

Agenda Report

July 21, 2014

TO: Honorable Mayor and City Council

FROM: Planning & Community Development Department and Department of Transportation

SUBJECT: GENERAL PLAN UPDATE PROJECT SCHEDULE AND TRANSPORTATION PERFORMANCE MEASURES

RECOMMENDATION:

It is recommended that the City Council adopt Option 3, directing staff to finalize and use the proposed transportation performance measures for the General Plan Update.

EXECUTIVE SUMMARY:

The City has been actively engaged in a comprehensive update to its General Plan Land Use and Mobility Elements for the last several years. This update has been a collaborative process involving residents, businesses, community groups, City Committees, Commissions and the City Council. The project has seen significant milestones, including adoption of draft Guiding Principles, Policies, Land Use Diagram, Specific Plan Boundaries, Development Caps and Mobility Policies. The current General Plan update schedule anticipates project completion prior to December 31, 2014.

A prerequisite to General Plan Update completion is finalizing the traffic study for the Environmental Impact Report (EIR). The traffic study has been planned to incorporate revised transportation performance measures and CEQA thresholds of significance that are reflective of a City that plans for walking, biking and transit. The targeted General Plan completion date assumed adoption of these revised measures and thresholds in the Spring of 2014, with the potential of a delayed adoption in mid-July. While there has been a significant amount of work towards revisions to the existing measures and thresholds, final revisions have not yet been adopted. The revised measures have been presented to the community at two workshops, reviewed and approved by the Transportation Advisory Commission and presented to the Planning Commission, which will consider the item again at its July 23rd meeting.

Until a decision is made in regard to the Transportation Performance Measures, the traffic study for the EIR cannot be completed and the General Plan process cannot

proceed. This report provides the three following options for the City Council's consideration for completion of the Transportation Performance Measures and Thresholds of Significance for CEQA and corresponding General Plan Update:

- 1) Wait for the State's adoption of Revised Guidelines
- 2) Use existing transportation performance measures
- 3) Finalize and use new transportation performance measures

BACKGROUND:

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 to replace the traditional level of service (LOS). The LOS metric has been criticized for being at odds with, "...modern state goals, such as emissions reduction, development of multimodal transportation networks, infill development, and even optimization of the roadway network for motor vehicles." (See Attachment 1, pg. 3). Given the direction at both the state and local levels, it is necessary to revise current practices so that they correspond with the existing and proposed direction in the draft General Plan and the State guidelines.

STATE ADOPTION OF REVISED TRAFFIC GUIDELINES

On September 27, 2013, SB 743 was signed into law by Governor Brown. Among other things, SB 743 establishes a process to change the way that transportation impacts are analyzed under the California Environmental Quality Act (CEQA). In pertinent part, SB 743 added Public Resources Code Section 21099 to CEQA, which requires the Office of Planning and Research (OPR) to develop guidelines for determining the significance of transportation impacts of projects within transit priority areas. Further, Section 21099 states that "automobile delay, as described solely by level of service or similar measures of vehicular capacity or traffic congestion shall not be considered a significant impact on the environment pursuant to [CEQA], except in locations specifically identified in the guidelines, if any." Once OPR develops the guidelines, they would be adopted by the Secretary for the Natural Resources in an update to the CEQA Guidelines. Although we know that existing law sets forth changes in transportation analysis, until the State's revised Guidelines are adopted, the extent of the revisions is not known.

OPR was supposed to have released draft guidelines for public review on July 1, 2014 for a 6 month period, with an anticipated adoption of January 1, 2015. Draft guidelines have yet to be released, and OPR staff has informally indicated that the release has been delayed for several weeks and that adoption of the guidelines will likely take place in Spring 2015, or later.

REVISED TRANSPORTATION PERFORMANCE MEASURES AND THRESHOLDS OF SIGNIFICANCE FOR CEQA

When a project has been determined to be subject to 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 measures and thresholds that determine whether the impact created by a project is significant. 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 performance measures – 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.

Staff is proposing three new performance measures that would be used to determine significant impacts under the CEQA. These new performance measures are reflective of Guiding Principle No. 5 and closely related to changes in State law that will prohibit the use Auto Level of Service:

- Vehicle Miles Traveled Per Capita
- Vehicle Trips Per Capita
- Auto Level of Service (outside of designated High Pedestrian Activity Areas)

In addition, three additional measures are proposed:

- Proximity and Quality of the Bicycle Network
- Proximity and Quality of the Transit Network
- Pedestrian Accessibility

These other additional measures would guide system-wide bike and local transit improvements in the General Plan and guide pedestrian improvements in Specific Plan updates. The bike and transit improvements identified would be included in a nexus study to the update of the Traffic Reduction and Transportation Improvement Fee (TRTIF) following the adoption of the Land Use and Mobility Element updates. An analysis at the project level of impacts to the various citywide networks is not necessary because projects would address their proportionate impacts in these areas by paying their fees.

CONSISTENCY WITH STATE GUIDELINES

According to State CEQA Guidelines, when program EIRs are prepared, such as the General Plan EIR, future projects that are proposed must be examined in the light of the program EIR to determine whether additional environmental documentation must be prepared. If a subsequent project would have effects that were not examined in the program EIR, a new Initial Study would be required, which would lead either a new EIR or Mitigated Negative Declaration. If no new effects would occur, an agency may approve the activity as being within the scope of the project covered by the program EIR and no new environmental document would be required.

