Integrating Infill Planning in California's General Plans: A Policy Roadmap Based on Best-Practice Communities

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Introduction

The California Governor's Office of Planning and Research (OPR) and the Center for Law, Energy and the Environment (CLEE) at the University of California, Berkeley School of Law developed this document as a resource for communities that want to pursue an infill development strategy. The "best" strategy for a community must necessarily reflect local conditions, assets, and priorities. Rather than provide "one size fits all" strategies, this document identifies a range of useful strategies to allow communities to choose the policy and program options that are best suited to local circumstances.

This document contains examples of infill-supportive goals, policies, and implementation measures in use by numerous California communities. Planners can replicate or tailor the sample language. Sometimes this language comes directly from existing general plans, but more often it represents a simplified and consolidated version of policies found in several communities. Each policy section ends with an annotated list of resources to learn more about the measures discussed.

The document is organized by general plan element, in chapters that contain the common policy strategies found in California's most successful infill-supportive communities. The strategies listed at the front of each chapter tend to be more generally applicable to all communities. Because financing and implementation strategies do not fit this element format, this document discusses these two topics separately in Chapters 7 and 8. Chapter 9 then discusses project review under the California Environmental Quality Act (CEQA) and the exemptions available to certain types of infill developments.

Infill is complicated, especially given California's diversity of communities. All communities should therefore consider developing a community-specific definition of infill. Common elements include:

1. "**Located within or around existing activity centers":** This element is the most commonly used characteristic to define infill in many policies and focuses policies away from greenfields.

2. "**Built to increase use diversity within its surroundings"**: Because infill rarely occurs within one development, this element refers to diverse parcels developed concurrently or sequentially.

3. "**Integrated with the surrounding community by multiple alternative transportation options"**: This element ensures that infill developments provide efficient and multiple travel options to residents.

4. "**Reused and revitalized"**: Because infill often occurs within or near busy centers, infill developments will need to reuse and revitalize existing infrastructure and private assets, often in creative ways.

5. "**Interactive and alive"**: Infill is designed to be a space that enables social and economic interactions, which can propel communities to create active spaces with transportation options and programs.

Ultimately, communities planning infill should consider utilizing resource assessments, case studies, and other general and topic-specific guidebooks to determine how to prioritize and specify these characteristics. This guidebook can serve as a starting point.

1 Land Use Element

The primary role of the Land Use Element in infill planning is defining appropriate infill for the community, determining greenfield land, and identifying where to focus resources and community outreach efforts. Land Use Element policies can also create the framework for simplified zoning codes that reduce entitlement barriers, encourage the reuse and assembly of small parcels, and result in pre-approved design choices.

1.1 Find and prioritize infill types most appropriate to your community

Planners should first determine the preferred type of infill development in the local context by roughly identifying community assets and attributes. They can use quantitative characterizations, such as determining the community's regional economic role, role in the local and regional transportation system, geographic proximity to job and economic centers, and demographic changes. This rough categorization can inform the types of infill to pursue. Examples include transit oriented developments, downtown mixed use, main street corridor development, and industrial lot reuse.

Sample General Plan Language

Sample Goals:

- New growth focused in areas of [the city or county] enables the achievement of community goals for [economic growth, fiscal sustainability, environmental stewardship, reduction of greenhouse gas emissions; supporting the development of attractive dense urban mixed-use neighborhoods [in commercial and neighborhood cores, along high traffic corridors, etc.]; achieving fiscal sustainability; and maximizing the use of underused urban areas to help protect the character of existing neighborhoods].
- Downtown[s] and commercial cores areas of [the city or county] are inviting, attractive, walkable, mixed-use centers of commercial and recreational activity for all community members.
- The majority of new employment opportunities are proximate to transit facilities and other existing infrastructure.
- The majority of new housing development is denser than existing housing and built within existing urbanized areas [to protect and conserve undeveloped agricultural lands, open spaces, and lands of ecological value from development].
- New development is located on vacant urban land in [the city or county] and new public and private investment is focused in districts, corridors, and neighborhood centers where concentrated development and adaptive land reuse will contribute to a high standard of living and quality of life for the entire community.

Sample Policies:

- [The city or county] shall define infill priority areas in the community as [Regional Transit Urban Villages, City Transit Urban Villages, Commercial Center Urban Villages and Neighborhood Urban Villages].[2]
- [The city or county] shall focus higher land use intensities and densities within a half-mile of public transit service, and along major commute corridors. These Transit Priority Project (TPP) areas will be the target of the community's [infill priority strategy].
- [The city or county] shall pursue infill within [Regional Transit Urban Villages, City Transit Urban Villages, Commercial Center Urban Villages and Neighborhood Urban Villages] by [focusing development along transit corridors and at transit stations; promoting the adaptive re-use of strip commercial corridors into mixed use live-work spaces; clustering commercial and mixed-use development at transportation nodes and re-using intervening areas for multi-family housing; locating and designing infill development to reflect their contextual setting; ensuring appropriate transitions in scale and character with adjoining neighborhoods; requiring infill development to incorporate amenities such as on-site recreational facilities and open spaces; etc.].
- [The city or county] shall ensure that developers of new residential, commercial, and mixed-use developments in [infill priority areas] have sufficient guidance to understand the goals of each [infill priority area] and incentives to ensure that new developments strongly adhere to the goals of each area.
- The [city or county] shall create complete, mixed-employment areas that include [business support uses, public and private amenities, child care, restaurants and retail goods and services] that serve employees of these businesses and nearby businesses as part of the intensification of [TPPs, TODs, Commercial Cores, Neighborhood Cores, Industrial Parks, and Employment Center Job Growth Areas].
- [The city or county] shall require developers to create new residential developments [in infill priority areas] that are pedestrian and bicycle friendly, are accessible by transit, and make efficient use of land and infrastructure with higher average densities.
- [The city or county] shall promote the development of commercial mixed-use centers that are located on existing or planned transit stops in order to facilitate and take advantage of transit service, reduce vehicle trips, and enhance community access.
- [The city or county] shall ensure that projects located in [the downtown] and within ½ mile walking distance of existing and planned TPPs provide direct pedestrian and bicycle access to the station area, to the extent feasible.

<u>Implementation Measures:</u>

- Determine the appropriate mix and form of residential and commercial uses [in Infill Priority Areas] based on the unique character of the community, considering [the types and mix of uses that will complement adjacent neighborhoods, parcel size and depth, market and policy demand for housing and new commercial space needs, the need to revitalize economically obsolete uses, and other

[2] This language comes from the San Jose General Plan and indicates the definition and selection of infill priority areas, called Urban Villages, in that community. See San Jose General Plan, p. 18.

physical characteristics and community planning priorities] and implement these use mixes in the zoning code.

- Develop and promote incentives [e.g., the development of specific, community, and area plans; zoning/rezoning; expedited entitlement, incentive programs such as density bonuses and graduated densities, provision of infrastructure, etc.] for infill development in [infill priority areas] to [enhance community character, optimize investments in infrastructure and community facilities, support increased transit use, promote pedestrian- and bicycle-friendly neighborhoods, increase housing diversity, ensure integrity of historic districts, enhance retail viability, etc.].
- Develop and promote policies and incentives to preserve the character of existing neighborhoods by providing [sensitive transitions between these neighborhoods and adjoining higher density areas; creating pedestrian and bike accessible connections to higher density areas and public areas like schools, parks, and community centers; ensuring clean, safe, and comfortable transit stops that are frequently served; and requiring new development, both private and public, to respect and respond to existing physical characteristics, buildings, streetscapes, open spaces, and urban form that contribute to the overall character and livability of the neighborhood].
- Use the Land Use Diagram to identify targeted locations for [growth/intensification], including but not limited to [the Downtown, Urban Village Areas, Transit Employment Centers, and Specific Plan Areas]. Almost all areas with existing or planned fixed transit stops (light rail, heavy rail, and high-speed rail) and corridors with existing or planned Bus Rapid Transit will be identified as high-growth areas in order to encourage increased public transit use.
- Use the Land Use Diagram to identify established neighborhoods where infill should be restricted to preserve community character. Encourage the retention of existing single-family dwellings in existing neighborhoods and discourage rezoning of single-family districts to multifamily districts unless doing so would undermine the infill prioritization goals established in this general plan.
- Establish and develop a Neighborhood Conservation Overlay District Zone and criteria. These protective conservation districts could cover an entire neighborhood or encompass a small neighborhood sub-area that contains residences that share similar characteristics and/or could suffer similar adverse impacts of unsuitable development.

Resources:

Cities with comprehensive infill strategies centering on pre-defined priority areas include Sacramento, San Jose, Fresno, San Diego, Mountain View, Ventura, Pasadena, and Emeryville. The County of Sacramento also strongly pursues a comprehensive infill priority strategy.

Infill prioritization strategies run throughout these community's general plans, however particularly strong examples of infill prioritization and exclusion policies include:

The City of Ventura's General Plan prioritizes growth in defined infill areas and secondarily on vacant lots in areas with an existing community plan. It also categorizes all areas as following a "long-term preservation", "controlled growth," or "encouraged growth" strategy. [3]

The City of San Jose limits infill development in areas designated as "Residential Neighborhood" and outside infill priority areas to projects that maintain existing form. The Plan also encourages new commercial uses in such areas as major intersections and discourages them on side streets.[4]

The City of Santa Monica redirects growth away from residential neighborhoods onto transit corridors to ensure new growth is served by existing networks.[5]

City of Emeryville does not have a historic downtown to serve as a central organizing element. Emeryville's General Plan therefore builds on the existing city structure by focusing on districts and neighborhood centers that define the overall organization and character for each district and works to establish an expanded street grid and pedestrian connections between districts and new parks and open space within districts. The City uses a Neighborhood Retail Overlay District zoning code to identify neighborhood centers.[6]

In its General Plan, the City of Sacramento identified infill priority areas (called "New Growth and Infill Areas" in the 1988 General Plan; and "opportunity areas" in the 2030 General Plan). In 2009 the City Council approved a new resolution (Resolution 2009-629) that directly tied these infill prioritization policies to the community's Capital Improvement Program's (CIP) identified Tier 1 and Tier 2 funding priority areas (differentiated by the degree of regulatory, zoning, and plan changes required to facilitate infrastructure development) to focus programming and CIP funding on new infrastructure projects in "shovel-ready" areas. This policy shows how infill prioritization and subsequent planning strategies for infill priority areas can be aligned by a singular policy document, in this case the CIP. This example shows the benefits of focusing subsequent infill planning efforts through a document explicitly purposed with determining and prioritizing funding, especially for a community with multiple infill priority areas.[7]

The City of San Diego has developed a quantitative metric-based evaluation of land areas suitable for infill prioritization as a part of its City of Villages general plan strategy.[8] Communities facing barriers to identifying infill area boundaries and would like to focus infill priority policies on the improvement of quantitatively defined metrics, or that want to use quantitative metrics to better understand most-applicable infill typologies, may desire to create a similar model based on San Diego's efforts.

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[3] *This example comes from the* City of Ventura, *Achieving the Vision: 2005 Ventura General Plan*, 2005: p. 3-27.
[4] *This example comes from* the City of San Jose, *San Jose Envision 2020 General Plan*, pp. 6-17, 69
[5] City of Santa Monica, Planning and Community Development Department. 2010. Santa Monica Land Use and Circulation Element: Maintaining the Character of Santa Monica While Enhancing the Lifestyle of all who Live Here. Santa Monica, CA:
[6] City of Emeryville, General Plan, p. 5-2.
[7] *See* City of Sacramento, *2011-2016 Capital Improvement Program – General Plan Consistency Overview*, pp. C-1 – C18. See also the discussion of CIP policy tools discussed in Section 3.4 of this guidance
[8] California Governor's Office of Planning and Research, *Strategies for Sustainable Communities: A Guidebook Based on California Community Types* (2010), http://opr.ca.gov/docs/StrategiesforSustainableCommunities.pdf.

1.2 Make an inclusive list of potential infill parcels, including brownfields

Once broad areas have been identified and prioritized for infill, planners may then identify prime infill parcels and make an inventory publicly available. Site inventories undertaken under the California Housing Element Law[9] may be a good starting point for creating a potential infill site inventory. A basic inventory should evaluate the former general plan categorization of each parcel, the size of the parcel, its current existing use, proximity to transit, and proximity to existing public spaces. Inventories should also identify current zoning, existing infrastructure capacity, identified development barriers such as brownfield remediation requirements, and available development incentives.[10]

Sample General Plan Language

Sample Goals**:** Developers and the public are able to easily access a transparent, accurate, and frequently updated inventory of parcels suitable for infill development.

Sample Policies:

- [The city or county] shall maintain an up-to-date inventory of vacant and underutilized parcels suitable for infill development and provide this data publicly on the Planning Office's internet website. [The city or county] shall include in this inventory all available information regarding zoning code designations, infrastructure availability, development barriers, and information on available development incentives.[11]
- [The city or county] shall construct an inventory of brownfields in the jurisdiction and develop a plan and policies to remediate brownfield contamination in partnership with property owner, the California Department of Toxic Substances Control, and the U.S. Environmental Protection Agency.

Implementation Measures**:**

- Construct an inventory of infill-appropriate sites based on the community land inventory composed under the Housing Element Law, the Sustainable Communities Strategy developed for the region, and other sources, and update this inventory on [an annual basis].
- Work with relevant local and regional agencies to detail existing and future infrastructure capacities for [all parcels listed in the housing inventory; parcels in infill priority areas].
- Develop an inventory of brownfield sites in [the city or county] and work with the California Department of Toxic Substances Control to understand their development potential. Create a plan to remediate highest infill potential areas.

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[9] Cal. Gov't. Code §§ 65580 *et seq*.

[10] The California Department of Toxic Substances Control (DTSC) has launched an enhanced online Brownfields database called EnviroStor that contains downloadable detailed information on permitted hazardous waste facilities and corrective action cleanups in these areas. California Department of Toxic Substances Control, *EnviroStor* (undated), available at http://www.envirostor.dtsc.ca.gov/public/, last accessed August 30, 2013.

[11] City of Ventura. 2005. *Achieving the Vision: 2005 Ventura General Plan*. Ventura, CA: 3-30.

Resources:

The Regional Housing Needs Assessment process and compiled inventories should receive renewed staff attention to enable the creation of a publicly accessible infill inventory. This database should be compiled with land use maps that identify infill priority zones, transit centers and corridors, parks and open spaces, and other amenities discussed in this guidebook.

