

Richard Mitchell, Director of Planning
Bill Lindsay, City Manager
City of Richmond
450 Civic Center Plaza
Richmond, CA 94804

April 26, 2010

RE: Community Health and Wellness Element of the City of Richmond General Plan

Dear Mr. Mitchell and Mr. Lindsay:

We would like to thank you and your staff for keeping us informed about the City's General Plan Update process and the impetus for recent changes to the content of the Health and Wellness Element (HWE), including the need to strengthen and streamline this important policy framework before its adoption.

PolicyLink is deeply committed to improving the health and well-being of Richmond's diverse communities, and view ourselves as dedicated partners to the City of Richmond. Since 2006, we have provided technical assistance to build the connections and capacity within Richmond for the development of the HWE, and the subsequent launch of its implementation. Meaningful, sustainable change in Richmond begins with a vision of healthy communities that is advanced by dedication to address diverse issues across multiple aspects of a community – from “grassroots to treetops” – over time.

The HWE has elevated the City of Richmond as an innovator in planning and public health for communities across California and the nation. We offer the enclosed comments on the latest draft to ensure that the document achieves the right balance of aspirational relevance and practical direction. After a detailed review of the July and December drafts and careful study of California general plan practices and guidelines, our suggestions can be summarized as follows:

- **Maintain consistent references to health and equity** to ensure that this pioneering policy framework places an appropriate focus on significant health and socioeconomic inequities.
- **Include specific steps, measures, and collaborative partners, when appropriate**, for carrying out programs, policies, and other actions to address the current and future health needs of Richmond's residents.
- **Maintain directive language that reflects the City's commitment** to carry out programs, policies and actions to improve health and reduce disparities in Richmond.

As you requested, we have prepared written comments and specific recommendations that are summarized in the enclosed matrix, and characterized more broadly in the accompanying appendix. Our understanding is that you will take these into consideration as part of the current period of public comment on the plan.

Our recommendations reflect our commitment to the results of the process initiated by the City over the past three years, including the extensive public participation in the GPU overall and the detailed, evidence-based, and cogent contributions of the Technical Advisory Group (TAG) for the Health and Wellness Element, in which all of us participated. The case we make for directness and specificity with respect to possible City actions is well grounded in sound California planning practice, and can readily be done in a way which does not put the City at risk or limit its flexibility in the future. It is also important to acknowledge that we are currently engaged in a number of activities with Contra Costa Health Services, MIG, and the City staff to prepare for the implementation of the Health and Wellness Element, including the exploration of policy tools, the creation of pilot neighborhood projects, and the development of data and indicators on community conditions and health. These important activities, which will enhance the capacity of the City to build an ongoing focus on community health, are the direct result of the guidance provided by the earlier draft of the HWE.

In order to aid with tracking future steps, and knowing the issues the City faces in moving the plan forward, we would appreciate your written response to these recommendations and your description of next steps of the GPU revisions process. We appreciate that the edits remaining for your staff to perform are significant, and we hope you will be able to respond by May 30, 2010.

If you should have any questions regarding the content of this letter or the enclosures, please direct them to me or to Jme McLean, Program Associate at PolicyLink (510.663.4339 or jme@policylink.org). Thank you again for the opportunity to work with you, and for your consideration of these comments.

Sincerely,



Victor Rubin
Vice President for Research

PolicyLink

CC: Vikrant Sood and Daniel Iacofano, MIG, Inc.; Tracey Rattray, Contra Costa Health Services; Diane Aranda, The California Endowment; Jason Corburn, University of California, Berkeley, Department of City and Regional Planning

Appendix: Analysis of the Richmond Health and Wellness Element December 2009 Revision

Prepared by PolicyLink for

The City of Richmond Planning and Building Services Director and Staff

April 2010

Changes to Richmond's Community Health and Wellness Element (HWE) between July and December 2009 were of three broad types:

- **Removal of references to health and equity**, which compromises the potential impact and effectiveness of a pioneering policy framework targeting health in a community with both some of the most severe rates of mortality and morbidity in the County and State, as well as significant health and socioeconomic inequities.
- **Deletion of important content concerning specific steps, measures, and collaborative partners** for carrying out programs, policies, and other actions to address the current and future health needs of Richmond's residents. In some cases, the actions are omitted in their entirety.
- **Modifications to language that affect the City's commitment to carry out programs, policies and actions** to improve health and reduce disparities in Richmond. Throughout the document, *directive* language is removed and replaced with *optional* language.

