ORDINANCE NO. 163158

An interim control ordinance relating to the issuance of building permits for commercial and industrial projects located in whole or in part within the area generally bounded by the Beverly Hills City boundary on the west, by Pico Boulevard on the south, by Highland Avenue on the east, and by the City boundary north of Melrose Avenue on the north, herein referred to as the Wilshire West Area.

WHEREAS, the Wilshire West Area has the potential of experiencing rapid increases in land use intensities without sufficient improvements in the transportation infrastructure necessary to accommodate the increased traffic generated by such development; and

WHEREAS, at the present time, traffic volumes at the major intersections in the subject area are at or approaching design capacity, and further undirected development will exacerbate the existing situation; and

WHEREAS, it is clear that substantial improvement in the traffic and circulation systems servicing the Wilshire West Area is necessary to accommodate higher intensity development and prevent area-wide congestion and accompanying problems in the surrounding residential neighborhoods; and

- 1 -
WHEREAS, the Wilshire District Plan should be amended or revised to balance future development and circulation needs to mitigate adverse traffic impacts of such development; and

WHEREAS, the City is exploring alternative mechanisms to provide for improved traffic mobility; and

WHEREAS, on July 15, 1987, the City Council acted on two resolutions directing the Department of City Planning and the Department of Transportation, with the cooperation of the City Attorney, to develop a Land Use/Transportation Specific Plan for the Wilshire West Area and to prepare an interim control ordinance for the Wilshire West Area which authorizes the Department of Transportation to review projects and collect funds for placement in a fund to be established as the Wilshire West Transportation Improvement Trust Fund;

NOW THEREFORE,

THE PEOPLE OF THE CITY OF LOS ANGELES DO ORDAIN AS FOLLOWS:

Section 1. DEFINITIONS.
The following words, whenever used in this Ordinance shall be construed as defined in this Section. Words and phrases not defined herein shall be construed as defined in
Section 12.03 of the Los Angeles Municipal Code if defined therein.

A. Applicant: Any person, as defined in the Los Angeles Municipal Code Section 11.01, submitting an application for a building permit for a Project who can guarantee to the satisfaction of the Department of Transportation that applicable provisions of this Ordinance will be implemented by the Applicant or the assignees, lessees, or successors of the Applicant.

B. Floor Area Ratio: The ratio between the total square footage of a building's floor area as described by Sections 12.21.1 A 5 and 12.21.1 B 4 of the Los Angeles Municipal Code and the buildable area of the lot.

C. Gross Floor Area: The total square footage confined by the outside surface of the exterior walls of a building, as calculated by adding the total square footage of each of the floors therein, except for that square footage devoted to vehicle parking and necessary interior driveways and ramps thereto.

D. Land Use/Transportation Specific Plan: An ordinance containing (1) an integrated program of transportation mitigation measures which are intended to improve the flow of traffic within portions of the City impacted by increased
traffic within that designated area, such as, but not limited to: traffic signal systems improvements; Transportation Demand Management programs; parking management programs; street widenings, dedications, and other major and minor highway improvements designed to increase capacity; public and private transit; (2) provisions that require private sector financial participation in implementing the transportation mitigation measures; and (3) land use regulations for a defined area of the City which provide regulatory controls and/or incentives for the systematic execution of the General Plan, and which provide for public needs, convenience and general welfare pursuant to Los Angeles Municipal Code Section 11.5.7.

E. Project: The construction of any building or structure, or the addition to, alteration, conversion, or change of use of any land, building or structure on a lot in the C, M, or P zones which requires the issuance of a building permit and which results in an increase in the number of Trips. For purposes of this Ordinance, the term Project shall not include the following: (1) the construction of any building or structure, or the addition to, alteration, conversion, or change of use of any land related to the operation and maintenance of public
facilities owned, operated or managed by the City or County of Los Angeles; (2) the construction, addition to, alteration, conversion, or change of use of any non-profit medical research facility approved by the City Planning Commission by the effective date of this Ordinance; and (3) the issuance of building permits, including, but not limited to, electrical, plumbing, mechanical, facia, and sign permits, for existing buildings or structures which do not result in an increase in the floor area and do not change the use of such buildings or structures.

