

SANTA BARBARA COUNTY PLANNING COMMISSION

Staff Report for

CEQA Transportation Impact Thresholds Update to Comply with Senate Bill 743

Hearing Date: August 12, 2020

Staff Report Date: August 4, 2020

Environmental Document: Exempt pursuant to CEQA Guidelines Sections 15060(c) and 15378(b)

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1.0 REQUEST

Hearing on the request of the County of Santa Barbara (County) Planning and Development Department (P&D) for the County Planning Commission to:

1. Receive the report titled *Transportation Analysis Updates in Santa Barbara County* (Transportation Analysis Updates) (P&D and Fehr and Peers, July 2020) (Attachment A), regarding implementation of Senate Bill (SB) 743¹ (Steinberg, 2013);
2. Recommend that the Board of Supervisors (Board) adopt the proposed amendment to the Thresholds of Significance for Transportation Impacts, of the *Environmental Thresholds and Guidelines Manual* (County of Santa Barbara, P&D, August 2020) (Attachment B), to comply with SB 743 and the Guidelines for the Implementation of the California Environmental Quality Act (CEQA Guidelines) Section 15064.3, Determining the Significance of Transportation Impacts; and
3. Determine that the proposed amendment is not a project pursuant to CEQA Guidelines Sections 15060(c)(3) and 15378(b).

2.0 RECOMMENDATION AND PROCEDURES

Follow the procedures outlined below, receive the Transportation Analysis Updates (Attachment A), and recommend that the Board amend the Thresholds of Significance for Transportation Impacts, of the *Environmental Thresholds and Guidelines Manual* (Attachment B), regarding implementation of SB 743 and CEQA Guidelines Section 15064.3. The County Planning Commission's motion should include the following:

1. Recommend that the Board determine that the amendment to the *Environmental Thresholds and Guidelines Manual* (Attachment B) is not a project pursuant to CEQA Guidelines Section 15060(c)(3) and 15378(b)(5) (Attachment C).
2. Adopt a resolution recommending that the Board amend the County of Santa Barbara's *Environmental Thresholds and Guidelines Manual* (Attachment D), to replace the Thresholds of Significance for Transportation Impacts.

¹ Codified in the California Public Resources Code (PRC), Division 12, Chapter 2.7, Section 21099.

Please refer the matter to staff if the County Planning Commission takes other than the recommended actions.

3.0 JURISDICTION

The County Planning Commission is considering this project based on the following:

1. Santa Barbara County Code Section 2-25.2(b)(4), which defines the powers and duties of the County Planning Commission, as the designated planning agency of the County, including: “[s]uch other applications, proposals or matters that may be specifically assigned by the board of supervisors to the county planning commission.”
2. *County Guidelines for the Implementation of the California Environmental Quality Act*, Article V, Subsection F.3.b.(1), Process for thresholds amendment and adoption, which states:

The *Environmental Thresholds and Guidelines Manual* shall be periodically amended by the Board of Supervisors, as necessary to reflect new information or changed environmental circumstances ... In accordance with Board of Supervisors authorization, the Planning Commission will hold noticed public hearings in north and south county locations to consider ... (2) specific proposed changes to thresholds and guidelines, and/or (3) new thresholds and guidelines for additional topics ... The Planning Commission will provide direction for thresholds revisions and development of new thresholds, and will forward new or revised thresholds for final adoption by the Board of Supervisors.

The County Planning Commission will hold one rather than two hearings on the proposed amendment. One hearing is appropriate for the following reasons related to the COVID-19 pandemic and related state and local public health emergency:

- Planning Commission hearings no longer provide in-person participation given the California Governor's Stay-at-Home Executive Order N-33-20, issued on March 19, 2020, to protect the health and well-being of all Californians and to slow the spread of COVID-19, and guidance from the California Department of Public Health.
- The Planning Commission has conducted virtual hearings since March 2020. The County has established alternative methods of participation in these hearings, pursuant to the California Governor's Executive Order N-29-20, issued on March 17, 2020, which include the following:
 - Local legislative bodies are “authorized to hold public meetings via teleconferencing and to make public meetings accessible telephonically or otherwise electronically to all members of the public seeking to observe and to address the local legislative body;”
 - Providing an opportunity to “observe and address the meeting telephonically or otherwise electronically,” alone, meets the participation requirement; and
 - “Such a body need not make available any physical location from which members of the public may observe the meeting and offer public comment.”