A high quality RHNA inventory has been developed for the City of Concord by BAE Economics, in coordination with the community's infill-oriented General Plan.[12]

The California Department of Toxic Substances Control (DTSC) has launched an enhanced online Brownfields database called EnviroStor that contains downloadable detailed information on permitted hazardous waste facilities and corrective action cleanups in these areas.[13]

The City of Emeryville has undertaken a particularly successful Brownfields program, made possible in large part through a grant from the U.S. Environmental Protection Agency. The city has cleaned up 240 acres of former industrial land with substantial soil and groundwater contamination and largely used remediated lands for mixed-use, high-density development.[14]

The U.S. EPA's brownfields information database contains specific information about nationally registered brownfields, case studies, grant and funding opportunities, and tools and technical information.[15] In addition, the EPA's online database of research regarding infill and brownfields development includes a variety of high quality resources to understand the challenges associated with brownfield reuse.[16]

1.3 Apply simplified mixed-use zoning designations in infill priority areas

Simplifying land use designations and zoning codes will allow for more flexibility in land reuse – a critical factor for developers in areas with higher land valuations, such as downtowns and neighborhood cores. Simplified mixed-use zoning generally allows all potential uses (except industrial, agricultural, and open space uses) and establishes a wide range of acceptable residential densities, commercial intensities, floor area ratios (FAR), and height maximums. These standards should generally be higher than existing area averages but scaled to allow aesthetic integration with surrounding architectural styles. The development of design guidelines, performance standards, and/or community, specific, and area plans is an appropriate next-step in communities where residents are especially concerned about the contextual appropriateness of new developments.

Sample General Plan Language

[12] City of Concord. 2014. *City of Concord Housing Element Update – DRAFT 2014-2022*. June 23, 2014. http://www.ci.concord.ca.us/pdf/projects/housingElement/06232014.pdf

[13] California Department of Toxic Substances Control, *EnviroStor* (undated), available at http://www.envirostor.dtsc.ca.gov/public/, last accessed August 30, 2013.

[14] See City of Emeryville, General Plan, p. 7-3.

[15] U.S. EPA, *Brownfields and Land Revitalization*, http://www.epa.gov/brownfields/.

[16] U.S. EPA, *Publications*: "Brownfields and Infill" http://www.epa.gov/dced/publications.htm#infill.

Sample Goal: Simplified mixed-use zoning codes allow developers maximum flexibility in infill priority areas.

Sample Policies:

- [The city or county] shall emphasize mixed-use zoning designations in infill priority areas.
- [The city or county] shall create mixed-use codes in commercial-use dominated areas that allow for [residential units, business support uses, public and private amenities, child care, restaurants and retail goods and services] that serve employees of these businesses and nearby businesses.
- [The city or county] shall create mixed-use codes in residential-use dominated areas that consolidate residential codes and provide for a broader range and intensity of commercial uses.
- [The city or county] shall develop [design guidelines; performance standards; or area, specific, or community plans] to further detail the general land use designations set in the general plan.
- [The city or county] shall consider designating commercial or industrial-zoned land as mixed-use where some or all of the following factors are present:
    - Where the lot size or configuration is inadequate, or other site characteristics result in an inability to develop or sustain a viable commercial use;
    - Where site driveways could adversely affect traffic flow;
    - Where community facilities are accessible for residents;
    - Where the existing use is underutilized and there is an adequate supply of community-serving commercial uses;
    - Where there is good transit, pedestrian and bicycle connectivity with employment areas;
    - Where it would not impact the viability for base sector use of any adjacent land identified as prime industrial land;
    - And where mixed-use development would be compatible with and compliments adjacent exiting land uses.

Implementation Measures**:**

- Revise the zoning code to integrate mixed use zoning designations and standards [in infill priority areas].
- Develop design guidelines and performance standards to ensure that mixed-use land use designations support and enhance community planning priorities.
- Develop [community, area, or specific plans] for [infill priority areas] that more exactly specify the mix of land uses and circulation elements on a parcel level.

Resources:

The City of San Jose scaled down from 91 land use designations in the previous general plan to 29 land use designations in the current plan to support infill prioritization. A generalized minimum residential density of 55 Dwelling Units per Acre is set in infill areas.[17]

Mountain View General Plan created 6 mixed-use zoning designations, primarily applied in the community's infill priority areas (called "change areas").[18]

1.4 Influence design choices to reflect community priorities and attract stakeholder interest and financial investment

Design helps determine developers' interest in investing in infill areas as well as a community's enthusiasm for infill plans and projects. However, the benefits of aesthetic-oriented development controls will be different for different communities:

- Communities with greater community resistance to future infill development may benefit from developing voluntary infill design guidelines to coincide with the zoning code that offer procedural incentives such as expedited entitlement and permitting for compliant infill projects.
- Communities looking to improve the development potential of infill priority areas should consider developing form-based codes to maximize use flexibility while protecting community aesthetics.

Sample General Plan Language

Sample Goal**:** All new developments [in infill priority areas] are built to support the aesthetic character of surrounding areas and neighborhoods and create a pleasant pedestrian-oriented visual and architectural environment for residents, workers, and visitors using all modes of travel.

Sample Policies**:**

- [The city or county] shall promote good urban design by …
  - *Design Guidelines*: …. creating an expedited development and building permits application and review process for developers of [mixed-use infill served by high quality transit, pedestrian, and biking transportation options] in [designated infill priority areas] that comply with [design guidelines].
  - *Form Based Codes*: …. developing form based codes for [infill priority areas].
- [The city or county] shall require developers to provide pedestrian amenities, such as trees, lighting, recycling and refuse containers, seating, awnings, art, or other amenities, in pedestrian areas along project frontages. When funding is available, install pedestrian amenities in public rights-of-ways.

Implementation Measures

- With input from community members, developers, architects, [city or county] staff, and all other interested stakeholders, develop design guidelines that detail and elaborate the design principles to

[17] City of San Jose, California. *Envision San Jose 2040 General Plan: Building a City of Great Places*: pp. 5-3; 6-4.
[18] The City of Mountain View, General Plan, pp. 84-85.

be followed in order to receive expedited permitting review for [designated development types] in [designated infill priority areas].

- Consider the development of form based codes to apply in [infill priority areas].
- Develop and propose for [City Council or Board of Supervisors] approval development review policies to address specific land uses, structures, development types, or other urban design factors that would benefit from more specific criteria than those identified in this Plan.

Resources:

Design Guidelines

- City of Riverside, Design Guidelines for Infill Construction in Historic Districts (2003) http://www.riversideca.gov/historic/pdf/Historic%20Design%20Guidelines/DG-Chapter%209.pdf

- City of Orange, Infill Residential Design Guidelines, Resolution No. 9847 (2004), http://www.cityoforange.org/civicax/filebank/blobdload.aspx?BlobID=4303.

- City of Livermore, Downtown Specific Plan – Design Guidelines (Chapter 6).

Form-based Codes

- The Form-Based Codes Institute offers a wide-variety of online resources, including model form-based codes, courses, and checklists on its website at http://www.formbasedcodes.org/.

- Daniel G. Paralek, Karen Parolek, and Paul C. Crawford. Form Based Codes: A Guide for Planners, Urban Designers, Municipalities, and Developers. 2008. Hoboken, NJ: John Wiley & Sons.

- Sacramento Area Council of Governments, Form-based Code Handbook, 2008. Available at http://www.sacog.org/projects/attachments/form-based-codes/Form-Based%20Code%20Handbook_FNL_Aug08.pdf.

- City of Ventura, Ventura Avenue Corridor Form Based Development Code, 2007. http://digitalcommons.calpoly.edu/cgi/viewcontent.cgi?article=1016&context=crpsp: In addition to developing a corridor-centric form-based code for an area of the City of Ventura, this report also identified strengths and weaknesses of four form-based codes in California, including those for the cities of Hercules (the first California city to implement a form-based code), Ventura (downtown specific), Rocklin, and Petaluma.

1.5 Create incentives for small parcel development and lot assembly

Many promising infill areas contain small and odd-shaped parcels that are difficult to redevelop. Cities and counties should consider differential development requirements for small lots, as well as entitlement expedition and density and other bonuses for lot assembly. Special pre-established development variance processes may be the most effective means to spur small-lot development. Local governments can also reduce permit fees for developments under a parcel size or unit number

maximum. Local governments can also temporarily hold property while assembly permits are reviewed and granted. More standard financial incentive measures are discussed in Chapter 7.

Sample General Plan Language

Sample Goal**: T**he development of small and non-standard shape parcels in [infill priority areas] is as simple and easy as standard size and shape parcels in the same zoning designation.

Sample Policies**:**

- [The city or county] shall eliminate minimum lot size requirements for [townhomes, condominiums, and other multifamily residential units [that meet explicitly-stated predefined design standards].
- [The city or county] shall support the [development of/assembly of] smaller parcels to encourage infill development that supports community development priorities.
- [The city or county] shall create development variances and design guidance for small lots [below existing minimum developable sizes or other non-standard development requirements] to enable the construction of small single family homes and townhomes [in infill priority areas] that support community development priorities.
- [The city or county] shall explore options for incentivizing parcel assemblage in [infill priority areas], such as by offering density bonuses and other incentives to developers of lots that, once consolidated, are larger than [20,000 sq. ft.].

Resources:

A comprehensive report by University of California, Los Angeles Professor Donald Shoup reviews graduated density zoning (GDZ) policy mechanics, sample pro formas, and case studies.[19]

After finding in 2002 that small parcels (10,000 square feet or smaller) represented 2/3 of the vacant land in already urbanized areas of the city, the City of Sacramento designed policy suites specifically to redevelop these lots.

The City of Mountain View created incentives for lot consolidation that tie density bonuses to larger parcels in some zoning districts.

The City of Los Angeles has a strong small-lot development facilitation effort. In 2005 the city promulgated a Small Lot Subdivision (Townhome) Ordinance that allows the city to subdivide lots located within existing multifamily and commercial zones to allow the development of fee-simple, detached townhomes that would not be required to incorporate into a homeowner's association.[20]

[19] Donald Shoup, *Graduated Density Zoning*, Journal of Planning Education and Research, Vol. 28, No. 2, Winter 2008, pp. 161–179.

[20] See City of Los Angeles, *Small Lot Subdivision (Townhome) Ordinance, Ordinance No. 176354*, 2005, http://landuselaw.wustl.edu/Ordinances/Townhouse176354.pdf; City of Los Angeles Small Lot Design Guidelines (no date), http://cityplanning.lacity.org/PolicyInitiatives/Housing/Small%20Lot/SmallLotDesignGuide.pdf ,

The City of Riverside's Lot Line Adjustment/Lot Consolidation documentation is a good example of transparent regulatory guidance.[21]

The City of Glendale launched a GDZ incentive program for multifamily units on consolidated parcels (based on parcel width rather than overall size) and is investigating creating a single family home or townhome GDZ program for small lots.[22]

The Kodota Fig development in Simi Valley is an example of how very large GDZ incentives were used to spur land assembly within a Specific Plan Area.[23]

San Jose designated all lands with areas with high concentrations of small lots, where small townhome developments, traditional single-family development, and multifamily development might exist adjacent to each other, as "mixed use neighborhoods."[24]

accessed Nov. 1, 2013; U.S. Department of Housing and Urban Development, *Los Angeles, California: Small Lot Ordinance*, (no date), http://www.huduser.org/portal/bestpractices/study_102011_1.html (accessed Nov. 1, 2013).

[21] City of Riverside, Community Development Department, Planning Division. *Lot Line Adjustment/Lot Consolidation*, 2005, http://www.riversideca.gov/planning/pdf/application-forms/H-04-0011-LLA.pdf.

[22] *See* City of Glendale, California, *Report to the City Council and Housing Authority: Small Lot Subdivision Initiation*, Dec. 11, 2012. http://www.ci.glendale.ca.us/government/council_packets/Reports_121112/CC_HA_Item1_121112.pdf

[23] See Shoup's discussion of the case study in Donald Shoup, *Graduated Density Zoning*, Journal of Planning Education and Research, Vol. 28, No. 2, Winter 2008, pp. 161–179.

[24] City of San Jose, Envision San Jose 2020 General Plan, p. 5-13.

2 Circulation Element

Circulation Element policies create mobility among parcels that promote infill-supportive modes of living. Issues to cover include access to high-quality transit infrastructure, reduced incentives to drive, walkability features, and mitigation programs for unnecessary traffic congestion and hazards. Cities and counties should consider supporting infill development with reduced parking requirements, strong links between the development and mixed-mode transportation systems, and infrastructure project prioritization. In particular, communities should consider adopting infrastructure development goals and policies that prioritize expansion in infill priority areas. Ultimately, Circulation Element goals should introduce the link between infill development and the circulation elements as often as possible.

Sample Goals:

- Mixed-use, high-density infill developments are planned to make more efficient use of [the city's or county's] transportation system.
- A complete transportation network is developed and operated with the goal of [reducing vehicle miles traveled, reducing average daily automobile trips] in every land use decision, particularly in denser areas of [the city or county].
- The transportation system incentivizes walking, biking and transit use for the majority of trips and reduces the need for personal vehicle trips.
- Impacts on overall mobility and all travel modes are always considered when evaluating new developments or infrastructure projects.
- Infrastructure development planning fully supports the community's infill prioritization strategy.

2.1 Change parking standards to reflect infill impacts on parking demand

Improved parking policies in infill areas can reduce developer costs and increase developable space and incentives to diversify transportation modes. Key policies include parking pricing reforms that reflect market forces; reduced parking minimums for new developments and the consideration of parking maximums in severely congested areas; flexible means of meeting parking requirements such as shared parking between daytime businesses and surrounding residential properties, stacked parking and in-lieu parking impact fees; and replacing vehicle parking with alternative-mode parking. These policies may be most appropriate for areas served by high frequency transit and/or pedestrian and biking facilities. Note that under SB 743 (Steinberg, 2013), parking impacts from residential, mixed-use residential, or employment center projects on an infill site within a transit priority area shall not be considered significant and therefore require CEQA review or mitigation.

Sample General Plan Language

Sample Goal*:* [the city or county] maintains a balance between providing an adequate supply of parking to serve new growth and existing needs while avoiding excessive supplies that discourage transit ridership and disrupt the urban fabric.

Sample Policies:

- [The city or county] shall comprehensively manage parking and parking policies to address [infill; vehicle use; pedestrian, bicycle, and transit travel; housing affordability; congestion management and air quality] goals.
- [The city or county] shall allow reduced and flexible parking requirements for new mixed-use developments and for developments that provide shared parking, alternative transportation infrastructure, and/or a comprehensive TDM program, or developments [located near major transit hubs or within transit priority areas].

