CEQA Guidelines Update
SB 226: Infill Streamlining

February 2012
Agenda

- Introductions

- Background on Streamlining, Infill and SB 226

- Description of the Proposal
  - Proposed Section 15183.3 of the State CEQA Guidelines
  - Proposed Appendix M: Performance Standards
  - Proposed Appendix N: Infill Checklist

- Rulemaking Process and Next Steps
Why Focus on Infill?

- Benefits, Among Others, Associated with Infill
  - Efficient use of infrastructure
  - Shorter commutes and increased destination access
  - Protection of open space and agricultural resources

- State Policy Priority
  - 1978 Urban Strategy
  - AB 857 (2002)
  - SB 375 (2008)
Why is Streamlining Needed for Infill?

- Current Infill Exemptions
  - Stringent statutory criteria
  - Size limitation on categorical exemption

- Other streamlining?
  - Tiering, Master EIRs, and Section 21083.3
  - Difficulties include:
    - Time limitation and specificity of later project description
    - No room for variances
    - Additional EIR required if significant effects cannot be mitigated
    - Reliance on development standards is limited
Background on SB 226

- SB 226 = CEQA Streamlining for Infill

  - No repetitive analysis of effects that either:
    - Were previously analyzed in a programmatic EIR for a planning level decision; or
    - Are substantially mitigated by uniformly applied development policies

  - Development Certainty and Quicker Process
    - If all effects were previously analyzed or subject to Uniformly Applicable Development Policies, no new review is required
    - New review focused on new effects
    - Limited Scope EIR where new effects are significant
      - No growth inducing analysis
      - Limited alternatives analysis
What Projects Are Eligible?

- **Project Location**
  - Project site previously developed, or surrounded on 3 sides
  - Within incorporated cities and dense “islands”

- **Project Type**
  - Residential
  - Commercial and retail (Minimum FAR 0.5)
  - Public office buildings
  - Transit stations
  - Schools

- **Requirements**
  - Consistent with Sustainable Communities Strategy
  - Implements statewide performance standards for infill
Performance Standards for Infill

- SB 226 Requires OPR to develop performance standards that:
  - ↓ GHG
  - ↓ VMT (SB 375)
  - ↓ Energy Use
  - ↓ Water Use
  - ↑ Transit supportive communities
  - Protect public health
By July 1, 2012, OPR must develop:
- Additions to the CEQA Guidelines setting forth the streamlined process
- Performance standards determining eligibility for the streamlined process

By January 1, 2013, the Natural Resources Agency must adopt the new Guidelines and performance standards

CEQA Guidelines = administrative regulations
What is in the Proposal?

- Narrative Explanation
- Proposed Section 15183.3
- Proposed Appendix M – Performance Standards
- Proposed Appendix N – Infill Checklist
Streamlined Process
Proposed Section 15183.3

- Subd (a): Purpose
- Subd (b): Eligibility
- Subd (c): Procedure
  - Use checklist (App N)
    - Determine whether effects were previously analyzed
    - Document whether development policies substantially mitigate effects
  - If all effects addressed, may file a Notice of Exemption
  - If effects remain subject to CEQA, circulate the appropriate document: ND, MND or EIR
- Subd (d): Infill EIR Content
- Subd (e): Terminology
Performance Standards

- Background Considerations

- Summary of Standards by Land-use Type
Tradeoffs in Creation of Standards for Specific Land Uses

Choice of Baseline Area

State-wide average

Regional average

Jurisdiction average

Neighborhood average

Legend:
- Low
- Medium
- High
- Very high

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Tradeoffs in Creation of Standards for Specific Land Uses

• Simple and Easy to Use

• Comprehensive, accurate, and Sensitive to variables
• Defensible
VMT: An Umbrella Metric

Factors that determine VMT

- Regional location
- Locale and Project Design
  - Density
  - Mixing of uses
  - Distance to Transit
  - Design
- Transportation demand management measures
VMT: An Umbrella Metric

- Choice of baseline area: The Region

- Balancing simplicity and accuracy:
  - Single step streamlining for projects with low VMT location in the region
  - Streamlining available to many other projects with VMT reduction measures
Measuring travel efficiency resulting from regional location
Tools for Measuring VMT: Spreadsheet Models

Measuring travel efficiency resulting from project surrounds, project design, and TDM
Setting the Bar

Objective:
- Maximize environmental benefit

Approach:
- Offer straightforward streamlining to infill that creates the greatest environmental benefit
- Nudge other infill projects towards greater environmental benefit
Tradeoffs in Creation of Standards for Specific Land Uses
Residential

**Green Zone**

- Reduce VMT to Green Zone Level

**Yellow Zone**

- Reduce VMT to Green Zone Level
- CALGreen Tier 1

**Red Zone**

- Reduce VMT to Green Zone Level
- Reduce VMT to Yellow Zone Level + CALGreen Tier I
- CALGreen Tier II
No Single Occupant Commercial Space
> 75,000 Square Feet

If within ½ Mile of a Major Transit Station:
- Conform to TOD Plan
- If none, conform to General Plan TOD guidelines
- If neither exists, <15% surface area is parking

VMT Study shows project reduces total VMT
Office

Within ¼ Mile of a Major Transit Station and Within Green Zone
Transit Station

Any Transit Station
Within [one/two] Pedestrian Network Miles of 50% of students at [elementary/secondary] schools

Safe and effective parking and storage for bicycles, skateboards, and scooters
Additional Standards Applicable to All Land Use Types

Whatever the VMT, projects must also meet these requirements:

- Include project features that support active transportation
- If near a transit stop or station, be consistent with TOD plans and station area plans
- If near high-volume roadways, conform to local plan for near roadway mitigation
- If site clean-up is necessary, implement clean-up recommendations
- Incorporate renewable energy generation if feasible
Next Steps

- Submit Written Comments by February 24, 2012, to:
  - CEQA.Guidelines@ceres.ca.gov

- Evaluate written comments and workshop input

- Consult with experts

- Continue outreach

- Post any revised draft on our website
Thank you!

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