safety Element of General Plans. Through consistency with SHMP Climate is also encouraged. Funding carrot - HMGP and CRMAs.

AB 2140

Encourages adoption of LHMPs into GP Safety Element (occurs after LHMP approval). Funding carrot for jurisdictions is increased State cost share for CDAA (Public Assistance).



Revises safety element requirements of GPs to address the risk of fire SRAs and VHFHSZs. *Information in LHMPs can be used to fulfill requirement*.

5,

Best Practices with SB 379

Overview and Best Practices

- Defining Vulnerable Communities OPR's Integrated Climate Adaptation and Resiliency Program
- Resource Guide for Defining Vulnerable Communities

http://www.opr.ca.gov/planning/icarp/vulnerable-communities.html





Different Definitions: Vulnerable Communities - *OPR's Integrated Climate Adaptation and Resiliency Program*

Vulnerable communities experience heightened **risk** and increased **sensitivity** to climate change and have less **capacity** and fewer resources to cope with, adapt to, or recover from climate impacts.

These disproportionate effects are caused by physical (built and environmental), social, political, and/or economic factor(s), which are exacerbated by climate impacts. These factors include, but are not limited to, race, class, sexual orientation and identification, national origin, and income inequality.

Different Definitions: SB 1000, Disadvantaged Communities (4) For purposes of this subdivision, the following terms shall apply (A) "Disadvantaged communities" means an area identified by the California Environmental Protection Agency pursuant to Section 39711 of the Health and Safety Code or an area that is a low-income area that is disproportionately affected by environmental pollution and other hazards that can lead to negative health effects, exposure, or environmental degradation.

Aligning Vulnerability Assessments: Vulnerability Communities and SB 1000 Crosswalk

SB 1000 CROSSWALK

The table below also provides a crosswalk between the indicators that are required components of an Environmental Justice Element of a general plan, per Senate Bill 1000 (2016, Leyva). While the other indicators are not required, some may be useful health-related indicators planners may want to consider.



Table 1: Comparison table: indicators currently available through statewide vulnerability assessment tools, organized by system factors

FACTOR	INDICATOR	CES (weighted index + map)	CCHVI (not an index)	HPI (weighted index+map)	ROI (weighted index)	SB 1000
Existing inequities, institutionalized racism, or exclusion: People facing disadvantage or discrimination often have lower socioeconomic status, which result in fewer resources for preparing, coping and recovering from climate impacts.	Educational attainment					
	Employment					
	Housing burdened low income households					
	Income					
	Linguistic isolation					
	Poverty					
	Race and Ethnicity					
	Two parent household					
	U.S. Citizenship					
	Violent Crime Rate					
	Voting					
Physical states or conditions that increase vulnerability: Older adults, young children, pregnant women, and people with chronic health conditions or mental illness are more susceptible to harm from effects of climate change.	Asthma emergency department visits					
	Children					
	Cardiovascular disease					
	Elderly					

Example policies



Food Systems

Ideas for Data and Analysis

- Prevalence child/adult obesity
- Prevalence diabetes
- Prevalence heart disease
- Map of grocery stores
- Map of community gardens
- Map of farmers markets

Potential Policy Options

- Establish a food policy council
- Facilitate use of unused land for community gardens
- Increase access to healthy food retail environments
- Preserve agricultural land

Example policies



Active Living & Recreation

Ideas for Data and Analysis

- Prevalence child/adult obesity
- Prevalence diabetes
- Prevalence heart disease
- Land use mix
- Park access
- Commute patterns

Potential Policy Options

- Increase proximity to parks and recreation
- Build connected trail ways to jobs/amenities
- Pursue urban greening programs

