

Senate Bill 375, The Sustainable Communities Strategy and The Monterey Bay Area



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Marina Public Library, Marina CA

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Presentation Outline

1. Overview

2. SB 375 Strategies

Sustainable Communities Strategy

Coordinated Planning Processes

SB 375 CEQA Options

3. Opportunities for Participation

4. Adoption Date

5. Planning Efforts

6. Discussion

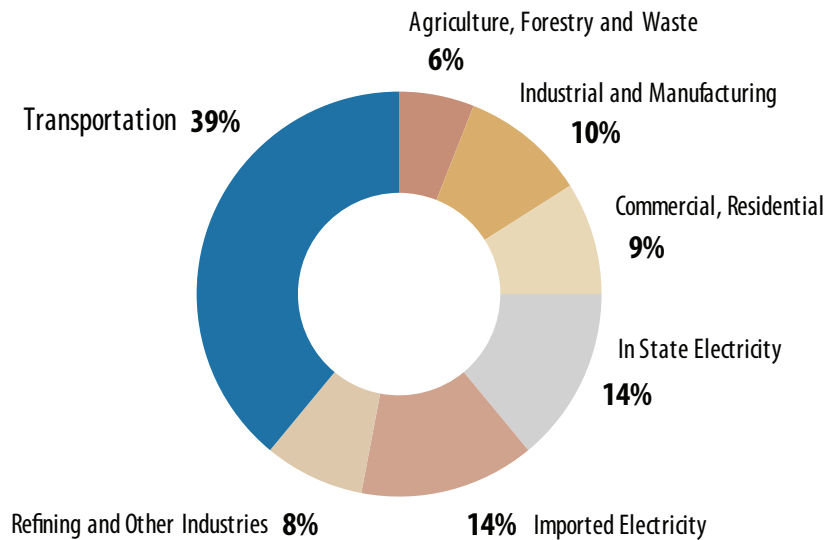
7. Next Steps

Overview: SB 375 Basics

Senate Bill 375 seeks to reduce greenhouse gases from the transportation sector

California's Gross GHG Estimates in 2004

Based on 8-13-07 Draft of ARB GHG Emissions Inventory

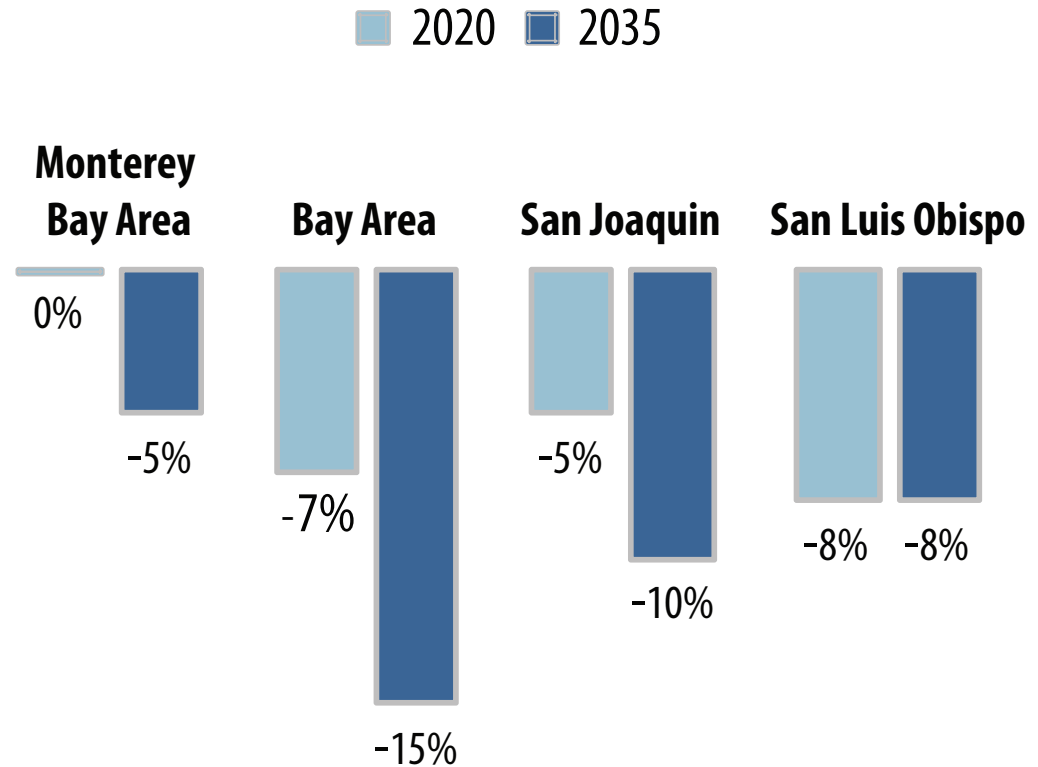


Overview: SB 375 Targets

SB 375 Per Capita GHG Targets 2020 and 2035

Source: California Air Resources Board, September 2010