F. Project Permit: A permit issued pursuant to the provisions set forth in Section 7 of this Ordinance.

G. Significant Traffic Impact: The projected traffic impact upon an intersection that will result if a Project is constructed and occupied, based on the Traffic Assessment for that Project. Significant Traffic Impact is an increase in the intersection's volume/capacity ratio of 0.02 or more which results in a volume/capacity ratio of more than 0.90 after the net additional Project-related Trips are included but prior to calculating the effect of the Applicant's Traffic Mitigation Plan. A Significant Traffic Impact shall be calculated considering: (1) an estimate of net additional
Project-related Trips; (2) ambient traffic growth as projected by the Department of Transportation to the year of completion of the Project; (3) impacts of known related developments which have applied for a building permit or which have been submitted to the City for discretionary review, projected to the year of completion of the Project and; (4) any other transportation improvements committed, constructed, under construction or guaranteed to be constructed by another project or a governmental entity within five years of issuance of a building permit for the Project. Any transportation improvement project included in the City's Capital Improvement Expenditure Program or in the annual element of the current Los Angeles County Transportation Improvement Program shall be considered to be "guaranteed to be constructed" for purposes of calculating the Significant Traffic Impact.

H. Traffic Assessment: A written determination prepared by the Department of Transportation as to the likely traffic impacts resulting from completion and occupancy of a Project considering (1) an estimate of net additional Project-related Trips beyond that generated by the existing use; (2) geographic distribution of those Trips; (3) impact of
traffic generated by known related developments
which have applied for a building permit or which
have been submitted to the City for discretionary
review, projected to the year of completion of
the Project; (4) ambient traffic growth as
projected by the Department of Transportation to
the year of completion of the Project; and (5)
current levels of service at nearby
intersections, as determined from a map annually
updated by the Department of Transportation. The
Traffic Assessment is to provide the Applicant
with a determination as to the need for a Traffic
Mitigation Plan.

I. Traffic Mitigation Fee: A fee which
an Applicant may be required to pay pursuant to
the terms of a Land Use/Transportation Specific
Plan which shall be based on Trips generated by a
Project and the cost per single Trip of
identified comprehensive transportation
improvements.

J. Traffic Mitigation Plan: A document
submitted by the Applicant indicating street
improvements, Transportation Demand Management
(TDM) measures and appropriate monitoring
mechanisms, and/or other transportation
improvements necessary to mitigate traffic
impacts of the Project to levels of
insignificance. The Traffic Mitigation Plan
shall be prepared in accordance with guidelines prepared by the Department of Transportation and shall be accompanied by appropriate maps, graphics, and drawings to reflect clearly the impact of the Project and the ability of the proposed mitigation improvements to reduce any Significant Traffic Impact.

K. Transportation Demand Management (TDM): An integrated program of transportation management measures for a Project which are to be implemented by the Applicant, including, but not limited to, rideshare incentives; methods to coordinate rideshare programs with other developments; staggered work schedules that shift trips outside the morning and evening peak periods; employee incentives that encourage carpool and vanpool usage; and parking policies.

L. Trip: an arrival at or a departure from a Project during the p.m. peak hour by a motor vehicle.

Sec. 2. ORDINANCE AREA.

The provisions of this Ordinance shall apply to the Wilshire West Land Use/Transportation Specific Plan Area, generally bounded on the west by the City of Beverly Hills, on the south by Pico Boulevard, on the east by Highland Avenue, and the north by the City boundary north of Melrose Avenue, as depicted by Maps A and B on the following two pages:
NOTE: Boundaries include the entirety of any parcels with frontage on the streets outlined.
Sec. 3. PROHIBITION.

A. Notwithstanding any provision of the Los Angeles Municipal Code to the contrary, for a period of 365 days from the effective date of this Ordinance, or until a Land Use/Transportation Specific Plan for the Wilshire West Area is adopted and becomes effective, whichever first occurs:

1. No building permit shall be issued to erect, construct or add to any building or structure for any Project on any lot located in whole or in part within the areas identified in Section 2 of this Ordinance; and

2. No person shall erect, construct, or add to any building or structure for any Project on any lot located in whole or in part within the areas identified in Section 2 of this Ordinance pursuant to a building permit issued on or after October 22, 1987 for which a vested right has not accrued prior to the effective date of this Ordinance.