- The following alternative methods of participation are available to the public, in addition to the traditional methods of submitting comment letters or emails:
 - The public may join the Planning Commission hearing online or by telephone.
- Residents throughout the county have an equal opportunity to participate via these virtual hearings.
- These provisions are in place during the period in which state or local public health officials have imposed or recommended social distancing measures.

The purpose of the requirement to hold public hearings in north and south county is to allow broader public participation. Because members of the public cannot currently participate from a physical location provided by the County and the public can currently participate virtually or by telephone from any location, the purposes of this requirement are currently served by holding a single virtual hearing.

4.0 ISSUE SUMMARY

SB 743 and, subsequently, CEQA Guidelines Section 15064.3, changed the transportation impact analysis under CEQA. As a result, the County will now use “vehicle miles traveled” (VMT) rather than “level of service” (LOS) or similar measures of vehicular capacity or traffic congestion to evaluate transportation impacts. Therefore, the County is updating the Thresholds of Significance for Transportation Impacts (Chapter 18) of the *Environmental Thresholds and Guidelines Manual* to shift from LOS to VMT-based metrics.

The County is using a four-step process to implement SB 743 and CEQA Guidelines Section 15064.3. Staff and its transportation consultant, Fehr & Peers, used the Santa Barbara County Association of Governments’ (SBCAG) Regional Transportation Demand Model (RTDM) to estimate VMT and develop the following: (1) VMT methodology, (2) screening criteria, (3) thresholds of significance, and (4) mitigation measures.

The provisions of SB 743 and CEQA Guidelines 15064.3 are challenging for rural and suburban parts of the state, like the unincorporated areas of Santa Barbara County. VMT is typically higher in counties than cities. In addition, the common measures to reduce VMT are generally less effective or infeasible to implement in predominantly suburban and rural areas like the unincorporated areas of Santa Barbara County. Therefore, staff analyzed VMT trends in the region, reviewed existing studies, and tested different screening criteria and thresholds of significance before making recommendations.

The County Planning Commission may consider the following staff recommendations related to VMT and SB 743 implementation:

- **Methodology for Estimating VMT:** The County needs to select methodologies and metrics to estimate VMT. Most importantly, staff recommends using the unincorporated areas of the county (i.e., entire Santa Barbara County, excluding incorporated cities) as the geographic boundary for estimating existing VMT for land use projects.

- **Screening Criteria:** The County may choose to adopt screening criteria to identify projects that would result in less than significant VMT impacts without conducting detailed VMT studies. Staff recommends using the Governor’s Office of Planning and Research’s (OPR) screening criteria for land use and transportation projects.
- **Thresholds – Land Use Project and Plan:** The County may choose its own VMT thresholds of significance. OPR recommends a threshold of 15 percent below existing VMT for land use projects and plans. Staff recommends adopting the same threshold.
- **Thresholds – Transportation Projects:** CEQA Guidelines Section 15064.3(b)(2) states that transportation projects that reduce or do not increase VMT have less than significant transportation impacts. Therefore, a significant impact would occur if a transportation project results in a net increase in VMT. Staff recommends adopting this threshold.

In addition to the information in this staff report, the proposed amendment to the *Environmental Thresholds and Guidelines Manual* (Attachment B) and the Transportation Analysis Updates (Attachment A) provide more details. The proposed amendment contains a step-by-step guide for assessing transportation impacts under CEQA. The transportation analysis contains background and technical information regarding the proposed VMT methodologies, thresholds of significance, and mitigation measures.

5.0 OVERVIEW

5.1 Background

On September 27, 2013, Governor Jerry Brown signed SB 743 into law and started a process that fundamentally changed the criteria for determining the significance of transportation impacts under CEQA. Specifically, SB 743 required new transportation significance criteria that “... promote the reduction of greenhouse gas [GHG] emissions, the development of multimodal transportation networks, and a diversity of land uses” [PRC Section 21099(b)(1)]. The legislative intent of SB 743 is to align transportation impact analyses with statewide goals to reduce GHG emissions, encourage infill development, and improve public health through active transportation.

SB 743 directed OPR and the California Natural Resources Agency to prepare and adopt revisions to the CEQA Guidelines that reflect this change [PRC Section 21099(b)(1)]. In December 2018, OPR published the *Technical Advisory on Evaluating Transportation Impacts in CEQA* (OPR Technical Advisory) (OPR, 2018) (Attachment F). This non-binding advisory recommends VMT methodologies, metrics, and thresholds of significance.

