



PROJECT OVERVIEW AND SURVEY



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KICK-OFF AND SURVEY

- Project kick-off in Fall 2021
- A survey was circulated to stakeholders in January 2022
- Questions included general demographic information, familiarity with and use of existing CEQA streamlining or exemption tools, and knowledge of state laws

SURVEY RESULTS

- A total of 163 respondents combination of city planning staff, elected officials, community members, consultants, developers, and members of non-profit/advocacy groups
- Respondents generally indicated some familiarity with available streamlining tools
- Over half of the respondents indicated that their respective jurisdiction did not have the programs and processes in place to implement streamlining tools largely due to lack of staff time or understanding
- Many respondents also indicated that additional support (e.g., educational materials) would be significantly helpful in reviewing projects

DEVELOPMENT STREAMLINING MATERIALS

MATERIALS

- Prepared a series of development streamlining guidance materials:
 - 14 total: 8 CEQA Streamlining, 6 Administrative Review Processes
- Included information on different state laws, exemptions, and streamlining options, implementable tools (e.g., checklists and worksheets), and references to SCAG's RTP/SCS's
- Published on SCAG's website: https://scag.ca.gov/streamlining

DEVELOPMENT STREAMLINING MATERIALS

WEBSITE OVERVIEW

Development Streamlining Materials

Recent changes in State laws to CEOA's environmental review process as well as new State laws to streamline administrative review processes have created new opportunities for jurisdictions with regulatory land use control to streamline and shorten the entitlement process and accelerate the production of much needed housing.

The guidance materials below were developed to provide support and pathways for local jurisdictions and land use practitioners to address these challenges.

DEVELOPMENT STREAMLINING GUIDANCE MATERIALS

- What is CEQA Streamlining?
- Senate Bill 375: CEQA Streamlining
- E CEQA Streamlining Options for Non-Exempt Housing Projects Covered by an Existing EIR: Project Eligibility Review Matrix
- B CEQA Streamlining For Infill Projects and Projects Consistent With Community Plan and Zoning
- CEQA Categorical Exemptions
- ECEQA Exemptions for Housing Projects: Project Eligibility Review Matrix
- B Transit Priority Project and Transit-Oriented Project CEQA Exemptions
- B CEQA Article 12.5 Exemptions For Agricultural Affordable and Infill Housing
- Legislative Summary of AB 2345 Density Bonus Law
- Leonary Bonus Law: What are Incentives, Concessions, and Waivers?
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- Senate Bill 9: Ministerial Approval of Duplexes and Urban Lot Splits
 B Senate Bill 10: Level Dependence for "Missing Middle" Heuring Dependence
- Senate Bill 10: Local Rezoning for "Missing Middle" Housing Production
 Senate Bill 35: Alfordable Housing Streamlined Approval
- Senate Bill 330 and Senate Bill 8: Summary of Housing Crisis Act of 2019

SUMMARY OF HOUSING **CRISIS ACT OF 2019** SB 330 and SB 8

Introduction

evente Bill 330 (38.330) estatishte ing Cisia. Act of 2019 (91CA) and s id on October 9, 2019 and went is d on January 1, 2020. On Septem 1, Senate Bill 8, C& Bill was: signed 1, Senate Bill 8, C& Bill was: signed 4, Senate Bill 8, C& Bill was: signed 5, Senate Bill 8, Senat it development; 2) inventory; and; 3) ng; Buth 58:330 an inges to the existence Act

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Not All Hous Projects Are

HCA defines a "hou project that proper

mixed-use devel thirds of the squ

transitional, supplication
 tarmworker hour

Sill 8 expands the development proj one single dwellin Court of Appeal n

The HCA Does Not Apply to All Jurisdictions

only to "affected" jurisdict or county that is located in ensure of the second se



SCAG.

