



SB 375- Regional Planning

- Attachments: [Chapter 354, statutes of 2009 \(SB575\)](#) [1]
Statutes: [California Government Code sections 65080, 65080.01](#) [2]
[California Government Code sections 65400](#) [3]
[California Government Code sections 65583, 65584.01, 65584.02, 65584.04, 65587, and 65588](#) [4]
[California Government Code sections 14522.1, 14522.2](#) [5]
[California Public Resources Code sections 21061.3 to 21159.28](#) [6]

References and Resources: [Regional Planning and Climate Change: Understanding SB 375](#) [7]

SB 375 (Steinberg, 2008) brings together land use, housing, and transportation planning in order to reduce greenhouse gas (GHG) emissions. This law requires all Metropolitan Planning Organizations (MPOs) to update their Regional Transportation Plans (RTPs) and prepare regional housing needs allocations (RHNA) that result in development patterns and supporting transportation networks which reduce GHG emissions from cars and light trucks.

This law applies to the 17 MPOs that receive State and Federal funds for regional transportation planning. City and county general plans are not required to be consistent with the requirements of this law. However, individual projects and local government plans that are consistent with the approach outlined by an MPO to reduce GHG emissions will be eligible for incentives, including CEQA streamlining and priority for transportation funding.

This law requires CARB to implement part of AB 32 by establishing regional GHG emission reduction targets for cars and light trucks. In 2009 CARB established a Regional Target Advisory Committee (RTAC) to make recommendations for factors and methodologies to be used for setting GHG reduction targets. In June 2010 CARB released draft GHG reduction targets for review and in September 2010 CARB established GHG reduction targets for 2020 and 2035. In October 2010 MPOs began updating their RTPs on an eight-year planning cycle.

Beginning October 2010 and every four years thereafter, MPOs must update the RTP and SCS or APS. Beginning October 2010 and every eight years thereafter, CARB must update GHG reduction targets consistent with the new RHNA cycle and two RTP cycles. The California Department of Housing and Community Development (HCD) must update the RHNA consistent with the established GHG reduction targets. Key elements of this law are:

1. Regional GHG Reduction Targets for Cars and Light Trucks

AB 32 requires CARB to set reduction targets for the state for various sectors of the economy. CARB must prepare a Scoping Plan that includes reduction targets for the state and a strategy for meeting those targets. SB 375 requires that CARB allocate to each MPO a GHG reduction target for the automobile and light truck sector for 2020 and 2035.

2. Sustainable Community Strategies/Alternative Planning Scenarios

The law requires MPOs to prepare land use and transportation planning strategies that reduce GHG emissions. Every MPO must incorporate a Sustainable Community Strategy (SCS) (i.e., land use strategy) as an additional element of its RTP. As an element of the RTP the SCS must be internally consistent with the transportation and financing elements of the RTP. The SCS is effectively a blueprint-like set of planning assumptions that shape a land use component of the RTP with the goal of reducing GHG emissions from cars and light trucks. The SCS must also be consistent with the RHNA. Each SCS prepared by an MPO must, at a minimum:

- Identify the general location of uses, residential densities, and building intensities within the region.
- Identify areas within the region sufficient to house all the population of the region over the life of the RTP.
- Describe how the development pattern and transportation network can work together to feasibly reduce GHG emissions from automobiles and light trucks consistent with the reduction targets allocated by CARB.

CARB must confirm that the draft SCS can feasibly meet the regional GHG reduction targets before it is adopted as part of the RTP. If CARB does not accept the SCS, the MPO can revise and resubmit it. Alternatively, the MPO can adopt an Alternative Planning Strategy (APS). The APS is a document separate from the RTP, and therefore, does not need to be consistent with the transportation or financing elements of the RTP. However, the APS must identify the principal impediments to achieving the targets within the SCS. The APS must also include measures such as alternative development patterns, infrastructure, or additional transportation measures or policies that, taken together, would achieve the regional GHG reduction target. The APS must show how the GHG emissions targets could be achieved through alternative development patterns or additional transportation measures. The biggest single difference is that the SCS is part of the RTP and the APS is not.

3. Housing Element/RHNA

The law requires that planning for transportation and housing be closely coordinated. It extends the general plan housing element update period from five to eight years, thereby synchronizing the Regional Housing Needs Allocation (RHNA) periods with the four year RTP updates. The RHNA is required to be consistent with the land use pattern (e.g., SCS) and transportation elements of the SCS. Local governments continue to be required to prepare annual reports and conduct public hearings on implementation of the housing element. Jurisdictions that do not have a certified housing element within established time frames will be placed on a four-year housing element review and update cycle.

The law establishes penalties for jurisdictions that do not rezone sites necessary to accommodate the RHNA. Jurisdictions that do not rezone sites called out for rezoning in the housing element within three years will be subject to Anti-NIMBY law requirements (Gov. Code Sec. 65589.5, the Housing Accountability Act). Jurisdictions will not be allowed to disapprove affordable housing projects or require a conditional use permit, planned unit development permit, or other discretionary permit, or require conditions that would render the project infeasible unless the project would have a specific, adverse, un-mitigateable impact upon the public health or safety of the community. Jurisdictions may also be subject to court sanctions and a court order to complete the rezoning.

4. Incentives for Consistency

The law provides incentives to plans and projects that are consistent with the land use strategy (i.e., SCS or APS) prepared by an MPO, including CEQA streamlining and priority for transportation funding. This law offers CEQA streamlining to residential/mixed-use projects and Transportation Priority Projects (TPP) that are consistent with the RTP (SCS) or APS.

5. Special Concessions

SB 375 also details special concessions for certain geographic areas and special circumstances. Special concessions include the following:

- In areas with multi-county MPOs, a sub-regional COG and County Transportation Commission may prepare a separate sub-regional SCS or APS.
- Transportation projects funded before December 31, 2011, will be exempt from requirements if they are in the 2007 or 2009 Federal/Statewide Transportation Improvement Program and funded pursuant to Prop 1B Transportation Bond of 2006, or are specifically listed on a ballot



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for a sales tax measure for transportation before December 31, 2008.

- The Southern California Association of Governments (SCAG) is afforded a modified schedule to prepare the RTP.
- The eight San Joaquin Valley counties may work together to develop cooperative policies and develop a multi-regional SCS or APS.
- An MPO must consider financial incentives for cities and counties that include resource areas or farmland.
- An MPO must consider financial assistance for counties to address countywide service responsibilities in counties that contribute towards the GHG emissions reductions targets by implementing policies for growth to occur within their cities.

SB 575 (Steinberg) was enacted in 2010 as a SB 375 “technical clean-up bill.” It addresses the timing relationship between the RTP and housing element, including:

- Sets a 10 year RHNA projection period and eight year planning period (previously, the RHNA projection period was seven years and the planning period five).
- Clarifies that housing elements are due to HCD within 18 months of RTP adoption.
- Requires MPOs to give HCD one year notice before RTP update.
- Clarifies that cities and counties that do not adopt their housing element on time will have to adopt two or three housing elements on a four year cycle to stay in sync with their region.
- Includes other technical provisions specific to San Diego, the Coastal Zone, and TRPA.

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A joint initiative of San Joaquin Valley Councils of Governments representing each of the region's eight counties, the San Joaquin Valley Air Pollution Control District, the Great Valley Center, and the Fresno State Community and Regional Planning Center

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