



Project Eligibility Review Matrix

CEQA STREAMLINING OPTIONS FOR NON-EXEMPT HOUSING PROJECTS COVERED BY EXISTING EIR

The following chart summarizes the various CEQA streamlining options using prior EIRs for non-exempt housing projects, along with the qualifications, limitations, and streamlining benefits. More details and worksheets are available for each of these on SCAG's website at: <https://scag.ca.gov/development-streamlining-efforts>



Streamlining Provisions	Qualifications	Streamlining Benefits
<p>Tiering from prior EIR</p> <p>CEQA Guidelines §15152¹</p>	<p>Consistent with general plan and zoning (rezone permitted if required to achieve general plan conformity).</p> <p>AND</p> <p>Consistent with or being carried out pursuant to a program, plan, policy, or ordinance with certified EIR.</p>	<p>Project EIR or ND limited to effects:</p> <ul style="list-style-type: none"> • not identified as significant in prior certified EIR, and • that can be substantially reduced or avoided relative to prior EIR at project level.
<p>Use of an EIR from and Earlier Project</p> <p>CEQA Guidelines §15153</p>	<p>Project is essentially the same in terms of environmental impacts and circumstances of the project that are described in a prior certified EIR</p>	<p>May use prior EIR after review with an Initial Study using incorporation by reference, if necessary, to determine that the EIR adequately describes:</p> <ul style="list-style-type: none"> • The general environmental setting of the project, • The significant environmental impacts of the project, and • Alternatives and mitigation measures related to each significant effect. <p>Proper noticing, public review, and findings are still required.</p>

¹ The rules in this section are general and other methods to streamline environmental review may be available which are governed by the more specific rules of those provisions. Examples of these are listed in §15152 (h)(1-8).

Streamlining Provisions	Qualifications	Streamlining Benefits
<p>Within Scope of Program EIR CEQA Guidelines §15168(c)</p>	<p>Determination is made on case-by-case basis using factors such as project consistency with type of allowable land use, density, geographic area, and supporting infrastructure described in the Program EIR.</p> <p>AND</p> <p>Project incorporates applicable feasible mitigation measures and alternatives from Program EIR.</p> <p>AND</p> <p>No events triggering supplemental review per CEQA Guidelines Section 15162 occur.</p>	<p>No new environmental document required no events triggering supplemental review per CEQA Guidelines Section 15162 occur.</p> <p>Program EIR can be used to simplify and narrow focus of the later environmental document by facilitating preparation of a Subsequent EIR or MND, Supplement to the EIR, or an Addendum to the EIR.</p>
<p>Projects Implementing a Specific Plan CEQA Guidelines §15182</p>	<p>Residential projects, including but not limited to land subdivisions, zoning changes, and residential planned unit developments, that are consistent with a Specific Plan with a certified EIR (after January 1, 1980).</p> <p>OR</p> <p>Residential or mixed-use project that is consistent with Specific Plan with a certified EIR, AND is consistent with SCS or APS, AND is located within a Transit Priority Area.</p> <p>AND</p> <p>No events triggering supplemental review per CEQA Guidelines Section 15162 occur.</p>	<p>No new environmental document required if no events triggering supplemental review per CEQA Guidelines Section 15162 occur.</p>
<p>Projects Consistent with Community Plan or Zoning CEQA Guidelines §15183</p>	<p><u>Consistent</u> with, and EIR was certified for, the following:</p> <ul style="list-style-type: none"> • General plan, • <u>Community plan</u> adopted as part of general plan (if applicable), or • Zoning action that designated parcel(s) to accommodate a particular development density. <p>There are no limitations on the number of units, size of the site, or other exceptions to use this streamlining review.</p>	<p>Additional environmental review not required, unless there are project-specific significant effects that:</p> <ul style="list-style-type: none"> • Are <u>peculiar to the project</u> or project site. • Were not analyzed as significant effects in a prior EIR. • Are potentially significant off-site impacts and cumulative impacts which were not discussed in the prior EIR. • Are previously identified significant effects which, as a result of substantial new information which was not known at the time the EIR was certified, are determined to have a more severe adverse impact than discussed in the prior EIR.