Introduction The Density Bonus Law (DBL, Government Code Sec et seq), enacted in 101%, encourages developers to is admotable units within a neidential project in exchan density bonuses and relief from other base develops transfact. Assembly BI 2345 (24) 23457 avended DBL by amending minimum automobile parking sta

umo u proximity nancing the dev 1 and senior h e on Jan

Cities and counties are exampt from several AB 2345 if they meet the exemption orbers Code Section 593(5)) by having an existing program with a density bonus program that the 35% maximum in state density bonus la

How AB 2345 Increases Density Bonus 2 17% provided + mail 35% bonus 15% prov ery Low Income 20% provided = max 35% bonus 24% prov max 50% Low Income Moderate Income 40% reserve* + max 35% bonus projects DBL are satisfying the i

SCAG SB 9: MINISTERIAL APPROVAL <u>해</u> DUPLEXES AND URBAN LOT SPLITS

Introduction

SCAG

Senate Bill 9 (38 5), the California Housing Opportunity and More (Bicency (HONR) Act, was signed into law by Governor Newsom on September 16, 2021, which overrides ensiting density limits in single-family zones, 58 9 is model to usunort Interested supply of starth n addition, 58 9 waives any discretionary milew and public hearings for: Building two homes on a parcel in a single-tamily zone typically referred to as a "Single List Duples"; and,

 Subdividing a lot into two that can be smaller than required minimum size, typically referred as a "Urban Lot Split ed together, this allows four homen, w is allowed before. S8 9 can be used to

1. Add new homes to existing parcel Note real rooms to belong percet.
 Divide existing house into two or multiple unit; and.
 Divide percet and add homes.

58 9 adds to Government Code Sect 65852,21 and 66411.7 and amends Gr Code Section 66452.6 (Subdivision N

Urban Infill Streaming Process

1

ND, MND, SCEA

(if applicable) Determine impacts that are less than significant or those that have been previously analyzed and not subject to further review

Noticing and Public Review

Adopt Findings and ND, MND, or SCEA

No Further Review

No new specific effects or new information

Effects were

UADPS: wox substantially mitigate effe

File NOD

Performance Standards Related to Project Design

Son and water name
 Residential Units Near High-Volume Roadway Stationary Sources

Renewable Energy Soil and Water Remediation

INTE ER

Analysis of or building inducing in

Document new or mo significant effects or th substantially mitigated

Noticing and Public Re

All other effects document is and circulated with infill ER

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PROCESSES

Bit O was signed into law on September 16, 2021 and went into effect on January 1, 2022 and epipes on Janu 1, 2020, 310 Solid Government Code Section 66/03.5 that provides agencies the option to uptone a "Tarawa" rich asea" or "richain INIP" parcel, fit a amainum of K recidentials units. The recording process is everypt from recidentia the Califo Provisions of SB 10 When a local agency ado they must on an ordinance number to 58 th

ADMINISTRATIVE REVIEW

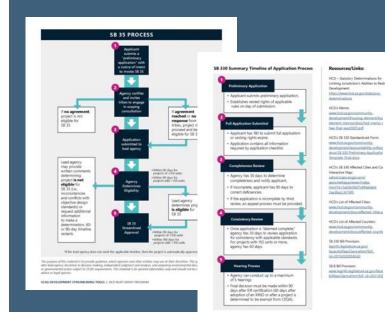
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- Declare that the coning ordinance is adopted pursuant to SB 10; Clearly demanate the areas that are zoned pursuant to S8 10; and
- Make findings that the increased density supports the agency's duty to affirmatively further fair housing pursuant to Government Code \$8899.50.
- local agency that approves a zoning ordinance pursuant, SEI 10 shall not subsequently reduce the density of any aroal subject to the ordinance.
- Up to the accesses a Light to hear accesses a WACKUP, processes to Government WHORDs a would be permitted on each percei, and these issue count forward the to-ant threshold. An ordinance emacted pursuant to this legislation in override a local initiative institution prolicity, if the on is adopted by the -thresh of the legislative body app the ordinance.

