

June 4, 2020

CHAIR AND PLANNING COMMISSIONERS
City of Long Beach
California

RECOMMENDATION:

Find that the proposed project is not a project under the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21080(b)(1), CEQA Guidelines Section 15378 and is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) and Section 15308, and none of the exceptions in Section 15300.2 apply; this action is exempt from the requirements of the California Environmental Quality Act; and

Adopt the proposed Traffic Impact Analysis Guidelines, in accordance with Section 1002(f) of Article X of the City Charter. (Citywide)

APPLICANT: City of Long Beach
Department of Development Services
411 W. Ocean Boulevard
Long Beach, CA 90802

THE REQUEST

Pursuant to Section 1002(f) of Article X of the City Charter, the Development Services Department requests that the Planning Commission adopt the proposed Traffic Impact Analysis Guidelines. The proposed guidelines implement the change to measure transportation impacts by analyzing Vehicle Miles Traveled (VMT) instead of vehicular Level of Service (LOS), as mandated by California Senate Bill 743.

PROJECT OVERVIEW

The Departments of Development Services and Public Works have worked jointly to develop the proposed Traffic Impact Analysis (TIA) Guidelines (Exhibit A) to comply with and implement California Senate Bill (SB) 743. SB 743, adopted by the state legislature in 2013, requires all California cities to change long-standing methods for analyzing transportation-related impacts of projects, as a means of complying with the requirements of the California Environmental Quality Act (CEQA). As of July 1, 2020, cities will be



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required to analyze the transportation-related impacts of development projects, land use plans and transportation projects using a metric known as Vehicle Miles Travelled (VMT), replacing the former method of analysis of Level of Service (LOS). The State Office of Planning and Research (OPR) developed state guidelines to provide direction to cities on how to implement this change. The guidance provides direction on how to conduct these analyses and determined that the threshold of significance would be based on how a project's VMT compares to a regional average.

Analyzing transportation impacts for CEQA purposes using VMT represents a shift from measuring and prioritizing the flow of vehicular traffic on City streets, as has been the practice since the advent of CEQA, to an analysis intended to analyze and minimize the greenhouse gas impacts of transportation by factoring in a project's location, design and access to transit to achieve an overall reduction of vehicles miles traveled per capita or per employee (depending on the type of use). Using VMT to determine a project's impacts is intended to focus on reducing commute lengths and associated greenhouse gas emissions. This focus centers more on addressing the land use and transportation barriers to shorter commutes as well as safety and design considerations that influence individual choices commuters make in where to live, shop and work and how to travel between those destinations.

The use of VMT as a metric is also designed to make modes of transportation other than driving alone more viable and facilitates incorporation of urban design principles that improve a project's walking and biking environment and access to transit. By using VMT as a metric for transportation impacts, the potential mitigation measures are expanded to include activities that reduce VMT—such as improvements to bicycle infrastructure, electric vehicle charging stations and work-place funded transit passes—rather than limiting mitigation measures to vehicular roadway improvements, such as roadway widenings and additional traffic turn lanes, that are often no longer feasible in the context of built-out urban areas.

Compliance with SB 743 will help the City fulfill its obligation to comply with state-mandated greenhouse gas (GHG) reduction targets. SB 743 and a number of other state legislative actions and gubernatorial executive orders require cities to reduce GHG emissions in order to minimize the effects of climate change. Current state GHG reduction targets require cities to participate in reducing statewide GHG emissions to 40% below 1990 levels by 2030. The City, through the leadership of the Mayor and City Council, has its own aggressive GHG reduction goals to meet these state mandates, as outlined in the City's draft Climate Action and Adaptation Plan (CAAP), which is currently in development.

By adopting SB 743, the State of California recognized that the primary environmental impact of concern for transportation is how far vehicles drive (VMT), not how long vehicles are delayed at an intersection (LOS). VMT is recognized as a proxy for GHG emissions by the state, which reflects the conditions in Long Beach where vehicle emissions are the number one source of GHGs in the City's GHG inventory as evidenced in the City's draft CAAP. This change to analysis of transportation impacts for CEQA does not immediately change the method of analysis for the City's development review process. The City may

still require an analysis of LOS to determine project effects on vehicular congestion and require conditions of approval to address those effects, as appropriate, outside of the CEQA process. That development review process in relation to transportation impacts is lead by the Public Works Department with assistance from Development Services. Other changes to that process are currently underway to institute more multimodal analysis and focus to the development review process, as well as enhanced safety analyses consistent with the City's Vision Zero efforts to reduce traffic collisions and casualties.

