



**Contra  
Costa  
County**

To: Board of Supervisors  
From: John Kopchik, Director, Conservation & Development Department  
Date: June 23, 2020

Subject: ADOPT Contra Costa County Transportation Analysis Guidelines, consistent with the requirements of SB-743.

**RECOMMENDATION(S):**

ADOPT Contra Costa County Transportation Analysis Guidelines, consistent with the requirements of SB-743.

**FISCAL IMPACT:**

None to the General Fund. Staff time is covered under existing budgets (50% Road Fund and 50% Measure J Fund).

**BACKGROUND:**

In 2013, Governor Brown signed SB 743, which created a process to change the way transportation impacts are analyzed under California Environmental Quality Act ("CEQA"). Automobile delay or congestion based metrics (e.g. Level of Service or "LOS") will no longer be considered a significant impact under CEQA. During the rulemaking process the Office of Planning and Research ("OPR") recommended that jurisdictions instead use the Vehicle Miles Traveled ("VMT") metric. In December 2018, OPR adopted a Technical Advisory containing methodologies and thresholds for VMT, but the Technical Advisory is not regulatory. Statewide implementation of SB 743 will be mandatory by July 2020.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY

☐ RECOMMENDATION OF BOARD

ADMINISTRATOR

COMMITTEE

Action of Board On: **06/23/2020** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor

Candace Andersen, District II Supervisor

Diane Burgis, District III Supervisor

Karen Mitchoff, District IV Supervisor

Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: June 23, 2020

David Twa, County Administrator and Clerk of the Board of Supervisors

By: June McHuen, Deputy

Contact: Jamar Stamps, (925)  
674-7832

cc:

## BACKGROUND: (CONT'D)

Local jurisdictions will be allowed to retain their congestion-based standards (i.e. LOS) for project planning purposes. Developers may therefore be required to use the two metrics in their traffic analyses. Consistent with state/local (e.g. Contra Costa Transportation Authority) guidance and industry best practices, staff proposes updated procedures for using congestion-based standards for operational analysis.

### County Transportation Analysis Guidelines

Government Code Section 15022 (Guidelines for California Environmental Quality Act) states *“Each public agency shall adopt objectives, criteria, and specific procedures consistent with CEQA and these Guidelines for administering its responsibilities under CEQA, including the orderly evaluation of projects and preparation of environmental documents.”* County staff developed transportation analysis guidelines that will implement SB 743 and VMT metrics for evaluating transportation impacts of proposed projects under CEQA in the unincorporated area. The intent of these guidelines is to aid in the preparation of traffic analysis for project applicants and staff, as well as establish a uniform approach, methodology, and tool set to evaluate the impacts of land use decisions and related transportation projects on the County transportation system. This will be a “living document” and updates will be brought to the Board periodically to reflect newly acquired data, emerging best practices, and relevant policies.

The County Transportation Analysis Guidelines provide technical guidance regarding assessment of VMT, thresholds of significance, and mitigation measures for land development and transportation projects in the unincorporated area. These guidelines were developed by a working group consisting of staff from DCD, Public Works, and consultant Fehr & Peers. The County VMT guidance is consistent with OPR’s Technical Advisory (December 2018). CCTA is also in the process of developing VMT policies. A preliminary review of CCTA's draft SB 743 policies revealed they are generally consistent with the County's proposed policies. County staff is recommending the Board adopt the proposed County guidelines. County staff participates in CCTA’s task force for developing their policies, which will help ensure consistency between the County’s and CCTA’s policies. Staff has been coordinating with the Contra Costa Transportation Authority as that agency develops guidance for its members on adapting to the requirements of SB743. Staff will evaluate the outcome of that process and consider whether any updates to the recommended guidelines or other county policies are appropriate to recommend to the Board. The full guidelines document is provided as Exhibit B.

As permitted by SB 743, the County will continue to use LOS, outside of future CEQA reviews, as a tool to evaluate the operations of transportation infrastructure (e.g. signalized intersections). The County’s new General Plan will reference the County’s transportation guidelines which will contain VMT and LOS standards. The County will

continue to require developer fees as a condition of approval for projects that result in operational deficiencies on the transportation system (Government Code Section 66001(a)).

