

PLANNING DEPARTMENT TRANSMITTAL TO THE CITY CLERK'S OFFICE

CITY PLANNING CASE:	ENVIRONMENTAL DOCUMENT:	COUNCIL DISTRICT:
CPC-2014-1456-SP	ENV-2014-1458-EIR-SE-CE	11- Bonin
PROJECT ADDRESS:		
<p>The project area involves the existing Coastal Transportation Corridor Specific Plan (CTCSP) area which is generally bounded by the City of Santa Monica on the north, Imperial Highway on the south, the San Diego Freeway (I-405) on the east, and the Pacific Ocean on the west.</p>		
APPLICANT	TELEPHONE NUMBER:	EMAIL ADDRESS:
City of Los Angeles <input type="checkbox"/> New/Changed	213-978-1179	
APPLICANT'S REPRESENTATIVE	TELEPHONE NUMBER:	EMAIL ADDRESS:
N/A	N/A	N/A
APPELLANT	TELEPHONE NUMBER:	EMAIL ADDRESS:
N/A	N/A	N/A
APPELLANT'S REPRESENTATIVE	TELEPHONE NUMBER:	EMAIL ADDRESS:
N/A	N/A	N/A
PLANNER CONTACT INFORMATION:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Conni Pallini-Tipton Renata Ooms Steven Katigbak	213-978-1179 213-978-1222 213-978-1349	Conni.Pallini-Tipton@lacity.org Renata.Ooms@lacity.org Steven.Katigbak@lacity.org
ITEMS FOR CITY COUNCIL CONSIDERATION		
Coastal Transportation Corridor Specific Plan (CTCSP) Ordinance; Coastal Transportation Corridor Specific Plan (CTCSP) and WLA TIMP Specific Plan Administrative Fee Resolution		

FINAL ENTITLEMENTS NOT ADVANCING:

N/A

ITEMS APPEALED:

N/A

ATTACHMENTS:	REVISED:	ENVIRONMENTAL CLEARANCE:	REVISED:
<input checked="" type="checkbox"/> Letter of Determination	<input type="checkbox"/>	<input checked="" type="checkbox"/> Categorical Exemption	<input type="checkbox"/>
<input checked="" type="checkbox"/> Findings of Fact	<input type="checkbox"/>	<input type="checkbox"/> Negative Declaration	<input type="checkbox"/>
<input checked="" type="checkbox"/> Staff Recommendation Report	<input type="checkbox"/>	<input type="checkbox"/> Mitigated Negative Declaration	<input type="checkbox"/>
<input type="checkbox"/> Conditions of Approval	<input type="checkbox"/>	<input checked="" type="checkbox"/> Environmental Impact Report	<input type="checkbox"/>
<input checked="" type="checkbox"/> Ordinance	<input type="checkbox"/>	<input checked="" type="checkbox"/> Mitigation Monitoring Program	<input type="checkbox"/>
<input type="checkbox"/> Zone Change Map	<input type="checkbox"/>	<input checked="" type="checkbox"/> Other _____	<input type="checkbox"/>
<input type="checkbox"/> GPA Resolution	<input type="checkbox"/>		
<input type="checkbox"/> Land Use Map	<input type="checkbox"/>		
<input type="checkbox"/> Exhibit A - Site Plan	<input type="checkbox"/>		
<input checked="" type="checkbox"/> Mailing List	<input type="checkbox"/>		
<input type="checkbox"/> Land Use	<input type="checkbox"/>		
<input type="checkbox"/> Other _____	<input type="checkbox"/>		

NOTES / INSTRUCTION(S):

Notice of Exemption; Notice of Determination; CTCSP and WLA TIMP SP Administrative Fee Resolution

Final EIR:

<http://planning.lacity.org/eir/CoastalTrans/FEIR/CTCSP.pdf>**FISCAL IMPACT STATEMENT:** Yes No

*If determination states administrative costs are recovered through fees, indicate "Yes".

PLANNING COMMISSION: City Planning Commission (CPC) Cultural Heritage Commission (CHC) Central Area Planning Commission East LA Area Planning Commission Harbor Area Planning Commission North Valley Area Planning Commission South LA Area Planning Commission South Valley Area Planning Commission West LA Area Planning Commission

PLANNING COMMISSION HEARING DATE:	COMMISSION VOTE:
March 8, 2018	6-2
LAST DAY TO APPEAL:	APPEALED:
N/A	N/A
TRANSMITTED BY:	TRANSMITTAL DATE:
Rocky Wiles Commission Office	June 4, 2018



LOS ANGELES CITY PLANNING COMMISSION

200 North Spring Street, Room 532, Los Angeles, California, 90012-4801, (213) 978-1300

www.planning.lacity.org

LETTER OF DETERMINATION

MAILING DATE: JUN 04 2018

Case No.: CPC-2014-1456-SP

Council District: 11 – Bonin

CEQA No.: ENV-2014-1458-EIR-SE-CE

Plan Area: LAX; Palms-Mar Vista-Del Rey; Venice; Westchester-Playa Del Rey

Related Case: CPC-2014-1457-SP

Project Area: The Project involves the existing The Coastal Transportation Corridor Specific Plan (CTCSP) area which is generally bounded by the City of Santa Monica on the north, Imperial Highway on the south, the San Diego Freeway (I-405) on the east, and the Pacific Ocean on the west.

Applicant: City of Los Angeles

At its meeting of **March 8, 2018**, the Los Angeles City Planning Commission took the actions below in conjunction with the approval of the following:

Amendments to the Coastal Transportation Corridor Specific Plan which includes updates to the Transportation Impact Assessment fee (TIA Fee) programs, including revisions to the fees, exemptions and credits; and updates to the list of transportation improvements to be funded, in part, by the impact fees collected from new development.

1. **Found**, based on the independent judgment of the decision-maker, after consideration of the whole of the administrative record, the project was assessed in the previously certified Environmental Impact Report No. ENV-2014-1458-EIR, certified on March 8, 2018; and pursuant to CEQA Guidelines, Sections 15162 and 15164, no subsequent EIR, negative declaration, or addendum is required for approval of the project;
2. **Determined** that based on the whole of the administrative record, the Project is exempt from CEQA pursuant to Public Resources Code, Section 21080(b)(8);
3. **Determined** that based on the whole of the administrative record, the Project is exempt from CEQA pursuant to CEQA Guidelines, Sections 15301, 15304, and 15308, and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies;
4. **Approved and recommended** that the City Council **adopt**, pursuant to Section 11.5.7.G of the Los Angeles Municipal Code (LAMC), the amendments to the CTCSP Ordinance, provided that the City Attorney review the Ordinance for form and legality; and
5. **Adopted** the attached Findings.

The vote proceeded as follows:

Moved: Ambroz
Second: Dake Wilson
Ayes: Choe, Khorsand, Mitchell, Padilla-Campos
Nays: Millman, Perlman
Absent: Mack

Vote: 6 - 2



James K. Williams, Commission Executive Assistant II
Los Angeles City Planning Commission

Effective Date/Appeals: The decision of the Los Angeles City Planning Commission is final and not appealable.

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

Attachments: CTCSP Ordinance; Findings

cc: Craig Weber, Principal City Planner
Conni Pallini-Tipton, Senior City Planner
Steven Katigbak, City Planning Associate
Renata Ooms, City Planning Associate

ORDINANCE NO. _____

An ordinance amending Section 12.04 of the Los Angeles Municipal Code to amend the Coastal Transportation Corridor Specific Plan.

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

Section 1. Pursuant to Section 11.5.7G of the Los Angeles Municipal Code, the City Council hereby amends the Coastal Transportation Corridor Specific Plan to read in whole as shown in the attached Coastal Transportation Corridor Specific Plan. The boundaries for the Coastal Transportation Corridor Specific Plan, as amended, are shown in Map 1 in the attached Coastal Transportation Corridor Specific Plan.

