

CITY OF ONTARIO

Agenda Report
June 16, 2020

SECTION:
CONSENT CALENDAR

SUBJECT: A RESOLUTION ADOPTING VEHICLE MILES TRAVELED THRESHOLDS FOR DETERMINING SIGNIFICANCE OF TRANSPORTATION IMPACTS THROUGH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT IN CONFORMANCE WITH SB 743

RECOMMENDATION: That the City Council consider and adopt a resolution adopting Vehicle Miles Traveled (VMT) Thresholds for determining significance of transportation impacts through the California Environmental Quality Act (CEQA) in conformance with Senate Bill 743 (SB 743).

COUNCIL GOALS: Operate in a Businesslike Manner
Pursue City's Goals and Objectives by Working with Other Governmental Agencies

FISCAL IMPACT: None.

BACKGROUND: In 2013, SB 743 was adopted which directed the Office of Planning and Research (OPR) to examine alternative ways to analyze transportation impacts of projects during the CEQA process. OPR determined that using VMT is a more suitable metric than Level of Service (LOS) in determining transportation impacts of a project. By July 1, 2020, all cities in the State of California are required to adopt VMT thresholds for passenger vehicle and light duty trucks and determine the methodology to be used during this analysis. These decisions are at the sole discretion of each jurisdiction.


City staff participated in a collaborative study led by San Bernardino County Transportation Authority (SBCTA) which evaluated the tools, thresholds, and mitigation options appropriate for jurisdiction in this county. This study allowed for the unique characteristics of the region to be examined and provided broad guidance to the local jurisdictions within it. The VMT thresholds and methodology being proposed exempt projects that are not likely to generate significant VMT by applying the OPR and SBCTA collaborative recommendations, and it will rely on the current General Plan (The Ontario Plan-"TOP").

STAFF MEMBER PRESENTING: Scott Murphy, AICP, Executive Director Development Agency

Prepared by: Melanie Mullis

Department: Engineering

City Manager

Approval: 

Submitted to Council/O.H.A. 06/16/2020

Approved: 06/16/2020 

Continued to: _____

Denied: _____

Reso No. 2020-071

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While LOS will no longer be used to assess the impacts of a project during the CEQA process, use of LOS to comply with Congestion Management Plan requirements, assess a project's consistency with TOP and determine project specific transportation improvements will continue.

On May 26, 2020, the Planning Commission considered the proposed VMT thresholds and voted 6-0 to issue a resolution recommending the City Council approve them.

ENVIRONMENTAL REVIEW: The project is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to § 15061(b)(3) (General Rule) of the CEQA Guidelines based on the fact that there is no possibility that adoption of VMT Thresholds will result in a significant effect on the environment.



PLANNING COMMISSION STAFF REPORT

May 26, 2020

FILE NO.: SB 743 VMT Thresholds

SUBJECT: Adoption of Vehicle Miles Traveled Thresholds (VMT) for determining significance of transportation impacts through the California Environmental Quality Act in conformance with SB 743; **City Initiated. City Council action is required.**


RECOMMENDED ACTION: That the Planning Commission consider and recommend City Council adoption of Vehicle Miles Traveled (VMT) Thresholds for Implementing the California Environmental Quality Act (CEQA) pursuant to SB 743, pursuant to the facts and reasons contained in the staff report and attached resolution.

PROJECT ANALYSIS:

(1) Background - The California Environmental Quality Act (CEQA) is California's comprehensive environmental law. It requires public agencies to evaluate the environmental effects of a project before action is taken. CEQA also aims to prevent significant environmental effects from occurring as a result of agency actions by requiring agencies avoid or reduce, when feasible, the significant environmental impacts of their decisions.