B. The prohibition specified in Subsection A above shall not apply to the following:

...
1. Any Project which has complied with the provisions of Sections 4, 5 and 6 of this Ordinance.

2. Any Project which has complied with the provisions of Section 7 of this Ordinance.


4. Any Project for which a building permit is required, (1) in order to comply with an order issued by the Department of Building and Safety to repair an unsafe or substandard condition, or (2) in order to rebuild as a result of destruction by fire, earthquake or other natural disaster, with the exception of destruction by flood, provided that such Project is not prohibited by any provision of the Los Angeles Municipal Code.

5. Any Project, for which a public hearing has been held on or after January 1, 1986, but before October 22, 1987, for one of the following discretionary approvals, initiated by application by property owners or their representatives, and which considered the traffic impacts of the Project: zone change, height district
change, conditional use permit, variance, 
zone boundary adjustment, tract map, or 
parcel map.

6. Any Project which complies with 
Sections 5 and 6 of this Ordinance and was 
granted one or more of the following 
discretionary approvals, initiated by 
application by property owners or their 
representatives on or after the effective 
date of this Ordinance: zone change, height 
district change, conditional use permit, 
variance, zone boundary adjustment, tract 
map, or parcel map. Provided, however, no 
subsequent changes are made to the Project 
which increase the height, floor area ratio, 
or uses from that considered under the 
discretionary approval.

Sec. 4. LAND USE PROVISIONS.

If the Project conforms to the following provisions 
and complies with Sections 5 and 6 of this Ordinance, then the 
Department of Building and Safety shall have the authority to 
issue a building permit.

...
A. The Project is located within the area described on Map A, Section 2 of this Ordinance and does not have a Floor Area Ratio exceeding 1.0 to 1.

B. The Project is located within the area described on Map B, Section 2 of this Ordinance and does not have a Floor Area Ratio exceeding 3.0 to 1.

C. Parking is as follows:

1. For office buildings and retail shops, at least one parking space is provided per 300 square feet of floor space.

2. For restaurants, at least 10 spaces are provided per 1,000 square feet of floor area.

3. For hotels and motels, at least one space is provided per guest room.

4. For medical and dental offices, at least one space is provided per 125 square feet of floor area.

5. For hospitals, at least 2.5 spaces are provided per bed.

6. For theaters, at least one space is provided for every three seats.

7. For shopping centers with less than 50,000 square feet of Gross Floor Area, at
least five parking spaces are provided per 1,000 square feet.

Sec. 5. REVIEW OF TRANSPORTATION IMPACTS.

If the Applicant has done the following and has complied with Sections 4 and 6 of this Ordinance, then the Department of Building and Safety shall have the authority to issue a building permit.

A. Submitted the Project description to the Department of Transportation for review regarding Significant Traffic Impacts of the Project as outlined in Section 6 of this Ordinance. The application must be accompanied by the appropriate processing fee as follows:

<table>
<thead>
<tr>
<th>Number of Trips</th>
<th>Filing Fees</th>
</tr>
</thead>
<tbody>
<tr>
<td>Projects with 42 or fewer trips</td>
<td>$100</td>
</tr>
<tr>
<td>Projects with 43 or more trips</td>
<td></td>
</tr>
<tr>
<td>Traffic Assessment fee</td>
<td>$500</td>
</tr>
<tr>
<td>Traffic Mitigation Plan review fee (only for Projects that have Significant Traffic Impacts as determined in the Traffic Assessment)</td>
<td>$1780</td>
</tr>
</tbody>
</table>

...
All fees so collected shall be placed in the Wilshire West Transportation Improvement Trust Fund.

B. Guaranteed, to the satisfaction of the Department of Transportation, that the Applicant will implement any transportation mitigation measures required by the Department of Transportation or the City Council on appeal, pursuant to Section 6 of this Ordinance. The guarantee of the implementation of traffic mitigation measures shall be by cash, by letter of credit, by obtaining a "B" permit, or by other methods satisfactory to the Department of Transportation.