Coastal Transportation Corridor Specific Plan

City of Los Angeles

Ordinance No. _____
Effective _____

Specific Plan Procedures
Amended by Ordinance No. _____

Specific Plan Amendment
Amended by Ordinance No. _____
Effective _____

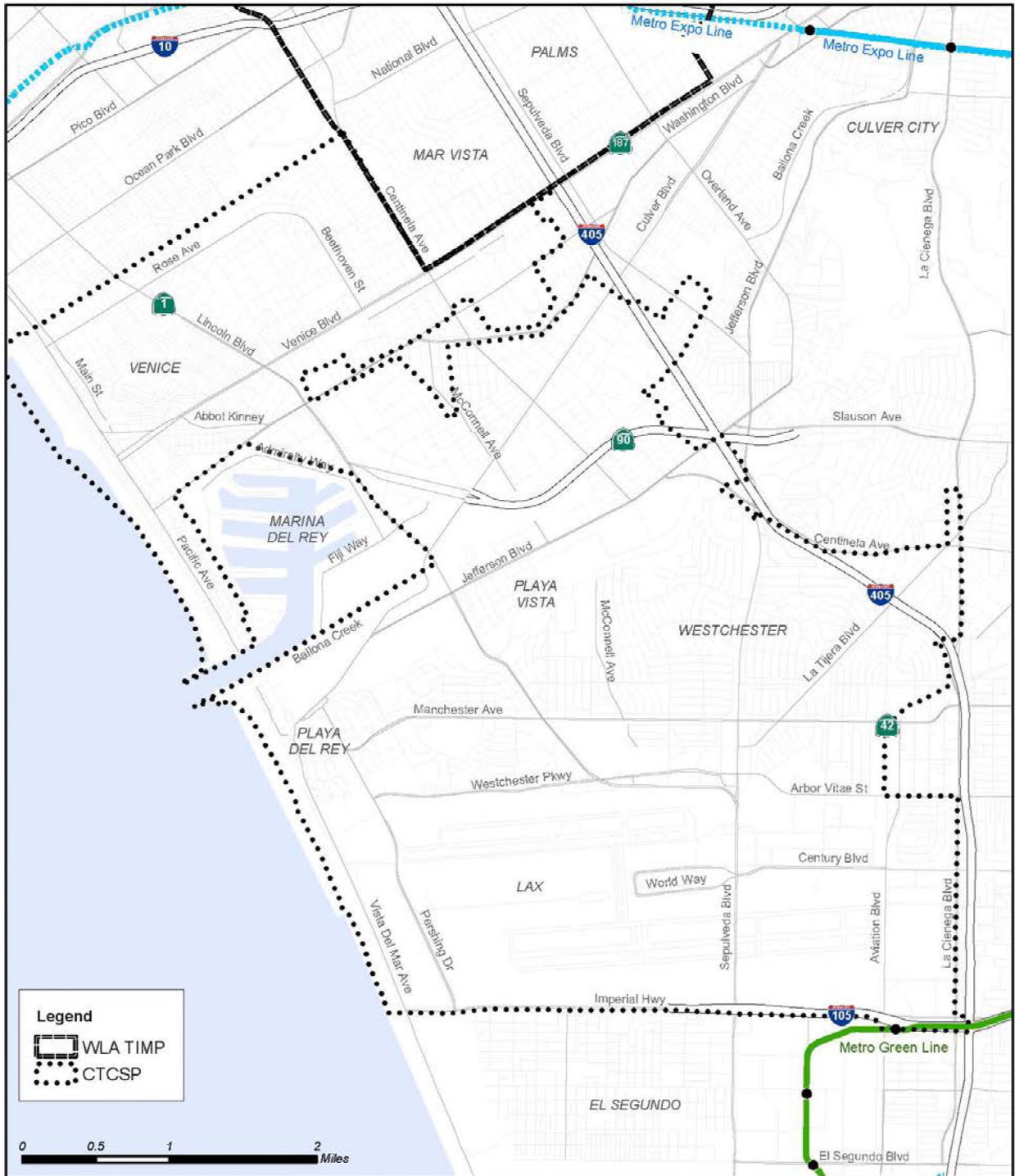
Specific Plan Amendment
Amended by Ordinance No. _____
Effective _____

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COASTAL TRANSPORTATION CORRIDOR SPECIFIC PLAN

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Basemap Source: U.S. Census Bureau, Geography Division, 2010

Map 1
Coastal Transportation Corridor Specific Plan Area



Coastal Transportation Corridor Specific Plan

Coastal Transportation Corridor Specific Plan

Section 1. ESTABLISHMENT OF THE COASTAL TRANSPORTATION CORRIDOR SPECIFIC PLAN

A. Authority and Scope

Pursuant to Section 11.5.7 of the Los Angeles Municipal Code (LAMC), the City Council hereby establishes the Coastal Transportation Corridor Specific Plan. This Specific Plan establishes a transportation mitigation program in the plan area, including the adoption of a mitigation fee.

B. Specific Plan Area

The Specific Plan area includes those areas of the City of Los Angeles shown in Map 1 (the plan area) for the CTCSP.

Section 2. RELATIONSHIP TO OTHER PROVISIONS OF THE LOS ANGELES MUNICIPAL CODE

- A. The regulations of the Specific Plan are in addition to those set forth in the planning and zoning provisions of Chapter I of the Los Angeles Municipal Code (hereinafter, "LAMC" or "Code"), as amended, and any other relevant ordinances, and do not convey any rights not otherwise granted under the provisions and procedures contained in the LAMC and other relevant ordinances except as specifically provided herein.
- B. Wherever this Specific Plan contains provisions establishing regulations (including, but not limited to, required exactions) different from, more restrictive, or more permissive than would be allowed pursuant to Chapter I of the LAMC and the provisions of other portions of the LAMC specifically referenced below, this Specific Plan shall prevail and supersede the applicable regulations of the Code unless expressly overridden by the Code or other adopted ordinance.
- C. The procedures for granting a Project Permit compliance, modification, adjustment or exception in LAMC Section 11.5.7 C, D, E, and F are not applicable to this Specific Plan. This Specific Plan may be amended and interpreted pursuant to the procedures Sections 11.5.7.G and 11.5.7.H, except that noticing for an amendment shall be consistent with noticing required under 11.5.6.C.1.

Section 3. PURPOSES

This Specific Plan is intended to adopt a transportation impact mitigation program in the plan area that achieves the following purposes:

- A. Implement City and State policies concerning transportation, including the City of Los Angeles' General Plan Framework Element and Circulation Element (Mobility Plan 2035 or successor document), and State legislation (including SB 375, SB 743, and AB 1358) that reprioritize transportation improvements to focus on access to transit and active transportation as strategies to reduce dependence on vehicular travel, and reduce VMT and associated greenhouse gas emissions.
- B. Improve mobility options within the plan area by providing transportation options and accommodations for multiple modes of travel (i.e., transit, bicycle, pedestrian, vehicle), primarily within existing available right-of-way, as part of a transportation system that is consistent with the City's General Plan Elements (Community Plans and Circulation Element [Mobility Plan 2035 or successor document]).
- C. Produce fewer auto trips per capita and decrease Vehicle Miles Traveled (VMT) per capita by increasing multimodal transportation options and promoting best practices in Transportation Demand Management (TDM).
- D. Enhance mobility and connectivity along key transportation corridors, particularly by planning for dedicated transit lines that serve north-south corridors, including Lincoln and Sepulveda Boulevards, and provide connections to planned east-west transit lines.
- E. Enhance the transportation system by planning for better regional transit connectivity and "first mile-last mile" solutions such as better pedestrian conditions, bike share, improved bicycle facilities, and circulator bus service.
- F. Encourage walking and bicycling as a means to safely and conveniently access transit and circulate within and between neighborhoods.
- G. Promote the development of coordinated and comprehensive transportation plans and programs with other jurisdictions and public agencies.
- H. Mitigate the transportation impacts resulting from new development within the plan area by providing a mechanism to fund and implement specific transportation improvements.
- I. Establish the Transportation Impact Assessment Fee process for new development located within the Specific Plan Area that complies with the Mitigation Fee Act.
- J. Ensure the costs for transportation improvements within the study area are fairly distributed among all future land uses that will contribute to transportation impacts.

- K. Ensure that contributors to this Specific Plan's fund benefit from the public transportation, bicycle, and pedestrian improvements constructed using TIA Fee funds.
- L. Enhance the streetscape environment and reinforce the neighborhood identity on portions of major arterials by using a consistent palette of amenities to improve streetscape aesthetics; promoting sustainable landscaping practices; creating a more inviting pedestrian environment that supports local commerce; and providing a pleasant and safe active transportation experience.
- M. Encourage parking strategies, such as demand-based pricing schemes, capacity management, and travel demand management programs to manage parking supply.
- N. Promote neighborhood protection programs, as feasible, when implementing multimodal improvements, in order to minimize intrusion of commuter traffic through residential neighborhoods through the implementation of non-restrictive traffic calming measures.
- O. Reduce commute Trips by supporting the development of affordable housing at or near job sites and near transit, consistent with City policies.
- P. Establish Transportation Impact Assessment Fees that do not hinder the development of housing for diverse income levels in the Westside, including affordable housing for moderate, low, and very low income levels.
- Q. Ensure that development projects that are implemented in a phased manner include appropriate mitigations for each individual development phase.

Section 4. DEFINITIONS

Whenever the following terms are used in this Specific Plan, they shall be construed as defined in this Section 4 and the definitions of the terms set forth in this Section 4 shall supersede the definitions set forth in the LAMC including, without limitation, Section 12.03 of the LAMC. Words and phrases not defined herein shall be construed as defined in Section 12.03 of the LAMC.

Affordable Dwelling Unit: A dwelling unit which is restricted by a covenant certified by the City of Los Angeles Housing and Community Investment Department or its successor agency to be rented or sold at an affordable level to, and occupied by, persons or families whose annual income does not exceed 120 percent (120%) of the Area Median Income for persons or families residing in Los Angeles County. The Area Median Income and affordable housing costs shall be established from periodic publications of the United States Department of Housing and Urban Development, as determined by the California Department of Housing and Community Development or its successor or assignee.