On December 28, 2018, the California Natural Resources Agency certified and adopted proposed revisions to CEQA Guidelines Section 15064.3, Determining the Significance of Transportation Impacts. The revisions include new criteria for determining the significance of a project’s transportation impacts. Specifically, CEQA Guidelines Section 15064.3(a) states, “[VMT] is the most appropriate measure of transportation impacts.” With this change, the County may no longer use LOS or similar measures of vehicular capacity or traffic congestion, as the basis for determining the significance of transportation impacts under CEQA [PRC Section 21099(b)(2) and CEQA Guidelines Section 15064.3(a)].

CEQA Guidelines Section 15064.3(a) defines VMT as “the amount and distance of automobile travel attributable to a project.” Depending on the type of project being analyzed, the VMT calculation can include all vehicle trips, including passenger and commercial vehicles, or only cars and light-duty trucks. VMT is generally expressed on a daily basis for a typical weekday.

CEQA Guidelines Section 15064.3(c) specifies when these changes take effect. It states, “A lead agency may elect to be governed by the provisions of this section immediately. Beginning on July 1, 2020, the provisions of this section shall apply statewide.” While updating the *Environmental Thresholds and Guidelines Manual* to comply with SB 743, P&D released an interim guidance document titled, *Advisory, Determining the Significance of Transportation Impacts under CEQA* (VMT Advisory) (Long Range Planning, June 2020) (Attachment G), for projects sent out for public CEQA review prior to the Board’s consideration of the proposed amendment to the *Environmental Thresholds and Guidelines Manual* (Attachment B).

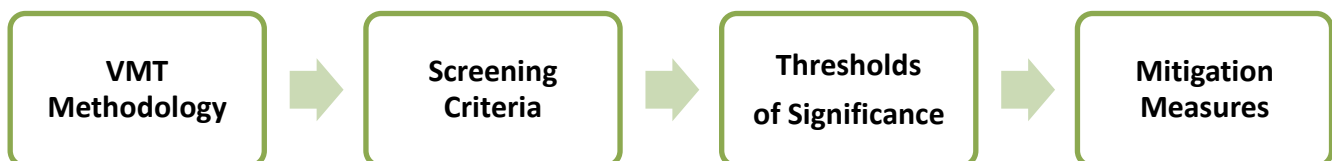
CEQA Guidelines Section 15064.3 and related amendments to the CEQA Guidelines apply prospectively. Specifically, CEQA Guidelines Section 15007(c) states that environmental documents that meet requirements in effect when the document is sent out for public review do not need to be revised to include new requirements taking effect before the lead agency fully approves the document. The effective date for CEQA Guidelines Section 15064.3 and statewide implementation of the VMT metric was July 1, 2020. Therefore, lead agencies that published environmental documents for public review before July 1, 2020, do not need revise these documents to include a VMT analysis.

5.2 Implementation

CEQA Guidelines Section 15064.7, Thresholds of Significance, encourages lead agencies to develop and adopt thresholds of significance through a public review process supported by substantial evidence. The four-step process for implementing SB 743 is described below and depicted in Figure 1.

1. The County must select the appropriate methodology and metrics for estimating VMT.
2. The County may adopt VMT screening criteria to quickly identify projects that will have a less than significant VMT impact without conducting detailed VMT analyses.
3. The County must develop thresholds of significance based on VMT metrics for land use projects, land use plans, and transportation projects.
4. The County can identify potential mitigation measures to reduce VMT for projects that may result in significant transportation impacts.

Figure 1
SB 743 Implementation Process



P&D hosted an Advisory Group consisting of staff from the County Public Works Department, SBCAG, and Fehr & Peers. The Advisory Group reviewed methodologies and metrics for estimating VMT and recommended screening criteria, thresholds of significance, and mitigation measures.

5.3 Key Decisions

The County must make several key decisions in the four-step SB 743 implementation process. The following subsections summarize staff's recommendations for each step in the implementation process. These recommendations generally follow the recommendations of the Advisory Group and those contained in the OPR Technical Advisory.

