

SB 375 Fact Sheet



Senate Bill (SB) 375, authored by Senate President Pro Tem Darrell Steinberg, was signed into law on September 30, 2008. SB 375 is the most ambitious attempt yet to coordinate planning for land use and transportation at a regional scale, with the goal of reducing the amount that people have to drive and associated greenhouse gases.

Successful implementation of SB 375 can create more walkable, efficient communities that save taxpayers money, reduce air pollution, improve public health and shorten commutes as more people can afford to live closer to work. The major provisions of this lengthy bill are:

1. Creates regional targets for GHG emissions reductions from cars and light trucks.

On September 23, 2010, the California Air Resources Board gave each of California's 18 Metropolitan Planning Organizations (MPOs) targets for reducing GHGs from cars and light trucks for 2020 and 2035 due to a decrease in how far people drive on average, and benefits from reduced traffic congestion. The four largest regions in the state have per capita targets of 13-16% by 2035. Note that these targets, and the plans to achieve them, *do not* include changes from cleaner fuels and vehicles, which are dealt with by different laws and will be in addition to these reductions.

2. Requires regional planning agencies to create a Sustainable Communities Strategy; a land use and transportation plan to meet the GHG targets.

The 18 Metropolitan Planning Organizations already create Regional Transportation Plans (RTP) that outline how transportation funds will be spent. These RTPs will now have to prepare a new element known as the "Sustainable Communities Strategy" (SCS).

These SCSes would contain 25-year forecasts that, when combined with proposed policies and transportation investments, would meet the GHG reduction targets "if there is a feasible way to do so." Most MPOs will create multiple land use and transportation scenarios then compare their performance. Key details include:

- The proposed land use map must be based on local general plans and other factors, but MPOs can make adjustments from local land use plans in order to account for economic and demographic trends, shifts in state or federal policies and other factors.
- As part of federally required RTPs, these Sustainable Communities Strategies must be "fiscally constrained". That means they have to use realistic assumptions of future revenue and cannot include projects that have insufficient funding.
- A key reason the RTP/SCS can be a powerful tool is that state and federal funding is only allowed to be spent on projects that are in the plan.
- MPOs are not required to include a transportation project simply because it was listed in a previous RTP, or was partially funded in a local transportation measure. (The Bay Area's Metropolitan Transportation Commission, for example, will reconsider dozens of projects to see if they are still affordable and can help achieve the GHG, as well as other, regional targets.)
- Programs and policies that reduce demand on the transportation networks, such as transit passes, vanpooling, parking strategies, Safe Routes to Schools programs, etc., can complement infrastructure investment to help meet the targets.

- If MPO modeling shows that the SCS plan will not meet the region's GHG target, the MPO will have to prepare an Alternative Planning Strategy (APS) that does. This would be a separate document from the RTP, essentially a step-by-step guide to what additional investments, policies, or changes in land uses it would take to meet the target.

3. Regional governments must plan for jobs and housing balance and homes for all community members.

- The SCS must include a plan for enough homes to accommodate all future growth. Previously the development of this "Regional Housing Needs Allocation" (RHNA) was done separately from planning for transportation.
- Each region must plan to provide enough housing to match all anticipated job growth and for all income categories.
- Regions must update their RHNA every eight years, to match up with every other RTP.

4. Requires each city to show where housing will go that will meet its allocation of housing for residents of different income levels.

- Cities and counties then modify the housing element of their general plan to accommodate their housing allocation. These changes are due 18 months after the region's SCS is adopted.
- Jurisdictions must then re-zone sites within three years of housing element adoption.
- If a city/county has not rezoned, development that is at least 50% dedicated to affordable housing can still move ahead as long as it complies with other local codes.

5. Streamlines environmental review for projects consistent with a regional plan that meets the GHG reduction targets.

The California Environmental Quality Act (CEQA) has sometimes had perverse consequences by creating a legal barrier to well-designed infill development. SB 375 adjusts CEQA for projects that are consistent with either an SCS or, if the SCS did not meet its targets, an approved APS.

The most basic type of exemption is for residential projects, or mixed-use developments that are at least 75% residential. These projects do not have to:

- analyze GHG emissions for cars and light trucks
- analyze cumulative impacts on the regional transportation network
- analyze lower density alternatives

Projects that also fall within ½ mile of frequent transit and have a proposed density of at least 20 units per acre are considered "Transit Priority Projects" and are eligible for additional CEQA streamlining:

- If there are pre-established traffic mitigations for the area – which can include transit passes, contributions to transit and more – the project cannot be required to do more than its share of mitigations.
- A total CEQA exemption is possible for very select projects that are no bigger than eight acres or 200 units and that meet a number of other provisions on issues such as affordability, open space, and historic preservation.

SB 375 Acronyms

AB 32	The Global Warming Solutions Act of 2006
APS	Alternative Planning Strategy
Caltrans	California Department of Transportation
CARB	California Air Resources Board
CEQA	California Environmental Quality Act
CTC	California Transportation Commissions
COG	Council of Government
EIR	Environmental Impact Report
GHG	Greenhouse Gas
HCD	California Housing and Community Development Department
MPO	Metropolitan Planning Organization
RHNA	Regional Housing Needs Allocation
RTAC	Regional Targets Advisory Committee
RTP	Regional Transportation Plan
SCS	Sustainable Communities Strategy
TPP	Transit Priority Project

SB 375 Targets by Region

Region (MPO)	Anticipated RTP/SCS Adoption	2020 Target*	2035 Target*
San Diego (SANDAG)	Oct. 2011	7%	13%
Sacramento (SACOG)	Dec. 2011	7%	16%
Southern California (SCAG)	May 2012	8%	13%
Bay Area (MTC)	April. 2013	7%	15%
San Joaquin Valley (Eight COGs/counties**)	July 2014	5%	10%

* The greenhouse gas targets are projected *per capita reductions*, compared to an emissions baseline of 2005 for that region. This target only represents decreases

**Fresno, Kern, Kings, Madera, Merced, San Joaquin, Stanislaus, Tulare. SB 375 allows these counties to continue developing separate RTPs, or to develop multi-county plans.

(Note: the smallest six counties, accounting for 5% of the State's population, are currently undertaking blueprint-type activities and, in turn, were only given targets that reflect current plans.)

