

**RESOLUTION NO. \_\_\_\_-20**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
SUNNYVALE ADOPTING “VEHICLE MILES TRAVELED”  
THRESHOLDS OF SIGNIFICANCE FOR PURPOSES OF  
ANALYZING TRANSPORTATION IMPACTS UNDER THE  
CALIFORNIA ENVIRONMENTAL QUALITY ACT**

WHEREAS, public agencies in California have historically relied on a metric known as “Level of Service” (LOS) to evaluate the transportation impacts of development projects under the California Environmental Quality Act (CEQA); and

WHEREAS, LOS solely measures how project-generated traffic will increase delay at local and regional intersections, requiring mitigations for those impacts that prioritize the construction of capital improvements to facilitate automobile travel; and

WHEREAS, Senate Bill 743, enacted in 2013 and codified in Public Resources Code Section 21099, directed the Governor’s Office of Planning and Development (OPR) to develop new CEQA Guidelines to replace LOS with metrics that more appropriately balance the needs of congestion management with statewide goals related to infill development, promotion of public health through active transportation, and reduction of greenhouse gas emissions; and

WHEREAS, in 2018, the Governor’s Office of Planning and Research (“OPR”) proposed, and the California Natural Resources Agency certified and adopted, new CEQA Guidelines section 15064.3 that identifies vehicle miles traveled (“VMT”), meaning the amount and distance of automobile travel attributable to a project, as the most appropriate metric to evaluate a project’s transportation impacts; and

WHEREAS, CEQA Guidelines section 15064.3 goes into effect on July 1, 2020, after which automobile delay, as measured by “level of service” and other similar metrics, will no longer constitute a significant environmental effect under CEQA;

WHEREAS, the City of Sunnyvale’s Land Use and Transportation Element (LUTE) of the General Plan, updated in April 2017, called for the City to use VMT to establish and monitor the City’s development-based transportation goals and indicators, and to describe potential environmental effects of development projects; and

WHEREAS, reduction of VMT is also one of the core strategies in the City’s Climate Action Playbook, adopted in August 2019 to reduce encourage sustainable land use in Sunnyvale and reduce greenhouse gas emissions; and

WHEREAS, the Guidelines for Implementation of the California Environmental Quality Act in Title 14 of the California Code of Regulations (“CEQA Guidelines”) encourage public agencies to develop and publish generally applicable “thresholds of significance” to be used in determining the significance of a project’s environmental effects; and

WHEREAS, CEQA Guidelines section 15064.7(a) defines a threshold of significance as “an identifiable quantitative, qualitative or performance level of a particular environmental effect, noncompliance with which means the effect will normally be determined to be significant by the agency and compliance with which means the effect normally will be determined to be less than significant”; and

WHEREAS, CEQA Guidelines section 15064.7(b) requires that thresholds of significance must be adopted by ordinance, resolution, rule, or regulations, developed through a public review process, and be supported by substantial evidence; and

WHEREAS, the adoption of VMT as a threshold of significance is an organizational or administrative activity of City government that does not commit the City to approve any specific project that will result in either direct or indirect physical changes in the environment (CEQA Guidelines Section 15378(b)(5)), 15061(b)(3)), and the replacement of the LOS metric with VMT is required by the state and is therefore a ministerial action that is exempt from CEQA review (CEQA Guidelines Section 15268(a)); and

WHEREAS, the City of Sunnyvale, following a public review process consisting of study sessions with the City Council on October 8, 2019, and April 7, 2020; a community meeting on December 12, 2019; staff presentation to the Planning Commission on July 15, 2020, and staff presentation to the City Council on June 30, 2020, wishes to adopt the VMT thresholds of significance for determining the significance of transportation impacts.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SUNNYVALE THAT:

1. The above recitals are incorporated herein as findings for approval of the Council Policy on Local Transportation Analysis.
2. The Council Policy attached hereto as Exhibit A, is hereby adopted as a threshold of significance for analyzing local transportation impacts under CEQA.
3. The City Council finds that this resolution is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15378, 15061(b)(3), and 15268(a).
4. This Resolution shall become effective on July 1, 2020.

Adopted by the City Council at a regular meeting held on June 30, 2020, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

RECUSAL:

ATTEST:

APPROVED:

---

DAVID CARNAHAN  
City Clerk  
(SEAL)

---

LARRY KLEIN  
Mayor

APPROVED AS TO FORM:

---

REBECCA L. MOON  
Sr. Assistant City Attorney