

# **Understanding SB 375:** Regional Planning for Transportation, Housing and the Environment

 **INSTITUTE FOR  
LOCAL GOVERNMENT**

LAND USE AND ENVIRONMENT PROGRAM  
PUBLIC ENGAGEMENT AND COLLABORATIVE GOVERNANCE PROGRAM

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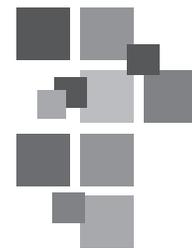
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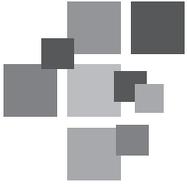
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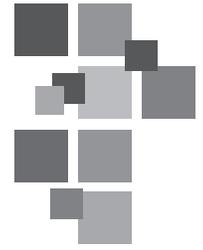
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### **INSTITUTE OFFERS SERIES OF GUIDES ON REGIONAL PLANNING**

This guide is one in a series developed by the Institute for Local Government (ILG) to assist local officials, residents, and others to understand the basic provisions of local and regional planning efforts to reduce greenhouse gas emissions in California.

ILG has prepared companion guides for local officials outlining the public participation requirements and opportunities that apply to regional planning. They are available, along with other regional planning resources, on the ILG website at [www.ca-ilg.org/RegionalPlanning](http://www.ca-ilg.org/RegionalPlanning).

To address in more detail legal issues specifically related to AB 32 and SB 375, the Institute has prepared two guides for local officials providing a legal analysis of AB 32 and SB 375, respectively. Both legal analyses are available at [www.ca-ilg.org/AB32-SB375LegalAnalysis](http://www.ca-ilg.org/AB32-SB375LegalAnalysis).



## Introduction

California’s population – estimated at 39 million in 2010 – is expected to grow to nearly 60 million people by the year 2050.<sup>1</sup> To help manage this growth and its associated challenges, cities and counties are participating more frequently and deeply in regional planning efforts. Local officials throughout California have developed a variety of collaborative processes to address the regional nature of many planning issues, such as improving air quality, meeting housing needs, and providing transportation networks.

Two recent laws, the Global Warming Solutions Act of 2006 (AB 32)<sup>2</sup> and the Sustainable Communities and Climate Protection Act of 2008 (SB 375)<sup>3</sup>, have important implications for the roles and responsibilities of local officials.

The purpose of this guide is to provide local officials with a concise introduction to regional planning for transportation, housing and the environment as revised by SB 375, including how regional planning relates to cities and counties in a region.

For local officials and others who are not familiar with the regional planning process, the guide offers an overview of the process and some of the issues central to regional planning for transportation and housing. For those with experience in regional planning as it has been conducted in the past, the guide describes how recent changes affect the processes for regional and local planning and environmental review.

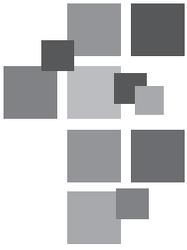
## Overview of SB 375

Senate Bill 375 creates a formal process that builds on the experience of voluntary regional visioning initiatives in California, often referred to as “Regional Blueprints.”<sup>4</sup> Furthering the goals of AB 32, SB 375 relies on regional collaboration by local officials to address California’s goals for reducing that portion of the emissions of greenhouse gases that stems from automobile travel. The law coordinates three important planning activities into a new integrated planning process:

- The regional transportation plan (RTP);
- The regional housing needs assessment (RHNA); and
- Updating the housing element of local general plans.

In addition, SB 375 modifies the process for environmental review of projects that are consistent with regional strategies to reduce greenhouse gas emissions.

Taken together, these changes provide important opportunities for local officials to engage with their colleagues and the public and proactively chart the pace and character of development in their region.



## Regional Planning Agencies and Organizations

Federal and state laws assign responsibility for development of regional plans for transportation and housing to one of three different types of regional agencies in California: regional transportation planning agencies (RTPAs), metropolitan planning organizations (MPOs), and regional councils of governments (COGs). Metropolitan planning organizations and councils of governments are “joint powers agencies” established by voluntary agreements among the cities and counties in the region. RTPAs are identified by statute (see below). These agencies are governed by boards composed of or appointed by local elected officials, with the exception that certain RTPA’s boards may include appointed representatives of local transit operators.<sup>5</sup>

### Regional Transportation Planning Agencies

The state’s Director of the Department of Transportation (Caltrans) designates the official regional transportation planning agency (RTPA) for each of California’s fifty-eight counties.<sup>6</sup>

- For some counties, the regional transportation planning agency is created by statute;<sup>7</sup>
- For counties within the jurisdiction of a metropolitan planning organization, that organization may serve as the regional transportation planning agency for a county;<sup>8</sup>
- For counties that are not within the jurisdiction of a metropolitan planning organization or a statutorily created regional transportation planning agency, a local transportation commission or county transportation commission may serve as the regional transportation planning agency.<sup>9</sup>

More information about the designation of regional transportation planning agencies is available on the Caltrans website at: [www.dot.ca.gov/hq/tpp/offices/orip/list/agencies.html](http://www.dot.ca.gov/hq/tpp/offices/orip/list/agencies.html).

### Metropolitan Planning Organizations

For urbanized areas with more than 50,000 residents, federal law<sup>10</sup> requires the state to designate a regional metropolitan planning organization in order to receive federal funding to prepare and implement the regional transportation plan. California has eighteen metropolitan planning organizations, each governed by elected officials from the cities and counties that comprise the particular metropolitan planning area.