Percent reduction from 2005 daily per capita GHG emissions from cars and light trucks pursuant to SB 375



Overview: SB 375 Strategies

Targets to be achieved primarily through the following strategies:

- 1. The Sustainable Communities Strategy**
- 2. Coordinated Planning Processes**
- 3. CEQA Options**

What is the Sustainable Communities Strategy?

New element of the Metropolitan Transportation Plan (MTP)

Sustainable Communities Strategy must achieve GHG target

If SCS cannot achieve target: Alternative Planning Strategy (APS)

What is the Sustainable Communities Strategy?

Maps, graphs, and illustrations as well as text

SB 375 requires SCS to identify:

- A regional development pattern
- A transportation network
- Other key items

Coordinated Planning Processes

Requirements pertain to housing + transportation planning

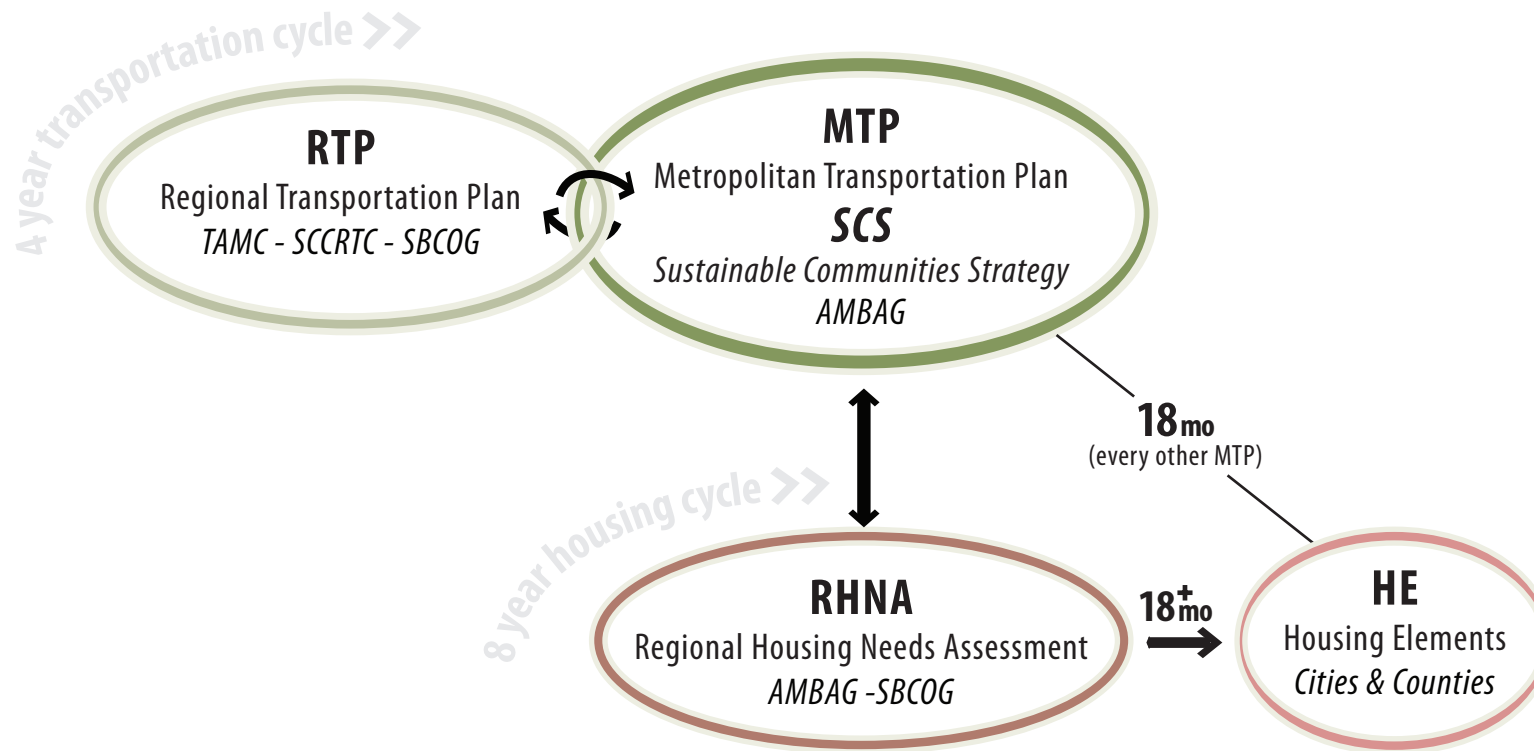
- RHNA & SCS
- Housing Element, RHNA & MTP planning cycles

