



**CITY of CALABASAS**

**CITY COUNCIL AGENDA REPORT**

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**DATE:** APRIL 17, 2017

**TO:** HONORABLE MAYOR AND COUNCILMEMBERS

**FROM:** MAUREEN TAMURI AIA, AICP COMMUNITY DEVELOPMENT DIRECTOR  
TOM BARTLETT, AICP CITY PLANNER

**SUBJECT:** INTRODUCTION OF ORDINANCE NO. 2017-353, A PROPOSED AMENDMENT TO TITLE 8 (HEALTH AND SAFETY) OF THE CALABASAS MUNICIPAL CODE TO ESTABLISH A SAFE DISTANCE SITING STANDARD OF 300 FEET FROM THE VENTURA FREEWAY FOR PLAYGROUNDS AND OTHER OUTDOOR ACTIVITY AREAS FOR CHILDREN

**MEETING DATE:** APRIL 26, 2017



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**SUMMARY RECOMMENDATION:**

That the City Council introduce Ordinance No. 2017-353, amending Title 8 of the Calabasas Municipal Code (CMC), to establish a safe distance siting standard of 300 feet from the Ventura Freeway for playgrounds and other outdoor activity areas for children.

**BACKGROUND:**

The City's 2030 General Plan contains a Safety Element, a Noise Element, and a Conservation Element, all of which contribute meaningful information and policy guidance regarding exposure of children to the potential hazards of chemical spills, excessive noise, and air pollution. The purpose of the Safety Element is to identify and limit physical hazards to the health and safety of the community; the purpose of the Noise Element is to limit the exposure of the community to excessive noise levels, and among the purposes of the Conservation Element is to improve local air

quality while also protecting sensitive receptors (which includes children) from unacceptable concentrations of air pollutants. While Title 8 of the Municipal Code (HEALTH AND SAFETY) provides standards addressing a number of health and safety concerns discussed in the General Plan, concerns about undue exposure of local children to the potential health hazards posed by truck transport of hazardous chemicals, excessive freeway noise, and concentrated air pollution remain unaddressed.

The Council has a history of protecting resident health, most notably through the adoption of the Second Hand Smoke Control Ordinance in 2006. This proposed ordinance is similar in that it would protect the community's youth from fugitive emissions and noise pollution by restricting playgrounds and outdoor youth activity areas to locations 300 feet or farther from the Ventura Freeway.

#### **DISCUSSION/ANALYSIS:**

Upon incorporation in 1991, the City adopted the Los Angeles County Health Codes Title 11 (HEALTH AND SAFETY) and Title 12 (ENVIRONMENTAL PROTECTION), and has amended them periodically since then. While the County Health code addresses and regulates a number of vital health and pollution issues (food quality, vector control, underground storage tanks, toxic materials, etc.), it does not specifically address the danger of youth exposure to freeway pollutants, namely fugitive dust, toxic substances (transported via truck on the Ventura Freeway), and excessive noise.

The Southern California Air Quality Management District (AQMD) has conducted voluminous research regarding the detrimental effects of youth exposure to freeway pollutants. Chapter Nine of the AQMD's 2012 Air Quality Management Plan (Near Roadway Exposure and Ultrafine Particles) states:

*Children are among the most susceptible segment of the population affected by exposure to traffic related pollutants. Their immune, neurological, and respiratory systems are still under development, they typically spend a substantial amount of time playing outdoors, and they have higher breathing rates per body mass. Neighborhood exposure to traffic-related air pollution has been linked to increased medical visits and hospital admissions for childhood asthma, increased wheezing and bronchitis, and the development of new asthma cases (McConnell et al., 2006; 2010; Chang et al., 2010).*

*In 2005 the District sent an advisory to all school districts under its jurisdiction to bring attention to findings regarding the potential for adverse health effects resulting from exposures to traffic emissions, and to encourage school districts to consider exposure to vehicle emissions when*

*selecting and evaluating sites for new facilities such as schools, playgrounds, and residences.*

Furthermore, Section VII.E of the General Plan Safety Element (Hazardous Materials) identifies the potential for accidental release of hazardous chemicals or gas from instances where the Freeways are used as hazardous materials haul routes.

Regarding noise pollution, Figure VIII-2 of the Noise Element identifies existing noise contours and documents freeway-adjacent locations as having the highest noise levels. Accordingly, Figure VIII-3 of the Noise Element (Land Use Compatibility for Community Noise Environments) deters placement of playgrounds, neighborhood parks, and schools in areas with exposure to high noise levels.

For the abovementioned reasons, staff is recommending that the City's Health and Safety Code be amended to limit youth exposure to freeway-related emissions and noise pollution in the most critical area identified in Figure VIII-2 of the Noise Element, a 300-foot zone immediately adjacent to either side of the 101 Freeway.

**FISCAL IMPACT/SOURCE OF FUNDING:**

Staff efforts to implement this ordinance will be covered as part of standard Planning and Code Enforcement services.

**REQUESTED ACTION:**

That the City Council introduce Ordinance No. 2017-353, amending Title 8 of the Calabasas Municipal Code (CMC), to establish a safe distance siting standard of 300 feet from the Ventura Freeway for playgrounds and other outdoor activity areas for children.

**ATTACHMENTS:**

- 1) Ordinance No. 2017-353