

# California adopts anti-sprawl law

*Its impact will partly depend on yet-to-be-determined greenhouse gas reduction targets for new development.*

California Senate Bill 375, designed to curb sprawl, became law on September 30 at the stroke of Gov. Arnold Schwarzenegger's pen. The act mandates that major regional transportation planning agencies draw up plans by September 30, 2010 — two years from the bill's adoption — that tell how each region will meet specific greenhouse gas reduction targets.

State transportation money can then be used to support growth in infill and transit-oriented locations, rather than sprawl. The law does not require municipalities to change their zoning or force builders to shift their practices.

"The state will use its annual \$5 billion pot of transportation money to encourage regions to embrace compact residential development," *The Sacramento Bee* reported.

Even among supporters, there is no consensus on the ultimate impact of the bill. Its effect will depend partly on greenhouse gas reduction targets for new development, which the California Air Resources Board (CARB) is scheduled to finalize in November.

"If CARB sets the bar too low, business as usual will be the order of the day," says Autumn Bernstein, director of ClimatePlan, a coalition of non-profit groups supporting the legislation. "Sprawling growth and a lack of public transit options will be the result."

A draft Scoping Plan released by CARB in June set the bar very low for smart growth and reductions in vehicle miles traveled. In response, ClimatePlan, the Congress for the New Urbanism, the Urban Land Institute, and other organizations called for more aggressive action.

## REGULATORY RELIEF

Building groups garnered a provision that will ease California Environmental Quality Act regulations for development projects that meet the emissions reductions goals, "giving homebuilders incentive to pursue high-density projects near transit," the *Bee* said. In other

words, some of the state's extensive pre-entitlement environmental reviews will be streamlined for certain projects.

Transit-oriented developments (TODs) eligible for the incentives are limited to 8 acres and 200 units, notes David Pettit of the Natural Resources Defence Council. They must meet affordability requirements or exceed open-space preservation standards to qualify. It is unclear how many TODs will meet the standards.

Some smart-growth advocates are optimistic about SB 375's impact. The law creates "a regional framework in California that links financial incentives for local government agencies to smart growth," according to San Francisco ur-

**"CALIFORNIA IS OFFICIALLY TURNING AWAY FROM A SIGNATURE FEATURE — SPRAWLING SUBDIVISIONS STRUNG TOGETHER BY FREEWAYS," SAYS THE SAN FRANCISCO CHRONICLE.**

ban planner Laura Hall. "There will now be a legal welcome mat for smart growth codes and implementation strategies for reducing greenhouse gases that result from land use patterns," she says.

However, the law will have little or no effect for three years, and even then municipalities are not mandated to take

any action, notes planner and journalist Bill Fulton, who coauthored *The Regional City* with Peter Calthorpe.

"The bottom line is that the law won't be sweeping unless the state and the regional planning agencies take it seriously," he wrote in his blog. "After all, California has adopted potentially sweeping land-use reform before — for example, AB 857, which contains clear and broad-ranging anti-sprawl language — but that reform has simply not been implemented. And there is clearly enough wiggle room for the regional planning agencies to not take the law seriously if they choose not to."

The new law would be more effective if it addressed the form and context of development, not just land use, says architect and planner Steve Coyle of Town-Green in Oakland, California.

SB 375 will have a positive impact only if planners make the most of it, Hall observes. "It's up to new urbanist practitioners, especially those of us in California, to prepare and put forward those tools and strategies based on the work we've collectively done over the past 20 years," she says.

The bill represents a major compromise between builders, environmentalists, and local governments, the *Bee* says.

The San Francisco *Chronicle* noted the symbolic importance of the legislation. "If the payoff seems distant, the message should be immediate. California is officially turning away from a signature feature — sprawling subdivisions strung together by freeways," the paper wrote in an editorial. ♦

**SB 375 is designed to promote transit-oriented development like the redevelopment around the Pleasant Hill BART station, under construction on Contra Costa County.**



RENDERING BY WVE & PARTNERS