Review of RHNA Process:

- HCD allocates to Councils of Government (COGs)
- COGs allocate to cities and counties
- Housing Elements accommodate allocation

Coordinated Planning Processes Pursuant to SB 375

Source: CA Government Code, California RTP Guidelines, CA Department of Housing and Community Development



SB 375 CEQA Options

Source: California Public Resources Code (PRC) Sections 21155.1, 21155.2 and 21159.28

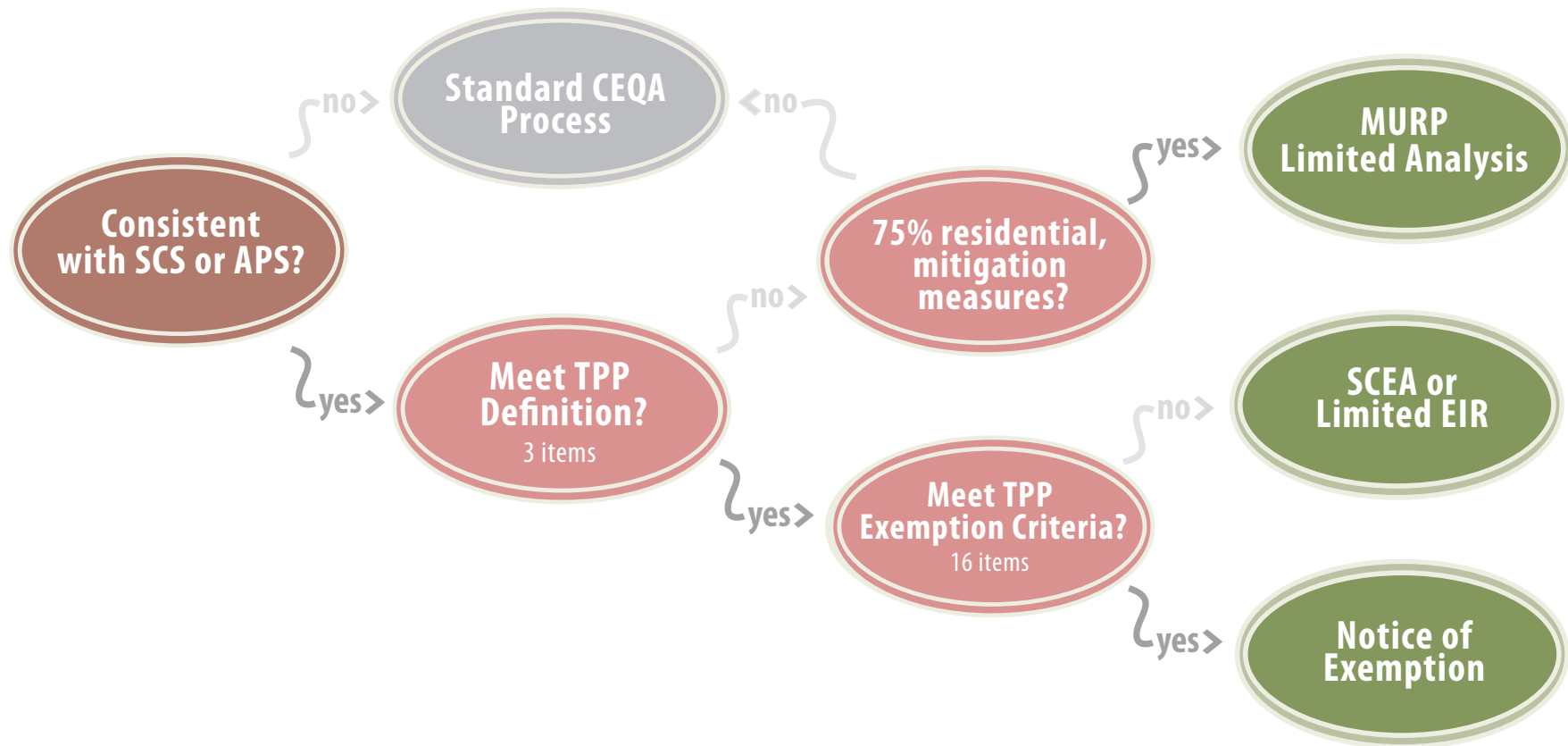
Full CEQA Exemption for Transit Priority Projects (TPPs)

Sustainable Communities Environmental Assessment (SCEA) and Limited Environmental Impact Report (EIR)

