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Chapter # Land Use Planning and Management

Land use planning and management that promotes compact and sustainable development has at least four main benefits directly tied to the California Water Plan:

- Water supply: reducing municipal and industrial water demand, capturing and reusing stormwater, and encouraging growth in areas with sufficient reliable water supplies
- Flood management: keeping people and structures out of flood hazard zones, and reducing runoff volumes and intensity
- Water quality: reducing runoff volumes and improving runoff water quality
- Climate change: reducing greenhouse gas emissions

This land use planning management strategy is consistent with State goals for more compact sustainable development (AB 857), with regional blueprint planning being funded by Caltrans, and with strategies being developed by the California Air Resources Board (CARB) to achieve AB 32’s greenhouse gas reduction target.

Land Use Planning and Management in California

Local Planning and Land Use Regulation

Cities and counties have the primary jurisdiction over land use planning and regulation. Their authority derives from the constitutional police power to regulate land use to protect the public health, safety, and welfare. Also, several statutes specifically authorize the preparation of local general plans and specific plans, regulation of land use through zoning and subdivision regulations, and urban redevelopment. OPR issues General Plan Guidelines and other advisory guidance to assist local governments in land use planning and management.

In addition, the California Environmental Quality Act (CEQA) has emerged as an important tool for local land use planning and regulation. Though intended as a environmental full disclosure law for discretionary local government decisions, in practice CEQA is often the main forum for local governments to make project-level land use decisions and consider the potential impacts of those decisions.

State and Regional Land Use Planning and Regulations

State and regional agencies currently play a limited role in local land use planning and regulation, with the exceptions noted below:

- The California Coastal Commission regulates land use planning and development in the coastal zone, together with local agencies (cities and counties).
- The California Energy Commission has exclusive jurisdiction over siting of thermal power plants.
• Regional Councils of Government prepare regional growth plans and transportation plans.
• Land use in specific regions of the state is regulated by the Delta Protection Commission, San Francisco Bay Conservation and Development Commission, and the Tahoe Regional Planning Agency.

California State government has typically played a limited or indirect role in land use planning, with the exceptions noted above, granting the lion’s share of land use authority to local governments. State law requires state policies, to the extent they exist for land use, to be expressed and “enforced” through local general plans and land use regulations. The State’s general plan enabling law establishes a detailed process for local planning, but with limited exceptions does not require local plans to achieve substantive state policies; the exceptions are the Housing Element requirements and recent flood management legislation (see below).

State officials prepare strategic and functional plans, for issues such as air pollution, water quality, transportation, and solid waste management plans to guide department programs, decisions, and projects. OPR is responsible for coordination of state functional plans to be consistent with state policies.

There is no cabinet-level administrative department in California with general enforcement authority over local land use planning or community affairs for the State. Unlike all other resources subject to State oversight and in some cases management—water, aquatic and terrestrial species and habitat, air, transportation, energy, and utilities—there is no state oversight agency for land use.

Compact and Sustainable Development

Need for Compact and Sustainable Development

Existing urban development patterns reflect a post-World War II market demand for single-family homes in suburban locations relying for the most part on the automobile for transportation. Private and public investments support this traditional pattern of development, which often encourages conversion of agricultural and open space lands to urban uses. Local government and private sector decisions on the placement of offices, industrial sites, and retail centers are driven by a combination of workforce availability and State tax policy which reinforce this traditional pattern of development.

The Central Valley and the Inland Empire have been recent hot spots for urbanization in the state due to lower housing prices, available land, and local government policies that encourage growth. This trend may be moderated in the future through high gas prices, which makes it less affordable for suburban and ex-urban area residents to commute long distances to urban job centers.

The draft report of the Land Use Subcommittee of the Climate Action Team (LUSCAT) to CARB on Local Government, Land Use and Transportation (May 5, 2008) recognizes that traditional land use patterns consume more water and increase surface runoff, relative to more compact and sustainable development. The LUSCAT report recommends that agricultural production be directed toward areas with good soils, mild climate, and available water. When prime and productive farmlands are converted to urban development, agriculture may be displaced to other locations, which could impact water and other resource uses.
Traditional large-lot urban development creates high water demand for landscaping. As urban development occurs in hotter regions of the state, this pattern of land use is projected to increase water use for landscaping to about 80 percent of total water demand. More compact, mixed use urban development reduces landscaping-related water demand by minimizing front and back yards and their associated landscape water demands.

