

# Memorandum

**TO:** HONORABLE MAYOR,  
CITY COUNCIL

**FROM:** Jim Ortbal  
Rosalynn Hughey  
Barry Ng

**SUBJECT: TRANSPORTATION POLICY  
UPDATE REQUIRED BY  
STATE LAW – LOS TO VMT**

**DATE:** June 16, 2017

Approved

*D. D. Syll*

Date

*6/20/17*

## INFORMATION

The purpose of this memorandum is to provide information about changes in State law that affect the City of San José's transportation and environmental review policies. This memorandum outlines the background and staff's initial analysis of this change, and the process proposed for outreach, study, and future adoption of new City policy and practices to comply with State law.

SB 743 removes automobile Level of Service (LOS) from transportation analysis under the California Environmental Quality Act (CEQA) and replaces it with a metric like Vehicle Miles Traveled (VMT). The State Office of Planning and Research (OPR) expects to submit new CEQA Transportation Guidelines to the Natural Resources Agency in the summer of 2017 to begin the formal rulemaking process. Concurrently, City staff will continue its research on the topic, initiate community outreach, and prepare for a September City Council Study Session.

## BACKGROUND

### California Environmental Quality Act

CEQA was enacted in 1970 in response to growing awareness that environmental impacts associated with proposed actions (projects) should be disclosed to the general public. Unless a project is determined to be exempt from environmental review under CEQA, and before a governmental decision-making body may take a discretionary action to approve a project, the State-required environmental review process mandates that the public be provided with an objective analysis of the immediate and long-range impacts of a proposed project on its surrounding physical environment, and that decision-makers consider these impacts. CEQA plays an important role in the implementation of many of the City's General Plan goals and

policies. The City implements CEQA in accordance with Title 21 (Environmental Clearance Ordinance) of the San José Municipal Code.

A fundamental component of CEQA analysis is the determination of whether a project has the potential to significantly affect the physical environment. This determination requires careful judgment on the part of the City and should be based on scientific and factual data to the extent possible. CEQA Guidelines encourage the use of thresholds of significance of environmental effects. *“A threshold of significance is an identifiable quantitative, qualitative or performance level of a particular environmental effect, non-compliance with which means the effect will normally be determined to be significant by the agency...”* For many years, the significant impact threshold for transportation used generally under CEQA, and by the City specifically, has been Transportation Level of Service (LOS).

### **Transportation Level of Service**

LOS measures vehicle delay (e.g. congestion levels) at intersections and on roadways. It is represented as a letter grade A through F, where LOS A represents completely free-flowing traffic, while LOS F represents highly congested conditions. In order to calculate the level of service for a project, a multi-step process is required that must identify, estimate or obtain the following information: intersections that may be affected (e.g. study intersections), traffic count and delay data, and trips projected from a project, along with travel mode (e.g. vehicle, transit, walking or bicycling) and direction of vehicle trip travel.

### **History of Transportation Policies and Relationship to CEQA in San José**

In 1978, the City Council first established a Transportation LOS Policy (Council Policy 5-3) to meet CEQA requirements and enable the City to require that projects include mitigation measures to reduce its transportation impacts and to conform to the Horizon 2000 General Plan. This Policy addressed impacts to LOS at signalized intersections and required mitigation, typically in the form of expanded intersections and roadways, to accommodate estimated increases in vehicular traffic associated with projects.

In 1987, the City Council adopted City Council Policy 5-4 to establish “alternate” traffic mitigation measures allowed under the General Plan. In 2002, the City Council adopted amendments to the San José 2020 General Plan to allow flexibility in the General Plan’s vehicular traffic and transportation policies to support multi-modal transportation goals and smart growth land use principles.

In June 2005, in alignment with the 2002 changes to the General Plan, the City Council adopted a new Multi-Modal Transportation Policy 5-3, consolidating the two previous Council Policies (Council Policy 5-3, “Transportation LOS,” and Council Policy 5-4, “Alternate Traffic

Mitigation Measures”) into a single Council Policy 5-3 entitled “Transportation Impact Policy” (the “Policy”). The Policy is still in effect today and provides a process for the analysis and consideration of the overall conformance of a proposed development with the City’s General Plan smart growth and multi-modal transportation policies. It is used as the environmental analysis threshold of significance for transportation, as well as a tool for transportation planning and operational analysis.

Under Policy 5-3, a project causing the LOS at signalized intersections to degrade below the LOS D standard represents a significant impact under CEQA. The Policy also includes exemptions for 1) intersections within the Downtown area, in recognition of the unique position of the Downtown as the transit hub of Santa Clara County and as the City’s center of financial, business, institutional and cultural activities, and 2) small, infill projects.

If a project does trigger a significant impact under CEQA, a more significant level of environmental review is necessary and mitigation measures may be required. For intersection impacts that cannot be mitigated, the Policy only allows the City Council to override that significant impact in one of following three circumstances:

1. The impact occurs outside of the City’s jurisdiction and therefore the City does not have control (for example, on a Caltrans facility or in a neighboring city)
2. The City Council establishes an Area or Transportation Development Policy to more comprehensively address land use and transportation needs
3. The City Council designates the intersection a “Protected Intersection,” where the intersection is already built to its maximum planned capacity. Protected Intersection designations are only allowed in Special Strategy Areas. Impacts on Protected Intersections require that alternative offsetting improvements (such as pedestrian, bicycle, and transit facilities) be made to enhance the transportation system in the vicinity of the development, the Protected Intersection, or other segments of the transportation system within a designated Community Improvement Zone.

Council Policy 5-3 has not been significantly updated since 2005, although in December 2016 the text and maps associated with Council Policy 5-3 were modified to reflect the current definition of Special Strategy Areas, including “Urban Villages, Transit Station Areas, and Specific Plan Areas” in the General Plan.

### **Envision San José 2040 General Plan**

In November 2011, the City Council adopted the Envision San José 2040 General Plan to guide future growth and development in San José. The General Plan continues the evolution of longstanding growth management and environmental sustainability policies, and establishes an

updated framework to enhance job growth while providing capacity for new housing and facilitating high-quality memorable urban places.

The General Plan aims to transform San José from a city built around the automobile to one that prioritizes people. It recognizes that access (being able to get to the things you need) is a function of both proximity and mobility and includes complementary strategies to improve them:

- **Proximity** – The General Plan provides a framework to transition from a segregated land use pattern, where the things that people need in their daily lives (jobs, housing, shops, services, daycare, schools, entertainment, recreation, etc.) are spread apart, to more mixed land uses that are integrated and clustered more closely together in “Planned Growth Areas.” These Planned Growth Areas are expected to accommodate more than 470,000 new residents and 380,000 additional jobs, as projected in the General Plan. Planned Growth Areas include Downtown, Specific Plan Areas, Urban Villages and Employment Priority Areas, and are largely clustered around existing and planned transit.

Regionally, these goals aim to bring residents and jobs closer together, because bringing more employment opportunities to San José allows more people to work closer to home and avoid long, traffic-filled commutes to and from job centers in northern parts of Santa Clara County and along the Peninsula.

- **Mobility** – The General Plan aims to build a more balanced and environmentally sustainable transportation system where 60% of trips made in San José are by walking, bicycling, transit or carpool. To realize this ambitious goal, the General Plan prioritizes better places to walk, connected bicycle facilities that are comfortable for people of all ages and abilities, and improved transit options, particularly in Planned Growth Areas.

This focused and balanced growth strategy aims to bring people closer to the places they need to go. It aims to reduce people’s need to travel (or travel as far) and increases their ability to travel on foot, bicycle or transit. This growth strategy also takes advantage of transit investments, with transit-oriented projects, that support transit ridership while decreasing auto-dependence.

While this strategy directs and promotes development within Planned Growth Areas, it also strictly limits new residential development outside of these Planned Growth Areas to preserve and enhance the quality of established neighborhoods, reduce environmental and fiscal impacts, and encourage growth within the City’s Urban Growth Boundary.

### **Vehicle Miles Traveled**

Vehicle miles traveled (VMT) measures the amount and distance people drive, taking the number of passengers within a vehicle into account. Typically, development at a greater distance from other land uses, located in areas with less access to non-automobile modes of travel, generates more driving than development that is located proximate to other complementary uses and/or where there are more transportation options other than the automobile. The information needed to calculate VMT is currently collected and used to determine CEQA impacts, including LOS, air quality, and greenhouse gases (GHG) emissions.

The City seeks to reduce VMT in three tiers – initially by 10%, then 20%, and eventually 40% per capita over the life of the Envision San José 2040 General Plan.

### **Senate Bill 743**

In September 2013, the California Legislature passed and Governor Brown signed Senate Bill 743 (Steinberg). SB 743 directs the State Office of Planning and Research (OPR) to produce new CEQA guidance for jurisdictions that removes automobile LOS from transportation analysis under CEQA and replaces it with VMT, or another measure that “promote[s] the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses.” The intent of this change is to shift the focus of transportation analysis from vehicle delay to the reduction of GHG emissions, creation of multimodal networks and promotion of integrated land uses.

State OPR published a preliminary evaluation of possible metrics to replace LOS in CEQA transportation analyses in December 2013, invited public comment on that evaluation, and used those comments to develop the Preliminary Discussion Draft of Updates to the CEQA Guidelines Implementing SB 743, released in August 2014. In January 2016, State OPR released a revised proposal for changes to the CEQA Guidelines to implement SB 743. The City of San José submitted comments on both the Preliminary Discussion Draft (2014) and Revised Proposal (2016). State OPR expects to submit the proposed Guidelines to the Natural Resources Agency in the summer of 2017 to begin the formal rulemaking process that will amend the State’s CEQA Guidelines. After this step, jurisdictions will likely have up to two years to complete changes to their policies and practices to comply with State law (anticipated mid 2019).