Federal law provides a process and guidance for each state to define metropolitan planning areas by agreement between a metropolitan planning organization and the Governor.<sup>11</sup> These regions center on “urbanized” areas defined by the U.S. Census Bureau and may include additional areas beyond the urbanized area.

SB 375’s greenhouse gas reduction provisions affect only the eighteen metropolitan planning organizations in California and do not affect the non-metropolitan regional transportation planning agencies.<sup>12</sup> However, a number of provisions related to planning for housing are applicable to jurisdictions within metropolitan planning organizations and regional transportation planning agencies alike.<sup>13</sup>

## Councils of Governments

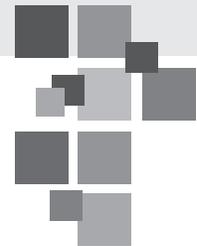
Councils of governments (COGs) are responsible for determining the share of the regional need for housing for each of the counties and cities within the council of government's region. Councils of governments can be single or multi-county entities created by a joint powers agreement among the member agencies. The governing board of each of California's 25 councils of governments consists of elected officials drawn from the cities and counties belonging to the council of governments, as established in the joint powers agreement for each agency.

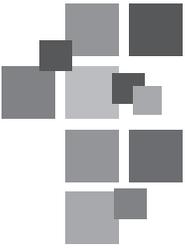
In most cases where the council of governments includes multiple counties, the council of governments and the metropolitan planning organization are the same organization; thus the council of government is also responsible for preparing the regional transportation plan and expenditure programs. An important exception is the nine-county San Francisco Bay Area, where by statute the Metropolitan Transportation Commission (MTC) serves as the metropolitan planning organization, and the Association of Bay Area Governments (ABAG) serves as the council of governments.<sup>14</sup>

## RESOURCES TO LEARN MORE ABOUT REGIONAL PLANNING AGENCIES

For more information about regional transportation planning agencies, metropolitan planning organizations, and councils of governments in California, including a map and list of regional agencies, please see the website of the California Association of Councils of Governments at [www.calcog.org/about/about.html](http://www.calcog.org/about/about.html).

More information about urbanized areas and federal guidelines for metropolitan planning organizations is available on the Federal Highway Administration FAQ page: [www.fhwa.dot.gov/planning/census/faq2cdt.htm](http://www.fhwa.dot.gov/planning/census/faq2cdt.htm).





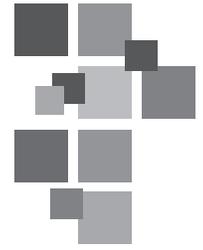
## What Roles Do Local Officials Play in Regional Planning?

Local officials are key decision-makers in many aspects of the regional planning process. Local elected officials from the cities and counties in a region govern the regional agencies involved in the process. Appointed officials and staff from cities and counties serve a number of roles in the process as well.

The roles of local officials in the regional planning process include:

- Local elected officials serve on the governing boards of the metropolitan planning organizations. The metropolitan planning organizations have final responsibility for adopting the regional transportation plan. This includes adopting the “sustainable communities strategy” prepared under SB 375 as part of the regional transportation plan (or the “alternative planning strategy”, if one is required).<sup>15</sup> (See the section on the sustainable communities strategy and alternative planning strategy beginning on page 11 for more information.)
- Local elected officials serve on the governing boards of the councils of governments that have final responsibility for approving the regional housing needs allocation to each city and county within the region.
- Local elected officials serving on city councils and county boards of supervisors are responsible for developing and adopting the local general plan. Neither the sustainable communities strategy nor the alternative planning strategy developed under SB 375 will supersede the general plan or other planning policies or authorities of a city or county. Nor must a local agency’s planning policies be consistent with either strategy.<sup>16</sup>
- Local city councils and county boards of supervisors will determine whether to make their local general plan consistent with the region’s sustainable communities strategy, thereby making California Environmental Quality Act streamlining incentives included in SB 375 available for residential development or transportation projects that are consistent with the sustainable communities strategy or alternative planning strategy.<sup>17</sup>

In addition, many local appointed officials and staff serve on advisory boards, committees, and task forces involved in the development of regional plans and policies for transportation and housing.



## Greenhouse Gas Reduction and Regional Planning

A key focus California's effort to reduce greenhouse gas emissions that contribute to climate change is transportation. Cars and light trucks account for about 30 percent of California's greenhouse gas emissions.<sup>18</sup> When all types of vehicles are included transportation overall accounts for 40 percent of California's greenhouse gas emissions.<sup>19</sup>

California laws seek to reduce carbon emissions from cars and light trucks in two ways.

**1. Emissions Reductions.** The first way is to reduce the amount of carbon that each vehicle emits, through measures like state standards for vehicle greenhouse gas emissions,<sup>20</sup> and the state's low carbon fuel standard.<sup>21</sup> These laws and regulations require vehicles to use less fuel and for fuel to use less carbon, respectively. (For more information, see the state's AB 32 Scoping Plan<sup>22</sup> at [www.ca-ilg.org/AB32ScopingPlan](http://www.ca-ilg.org/AB32ScopingPlan).)

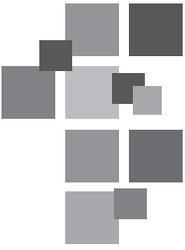
**2. Vehicle Trip Reductions.** The second way California laws seek to limit carbon emissions from cars and light trucks is to reduce the frequency and distance that people need to drive. SB 375 modifies the regional transportation planning and housing allocation processes with the goal of creating transportation networks and land use patterns where people will drive fewer miles in their cars.