Although it comprises a relatively small portion of most watersheds, impervious surfaces such as roads, buildings and parking lots result in more rapid and larger amounts of surface runoff. This change in runoff can alter streamflow and watershed hydrology, reduce groundwater recharge, increase stream sedimentation, and increase the need for infrastructure to control storm runoff.

Flooding is a natural process which contributes to replenishing sedimentation and recharging ground water (among many other benefits). When urban development is located on floodplains, not only are the functions of the floodplain diminished or eliminated, but people and structures are at risk. Traditional large-lot urban development may expose larger numbers of people and structures to flood hazards. By focusing development in established urban areas and avoiding more development on the floodplains, risk can be reduced.

Discouraging traditional large-lot urban development in favor of more mixed use projects that place jobs, schools, shopping and other services in close proximity to housing will reduce vehicle mile trips (VMT) by making walking an option to driving. Decreasing the amount of vehicular miles traveled has a direct relationship to greenhouse gas emissions and energy use.

**Emerging State Policies Encouraging Compact Sustainable Development**

Higher density and mixed use development—development that combines residential, commercial, and retail services and job centers where appropriate—and more efficient patterns of land use and site planning can be encouraged through changes in marketing, public and private investments and financing, and public policies. In some of the most densely populated regions of the state, including the San Francisco Bay Area, Los Angeles, and San Diego, headway is being made to grow more compactly, provide jobs closer to housing, and provide transit to connect people with community resources and centers of employment.

The following legislative tools seek to foster and promote better planning and respect local government land use authority. Some believe more specific standards and performance goals should be developed while others promote incentives through state grants, funding allocation and other programs. If current laws and guidelines do not achieve the stated goals, it may be necessary to enhance existing land use statutes to be made more effective. The Office of Planning and Research is the entity with oversight and “monitoring”.

[**Need clarification. Oversight and monitoring of what?**]

**State Planning Priorities (AB 857, Statutes of 2002)**

California Government Code section 65041.1 establishes three state planning priorities and requires that all State strategic plans and capital improvement plans—including the California Water Plan—be consistent with them. These priorities, briefly stated, are:

- Promote infill development and equity,
• Protect environmental and agricultural resources, and
• Encourage efficient development patterns.

With the passage of AB 857 in 2002, the State legislature took a major step toward fostering more efficient land use patterns to promote infill development and social equity in existing communities, protect and conserve environmental and agricultural resources, and achieve more efficient use of land, transportation, energy, and public resources outside the infill areas.

AB 857 also requires the Governor’s Environmental Goals and Policy Report (EGPR) to be consistent with these planning priorities. The EGPR is intended to provide a 20- to 30-year overview of state growth and development as well as articulate the Governor’s environmental goals and policies including, but not limited to, land use, population growth and distribution, development, the conservation of natural resources, and air and water quality. The EGPR serves as the basis for judgments about major state investments and capital projects, including the allocation of state resources through the budget and appropriations process.

**Regional Blueprint Planning Grants**

Recent State policy seeks to encourage more regional coordination in land use decisions. The 2005 Regional Blueprint Planning Grants Program was initiated by the Secretary of Building, Transportation, and Housing and is co-sponsored by Caltrans and OPR. The program’s purpose is to “encourage state land-use patterns that balance the location of employment-generating uses so that employment-related commuting is minimized,” and to provide a forum for some of the State’s largest regions to deal collaboratively on issues regarding jobs, housing, transportation and natural resource protection. [** Need to identify the source of the quote in this paragraph].

Through the blueprint planning process, regions throughout California develop preferred land use planning and transportation scenarios that encourage compact sustainable development and also meet GHG emissions reduction targets (see below). However, local government implementation of regional blueprint plans is not required by law, and as a result, implementation of blueprint plans has been inconsistent to date. Senate Bill SB 375 signed by the Governor may strengthen these plans by providing by law that each region in California must develop a preferred growth scenario that will minimize greenhouse gas emissions, with state transportation funds tied to projects that conform to that preferred growth scenario to unite transportation, housing, and land use planning with CEQA reform.

**Land Use and Climate Change**

There is growing recognition of the relationship between land use development patterns, community form and the greenhouse gas (GHG) emissions that cause climate change. State, regional and local governments are learning how to reduce GHG emissions through more sustainable development practices and environmental impact assessment of new development.

