

Attachment B – COUNTY OF SAN DIEGO BOARD  
OF SUPERVISORS - LAND USE WEDNESDAY,  
MAY 19, 2021 MINUTE ORDER NO. 1

**COUNTY OF SAN DIEGO  
BOARD OF SUPERVISORS - LAND USE  
WEDNESDAY, MAY 19, 2021**

**MINUTE ORDER NO. 1**

**SUBJECT: NOTICED PUBLIC HEARING:  
UPDATE ON IMPLEMENTING VEHICLE MILES TRAVELED ANALYSIS  
DURING ENVIRONMENTAL REVIEW IN THE UNINCORPORATED REGION  
AND PROVIDE DIRECTION ON POSSIBLE UPDATES TO THE ANALYSIS OF  
TRANSPORTATION IMPACTS ON THE ENVIRONMENT (DISTRICTS: ALL)**

**OVERVIEW**

In 2013, the State of California passed Senate Bill 743 (SB 743), which changed how jurisdictions, including the County of San Diego (County), analyze transportation impacts from privately and publicly initiated projects under the California Environmental Quality Act (CEQA). The CEQA analysis can no longer use level of service (LOS) when analyzing transportation impacts. LOS focuses on road congestion by measuring average amount of delay experienced by vehicle drivers at an intersection during the most congested time of day. SB 743 noted that while automobile delay explains how projects will affect drivers, it does not consider how projects and plans will change the number and length of driving trips and the corresponding effects on the environment. Therefore, instead of using LOS, SB 743 identified Vehicle Miles Traveled (VMT) as the standard to evaluate a project's environmental impacts. VMT measures the amount and distance people drive to destinations, and the number of trips specific types of land uses will generate. The stated legislative intent behind SB 743 was to balance the needs of congestion management (traffic) with statewide goals to reduce greenhouse gas (GHG) emissions, encourage infill development, and improve public health through more active transportation. All local jurisdictions were required to apply SB 743 no later than July 1, 2020.

On June 24, 2020 (6), the Board of Supervisors (Board) adopted the Transportation Study Guide (TSG), a technical guide for analyzing transportation impacts using VMT. The TSG describes the process and procedures for project applicants and their consultants to use when preparing transportation analyses beginning July 1, 2020. The TSG also included a methodology referred to as Local Mobility Analysis (LMA) to meet the County's General Plan requirement for an LOS D (which is considered a stable flow of traffic with an acceptable level of delay) or better and ensure the safe operations of the roadways for all users. In September 2020, Cleveland National Forest Foundation, Coastal Environmental Rights Foundation, and Sierra Club filed suit, alleging that the adoption of the TSG violated CEQA. The case is pending and no decision has been issued.

Today's request is for the Board to receive information on how VMT implementation is progressing nearly a year after its adoption and on Phase 2 efforts regarding VMT mitigation. In addition, the request is for the Board to provide direction on potential updates to the VMT thresholds used to evaluate the significance of a project's transportation impacts, including options for using an unincorporated average, sub-areas average, or a regional average to measure existing average VMT, and the screening level threshold for "small" projects, which is currently 110 Average Daily Trips (ADT). The Board may opt to leave the existing TSG in place or direct staff to prepare revisions and return to the Board this summer, following public outreach and preparation of CEQA findings, for a final decision.

Because CEQA does not require a lead agency to adopt a threshold of significance for general use, the Board may also opt to suspend the TSG for projects in process and apply project-specific thresholds to

evaluate the significance of each project's transportation impacts pending preparation and adoption of revisions to the TSG. Alternatively, the Board may leave the current TSG in effect until revisions are adopted and allow projects in process to proceed under the thresholds of significance in the current TSG.

## **RECOMMENDATION(S)**

### **CHIEF ADMINISTRATIVE OFFICER**

1. Find in accordance with Sections 15061(b)(3) and 15378(b)(5) that today's actions are exempt from the California Environmental Quality Act.
2. Receive the presentation and overview of Senate Bill 743 and provide direction on options to implement analysis of transportation impacts of proposed projects under CEQA using Vehicle Miles Traveled.

## **FISCAL IMPACT**

There is no fiscal impact associated with these recommendations. There will be no change in net General Fund costs and no additional staff years. Vehicle miles traveled impact analysis and mitigations will be implemented through publicly- or privately- initiated projects as those projects are approved and funded. Private development costs will be paid for by the private sector through the entitlement process. Public project costs will be identified during project development and funded in future Operational Plans.

## **BUSINESS IMPACT STATEMENT**

N/A

## **ACTION:**

Noting for the record that an Errata was submitted; ON MOTION of Supervisor Vargas, seconded by Supervisor Fletcher, the Board of Supervisors took the following actions:

1. Found in accordance with Sections 15061(b)(3) and 15378(b)(5) that today's actions are exempt from the California Environmental Quality Act.
2. Received the presentation and overview of Senate Bill 743 and provided direction on options to implement analysis of transportation impacts of proposed projects under CEQA using Vehicle Miles Traveled (VMT), directing the Chief Administrative Officer to explore the following subject matter areas:
  1. Assess and explore the process by which infill development can be done in a manner to ensure no VMT mitigation is necessary.
  2. Explore the potential creation of transit accessible areas and look at the intersection between VMT efficient areas or lower thresholds in accordance with the areas that do not require further analysis. Explore the potential transit corridors and look at the SANDAG Regional Transportation Plan, Metropolitan Transit System (MTS), North County Transit District (NCTD), and other possible areas and how that may impact VMT efficient areas or areas covered by the exemption.
  3. Explore mitigation of VMT opportunities, looking at a regional mitigation bank, the opportunity for mitigation to not be tied or connected to the project along with the potential of a sliding scale of mitigation based on severity.

4. By-right process for development in VMT efficient areas.
5. Further exploration of exceptions to the VMT thresholds for affordable housing projects at less than 100% affordable, including mixed income and various components of Area Median Income (AMI), along with exploring the possibility of exceptions for middle income or workforce housing, local hire, and agriculture type projects that might have a net impact of lowering VMT.
6. Explore land use density of land that is in VMT efficient areas.
7. Continue to track guidance from the California Office of Planning and Research (OPR), along with other governing body efforts, including the SANDAG Regional Transportation Plan.
8. Monitor the progress of other jurisdictions as it relates to their adoption, along with what unique programs, exemptions, or opportunities they may be exploring that the County may want to consider.
9. Consider a phase in timeline to allow for a transition into a Regional geography.
10. Consider compliance options for projects that have already been proposed or are in the process now.
11. Conduct an analysis of the options to remove the Local Mobility Analysis.
12. Inform the Board regarding updates on development of the Smart Growth component of the Climate Action Plan (CAP) SEIR to ensure it is integrated and aligned with efforts around VMT.
13. Conduct an analysis of proposed housing projects designated for individuals under 60% AMI and under 80% AMI and the potential cost impact of switching to a regional geography.

AYES: Vargas, Anderson, Lawson-Remer, Fletcher, Desmond

State of California)  
County of San Diego) §

I hereby certify that the foregoing is a full, true and correct copy of the Original entered in the Minutes of the Board of Supervisors.

ANDREW POTTER  
Clerk of the Board of Supervisors



**Signed**  
**by** Andrew Potter