1. VMT Methodology:

SBCAG maintains the most comprehensive travel model that can estimate VMT at local and regional levels for Santa Barbara County. VMT metrics require a geographic boundary to define the extent of data to select and analyze. The average daily VMT can change based on the chosen boundary. CEQA Guidelines Section 15064.3 does not recommend a geographic boundary; rather, it defers to lead agencies to choose a geographic boundary to estimate VMT. The OPR Technical Advisory (Attachment F, page 15) recommends measuring VMT as regional VMT (i.e., VMT generated within all incorporated cities and unincorporated areas of a region) or as city VMT (i.e., VMT generated within a certain incorporated city) for residential projects. However, the advisory does not specifically define "region" and does not provide explicit direction to counties.

Staff recommends using the unincorporated areas of the county (i.e., entire Santa Barbara County, excluding incorporated cities) as the geographic boundary for estimating VMT. (See *Environmental Thresholds and Guidelines Manual*, subsection E.1, titled "County VMT," Attachment B). This staff report refers to VMT for the unincorporated areas as "county VMT." County VMT reflects all vehicle-trips that start and/or end in the unincorporated areas of Santa Barbara County. Establishing the unincorporated areas of the county as the geography for estimating VMT aligns with the area over which the County has land use jurisdiction per the County Comprehensive Plan. County VMT metrics reflect the differences in the built environment and land use context of the county, as compared to the incorporated cities, and will support the County's ability to establish thresholds of significance that reflect the goals and policies in the County Comprehensive Plan.

2. Screening Criteria:

Lead agencies may adopt screening criteria to streamline project review for VMT impacts. Screening criteria identify classes of projects based on size, location, and other factors that would have a less than significant VMT impact. Agencies presume a project that meets any of the screening criteria, absent substantial evidence to the contrary, would have a less than significant VMT impact and would not require further VMT analysis. A project that does not meet any of the screening criteria requires a VMT analysis and VMT transportation study.

The OPR Technical Advisory (Attachment F, pages 12 through 15, 20, and 21) contains VMT-impact screening criteria for land use projects. It also contains a list of transportation projects that should not lead to a substantial or measurable increase in vehicle travel and, therefore, should have a less than significant VMT impact. For example, a new office that generates less than 110 trips per day or new bike or pedestrian facility within the public right-of-way are presumed to have a less than significant VMT impact. As a result, lead agencies may screen out these projects from further review or analysis early in the environmental review process. Staff recommends that the County adopt OPR's screening criteria for land use projects and list of transportation projects. Tables 2 and 3 of the proposed amendment to the *Environmental Thresholds and Guidelines Manual* (Attachment B, pages 8 through 11) include the recommended screening criteria.

3. Thresholds of Significance:

CEQA Guidelines Sections 15064.3 and 15064.7 encourage agencies to develop thresholds of significance to determine the significance of transportation impacts. Lead agencies are encouraged to develop separate thresholds of significance for land use projects, land use plans, and transportation projects. The OPR Technical Advisory (Attachment F, pages 15 through 18) recommends lead agencies express thresholds of significance in relation to existing, or baseline VMT. Accordingly, staff recommends comparing the existing, or baseline, county VMT (i.e., pre-construction) to a project's or plan's VMT (i.e., post-construction). Projects or plans with VMT below the applicable threshold would normally result in a less than significant VMT impact and, therefore, would not require further analysis or mitigation.

OPR reviewed the California Air Resources Board's (CARB) *2017 Scoping Plan-Identified VMT Reductions and Relationship to State Climate Goals*² (CARB 2019) and other available research before identifying thresholds of significance that will help achieve the State's climate goals and is otherwise consistent with SB 743. The OPR Technical Advisory (Attachment F, page 10) recommends a threshold of significance of 15 percent below existing VMT for land use projects and plans. Staff recommends adopting these same thresholds based on the substantial evidence provided in the OPR Technical Advisory (Attachment F, pages 10 through 12). Tables 4 and 5 of the proposed amendment to the *Environmental Thresholds and Guidelines Manual* (Attachment B, pages 12 and 13) include the recommended thresholds of significance for land use projects and land use plans.

Staff and Fehr & Peers are developing a Project-Level VMT Calculator to help assess a land use project's VMT. The calculator will be available on P&D's website upon completion. The calculator will incorporate screening criteria, thresholds of significance, mitigation measures, and data from the SBCAG RTDM. Planners or applicants will enter the project type, location, size, zoning, and other key information into the calculator. The calculator will use this information to estimate the project's VMT. It will also determine whether the project would meet or exceed the applicable threshold of significance.