AB 32 and CEQA implementation provide opportunities for reducing GHG emissions from land use decisions. In 2006, Governor Schwarzenegger signed AB 32, the Global Warming Solutions Act. The Act caps California’s greenhouse gas emissions to 1990 levels and requires these levels be achieved by 2020. It requires CARB to establish a program for statewide GHG emissions reporting, and adopt regulations by 2012 to achieve the GHG emissions reduction target. In addition, the Act authorizes CARB to adopt market-based compliance mechanisms including
emissions cap-and-trade credits, and allows a one-year extension of the emissions reductions targets under extraordinary circumstances.

In October, 2008, CARB released a Proposed Scoping Plan which describes proposed strategies to achieve AB 32’s emission reduction target; the final Scoping Plan is scheduled for adoption in December 2008. Relying in part on the recommendations of the LUSCAT report, the Proposed Scoping Plan includes recommendations for actions by local government and regional planning agencies to reduce GHG emissions. The Proposed Scoping Plan’s preliminary recommendation is to “encourage local governments to set quantifiable emissions reduction targets for their jurisdictions.” CARB recommends the establishment of regional GHG emissions targets, and local implementation by local governments. As mentioned above, SB 375 links land use and transportation by promoting smart growth to help reduce new housing developments in outlying areas with cheaper land. These same planning principles support water conservation.

The Proposed Scoping Plan further recommends that local governments:

- Adopt best practices for GHG emissions reduction associated with transportation, energy, waste/recycling, and water use.
- Develop Climate Action Plans to achieve 2020 emissions reductions targets.
- Incorporate GHG reduction measures and regional blueprint plans into their General Plans.

When implemented, these recommendations will help reduce statewide GHG emissions, thereby reducing the potential adverse cumulative effects of global climate change on water supply, water quality, and flood management.

Methodologies for conducting CEQA climate change analysis and thresholds of significance for GHG emissions are not well-established. GHG analyses and mitigation are most efficiently addressed at a plan or policy scale (for example, in a city or county General Plan) as opposed to individual project by project basis because the analysis at a macro-level provides the opportunity for advanced and up-front planning for GHG emission reductions. Senate Bill 97 (SB 97) directs the Governor’s Office of Planning and Research (OPR) to develop draft CEQA Guidelines for analyzing the climate change impacts of new projects, and the Resources Agency to adopt the CEQA Guidelines by January 2010.

Several recently-adopted and ongoing General Plan updates (e.g., Marin County, Solano County) have included local Climate Action Plans that establish local policies to both reduce GHG emissions and to adapt to the potential effects of climate change. The areas of local government influence and authority for reducing GHG emissions include community energy use, waste reduction and recycling, water and wastewater systems, transportation, and site and building design.

Compact sustainable development (as described in this Resource Management Strategy) that reduces energy use and vehicle miles traveled (VMT) is consistent with the implementation strategy recommended by CARB and has the potential to be an effective CEQA mitigation strategy for reducing the climate change impacts of new development.
Coordinating Land Use and Water Supply

Local land use planning and water supply planning are coordinated through a patchwork of existing state laws and policies. Regional water wholesalers such as Metropolitan Water District and San Diego County Water Authority base their water supply plans on regional growth projections developed by regional planning agencies. The effectiveness of existing programs and regulations in steering development towards areas with existing reliable water supplies, and away from areas where new water supplies must be developed, has not been comprehensively assessed.

Urban Water Management Plans (UWMPs) must be prepared by large water purveyors (3,000 acre-feet/year or 300 customers), must evaluate water supplies and demands over a 20-year period, and must be updated every 5 years (Water Code Sec. 10610 et seq.). Senate Bills 610 and 221 (statutes of 2001) were enacted by the State Legislature to improve the coordination between land use planning and development and available long-term water supplies. These laws are intended to require assessment and verification, respectively, of water supply reliability prior to approval of specified large land use projects. SB 610 applies during the CEQA process, and SB 221 applies to subdivision approvals. Both laws require a demonstration of sufficient reliable 20-year water supplies to serve both the proposed project and other water users relying on the same water supplies, during normal, single dry, and multiple dry years. They require the water agencies responsible for water resource planning to work with the local land use agencies that often have little control over water supplies. Increased coordination, particularly at a regional level, such as occurred within the SANDAG region in 2003-2004 in conjunction with the San Diego County Water Authority (SDCWA) demonstrates the advantages and benefits of proactive growth management planning and water supply planning to support projected long-term regional population growth. [**Need to confirm that the SANDAG example is a good one to mention.]

