

## STAFF REPORT

**SUBJECT:** SB 375

**MEETING DATE:** January 21, 2010

**AGENDA ITEM:** 10

**STAFF CONTACT:** Michael Powers, Brian Bresolin

### RECOMMENDATION:

Receive public input on recommendation to change from five (5) year to four (4) year Regional Transportation Plan Update cycle and from five (5) year to eight (8) year local Housing Element update cycle and consider approval of proposed change in RTP and Housing Element update cycles.

### SUMMARY:

In SB 375 regional agencies are provided the option to revise the update schedules for the Regional Transportation Plan (RTP) from a 5 to 4 year update cycle and local housing elements, from a 5 to 8 year update cycle, as allowed under Senate Bill 375, Section 4 and 12, Government Codes 65580 and 65588. Per requirements in SB-375, staff prepared a hearing notice and individually notified local agencies and planning directors of this impending action.

What are the pros and cons? SBCAG would have to complete its update of the next RTP by three years from the date of the request to HCD, March 2013 and this is a little tight. However, staff believes this modification to the schedule would help local agencies achieve better consistency in scheduling the local housing element updates. While local agencies would not be required to update their housing elements as frequently and it would therefore likely be less costly, planning for an eight year RHNA allocation might be more problematic.

TPAC considered this proposed change in schedule at its December and January meetings and in January unanimously recommended that the Board approve the proposed change.

## **DISCUSSION:**

There are a few counties in the state, including Santa Barbara County, that are in “attainment” for federal air quality standards. Federal law requires that regions in attainment of federal air quality standards must update their RTPs at least every five years, instead of every four years required for non-attainment MPOs. Given that SB 375 is based on an eight year cycle that includes one RHNA planning period and two RTP planning periods, the five year requirement would place attainment MPOs out of sync with the non-attainment MPOs.

SB 375 provides the option to transition local agencies from a 5-year to an 8-year housing element update cycle. This transition, however, would require SBCAG to begin a 4-year RTP update cycle in order to keep future RTP and local housing element updates on the same cycle. SBCAG adopted its most recent RTP in October 2009 and, since the region attains federal air quality standards, is currently on a 5-year update cycle.

The SBCAG Board may elect this 8-year housing/4-year RTP option no later than 54 months prior to the statutory deadline for the adoption of housing elements for the local jurisdictions within the region, after a publicly noticed public hearing. The next deadline for local housing element updates is August 2014; 54 months prior to August 2014 is March 2010. SBCAG must promptly give notice of election to the Department of Housing and Community Development (HCD). SBCAG would then receive its RHNA Allocation from HCD on or about July 2011. SBCAG must complete its next regional transportation plan within three years of the notice of election. Three years from March 2010 is March 2013.

Before SB 375, federal and state law ignored the fact that in most areas in California, regional transportation plans and regional housing allocation plans are prepared by the same regional organization. Conflicting deadlines policies have historically created a disconnect between regional transportation planning and regional housing policy. SB 375 eliminates this disconnection by requiring the RTP to plan for the RHNA. Cities and counties will have an 8-year planning period which means that the housing element must be updated every 8 years rather than every 5 years.

What are the pros and cons of transitioning to a 5 vs. 8 yr. RHNA planning cycle? SBCAG would have to complete its update of the next RTP by three years from the date of the request to HCD, March 2013 and this is a little tight. However, staff believes this modification to the schedule would help local agencies achieve better consistency in scheduling the local housing element updates. While local agencies would not be required to update their housing elements as frequently and it would therefore likely be less costly, planning for an eight year RHNA allocation might be more challenging.

SBCAG is currently on a 5-year update cycle for the RTP since the County currently attains federal air quality standards. Since SBCAG recently adopted our 2008 RTP at the October 2009 board meeting, the next update of the RTP is not mandated until October, 2014. The next deadline for local housing element updates is August 2014. As you may recall this means SBCAG must adopt the next RHNA one year before local housing elements are due, June, 2013. Since the last RHNA took 1½ years to complete following receipt of the initial HCD allocation, SBCAG would need to receive its allocation by January 2012. If this new approach is taken SBCAG would receive its RHNA Allocation from HCD on or about July 2011, about six months earlier than normally expected.

