

January 4, 2024

Meghan Kelly, County of San Diego  
Planning and Development Services  
5510 Overland Avenue, Suite 310  
San Diego, CA 9212

Dear Ms. Kelly:

On behalf of California Air Resources Board (CARB) staff, I am writing to provide comments on the County of San Diego's Draft 2024 Climate Action Plan (CAP) and its associated Draft Supplemental Environmental Impact Report (SEIR). These comments follow up on CARB's February 16, 2021 letter, which expressed support for the County's CAP development process.

Local governments have an essential role to play in advancing state goals. As part of the 2022 Scoping Plan for Achieving Carbon Neutrality (Scoping Plan), CARB included recommendations in Appendix D to help jurisdictions across the state ensure that their CAPs are consistent with applicable greenhouse gas (GHG) goals and requirements. This consistency is especially important if the jurisdiction adopting a CAP intends to rely on the CAP for streamlining the GHG emissions analyses in the CEQA documents for new projects.

Overall, CARB supports the County's effort to prepare a CAP and appreciates the efforts to incorporate the priority areas highlighted in Appendix D of the Scoping Plan. However, CARB recommends a few changes to the CAP to more fully align it with the recommendations in the Scoping Plan. These changes would provide additional certainty regarding the CAP's consistency with the Scoping Plan, ensuring that future residential and mixed-use developments can use the CAP to streamline their CEQA GHG analyses.

The County has developed the CAP and SEIR with the intent of allowing projects to tier their GHG analyses off of these documents. The appendices to San Diego County's CAP describe a process for determining whether a project is consistent with the CAP for purposes of streamlining CEQA review. To be eligible for CEQA GHG streamlining, the CAP requires new discretionary projects subject to CEQA to demonstrate consistency with the County's

General Plan. If General Plan consistency can be demonstrated, projects then determine whether they are consistent with the measures and actions included in the CAP as “consistency requirements.” Projects that demonstrate consistency with the General Plan and the CAP’s consistency requirements are considered by the County to be consistent with the CAP overall, and therefore eligible for streamlining of the GHG emissions analysis portion of the applicable CEQA document. CARB commends the County for developing this approach to assist future land-use projects in assessing their consistency with the CAP, but recommends some changes to better ensure consistency with the Scoping Plan and therefore enable streamlining.

Table 3 of Appendix D of the Scoping Plan (“Key Residential and Mixed-Use Project Attributes that Reduce GHG’s”) lists characteristics that have been shown to reduce operational GHG emissions and allow for growth from residential and mixed-use development in a manner consistent with the state’s climate and equity goals, including those in Senate Bill (SB) 32 (Pavley, Chapter 249, Statutes of 2016). Residential and mixed-use development that incorporates all of the attributes in Table 3 would be considered consistent with the Scoping Plan.

San Diego’s CAP’s consistency analysis for streamlining residential and mixed-use projects includes some, but not all, of the project attributes listed in Appendix D of the 2022 Scoping Plan. Immediately below we summarize the areas in which the CAP is closely aligned with these project attributes and the State’s climate goals. We then identify areas where the CAP does not incorporate the project attribute recommendations from Appendix D. New mixed-use or residential projects that incorporate all of the project attribute recommendations would be able to clearly demonstrate consistency with the Scoping Plan and State climate goals. This can provide additional certainty when these projects seek to streamline their CEQA GHG analysis.

### **Several aspects of the CAP currently align with Scoping Plan Appendix D Attributes**

One example of an area where the CAP aligns with Appendix D of the Scoping Plan is building decarbonization. Table 3 of Appendix D identifies building decarbonization as a priority GHG reduction strategy that CARB recommends local governments take, and that the adoption of all-electric new construction reach codes for residential and commercial uses is an appropriate measure for enacting that priority. This strategy is clearly addressed in the CAP as action E-2.1 “Amend the County’s Code of Regulatory Ordinances by 2026 to require all-electric equipment in new residential, commercial and industrial construction to reduce energy emissions from new development in the unincorporated area.”

In addition, Table 1 below lists other key project attributes in the Scoping Plan's Appendix D that are reflected in the County's CAP consistency requirements. CARB appreciates that the County is making an effort to incorporate these attributes in new residential and mixed-use development to help achieve State climate goals.