Further details and recommendations addressing each of these three types of changes are summarized below.

Removal of references to health and equity

Background

Across the HWE, language connecting the land use goals, objectives, policies and actions with community health and equity were cut in the name of conciseness and brevity. In the background section, key goal areas around health and equity were also cut from the text. Examples: 11.5 Introduction, 4th paragraph; 11.18 Introduction, 4th paragraph.

Further examples are highlighted in the enclosed matrix.

Recommendation

We recommend re-inserting references to health and equity in the objectives, policies and action items where they were deleted throughout the document, even when references to health or equity goals are described in the framing of a section or chapter.

Rationale

Linking specific goals, objectives and actions in the General Plan with their health and equity impacts is critical for sustaining long-term change in Richmond. Providing these connections will influence how government staff, business owners, community groups, developers, and other members of the Richmond community consider and address community conditions that affect wellbeing. For instance,

in local government, links between specific actions and their health rationale may affect how agency staff perceive, prioritize and pursue resident needs and concerns. Details articulating and translating the vision of a Healthy Richmond into everyday tasks and duties of local government are critical for systemic change.. These details help to make “improving health and equity” part of the job descriptions of staff across all departments – including planning, redevelopment, engineering, public works, and so on. They also help to deliver on the City’s promise to plan for and address not only the physical conditions of Richmond, but also its needs around safety, community connection and identity, stimulation and meaning.

Assuring that language throughout the HWE connects physical and social environment planning and policy back to a “health rationale” not only improves local efforts to slow, halt or reverse chronic disease within Richmond, it also has the potential to contribute to improving health nationwide. As a pioneering document, the HWE serves as a model for other local and state governments looking to replicate the framing of community issues, policy language addressing health and the built environment and the multi-disciplinary, interagency implementation processes that begin here. Even the federal government may look to Richmond for promising practices to improve community environments and create communities of opportunity nationwide. Richmond’s pioneering move to create an innovative health policy element means widespread attention will be paid to it as a precedent for other communities across America.

Deletion of important content concerning specific steps, measures, and collaborative partners

Background

Specific steps, measures, and collaborative partners for carrying out programs, policies, and other actions to address the current and future health needs of Richmond’s residents that appear in many parts of the July 2009 draft are omitted from the December 2009 draft. Example: *In December’s version of HW 2.B., specific details regarding an urban agriculture assessment were removed and substituted with more general language; in HW 9.1, specific details concerning partners for reducing impact for pollution monitoring were removed.*

In some cases, actions are omitted in their entirety. Examples: *In December’s version of HW 4.C., an entire action item concerning transportation to specific needy populations in Richmond was removed. All details regarding collaborative partners, specific action items, and equity priorities were removed.*

Omissions and deletions are of particular concern in Goal Area 11, “Become a Leader in Building Healthy Communities,” which sets the Health and Wellness Element apart from the others. Examples of changes include: *HW 11.B, which loses detail regarding the format of criteria and guidelines for evaluating the health benefits of projects and plans between the July and December drafts, and HW 11.C, which loses detail regarding specific measures, actions, materials and steps to assess HWE effectiveness over time.*

Recommendation

We recommend re-inserting important guidance concerning specific steps, measures, and collaborative partners across the HWE wherever possible, with particular attention to goal area HW 11. In parts of the HWE where the City will “consider” or “explore” a particular action and important relevant details or context for a given action have been deleted, we recommend reinstating the original level of detail. Where possible in the HWE, the City should also consider opportunities to expand local government’s authority.

