

SIERRA CLUB CALIFORNIA

URBAN GROWTH MANAGEMENT POLICY GUIDELINES

Original adoption 1990

Updated and re-adopted May, 2001, by California-Nevada Regional Conservation Committee

Amended September, 2002

Preamble

This paper presents policies designed to achieve the Sierra Club's vision for the future of California, in which:

- Growth is limited by environmental constraints and infrastructure capacity,
- Development occurs primarily in existing urban centers, designed to achieve social equity, make most efficient use of land, and minimize impacts on natural systems, and Additional development outside existing centers occurs only within Urban Growth Boundaries, drawn in accordance with environmental and capacity constraints.

We recognize that these guiding principles must be applied to a variety of local circumstances. They are intended to help activists at the local, regional, and state levels achieve the most environmentally sound possible decisions.

California's population grew by nearly 26 percent between 1980 and 1990, from 23.7 million to 29.8 million, and grew by another 4.1 million persons between 1990 and 2000. Current projections indicate that population may double from the 1990 level to 58.7 million by 2040. In the face of such intense growth, California's fragmented and competitive local land use planning structures and subsidized dependence on drive-alone transportation have contributed to severe environmental and ecological deterioration, including

- Serious air pollution
- Gridlocked roadways
- Strained and polluted water supplies
- Loss of valuable food producing lands and open space
- Increased numbers of endangered species due to loss of critical habitat
- Increased energy consumption
- A lack of affordable housing near places of employment
- Loss of open space
- Excessive consumption of natural resources.

Sierra Club California believes that this state needs a comprehensive program to address the magnitude and management of growth, and to determine what amount of growth is actually supportable, based on constraints analysis, not only on economic projections. Such a program should be based on an assessment of the ability of California's ecosystem to sustain biodiversity and wildlife communities, and on the ability to sustain a particular population level and a set of quality of life goals based on that assessment. Such a program should also be based on regional management of regional problems and land use and transportation reforms. The following policy statement suggests the direction for long-term solutions.

I. URBAN GROWTH BOUNDARIES

All cities and unincorporated urban centers must establish permanent urban growth boundaries (UGBs) that will define the area of ultimate urbanization and protect the county's or region's open space lands. Development shall be directed toward areas within UGBs, in order to avoid adverse impacts upon productive agriculture, wildlife habitat, critical watershed lands, historical and archeological resources, open space lands, and scenic values.

Local governments may establish other means of managing the impacts of growth, such as annual limits and growth caps, provided these methods do not preclude compact development in appropriate locations.

1. Lands within the urban boundary will be devoted to compact residential, commercial, and industrial development that makes efficient use of land and infrastructure. Natural systems and environmentally sensitive habitat areas within the urban boundary must be protected.
2. Lands outside of the urban growth boundaries --- lands that form the area's greenbelt — will encompass recreational open space, watershed, agricultural, wetlands, wildlife habitat/corridors, shoreline, forest/woodland, and other lands which are essential. To protect biodiversity, these lands must be zoned for uses and in parcel sizes consistent with economically viable units for the agricultural, recreational or resource conservation uses proposed.
3. Annexations of new land outside UGBs to cities shall not be approved by Local Agency Formation Commissions, except in instances when annexation would lead to improved environmental protections. Spheres of influence, areas designated by County Local Agency Formation Commissions to show the ultimate boundaries of each city, should conform to UGBs. County general plans should require that all urban development shall be within cities.
4. New large lot residential development (ranchettes) outside urban boundaries and dependent on wells and individual septic systems should be prohibited in designated metropolitan greenbelts and on all resource lands, i.e. watersheds, productive agricultural lands, and lands zoned for timber production.

II. OPEN SPACE PLANNING AND PROTECTION

We recommend State legislation mandating that the existing Open Space Element of local General Plans be improved to include the following:

5. All cities and counties as well as all metropolitan regions shall prepare Comprehensive Open Space Plans which must include:

- (a) A Biodiversity Inventory identifying:
 - All plant and animal community types and sensitive biological systems, including but not limited to wetlands and adjacent buffers, watershed lands, significant wildlife habitat and corridors linking habitat areas
 - Prime and productive agricultural lands
 - Significant historic and archeological resources
 - Scenic areas

- Hazard areas
- Other economic resource lands, e.g. mineral resources, private hunting clubs
- Recreational resource lands
- Lands necessary to provide buffers between urban areas.

(b) Policies for the Protection of these Environmental Systems. A map showing the specific location of lands intended for long-term open space designations. The establishment of agricultural mitigation measures, minimum lot sizes and permitted land uses on open space lands designated for agriculture which are appropriate to sustain commercial agriculture. The establishment of agency cooperation, land acquisition and land management guidelines for the establishment of wildlife corridors, linking protected wildlife habitat areas.