### **ANALYSIS**

SB 743 intends to appropriately balance local congestion management with statewide goals related to infill development, the promotion of public health through active transportation, and the reduction of regional congestion and pollution. The change also supports the State's climate

action goals to reduce GHG emissions through coordinated transportation and land use planning and more sustainable communities, in line with other State laws such as Assembly Bill 32 and Senate Bill 375.

Changes to CEQA under SB 743 can remove some barriers to infill development, public transportation projects, and projects that increase walking and biking. Under current environmental rules, increases in automobile traffic are considered an environmental impact that must be mitigated—often by expanding intersections and roadway capacity for automobiles—even if that mitigation actually increases GHGs. The preliminary CEQA Guidelines aim to streamline CEQA review for projects that increase infrastructure and improve safety for pedestrians, bicyclists, and transit-riders, while reducing the need to travel long distances by automobile. The preliminary CEQA Guidelines have the potential to make it easier for developers to complete residential, commercial, and mixed-use infill projects that improve air quality by reducing the number of miles driven by automobiles, based upon the land use and transportation characteristics of the project. Ultimately, this change aligns with the major strategies, land use plans, and transportation goals in the Envision San José 2040 General Plan and will greatly help with its implementation.

### **Transportation Policy Modification**

To comply with SB 743, San José needs to modify the City's current transportation impact policy, currently part of Council Policy 5-3, and the General Plan itself. Staff recommends approaching this policy update as an opportunity to more broadly update and ultimately align the City's transportation analysis for land use and transportation projects with the General Plan's major strategies and goals. These modifications are planned to occur in two primary phases:

- **Phase I (Late 2017) – CEQA Transportation Metric Transition** – This first phase would amend the General Plan and change the City's CEQA metric from LOS to VMT, establishing thresholds in line with State guidance and General Plan policies. A major aspect of the transition to VMT will be understanding likely consequences to pipeline and previously approved projects and policies and treating them in an appropriate manner. Outside of CEQA and for the foreseeable future, the City would continue analyzing new development site conditions, local area traffic and safety operations, including traffic congestion/LOS (although likely for a smaller geographic area and fewer intersections than under the current CEQA process), requiring improvements when feasible.
- **Phase II (2019) – Comprehensive Transportation Policy/System Transition** – In the second phase, modifications to the City's transportation policies would be developed to fully implement General Plan goals, realize planned growth, and complete the multi-modal transportation network; and streamline the transportation analysis and investment/traffic impact fee process for projects. This phased approach would allow a more comprehensive analysis of all measures utilized (including, but not limited to those required under CEQA), related policies, and further coordination with other jurisdictions. It also provides the opportunity for the City to assess and, if needed, determine

appropriate adjustments to policies implemented during Phase I, once the new process has been in place for a period of time.

Significant research and work is underway to complete preliminary drafts of the policy changes and implementation tools needed to implement Phase I. This includes finalizing the framework for exemptions, project analysis, and mitigation under CEQA with the VMT standard; re-scoping LOS-based analysis as part of operational analysis; developing and refining tools to undertake VMT-based analysis, including the existing Citywide travel demand model and sketch tools to analyze project characteristics and VMT mitigations; drafting new policy language, select General Plan amendments, and revised Transportation Analysis Guidelines; and, as detailed below, conducting significant outreach to and engagement with the community and stakeholders.

Staff anticipates that the Downtown Strategy 2040 EIR would be among the first major projects and/or plans subject to the VMT standard under CEQA.

The second phase of the proposed update to San José's transportation analysis is expected to continue into 2019, with the final timing and scope to be confirmed based on technical research and analytical needs, interjurisdictional coordination, and various stakeholder input.

### **Community Engagement and Milestones Towards a New CEQA Transportation Metric**

Staff began analyzing these potential changes necessitated by SB743 in 2016, undertaking a review of early practices and experiences, soliciting initial input from stakeholders, and conceptualizing policies based on State guidance, the City's 2040 General Plan, and initial input received. To date, City staff and consultants have hosted multiple sessions with VTA, development consultants, and other cities who have made or are in the process of making this transition. Staff have also had high-level discussions at City Council, the Planning Commission, and in other public forums. The City recognizes the importance of handling the transition from LOS to VMT thoughtfully and clearly to continue to facilitate development during the transition and avoid confusion, increased costs, community concern, or unintended consequences.

Staff will be initiating the following community engagement effort with the associated preliminary timelines and milestones:

- **Summer 2017:**

- Launch website with public information and how to get more involved:  
<http://www.sanjoseca.gov/vmt>
- Developer Roundtable & Industry Meeting: June 16, 8-9:30am
- Initial Community Meetings (June 24, 10-11:30am, and June 29, 6-7:30pm)
- Continue outreach with community groups, developers, and other jurisdictions
- Planning Commission Study Session (late August)

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**Subject: Transportation Policy Update Required by State Law – LOS to VMT**

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• **Fall 2017:**

- City Council Study Session (September 2017)
- Planning Commission Consideration (Fall 2017)
- City Council Consideration (Late 2017)

Phase II work is anticipated to build upon on the community engagement process and technical analysis completed as part of Phase I, including City Council guidance and direction, and experience with Phase I implementation. Phase II development would be expected to continue through 2018 and into 2019.

/s/  
JIM ORTBAL  
Director of Transportation

/s/  
ROSALYNN HUGHEY  
Interim Director of Planning, Building and  
Code Enforcement

/s/  
BARRY NG  
Director of Public Works

For questions, please contact Jessica Zenk in the Department of Transportation ([jessica.zenk@sanjoseca.gov](mailto:jessica.zenk@sanjoseca.gov) or 408-535-3543). To schedule a community information and input session on this topic, please contact Bena Chang at [bena.chang@sanjoseca.gov](mailto:bena.chang@sanjoseca.gov) or 408-975-3240.

cc: City of San José Planning Commission



## Interconnected, Accessible City

*Transportation Analysis Policy Revision in San José*  
*Shift to Vehicle Miles Traveled*

August 23, 2017  
Planning Commission Study Session



# Purpose of Meeting

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- What is being proposed and why?
- Answer your questions and receive feedback

# State Direction – Senate Bill 743 (Steinberg)

- Requires jurisdictions to stop using auto delay (measured by Level of Service) in transportation analysis under the California Environmental Quality Act
- Focuses on regional level impacts
- State Office of Planning and Research Draft Guidelines recommends using Vehicle Miles Traveled in transportation analysis under CEQA

# State's Goals

Reduce	Greenhouse Gas Emissions
Reduce	traffic-related air pollution
Promote	biking, walking, transit
Promote	development near transit
Provide	clean, efficient access to destinations

# What is Transportation Level of Service (LOS)?

- Measures car congestion at signalized intersections
- Intersections are assigned an A – F rating depending on how long vehicles are delayed at an intersection.
- Does not measure a location's vibrancy, walkability, bikeability, etc.

# What is Vehicle Miles Traveled (VMT)?

- Measure of how far people will typically travel by vehicle
- Low VMT projects & areas:
  - People don't have to travel by car as much or as far to get what they need
- High VMT projects & areas:
  - People have to go far to get what they need
  - People have few viable options other than to drive

# How does VMT line up City goals and policies?

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## Environmental Leadership

- New developments will need to reduce VMT and GHG emissions.

## Balanced Transportation System

- Streamline environmental process for transportation projects that reduce VMT like bike lanes, transit stops, crosswalks.
- Safety, traffic calming projects, operations

