



SB 375 is
not looking
great out of
the gate

When California passed SB 375 in 2008, the [national media swooned](#) and smart growth advocates issued [glossy brochures](#) about the law. SB 375 was intended to curb sprawl, promote more compact and walkable communities served by transit, and reduce greenhouse gas emissions, all through a regional planning process that would coordinate land use plans with transportation funding. It was intended to be solely incentive-based, with no mandates for housing or transit.

San Diego is now the first region in the state to have to submit their coordinated land use and transportation plan to state regulators. SANDAG, its regional entity, recently released a [draft plan](#), called a “Sustainable Communities Strategy” or SCS.

So how did San Diego do? In short, the effort is a dud. At the big picture level, it barely even accomplishes the express purpose of the law, which is to reduce greenhouse gas emissions by lowering vehicle miles traveled. In the short term, the plan reduces average weekday per capita greenhouse gas emissions from vehicle miles traveled. However, the reductions appear to be largely the result of getting more people to telecommute and from improved traffic flow such as through better signals and carpool incentives. Hardly the stuff of game-changing anti-sprawl policies. Worse, over the long term, these greenhouse gas reductions dwindle from 14% per capita in 2020 to only 9% by 2050, reaching virtually the same levels of per capita vehicle miles traveled as today, as my colleagues at the UC Berkeley Center for Resource Efficient Communities [describe](#). So much for bending the curve on sprawl over the long term.

So what went wrong? At the micro level, SANDAG was hamstrung by a voter-approved sales tax initiative to fund transportation improvements in the region. Because San Diego is somewhat locked into a series of highway projects through this initiative, the region may not have a lot of flexibility to build the kind of public transit system necessary to accommodate

more compact growth. But at the macro level, SANDAG's draft plan simply doesn't take any aggressive steps to change the status quo. For example, SANDAG doesn't consider front-loading transit plans over highway projects as a possible solution to sprawl, and the agency doesn't appear to encourage aggressive local government policies to plan for more infill development. Instead, SANDAG appears to have taken a passive role, largely compiling existing local land use plans and forecasting based on them. Even the forecasting could be more aggressive by taking into account feedback effects from building better transit projects that could attract more infill development.

In many ways, the problem is structural to SB 375. Given that land use in California is the primary responsibility of local governments, a law that does virtually nothing to require local governments to change their practices is unlikely to have much of an effect. All along, SB 375 supporters appeared to be counting on the goodwill of the basically toothless regional entities to be forward-thinking and push their local governments to change, either through incentives or by getting people excited about a more compact development footprint. But the regional entities are comprised of local government officials, who in turn respond to local constituents who tend not to like new development in their neighborhoods. Local officials also don't like others telling them what to do on land use. SB 375 does nothing to change this dynamic. At the end of the day, it may simply result in a lot of detailed plans like SANDAG's that never actually force any change on the ground. And as [I've written before](#), the state has no recourse through SB 375 to improve the plans.

But all is not lost. SANDAG's plan is still in draft form, and the agency will hopefully respond to comments from the public to improve the plan. And if that fails, smart growth advocates can always go back to an old standby, the California Environmental Quality Act (CEQA). There may be a lawsuit potential if the final plan fails to do what it is feasible to reduce greenhouse gas emissions. It would certainly be ironic if it took California's oldie-but-goodie CEQA to rescue the shiny new SB 375 from failure.