With the adoption of SB 743 in 2013, Office of Planning and Research (OPR) was directed to examine alternative ways to analyze transportation impacts of projects during the CEQA process. OPR determined that use of Vehicle Miles Traveled (VMT) rather than Level of Service (LOS) is most suitable when analyzing the environmental impacts of a project since LOS assesses automobile delay and roadway efficiency rather than environmental impacts on transportation from projects. The use of VMT thresholds for passenger vehicle and light duty trucks was incorporated into revised state CEQA Guidelines that were adopted in December 2018. In addition, OPR adopted guidelines for use of VMT as the transportation metric to assist local governments when preparing their VMT thresholds. This VMT analysis does not apply to large trucks typically used for transporting of goods.

All cities in the State of California are required to adopt VMT thresholds for use during the CEQA process no later than July 1, 2020. The thresholds will determine what non-exempt projects may have a significant impact upon transportation. The decision on what the thresholds shall be is at the sole discretion of each jurisdiction. City staff participated in a collaborative study led by San Bernardino County Transportation Authority (SBCTA) which evaluated the tools, thresholds, and mitigation options appropriate for San

Case Planner:	Melanie Mullis, Principal Planner
Planning Director Approval:	
Submittal Date:	05/11/2020

Hearing Body	Date	Decision	Action
DAB			
PC	05/26/2020	Approval	Recommend
CC			Final

Bernardino County. This study allowed for the unique characteristics of our region to be examined and provide broad guidance to the local jurisdictions within it.

While LOS will no longer be used to assess the impacts of a project during the CEQA process, it does not preclude the City from using LOS analysis to comply with Congestion Management Plan requirements, assess a project's consistency with The Ontario Plan or to conduct project specific transportation analysis.

Local CEQA Guidelines

In July 2019, City Council adopted the current City CEQA Guidelines which includes provisions for using VMT thresholds. This proposed action would establish the thresholds that the City of Ontario will use during the review of projects for their environmental impacts to transportation.

These VMT Thresholds will become effective upon adoption. New projects or projects that have not circulated CEQA documents for public review before the effective date must comply with the City's new VMT Thresholds.

[2] Analysis — The proposed VMT Impact Thresholds contained in Exhibit A attached to the draft resolution identify the thresholds being proposed. The proposed VMT thresholds are based on the City's average VMT for Service Population (Residents and Employees) and includes trips both within the County and between the City and locations outside the County. The combination of the high number of jobs in Ontario, reasonable housing costs (compared to counties to the west), the presence of various regional uses such as Ontario International Airport, Ontario Mills, Toyota Arena and various large distribution facilities, and its proximity to Los Angeles, Riverside and Orange counties, make Ontario's VMT characteristics unique. Residents who work in Los Angeles or Orange counties can find more affordable housing in Ontario than locations to the west yet are within a commutable distance. Conversely, Ontario is within a reasonable commute distance from locations outside of Ontario for the more than 100,000 people who work in Ontario. This results in an average Service Population VMT higher than both the County and SCAG region because of these unique characteristics.

While Ontario's VMT for Service Population rate is higher than the County or SCAG region, The Ontario Plan land use and mobility plans concentrates balanced growth in strategic areas resulting in an overall Ontario and regional reduction in both VMT (0.2%) and GHG (0.2%). In addition, The Ontario Plan land uses have been incorporated into the County transportation model (SBTAM) which have been incorporated into SCAG's regional transportation model. As such, projects consistent with The Ontario Plan are consistent with the Regional Transportation Plan (RTP) and Sustainable Communities Strategy (SCS). Therefore, with the incorporation of the VMT reduction within The Ontario Plan land use analysis, staff is recommending that the City maintain TOP VMT reduction goal of 0.2%. Future projects consistent with TOP and in conformance with the VMT Impact Thresholds (Exhibit A) are determined to have less than significant impacts for transportation. Projects that exceed the TOP VMT Citywide average for Service

Population under General Plan Buildout conditions and/or RTP/SCS are determined to be significant and require additional CEQA analysis.

COMPLIANCE WITH THE ONTARIO PLAN: The proposed project is consistent with the principles, goals and policies contained within the Vision, Governance, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan (TOP). More specifically, the goals and policies of TOP that are furthered by the proposed project are as follows:

[1] City Council Goals.

