

### **3.40 Sustainable Communities Strategy (SCS)**

#### **SCS Overview/Background**

A June 2009 document titled: "Communities Tackle Global Warming – A Guide to California's SB 375 (Steinberg)" prepared by California League of Conservation Voters and the Natural Resources Defense Council states "the sustainable communities strategy is the heart of SB 375." The SCS (or APS) is the key long-range planning tool to be used by the MPOs and local government to help provide an outline of how and where future development should occur in the region.

The sustainable communities strategy or SCS, was added as a new component of the RTP following the passage of SB 375 in September 2008. In California statute, this requirement for MPOs was added to Government Code section 65080 (et al). State statute requires the SCS to be part of the RTP, policies within the SCS shall be consistent with the policies with the RTP. Following a successful blueprint effort started by the Sacramento Area Council of Governments and the San Diego Association of Governments, Caltrans along with the Governors Office of Planning and Research and the Department of Housing and Community Development made grants available to MPOs statewide to develop their own regional blueprints. The SCS is a continuation of this regional blueprint process which started in 2003. By fiscal year 2008/09, a total seventeen of the eighteen MPOs, and eight rural transportation agencies were conducting regional blueprint plans. The intent of the regional blueprint program is to identify land use, transportation and environmental connections. The MPOs conducting these regional blueprint efforts have a significant lead in addressed the new planning requirements contained in SB 375.

The California requirement for the development of the SCS is a broad leap regarding the overall intent and purpose of the RTP. For over 30 years, the primary purpose of the RTP has been to identify the transportation projects needed to address both current and future regional population demand and to specify the major surface transportation projects to be programmed given the financial resources available. The SCS will require MPOs to determine where recommended commercial and residential development should occur, along with what type of transportation facilities should be constructed (given financial constraints) in order to meet the regional GHG reduction target to be specified by the California Air Resources Board.

Although part of the RTP, the SCS does not necessary need to be contained in the actual RTP itself. The RTP and SCS can be two separate stand alone documents or one single document; this is up to the discretion of the individual MPO.

The information in this section below is intended to identify the specific requirements of what constitutes an SCS and also what items would be beneficial to be included in an SCS.

#### **SCS Contents**

California statute requires that all MPOs prepare an SCS as part of their RTP. Statute further outlines the SCS shall identify the following:

1. Regional land uses: Existing general land uses within the MPO boundary – this includes residential, commercial and open space. Density of both residential and commercial development shall be specified. Both farmland and resource areas are required to be identified in discussions of current and future land uses within the region. Based on

reasonably expected future land use, the SCS shall specify the forecasted development pattern within the region.

2. Regional housing needs: Over the 20 plus year span of the RTP, the SCS shall specify areas within the MPO boundary sufficient to provide housing for all current and estimated population over the 20 plus year span of the RTP. This determination will also include all economic levels of the population. Pursuant to Government Code section 65584, the SCS will also identify areas within the MPO boundary sufficient to house an eight-year projection of the regional housing needs assessment (RHNA) as identified by the California Department of Housing and Community Development (HCD). State housing goals as specified in Government Code sections 65580 and 65581 will have to be considered in the SCS.
3. Regional transportation system: Although a current component of the RTP process prior to SB 375, the SCS shall identify the transportation needs over the 20 plus years of the RTP to meet the future population demand.

The SCS must be “internally consistent” with the other sections of the RTP. This means that any land use assumptions or regional transportation investments must be consistent with the estimated funding available or policy decisions identified elsewhere in the RTP.

### **MPOs in Multi-County Regions**

San Francisco Bay Area - Within the nine county San Francisco Bay Area region, the Association of Bay Area Governments (ABAG) is responsible for the land use and housing related issues in the SCS. The Metropolitan Transportation Commission is responsible for identifying the regional transportation needs.

Southern California Association of Governments (SCAG) – Within the six county SCAG region, there are six county level councils of governments (COGs) and seventeen sub-regional COGs. Government Code section 65080 (C) allows each of these COGs to prepare the SCS and APS (if needed). SCAG has developed a document titled: “Framework and Guidelines by the Southern California Association of Governments for the Development Sub-Regional SCS/APS”. This document is intended to provide guidance for each of the seventeen SCAG sub-regions and should be consulted prior to and SCS/APS related work. To the extent possible, SCAG shall include this sub-regional work within their overall SCS contained in SCAG’s RTP.