(c) An Implementation Plan to acquire or otherwise protect these environmental systems. This plan shall include:

- A regulatory component using appropriate general plan policies, zoning designations, and techniques such as transfer of development credits and agricultural districts
- An acquisition component which identifies funding strategies such as development mitigation fees, local open space bond acts, formation of open space assessment districts, and state and federal sources.

III. LAND USE PATTERNS WITHIN URBAN GROWTH BOUNDARIES: INFILL AND COMPACT URBAN DEVELOPMENT

These policies are intended for implementation in local plans and ordinances, except as otherwise indicated.

6. Urban development should take place only within urban boundaries. Generally, new development should respect the character of the existing neighborhood. Residential densities and commercial floor area ratios must be sufficient to facilitate public transit and nonmotorized transportation and to achieve increased energy efficiency and affordability of housing. Compact redevelopment should be promoted within one-half mile of high service transit nodes and corridors.

7. Commercial development must take place primarily in major central business areas, in order to assure transit destinations of sufficient scale, and a full range of job choice and services to businesses and employees. Such commercial development must have sufficient density to provide for these advantages.

8. Any other major commercial development must take place at locations served by existing or committed future transit lines or hubs. Such future transit hubs shall be located in such a way as to improve the relationship between jobs and housing in the region.

9. To enhance community identity and interaction, a balance of compatible commercial, industrial, residential, and civic uses, enjoyable public places and local parks should be distributed in close proximity in urban neighborhoods. Such mixed-use development will encourage walking, bicycling and use of public transit. Public services, especially the schools, should be improved to encourage revitalization of urban neighborhoods.

10. When working to achieve urban infill, mixed-use neighborhoods and increased densities, it is important to also respect the historical, aesthetic, cultural and human scale values of neighborhoods. New construction shall be designed to be consistent with and/or complementary to existing neighborhood qualities.

IV. HOUSING

The increased provision of affordable and low income housing is compatible with environmental protection when sited and constructed in line with the above policies for urban infill, mixed use, compact development, and neighborhoods. Further, we recommend the following local government programs and policies:

11. Adoption of inclusionary zoning policies, which mandate that a percentage of low-income units be included in new residential development, and adoption of requirements for housing impact fees by commercial development.
12. Development of programs for local funding of low income housing through the establishment of housing trust funds to be financed by fees on commercial development and taxes such as employee tax, payroll tax and business license tax.
13. Incentives for low-income housing development including exemptions from parking and traffic limitations.
14. Funding for the rehabilitation of older housing to affordable units.
15. Legalization of "in-law" or second units without additional parking requirements.
16. Broadening of zoning ordinances to more readily accommodate quality manufactured housing as an alternative to more expensive conventional housing.
17. Utilization of certain publicly owned urban lands such as HUD properties and unused CALTRANS rights of way which are served by transit for the construction of affordable housing.
18. Inclusion of housing in commercial areas, by adding residential use to new and existing commercial areas and by redeveloping vacant or underused retail/office/industrial areas with mixed use and housing.
19. The Sierra Club believes the production of affordable housing for California's families and workers is one of the most important challenges facing our State. We support incentives for housing production within infill areas, including commercial areas, and will support State legislation to encourage the development of affordable and infill housing, especially within designated growth areas within an adopted Urban Growth Boundary.

However, California's serious shortages of low income and affordable housing cannot be solved through land use policies alone. Other factors (such as income levels, mortgage rates, job demand and demographics) are far greater influences. Housing will never be affordable as long as the pace of job development exceeds the pace of nearby residential development.

V. PHASING AND CAPITAL IMPROVEMENT PLANNING

State law should mandate that no development project be approved by a public agency unless a commitment has been made for financing the necessary roads, water and sewer facilities, gas and electricity, parks, open space, schools, and other public facilities related to that project.

Development should be phased according to short and long range Capital Improvement Plans to ensure the timely provision of public facilities and services.

20. State law should mandate that local governments establish Level of Service (LOS) criteria for major public services/infrastructure--sewer and water, main transit and transportation routes, gas and electricity, parks, open space, schools, fire and police--in their community. These should be reviewed annually at a public hearing. LOS criteria should not be used to justify expansion of roads and freeways that serve single-occupant vehicles.

21. It shall be a high priority of local government to maintain existing infrastructure. Future growth should not be expected to remedy shortfalls in the existing levels of service.