- Operate in a Businesslike Manner
- Pursue City's Goals and Objectives by Working with Other Governmental Agencies

[2] Policy Plan (General Plan)

Mobility Element:

- Goal M1: A system of roadways that meets the mobility needs of a dynamic and prosperous Ontario.
 - M1-2 Mitigation of Impacts. We require development to mitigate its traffic impacts.

HOUSING ELEMENT COMPLIANCE: The project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP) COMPLIANCE: The project site is located within the Airport Influence Area of the Ontario International Airport and has been found to be consistent with the policies and criteria set forth within the Ontario International Airport Land Use Compatibility Plan.

ENVIRONMENTAL REVIEW: The project is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to § 15061(b)(3) (General Rule) of the CEQA Guidelines based on the fact that there is no possibility that adoption of VMT Thresholds will result in a significant effect on the environment.

RESOLUTION NO. PC20-021

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING CITY COUNCIL ADOPT “VEHICLES MILES TRAVELED” THRESHOLDS OF SIGNIFICANCE FOR PURPOSES OF ANALYZING TRANSPORTATION IMPACTS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA).

WHEREAS, the California Environmental Quality Act Guidelines (“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, pursuant to CEQA Guidelines section 15064.7(c), when adopting thresholds of significance, a public agency may consider thresholds of significance adopted or recommended by other public agencies provided that the decision of the agency is supported by substantial evidence; and

WHEREAS, Senate Bill 743, enacted in 2013 and codified in Public Resources Code section 21099, required changes to the CEQA Guidelines regarding the criteria for determining the significance of transportation impacts of projects; 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, as a result, automobile delay, as measured by “level of service” (“LOS”) and other similar metrics, will generally no longer constitute a significant environmental effect under CEQA; and

WHEREAS, CEQA Guidelines section 15064.3 requires agencies to stop treating automobile delay/LOS as an environmental impact effective on July 1, 2020, though public agencies may elect to be governed by this section immediately; and

WHEREAS, the City of Ontario, following a public review process consisting of staff presentations before the Planning Commission, wishes to adopt the VMT thresholds of significance for determining the significance of transportation impacts that are recommended in an analysis conducted by the San Bernardino County Transportation Authority on behalf of its member jurisdictions; and

WHEREAS, the project is exempt from the requirements of the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA") pursuant to § 15061(b)(3) (General Rule) of the CEQA Guidelines based on the fact that there is no possibility that adoption of VMT Thresholds will result in a significant effect on the environment; and

WHEREAS, on May 26, 2020, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED, AND RESOLVED by the Planning Commission of the City of Ontario, as follows:

SECTION 1. Environmental Determination and Findings. As the recommending body for the Project, the Planning Commission has reviewed and considered the information contained in the administrative record for the Project. Based upon the facts and information contained in the administrative record, including all written and oral evidence presented to the Planning Commission, the Planning Commission finds as follows:

a. The Project is exempt from environmental review pursuant to Section 15601(b)(3) (General Rule) of the CEQA Guidelines; and

b. The application of the categorical exemption is not barred by one of the exceptions set forth in CEQA Guidelines Section 15300.2; and

c. The determination of CEQA exemption reflects the independent judgment of the Planning Commission.

SECTION 2. Concluding Facts and Reasons. Based upon the substantial evidence presented to the Planning Commission during the above-referenced hearing,

and upon the specific findings set forth in Section 1, above, the Planning Commission hereby concludes as follows:

a. Adoption of the Vehicle Miles Traveled (VMT) Thresholds is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan; and

b. The Vehicle Miles Traveled (VMT) Thresholds would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City.

