

RESOLUTION NO. 20-8861

**A RESOLUTION OF THE CITY OF SANTA CLARA, CALIFORNIA
TO AMEND RESOLUTION 5713 TO ADOPT A
TRANSPORTATION ANALYSIS POLICY TO COMPLY WITH THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO
STATE SENATE BILL 743 (2013) AND CEQA GUIDELINES
SECTION 15064.3**

BE IT RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

WHEREAS, the California Environmental Quality Act (CEQA) was enacted by the State of California in 1970 to ensure the long-term protection of the environment and requires public agencies to analyze and disclose the effects of their actions on the environment;

WHEREAS, the California Office of Planning and Research develops the CEQA Guidelines to interpret CEQA statutes and published court decisions, including several appendices to the CEQA Guidelines that contain forms and guidance for lead agencies when performing environmental review;

WHEREAS, in order to carry out their mandate under CEQA, public agencies are encouraged to develop standards and procedures necessary to evaluate their actions including thresholds of significance;

WHEREAS, thresholds of significance are identifiable quantitative, qualitative or performance level measures of a particular environmental effect, non-compliance with which means the effect will normally be determined to be significant, and compliance with which means the effect normally will be determined to be less than significant;

WHEREAS, in circumstances where public agencies decide to develop their own thresholds of significance for general use, the CEQA Guidelines provide that thresholds of significance must be formally adopted through a public review process and supported by substantial evidence;

WHEREAS, the City of Santa Clara ("City"), as a lead agency on certain projects, implements CEQA pursuant to the Santa Clara Charter and City Code;

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WHEREAS, on June 23, 1992, the City Council adopted Resolution No. 5713 which adopted local environmental review procedures;

WHEREAS, the City of Santa Clara has established Level of Service Analysis as the methodology to meet CEQA requirements and enables the City to require that projects include mitigation measures to reduce its transportation impacts and to conform to City of Santa Clara General Plan. This methodology addressed impacts to Level of Service (“LOS”) at signalized intersections and required mitigation, typically in the form of expanded roadways and intersections, to accommodate estimated increases in vehicular traffic associated with projects;

WHEREAS, pursuant to establishment of LOS methodology, LOS is utilized to measure automobile delay at intersections and is represented as a letter grade A through F. LOS A represents little to no automobile delay, while LOS F represents congestion conditions with substantial amounts of automobile delay. Under the LOS methodology, a project causing the LOS at signalized intersections to degrade below the LOS D standard represents a significant impact under CEQA;

WHEREAS, pursuant to the General Plan, the Valley Transportation Authority’s Congestion Management Program (CMP) establishes minimum LOS performance level at LOS E at designated regional transportation intersections. LOS is utilized to measure automobile delay at intersections and is represented as a letter grade A through F. Under the CMP methodology, a project causing the LOS at signalized intersections to degrade below the LOS E standard represents a significant impact under CEQA;

WHEREAS, LOS is still in effect today and provides a process for the analysis and consideration of the overall conformance of a project with the City’s General Plan sustainability, and multimodal transportation policies. It is also used as the environmental analysis threshold of significance and as a tool for transportation planning and operational analysis;

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WHEREAS, the General Plan contains policy goals (including but not limited to 5.1.1-P12, 5.3.1-G1, 5.3.1-G3, 5.3.1-P13, 5.3.1-P14, 5.3.4-G3) to:

- implement an alternate vehicular Level of Service standards or other substantiated threshold as a City-wide criteria for streets and intersections under the City's jurisdiction,
- reduce dependence on single occupant automobile use,
- promote projects that minimize vehicle miles traveled, capitalize on public investment in transit, and are compatible with surrounding land uses,
- support high density and intensity projects within a quarter mile of transit hubs and stations and along transit corridors,
- encourage transportation demand management strategies and the provision of bicycle and pedestrian amenities in new development, and
- promote mixed-use projects that maximize accessibility to alternate transportation modes and integrate pedestrian, bicycle, transit, open space and outdoor uses to encourage active centers.

WHEREAS, in 2013, the State of California Legislature passed and Governor Brown signed Senate Bill 743 (Steinberg). Senate Bill 743 directs the California Office of Planning and Research to produce new CEQA guidance for cities that removes automobile LOS from transportation analysis under CEQA and replaces it with Vehicle Miles Traveled ("VMT"), or another measure that "promote(s) the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses." The intent of this change is to shift the focus of transportation analysis from driver delay to the reduction of greenhouse gas (GHG) emissions, creation of multimodal networks, and promotion of integrated land uses;

WHEREAS, VMT measures the amount and distance people drive, taking the number of passengers within a vehicle into account. Typically, projects at a greater distance from other uses, located in areas with limited access to non-auto modes of travel, generate more driving

than those that are located proximate to other complementary uses and/or where there are transportation options other than the automobile. The information used to calculate VMT is already required to calculate and factor air quality and greenhouse gas emissions;