Other state laws and policies play a more indirect role in coordinating land use and water supply planning. The OPR General Plan Guidelines (2003) encourage local governments to plan at a watershed level for better regional self sufficiency; and to consider adopting an optional water element in general plans to address water supply and other water related impacts of land use policies. Local agency formation commissions (LAFCOs) are regional agencies that approve local agency boundary changes; they perform municipal service reviews to evaluate how all services, including water, are delivered to developing areas of the state.

California voters in November 2002 approved the Coastal and Beach Protection Act. It amended the California Water Code (CWC) to add, among other articles, Section 79560 et seq., authorizing the Legislature to appropriate $500 million for Integrated Regional Water Management (IRWM) projects. The intent of the IRWM Grant Program is to encourage integrated regional strategies for management of water resources and to provide funding for projects that protect communities from drought, protect and improve water quality, and improve local water security by reducing dependence on imported water.

Coordinating Land Use and Flood Management

Two major events were a catalyst for public safety and flood risk legislative action. The first was the Paterno court decision which held the state responsible when the levee failed in 1986 flooding hundreds of homes and a shopping center in the city of Linda. The Paterno decision makes it
possible the State will ultimately be held responsible for the structural integrity of much of the Central Valley flood control system — 1,600 miles of levees that protect more than half a million people, two million acres of cultivated land and approximately 200,000 structures with an estimated value of $47 billion. The second was hurricane Katrina and its devastating impacts on the Gulf Coast. This focused public attention on the potential threat of widespread catastrophic flooding in California (indeed, it has been speculated that more Californians are at greater risk from levee failure than New Orleans).

For these and other long standing reasons, several state laws were recently enacted or proposed to provide better public safety by coordinating flood management and land development within floodplains, consistent with the approach in SB 221 and SB 610 to coordinate the actions of water supply agencies and local land use authorities.

**AB 5 (Wolk) Flood management**

Over the next eight years, AB5 aims to limit development in areas without 100-year flood protection, places where the chance of flooding is greater than 1-in-100 in a given year. After 2015, development would not be allowed without 200-year flood protection in areas of more than 10,000 people or that will reach 10,000 people in a decade. Existing communities will have until 2025 to reach 200-year protection.

*[Ch366, Statutes of 2007]*

**SB 5 (Machado) Flood Management**

SB 5 requires DWR to prepare the Central Valley Flood Protection Plan for the Sacramento-San Joaquin River Valley. In addition, it requires local governments to revise general plans to address flood risks, collaborate with local flood agencies to identify parcels that may be protected by a flood protection plan or other flood management facilities, develop funding mechanisms to finance local flood responsibilities, and provide public notice of specific areas that may be protected by a flood control facility or that are located in a flood hazard area.

*[Ch364, Statutes of 2007]*

**AB 156 (Laird) Flood Control**

AB 156 amends provisions to DWR’s flood management activities, including mapping of areas at risk of flooding, preparation of a status report on the State Plan of Flood Control, notification of property owners at risk of flooding, environmental enhancement activities, and maintenance area formation.

*[Ch368, Statutes of 2007]*
AB 70 (Jones) Flood Liability
AB 70 provides that a city or county may be responsible for its reasonable share of property damage caused by a flood, if that the city or county has increased the State’s exposure to liability for property damage by approving new development. It applies only to decisions made by local governments after January 1, 2008.

[Ch367, Statutes of 2007]

AB 162 (Wolk) General Plans
AB 162 requires that the land use element of a city or county’s general plan identify specific areas subject to flooding. It requires that the conservation element of general plans identify rivers, flood corridors, and other land that may be inundated with floodwater, and requires cities and counties to establish policies to minimize flood risks for new development. It also requires cities and counties, when revising the safety element, to consult with the state’s Central Valley Flood Protection Board.