SECTION 3. *Planning Commission Action.* Based upon the findings and conclusions set forth in Sections 1 through 2, above, the Planning Commission hereby **RECOMMENDS THE CITY COUNCIL APPROVE**

1. Utilizing the San Bernardino County Travel Demand Model (SBTAM) as its preferred methodology to measure VMT.
2. Utilizing the San Bernardino County Travel Demand Model (SBTAM) as its preferred method to analyze a project's VMT impact.
3. Utilizing a threshold consistent with Table 1 in Exhibit A

SECTION 4: *Indemnification.* The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void, or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action, or proceeding, and the City of Ontario shall cooperate fully in the defense.

SECTION 5: *Custodian of Records.* The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario.

SECTION 6: *Certification to Adoption.* The Secretary shall certify to the adoption of the Resolution.


The Secretary Pro Tempore for the Planning Commission of the City of Ontario shall certify as to the adoption of this Resolution.

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 26th day of May, 2020, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.



Jim Willoughby
Planning Commission Chairman

ATTEST:



Rudy Zeledon
Assistant Planning Director and
Secretary to the Planning Commission

Planning Commission Resolution
File No. SB 743 VMT Thresholds
May 26, 2020
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STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC20-021, was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on May 26, 2020, by the following roll call vote, to wit:

AYES: DeDiemar, Gage, Gregorek, Reyes, Ricci, Willoughby

NOES: None

ABSENT: Downs

ABSTAIN: None



Gwen Berendsen
Secretary Pro Tempore

Exhibit A

<u>VMT Impact Thresholds</u>		
<u>Methods</u>	<u>Project Threshold</u>	<u>Cumulative Threshold</u>
<u>Land Use Plans (such as General Plans and Specific Plans)</u>		
<ul style="list-style-type: none"> • San Bernardino Traffic Analysis Model (SBTAM) forecast of total daily VMT/SP. To capture project effect, the same cumulative year population and employment growth totals should be used. The 'project' only influences land use allocation. 	A significant impact would occur if the project VMT/SP (for the land use plan) exceeds the Citywide average for Service Population under General Plan Buildout Conditions.	A significant impact would occur if the project caused total daily VMT within the City to be higher than the no project alternative under cumulative conditions.
<ul style="list-style-type: none"> • Consistency check with SCAG RTP/SCS. Is the proposed project within the growth projections in the RTP/SCS? 	NA	A significant impact would occur if the project is determined to be inconsistent with the RTP/SCS.
<u>Land Use Projects</u>		
<ul style="list-style-type: none"> • Transit Priority Area (TPA) screening. 	Presumed less than significant VMT impact for projects located in TPAs if the project: <ul style="list-style-type: none"> ○ Has a Floor Area Ratio 0.75 or higher; ○ Includes no more parking for residents, customers or employees than the City Development Code mandates; ○ Is consistent with the Sustainable Communities Strategy (SCS) as determined by the City with input from SCAG or SBCTA; and ○ If there are existing affordable residential units, replaces those residential units with at least as many similarly affordable units and not with a smaller number of moderate or high-income residential units. 	Project presumption applies under cumulative conditions as long as project is consistent with SCAG RTP/SCS.
<ul style="list-style-type: none"> • Low VMT area screening. 	Presumed less than significant VMT impact for projects located in low VMT generating model traffic analysis zones (TAZs). These TAZs generate total daily VMT/SP that is 15% less than the baseline level for the County.	Project presumption applies under cumulative conditions as long as project is consistent with SCAG RTP/SCS.
<ul style="list-style-type: none"> • Low Trip Generating Uses 	Projects below 110 Average Daily Trips (ADT) are presumed to be less than significant, such as: <ul style="list-style-type: none"> ○ 11 single family housing units; ○ 16 multi-family, condominiums or townhouse housing units; ○ 10,000 sq. ft. of office; ○ 15,000 sq. ft. of light industrial; 	Project presumption applies under cumulative conditions as long as project is consistent with SCAG RTP/SCS.