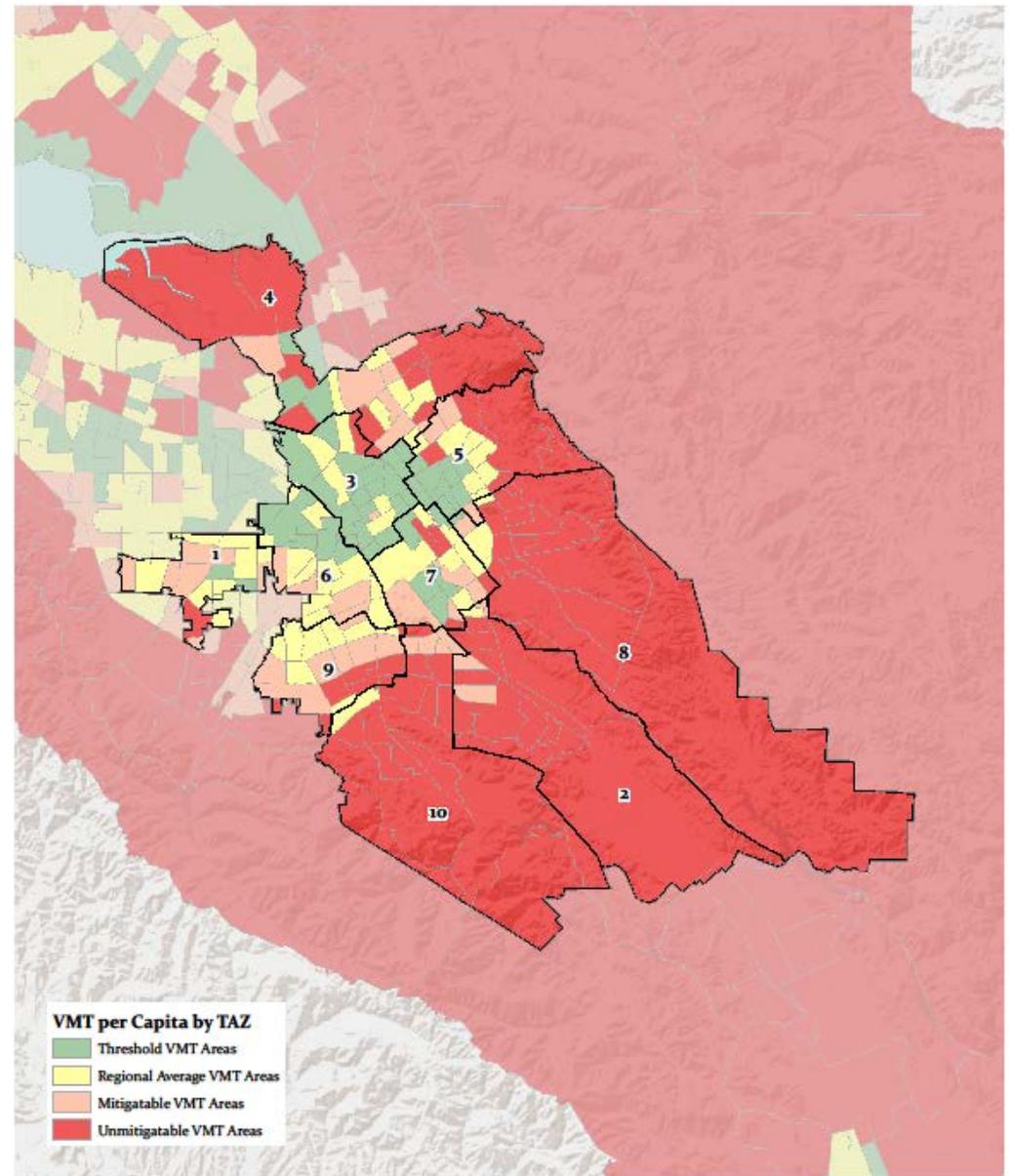
## Interconnected City

- Incentivize developments with good access to transit, retail and services.

## Focused Growth

- Streamline environmental process for developments near transit, retail, employment where there is a choice not to drive.
- Generally avoiding changes to existing neighborhoods.