C. Paid a portion and guaranteed payment of a portion of the interim traffic mitigation fee to the Department of Transportation, as specified in Section 8 of this Ordinance. The guarantee of fee payment shall be by cash, by letter of credit, by covenant and agreement, or by other means satisfactory to the Department of Transportation.

If the guarantee is by covenant and agreement, then any covenant and agreement shall be effective upon recordation and shall run with the land and shall be binding upon any future
owners, successors, heirs or assigns of the Project Applicant. Prior to the City's acceptance of a covenant and agreement, the Applicant shall demonstrate to the satisfaction of the Department of Transportation the authority to comply with all of the provisions of the covenant and agreement.

Sec. 6. TRANSPORTATION MITIGATION MEASURES.

If the Project complies with the appropriate criteria below, based upon the Trips generated by the Project as calculated by the Department of Transportation using the table in Section 9 of this Ordinance, and if the Project complies with Sections 4 and 5 of this Ordinance, then the Department of Building and Safety shall have the authority to issue a building permit.

A. 1-42 Trips: An Applicant for a Project which generates from 1 to 42 Trips shall make the applicable highway dedications and improvements as required pursuant to any other applicable law or discretionary action.

B. 43 or more Trips: An Applicant for a Project which generates 43 or more Trips shall make the applicable highway dedications and improvements as required pursuant to any other applicable law or discretionary action. The Department of Transportation shall provide a
Traffic Assessment of the Project to the Applicant within 15 working days from the date the Applicant submits a description of the Project to the Department of Transportation for review. If the Traffic Assessment finds that there will be Significant Traffic Impacts caused by the Project, the Applicant shall provide a Traffic Mitigation Plan prepared to the satisfaction of the Department of Transportation containing mitigation measures that the applicant proposes to implement to reduce Significant Traffic Impacts at intersections identified in the Traffic Assessment.

The Department of Transportation, and the City Council on appeal, shall have the authority to require that mitigation measures be undertaken to reduce the Significant Traffic Impacts of a Project as a condition of granting a building permit. Such mitigation measures may include but are not limited to the following: demand management measures such as ridesharing and vanpool programs, shuttle buses, staggered work hours; parking management programs; street widenings and dedications; construction of off-site improvements; traffic signal system improvements; and other major and minor highway improvements designed to increase capacity.
Sec. 7. PROJECT PERMIT PROCEDURE.

A. The City Planning Commission, and the City Council on appeal, shall have authority to approve the issuance of Project Permits for any Project which does not comply with Section 4 of this Ordinance. In approving a Project Permit, the City Planning Commission, or the City Council on appeal, may impose conditions on the same basis it would in granting a conditional use approval pursuant to Section 12.24 B of the Los Angeles Municipal Code. The procedure for consideration of a Project Permit shall be as set forth in Section 12.24 B 3. A Project Permit shall include approval of preliminary site and elevation plans.

B. Applications for Project Permits shall be filed on forms provided by the Department of City Planning. Applications shall not be deemed complete until accompanied by the reports of the Departments of City Planning and Transportation pursuant to Subsection C of this Section.

C. In order to obtain a Project Permit, the Applicant shall do the following:

...
1. Submit a site plan showing building footprint, setbacks, amount of floor area and a calculation of Floor Area Ratio, plus an elevation plan showing building heights as measured according to Section 12.03 of the Los Angeles Municipal Code, to the Department of City Planning for its review and report to the City Planning Commission.

2. Submit the Project description to the Department of Transportation for its review and report to the City Planning Commission regarding Significant Traffic Impacts of the Project and recommended traffic mitigation measures. The Department of Transportation shall utilize the procedure set forth in Section 6 of this Ordinance to prepare its report to the City Planning Commission. The application must be accompanied by the appropriate processing fee as follows:

<table>
<thead>
<tr>
<th>Number of Trips</th>
<th>Filing Fees</th>
</tr>
</thead>
<tbody>
<tr>
<td>Projects with 42 or fewer trips</td>
<td>$100</td>
</tr>
<tr>
<td>Projects with 43 or more trips</td>
<td></td>
</tr>
<tr>
<td>Traffic Assessment fee</td>
<td>$500</td>
</tr>
<tr>
<td>Traffic Mitigation Plan review fee (only for Projects that have Significant Traffic Impacts as determined in the Traffic Assessment)</td>
<td>$1,780</td>
</tr>
</tbody>
</table>
All fees so collected shall be placed in the Wilshire West Transportation Improvement Trust Fund.