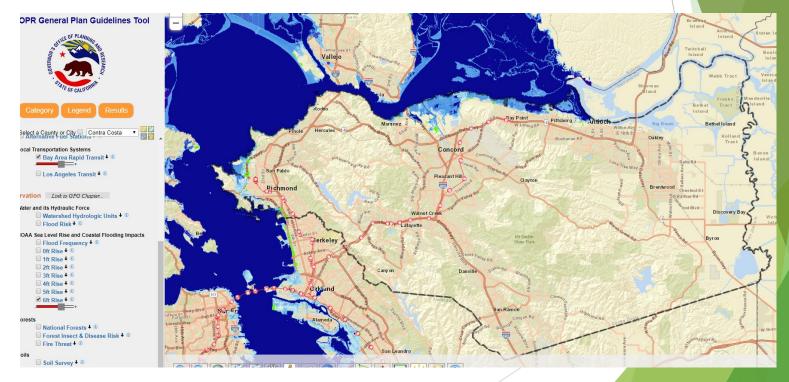
Tools and Resources

GP and Climate Change Related Tools

- ▶ 1. Cal-Adapt http://cal-adapt.org
- ▶ 2. California Adaptation Clearinghouse http://resilientca.org
- 3. California Adaptation Planning Guide http://resources.ca.gov/climate/safeguarding/local-action/ 4. California Climate Action Portal (CAP-Map) https://webmaps.arb.ca.gov/capmap
- ▶ 5. CalOES MyHazards http://myhazards.caloes.ca.gov/
- ▶ 6. CalOES MyPlan http://www.caloes.ca.gov/cal-oes-divisions/hazard-mitigation/myplan-internet-mapping-tool
- 7. CalOES Office of Access and Functional Needs http://www.caloes.ca.gov/cal-oes-divisions/access-functional-needs/oafn-web-map
- ▶ 8. Coastal Storm Modeling System: CoSMoS https://walrus.wr.usgs.gov/coastal_processes/cosmos/
- 9. Cool California http://www.coolcalifornia.org/
- ▶ 10. Funding Wizard https://fundingwizard.arb.ca.gov
- ▶ 11. Georgetown Climate Center Adaptation Clearinghouse http://www.adaptationclearinghouse.org 12. NOAA Sea Level Rise Viewer https://coast.noaa.gov/digitalcoast/tools/slr
- ▶ 13. Our Coast Our Future Sea Level Rise Viewer http://data.pointblue.org/apps/ocof/cms/
- ▶ 14. SEEC Clearpath California Emissions Management Tool http://californiaseec.org/seec-clearpath/
- ▶ 15. US Climate Resilience Toolkit https://toolkit.climate.gov/
- ▶ 16. Urban Footprint http://www.sgc.ca.gov/resources/urban-footprint/

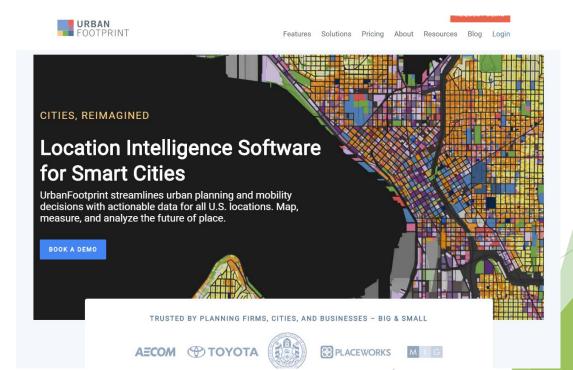
General Plan Mapping Tool

http://opr.ca.gov/planning/general-plan/data-mapping-tool.html



Urban Footprint

Urban Footprint https://urbanfootprint.com/



SB 379 Safety Element: Resources

Climate projection data and tools https://cal-adapt.org/



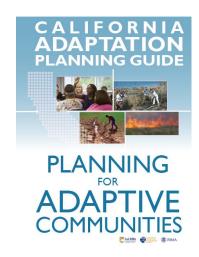
SB 379 Safety Element: Resources

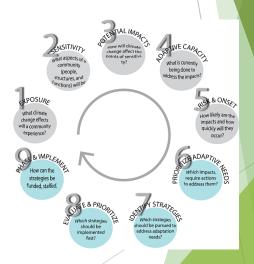
Adaptation Clearinghouse https://resilientca.org/



SB 379 Safety Element: Resources

Adaptation Planning Guide http://resources.ca.gov/climate/safeguarding/local-action/





Update in progress – anticipated completion early 2020

Best Practices SB 379 Implementation

- ► Foster City
- ► Fresno
- ► Hermosa Beach
- Ventura
- ► San Mateo County (In Process)

Best Practices General Plan

- Fresno's GP did a great job at integrating climate concerns
 - ► Examine OPR Guidelines to discover best practices for each element
 - ► Communities are unique, no GP will encompass everything you need because you are all different.
 - ▶ It all depends on what the community envisions and how you want to grow your community

Thank You!

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http://opr.ca.gov/planning/