# Draft VMT per Capita (Residential)

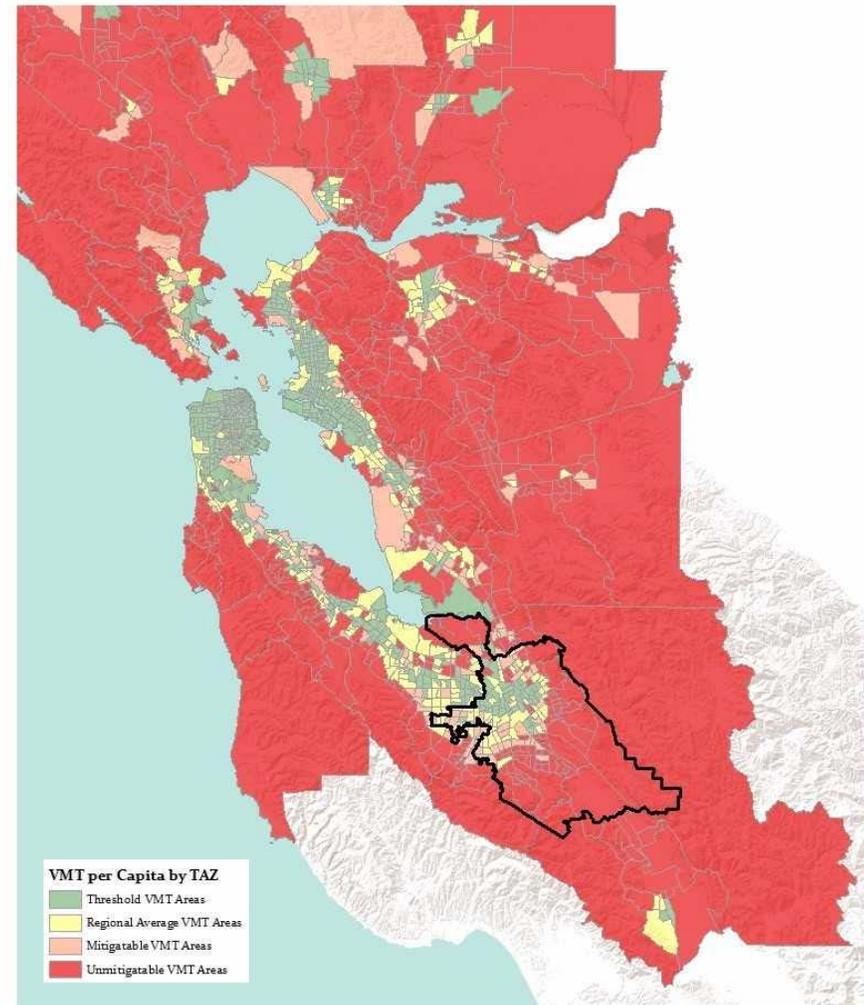


VMT per Capita by TAZ with  
City of San Jose Council Districts



0 3 6 Miles

# Draft Regional VMT per Capita (Residential)

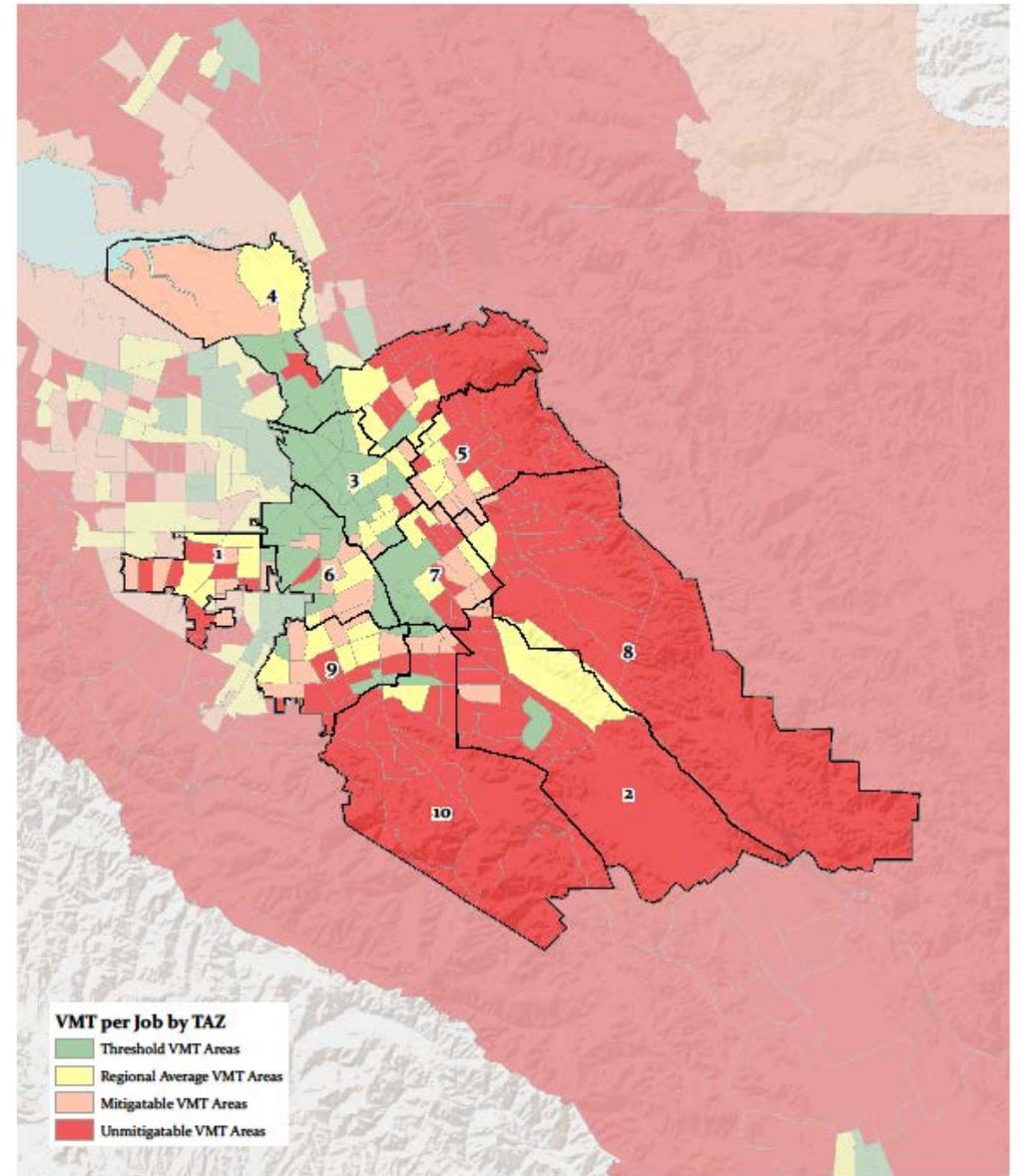


VMT per Capita by TAZ  
Regional View



0 5 10 Miles

# Draft VMT per Worker (Employment)

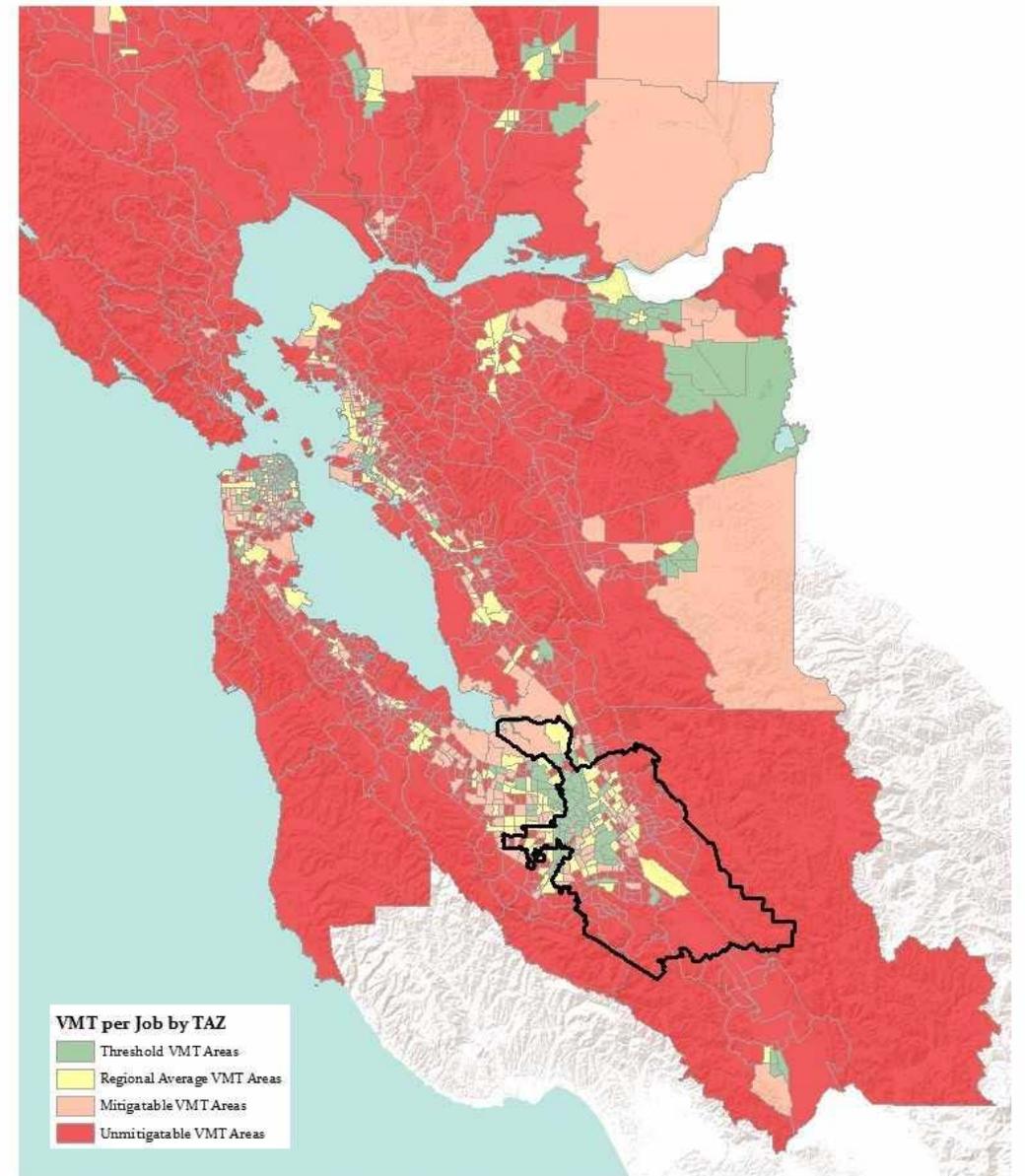


VMT per Job by TAZ with  
City of San Jose Council Districts



0 3 6 Miles

# Draft Regional VMT per Worker (Employment)



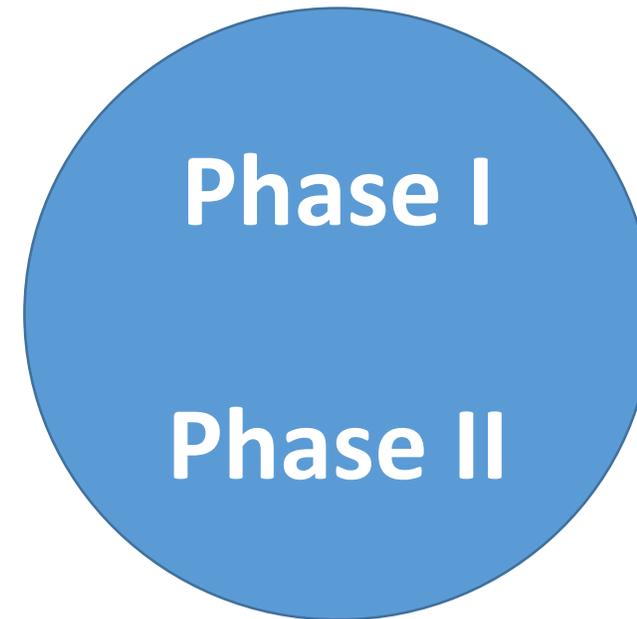
VMT per Job by TAZ  
Regional View



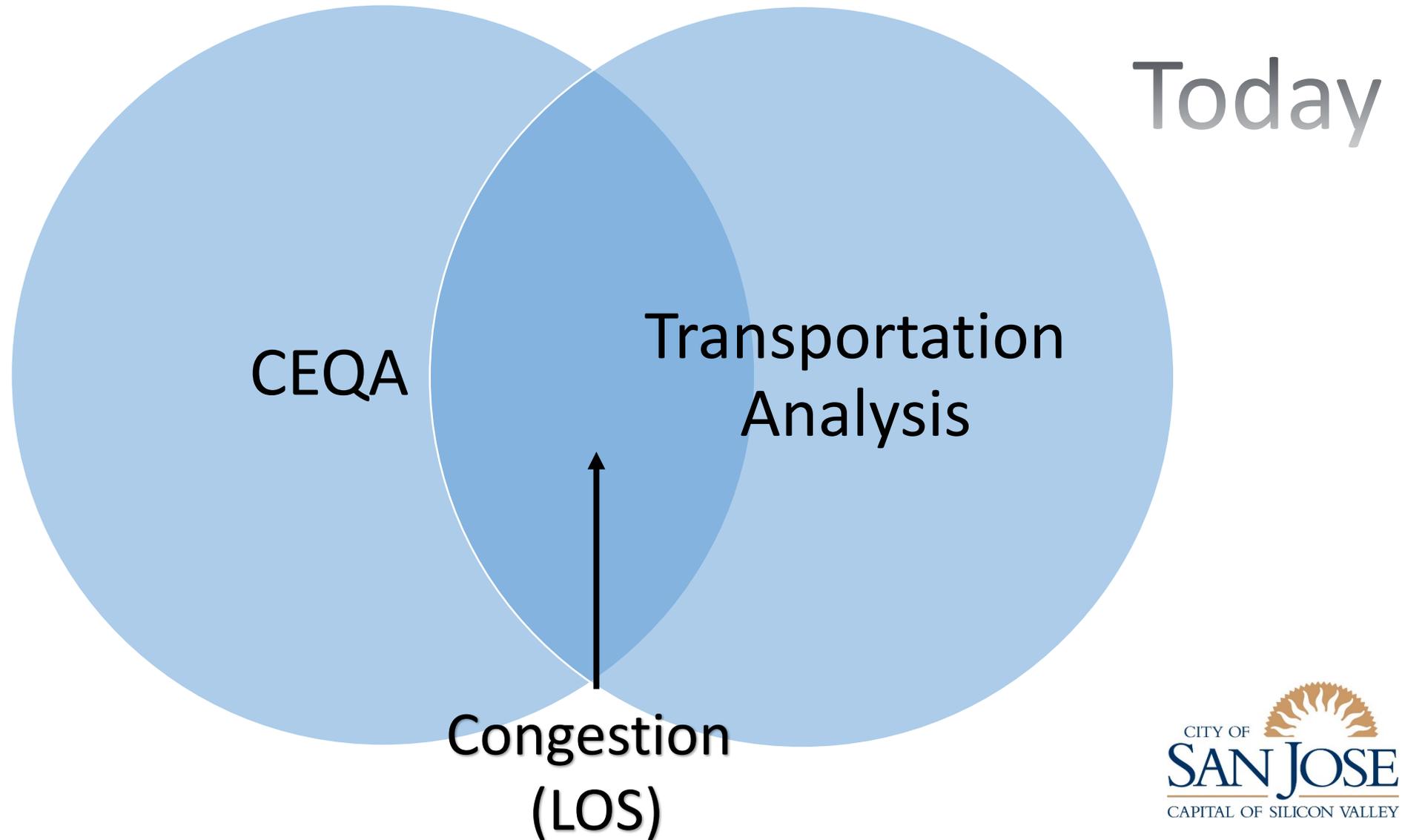
0 5 10 Miles

# *Transportation Analysis Policy Revisions Rollout*

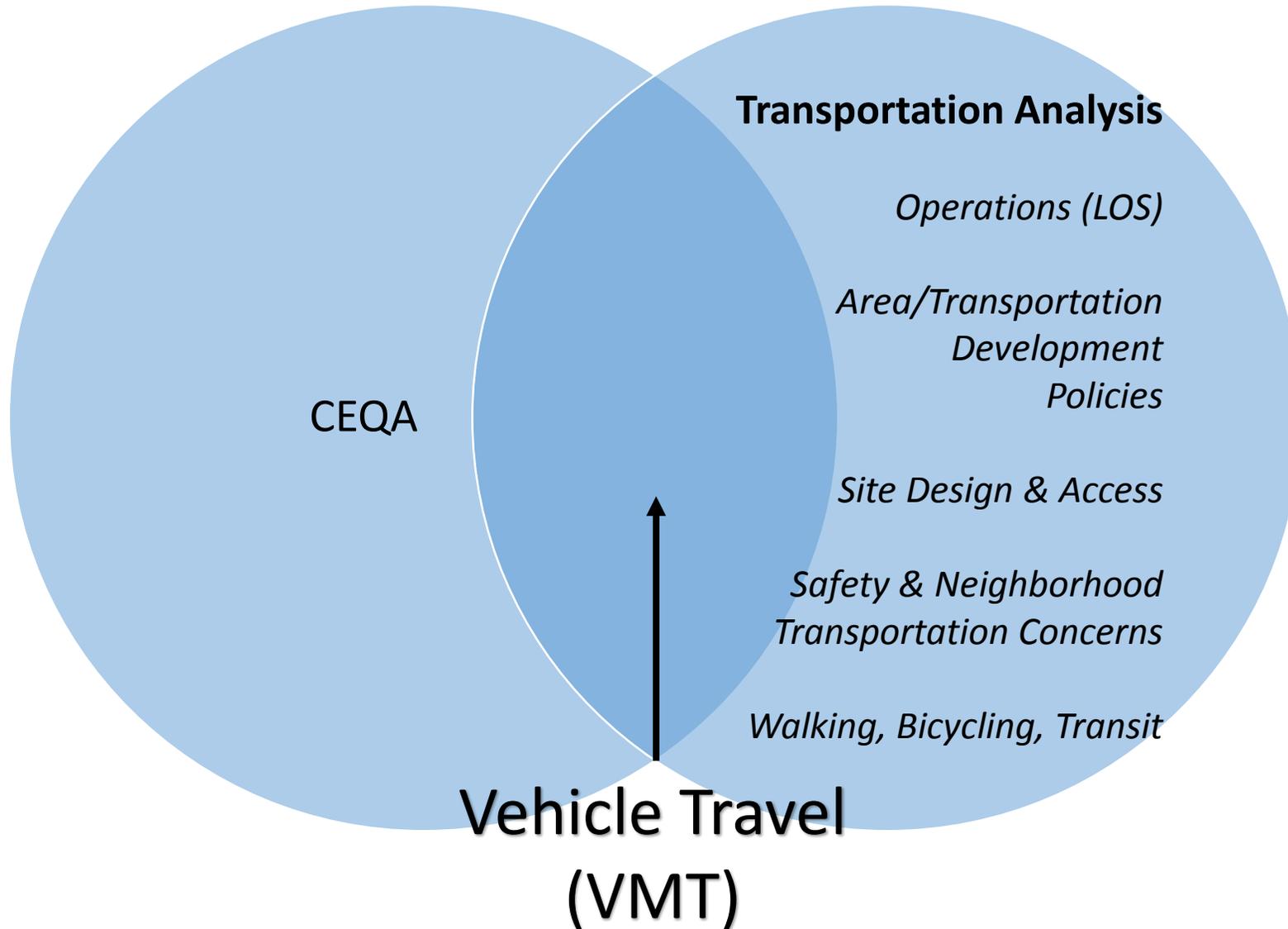
- Streamline transportation analysis for projects that align with General Plan
- Begin by changing our measure of “environmental impact” under CEQA, per SB 743
- Update other transportation metrics and investment as a second phase



# CEQA & Transportation Analysis

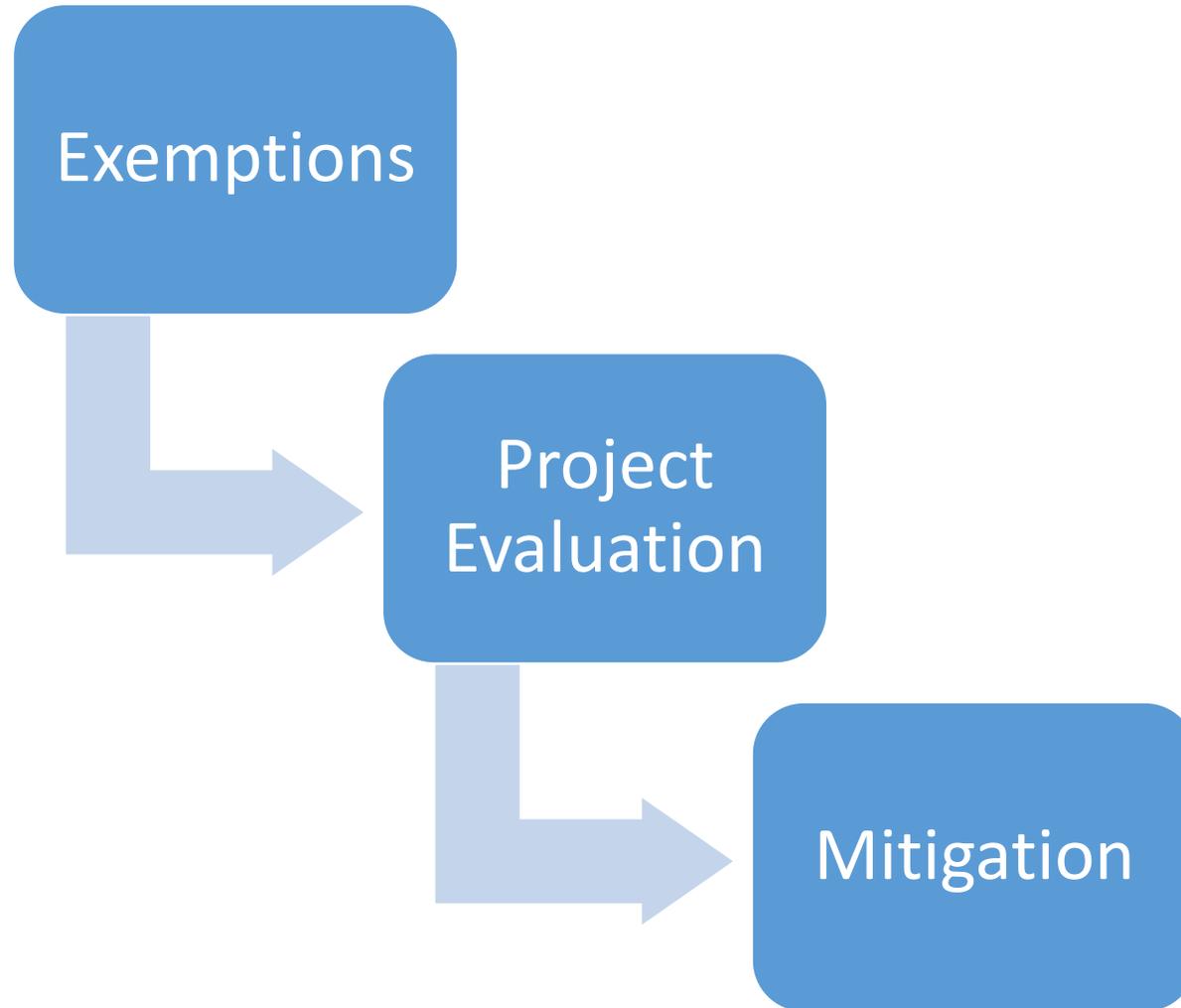


# CEQA & Transportation Analysis



Draft  
Proposal

# *Draft CEQA Transportation Process*



# Draft Exemptions

- Presumed to be less than significant
- Small Infill Projects
- In Low VMT AND Planned Growth Areas AND with High-Quality Transit AND Transit-Supportive
- Local-serving Retail
- Transportation Projects that reduce or don't impact VMT

# Small Infill Projects

- 10 single family homes
- 15 multifamily homes
- 25,000 square feet industrial
- 10,000 square feet office
- 2,000 square feet retail



# Low VMT Areas + Planned Growth Areas + High Quality Transit + Transit-Supportive



A street scene featuring a white tram moving along a track. The street is lined with trees and several vertical banners hanging from a black pole. One banner is yellow with a white building illustration, and another is purple with the word 'dine'. Pedestrians are visible on the sidewalk, and a person is walking across the street in the foreground. The scene is set in an urban environment with buildings in the background.

## Transit-Supportive Development

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- Density
- Parking Requirements
- No harm to multi-modal transportation system

# Local-serving Retail



Cottle Transit Village, Ken Kay Associates



Transportation Projects that reduce or have  
no VMT Impact

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# Draft Project Evaluation & Mitigation

- Threshold of Significance: In line with State Guidance
- Generally 15% below baseline per capita VMT
- Varies by use type

