

# SMART MOBILITY FOR SMART GROWTH



Implementing SB 743 and Complete Streets in San Diego



# Acknowledgements

This report is published by Circulate San Diego as part of our #PlanDiego series, in partnership with the Complete Streets Task Force, which is comprised of [Circulate San Diego](#), the [American Planning Association \(APA\)-San Diego Section](#), members of the [Institute of Transportation Engineers \(ITE\)-San Diego Section](#), and other interested professionals.

## Contributing Authors:

Kathleen Ferrier, AICP, Circulate San Diego/ SDAPA  
Andy Hamilton, AICP, San Diego County Air Pollution Control District/ Circulate San Diego/ SDAPA  
Greg Konar, AICP, Konar Associates/ SDAPA  
Erik Ruehr, P.E., VRPA Technologies/ ITE  
Seth Torma, AICP, PTP, Parsons Brickerhoff/ SDAPA  
K.C. Yellapu, P.E., TE, PTOE, Linscott Law & Greenspan Engineers/ ITE

## Special Thanks To:

Thanks go to Circulate San Diego Policy Counsel Colin Parent for his role as lead editor, Executive Director Jim Stone for editing support, and Oscar Medina and Brian Gaze for graphic design.

Special thanks to Circulate San Diego Advocacy Director Kathleen Ferrier for organizing our July 2015 roundtable on SB 743 implementation. This report was largely informed by that effort, which included representatives from the American Planning Association, Association of Environmental Professionals, Institute of Transportation Engineers, the San Diego Regional Chamber of Commerce, the City of San Diego, the City of Chula Vista, the City of La Mesa, SANDAG, and Caltrans. Health professionals and developers also participated. A summary of the roundtable is attached as an appendix.





# Introduction

In 2013, California adopted [SB 743](#), a landmark transportation impact law that holds the promise to rethink how transportation and communities are shaped.

Prior to SB 743, transportation analyses for development projects under the California Environmental Quality Act (CEQA) relied on a metric called “Level of Service” (LOS), which measures the duration of expected vehicle delay. To minimize LOS impacts, projects were incentivized to build more car-related infrastructure, which in turn encourages more driving and higher greenhouse gas emissions.

SB 743 required the Governor’s Office of Planning and Research (OPR) to offer a replacement to LOS for CEQA purposes, and they proposed Vehicle Miles Traveled (VMT).<sup>1</sup> For projects subject to CEQA, this change presents implementation challenges, and also an opportunity to create more balanced transportation systems, while generating fewer costly (and deadly) impacts.

The Complete Streets Task Force, composed of [Circulate San Diego](#), [American Planning Association \(APA\)-San Diego Section](#), [Institute of Transportation Engineers \(ITE\)-San Diego Section](#), and others, offers the following implementation steps for consideration.



## 1. Make Good Planning the Driver - Not Level of Service

Local governments will need to replace LOS with VMT in their planning documents and policies. Applying an LOS standard to local development and infrastructure projects has been argued to undermine walking and cycling, decrease safety, and impose ongoing costs by pushing land uses farther apart.<sup>1</sup> SB 743’s authors concluded the use of LOS in CEQA also undermines state climate goals.