Implementation Measures:

- Undertake a parking survey to catalog existing parking policies in [all zoning designations, infill priority areas], understand the impact of these policies on developers, residents, and visitors; and identify areas with excess parking.
- Based on the findings of the parking survey, [promulgate a parking management plan, reforming parking pricing, or revise parking standards in zoning codes].
- [Annually] monitor the effect of parking policies and report outcomes to [the City Council/County Board of Supervisors].

Specific Parking Policies and Model General Plan Language:

Balance parking supply and demand by increasing parking prices, offering unbundled parking alternatives, and enforcing employer "parking cash-out programs":

Many communities begin parking pricing reforms by establishing a desired ratio between parking supply and demand, typically at about 85% (i.e. about 1 in 8 parking spots vacant during peak hours).[25] Unbundled parking policies allow developers to unbundle parking from units to allow residents to pay for parking only when they need it. Market-rate and unbundled parking policies have often been used in concert with residential street parking permit programs to control demand spillover. Certain employers are mandated by Cal. Health and Safety Code §43845 to offer employees cash subsidies to reduce personal vehicle use and local governments should assist with implementation of this law.

Sample Policies:

- [The city or county] shall adopt "market-based" public parking pricing standards to increase public parking fees [in infill priority areas, transit-oriented developments, downtown, neighborhood cores] to balance supply and demand [with the goal of maintaining 85% space occupancy throughout peak use hours].
- [The city or county] shall consider revisions to the Residential Parking Permit program that make more efficient use of the on-street parking supply.

[25] *See* Dyett and Bhatia*, Parking Stakeholders Survey: Summary Report,* 2012, http://mtc.ca.gov/planning/smart_growth/parking/6-12/Final_Parking_Stakeholder_Summary_Report.pdf.

- [The city or county] shall unbundle the provision of parking so that occupants can choose to rent or buy parking spaces separate from housing or commercial unit rental or purchase.
- [The city or county] shall adopt by ordinance or resolution a penalty [or other mechanism] that ensures employers in the jurisdiction are in compliance with employee parking cash-out programs required by Cal. Health and Safety Code §43845 and establish notice and appeal procedures in compliance with this law.

Reduce or eliminate parking minimums:

Building parking for residential and commercial units can be expensive, so reducing per-unit parking requirements (and simultaneously allowing unbundled parking) can dramatically improve the economics of infill projects.

Sample Policies:

- [The city or county] shall create parking standards that consider reduced demand in [infill priority areas] due to access to transit and alternative transportation mode infrastructure.
- In [infill priority areas], [the city or county] shall permit parking up to [X spots per unit].[26]
- [The city or county] shall exempt former commercial and industrial buildings that are converted to residential units from parking minimums.

Establish parking maximums

Planners should consider establishing parking maximums in highest-density areas. However, these policies are often controversial and may benefit from detailing in area, community, or specific plans.

Sample Policy: [The city or county] shall consider establishing parking maximums in [infill priority areas] during the development of area, community, or specific plans.

Allow parking flexibility through creating exemptions for shared parking, carpooling programs, and stacked parking, incorporating street parking in parking minimums, and allowing the alternative of paying in lieu fees to a public parking district.

Flexible parking requirements allow developers to use creative means of meeting parking minimums.

Sample Policies:

- [The city or county] shall adopt parking standards that offset unit parking requirements based on flexible parking arrangements and availability of walking, bicycling, and transit infrastructure.
- [The city or county] shall provide incentives for shared parking arrangements with the public and between private uses.
- [The city or county] shall allow developments to meet parking minimums by paying in lieu fees to public parking districts.

[26] X here will vary based on local circumstances and may include addition parking spaces per unit under certain circumstances (stacked parking, shared parking, etc.)

Require parking for motorcycles, bicycles, compact cars, car shares, and alternative fuel vehicles

Many communities are starting to require alternative-mode parking for residential and commercial units.

Sample Policies:

- [The city or county] shall support alternative vehicle transportation modes as a means to reduce overall demand for parking by ensuring that [bicycles, motorcycle, compact cars, car-sharing vehicles, and alternative fuel vehicles] parking is available and accommodated in new development.
- [The city or county] shall require new developments [over 50 units] to [offer at least one parking space to a car-sharing organization for the right of first refusal].
- [The city or county] shall require parking for bicycles [at a ratio of one space per two units for buildings with 50 units or fewer, and one space per four units for buildings with greater than 50 units] and throughout public spaces.

Create incentives for developers and employers to offer transit passes

Communities can offer parking minimum exemptions to multi-family housing developers and large employers that provide free or reduced-price transit passes.

Sample Policy: [The city or county] shall offer incentives for major employers and residential complexes to provide free or reduced price transit passes.

Resources:

The San Francisco Bay Area's Metropolitan Transportation Commission (MTC) dedicated substantial resources to understanding parking policies for infill, TOD, and smart growth areas. Their website has more information: Metropolitan Transportation Commission, *Parking Policy for Smart Growth*, (no date), http://mtc.ca.gov/planning/smart_growth/parking/, accessed October 23, 2013.

MTC resources of particular note include:

Dyett and Bhatia, *Survey of Bay Area Cities' Parking Requirements: Summary Report*, 2012, http://mtc.ca.gov/planning/smart_growth/parking/6-12/Final_Summary_of_MTC_Parking_Survey.pdf.

MTC, *Smart Parking Study/Toolbox*, (no date) http://mtc.ca.gov/planning/smart_growth/parking/parking_seminar.htm

Dyett & Bhatia and Nelson Nygaard, *Parking Code Guidance: Case Studies and Model Provisions*, 2012, http://www.mtc.ca.gov/planning/smart_growth/parking/6-12/Parking_Code_Guidance_June_2012.pdf.

MTC, *Some Recent Parking Studies and References*, no date, http://mtc.ca.gov/planning/smart_growth/parking/additional_studies.htm.

U.S. Environmental Protection Administration, *Parking Spaces/Community Places: Finding the Balance through Smart Growth Solutions (EPA 231-K-06-001)*, 2006, http://www.epa.gov/dced/pdf/EPAParkingSpaces06.pdf.

California Air Resources Board, *California's Parking Cash-out Program: An Informational Guide for Employers*, 2009, http://www.arb.ca.gov/planning/tsaq/cashout/cashout_guide_0809.pdf.

San Francisco's Rincon Hill Plan (an area plan) eliminated all parking minimums for all use types, created a parking maximum of 1 car per 2 units "by right" (or up to 1 car per unit through a CUP approval process for stacked or valet parking), required unbundled residential parking, car share, secured bike parking for all new residential developments, and created parking maximums for commercial developments.[27] Residential Parking Permit reforms successfully reduced parking demand spillover in the Market and Octavia infill development.[28]

Redwood City's Downtown Parking Management Plan is a good example of a quantitative survey-based comprehensive parking policy suite applied to a downtown area.[29]

The Mountain View General Plan allows reduced parking minimums when alternative infrastructure is available.[30]

The City of Berkeley offers reduced parking minimums and parking waivers to developers who instead build alternative travel infrastructure such as bicycle parking or who offer transportation demand management incentives such as transit passes.

The City of San Jose's General Plan allows for unbundled parking, considers incentives for shared parking between private developments and the public, and pushes planners to consider in-lieu parking fees, parking bonuses or other policy actions to support parking reduction goals.[31]

2.2 Develop and implement a Complete Streets policy suite

The California Complete Streets Act of 2008 (Leno, AB 1358) requires cities and counties undergoing substantial revisions of general plan circulation elements to plan for "a balanced, multimodal transportation network that meets the needs of all users of streets, roads, and highways," in a manner

[27] San Francisco Planning Department, *Rincon Hill: an Area Plan of the General Plan of the City and County of San Francisco*, 2005, http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=2511
[28] San Francisco Planning Department, *Market and Octavia – An Area Plan of the General Plan of the City and County of San Francisco*, 2010, http://www.sf-planning.org/ftp/files/Citywide/Market_Octavia/Market_and_Octavia_Area_Plan_2010.pdf
[29] The City of Redwood City, *The Downtown Redwood City Parking Management Plan*, 2005, http://shoup.bol.ucla.edu/Downtown%20Redwood%20City%20Parking%20Plan.pdf.
[30] City of Mountain View Community Development Department. 2012. Mountain View 2030 General Plan. Mountain View, CA: 113.
[31] City of San Jose, California. 2011.Envision San Jose 2040 General Plan: Building a City of Great Places. San Jose, California: 6-50.

that is suitable to the rural, suburban, or urban context of the general plan. [32] Complete Streets facilities must be identified in a plan diagram. Infill-supportive communities can cater to non-automobile traffic with expanded sidewalks, access easements between properties, and other pedestrian amenities such as traffic safety features like mid-block crosswalks and signals; bike amenities such as bike storage, bike lanes, bike-dedicated traffic signals, and trails; and comfortable, well-lit, safe transit stops served by maps and transit information systems. Many jurisdictions support general plan goals and policies with a stand-alone Complete Streets Policy that details general plan language. If resources are limited, planners should aim to detail street design protocols or guidelines for one or more infill priority areas.

Sample General Plan Language:

Sample Goal: All [city or county] streets are Complete Streets accessible by users of all ages and abilities.

Sample Policy: [The city or county] shall create multimodal transportation options by designing and managing complete streets and ensuring that all transportation improvements are planned, designed, constructed, operated, and maintained to encourage walking, bicycling, and transit use while promoting safe and convenient access for all users, keeping in mind the unique character of each area.

Implementation Measures:

- Promulgate a Complete Streets ordinance to codify Complete Streets goals and establish planning protocols that integrate Complete Streets considerations into all infrastructure projects.
- Ensure that Complete Streets infrastructure and pedestrian friendly amenities are included in plan, design, approval, construction, operations, and maintenance of all street projects.
- Incorporate the consideration of Complete Streets infrastructure and pedestrian friendly amenities into all construction, reconstruction, retrofit, maintenance, alteration, and repair of streets, bridges, and other portions of the transportation network.
- Incorporate Complete Streets multimodal improvements and pedestrian friendly amenities into pavement resurfacing, restriping, and signalization operations where the safety and convenience of users can be improved within the scope of the work.
- Develop systems to implement and monitor incorporation of such infrastructure into construction and reconstruction of private streets.
- [Develop or revise] street standards and design guidelines, including cross-section templates and design treatment details, to ensure that all transportation system improvements are tailored to local aesthetics and support Complete Street goals.

Building a comprehensive, coordinated, and community-wide Complete Streets policy framework

Sample Policy:

[32] *For OPR's advice on Complete Streets policies, see* California Governor's Office of Planning and Research, *Update to the General Plan Guidelines: Complete Streets and the Circulation Element*, 2010, opr.ca.gov/docs/Update_GP_Guidelines_Complete_Streets.pdf

- [The city or county] shall require new developments to provide pedestrian and bicycle access and facilities for all users and offer developers incentives to help fund [city-, county-, or region-initiated] improvements to transit stops and stations.
- [The city or county] shall develop supportive design standards and integrate Complete Streets with other policies.
- [The city or county] shall create and maintain protocols to foster collaboration between relevant [city or county], regional, and state agencies to develop and implement Complete Streets policies.
- [The city or county] shall ensure the implementation of Complete Streets goals by working with public stakeholders and community groups to create facilities for comfortable walking throughout [the city or county], a complete and safe bicycle network, safe routes to school, and convenient and frequent transit service that will make transit an attractive option for all types of trips.
- [The city or county] shall train pertinent staff on the content of the Complete Streets principles and best practices for implementing the policy and regularly update information resources.
- All relevant [city or county] agencies shall review and revise as necessary their plans, manuals, policies, processes and programs to foster the implementation of Complete Streets on roadways in the jurisdiction and work collaboratively with state and regional agencies and neighboring jurisdictions whose decisions will impact the implementation of the Complete Streets policy.

Implementation Measures:

- Develop protocols to formalize mechanisms for cooperating with all government agencies implementing circulation element projects in the community to ensure Complete Streets goals and policies are considered in every project and incorporated if appropriate.
- Update the [city's or county's] traffic and street engineering standards for public and private streets to incorporate Complete Streets goals, policies, and design guidelines.
- Establish an inter-departmental advisory committee to oversee implementation of Complete Streets policy that will include members of the [Public Works, Engineering, Community Development, Parks and Recreation, and Police Departments, representatives from city governments within the County, the County Metropolitan Transportation Authority or the Regional Transportation Planning Agency, representatives from the bicycling, disabled, youth, and elderly community, and other community organizations]. The committee will meet [as necessary and report to City Council/Board of Supervisors on matters regarding implementation].
- Ensure at least one staff member in the planning department is delegated responsibility for maintaining an information database on Complete Streets in the community and best practices.
- Develop a pedestrian crossings policy, addressing matters such as where to place crosswalks and when to use enhanced crossing treatments such as in high traffic areas near schools and around parks.
- Consider developing a Transportation Demand Management/Commuter Benefits Ordinance to encourage residents and employees to walk, bicycle, use public transportation, or carpool.
- Develop a checklist for development and redevelopment projects to ensure the inclusion of infrastructure providing for safe travel for all users.

- Provide an annual report to the [City Council/Board of Supervisors] listing the street projects undertaken in the past year and briefly summarizing the complete streets infrastructure used and, if applicable, the basis for excluding complete streets infrastructure from those projects.
- Provide an annual report to the [City Council/Board of Supervisors] that tracks performance measures developed to measure Complete Streets policy implementation. Identify streets that can be "more complete" through either a reduction in the number or width of travel lanes or conversions, with consideration for emergency vehicle operation. Consider new bikeways, enhanced sidewalks, on-street parking, and exclusive transit lanes on these streets.

Performance Metrics

Sample Policy: All relevant agencies and departments shall perform evaluations of how well the streets and transportation network of [the city or county] are serving the community by developing performance standards that measure progress towards realizing complete streets policies, collecting baseline data in [the year of general plan promulgation], and collecting follow-up data on [an annual or biannual basis].

Implementation Measures: Develop [city- or county-wide and departmental] quantitative performance metrics for measuring the effect of Complete Streets policies.