Under SB 375, the California Air Resources Board (CARB) has set regional targets for reducing emissions from cars and light trucks for each of the eighteen metropolitan planning organizations in California.<sup>23</sup>

The approach to attain these emission reduction targets established by SB 375 includes three components:

- Modifying transportation patterns and investments at the regional level through the regional transportation plan;
- Linking land use, transportation, and housing decisions at the regional and local level through the regional housing needs assessment process and the housing element of the local general plan; and
- Providing incentives to streamline the environmental review of plans and projects that assist in meeting regional greenhouse gas reduction targets.

These three components of the regional and local planning process intended to reduce greenhouse gas emissions are described in the following sections.



## The Regional Transportation Plan

The regional transportation plan, sometimes called a metropolitan transportation plan, is a long-range framework for improvements to the region's transportation network. In particular, the regional transportation plan outlines transportation investments for a region, based on a minimum 20-year (or longer) outlook for likely growth in the region.

Major activities in the development of the regional transportation plan include:

- Developing a realistic long-range land use scenario for regional growth. The scenario must be based on current planning assumptions embodied in city and county general plans and spheres of influence within the region, along with likely economic and growth forecasts. (This requirement predates SB 375 and is linked to federal transportation planning requirements.<sup>24</sup>)
- Assessing the long-term mobility needs of the region, including the movement of both people and goods, and developing a plan to meet those needs.
- Developing short and long-range transportation goals, objectives and policy statements.

- Describing transportation projects proposed during the 20-year horizon of the plan.
- Identifying funding sources for implementing the plan.
- Developing a financial plan that covers costs related to development, maintenance, and operation of the transportation system.<sup>25</sup>

Taken together, these activities combine to create a framework for understanding the roles of different agencies and organizations involved in transportation planning, program management, and service delivery.

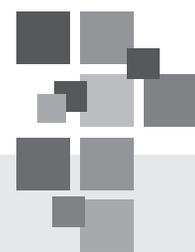
In each region, the metropolitan planning organization (sometimes referred to by its acronym MPO) or regional transportation planning agency (sometimes referred to by its acronym RTPA) develops the regional transportation plan every four years, and updates it after two years.

# Goals of Regional Transportation Planning

Regional transportation planning brings together cities, counties, transit providers, tribal governments, and a variety of other stakeholders and residents to develop a long-range plan for meeting the mobility needs of the region. The process develops a region’s vision of its long-range transportation goals, objectives, and strategies. This vision must be realistic and within fiscal constraints. The regional transportation plan is the conduit for local, state, and federal funding to pay for transportation projects in the region and is a requirement of federal law. Broadly, federal law requires that the planning for regional transportation be “continuing, cooperative, and comprehensive” and consider all modes of transportation, such as cars, trucks, public transit, walking, and bicycling.<sup>26</sup>

Goals of regional transportation planning include:<sup>27</sup>

- Encouraging and promoting the safe and efficient management, operation and development of a regional intermodal transportation system that, when linked with appropriate land use planning, will improve the mobility of goods and people by providing more transportation choices, freedom of movement, and access to regional goods and services.
- Relieving traffic congestion and shortening commutes to allow people more time to do what they want or need to do, and increasing business productivity;
- Facilitating the efficient movement of goods to increase the region’s economic strength and competitiveness;
- Improving public health by reducing exposure to air pollution and providing opportunities for residents to be physically active through walking and bicycling;
- Reducing greenhouse gas emissions in accordance with California law in the more urbanized regions of the state; and
- Furthering the attainment of the federal and state clean air acts and other laws related to the effects of transportation on public health, environmental protection, and resource management.



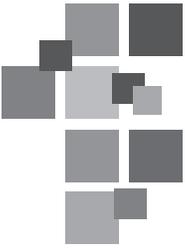
## Figure 1 AIR POLLUTION, PUBLIC HEALTH, AND THE REGIONAL TRANSPORTATION PLAN

Vehicle emissions can have serious effects on air quality and public health. Regional transportation planning agencies should consult with appropriate state and federal agencies on air quality issues during the preparation of the regional transportation plan. This consultation is mandatory for non-attainment regions.<sup>28</sup>

The regional transportation plan is also subject to the environmental review requirements of the California Environmental Quality Act (CEQA).<sup>29</sup> Generally, the regional agency prepares an environmental impact report in tandem with the regional transportation plan to identify and evaluate the full range of the plan’s environmental impacts.

The regional transportation plan may also be subject to a process known as “conformity” if the region has not met health-based air quality standards under the federal Clean Air Act.<sup>30</sup> The conformity process requires the regional transportation plan to conform to the state implementation plan (SIP) adopted by the California Air Resources Board to meet federal air quality standards in the region (see Figure 3 on page 9 for more information).

A metropolitan planning organization or regional transportation planning agency makes the initial determination that its regional transportation plan is “in conformity” with the state implementation plan, subject to federal review.<sup>31</sup>



## Funding and Implementing Transportation Projects in the Regional Transportation Plan

California’s transportation system consists of a vast network of streets and highways, public transit (bus and passenger rail), airports and seaports as well as other transportation modes such as bicycle, pedestrian and ferry systems. These systems provide for the mobility and accessibility of people, goods, services and information throughout the state.

Jurisdiction over the operation and maintenance of these transportation systems is shared between the state, regional agencies, and local agencies. Funding comes from federal, state, regional and local taxes, bonds, fees and assessments, as well as private investments.