# Draft Thresholds Proposal

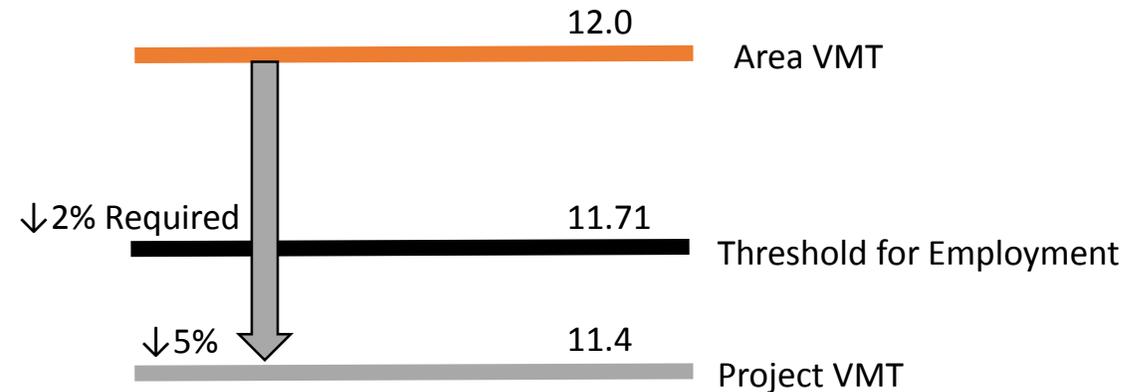
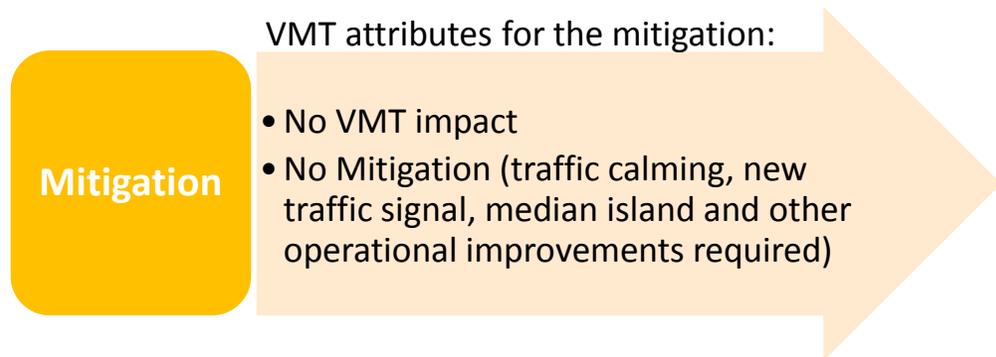
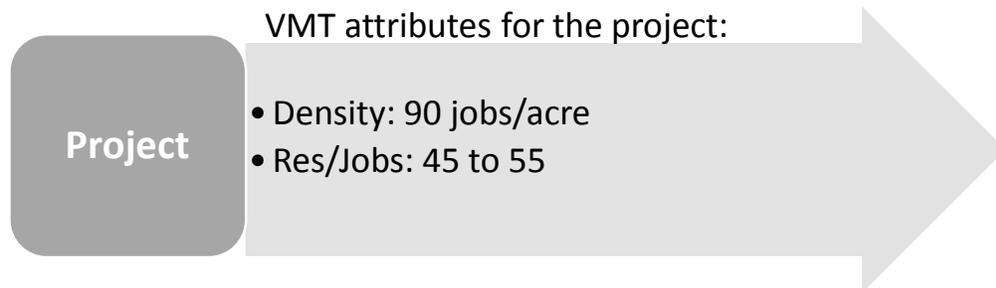
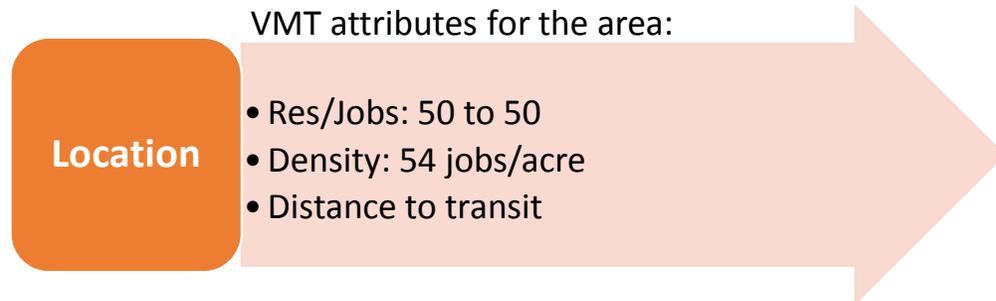
Development Type (as categorized in the General Plan)	Threshold of Significance
Residential uses	VMT per resident greater than either 15 percent below Citywide VMT per resident <i>or</i> 15 percent below regional VMT per resident is a significant transportation impact.
Employment uses	VMT per employee greater than 15 percent below existing regional VMT per employee is a significant transportation impact.
Retail Commercial uses	A net increase in the total VMT for the region is a significant transportation impact.
Industrial uses	VMT per employee greater than existing regional VMT per employee is a significant transportation impact.
Public-Quasi Public uses	Public-Quasi Public uses will be analyzed using the most relevant threshold for the proposed use on the site from the enumerated development types above.
Mixed-Use	Each component of a <b>mixed-use development</b> will be analyzed independently, applying the significance threshold for each development type included in the development from the enumerated development types above.
Change of use or additions to existing development	Changes of use or additions to existing development will be analyzed applying the significance threshold for each development project component type included in the development from the enumerated development types above.
Urban Village, Station, Development Policy, Specific, Strategy, or other area plans as categorized in the General Plan	Will be analyzed as a composite of the planned land uses in each area plan.
General Plan Amendments	General Plan Amendments will be analyzed in conformance with the General Plan's definition of VMT. An increase in VMT is a significant transportation impact.
Transportation Projects	A net increase of more than 4% in VMT, e.g., from induced vehicle demand, is a significant transportation impact.

# Employment Only – No VMT Impact Samaritan Medical Office Building

	Land Use	Project
Employment	Existing	109 ksf
	Project	365 ksf
	Parking (Existing)	450 spaces
	Parking (Project)	1,542 spaces
Exempted from VMT?		No