[Ch369, Statutes of 2007]

Coordinating Land Use and Water Quality
Urban development and the paving of large areas of the landscape, can have significant negative impacts on water resources. Although growth and land use change may be inevitable in many communities, the way in which growth takes place affects its impact on water quality. With careful planning and a commitment to protect streams, rivers, and ground water, watershed-based land use practices can be implemented that balance the need for jobs and economic development with protection of the natural environment. Development that takes place without such considerations, however, can lead to significant degradation of streams and ground water, and the water supply due to pollution.[Box #1 LEED-ND for site planning approaches]

PLACEHOLDER Box #1 LEED-ND for Site Planning Approaches

Potential Benefits of Compact and Sustainable Development
Compact development can result in numerous water- and energy- related benefits. Specifically, compact development can reduce landscaped areas and, therefore, reduce landscape-related water use. Although higher density development may actually increase impervious surfaces and increase traffic congestion in urban areas, it may reduce the total development footprint in the State and reduce urbanization impacts to farmlands, habitat, watershed functions, and groundwater recharge areas. In addition low impact development (LID) approaches incorporated in the more dense development further reduce the impact of runoff and water pollution. (Box #2 LID Runoff Control Objectives)
Box #2 Low Impact Development Runoff Control Objectives

Low Impact Development is a different approach to stormwater management using site design and stormwater management to maintain the site’s pre-development runoff rates and volumes. The goal of LID is to mimic a site’s predevelopment hydrology by using design techniques that infiltrate, filter, store, evaporate, and detain runoff close to the source of rainfall. LID is seen as an alternative to conventional stormwater management. The State Water Boards are advancing LID in California through the following:

- Regulation through site-specific and general permits.
- Providing advocacy and outreach to local governments through the Water Board’s Training Academy and regional workshops.
- Seeking ways to incorporate LID language into Standard Urban Storm Water Mitigation Plan.
- Funding LID related projects through the consolidated grants program.

Compact, mixed-use development can reduce water and energy demand, even with moderate increases in density. Providing water supply for urban uses consumes a significant amount of energy for capturing, storing, conveying, and treating water. Thus, efficient water use is also an energy conservation (and greenhouse gas emission reduction) strategy. As a rule of thumb, landscaping irrigation accounts for almost half of residential water use. An increase in residential density from 4 units per acre to 5 reduces the landscaping area by 20 percent, which should cut water usage by roughly 10 percent compared to the lower density development. A smaller urban footprint reduces impervious surfaces. This generates less surface runoff and minimizes intrusion into watersheds and groundwater recharge areas, which receive the runoff.

Box #x LEED-ND Water Quality Site Planning Objectives

The LEED for Neighborhood Development Rating System integrates the principles of smart growth, urbanism and green building into the first national system for neighborhood design. LEED certification provides independent, third-party verification that a development's location and design meet accepted high levels of environmentally responsible, sustainable development.

LEED guidelines encourage site planning to consider natural water courses and to utilize the landscape for water conservation and water quality protection.


Potential Costs of Compact and Sustainable Development

Major Issues

Disincentives for Change

Local governments make most of the land use decisions in California. Local governments may not promote or implement resource-efficient development patterns for many legitimate reasons, including land ownership, marketing of perceived consumer preferences for single-family homes...
with yards, community resistance to infill projects and/or higher density development, traditional and antiquated local zoning ordinances that, for instance, segregate retail uses from residential uses, the added cost to conduct coordinated regional planning efforts, the cost and potential liability associated with pursuing infill projects (Brownfields), and environmental mitigation strategies that encourage lower density development. In addition, landscape, soils, environmental hazards, and infrastructure limitations are additional factors that guide local governments in the development of land use policy decisions. Changing land use planning practices and development standards statewide would be a significant and expensive public policy undertaking with as yet unknown water use savings compared to more direct and traditional methods of and approaches to water conservation.

Access to revenues for cities and counties shape California’s development patterns as local governments seek to balance revenues and expenditures by way of land use decisions including balancing commercial and residential land uses in their jurisdictions. The passage of Propositions 13 and 218, which reduced the role of property-based taxation as a local government revenue source, and the decline of federal and State financing for funding of infrastructure, have forced local governments to be increasingly focused on the potential fiscal effects of land use decisions. Additional federal fiscal policies, such as capital gains taxes, make property ownership an attractive investment, adding to the urban development expansion in recent years. These fiscal policies combine to encourage local governments to seek and approve development that increases sales tax revenue, such as regional retail and commercial uses. Some local governments seek higher priced housing over moderately priced housing because housing development only produces property tax at a fixed rate, which is less than the rate of inflation for providing city-based services such as road repair, infrastructure maintenance, parks, libraries, fire protection and public safety. Focusing on higher end housing has the potential to establish a higher tax base to support the provision of ongoing municipal services. Overall, simple economics dictate that counties and cities will as a practical matter favor development that generates higher property and sales tax, which is referred to as the “fiscalization of land use.”