<u>VMT Impact Thresholds</u>		
<u>Methods</u>	<u>Project Threshold</u>	<u>Cumulative Threshold</u>
	<ul style="list-style-type: none"> o 63,000 sq. ft. of warehousing; and 79,000 sq. ft. of high cube transload and short-term storage warehouse. 	
<ul style="list-style-type: none"> • Project type screening by land use type. 	<p>Projects that meet the criteria describe below can be screened from further VMT review during the CEQA process and are presumed to have less than significant impact upon transportation (determination to be made by City staff).</p> <ol style="list-style-type: none"> 1. Residential, office, retail or mix of these uses within ½ mile of an existing major transit stop or a stop along a high-quality transit corridor as long as the use: <ol style="list-style-type: none"> a. Has at least 0.75 FAR; b. Provides no more parking than the Development Code requires; and c. Is consistent with the RTP/SCS and The Ontario Plan. 2. Local serving retail: <ol style="list-style-type: none"> a. Not greater than 50,000 sq. ft. in size b. Projects with a Neighborhood Commercial TOP Land Use designation since this designation is intended to be local serving (Neighborhood Commercial is defined as “Local serving retail, personal service, office, and dining uses, typically located within a predominantly residential neighborhood”). 3. Certain Transportation projects that do not add vehicle capacity such as: <ol style="list-style-type: none"> a. Roadway maintenance; b. Right or left turn lanes (no through traffic); c. Addition of transit only lanes; d. Traffic signal timing to optimize vehicle, bicycle or pedestrian flow; e. Installation of roundabouts or traffic circles; f. Installation of traffic calming devices; and g. Installation of bicycle or pedestrian facilities and other active transportation projects. 4. Local Serving K – 12 Public Schools (not magnet or charter schools); 5. Local/Neighborhood Parks; 6. Daycare / Childcare/Pre-Kindergarten; 7. Affordable or Supportive Housing; 8. Student Housing on or adjacent to college campuses; 9. Community Institutions (e.g. Public Library, Fire Station, local government facilities); 10. Senior Housing (as defined by HUD) or Assisted Living facilities; HUD defines Senior Housing as projects that are: 	<p>Project presumption applies under cumulative conditions as long as project is consistent with SCAG RTP/SCS.</p>

<u>VMT Impact Thresholds</u>		
<u>Methods</u>	<u>Project Threshold</u>	<u>Cumulative Threshold</u>
	<ul style="list-style-type: none"> a. Provided under any state or federal program that the Secretary of HUD has determined to be specifically designed and operated to assist elderly persons (as defined in the state or federal program); b. Intended for, and solely occupied by persons 62 years of age or older; or c. Intended and operated for occupancy by persons 55 years of age or older. (most commonly used) <ul style="list-style-type: none"> 11. Redevelopment of a site to residential or office that would generate fewer VMT than the existing use; and 12. Non-Destination Small Hotels (with 150 or fewer rooms and no Banquet Facilities). This is appropriate given locating small hotels in Ontario will serve the airport and local businesses and reduce the VMT of these customers from having to travel further from the airport or their business destination. 	
<ul style="list-style-type: none"> • VMT analysis using SBTAM forecast of total daily VMT/SP. 	A significant impact would occur if the project VMT/SP exceeds the Citywide average for Service Population under General Plan Buildout Conditions.	<p>A significant impact would occur if the project is determined to be inconsistent with the RTP/SCS.</p> <p>A significant impact would occur if the project causes total daily VMT within the City to be higher than the no project alternative under cumulative conditions. This analysis should be performed using the 'project effect' or 'boundary' method.</p>
<u>Transportation Projects (thresholds may apply for SB 743 or GHG purposes)</u>		
<ul style="list-style-type: none"> • SBTAM forecast of total citywide daily VMT¹ 	A significant impact would occur if the project increased the baseline VMT within the City for Service Population.	A significant impact would occur if the project caused total daily VMT within the City to be higher than the no build alternative under cumulative conditions.
<ul style="list-style-type: none"> • Consistency check with SCAG RTP/SCS 	NA	A significant impact would occur if the project is determined to be inconsistent with the RTP/SCS.

