

RESOLUTION NO. 2023-08

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS
ADOPTING A POLICY IMPLEMENTING CALIFORNIA SENATE BILL
NO. 743 REGARDING TRANSPORTATION ANALYSIS UNDER THE CALIFORNIA
ENVIRONMENTAL QUALITY ACT (CEQA),
AND FINDING THAT THE ADOPTION OF THIS RESOLUTION IS EXEMPT FROM
REVIEW UNDER CEQA**

WHEREAS, Senate Bill No. 743 (SB 743) requires the City to use Vehicle Miles Travelled (VMT) to evaluate project transportation impacts for purposes of the California Environmental Quality Act (CEQA) rather than Level of Service (LOS); and

WHEREAS, the Governor’s Office of Planning and Research (OPR) CEQA Guidelines require every public agency in California to determine its own VMT thresholds of significance based on OPR guidance; and

WHEREAS, to implement OPR’s guidance, staff proposes the adoption of the City policies attached hereto as **Attachment A**; and

WHEREAS, the City Council held a public meeting on February 14, 2023, on the proposed policies implementing SB 743; and after considering the whole record determined the policies are consistent with SB 743; and

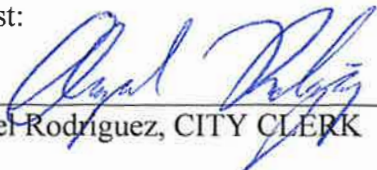
WHEREAS, the adoption of the thresholds of significance described in **Attachment A** is not subject to CEQA review pursuant to Public Resources Code Section 21065 (definition of a CEQA “project”), CEQA Guidelines Section 15064.7 (requirements for adopting thresholds of significance), and CEQA Guidelines Section 15061(b)(3) (commonsense exemption);

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Los Altos hereby finds that the foregoing recitals are true and correct and approves and adopts the City policies attached hereto as **Attachment A**.

I HEREBY CERTIFY that the foregoing is a true and correct copy of a Resolution passed and adopted by the City Council of the City of Los Altos at a meeting thereof on the 14th day of February 2023 by the following vote:

AYES: Councilmembers Fligor, Dailey, Lee Eng, Vice Mayor Weinberg, Mayor Meadows
NOES: None
ABSENT: None
ABSTAIN: None


Sally Meadows, MAYOR

Attest:

Angel Rodriguez, CITY CLERK

**ATTACHMENT A
CITY POLICY ESTABLISHING THRESHOLDS OF SIGNIFICANCE USING
VEHICLE MILES TRAVELLED (VMT) TO MEASURE
TRANSPORTATION IMPACTS**

CEQA Project Screening Criteria

Projects shall be presumed to have a less-than-significant transportation impact if they meet any of the following screening criteria:

1. **Small Projects**: Any development that would generate fewer than 110 daily vehicle trips. Examples include:
 - a. Single-Family residential developments with 12 units or fewer units;
 - b. Multi-Family residential developments with 20 or fewer units;
 - c. Office development of 10,000 sf or less; and
 - d. Childcare facilities with fewer than 65 children.
2. **Local-Serving Retail**: Retail commercial projects comprised of stores of up to 60,000 gross square feet.
3. **Local-Serving Public Facilities**: Local-serving public facilities (publicly owned or controlled), excluding all private schools, high schools and middle schools. Examples of these projects include a park, branch library, community or senior center, fire station, and public elementary school.
4. **Affordable Housing**: Projects comprised of 100 percent affordable housing units.
5. **Map-Based Screening**: Residential and employment land use projects located in areas of low VMT, defined as exhibiting VMT that is 15 percent or greater below the existing average VMT. Average VMT per capita or per employee baseline values are obtained from VTA and may be amended periodically (subject to the reasonable discretion of the Community Development Director) to reflect the best available data and most relevant base year. For employment land use projects, the citywide average per capita VMT shall be used, and for residential land use projects, the regional nine-county Bay Area average per employee VMT shall be used.
6. **Transit Proximity**: All land -use projects located within one- half mile of a major transit stop, or a stop along a high- quality transit corridor, pursuant to State definitions for such facilities, unless any of the following factors are exhibited by the project:
 - a. Floor Area Ratio (FAR) of less than 0.75;
 - b. Provides more parking than required by the City Code; or
 - c. Replaces affordable housing with a fewer number of affordable units.