ATSAC: The "Automated Traffic Surveillance and Control" program managed by LADOT to improve traffic signal operations in the City of Los Angeles through real-time monitoring and adjustment of signal timing.

CEQA: California Environmental Quality Act, inclusive of the Public Resources Code, section 21000, et seq., and the Guidelines for California Environmental Quality Act, found at Title 14, Chapter 3 of the California Code of Regulations.

CTCSP: Coastal Transportation Corridor Specific Plan.

Dedicated Transit Line: Transit service that operates in all or a portion of a right-of-way that is controlled or maintained for the exclusive use of transit vehicles (including light rail trains and bus rapid transit) at all times or during peak travel times.

Fee Credit: A credit toward payment of the TIA Fee, pursuant to the provisions in Section 8.

General Manager: The General Manager of LADOT or his or her designee.

LADCP: City of Los Angeles Department of City Planning.

LADOT: City of Los Angeles Department of Transportation.

LADOT Transportation Impact Study Guidelines: A document published by LADOT to provide the public, private consultants and City staff with criteria, guidelines, objectives, and standards to be used in the preparation of a transportation impact study for the evaluation of Project-specific transportation impacts and the development of transportation mitigation measures, including as it may be amended from time to time in substance or in name.

LADPW: City of Los Angeles Department of Public Works, inclusive of its Bureaus

including the Bureau of Engineering (BOE) and Bureau of Street Services (BSS).

LAMC: Los Angeles Municipal Code.

LAWA: Los Angeles World Airports, a City of Los Angeles department.

Mitigation Fee Act: California Government Code, sections, 66000-66026, including as they may be amended from time to time.

Multimodal: Accommodations for two or more modes of travel (e.g. transit, bicycle, pedestrian, motor vehicle) as a part of a transportation system.

NTM Program: Neighborhood Traffic Management Program, a plan to deter or minimize Project traffic from traveling through nearby residential areas or local streets and mitigate transportation impacts on local streets.

Peak Hour: The single hour of the highest volume of traffic on the roadways.

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 plan area that requires at least a building permit, or change of use permit which results in an increase in the number of Trips based on the trip generation methodology outlined in the LADOT Transportation Impact Study Guidelines. Off-site parking areas which serve a Project shall be considered a part of the Project.

Project Serving Improvements: Those street, streetscape, transit, transportation related, or right-of-way improvements or dedications that are required of a Project pursuant to an adopted City code, ordinance, plan, or policy (including but not limited to, street frontage and other requirements of LAMC Sections 12.37 and 17.08, mitigation required by Section 7 of this Specific Plan and the LADOT Transportation Impact Study Guidelines), or as a legally imposed CEQA mitigation measure.

Without limitation to any of the above, Project Serving Improvements include but are not limited to (i) frontage improvements to curbs and gutters, sidewalks, street lights, undergrounding of utilities, street trees, landscaping, storm drain and drainage system, sewer system and laterals, resurfacing pavement, right-of-way dedications, and (ii) improvements required for Project access or on-site circulation, such as driveways and traffic signals.

Unless otherwise specified in Section 8 of this Specific Plan, Project Serving Improvements include an improvement or dedication provided in order to obtain development rights (such as, increased Floor Area Ratio [FAR]) when authorized by City code, ordinance, plan, or policy.

Regional or Sub-regional Transportation Improvements: Not including any Project Serving Improvements, a street, streetscape, transit, transportation related, or right-of-way improvement or dedication, or portion thereof, on a right-of-way in the plan area which is designated in the City's Circulation Element (Mobility Plan 2035 or successor document) as a Secondary Highway or Avenue,

or a higher classification, or an improvement or dedication for an improvement that is primarily intended to support or facilitate regional transit, regional transportation or regional multimodal activities.

Streetscape Plan: A plan approved by pursuant to the LAMC for the adoption of streetscape plans, or if there are no LAMC procedures, a plan approved by the City Planning Commission and/or another City Commission, or the Board of Public Works, or LADOT General Manager or LADCP Director, which provides guidelines and policies for how a particular City street should look and function, including but not limited to, guidelines and policies related to: the design and design consistency of streetscape amenities, maintenance of streetscape amenities, the provision of walking and bicycling facilities, pedestrian and bicyclist safety improvements and amenities, improvements or amenities to support local businesses, improvements or amenities to improve connections to nearby transit, improvements or design features to implement sustainable landscaping practices, and overall corridor aesthetics. Streetscape amenities as used herein, include, but are not limited to, street benches, trash receptacles, street lighting, trees, signage, landscaping, landscape fixtures, sidewalk pavement design, and unique community identifiers.

TIA Fee Improvements: Those improvements identified by City Council as eligible for use of the TIA Fees pursuant to Section 6.

TDM Program: Transportation Demand Management Program, a program aimed to minimize the demand for trips by single-occupancy vehicles by promoting transit use, rideshare, walking, bicycling, flex schedules, telecommuting and other comparable programs intended to reduce Project-related Trips, to be provided by an Applicant or owner, lessee or assignee of an Applicant.

Transportation Impact Assessment Fee or TIA Fee: A transportation mitigation fee required to be paid by Project applicants pursuant to the terms of this Specific Plan.

Trip: An arrival at or a departure from a Project by a motor vehicle during the PM Peak Hour of traffic.

Section 5. GENERAL REQUIREMENTS

- A. General Requirement.** No building permit or change of use permit shall be issued for any Project unless the applicant has done all of the following:
1. Submitted an application, paid the application fee(s), and complied with all other requirements in Subsection 5.C.
 2. Paid the TIA Fee required, if any, pursuant to Section 7.
 3. Obtained a certification by the LADOT and the City Engineer that the Project has satisfied all requirements of Section 9 and all mitigation measures, if any, are complete or otherwise guaranteed.
 4. If applicable, obtained an approved phasing program from LADOT, pursuant to Section 10.
- B. Exemptions.** The following Projects are exempt from Subsection A and the requirements of this Specific Plan:
1. Any work on an existing building or structure which does not result in an increase in floor area or a change of use.
 2. Additions or alterations to a residential use or structure, which do not add new dwelling units or change the existing use, or any portion of the existing use. A residential use does not include hotels, motels, or other similar types of uses.
 3. Tenant improvements with no change of use or increase in floor area.
 4. Building permits for electrical, plumbing, mechanical, facia, signs, or other work that do not result in an increase in floor area or a change in use.
 5. Work done to comply with an abatement or enforcement order from LADBS or other City department that does not increase existing approved floor area or result in a change in use.
 6. Demolitions.
- C. Procedures.** All Project applicants shall do all the following to ensure compliance with this Specific Plan:
1. File an initial assessment form with LADOT on a form approved by LADOT for project review and approval.
 2. Prepare and submit all required forms, technical memorandum, traffic studies, mitigation plans, and any other documents, forms, plans or studies required by LADOT.

3. Pay applicable fees in LAMC Section 19.15 for all necessary LADOT review, preparation or processing activities.

D. LADOT Review of Applications.

1. LADOT shall review all applications submitted under Subsection C to determine compliance with this Specific Plan, including compliance with Section 9 related to traffic studies and mitigation, and calculating any fees or credits pursuant to Section 7 or Section 8.
2. LADCP and LADBS shall coordinate with LADOT to ensure all Projects meet the requirements of the Specific Plan.

Section 6. TRANSPORTATION IMPACT ASSESSMENT FEE PROGRAM

- A. TIA Fee Program Established.** There shall be a Transportation Impact Assessment Fee (TIA Fee) Program in the plan area to provide public facilities (as defined by the Mitigation Fee Act) which meet the purposes established in Section 3. The TIA Fee Program shall comply with the Mitigation Fee Act and the rules in this Section 6.
- B. TIA Fee Improvements.** The City Council shall establish by resolution a list or categorical description of public facilities (as defined by the Mitigation Fee Act) that may be funded, in part, by a TIA Fee. These improvements, shall be known as, "TIA Fee Improvements." The TIA Fee Improvements may include, but are not limited to, transit improvements, active transportation improvements, roadway and intelligent transportation system (ITS) improvements, and auto-trip reduction programs and facilities. Pursuant to the Mitigation Fee Act, the fees are not intended to fund operations or maintenance. The list or description of TIA Fee Improvements may be amended or revised from time to time by resolution, or as provided by City Council resolution.
- C. Amount of the Fee and Indexing of the Fee.** The amount of the TIA Fee shall be established by City Council resolution. As provided in the resolution, the amount of the TIA Fee shall increase automatically each year (without requiring further City Council action).
- D. Exemptions.** Projects eligible for exemptions from payment of the TIA Fee shall be established in the resolution that is part of the WLA TIMP TIA fee program.
- E. Administration.** The City Council by resolution may adopt rules and regulations for the administration of the TIA Fee Program consistent with this Specific Plan, including the calculation, imposition, collection of the TIA Fee, the calculation of Fee Credits as allowed in Section 8, and the use and handling of any TIA Fee monies.

