

Agenda Report

February 10, 2014

TO: Honorable Mayor and City Council

THROUGH: Municipal Services Committee (January 28, 2014)

FROM: Planning & Community Development Department

**SUBJECT: REVISING THRESHOLDS OF SIGNIFICANCE FOR TRAFFIC IMPACTS –
IMPACT OF TIMING ON PROJECTS**

RECOMMENDATION:

It is recommended that should the City Council approve revised thresholds of significance for traffic impacts that the new thresholds not apply to projects that have been both:

- Deemed complete and
- Executed a memorandum of understanding to prepare a traffic study.

As further described in Option Five in the Background section of this report.

ADVISORY COMMISSION RECOMMENDATION:

The Planning Commission and the Transportation Advisory Commission approved staff's recommendation without any changes on December 11, 2013 and December 9, 2013, respectively.

BACKGROUND:

When developing major policy changes, such as this, the question of which projects the new rules will apply to causes a sense of uncertainty for the development community and the public at large. By deciding this issue now the City will help create certainty in the processing of cases and focus the discussion on the substance, not the timing, of the policy.

One of the four foundations to the update to the General Plan is that the City should, "Plan for walking, biking, and transit." This corresponds with Guiding Principle Five, "Pasadena will be a city where people can circulate without a car" and is supported by numerous existing policies and proposed new policy topic areas. In addition, California State Senate Bill 743 (SB 743), signed by the Governor in September of 2013, gave direction to the California Office of Planning and Research to develop a new metric for measuring transportation impacts beyond level of service (LOS) which would promote a

reduction in greenhouse gas emissions, encourage alternatives to driving, and create areas of higher accessibility. Given this direction, both statewide and locally, it is necessary to revise current practices so that they correspond with the existing and proposed direction in the General Plan and the State.

When a project has been determined to be subject to the California Environmental Quality Act, (CEQA) the project must be analyzed to determine whether or not it will have a significant effect on the environment. In relation to traffic and transportation, the City has specific metrics and thresholds that determine whether the impact created by a project is significant; CEQA calls these thresholds of significance. The City's current thresholds of significance examine a project's impact on an intersection's level of service and on a specific segment of a street. Both of these metrics – level of service and the segment impact – only examine the impact a project will have on car traffic; they do not explore a project's impact on pedestrians, bicyclists and transit users. Due to this inconsistency between policy and practice, staff plans to bring forward to the Transportation Advisory Commission, Planning Commission and City Council, recommendations on new metrics and revised thresholds of significance for traffic and circulation impacts.

ANALYSIS:

The first step in revising the metrics and thresholds is to determine which projects in the development review pipeline would be required to use the new thresholds. This report outlines five options and offers points to consider in each option.

Option One: Submittal of an Application for an Entitlement

In this first option, once the City Council adopts revised thresholds of significance these new thresholds would apply to any new application submitted thereafter. Any application submitted prior to approval of the new thresholds would undergo review based on existing thresholds. This option would cause the furthest delay in usage of the revised thresholds.

Option Two: Application Deemed Complete

In this second option, new thresholds would apply to any new project applications that the Planning Division subsequently deems complete. Any applications deemed complete prior to approval of the new thresholds would undergo review based on existing threshold criteria. This would expand the number of projects using the thresholds, in comparison with Option One. However, since a traffic study is not required to deem an application complete, and may not be executed for a considerable period of time, there is no substantial reason why the project should not undergo review based on new traffic thresholds.

Option Three: Release of a Notice of Preparation

In this third option, once the City Council adopts revised thresholds of significance these new thresholds would apply to any new project that subsequently releases a Notice of Preparation. Projects that release a Notice of Preparation prior to City Council adoption of new thresholds of significance would be reviewed based on existing threshold criteria. This option would apply the revised thresholds to more projects than Options One or Two. However, a Notice of Preparation (NOP) is only released for an EIR project; NOPs are not released for projects that require a Negative Declaration or Mitigated Negative Declaration. Unfortunately, there is no parallel to the Notice of Preparation and no clear point when analysis begins for projects that require a Negative Declaration or Mitigated Negative Declaration.

Option Four: Execution of a Memorandum of Understanding to Prepare a Traffic Study

In this fourth option, once the City Council adopts revised thresholds of significance these new thresholds would apply to any new project for which the City subsequently executes a MOU to prepare a traffic study. Any projects that have already executed a MOU would undergo review based on existing thresholds. For background, applicants are not allowed to prepare their own traffic studies for use with CEQA. Instead, applicants must sign a memorandum of understanding (MOU) with the Department of Transportation (DOT), at which time staff hires a traffic-engineering firm to prepare a traffic study. At the request of the applicant, the DOT can execute the MOU at any point in the development review process. Under this option, it would be possible for project applicants to secure usage of the existing thresholds early in the development review process and thus the revised thresholds could apply to as few projects as Option One.

Option Five: Application Deemed Complete and MOU to Prepare a Traffic Study Executed (Staff's Recommendation)

In this hybrid option, once the City Council adopts revised thresholds of significance, the new thresholds would apply to projects that have not been deemed complete and/or have not executed a traffic study MOU. Any projects that have both been deemed complete and have executed a traffic study MOU would undergo review based on existing thresholds.

Staff's recommendation accounts for two main issues highlighted in the options above. It applies the revised thresholds to more projects than Option One. It also addresses cases where a project may be deemed complete but a traffic study MOU has not yet been signed. In these cases, since the traffic analysis has not begun there is no substantive reason why the project's traffic study should not use the new thresholds.

Once a traffic study MOU is signed and the project has been deemed complete, the applicant nor the City may not modify the methodology and metrics of the traffic study nor require the applicant to prepare an additional traffic study using the newly adopted metrics. Allowing a project to change its methodology while a traffic study is being prepared or after a study is prepared would unfairly delay a project.

NEXT STEPS:

The Department of Transportation (DOT) has begun preparing a traffic model that will assist in the preparation of new traffic metrics and associated thresholds of significance. In April 2014, DOT will meet with the public to review draft recommendations on these new metrics and thresholds. After making appropriate modifications to the recommendations, DOT staff will bring these recommendations to the Transportation Advisory Commission, Planning Commission and the City Council for review and approval.

COUNCIL POLICY CONSIDERATION:

The adoption of revised mobility thresholds will support General Plan Mobility Element Objective 3.2.1 of promoting a livable and economically strong community. It also supports City Council Strategic Planning Goals of increasing conservation and sustainability and improving mobility and accessibility throughout the City of Pasadena.

ENVIRONMENTAL ANALYSIS:

This action does not require environmental review as it is not defined as a project under Section 15378 (b) (2) under the California Environmental Quality.

FISCAL IMPACT:

There is no fiscal impact as a result of this action and it will not have any indirect or support cost requirements. The City Council has previously approved a contract with Fehr and Peers to provide professional assistance in the preparation and analysis of the revised mobility thresholds.

Respectfully submitted,

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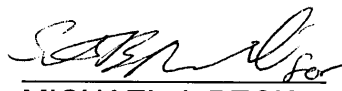
VINCENT P. BERTONI, AICP
Director of Planning & Community
Development Department

Prepared by:

A handwritten signature in black ink, appearing to read 'Scott Reimers', written over a horizontal line.

Scott Reimers
Senior Planner

Approved by:

A handwritten signature in black ink, appearing to read 'Michael J. Beck', written over a horizontal line.

MICHAEL J. BECK
City Manager