WHEREAS, on December 28, 2018, the California Natural Resources Agency certified and adopted a CEQA Guidelines update package, including the Guidelines section implementing Senate Bill 743 (§ 15064.3) and directs all public agencies to utilize VMT as a threshold of significance by July 1, 2020;

WHEREAS, the City is adopting this Policy to bring the City of Santa Clara's transportation analysis methodology in line with State and City goals pursuant to Senate Bill 743 and the City of Santa Clara General Plan;

WHEREAS, the City proposes to amend Resolution 5713 to append Exhibit A ("Local Procedure for Implementing the California Environmental Quality Act of 1970") with the "Transportation Analysis Policy" attached hereto and incorporated herein by this reference, which establishes:

1. The transportation analysis framework for proposed projects, developments, land use plans, and transportation projects in the City of Santa Clara;
2. VMT based analysis for transportation impacts under CEQA; and
3. The requirement that projects perform Transportation Operational Analysis to analyze Intersection Level of Service and other transportation elements for their conformance with the multimodal transportation strategies, goals, and policies in the General Plan including Congestion Management Program requirements; and address operational deficiencies found in that analysis to the transportation system;

WHEREAS, CEQA Guidelines Section 15064.7(b) directs the City to adopt thresholds of significance based on substantial evidence by ordinance, resolution, rule or regulation through a public process;

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WHEREAS, outreach efforts were conducted with the community including hosting two public outreach meetings (October 24, 2019 and October 30, 2019), presenting at the City’s Bicycle and Pedestrian Advisory Committee meeting (January 27, 2020), and conducting study sessions before the Planning Commission (December 11, 2019 and April 22, 2020) and City Council (November 5, 2019 and May 12, 2020) to review the policy components;

WHEREAS, on June 10, 2020, the Planning Commission held a public hearing on this policy and adopted a resolution in support of this policy;

WHEREAS, pursuant to Public Resources Code Section 21080(b)(1), the adoption of a Transportation Analysis Policy is a ministerial action and pursuant to Guidelines 15268(a), a ministerial action is exempt from the requirements of CEQA;

WHEREAS, the City Council of the City of Santa Clara is the decision-making body for this Resolution and has considered the environmental clearance described above prior to taking any action on this Resolution; and,

WHEREAS, on June 23, 2020, the City Council held a duly noticed public hearing to consider the Transportation Analysis Policy, at which time all interested persons were given an opportunity to present evidence and provide testimony, both in support of and in opposition to the proposed Policy.

NOW THEREFORE, BE IT FURTHER RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

1. That the City of Santa Clara hereby finds that the above Recitals are true and correct and by this reference makes them a part hereof.

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2. That the City of Santa Clara hereby amends Resolution 5713 to append Exhibit A (“Local Procedure for Implementing the California Environmental Quality Act of 1970”) with the attached Transportation Analysis Policy, attached hereto as Exhibit A and made a part of this Resolution, and that said exhibit is hereby approved and adopted.

3. Effective date. This resolution shall become effective immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 23RD DAY OF JUNE, 2020, BY THE FOLLOWING VOTE:

AYES:	COUNCILORS:	Chahal, Davis, O’Neill, and Watanabe, and Mayor Gillmor
NOES:	COUNCILORS:	None
ABSENT:	COUNCILORS:	Hardy
ABSTAINED:	COUNCILORS:	None

ATTEST: 
NORA PIMENTEL, MMC
ASSISTANT CITY CLERK
CITY OF SANTA CLARA

Attachments incorporated by reference:
1. Exhibit A – Transportation Analysis Policy

EXHIBIT A

Transportation Analysis Policy

Purpose/Intent

The California Environmental Quality Act (CEQA) requires all California Cities to evaluate and disclose potential transportation environmental impacts of any proposed "Project." It is the intent of this policy to establish Vehicle Miles Traveled (VMT) as the methodology for analyzing transportation environmental impacts and establish baseline, threshold and exemptions for environmental review to comply with State law. This policy also establishes the requirement of a transportation operational analysis to address transportation deficiencies resulting from a Project.

Policy

This policy requires all projects to evaluate and disclose transportation environmental impacts by measuring Vehicle Miles Traveled (VMT) per CEQA and also establishes Level of Service (LOS) as an operational measure of intersection efficiency, which is not defined as transportation environmental impact per CEQA.

Evaluating Vehicle Miles Traveled (VMT)

The City will use the Countywide Average VMT as the established environmental baseline. To evaluate whether a proposed project will have a significant impact under CEQA, the City will compare the project's VMT with this baseline. As detailed in Table 1, for residential and office projects, a Project will have a less than significant impact if the Project results in a 15% VMT reduction compared to the baseline. Consult Table 1 for other project types.

Evaluating Level of Service (LOS)

To evaluate LOS, the City will continue to rely upon the standards set by the City's General Plan. The General Plan Mobility and Transportation Diagram references the LOS "D" standard for local City streets for the Phase I of the plan (2010-2015). For Phase II (2015-2023) and Phase III (2023-2035), the plan allows for exemptions and modifications to the LOS standard based on the context, location and circumstance. The plan also establishes a LOS "E" on the regional roadway facilities.

