

**Date:** July 6, 2020

**From:** Petra Pless, Pamela Reaves, David Smith

**To:** Mayor Gary Phillips  
City Council Members

**CC:** Responsible Growth in Marin (RGM)  
Paul Jensen, City of San Rafael,  
Barry Miller, City of San Rafael  
Rafat Raie, City of San Rafael

**Re:** Review of Staff Report for July 6, 2020 City Council Meeting, Agenda Item No. 7.a, General Plan 2040 Transportation Standards, Recommended Standards for Vehicle Miles Traveled (VMT) and Transportation Level of Service (LOS) for General Plan 2040

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*Notes:*

The release of the Staff Report on Thursday, July 2<sup>nd</sup> before the 4<sup>th</sup> of July weekend prevented RGM from preparing an earlier response and vet this document in time for submission to the City. Therefore, the statements below regarding the City's proposed transportation standards and methodologies for the General Plan 2040 should be understood to solely represent the personal understanding of the preparers.

We would like to express appreciation of staff's commitment, cooperation, and detailed responses to RGM's concerns regarding the VMT and LOS methodologies over the past months. Staff's responses have resolved many of our concerns and questions. Below are some follow-up questions and comments to further iron out some details. We regret the late submittal of this letter to the City.

## **LOS Methodology**

### *1) Program M2.5 Traffic Circulation Studies*

Staff Report, Attachment 3: Draft Level of Service (LOS) Policy, Program M2.5A: Traffic Circulation Studies, p. 2, paragraph 1, appears to exempt projects affecting intersections and arterials already classified as LOS E/F ("Unless covered by the exemptions in Policy M-2.5") from being subject to the traffic impact study provisions of "projections of future LOS, an assessment of the contribution of the proposed project to increases in congestion, an assessment of projected increases in congestion on greenhouse gas emissions, and an assessment of traffic impact fees related to the project."

We respectfully request that all projects, no matter their existing LOS classification, be subject to those provisions and mitigation measures to avoid further deterioration of those already negatively affected intersections and arterials.

Staff Report, Attachment 3: Draft Level of Service (LOS) Policy, Program M2.5A: Traffic Circulation Studies, p. 2, paragraph 2, appears to only require evaluation of impacts on current but not impacts on future conditions. (“Projects that are exempt from LOS and/or VMT standards may still be required to perform traffic and circulation studies to evaluate impacts on traffic conditions or traffic control devices in the immediate area of the proposed project.”) The wording of this section is unclear and open to misinterpretation and does not appear to convey the intent of Staff’s answers to our questions on LOS (Staff Report, Attachment 4: Questions and Answers Regarding Transportation Methodologies, pp. 14 17.) Please clarify the wording to require evaluation of impacts on current and future conditions.

## *2) LOS E/F Standards/Guidelines*

Staff Report, Attachment 4: Questions and Answers Regarding Transportation Methodologies, p. 15, defers developing LOS E/F standards/ guidelines to a later date. (“We would not expect this matter to resolved in the General Plan itself, but rather through follow-up guidelines or operational/ administrative memoranda to be developed as the City begins SB 743 implementation. The General Plan will acknowledge that metrics and methods should be developed to address this issue.”) We respectfully request any such future guidelines and memoranda be made available for public review.

## **VMT Methodology**

### *1) Independent Review of VMT and LOS Modeling*

Staff Report, Attachment 4: Questions and Answers Regarding Transportation Methodologies, Response 1, p. 1, provides that “[I]nterested parties may request backup information on the model network and land use inputs, and any other changes to the model, to independently review and verify. This would be similar to the current procedure for trip generation and distribution calculations in traffic studies.” The City currently uses a publicly available traffic model, Synchro, to determine project impacts on LOS. This model can be run by traffic engineers to independently verify the City’s projections. Will the TAM Demand Model for project impacts on VMT also be available for independent reviewers to run with the provided information?

*2) General Plan 2040 Growth Assumptions for North San Rafael*

Staff Report, Attachment 4: Questions and Answers Regarding Transportation Methodologies, Response 3a, p. 2, refers to “projected 2040 conditions, which include the addition of roughly 4,400 residential units (half of which are Downtown) and 4,100 jobs between 2020 and 2040. The traffic modeling for General Plan 2040 Plan included assumptions about where these residential units and jobs would be located.” We respectfully request a discussion of the assumptions and their origin for residential and job growth to 2040 in North San Rafael and clarification whether the traffic modeling included a 15% reduction in VMT compared to existing conditions.