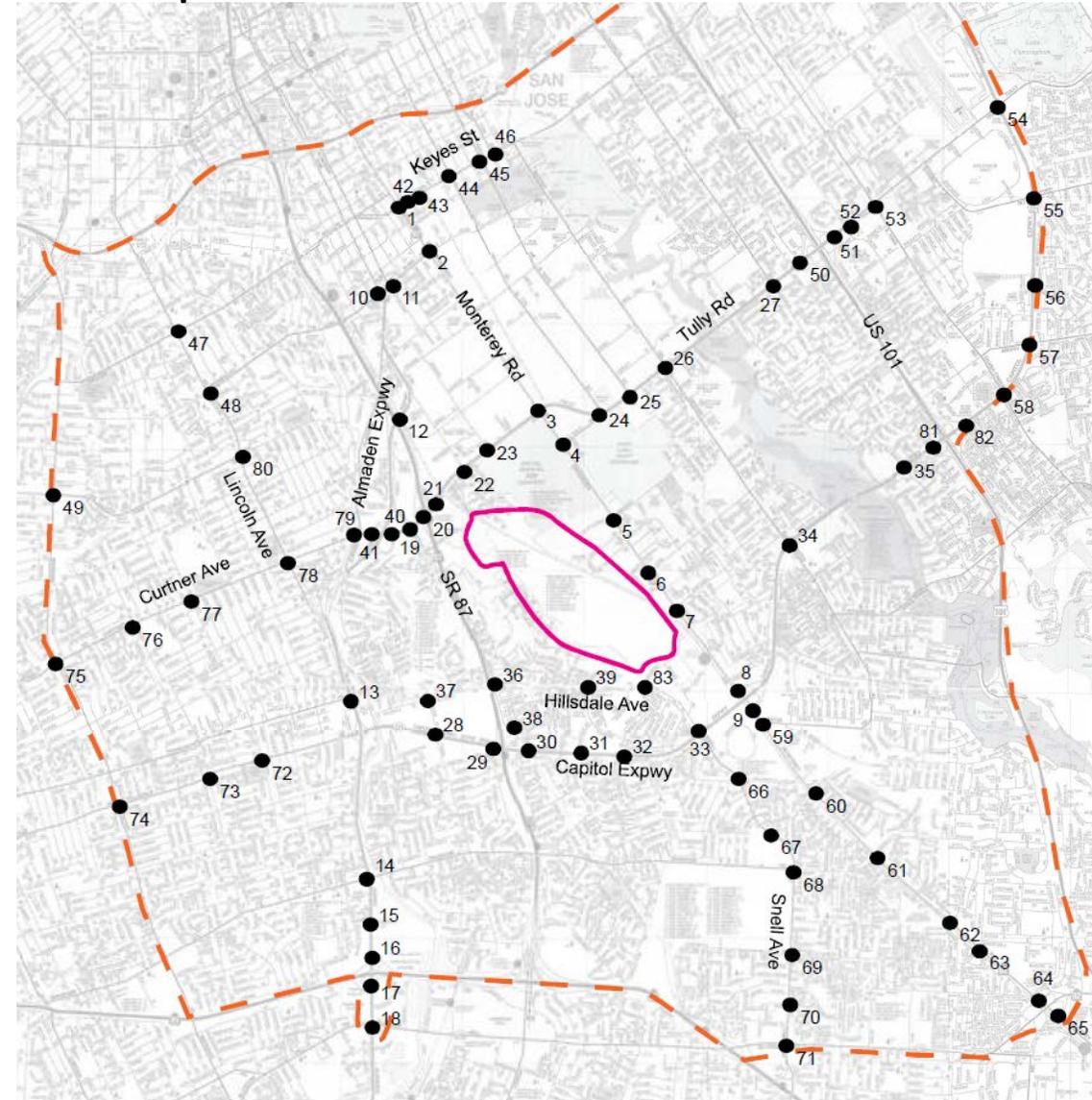


# Employment Only – No VMT Impact Samaritan Medical Office Building

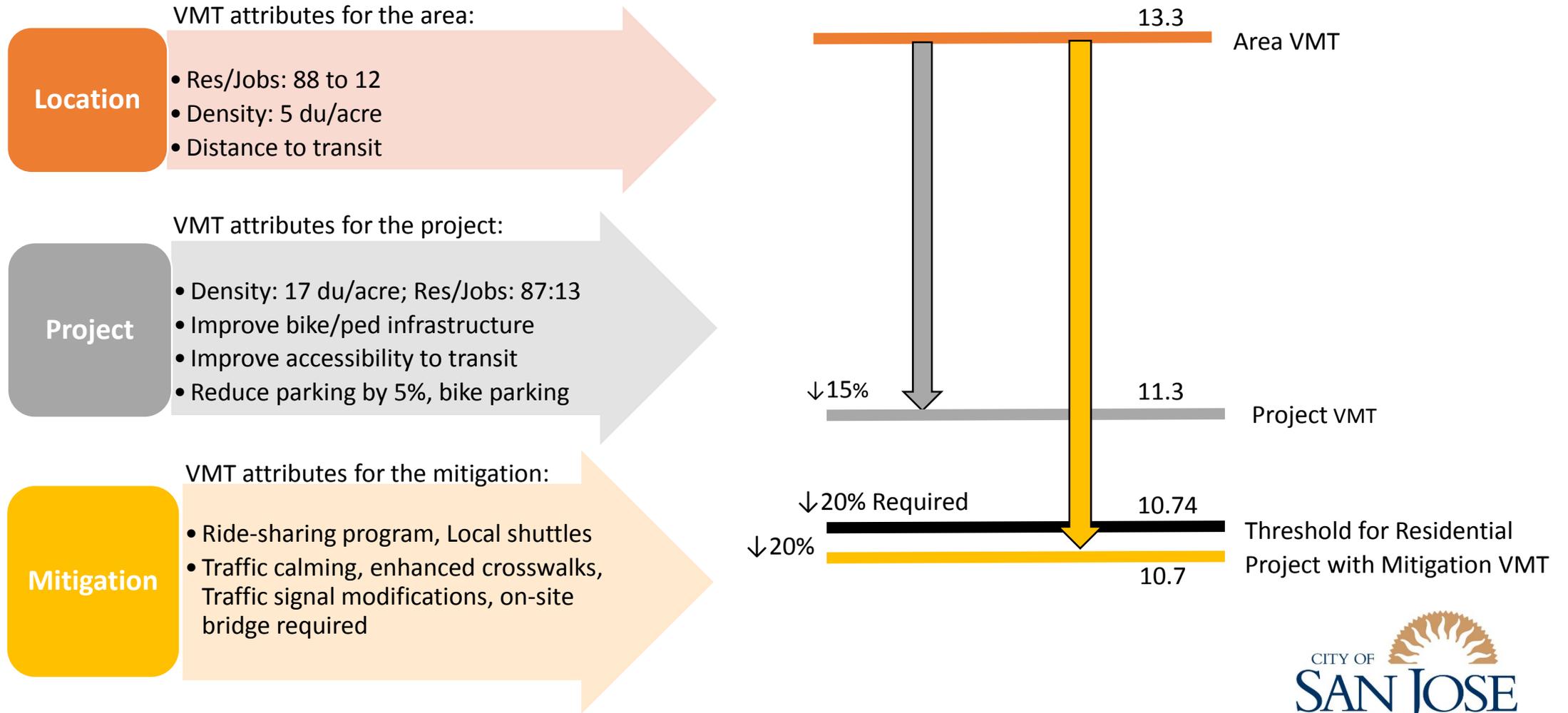


# Residential Only – Mitigated VMT Impact Communications Hill Phase II

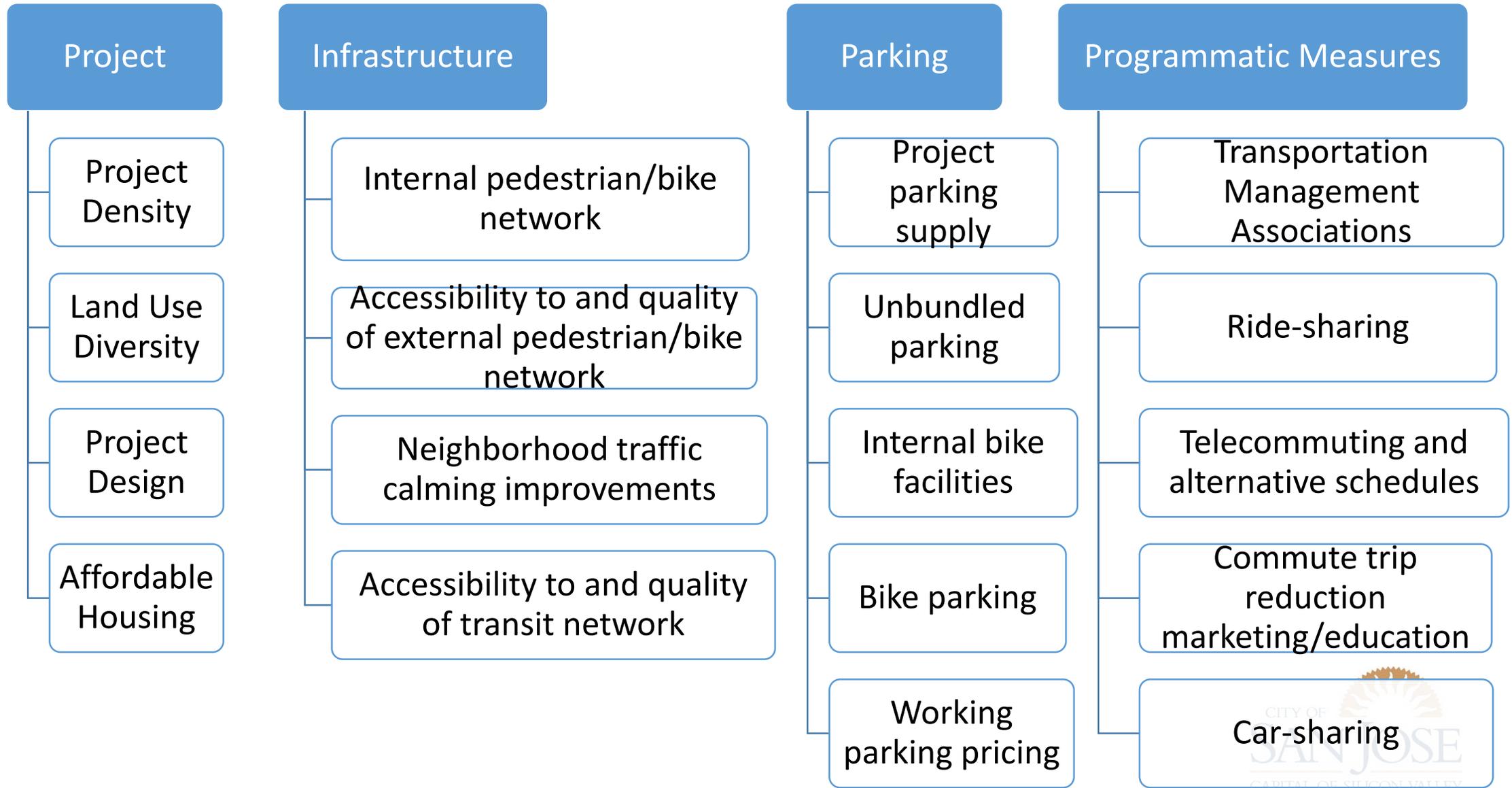
	Land Use	Project
Residential	Housing	2,300 du
Employment	Industrial	1.44 Msf
	Retail	68 ksf
Exempted from VMT?		No



