Attachment B

RESOLUTION NO. 2023-1853

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALABASAS, CALIFORNIA, ESTABLISHING CITY OF CALABASAS TRANSPORTATION IMPACT THRESHOLDS RELATED TO TRANSPORTATION ANYALSIS.

WHEREAS, the California Legislature has amended the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.), the California Natural Resources Agency has amended the State CEQA Guidelines (California Code of Regulations, Title 14, Section 15000 et seq.), and California courts have provided additional interpretations of specific provisions of CEQA, and

WHEREAS, the State CEQA Guidelines require local agencies to adopt "objectives, criteria and procedures" to implement the requirements of the State CEQA Statute and the State CEQA Guidelines (CEQA Guidelines Section 15022); and

WHEREAS, Public Resources Code section 21082 requires all public agencies to adopt objectives, criteria and procedures for (1) the evaluation of public and private projects undertaken or approved by such public agencies, and (2) the preparation, if required, of environmental impact reports and negative declarations in connection with that evaluation; and

WHEREAS, based on State requirements, the City has developed thresholds of significance to be measured by Vehicle Miles Traveled (VMT) for purposes of evaluating a project's environmental related transportation impacts, as required in Sections 15064.3 and 15064.7 of the State CEQA Guidelines; and

WHEREAS, the new VMT thresholds of significance have been reviewed by the City's Traffic and Transportation Commission on June 22, 2021, and included in the General Plan Circulation Element Update presented to Planning Commission on July 21, 2022, October 6, 2022, and January 19, 2023; and

WHEREAS, the changes in CEQA transportation thresholds of significance does not relieve the City of the requirement to analyze a project's potentially significant transportation impacts related to air quality, noise, safety, or any other impacts associated with transportation; and

WHEREAS, the adoption of transportation thresholds of significance based on VMT by the City of Calabasas does not preclude the application of local general plan policies, zoning codes, conditions of approval, thresholds, or any other planning requirements pursuant to its constitutional land use powers or any other authority of the City; and

WHEREAS, the City desires to also establish level of service (LOS) thresholds to reduce location transportation operational and safety impacts from proposed development projects and to provide additional public information; and

WHEREAS, the City Council conducted a duly noticed public hearing on April 26, 2023 for review and approval of the General Plan Update of the Circulation Element, which all persons wishing to testify in connection with the Circulation Element update, including establishing VMT for evaluating CEQA transportation impacts and continuing to use LOS were heard.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CALABASAS DOES HEREBY RESOLVE, DETERMINE, AND ORDER AS FOLLOWS:

SECTION 1. The City herby adopts transportation impact screening criteria for implementing the California Environmental Quality Act. Projects that meet one or more of the following criteria are presumed to have a less than significant transportation impact:

1. Projects located within a Transit Priority Area. Transit Priority Area is defined as ½ mile from an existing transit corridor or stop with 15 min headway or better during peak periods, or ½ mile around an existing major transit stop such as a Metrolink station or regional bus service stop.
2. Residential and office projects located within a low VMT-generating area. Other employment-related and mixed-use land use projects may be screened if the project can reasonably be expected to generate VMT per resident, per worker, or per service population that is similar to the existing land uses in the low VMT area. Low VMT areas are defined as those that have VMT per capita or employee less than the City's adopted thresholds of significance.
3. Certain project types that are local serving in nature or generate a low number of vehicle trips. The following examples of uses are locally serving in nature and may reduce regional VMT:
    - Rehabilitation of existing transportation assets
    - Local-serving retail establishment that is less than 50,000 sf. each, including individual establishments in a retail center, such as gas stations, banks, restaurants, and medical offices
    - Local-serving K-12 schools
    - Day care centers
    - Local Parks
    - Local-serving community assembly uses (community organizations, places of worship, etc.)
    - Local-serving hotels (e.g. non-destination hotels)
    - Student housing projects
    - Local serving community colleges that are consistent with the assumptions in the Regional Transportation Plan and Sustainable Community Strategy
    - Projects generating less than 110 daily vehicle trips
    - Other locally serving land uses as approved by the Community Development Director

4. Transportation projects that by their nature reduce VMT such as the addition of transit services, bicycle and pedestrian facilities, reduction of through vehicle lanes, traffic calming devices, roundabouts or traffic circles, timing of traffic signals to optimize multi-modal traffic flow, and installation or reconfiguration of traffic control devices may be presumed to have a less than significant impact.