Use Safe Routes to Schools Policy to help Complete Streets Policy Implementation

Sample Policy*:* As part of the on-going Safe Routes to School program, [The city or county] shall work with School Districts to increase the proportion of students who walk or bike to school by improving the safety of routes to school, by educating students and parents about the health and environmental benefits of walking and bicycling, and by creating incentives to encourage students to walk and bike.[33]

Resources:

The Federal Department of Transportation Federal Highway Administration has a set of policies and guidance documents to guide the integration of complete streets policies, especially in regards to pedestrians and bicycles on federally controlled roads and within state and metropolitan planning areas.[34]

The California Department of Transportation Complete Streets Policy and Implementation Plan: The California Department of Transportation Deputy Directive 64-Revision #1: 'Complete Streets: Integrating the Transportation System' (DD-64-R1, 2008) is CalTrans' complete street policy for application to all

[33] San Jose General Plan 2030, p. 6-41

[34] United States Department of Transportation, *United States Department of Transportation Policy Statement on Bicycle and Pedestrian Accommodation Regulations and Recommendations* (2010), http://www.fhwa.dot.gov/environment/bikeped/policy_accom.htm

parts of the State Highway System.[35] CalTrans' Complete Streets Implementation Action Plan guide pertains to the implementation of the policy and is a good resource for communities with main streets that also serve as California state highways.[36] A 2012-13 status report is available.[37]

OPR's complete streets guidebook includes a review of relevant national and state laws, the role of Metropolitan Planning Organizations and Regional Transportation Planning Agencies and the relationship between their planning processes (especially under SB 375) and local government planning processes, possible policy areas and data collection techniques for inclusion of complete streets policies in circulation and other elements, useful definitions, relevant case law, and case study resources.[38]

The National Association of City Transportation Officials' (NACTO) *Urban Street Design Guidelines* offers a comprehensive suite of recommended design principles that may inform design standards, planning, and phased implementation on Complete Streets policies.[39]

The National Complete Streets Coalition website gives several resources to guide communities through every stage of the process of developing and implementing complete streets policies.[40]

ChangeLab Solutions and partners developed a model Complete Streets Resolution template, a model Complete Streets Local Ordinance, supportive findings, and sample Complete Streets-supportive General Plan language with several opportunities to adapt the templates' language to local circumstances.[41] ChangeLab also provides a comprehensive list of Complete Street performance metrics.[42]

High quality local Complete Street policy examples:

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[35] California Department of Transportation, Deputy Directive 64-R1, (2008) http://www.dot.ca.gov/hq/tpp/offices/ocp/complete_streets_files/dd_64_r1_signed.pdf.

[36] The California Department of Transportation, Complete Streets Implementation Action Plan, 2010. http://www.dot.ca.gov/hq/tpp/offices/ocp/documents/complete_streets_files/CompleteStreets_IP03-10-10.pdf

[37] http://www.dot.ca.gov/hq/tpp/offices/ocp/complete_streets_files/Monitoring_Update-revised_5-23-13fnl_052813.pdf#zoom=75.

[38] Governor's Office of Planning and Research, *General Plan Guidelines: Complete Streets and the Circulation Element* (2010), http://opr.ca.gov/docs/Update_GP_Guidelines_Complete_Streets.pdf:

[39]

[40] See http://www.smartgrowthamerica.org/complete-streets; A particularly useful resource that includes model policy language is Stefanie Seskin and Barbara McCann, *Complete Streets Local Policy Workbook*, 2013, http://www.smartgrowthamerica.org/documents/cs/resources/cs-policyworkbook.pdf.

[41] ChangeLab Solutions and the National Policy & Legal Analysis Network to Prevent Childhood Obesity (NPLAN), California Complete Street Policies (2012), http://changelabsolutions.org/publications/CA-complete-streets-policies; ChangeLab Solutions, *Model General Plan Language on Complete Streets for California Cities and Counties*, 2012, http://changelabsolutions.org/sites/default/files/CalGeneralPlanCompleteStreets_rebrand_201201008.doc; ChangeLab Solutions, *Model Local Resolution Initiating Complete Streets Planning for California Cities and Counties*, 2012, http://changelabsolutions.org/sites/default/files/CalLocalResCompleteStreets_rebrand_20121008.doc; ChangeLab Solutions, *Model Local Ordinance on Complete Streets for California Cities and Counties*, 2012, http://changelabsolutions.org/sites/default/files/CalLocalOrdCompleteStreets_rebrand_20121008.doc.

[42] ChangeLab Solutions and the National Policy & Legal Analysis Network to Prevent Childhood Obesity (NPLAN), *California Complete Street Policies* (2012), http://changelabsolutions.org/publications/CA-complete-streets-policies;

San Francisco's Better Streets Plan established complete streets project design, review, and approval processes.[43]

The City of Sacramento requires a thorough Complete Streets review process that includes an ongoing identification of gaps in the Complete Streets network.[44]

The City of Santa Monica's General Plan provides a comprehensive suite of policies and implementation measures to support the development of Complete Streets in all future development.[45]

City the San Jose tied the implementation of Complete Streets policies to the city's Safe Routes to School policy and program.

City of Baldwin Park, *Complete Streets Policy, Administrative Policy No. 27* (2011) http://www.ca-ilg.org/sites/main/files/file-attachments/201110051804330.baldwinparkcompletestreets.pdf

City of Hermosa Beach, *Living Streets Policy*, (2012), http://www.smartgrowthamerica.org/documents/cs/policy/cs-ca-hermosabeach-policy.pdf

City of Huntington Park, *Resolution No. 2012-18* (2012), *http://www.smartgrowthamerica.org/documents/cs/policy/cs-ca-huntingtonpark-policy.pdf.*

City of Rancho Cucamonga, *Ordinance No. 857: An Ordinance of the City Council of the City of Rancho Cucamonga, California, Adopting a Complete Streets Program*, (2012) http://www.smartgrowthamerica.org/documents/cs/policy/cs-ca-ranchocucamonga-ordinance.pdf

2.3 Curtail or eliminate automobile LOS standards

Some local governments have changed automobile Level of Service (LOS) standards in General Plans to consider bicycle, pedestrian, and transit LOSs and how they interact with each other and automobile LOS. Two primary means of changing LOS standards to promote infill involve exempting certain areas from meeting generally applicable automobile LOS standards and applying other standards that use alternative indicators to measure the quality of the transportation system. SB 743 (Steinberg, 2013) allows local governments to eliminate the consideration of LOS standards in designated "infill opportunity zones" for purposes of CEQA review.[46] OPR is developing new traffic impact assessment criteria for transit priority areas and eventually statewide using a vehicle miles traveled (VMT) metric. In addition to VMT, non-LOS performance transportation system metrics include modal split, person

[43] Office of the Controller, City and County of San Francisco, *Better Streets Plan: Recommendations for Improved Streetscape Project Planning, Design, Review and Approval* (2010), http://www.sacog.org/complete-streets/toolkit/files/docs/SF%20Controller_Better%20Streets%20Plan%20Recommendations%20for%20Improved%20Streetscape%20Project%20Pl.pdf.

[44] The City of Sacramento, *Sacramento 2030 General Plan*, p.2-181

[45] City of Santa Monica, Planning and Community Development Department. 2010. *Santa Monica Land Use and Circulation Element: Maintaining the Character of Santa Monica While Enhancing the Lifestyle of all who Live Here*. Santa Monica, CA: 2.1-15 – 16.

[46] SB 743 §4, Gov. Code, § 65088.4.

throughput, and accessibility (proximity of people to activities). Transit Demand Management (TDM) programs can be coordinated with these policies to promote alternative modes.

Sample General Plan Language

Sample Goals: Streets are designed to accommodate all modes of transportation and reduce the traffic impacts of increased densities and more diverse land use mixes by increasing transit ridership, biking, and walking, and decreasing auto travel and related environmental and quality of life impacts of automobile use.

LOS Exemptions

Sample Policies:

- [The city or county] shall allow for flexible Level of Service (LOS) standards [in infill priority areas] and eliminate the application of LOS standards in infill opportunity zones.
- [The city or county] shall accept [LOS F at the intersection of […] during two hour peak periods (a.m. and p.m.)] as an interim standard until feasible traffic improvements can be designed, funded and constructed. If a Traffic Study is prepared and identifies a significant LOS impact to a roadway or intersection that is located within [one of the roadway corridors described below], the project would not be required in that particular instance to [widen roadways, other congestion mitigation strategies] in order for [the city or county] to find project conformance with the General Plan. Instead, General Plan conformance could still be found if the project [provides improvements to other parts of the city wide transportation system in order to improve transportation-system-wide roadway capacity, to make intersection improvements, or to enhance non-auto travel modes in furtherance of the General Plan goals. The improvements would be required within the project site vicinity or within the area affected by the project's vehicular traffic impacts. With the provision of such other transportation infrastructure improvements, the project would not be required to provide any mitigation for vehicular traffic impacts to the listed road segment in order to conform to the General Plan.]
- Small projects may be defined and exempted from traffic analysis per the [city's or county's] transportation policies.

Implementation Measures:

- Define infill opportunity zones and identify intersections [in infill priority areas] where projects will be exempted from meeting LOS standards.

Developing alternatives transportation system impact metrics:

Sample Policies:

- [The city or county] shall establish alternative transportation system assessment criteria to measure the performance of the transportation system and the impacts of new projects on the system.

- [The city or county] shall ensure that transportation system impact assessment metrics address relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and public transportation.

Implementation Measures:

- Identify transit priority areas [as well as other areas in which new transportation system impact assessment criteria will apply].
- Develop alternative transportation system impact criteria to be applied in [identified areas] and use these metrics for planning and in lieu of automobile LOS standards for environmental review.

Transportation Demand Management

Sample Policies:

- [The city or county] shall establish TDM programs to reduce peak-hour traffic congestion and help reduce regional vehicle miles traveled.
- [The city or county] shall require participation in TDM programs for projects [in infill priority areas] to encourage walking, biking, and transit, and to reduce vehicle trips. Engage existing development in TDM Districts and programs to encourage the reduction of existing vehicle trips.

Implementation Measures:

- Develop and promulgate a TDM policy and/or a trip reduction ordinance.

Resources:

The City of San Pablo's General Plan Circulation Element exemplifies the integration of Multi-mode LOS standard based Complete Streets Policies.[47]

The City of Oakland was one of the first communities in the U.S. to apply MMLOS for urban streets before 2010HCM in the Harrison Street/Oakland Avenue Community Transportation *Plan.*

The City of San Jose's General Plan contains a mix of LOS exemption and MMLOS policies.[48]

The City of Santa Monica implemented a net new trips indicator to evaluate transportation impacts of new development.[49]

[47] Dhatia & Bhatia, *San Pablo General Plan 2030,* 2010, 5-18, .http://www.sanpabloca.gov/DocumentCenter/Home/View/462

[48] *See* City of San Jose, *San Jose General Plan 2030, pp. 6-44,45.* The City of San Jose, *Traffic Impact Analysis Handbook – Volume I – Methodologies and Requirements*, 2009, http://www.sanjoseca.gov/DocumentCenter/View/4366.

[49] City of Santa Monica, Planning and Community Development Department. 2010. Santa Monica Land Use and Circulation Element: Maintaining the Character of Santa Monica While Enhancing the Lifestyle of all who Live Here. Santa Monica, CA: 3.1-12.

OPR's website dedicated to SB 743 provides information regarding the alternative transportation metrics developed under the program.[50]

The City of San Francisco Transit Authority is considering replacing LOS with an automobile trip-generation and transit system performance combined impact measure and mitigation fee, to be assessed on new developments and projects by use type on a square foot basis.[51]

U.S. EPA compiled a comprehensive list of alternative transportation system impact metrics, relevant analytic methods and data sources, and describes application best-practices and case studies.[52]

The National Center for Transit Research (NCTR) compiled a clearinghouse of TDM policies and trip reduction ordinances, including several examples from California.[53]

2.4 Prioritize infill in the Capital Investment Program (CIP) and other infrastructure planning processes

Priority infrastructure assets for infill development include sewer lines, transit access points, pedestrian-oriented street improvements, utilities, and parks.[54] Yet funding these infrastructure projects is a challenge for many local governments. Communities can use CIP processes to better assess existing infrastructure and create an updated inventory of the current quality, capacity, and lifespan. In addition, communities should try to focus infill development in areas with existing excess capacity. Finally, communities should dedicate future infrastructure spending to infill areas first.

Sample General Plan Language

Sample Goal: Sufficient information on the current quality, capacity, and lifespan of existing infrastructure is available and used to promote infill development with all new infrastructure projects.

Sample Policies:

- [The city or county] shall ensure that infrastructure maintenance and upgrade efforts are coordinated by a centralized inventory of existing capacities, identified needs, and planned projects.
- [The city or county] shall optimize existing resources by focusing new growth in developed areas with existing infrastructure (e.g., sewers, water lines, and transportation facilities).
- [The city or county] shall prioritize the development of infrastructure within [infill priority areas] to support the maximum densities in the zoning code.

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[50] California Governor's Office Planning & Research, *Developing Alternatives to Level of Service*, (no date), http://www.opr.ca.gov/s_sb743.php, accessed Oct. 25, 2013.

[51] Tilly Change, *San Francisco Transportation Sustainability Program*, 2012, Presentation given at the Complete Streets San Diego Conference, June 22, 2012. http://sdapa.org/go/wp-content/uploads/2012/06/Tilly-Chang.pdf; *see also* San Francisco Planning Department, *Transportation Sustainability Program*, (no date), http://www.sf-planning.org/index.aspx?page=3035, accessed Nov. 2, 2013.

[52] EPA, *Guide to Sustainable Transportation Performance Measures EPA 231-K-10-004* (2011), http://www.epa.gov/smartgrowth/pdf/Sustainable_Transpo_Performance.pdf.

[53] NCTR, Trip Reduction Ordinances/Regulations (no date), http://www.nctr.usf.edu/clearinghouse/tro.htm.

[54] Ethan Elkind, *Removing the Roadblocks: How to Make Sustainable Development Happen Now* (2011).

- [The city or county] shall ensure that new public facilities and infrastructure are designed and constructed to meet ultimate capacity needs to avoid the need for future upsizing. For facilities subject to incremental upsizing, initial design shall include adequate land area and any other elements not easily expanded in the future.
- [The city or county] shall ensure that developers can ascertain infrastructure impact fees as early as possible in the planning process and impact fees are set to ensure developers pay a fair share of the cost for facilities needed to accommodate growth without adversely impacting current service levels.

Implementation measures:

- Work with the public works department, other relevant local agencies, and members of the development community, including commercial and residential developers, real estate brokers, architects, financial partners, and development consultants, to understand the state of the market for infill development in the community and the infrastructure needs of [infill priority areas].
- Coordinate agency review of infrastructure assets to create a consolidated database of existing capacity and needed upgrades [in infill priority areas].
- During annual CIP reviews, develop a CIP-funding prioritization program to improve infrastructure in designated [infill priority areas] to ensure sewers, utilities, and other infrastructure assets can accommodate maximum zoned densities and support other planning priorities.
- Work within regional transportation planning processes to ensure that upgrades planned by different agencies are coordinated to prevent waste and ensure rational development.