**Table 1. Appendix D Project Attributes Required in General Plan or CAP**

<b>Project Attributes from Scoping Plan Appendix D, Table 3</b>	<b>SD General Plan or CAP</b>
Does not result in loss or conversion of natural or working lands	General Plan Policy COS-6.2 ("Protection of Agricultural Operations") would limit the loss of natural or working lands in the unincorporated county.
EV charging meeting most ambitious voluntary CA Green Building Code standard	CAP Action T-3.1 requires amendment of the County Code to require installation of Tier 2 CalGreen or similar EV charging infrastructure for new multi-family residential development.
At least 20 percent of units to be affordable	The General Plan commits to development of affordable housing that is at least 20% of new housing development in future years.
No net loss of existing affordable units	The General Plan commits to increasing the number of affordable housing units in future years.
Uses all-electric appliances with no natural gas connections	CAP measure E-2.1 commits the County to amending the County Code (by 2026) to require all-electric equipment in new construction.

**Certain aspects of the CAP could be revised to more fully align with Scoping Plan Appendix D Attributes**

While many aspects of the CAP reflect the attributes set forth in Appendix D of the Scoping Plan, some of the recommendations for project streamlining included in Appendix D are not reflected in the CAP. For instance, Appendix D includes several key project attributes to

help residential and mixed-use projects achieve reductions in vehicle miles traveled (VMT), such as locating new development in “infill sites that are surrounded by existing urban uses and reuses or redevelops previously undeveloped or underutilized land that is presently served by existing utilities and essential public services (e.g., transit, streets, water, sewer).” The County’s General Plan includes several policies that are related to development that encourages VMT reduction. For instance, Policy LU-1.2 prohibits leapfrog development that is not consistent with the County’s Community Development Model. However, these policies do not require new residential and/or mixed-use development to be built in areas that qualify as infill areas. In order to be more aligned with the recommendations in Appendix D of the Scoping Plan, we recommend that the County apply the CAP’s provisions for CEQA streamlining of residential and mixed used projects only to projects located in infill areas.

Appendix D also recommends that VMT be reduced in residential and mixed-use development through limiting the amount of new parking and locating projects within ½ mile of existing or planned transit service. Neither the County’s General Plan nor CAP policies eliminate parking minimums or enact parking maximums. While the CAP does include some policies that would encourage transit use, there are no requirements that new residential or mixed-use development be built with transit-supportive densities or be in proximity to transit. We recommend that the County apply the streamlining provisions for residential and mixed-use projects in the CAP only to projects that are located in proximity to existing or planned transit and that limit the provision of parking, either by eliminating parking minimums or enacting parking maximums.

Table 2 below lists the key project attributes from Scoping Plan Appendix D that the CAP currently does not require for residential and mixed-use projects seeking CEQA streamlining under the CAP. CARB recommends that the County include these project attributes into the CAP’s consistency analysis for residential and mixed-use projects seeking CEQA streamlining in order to ensure that projects are consistent with the State’s climate goals.

**Table 2. Appendix D Project Attributes Not Required in General Plan Or CAP**

<b>Project Attributes from Scoping Plan Appendix D, Table 3</b>	<b>SD General Plan or CAP</b>
Located on infill sites that are surrounded by existing urban uses and reuses or redevelops previously undeveloped or underutilized land that is presently served	There is no requirement in the County General Plan or the CAP that requires that residential or mixed-use development be infill to qualify for CEQA GHG streamlining.

by existing utilities and essential public services (e.g., transit, streets, water, sewer)	
New mixed-use or residential development includes transit supportive densities, <b>or</b> ; New mixed-use or residential development is in proximity to existing transit stops, <b>or</b> ; More stringent criteria as specified in applicable SCS	There are no requirements (either in General Plan or CAP) for minimum residential densities. The General Plan includes zoning that would allow for residential development at lower densities.  There are no requirements (either in the General Plan or CAP) for new residential development to be within one half-mile of existing or planned transit.
Reduced parking requirement	There are no reduced parking requirements for residential development in either the General Plan or CAP.

## Conclusion

CARB appreciates the opportunity to review and comment on San Diego County's 2024 CAP and Draft SEIR. The CAP includes elements that are consistent with the 2022 Scoping Plan's recommendations for CAPs and for streamlining the GHG analysis of residential projects under CEQA. However, as explained above, there are also opportunities for the County to demonstrate an even more robust relationship between the CAP's recommendations for new residential and mixed-use development and the recommended key project attributes identified in Appendix D of the Scoping Plan. Strengthening the CAP to take advantage of these opportunities will assist the County with using the CAP for the purposes of CEQA streamlining of residential and mixed-use development and will help to ensure that new development in San Diego County is consistent with California's climate goals for such projects. If you have any questions, please feel free to contact Pedro Peterson at (279) 208-7367 or by email at [pedro.peterson@arb.ca.gov](mailto:pedro.peterson@arb.ca.gov).

Sincerely,



Jennifer Gress, Ph.D., Division Chief, Sustainable Transportation and Communities Division

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