7. Existing Uses: Redevelopment projects that replace existing VMT-generating uses and result in a net decrease in total VMT shall be presumed to cause a less than significant impact. For redevelopment projects that result in a net increase in total VMT, the screening criteria for each land use will be based on the size of the proposed development without any credit for the existing use.
8. Transportation Projects: Transportation projects that reduce or do not increase VMT. Examples include transportation projects that enhance pedestrian, bike, or transit infrastructure, and transportation projects that maintain current infrastructure, without adding new automobile capacity.

CEQA Thresholds of Significance

For projects not screened out with a presumption of less-than-significant impact on VMT based upon the above criteria, the following thresholds of significance shall apply to the corresponding project types to determine the transportation impact level of significance:

1. Residential Land Use Projects: A proposed project exceeding a level of 15 percent below the existing regional nine-county Bay Area average VMT per capita shall be presumed to cause a significant transportation impact.
2. Office and Retail Land Use Projects: A proposed project exceeding a level of 15 percent below existing Los Altos citywide average VMT per employee shall be presumed to cause a significant transportation impact.
3. Non-Local Serving Uses: A proposed non-local serving school (e.g. private schools, junior high schools, high schools, magnate schools, and charter schools), congregate care facilities/ assisted living, medical/dental office, research and development space, industrial, manufacturing, and warehouse uses should be treated as office for screening and analysis.
4. Other Uses: Religious institutions, business hotels, and athletic clubs should be treated as retail for screening and analysis.
5. Mixed-Use Projects: Each land use within a mixed-use project, shall be evaluated independently by applying the most appropriate threshold of significance from above to each land use type included in the project, given project-specific information.
6. Changing or Adding to Existing Use: Changes of use or additions to existing development that are not screened out will be analyzed based on the significance thresholds for each land use component described above.

7. Land Use Plans: For General Plan Amendments, Specific Plans or Other Area Plans, each land use component will be analyzed independently, applying the significance thresholds listed above for each land use component.
8. Transportation Projects: A net increase in VMT greater than that consistent with the Regional Sustainable Communities Strategy shall be presumed to cause a significant transportation impact.

Mitigation of Significant Impacts

To mitigate VMT impacts, the project shall be conditioned for implementation of mitigation measures in the following categories:

1. Modify the project to reduce VMT generated by the project, such as a reduction in size, intensity, number of students, etc;
2. Implement multimodal transportation improvements to reduce VMT generated by the project such as implementing bike lanes, improving the pedestrian network, implementing traffic calming, increase transit accessibility, and improve network connectivity. These improvements require coordination with City staff and additional studies to determine feasibility. Ideally, consultants should use the City's approved plans which contain various transportation improvements to bicycle, pedestrian, and roadway as VMT mitigation.
3. Implement transportation Demand Management (TDM) measures to reduce VMT generated by the project; and/or
4. Participate in a VMT fee program and/or VMT mitigation exchange/banking program (if they exist) to reduce VMT from the project or other land uses to achieve acceptable levels.

Applicability of Policy (Pipeline Provisions)

This policy is effective immediately upon approval by the City Council (the "Effective Date"), provided that for any active project for which a draft environmental review document was published prior to the Effective Date, the policies in effect as of the publication date shall determine the transportation analysis required for the project.

Implementation, Interpretation, and Savings

The Development Services Director is authorized and instructed to adopt such rules, procedures, or forms as may be necessary or convenient to implement this policy, and to resolve any ambiguity that may arise in the application of this policy to individual circumstances. If a court of competent jurisdiction determines that any portion of this policy is invalid or unenforceable, then the court is authorized and instructed to modify the same to effectuate as closely as possible the City Council's original intent in adopting this policy.