May 13, 2020 County Planning Commission ("CPC")

County staff presented an overview of SB 743 to the CPC on May 13, 2020 followed by questions and discussion. Staff also indicated how the County could implement SB 743 and what that process has included to date. The full CPC staff report is provided in Exhibit A. A summary of the major discussion points from the CPC included:

*Will SB 743 force projects to pay twice (i.e. "double dip") to mitigate transportation impacts (i.e. for LOS and VMT)?*

Staff Response: Traffic impact analyses already use a number of different policies and metrics to disclose the impacts of a project. These include safety, complete streets compliance, and LOS. VMT is now being included in that menu of policies. So long as these metrics and policies are applied appropriately, it will not be "double dipping." Due to the dynamic between LOS and VMT, (e.g. LOS mitigation can sometimes increase VMT), LOS analysis and mitigation will necessarily be applied more strategically. Furthermore, most VMT mitigation would likely involve some form of transportation demand management ("TDM"). TDM measures are generally more cost effective to implement than traditional traffic mitigations (e.g. widening roads, building traffic signals, etc.). The County adopted a TDM ordinance in the early 2000s that requires residential and non-residential projects of a certain size comply with the TDM Ordinance. What changes now is that projects may need to implement TDM measures to reduce VMT to satisfy CEQA.

*What happens if SB 743 is not implemented locally by July 1, 2020?*

SB 743 will take effect statewide by July 1, 2020, which means delay-based metrics (i.e. LOS) will no longer be considered an impact under CEQA. CEQA Section 15064.7 encourages lead agencies to develop and publish thresholds of significance. However, in the absence of formally adopted SB 743 related metrics and thresholds of significance, lead agencies may use thresholds of significance adopted or recommended by other agencies or experts. In the case of SB 743 it is likely that agencies may simply rely on the Technical Advisory provided by the State Office of Planning Research.

*Does this make it easier for high-density projects in general? Is this moving development too fast?*

Not necessarily. Part of the intent of SB 743 is to provide criteria for evaluating transportation impacts that also promotes the "*reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses*" (CEQA Guidelines Section 15064.3). To that end, certain projects, both residential and non-residential, that possess these characteristics and are located in low VMT areas generally would be presumed to have a less than significant impact under CEQA, whereas before SB 743 that might not be the case. All projects will still be evaluated based on the full complement of CEQA checklist items.

*How does travel demand change with Covid-19?*

Commute travel in the Bay Area declined significantly since the March 2020 shelter-in-place order. Unfortunately, it is difficult to predict when commute behavior will resume to “normal” or what, if any, long-lasting effects this will have on future travel behavior. County staff will continue to monitor the situation and utilize guidance on travel forecasting methods and transportation analysis from various regional, state and federal agencies to make sure best practices are applied.

*Can transit stops be other than BART (e.g. bus)?*

Yes. Per Public Resources Code Section 21064.3, “‘major transit stop’ means a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.”

Currently, bus routes that meet that frequency threshold include:

Service	Route
AC Transit (Contra Costa)	None
County Connection	Route 7 – Shadelands/Pleasant Hill BART
	Route 10 – Concord BART/Clayton
	Route 20 – Concord BART/ Diablo Valley College
	Route 35 – Dublin BART/San Ramon
Tri Delta Transit	None
WestCat	None

*Can a project be exempt if the site is only partially within ½ mile of transit stop?*

There is no explicit guidance on this. However, staff’s interpretation of the Public Resources Code would indicate that certain projects on sites partially within ½ mile of a major transit stop would be considered to have a less than significant impact.

*Covid-19 will have massive long lingering impacts on workforce behavior.*

*Telecommuting may become the "new normal." How quickly can modeling respond to that so that we’re using latest and greatest data?*

Generally, local jurisdictions in Contra Costa rely on the Countywide Travel Demand Model (maintained by Contra Costa Transportation Authority or “CCTA”) to generate travel forecasts for proposed projects. Adjustments to the model occur as-needed, but for major shifts in travel behavior that result from large-scale events (like a global pandemic), and that may have perpetual effects are difficult to account for due to their anomalous and unprecedented nature. It is not clear yet on how the travel demand model will be effected by Covid-19, but County staff participates on CCTA’s Technical Model

Working Group, contributes to decennial model update and can report back to the CPC on any future updates to the model.

The CPC also provided comments advising staff to account for the implications of such policies on future land use decisions, and to be cautious of over burdensome fee programs that may stifle development (this was provided with the thought that new types of mitigation measures may necessitate new developer fee programs). The CPC also suggested there be a follow up discussion on the subject to better understand how these policies are developed and eventually applied. Staff will organize a follow-up informational item to the CPC after the County's guidelines are adopted.

### Conclusion

Staff recommends the Board of Supervisors adopt Contra Costa County Transportation Analysis Guidelines, consistent with the requirements of SB-743.

### CONSEQUENCE OF NEGATIVE ACTION:

The County will not implement SB 743 by the statewide mandatory implementation deadline.

### ATTACHMENTS

Attachment A - 5/13/20 County Planning Commission Staff Report

Attachment B - DRAFT County Transportation Analysis Guidelines