

CITY OF HAYWARD PLANNING COMMISSION

PROPOSED AMENDMENT OF THE HAYWARD 2040 GENERAL PLAN TO COMPLY WITH CHANGES TO STATE LAW INCLUDING THE ESTABLISHMENT OF NEW VEHICLE MILES TRAVELED (VMT) CEQA THRESHOLDS FOR THE CITY OF HAYWARD

GENERAL PLAN AMENDMENT

Pursuant to HMC Section 10-1.3425(a), the Planning Commission shall hold a public hearing on all map and text amendments. The Planning Commission may recommend approval of or deny a text amendment, reclassification, or pre-zoning to the City Council. Recommendations for approval shall be based upon all the following findings:

1. Substantial proof exists that the proposed change will promote the public health, safety, convenience, and general welfare of the residents of Hayward;

The proposed General Plan Amendment and subsequent adoption of new Vehicle Miles Traveled (VMT) thresholds will have many positive impacts to the City. Lower VMT, or the reduced car travel speeds that are often associated with lower VMT, can lead to lower accident rates, increased physical activity (from pedestrian and bicycle programs and projects), improved air quality, and amenities that range from inviting streetscapes to sidewalk cafes to walking neighborhoods that may be desired by City residents and shoppers. The new thresholds will also encourage the redevelopment of infill sites throughout the City which will promote the public health, safety, convenience and general welfare of the residents and businesses in Hayward in that the thresholds will provide a streamlined process for development review and result in clear, consistent and interpretable standards and processes. The proposed Amendment will also promote walkable, mixed-use developments through the City and near major transit centers to ultimately minimize the reliance of personal automobiles to further reduce greenhouse gas emissions at a local and regional scale.

2. The proposed change is in conformance with the purposes of this Ordinance and all applicable, officially adopted policies and plans;

The proposed General Plan Amendment will be in conformance with recently adopted SB 743 legislation that address how transportation analysis is determined in the City of Hayward. Consistent with the Bay Area's Regional Transportation Plan (RTP) and Sustainable Community Strategy (SCS), the adoption of VMT per capita is consistent with regional plans adopted by Metropolitan Transportation Commission (MTC) and the Association of Bay Area Governments (ABAG) to promote employment and housing growth near major transit centers, which also reduce greenhouse gas emissions and lower single-occupancy vehicle trips. Additionally, the City has several policies in the General Plan that support the transition from LOS to using VMT per capita, including:

- M-1.4 Multimodal System Extensions. The City shall require all new development that proposes or is required to construct or extend streets to develop a transportation network that complements and contributes to the city's multimodal system, maximizes connections, and minimizes barriers to connectivity.

- M-1.5 Flexible LOS Standards. The City shall consider flexible Level of Service (LOS) standards, as part of a multimodal system approach, for projects that increase transit-ridership, biking, and walking in order to reduce air pollution, energy consumption, and greenhouse gas emissions.
- M-1.8 Transportation Choices. The City shall provide leadership in educating the community about the availability and benefits of using alternative transportation modes.
- M-2.2 Regional Plans. The City shall support regional and countywide transportation plans (e.g., Plan Bay Area, Countywide Transportation Plan) that make alternatives to automobile use a transportation-system priority.
- M-2.5 Regional Traffic Impacts. The City shall review and comment on development applications in Alameda County and adjoining cities which may impact Hayward's transportation systems and shall suggest solutions to reduce negative effects on local circulation and mobility.
- M-4.3 Level of Service. The City shall maintain a minimum vehicle Level of Service E at signalized intersections during the peak commute periods except when a LOS F may be acceptable due to costs of mitigation or when there would be other unacceptable impacts, such as right-of-way acquisition or degradation of the pedestrian environment due to increased crossing distances or unacceptable crossing delays.
- H-3.2 Transit Oriented Development. The City shall encourage transit-oriented developments that take advantage of the City's convenient availability of transit.
- H-3.3 Sustainable Housing Development. The City shall improve affordability by promoting sustainable housing practices that incorporate a 'whole system' approach to siting, designing, and constructing housing that is integrated into the building site, consumes less water and improves water quality, reduces the use of energy use, and other resources, and minimizes its impact on the surrounding environment.

Additionally, the City's Climate Action Plan contains several goals and policies related to the reduction of VMT and GHG, including:

- M-8.2 Citywide TDM Plan
- M-8.4 Automobile Commute Trip Reduction
- M-9.10 Unbundled Multifamily Parking
- NR-2.6 Greenhouse Gas Reduction in New Development

3. Streets and public facilities existing or proposed are adequate to serve all uses permitted when property is reclassified; and

The proposed General Plan Amendment would update the thresholds that is currently used to evaluate transportation impacts in the City. The new thresholds do not directly require the creation of new streets and/or public facilities; rather, the Amendment emphasizes providing multi-modal transportation options and transportation demand and parking management strategies throughout the City. The proposed Amendments will support the expansion of the multi-modal and Complete Streets network to

promote walkability, bicycle mobility and the use of mass transit to reduce the overall use of personal, single-occupancy vehicle trips and overall greenhouse gas emissions.

4. All uses permitted when property is reclassified will be compatible with present and potential future uses, and, further, a beneficial effect will be achieved which is not obtainable under existing regulations.

The proposed Amendment includes the adoption of new CEQA thresholds related to Vehicle Miles Traveled (VMT), including new project thresholds that apply to small projects, development located near major transit stops, affordable housing and employment centers. The proposed Amendment will replace Level of Service (LOS) with vehicle miles traveled (VMT) per capita and provide streamlined review of land use and transportation projects that will help reduce future VMT per capita growth. Typically, development located at greater distance from shopping and employment centers or in areas with few transportation options generates vehicle trips of longer distances versus a similar development located in proximity to BART Stations and other areas with more transportation alternatives. The proposed Amendment will provide a beneficial effect which is not obtainable using existing regulations in that using VMT as the CEQA threshold will further reduce greenhouse gas emissions and traffic-related air pollution as well as promote multimodal transportation networks and a diversity of land uses, consistent with the goals and policies of the *Hayward 2040 General Plan* and Climate Action Plan.

CALIFORNIA ENVIRONMENTAL QUALITY ACT

Pursuant to the California Environmental Quality Act of 1970, Public Resources Code §21000, et seq., as amended and implementing State CEQA Guidelines, Title 14, Chapter 3 of the California Code of Regulations (collectively, “CEQA”), the proposed Amendments do not constitute a “project” within the meaning of Public Resources Code Section 21065, and CEQA Guidelines Sections 15061(b)(3) and 15378 because there is no potential that it will result in a direct or reasonably foreseeable indirect physical change in the environment and because it has no potential for either a direct physical change to the environment, or a reasonably foreseeable indirect physical change in the environment.