We understand that in some cases, items have been eliminated from the HWE because that they were referenced elsewhere in the General Plan Update. In any case where an implementing action in the GPU is relevant to the HWE, we request that all relevant information remain cross-referenced across each relevant element, including the HWE. There is no need to restate the full language, but it would be helpful to include brief references across each relevant section to assure a cohesive document. In fact, if this document is posted electronically and easily accessible on the Internet, it would be fairly easy for the user to click on hyperlinks that bring them directly to the right section of the right element.

Rationale

General plans provide the framework for the City’s future course of action. They should not commit a local government to more than it can reasonably handle, but they should provide the specificity needed to guide current and future actions. In order to pursue actions in accordance with the general plan, those tasked with implementation need details to guide their work, but flexibility to accommodate changing circumstances. Therefore, an excellent planning document must be concise, lack redundancy and provide local government the flexibility to adapt to changing needs in the context of a broader vision while also providing sufficient, meaningful detail. Conciseness should not preclude the City from pursuit of meaningful guidelines, policies and actions to steer future activities.

The State of California provides helpful guidance on distinguishing between multiple levels of general plan language – such as goals, objectives, policies and implementation measures – and on the value of each of these within the general plan policy framework.¹ For instance, the State’s guidance suggests that goals or objectives are not enough; policies and corresponding implementing actions are needed to fill out a complete general plan:

“Since the general plan affects the welfare of current and future generations, state law requires that the plan take a long-term perspective (Code 65300). The general plan projects conditions and needs into the future as a basis for determining objectives. It also establishes long-term policy for day-to-day decision-making based upon these objectives” (p. 13).

State guidance also supports clear and well-articulated details regarding policy content:

¹ Johnston JL, Loux J, McDougal P, Patterson E, Pernel A, Pfeffer N, Prasad S, Talbert CT and Wheaton L. (2003). *State of California General Plan Guidelines*. Governor’s Office of Planning and Research. Available at: www.opr.ca.gov.

“For a policy to be useful as a guide to action it must be clear and unambiguous. Adopting broadly drawn and vague policies is poor practice. Clear policies are particularly important when it comes to judging whether or not zoning decisions, subdivisions, public works projects, etc., are consistent with the general plan” (p. 15).

Some additional relevant guidance is reproduced below for convenient reference.

- “A **goal** is a general direction-setter. It is an ideal future end related to the public health, safety or general welfare. A goal is a general expression of community values, and, therefore, may be abstract in nature. Consequently, a goal is general not quantifiable or time-dependent.” p. 15
 - “Goals should be expressed as ends, not actions.”
 - “Examples of goals: quiet residential streets; a diversified economic base for the city; an aesthetically pleasing community.”
- “An **objective** is a specified end, condition or state that is an intermediate step toward attaining a goal. It should be achievable and, when possible, measurable and time-specific. An objective may pertain to one particular aspect of a goal or it may be one of several successive steps toward goal achievement.” p. 15
 - “Examples of goals: The addition of 100 affordable housing units over the next five years, A 25 percent increase in downtown office space by 2008,” etc.
- “A **principle** is an assumption, fundamental rule, or doctrine guiding general plan policies, proposals, standards, and implementation measures. Principles are based on community values, generally accepted planning doctrine, current technology, and the general plan’s objectives.” p. 15
 - “Examples of principles: Mixed use encourages urban vitality, Parks provide recreational and aesthetic benefits. Risks from natural hazards should be identified and avoided to the extent practicable.”
- “A **policy** is a specific statement that guides decision-making. It indicates a commitment of the local legislative body to a particular course of action. A policy is based on and helps implement a general plan’s objectives” (p. 15).
 - “Examples of policies: ‘The city shall not approve a parking ordinance variance unless the variance pertains to the rebuilding of an unintentionally destroyed non-conforming use.’ ‘The city shall give favorable consideration to conditional use permit proposals involving adaptive reuse of buildings that are designated as ‘architecturally significant’ by the cultural resources element” (p. 16).
- “A **standard** is a rule or measure establishing a level of quality or quantity that must be complied with or satisfied. Standards define the abstract terms of objectives and policies with concrete specifications” (p.16).
 - “Examples of standards: ‘A minimally acceptable peak hour level of service for an arterial street is level of service C.’ ‘The first floor of all new construction shall be at least two feet above the base flood elevation” (p.16).