Section 7. TIA FEE PAYMENT PROCEDURES

- A. Project Review.** All Projects shall be reviewed by LADOT to determine if the Project is exempt from paying a TIA Fee or to calculate the amount of TIA Fee required for the Project consistent with this Specific Plan and City Council resolution.
- B. Project Requirements.** Project applicants are required to pay TIA Fees as calculated by LADOT.
- C. Time of Payment.** Unless otherwise provided by City Council resolution, the timing and method of TIA Fee payments shall be as provided in this Subsection C.
- 1. General Rule.** TIA Fees shall be fully paid in cash prior to issuance of the building permit, or if no building permit is required, prior to issuance of the change of use permit.
 - 2. Residential Uses.** Notwithstanding the general rule, if the TIA Fees are for a residential use, payment may be made at issuance of the certificate of occupancy.
 - 3. Secured Payment.** Notwithstanding the general rule, TIA Fees may be paid after issuance of the building permit, when the applicant, prior to issuance of building permit, has paid a cash deposit equal to 10% of the total required TIA Fee and has guaranteed payment of the balance of TIA Fees owed by a bank letter of credit in one of the following manners:
 - a.** to be paid in full the earlier of, the date of the issuance of a certificate of occupancy (temporary or permanent) or 24 months from the date of issuance of the building permit; or
 - b.** to be paid in 60 equal monthly installments, which include compound interest, with the first payment due thirty days after the building permit is issued and with the interest rate based on the effective yield the City Treasurer is obtaining on the City's investment as reported to the City Council for the month preceding the anniversary of the building permit issuance date, to be adjusted annually.
- All bank letters of credit shall be from an accredited bank approved by LADOT and the letters of credit shall be in a form approved by LADOT. If payment of TIA Fees is secured to be paid under this Subsection C.3., prior to issuance of the building permit, a covenant shall be recorded on the Project Property, in a form approved by LADOT, committing the legal record owner to payment of the TIA Fees and acknowledging the contents of the Specific Plan and the agreement to pay TIA Fees.
- 4. Phased Project.** Notwithstanding the general rule, TIA Fees for a phased Project may be paid consistent with Section 10 and an approved Phasing Program.

5. **Other Law.** Compliance with this Subsection C, is subject to the requirements of the Mitigation Fee Act and any other applicable preempting State or Federal law.

D. Refunds.

1. TIA Fees are subject to the refund provisions of LAMC Sections 22.12 and 22.13.
2. The General Manager of LADOT may issue a refund of any collected TIA Fees and/or release a letter of credit and any related recorded covenants, if the building permit and all extensions for a Project have expired and the building has not been constructed.
3. The City Council may refund all or a portion of collected TIA Fees, if the City Council finds any of the following:
 - a. TIA Fees are no longer necessary to fund any TIA Fee Improvements;
 - b. a refund is necessary to comply with the Mitigation Fee Act; or
 - c. a refund is necessary to comply with any other local, state or federal law, including but not limited to the state or federal constitutions.

- E. Remedy If Failure To Pay.** If it is determined that a TIA fee has not been paid or secured in accordance with Section 7, building permits will not be issued for the Project or will be revoked if they have previously been issued.

Section 8. TIA FEE CREDITS

A. TIA Credit for Existing Land Use. In calculating the TIA Fee, LADOT shall provide a credit for existing and previous uses as provided by City Council resolution. The credit may be modified as provided in the resolution.

B. Fee Credits. In calculating the TIA Fee, LADOT shall provide Fee Credit for the following improvements and Project attributes, as provided in this Section and any applicable City Council resolution. The credit may be modified as provided in the resolution.

1. Improvement In-Lieu Fee Credit.

- a.** An Improvement In-Lieu Fee Credit shall be provided for the following:
 - i.** TIA Fee Improvements that are not Project Serving Improvements.
 - ii.** Regional or Sub-regional Transportation Improvements that meet the purposes of the Specific Plan as described in Section 3.
- b.** To be eligible for an Improvement In-Lieu Fee Credit, the Project must be or have been approved by LADPW or LADOT for construction or installation.
- c.** To be eligible for an Improvement In-Lieu Fee Credit:
 - i.** The improvements must be completed and accepted by the City Engineer; or
 - ii.** Completion of the improvement must be guaranteed by Bonds for B-permit construction on City streets, encroachment permits for construction on State Highways, and cash payments for ITS signal (e.g. ATSAC) improvements, or by a means deemed acceptable by the City Engineer for any other type of improvement.
- d.** Applicants shall prepare preliminary plans and a detailed cost estimate of the improvements for which the applicant seeks an Improvement In-Lieu Fee Credit. Costs eligible for Improvement In-Lieu Fee Credit shall include permitting, design and contingency costs. Costs shall be approved by LADOT based on estimated B-permit construction costs, including an additional 15 percent for permits, design and contingency costs, as prepared or approved by the City Engineer.
- e.** The amount of the Improvement In-Lieu Fee Credit shall be calculated by LADOT, in its reasonable discretion, based on the Project applicant's submittal of a construction cost estimate prepared by a Registered Civil Engineer and any other requirements of LADOT.

- f. If the Regional or Sub-regional Transportation Improvement or the TIA Fee Improvement involves a dedication, the value of the dedication may be considered for Improvement In-Lieu Fee Credit. The value of the dedication shall be based on fair market value as of the date of the dedication, as determined by an appraisal prepared to the satisfaction of LADOT and LABOE. To be eligible for an Improvement In-Lieu Fee Credit, the dedication, whether in fee or an easement, must be legally accepted by the City and recorded on the property.
- g. Improvement In-lieu Credit may be granted in situations where improvements are being provided as part of a public benefit incentive program if the provided improvements are listed as TIA Fee Improvements.

2. Affordable Housing Fee Credit

- a. Fee Credit shall be provided to new Affordable Dwelling Units, in an amount established by City Council resolution. The credit may be modified as provided in the resolution.
- b. **Eligibility.** A Project is eligible for an Affordable Housing Fee Credit if the following criteria are met:
 - i. The Affordable Dwelling Unit is guaranteed by a covenant recorded on the Project property, in a form acceptable to the Los Angeles Housing and Community Investment Department, or its successor agency, to be affordable for at least 55 years from the issuance of the certificate of occupancy, or a longer period of time if required by the construction or mortgage financing assistance program, mortgage assistance program or rental subsidy program.
 - ii. The Project is replacing any existing Affordable Dwelling Units such that the Project does not result in a net loss of Affordable Dwelling Units.
 - iii. If the Project is providing Affordable Dwelling Units through incentive based programs, such as the City or State Density Bonus law, those Affordable Dwelling Units are eligible for credit.
- c. **Maximum Credits.** In no case shall the Affordable Housing Fee Credit exceed 50 percent of the TIA Fee for a Project.
- d. **Remedy for Non Conformance.** If any Affordable Dwelling Unit, for which a Fee Credit was issued, fails to be affordable pursuant to the recorded covenant before the required term has expired, the TIA Fee shall be paid to the City at the current rate.

3. Transit Oriented Development Fee Credits.

- a.** All Projects, which meet the criteria of a Transit Oriented Development as provided below shall receive Fee Credit in an amount established by City Council resolution. The credit may be modified as provided in the resolution.
- b. Eligibility.** A Project is eligible for a Transit Oriented Development Fee Credit if the following criteria are met:
 - i.** The Project is located within ½ mile of a transit station or stop serving a Dedicated Transit Line, that is in place and active at the time building permits are issued.
 - ii.** Convenience retail uses, including a store that sells food, must be located within ½ mile of the Project site.
 - iii.** The Project provides either the minimum number of parking spaces required by the LAMC, or no more than one on-site parking space for zero to two bedroom units, and two on-site parking spaces for three or more bedroom units, whichever is less.

C. Other Provisions.

- 1.** No Fee Credit shall be granted in excess of the assessed TIA Fee for the Project.
- 2.** No Fee Credit shall be granted for that portion of the TIA Fee designated for the City's administrative costs, as provided by City Council resolution.
- 3.** Phased Project. If a Project has a Phased Program, under Section 10, Fee Credits authorized in this Section 8, may be reserved and credited from one phase to a future phase.

Section 9. IMPROVEMENTS, DEDICATIONS, AND MITIGATION MEASURES

A. Improvements and Dedications; Compliance with Streetscape Plans.

1. **Findings.** Nothing in this Specific Plan is intended to modify any improvement or dedication requirements in the LAMC or other City ordinance, plan, policy, rule or regulation, except that when Project Serving Improvements or Regional or Sub-regional Transportation Improvements are required on a Project for a right-of-way that has an approved Streetscape Plan, the improvements and dedications shall be required to be consistent with any applicable Streetscape Plan unless the General Manager of LADOT finds any of the following:
 - a. Improvements consistent with the Streetscape Plan are not feasible
 - b. Improvements consistent with the Streetscape Plan are not practical due to other pending or planned public improvements.
2. **Consistency.** Consistency with the Streetscape Plan shall be determined by the General Manager of LADOT or his or her designee, after consultation with the LADCP.
3. **Subsequent Ordinance.** If after the latest update to this Specific Plan, the City Council adopts an ordinance to regulate streetscape plan improvements and the ordinance is applicable to the Specific Plan area, this Section 9.A shall be of no further force and effect.