San Joaquin Valley - The following eight counties constitute the MPOs located in the San Joaquin Valley: Fresno, Kern, Kings, Madera, Merced, San Joaquin, Stanislaus and Tulare. These eight counties are located in one air quality basin and the MPOs have a long history of collaborating on the preparation of their respective RTPs particularly as it relates to the federal air quality conformity determination. Government Code section 65080 (M) allows two or more of these MPOs may work together on the development of a joint SCS or APS.

### **Role of Cities and Counties in the Development of the SCS**

How regions grow over the future is one of the fundamental elements to reduce regional GHG emissions. Over time, cities and counties will need to address land use policies that will reduce both the number and length of vehicle trips. Government Code section 65080 (J) is very

specific regarding the land use implications identified as a result of the passage of SB 375 – land use authority rests with each of the appropriate cities and counties. MPOs do not have the legal ability to stipulate where development should, or should not occur. During the development of the RTP and the SCS, MPOs will need to initiate a significant amount of outreach to the cities and counties within their respective jurisdictions. The SCS will need to reflect the realistic projected land use.

The MPO shall prepare a SCS considering spheres of influence already adopted by the Local Agency Formation Commissions (LAFCoS). Spheres of influence are the planning boundaries outside of an agency's legal boundary (the city limit line) defining the agency's potential future boundary and service area. Current and future land use, current and future need, capacity for service, and any relevant communities of interest, are usually the factors considered in a sphere of influence review focus.

LAFCoS determine spheres of influence for all local governmental agencies, and are responsible for coordinating logical and timely changes in local governmental boundaries. Special studies are conducted reviewing ways to reorganize, simplify and streamline governmental structure, and preparing a sphere of influence for cities and special districts. For cities and special districts, the spheres of influence are reviewed every five years.

### **Identifying Land Uses in the SCS**

Each region is challenged to maximize its land use in terms of general location of uses, residential densities and building intensities. Government Code Section 65080 states the SCS shall include the various land uses in the SCS to cover a variety of areas from general location of uses to residential, building, housing, migration, population, employment, transportation, resource areas and farmlands. The identification of existing and future land uses for each of these areas assists in determining the region's development pattern for the region, and each region is challenged to maximize the overall and specific land uses for the benefit of all residents with long term goals in mind, usually at least 20 years. With even more emphasis on planning at the regional level, it is important to continue to recognize the critical role of local government's (local cities, counties) land use authority, and how MPOs will continue to work with local governments when identifying and planning for the region's future land uses in the SCS, with an emphasis on maximizing land uses for all residents within a region.

Each region continues to grow in its own unique way, but more and various transportation choices, and livable communities, can help reduce miles traveled in vehicles while working within the SCS provisions for a sustainable community or communities.

In addition, balancing a region's future land use development while preserving resource areas and/or farmland will be more challenging in some regions than others depending on what decisions are made for future development with existing resources available.

The SCS should contain a series of maps that will provide a visual reference of the various land uses within the region.

### **Regional GHG Reduction Targets**

State statute requires the Air Resources Board's (ARB's) Regional Targets Advisory Committee (RTAC) set the regional GHG emission reduction targets for each MPO. Before the setting the target for a region, ARB will exchange technical information with each MPO and the affected air quality management district. Advanced and continuous communication and consultation between the ARB and each MPO is highly recommended as the MPO may also recommend a target for their respective areas.

Questions regarding these regional GHG emission reduction targets should be directed to ARB.

### **Housing Issues in the SCS**

In addition to the earlier mentioned requirements for integration of land use and transportation planning through the development of an SCS that specifically must address housing with the region, Government Code Section 65080 (2) (B) also requires that the SCS utilize the most recent planning assumptions considering local general plans and other factors consistent with the requirements of Part 450 of Title 23 and Part 93 of Title 40 of the Code of Federal Regulations.

Government Code Section 65584.04 (i) (1) addresses consistency between housing allocation and regional transportation planning by stating that it is the intent of the legislature that housing planning be coordinated and integrated with the RTP. To achieve this goal requires the housing allocation plan to allocate housing units within the region consistent with the development pattern included in the SCS.