Streamlining Provisions	Qualifications	Streamlining Benefits
<p>Streamlining for Residential Infill Projects</p> <p>CEQA Guidelines §15183.3; SB 226</p>	<p>Infill project located in urban area within SCAG region.</p> <p>AND</p> <p>Site previously developed or ≥ 75% site perimeter adjoins existing qualified urban uses.</p> <p>AND</p> <p>Project is consistent with general use designation, density, building intensity, and applicable policies of SCAG’s SCS or APS.</p> <p>AND</p> <p>Project satisfies performance standards provided in Appendix M of the CEQA Guidelines.</p>	<p>A “No Further Review” determination may be made if:</p> <ul style="list-style-type: none"> • no new specific effects or more significant effects relative to prior EIR for a planning level decision, or • uniformly applicable development policies or standards (UADPSs) would substantially mitigate such effects. <p>OR</p> <p>Prepare ND if new specific effects occur that cannot be substantially mitigated by UADPSs but are less than significant.</p> <p>OR</p> <p>Prepare MND if new specific effects or more significant effects occur that cannot be substantially mitigated by UADPSs but are less than significant with mitigation.</p> <p>OR</p> <p>Prepare Sustainable Communities Environmental Assessment (SCEA) if project qualifies as a Transit Priority Project (See Streamlining for Transit Priority Projects below - PRC §21155).</p> <p>OR</p> <p>Prepare Infill EIR if new specific effects or more significant effects occur that cannot be substantially mitigated by UADPSs and cannot be mitigated to less than significant levels. (CEQA Guidelines §15183.3[d][2][C])</p>
<p>Streamlining for Transit Priority Projects</p> <p>PRC §21155 SB 375</p>	<p>Meets the definition of a Transit Priority Project (TPP) pursuant to PRC §21155.</p> <p>AND</p> <p>Does not qualify for a TPP Exemption (would not achieve environmental, land use, and/or affordability criteria).</p> <p>AND</p> <p>Consistent with general use designation, density, building intensity, and applicable policies of SCAG’s SCS or APS.</p> <p>AND</p> <p>Incorporates all feasible mitigation, performance standards, or criteria in a prior EIR and adopted findings.</p>	<p>Lead agency may prepare either an SCEA or a Limited EIR. The analysis is built upon “prior applicable EIRs”, but the statute does not specify the prior EIR. The lead agency has discretion to select a prior EIR that best covers the site and its development – General Plan EIR, Specific Plan EIR, or RTP/SCS EIR.</p> <p><i>[See next page for qualifications and streamlining benefits of each.]</i></p>

Streamlining Provisions	Qualifications	Streamlining Benefits
<p>Sustainable Communities Environmental Assessment PRC §21155.2 SB 375</p>	<p>Meets the criteria above for Streamlining for TPPs. AND Impacts are either:</p> <ul style="list-style-type: none"> • less than significant, • less than significant through incorporation of new mitigation measures, or • less than significant after incorporation of all feasible mitigation measures, performance standards, or other criteria set forth in the prior applicable certified EIR. 	<p>The SCEA may omit consideration of:</p> <ul style="list-style-type: none"> • cumulative effects of the project that have been adequately addressed and mitigated in a prior EIR, • growth-inducing impacts, and • project specific or cumulative impacts from cars and light duty truck trips on global warming or the regional transportation network. <p>Significance determinations are not subject to the “fair argument” standard of review but are instead reviewed under the more deferential substantial evidence standard.</p>
<p>Transit Priority Project Limited EIR PRC §21155.2 SB 375</p>	<p>Meets the criteria above for Streamlining for TPPs. AND Impacts cannot be mitigated and are significant.</p>	<p>Similar to an SCEA, a Limited EIR may omit:</p> <ul style="list-style-type: none"> • consideration of cumulative effects of the project that have been adequately addressed and mitigated in a prior EIR, • consideration of growth-inducing impacts, and • project specific or cumulative impacts from cars and light duty truck trips on global warming or the regional transportation network. <p>The Limited EIR only needs to address potentially significant impacts.</p> <p>Not required to analyze off-site alternatives to the TPP or discuss a reduced residential density alternative to address the effects of car and light duty truck trips generated by the project.</p>

The purpose of this material is to provide guidance, which agencies and other entities may use at their discretion. This guidance does not alter lead agency discretion in decision-making, independent judgment and analysis, and preparing environmental documents for project or governmental action subject to CEQA requirements. This material is for general information only and should not be construed as legal advice or legal opinion.