B. Mitigation Measures.

1. **General Rule.** All Projects, whether subject to ministerial or discretionary review, shall be reviewed by LADOT to determine whether mitigation measures are necessary to reduce significant traffic or transportation related impacts caused by the Project.
2. **LADOT Transportation Impact Study Guidelines.** LADOT shall review all Projects using the LADOT Transportation Impact Study Guidelines (or successor document). All Project applicants shall fully comply with the relevant procedures of the LADOT Transportation Impact Study Guidelines, as reasonably interpreted by LADOT.
3. **TDM and NTM Programs.** For any Project required to prepare a traffic study under the LADOT Transportation Impact Study Guidelines, LADOT shall require the traffic study to analyze whether a TDM Program or NTM Program would reduce significant traffic impacts. If TDM Programs or NTM Programs are identified as reducing impacts, LADOT will consider a TDM Program or NTM Program as feasible.
4. **Mitigation Measures.** After review consistent with the LADOT Transportation Impact Study Guidelines, LADOT shall impose all feasible mitigation measures to reduce a Project's significant impacts.

Notwithstanding anything to the contrary in the LADOT Transportation Impact Study Guidelines, the final required mitigation measures, if any, shall be determined by LADOT as the final decision maker. All mitigation measures and preparation of a mitigation monitoring program or plan shall comply with the LADOT Transportation Impact Study Guidelines.

5. **Mitigation Measure Compliance and Covenant Requirement.** No building permit or change of use permit shall be issued for a Project until the General Manager of LADOT finds that all mitigation measures are complete and fully satisfied or future completion and/or compliance has been adequately secured by a covenant recorded on the Project property in a form approved by and recorded to the satisfaction of LADOT. Without limitation to the above, a covenant required by LADOT may include the project description.
6. **CEQA.** Nothing in this Specific Plan is intended to modify the requirements or provisions of CEQA for any Project. To the extent that a Project is exempt from CEQA because it requires only ministerial approval, nothing in the Specific Plan is intended to require CEQA review. The use of the term “mitigation measure” in this Section and the Specific Plan is not intended to mean a “mitigation measure” as the term is used in CEQA. To the extent that a mitigation measure imposed under this Section may or must be imposed to satisfy the requirements of CEQA that determination shall be made consistent with the requirements of CEQA.

Section 10. PHASING PROGRAM

A. Phased Project.

A Project applicant that intends to phase the Project shall obtain an approved Phasing Program from LADOT and comply with this Section.

1. **Application.** When a Project applicant proposes a Project to be completed in more than one phase, the applicant shall submit an application for a Phasing Program that contains the elements described below in Section 10.A.2 or any other information required by LADOT.
2. **Phasing Program.** An approved Phasing Program shall include, at minimum, the following:
 - a. Total floor area, total dwelling units, if applicable, and use of the Project in each phase.
 - b. Anticipated Project schedule.
 - c. Trip generation tables for each phase (as calculated using the trip generation methodology required in the LADOT Transportation Impact Study Guidelines).
 - d. Regional and Sub-regional Transportation Improvements scheduled to be constructed for each phase.
 - e. Project Serving Improvements scheduled to be constructed in each phase.
 - f. TDM Program addressing each phase.
 - g. A last phase that includes land uses which generate at least 25 percent of the total Project Trips.
3. **Review of Phasing Program.** Prior to approval of the Phasing Program, LADOT shall review the Phasing Program, identify the mitigation measures to be undertaken by the Project pursuant to Section 8, calculate the TIA Fee for each phase, and calculate any Credits under Section 9, determine that TDM Program goals are in conformance with the provisions of LAMC 12.26-J and the LADOT Transportation Impact Study Guidelines. If an Applicant subsequently submits a modification to the Project which results in a change in density or land use and which results in an increase or decrease in Trip generation in an approved Phasing Program, appropriate adjustments in TIA Fees, mitigation measures or TDM requirements applicable to the increase or decrease shall be made as a condition of approval.

4. Review of Phases.

a. Payment of TIA Fees. TIA Fees for each phase shall be paid in full at the time the first building permit for the phase is issued

b. Review. Prior to the issuance of a building permit for each phase of the Project, LADOT shall review the building permit application for conformance to the Phasing Program conditions.

c. Final Phase. The final phase shall include land uses which generate at least 25 percent of the total Project Trips. The final phase of a multi-phase Project reviewed under this Section shall demonstrate to LADOT that required TDM Programs for prior phases have achieved Trip reduction objectives. Where a TDM Program is found not to be functioning and/or not reducing Trips as anticipated for the Project, the final phase of the Project shall reduce Trips proportionally.

5. Covenant. Prior to issuance of the building permit for the first phase of the Project, the owner(s) of the property shall covenant and agree to comply with the provisions of this Section. The covenant shall be in a form approved and processed as required by LADOT.

Section 11. APPEALS

- A. Appeal to LADOT.** A Project applicant who disputes a determination made by LADOT regarding the amount of the TIA Fee pursuant to Section 7 or the amount of a Credit pursuant to Section 8 may ask for reconsideration by the General Manager of LADOT within a 15 day period following the date of mailing of the letter of determination from LADOT. The request shall set forth specifically the basis of the request and the reasons why the determination should be modified. The appeal shall be on a form as prescribed by LADOT and shall be accompanied by a filing fee in the amount established by accompanying resolution. The filing fee shall be payable to LADOT. The General Manager of the Department shall decide the matter and issue a decision letter within 30 days following the receipt of the request.
- B. Appeal to West Los Angeles Area Planning Commission.** An Applicant who filed an appeal pursuant to Subsection A may appeal the decision to the West Los Angeles Area Planning Commission (WLA-APC) pursuant to the procedures in LAMC Section 11.5.7.C.6. Appeals filed under this Subsection 11.B, shall pay a filing fee to LADCP, in an amount established by City Council resolution. On appeal, the evidence shall be limited to the record of proceedings at the time the General Manager made his or her decision. If the WLA-APC upholds an appeal in whole or in part, they must make a finding that the General Manager erred or abused its discretion.

Section 12. REVIEW OF THE TIA FEE PROGRAM

The CTCSP shall be monitored on a regular basis by LADOT and all requirements of the Mitigation Fee Act shall be met, including a five-year report to City Council and an annual accounting of the CTCSP fund 180-days after each fiscal year.

Unless otherwise provided by City Council resolution, a report reviewing the status of the TIA fee fund and implementation of the Specific Plan shall be submitted by the General Manager of LADOT to the City Council and copied to DCP every two years. The report shall be submitted to the City Council no later than November of the year in which the report is due. Nothing herein, is intended to provide a cause of action or a remedy, at law or in equity, that is not otherwise provided by State law.

Section 13. SEVERABILITY

If any provision of this ordinance or the application thereof to any person, property or circumstances, is found to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect the remaining provisions of this ordinance or the application of those provisions to other persons, property or circumstances which can be implemented without the invalid provisions and to this end, the provisions of this ordinance are declared to be severable.

FINDINGS

GENERAL PLAN/CHARTER FINDINGS

City Charter Section 556

In accordance with Charter Section 556, the proposed ordinances are in substantial conformance with the purpose, intent and provisions of the General Plan in that it would further accomplish the following goals, objectives and policies of the General Plan outlined below.

City Charter Section 558(b)(2)

In accordance with Charter Section 558(b)(2), the adoption of the proposed ordinances would be in conformity with public necessity, convenience, general welfare and good zoning practice as outlined below.

The proposed CTCSP and WLA TIMP Ordinance updates and accompanying Administrative Fee Resolution do not alter the overall intent of the current CTCSP and WLA TIMP Ordinances. The goal of the proposed Specific Plan Ordinances and Administrative Fee Resolution is to ensure that new development projects on the Westside share in the cost of improving multi-modal transportation facilities on the Westside.

It is necessary to identify and secure funding for multimodal transportation improvements that improve the existing transportation network so that the network may better accommodate anticipated growth. Also, multimodal transportation improvements provide people with access to safe and affordable and transportation choices, as well as improved access to jobs, services and other community resources. Therefore, the Proposed Project supports the growing need for improved transportation options on the Westside as well as the general welfare of the community.

The CTCSP and WLA TIMP are not land use plans or zoning regulations, would not change existing land use designations or zoning regulations and would not permit or encourage development to occur that is not otherwise permitted by current zoning. Furthermore, an economic feasibility analysis concluded that the proposed TIA fee amounts would not significantly affect Westside development patterns or inhibit development.

