# SB 375 and the Bay Area

January 23, 2009

## Outline

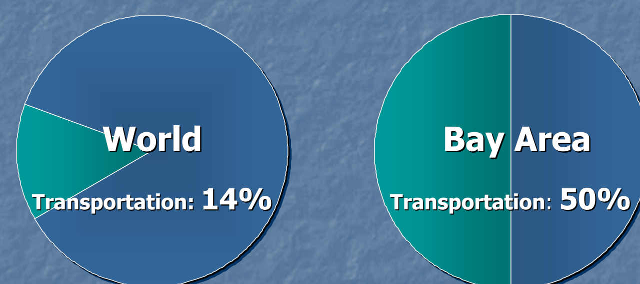
1. **Premise:** How transportation and land use affect climate change.
2. **Progress:** How the Bay Area's plans respond.
3. **Prescription:** How SB 375 changes rules and expectations.

## Premise: Big Footprint/Big Impact

- Bay Area's impact on the globe
  - Per capita carbon footprint
    3 times the world average
- Impact on Bay Area
  - Rising sea levels
  - More hot, smoggy days
  - Vanishing Sierra snow pack; water shortages
  - More wild fires with pollution

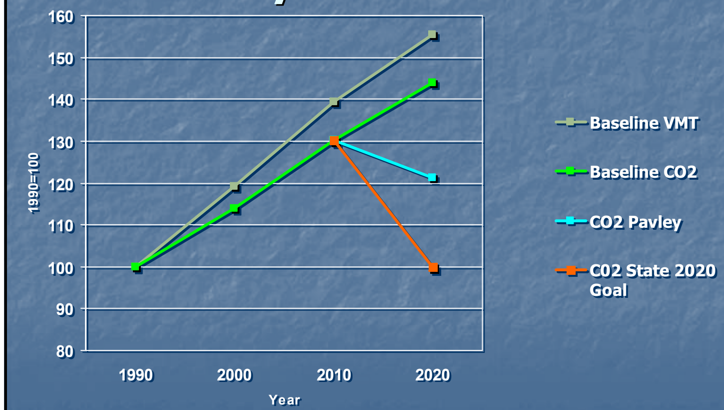

## Premise: Transportation is Critical

Green House Gases Compared

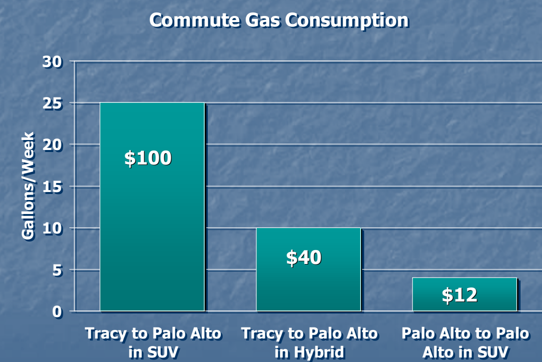



Sources: USEIA, BAAQMD

## Premise: **Emission Standards Necessary but Not Sufficient**



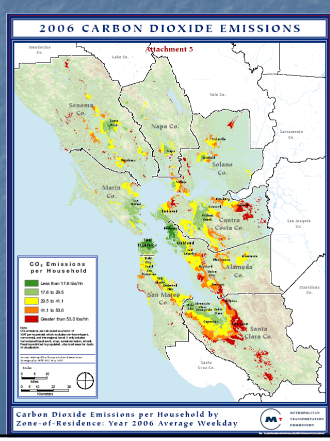

## Premise: **Location Matters**




Don Weden

## Premise: **Location Matters**

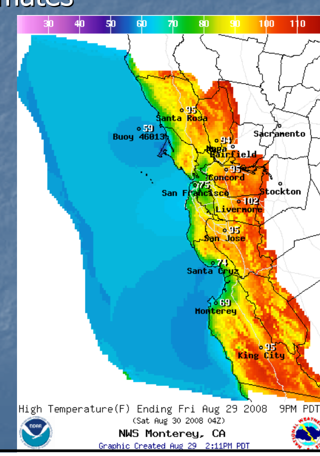
*Growing Cooler:*
Compared to sprawl, compact development results in a 20 to 40 percent reduction in VMT and hence in $CO_2$