Financially strapped cities and counties are more inclined to favor tax-generating land uses such as retail and commercial over housing. For residential projects, communities have adopted “development pays its way” policies to cover infrastructure improvements. Developers are assessed a variety of development impact fees to cover the cost of such services and amenities as roads, parks, water, public safety and other social infrastructure costs. The net result of these fiscal constraints is that the short-term need for revenue generated by this type of land use is pursued without budgeting for the long-term costs. As a result of these property tax policies, local communities compete with one another for businesses that generate sales tax. Community needs for jobs and housing are often outweighed by the competition for revenue-driven development.

**Need for Coordination**

Recent changes to the Government Code and the Water Code require local governments to determine whether there will be enough water to supply a proposed development project before it can be approved. This will require land use agencies and water agencies to improve their communication and coordination on project-level development decisions that have been made independently in the past. Many of the water supply coordination issues for new development are now addressed in the state’s Water Code through existing requirements for the preparation and approval of Urban Water Management Plans every five years and the implementation of SB 610 (Costa) and SB 221 (Kuehl) enacted in 2001. Increased coordination will also be necessary among all levels of government to coordinate inter-agency planning, to develop reliable and complete data and information which can form the basis for consistent government decision.
making, and to interpret and share data and information to optimize the relationship of land use planning and water supply planning.

**Recommendations**

**Cross-cutting Funding and Planning Programs**

1. **Provide incentives to developers and local governments to plan and build using more resource-efficient development patterns.** This can be done through CEQA exemptions for infill development, reductions in brownfields\(^1\) liability for innocent land purchasers, prioritizing planning grants and other incentives to increase consumer interest in urban living and to encourage infill and compact development forms.

2. **Promote performance-based planning with metrics including establishing a baseline for each watershed for impervious surfaces, vehicle miles traveled per capita, comprehensive flood management using floodplain planning, and land coverage.** These metrics should be the basis for evaluating projects that request discretionary State funding, grants, and other financial assistance.

**Integrate Regional Water Management and Local Land Use Plans**

1. **Regional planning agencies should continue or begin to participate in the blueprint planning process (see 2008’s SB 375 (Steinberg)) and develop incentives for regional blueprint plans to be implemented by local governments.** Regional plans should be required to address water supply planning issues, and should also set targets for GHG emissions reduction as recommended by the AB 32 Scoping Plan.

2. **LAFCOs should consider water supply issues in the context of their charge to encourage logical and efficient development patterns that minimize impacts on agricultural land and maximize meeting housing needs and affordability.**

3. **Adopt programs in furtherance and support of above policies and foster greater involvement of land use planning agencies and water purveyors in regional partnerships to develop and implement integrated regional growth and water management plans by:**

   (a) reviewing the Urban Water Management Plans adopted by water agencies within their jurisdiction;

   (b) working with these water agencies to show compliance with Water Code sections that require local governments to consider water supply availability when making land use decisions for significant (500 homes or more) new development projects,

   (c) preparing the water resource section of their general plans as described in the State’s General Plan Guidelines Update (OPR 2003).

4. **Promote compact sustainable development, implement regional blueprint plans, respond to climate change risks, encourage, reuse of land such as brownfields and greyfields (out-of-date**

\(^{1}\) [http://www.epa.gov/swerosps/bf/liab.htm](http://www.epa.gov/swerosps/bf/liab.htm)
shopping centers), provide affordable housing, and provide incentives for projects consistent with these policies.

(a) Use the CEQA process to mitigate the significant impacts of new development on prime agricultural land, open space, floodplains, recharge areas, wetlands, and water supply.

(b) Revise the General Plan Guidelines and require General Plans to include either an optional separate Water Element, or updated water resources data and information (UWMP) and policies, to address water supply, water quality, flood management, and implement the AB 32’s Scoping Plan recommendations.

(c) Update landscape irrigation ordinances to promote consumer choices for more water-efficient landscaping and water conservation systems in existing and new developments including the use of native species and drought-tolerant species.

(d) Adopt green building codes that include low impact development principles that include water conservation and reduction of impervious surfaces.