General Plan Framework Element

By providing a funding mechanism whereby new development contributes a fair share towards funding for multimodal transportation improvements, the proposed ordinances implement the following objectives and policies from the General Plan Framework Element:

Land Use Policy 3.1.2: Allow for the provision of sufficient public infrastructure and services to support the projected needs of the City's population and businesses within the patterns of use established in the community plans as guided by the Framework Citywide Long-Range Land Use Diagram.

Land Use Objective 3.3: Accommodate projected population and employment growth within the City and each community plan area and plan for the provision of adequate supporting transportation and utility infrastructure and public services.

Economic Development Policy 7.1.4: Develop an infrastructure investment strategy to support the population and employment growth areas.

Economic Development Policy 7.10.2: Support efforts to provide all residents with reasonable access to transit infrastructure, employment, and educational and job training opportunities.

The proposed ordinances update the existing TIA fee programs on the Westside. Currently, most new commercial and industrial developments are subject to the TIA fees while local serving uses and residential uses are exempt. The proposed fee program updates will require that new residential development and all commercial uses (including local serving uses) contribute to the TIA fee program. The fee program updates also introduce new opportunities for fee credit. As described in the TIA Fee Program Study Report and the financial feasibility analysis (**Exhibit B4** to the Staff Report), the proposed fee amounts can be absorbed by development on the Westside and would be compatible with other development impact fees recently adopted or under consideration by the City. Therefore, the proposed ordinances implement the following General Plan Framework Element policy:

Economic Development Policy 7.4.3: Maintain development fee structures that do not unreasonably burden specific industry groups, are financially competitive with other cities in the region, and reduce uncertainty to the development community.

The proposed ordinances include accompanying Streetscape Plans, which aim to improve neighborhood aesthetics and identity; implement sustainable landscaping practices; bolster local business patronage; and provide a pleasant and safe active transportation experience. Therefore, the proposed ordinances implement the following objectives and policies from the General Plan Framework Element:

Urban Form and Neighborhood Design Objective 5.5: Enhance the liveability of all neighborhoods by upgrading the quality of development and improving the quality of the public realm.

Urban Form and Neighborhood Design Policy 5.5.4: Determine the appropriate urban design elements at the neighborhood level, such as sidewalk width and materials, streetlights and trees, bus shelters and benches, and other street furniture.

Urban Form and Neighborhood Design Objective 5.8: Reinforce or encourage the establishment of a strong pedestrian orientation in designated neighborhood districts, community centers, and pedestrian-oriented subareas within regional centers, so that these districts and centers can serve as a focus of activity for the surrounding community and a focus for investment in the community.

Mobility Plan 2035 (MP 2035) & Vision Zero

MP 2035 lays the policy foundation for safe, accessible, and enjoyable streets for pedestrians, bicyclists, transit users, and vehicles throughout the City of Los Angeles. The CTCSP and WLA TIMP update effort occurred concurrently to the development of MP 2035 and applies MP 2035's policy principles to the Westside in a more targeted manner. The updated Specific Plans serve as an implementation tool for MP 2035 on the Westside by providing a funding mechanism to implement specific transportation improvements envisioned in MP 2035. The improvements proposed as eligible for funding through the TIA fee program would provide transportation options and accommodations for multiple modes of travel (transit, bicycle, pedestrian, and vehicle) as part of the transportation system.

The Proposed Project implements MP 2035 goals and policies aimed at creating a safer transportation environment for all mobility users, in particular the roadway's most vulnerable users, such as bicyclist and pedestrians. The Proposed Project also helps to implement to City's *Vision Zero* initiative. Through *Vision Zero*, the City has identified a *High Injury Network* (HIN) which spotlights streets with a high concentration of traffic collisions that result in severe injuries and deaths, with an emphasis on collisions involving people walking and bicycling. The Proposed Project proposes safer bicycle and pedestrian facilities on many of the *High Injury Network* streets segments within the CTCSP and WLA TIMP area, including, but not limited to:

- Barrington Ave (from Iowa Ave to Texas Ave)
- Bundy Dr. (Stanward Dr to Wilshire Blvd)
- Centinela Ave (from Culver Blvd to Stewart)
- Lincoln Blvd (from Manchester to Commonwealth)
- Pico Blvd (from Centinela Ave to Manning Ave)
- Venice Blvd (from Abbot Kinney to 12th Ave)
- Westwood Blvd (from Le Conte Ave to Pico Blvd)

The Proposed Project implements the following specific MP 2035 goals and policies aimed at creating a safer transportation environment:

Goal – Safety First: focuses on topics related to crashes, speed, protection, security, safety, education, and enforcement.

Policy 1.1 Roadway User Vulnerability: Design, Plan, and operate streets to prioritize the safety of the most vulnerable roadway user.

Policy 1.2 Complete Streets: Implement a balanced transportation system on all streets, tunnels, and bridges using complete streets principles to ensure the safety and mobility of all users.

Objective: Vision Zero – Decrease transportation related fatality rate to zero by 2035.

In addition to the above policies regarding safety, the proposed ordinances implement the following additional goals, policies from the MP 2035 regarding mobility, transportation access, and environmental and public health:

Goal – World Class Infrastructure: focuses on topics related to the Complete Streets Network (walking, bicycling, transit, vehicles, green streets, goods movement), Great Streets, Bridges, Street Design Manual, and the smart investments needed to get there.

Policy 2.3 Pedestrian Infrastructure: Recognize walking as a component of every trip, and ensure high-quality pedestrian access in all site planning and public right-of-way modifications to provide a safe and comfortable walking environment.

Policy 2.4 Neighborhood Enhanced Network: Provide a slow speed network of locally serving streets.

Policy 2.5 Transit Network: Improve the performance and reliability of existing and future bus service.

Policy 2.6 Bicycle Networks: Provide safe, convenient, and comfortable local and regional bicycling facilities for people of all types and abilities.

Policy 2.7 Vehicle Network: Provide vehicular access to the regional freeway system.

Policy 2.9 Multiple Networks: Consider the role of each enhanced network when designing a street that includes multiple modes.

Policy 2.12 Walkway and Bikeway Accommodations: Design for pedestrian and bicycle travel when rehabilitating or installing a new bridge, tunnel, or exclusive transit right-of-way.

Policy 2.13 Highway Preservation and Enhancement: Support the preservation and enhancement of the state highways consistent with the RTP/SCS and the goals/policies of the General Plan.

Policy 2.15 Allocation of Transportation Funds: Expand funding to improve the built environment for people who walk, bike, take transit, and for other vulnerable roadway users.

Goal – Access for all Angelenos: focuses on topics related to affordability, accessibility, land use, operations, reliability, transportation demand management and community connections.

Policy 3.1 Access for All: Recognize all modes of travel, including pedestrian, bicycle, transit, and vehicular modes - including goods movement - as integral components of the City's transportation system.

Policy 3.4 Transit Services: Provide all residents, workers and visitors with affordable, efficient, convenient, and attractive transit services.

Policy: 3.5 Multi-Modal Features: Support "first-mile, last-mile solutions" such as multi-modal transportation services, organizations, and activities in the areas around transit stations and major bus stops (transit stops) to maximize multi-modal connectivity and access for transit riders.

Policy 3.7 Regional Transit Connections: Improve transit access and service to major regional destinations, job centers, and inter-modal facilities.

Goal – Collaboration, Communication & Informed Choices: focuses on topics related to real-time information, open source data, transparency, monitoring, reporting, emergency response, departmental and agency cooperation and database management.

Objective: Coordinate communication with regional transportation agencies and neighboring jurisdictions.

Policy 4.8 Transportation Demand Management Strategies: Encourage greater utilization of Transportation Demand Management (TDM) strategies to reduce dependence on single-occupancy vehicles.

Policy 4.9 Transportation Management Organizations: Partner with the private sector to foster the success of Transportation Management Organizations (TMOs) in the City's commercial districts.

Policy 4.10 Public-Private Partnerships: Encourage partnerships with community groups (residents and business/property owners) to initiate and maintain enhanced public rights-of-way projects.

Goal – Clean Environment and Healthy Communities: focuses on topics related to environment, health, benefits of active transportation, clean air, clean fuels and fleets and open street events.

Policy: 5.1 Sustainable Transportation: Encourage the development of a sustainable transportation system that promotes environmental and public health.

Policy 5.2 Vehicle Miles Traveled (VMT): Support ways to reduce vehicle miles traveled (VMT) per capita.

Plan for a Healthy Los Angeles

The connection between health and mobility has been recognized in the City's Mobility Plan 2035 and the Plan for a Healthy Los Angeles, the City's Health and Wellness Element of the General Plan. The Plan for a Healthy Los Angeles, describes a balanced, affordable, and sustainable transportation system as a cornerstone of a healthy city:

As a major contributor of greenhouse gas emissions, trucks and vehicles play a role in the region's poor air quality and smog, in addition to contributing to climate change. Furthermore, vehicle collisions are responsible for a significant rate of deaths in the City, and vulnerable users such as pedestrians and cyclists are at a greater risk of injury or death, according to the Health Atlas. As Los Angeles continues to make significant changes to its transit network, there are opportunities to build more sustainable communities and increase access to healthful resources, such as jobs, education centers, medical services, grocery stores, daycare, and parks.