Therefore, the closer Pasadena's performance measures are to those ultimately adopted by the State, the more likely it would be that future projects that are consistent with the updated General Plan would not be subject to a new EIR. Conversely, the more that the City's performance measures are different than those ultimately adopted by the State, the more likely it would be that each new project coming forward would require an EIR or Mitigated Negative Declaration. If the City's performance measures are too different than those adopted by the State and if the City Council would like to establish a more streamlined environmental review process, the City would have to readopt the Land Use and Mobility Elements and prepare an Addendum, Subsequent, or Supplemental EIR.

PROCESS/ADVISORY COMMISSIONS

Due to the inconsistency between policy, practice and planned changes to State law, staff has sought to develop new transportation performance measures with the same collaboration exhibited throughout the General Plan Update process. Staff has brought the revised performance measures and CEQA thresholds of significance to multiple meetings of the Community, the Transportation Advisory Commission (TAC), and the Planning Commission (See Attachment 2, Commission Reports). The TAC unanimously passed a motion recommending approval of the performance measures and thresholds proposed by staff with some minor technical revisions. Although there has been significant discussion and support regarding the inclusion of measures to analyze the quality of Bicycle and Transit Networks and Pedestrian Accessibility, the Planning Commission has not yet been able to reach consensus on the proposed performance measures. At its meeting of June 25th, the Planning Commission directed staff to continue this item to July 23rd, pending an anticipated release of revised draft guidelines by the State. The issue has now been compounded by a delay in the State's release of draft revised guidelines which were originally scheduled to be released on July 1, 2014. As of this writing, there is no anticipated release date from the State.

ANALYSIS:

In light of the fact that new performance measures have not yet been adopted by City Council, staff has identified the following three options to completing the Transportation Performance Measures and Thresholds of Significance for CEQA and the corresponding General Plan Update.

Option One: Wait for the State's Adoption of Revised Guidelines

In this first option, once the State adopts new guidelines, staff would develop revised performance measures consistent with the State guidelines and bring these forward to the Transportation Advisory Commission, Planning Commission and to the City Council for adoption. The General Plan EIR would be delayed until after the adoption of the revised thresholds. It is currently anticipated that the State would adopt revised guidelines in the Spring of 2015, which would result in an anticipated General Plan EIR adoption by the City Council in December 2105. This would ensure consistency with

future State law but would result in an approximate one-year delay in adopting the General Plan.

Option Two: Conduct the Traffic Study of the EIR based on Existing Performance measures

In this second option, staff would immediately complete the traffic study of the General Plan EIR based on the City's existing metrics and thresholds (excluding street segment analysis, which is a measure of project level impacts, not program level such as General Plan land use). Under this scenario, it is anticipated that the General Plan update would be adopted prior to December 31, 2014. Once the State adopts revised CEQA guidelines, staff would take the necessary steps, if any, needed to amend the City's transportation performance measures and CEQA thresholds of significance for consistency with State law, including the required CEQA documentation.

Option Three: Finalize and Use the Proposed Performance Measures

In this third option, staff would continue to pursue revisions to performance measures along the current course. Performance measures recommended by staff and supported by TAC are attached as Attachment 1. As currently scheduled, staff would bring the issue back to the Planning Commission on July 23rd, albeit, at this point, without the benefit of the State's revised guidelines. Depending on how long the adoption process takes, the updated General Plan would likely be adopted in early 2015. If additional meetings by the Planning Commission or City Council are required to complete the adoption of the proposed performance measures, the General Plan adoption would more likely be Spring of 2015. Subsequently, upon adoption of revised guidelines by the State, staff would take the necessary steps needed, if any, to amend the performance measures for consistency with State law and undertake the appropriate CEQA process, which would most likely result in an Addendum, Subsequent or Supplemental EIR.

Staff is recommending Option Three as this will allow for the EIR to be based on transportation measures and thresholds that are reflective of the draft policies that have been adopted by City Council, with the support of the community, Commissions and Council. Advancing a vision for Pasadena that offers alternatives to motor vehicles and a walkable, pedestrian friendly environment is an important consideration, irrespective of the ultimate revisions to the State's Guidelines.

Staff is further recommending Option 3 as it would allow for an alignment of the City's environmental review process with the type of development envisioned by the City's updated General Plan Land Use and Mobility Elements. Each new project would still be evaluated under CEQA Guidelines, but the proposed transportation measures would help to attract the type and scale of projects that the City is interested in attracting.

NEXT STEPS:

Depending on the direction of the City Council, the Department of Transportation (DOT) and Planning staff will complete the EIR for the General Plan Update. Subsequently, the EIR and revised General Plan will be presented to the Planning Commission for a formal recommendation to the City Council.

COUNCIL POLICY CONSIDERATION:

The Council is asked to provide direction in balancing the certainty of timing of adoption of the General Plan Update against a stated desire to revise performance measures in a way that emphasizes impacts to non-auto modes and deemphasizes auto delay.

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:

Option 1 does not involve any significant fiscal impact as it essentially puts the project on hold until the State adopts revised guidelines. Option 2 and Option 3 involve the future cost of achieving consistency between the State's guidelines and our General Plan, which may be an Addendum, Subsequent or Supplemental EIR. At this point, it is too speculative to identify an amount, because the State has not yet released draft guidelines, but such costs could range from \$150,000 to \$250,000.


Respectfully submitted,


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Attachments: (2)

Attachment 1 – Senate Bill 743: Preliminary Evaluation of Alternative Methods of Transportation Analysis
Attachment 2 – Commission Reports