D. In approving a Project Permit, The City Planning Commission, and the City Council on appeal, after consideration of the reports by the Departments of City Planning and Transportation and public comments, shall make the findings set forth in Section 12.24 B of the Los Angeles Municipal Code and shall also make the following findings:

1. The Applicant has proposed to adequately reduce any Significant Traffic Impacts of the Project.

2. The proposed Project includes conditions to reduce any adverse parking impacts on residential areas.

E. Any approval or disapproval of a Project Permit by the City Planning Commission pursuant to this Ordinance shall be appealable to the City Council under the procedures set forth in Section 12.24 B of the Los Angeles Municipal Code.

F. The application fee and appeal fee for a Project Permit shall be the same as that for a conditional use permit as set forth in Section 19.01 C of the Los Angeles Municipal Code. The fees shall accompany the application for a Project Permit or appeal.
G. An Applicant who has obtained a Project Permit pursuant to the provisions of this Section shall guarantee, to the satisfaction of the Department of Transportation, the implementation of any transportation mitigation measures required by the City Planning Commission, and the City Council on appeal, prior to the issuance of a building permit for the Project. The guarantee of the implementation of traffic mitigation measures shall be by cash, by letter of credit, by obtaining a "B" permit, or by other methods satisfactory to the Department of Transportation.

H. An applicant who has obtained a Project Permit pursuant to the provisions of this Section shall pay a portion and guarantee payment of a portion of the interim traffic mitigation fee to the Department of Transportation, as specified in Section 8 of this Ordinance. The guarantee of the fee payment shall be by cash, by letter of credit, by covenant and agreement, or by other means satisfactory to the Department of Transportation.

If the guarantee is by covenant and agreement, then any covenant and agreement shall be effective upon recordation and shall run with the land and shall be binding upon any future
owners, successors, heirs or assigns of the
Project Applicant. Prior to the City's
acceptance of a covenant and agreement, the
Applicant shall demonstrate to the satisfaction
of the Department of Transportation the authority
to comply with all of the provisions of the
covenant and agreement.

I. An Applicant who has obtained a Project
Permit shall submit final site and elevation
plans to the City Planning Department prior to
the issuance of a building permit. The
Department of City Planning shall compare the
final plans with the preliminary plans approved
by the Commission. If the Department of City
Planning determines that the final site or
elevation plan contains substantial changes, the
final plans shall be submitted to the City
Planning Commission for its review and approval.

Sec. 8. INTERIM TRAFFIC MITIGATION FEE.

A fee which the City will use to mitigate the
area-wide impact of the estimated net additional Trips
generated by the Applicant's Project. The interim traffic
mitigation fee shall be calculated according to the following
formula:

Fee = number of net additional Trips
     generated by the Project × $4,900.00.
The payment of the interim traffic mitigation fee is divided into two portions:

1) That portion of the fee which the Applicant must pay when submitting the Project for review under Section 5 A or after receiving a Project Permit under Section 7 H.

This portion of the fee shall be calculated according to the following formula:

Portion to be paid = number of net additional Trips generated by the Project \( \times \$300.00. \)

2) That portion of the fee which the Applicant must pay at the time a Land Use/Transportation Specific Plan Ordinance for the Wilshire West Area is adopted by the City Council and becomes effective.

This portion of the fee shall be calculated according to the following formula:

Portion to be guaranteed = number of net additional Trips generated by the Project \( \times \$4,600.00. \)

At the time the Applicant submits the Project for review under Section 5 A or after receiving a Project Permit under Section 7 H, the Applicant must guarantee payment of the second portion of the fee.
The guarantee of fee payment shall be by cash, by letter of credit, by covenant and agreement, or by other means satisfactory to the Department of Transportation.