The purpose of two motivistics to provide guidences, which supervises and other emitties any use at their discrition. This guidence does not after load approve discritions in indexing independent pulposed and independ and research user purpose of pulposes and according to CFO model and endowed in the specific discrition and your data of the constraint of a logist

LOPMENT STREAM, INING TOOLS | HED YEAP LANDE PROGRAM





FLOW CHARTS

SB 375 Streamlined Review Options (PRC §21155)

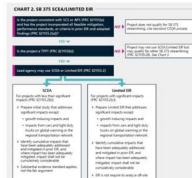
For TPPs that do not meet the Sustainable Communities Project exemption criteria, 58 375 exemption using processes involving ind ER. Like the exemption ind ER. Like the exemption int with the SCS/ ficable a project muss APS. The analys DRs* and the p

Additional Performance Standards for Resident Mixed-Use²

Achieve below averag per capita vehicle mili (VMT);

(VMT): • Be located within 1s m Existing Major Transit High Quality Transit C • Provide Low-Income I

citeria from the prior EIR. However, the stat does not specify which prior EIR may be use General Plan EIR, Specific Plan EIR, or R7P/S Electration to select a p s discretion to site and its o



"Transit rich area" means a parcel within one-half mile of a major transit stop, or a parcel on a high-quality bus condor. "Uthan infill shift" means a site that satisfies all of the following:

A legal parcel located in an urbaniced area or urban clu adjoins et with

the permeter of the table adjoins parcets that are identifyed with urban uses. A site zoned for residential use or residential mixed-use development or has a general plan designation that allows exidential use or a mix of residential and recreacidential uses, with all residential use square footage of the development exignation for residential use.

Limitations of 5B 10

58 10 does not apply to para a very high the severity con would it apply to parcels in space, park or recentional approved by the voters. A project may not b into smaller projects limitations in 58 10.

WORKSHEETS

Requirements	Applicability	W
(a) The project is consistent with the applicable general	Is the project consident with General Plan Designation, policies, and coning?	
plan designation and all applicable general plan policies as well as with applicable coning designation and regulations.	Are there design ecceptions that have no environmental impacts?	
(b) The proposed	Site within city limits?	
development occurs within city limits on a project site of no more than five acres substantially surrounded by	(Note if located within unincorporated one), review PRC 82159.25 for eligibility of exemption for residential or mixed-use housing projects.)	
urban uses.	Site 5 acres or less?	
	Surrounded by urban development?	
(c) The project site has no value as habitat for endangered, rare or	Does the site contain trees, vegetation, wetlands/ waters/riparian habitat that can support Special Status Species?	
threatened species.	(Tp: Run a CNDDB dotatose search at www.wikifile.ca.gov/Data/CNDDB/Maps.and-Data/	
(d) Approval of the project would not result in any significant effects relating to	The project does not include roadway or transportation system changes beyond site ingress/egress.	
raffic, noixe, air quality; or vater quality.	The project does not include a new stationary noise source.	
	(Note Stationary noise sources are typically associated with mechanical equipment rother than housing, especially a small housing project.)	
	The project does not include a new source of air pollutant emissions.	
	(Note: Stationary air pollution sources may be associated with even small housing projects and may require air permits.)	
	The project would not result in changes in site drainage that cannot be addressed through best management practices (BMPs) to prevent encoins and construction pollutants from contacting toormwate.	

Class 32 Categorical Exemption – Infill Development

WORKSHEETS Community Plan/Zoning Streamlining (Public Resources Code \$21083.3; CEQA Guidelines \$15183)					
Requirements	Applicability				
(a) EEGA reardians that projects which are consistent with the development density established by entring zoning, community plan, or general plan policies for which an DR was certified shall eview, except as might be necessary to each or evident from an policity reactions where these are policity pendies to the project or its with. This teamerine, the enview of such projects and neckers the need to projects and the policies.	The project is consistent with the density established by come, community plan, or general plan for which an ER has been certified.				
(b) In approving a project meeting the requirements of this section, a public agency shall limit to examination of environmental effects to those which the agency determines, in an initial study or other analysis:					
(0) Are peculiar to the project or the parcel on which the project would be located.	There are no unusual circumstances surrounding the project or sile that could be triggered. Consider the following environmental topics:				
	Aesthetics: The project would not add substantial light or glare or degrade the quality or character of the sumounding area.				
	Agriculture/ Forestry: The project does not include agricultural land or forested land.				
	Air Quality/GHGs: The project does not include new substantial sources of air pollutant emissions.				
	Biological Resources: The project site does not contain wetlands, riparian habitat, special status species habitat.				

