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**CEQA Guidelines Update**

% Christopher Calfee  
1400 Tenth Street  
Sacramento, CA 95815

**RE: COMMENTS ON PROPOSED CEQA STREAMLINING FOR INFILL PROJECTS (SB 226)**

Dear Mr. Calfee:

After reviewing The Office of Planning Research (OPR) Narrative Explanation of the Proposed Addition to CEQA Guidelines Implementing SB 226, and other documentation regarding SB 226, the Department of Planning and Building Services offers the following comments on the proposed Guidelines revisions.

The intent of SB 226 to streamline CEQA review for infill projects is commendable as infill development is consistent with many planning objectives for sustainability, reduction in VMT, use of existing infrastructure, and protection of resource lands from premature conversion to urban uses. As such we agree that infill development should be encouraged, and the streamlining of the CEQA review process for infill development, as proposed by SB 226, is one way to accomplish this.

However, OPR's Narrative Explanation of the proposed CEQA Guidelines changes clearly treats incorporated cities and unincorporated county areas unequally regarding infill development. The proposed streamlining revisions contain performance standards that determine an infill project's eligibility for the streamlined CEQA review. Unfortunately, eligibility for infill streamlining excludes county areas except in very specific and limited conditions including:

1. Eligible county areas must be islands completely surrounded by incorporated cities,
2. Must be located within an urban area which means the area must have a population of 100,000 or more (definition of urban area), and
3. The population density of the unincorporated area must be the same or greater than the surrounding incorporated area.

The population density criterion seems logical. The other two criteria are harder to justify. Why would an unincorporated island area have to be completely surrounded by incorporated city? Why does the population of the infill area have to be 100,000 people or greater? There seems to be the perception that unincorporated county areas are not "urban" and that urban level development should always be in incorporated cities. While this thinking may have fit 20<sup>th</sup> century planning theory, in reality many counties in the state have extremely urban development areas where infill should be encouraged to achieve the same state policy objectives of efficient use of infrastructure, reducing green house gases, reducing VMT and supporting transit modes, and benefiting public health. This is also true in some counties that are not within the boundary of a metropolitan planning organization.

The proposed eligibility requirements for county areas result in a number of potential constraints for counties to meeting other state and county development objectives, including:

1. Ability to meet affordable housing objectives,
2. Ability to meet SB 375 objectives, and
3. Ability to meet other “smart growth” strategies of compact, mixed-use, and transit-oriented development

To rectify these inequities and recognize that many counties have urban density development areas that could benefit from infill development streamlining, I would suggest the following revisions to the proposed CEQA Guidelines streamlining provisions:

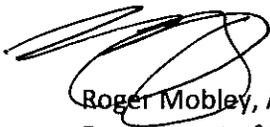
1. Where infill projects are proposed outside the boundaries of a metropolitan planning organization, revise the definition of “small walkable community project” to include both incorporated **and unincorporated** areas.
2. Revise the definition of “urban area” to allow:
  - Unincorporated areas that are **not** completely surrounded by one or more incorporated cities,
  - Eliminate the need to have a population threshold of 100,000 or more, and instead rely on a density/intensity threshold.
3. Provide an eligibility criterion that requires a certain level of existing infrastructure availability to serve the proposed infill development.

These suggested Guidelines change revisions are intended to facilitate the same benefits of infill development in qualifying unincorporated areas that incorporated cities can take advantage of. They are also intended to recognize that many counties have substantial urban areas, even in counties outside the boundaries of metropolitan planning organizations.

Why should an unincorporated area be treated any differently than an incorporated area if they both meet qualifying performance standards aimed at meeting the state policy objectives listed above? I would advocate that the key criteria for infill streamlining should be density, consistency with General Plan land use objectives, and availability of infrastructure to support development.

If you would like to discuss any aspect of this letter further please do not hesitate to contact me.

Sincerely,



Roger Mobley, Acting Director  
Department of Planning and Building Services

Cc: Carmel J. Angelo, County CEO