

**CITY OF WALNUT CREEK
RESOLUTION NO. 20-70**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WALNUT CREEK
ADOPTING “VEHICLE MILES TRAVELED” THRESHOLDS OF SIGNIFICANCE AND
LOCAL CRITERIA FOR PURPOSES OF ANALYZING TRANSPORTATION IMPACTS
UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**

WHEREAS, the California Environmental Quality Act Guidelines (“CEQA Guidelines”) encourage public agencies to develop and publish generally applicable “thresholds of significance” to be used in determining the significance of a project’s environmental effects;

WHEREAS, CEQA Guidelines section 15064.7(a) defines a threshold of significance as “an identifiable quantitative, qualitative or performance level of a particular environmental effect, noncompliance with which means the effect will normally be determined to be significant by the agency and compliance with which means the effect normally will be determined to be less than significant”;

WHEREAS, CEQA Guidelines section 15064.7(b) requires that thresholds of significance must be adopted by ordinance, resolution, rule, or regulations, developed through a public review process, and be supported by substantial evidence;

WHEREAS, pursuant to CEQA Guidelines section 15064.7(c), when adopting thresholds of significance, a public agency may consider thresholds of significance adopted or recommended by other public agencies provided that the decision of the agency is supported by substantial evidence;

WHEREAS, Senate Bill 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;

WHEREAS, in 2018, the Governor’s Office of Planning and Research (“OPR”) proposed, and the California Natural Resources Agency certified and adopted, new CEQA 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;

WHEREAS, as a result, automobile delay, as measured by “level of service” (“LOS”) and other similar metrics, will generally no longer constitute a significant environmental effect under CEQA; and

WHEREAS, the City of Walnut Creek, following a public review process consisting of staff presentations before City Council, Planning Commission and Transportation Commission, wishes to adopt the following VMT thresholds for determining the significance of transportation impacts and local criteria as outlined in Exhibit A.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Walnut Creek that the City Council hereby approves and adopts the “vehicle miles traveled” thresholds of significance and local criteria for purposes of analyzing transportation impacts under the California Environmental Quality Act, as more particularly set forth on Exhibit A, attached hereto and incorporated herein by reference.

PASSED AND ADOPTED by the City Council of the City of Walnut Creek at a regular meeting thereof held on the 6th day of October 2020 by the following called vote:

AYES: Councilmembers: Francois, Silva, Wedel, Wilk, Mayor Haskew

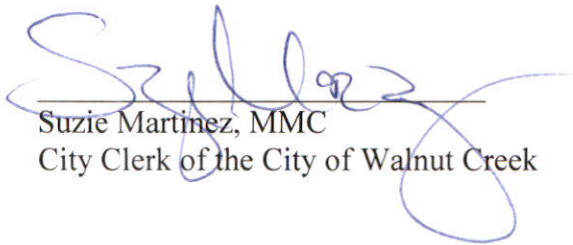
NOES: Councilmembers: None

ABSENT: Councilmembers: None



Loella Haskew
Mayor of the City of Walnut Creek

Attest:



Suzie Martinez, MMC
City Clerk of the City of Walnut Creek

EXHIBIT A

Metrics and Methods. Metrics and methods relate to what types of VMT are relevant for transportation analysis purposes, and how VMT should be calculated. Because SB 743 focuses on VMT generated by the amount and distance of automobile travel attributable to a project (i.e. reducing the amount of driving by residents and commuters), a full VMT metric has not been recommended by CCTA. Further, because SB 743 focuses on the review of the efficiency of travel resulting from a land use project, VMT estimates are divided by the number of residents, employees, etc. to calculate a per capita metric. This approach is consistent with other jurisdictions in California, and is largely consistent with the *Technical Advisory*. The suggested metrics developed by CCTA (see Attachment 1) by project type are as follows:

- Residential: Home-based VMT per resident
- Employment (i.e. office): Home-work “commute” VMT per employee
- Regional-serving (i.e. retail): Total VMT per service population¹
- Mixed-use projects: Analyze each component of project per the metrics above, or analyze the dominant land use in the mix of uses
- Non-standard projects: Analyze each component of travel generated by the project per the metrics above (i.e. for a hospital project, measure VMT by employees per the employment metric above, and measure VMT for patients using the regional-serving metric above)

The calculation of VMT generally requires information regarding the number of trips and the length of trips. CCTA recommends the use of the CCTA Contra Costa Countywide Travel Demand Model for use in the calculation of VMT. The model covers the entirety of the City of Walnut Creek, as well as other areas in the nine-county Bay Area, and generally accounts for the full length of trips (a key consideration for SB 743 VMT analysis). For non-standard land uses, or other land uses that may not be reflected well in the CCTA model, “Big Data” (companies that aggregate large sets of traffic data) can be used to supplement, confirm or replace trip length estimates from the CCTA model. However, the CCTA model will be used to establish baseline VMT information for CEQA purposes.