## Premise: **Location Matters**

Micro Climates

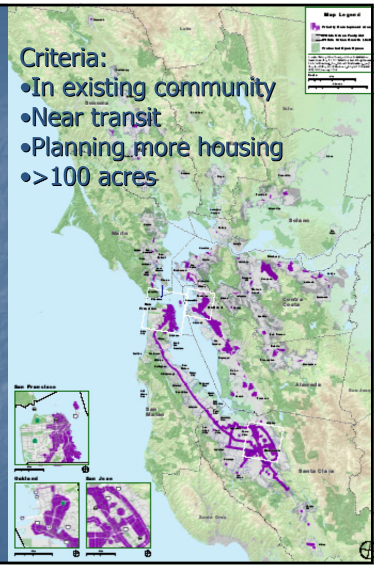
Bay Area Temperature Gradient: As much as a degree per mile

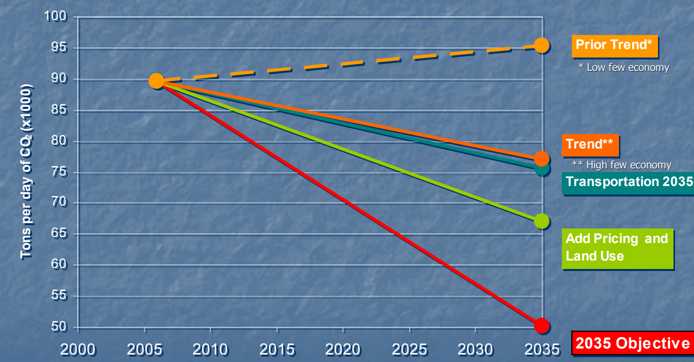
Progress:
# FOCUS
## Priority Development Areas

- About 60 jurisdictions
- Over 120 areas
- About 425,000 new housing units by 2035
- About 3% of region's land area
- About 55% of projected regional growth
- Complimented by 100+ Priority Conservation Areas

Criteria:
- In existing community
- Near transit
- Planning more housing
- >100 acres

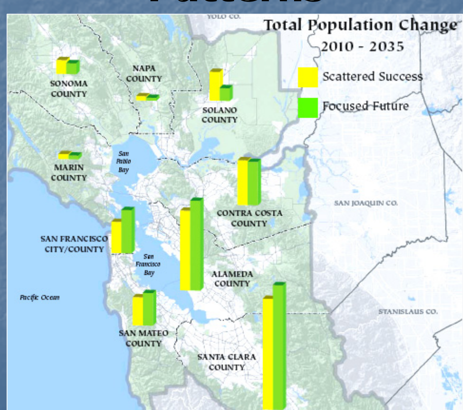


Progress: **Performance-based Regional Transportation Plan**




**Target: Reduce $CO_2$ 40% below 1990 levels by 2035**

Progress: **Alternative Growth Patterns**

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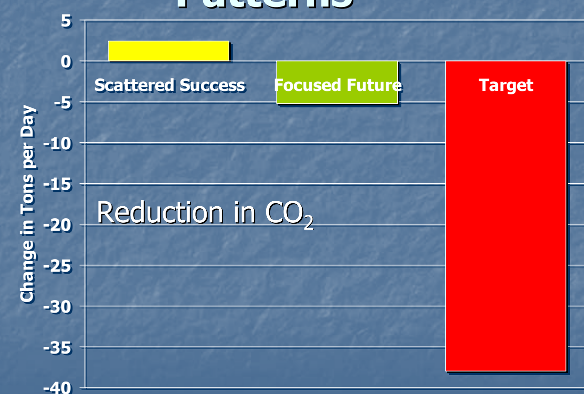


## Prescription: SB 375 Basics

- $CO_2$ Targets
- Sustainable Communities Strategy
- Alternative Planning Strategy
- Regional Housing Needs Allocation (RHNA) Synchronization
- CEQA Relief

## Prescription: $CO_2$ Targets for the Region

- For 2020 and 2035
- For cars and light trucks only
- Adopted by CARB by September 30, 2010
- CARB must consider methodology recommended by broad-based advisory committee
- Regions may recommend targets.