Applicability

All proposed projects are required to undergo environmental review as part of the City's approval process. This includes an analysis of CEQA impacts (VMT) and non CEQA operational measures of intersection efficiency (LOS).

In addition to establishing the baseline and significant impact threshold, this policy establishes certain projects that are presumed to have a less than significant impact per the State's guidance and will not require a VMT analysis. The following is the list of projects that do not require VMT analysis:

- Small Projects (generating 110 daily trips or less)
- Retail uses of 50,000 square feet or less ("Local Serving Retail")
- Local serving public projects such as fire stations, neighborhood parks, libraries, and community centers

- 100% Affordable Housing projects¹
- “Transit Supportive Projects.” A project will qualify as a Transit Supportive Project if it meets the following requirements:
 - The Project is located within ½ mile of an existing Major Transit Stop² or an existing transit stop along a High-Quality Transit Corridor³
 - For Office/R&D projects, a minimum Floor Area Ratio of 0.75
 - For Residential projects, a minimum density of 35 units/acre
 - Project promotes multimodal transportation networks
 - Project includes transit-oriented design elements
 - No excess parking: the project does not include more parking for use by residents, customers, or employees of the project than required by the City Code
 - No loss of affordable dwelling units: the project does not replace affordable residential units with a smaller number of affordable units, and any replacement units are at the same level of affordability

Projects that do not meet the above requirements are required to evaluate and disclose potential VMT environmental impacts with the established baseline and threshold criteria. Projects that do not require VMT analysis will be required to measure LOS as part of an operational analysis, as appropriate, and provide improvements or address project related operational deficiencies.

The following chart outlines the types of projects and the VMT analysis requirement:

Table 1. Project Type and VMT Thresholds of Significance

Project Type	Threshold for Determination of Significant Transportation Impact
Residential Units	15% below the existing Countywide VMT per resident. If project VMT per resident exceeds this amount, impact is significant.
Employment (e.g. office, R&D)	15% below the existing Countywide VMT per employee. If project VMT per employee exceeds this amount, impact is significant.
Industrial Uses (e.g. warehouse, manufacturing and distribution uses)	15% below the existing Countywide VMT per employee. If project VMT per employee exceeds this amount, impact is significant. This applies to the work trip element of the project (employee commute only).

¹ “100% Affordable” means one hundred percent of the total units, exclusive of a manager’s unit or units, are for lower income households, as defined by Section 50079.5 of the Health and Safety Code

² “Major transit stop” means a site containing any of the following: (a) an existing rail or bus rapid transit station; (b) 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; or (c) a major transit stop that is included in Plan Bay Area 2040. Pub. Res. Code §§ 21064.3, 21155(b).

³ “High-Quality Transit Corridor” means a corridor with fixed route bus service with service intervals no longer than 15 minutes during peak commute hours. Pub. Res. Code § 21155(b).

Retail Uses	Existing Countywide VMT for retail uses. If Project will result in a net increase in the total existing VMT for the County for regional retail, impact is significant.
Uses With a Regional Draw	Land use projects drawing visitors from outside the City shall be analyzed using the most relevant threshold as determined by the Director of Public Works
Mixed Uses	Each land use component of a mixed-use project will be analyzed independently, applying the significance threshold for each land use in this Table 1
Change of Use or Additions to Existing Development	Change of use or additions to existing developments shall be analyzed when the change of land use or addition to existing development results in additional trips in excess of the small Project threshold (110 daily trips or less)
Focus growth Area Plans, Specific Plans or Precise Plans	Each land use component of a mixed-use project will be analyzed independently, applying the significance threshold for each land use in this Table 1.
General Plan Amendments (GPAs), if not covered by other categories on this Table 1. ("Standalone GPAs")	Net increase in VMT greater than the 2035 12.19 VMT per service population target consistent with Santa Clara General Plan Transportation and Mobility ⁴
Transportation Projects	Net increase in VMT greater than the 2035 12.19 VMT per service population target consistent with Santa Clara General Plan Transportation and Mobility Assumptions ³

Existing Approvals

Projects that are currently approved, or that are scheduled for adoption prior to July 1, 2020 (and actually adopted by that date), will not require any supplemental VMT environmental review unless the "Project" requires supplemental environmental review not covered by an addendum.

Outcomes

Implementation of this policy will result in reducing VMT growth, promoting the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses and ultimately, meeting the State's long-term climate goals. This policy supports and aligns with the General Plan land use and transportation goals and facilitates the implementation of the three phases of development envisioned in the plan. Lastly, this policy will also support a more sustainable, healthy and livable community as outlined in the City's Climate Action Plan.

⁴ Santa Clara General Plan, Appendix 8.7 Transportation and Mobility Assumptions, Table 8.7-4, pages 8.7-7