*3) SMART Civic Center Station*

RGM previously asked the City to explore whether it has the flexibility to circumvent the one-size-fits-all CEQA mandate of designating the SMART Civic Center Station as a “major transit stop,” from automatically triggering the exemption of projects within ½ mile from the station from the requirement to prepare a VMT analysis. The Staff Report, Attachment 4: Questions and Answers Regarding Transportation Methodologies, Response 3c, p. 4, states that “[w]e appreciate and understand this concern and will continue to explore our options.” We are pleased that the City continues to explore available options and respectfully request to be kept in the loop on activities and findings. We note that Section 15064.3(b)(1) of the California Code of Regulations states that projects within a ½ mile radius of a major transit stop “generally” should be presumed to cause a less than significant transportation impact. The use of the term “generally” implies that the legislature recognizes that not all projects should be automatically exempted but that agencies have a certain amount of leeway in their decision.

*4) Screening Criteria for Small Projects*

We recommend that the City rely on the screening criteria metric of 110 trips per day, which was developed based on the categorical CEQA exemption for existing facilities, including additions to existing structures of up to 10,000 square feet, only “so long as the project is in an area where public infrastructure is available to allow for maximum planned development and the project is not in an environmentally sensitive area. (See CEQA Guidelines, § 15301, subd. (e)(2) and OPR 2018 Technical Advisory, p. 12, footnote 19.) Extrapolating the CEQA exemption from the already tenuous link between an addition of 10,000 square feet to an existing structure and the generation of 110 trips per day to other land use categories should not further stretch this link by disregarding the underlying CEQA requirements. In other words, we recommend that the City continue to assess whether a project is in an area where public infrastructure is available and the project is not in an environmentally sensitive area before applying the screening criteria.

5) *ITE Manual Trip Generation Rates*

The Staff Report, Attachment 4, p. 5, states that “ITE rates are tested, sampled, and proven to be reliable and suitable for their intended purpose, which in this case is to determine when a VMT analysis is required.” We respectfully disagree. The ITE Manual trip generation rates are frequently criticized, and many cities are moving away from their sole reliance on them for transportation planning. Criticisms include: a) data from the 1980s through the 2010s are mixed together, reducing the accuracy of calculated average trip generation rates; b) no breakdown of locations where data were collected, lumping together downtown with suburban and rural areas and transit-heavy cities with car-centric cities; and c) many land uses are not represented as a separate category or rely on only one or two studies. As a result, the average trip generation rates derived by ITE have a very large standard deviation and low confidence. In fact, the introduction to ITE Manual itself states that its “At specific sites, the user may wish to modify trip generation rates presented in this document to reflect the presence of public transportation service, ridesharing, or other TDM measures; enhanced pedestrian and bicycle trip-making opportunities; or other special characteristics of the site or surrounding area.” We inquire whether local data may be available through the highly detailed TAM Demand Model that would be more representative for local conditions than the generic nationwide average trip generation rates provided by the ITE Manual.

6) *VMT Metric for Retail*

Staff Report, Attachment 4: Questions and Answers Regarding Transportation Methodologies, Response 5.e.ii, p. 9, states that “CEQA practice focuses on environmental effects that occur on a typical weekday, so all references to VMT are intended to mean VMT that occurs on a typical weekday.” We question this claim. CEQA is intended to address environmental effects, no matter which day of the week. CEQA practice therefore addresses effects on weekend days as well as weekdays. For example, prior CEQA traffic impact analyses using the LOS methodology provided modeling results for both weekdays and weekend days. Similarly, noise impact analyses provide modeling for all hours of the week. It is the express intent of SB 743 to reduce greenhouse gas emissions, not only on weekdays but overall. We are concerned that relying on VMT rates for a typical weekday is not a representative metric for retail uses (suggested to be measured as “Total Project Generated VMT”), especially for shopping malls such as Northgate Mall and Montecito Plaza, which see much higher traffic volumes on weekend days with presumably the same trip lengths, thereby resulting in higher Total Project Generated VMT compared to weekdays. We respectfully request that Staff reconsider this metric for retail uses and specify that “Total Project Generated VMT” be based on the sum of VMT for all days of the week, *i.e.*, 5 weekdays and 2 weekend days. Alternatively, the methodology could use weighted average daily VMT ( $[5 \times \text{weekday VMT} + 2 \text{ weekend VMT}] / 7$ ).

7) *Mitigation Measures*

The Staff Report, Attachment 4: Questions and Answers Regarding Transportation Methodologies, Response 6, p. 12, concurs with RGM's recommendation that feasible mitigation measures for significant VMT impacts should be developed and "believes this can be treated as an implementing action once an overall approach for SB 743 implementation has been agreed to." We respectfully request that any such implementing action be subject to public review. Further, we recommend that the effectiveness of each recommended measure be quantified based on substantial evidence in order to determine whether the implementation of measure(s) would reduce VMT below the threshold(s) of significance.