The Proposed Project, which aims to help fund active transportation improvements including streetscape improvements identified by local Westside community groups, implements the following Plan for a Healthy LA policies:

Policy: 2.9 Community beautification: Proactively work with residents and public, private, and nonprofit partners to develop, execute, and maintain civic stewardship over community beautification efforts to promote neighborhoods that are clean, healthy, and safe.

Policy: 2.11 Foundation for health: Lay the foundation for healthy communities and healthy living by promoting infrastructure improvements that support active transportation with safe, attractive, and comfortable facilities that meet community needs; prioritize implementation in communities with the greatest infrastructure deficiencies that threaten the health, safety, and well-being of the most vulnerable users.

The Proposed Project aims to reduce vehicle miles traveled on the Westside which will subsequently reduce operational vehicle emissions and toxic air pollutants. Therefore the Proposed Project helps implement the following Plan for a Healthy Los Angeles policy:

Policy: 5.1 Air pollution and respiratory health: Reduce air pollution from stationary and mobile sources; protect human health and welfare and promote improved respiratory health.

Housing Element

The transportation improvements that are identified as eligible for funding through the Proposed Project help implement the following Housing Element objectives and policies:

Objective 2.2: Promote sustainable neighborhoods that have mixed-income housing, jobs, amenities, services and transit.

Policy 2.2.5 Provide sufficient services and amenities to support the planned population while preserving the neighborhood for those currently there.

The TIA fee exemptions and credits included in the Proposed Project support the City's housing goals. Affordable housing is proposed to remain exempt from the TIA fee and will also be awarded fee credit. The Affordable housing credit can be used to offset the TIA fee for market-rate residential or commercial portions of a project. This credit supports the inclusion of affordable units in residential or mixed use development. Transit oriented development is also proposed to be eligible for TIA fee Credit. Therefore, the proposed Ordinances implement the following Housing Element objectives and policies that promote livable, sustainable neighborhoods:

Objective 2.5: Promote a more equitable distribution of affordable housing opportunities throughout the City.

Policy 2.5.1 Target housing resources, policies and incentives to include affordable housing in residential development, particularly in mixed use development, Transit Oriented Districts and designated Centers.

Policy 2.5.2 Foster the development of new affordable housing units citywide and within each Community Plan area.

Community Plans

The CTCSP and WLA TIMP areas include all or parts of the Westwood, West Los Angeles, Brentwood-Pacific Palisades, Palms-Mar Vista-Del Rey, Westchester-Playa Del Rey, and Venice Community Plan areas. These Community Plans share common goals, objectives and policies relating to promoting transit use, increasing active transportation options, reducing vehicle trips, and promoting roadway improvements. The proposed ordinances implement the following policy themes which are common to all or many of the Community Plans in the area:

Public Transportation:

Goal: Develop a public transit system that improves mobility with convenient alternatives to automobile travel.

Policy: Develop an intermodal mass transportation plan to implement linkages to future mass transit service.

Transportation Demand Management Strategies:

Goal: Encourage alternative modes of transportation over the use of single occupant vehicles to reduce vehicular trips.

Objective: To pursue transportation management strategies that can maximize vehicle occupancy, minimize average trip length and reduce the number of vehicle trips.

Policy: Promote the development of transportation facilities and services that encourage transit ridership, increase vehicle occupancy, and improve pedestrian and bicycle access.

Non-Motorized Transportation:

Goal: A system of safe, efficient and attractive bicycle and pedestrian routes.

Objectives: To promote an adequate system of bikeways for commuter, school and recreational use.

Policy: Plan for and encourage funding and construction of bikeways connecting residential neighborhoods to schools, open space areas and employment centers.

Policy: Identify bikeways along major and secondary arterials in the community.

Policy: Assure that local bicycle routes are linked with the routes of neighboring areas.

Objective: To promote pedestrian-oriented mobility, access and routes for commuter, school, recreational use, economic activity and access to transit facilities.

Policy: Protect and improve pedestrian-oriented street segments

Freeways, Highways and Streets:

Policy: Install Automated Traffic Surveillance and Control (ATSAC) equipment (or an upgrade to ATSAC) as funding becomes available.

Policy: Identify and implement local intersection improvements as warranted and feasible.

CEQA FINDINGS

Findings for the EIR

The CEQA Findings for the EIR (including findings for impacts that can be mitigated, impacts that cannot be mitigated, alternatives considered and rejected, and the Statement of Overriding Considerations) can be found in **Exhibit C3**. To certify the EIR, CPC will be recommended to adopt all the Findings found in **Exhibit C3**. For informational purposes, a summary of the EIR and the EIR findings is provided below.

The City of Los Angeles Planning Department prepared an EIR to analyze the potential environmental effects of the Proposed Project. The Notice of Preparation (NOP) for a draft EIR (the "Draft EIR") was circulated for a 32-day period beginning on May 22 and ending on June 23, 2014. Two scoping meetings were held on June 5, 2014, and June 9, 2014 for the purpose of soliciting comments as to the appropriate scope and content of the EIR. Based on public comments in response to the NOP and a review of environmental issues by the City, the Draft EIR analyzed the following environmental impact areas:

- Air Quality
- Biological Resources
- Greenhouse Gas Emissions
- Land Use Planning
- Noise and Vibration
- Transportation and Traffic

A Draft EIR was prepared for the Proposed Plan and was circulated for a 45-day review period, as required by State law, beginning on January 7, 2016. However, in response to requests by interested parties, the review period was extended to 60 days. The extended review period of 15 days ended on March 7, 2016. As the lead agency, the City of Los Angeles received 38 unique written and oral comments on the Draft EIR from public agencies, groups and individuals.

Section 15088 of the CEQA Guidelines requires the lead agency (DCP) to evaluate comments on environmental issues received from public agencies and interested parties who review the draft EIR and provide written responses. Throughout the environmental phase of plan development, the lead agency received written comments on the Draft EIR from public agencies, groups and individuals. Responses to all 38 comments received were included in the Final EIR. The Final EIR was published on September 15, 2016 and will be considered by the City Planning Commission prior to adoption.

The Final EIR for the CTCSP and WLA TIMP Specific Plan updates identifies unavoidable significant impacts that would result from implementation of the updated CTCSP and WLA TIMP (CTCSP/WLATIMP or Proposed Project). Potential long-term, operational impacts were identified for two resources areas, *Noise and Vibration* and *Transportation*. Potential short-term, temporary

impacts associated with the construction activities for some of the proposed improvements were identified for three resource areas, *Air Quality*, *Noise and Vibration*, and *Transportation*. Section 21081(b) of the California Public Resources Code and Section 15093 of the CEQA Guidelines provide that when a public agency approves a project that will result in significant unavoidable impacts identified in the EIR, the agency must state in writing the specific overriding economic, legal, social, technological, or other benefits of the project that outweigh the significant effects on the environment. This "Statement of Overriding Considerations" must be adopted by the decisionmaker and be based on substantial evidence.

The Final EIR concluded that, despite the adoption of all feasible mitigation measures, the Proposed Project would result in the following unavoidable significant adverse impacts that are not able to be mitigated to a less-than-significant level: transportation (circulation, neighborhood intrusion, and congestion management plan); noise and vibration (localized and temporary construction noise and vibration, and excessive noise from buses and permanent noise increase from buses); and air quality resources (localized and temporary construction impacts).

The project alternatives are found to be infeasible because they would not satisfy the project objectives as effectively as the Project. Accordingly, the City is required to adopt a Statement of Overriding Considerations to approve the Proposed Project. A proposed Statement of Overriding Considerations has been prepared and is recommended for adoption by the DCP for the decisionmakers. The Statement of Overriding Considerations is included in **Exhibit C3** and an excerpt is also provided below:

Statement of Overriding Considerations:

The City recognizes that significant and unavoidable impacts would result from implementation of the Proposed Project. Having (i) adopted all feasible mitigation measures, (ii) rejected alternatives to the Proposed Project for the reasons discussed above, (iii) recognized all significant, unavoidable impacts, and (iv) balanced the benefits of the Proposed Project, including region-wide or statewide environmental benefits, against the Proposed Project's significant and unavoidable impacts, the Decisionmaker hereby finds that the benefits of the Project outweigh and override the potentially significant unavoidable impacts for the reasons stated below.