***“We believe replacing LOS with VMT, while challenging initially, will promote better planning...”***

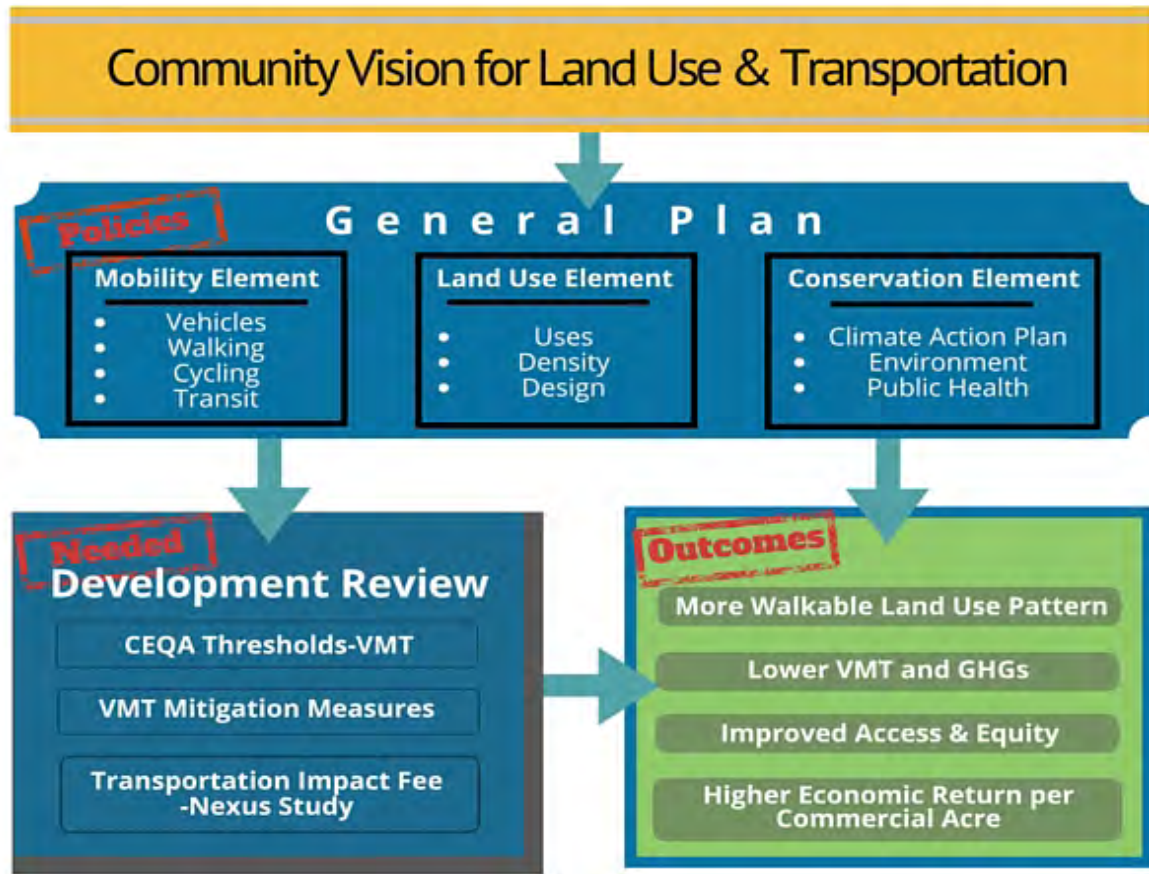
**We believe replacing LOS with VMT, while challenging initially, will promote better planning, incentivize more investment in the safety of bicycling and walking, and give local governments more freedom to implement their jurisdiction’s vision for their transportation networks.**

Many jurisdictions fear the switch to VMT will remove a proven mechanism to identify necessary mitigation and to extract traffic mitigation funds. As we explain below, this is not so. However, the mitigation funding pathway will be less straightforward.<sup>3</sup>

***“Relying on VMT (an environmental impact metric) rather than LOS (a congestion metric) requires thinking about transportation systems as a whole.”***

Relying on VMT (an environmental impact metric) rather than LOS (a congestion metric) requires thinking about transportation systems as a whole. As Figure 1 illustrates, this kind of comprehensive thinking is, or should be, embodied in a local General Plan.

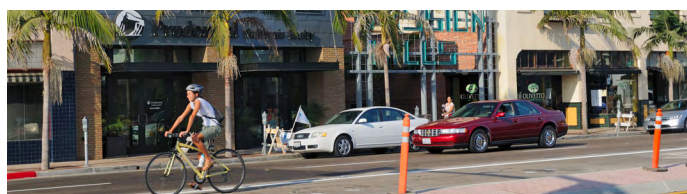
Figure 1. Street Investments Driven by a Balanced General Plan Vision, Not LOS



The General Plan and its implementing documents/policies should:

- Offer a **vision** for the future layout of the jurisdiction.
- Plan for land use patterns (Land Use Element) and transportation **priorities** (Mobility Element)<sup>4</sup> to achieve the vision (see Figure 1).
- Establish **new CEQA thresholds** (Section 2) tailored to implement General Plan priorities in particular neighborhoods or corridors.
- Establish pre-selected **mitigation measures** (Section 3) to reduce VMT and implement the vision.

Localities can still require mitigations involving increased roadway capacity, but findings may be required to ensure they are consistent with the General Plan. Use of LOS is not prohibited in non-CEQA processes, and may still make sense on particular roads.



**Effective Mobility Elements** of General Plans acknowledge the tradeoffs between transportation investment choices and prioritize modes by location (Figure 2).