For more information on this topic, see *Transportation Funding in California*, available on the CalTrans website at: [www.dot.ca.gov/hq/tpp/offices/ote/fundchrt.html](http://www.dot.ca.gov/hq/tpp/offices/ote/fundchrt.html)

Regional transportation plans are the basis for funding transportation projects in California’s regions (see Figure 4 on page 10). Only projects included in these plans can be “programmed” for state or federal funding in the region’s transportation improvement program (sometimes referred to by its acronym TIP). The transportation improvement program identifies which projects will receive funding for environmental studies, right-of-way acquisition, project development, and construction.

Regional planning agencies update the transportation improvement program every two years. Both the RTP and the TIP are major elements of the region’s annual transportation work plan, called the “overall work plan.” The overall work plan outlines the transportation planning studies and tasks the regional agency will undertake in a given year.

Development and approval of the transportation improvement program is a multi-step process involving regional and inter-regional components. The California Transportation Commission must review and approve portions of the transportation improvement program that seek federal or state funding through the state transportation improvement program, or STIP. (The California Transportation Commission is responsible for programming and allocating funds for the construction of highway, passenger rail and transit improvements throughout California).<sup>32</sup>

Additionally, the regional transportation plan must be “financially constrained,” meaning that it needs to identify reasonably available funding sources for each of the transportation projects included in the plan.<sup>33</sup> Further, for the state’s 18 metropolitan planning organizations, programmed projects must be consistent with a sustainable communities strategy, which is also an element of the regional transportation plan.<sup>34</sup> Those areas outside the jurisdiction of a metropolitan planning organization are not subject to this requirement (see Figure 4 on page 10).

## Figure 2

### KEY REGIONAL TRANSPORTATION PLANNING RESOURCES AND DOCUMENTS

- Caltrans Office of Regional and Interagency Planning  
[www.dot.ca.gov/hq/tpp/offices/orip/index.html](http://www.dot.ca.gov/hq/tpp/offices/orip/index.html)
- Key planning documents produced by the metropolitan planning organizations (MPOs) and regional transportation planning agencies (RTPAs):
  1. **Regional Transportation Plan (RTP)** – Provides a 20 plus-year framework for future transportation investments within the region.
  2. **Transportation Improvement Program (TIP)** – A prioritized list of transportation projects proposed for federal and state funding over the

following four years. MPOs adopt and update the TIP every two years. The TIP must be consistent with the RTP and is a prerequisite for federal funding.

3. **Overall Work Program (OWP)** – MPOs and RTPAs adopt an “overall work program” annually to identify the region’s transportation funding priorities and planning activities for that fiscal year. The OWP is also referred to as a “unified planning work program.”

For more about these and other documents included in the regional transportation planning process, see the California Transportation Commission’s *2010 Regional Transportation Plan Guidelines* (especially section 2.4) at [www.catc.ca.gov/programs/rtp.htm](http://www.catc.ca.gov/programs/rtp.htm).

## Figure 3

### MORE ABOUT TRANSPORTATION PLANNING AND AIR QUALITY CONFORMITY

The federal Clean Air Act requires air quality in a region to meet a national standard called the National Ambient Air Quality Standard (sometimes referred to by the acronym NAAQS) set by the US Environmental Protection Agency (EPA). If the region fails to meet the standard, it must prepare a plan for attaining that goal. The air quality plan must include actions related to both stationary sources of air pollution (such as factories and power plants) and mobile sources of air pollution (from transportation).

Areas that have not met, or “attained,” the National Ambient Air Quality Standards, must implement a “transportation conformity” process. The conformity process requires a metropolitan planning organization to determine that its regional transportation plan is in conformity with the area’s plan for reaching “attainment” of the air quality standard.

