

RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL 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 (OPR) 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;

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 (“LOS”) Analysis as the methodology to meet CEQA requirements and enable 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 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. 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;

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 OPR 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;

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, public contact was made by posting the Planning Commission agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the Community Development Department at least 72 hours prior to a Regular Meeting; and

WHEREAS, on June 10, 2020, the Planning Commission held a duly noticed public meeting to consider the proposed 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 PLANNING COMMISSION OF THE CITY OF SANTA CLARA AS FOLLOWS:

1. That the Planning Commission hereby finds that the above Recitals are true and correct and by this reference makes them a part hereof.
2. That based on the findings set forth in this resolution and the evidence in the City Staff Report, the Planning Commission hereby recommends that the City Council amend Resolution 5713 to append Exhibit A ("Local Procedure for Implementing the California Environmental Quality Act of 1970") with the attached Transportation Analysis Policy as set forth herein.

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 10th DAY OF June, 2020, BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAINED: COMMISSIONERS:

ATTEST:

ANDREW CRABTREE
DIRECTOR OF COMMUNITY DEVELOPMENT
CITY OF SANTA CLARA

Attachments Incorporated by Reference:

1. Transportation Analysis Policy