

RESOLUTION NO. 2021-08

A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF APPLE VALLEY, CALIFORNIA, ADOPTING THRESHOLDS OF SIGNIFICANCE FOR VEHICLE MILES TRAVELED (VMT) UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

WHEREAS, SB 743, signed by the Governor in 2013, changes the way transportation impacts are identified for environmental analysis (CEQA) purposes; and

WHEREAS, following the rule making process that was completed in December 2018, the California Environmental Quality Act (CEQA) Guidelines identify that, by July 1, 2020 all lead agencies must use Vehicle Miles Traveled (VMT) as the new transportation metric for identifying impacts for land use projects; and

WHEREAS, VMT replaces auto delay, Level of Service (LOS), and other similar measures of vehicular capacity or traffic congestion as a basis for determining significant impacts under CEQA; and

WHEREAS, SB 743 does not prevent the Town from continuing to analyze delay or LOS outside of the CEQA review process for other transportation planning or analysis purposes unrelated to CEQA traffic impacts such as land use adjacency, general plan consistency, safety, community benefits, and/or public health pursuant to the Town's existing general plan goals; and

WHEREAS, CEQA Guidelines Section 15064.7 encourages each public agency "to develop and publish thresholds of significance that the agency uses in the determination of the significance of environmental effects" where a threshold is "an identifiable quantitative, qualitative, or performance level of a particular environmental effect..."; and

WHEREAS, the implementation of SB 743 specifically identifies in CEQA Guidelines Section 15064.3 that a lead agency has discretion to choose the most appropriate methodology to evaluate project VMT; and

WHEREAS, the VMT methodology of Origin/Destination is selected for the project-generated VMT impact at the project level because it provides a more complete capture of all travel (car and truck trips) within the study area, including trips that may begin or end outside of the study area; and

WHEREAS, VMT per service population is utilized to normalize VMT into a standard unit for comparison purposes while accounting for the population and/or employment in a given area; and

WHEREAS, the comparison value is general plan buildout because the general plan was adopted through a public process to reflect the goals and values of the Town. The general plan, adopted in 2009, includes policies and actions to facilitate infill development, a multi-modal transportation network, energy and resource efficient practices, and a reduction of greenhouse gas emissions; and

WHEREAS, the VMT methodology of Boundary Method is selected for the project's effect on VMT at the cumulative level because it captures all trips, including those trips that do not begin or end in the City (i.e. cut-through traffic) and/or displaced traffic, on the Town's roadway network. The comparison value is town wide VMT because of its comprehensive geography and appropriateness for a Town-wide analysis.

WHEREAS, on April 30, 2021, consideration of a threshold of significance for Vehicle Miles Traveled (VMT) was duly noticed in the Daily Press, a newspaper of general circulation within the Town of Apple Valley; and

WHEREAS, pursuant to Section 15378(b)(5) of the State Guidelines to Implement the California Environmental Quality Act (CEQA), adopting Vehicle Miles Travel thresholds is not a "project" subject to environmental review because it involves an administrative activity involving process only and would not result in any environmental impacts; and even if the thresholds of significance were considered to be a "project" under CEQA, their approval would be exempt from further review pursuant to State CEQA Guidelines 15061(b)(3) because it can be seen with certainty that there is no possibility that a significant impact to the environment may occur; and

WHEREAS, on May 11, 2021, the Town Council of the Town of Apple Valley conducted a duly noticed and advertised the public meeting on adopting thresholds of significance for VMT receiving testimony from the public; and

NOW, THEREFORE, BE IT FOUND DETERMINED AND RESOLVED by the Town Council of the Town of Apple Valley, as follows:

In all respects as set forth in the Recitals of the Resolution.

Section 1. For purposes of determining a potentially significant impact to transportation pursuant to CEQA:

A project would result in a significant project-generated VMT impact if either of the following conditions are satisfied:

1. The baseline project-generated VMT per service population exceeds the Town of Apple Valley General Plan Buildout VMT per service population, or
2. The cumulative project-generated VMT per service population exceeds Town of Apple Valley General Plan Buildout VMT per service population

The project's effect on VMT would be considered significant if it resulted in either of the following conditions to be satisfied:

3. The baseline link-level boundary Town-wide VMT per service population increases under the plus project condition compared to the no project condition, or
4. The cumulative link-level boundary Town-wide VMT per service population increases under the plus project condition compared to the no project condition.

Section 2. Pursuant to Section 15378(b)(5) of the State Guidelines to Implement the California Environmental Quality Act (CEQA), adopting Vehicle Miles Travel thresholds is not a "project" subject to environmental review because it involves an administrative activity involving process only and would not result in any environmental impacts. In the alternative, and even if the thresholds of significance were considered to be a "project" under CEQA, their approval would be exempt from further review pursuant to State CEQA Guidelines 15061(b)(3) because it can be seen with certainty that there is no possibility that a significant impact to the environment may occur. Staff is therefore directed to file a Notice of Exemption with the County Clerk within five working days of this Resolution's approval.

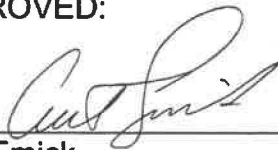
Section 3. This Resolution shall take effect immediately upon adoption.

Section 4. The Mayor shall sign this Resolution and the Town Clerk shall attest and certify to the passage and adoption thereof.

Section 5. The custodian of record for all documents pertaining to the adoption of this Resolution shall be the Town Clerk, and any such records can be viewed by the public at Town Hall.


APPROVED AND ADOPTED by the Town Council of Apple Valley this 11th day of May 2021 by the following vote count:

APPROVED:



Curt Emick,
Mayor

ATTEST:



LaVonda Pearson
Town Clerk



STATE OF CALIFORNIA

COUNTY OF SAN BERNARDINO

TOWN OF APPLE VALLEY

I, LA VONDA M-PEARSON, Town Clerk for the Town of Apple Valley, Apple Valley, California, do hereby certify that Resolution No. 2021-08, duly and regularly adopted by the Town Council at a meeting thereof held on the 11th day of May 2021 by the following vote:

AYES: Council members, Bishop, Cusack, Nassif, Mayor Pro Tem Leon, Mayor Emick.

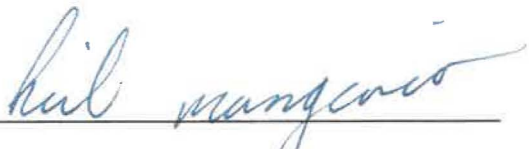
NOES: None.

ABSTAIN: None.

ABSENT: None.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Town of Apple Valley, California, this 12th day of May, 2021.

LA VONDA M-PEARSON, CMC
TOWN CLERK

By: 
Kiel Mangerino, Deputy Town Clerk