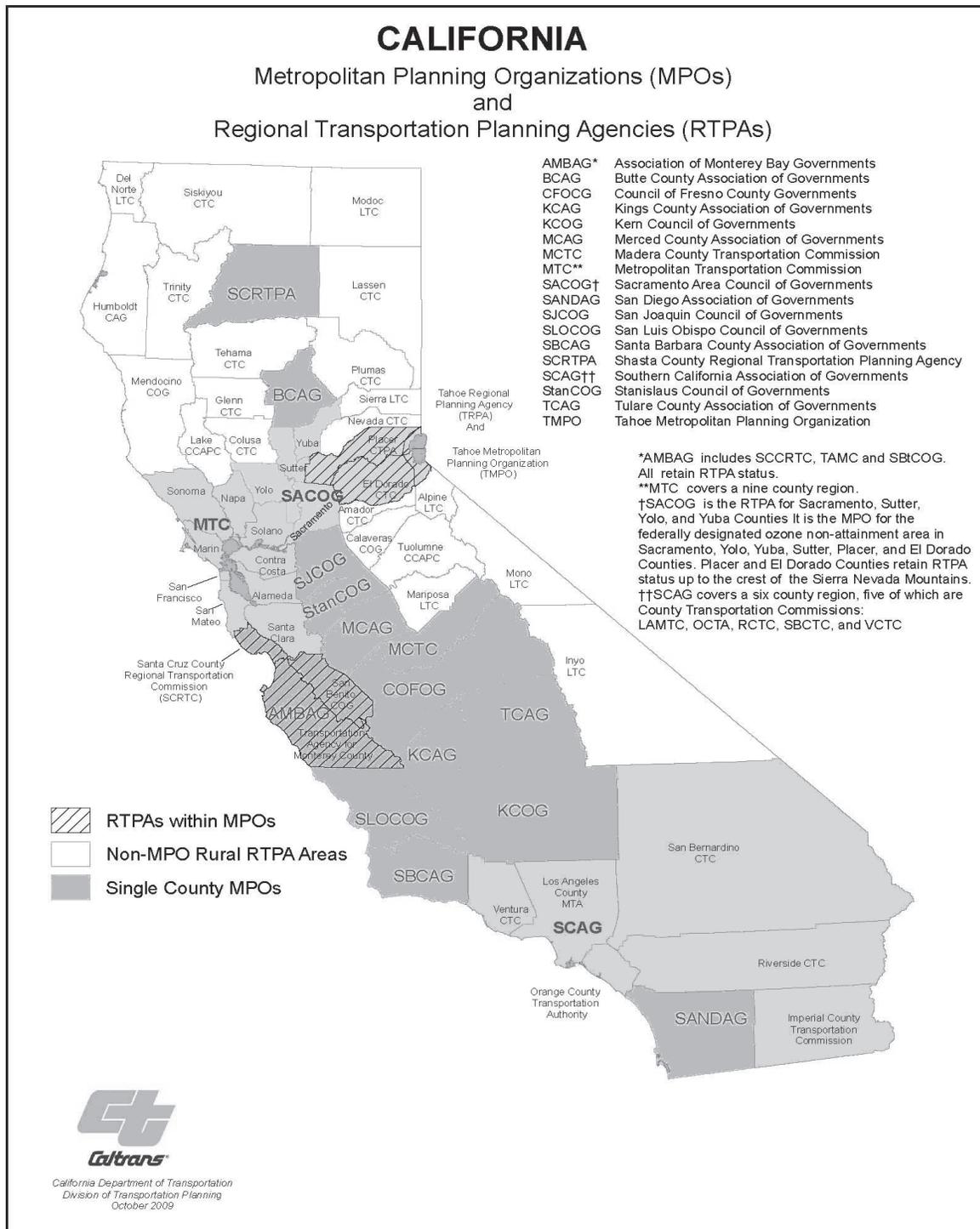
(See 23 C.F.R. § 450.322(l); 40 C.F.R § 93.104.)

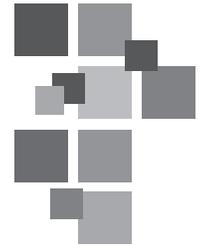
Following that initial determination, the US Department of Transportation’s Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) must approve the metropolitan planning organization’s conformity determination before the regional transportation plan is valid.

The Environmental Protection Agency determines what pollutants are included in the NAAQS and sets the criteria for defining the standard. In 2009, the EPA began the process of including greenhouse gases on the list of regulated pollutants for which it will set air quality standards.

**Figure 4**

(Full color version available at [www.dot.ca.gov/hq/tpp/offices/orip/list/agencies.html](http://www.dot.ca.gov/hq/tpp/offices/orip/list/agencies.html))





## The Sustainable Communities Strategy – A New Component of the Regional Transportation Plan in Metropolitan Regions

In October 2010 the California Air Resources Board released regional greenhouse gas reduction targets to each of California’s 18 metropolitan planning organizations, setting in motion the process for each region to include a “sustainable communities strategy” (often referred to by its acronym SCS) as part of its next regional transportation plan update. This requirement does not apply to regional transportation planning agencies that are not within the jurisdiction of a metropolitan planning organization.

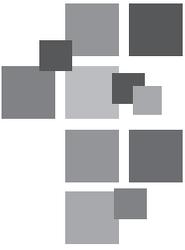
A sustainable communities strategy provides a regional framework for growth that identifies the “general location of uses, residential densities, and building intensities” within the region as well as areas sufficient to meet the region’s housing needs and a regional transportation network sufficient to serve that growth.<sup>35</sup>

The sustainable communities strategy identifies how the metropolitan planning organization proposes to reduce greenhouse gas emissions from cars and light trucks through integrated land use, transportation, and housing planning. The sustainable communities strategy must strive to meet regional greenhouse gas reduction targets set by the California Air Resources Board if there is a feasible way to do so.<sup>36</sup>

The sustainable communities strategy provides each region with a tool for synchronizing three state mandated planning processes:

- The Regional Transportation Plan (RTP);
- The Regional Housing Needs Allocation (RHNA); and
- Updating the housing element of the general plan for each city and county in the region.

In addition to aligning the schedules for each of these planning processes, SB 375 requires that all three share a common set of reasonable land use assumptions for the region. One such assumption, for example, would be the distribution of housing units established through the regional housing needs allocation (see below).<sup>37</sup> The sustainable communities strategy must identify areas sufficient to house all economic segments of the region’s population for an eight year planning period.<sup>38</sup>



### **Alternative Planning Strategy**

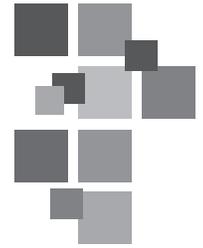
If the sustainable communities strategy falls short of meeting the regional greenhouse gas reduction target established by the Air Resources Board, then the region must also prepare an “alternative planning strategy” (sometimes referred to by its acronym APS).<sup>39</sup> The APS must include a combination of alternative development patterns, transportation investments, or additional transportation measures or policies that, if implemented, would meet the regional greenhouse gas reduction targets.<sup>40</sup>

Unlike the sustainable communities strategy, the alternative planning strategy is not part of the regional transportation plan. Thus, transportation funding decisions in the regional transportation plan do not have to be consistent with the alternative planning strategy, as they do with the sustainable communities strategy.