DISCUSSION

PROPOSED TRAFFIC IMPACT ANALYSIS (TIA) GUIDELINES

As described above and further detailed in the CEQA Transportation Thresholds of Significance Guide for the City of Long Beach (Exhibit B), the City has developed updated TIA guidelines based on OPR guidance for implementing SB743. The proposed TIA guidelines 1) identify the screening criteria for determining which projects may have a potential impact on the environment and would be required to prepare a TIA document, 2) establish the thresholds that would constitute a significant and unavoidable impact and consequently require mitigation, 3) provide a menu of potential mitigation measures that could be required of a project to reduce vehicle miles traveled. The proposed guidelines also set the parameters for when the City may also request more traditional Level of Service (LOS) analysis as part of the development review process. That analysis would inform project conditions of approval but could not be used to determine significance for the purposes of CEQA analysis.

Generally, with this updated CEQA approach to transportation impact analysis, there are three circumstances under which projects can be determined to have a significant effect on the environment:

1. If they conflict with a plan, ordinance or policy addressing the safety or performance of the circulation system
2. If they would cause substantial additional VMT per capita or employee when compared to the regional average and
3. If the project would substantially induce additional automobile travel by increasing physical roadway capacity.

The proposed approach contrasts with current practice where a project is deemed to have a significant impact on the environment if vehicular LOS traffic impact at one or more intersections is deteriorated by the project based on an established LOS "grading" system (LOS A-F). By using this measure of impact, projects in urban areas, which typically already experience vehicular traffic congestion, would easily trigger an impact even though they principally meet all the accepted standards of good planning and fulfill the conditions that improve the link between land use and transportation and consequently are known to achieve GHG reductions. Those projects generally are infill, residential, employment and mixed-use developments in urbanized areas that are served by transit and contribute to compact, walkable development patterns. In adopting SB 743, it was recognized by the state legislature that the LOS method of analyzing traffic congestion

impacts was not minimizing environmental impacts but rather was penalizing infill housing and employment projects and operating at cross purposes with other GHG reduction and sustainability goals. It is this determination that has led to the change in the approach to environmental analysis from vehicular LOS to VMT.

Project Screening Criteria

Generally, SB 743, and the OPR Guidelines developed to implement it, are premised on the idea that infill housing and employment projects in urbanized areas that already have low VMT and that are located near transit are the “right” kind of project in the “right” place. As such they are improving the environment and, thus, should not be subject to any additional analysis for the purposes of CEQA. This is in contrast to, for example, constructing a housing project in a suburban area that is distant from and not connected by transit to major employment centers. The presumption, in that instance, is that residents of that suburban housing development are more likely to drive to their jobs, and this kind of project consequently would have a greater impact on the environment.

In keeping with this premise and consistent with OPR guidance, the proposed city guidelines establish a set of criteria which, if met, permit the project to be “screened out” from further review because, by virtue of meeting those criteria, it is deemed to have a less than significant impact. Those criteria generally assume that small projects, projects that consist of residential/retail and/or office uses in identified “low VMT” areas, projects with high levels of affordable housing, and projects that are near high quality transit (See Exhibit C) that are of a higher intensity and do not have parking in excess of Zoning Code requirements will not have a transportation impact. “Low VMT” areas are defined as areas where VMT is 85% or less than the regional average. See Exhibits D and E for the defined Low VMT areas for Long Beach as compared to the Los Angeles County region.

Alternatively, if the above screening criteria are not met, then the project must conduct a TIA to quantify the project’s VMT. If the project’s VMT exceeds the relevant regional average, then it will have to mitigate impacts; otherwise it is deemed to have no impact.

