

From: Elizabeth Dunn
Sent: Thu 5/31/2012 4:32 PM
To: CEQA Guidelines
Subject: Comments on Proposed Section 15183.3 of CEQA

Hello OPR,

I've reviewed the language proposed for Section 15183.3 of CEQA, and have the following statement and questions:

STATEMENT

Section 15183.3(a)(1)(A) establishes a threshold of an FAR of .75 for the CEQA Infill provisions to apply. This ratio is higher than the existing FARs allowed for most of the Commercial General Plan designations within the jurisdiction where I work. Given the community values of this jurisdiction, there is little interest in allowing the FAR in any of the General Plan categories to increase.

This same sentiment applies to Section 15183.3(e)(C), where the language defines a small community walkable project as ...a commercial project with a floor area ratio of at least .5... Again, the proposed language for this FAR will preclude a city such as mine to be able to use the infill provisions, as the FAR is at a higher level than our General Plan allows.

If the intent is to assist the ability of jurisdictions to use the proposed language of this new Section 15183.3, then please consider lowering the FAR so that more jurisdictions can use this Section.

QUESTIONS

How far in advance of rail service can the proposed Section 15183.3 be used? Our city will have two rail stations constructed in the next three years, and we'd like to be able to use these provisions around the station sites, and potentially prior to the start of rail service.

The performance standard for renewable energy for all non-residential projects is vague. This language states that all non-residential projects shall include on-site renewable power...where feasible. What is "feasible"? It is land area on the site for the renewable power? Financial considerations? If it's the latter, a developer could determine that it impacts the return on investment, and this never gets incorporated into the project. There needs to be greater clarification about this issue.

Thank you for the opportunity to provide comments. Please feel free to contact me if you have questions.

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