Provide Funding Incentives and Technical Assistance

1. Use adopted, or develop, state criteria to require state grants and funds as a factor in the award of discretionary funds for watershed approaches – for self sufficiency and portfolio water management – AB 32 Scoping Plan, and infrastructure funding to regional planning agencies to be consistent with:

(a) regional integrated water management plans and blueprint plans.

(b) state planning priorities guided by AB 857

(c) consistency test for water facilities, infrastructure and other projects.

(d) green building codes that incorporate low impact development principles (LID) and reduce impervious surfaces, especially near waterways and design standards (LEED-ND) and community land use patterns that implement compact sustainable development principles.

(e) conservation of prime soils and agricultural easements to further water and energy conservation, and flood plain management.

(f) the rehabilitation of aging or inadequate infrastructure to promote infill development.

2. Increase funding for maximum effectiveness for the above state policies and programs, such as preparation and implementation of regional blueprint plans, addressing water supply, water quality, flood management, and GHG reduction.

3. Provide technical and financial assistance to local governments to incorporate resource efficient development into their local general plan, related zoning ordinances, and specific plans; and to prepare required water supply assessments before approving major new development projects.
Enhance Research and Data Gathering

1. The state should provide funding, technical information and publicize accurate and relevant data on water supply and water quality, and best practices for local government to address water issues when updating their General Plans. Such information would provide comprehensive water resources information and policies to land use project applicants during pre-application meetings.

2. Regional planning agencies in conjunction with water purveyors and agencies should address regional planning water issues, and provide technical assistance and financial incentives to local governments to support and implement plans. They could serve as an information clearinghouse for regional water supply, water quality, flood management, and climate change vulnerability information that local governments can use in preparing General Plans.

3. Encourage and support more scientific, engineering, planning, social and economic research on the benefits and impacts of resource efficient development patterns. Develop an inventory of best practices by local governments and land management agencies and provide a user friendly portal for information access.

4. Monitor and evaluate the effectiveness of the package of flood management laws that were enacted in 2007. Prepare a report documenting the study’s conclusions and potential recommendations for changes to existing laws.

5. Fund a research study to evaluate the effectiveness of SB 610 and SB 221 in coordinating land use and water supply planning, and recommend changes to these laws or their implementation as appropriate. Develop guidance on how SB 610 and SB 211 water supply assessments and verifications should address the effects of climate change and Delta export uncertainties on supply reliability.

Promote Interagency Coordination

1. Use performance measurements metrics for improvements to communication, coordination, and information-sharing with other local agencies, regional planning agencies, and local water agencies and watershed managers.

2. Improve coordination between local housing plans and LAFCO policies on boundary changes.

Selected References


Statutes of 2001 (California), ch 642. (Senate Bill 221), an act to amend § 11010 of the Business and Professions Code, and to amend § 65867.5 of, and to add §§ 66455.3 and 66473.7 to the Government Code, relating to land use. [link with reference]

Statutes of 2001 (California), ch. 643. (Senate Bill 610), an act to amend § 21151.9 of the Public Resources Code, and to amend §§ 10631, 10656, 10910, 10911, 10912, and 10915 of, to repeal § 10913 of,
and to add and repeal Section 10657 of the Water Code, relating to water.
http://info.sen.ca.gov/pub/01-02/bill/sen/sb_0601-0650/sb_610_bill_20011009_chaptered.html

Statutes of 2002 (California), ch. 1016. (Assembly Bill 857), an act to amend §§ 13102, 13103, 65041, 65042, 65048, 65049, and 66037 of, and to add §§ 65041.1 and 65404 to, the Government Code, relating to state planning.
http://info.sen.ca.gov/cgi-bin/waisgate?WAISdocID=6684692404+0+0+0&WAISaction=retrieve


Statutes of 2006, ch. 559 (Assembly Bill 1881), Water Conservation, An act to add Section 1353.8 to the Civil Code, to repeal and add Article 10.8 (commencing with Section 65591) of Chapter 3 of Division 1 of Title 7 of the Government Code, to add Section 25401.9 to the Public Resources Code, and to add Article 4.5 (commencing with Section 535) to Chapter 8 of Division 1 of the Water Code, relating to water conservation.

Statutes of 2006 (California), ch. 488 (Assembly Bill No. 32) An act to add Division 25.5 (commencing with Section 38500) to the Health and Safety Code, relating to air pollution.