

**MOTION**


In 2008, Senate Bill (SB) 375 was enacted to coordinate land use and transportation planning to reduce greenhouse gas emissions. SB 375 requires Metropolitan Planning Organizations (MPOs), such as the Southern California Association of Governments (SCAG), to create a new component in their Regional Transportation Plan (RTP) to include a Sustainable Communities Strategy (SCS). Government Code 65080(b)(2)(B) requires the SCS to set forth a forecasted development pattern for the region that integrates transportation policies to reduce greenhouse gas emissions and achieve the reduction targets approved by the California Air Resources Board. SB 375 also contains new environmental clearances in the California Environmental Quality Act (CEQA) for projects that can qualify as "Transit Priority Projects (TPPs)." The SB 375 clearances are intended to meet the goals of the SCS to encourage higher density, infill development located near transit.

Specifically, SB 375 included a new environmental clearance referred to as a, "Sustainable Communities Environmental Assessment (SCEA)," which is codified at Public Resources Code Section 21155.2(b). The procedures in PRC Section 21155.2(b) for approving a project with a SCEA require the lead agency to conduct a public hearing and adopt findings, PRC § 21155.2(b)(5). Additionally, Section 21155.2(b)(6) requires that the public hearing to be conducted by the legislative body, with the exception that the public hearings may be conducted by a Planning Commission if "local ordinances allow a direct appeal of approval of a document prepared under [CEQA] subject to a fee not to exceed five hundred dollars (\$500)."

Inasmuch as many types of land use approvals that could qualify as a "transit priority project" may be eligible for use of a SCEA would not be considered by the City Council as the initial decisionmaker or on appeal, it is inefficient to require a City Council hearing on the SCEA prior to SCEA adoption and project approval. Additionally, the City's practice is to comply with Public Resources Code Section 21151 ( c ) and provide direct appeal of CEQA clearances approved by the City Planning Commissions and Area Planning Commissions to the City Council.

**I THEREFORE MOVE** that the Council instruct the Planning Department, in consultation with the City Attorney, to prepare and present an ordinance, to authorize the public hearing required to approve a new environmental clearance referred to as a "Sustainable Communities Environmental Assessment" (SCEA), pursuant to California Public Resources Code § 21155.2(b)(5), to be heard by Planning Commissions, consistent with the requirements of PRC Section 21155.2(b)(6).

PRESENTED BY: \_\_\_\_\_

  
JOSE HUIZAR  
Councilmember, 14th District

SECONDED BY: \_\_\_\_\_



  
JAN 23 2018

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