### **California Air Resources Board Review**

After adopting a sustainable communities strategy or alternative planning strategy, the metropolitan planning organization must submit it to the California Air Resources Board (CARB) for review. The statute limits the Air Resources Board’s review; the board can accept or reject the metropolitan planning organization’s assertion that the sustainable communities strategy or the alternative planning strategy would, if implemented, achieve the region’s greenhouse gas reduction target set by the board.<sup>41</sup>

If the Air Resources Board determines that the sustainable communities strategy would not meet the target, then the metropolitan planning organization must either revise the strategy, or submit an alternative planning strategy (if it has not already done so) that would meet the target.<sup>42</sup>



## Linking Transportation, Land Use and Housing

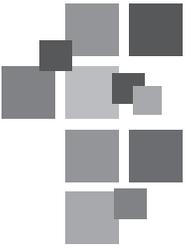
The sustainable communities strategy uses a common set of land use assumptions to link regional planning for transportation and housing with land use planning. These common assumptions apply to the regional transportation

plan and the allocation of each city's and county's share of the regional housing need. The housing share assigned to each locality is determined through the regional housing needs allocation (RHNA) process.

### **Figure 5 OBJECTIVES OF THE REGIONAL HOUSING NEEDS ALLOCATION**

Each locality's regional housing needs allocation is distributed among four income categories to address the required provision for planning for all income levels. The regional housing need allocation is required to promote the following objectives:<sup>43</sup>

1. Increase the housing supply and the mix of housing types, tenure and affordability in all cities and counties within the region in an equitable manner;
2. Promote infill development and socioeconomic equity, the protection of environmental and agricultural resources, and the encouragement of efficient development patterns; and
3. Promote an improved intraregional relationship between jobs and housing.



## Regional Housing Needs Allocation Process

The California Department of Housing and Community Development (sometimes referred to by its acronym HCD) is responsible for allocating each region's share of the statewide housing need to each council of governments. The region's share of the statewide housing need is based on state Department of Finance population projections and regional population forecasts used in preparing regional transportation plans.

The council of governments develops a regional housing need plan (RHNP) allocating the region's share of the statewide need to cities and counties within the region. The "regional housing need" is a minimum projection

of additional housing units needed to accommodate the projected growth in the number of households for all income levels by the end of the housing element's statutory planning period.

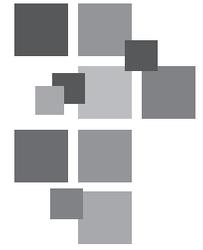
Each city and county is responsible for regularly updating the housing element of its general plan. The housing element of a city or county general plan must include goals and policies for how the locality will provide for its share of the regional housing need, including zoning and land use policies.<sup>44</sup> For example, to accommodate the regional housing need, cities and counties may include rezoning programs to allow higher density and more compact land uses.

### Figure 6

#### COORDINATING REGIONAL AND LOCAL PLANNING FOR HOUSING

The sustainable communities strategy influences regional and local planning for housing through a four-step process:

1. The state Department of Housing and Community Development (HCD), in consultation with each council of governments (COG), determines the projected housing needs for each region every eight years.<sup>45</sup>
2. Metropolitan planning organizations develop a sustainable communities strategy that accommodates the region's housing need and strives to meet the regional greenhouse gas reduction target set by the California Air Resources Board.<sup>46</sup>
3. The council of governments for the region then allocates a share of the regional housing need to each of the cities and counties in the region for the eight year planning period. The allocation must be "consistent with the development pattern included in the Sustainable Communities Strategy."<sup>47</sup>
4. The cities and counties then revise their general plan housing elements to accommodate their housing allocation. Housing elements must be updated within eighteen months of the date the metropolitan planning organizations adopts the regional transportation plan.



## Streamlining Environmental Review

Under SB 375, cities and counties have the option to provide incentives that “streamline” the environmental review process. These provisions apply to certain types of projects that are consistent with an adopted regional sustainable communities strategy or alternative planning strategy.<sup>48</sup>

The provisions for a full or partial exemption from the California Environmental Quality Act review were included in SB 375 as an incentive for projects designed to reduce greenhouse gas emissions from vehicle trips. Under that law, the environmental review of a variety of projects that are consistent with an adopted sustainable communities strategy or alternative planning strategy does not have to analyze certain aspects of the project that relate to climate change.<sup>49</sup>

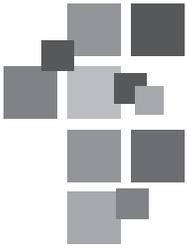
The environmental review provisions of SB 375 are detailed and complex. For more information on this topic, please visit the ILG website at [www.ca-ilg.org/SB375](http://www.ca-ilg.org/SB375).

## How Do These Regional Plans and Environmental Review Incentives Affect Local General Plans?

SB 375 specifically provides that cities and counties retain ultimate authority over local land use decisions.<sup>50</sup> Cities and counties need not amend or update their general plans to conform to the land use patterns included in the regional transportation plan and the sustainable communities strategy. However, because the regional transportation plan, the regional housing needs allocation, and the sustainable communities strategy are based on a common set of land use assumptions, these regional plans offer a collective vision for the region that may influence how local general plans evolve over time.