Resources:

For several years, the City of Sacramento included a New Growth and Infill Overview section of the City's CIP to summarize infill-related planning priorities, major development projects, planned public improvements, and funding sources and constraints within the New Growth and Infill sites designated in the General Plan.[55] Subsequent updates show how the City further prioritized CIP funding to "shovel-ready sites" (short-term modifications to highest priority infill areas that required relatively minimal ordinance and zoning code changes to implement infill prioritization goals) and gives more detail to CIP projects designed for each infill priority area established in the General Plan.[56]

The City of San Jose included a comprehensive policy suite of infill-oriented infrastructure policies and implementation measures in the Envision San Jose General Plan. In particular, the city is focusing infill development in areas of existing excess capacity.[57]

[55] City of Sacramento, *2009-2014 Capital Improvement Program - New Growth and Infill Overview*, 2009, http://www.cityofsacramento.org/finance/budget/documents/05-NewGrowthInfill.pdf.
[56] See City of Sacramento, *2010-2015 Capital Improvement Program - New Growth and Infill Overview*, 2010, http://www.cityofsacramento.org/finance/budget/documents/P006-ApprovedSectionC-NewGrowthInfillProgram.pdf
[57] San Jose General Plan pp. 3-52—54.

3 Housing Element

Many infill priority areas are located in existing lower-income population centers. Affordable housing policies can reduce economic displacement and its negative economic, environmental, and social impacts. To do so, housing element discussions of infill priority areas should focus on ensuring new development provides for a wide variety of housing types to accommodate all income and affordability levels. Communities should consider pursuing infill as a means of meeting Regional Housing Needs Allocations. A jobs-housing fit indicator and dataset can be developed to measure the impacts of affordable housing programs. Communities can also pursue several policies to reduce displacement risks.

3.1 Use infill prioritization to meet affordable housing objectives

California cities and counties have used both mandatory and voluntary incentive strategies to integrate affordable housing into infill areas. Mandatory measures, often called inclusionary housing policies, require a certain amount of affordable housing in new residential and multi-use developments (of a given threshold size) as a condition of permit approval. Voluntary programs called housing overlay zoning provide development incentives, such as expedited permitting processes, higher height restrictions, higher density allowances, reduced permitting fees, and other benefits, in exchange for dedicating a certain amount of affordable housing or equivalents. Mandatory or voluntary programs that tie commercial development permits to affordable housing most often do so through workforce housing fees on developers. Both mandatory and voluntary programs benefit from the passage of an ordinance that outlines the zoning codes to which the requirements will apply and other details regarding the affordable housing provision.

Sample General Plan Language

Sample Goal: Infill development is the primary means to accommodate the targeted number and type of affordable housing units called for by the Regional Housing Needs Allocation.

Sample Policies:

- [The city or county] shall create diverse housing options [along transit corridors and in infill priority areas], replacing some commercial potential with additional affordable and workforce housing, and encouraging affordable workforce housing near transit stations.
- [The city or county] shall work to reduce commutes for residents by using employer incentives and government-funded workforce programs to increase local employment opportunities for workers in all income categories.
- [The city or county] shall use land use policies to ensure that affordable housing is integrated into mixed-use infill developments near employments centers and transit stations
- [The city or county] shall promote the integration of affordable housing for all community residents, [with a focus on including affordable housing in infill priority areas].
- [The city or county] shall prioritize the construction of new affordable housing units that are within walking distance to transit station, everyday services, schools, and employment centers.

- **Inclusionary Housing Ordinance:** [The city or county] shall encourage the development of [affordable housing and mixed income infill developments] through requiring [15%] of new residential units [in infill areas] to be dedicated to affordable housing units. Alternatively, developers will be able to meet this requirement by building the equivalent of [20% of total units] as affordable housing elsewhere in the community, pay an in lieu fee equal to the equivalent cost of [20%] of developments [to be paid to the city or county's affordable housing fund], or donate land with an equivalent value of [20%] of total units.
- **Affordable Housing Overlay Zoning**: [The city or county] shall encourage the development of mixed income infill developments through offering developers who dedicate at least [15%] of new residential units in the residential and mixed-used projects as affordable housing. Incentives may include density bonus incentives, height variances, permit streamlining, and fee exemptions.
- **Workforce housing program**: [The city or county] shall encourage the development of mixed income infill developments by [requiring/incentivizing] developers of new commercial or mixed-used projects to contribute to an affordable housing fund to fund the development of affordable housing near job centers.

Implementation Actions:

- [Develop and promulgate an, or revise the existing] inclusionary housing ordinance to require developers of new residential or mixed-used projects to integrate affordable housing into projects, [pay in lieu fees, or contribute land for the development of affordable housing elsewhere in the community].
- Develop and promulgate an affordable housing overlay zoning code to incentivize developers of new residential or mixed-used projects to integrate affordable housing into projects, [pay in lieu fees, or contribute land for the development of affordable housing elsewhere in the community].
- Develop and promulgate a workforce housing ordinance to require developers of new commercial or mixed-used projects to integrate affordable housing into projects, [pay in lieu fees, or contribute land for the development of affordable housing elsewhere in the community].
- Evaluate the feasibility of incorporating an affordable housing [requirement/ development incentive] program in the preparation of specific plans, master plans, or strategy plans that include plans for housing.

Resources:

The Department of Housing and Community Development Agency offers a detailed literature review of affordable housing program resources.[58]

A 2006 Institute for Local Government report reviewed critical features of affordable housing incentive programs and actions by local agencies to ensure continued affordability.[59]

[58] California Department of Housing and Community Development, Housing Policy Division, *Inclusionary Housing Publications*, 2008, http://www.hcd.ca.gov/hpd/inclusionary.pdf.

The American Planning Association developed a model Affordable Housing Density Bonus Ordinance that includes language designed for mandatory inclusionary housing ordinance or affordable housing overlay zoning. [60]

Inclusionary Housing Ordinance:

Resources:

The California Coalition for Rural Housing's (CCRH) California Inclusionary Housing Database contains information on the key characteristics of California inclusionary housing policies existing in 2009. California Coalition for Rural Housing, *California Inclusionary Housing Database*, 2009, http://www.calruralhousing.org/?page_id=110.

Communities planning to newly develop inclusionary housing ordinances can benefit from the checklist and explanatory materials developed by Enterprise Community Partners, Inc.[61]

Case Studies:

San Francisco launched an inclusionary housing program in 2006 that requires developers of residential projects of five units or more to either reserve 15% of project units for affordable housing or contribute higher in-lieu fees to an affordable housing fund or develop more units offsite.[62]

San Luis Obispo County's inclusionary housing ordinance is a high-quality example of a comprehensive inclusionary housing program.[63]

Affordable Housing Overlay Zones:

Case studies for Expedited Permitting:

The City of San Diego has an expedited permitting program for affordable infill housing developments of 10 or more proposed units and are located in designated urbanized areas.[64]

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[59] Polly V. Marshall and Barbara E. Kautz, *Ensuring Continued Affordability in Homeownership Programs*, 2006, http://www.ca-ilg.org/sites/main/files/file-attachments/resources__Ensuring_Continued_Affordability.pdf.
[60] American Planning Association, *Smart Codes: Model Land-Development Regulations PAS Report 556*, 2006, http://www.planning.org/research/smartgrowth/.
[61] Enterprise Community Partners, Inc. *Inclusionary Zoning Program Design Considerations (with a Program Design Checklist),* 2004, http://toolkit.valleyblueprint.org/sites/default/files/01_inclusionary_housing_checklist_0.pdf.
[62] Kenneth Temkin, Brett Theodos, and David Price. *Shared Equity Homeownership Evaluation: Case Study of the San Francisco Citywide Inclusionary Affordable Housing Program*, 2010, http://toolkit.valleyblueprint.org/sites/default/files/02_shared_equity_homeownership_evaluation_0.pdf
[63] County of San Luis Obispo, *Inclusionary Housing Ordinance*, *Ordinance No. 3169*, http://toolkit.valleyblueprint.org/sites/default/files/01_san_luis_obispo_inclusionary_ordinance_0.pdf.
[64] The City of San Diego City Council, *Affordable/In-fill Housing and Sustainable Buildings Expedite Program, Policy No. 600-27*, 2003, http://docs.sandiego.gov/councilpolicies/cpd_600-27.pdf

The City of Sacramento and Sacramento County partnered to develop a permit expediting process for certain pre-approved affordable house designs used in designated infill areas appropriate to small-lot single family units.[65]

Workforce Housing Programs

The City of Sacramento instituted a Housing Linkage Fee in 1989 that assesses a fee on commercial developments for the maintenance of an Affordable Housing Trust Fund. The Fund was established with the goals of requiring commercial development to address slow-income housing needs, increasing affordable workforce housing stock, stimulating affordable housing throughout the city, and providing affordable housing near job centers.

The City of San Francisco requires new or expanded commercial office development of greater than 25,000 square feet to contribute fees on a square foot basis (with the first 25,000 square feet exempt) to a trust fund for affordable housing.

3.2 Use a Jobs-Housing Fit metric to quantify housing opportunities for all community residents

Some communities calculate the performance of affordable housing programs by developing a jobs-housing fit indicator and calculation protocol to ensure that employment opportunities match residents' income levels. In its most basic form, this quantitative measure compares the availability of local jobs to the expenditures, skill, and labor force participation rates of local residents. The goal is to determine whether or not a city or county's economy has sufficient local employment opportunities to meet the needs of community residents.

Sample General Plan Language

Sample Goal: [Job type, workforce skills, income, and housing costs] are balanced throughout the community to ensure that all residents' commutes are affordable, to reduce the negative impacts of long commutes, and provide a range of employment opportunities for all [city or county] residents.

Sample Policy: [The city or county] shall develop metrics to ensure progress towards a balance [and fit] between local jobs and residents of all income categories.

Implementation Measures:

- Develop a job-housing fit metric that measures [the city's or county's] progress towards providing local jobs for residents of all incomes and meeting affordable housing allocations.
- Update [the city or county's] dispersion policy: 1) to align the location of future affordable housing developments with planned future growth areas identified in the Regional Housing Needs Assessment; 2) to be consistent with [the city's or county's] inclusionary housing ordinance; 3) to

[65] Sacramento County *Infill Home Plan Program*, 2013, See also City of Sacramento, *Infill House Plans*, http://portal.cityofsacramento.org/Community-Development/Planning/Long-Range/Infill/Infill-House.aspx, accessed Oct. 23, 2013.

maximize access from transit, retail, services, and amenities to affordable housing developments; and 4) to reemphasize the support for integration and complete communities.

Tools and Resources:

The U.C. Davis Center for Regional Change developed Jobs-Housing Fit ratio maps based on 2010 census data for every City and Census Designated Place in California and made these available on the Center's website. Chris Brenner, *Jobs-Housing Fit Analysis*, 2011, http://mappingregionalchange.ucdavis.edu/jobshousingfit2011.

For more information about jobs-housing fit metrics, see Sam Tepperman-Gelfant, *Proposed Jobs-Housing Fit Definitional Parameters*, 2010, http://www.publicadvocates.org/sites/default/files/library/jobs-housing_fit_memorandum_6-4-10.pdf.

For another discussion of the benefits and costs of a jobs-housing metric in California communities, see The California Planning Roundtable, *Deconstructing Jobs-Housing Balance*, 2008, http://www.cproundtable.org/media/uploads/pub_files/CPR-Jobs-Housing.pdf.

3.3 Reduce low income displacement in infill areas

Indirect displacement may occur when new development increases home prices and other living expenses and therefore forces lower-income residents to move to less expensive environments. Communities can pursue policies that prioritize new affordable housing in infill priority areas (see above) and use developer fees to rehabilitate existing affordable housing and fund new affordable housing through an Affordable Housing Trust Fund. Other policies and programs include standardized density bonus contracts with strong enforcement procedures, improved housing code enforcement, displacement impact fees, no net loss ordinances, and just eviction and rent control laws overseen by empowered rent boards.

Sample General Plan Language

Sample Goal: Displacement in infill priority areas is prevented through affordable housing loss mitigation policies and programs developed in partnership with members of affected communities.

Sample Policy:

- [The city or county] shall create an Affordable Housing Trust Fund capitalized by in lieu fees paid by developers to fund the construction of new affordable housing units.
- [The city or county] shall conserve the existing affordable housing stock through housing code enforcement and complementary programs such as rehabilitation loans and grants.

Implementation Measures:

- Monitor infill development efforts and effects to seek to avoid displacing lower-income and minority households through its infill development and neighborhood enhancement efforts and to involve these communities in infill efforts that could affect their neighborhoods.
- Develop protocols to guide constant informative outreach to low income communities most likely to be displaced by infill prioritization strategies.
- Create an Affordable Housing Trust Fund, paid from fees paid by new development, to pool community financial resources for the preservation and development of affordable housing.
- Consider developing and implementing other policies and programs to protect low income affordable housing including: [creating standardized density bonus contracts with strong enforcement procedures, improving housing code enforcement, imposing displacement impact fees, promulgating no net loss ordinances, and just eviction and just rent control laws overseen by rent boards].

Resources:

The California Institute for Local Government reviewed best practices in public outreach for building community support for affordable housing programs.[66]

The organization PolicyLink.org compiled an Equitable Development Toolkit and extensive information regarding federal programs for mitigating displacement. See http://www.policylink.org/EDTK.

Case Studies:

The City of San Francisco's development of a comprehensive suite of affordable housing and displacement risk mitigation policies was spurred primarily by self-organized local citizen groups that partnered with the city government to build these programs.[67] In recent years, the city committed to preserving and enhancing housing opportunities for low-income families, preventing displacement of low income families, and creating inclusive communities.

The City of Los Angeles Housing Department has a Systemic Code Enforcement Program that since the late 1990s has undertaken maintenance reviews and visual inspections of all of the city's multi-family stock several times and corrected millions of habitability violations.[68]

In June 2003, the City of San Jose established a Housing Trust Fund as a way to create a permanent source of funding for the City's housing and homeless programs.[69]

[66] Steve Sanders and Terry Amsler, *Building Public Support for Affordable Housing: A Toolbox for California Officials*, 2007, http://www.ca-ilg.org/sites/main/files/file-attachments/2007_-_webtoolbox.pdf.
[67] Marcia Rosen and Wendy Sullivan, *From Urban Renewable to Displacement to Economic Inclusion: San Francisco Affordable Housing Policy 1978-2012*, 2012, http://www.prrac.org/pdf/SanFranAffHsing.pdf.
[68] Los Angeles Housing and Community Investment Department, *Affordable Housing Preservation Program*, (no date), http://lahd.lacity.org/lahdinternet/AHPPHomepage/tabid/462/Default.aspx.
[69] San Jose General Plan, p. 7-39.

