



CITY COUNCIL AGENDA STATEMENT



March 10, 2020

File ID: 20-0030

TITLE

OVERVIEW OF SENATE BILL 743 IMPLEMENTATION - REQUIRES CHANGE TO TRANSPORTATION IMPACT ANALYSIS FOR CEQA FROM LEVEL OF SERVICE TO VEHICLE MILES TRAVELED

RECOMMENDED ACTION

Council hear the report.

SUMMARY

On September 27, 2013, Governor Jerry Brown signed Senate Bill (SB) 743 into law, changing how transportation impacts are analyzed pursuant to the California Environmental Quality Act (CEQA). The primary change eliminates the Level of Service (LOS) methodology for determining significant impacts and replaces it with an analysis of Vehicle Miles Travelled (VMT). The City is required to implement the new transportation impact analysis procedures by July 1, 2020. Staff has retained Fehr & Peers, a consulting firm with SB 743 experience, to manage a team that includes legal counsel and CEQA expertise, to assist the City in drafting new VMT guidelines. This report provides an overview of SB 743, VMT, and summarizes the status and schedule of implementation.

ENVIRONMENTAL REVIEW

The Director of Development Services has reviewed the proposed activity for compliance with the California Environmental Quality Act (CEQA) and has determined that the activity is not a "Project" as defined under Section 15378 of the State CEQA Guidelines because it will not result in a physical change to the environment; therefore, pursuant to Section 15060(c)(3) of the State CEQA Guidelines, the activity is not subject to CEQA. Thus, no environmental review is required.

BOARD/COMMISSION/COMMITTEE RECOMMENDATION

Not applicable.

DISCUSSION

Overview of SB 743

SB 743 was adopted by the California State Legislature in 2013; however, guidelines for implementation were not provided by the State's Office of Planning and Research (OPR) until December 2018. Local governments were given until July 1, 2020 to implement the new transportation impact analysis methodology. The legislative intent of SB 743 is to replace the Level of Service (LOS) analysis with a metric that: 1) ensures that the environmental impacts of traffic continue to be properly addressed; and 2) more appropriately balances the needs of congestion management with statewide goals for infill development, promotion of public health through active transportation, and reduction of greenhouse gas emissions.

VMT vs. LOS

The new metric set forth by OPR for CEQA review is Vehicle Miles Traveled or VMT. This method accounts for the number of vehicle trips generated plus the length or distance of those trips. By way of example, one vehicle driving 100 miles would result in 100 VMT, which is the same as 10 vehicles going 10 miles.

In contrast, LOS is a measure of traffic congestion, and the main inputs are traffic volumes and capacity (i.e., number of vehicles and number of lanes). There are generally lower volumes and more unused capacity in outlying or greenfield areas than in built up areas, where infill development could occur. As a result, traffic generated by greenfield development would be more likely to exhibit good LOS, while the opposite would be true for infill development. As result, OPR concluded that LOS-based CEQA review is more likely to result in significant impacts for infill development than greenfield development, thus discouraging infill development. OPR asserts that the LOS methodology has contributed toward urban sprawl and increased greenhouse gas emissions from traffic.

Mitigation for LOS-based impacts typically involves adding through and/or turning lanes at intersections to increase vehicular capacity. These improvements make roadways less hospitable to pedestrians and bicyclists, and LOS analysis generally considers pedestrians and bicyclists as having a negative effect on LOS. The resulting roadway network often includes wide, high-speed arterial roadways that primarily serve motor vehicles. Unlike LOS, VMT data cannot be observed in the field by measuring traffic volumes and wait times. Typical mitigation for significant LOS impacts mitigation requires expanding the road network's capacity. In contrast, mitigation for significant VMT impacts are not as obvious. Rather than performing data collection, practitioners use travel forecast models (such as the San Diego Association of Governments' Activity Based Models) and various spreadsheet tools to calculate VMT. Mitigation is aimed at reducing the number of trips and/or the distance of trips and may include measures such as Transportation Demand Management (TDM), improved access to transit, and improved active transportation modes.

Addressing Roadway Congestion Post-SB 743

With SB 743, LOS may no longer be used for CEQA transportation analyses. Fehr & Peers is advising the City on the feasibility of requiring a LOS-based analysis for projects separate from the CEQA review, to identify operational improvements to address traffic congestion. This approach is consistent with the ITE Guidelines for Transportation Impact Studies in the San Diego Region.

Schedule and Action Items

In December 2019, the City Council approved a contract with Fehr & Peers, including sub-consultants to support the City's implementation of SB 743 with Resolution 2019-236. Fehr & Peers' primary deliverable is the Transportation Impact Analysis Guidelines, which will specify VMT analysis procedures, including project screening and impact analysis, significance thresholds, and mitigation measures, all of which are to be supported by substantial evidence.

The next steps include the development of mitigation options and preparations of the draft Transportation Impact Analysis Guidelines to be presented to the Growth Management Oversight Commission, the Safety Commission, Development Services Oversight Committee, and the Planning Commission in April and May. Staff then plans to present the Transportation Impact Analysis Guidelines for Council adoption in late May, with the guidelines going into effect by the July 1 deadline. In the interim, Staff has directed applicants to conduct VMT analysis using existing, published guidelines in the San Diego Region. The City's Transportation Impact Analysis Guidelines will be tailored to the unique circumstances of Chula Vista.

DECISION-MAKER CONFLICT

Staff has reviewed the decision contemplated by this action and has determined that it is not site-specific and consequently, the real property holdings of the City Council members do not create a disqualifying real property-related financial conflict of interest under the Political Reform Act (Cal. Gov't Code § 87100, *et seq.*).

Staff is not independently aware and has not been informed by any City Council member, of any other fact that may constitute a basis for a decision-maker conflict of interest in this matter.

CURRENT-YEAR FISCAL IMPACT

This is an informational report and there is no fiscal impact associated with hearing the report.

ONGOING FISCAL IMPACT

This is an informational report and there is no ongoing fiscal impact associated with hearing the report.

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