Newer techniques include pedestrian zones, layered networks, complete street corridors, and no-widening zones. Far less effective are plans that declare all modes "high priority," but establish citywide LOS standards. In practice, LOS is met by widening roads and intersections, which can increase crash risks and create hostile conditions for non-drivers.

Figure 2. City of San Marcos General Plan Complete Street Guide, Mode Preferences

Sample Street	Prioritized Modes
San Marcos Boulevard, Discovery to Grand	Transit Pedestrian
Rancho Santa Fe Road, Portions of Twin Oaks Valley Road	Vehicles Bicycle Pedestrian



## 2. Adopt CEQA Thresholds for VMT

Local governments should adopt new CEQA thresholds that use VMT, replacing standards that use LOS.

OPR's January 2016 revised CEQA Guidelines [proposal](#) solidifies the state's intention to use the CEQA process to reduce VMT in ways not previously contemplated under CEQA.<sup>5</sup> For example:

*“OPR's January 2016 revised CEQA Guidelines proposal solidifies the state's intention to use the CEQA process to reduce VMT in ways not previously contemplated under CEQA.”*

- **New Development:** Recommends numeric VMT thresholds, incentivizing VMT reductions in all locations.
- **Road Projects:** Requires estimation of induced VMT in both the short term (increased trips) and long term (induced travel due to new development).
- **Transit & Active Transportation:** These projects are categorically exempt from VMT analyses. Development projects must meaningfully consider safety and connectivity for non-drivers.
- **Technical Advisory :** A new document specifies non-regulatory, evidence-based approaches to analyzing safety and VMT impacts.



## 3. Reduce VMT Through Multi-Modal Plans

Jurisdictions should revisit their Mobility Elements and project plans to ensure they provide for *reducing* rather than simply *accommodating* VMT, primarily via robust multi-modal networks and [Transportation Demand Management](#) (TDM).

In the new era of VMT-based analysis, OPR emphasizes that the safety of walking and bicycling must receive higher priority, and should not be sacrificed to minimize vehicle delay.<sup>6</sup> The ideal Mobility Element will elevate the importance of pedestrian, bicycle, and transit improvements, and incentives<sup>7</sup> to encourage their use. (These and other oft-overlooked TDM measures routinely achieve 15% reductions to VMT.<sup>8</sup>) To best enable projects to meet CEQA's new requirements, these plans should be consistent with SANDAG's Sustainable Communities Strategy, and the implementing jurisdiction's local Climate Action Plan.

## 4. Establish a Transportation Impact Fee to Mitigate VMT

Before SB 743, local governments calculated transportation mitigation fees based on planned transportation systems intended to reduce vehicle delay and to preserve LOS. SB 743 provides an opportunity to reimagine transportation impact fee programs to focus on VMT reduction.

Mitigation for a project's direct transportation (VMT) impacts is best provided at a development or close by, in part to engage neighborhood residents in their design. However, no project can mitigate all VMT impacts this way, and projects need to contribute to planned system-wide transportation improvements. To address a project's system-wide, "cumulative" impacts (the aggregate of the project's offsite VMT impacts plus those of other known projects), jurisdictions may employ a Transportation Impact Fee (TIF) specifically addressing VMT reduction.



The TIF provides a ready mechanism for developments to contribute their fair share toward implementation of the multimodal system referenced in Step 3. OPR endorses this approach in its discussion of *Impacts to Transit*.<sup>9</sup> **These TIF fees can be structured to replace the existing transportation impact fees.** Smart growth projects generating low VMT would pay a lower fee. Projects expected to generate more VMT would pay a higher fee, or offset those fees by building infrastructure to encourage more non-car transportation options.

Several California cities—Pasadena, Santa Monica, Palo Alto, San Francisco, Berkeley, and others—have TIF programs aimed at enhancing non-driving modes. While developers famously dislike fees, developers tend to favor TIF programs for their certainty and simplicity.

The study to determine the total cost of planned transportation improvements, and the fair-share contribution that can be charged as a TIF, is known as a **Nexus Study**. We recommend local jurisdictions, through SANDAG, undertake a multi-modal regional Nexus Study—similar to the one performed for the Regional Arterial System—and establish a regional TIF framework aimed at VMT reduction. Individual cities and the County may, at their option, use this fee calculation to replace their existing local transportation fee structure.