Thresholds of Significance. Thresholds of significance identify whether a project’s effect on VMT rises to the level of requiring mitigation. The State Office of Planning and Research (OPR) in its *Technical Advisory* has noted that a threshold of 15% below a baseline value would be reasonable; this threshold varies based on the baseline chosen. Similar to the metrics, the thresholds of significance also vary by project type. The suggested thresholds of significance by CCTA by project type are as follows:

A significant impact occurs when:

- Residential: Baseline project-generated home-based VMT per resident is higher than 85% of the existing County-wide average.
- Employment (i.e. office): Baseline project-generated home-work VMT is higher than 85% of the existing nine-county Bay Area-wide average.
- Regional-serving (i.e. retail): Baseline project-generated total VMT per service population is higher than 85% of the existing Countywide average.
- Mixed-use projects: Analyze each component of project per the thresholds above, or analyze the dominant land use in the mix of uses.
- Non-standard projects: Analyze each component of travel generated by the project per the thresholds above (i.e. for a hospital project, measure VMT by employees per the employment threshold above, and measure VMT for patients using the regional-serving threshold above)

The baseline for the thresholds should be set at the time that the Notice of Preparation for the CEQA analysis is released. Projects resulting in a significant and unavoidable impact versus the baseline require a cumulative scenario VMT analysis.

Screening Thresholds. In addition to the selection of thresholds of significance, the shift from LOS to VMT provides new screening options whereby projects meeting the criteria may not be required to perform a VMT analysis. These screening criteria are baselines and are subject to evaluation by City staff (i.e. City staff can deny the use of screening criteria if substantial evidence suggests that the project is not appropriate for screening) as part of the adoption process. The screening criteria developed by CCTA with input from Walnut Creek City staff and Planning Commission members include the following:

- CEQA Exemption: Any project that is exempt from CEQA is not required to conduct a VMT analysis.
- Small Projects: Small projects can be presumed to cause a less-than-significant VMT impact. “Small Projects” are defined as having 10,000 square feet or less of non-residential space or 20 residential units or less, or otherwise generating less than 836 VMT per day.²
- Local-Serving Uses: Projects that consist of Local-Serving Uses can generally be presumed to have a less-than-significant impact absent substantial evidence to the contrary, since these types of projects will primarily draw users and customers from a relatively small geographic area that will lead to short-distance trips, generally less than three miles, and trips that are linked to other destinations. Local-serving retail projects less than 30,000 square feet can be presumed to cause a less-than-significant VMT impact. Drive-thru uses cannot take any exemptions as part of the screening criteria.
- Projects Located in Transit Priority Areas (TPAs): Projects located within a TPA can be presumed to have a less-than-significant impact absent substantial evidence to the contrary. This exemption would not apply if the project:
 - Has a Floor Area Ratio (FAR) of less than 0.75;
 - Includes more parking for use by residents, customers, or employees than required by the lead agency (if the agency allows, but does not require the project to supply a certain amount of parking);
 - Is inconsistent with the applicable Sustainable Communities Strategy (SCS) (as determined by the lead agency, with input from the Metropolitan Transportation Commission (MTC));
 - or
 - Results in a net reduction in multi-family housing units.
- Projects Located in Low VMT Areas: Residential and employment-generating projects located within a low VMT-generating area can be presumed to have a less-than-significant impact absent substantial evidence to the contrary. A low VMT area is defined as follows:
 - For housing projects: Cities and unincorporated portions within CCTA’s five subregions that have existing home-based VMT per capita that is 85% or less of the existing County-wide average.
 - For employment-generating projects: Cities and unincorporated portions of CCTA’s five subregions that have existing home-work VMT per worker that is 85% or less of the existing regional average.
 - There is no definition of a low VMT area for Regional-Serving and Other Projects, since these projects always require a VMT analysis (unless they are screened out using other criteria).

- Mixed-use projects may qualify for the use of this screening criterion if they include only housing, employment-generating uses and local-serving uses, and can reasonably be expected to generate VMT per resident and/or per worker that is similar to the existing land uses in the low VMT area.
- Affordable Housing: Projects that provide affordable housing can be presumed to have a less-than-significant impact absent substantial evidence to the contrary. This exemption would apply if the project provides 100% affordable housing.

Mitigation Options. SB 743 does not change laws and regulations related to the General Plan, and the City may still require analysis of a project's effects on the circulation system to evaluate consistency with General Plan goals and policies (as part of a non-CEQA, informational analysis). Similarly, SB 743 does not change the City's AB 1600 traffic impact fee program, whereby fees are charged to land use projects to fund circulation system improvements. However, the shift from LOS to VMT for environmental analysis will fundamentally alter how mitigation measures related to CEQA Transportation analysis are defined and analyzed.

Instead of providing improvements that reduce congestion (e.g. a new turn lane), mitigation measures under VMT are designed to reduce the number of automobile trips generated or to reduce the distance driven by trips. These Transportation Demand Management (TDM) strategies include strategies related to parking, transit usage, encouraging a mix of uses onsite, and promoting active transportation. The effectiveness of TDM applied at a project-by-project level is difficult to quantify; however, the City is in the process of developing a Citywide TDM strategy, as identified in the [Rethinking Mobility](#) plan. Other longer-term, regional mitigation strategies include participation in a future CCTA VMT impact fee program, or participation in a future CCTA mitigation exchange/banking program.

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