Requirements	Applicability		No
If the legislative body finds, after conducting a public hearing, that a transf priority project meets all of the requirements of subdivisions (a) and (b) and one of the requirements of subdivision (c), the travels providy project is declared to be a subtanible communities project and shall be events from this division.			
(a) The transit priority project complies with all of the following environmental oriteria:			
(1) The transit priority project and other projects approved prior to the approval of the transit priority project but not yet built can be adequately served by existing utilities.	Is site served by utilities (se, water, westewater, electricity, natural gas, solid weste, and stormwater chainage(?	tet, wastewater, electricity, unil gas, solid weble, and rmwater chainaget? here are applicable in linu/ elignment fles, has there been	
and the transit priority project applicant has paid, or has committed to pay, all applicable in-lieu or development fees.	If there are applicable in Teu/ development fees, has there been a commitment to pay them?		
(2) The she of the transit priority project does not obtain welfands or spanin areas and does not have splotted tables a wildfar habitat and the transit priority project does interface projectional by the not extensitivity projection by the not habitation and the projection by the not habitation and the projection by the not habitation and tables to promessing with Section 9000 of Devision 2 of the Fish and Species Act (Dapter 15 scienmending with factors 1900 of Devision 1 of the Fish and Species Act (Dapter 15 scienmending with habitation 2000) of Devision 1 of the Fish and	The site does not contain welfand/waten.rigeare habiter bet can upport Special Stetu. Specin. (Tp: Rur a CNDDB database earch at www.widtlik.ca.gov:Data/ CNDDR/Meen.and-Data/	8	

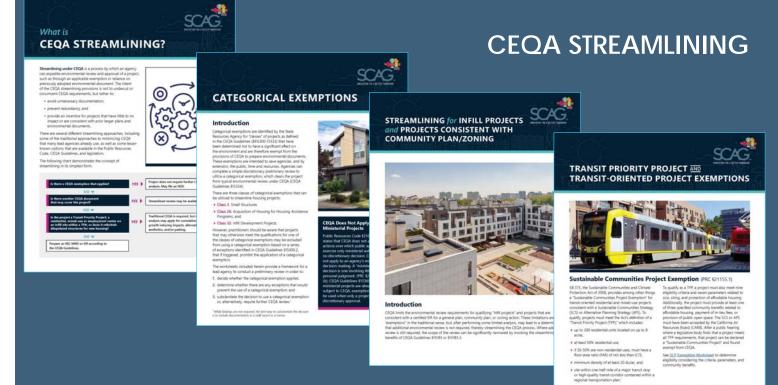
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protected by a local ord the time the annul

WORKSHEETS SB 35 Eligibility Checklist HOUSING TYPES Multi-family or Mixed-use The development is a multifamily housing development containing at least two or more net new residential units, or a mixed one project where at least 201 of the square footage is dedicated to residential units. The project meets all objective standards of the at the time of 58.35 application submittal. Consistent with Objective Standards SITE REQUIREMENTS Infil De Zoning or General Man Consistency Not Located in Se Environments Not Subject to Hazardous Cond

At least 75 percent of the permeter of the site adjoins parcels currently or formerly developed with urban uses, including parcels separated by a street or highway. The development is located on a legal parcel or parcels that are correct or designated by the general plan for residential or mixed The propect site is not within a cuestal zone, prime familand, welfands, a community conservation plan area, a habitat for protected species, or under a conservation easement. The project site is not within a high fire hacard severity zone, hacardous works site, delineated earthquake fault zone, flood plain, or floodway. The project slows not dimension any housing units that occupied by lenarits in the last. By years, or demolish in subject to any form of ever or price control, or are sub-recorded consent, underson, or last that restricts are affordable to persons and femilies of moderate. Now or notiones. No Demolition of Residential Units toric Structures net denoish a hidoric onal, state, or local feeto The development did not or does not more a subdivision of a parent that is subject to the California Subdivision Mag. Act, unless the development either (b) receives a low income burning tax model and is subject to the requirement that presenting wags to be paid or this subject to the requirement that presenting wags and to use a sublest and taximal workform any providing wags. Act our as a sublest and taximal workform the providing wags. Subdivisions