3.4 Use second units as a means to implement infill prioritization policies in single-family home neighborhoods

Second units, also called in-law apartments, granny flats, and accessory apartments, are accessory to and smaller than the main dwelling on a parcel. They are commonly equipped with kitchen and bathroom facilities. They are a form of "hidden density" that do not disturb the character of primarily single-family residential areas. The California Second Unit Law (AB 1866, 2002; Cal. Gov't Code §65852.2) requires local governments to establish ministerial permitting processes for second units and to develop standards that promote the development of such units. Communities that do not have a process for ministerial permitting of second units must follow permitting standards set by the Second Unit Law. Although second units are typically not targets of organized neighborhood resistance, traffic and other impacts may be a cause for concern among local residents. Community outreach efforts may therefore be necessary in some neighborhoods.

Sample General Plan Language

Sample Goal**:** Secondary units are promoted to add density to existing residential neighborhoods in a manner compatible with the aesthetics of the primary unit and surrounding neighborhood.

Sample Policies**:**

- [The city or county] shall [promulgate/amend] a second unit ordinance to facilitate the expedited and standardized ministerial permitting of second units in existing single-family neighborhoods.

Implementation measures:

- Undertake a community-wide assessment of regulations on single-family home lots that may present barriers to the development of secondary units.
- Develop and implement a secondary unit housing ordinance to guide the development and ministerial permitting of secondary units.

Resources:

The Institute of Urban and Regional Development at U.C. Berkeley authored several studies on how to increase the number of secondary units in the San Francisco Bay Area and in California generally, several of which analyze key barriers and strategies for a variety of communities.[70]

Many more resources on secondary housing units can be found at Institute of Urban and Regional Development's website.[71]

[70] Jake Wegmann, Alison Nemirow, and Karen Chapple; *Scaling up Secondary Unit Production in the East Bay: Impacts and Policy Implications – Working Paper 2012-05*, 2012, http://www.iurd.berkeley.edu/publications/wp/2012-05.pdf and Karen Chapple, Jake Wegmann, Alison Nemirow, and Colin Dentel-Post, *Yes in My Backyard: Mobilizing the Market for Secondary Units*, 2012, http://communityinnovation.berkeley.edu/reports/secondary-units.pdf.

Case Studies

San Luis Obispo County's Free Secondary Dwelling Plan Program offers local residents standardized free architectural designs for secondary homes and reduced permitting fees and expedited permitting for units that use the designs without modification.

The City of Santa Cruz offers an Accessory Dwelling Unit Development Program that provides technical assistance to homeowners; seven free architectural designs; and manuals that give detailed instructions on how to design, permit, and build secondary units; and conducted a significant community outreach and education effort to inform homeowners about their options and reduce community opposition.[72]

The County of Marin created a secondary-unit amnesty policy that allows unpermitted secondary units to be easily declared and permitted to the county without penalty. http://www.hcd.ca.gov/hpd/secondunits0805.pdf

The City of Ventura's General Plan includes locally-sensitive secondary unit support language.[73]

[71] *Publications-Working Papers 2000 to Present*, (no date), http://www.iurd.berkeley.edu/publications/workingpapers.shtml, accessed Nov. 8, 2013.
[72] Cathy E. Creswell, Division of Housing Policy Development, Department of Housing and Community Development, *Second-Unit Legislation Effective January 1, 2003 and July 1, 2003*, 2003, http://www.hcd.ca.gov/hpd/hpd_memo_ab1866.pdf
[73] City of Ventura. 2005. *Achieving the Vision: 2005 Ventura General Plan*. Ventura, CA: 3-30.

4 Conservation/Open Space Element

New green-field developments in peripheral areas compete with infill development for investments and market share. Conservation and Open Space policies should reduce incentives for the community to develop at the periphery by protecting agricultural and open space lands and increasing associated infrastructure development costs. Open spaces policies should also promote the greening of urban areas to improve the environmental amenities available to urban area residents.

4.1 Reduce incentives for new developments in undeveloped areas

Communities with agricultural lands or other open spaces on urban peripheries can decrease periphery development by incorporating plans to promulgate or further strengthen Urban Growth Boundaries (UGBs) and Urban Service Area (USA) lines. Transfer of Development Rights (TDR) programs can mitigate the negative impacts of UBGs and USAs on periphery area landowners.

Sample General Plan Language

Sample Goal**:** The environmental and social benefits of ecologically sensitive lands open space, and rural and other undeveloped lands are preserved for the enjoyment of the entire community.

Sample Policies:

- [The city or county] shall [develop an/minimize the existing] [Urban Growth Boundary/Urban Services Area Boundary] to support community planning priorities regarding the preservation and protection of ecologically sensitive lands, valuable agricultural lands, and open-spaces.
- [The city or county] shall restrict new residential and commercial developments outside of the Urban Growth Boundary.
- [The city or county] shall give property owners at the urban periphery incentive to maintain the current use of undeveloped lands by unbundling the development rights from these lands and allowing their sale to developers in urban areas.
- [The city or county] shall design development at the urban/natural community interface of the [Urban Growth Boundary] to minimize the length of the shared boundary between urban development and natural areas.

Implementation Measures:

- Establish an Urban Growth Boundary which identifies the [city or county's] sphere of influence or its ultimate boundary and service area [for the next thirty years] within which a full-range of urban services will need to be extended to accomplish urban development.
- Implement and periodically update a growth management system to guide the timing, type, and location of growth outside the urban growth boundary; preserve agricultural lands from any development; and protect natural features and open space.
- Periodically adjust, no less frequently than once [every five years], the land use and economic demand projections used to determine population estimates, needed land supply, and amendments to the Urban Growth Boundary.

- Explore the creation and use of transfer-of-development rights and conservation easements programs to reduce the incentives to develop non-urban areas.

4.2 Create innovative green space compliance options for infill developments

Rather than mandatory per-unit green space requirements, California cities and counties have begun to implement a variety of programs that assure access to green spaces in urban centers. At the same time, they allow developers a measure of flexibility to reduce the impact of higher land prices. These communities often set urban green space goals based on per capita green space area at the city/county scale or with a jurisdiction-wide maximum per-unit distance from green space or types of green spaces.

To increase developer flexibility in complying with public green space requirements, planners should consider every possible space available to the city or county. Innovative green space options include joint-use agreements with local schools for after-hours use of school grounds as parks and recreation centers, pocket parks, green spaces on public right-of-ways, and rooftop green spaces. To realize the development of these spaces, policy makers should require in lieu park fees to be spent within a limited proximity of the paying development.

Sample General Plan Language

Sample Goal: All infill priority area residents have safe, close, and convenient access to high quality green spaces and park areas which may include non-traditional green spaces so long as such spaces provide access to park-like amenities within [1/4 square mile of all residential units for at least an average of 4 hours per day].

Sample Policies:

- [The city or county] shall require new developments to provide for [or pay in lieu fees] supporting the development of urban open space and parkland recreation areas through a combination of high-quality, publicly accessible outdoor spaces provided as part of new development projects; privately or, in limited instances, publicly owned and maintained pocket parks, tot lots, seating plazas, and other aesthetic green spaces; publically accessible rooftop gardens where possible; as well as through access to trails and other park and recreation amenities on safely accessible public right-of-ways.
- [The city or county] shall explore the development of several alternative methods to incorporate green spaces and parks into urban and infill areas, such as through signing joint-use agreements with local public and private schools to open schoolyards to the public after school hours, the development of pocket parks, tot-lots, basketball courts, and other facilities on underused lots and government-owned parcels, and the development of design guidelines and building codes to support rooftop green spaces.
- [The city or county] shall locate all new residential developments over [200 units in size within 1/3] of a mile walking distance of an existing or new park, trail, open space or recreational school grounds open to the public after normal school hours.

- To ensure that residents of a new project and existing residents in the area benefit from new amenities, [The city or county] shall spend [park fees] on neighborhood serving elements [such as playgrounds/tot-lots, basketball courts, etc.] within [a 3/4 mile] radius of the project site that generates the funds.

Implementation Measures:

- Undertake a study of potential alternative green spaces in urban areas, including joint-use school grounds, public right-of-ways, underutilized lots, and publically-accessible rooftops.
- Update existing arrangements and create new agreements to allow the joint use of schools, private recreation spaces, and [city or county] recreational and park facilities.
- Create a program to utilize underdeveloped lots and government lands in infill areas to support recreational uses.
- Revise local building codes to support publicly-accessible rooftop green spaces where appropriate.

5 Noise Element

5.1 Incorporate sensitive uses setbacks and noise mitigating infrastructure

Prime infill sites are often located near stationary noise sources and transportation facilities that may generate disruptive and in some cases unhealthy levels of noise. This noise is especially a concern for infill development located near transit and rail infrastructure. Communities can mitigate these effects through promulgating noise ordinances, although federal and state laws preempt control of mobile noise sources on public roads. Noise ordinances can therefore apply to transit centers but not to mobile sources such as heavy trucks on public roadways.

Noise-conscious land use planning can mitigate noise impacts in infill development. The noise contour maps contained in the general plan's noise element can ensure that noise-mitigating strategies such as use-based setbacks, noise-mitigating physical infrastructure, and building and insulation standards apply in areas with residences, schools, elderly care facilities, hospitals, and other sensitive uses. Policy makers should not limit development in louder ambient noise areas but instead should increase efforts to record site noise levels and incorporate noise-mitigating details into site and building plans. See the noise element discussion in the 2014 General Plan Guidebook for more details.

Sample General Plan Language:

Sample Goal: The negative impacts of noise on people and surrounding environments are mitigated through set back requirements for sensitive uses and requirements for noise mitigating technologies.

Sample Policy: Locate new development in areas where noise levels are appropriate for the proposed uses. Consider federal, state and City noise standards and guidelines as a part of new development review.

Implementation Measures:

- Include appropriate site and building design, building construction and noise attenuation techniques in new development to meet exterior and interior noise standards. For sites with exterior noise levels of [60 dBA DNL or more], an acoustical analysis following protocols in the California Building Code is required to demonstrate that development projects can meet this standard.
- For new multi-family residential projects and for the residential component of mixed-use development, use a standard of [60 dBA DNL] in usable outdoor activity areas, excluding balconies and residential stoops and porches facing existing roadways. Some common use areas that meet the 60 dBA DNL exterior standard will be available to all residents. Use noise attenuation techniques such as shielding by buildings and structures for outdoor common use areas.
- Include appropriate noise attenuation techniques in the design of all new streets projected to adversely impact noise sensitive uses.

6 Safety

Infill development puts residents in closer proximity to each other and human activities, which can entail greater risks to personal safety if impacts are not effectively mitigated. Three effective risk-mitigating strategies include ensuring that infill area designs incorporate physical crime-prevention measures, make use and design decisions with sensitivity to air quality constraints, and design transportation systems to reduce vehicular risks.

6.1 Integrate defensible space into street and building design guidelines

Several best-practice communities have integrated architectural and street design policies in general plans, design guidelines, and other policies to reduce the ability of criminals to operate unnoticed and thereby increase the sense of personal safety in infill areas. Measures that increase space defensibility are often called Crime Prevention Through Environmental Design (CPTED).

Sample General Plan Language

Sample Goal: [Infill priority areas] are designed and maintained to decrease the risk of crime and increase the perception of personal safety for residents, workers, and visitors.

Sample Policy

- [The city or county] shall support crime prevention in street, public spaces, and building designs by promoting the integration of Crime Prevention Through Environmental Design (CPTED) measures in new developments and street design standards, including measures that create defensible spaces, building orientation and design guidelines that promote visual and physical access, and maintenance programs that provide an ongoing sense of order and eliminate indicators of criminal activity.
- [The city or county] shall enhance or create ordinances which limit the number and increase community control over the operation of ABC licensed premises.

Implementation

- Integrate Crime Prevention Through Environmental Design measures into design guidelines for [infill priority areas].
- Develop an ordinance that limits the number and increases community control over the operation of ABC licensed premises in infill priority areas.

Resources:

Resources and policy best practices on CPTED have been compiled by the Local Government Commission and the Active Living by Design resource center and are available online.[74]

[74] Local Government Commission. "Designs and Codes that Reduce Crime Around Multifamily Housing," available at www.lgc.org/freepub/land_use/factsheets/anti_crime_design.html; Active Living by Design. www.activelivingbydesign.org/index.php?id=319.

6.2 Implement heightened air quality requirements for high traffic zones

Cities and counties can use specific building and zoning code measures to mitigate air quality impacts and air pollution-related risks for infill developments near high-traffic roadways. As in the noise element discussion, the location of infill in higher-risk areas should not be a bar to development, but rather an inducement to further study impacts and use mitigation measures where appropriate.

Sample General Plan Language

Sample Goal: Reduce air quality-related risks in [infill priority areas].

Sample Policies:

- [The city or county] shall consider the cumulative air quality impacts for proposed land use designation changes and new development consistent with the region's Clean Air Plan and State law.
- [The city or county] shall determine in the creation of area, community, and specific plans whether certain areas may need further evaluation of the effects of air pollution and will consider measures to mitigate identified risks as they are identified.
- [The city or county] shall review and evaluate the effectiveness of site design measures, transit incentives, and new transportation technologies and encourage those that most successfully reduce air pollutant emissions.
- [The city or county] shall encourage the installation of appropriate air filtration technologies at existing schools, residences, and other sensitive receptor uses adversely affected by air pollution.

Implementation Measures:

- Determine areas of the community where negative health impacts of poor air quality are likely and develop mandatory design measures to improve air quality in buildings.
- Consult with [the regional air district] to identify stationary and mobile TAC sources and determine the need for and requirements of a health risk assessment for proposed developments.
- Adopt new development code provisions that ensure uses in mixed-use projects do not pose significant air pollution health effects.

Resources:

The City and County of San Francisco's 2008 Air Quality Assessment and Ventilation Requirement for Urban Infill Residential Developments set specific air quality monitoring and impact mitigation requirements for infill area.[75]

[75] San Francisco Health Code §§3801 et cet. Available at http://www.amlegal.com/nxt/gateway.dll/California/health/article38airqualityassessmentandventilat?f=templates$fn=default.htm$3.0$vid=amlegal:sanfrancisco_ca.