Limited Analysis for Mixed Use Residential Projects (MURPS)

SB 375 CEQA Options

Source: California Public Resources Code (PRC) Sections 21155.1, 21155.2 and 21159.28



Opportunities for Participation

New Public Participation Requirements for the SCS

- 3 public workshops
- 3 to 6 workshops for elected officials
- 3 public hearings

Monetary assistance to local jurisdictions, transportation and transit agencies

“Deliberative Public Participation”

SCS Adoption Date

Current adoption date of the next MTP is June 2012

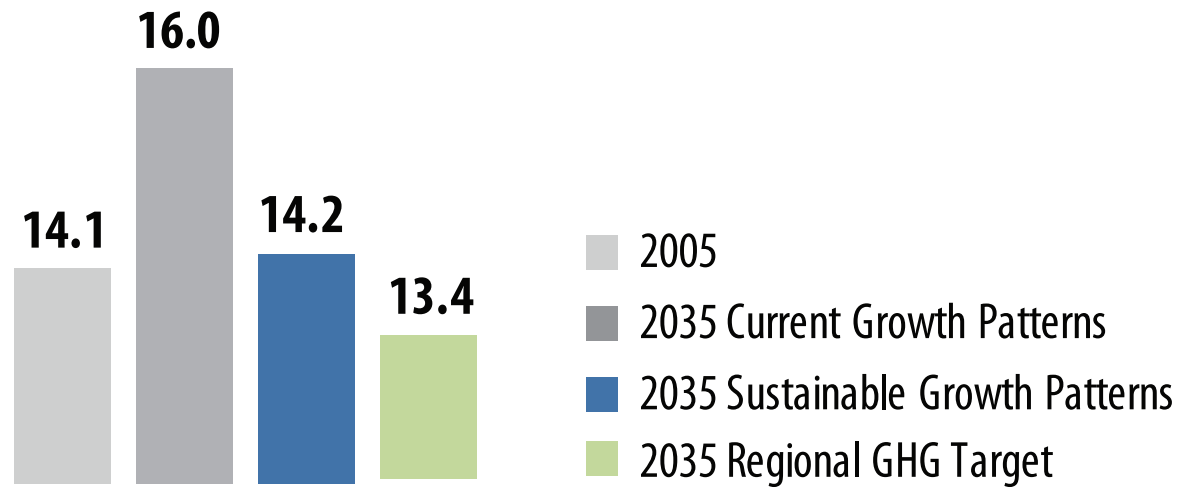
Staff is planning to seek AMBAG Board approval in the coming months for a revised adoption date