HCD's guidance on Regional Housing Needs Assessment (RHNA) allocation process as it relates to SB 375 and the SCS is provided through the following link:

[HCD link](#)

MPO coordination with local jurisdictions and HCD is necessary to integrate the most recent planning assumptions and other factors such as sites requiring zoning changes to meet housing need into the SCS. Collaboration is integral to achieving the SCS requirements of identifying areas within the region to house all economic segments of the population as well as an eight-year projection of the regional housing need.

Required housing components of the SCS as identified in Government Code 65080 (2) (B) provide an opportunity for MPOs to collaborate with local jurisdictions to ensure the SCS addresses issues of affordability, supply, and location near job centers.

In February 2009, HCD released the following identifying Housing Element policies and programs to address climate change:

[www.hcd.ca.gov/hpd/HE\\_PoliciesProgramsAddressingClimateChange.pdf](http://www.hcd.ca.gov/hpd/HE_PoliciesProgramsAddressingClimateChange.pdf)

Various strategies and methods to facilitate meeting housing needs can be used. These can include, but are not limited to, cities, counties and regional planning and zoning programs facilitating affordable housing, regional and local programs advocating infill developments, and redevelopment funds dedicated to affordable housing development.

### **Addressing Regional Transportation Needs in the SCS**

Reviewing the region's existing transportation networks, facilities, infrastructure, and systems helps to pinpoint strengths and opportunities for improvement in the region. With a focus on reducing the GHG emission levels with the region, reviewing the region's future growth can assist in determining the needs of the transportation network or transportation measures and policies. The transportation infrastructure's lifespan is also a significant factor in meeting a region's needs.

A region has within its boundaries, various transportation modes, transit and transit-related systems, transportation facilities and infrastructure/systems and networks. It also may have the existing, or the potential for, non-motorized transportation modes (such as for bicycles and pedestrians) in appropriate areas.

Providing more and varied transportation choices can also increase opportunities for travel within a region and around a region benefiting all residents, with an emphasis on choices and opportunities to make choices as appropriate, and as much as possible. The expansion of transportation choices is also important.

### **Social Equity/Environmental Justice Issues**

The type and location of residential and commercial development within the MPO region has a direct relation to overall regional GHG emissions. More transportation choices such as increased transit, bicycle and pedestrian facilities increase opportunities for all of the population within the region (regardless of income) with mobility options beside the automobile. Each region is encouraged and challenged to allow development that will benefit all residents. Each MPO should be sensitive how all residents may be impacted by possible transportation and land use changes are identified in the SCS. Existing federal regulations require MPOs to ensure that any planned regional transportation improvements do not unduly impact low income or other under represented groups. As part of the SCS, Government Code section 65080 (B) specifies that MPOs shall identify areas within the region where moderate and low income housing could be available needed to house current and projected population within the region.

### **Development of an SCS Public Participation Plan**

Prior to the Public Participation Process (Government Code 65080), the MPO will need to provide the ARB with the technical methodology estimating the GHG emissions from its SCS, and if appropriate, the APS. The ARB and the MPO will also need to work collaboratively to ensure the ARB is able to conclude the technical methodology identified by the MPO operates accurately.

Public Participation and Consultation for the development of an RTP remains an essential element of the overall RTP process. The development of the SCS further emphasizes the need for community and stakeholder outreach and involvement. A Public Participation Plan includes public outreach, public awareness, and public input beginning with the planning stage.

The MPO shall adopt a Public Participation Plan in advance of developing an SCS and/or APS to include:

- Outreach efforts encouraging the active participation of a broad range of stakeholders in the planning process, consistent with MPO's adopted Federal Public Participation Plan. This includes, but is not limited to, affordable housing advocates, transportation advocates, neighborhood and community groups, environmental advocates, home builder representatives, broad-based business organizations, landowners, commercial property interests, and homeowner associations.
- Consultation with congestion management agencies, transportation agencies, and transportation commissions.
- Regional, public workshops with information and tools providing a clear understanding of policy choices and the issues. At least one workshop in each county. At least three workshops for counties with a population greater than 500,000. As practicable, each workshop shall include urban simulation computer modeling to create visual representations of the SCS and APS.
- Preparation and circulation of a draft SCS and APS, if any, not less than 55 days before adoption of a final RTP.
- At least three public hearings on the draft SCS in the RTP and APS, if any. For a single county MPO, at least two public hearings shall be held. To the maximum extent feasible, hearings are in different parts of the region maximizing the public's participation opportunity.
- A process enabling the public to provide a single request to receive notices, information and updates.