6.3 Reduce street risks with traffic calming policies and pedestrian and bike safety measures

Safety and circulation element policies should work to reduce hazards created by automobile infrastructure and create safe non-automobile transportation options within and between infill areas.

Sample General Plan Language

Sample Goal: All streets and other vehicle access areas are designed to allow for the safe and equal access to all modes of transportation.

Sample Policies:

- [The city or county] shall design and operate sidewalks, trails, bike lanes, streets, transit stops, and intersections to emphasize pedestrian safety and comfort through a variety of street design and traffic management solutions.
- [The city or county] shall develop and implement speed management policies that support driving speeds on all city streets that are safe for pedestrians.
- [The city or county] shall improve pedestrian safety at intersections and mid-block locations by providing safe, well-marked pedestrian crossings, bulb-outs, or median refuges that reduce crossing widths, and/or audio sound warnings.

Implementation Measures:

- Identify intersections and other locations where collisions have occurred or that present safety challenges for pedestrians, bicyclists, or other users; and prioritize modifications to the identified locations and identify funding streams and implementation strategies, including which features can be constructed as part of routine street projects.
- Identify physical improvements that would make bicycle and pedestrian travel safer along current major bicycling and walking routes and the proposed future network, prioritizing routes to and from schools and routes used to access public transportation stops.
- Collaborate with schools, senior centers, advocacy groups, and public safety departments [insert additional specific departments as appropriate] to provide community education about safe travel for pedestrians, bicyclists, users of public transportation, and others.

Resources:

San Jose's Traffic Calming Toolkit details the city's traffic calming programs as part of the city's strong infill-related walkability goals.[76]

The City of San Diego's ongoing Comprehensive Pedestrian Safety Study updates the city's existing policies regarding pedestrian crossings. It evaluates current policies and practices at the local, state and federal level to improve pedestrian safety; researches new technologies and techniques that can be

[76] www.sanjoseca.gov/transportation/forms/toolkit.pdf.

used to enhance the pedestrian environment; conducts outreach to ascertain issues and concerns related to pedestrian safety; and evaluates a sample of pedestrian crossings types.[77]

CalTrans uses a pedestrian safety-oriented guide to design higher-speed highways that also serve as main streets for California communities. The guidebook includes short descriptions of traffic calming and other pedestrian safety measures, as well as CalTrans policies for transitioning to lower speeds around pedestrian traffic areas.[78]

Santa Monica commissioned the development of a pedestrian and bicycle travel demand model to improve street design for alternative modes.[79]

6.4 Create protocols for cooperative agency review for emergency vehicle access

Local police and fire departments should review plans to ensure designs do not interfere with the delivery of essential public safety services, particularly during the initial planning of infill priority areas. This early effort can ensure that safety personnel help determine the physical risk character of each area.

Sample General Plan Language

Sample Goal: Ensure access for public safety providers in infill priority areas.

Sample Policies:

- [The city or county] shall engage public safety personnel in the as early as possible in the land use entitlement and design review processes for new development projects.
- [The city or county] shall ensure that traffic calming measures do not significantly hinder emergency response or adversely affect the ability of emergency service providers to achieve their respective performance standards.

Implementation Measures:

- Cooperate with public safety departments to consider whether the departments should expand its equipment to include an adaptive response vehicle, which would be smaller and more maneuverable and able to handle different types of calls in difficult-to-access developments.

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[77] See City of San Diego, Department of Transportation and Storm Water, *Comprehensive Pedestrian Safety Study*, no date, http://www.sandiego.gov/tsw/projects/pedestriansafetystudy.shtml accessed Nov. 1, 2013; see also Jones, M.J., S. Ryan, J. Donlon, L. Ledbetter, D.R. Ragland, and L. Arnold. *Seamless Travel: Measuring Bicycle and Pedestrian Activity in San Diego County and its Relationship to Land Use, Transportation, Safety, and Facility Type, Caltrans Task Order 6117*, 2010. http://www.path.berkeley.edu/PATH/Publications/PDF/PRR/2010/PRR-2010-12.pdf

[78] California Department of Transportation, *Main Streets: Flexibility in Design & Operations* (2005), http://www.dot.ca.gov/hq/oppd/context/main-streets-flexibility-in-design.pdf:

[79] Fehr & Peers Transportation Consultants, Santa Monica Pedestrian and Bicycle Travel Demand Model Development Report, March 2010. http://bikeped.fehrandpeers.net/santa-monica-citywide-bicycle-pedestrian-demand-model/

7 Financing

Infill development can face a range of challenges that result in difficulty securing financing. Reports by the EPA, the Strategic Growth Council and others have identified five major barriers facing most infill efforts in California.

- **Inadequate market demand at prices necessary for project health**: Lower-than-expected market demand is often due to a combination of factors that result in a mismatch between what occupants can afford to pay and the price point at which new units can be developed. More affluent occupants are more likely to be able to afford units that realize healthy financial returns for developers, while lower-income occupants often require subsidies through affordable housing grants and density bonus-induced development. Project developers in turn rely on local amenities such as infrastructure, roads, adequate public transit, and parking. While demand for infill is growing in many parts of California, the ability of local governments to provide these needed and desired amenities in infill priority areas will be a large determinant of the success of their infill-prioritization strategies.
- **The non-standard capital expenditure profile of infill developments**: Infill development general entails higher up-front costs per unit than suburban development, due to a variety of factors including non-standard lots and planning needs, infrastructure expansion requirements, lot remediation requirements, and the need for the urban amenities listed above.
- **The time and labor costs associated with physically planning infill development**: infill planning and development is a laborious and time-consuming process. It involves site development constraints such as complicated site assembly and limited site size, infrastructure planning, environmental permitting, traffic planning, and other needs for coordinated planning.
- T**he time and labor costs of the regulatory process**: Many significant infill developments require changes to the traditional local government planning processes. However, many developers cannot allocate sufficient resources to navigating local government permitting processes. Planning and policy constraints including but not limited to general plan and zoning limitations and fire codes, street size, and other restrictive policies.
- **A lack of leadership in the face of localized community opposition**: Communities that have helped organize infill supportive constituencies, citizen advisory panels, and community outreach events have enabled developers to interact with community representatives and tune their plans to community needs at early stages, thereby reducing waste and uncertainty.

This chapter focusses on initial steps to ready a community for these challenges. In the short term, communities should reduce the two primary causes of infill challenges: 1) inadequate demand and community support for infill and 2) high costs from government-imposed infill planning and permitting costs. As a dramatic simplification of the infill political landscape, Figure 1 subdivides California cities and counties into four groups to establish a strategy prioritization methodology in a 2x2 grid below.

Using this strategy, California communities may be grouped into four categories.

- **Communities that have high policy-imposed costs and low community support** (Q1) are the majority of CA communities.
- **Communities that are supportive of infill but cannot implement projects due to financing constraints** (Q2): this is the second most common type of communities. These communities face policy- and land-economics based constraints to further development.
- **Communities that are resistant to infill** (Q3): Q3 communities contain local community members and stakeholders that have become resistant to infill due in part to historical mismanagement of infill projects within the region.
- **Communities that face equity issues related to successful infill development** (Q4): Q4 communities are high performing but struggle with displacement, gentrification, and attendant equity concerns.

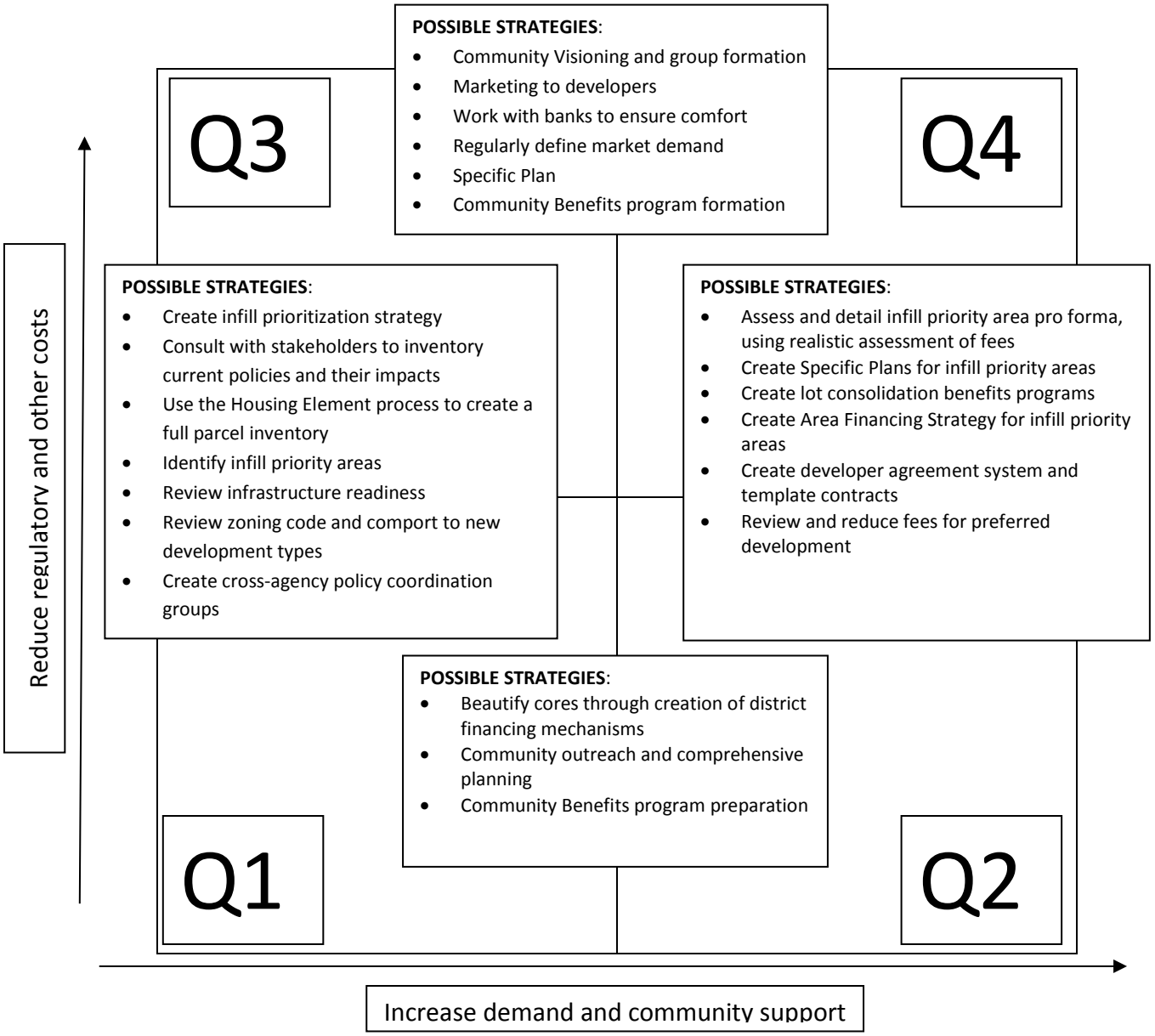

Figure 1: Simplified Demand/Cost Matrix for Infill Development in California

Strategies Forward

Q1 Communities are characterized by both high policy costs (outdated zoning codes and low infrastructure readiness/high developer fee structures) and low market demand (low demographic demand for new housing units, low economic development potential that reduce demand for new commercial development). In the short-term planners should choose to initiate programs that will either move the community towards Q2 or Q3.

- Sample communities transitioning out of Q1:
    - Pre new GP Fresno (Q1 → Q4 via GP process)
    - Kern County (Q1 → Q2 via downtown beautification)
    - Richmond (Q1 → Q2 via plan van and healthy communities plan)
    - Modesto (Q1 → Q3 via form based code)

Communities in Q3 are characterized by fewer policy-imposed costs but lower market demand for infill housing and new commercial developments. These communities should consider using available grant funding and general fund revenue towards improving community relations. Communities with relatively greater funding availability and established infill prioritization plans should use available data to undertake collaborative planning with community stakeholders. Over the longer term, these communities may be interested in using available funds to create catalyst projects within infill priority areas. Communities may also be well served by working with community members and developers to define priority community amenities and offer development benefits such as increased FARs in exchange for the provision of public amenities.

- Sample communities transitioning out of Q3:
    - Santa Monica (Q3→Q4 via community benefits program)
    - Pasedena/Ventura (Q3→Q4 via comprehensive planning processes)
    - Livermore (Q3→Q4 via downtown revitalization plans)
    - San Jose (Q3→Q4 via non-infill area preservation policies and specific plans in infill prioritization areas)

Q2 communities are often on the urban periphery where planners must work against outdated plans and significant infrastructure barriers, but where demand is high for infill. These communities will need to undertake comprehensive assessments and reduce policy barriers.

- Sample communities transitioning out of Q2:
    - Emeryville (Q2 → Q4 via brownfields program)
    - Sacramento Cty and City (Q2 → Q4 via infill prioritization plan and small lots and pre-approved design standards)
    - Parts of San Jose (Q2 → Q4 via Specific Plan-first strategy in infill priority areas)

- Berkeley (Q2 → Q4 via context sensitive infill in high-traffic areas)
- Mountain View ((Q2 → Q4 via long term comprehensive planning)

Communities in Q4 have lowered policy barriers and induced market demand and stakeholder support over extended periods, resulting in high-visibility projects. However, local residents may experience negative equity impacts, such as displacement, gentrification, and dislocation. These communities should improve measures of equity such as the jobs-housing indicator, equal opportunity housing laws, low income housing development, and community benefits programs.

- Sample communities working on the challenges of Q4:
  - San Francisco: bike plans, walkability plans, housing trust funds
  - Los Angeles: community benefit programs around TODs
  - San Diego
  - San Jose
  - Mountain View

7.1 Undertake a financial assessment of revenue sources and funding needs

Communities should financially assess the costs of infill prioritization strategies on local government budgets (both in terms of the start-up and planning costs of short-term incremental steps as well as longer term maintenance costs for larger projects) and compare them to existing assets such as publicly-owned land and revenue sources. The assessment should include local infrastructure, public land reuse opportunities, and, to the extent possible, regional infrastructure needs. This inventory should be made available to the public to increase transparency.

Sample Goal: A thorough assessment of local infrastructure needs, infill-appropriate parcels, and supportive regional infrastructure is publicly available.

Sample Policy: [The city or county] shall undertake and regularly update a financial assessment of the potential costs of the infill prioritization strategy to prioritize CIP spending and identify needed funding.

Implementation Measure: Undertake a financial assessment of the infill prioritization strategy with the goal of creating a publicly accessible database of funding needs for the infill prioritization strategy.