# Residential Only – Mitigated VMT Impact Communications Hill Phase II

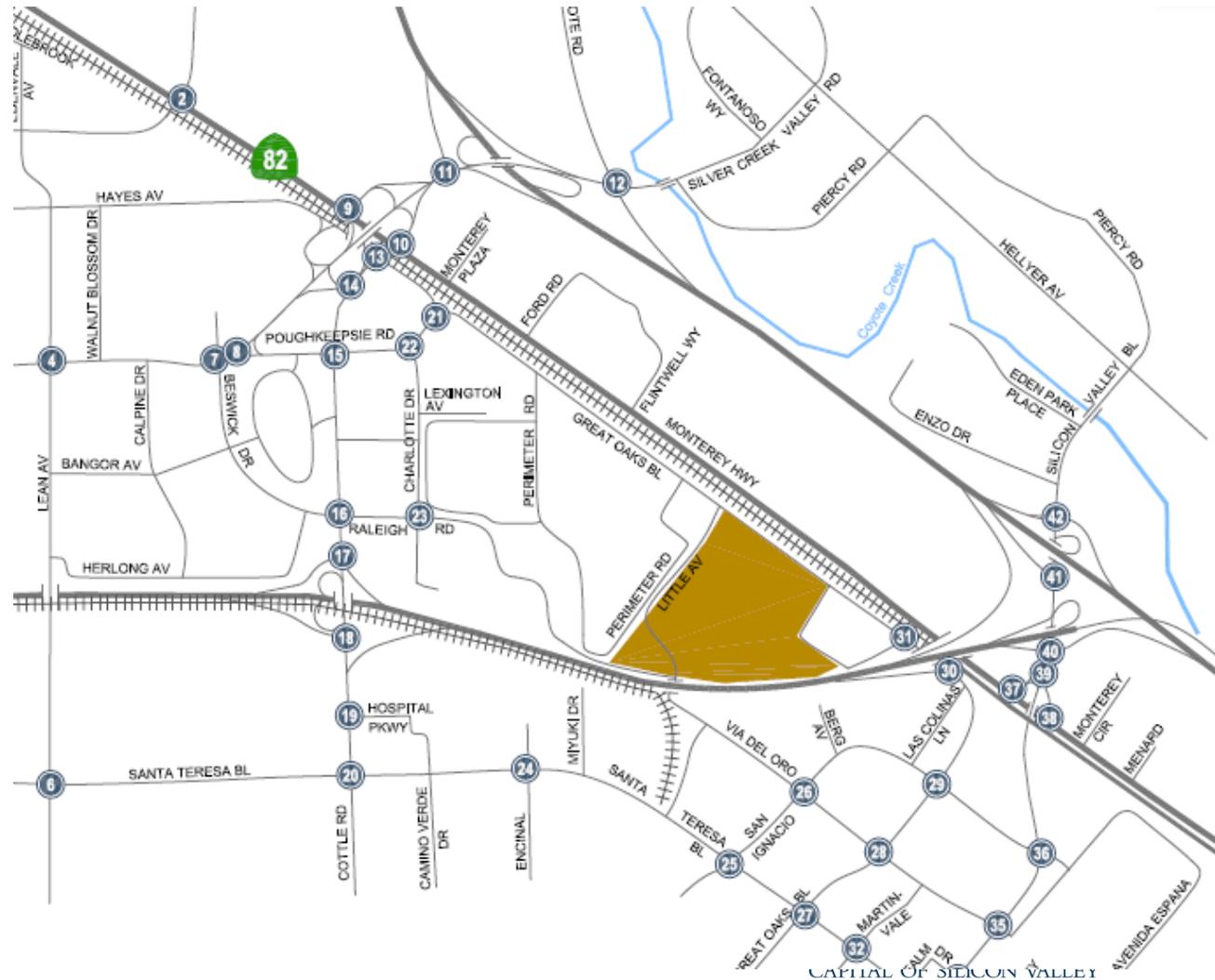


# Potential Ways to Reduce VMT



# Employment Only – Unmitigated VMT Impact iStar

	Land Use	Project
Residential	Housing	720 du
Employment	Retail	154 ksf
	Office	260 ksf
Exempted from VMT?		No



# Employment Only – Unmitigated VMT Impact iStar

**Location**

VMT attributes for the area:

- Res/Jobs: 65 to 35
- Density: 18 jobs/acre
- Distance to transit

**Project**

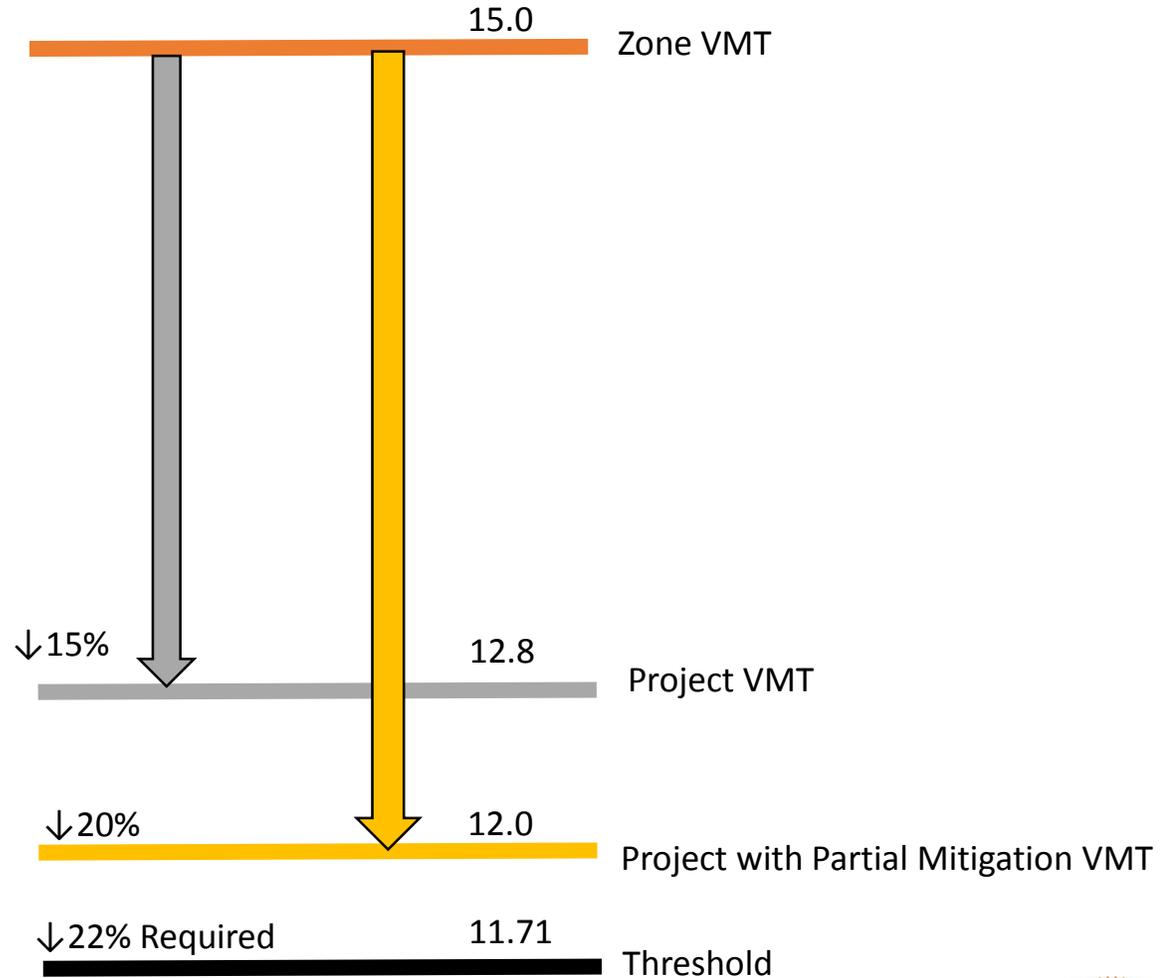
VMT attributes for the project:

- Density: 21 jobs/acre
- Res/Jobs: 62 to 38
- Improve bike/ped infrastructure
- Improve accessibility to transit
- Reduce parking by 25%, bike parking

**Partial Mitigation**

VMT attributes for the mitigation:

- Employee-sponsored vanpool
- Ride-sharing program
- Traffic signal modifications and roundabouts required



## Draft Unmitigated VMT

- Only for non-residential development that demonstrate alignment with General Plan

Project Size	Value of Transportation System Improvements
Less than 10,000 daily vehicular trips	\$1,000 per daily vehicular trips*
Over 10,000 daily vehicular trips	To be determined during CEQA process, no less than \$10 million*

\* Staff is working to refine these numbers

# Outreach to Date

## City Committees

- City Development Cabinet
- CED CSA Meetings
- Bicycle Pedestrian Advisory Committee
- Neighborhoods Commission
- Council Transportation & Environment Committee

## Neighborhood Groups

- Two Citywide Community Meetings
- Erikson/VEP/Branham Community Meeting
- Delmas Park Neighborhood Association
- Penitencia Neighborhood Association and Senter-Monterey Neighborhood Association leaders
- Winchester Neighborhood Action Coalition

## Developers

- Developer Roundtable and Industry Groups
- SPUR/ULI Developer Forum

## Community Stakeholders

- San Jose Downtown Association
- TransForm and partners
- Silicon Valley Bicycle Coalition
- Silicon Valley Leadership Group
- Silicon Valley Organization

## Other Jurisdictions

- VTA Land Use Transportation Integration Committee
- VTA Systems Operations and Management Committee
- VTA and County Roads and Airports
- City of Mountain View
- Santa Clara County
- Big Cities VMT Working Group
- Grand Boulevard Initiative



# Summary of Feedback

## Neighborhood Groups

- Questions on how VMT would impact specific future development
- Desire for new development to invest in transportation improvements
- Concerns about growth (e.g. parking, congestion, new development)

## Developers

- Questions on how VMT would impact specific future development
- Desire to not add cost/time/complexity to development review process
- Suggestion to make neighborhood transportation improvements a bigger and more formal part of review process
- Suggestion to streamline financial contribution from development, including through Impact Fee

## Community Stakeholders

- General support for VMT-based policy
- Questions on level of investment by developers into transportation infrastructure

# Upcoming Outreach

- Developer Policy Workshop
- City of Campbell
- City of Santa Clara
- City of Cupertino
- SV@Home - Affordable Housing Developers

# Schedule



# Questions and Feedback

The following  
items were  
received after  
packets were  
distributed.

**From:** David Noel <dnoel1234@aol.com>  
**Sent:** Monday, August 21, 2017 5:08:20 PM  
**To:** Zenk, Jessica  
**Cc:** Chang, Bena  
**Subject:** Planning Commission VMT Study Session 8/23/17

Hi Jessica and Bena,

Can you confirm the start and projected end times for the Planning Commission VMT study session? The PC agenda website states the study session will start at 4:30 pm (Weds Aug 23rd), but the agenda also includes a Public Hearing on another topic. I probably won't be able to attend, but will try to catch it online.

I saw the slides for the session. There is one thought I'd like to have you add to the community input discussion. I think we touched on this at our prior meeting, and this expands a bit on that discussion.

I'd like to see developments commit and be held accountable to specific results, with design guidelines taking a secondary role. Adjust city policy to define the results we want to achieve, and how they will be measured. This means longer term commitments, follow-through, and possibly escrow accounts to mitigate results that don't meet commitments after a specified period of time (e.g. 12 months following full occupancy).

As a simple example, consider parking ratios. I'd prefer to see developers be held responsible for the results that parking ratios are intended to achieve, for example the level of overflow parking, peak hour trips, and percentage of residents using transit. Let the developers determine how to achieve the desired results, but hold them accountable. Similar for other impacts, even VMT itself.

I realize this is very challenging, and likely increases the workload on city staff. But private industry is driven to deliver results per whichever metrics they are measured against and financially incentivized to meet, in the most creative and cost effective ways possible. Let's let them push the envelope on best practices to help San Jose grow smarter and better, with an iterative closed-loop process. As daunting as it sounds, it's just another day at the office for Silicon Valley. We can do it

Regards,

Dave Noel, President  
Erikson Neighborhood Association