## 5. Update Regional Traffic Impact Study Guidelines and CEQA Thresholds

SANDAG should update its [Regional Traffic Impact Study Guidelines](#) to be tied with VMT, not LOS. This will provide exemplary guidelines cities can choose to apply with the new legislation.

Current recommended CEQA thresholds for traffic impacts are documented in SANDAG's [Regional Traffic Impact Study Guidelines](#) (as well as other local agency guidelines).<sup>10</sup> These thresholds are currently based on vehicle LOS and thus will not be permissible thresholds under SB 743. VMT thresholds in the San Diego region may not exactly match those recommended by OPR. **The VMT thresholds used here should be carefully tailored to trigger desired investments in VMT-reducing services and facilities, and to incentivize low-VMT land use designs and locations.**

## Conclusion

Implementing SB 743 has the potential to significantly change the way transportation is planned in California. This will be accomplished by changing each step of the planning process:

- Re-examine local plans, especially Land Use and Mobility Elements of General Plans,
- Revise CEQA thresholds and mitigation to minimize VMT rather than vehicle delay,
- Provide greater consistency between local plans and CEQA analysis/mitigation,
- Establish a nexus for creating multi-modal transportation impact fees, and
- Increase consideration of pedestrian/bike/transit safety and access.

While this transition seems daunting, the Complete Streets Task Force believes it heralds an opportunity to create greater consistency between General Plans and their implementation at the project level. It could also more effectively align transportation planning with other priorities, including economic development, fiscal responsibility, active transportation, public health, and especially climate goals. We look forward to this exciting evolution in local planning.



## Endnotes

1. Governor's Office of Planning and Research, Revised Proposal on Updates to the CEQA Guidelines on Evaluating Transportation impacts in CEQA (January 20, 2016), available at [https://www.opr.ca.gov/docs/Revised\\_VMT\\_CEQAGuidelines\\_Proposal\\_January\\_20\\_2016.pdf](https://www.opr.ca.gov/docs/Revised_VMT_CEQAGuidelines_Proposal_January_20_2016.pdf).
2. Ronald Milam, Fehr and Peers, LOS Gets a Failing Grade (2006), available at <http://issuu.com/fehrandpeers/docs/transportationimpactanalysis>.
3. Bill Fulton's Blog, SB 743 at CCAPA: Will Roadway Expansion Be Transformed From Mitigation To Impact? (September 16, 2014), available at <http://www.cp-dr.com/node/3576>.
4. For example, the City of San Marcos 2013 Mobility Element replaced auto-based road "classifications" with roadway "typologies" that account for all modes. A Multi-Modal LOS metric was also established. See City of San Marcos, Mobility Element, available at <http://www.san-marcos.net/home/showdocument?id=8479>.
5. VMT calculation methodologies are becoming standard, and include an approach adopted by SANDAG for use in Climate Action Plans and being modified for CEQA purposes. See Institute of Transportation Engineers, Vehicle Miles Traveled Calculations Using SANDAG Regional Travel Demand Model (May 2013), available at [http://www.sandag.org/uploads/publicationid/publicationid\\_1795\\_16802.pdf](http://www.sandag.org/uploads/publicationid/publicationid_1795_16802.pdf).
6. OPR, *supra* note 1, at page 35.
7. For example, shared-ride services (car-share, bike-share, carpooling, transit), parking management, and other TDM tactics. See San Diego Association of Governments, Integrating Transportation Demand Management Into the Planning and Development Process (May 2012), available at [http://www.sandag.org/uploads/publicationid/publicationid\\_1663\\_14425.pdf](http://www.sandag.org/uploads/publicationid/publicationid_1663_14425.pdf).
8. Herzog, et al., Do employee commuter benefits reduce vehicle emissions and fuel consumption?, Paper #06-2363, 85th Annual Meeting of the Transportation Research Board, Washington DC., available at <http://trrjournalonline.trb.org/doi/pdf/10.3141/1956-05>.
9. OPR, *supra* note 1, at page 26.
10. SANTEC / ITE Guidelines for Traffic Impact Studies [TIS] in the San Diego Region (March 2, 2000), available at <http://www.sandiegoite.org/wp-content/uploads/2012/08/San-Diego-TIS-Guidelines.pdf>.