This public participation is not required to be reviewed or approved by any state agency and is not necessary to be included as part of the RTP. It is recommended these additional requirements be included in the federally required public participation plan.

### **Input/Consultation with Local Elected Officials**

Existing federal regulations require MPOs to ensure the general public, resource agencies and Native American Tribal Governments are consulted during the development of the RTP. As a result of SB 375, this consultation requirement has been expanded.

During the development of the SCS, each MPO shall conduct at least two informational meetings in each county within the region for members of the board of supervisors and city councils. The purpose of these meetings will be to present a draft SCS and gather input and comments. One informational meeting will suffice if it's attended by representatives of the county board and city council. The city council officials must represent a majority of the population in the incorporated areas in the county. Notices of these meetings are to be sent to the clerk of the board of supervisors and city councils.

Continuing with a collaborative transportation planning process, MPOs work and consult with local elected officials as key stakeholders in the regional transportation system. Consultation can also include:

- Adequate public notice on RTP, and public participation plan comment opportunities
- Providing additional RTP comment opportunities if final version differs due to additional comments
- Visualization techniques describing the RTP
- Electronically accessible RTP
- Convenient and accessible public RTP hearings

- Demonstration of consideration and response to public input on RTP
- Seek and consider needs of traditionally underserved by existing transportation systems
- Coordinate with state transportation planning and public involvement processes
- Periodically review intended RTP outcomes, products and/or services

It is also important to note a public participation plan should be prepared prior to the development of an RTP.

The MPO conducts at least two informational meetings in each county for members of the board of supervisors and city councils on the SCS and APS, if any.

Only one informational meeting is needed if it is attended by representatives of the county board of supervisors, and the city council members, representing a majority of the cities for a majority of the population in a county's incorporated areas.

### **California Air Resources Board Review of the SCS**

The SCS review by the ARB includes working with the MPO. As the ARB reviews the technical methodology presented by the MPO, an on-going exchange of information occurs between the MPO and the ARB regarding the particular strategy used to show how the GHG target levels are being met. After adoption of an SCS or APS, the MPO provides ARB with the SCS or APS, the quantification of the greenhouse gas emission reductions to be achieved, and the technical methodology description. The ARB limits its review to accepting or rejecting the MPO's determination that the strategy would achieve the greenhouse gas emission reduction targets established. The ARB completes its review within 60 days. The ARB will provide their response to the MPO in writing regarding their conclusions. It is the intent of SB 375 to provide an information exchange so the formal response from the ARB is consistent with the information previously exchanged with the MPO.

The MPO may revise their initial SCS to meet the target levels, or develop an Alternative Planning Strategy (APS) as presented in Appendix H. However, when reviewing the SCS within the RTP, FHWA will consider only those projects that are incorporated within an SCS as financially constrained and eligible to be federally funded. Projects within an APS are not considered financially constrained, and FHWA will not fund projects within an APS document.

If the ARB determines the MPO's strategy would not achieve the greenhouse gas emission reduction targets, the MPO shall revise its strategy or adopt an APS. This adopted APS would then be submitted for review to the ARB. At a minimum, the MPO must obtain ARB acceptance that an APS would, if implemented, meet the greenhouse gas emission reduction targets established by ARB. With the ultimate goal of reducing GHG level emissions in its region, and meeting the target set by the ARB, the MPO can still use the APS even if it is not included as part of the RTP.

### **MPOs Technical Methodology for Estimating the Regional GHG Emissions**

Prior to starting the public participation process, the MPO provides ARB with the technical methodology description estimating the greenhouse gas emissions from its SCS, and if

appropriate, it's APS. The ARB and the MPO work together until ARB concludes the technical methodology operates accurately.

**Requirements (Shall)**

**Federal:** None

**State:** Government Code 65080

**Recommendations (Should)**

**Federal:** None

**State:** None