¹ It is recommended that SBTAM is used to develop VMT estimates for transportation project impact assessment. However, the analyst must verify the model results for sensitivity to changes in VMT. Alternatively, if the model is not deemed appropriate, Robert Cervero's research on lane-mile elasticity and its relationship to VMT can be referenced.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ADOPTING VEHICLES MILES TRAVELED THRESHOLDS OF SIGNIFICANCE FOR PURPOSES OF ANALYZING TRANSPORTATION IMPACTS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA).

WHEREAS, the California Environmental Quality Act Guidelines ("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, pursuant to CEQA Guidelines section 15064.7(c), when adopting thresholds of significance, a public agency may consider thresholds of significance adopted or recommended by other public agencies provided that the decision of the agency is supported by substantial evidence; and

WHEREAS, Senate Bill 743, enacted in 2013 and codified in Public Resources Code section 21099, required changes to the CEQA Guidelines regarding the criteria for determining the significance of transportation impacts of projects; 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, as a result, automobile delay, as measured by "level of service" ("LOS") and other similar metrics, will generally no longer constitute a significant environmental effect under CEQA; and

WHEREAS, CEQA Guidelines Section 15064.3 requires agencies to stop treating automobile delay/LOS as an environmental impact effective on July 1, 2020, though public agencies may elect to be governed by this section immediately; and

WHEREAS, the City of Ontario, following a public review process consisting of staff presentations before the Planning Commission, wishes to adopt the VMT thresholds of significance for determining the significance of transportation impacts that are recommended in an analysis conducted by the San Bernardino County Transportation Authority on behalf of its member jurisdictions; and

WHEREAS, the project is exempt from the requirements of the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA") pursuant to § 15061(b)(3) (General Rule) of the CEQA Guidelines based on the fact that there is no possibility that adoption of VMT Thresholds will result in a significant effect on the environment; and

WHEREAS, on May 26, 2020, the Planning Commission of the City of Ontario considered the proposed VMT Thresholds and recommended the City Council adopt the VMT Thresholds; and

WHEREAS, on June 16, 2020, the City Council of the City of Ontario considered the proposed VMT Thresholds; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED, AND RESOLVED by the City Council of the City of Ontario ("City"), as follows:

SECTION 1. Environmental Determination and Findings. As the decision-making body for the Project, the City Council has reviewed and considered the information contained in the administrative record for the Project. Based upon the facts and information contained in the administrative record, including all written and oral evidence presented to the City Council, the City Council finds as follows:

a. The Project is exempt from environmental review pursuant to Section 15601(b)(3) (General Rule) of the CEQA Guidelines; and

b. The application of the categorical exemption is not barred by one of the exceptions set forth in CEQA Guidelines Section 15300.2; and

c. The determination of CEQA exemption reflects the independent judgment of the City Council.

SECTION 2. Concluding Facts and Reasons. Based upon the substantial evidence presented to the City Council during the above-referenced hearing, and upon the specific findings set forth in Section 1, above, the City Council hereby concludes as follows:

a. Adoption of the Vehicle Miles Traveled (VMT) Thresholds is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan; and

b. The Vehicle Miles Traveled (VMT) Thresholds would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City.

SECTION 3. *City Council Action.* Based upon the findings and conclusions set forth in Sections 1 through 2, above, the City Council hereby ADOPTS:

1. Utilizing the San Bernardino County Travel Demand Model (SBTAM) as its preferred methodology to measure VMT.
2. Utilizing the San Bernardino County Travel Demand Model (SBTAM) as its preferred method to analyze a project's VMT impact.
3. Utilizing a threshold consistent with Table 1 in Exhibit A

SECTION 4. *Custodian of Records.* The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario.

SECTION 5. *Certification to Adoption.* The City Clerk shall certify to the adoption of the Resolution.