22. User fees are recommended for the costs of maintaining infrastructure.

23. Taxes to pay for infrastructure shall be placed on those transactions that chiefly affect the facilities of concern (i.e. a gas tax rather than a sales tax to pay for roads).

24. Existing urban areas shall pay for maintenance of their own infrastructure, and not be substantially subsidized by new development.

VI. URBAN AIR QUALITY/TRANSPORTATION

Urban development shall be managed to achieve and sustain clean air by integrating land use and transportation planning, particularly by the following means

25. The rate and intensity of growth shall be carefully monitored to assure that air quality attainment plans are not compromised.

26. Air districts shall have indirect source review powers that allow them to veto local and regional development projects threatening attainment of air quality standards.

27. Local governments shall implement land use and other policies that maximize pedestrian, mass transit and bicycle access to job, entertainment, and commercial centers.

28. Only areas well served by mass transit shall be zoned for commerce, offices, and manufacturing.

29. Lands around transit stations shall be zoned for higher density development in order to facilitate transit use.

30. Urban transportation planning shall place an increased emphasis on public transit, car-pooling, van-pooling, pedestrian and bicycle routes as well as related trip reduction and congestion management techniques.

31. Public transit services shall be coordinated to enable easy and timely transfers between them, with information on routes readily available, and preferential rights of way and the ability to pre-empt traffic signals wherever possible.

32. Parking in business, commercial and industrial centers shall be limited or made more expensive in order to encourage transit use.

VII. STATE AND REGIONAL PLANNING

Effective State and regional planning and decision making are necessary to address the complex environmental protection (air and water quality, open space, habitat), transportation, waste management, jobs and housing needs of metropolitan areas. We recommend State legislation to create a land-use decision-making process that locates urban growth to optimize the use of existing and committed future transportation systems.

33. To accomplish this, the State shall:

- Adopt a State Comprehensive Plan, based on analysis of growth projections, environmental constraints, and infrastructure requirements, to guide the conservation and development of the state. The plan shall provide the basis for identifying critical issues, determining state priorities, allocating limited resources, and coordinating the plans of the various state, regional, and local government units
- Develop a program to mandate coordination of land use, transportation, and infrastructure decision-making at the local and regional level
- Require the preparation of multi-jurisdictional general plans at the regional level
- Identify potential changes to the tax structure, including tax-base sharing, to minimize the competition between local jurisdictions for land use development that generates high levels of tax revenues
- Develop broad policies for the intensity and location of urban growth, the permanent preservation of open space, the balance of employment with appropriately priced housing, and the desirable interrelationship of land uses and transportation facilities in rural, suburban, and urban areas, and provide financial incentives for jurisdictions that include an appropriate balance of transportation and land use in their general plans.

34. Sierra Club supports a revision of the methodology and process the State uses to project growth. The Sierra Club strongly recommends that all official State population, housing and other growth projections should include consideration of environmental, resource conservation, and infrastructure opportunities and constraints, such as water supply, transportation capacity, preservation of prime agricultural lands, and voter approved initiatives.

35. Official California growth projections should be coordinated by the Office of Planning and Research or another established State planning office within the Resources Agency, and included as a major component of a mandated State Comprehensive Plan (or Growth Management Strategy).

VIII. CHARACTERISTICS OF URBAN DEVELOPMENT

36. Urban development should take place within urban growth boundaries described in Section I rather than at remote locations. All urban development shall have the following characteristics:

- Basic, well-paying jobs (jobs in basic services and industries that are not primarily minimum wage, retail, or part-time positions)
- Housing affordable to the people who will have those jobs
- Infrastructure such as transit, roads, sewer and water services (including an identified water supply), gas and electricity, parks, open space, schools, and medical care
- Infrastructure capacity should be no greater than what is necessary to support development that is consistent with environmental constraints. Developers should pay the true costs of needed additional infrastructure
- Full commercial services such as food, fuel, etc.
- Consistency with regional plans, including an analysis of employment and housing needs within that region.

37. It is essential that new development not serve as a destructive economic drain on existing urban centers within the region.

38. It is not appropriate to cancel Williamson Act contracts in the process of approving a development proposal. Non-renewal, and the long term planning approach evidenced by that method, is the only appropriate method for dealing with any Williamson Act contracts which cover lands considered for development

39. Development on prime agricultural or other valuable resource lands may be acceptable only if similar resource lands are permanently protected in conjunction with the development.

40. To protect the continued viability of surrounding agricultural and resource lands in previously undeveloped rural areas, a development plan must include a permanently protected greenbelt or agricultural buffer. The open space to be protected should be of greater value than would otherwise occur.