Thresholds of Significance

Guidance from the state OPR recommends that projects which have a VMT of 15% less than the regional average should be considered to have a less than significant impact. As proposed, residential projects having a VMT Per Capita of 15% or less of the regional VMT per capita, and employment projects having a VMT Per Employee of 15% or less of the regional VMT Per Employee will be deemed to have a less than significant impact for CEQA purposes. Conversely, for purposes of the compliance with CEQA, the proposed guidelines will generally consider projects that result in a VMT of more than 85% of the regional average as having a significant transportation impact. OPR guidance gives cities the discretion to establish their “region” for purposes of comparison as a threshold for determining impact, as long as the same regional average is applied consistently across projects. Based on the technical analysis conducted for this project, in line with OPR guidelines and practices by other cities, staff proposes that Los Angeles County be used as the City’s region for comparative purposes, since technical analysis shows that the

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vast majority (82%) of the City's trips are to destinations within the County. The County per capita VMT is 13.9 miles and the VMT per employee in the County is 21.2 miles. Unless a project meets the relevant criteria to be "screened out," it must demonstrate a VMT at least 15% below these established thresholds to have a less than significant impact. Projects that exceed these regional averages will have to be redesigned (i.e. incorporate project features that reduce trips) and/or incorporate mitigation measures that reduce their impacts to less than significant levels, in accordance with CEQA. Some uses such as retail and industrial uses, among others, have only to demonstrate no net increase in VMT to have a less than significant threshold.

Maps of the City have been prepared that identify areas of high and low VMT, based on current conditions, when compared to LA County regional thresholds for VMT per capita and per employee (Exhibits D and E). The areas in green represent those areas with VMT 85% or less than the regional average, where it is presumed that new development would therefore also have a per capita or per employee VMT that would be below the regional threshold; would therefore not have a significant effect on the environment; and would contribute to an overall reduction in regional per capita VMT by nature of the development's location. The areas in orange show where VMT is currently between 15% below and 15% above the LA County average. In those areas, high development projects would potentially have an impact, but project design features and mitigation measures may reduce impacts to less than significant levels. Finally, the red areas on the map indicate those areas where the per capita or per employee VMT is currently more than 15% above the LA County average. Residential, commercial, and mixed-use developments in those areas will be difficult to mitigate at the project level, and, consequently, VMT impacts are likely to remain significant. Effectively, this map shows where substantial residential, commercial, and mixed-use development would be beneficial to regional VMT and should be encouraged (green and orange areas), and, conversely where such development would result in a high VMT per capita. These maps will require periodic updating due to changes in the transit network as well as travel patterns.

The proposed TIA Guidelines additionally provide thresholds for determining the environmental impacts of transportation projects and land use plans; these represent the other types of projects that are governed by CEQA for purposes of environmental analysis. The draft City guidelines propose thresholds consistent with State OPR guidance (See Exhibit F) with respect to these types of projects. As such, land use plans will be deemed to have a less than significant transportation impact if they do not result in an increase in the VMT per household, when comparing VMT per household under existing conditions (i.e. during the base year when analysis for the plan was being conducted) and the horizon year of the plan and accounting for anticipated levels of growth and development.

As it relates to transportation projects, those projects that do not expand roadway capacity (and do not have the potential to increase vehicle travel) are deemed to have less than significant impacts. The City proposes to conform with state guidance which identifies a number of transportation projects that are unlikely to increase vehicle travel and would not generally require further environmental analysis. Those projects include

improvements such as rehabilitation, maintenance, replacement, safety and repair projects designed to improve the condition of existing transportation assets; projects that convert roadway or lanes for transit, bicycle or pedestrian facilities; reduce through lanes; or grade separate vehicles from rail, transit, pedestrian or bicycle facilities, for example. The addition of travel lanes or any transportation project where there is a quantifiable VMT increase as compared to the VMT without the project would be considered to have a significant impact and per OPR guidelines must assess potential induced growth in VMT.

IMPLEMENTATION OF PROPOSED TIA GUIDELINES

The City will implement the proposed TIA Guidelines by working with applicants during the project development review process. The City will share the TIA guidelines with the applicant and will work with the applicant to establish whether the project meets screening criteria and will be presumed to have a less than significant impact. The applicant will provide documentation to the City for its review that enumerates the screening criteria that are met. If the project does not meet the screening criteria, then a VMT analysis consistent with the guidelines will be required and the City and the applicant will work together to determine the appropriate scope of that analysis based on the project. Large projects, those generating 1,000 average daily trips or more, will be required to use the Southern California Association of Governments (SCAG) Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) travel model or some other appropriate traffic forecasting tool to quantify the total VMT generated by the project and if necessary, to validate the geographic scope of the study area. The VMT will then be compared to the appropriate regional average (significance threshold) based on land use or project type; projects that achieve the required reduction (either 15% below the significance threshold or no net increase in total VMT, depending on the type of project and proposed uses) will be determined to have a less than significant impact. If they exceed those thresholds, they will be required to identify ways to mitigate the impacts.