PASSED, APPROVED, AND ADOPTED this 16th day of June 2020.

PAUL S. LEON, MAYOR

ATTEST:

SHEILA MAUTZ, CITY CLERK

APPROVED AS TO FORM:

COLE HUBER, LLP
CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, SHEILA MAUTZ, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. 2020- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held June 16, 2020, by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

SHEILA MAUTZ, CITY CLERK

(SEAL)

The foregoing is the original of Resolution No. 2020- duly passed and adopted by the Ontario City Council at their regular meeting held June 16, 2020.

SHEILA MAUTZ, CITY CLERK

(SEAL)

Exhibit A

<u>VMT Impact Thresholds</u>		
<u>Methods</u>	<u>Project Threshold</u>	<u>Cumulative Threshold</u>
<u>Land Use Plans (such as General Plans and Specific Plans)</u>		
<ul style="list-style-type: none"> • San Bernardino Traffic Analysis Model (SBTAM) forecast of total daily VMT/SP. To capture project effect, the same cumulative year population and employment growth totals should be used. The 'project' only influences land use allocation. 	A significant impact would occur if the project VMT/SP (for the land use plan) exceeds the Citywide average for Service Population under General Plan Buildout Conditions.	A significant impact would occur if the project caused total daily VMT within the City to be higher than the no project alternative under cumulative conditions.
<ul style="list-style-type: none"> • Consistency check with SCAG RTP/SCS. Is the proposed project within the growth projections in the RTP/SCS? 	NA	A significant impact would occur if the project is determined to be inconsistent with the RTP/SCS.
<u>Land Use Projects</u>		
<ul style="list-style-type: none"> • Transit Priority Area (TPA) screening. 	Presumed less than significant VMT impact for projects located in TPAs if the project: <ul style="list-style-type: none"> ○ Has a Floor Area Ratio 0.75 or higher; ○ Includes no more parking for residents, customers or employees than the City Development Code mandates; 	Project presumption applies under cumulative conditions as long as project is consistent with SCAG RTP/SCS.

<u>VTM Impact Thresholds</u>		
<u>Methods</u>	<u>Project Threshold</u>	<u>Cumulative Threshold</u>
	<ul style="list-style-type: none"> ○ Is consistent with the Sustainable Communities Strategy (SCS) as determined by the City with input from SCAG or SBCTA; and ○ If there are existing affordable residential units, replaces those residential units with at least as many similarly affordable units and not with a smaller number of moderate or high-income residential units. 	
<ul style="list-style-type: none"> • Low VMT area screening. 	Presumed less than significant VMT impact for projects located in low VMT generating model traffic analysis zones (TAZs). These TAZs generate total daily VMT/SP that is 15% less than the baseline level for the County.	Project presumption applies under cumulative conditions as long as project is consistent with SCAG RTP/SCS.
<ul style="list-style-type: none"> • Low Trip Generating Uses 	<p>Projects below 110 Average Daily Trips (ADT) are presumed to be less than significant, such as:</p> <ul style="list-style-type: none"> ○ 11 single family housing units; ○ 16 multi-family, condominiums or townhouse housing units; ○ 10,000 sq. ft. of office; ○ 15,000 sq. ft. of light industrial; ○ 63,000 sq. ft. of warehousing; and ○ 79,000 sq. ft. of high cube transload and short-term storage warehouse. 	Project presumption applies under cumulative conditions as long as project is consistent with SCAG RTP/SCS.
<ul style="list-style-type: none"> • Project type screening by land use type. 	<p>Projects that meet the criteria describe below can be screened from further VMT review during the CEQA process and can be determined to not have a significant impact upon transportation (determination to be made by City staff).</p> <ol style="list-style-type: none"> 1. Residential, office, retail or mix of these uses within ½ mile of an existing major transit stop or a stop along a high-quality transit corridor as long as the use: 	Project presumption applies under cumulative conditions as long as project is consistent with SCAG RTP/SCS.