41. Communities should give priority to reusing infill and brownfield sites.

42. All urban development should conform to the following design criteria:

- Provision for use of alternative energy sources, green building materials, and other measures to assure energy efficiency
- A transportation system to assure that at least half of commuters are by non-drive alone modes
- Routine shopping should be within a maximum of a ten minute walk from all residences
- Land uses should be dense and mixed
- All parking should be paid for directly by the user
- Residential parking should be limited to half the number of driving age population
- All streets with residential and commercial access should be designed to slow

- traffic to 20 MPH or slower
- There should be provision for use of reclaimed water
- There should be transit access to a major urban center within a 30-minute travel time.

IX. LONG-TERM LIMITS TO GROWTH IN CALIFORNIA

Land use measures alone do not address the dynamics of the current 34 million Californians and a potential doubling of this number by the year 2040. Even if future growth is accommodated in the most environmentally sound manner, eventually population will exceed a level sustainable by available natural systems, including air, water, and energy.

The Sierra Club has long supported population stabilization for each nation of the world as an essential element of long-term environmental protection. No land preservation, energy conservation or pollution-control programs can be ultimately successful if population increases without limit. As a state, California is less able to influence its population increase than a sovereign nation can. California's growth is affected both by births among its residents as well as by the attractiveness of the state relative to other places.

At a minimum, California should do the following:

Each State resource or pollution-control agency should conduct an assessment of the level of future population the built or natural environment under its purview can sustain without further deterioration. Following the preparation of such analyses, the State should adopt an explicit population policy endorsing a reasonable goal for future growth which is in harmony with the ecosystem upon which life depends.

The State should provide adequate funding for family planning programs, so unwanted pregnancy in California is reduced to an absolute minimum.

Regional planning efforts should include similar assessments of the long-term carrying capacity of their region, and regional plans should be based on this carrying capacity.

X. GROWTH MANAGEMENT INITIATIVES

(See Appendix for description of different types of growth management controls.)

43. The object of growth management initiatives is to achieve compact, mixed use, transit-oriented, pedestrian and bike-friendly neighborhoods supplied with housing affordable to local employees, good public transit and abundant parks, natural areas, and open spaces, and with outlying areas protected from development. The local community should be actively involved in the review and design of their neighborhood.

44. The Sierra Club will generally support land use initiatives that establish firm urban growth boundaries around existing cities, and encourage compact development and affordable housing within the urban area.

45. Growth management initiatives should be accompanied by local measures to help make

housing affordable, such as inclusionary zoning requirements and housing impact fees.

46. The Club will not support local growth initiatives that discourage infill and affordable housing. For example, the Club will not support initiative efforts by community groups that seek to stop or overturn multi-family (e.g., apartment) development projects, or subject affordable housing projects to public vote or onerous conditions.

47. Club members should work with neighborhood and community organizations as initiatives are being prepared to ensure that the measures contain a clause that specifically exempts affordable and multi-family housing projects from the initiative. Initiatives that do not contain such an exemption may be in violation of State housing laws.

48. Initiatives that establish urban growth boundaries and require public votes to change the boundaries are preferable, especially when the initiatives are coordinated with programs to encourage infill compact development and protect open space and agricultural lands at the fringe of the urban area.

49. Many communities have adopted growth management programs that rely on annual numerical caps or growth rates. In certain circumstances, such as rapidly growing suburban cities, the Club may support the use of numerical or growth rate restrictions, if they include provisions to encourage affordable and higher-density housing. In these communities, voter initiatives to strengthen or reduce the numerical growth rates may be supported by the Club especially during periods of rapid growth when infrastructure systems are being stretched beyond capacity. It is important that all numerical or growth rate initiatives not reduce growth below a reasonable threshold, i.e., the amount of housing that can reasonably be provided within environmental and infrastructure constraints. Numerical or percentage growth limits should accommodate a reasonable amount of housing growth at transit-friendly densities, in locations near jobs, recognizing environmental constraints. However, numerical caps are generally the least desirable type of growth management, and local activists should investigate other means of achieving their objectives.

50. Ballot measures that require development projects to meet specific infrastructure standards should be considered on a case-by-case basis. It is sometimes difficult to quantify objective infrastructure standards that can apply equally to all development projects. Land use measures that vaguely seek to have "new growth pay for all of its costs" and "mitigate all its impacts" may be difficult to quantify. On the other hand, city growth plans and development projects should recognize infrastructure constraints, even with the technical difficulties of applying some infrastructure standards. For example, supportable growth measures could state that new development may not be approved without a verifiable and reliable water supply, or without funding adequate roadway improvements. However, it is important that the environmental effects of projects that will be needed to provide infrastructure be evaluated carefully, since some of the infrastructure projects that will be required by the initiative language may not be acceptable (e.g., widening of roadways).

