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To: Bureau of Planning Staff, CEQA and Transportation Consultants
CC: City Attorney's Office – Mark Wald, Heather Lee, Celena Chen
Department of Transportation – Jeff Tumlin, Sarah Fine, Iris Starr
From: Darin Ranelletti, Interim Director of Planning and Building Department
Environmental Review Officer
Date: October 17, 2016
Re: Update to CEQA Thresholds of Significance and Transportation Impact Study Guidelines

On September 21, 2016, the City of Oakland's Planning Commission directed staff to update the City of Oakland's California Environmental Quality Act (CEQA) Thresholds of Significance Guidelines related to transportation impacts in order to implement the directive from Senate Bill 743 (Steinberg 2013) to modify local environmental review processes by removing automobile delay, as described solely by level of service (LOS) or similar measures of vehicular capacity or traffic congestion, as a significant impact on the environment pursuant to CEQA. The recommendation aligns with draft proposed guidance from the Governor's Office of Planning and Research and the City's approach to transportation impact analysis with adopted plans and polices related to transportation, which promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses.

The City of Oakland has now updated its CEQA Thresholds of Significance as they relate to transportation. The new Thresholds replace LOS with vehicle miles traveled (VMT) criteria to determine whether a project causes a significant impact on the environment related to transportation. The new Thresholds are appended below, and **Attachment A** contains a redline version of the City's CEQA Thresholds of Significance showing the changes. All current projects that have not completed administrative draft CEQA review and all future projects should incorporate the guidance in this memo in their respective Transportation Impact Studies.

The new CEQA Thresholds are effective today. They replace all previous versions of the Thresholds. Please begin using them immediately. If you are working on a project or an environmental document and the old Thresholds have already been used in an administrative draft or public document (such as a draft decision letter, draft Planning Commission staff report, or Draft EIR) generally you do not need to replace the old Thresholds with the new Thresholds. However, there may be cases where utilizing the new Thresholds may be advisable, at the discretion of the City, in consultation with the Project Applicant and Consultants.

A further update to the Transportation Impact Study (TIS) Guidelines document will be distributed in the near future and will include revisions to non-CEQA related topics. In this phase and unless instructed otherwise, all TIS scopes and analyses should follow the existing TIS Guidelines but eliminate LOS-based analysis (level of services analysis)¹. All other analyses are required, including bicycle and pedestrian

¹ LOS analysis may still be required for non-CEQA analysis of Metropolitan Transportation System / Congestion Management Agency purposes on specific corridors, and for planning-level purposes.

circulation, trip generation, and trip distribution. Note: if the project is relying upon a previously-certified EIR, the appropriate analysis will need to be conducted to ensure that the project remains within the previously studied impact envelope.

Significance Criteria

The project would have a significant effect on the environment if it would:

1. Conflict with a plan, ordinance, or policy addressing the safety or performance of the circulation system, including transit, roadways, bicycle lanes, and pedestrian paths (except for automobile level of service or other measures of vehicle delay); or
2. Cause substantial additional VMT per capita, per service population, or other appropriate efficiency measure; or
3. Substantially induce additional automobile travel by increasing physical roadway capacity in congested areas (i.e., by adding new mixed-flow lanes) or by adding new roadways to the network.

Thresholds of Significance

The following are thresholds of significance related to substantial additional VMT:

- For residential projects, a project would cause substantial additional VMT if it exceeds existing regional household VMT per capita minus 15 percent.
- For office projects, a project would cause substantial additional VMT if it exceeds the existing regional VMT per employee minus 15 percent.
- For retail projects, a project would cause substantial additional VMT if it exceeds the existing regional VMT per capita minus 15 percent.

Additional guidance is provided below regarding review of other types of land uses.

VMT Screening Criteria

There are three key screening criteria for land use development projects: small size, project location in a low-VMT area, and project location near transit stations.

Presumption of Less Than Significant Impact for Small Projects

Absent substantial evidence indicating that a project would generate a potentially significant level of vehicle miles traveled (VMT), projects that generate fewer than 100 vehicle trips per day generally may be assumed to cause a less-than-significant transportation impact.

Presumption of Less Than Significant Impact for Residential, Retail, and/or Office Projects in Low-VMT Areas

Residential, retail, and office projects that locate in areas with low VMT², and that incorporate similar features (i.e., density, mix of uses, transit accessibility) will tend to exhibit similarly low VMT. Therefore, use maps illustrating areas that exhibit below threshold VMT to screen out residential, office, and retail projects which may not require a detailed VMT analysis.³ For projects that include both residential and office components, each map should be used to screen the respective portion of the project.

For projects that include other land uses, the following guidance should be applied:

- Tourist hotels, student housing, single room occupancy hotels, and group housing land uses should be treated as residential for screening and analysis.
- Childcare, K-12 schools, post-secondary institutional (non-student housing), Medical, and production, distribution, and repair (PDR) land uses should be treated as office for screening and analysis.

² As indicated by Section 2, Thresholds of Significance.

³ Data for these maps can be obtained via the Bureau of Planning – Strategic Planning Division’s Dropbox using this link: https://dl.dropboxusercontent.com/u/56973806/VMT_Layers.gdb.zip

- Grocery stores, local-serving entertainment venues, religious institutions, parks, and athletic clubs land uses should be treated as retail for screening and analysis.
- Public services (e.g., police, fire stations, public utilities) do not generally generate VMT. Instead, these land uses are often built in response to development from other land uses (e.g., office and residential). Therefore, these land uses can be presumed to have less-than-significant impacts on VMT. However, this presumption would not apply if the project is sited in a location that would require employees or visitors to travel substantial distances and the project is not located within ½ mile of a major transit stop or does not meet the small project screening criterion.
- Event centers and regional-serving entertainment venues would most likely require a detailed VMT analysis. Therefore, no screening criterion is applicable.

Presumption of Less Than Significant Impact Near Transit Stations

Presume that residential, retail, and office projects, as well as mixed use projects which are a mix of these uses, proposed within ½ mile of an existing major transit stop or an existing stop along a high-quality transit corridor⁴ will have a less than significant impact on VMT. This presumption would not apply, however, if project-specific or location-specific information indicates that the project will still generate significant levels of VMT. For example, the presumption might not be appropriate if the project:

- Has a Floor Area Ratio (FAR) of less than 0.75
- Includes more parking for use by residents, customers, or employees of the project than other typical nearby uses, or more than required by the City in areas where there is a parking minimum
- Is inconsistent with the applicable Sustainable Communities Strategy (as determined by the lead agency, with input from the Metropolitan Transportation Commission)

If these exceptions to the presumption might apply, the environmental analysis should include a detailed VMT analysis to determine whether the project would exceed VMT thresholds. An additional scoping meeting should be conducted with City staff.

Scoping Language

Subject to review and refinement in the scope approval process, consultants may use the following language to propose VMT screening activities:

Consultant will provide a discussion of vehicle miles traveled (VMT) for the region and the Project's transportation analysis zone for each of the Project uses. *Consultant* will review the Planning Department's map-based screening criteria for VMT to assess whether or not the Project screens out of a detailed VMT analysis. *Consultant* will document compliance with these screening criteria and established thresholds for the proposed residential and retail land uses.

Questions

If you have questions, please contact your Case Planner or:

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⁴ Major transit stop is defined in CEQA Section 21064.3 as a rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.