

RESOLUTION NO. ____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE ADOPTING THE CLIMATE ACTION PLAYBOOK AND MAKING FINDINGS REQUIRED BY THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

WHEREAS, the State of California has adopted ambitious targets to encourage statewide reductions in greenhouse gases (GHG) to 1990 levels by 2020 (Assembly Bill 32, 2006), 40% below 1990 levels by 2030 (Senate Bill 32, 2016) and 80% below 1990 levels by 2050 (Executive Order S-3-05, 2005); and

WHEREAS, in September 2018, Governor Brown signed Senate Bill 100 into law, setting a target of 100% carbon-free electricity by 2045, with interim targets of 50% renewable energy by 2026 and 60% renewable energy by 2030; and

WHEREAS, since the adoption of the City of Sunnyvale’s Climate Action Plan (“CAP 1.0”) in May 2014, the City has achieved the state’s target GHG reductions by reaching 1990 levels ahead of the 2020 schedule through both local actions and state policies; and

WHEREAS, CAP 1.0 was not designed to identify how more ambitious, long-term targets for 2030 and 2050 could be achieved; and

WHEREAS, in addition, the CAP 1.0 growth predictions were based on land use designations in the City’s 1997 Land Use and Transportation Element; and

WHEREAS, in January 2017, in order to drive progress towards the aggressive emissions reduction targets by 2030 and 2050, the City Council adopted Accelerating Climate Action as a Council Policy Priority and directed staff to develop an updated Climate Action Plan to reflect this policy priority; and

WHEREAS, on April 11, 2017, the City Council adopted an updated Land Use and Transportation Element (LUTE) of the General Plan, which establishes the fundamental framework of how streets and buildings in the City of Sunnyvale will be laid out and how various land use, development, and transportation facilities will function together; and

WHEREAS, the updated LUTE and accompanying policies were developed to help guide decision-making regarding land use and transportation for an approximately 20-year time frame referred to as Horizon 2035; and

WHEREAS, the LUTE’s policy framework encourages the City to promote sustainable growth and maintain a CAP that support the LUTE by establishing specific measures to put the City in a regional leadership role with regard to reducing GHG emissions; and

WHEREAS, the City prepared an Environmental Impact Report (EIR) (State Clearinghouse #2012032003) for the LUTE that evaluated the environmental impacts associated with development of land uses and implementation of transportation planning efforts in Sunnyvale as regulated and guided by the LUTE; and

WHEREAS, as discussed in Section 3.13, “Greenhouse Gases and Climate Change,” of the LUTE EIR, the LUTE used different growth projections and GHG modeling than CAP 1.0, so the results of the analysis cannot be used to demonstrate compliance with 2035 GHG reduction targets outlined in CAP 1.0; and

WHEREAS, Mitigation Measure 3.13.1 of the LUTE EIR required the City to update the CAP 1.0 to include the new LUTE growth projections; and

WHEREAS, on April 11, 2017, the City Council made Findings, adopted a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program, certified the LUTE EIR and adopted the LUTE; and

WHEREAS, pursuant to the direction of the City Council and to implement Mitigation 3.13.1 of the LUTE EIR, the City prepared the Climate Action Playbook (“the Playbook”), also known as “CAP 2.0”, which outlines a pathway to achieve GHG emission reductions of 56% below 1990 levels by 2030 and 80% below 1990 levels by 2050; and

WHEREAS, the adoption of a Climate Action Plan is a “project” within the meaning of the California Environmental Quality Act (CEQA) that requires environmental review; and

WHEREAS, in addition to serving as the environmental document for the adoption of the LUTE, the LUTE EIR was intended by the City to serve as the basis for compliance with CEQA for projects that are consistent with the LUTE in accordance with Public Resources Code Section 21083.3 and Section 15183 of the CEQA Guidelines. These sections provide that if an environmental effect of a project is not peculiar to the parcel or the project, has been addressed as a significant impact in the EIR, or can be substantially mitigated by the imposition of uniformly applied development standards or policies, then an additional EIR need not be prepared on the basis of that effect; and

WHEREAS, the City has analyzed the Playbook to determine if it meets the criteria for streamlined environmental review under Public Resources Code Section 21083.3 and Section 15183 of the CEQA Guidelines; and

WHEREAS, the Environmental Checklist prepared for the Playbook concludes that the Playbook will not have any new or more severe impacts than were analyzed in the LUTE EIR; and

WHEREAS, CEQA authorizes an agency to adopt an addendum to a previously certified EIR where some changes or revisions to the project are proposed, or the circumstances surrounding the project have changed, but none of the changes or revisions would result in significant new or substantially more severe environmental impacts, consistent with CEQA Section 21166 and State CEQA Guidelines Sections 15162, 15163, 15164, 15168, and 15183; and

WHEREAS, accordingly, the City has prepared an Addendum that incorporates the Playbook into the environmental analysis of the LUTE EIR.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Sunnyvale as follows:

1. The City Council has independently reviewed the programmatic Draft and Final Environmental Impact Reports for the Land Use and Transportation Element (LUTE) of the Sunnyvale General Plan, State Clearinghouse #2012032003 (the “LUTE EIR”).
2. Based on the Environmental Checklist and Addendum to the LUTE EIR prepared for the Playbook and other information in the record, and after a duly noticed public hearing, the City Council finds that:
 - a) The Playbook is consistent with the Land Use and Transportation Element (LUTE) of the City’s General Plan.
 - b) Projects implementing the Playbook will be required to undertake all feasible mitigation measures required by the LUTE EIR.
 - c) The Playbook will have no environmental effects that are peculiar to the project; were not analyzed as significant effects in the LUTE EIR; are potentially significant off-site impacts or cumulative impacts which were not discussed in the LUTE EIR; or are previously identified significant effects which, as a result of substantially new information which was not known at the time the EIR was certified, are determined to have a more severe adverse impact than discussed in the LUTE EIR.
 - d) Accordingly, the City finds that no additional EIR needs to be prepared for the Playbook.
3. The City Council hereby adopts the Climate Action Playbook.

ATTACHMENT 8

Adopted by the City Council at a regular meeting held on _____, 2019, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:
RECUSAL:

ATTEST:

APPROVED:

City Clerk
(SEAL)

Mayor

APPROVED AS TO FORM:

City Attorney