SB 375 Planning: Efforts to Date

- **Secured \$940,000 in grant funding**
- **Convened AMBAG/RTPA Working Group**
- **Statewide MPO Working Group meetings**
- **Revised Draft Public Participation Plan**

Discussion: The Blueprint and SB 375

Daily per capita GHG emissions (in pounds) 2005 vs Blueprint Scenarios vs. GHG Target



Next Steps

- **Staff recommends the AMBAG Board establish an SB 375 Ad-Hoc sub-committee**
- **Convene regionwide “Planning Directors’ Forum”**
- **Upon receipt of grant contracts, commence work plan**

Previously Raised Issues and Concerns

What will happen if we fail to meet the GHG target?

- Must show in the MTP; not by monitoring in 2020 and 2035
- Alternative Planning Strategy
- GHG targets revisited every 4 years

What is the impact on local land use authority?

- SB 375 asserts SCS and MTP shall not supercede local authority
- Development pattern **generally** defined
- Assistance to local jurisdictions to ensure early involvement

SCS Planning: Moving Ahead

Regional Implementation Plan for Smart Growth Development Strategies

- Funded by Caltrans' Community Based Transportation Planning Programs
- Development Potential Analysis of Priority Areas
- Feasibility Analysis
 - *Smart Growth Development Strategies (political feasibility)*
 - *Infill Development (financial feasibility)*
- Implementation

Joint Work Plan for the Sustainable Communities Strategy

- Funded by the Strategic Growth Council (Proposition 84)
- Land Use Initiative
- Transportation Initiative

CEQA Option: Sustainable Communities Environmental Assessment (PRC Section 21155.2(b))

1. The lead agency shall prepare an initial study for an SCEA that identifies all significant impacts except for the following:
 - a. growth inducing impacts, and
 - b. project specific or cumulative impacts from cars and light trucks on global warming or the regional transportation network.
2. The initial study shall also identify any cumulative impacts that have been adequately addressed and mitigated in a prior applicable certified EIR. Where the lead agency determines the impact has been adequately mitigated, the impact shall be not be cumulatively considerable.
3. The SCEA shall contain mitigation measures to avoid or mitigate to a level of insignificance all significant effects identified in the initial study.
4. The draft SCEA shall be circulated for a 30 day public comment period, and the lead agency shall consider all comments received.
5. The SCEA may be approved after the lead agency conducts a public hearing, reviews comments received, and finds the following:
 - a. that all potentially significant effects have been identified and analyzed, and
 - b. that each

SCEA, con't

significant effect has been mitigated to level of insignificance by either the lead agency or another agency with the responsibility and jurisdiction to implement the mitigation measures.

6. If the planning commission conducts the public hearing, the fee to appeal its decision to the decision-making body shall not exceed \$500.

7. The substantial evidence standard, not the fair argument standard, applies to the lead agency's decision to review and approve an SCEA.