If the guarantee is by covenant and agreement, then any covenant and agreement shall be effective upon recordation and shall run with the land and shall be binding upon any future owners, successors, heirs or assigns of the Project Applicant. Prior to the City's acceptance of a covenant and agreement, the Applicant shall demonstrate to the satisfaction of the Department of Transportation the authority to comply with all of the provisions of the covenant and agreement.

At such time that the City Council has adopted a Land Use/Transportation Specific Plan for the area identified in Section 2 of this Ordinance, an Applicant who has guaranteed the payment of the interim traffic mitigation fee shall be entitled to a recalculation of that fee on the same basis used to calculate the Traffic Mitigation Fee for the Land Use/Transportation Specific Plan. This recalculation shall use that Plan's cost per trip mitigation figure, and trip table, and shall consider applicable exemptions authorized under the Plan, if any. In the event
that the Traffic Mitigation Fee obtained as a result of this recalculation is higher than the previously guaranteed interim traffic mitigation fee, the applicant who has guaranteed the payment of the interim traffic mitigation fee will not be required to pay the higher amount.

Sec. 9. TRIP TABLE.

In using this table, the square footage determinations will be made pursuant to the definition of Gross Floor Area. Where a Project has more than one use, the Trips per p.m. peak hour are to be calculated by adding together the Trips generated by each use. For each use not listed below, Trips per p.m. peak hour shall be as calculated by the Department of Transportation.

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Trips Per PM Peak Hour</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Automobile Uses:</strong></td>
<td></td>
</tr>
<tr>
<td>Car Wash</td>
<td>110 per car wash</td>
</tr>
<tr>
<td>Gas Station</td>
<td>3.6 per vehicle position at fuel pump</td>
</tr>
<tr>
<td>Repair/Service</td>
<td>6.0 per service stall</td>
</tr>
<tr>
<td><strong>Banking Uses:</strong></td>
<td></td>
</tr>
<tr>
<td>Walk-In Bank</td>
<td></td>
</tr>
<tr>
<td>(Without Drive-Through)</td>
<td>16.7 per 1,000 sq. ft. of Gross Floor Area</td>
</tr>
<tr>
<td>(With Drive-Through)</td>
<td>25.3 per 1000 sq. ft. of Gross Floor Area</td>
</tr>
<tr>
<td>Savings &amp; Loan</td>
<td></td>
</tr>
<tr>
<td>(Without Drive-Through)</td>
<td>5.3 per 1,000 sq. ft. of Gross Floor Area</td>
</tr>
<tr>
<td>Use</td>
<td>Rate per 1,000 sq. ft. of Gross Floor Area</td>
</tr>
<tr>
<td>------------------------------</td>
<td>-------------------------------------------</td>
</tr>
<tr>
<td>Entertainment Theater:</td>
<td>6.8</td>
</tr>
<tr>
<td>Hospitals:</td>
<td></td>
</tr>
<tr>
<td>General</td>
<td>0.15 per seat</td>
</tr>
<tr>
<td>Convalescent</td>
<td>1.2 per bed</td>
</tr>
<tr>
<td>Convalescent</td>
<td>0.2 per bed</td>
</tr>
<tr>
<td>Industrial:</td>
<td></td>
</tr>
<tr>
<td>Industrial Park</td>
<td>1.0</td>
</tr>
<tr>
<td>Manufacturing</td>
<td>0.8</td>
</tr>
<tr>
<td>Warehousing</td>
<td>1.6</td>
</tr>
<tr>
<td>Storage</td>
<td>0.3</td>
</tr>
<tr>
<td>Science Research &amp; Development</td>
<td>0.9</td>
</tr>
<tr>
<td>Lodging:</td>
<td></td>
</tr>
<tr>
<td>Hotel, Motel or Apartment Hotel</td>
<td>0.7</td>
</tr>
<tr>
<td>Office:</td>
<td></td>
</tr>
<tr>
<td>Commercial Office</td>
<td>2.8</td>
</tr>
<tr>
<td>Under 100,000 sq. ft. of floor area</td>
<td>2.8</td>
</tr>
<tr>
<td>Commercial Office</td>
<td>2.0</td>
</tr>
<tr>
<td>100,000 sq. ft. of floor area and over</td>
<td>2.0</td>
</tr>
<tr>
<td>Medical Office</td>
<td>3.9</td>
</tr>
<tr>
<td>Parking lot or Parking Structure</td>
<td>0.0</td>
</tr>
<tr>
<td>Retail Uses:</td>
<td></td>
</tr>
<tr>
<td>Supermarket</td>
<td>8.8</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Convenience Market 46.7 per 1,000 sq. ft. of Gross Floor Area

