

- FACT SHEET - KEY LEGISLATIVE REQUIREMENTS

The scope and content of general plans in the State of California are regulated by a diversity of legislation. Chief among these is the California Government Code Section 65300 that defines the components, processes for preparation, approval, and administration of general plans. These are supplemented by other legislation pertaining to environment, infrastructure, public health and safety, and other key issues. The following summarizes several important legislative requirements influencing the content of Pasadena's updated General Plan Land Use and Mobility Elements.

Housing Elements and the Regional Housing Need Assessment (RHNA)

California law requires cities to have a General Plan Housing Element that plans for the accommodation of population and employment growth. The State of California assigns a housing construction needs goal for each region. The Southern California Association of Governments (SCAG) takes that assignment and provides goals for each city in its region. The City of Pasadena regional housing needs allocation (RHNA) for the 2006-2014 planning period is 2,869 units. The RHNA also determines the number of units by household income and level of affordability as follows: 711 housing units affordable to very low-income households; 452 housing units affordable to low-income households; 491 housing units affordable to moderate-income households; and 1,215 units affordable to above moderate-income households.

In meeting this requirement, state law requires that the housing element identify adequate sites that are appropriately zoned to accommodate the RHNA goal. To determine the appropriate number of sites needed to address the RHNA goal, state law allows cities to first credit projects built since the beginning of the planning period as well as projects that have received approvals and are likely to be built by 2014. The Housing Element was updated in 2009-2010. With the credits the City has earned since 2006, an additional 973 units still need to be constructed to meet the City's RHNA. The land inventory completed for the Housing Element identifies 83 sites that could accommodate 1,868 new units.

The consequences for not meeting the RHNA goal may include the loss of state affordable housing funds and potential lawsuits against the city for violating state law. Additional consequences such as fines are proposed by the legislature every year, but they have yet to be signed into law.

Climate Change

A) The Global Warming Solutions Act of 2006 (AB 32)

AB 32 requires the California Air Resources Board (CARB) to establish a cap on statewide GHG emissions and a regulatory framework to achieve the corresponding reduction target. CARB approved the AB 32 Scoping Plan in December 2008, which defines an outline of regulations, market mechanisms, and other actions to reduce emissions and achieve the target of reducing GHG emission to 1990 levels by 2020. According to CARB, passenger vehicles are the number one emitter of GHG emissions in California and the number and length of vehicle trips are primarily influenced by the availability of alternative transportation modes and the mix and densities of land use development that generate trips. Thus, changing behavior in vehicle use and land use development patterns is recognized as two of the state's primary strategies to achieve GHG emission reduction targets.

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B) Senate Bill 375 (SB 375)

SB 375 supports the goals of AB 32 by requiring CARB to establish regional targets for the reduction of GHG emissions from passenger vehicles. The law would achieve this objective by requiring integration of planning processes for transportation, land use, and housing. CARB, through coordination with California's 18 Metropolitan Planning Organizations (MPOs) adopted targets for 2020 and 2035 GHG emission reduction for each region on September 23, 2010.

Each MPO must prepare a Sustainable Communities Strategy (SCS) to demonstrate how the region will reach the CARB-established target through coordinated land use, housing, and transportation planning. After adoption by the MPO, the SCS will be incorporated into the Regional Transportation Plan (RTP). If the SCS is judged by the CARB as not meeting the region's target, the MPO must prepare an Alternative Planning Strategy (APS) that demonstrates how the region can reach the target, but will not be incorporated into the RTP. The SCS is, in effect, the regional land use element of the RTP. SB 375 requires that decisions relating to the allocation of transportation funding be consistent with the SCS.

SB 375 creates California Environmental Quality Act (CEQA) streamlining incentives for projects that are consistent with the regional SCS, such as transit-related, mixed-use, and comparable projects that reduce vehicle trips and GHG emissions. Additionally, it changes Housing Element law to synchronize the schedule and develop common land use assumptions for regional housing and transportation funding. Neither the SCS nor the APS will supersede a local general plan, specific plan, or zoning ordinance. Nor must a local agency's planning policies be consistent with either strategy.

C) Implementing Climate Change Objectives

The techniques and tools for local communities for compliance with AB 32 and SB 375 are evolving. A number of public and professional organizations have developed approaches that are being implemented through plan development and action programs throughout the state. The State Attorney General's Office has been aggressively pursuing implementation of AB 32 through lawsuits challenging the adequacy of CEQA documents and general plan updates. Many communities, including Pasadena, have or are preparing Climate Action Plans (CAP) that document baseline GHG emission inventories, establish local reduction targets, and define land use, transportation, and other strategies regarding how these targets can be met. A commonly accepted model for defining potential policies for general plan updates is the "Model Policies for Greenhouse in General Plans" published by the California Air Pollution Control Officers Association (CAPCOA). In summary, these address the mix and densities of land use, use of "green" land development and building standards, provision of alternative modes of transport including transit and bicycle paths, and alternative energy generation.



The California Complete Streets Act (AB 1358)

AB 1358 stipulates that to fulfill the commitment to reduce greenhouse gas emissions, make the most efficient use of urban land and transportation infrastructure, and improve public health by encouraging physical activity, transportation planners must find innovative ways to reduce vehicle miles traveled (VMT) and to shift from short trips in the automobile to biking, walking, and use of public transit. The legislation requires that any substantial revision of the circulation element shall plan for a balanced, multimodal transportation network that meets the needs of all users of the streets, roads, and highways for safe and convenient travel. These users include bicyclists, children, persons with disabilities, motorists, movers of commercial goods, pedestrians, users of public transportation, and seniors.