## Prescription: Sustainable Communities Strategy (SCS)

- Forecast development pattern, *accommodating all regional housing demand*
- Integrated with transportation network and transportation policies and measures
- To achieve, to the extent practicable, $CO_2$ targets
- While also complying with Federal Clean Air Act (i.e., realistically attainable)
- Part of (2013) Regional Transportation Plan (which must be internally consistent)
- Not binding on local government land-use authority

## Prescription: Alternative Planning Strategy (APS)

- Prepared if SCS is unable to meet targets
- Like SCS, but unconstrained by Federal realism requirement
- Not part of the Regional Transportation Plan
- Like SCS, must be reviewed by CARB, which certifies whether targets have been met or not
- Two purposes:
  - Provides access to CEQA relief
  - Provides feedback to State on requirements for additional authorities and measures

## Prescription: **Regional Housing Needs Allocation (RHNA) Synchronization**

- 8-year RHNA/Housing Element cycle, coterminous with every second Regional Transportation Plan (RTP)
- RHNA must be consistent with SCS
- Housing elements must be adopted 18 months after adoption of the RTP
- Zoning to implement housing element (including *minimum* densities and development standards) must be in place within three years of adoption of housing element

## Prescription: **CEQA Relief**

- *Streamlining* SCS- or APS-consistent residential or mixed-use projects
  - Not required to deal with growth-inducing impacts, global warming impacts, or regional transportation impacts if incorporate mitigation from previous environmental review
  - Do not have to propose a lower-density alternative to deal with local traffic impacts
- *Exempting* Transit Priority Projects, subject to a number of conditions

## Prescription: **CEQA Relief**

**Conditions for TPP Exemption:**

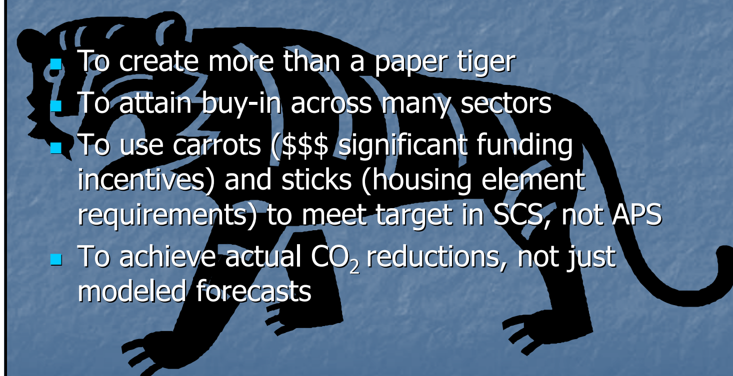
Be consistent with the general use designations, density, building intensity, and other policies of the adopted and approved SCS or APS, be at least 50 percent residential and, if the project contains between 26 and 50 percent non-residential use, have an FAR of at least 0.75; provide a minimum net residential density of at least 20 units an acre; and be within ½ mile of a major transit stop or high-quality transit corridor (15-minutepeak-period headways).

A TPP will be totally exempt from CEQA if:
- It is no larger than 8 acres and not more than 200 units;
- It can be served by existing utilities and has paid all applicable in-lieu and development fees;
- It does not have a significant effect on historical or environmental resources (e.g. natural habitat);
- It has remediated any environmental hazards to applicable standards and is not subject to significant and defined catastrophic risks;
- It is not located on developed open space;
- Its buildings are 15 percent more energy efficient than required by California law and it is designed to achieve 25 percent less water usage than the average household use in the region;
- It does not result in the net loss of affordable housing units in the area;
- It does not include any single-story building that exceeds 75,000 square feet;
- It incorporates mitigation measures from previous environmental impact reports;
- It does not conflict with nearby industrial uses.

AND if it meets at least one of following three requirements:

1. At least 20 percent of the housing units will be sold to families of moderate income, or not less than 10 percent of the housing will be rented to families of low income, or not less than 5 percent of the housing will be rented to families of very low income AND the developer commits to the continued availability of the non-market units (55 years for rental units, 30 years for ownership units); OR
2. The developer pays in-lieu fees equivalent to costs of meeting the first requirement; OR
3. The project provides public open space equal to or greater than five acres per 1,000

## Prescription: **Our Challenge**



- To create more than a paper tiger
- To attain buy-in across many sectors
- To use carrots ($$$ significant funding incentives) and sticks (housing element requirements) to meet target in SCS, not APS
- To achieve actual $CO_2$ reductions, not just modeled forecasts

# More Information

www.abag.ca.gov/jointpolicy