The proposed TIA guidelines include a menu of evidence-based mitigation measures that projects may employ to mitigate their project impacts. Mitigation measures include changes to project design (such as site orientation towards transit or including an on-site grocery store or other local serving retail), pricing strategies (such as paying for resident, employee, or low-income transit passes) or paying into funds for capital projects (such as for pedestrian, bike or transit improvements). The City and the applicant will work together to determine the range of mitigation measures necessary to mitigate project impacts to less than significant levels. The environmental documents must show the strategies that will be used, the related percentage of VMT reduction that will be achieved by those strategies, and the evidence base for assuming those reductions. Consistent with CEQA, if the project's VMT impact cannot be fully mitigated, the City may: 1) request the project be redesigned, relocated or realigned to reduce impacts or 2) to prepare an Environmental Impact Report with a Statement of Overriding Considerations to disclose the impacts and detail the reasons why the benefits of the project outweigh the negative impacts. Also, as previously noted, the City may require projects to conduct LOS analyses to evaluate and address congestion, site access and on-site circulation.

It is important to note that in moving to VMT as a metric for determining transportation impacts, some projects with significant and unavoidable impacts may be unlikely to mitigate their impacts individually at the project level, but rather impacts will have to be mitigated at the regional level. As a result, the City will have to continue to work with transportation providers like Long Beach Transit and Metro and with regional planning bodies such as SCAG and the Gateway Council of Governments to develop regional strategies to offset VMT impacts; those strategies can include everything from improvements to the transportation system to, potentially, regional mitigation banks and regional impact fees in the future.

OTHER RELEVANT CONSIDERATIONS

As briefly noted above, the proposed TIA guidelines would still permit the City to also request more traditional LOS analysis as part of the development review process. The combined VMT and LOS analysis would be used to place conditions on the approval of projects to address concerns around circulation and safety. The findings of the LOS analysis however cannot be used for CEQA purposes and consequently would not require mitigation in the same way that is required by CEQA.

The proposed guidelines lay out parameters for analysis of the impacts of proposed projects on private vehicles as well as other transportation modes such as transit, bicycle and pedestrian (walking). This more encompassing approach will improve mobility and land use planning in the City.

Finally, the City currently has a Transportation Impact Fee (TIA Fee) that is assessed to new construction projects on a per unit and/or per 1,000-square-foot basis which helps to fund the City's transportation infrastructure. Projects will continue to be required to pay those fees as applicable. Some preliminary analysis has been conducted on those fees that show that the City's fees are relatively low in comparison to those of other nearby cities, and a nexus study to analyze and determine what would be an appropriate and legally permissible (based on the state Mitigation Fee Act) increase to those fees was in progress prior to the COVID-19 epidemic. Based on that analysis, the City may pursue an increase in this fee at some future time subject to approval by the City Council. Any increase in fees would occur in the context of the current economic climate resulting from the epidemic and other efforts to aid economic recovery including a robust level of housing construction.

CONSISTENCY WITH THE GENERAL PLAN AND OTHER ADOPTED PLANS AND POLICIES

On October 15, 2013, the City Council adopted the 2013-2035 Mobility Element, one of the seven State-mandated elements of the General Plan. Cities and counties in California are required to prepare and adopt a General Plan as a comprehensive guide for long-term development. The General Plan analyzes existing conditions and projects needs into the future, as a basis for determining policies, programs, and objectives. The Mobility Element of the General Plan provides policies, programs and objectives focused on how

people and goods get around and through the City and establishes the long-term policy framework for day-to-day decision-making based upon these objectives.

The Mobility Element establishes a vision, goals, strategies, policies, and implementation measures necessary to achieve a balanced mobility system that services the needs of all users of the public rights-of-way by recommending complete streets and context-sensitive design principles. In addition, the Mobility Element serves as a guide for a wide range of city planning documents and programming activities, such as the Capital Improvement Program (CIP), transportation-related plans, project entitlement applications and regional planning documents. Since the Mobility Element was adopted, the Downtown/Pedestrian TOD Master Plan, the Bicycle Master Plan and the CX3 Pedestrian Plan have all been developed and adopted as technical appendices of the Mobility Element. The move to VMT as a measure of project-related transportation impacts helps implement the Mobility Element vision, goals and policy framework which promotes a balanced, multimodal transportation network and complete streets. SB 743 and the required change to long-standing methods of analysis occurred in large part to facilitate the multimodal goals of plans like the City's Mobility Element, as well as GHG reduction goals.

