

Integrating Sustainable Communities Strategies with the LAFCo Application Process



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LAFCo Considerations



Consider This

- In reviewing a proposal for a Change of Organization or Reorganization, one of the factors a Local Agency Formation must consider is the “regional transportation plan adopted pursuant to Section 65080, and its consistency with city or county general and specific plans.” (Gov. Code, § 56668, subd. (g).)



What is the “RTP/SCS”



- A Regional Transportation Plan (“RTP”) is a long-range planning document that serves as the blueprint for a region ’s transportation system.
- In 2008, Senate Bill 375 (“SB 375”) was signed into law requiring that each RTP adopted by a Metropolitan Planning Organization (“MPO”) must include a new component called a “Sustainable Communities Strategy (“SCS”).”
- The SCS is meant to serve as a tool to improve the integration of planning for transportation, land use, and housing in each region, and to set forth a forecasted development pattern for the region to reduce GHG emissions from autos and light trucks to achieve, if feasible, the GHG targets established by CARB.

Must a Project Be Consistent with the SCS?

- Consistency with the SCS is voluntary - each city and county retains its land use authority. But for projects that are consistent with the SCS, certain exemptions from CEQA (“CEQA Streamlining ”) may be available.
- If the SCS cannot achieve the GHG reduction targets established by CARB, the MPO must prepare an Alternative Planning Strategy (“APS”) to the SCS. (Gov. Code, § 65080 (b)(2)(I).)

What is included in an RTP/SCS?

- Each RTP/SCS must identify:

- (1) the general location of uses, residential densities, and building intensities within the region
- (2) areas within the region sufficient to house all the population of the region, taking into account net migration into the region, population growth, household formation, and employment growth.
- (3) areas within the region sufficient to house an eight-year projection of the regional housing need, consistent with the Regional Housing Needs Plan.
- (4) a transportation network to serve the region's transportation needs.



What 's included in an RTP/SCS? (cont 'd)

- (5) Gather and consider the best practically available scientific information regarding resource areas and farmland in the region including prime or unique farmland or farmland of statewide importance statewide, farmland designated in a General Plan as meeting or exceeding those standards, Williamson Act land, and areas designated in a General Plan for agricultural use.
- (6) Set forth a forecasted development pattern for the region to reduce GHG emissions from autos and light trucks to achieve, if feasible, the GHG targets established by CARB.
- (7) Allow the RTP to conform to applicable State air quality standards and emissions budgets identified in the State Implementation Plan ("SIP").

"RTP/SCS" Adoption

- MPO's throughout the state are beginning to adopt their first RTPs that include the SCS or APS component.



- In October 2011, the San Diego Association of Governments ("SANDAG") was the first MPO to adopt an RTP/SCS.
- In April 2012, the Sacramento Area Council of Governments ("SACOG") and the Southern California Association of Governments ("SCAG") both adopted an RTP/SCS for their respective regions.

"RTP/SCS" Yet to be Adopted

Schedule for Future RTP/SCS Adoption Statewide			
MPO	Date for Adoption	MPO	Date for Adoption
Metropolitan Transportation Commission/Association of Bay Area Governments	March 2013	San Joaquin Council of Governments	2014
Butte County Association of Governments	December 2012	San Luis Obispo Council of Governments	2015
Fresno Council of Governments	2014	Santa Barbara County Association of Governments	2015
Kern Council of Governments	2014	Shasta Regional Transportation Agency	2013
Kings County Association of Governments	July 2014	Stanislaus Council of Governments	2013
Madera County Association of Governments	2014	Tahoe Metropolitan Planning Organization	Late 2012, Early 2013
Merced County Association of Governments	2013	Tulare County Association of Governments	2014
Association of Monterey Bay Area Governments	March 2013		

CEQA Streamlining: Residential or Mixed-Use Projects Consistent with the SCS

- A residential or mixed-use residential project is eligible for CEQA Streamlining if it is consistent with the general land use designation, density, building intensity, and applicable policies specified for the project area in either an SCS or APS.
- Once an agency has determined that a Residential or Mixed-Use Project is Consistent with the SCS, the project EIR “is not required” to discuss:
 - Growth inducing impacts,
 - Any project specific or cumulative impacts from cars and light-duty truck trips on global warming, or on the regional transportation network. (Pub. Res. Code, a 21159.28, subd. (a); Gov. Code, a 65080, subd. (b)(2)(l).)
 - A reduced residential density alternative to address the effects of car and light-duty truck trips generated by the project as part of its alternatives analysis. (Pub. Res. Code, a 21159.28, subd. (b).)

56668(g)

- As more and more MPOs adopt an RTP/SCS for their regions, LAFCo’s will be faced with the question of how to interpret Section 56668 when processing proposals for changes of organization or reorganization.
- While LAFCo is required to determine whether a proposal is consistent with applicable general and specific plans, LAFCo need only “consider” the adopted regional transportation plan. Given that cities and counties retain their exclusive land use authority and are not required to implement the RTP/SCS, “consistency” between a proposal and the RTP/SCS is not required.



LAFCo Involvement with “RTP/SCS” Development



- Because the overarching goal of LAFCo is to promote orderly development, it is essential for LAFCo’s to be involved in the development of the RTP/SCS for their region.
- The new RTP/SCS will not only set forth a blueprint for a region’s transportation system development, but it will likely address:
 - development patterns;
 - transit oriented development;
 - infill projects;
 - an improved jobs-housing balance;
 - open space, habitat, natural resource, and farmland preservation; and
 - environmental justice concerns.