File #: 20-312, **Version:** 1

Resolution recommending that City Council adopt a resolution to update the City of South San Francisco's transportation impact analysis thresholds, as required by the California Environmental Quality Act (CEQA), to comply with state-mandated change from level of service (LOS) to vehicle miles traveled (VMT), pursuant to Senate Bill 743 (2013) and new 2019 CEQA Guidelines.

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

WHEREAS, Senate Bill 743 (SB 743), enacted in 2013 and codified in Public Resources Code section 21099, required changes to the CEQA Guidelines regarding the criteria for determining the significance of transportation impacts of projects; and

WHEREAS, SB 743 specifically requires the Governor's Office of Planning and Research (OPR) to amend CEQA Guidelines by developing alternative criteria for determining the significance of transportation impacts of projects within transit priority areas, and which criteria shall promote "the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses"; and

WHEREAS, for such alternative criteria, the measurements of transportation impacts may include "vehicle miles traveled, vehicle miles traveled per capita, automobile trip generation rates, or automobile trips generated"; and

WHEREAS, in 2018, OPR proposed, and the California Natural Resources Agency certified and adopted, new CEQA Guidelines, including Guidelines section 15064.3 that identifies vehicle miles traveled (VMT) - meaning the amount and distance of automobile travel attributable to a project - as the most appropriate metric to evaluate a project's transportation impacts; and

WHEREAS, as a result, automobile delay, as measured by "level of service" (LOS) and other similar metrics, will no longer be considered a significant impact under CEQA and may no longer serve as a threshold for analyzing the significance of traffic impacts resulting from a project under CEQA; and

WHEREAS, the requirements of CEQA Guidelines Section 15064.3 will apply state-wide on July 1, 2020; and

WHEREAS, OPR most recently published a *Technical Advisory on Evaluating Transportation Impacts in CEQA* in December 2018 to provide technical guidance and recommendation on assessment of VMT,

thresholds of significance, and mitigation measures; and

WHEREAS, lead agencies are encouraged to develop standards and procedures necessary to evaluate their actions and therefore protect environmental quality, including thresholds of significance; and

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 will normally be determined to be less than significant; and

WHEREAS, Public Resources Code section 21082 requires all public agencies to adopt by ordinance, resolution, rule, or regulation, the objectives, criteria, and procedures for the evaluation of projects and the preparation of environmental impact reports and negative declarations in connection with that evaluation; and

WHEREAS, similarly, in circumstances where public agencies decide to develop their own thresholds of significance for general use as a part of the public agency's environmental review process, section 15064.7 of the CEQA Guidelines require such thresholds of significance be adopted by ordinance, resolution, rule or regulation, and be developed through a public review process and be supported by substantial evidence; and

WHEREAS, the City of South San Francisco, as a lead agency, implements CEQA pursuant to South San Francisco Municipal Code Chapter 20.460 Environmental Review, which delegates administration to the Chief Planner; and

WHEREAS, City staff prepared a proposed Vehicle Miles Traveled Thresholds of Significance, attached hereto and incorporated herein as Exhibit A, to incorporate the most recent State VMT requirements; and

WHEREAS, the *Technical Advisory on Evaluating Transportation Impacts in CEQA* (2018) provide substantial evidence that VMT is an appropriate standard to utilize in analyzing transportation impacts to protect environmental quality and a better indicator of greenhouse gas, air quality, and energy impacts than LOS, and that the screening criteria and impact analysis contained therein are appropriate metrics for assessing VMT impacts and determining thresholds of significance; and

WHEREAS, the identification and adoption of proposed VMT regulations is not a "project" pursuant to CEQA as defined in CEQA Guidelines Section 15378, and is therefore not subject to review pursuant to CEQA Guidelines Section 15060(c)(3). Separately and independently, the proposal is also exempt pursuant to CEQA Guidelines Section 15061(b)(3), as it will not result directly or indirectly in significant environmental impacts; and/or Public Resources Code Section 21080(b)(1), as the proposal is ministerial, because the City is mandated to adopt the proposal. As such, the new thresholds are categorically exempt pursuant to CEQA Guidelines Section 15308 and none of the exceptions in Section 15300.2 apply; and

WHEREAS, the Planning Commission held a lawfully noticed public hearing May 21, 2020 to solicit public comment and consider the proposed the proposed VMT thresholds and take public testimony, at which time all persons wishing to testify in connection with the proposed threshold

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were heard and the proposed threshold was comprehensively reviewed.

