SB 743 Limits on the Review of Aesthetic and Parking Impacts Checklist

*Public Resources Code 21099*

1. **Does the project type fit one of the following definitions?**

Residential: a project that is designated for residential use on the applicable General Plan, Area Plan, or Specific Plan, and that is zoned for residential use.

Employment Center: a project located on property zoned for commercial uses with a floor area ratio of no less than 0.75 and that is located within a transit priority area. A transit priority area (TPA) is 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 SCAG’s Regional Transportation Plan. For additional TPA requirements, see the box below.

Mixed-Use Residential: a project where at least 75 percent of the total building square footage of the project consists of residential use or a project that is a transit priority project. As defined in Public Resources Code Section 21155(b), a transit priority project must meet all of the following criteria

* + At least 50% residential use based on total building square footage and a floor-area ratio of 0.75,
  + A minimum net density of at least 20 dwelling units per acre, and
  + Be within one-half mile of the either of the following that have been included in the SCAG RTP/SCS:
    1. A major transit stop that contains an existing rail station, a ferry terminal served by transit, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes during peak commute periods, or
    2. A high quality transit corridor in the RTP that has fixed-route bus service with service intervals no longer than 15 minutes during peak commute hours

*If the project meets one of the Question 1 land use type definitions, proceed to Question 2. If the project does not meet one of the Question 1 land use type definitions, then the project does not qualify for the aesthetic and parking limits on review provision under SB 743.*

1. **Is the project located on an infill site?**

An infill site is defined as a lot located within an urban area 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.

Yes

*If the answer to Question 2 is “Yes,” proceed to Question 3. If the answer to Question 2 is “No,” the project does not qualify for the aesthetic and parking limits on review provision under SB 743.*

1. **Is the project located within a transit priority area?**

A project shall be considered to be within a TPA 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. Projects intersecting non-overlapping TPA boundaries would also need to demonstrate they are within one-half mile of a major transit stop based on boarding location information. The burden shall be on the project applicant to demonstrate their project is within a TPA for parcels along a TPA boundary. See attached map.

Yes

*If the answer to Question 3 is “Yes,” visual resources, aesthetic character, shade and shadow, light and glare, and scenic vistas, or any other aesthetic impact, as defined in the City’s CEQA Threshold Guide, shall not be considered an impact for infill projects within TPAs (shown in the attached map) pursuant to CEQA. However, this law did not limit the ability of the City to regulate, or study aesthetic related impacts pursuant to other land use regulations found in the Los Angeles Municipal Code (LAMC), or the City’s General Plan, including specific plans. For example, DCP staff would still need to address a project’s shade and shadow impacts if it is expressly required in a specific plan, Community Design Overlays (CDOs), or Historic Preservation Overlay Zones (HPOZs). Also note that the limitation of aesthetic impacts pursuant to Section 21099 of the PRC does not include impacts to historic or cultural resources. Impacts to historic or cultural resources will need to be evaluated pursuant to CEQA regardless of project location.*

*If the answer to Question 3 is “No,” the project does not qualify for the aesthetic and parking limits on review provision under SB 743.*