51. Citizen initiatives that "downzone" or reduce allowable building densities throughout a city, or in certain areas, should be scrutinized carefully. The Sierra Club supports compact infill development in existing urban areas at densities that support public transportation and a wide array of services. Citizens groups sometimes draft initiatives that are aimed at reducing allowable housing densities in their neighborhoods as a strategy to require construction of only expensive housing on large lots (one-half acre or more). Such initiatives should not be supported.

52. Note, however, that downzoning of residential neighborhoods in ecologically sensitive or hazardous areas, or areas with no public services (such as hilly areas prone to landslides or fires, or rural areas with no sewer service), or areas outside Urban Growth Boundaries may be a good idea. Also, downzoning initiatives that mandate an increase in minimum parcel size in agricultural zones should generally be supported as a sound strategy to prevent the premature conversion of agricultural lands to urbanization.

DEFINITIONS

Affordable housing: Residential development that provides units affordable to individuals and families in the very low, low, and moderate income categories, as defined by the U.S. Department of Housing and Urban Development (HUD) for that community.

Infill: Development in areas that are surrounded on three or four sides by existing urban development and that have available all necessary services.

Infrastructure: Public and private facilities necessary to support residential and commercial development.

Metropolitan regions: Multiple cities of 10,000 to 150,000 in close geographic proximity with total population of at least 250,000.

Appendix: Types of Growth Management Initiatives

This section contains a brief description of the types of growth management initiatives that are being proposed by local grassroots groups, and policies that will help to guide the Club in deciding whether to support specific local initiatives. It is important that Club activists work with local groups as ballot initiatives are being written, so that our recommendations are included and we are not put in a position of having to endorse an imperfect or flawed measure. It is also important to work out conflicts among different Club entities before acting on proposed initiatives.

There are generally five types of land use ballot measures that are being used in California

- urban growth boundaries or urban limit lines
- numerical caps or annual growth rates
- public votes required on major development projects
- growth tied directly to infrastructure standards
- "downzoning" or reducing densities

Often two or more of these growth strategies are employed together, e.g., establishing urban growth boundaries and requiring public votes to rezone land beyond the boundaries.

An urban growth boundary is defined by the Greenbelt Alliance as "an officially adopted and mapped line dividing land to be developed from open space lands to be protected for natural or rural uses. Urban growth boundaries are regulatory tools, designated for long periods of time 20

or more years. They bring certainty to the issue of which lands will be developed and conserved, and can lead to programs that encourage appropriate development inside the boundary and enhance long term ecological, agricultural and other uses of natural lands outside the boundary." A long term boundary is a proactive growth management tool that seeks to contain, control, direct or phase growth in order to promote more compact, contiguous urban development. The other key purpose of urban growth boundaries is to protect farmlands and other resource lands like watersheds or wildlife habitat from scattered or low density development."

A numerical growth cap or annual growth rate is used by many communities to meter the amount of housing or job growth that is approved during one year to an agreed upon percentage growth rate (e.g., 2% housing growth per year) or a specific amount (e.g., 600 housing units per year). The purpose of setting a numerical cap or annual growth rate is to ensure that existing infrastructure systems (roadways, schools, water supply) don't become overwhelmed by rapid growth and cause a deterioration in the quality of life for existing residents. Numerical or percentage growth measures are often employed by local communities that are experiencing rapid housing or office growth because of regional market pressures, such as rapidly growing suburbs on the edge of major metropolitan areas.

An increasingly popular form of growth management is to require a public vote for major development projects of a certain size (or in a certain area), in addition to approval by the city council and/or planning commission. Initiative measures may mandate that growth proposals to rezone lands outside the city limits (annexations) be subject to a public vote or may mandate public votes on projects over a certain size.

A fourth type of growth management that is sometimes instituted by voter initiative are ballot measures that require development projects to meet specific infrastructure standards. Recent land use initiatives have tied development approval to traffic level of service standards at key intersections or along major roadways, i.e., new growth must ensure that traffic congestion at an existing intersection is not worsened.

The fifth type of initiative is "downzoning" or reducing allowable densities. Such initiatives are often aimed at reducing allowable densities in partially developed residential areas to preserve the "large lot" semi-rural feeling. "Downzoning" refers to the rezoning of land so that fewer units per acre can be accommodated under the general plan or zoning regulations. Some initiatives seek to downzone commercial areas by reducing the maximum height limits allowed for new commercial buildings.