Other Retail Establishments 5.0 per 1,000 sq. ft. of Gross Floor Area

Restaurants:

Low turnover (a restaurant with more than 2,000 sq. ft.) 6.1 per 1,000 sq. ft. of Gross Floor Area

High turnover (a restaurant with 2,000 sq. ft. or less) 10.5 per sq. ft. of Gross Floor Area

Fast food (a restaurant immediately adjacent to an automobile parking area, where patrons are served at a counter or a drive through) 31.6 per 1,000 sq. ft. of Gross Floor Area

Shopping Center

(A group of architecturally-combined commercial establishments built on a site which is planned, developed and managed as a unit.)

The Trips per p.m. peak hour shall be determined by the following formula:

\[ (-0.001A + 323.5 + 3.9) \text{ per } 1,000 \text{ sq. ft. of Gross Floor Area} \]

Where \( A = \frac{\text{Gross Floor Area}}{1,000} \)

However, in no event shall the Trips per p.m. peak hour for a shopping center exceed 29.3 Trips per 1,000 sq. ft. of Gross Floor Area.
Sec. 10. WILSHIRE WEST TRANSPORTATION IMPROVEMENT TRUST FUND.

There is hereby established a special fund entitled the Wilshire West Transportation Improvement Trust Fund. All monies paid to the Department of Transportation pursuant to Sections 5 C and 7 H of this Ordinance and any interest earned thereon, shall be held separate and apart from other City funds and shall be deposited in the Wilshire West Transportation Improvement Fund. These funds shall be eligible for expenditure only upon traffic mitigation measures in those areas affected by traffic to, from, in or through the Wilshire West area as determined by the Department of Transportation, subject to the approval of the City Council, or for direct or indirect costs incurred by the City of Los Angeles for the development and administration of the Land Use/Transportation Specific Plan.

Sec. 11. EXEMPTION.

The City Council, acting in its legislative capacity and by resolution, may grant exemptions from any or all of the provisions of this Ordinance in cases of extreme hardship duly established to the satisfaction of the City Council. An application for exemption shall be filed with the Department of Transportation on forms supplied by the Department and shall be accompanied by a fee of $500.00. The Department of Transportation shall forward completed applications for exemption together with its report and that of the Department
of City Planning to the City Council within 15 days of receipt of the completed application for exemption.

Sec. 12. EXTENSION OF PROHIBITION.

The City Council, by resolution, may extend the provisions of this Ordinance for two additional periods not to exceed 180 days each or until a Land Use/Transportation Specific Plan for the Wilshire West Area is adopted and becomes effective, whichever first occurs, if it makes the following findings:

A. It is reasonably foreseeable that a termination of this Ordinance may permit development in the Wilshire West Area inconsistent with the provisions of this Ordinance and such development may thereby negate and undermine the effectiveness of those provisions; and

B. Any burden on the affected property owners caused by the extension of this Ordinance for 180 days is more than justified by the necessity of avoiding development which may negate the effectiveness of said provisions; and

C. The appropriate City agencies and officials are exercising due diligence to assure that the Land Use/Transportation
Sec. 14. The City Clerk shall certify to the passage of this ordinance and cause the same to be published in some daily newspaper printed and published in the City of Los Angeles.

I hereby certify that the foregoing ordinance was passed by the Council of the City of Los Angeles, at its meeting of JAN 19, 1988.

ELIAS MARTINEZ, City Clerk,

JAN 21 1988

Approved as to Form and Legality

JAMES K. HAHN, City Attorney,

By JERI L. BURGE
Deputy City Attorney

File No.: C.F. 87-1213 and 87-1228

Pursuant to Section 97.2 of the City Charter, the City Building Commission on Dec. 17, 1987 recommended that this ordinance be adopted by the City Council.

Ramona Haux
Secretary