SECTION 2. The City adopts the following transportation thresholds of significance for implementing the California Environmental Quality Act:

1. A significant transportation impact would occur for a residential land use project if the project-generated home-based VMT per capita exceeds 15% below the citywide baseline VMT for home-based VMT per capita.
2. A significant transportation impact would occur for a commercial, office, or industrial land use project if the project-generated home-based work VMT per employee exceeds 15% below the citywide baseline VMT for home-based work VMT per employee.
3. A significant transportation impact would occur for a regional retail land use project if addition of the project results in a net increase in the total study area VMT compared to baseline conditions.
4. Mixed use projects may be evaluated for each land use separately using the thresholds for individual land uses.
5. Other land use types not listed above, a significant transportation impact would occur if the project VMT exceeds 15% below the citywide baseline VMT based on the appropriate VMT metric depending on the project characteristic as approved by the Community Development Director.
6. A significant transportation impact would occur for a land use plan if the plan-generated VMT per service population exceeds 15% below the citywide baseline VMT per service population.
7. A significant transportation impact would occur for a transportation project if addition of the project results in a net increase in the total study area VMT compared to baseline conditions.

SECTION 3. The adoption of thresholds of significance for transportation impacts for meeting the requirements of the California Environmental Quality Act does not preclude the City from requiring a project to evaluate and address traffic operational deficiencies such as traffic safety, site access and internal circulation, and active and sustainable transportation. In conformance with General Plan policies the City adopts the following transportation criteria for conditioning new development:

1. A land use project or land use plan would result in deficient traffic operations if the following criteria are met when comparing existing baseline conditions to the post project conditions for signalized intersections:

City-Operated Signalized Intersections

LOS without Project	LOS with Project	Average Total Delay (Seconds per Vehicle)	Project-Related Increase in Seconds of Average Total Delay
A, B or C	D, E or F	-	Any increase in delay
D, E or F	D, E or F	> 35.0	Equal to or greater than 5.0 seconds

Signalized Intersections at Freeway Interchanges

LOS without Project	LOS with Project	Average Total Delay (Seconds per Vehicle)	Project-Related Increase in Seconds of Average Total Delay
A, B, C or D	E or F	-	Any increase in delay
E or F	E or F	> 55.0	Equal to or greater than 5.0 seconds

2. A land use project or land use plan would result in deficient traffic operations if the following criteria are met when comparing existing baseline conditions to the post project conditions for unsignalized intersections:

Unsignalized (All-Way Stop Controlled) Intersections

LOS without Project	LOS with Project	Average Total Delay (Seconds per Vehicle)	Project-Related Increase in Seconds of Average Total Delay
A, B or C	D, E or F	-	Any increase in delay
D, E or F	D, E or F	> 25.0	Equal to or greater than 3.0 seconds

Unsignalized (Side-Street Stop Controlled) Intersections

LOS with Project	Average Total Delay for Side-Street Approach (Seconds per Vehicle)	Project-Related Increase in LOS or Seconds of Average Total Delay
D	> 25.0 to 35.0	LOS C or better to LOS D, and meets the peak hour warrant for a traffic signal
E	> 35.0 to 50.0	LOS D or better to LOS E, and meets the peak hour warrant for a traffic signal
F	> 50.0	LOS E or better to LOS F, or > 10 seconds of delay for worst-case approach if already at LOS F; and meets the peak hour warrant for a traffic signal

3. A land use project would contribute to unacceptable traffic operations if the following conditions are met or exceeded for project on-site and off-site circulation in the existing plus project conditions using City acceptable traffic modeling techniques:

- Queuing in roadway vehicle turn pockets extends into roadway through vehicle lanes, bike lanes or pedestrian crossings.
- Queuing from on-site circulation extends into the public roadway right-of-way, including through travel lanes, bike lanes, or sidewalks.
- Project access driveways or on-site intersections do not provide adequate sight distance based on design guidelines acceptable to the City.
- Pedestrian, bicycle, and transit stop facilities do not provide adequate accessibility or direct access to the project site.

SECTION 4. The adoption of thresholds of significance is not subject to environmental review under CEQA. The CEQA Guidelines establish the required procedure for enacting generally applicable thresholds of significance, and prior CEQA review is not part of that process. Moreover, the adoption of thresholds of significance is not a project subject to CEQA review. (See *California Building Industry Assn v. Bay Area Air Quality Management Dist. (*2015) 62 Cal.4th 369.)

PASSED, APPROVED AND ADOPTED this 24th day of May 2023.

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David J. Shapiro, Mayor

ATTEST:

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Maricela Hernandez, MMC
City Clerk

APPROVED AS TO FORM:

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Matthew T. Summers
Colantuono, Highsmith & Whatley, PC
City Attorney