GLOSSARY

SUBSEQUENT EIRS AND NEGATIVE DECLARATIONS (CEQA GUIDELINES §15162)

- a. When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:
 - 1. Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
 - 2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
 - 3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:
 - A. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
 - B. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - C. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - D. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.
- b. If changes to a project or its circumstances occur or new information becomes available after adoption of a negative declaration, the lead agency shall prepare a subsequent EIR if required under subdivision (a). Otherwise the lead agency shall determine whether to prepare a subsequent negative declaration, an addendum, or no further documentation.
- c. Once a project has been approved, the lead agency's role in project approval is completed, unless further discretionary approval on that project is required. Information appearing after an approval does not require reopening of that approval. If after the project is approved, any of the conditions described in subdivision (a) occurs, a subsequent EIR or negative declaration shall only be prepared by the public agency which grants the next discretionary approval for the project, if any. In this situation no other responsible agency shall grant an approval for the project until the subsequent EIR has been certified or subsequent negative declaration adopted.
- d. A subsequent EIR or subsequent negative declaration shall be given the same notice and public review as required under Section 15087 or Section 15072. A subsequent EIR or negative declaration shall state where the previous document is available and can be reviewed.

TRANSIT PRIORITY AREA (PRC §21099[a][7])

“Transit priority area” means an area within one-half mile of a major transit stop that is existing or planned, if the planned stop is scheduled to be completed within the planning horizon included in a Transportation Improvement Program or applicable regional transportation plan.

TPAs are shown on Exhibit 3.7 of the [SCAG Connect SoCal Plan](#).

COMMUNITY PLAN (CEQA GUIDELINES §15183[i][1])

“Community plan” is defined as a part of the general plan of a city or county which applies to a defined geographic portion of the total area included in the general plan, includes or references each of the mandatory elements specified in Section 65302 of the Government Code, and contains specific development policies and implementation measures which will apply those policies to each involved parcel.

DEFINITION OF “CONSISTENT” (CEQA GUIDELINES §15183[i][2])

For purposes of this section, “consistent” means that the density of the proposed project is the same or less than the standard expressed for the involved parcel in the general plan, community plan or zoning action for which an EIR has been certified, and that the project complies with the density-related standards contained in that plan or zoning. Where the zoning ordinance refers to the general plan or community plan for its density standard, the project shall be consistent with the applicable plan.

“PECULIAR TO THE PROJECT”

The term “peculiar” is not defined in CEQA. The Guidelines state that, an effect shall not be considered peculiar to the project if uniformly applied development policies or standards would substantially mitigate it. The lead agency should consider not whether there is a potentially significant impact, but rather whether there is a new significant effect specific or “peculiar” to the project or its site that was not discussed in the prior EIR.

INFILL PROJECT

SB 226 defines “infill project” as a project that:

- ▶ consists of one or a combination of the following uses:
 - residential,
 - retail/commercial (where no more than half of the project area is used for parking),
 - transit station,
 - school, or
 - public office building.
- ▶ is located within an urban area and is either on a site that has been previously developed, or on a vacant site where at least 75 percent of the perimeter of the site adjoins (or is separated only by an improved public right-of-way from) parcels that are developed with qualified urban uses.

URBANIZED AREA (PRC §21094.5[e][5])

“Urban area” includes either an incorporated city or an unincorporated area that is completely surrounded by one or more incorporated cities that meets both of the following criteria:

- A. The population of the unincorporated area and the population of the surrounding incorporated cities equal a population of 100,000 or more.
- B. The population density of the unincorporated area is equal to, or greater than, the population density of the surrounding cities.

“ADJOIN” (CEQA GUIDELINES 15183.3[b][1])

Adjoin means the infill project is immediately adjacent to qualified urban uses, or is only separated from such uses by an improved public right-of-way

QUALIFIED URBAN USES (PRC §21072)

Any residential, commercial, public institutional, transit or transportation passenger facility, or retail use, or any combination of those uses.

APPENDIX M PERFORMANCE STANDARDS

The statewide performance standards in Appendix M include the following:

- ▶ **Renewable Energy.** Residential projects are encouraged to include such onsite renewable power generation.
- ▶ **Soil and Water Remediation.** If the project site is included on any list compiled pursuant to Section 65962.5 of the Government Code, the project shall document how it has remediated the site, if remediation is completed. Alternatively, the project shall implement the recommendations provided in a preliminary endangerment assessment or comparable document that identifies remediation appropriate for the site.
- ▶ **Residential Units Near High-Volume Roadways and Stationary Sources.** If a project includes residential units located within 500 feet, or other distance determined to be appropriate by the local agency or air district based on local conditions, of a high volume roadway or other significant sources of air pollution, the project shall comply with any policies and standards identified in the local general plan, specific plan, zoning code or community risk reduction plan for the protection of public health from such sources of air pollution. If the local government has not adopted such plans or policies, the project shall include measures, such as enhanced air filtration and project design, that the lead agency finds, based on substantial evidence, will promote the protection of public health from sources of air pollution. Those measure may include, among others, the recommendations of the California Air Resources Board, air districts, and the California Air Pollution Control Officers Association.

