

PC RESOLUTION NO. 2020-10

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF TEMECULA RECOMMENDING THAT THE CITY COUNCIL ADOPT A RESOLUTION ADOPTING THE CEQA TRANSPORTATION VMT ANALYSIS GUIDELINES FOR PURPOSES OF ANALYZING TRANSPORTATION IMPACTS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (“CEQA”), AND MAKING A FINDING OF EXEMPTION UNDER CEQA (LONG RANGE PLANNING PROJECT NO. LR18-1506)

THE PLANNING COMMISSION OF THE CITY OF TEMECULA DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Procedural Findings. The Planning Commission of the City of Temecula does hereby find, determine and declare that:

A. 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; and

B. CEQA Guidelines section 15064.7 (a) defines a threshold of significance as “an identifiable quantitative, qualitative or performance level of a particular environmental effect, non-compliance 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 less than significant”; and

C. 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; and

D. 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; and

E. 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; and

F. 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; and

G. As a result, automobile delay, as measured by “level of service” and other similar metrics, generally no longer constitutes a significant environmental effect under CEQA; and

H. CEQA Guidelines section 15064.3 goes into effect on July 1, 2020, though public agencies may elect to be governed by this section immediately; and


I. Staff worked with Fehr & Peers to revise the City’s Traffic Impact Analysis (“TIA”) Guidelines and include a VMT Section (CEQA Transportation VMT Analysis Guidelines (“VMT Analysis Guidelines”)) to ensure consistency with SB 743; and

J. On April 22, 2020, at a duly noticed public hearing, the Planning Commission, considered staff’s presentation and reviewed the recommended thresholds of significance and the VMT Analysis Guidelines.

Section 2. Environmental Findings. The Planning Commission hereby makes the following environmental findings and determinations in connection with the adoption of this resolution:

In accordance with the California Environmental Quality Act (“CEQA”), the Planning Commission has been determined that the adoption of the VMT Thresholds and CEQA Transportation VMT Analysis Guidelines, which is an action consistent with Senate Bill (“SB”) 743, will not result in a direct or reasonably foreseeable indirect physical change in the environment, and thus the Thresholds and VMT Analysis Guidelines are not subject to CEQA (14 CCR § 15378(a)). In addition, the Thresholds and VMT Analysis Guidelines are not a “project” within the meaning of CEQA pursuant to 14 CCR § 15378(b)(5) and constitute an action involving procedures for the protection of the environment, which is exempt from CEQA pursuant to 14 CCR § 15308. Finally, if the Thresholds and VMT Analysis Guidelines are determined to be subject to CEQA, they are exempt therefrom because it can be seen with certainty that there is no possibility that these amendments will have a significant effect on the environment. (14 CCR § 15061(b)(3).)

Section 3. Recommendation. The Planning Commission hereby recommends that the City Council of Temecula adopt the Resolution attached hereto as Exhibit “A” adopting the CEQA Transportation VMT Analysis Guidelines (which is included as Attachment A to the City Council resolution) as part of the Traffic Impact Analysis Guidelines thereby establishing the VMT thresholds of significance for transportation impact analysis under CEQA.


Lanae Turley-Trejo, Chairperson

Luke Watson
Secretary

RESOLUTION NO. 2020-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA TO ADOPT THE CEQA TRANSPORTATION VMT ANALYSIS GUIDELINES FOR PURPOSES OF ANALYZING TRANSPORTATION IMPACTS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT ("CEQA") AND MAKING A FINDING OF EXEMPTION UNDER CEQA (LONG RANGE PLANNING PROJECT NO. (LR18-1506).

THE CITY COUNCIL OF THE CITY OF TEMECULA DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Procedural Findings. The City Council of City of Temecula does hereby find, determine and declare that:

A. 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; and

B. CEQA Guidelines section 15064.7 (a) defines a thresholds 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 less than significant"; and

C. 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; and

D. 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; and

E. 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; and

F. 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; and

G. As a result, automobile delay, as measured by “level of service” and other similar metrics, generally no longer constitutes a significant environmental effect under CEQA; and

H. CEQA Guidelines section 15064.3 goes into effect on July 1, 2020, though public agencies may elect to be governed by this section immediately; and

I. Staff worked with Fehr & Peers to revise the City’s Traffic Impact Analysis (“TIA”) Guidelines and include a VMT Section (CEQA Transportation VMT Analysis Guidelines (“VMT Analysis Guidelines”)) to ensure consistency with SB 743; and

J. On April 22, 2020, at a duly noticed public hearing, the Planning Commission, considered staff’s presentation and reviewed the recommended thresholds of significance and the VMT Analysis Guidelines and recommended that the City Council adopt the VMT Analysis Guidelines; and

K. On April 23, 2020, at a duly noticed public hearing, the Public Traffic Safety Commission considered staff’s presentation and reviewed the recommended thresholds of significance and the VMT Analysis Guidelines and recommended that the City Council adopt the VMT Analysis Guidelines.

Section 2. Environmental Findings. The City Council hereby makes the following environmental findings and determinations in connection with the adoption of this resolution:

In accordance with the California Environmental Quality Act (“CEQA”), the City Council has been determined that the adoption of the VMT Thresholds and CEQA Transportation VMT Analysis Guidelines, which is an action consistent with Senate Bill (“SB”) 743, will not result in a direct or reasonably foreseeable indirect physical change in the environment, and thus the thresholds and VMT Analysis Guidelines are not subject to CEQA (14 CCR § 15378(a)). In addition, the thresholds and VMT Analysis Guidelines are not a “project” within the meaning of CEQA pursuant to 14 CCR § 15378(b)(5) and constitute an action involving procedures for the protection of the environment, which is exempt from CEQA pursuant to 14 CCR § 15308. Finally, if the thresholds and VMT Analysis Guidelines are determined to be subject to CEQA, they are exempt therefrom because it can be seen with certainty that there is no possibility that these amendments will have a significant effect on the environment. (14 CCR § 15061(b)(3).)

Section 3. Further Findings. The City Council of the City of Temecula hereby finds the thresholds of significance identified in the VMT Analysis Guidelines have been developed through a public review process and are supported by substantial evidence, as required by CEQA Guidelines section 15064.7.

Section 4. Approval of VMT Analysis Guidelines. The City Council of the City of Temecula hereby adopts the CEQA Transportation VMT Analysis Guidelines attached hereto as Exhibit “A” as part of the Traffic Impact Analysis Guidelines thereby establishing the VMT thresholds of significance for transportation impact analysis under CEQA.

Section 5. Certification. The City Clerk shall certify the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Temecula this day of May, 2020.

James Stewart, Mayor

ATTEST:

Randi Johl, City Clerk

[SEAL]

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss
CITY OF TEMECULA)

I, Randi Johl, City Clerk of the City of Temecula, do hereby certify that the foregoing Resolution No. 2020- was duly and regularly adopted by the City Council of the City of Temecula at a meeting thereof held on the day of May, 2020, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

Randi Johl, City Clerk