The City's Mobility Element was developed prior to the current state guidance on VMT analysis as the preferred metric for measuring transportation-related project impacts. To that end, the Mobility Element contemplated an analysis that would involve a multimodal level of service methodology in which LOS of transit and pedestrian and bicycle facilities would be analyzed in a manner similar to vehicular LOS analysis. Ultimately the goal of this method of analysis was to evaluate and require project mitigation measures that helped support and achieve a more multimodal transportation system while reducing VMT and associated GHGs. While multimodal LOS ultimately will not be the method of individual project analysis, the objectives of that method and the desired outcomes will be accomplished by the VMT approach and thus is consistent with the intent of the adopted Mobility Element and implements many of its stated goals and policies. In particular, the objectives for the multimodal LOS approach are outlined in Strategy No. 4 and Policy 4-1 through 4-3 which state the following:

STRATEGY No. 4: Establish a more flexible level of service approach to traffic analysis and improvements.

- » MOP Policy 4-1: Consider effects on overall mobility and various travel modes when evaluating transportation impacts of new developments or infrastructure projects.
- » MOP Policy 4-2: Support reevaluation of the City's Level of Service (LOS) policies for motor vehicle circulation to ensure efficient traffic flow and balance multimodal mobility goals.
- » MOP Policy 4-3: Develop a new Multimodal Level of Service (MMLOS) methodology that includes the following components: – Emphasis on pedestrian and bicycle access and circulation. – Maintenance of appropriate emergency vehicle access and response time. – Support for reduced vehicle miles traveled. – Considers, but does not deem, auto congestion in Downtown or Long Beach Boulevard TOD district to be an impact.

The Mobility Element may be updated in future years to reflect the state-mandated shift to VMT however other elements of the General Plan (such as Safety) that are more out-of-date are currently higher priorities for updating.

PUBLIC HEARING NOTICE

The required public hearing notice was provided in accordance with the Long Beach Municipal Code (LBMC). A public hearing notice was published in the Long Beach Press-Telegram. Due to the declared state of emergency, there was limited posting of the notice. Notices were not provided to City libraries (they are closed), notice posting was provided at City Hall. Additionally, notice of the proposed action was posted on the Department's web site and distributed through the City's LinkLB e-mail blast system. The proposed project is a ministerial action mandated by State legislation and must be in effect by July 1, 2020. No comments have been received as of the preparation of this report.

ENVIRONMENTAL REVIEW

The adoption of the proposed thresholds for transportation impacts in the City of Long Beach's Traffic Impact Analysis (TIA) Guidelines pursuant to CEQA Guidelines section 15064.7, is not a "project" pursuant to CEQA, as defined in CEQA Guidelines section 15378, and is therefore not subject to CEQA pursuant to CEQA Guidelines sections 15060(c)(3). Separately and independently, the proposal is also exempt pursuant to CEQA Guidelines section 15061(b)(3) (Common Sense Exemption), as it will not result directly or indirectly in significant environmental impacts; and/or Public Resources Code section 21080(b)(1), as the proposal is ministerial, because the City is mandated to adopt the proposal. As such, the new thresholds are categorically exempt pursuant to CEQA Guidelines section 15308 (Class 8 Actions by Regulatory Agencies for Protection of the Environment) and none of the exceptions in 15300.2 apply.

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Respectfully submitted,



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Attachments: Exhibit A - Draft Traffic Impact Analysis Guidelines
Exhibit B - Long Beach CEQA Transportation Thresholds of Significance Guide, 2020
Exhibit C - Map 1: High Quality Transit Areas
Exhibit D - Map 2: Existing VMT Per Population Compared to Regional Average
Exhibit E - Map 3: Existing VMT Per Employee Compared to Regional Average
Exhibit F - State OPR Technical Advisory on Evaluating Transportation Impacts In CEQA
Exhibit G - Categorical Exemption (CE19-260)