

IN THE CITY COUNCIL OF THE CITY OF SAN LEANDRO

RESOLUTION NO. 2024-XXX

RESOLUTION TO ADOPT TEXT AMENDMENTS TO THE TRANSPORTATION ELEMENT OF THE 2035 GENERAL PLAN TO REPLACE LEVEL OF SERVICE (LOS) WITH VEHICLE MILES TRAVELED (VMT) AS THE CRITERIA TO BE USED FOR TRANSPORTATION ANALYSIS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) IN COMPLIANCE WITH SENATE BILL (SB) 743 AND CEQA GUIDELINES SECTION 15064.3

WHEREAS, the California Government Code Section 65300 *et seq.* requires every city and county in California to adopt a General Plan for its long-range development, and further, to periodically update that plan to reflect current conditions and issue; and

WHEREAS, in 2016, the City Council adopted the 2035 San Leandro General Plan (“General Plan”) covering the 20-year period from 2015 through 2035; and

WHEREAS, the General Plan includes goals and policies related to land use, transportation/traffic, infrastructure, and design and establishes uses and development standards within the City; and

WHEREAS, the General Plan includes text and diagrams specifying the distribution, location, and extent of the uses of land and other essential facilities within the City; and

WHEREAS, the California Environmental Quality Act Guidelines (“CEQA Guidelines”) encourage public agencies to develop and publish thresholds of significance to be used in determining the significance of a project’s environmental effects; 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, Senate Bill 743, enacted in 2013 and codified in Public Resources Code Section 21099, mandated changes to the CEQA Guidelines regarding the criteria for determining the significance of transportation impacts of projects throughout California; 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”) as the most appropriate metric to evaluate transportation impacts; and

WHEREAS, as a result, automobile delay, as measured by Level of Service (LOS) and other similar metrics, no longer constitutes a significant environmental effect under CEQA; and

WHEREAS, staff worked with a transportation consultant, Fehr & Peers, to develop administrative guidelines for analyzing VMT consistent with SB 743 (2013), the CEQA Guidelines, and technical guidance provided by OPR; and

WHEREAS, staff worked with Fehr & Peers to prepare text amendments to the Transportation Element of the General Plan to formalize the replacement of LOS with VMT as the criteria to be used for transportation analysis under CEQA in the City of San Leandro and to establish the appropriate context for LOS-based analyses outside of the CEQA process; and

WHEREAS, On November 1, 2023, the Facilities and Transportation Commission received a staff presentation regarding the recommended administrative guidelines and the proposed text amendments to the General Plan Transportation Element; and

WHEREAS, a Planning Commission staff report dated January 4, 2024, and incorporated herein by reference, describes and analyzes the administrative guidelines and the proposed text amendments to the General Plan Transportation Element; and

WHEREAS, on January 4, 2024, the Planning Commission reviewed the administrative guidelines and the proposed text amendments to the General Plan Transportation Element at a duly noticed public hearing, at which time all interested parties had the opportunity to be heard; and

WHEREAS, on January 4, 2024, the Planning Commission, after consideration of all pertinent documents, staff report, public comments, and all other testimony and evidence presented at the public hearing, voted 6-0-1 to adopt Planning Commission Resolution No. 2024-001, incorporated herein by reference, to recommend City Council adoption of the proposed text amendments to the General Plan Transportation Element; and

WHEREAS, a City Council staff report dated February 5, 2024, and incorporated herein by reference, describes and analyzes the proposed text amendments to the General Plan Transportation Element; and

WHEREAS, the City Council reviewed the staff report at a duly noticed public hearing, at which time all interested parties had the opportunity to be heard; and

WHEREAS, the City Council has considered all public comments received, the presentation by City staff, the staff report and attachments in adopting this resolution; and

WHEREAS, the City Council desires to adopt the proposed text amendments to the General Plan Transportation Element; and

WHEREAS, the City's General Plan is incorporated herein by reference and is available for review at City Hall during normal business hours and on the City's website; and

NOW, THEREFORE, the City Council of the City of San Leandro **RESOLVES** that the above recitals are true and correct and made a part of this resolution; and

BE IT FURTHER RESOLVED THAT the City Council make the following findings:

1. The proposed text amendments are exempt from the requirements of the California Environmental Quality Act in accordance with CEQA Guidelines Section 15061(b)(3) because the text amendments

do not have the potential to cause a significant effect on the environment and CEQA Guidelines Section 15268(a) because the text amendments are ministerial actions that are exempt from CEQA.

2. The proposed text amendments are consistent with SB 743, as mandated by the State Legislature and the CEQA Guidelines.
3. The proposed text amendments will not be detrimental to the public interest, health, safety, or welfare of the City.
4. The proposed amendments are internally consistent with the General Plan, and are consistent with the City's General Plan, as amended.

BE IT FURTHER RESOLVED THAT the City Council of the City of San Leandro amend the text of the General Plan Transportation Element as described in Exhibit A.

Introduced by Councilmember _____ and passed and adopted this 5th day of February 2024, by the following vote:

AYES:

NOES:

ABSENT:

ATTEST:

Kelly B. Clancy, CMC
City Clerk