NOW, THEREFORE, BE IT RESOLVED that based on the entirety of the record before it, which includes without limitation, the California Environmental Quality Act, Public Resources Code §21000, et seq. ("CEQA") and the CEQA Guidelines, 14 California Code of Regulations §15000, et seq.; the South San Francisco General Plan and General Plan EIR; the proposed VMT Thresholds of Significance; and all reports, minutes, and public testimony submitted as part of the Planning Commission's duly noticed May 21, 2020 meeting; and any other evidence (within the meaning of Public Resources Code §21080(e) and §21082.2), the Planning Commission of the City of South San Francisco hereby finds as follows:

SECTION 1 FINDINGS

A. General Findings

1. The foregoing recitals are true and correct and made a part of this Resolution.
2. The proposed VMT Thresholds of Significance, attached hereto as Exhibit A, is incorporated by reference and made a part of this Resolution, as if set forth fully herein.
3. The documents and other materials constituting the record for these proceedings are located at the Planning Division for the City of South San Francisco, 315 Maple Avenue, South San Francisco, CA 94080, and in the custody of the Planning Manager, Sailesh Mehra.

B. CEQA Finding

1. The adoption of proposed VMT Thresholds of Significance is not a "project" pursuant to CEQA as defined in CEQA Guidelines Section 15378, and is therefore not subject to review pursuant to CEQA Guidelines Section 15060(c)(3).
2. Separately and independently, the proposal is also exempt pursuant to CEQA Guidelines Section 15061 (b)(3), as it will not result directly or indirectly in significant environmental impacts; and/or Public Resources Code Section 21080(b)(1), as the proposal is ministerial, because the City is mandated to adopt the proposal. As such, adoption of proposed new thresholds are categorically exempt pursuant to CEQA Guidelines Section 15308 and none of the exceptions in Section 15300.2 apply.

C. Adoption of Thresholds of Significance Findings

1. The proposed VMT Thresholds of Significance in Exhibit A is consistent with the adopted General Plan because they will reinforce the General Plan policies, and is consistent with the City's overall vision to reduce greenhouse gas emissions and Climate Action Plan policies to expand active transportation alternatives, support expansion of public and private transit programs to reduce employee commutes, and integrate higher-density development and mixed-use development near transit facilities. None of the new or revised VMT Thresholds of Significance will conflict with or impede any of the goals, policies, or land use designations established in the General Plan.

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2. The proposed VMT Thresholds of Significance have been developed through a public review process that includes an opportunity for the public to review and comment on the proposed VMT Thresholds of Significance and a duly noticed public hearing by the South San Francisco Planning Commission to consider the methodology changes and to consider public comment on those changes.
3. The proposed VMT Thresholds are supported by substantial evidence based on the entirety of the record before the Planning Commission including all documents, submittals, and public testimony before it.

SECTION 2 RECOMMENDATION

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Planning Commission of the City of South San Francisco hereby makes the findings contained in this Resolution and recommends that the City Council adopt the proposed VMT Thresholds of Significance in Exhibit A and update the City of South San Francisco's transportation impact analysis thresholds, as required by the California Environmental Quality Act (CEQA), to comply with state-mandated change from level of service (LOS) to vehicle miles traveled (VMT), pursuant to Senate Bill 743 (2013) and new 2019 CEQA Guidelines.

BE IT FURTHER RESOLVED that the resolution shall become effective immediately upon its passage and adoption.

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