

SB 932 (Portantino)

General plans: circulation element: bicycle and pedestrian plans and traffic calming plans.

PROBLEM

Despite decades of rhetoric on the need for safer streets, most California streets have grown more dangerous in recent years. California follows a nationwide trend; the National Highway Traffic Safety Administration saw a nearly 20% increase in traffic fatalities in the first six months of 2021 compared to 2020 or 2019. That fatalities increased the year before the COVID-19 pandemic, during which millions of vehicles were removed from the roads, highlights that current solutions have been insufficient.

Some California cities lack data on how to address the epidemic of traffic violence, particularly regarding death and serious injuries to pedestrians, cyclists, and other human-powered-transit users. In certain cities where the most dangerous streets and corridors have been identified, no plan exists to remedy these deadly situations. Even in cities that have developed plans, like Los Angeles' Vision Zero and Mobility Plan 2035, meaningful changes that would save lives have yet to be implemented.

BACKGROUND

The general plan forms the foundation of local land-use planning by creating goals, objectives, policies, and implementation programs that span the next 10-20 years. While there is no time-based requirement for amending or updating existing general plans (except for housing elements), changes in technology, infrastructure, demographics, and economies require most communities to update their general plan every two to three decades. When

local officials revise or update a general plan, they may include health and safety considerations related to the built environment, such as improving areas for walking, bicycling, and other human-powered transit. Local officials may identify areas with particularly high rates of traffic violence to develop and implement strategies that improve street safety. The general plan's circulation element can also be used to connect parks and recreational facilities via a network of safe and continuous on-street and off-street human-powered transit routes.

California law has required cities and counties to adopt general (or "master") plans since the 1920s, but until 1971 there was no law that required the general plan to be followed or implemented. Today, however, legal reforms have transformed the general plan into "the constitution for [all] future development" within a jurisdiction. With very few exceptions, cities may not approve a specific land-use regulation or development project unless it is consistent with the general plan. The same is true for counties with respect to unincorporated areas. However, while virtually all affirmative actions regarding land-use regulations and approvals must conform to the general plan, there is very little in the way of incentives for carrying out the entirety of the plan or penalties for inaction that results in failing to implement an element of the plan.

State law requires all general plans to contain a minimum of seven elements. The "Circulation" element identifies the general location and extent of existing and proposed major roads, transportation routes, bicycle routes, walking trails, terminals, and public utilities and facilities. The "Open Space" element details plans and measures for preserving open space for natural resources, the managed pro-

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duction of resources, outdoor recreation, public health and safety, and the identification of agricultural land.

SUMMARY

SB 932 would require a county or city to include in its General Plan a map of the high injury network within its boundaries and would further require a county or city to identify and prioritize safety improvements that may be implemented within 15 years that would address serious and injurious traffic collisions. This bill would increase or decrease the 15-year implementation period based on whether the measures introduced by a county or city work to reduce its percentage of traffic violence.

SB 932 would state the intent of the Legislature to create an annual grant program, relating to the above provisions, to award funding to any county or city upon a showing of its implementation of timely and effective short-term efforts to mitigate bicycle, pedestrian, and other human-powered transportation injuries and fatalities.

SB 932 intent of the Legislature is to fight climate change with these provisions.

EXISTING LAW

Existing law states the Legislature’s intention that a county or city general plan and the elements and parts of that general plan comprise an integrated, internally consistent and compatible statement of policies for the adopting agency.

Existing law, the Planning and Zoning Law, requires the legislative body of a city or county to adopt a comprehensive general plan that includes various elements, including a circulation element. Existing law requires the circulation element to consist of the general location

and extent of existing and proposed major thoroughfares, transportation routes, terminals, any military airports and ports, and other local public utilities and facilities. Existing law requires the legislative body, upon any substantive revision of the circulation element, to modify the circulation element to plan for a balanced, multimodal transportation network that meets the needs of all users of streets, roads, and highways for safe and convenient travel in a manner that is suitable to the rural, suburban, or urban context of the general plan. Existing law defines “users of streets, roads, and highways” to mean bicyclists, children, persons with disabilities, motorists, movers of commercial goods, pedestrians, users of public transportation, and seniors.

SUPPORT

Version: 2/9/2022