7.2 Improve access to capital with funding measures tailored to existing conditions

A key feature that differentiates highly-supportive jurisdictions is the degree to which fees and processes are transparent, consistent, and sufficiently noticed. Jurisdictions should match their capital constraints with the timeline for developing and implementing infill supportive and measures. Communities just starting will most likely need capital to prepare infill priority areas for development. They can begin at low cost through beautification efforts that aim to increase developer and stakeholder interest in further planning efforts. Communities can then work with developers to redistribute infrastructure impact fees across current and future projects in an equitable manner.

Communities in Q1

Sample Goal: [Infill priority areas] provide welcoming, clean, walkable, and safe environments that represent the best face of [the city or county].

Sample Policies:

- [The city or county] shall develop and implement low-cost [store-front, sidewalk, and street] improvement programs using [General Fund revenues] in [infill priority areas] while developing Complete Street policies and design guidelines.
- [The city or county] shall raise funds for the aesthetic improvements in [infill priority areas] by researching and applying for planning grants from private, state, and federal entities; working with community members to establish business and other special districts; and considering [developing/raising] utility, hotel, and other taxes.
- [The city or county] shall promote good urban design by focusing street and lot improvement efforts on [infill priority areas, high traffic commercial cores, transit stations, and neighborhood centers] to ensure these areas serve pedestrian and bicycle traffic from surrounding residential, parking, and commercial areas through [undertaking street beautification, installing pedestrian and bike amenities like trash cans and bike parking, including landscaping and architectural features within all new development, ensuring safe continuous connections, eliminating large parking lots, revitalizing vacant lots, and other pedestrian friendly design elements].

Implementation Measures:

- Give the greatest priority to developing high-quality streetscape amenities (such as trees, lighting, recycling and refuse containers, seating, awnings, art, or other amenities) in [designated infill priority areas].
- Create beautification programs in infill priority areas in cooperation with businesses and property owners that works to improve pedestrian spaces through [ensuring safe continuous connections, undertaking street beautification, installing pedestrian and bike amenities like trash cans and bike parking, and other pedestrian friendly design elements].

Resources

ChangeLab compiled a list of potential grant sources used in infill contexts.[80] The Community Development Block Grant (CDBG) program provides federal funding to develop viable urban communities by providing decent housing, a suitable living environment, and economic opportunities, principally for persons of lower-incomes.

Case Studies

[80] Peter Stair, Heather Wooten, and Matt Raimi. 2012. How to Create and Implement Healthy General Plans: A toolkit for building healthy, vibrant communities. Oakland, CA: ChangeLab Solutions.

The City of San Jose prioritized the aesthetic development of infill priority areas to further attract capital while specific plans are prepared.[81]

Kern County used fee revenue from renewable energy projects in the county to begin the effort to revitalize some unincorporated urban areas.

The City of Modesto developed a form-based code in the downtown area to help induce development interest in the community's infill prioritization strategy by expediting entitlement processes and reducing planning costs on new development.

Communities in Q3

Sample Goal: Funding contributions for infrastructure and services development projects in infill priority areas are distributed among current and future developers to ensure that all developers pay no more than their fair share of the cost of necessary infrastructure improvements.

Sample Policies: [The city or county] shall ensure that fees paid by developers for infrastructure and improvement projects are limited to the actual infrastructure expansion needs induced by the project, and any excess fees contributed by the development are repaid.

Implementation Measures: Research and develop a report on the costs and benefits of developing a revolving loan fund and/or standardized developer reimbursement agreements to create alternative funding mechanisms for new infrastructure projects in infill priority areas.

Communities in Q2

Sample Goal: Infill priority policies and programs are responsive to community needs and phased to ensure equitable distribution of benefits and costs among all community members over time.

Sample Policies:

- [The city or county] shall build community support for infill priority policies through concerted outreach efforts to assess community planning priorities.
- [The city or county] shall incorporate the expressed desires of community stakeholders when developing development incentives such as expedited permitting processes, higher height restrictions, higher density allowances, reduced permitting fees, and other benefits.

Implementation Measures:

- Undertake an assessment of community planning priorities in [infill priority areas].
- Research developers' appetites for development incentives in [infill priority areas] and compare this appetite to community planning priorities to prioritize needs and link the two.

[81] City of San Jose, California. 2011.Envision San Jose 2040 General Plan: Building a City of Great Places. San Jose, California. 4-12.

Resources

The Strategic Growth Council (SGC) published a comprehensive evaluation of long-term funding options for local governments pursuing infill. The SGC document is intended to help create long-term sustainable financing for infill-oriented communities and represents a comprehensive and detailed explanation of the current common funding mechanisms used by California communities.[82]

The U.S. EPA also produced a study of financing mechanisms to support Transit-Oriented Developments across the United States, including several California case studies. Like the SGC report, this report examines longer-term financing options and contains detailed case studies of long-term infill development efforts and their historical funding challenges and successes.[83]

[82] Economic and Planning Systems, *Infill Finance Options Analysis Existing Financing Mechanisms* EPS 121040 (2014). Economic and Planning Systems, *Infill Development Program and Recommendations* EPS 131040 (2014).
[83] Office of Sustainable Communities, Smart Growth Program, U.S. EPA, *Infrastructure Financing Options for Transit-Oriented Development* (2013), http://www.epa.gov/smartgrowth/pdf/2013-0122-TOD-infrastructure-financing-report.pdf.

8 Implementation strategies

8.1 Create an omnibus position for early project review with coordinated outreach during project development

Mandatory preliminary review meetings allow for early feedback regarding project proposals and help developers align proposals with community expectations while optimizing infill incentives.

Sample General Plan Language

Sample Goals: Developers are able to access sufficient information regarding the permitting processes required in infill priority areas early in the development process and can avail themselves to planning agency staff to assist with the coordination of permit reviews and [city or county] infrastructure development planning.

Sample Policy: [The city or county] shall consider establishing a position of infill program coordinator, either as a staff position or through contract, to coordinate infill development permitting activities and to assist in the implementation of infill incentives and planning programs.

Implementation Measures: Create a new position for [city or county] Infill Coordinator within the [City Manager's Office]. The Infill Coordinator position will serve to promote and market infill development, assist infill projects through the development process, identify infill project issues and coordinate issue resolution, and implement various infill incentive programs.

Resources

A new plan, Build L.A., proposes to streamline construction permitting by assigning a city case manager to developers working on larger projects. The Build L.A. proposal would assign city case managers to developers working on big projects to help shepherd them through 17 steps and departments needed for city permission to build. The goal is to have one point of contact for each project; the proposal is meant to improve efficiency and transparency in the approval process.

8.2 Regularize General Plan reviews to assess progress and barriers

Routine audits can identify the practices and policies that have worked and help refine existing goals. Quantitative indicators can greatly inform annual reviews, although they should be used in combination with participatory feedback to provide anecdotal evidence.

Sample General Plan Language

Sample Goal: Quantitative performance measures are used during annual general plan reviews to assess progress to evaluate progress towards [the city or county]'s infill prioritization goal.

Sample Policies:

- [Policies should include the quantitative metrics developed for the community]
- [The city or county] shall undertake performance evaluations based on established quantitative metrics and shall make a report available to the public and stakeholders on an

annual basis. .

Implementation Measures

- Work with [city or county] agencies to develop appropriate quantitative performance indictors to support infill prioritization goals and policies.
- Work with community groups and members of the public to annually evaluate indicators to ensure consistency between infill prioritization goals and review processes.

Resources

The City of San Jose developed a comprehensive set of performance indicators to measure progress towards the staged infill prioritization goals established in the General Plan.[84]

The City of Santa Monica's performance indicators coordinate with the city's community benefits program that offers developers development incentives for improving indicator performance.[85]

8.3 Support community groups as a means to sustain infill prioritization goals

Strong neighborhood leadership groups can greatly enhance infill prioritization efforts.

Sample General Plan Language

Sample Goal: Progress towards infill prioritization goals is guided by strong community oversight after general plan promulgation and during the development of subsequent planning efforts.

Sample Policy: [The city or county] shall develop a process by which community members are appointed and/or elected to represent their communities for [X years] in the co-development of subsequent area, community, or specific plans.

Implementation Measure: Develop by-laws, rules of formation, and other guiding documents for community organizations to continue to implement the general plan [in infill prioritization areas].

Resources

San Jose's Strong Neighborhoods Initiative (SNI) formalized the city's strategy to direct planning and redevelopment resources to particular neighborhoods. Neighborhood Advisory Committees (NACs) formed for each SNI area, with approximately 12 to 25 members, including property owners and tenants, neighborhood association representatives, businesses, and other community stakeholders.

San Diego's Urban Village effort relies on continuous efforts of both elected and appointed community representatives in all of the city's districts.

[84] City of San Jose, California. 2011.Envision San Jose 2040 General Plan: Building a City of Great Places. San Jose, California.

[85] City of Santa Monica, Planning and Community Development Department. 2010. Santa Monica Land Use and Circulation Element: Maintaining the Character of Santa Monica While Enhancing the Lifestyle of all who Live Here. Santa Monica, CA: 3.1-12.

9 CEQA Exemptions

Communities should incorporate considerations of statutory CEQA exemptions and the requirements for plan-level EIRs when determining highest priority infill areas and projects. Often, these exemptions require the preparation of an environmental impact report at the plan level, which the project-level EIR can "tier" from so long as impacts have not changed significantly. Several types of small infill prioritization preparation projects are categorically exempt from CEQA, such as sidewalk improvements and new bicycle lanes on existing right-of-ways (§15304). CEQA also contains a categorical exemption for low impact infill development projects. New legislation created CEQA exemptions through SB 375 (Steinberg, 2008), SB 226 (Simitian, 2011), and SB 743 (Steinberg, 2013), summarized below.[86]

Sustainable Communities Strategies (SB 375)

SB 375 (Steinberg, 2008) seeks to reduce vehicle miles traveled (VMT) and greenhouse gas emissions by connecting long-range transportation planning and local land use planning in a regional plan known as a sustainable communities strategy. Specifically, the sustainable communities strategy becomes a chapter within a regional transportation plan. To encourage development that is consistent with a sustainable communities strategy, SB 375 provides "transit priority projects" a quicker path through the environmental review process. Transit Priority Projects meeting certain criteria may be exempt from CEQA altogether. (See Public Resources Code Section 21155.1.) Other projects may use a streamlined review process called a sustainable communities environmental assessment. (See Public Resources Code Section 21155.2.) Even projects that require an additional EIR may avoid further analysis of climate change and regional transportation impacts. (See Public Resources Code Section 21159.28.)

Local governments can enable the use of the SB 375 CEQA streamlining provisions in several ways. First, local governments can prepare local plans that are designed to ensure consistency with the sustainable communities strategy. Second, local plans, and environmental review for such plans, can be used to establish the criteria described in the SB 375 exemption, as well as address cumulative impacts that can further streamline use of a sustainable communities environmental assessment. Third, since Transit Priority Projects must meet certain density and floor area ratio criteria, a local government can ensure that its zoning accommodates such densities, particularly near transit stations.

Infill Streamlining (SB 226)

SB 226 (Simitian, 2011) streamlines environmental review under CEQA for certain infill projects. The rules governing that streamlined process are contained in Public Resources Code Section 21094.5 and CEQA Guidelines Section 15183.3. Under the rules, effects of an infill project that have already been analyzed in connection with a planning level decision, such as a general plan or zoning code, do not need to be analyzed again for each individual project. Only impacts that have not been previously considered, or are worse than previously analyzed, would need to undergo new environmental review. Even impacts that have not been previously considered will not require new environmental review if local

[86] Summaries of SB 375 (Steinberg, 2008), SB 226 (Simitian, 2011), and SB 743 (Steinberg, 2013) are taken from State of California Strategic Growth Council, *2013 Request for Proposals* (2013), Appendix L. http://sgc.ca.gov/docs/Grant_Guidelines_and_Application_2013_Solicitation.pdf.

development policies, such as traffic impact fees and construction noise ordinances, substantially mitigate those effects. Under these rules, after completing a checklist to determine eligibility, many infill projects may not need to do any additional CEQA review at all. Infill projects that satisfy performance criteria, primarily related to vehicle use, may be eligible to use this streamlined process. More information about the performance standards and streamlined process under SB 226 is available on OPR's website.[87]

Local governments can enable use of the SB 226 streamlining in several ways. Detailed and comprehensive environmental reviews will enable the most project streamlining. Therefore, plans that specifically address infill in desired locations will mean less analysis for individual projects. Further, adoption of local development policies that address common environmental issues, such as noise ordinances and climate action plans, will reduce the amount of analysis at the project level. Local governments and metropolitan planning organizations can also facilitate use of SB 226 streamlining by producing maps that clearly delineate areas eligible for streamlining (i.e., near transit stations and in areas with low vehicle miles traveled).

Streamlining Transit-Oriented Development (SB 743)

SB 743 (Steinberg, 2013) streamlined the environmental review process for transit-oriented development. First, it removed parking and aesthetics as environmental considerations in urban infill areas within transit priority areas. Second, it modernized the analysis of traffic impacts within transit priority areas and potentially statewide. Third, it expanded an exemption for projects in areas covered by a specific plan for which an environmental impact report has already been prepared. Additional information about SB 743 is available on OPR's website.[88] Local governments can enable use of SB 743's streamlining provisions in several ways. First, they can prepare specific plans for areas within ½ mile of a transit station and ensure that such plans are consistent with a sustainable communities strategy to ensure eligibility for the CEQA exemption. Second, local government can ensure that local zoning allows residential, commercial and mixed use projects within ½ mile of major transit stops. Third, they can update parking and design guidelines so that parking and aesthetics issues do not remain barriers at the local level. Note that SB 375 and SB 226 can be used together. SB 375 applies to both cities and counties, while SB 226 exemptions are only available in areas within city boundaries.

Resources

OPR offers more detailed summaries of the above infill CEQA exemption regulations. For SB 226, see http://opr.ca.gov/s_sb226.php. For SB 375 exemptions and the process by which communities can take advantage of them is available at http://opr.ca.gov/docs/SB375-Intro-Charts.pdf. For more information regarding SB 743, see OPR, *Changes to CEQA for Transit Oriented Development – FAQ*, http://www.opr.ca.gov/s_transitorienteddevelopmentsb743.php.

[87] California Governor's Office of Planning and Research, *CEQA Streamlining for Infill Projects (SB226)*, (no date), http://opr.ca.gov/s_sb226.php, accessed Mar. 31, 2014.
[88] OPR, *Changes to CEQA for Transit Oriented Development – FAQ*, http://www.opr.ca.gov/s_transitorienteddevelopmentsb743.php.