



February 24, 2012

CEQA Guidelines Update  
c/o Christopher Calfee  
1400 Tenth Street  
Sacramento, CA 95814

Re: Proposed CEQA Streamlining for Infill Projects (SB 226)

Dear Mr. Calfee:

For over 50 years, Greenbelt Alliance has been the San Francisco Bay Area's advocate for open spaces and vibrant places. We appreciate the opportunity to comment on the proposed guidelines for implementation of Senate Bill 226. This letter outlines our major areas of support and suggestions for improvements with regard to the draft guidelines.

Greenbelt Alliance shares your goal of making the streamlining simple and easy-to-use for projects which meet environmental and social equity goals. As such, our comments are generally geared towards simplifying the framework and providing additional clarity on eligibility.

1. Regional context - including location, Vehicle Miles Traveled (VMT), and density – is the right framework for determining eligibility. OPR should **remove CalGreen from the guidelines** as an eligibility criterion and rely exclusively on regional context and VMT.
2. **Streamlining should only be available to residential projects with below-average VMT.** Projects that wish to take advantage of SB 226 benefits should either a) be located in TAZs with 75% or below regional per capita VMT; or b) be located in areas with 75% - 100% of regional per capita VMT and show, using sketch modeling that considers their specific context within the TAZ and transportation demand management strategies – including the provision of affordable housing - that their residents are likely to contribute 75% or less of average per capita VMT for the region.
3. To ensure that only genuine infill projects receive the benefit of streamlining, the requirement that a parcel be “surrounded at least 75% by qualified urban uses” should be clarified to **ensure the adjacent parcels are developed or previously developed with urban uses** rather than just zoned for urban uses. This will prevent greenfield projects from using the streamlining.

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4. **Retain minimum density standards.** The density and FAR requirements set forth in the guidelines should apply to projects both prior to, and after, the adoption of an SCS.
5. Commercial projects should rely on context, not transportation studies. OPR should **eliminate the provision that allows commercial or retail projects exceeding 75,000 square feet to be eligible if they prepare a transportation study.**
6. **No project that results in a net loss of affordable housing units should be eligible for streamlining.** Any affordable units demolished by an infill project must be replaced on at least a 1:1 basis at the same level of affordability. Replacement housing also needs to be accessible to existing residents to avoid involuntary displacement.
7. The guidelines should **explicitly recognize affordable housing generation as a strategy to reduce VMT, and accurately credit VMT reductions from production of affordable housing.** Existing sketch model tools significantly undervalue affordable housing as a trip reduction strategy, capping the reduction credit for affordable housing at 4% irrespective of the depth of affordability. The recent City of San Diego affordable housing parking survey showed how this significantly undercounts the driving reduction credit of dedicated affordable housing, especially for low and very-low income units.
8. The guidelines should **limit reliance on past EIRs to no more than 10 years following certification.**
9. To ensure opportunity for public participation, **lead agencies should be required to file a Notice of Exemption** if they determine a project would not cause new special effects or more significant effects than previously analyzed.
10. The guidelines should **provide clear guidance for how to evaluate mixed-use projects** that may contain retail, commercial and residential components.

SB 226 is a new approach to promoting infill. **OPR should commit to a review of the guidelines in three to five years** to see whether the guidelines successfully promote the types of development desired. This review should also include updating the tools and models recommended and providing up-to-date guidance on VMT reduction potential of strategies such as affordable housing production.

Because SB 226 relies on good programmatic environmental review documents at the local level to make the streamlining provisions for smaller projects effective, **OPR should help provide local governments with assistance for developing and improving high quality programmatic CEQA documents** through templates, grants, and other means.

Sincerely,

Stephanie Reyes, Policy Director