

ASSEMBLY BILL

No. 1886

**Introduced by Assembly Member McCarty
(Principal coauthors: Assembly Members Bloom and Gonzalez)**

February 11, 2016

An act to amend Section 21155 of the Public Resources Code, relating to environmental quality.

LEGISLATIVE COUNSEL'S DIGEST

AB 1886, as introduced, McCarty. California Environmental Quality Act: transit priority projects.

The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report (EIR) on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment.

CEQA exempts from its requirements transit priority projects meeting certain requirements, including the requirement that the project be within $\frac{1}{2}$ mile of a major transit stop or high-quality transit corridor included in a regional transportation plan. CEQA specifies that a project is considered to be within $\frac{1}{2}$ mile of a major transit stop or high-quality transit corridor if, among other things, all parcels within the project

have no more than 25% of their area farther than 1/2 mile from the stop or corridor.

This bill would increase that percentage to 50%.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 21155 of the Public Resources Code is
2 amended to read:

3 21155. (a) This chapter applies only to a transit priority project
4 that is consistent with the general use designation, density, building
5 intensity, and applicable policies specified for the project area in
6 either a sustainable communities strategy or an alternative planning
7 strategy, for which the State Air Resources Board, pursuant to
8 subparagraph (H) of paragraph (2) of subdivision (b) of Section
9 65080 of the Government Code, has accepted a metropolitan
10 planning organization's determination that the sustainable
11 communities strategy or the alternative planning strategy would,
12 if implemented, achieve the greenhouse gas emission reduction
13 targets.

14 (b) For purposes of this chapter, a transit priority project shall
15 (1) contain at least 50 percent residential use, based on total
16 building square footage and, if the project contains between 26
17 percent and 50 percent nonresidential uses, a floor area ratio of
18 not less than 0.75; (2) provide a minimum net density of at least
19 20 dwelling units per acre; and (3) be within one-half mile of a
20 major transit stop or high-quality transit corridor included in a
21 regional transportation plan. A major transit stop is as defined in
22 Section 21064.3, except that, for purposes of this section, it also
23 includes major transit stops that are included in the applicable
24 regional transportation plan. For purposes of this section, a
25 high-quality transit corridor means a corridor with fixed route bus
26 service with service intervals no longer than 15 minutes during
27 peak commute hours. A project shall be considered to be within
28 one-half mile of a major transit stop or high-quality transit corridor
29 if all parcels within the project have no more than ~~25~~ 50 percent
30 of their area farther than one-half mile from the stop or corridor
31 and if not more than 10 percent of the residential units or 100 units,

- 1 whichever is less, in the project are farther than one-half mile from
- 2 the stop or corridor.

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