



Legislation Details (With Text)

File #: 23-181 **Version:** 1 **Name:**

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File created: 2/14/2023 **In control:** Planning Commission

On agenda: 3/8/2023 **Final action:**

Title: SUBJECT: General Plan Amendment #23-01, initiated by the City of Merced, involving amendments to the Merced Vision 2030 General Plan Transportation Policy T-1.8 to require the use of Vehicle Miles Traveled (VMT) Thresholds and Guidelines when evaluating the environmental impacts of development projects under the California Environmental Quality Act (CEQA) and to adopt by reference the VMT Thresholds and Guidelines as recommended by the Merced County Association of Governments (MCAG) in November 2022. *****PUBLIC HEARING****

ACTION PLANNING COMMISSION:
 Recommendation to City Council
 Environmental Review #23-02 (Statutory Exemption)
 General Plan Amendment #23-01
CITY COUNCIL:
 Approve/Disapprove/Modify
 Environmental Review #23-02 (Statutory Exemption)
 General Plan Amendment #23-01

SUMMARY
 The proposed General Plan Amendment would clarify that the City of Merced would be using the Vehicle Miles Traveled (VMT) metric to evaluate the transportation impacts of development projects under the California Environmental Quality Act (CEQA) instead of Level of Service (LOS) consistent with recent amendments to State Law. The amendment would also adopt by reference the VMT Thresholds and Implementation Guidelines as adopted by the Merced County Association of Governments (MCAG) in November 2022. Staff is recommending approval.

RECOMMENDATION
 Planning staff recommends that the Planning Commission recommend approval to the City Council of Environmental Review #23-02 [Statutory Exemption] and General Plan Amendment (including the adoption of the Draft Resolution at Attachment A) subject to the findings in Exhibit A and draft amendments in Exhibit B of the Draft Resolution at Attachment A.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Att A--PC Res 4106.pdf, 2. Att B--MCAG Guidelines.pdf, 3. Att C--Env Rev 23-01.pdf, 4. Att D--Presentation.pdf

Date	Ver.	Action By	Action	Result
3/8/2023	1	Planning Commission	recommended for approval	Pass

Planning Commission Staff Report

Report Prepared by: Kim Espinosa, Planning Manager, Development Services Department

SUBJECT: General Plan Amendment #23-01, initiated by the City of Merced, involving amendments to the Merced Vision 2030 General Plan Transportation Policy T-1.8 to require the

use of Vehicle Miles Traveled (VMT) Thresholds and Guidelines when evaluating the environmental impacts of development projects under the California Environmental Quality Act (CEQA) and to adopt by reference the VMT Thresholds and Guidelines as recommended by the Merced County Association of Governments (MCAG) in November 2022. ***PUBLIC HEARING**

ACTION

PLANNING COMMISSION:

Recommendation to City Council

- 1) Environmental Review #23-02 (*Statutory Exemption*)
- 2) General Plan Amendment #23-01

CITY COUNCIL:

Approve/Disapprove/Modify

- 1) Environmental Review #23-02 (*Statutory Exemption*)
- 2) General Plan Amendment #23-01

SUMMARY

The proposed General Plan Amendment would clarify that the City of Merced would be using the Vehicle Miles Traveled (VMT) metric to evaluate the transportation impacts of development projects under the California Environmental Quality Act (CEQA) instead of Level of Service (LOS) consistent with recent amendments to State Law. The amendment would also adopt by reference the VMT Thresholds and Implementation Guidelines as adopted by the Merced County Association of Governments (MCAG) in November 2022. Staff is recommending approval.

RECOMMENDATION

Planning staff recommends that the Planning Commission recommend approval to the City Council of Environmental Review #23-02 [Statutory Exemption] and General Plan Amendment (including the adoption of the Draft Resolution at Attachment A) subject to the findings in Exhibit A and draft amendments in Exhibit B of the Draft Resolution at Attachment A.

DISCUSSION

Project Description

In general, the proposed General Plan Amendment would clarify that the City of Merced would be using the Vehicle Miles Traveled (VMT) metric to evaluate the transportation impacts of development projects under the California Environmental Quality Act (CEQA) instead of Level of Service (LOS) consistent with recent amendments to State Law. The amendment would also adopt by reference the VMT Thresholds and Implementation Guidelines as adopted by the Merced County Association of Governments (MCAG) in November 2022. The changes are contained in the Draft at Exhibit B of Planning Commission Resolution #4106 (Attachment A).

Background

The California Environmental Quality Act (“CEQA”) was enacted by the State of California in 1970 to ensure the long-term protection of the environment and requires public agencies to analyze and disclose the potential effects of their actions on the environment. The California Governor’s Office of Planning and Research (OPR) develops the CEQA Guidelines to interpret CEQA statutes and published court decisions, including several appendices to the CEQA Guidelines that contain forms and guidance for lead agencies when performing environmental review.

The City of Merced, as a lead agency on certain projects, implements CEQA. Public agencies in California including the City have historically relied on a metric known as “Level of Service” (“LOS”) to evaluate the transportation impacts of development projects under CEQA. Pursuant to establishment of LOS methodology, LOS is utilized to measure automobile delay at intersections and road segments and is represented as a letter grade from A to F, where LOS A represents little to no automobile delay, while LOS F represents congestion conditions with substantial amounts of automobile delay.

Senate Bill 743 (“SB 743”), enacted in 2013 and codified in Public Resources Code Section 21099, required changes to the CEQA Guidelines replacing LOS as the metric to evaluate transportation impacts of development projects with a more appropriate metric. In 2018, OPR proposed, and the California Natural Resources Agency certified and adopted, new CEQA Guidelines Section 15064.3 that identifies Vehicle Miles Traveled (VMT) as the most appropriate metric to evaluate a project’s transportation impacts. VMT means the amount and distance of automobile travel attributable to a project. CEQA Guidelines Section 15064.3 went into effect on July 1, 2020, and eliminated LOS as a viable metric by which to evaluate the transportation impacts of development projects under CEQA. LOS remains a relevant metric with which to assess a project’s impacts to traffic and consideration of a project’s overall consistency with the City’s General Plan and may also be used as a tool for transportation planning and operational analysis.

Findings/Considerations

Please refer to Exhibit A of the Draft Planning Commission Resolution at Attachment A.

ATTACHMENTS

- A) Planning Commission Resolution #4106
- B) MCAG VMT Thresholds and Guidelines
- C) Environmental Review (Statutory Exemption)
- D) Presentation