- “An **implementation measure** is an action, procedure, program or technique that carries out general plan policy. Each policy must have at least one corresponding implementation measure” (p.16).
 - “Examples of implementation measures: ‘The city shall adopt a specific plan for the industrial park.’ ‘The city shall use tax-increment financing to pay the costs of replacing old sidewalks in the redevelopment area’ (p.16).

Optional elements in a general plan offer a jurisdiction the opportunity to expand its policy powers to address issues at a greater level of specificity than otherwise expected, allowing more opportunity to address local needs:

“Optional elements ‘may clarify how a local government exercises its police powers, and in some instances, can expand a local government’s authority. For example, the California Energy Commission may delegate geothermal power plant licensing authority to counties with certified geothermal elements’” (p. 18).

Modifications to language that affect the City’s commitment to carry out programs, policies and actions

Background

The December 2009 revision of the HWE consistently omitted specific new plans or programs that appeared in the July 2009 draft, in favor of more general references to issue areas. Examples: *Action HW9.D. “Port Emission Reductions Plan” changed to “Port Emissions Reduction”; Action HW9.M. “Urban Forestry Management Plan” changed to “Urban Forestry”; Action HW10.D. “Renewable Energy Program” changed to “Renewable Energy.”*

The draft also included “softening” of commitments that reduce the City’s commitment to carry out programs, policies and actions to improve health and reduce disparities in Richmond; throughout the document, *imperative* language is removed and replaced with *optional* language. Examples: *HW1.H. “Develop and adopt design guidelines...” changed to “Consider developing and adopting design guidelines...”*; *HW2.B. “Explore the potential for creating and sustaining local urban agriculture...” changed to “Consider exploring the potential for creating and sustaining local urban agriculture...”*

Recommendation

We recommend revisiting these changes to reinstate more direct language. “Exploring the potential of an action” lacks the strength of a direct action itself, and to “consider” exploring the potential of an action is yet one step removed. The City can both achieve a commitment to meaningful action and avoid becoming overly prescriptive by prioritizing areas of greatest need and/or feasibility for commitment. Further, the City should revisit these actions on a regular basis to assure that they remain updated and relevant as circumstances in Richmond change.

Rationale

State guidance indicates that each policy must be accompanied by at least one implementing action, and that rigor is desired in those policies and actions. Considerations of language signifying commitment should be made with the best intentions for carrying them out:

“When writing policies, be aware of the difference between ‘shall’ and ‘should.’ ‘Shall’ indicates an unequivocal directive. ‘Should’ signifies a less rigid directive, to be honored in the absence of compelling or contravening considerations. Use of the word ‘should’ to give the impression of more commitment than actually intended is a common but unacceptable practice. It is better to adopt no policy than to adopt a policy with no backbone” (p. 15).

State guidance suggests the inclusion of timelines and implementation details, as well:

“The most successful plans are those that were written from the start with a concern for realistic and well-timed implementation measures. Adopting infeasible planning policies or implementation measures is a waste of time.... While existing law specifically requires an identification of implementation actions in the open space, housing and noise elements, the general plan should identify such measures relative to every element” (p. 46).

Further, implementation measures can and should be adjusted regularly:

“Each city and county should establish formal procedures for regularly monitoring the effectiveness of its general plan... Those portions of the plan having a short-term focus, such as the implementation program, should be annually reviewed and amended as necessary. The review should take into account the availability of new implementation tools, changes in funding sources, and the feedback from plan monitoring activities” (p. 46).

“At least once every five years, each local planning agency should thoroughly review its entire general plan and revise the document as necessary” (p. 46).