<u>VMT Impact Thresholds</u>		
<u>Methods</u>	<u>Project Threshold</u>	<u>Cumulative Threshold</u>
	<ul style="list-style-type: none"> a. Has at least 0.75 FAR; b. Provides no more parking than the Development Code requires; and c. Is consistent with the RTP/SCS and The Ontario Plan. <ul style="list-style-type: none"> 2. Local serving retail (not greater than 50,000 sq. ft. in size) or projects with a Neighborhood Commercial TOP Land Use designation since this designation is intended to be local serving (Neighborhood Commercial is defined as "Local serving retail, personal service, office, and dining uses, typically located within a predominantly residential neighborhood"). 3. Certain Transportation projects that do not add vehicle capacity such as: <ul style="list-style-type: none"> a. Roadway maintenance; b. Right or left turn lanes (no through traffic); c. Addition of transit only lanes; d. Traffic signal timing to optimize vehicle, bicycle or pedestrian flow; e. Installation of roundabouts or traffic circles; f. Installation of traffic calming devices; and g. Installation of bicycle or pedestrian facilities and other active transportation projects. 4. Local Serving K – 12 Public Schools (not magnet or charter schools); 5. Local/Neighborhood Parks; 6. Daycare / Childcare/Pre-Kindergarten; 	

<u>VMT Impact Thresholds</u>		
<u>Methods</u>	<u>Project Threshold</u>	<u>Cumulative Threshold</u>
	<p>7. Affordable or Supportive Housing;</p> <p>8. Student Housing on or adjacent to college campuses;</p> <p>9. Community Institutions (e.g. Public Library, Fire Station, local government facilities);</p> <p>10. Senior Housing (as defined by HUD) or Assisted Living facilities; HUD defines Senior Housing as projects that are:</p> <ol style="list-style-type: none"> Provided under any state or federal program that the Secretary of HUD has determined to be specifically designed and operated to assist elderly persons (as defined in the state or federal program); Intended for, and solely occupied by persons 62 years of age or older; or Intended and operated for occupancy by persons 55 years of age or older. (most commonly used) <p>11. Redevelopment of a site to residential or office that would generate fewer VMT than the existing use; and</p> <p>12. Non-Destination Small Hotels (with 150 or fewer rooms and no Banquet Facilities). This is appropriate given locating small hotels in Ontario will serve the airport and local businesses and reduce the VMT of these customers from having to travel further from the airport or their business destination.</p>	
<ul style="list-style-type: none"> • VMT analysis using SBTAM forecast of total daily VMT/SP. 	A significant impact would occur if the project VMT/SP exceeds the Citywide average for Service Population under General Plan Buildout Conditions.	A significant impact would occur if the project is determined to

<u>VTM Impact Thresholds</u>		
<u>Methods</u>	<u>Project Threshold</u>	<u>Cumulative Threshold</u>
		<p>be inconsistent with the RTP/SCS.</p> <p>A significant impact would occur if the project causes total daily VMT within the City to be higher than the no project alternative under cumulative conditions. This analysis should be performed using the 'project effect' or 'boundary' method.</p>
<u>Transportation Projects (thresholds may apply for SB 743 or GHG purposes)</u>		
<ul style="list-style-type: none"> • SBTAM forecast of total citywide daily VMT¹ 	A significant impact would occur if the project increased the baseline VMT within the City for Service Population.	A significant impact would occur if the project caused total daily VMT within the City to be higher than the no build alternative under cumulative conditions.
<ul style="list-style-type: none"> • Consistency check with SCAG RTP/SCS 	NA	A significant impact would occur if the project is determined to be inconsistent with the RTP/SCS.

¹ It is recommended that SBTAM is used to develop VMT estimates for transportation project impact assessment. However, the analyst must verify the model results for sensitivity to changes in VMT. Alternatively, if the model is not deemed appropriate, Robert Cervero's research on lane-mile elasticity and its relationship to VMT can be referenced.