## Appendix — Roundtable on Implementing SB 743 in the San Diego Region

Circulate San Diego hosted a roundtable discussion in July 2015 to discuss implementing SB 743 in the San Diego region. The purpose of the roundtable was to invite professionals from public and private sectors to discuss their experience and opinion on:

- Challenges and opportunities provided through SB 743 legislation,
- Areas of common interest among the professional organizations that can help guide policy change, and
- Potential for SB 743 legislation to advance sustainable, and comprehensive transportation planning in San Diego

Professional organizations such as the American Planning Association, Association of Environmental Planners, Institute of Traffic Engineers, and the Chamber of Commerce were represented as well as government agencies like the City of San Diego, SANDAG, and Caltrans. Health professionals and developers were also present.

Several themes were repeated during the two-hour discussion:

- Emphasis on the importance of accessibility for all transportation modes,
- Need for solid methodologies that minimize potential for lawsuits,
- Challenge of balancing small vs. large projects,
- Switch from auto-dependence to multi-modal system while most infrastructure and individual behavior favors cars,
- Challenge and opportunity to prioritize local transportation and land use outcomes for each city, and
- Benefits of creating regional guidelines

The following outlines more details on the discussion.

### 1. What are the biggest challenges/opportunities with SB 743 change?

#### **Opportunities**

- Provides cities with ability to transition away from project by project analysis required by Level of Service to a more comprehensive approach that focuses on improving entire transportation network and transportation priorities,
- Provides opportunity to measure safety and accessibility to destinations by all modes, rather than efficiency of car trips to get there. As a result, safety

- and accessibility for all modes can be improved,
- Allows cities to minimize historic expansion of roadway infrastructure thus minimizing future expenditures, and
- Reduces role of CEQA level of service analysis and emphasizes role of planning, especially to reduce risk of climate change.

#### **Challenges**

- Development of new methodology leaves room for litigation as no one methodology has been standardized,
- Transition period will be required as cities and areas that are more auto-oriented will need to reduce auto travel, but still want to maintain level of vehicular mobility, especially if VMT metric drives lead agencies to add higher density or greater mix of land uses as a mitigation measure to lower VMT,
- New methodology will make it easier for development projects to fund non-auto improvements, but systems and thresholds are not yet in place to achieve this,
- Standardization of VMT analysis not yet in place and different methodologies for VMT analysis will lead to lack of certainty within development community,
- Not clear yet how projects will be incentivized in desired locations with desired project features, and
- Uncertainty that proposed CEQA Guideline amendments might override local general plans on the issue of traffic congestion and what impacts this will have.

### 2. What options and opportunities are there to create new CEQA significance thresholds to implement a VMT policy?

- Big opportunity in San Diego to create regional guidelines for significance thresholds,
- Los Angeles is currently developing regional guidelines which San Diego can learn from, but will not likely adopt off the shelf,
- New thresholds can include access and safety requirements for walking and bicycling which don't exist today, and
- With goal of streamlining infill projects, it is important to maintain threshold for smaller projects to maintain a safe harbor from further environmental analysis.

### 3. Is there support to revise transportation impact fees for VMT mitigation?

- Consensus that there is much support for revised fees and that these fees can build on multi-modal goals established in general plans as well as improve safety and access for all modes,
- Greater support for new fees that are established in lieu of existing fees and not additional,
- Concern about effectiveness of new fee structure - to balance payments made with larger vs. small



projects, to maximize desired improvements without overburdening development community, and to ensure fees benefit residents in project area,

- Regional guidelines could provide more certainty and less room for legal challenges, and
- Fee structure would need to be established to incentivize projects in lower income and infill areas where challenges currently exist for projects to pencil out.

4. *What actions are in progress to pave the way for change?*

- San Diego's existing Regional Arterial System identified through TransNet and RTCIP provide opportunities for a replacement fee system but these are focused largely on vehicular improvements,
- New focus on accessibility metrics around the country to measure access and safety as potential best practices, and
- SANDAG and ITE jointly released a report in 2013 proposing a preferred VMT analysis methodology for the San Diego region based on point of departure and destinations.

5. *Are there best practices in the state already established that can help guide the way on any of these components?*

- Los Angeles' transportation impact guidelines under development could be useful guide,
- City of Pasadena is developing new transportation performance measures and transportation improvement fee,
- City of Solana Beach plans to develop comprehensive transportation improvement fee, starting in 2016, and
- Other cities are looking at establishing metrics for accessibility that can serve as best practices.

Circulate San Diego  
1111 6th Ave Suite 402,  
San Diego, CA 92101  
(619) 544-9255  
[www.circulatesd.org](http://www.circulatesd.org)