² California Air Resources Board (January 2019). *California Air Resources Board 2017 Scoping Plan-Identified VMT Reductions and Relationship to State Climate Goals*, available at: <https://ww2.arb.ca.gov/resources/documents/carb-2017-scoping-plan-identified-vmt-reductions-and-relationship-state-climate>

The OPR Technical Advisory (Attachment F) does not contain a threshold of significance for transportation projects. However, CEQA Guidelines Section 15064.3(b)(2) states, “Transportation projects that reduce, or have no impact on, vehicle miles traveled should be presumed to cause a less than significant transportation impact.” Staff recommends using this same threshold for transportation projects. (See *Environmental Thresholds and Guidelines Manual*, Attachment B, pages 13 and 14.)

4. Mitigation Options:

Projects and plans that exceed the thresholds of significance require the implementation of feasible project modifications or mitigation measures, in an effort to avoid or reduce VMT impacts to a less than significant level (i.e., below the applicable threshold of significance).

The OPR Technical Advisory (Attachment F) provides potential mitigation measures that can result in a reduction in vehicle travel. These types of measures are typically described as transportation demand management (TDM) strategies. However, the predominantly suburban and rural land use context of the county presents a challenge to the effectiveness of many common TDM strategies due to lower land use densities and limited travel options. Fehr & Peers helped identify potential mitigation measures to reduce VMT in the unincorporated areas of Santa Barbara County. Fehr & Peers referenced available research to determine the effectiveness of different mitigation measures and presented new concepts for potential mitigation for consideration as part of future planning efforts. Chapter 6, of the Transportation Analysis Updates (Attachment A, pages 36 through 40) provides additional information on mitigation measures and concepts.

Applicants should tailor mitigation measures to a project’s characteristics and potential impacts. They also must present substantial evidence to support any conclusions regarding whether the mitigation measures would reduce the impacts to a less than significant level or whether the impacts would remain significant and unavoidable. The VMT Calculator will help planners and applicants estimate the effectiveness of possible mitigation measures. If VMT impacts remain significant and unavoidable, decision makers would need to adopt a statement of overriding considerations in order to approve the project.

5.4 LOS-Based Policies and Standards

SB 743 and CEQA Guidelines Section 15064.3 prevent the County from using LOS or similar measures of automobile delay, vehicular capacity, or traffic congestion for determining the significance of transportation impacts under CEQA. However, SB 743 does not prevent the County from considering LOS or similar metrics as part of development review, community plans, or transportation plans outside of the CEQA process.

The Comprehensive Plan, including community plans, contains LOS-based policies and standards. As a result, LOS remains an important metric for transportation planning. Furthermore, new development must continue to comply with the Comprehensive Plan’s LOS-based policies and standards.

The County Public Works Department is updating the County's *Engineering Design Standards* (County of Santa Barbara, Public Works, September 2011). The updated standards will outline the requirements for LOS-based traffic studies that may still be required for development review, land use planning, policy consistency analysis, and other non-CEQA processes. The County will continue to apply LOS-based policies and standards outside of the CEQA process.

6.0 ENVIRONMENTAL REVIEW

The proposed amendment to the *Environmental Thresholds and Guidelines Manual* is not a project pursuant to CEQA Guidelines Sections 15060(c)(3) and 15378(b). Therefore, environmental review is not required. Please refer to Attachment C, Notice of Exemption, for additional information.

7.0 APPEALS PROCEDURE

An amendment to the *Environmental Thresholds and Guidelines Manual* requires final action from the Board and will be forwarded to the Board without an appeal; therefore, no appeal is required.

8.0 ATTACHMENTS

- A. Transportation Analysis Updates in Santa Barbara County (P&D and Fehr & Peers, July 2020)
- B. Amended Chapter 18, Thresholds of Significance for Transportation Impacts, of the *Environmental Thresholds and Guidelines Manual*
- C. Notice of Exemption
- D. Planning Commission Resolution Recommending Approval (Exhibit 1)
- E. Board of Supervisors Resolution to Amend the *Environmental Thresholds and Guidelines Manual* (Exhibit 1)
- F. *Technical Advisory on Evaluating Transportation Impacts in CEQA* (OPR, December 2018)
- G. Advisory, Determining the Significance of Transportation Impacts Under CEQA (P&D, June 5, 2020)