Three important ways regional planning for transportation and housing affects local general plans are:

- SB 375 synchronizes the schedules for updating the regional transportation plan, the regional housing needs allocation, and the update of the local general plan housing element into a new integrated planning cycle for each region.<sup>51</sup>
- The sustainable communities strategy included in the regional transportation plan uses a common set of land use assumptions for the regional transportation plan and the regional housing needs allocation, which will form the foundation for updating local housing elements.<sup>52</sup>



- The California Environmental Quality Act incentives included in SB 375 can only be used if the local agency and the metropolitan planning organization agree that a project (which must be consistent with the general plan) is also consistent with the regional sustainable communities strategy or alternative planning strategy.<sup>53</sup>

The sustainable communities strategy combines regional planning for transportation and housing into a strategy for reducing greenhouse gases in the region. To achieve the region's greenhouse gas reduction target, the sustainable communities strategy could include land use patterns that differ from those previously envisioned in the region. However, the assumptions used must be consistent with current planning assumptions for federal air conformity purposes—in other words, the assumptions must be grounded in what the local governments are reasonably likely to include in their plans and approve.<sup>54</sup>

Because all general plans must be internally consistent, other elements (such as land use and circulation) may need to be revised to reflect the land use assumptions contained in the updated housing element.<sup>55</sup> In addition, local jurisdictions may decide to amend their general plans for consistency with the sustainable communities strategy to help streamline the environmental review of development projects.

## Involving the Public in Regional Planning

The success of California's effort to reduce greenhouse gas emissions through coordinated regional planning will depend in large part on the extent of public support for the proposed changes to land use, transportation, and housing patterns included in local and regional plans. Public support in turn requires that the public be informed, consulted, engaged and heard as officials make decisions about the future of their communities through the regional planning process.

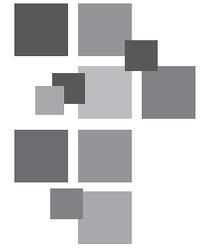
Local officials can play a leadership role by encouraging their constituents and other members of the public to actively participate in regional planning and by taking advantage of opportunities to engage in that planning process themselves.

### **ILG OFFERS RESOURCES ON PUBLIC PARTICIPATION IN REGIONAL PLANNING**

The Institute for Local Government has prepared two guides for local officials on engaging the public in regional planning.

- Understanding SB 375: Public Participation Requirements
- Understanding SB 375: Opportunities to Engage the Public in Regional Planning

For more information on this topic, including a free electronic copy of these publications, please visit the ILG website at [www.ca-ilg.org/RegionalPlanning](http://www.ca-ilg.org/RegionalPlanning).



## Additional Resources and References

### Online Glossaries

These online glossaries provide more information about terms related to the regional planning issues discussed in this guide, and others:

- Federal Highway Administration online glossary: [www.fhwa.dot.gov/planning/glossary/index.cfm](http://www.fhwa.dot.gov/planning/glossary/index.cfm)
- ILG Glossary of Land Use Planning Terms: [www.ca-ilg.org/PlanningTerms](http://www.ca-ilg.org/PlanningTerms)
- ILG SB 375 Legal Analysis: [www.ca-ilg.org/SB375LegalAnalysis](http://www.ca-ilg.org/SB375LegalAnalysis)

### Key Acronyms in this Document

- APS – alternative planning strategy
- CARB – California Air Resources Board
- CEQA – California Environmental Quality Act
- COG – council of governments
- Caltrans – California Department of Transportation
- FTIP – Federal Transportation Improvement Program (also referred to as the regional transportation improvement program or RTIP)
- HCD – California Department of Housing and Community Development
- MPO – metropolitan planning organization
- OWP – overall work program (also referred to as UPWP – unified planning work program)
- RHNA – regional housing needs allocation
- RTP – regional transportation plan (sometimes referred to as MTP – metropolitan transportation plan)
- RTPA – regional transportation planning agency
- SCS – sustainable communities strategy