The eight year planning period starts following the adoption of the first RTP adopted after September 30, 2010. Local governments are then required to adopt their fifth revision of the housing element no later than 18 months following the adoption of the RTP and approval of the RHNA which should be accomplished concurrently. This is why SBCAG would have to start the development of the RHNA six months earlier. Local governments that have elected to participate in the new cycle in which the MPO adopts the RTP every four years are required to adopt their next housing element 18 months after the adoption of the first regional transportation plan following the election.

To obtain local agency and public input on this proposed change the SBCAG board approved scheduling of a public hearing on January 21, 2010 to consider changing Regional Transportation Plan and local housing element update cycles as allowed in SB 375. As required by statute (SB-375), staff notified local agencies and published a public hearing notice. No public comments have been received at the time of publication of the staff report. As indicated below, TPAC supports the proposed change.

TPAC also considered an initial draft of a work program to address the requirements of SB-375. Staff has learned that Prop. 84 state grant funds may become available to support this extensive work. In discussing this potential funding source, TPAC also unanimously encouraged staff to submit an application for Proposition 84 funding, should these funds become available.

**COMMITTEE REVIEW:**


TPAC considered this proposed change in schedule at its December and January meetings. At the January meeting, TPAC unanimously recommended that the Board approve the proposed change in schedule.

TPAC also considered an initial draft of a work program to address the requirements of SB-375. Staff has learned that Prop. 84 state grant funds may become available to support this extensive work. In discussing this potential funding source, TPAC also unanimously encouraged staff to submit an application for additional Proposition 84 funding, should these funds become available to SBCAG for supporting our work on SB-375. Staff further researched this item and determined applications for this funding source would be released by the CA. Strategic Growth Council on March 22 with applications due May 24. Staff will work with TPAC in preparing an application.

**ATTACHMENT:**

Public Hearing Notice on proposed change in schedule

California Law  
 California  
 SE  
 6-7 PM  
 Family Law Begins March 17th  
 Tuesdays - 2 Units - All Classes: 6:30-9:30 P.M.  
 State St., Santa Barbara (Corner of State & Arrellaga)  
 (805) 963-4654 (805) 644-2327  
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**SBCAG**  
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**PUBLIC HEARING NOTICE**  
**REGIONAL TRANSPORTATION PLAN & HOUSING PLANNING UPDATE SCHEDULES**

The Santa Barbara County Association of Governments (SBCAG) is holding a hearing to receive public comment on revising the update schedules for the Regional Transportation Plan (RTP) from a 5 to 4 year update cycle, and local housing elements from a 5 to 8 year update cycle, as allowed under Senate Bill 375, Section 4 and 12, Government Codes 65580 and 65588. This change does not affect local housing elements currently undergoing update/certification.

**The hearing will be held:**  
**Date:** Thursday, January 21, 2010  
**Time:** 8:30 AM meeting begins, item is not time certain  
**Place:** Board of Supervisors Hearing Room  
 511 East Lakeside Parkway, Santa Maria, CA  
*Remote testimony will be available at the Board of Supervisors Hearing Room, 105 E. Anapamu Street, 4th Floor, Santa Barbara.*

If you cannot attend the hearing, you may still submit written comments so they are received by SBCAG by Monday, January 11, 2010. You may e-mail them to [comment@sbcag.org](mailto:comment@sbcag.org) or mail them to SBCAG at 260 North San Antonio Road, Suite B, Santa Barbara, CA 93110. You may also submit comments using the online public comment form at [www.sbcag.org](http://www.sbcag.org).

In compliance with the Americans with Disabilities Act, individuals needing special accommodations to participate in the meeting should contact SBCAG at least three working days prior to the meeting at (805) 961-8900.

For more information, call SBCAG at 961-8900. Favor de llamar a SBCAG al 961-8900, para más información del reunión.

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