CEQA Option: Limited Analysis Environmental Impact Report (PRC Section 21155.2(c))

1. The lead agency shall prepare an initial study that identifies all significant impacts except for the following:

- a. Growth inducing impacts
- b. Project specific or cumulative impacts from cars and light trucks on global warming or the regional transportation network

2. The initial study shall also identify any cumulative impacts that have been adequately addressed and mitigated in a prior applicable certified EIR. Where the lead agency determines the impact has been adequately mitigated, the impact shall be not be cumulatively considerable.

CEQA Option: Limited Analysis for Mixed Use Residential Project

The project's standard CEQA document is NOT required to reference, describe, or discuss the following (PRC Section 21159.28(a and b)):

1. growth inducing impacts,
2. project specific or cumulative impacts from cars and light trucks on global warming or the regional transportation network, or
3. a reduced density alternative (EIRs only)

Transit Priority Project: Definition

Is the Proposed Project a Transit Priority Project (TPP) as defined by PRC Section 21155(b)?

Transit Priority Projects must contain the following:

- 1)** At least 50% residential use, based on total building square footage and, if project contains between 26% and 50% non-residential uses, a FAR of not less than 0.75

- 2)** Minimum net density of at least 20 dwelling units per acre

- 3)** Be within one-half mile of either of the following which have been included in a Regional Transportation Plan:
 - a. a major transit stop that contains an existing rail station, a ferry terminal served by transit, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during peak commute periods*

 - b. a high quality transit corridor that has fixed route bus service with service intervals no longer than 15 minutes during peak commute hours*

Transit Priority Project: Criteria (Environmental)

Does the Transit Priority Project comply with all the following environmental criteria? PRC Section 21155.1(a)

1. The TPP served by existing utilities and the applicant has paid or committed to pay all applicable fees.
2. The site of the TPP does not contain wetlands or riparian areas, does not have significant value as a wildlife habitat, and the TPP does not harm any protected species.
3. The TPP is not included on any sites on the Cortese List.
4. The TPP is subject to a preliminary endangerment assessment to determine the existence of any hazardous substance on the site and to determine the potential for exposure of future occupants to significant health hazards from the area.
5. The TPP does not have a significant effect on historical resources.
6. The TPP site is not subject to:
 - a. *a wildland fire hazard, as determined by CalFire*
 - b. *an unusually high risk of fire or explosion from materials stored or used on nearby properties,*
 - c. *risk of a public health exposure*
 - d. *seismic risk as a result of being within a delineated earthquake fault zone or a seismic hazard zone*
 - e. *landslide hazard, flood plain, flood way, or restriction zone*
7. The TPP is not located on developed open space.
8. The TPP buildings are 15% more energy efficient than Title 24 and use 25% less water than average households.

Transit Priority Project: Criteria (Land Use)

Does the Transit Priority Project meet all the following land use criteria? PRC Section 21155.1(b)

1. TPP site is not more than eight acres.
2. TPP does not contain more than 200 residential units.
3. TPP does not result in a net loss of affordable housing within the project area.
4. TPP does not include any single level building exceeding 75,000 square feet.
5. Applicable mitigation measures or performance standards from prior EIRs have been incorporated.
6. TPP does not conflict with nearby industrial uses.
7. TPP is located within one-half mile of a rail transit station or high-quality transit corridor, or ferry terminal that have been included in a RTP.
8. The TPP meets one of the following criteria (PRC Section 21155.1 (c)):
 - a. the TPP will sell at least 20% of housing to families of moderate income, 10% of housing will be rented to families of low income, or at least 5% of the housing is rented to families of very low income, and the developer provides legal commitments to ensure the continued availability of these housing units for very low, low-, and moderate income households*
 - b. the TPP developer has paid or will pay in-lieu fees sufficient to result in the development of the affordable units described above*
 - c. the TPP provides public open space equal or greater than 5 acres per 1,000 residents of the project*