In addition to the project features described above, specific eligibility requirements are provided by project type. Residential projects must satisfy one of the following:

- ▶ **Low VMT.** Projects achieving below average regional per capita vehicle miles traveled (VMT). A residential project is eligible if it is located in a “low vehicle travel area” within the region.
- ▶ **Near Transit Stop.** Projects located within ½ mile of an Existing Major Transit Stop or High-Quality Transit Corridor. A residential project is eligible if it is located within ½ mile of an existing major transit stop or an existing stop along a high-quality transit corridor.
- ▶ **Low-Income Housing.** A residential or mixed-use project consisting of 300 or fewer residential units all of which are affordable to low income households is eligible if the developer of the development project provides sufficient legal commitments to the lead agency to ensure the continued availability and use of the housing units for lower income households, as defined in Section 50079.5 of the Health and Safety Code, for a period of at least 30 years, at monthly housing costs, as determined pursuant to Section 50053 of the Health and Safety Code.

SPECIFIC EFFECT

A “specific effect” is an effect that was not addressed in the prior EIR and that is specific to the infill project or infill project site.

MORE SIGNIFICANT EFFECT

A “more significant” effect means substantially more severe than described in prior EIR, or substantial new information shows previously infeasible mitigation is feasible but not included in project, considerably different feasible mitigation is available but not included in project, or feasible mitigation adopted in connection with planning level decision is not feasible for the project.

PLANNING LEVEL DECISION (PRC §21094.5[e][2])

“Planning level decision” means the enactment or amendment of a general plan, community plan, specific plan, or zoning code.

UNIFORMLY APPLICABLE DEVELOPMENT POLICIES OR STANDARDS

(CEQA GUIDELINES 15183.3[f][7])

“Uniformly applicable development policies or standards” are policies or standards adopted or enacted by a city or county, or by a lead agency, that reduce one or more adverse environmental effects. Examples of uniformly applicable development policies or standards include, but are not limited to:

- ▶ Regulations governing construction activities, including noise regulations, dust control, provisions for discovery of archeological and paleontological resources, stormwater runoff treatment and containment, protection against the release of hazardous materials, recycling of construction and demolition waste, temporary street closure and traffic rerouting, and similar regulations.
- ▶ Requirements in locally adopted building, grading and stormwater codes.
- ▶ Design guidelines.

- ▶ Requirements for protecting residents from sources of air pollution including high volume roadways and stationary sources.
- ▶ Impact fee programs to provide public improvements, police, fire, parks and other open space, libraries and other public services and infrastructure, including transit, bicycle and pedestrian infrastructure and traffic calming devices.
- ▶ Traffic impact fees.
- ▶ Requirements for reducing greenhouse gas emissions, as set forth in adopted land use plans, policies, or regulations.
- ▶ Ordinances addressing protection of urban trees and historic resources.

SUBSTANTIALLY MITIGATE

“Substantially mitigate” means the policy or standard substantially lessen the effect, but not necessarily below the level of significance.

TRANSIT PRIORITY PROJECT (PRC § 21155[b])

A transit priority project shall:

1. contain at least 50 percent residential use, based on total building square footage and, if the project contains between 26 percent and 50 percent nonresidential uses, a floor area ratio of not less than 0.75;
2. provide a minimum net density of at least 20 dwelling units per acre; and
3. be within one-half mile of a [major transit stop](#) or [high-quality transit corridor](#) included in a regional transportation plan.

MAJOR TRANSIT STOP (PRC §21064.3)

A site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.

HIGH-QUALITY TRANSIT CORRIDOR (PRC §21155[b])

“High-quality transit corridor” means an existing corridor with fixed route bus service with service intervals no longer than 15 minutes during peak commute hours. An “existing stop along a high-quality transit corridor” may include a planned and funded stop that is included in an adopted regional transportation improvement program.

A project shall be considered to be within one-half mile of a major transit stop or high-quality transit corridor if all parcels within the project have no more than 25 percent of their area farther than one-half mile from the stop or corridor and if not more than 10 percent of the residential units or 100 units, whichever is less, in the project are farther than one-half mile from the stop or corridor.

High Quality Transit Areas are shown on Exhibit 3.8 of the [SCAG Connect SoCal Plan](#).