# Endnotes

- <sup>1</sup> State of California, Department of Finance, Population Projections for California and Its Counties 2000-2050, by Age, Gender and Race/Ethnicity, Sacramento, California, July 2007.
- <sup>2</sup> See California Health and Safety Code, § 38500 et. seq.
- <sup>3</sup> SB 375 (Steinberg, Chapter 728, Statutes of 2008).
- <sup>4</sup> According to the California Department of Transportation, regional blueprints are “collaborative planning processes that engage residents of a region in articulating a vision for the long term future of their region. ....The process leads to the development of alternative growth scenarios for the region, and through a public process a preferred growth scenario is selected that can then guide regional and local land use and transportation decisions for a future that is sustainable, while meeting residents’ needs and providing a high quality of life for all.” See <http://calblueprint.dot.ca.gov/>.
- <sup>5</sup> See California Government Code, § 29535.
- <sup>6</sup> See California Government Code, § 29532, et. seq.
- <sup>7</sup> See California Government Code, § 29532.1.
- <sup>8</sup> See California Government Code, § 29532 (b).
- <sup>9</sup> See California Government Code, § 29532 (b) and (c).
- <sup>10</sup> 23 USC 134(d).
- <sup>11</sup> 23 USC 134(e).
- <sup>12</sup> California State Association of Counties (CSAC), *Addressing Greenhouse Gas Emissions from the Transportation Sector via Regional Transportation Plans* (October 21, 2008), p. 5 (available at [www.ca-ilg.org/](http://www.ca-ilg.org/)).
- <sup>13</sup> CSAC, p. 9-11.
- <sup>14</sup> See California Government Code, § 29532.1 (a).
- <sup>15</sup> See California Government Code, § 65080(b)(2)(B).
- <sup>16</sup> See California Government Code, § 65080(b)(2)(J).
- <sup>17</sup> See Cal. Public Resources Code §§ 21155, 21155.1, 21155.2, and 21155.3.
- <sup>18</sup> CSAC.
- <sup>19</sup> CSAC.
- <sup>20</sup> See Cal. Health and Safety Code § 43018.5. For additional information about California’s Clean Cars Program, see also [http://www.arb.ca.gov/msprog/clean\\_cars/clean\\_cars.htm](http://www.arb.ca.gov/msprog/clean_cars/clean_cars.htm).
- <sup>21</sup> See Governor’s Executive Order S-01-07. For additional information about California’s Low Carbon Fuel Standard, see also <http://www.arb.ca.gov/fuels/lcfs/lcfs.htm>.
- <sup>22</sup> See Cal. Health and Safety Code § 38561. For additional information about the AB 32 Scoping Plan and its development, see also <http://www.arb.ca.gov/cc/scopingplan/scopingplan.htm>
- <sup>23</sup> See Cal. Gov’t Code § 65080(b)(2)(A).
- <sup>24</sup> See 23 CFR 450.322 (c) and (e)
- <sup>25</sup> For a detailed discussion of the goals of the regional transportation planning process, please see California Transportation Commission (CTC), *2010 California Regional Transportation Plan Guidelines* (Adopted April 7, 2010), § 1 (available at <http://www.dot.ca.gov/hq/tpp/offices/orip/rtp/index.html>).
- <sup>26</sup> See 23 USC 134(c)(3).
- <sup>27</sup> For a detailed discussion of the goals of the regional transportation planning process, please see California Transportation Commission (CTC), *2010 California Regional Transportation Plan Guidelines* (Adopted April 7, 2010), § 1 (available at <http://www.dot.ca.gov/hq/tpp/offices/orip/rtp/index.html>).
- <sup>28</sup> See Title 40, Code of Federal Regulations, § 93.105 and § 93.113 (40 CFR 93). For additional discussion of consultation requirements, please see California Transportation Commission (CTC), *2010 California Regional Transportation Plan Guidelines* (Adopted April 7, 2010), § 5.7, page 90, and § 2 more generally. (available at <http://www.dot.ca.gov/hq/tpp/offices/orip/rtp/index.html>).
- <sup>29</sup> See California Transportation Commission (CTC), *2010 California Regional Transportation Plan Guidelines* (Adopted April 7, 2010), § 5. (available at <http://www.dot.ca.gov/hq/tpp/offices/orip/rtp/index.html>).
- <sup>30</sup> See Title 40, Code of Federal Regulations, § 93 (40 CFR 93).
- <sup>31</sup> See Title 40, Code of Federal Regulations, § 93.104 (40 CFR 93) and Title 23 Code of Federal Regulations § 450.322(l). For additional discussion of roles and responsibilities related to the conformity process, please see U.S. Department of Transportation, Federal Highway Administration (FHWA), *Transportation Conformity: A Basic Guide for State and Local Officials* (available at [http://www.fhwa.dot.gov/environment/air\\_quality/conformity/guide/guide06.cfm](http://www.fhwa.dot.gov/environment/air_quality/conformity/guide/guide06.cfm))

<sup>32</sup> See California Transportation Commission website at <http://www.catc.ca.gov/>.

<sup>55</sup> See *Federation of Hillside and Canyon Associations v. City of Los Angeles*, 126 Cal. App. 4th 1180, 24 Cal. Rptr. 3d 543 (2004).

<sup>33</sup> See Title 23, Code of Federal Regulations, § 450.322 (23 CFR 450), Cal. Government Code Section 65080(b)(4). For additional discussion *please see* California Transportation Commission (CTC), *2010 California Regional Transportation Plan Guidelines* (Adopted April 7, 2010), § 6.3 (available at <http://www.dot.ca.gov/hq/tpp/offices/orip/rtp/index.html>).

<sup>34</sup> See Cal. Government Code Section 65080(b)(2)(B).

<sup>35</sup> See California Government Code, § 65080(b)(2)(B)(i).

<sup>36</sup> See Cal. Gov't Code § 65080(b)(2)(B)(vii).

<sup>37</sup> See California Government Code, § 65080(b)(2)(B).

<sup>38</sup> See California Government Code, § 65080(b)(2)(B)(iii).

<sup>39</sup> See Cal. Gov't Code § 65080(b)(2)(H) and 65050(b)(2)(I).

<sup>40</sup> See California Government Code, § 65080(b)(2)(I).

<sup>41</sup> See California Government Code, § 65080(b)(2)(J)(ii).

<sup>42</sup> See Cal. Gov't Code § 65080(b)(2)(j)(iii).

<sup>43</sup> See Cal. Government Code Section 65584(d).

<sup>44</sup> Cal. Gov't Code § 65583 et seq.

<sup>45</sup> See Cal. Gov't Code § 65584(b).

<sup>46</sup> See Cal. Gov't Code § 65080(b)(2).

<sup>47</sup> See Cal. Gov't Code § 65584.04(i)(1).

<sup>48</sup> See Cal. Gov't Code § 65080(b)(2)(J)(ii).

<sup>49</sup> See Cal. Pub. Res. Code §§ 21155, 21155.1, 21155.2, and 21155.3.

<sup>50</sup> A sustainable communities strategy and alternative planning strategy does not regulate the use of land. See Cal. Gov't Code § 65080(b)(2)(J).

<sup>51</sup> See *Understanding SB 375: A Local Official's Guide*, Institute for Local Government, November 2010, p. 20.

<sup>52</sup> See Cal. Gov't Code § 65080(b)(2).

<sup>53</sup> See Cal. Pub. Res. Code § 21155(a).

<sup>54</sup> See Cal. Gov't Code § 65080(b)(2)(B) and 40 C.F.R. § 93.110.

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