es No N/A



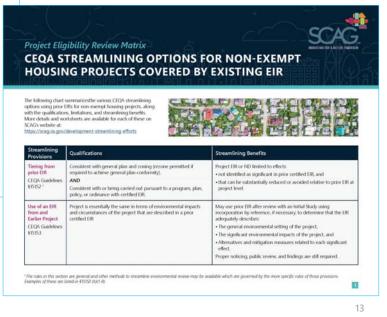
MATRICES



Project Eligibility Review Matrix CEQA EXEMPTIONS FOR HOUSING PROJECTS

The following chart provides a summary of the various CEQA exemptions that are available for housing projects, along with the eligibility oriteria and the limitations that may disquality a project from applying the exemption. More details and worksheets are available for each of these on SCAGs vebsite at: scaga capacitidesement. streamling, afforts

Housing Type/ # of Units	Applicability	Consistent with	Project Site	Location	Disqualified if
Common Sense Exen	nption CEQA Guideline	s §15061(c)			
N/A	N/A	N/A	N/A	N/A	Potential for a significant effect on the environment, and it cannot be seen with certainly that there is no possibility that the activity may have a significant effect on th environment.
New Construction or	Conversion of Small St	tructures (Class 3 Catego	rical Exemption) CEQ	A Guidelines §15303	
1 unit, either SF or second dwelling unit OR ± 4 duplex units or similar MF	N/A	N/A	N/A	Residential zone	Triggers one or more exceptions due to location or environmental impact (CECA Guidelines \$15300.2)



RECOGNITION

 In April 2023, the California State Chapter of the Association of Environmental Professionals recognized the Project with the Award of Merit for the Environmental Resource Document

VIRTUAL WORKSHOPS & OFFICE HOURS

Four (4) 90-minute Workshops (Completed)

- 1. Current Streamlining Practices: Implementing SB 35 & SB 330
- 2. Recent Changes to Density Bonus Law: Legislative Overview
- 3. CEQA Streamlining Overview & Exemptions
- 4. CEQA Streamlining from Prior EIRs

Recordings and materials available on SCAG's website: <u>https://scag.ca.gov/streamlining</u>

One (1) 90-minute Office Hours (Completed)

• Participants: city planning staff, housing nonprofit organization staff, developer

CONTENT PREVIEW

SCA

DEVELOPMENT STREAMLINING MATERIALS

- Planners can utilize the SB 35 and SB 330 guidance materials to:
 - Learn about the law (when it passed, purpose, Government Code citation, etc.)
 - What projects qualify (housing types, objective standards, site requirements, parking, labor provision, etc.)
 - Description of the streamlined approval process (including a flow chart)
 - List of resources (with hyperlinks)
 - Use a checklist to see if their project qualifies
 - Description of new bills or case law that have modified the law

CONTENT PREVIEW

DEVELOPMENT STREAMLINING MATERIALS

• PDF Previews:

- <u>SB 35</u>
- <u>SB 330 and SB 8</u>

WORKSHOP EXAMPLE

Workshop: "Current Streamlining Practices: Implementing SB 35 and SB 330"

- Planners can watch the workshop recordings:
 - Provides a summary of each bill
 - Additional case law and bills that modify/upgrade SB 35 and SB 330 (not in guidance materials)
 - Listen to answers to questions asked by planners
- Access to slide materials on the website for all workshops



UPCOMING EVENT

SCAG's Toolbox Tuesday Housing Series Part 2

- November 14, 1-2:30 PM
- Sign up here: https://www.jotform.com/form/212696988854176
- For more information, please visit: <u>https://scag.ca.gov/post/toolbox-tuesday-housing-series-part-2</u>



THANK YOU!

For more information, please visit: https://scag.ca.gov/streamlining