



**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

MEETING DATE: 11/10/2021

ITEM NO: 5

DATE: November 5, 2021
TO: Planning Commission
FROM: Joel Paulson, Community Development Director
SUBJECT: Review the Draft Updated Traffic Impact Policy and Provide Feedback.

RECOMMENDATION:

Review the Draft Updated Traffic Impact Policy (Draft Policy) and provide feedback.

BACKGROUND:

California Senate Bill (SB) 743, which was signed into law by Governor Brown in 2013, changes the way that public agencies evaluate the transportation impacts of projects under the California Environmental Quality Act (CEQA), recognizing that roadway congestion, while an inconvenience to drivers, is not itself an environmental impact. At its November 17, 2020 meeting, the Town Council adopted a resolution designating the use of vehicle miles traveled (VMT) as the metric for conducting transportation analyses pursuant to CEQA and establishing the thresholds of significance to comply with SB 743.

The transition to using VMT as the metric for transportation analyses pursuant to CEQA has necessitated an update to the current Traffic Impact Policy. The draft 2040 General Plan Implementation Program identifies a program called Transportation Analysis Guidelines: “Develop and adopt transportation analysis (TA) guidelines that define the VMT analysis methods, significant impact thresholds, Travel Demand Management programs, and mitigation programs consistent with the requirements of SB 743.”

At its June 10, 2020 meeting, the Planning Commission received an update on the VMT transition for CEQA analysis.

PREPARED BY: Ying Smith
Transportation and Mobility Manager

Reviewed by: Parks and Public Works Director, Planning Manager, and Community Development Director

DISCUSSION:

The Draft Updated Traffic Impact Policy (Exhibit 1) includes major updates to the current policy. The new content in the Draft Policy is simplified by separating out the different elements of the Draft Policy. The proposed revisions, including supporting documents, also enhance the details used to determine what projects are subject to the Draft Policy and subsequently the technical requirements used in preparing analyses.

The Draft Policy is organized as follows:

Section I. General Conditions and Applicability: This includes the language in the current policy in sections II-1, II-2, VII-2, and VII-3. Minor edits were provided for clarity and consistency.

Section II. Traffic Impact Mitigation Fees: This includes the original language in sections III-1, 2, 3, 4, and V.

Section III. VMT Mitigation Measures: This is a new addition specific to VMT.

Attachment 1 - Transportation Analysis (TA) Guidelines: This new document provides detailed guidance in conducting analyses.

Attachment 2 - Town of Los Gatos Traffic Mitigation Improvements Project List: No change was made to the current Attachment 1. The attachment was re-numbered.

Attachment 3 - VMT Reduction Actions for the Town of Los Gatos: This new attachment provides supporting documentation for mitigation actions projects will need to take. This attachment is not all inclusive, but rather provides categories and examples.

Attachment 4 - Definitions: This list of definitions was expanded and modified to be consistent with the definitions in the Town Municipal Code, Chapter 15, Article VII, Traffic Impact Mitigation Fees, and Resolution 2020-045.

Attachment 1, TA Guidelines, was prepared to reflect Resolution 2020-045, Designating the Use of Vehicle Miles Traveled as the Metric for Conducting Transportation Analyses Pursuant to the California Environmental Quality Act and Establishing the Thresholds of Significance to Comply with California Senate Bill 743. The Town continues to require Level of Service (LOS) analysis to assess impacts from new developments on the local roadway performance.

The TA guidelines have many technical details therefore it is more appropriate to be included as an attachment to the Draft Policy. The key elements and changes from the current policy are that it:

1. Explains the different requirements for transportation analyses for different project types: land use entitlements, land use projects; and transportation improvements.
2. Establishes different analysis guidelines per the CEQA Guidelines, Congestion Management Program compliance, and Town's transportation policies.
3. Establishes the different procedures to evaluate land use projects that are compliant with the General Plan and those that are not.
4. Establishes the VMT analysis methods and provides guidance for projects to propose VMT mitigation measures.
5. Establishes the guidelines for CEQA analysis for transportation projects.
6. Enhances the guidelines for LOS analysis for land use projects and provides guidance on proposing transportation improvements to address a deficiency caused by a project.

To complete the VMT transition work the Town will need to complete the environmental review for the General Plan update and complete the update to the Town's Traffic Impact Mitigation Fees program.

The Town is in the process of updating the General Plan and the Draft Environmental Impact Report (DEIR) for the 2040 General Plan was released for public review in July 2021. The 2040 General Plan DEIR identifies significant but unavoidable transportation impacts and the mitigation measures. The Town is taking a townwide approach for VMT impact mitigation. The Draft Policy includes the VMT Reduction Actions that provides a framework for mitigating VMT in the Town.

One of the implementation actions would be to update the Traffic Impact Mitigation Fees program and prepare a nexus study to incorporate the VMT reduction strategies. As an immediate next step, staff is planning to bring a recommendation to the Town Council to issue a Request for Proposals to select a consultant for the services. Updating the Traffic Impact Mitigation Fees program will be required to provide a path for land use projects to complete CEQA clearance.

CONCLUSION:

Staff recommends the Planning Commission review the Draft Updated Traffic Impact Policy and provide feedback.

ENVIRONMENTAL ASSESSMENT:

This is not a project defined under CEQA, and no further action is required.

EXHIBIT:

1. Draft Updated Traffic Impact Policy

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