After balancing the specific economic, legal, social, technological, and other benefits of the Proposed Project, the City of Los Angeles has determined that the unavoidable adverse environmental impacts identified above may be considered "acceptable" due to the following specific considerations, which outweigh the unavoidable adverse environmental impacts of the Proposed Project. The Decisionmaker finds that each one of the following overriding considerations independently, grouped by overarching theme, or collectively, is/are sufficient to outweigh the significant and unavoidable impacts of the Proposed Project:

1. The Proposed Project updates promote a balanced transportation system that would accommodate anticipated development and population growth and guide the development of a transportation system towards a desired image that is consistent with the social, economic and aesthetic values of the City.
2. The Proposed Project update establishes implementation strategies and funding mechanisms to realize the vision of MP 2035 in a specific geography of the City (the Westside). The Proposed Project funds a range of multimodal transportation improvements for the Westside that implement the MP2035 mobility networks and policies.

3. The Proposed Project supports the policies and goals of the 2016 RTP/SCS and the General Plan Framework, and allows the City to meet future mobility needs for the growth in population projected for the year 2035 by the Southern California Association of Governments.
4. The Proposed Project would improve local mobility through development of a balanced, multi-modal transportation network.
5. The Proposed Project is consistent with SB 375. The CTCSP/WLA TIMP update focuses on multi-modal improvements, consistent with SB 375, the Sustainable Communities Strategy, and MP2035 and therefore would be expected to contribute to decreasing regional vehicle miles traveled, vehicle trips, and greenhouse gas emissions.
6. The improvements that may be funded through the CTCSP/WLA TIMP update are expected to increase the person carrying capacity of streets on the Westside. This increase in multimodal network capacity is forecast (using a vehicle-centric method) to result in increased active transportation and transit travel compared to Existing Base levels: Bicycling +129 percent, Transit +37 percent, Walking +21 percent. Forecast increases in transit boardings would be 43 percent greater than the Future No Project, which equates to over 63,400 more transit boardings every day.
7. The multimodal improvements that could be partially funded under the proposed Proposed Project would result in, using a vehicle-centric analysis, an overall reduction in trips (37,000 per day) and VMT (208,000 fewer miles per day) relative to Business as Usual (Future No Project). Per capita VMT would be 3.4 percent lower than Business as Usual.
8. The Proposed Project promotes active transportation modes (i.e., bicycling and walking) by providing lanes for bicycles and pedestrian enhancements. The Proposed Project's emphasis on transit and active transportation will allow those who live and work on the Westside to lead a healthier and active lifestyle.
9. The Proposed Project provides air quality and public health benefits by reducing regional trips, and therefore improves regional air quality as compared to a plan focused on single-occupancy vehicles. Compared to Existing conditions, there would be substantially fewer carbon monoxide (CO) and volatile organic compounds (VOC), nitrogen oxides (NOx) and particulate matter (PM10 and PM2.5) than today (as a result of statewide emission controls).
10. The Proposed Project promotes the safety of the most vulnerable road user. The Proposed Project's emphases on enhanced bicycle and pedestrian facilities will help achieve the City's objective to eliminate traffic-related pedestrian and bicycle fatalities by 2035. Through the City's Vision Zero initiative, the City has identified a High Injury Network which spotlights streets with a high concentration of traffic collisions that result in severe injuries and deaths, with an emphasis on collisions involving people walking and bicycling. The Proposed Project identifies safer bicycle and pedestrian facilities for many of the High Injury Network streets segments within the Plan areas.
11. The Proposed Project would reduce GHG emissions, and would be consistent with policies included in the 2012-2035 RTP/SCS and 2016-2040 RTP/SCS promoting

alternative transportation that would reduce VMT as compared to what could occur without the Proposed Project.

12. The Proposed Project update encourages and creates incentives for energy efficiency by reducing VMT and therefore consumption of transportation fuel.

13. The Proposed Project could reduce annual household costs associated with driving.

Finding for Statutory Exemption Pursuant to PRC 21080(b)(4)

Notwithstanding the City's preparation of an EIR, the Proposed Project is statutorily exempt pursuant to Public Resources Code Section 21080(b)(8) on the basis of the following. The City finds based on the facts in entire administrative record, including the Nexus Study and the draft CTCSP and WLA-TIMP ordinances and the draft Administrative Fee Resolution, the Proposed Project involves the modification and restructuring of a fee to obtain funds for capital projects necessary to maintain service in an existing service area. Specifically, the Proposed Project is the update to and restructuring of the transportation fees and transportation list to continue to obtain funds to provide necessary capital projects to maintain transportation services in the plan boundaries of the CTCSP and the WLA-TIMP, which are unchanged from the previous plan boundaries.

Finding for Categorical Exemption

Notwithstanding the City's preparation of an EIR, the Proposed Project is statutorily exempt pursuant to Public Resources Code Sections **15301**, **15304**, **15308** on the basis of the following findings.

The Livable Boulevards Streetscape Plan is a concept-level plan that documents the streetscape vision and provides a blueprint for streetscape improvements for five key Westside street segments: Centinela Avenue, Motor Avenue, Pico Boulevard ("Pico Green"), Pico Boulevard ("Pico Patricia"), and Venice Boulevard (see **Exhibit B5**, *Livable Boulevards Streetscape Plan*). By identifying pedestrian safety and aesthetic enhancements, the Streetscape Plan aims to improve the overall corridor aesthetics and livability, reinforce neighborhood identity, and support a safe and pleasant active transportation and transit experience on a street. The Streetscape Plan identifies a consistent palette of streetscape amenities (such as street benches, trash receptacles, street lighting, and trees for each segment) as well as supports improvements such as crosswalks, curb extensions, medians, stormwater parkway treatments, and gateway signs.

According to Section 15301 of the CEQA Guidelines, "Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination".⁴ The Streetscape Plan is consistent with Section 15301(c), which identifies "existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities (this includes road grading for the purpose of public safety)" as exempt activities.⁵ The improvements (street trees, street lighting, street furniture, etc.) contemplated by the proposed Livable Boulevards Streetscape Plan are intended to improve pedestrian safety and comfort on five existing street segments. Therefore, the improvements qualify as minor alterations of existing public facilities which are exempt per the Class 1 "Existing Facilities" Categorical Exemption. The proposed Livable Boulevards Streetscape Plan would not expand the right-of-way beyond existing conditions or conditions already planned as part of independent projects. Therefore, the Streetscape Plan would not result in an expansion of use of the existing right-of-way. Moreover,

⁴ CEQA Guidelines, Section 15301.

⁵ CEQA Guidelines, Section 15301(c).

while the Streetscape Plan would encourage pedestrian activity, implementation of the proposed Livable Boulevards Streetscape Plan would not expand (and does not have the authority to expand) those areas that are already being used for pedestrian activities. Therefore, the Streetscape Plan would involve a negligible expansion of the use of the right-of-way as compared to existing conditions.

In addition, any operational enhancements to the segments in the Streetscape Plan that would maintain existing capacity, or improve pedestrian comfort and safety constitute “Minor Alterations to Land” as contemplated in the Class 4 Categorical Exemption. According to Section 15304 of the CEQA Guidelines, “Class 4 consists of minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry and agricultural purposes”.⁶ Implementation of the Streetscape Plan would not result in the removal of healthy, mature, and/or scenic trees. The Streetscape Plan is consistent with Section 15304(b), which identifies “new gardening or landscaping, including replacement of existing conventional landscaping with water efficient or fire resistant landscaping”. Moreover, excavation and grading required to implement the Streetscape Plan’s components would be consistent with Section 15304(a), which exempts grading on land with a slope of less than 10 percent; Section 15304(d), which exempts filling of earth into previously excavated land with materials compatible with the natural features of the site; and Section 15304(f), which exempts minor trenching and backfilling where the surface is restored.

In addition, Section 15308 of the CEQA Guidelines provides:

Class 8 consists of actions taken by regulatory agencies, as authorized by state or local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment. Construction activities and relaxation of standards allowing environmental degradation are not included in this exemption.

The Streetscape Plan will maintain, restore, enhance, improve, and protect the aesthetic environment for the public realm in the boundaries of the Streetscape Plan.

Exceptions Under 15300.2

The State CEQA Guidelines Section 15300.2 does not permit the use of a categorical exemption in six circumstances. As described below, and based on the entire administrative record, none of these circumstances apply to the Streetscape Plan.

- a) Location. According to Section 15300.2(a) of the CEQA Guidelines, exemption “classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located – a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant.” This exception does not apply to the use of a Class 1 categorical exemption. The street segments in the Livable Boulevards Streetscape Plan are located in a highly urbanized area of the City of Los Angeles, which is currently developed with asphalt roadways, sidewalks, and street trees and street furniture. The Streetscape Plan area is not in an area that is designated, precisely mapped, and officially adopted by a federal, state or local agency for purposes related to biological resources, geological resources, or other, such that the Streetscape Plan may impact an environmental resource of hazardous or critical concern.
- b) Cumulative Impact. According to Section 15300.2(b) of the CEQA Guidelines, a categorical exemption shall not be used when “the cumulative impact of successive

⁶ CEQA Guidelines, Section 15304.

projects of the same type in the same place, over time is significant,” even though the project under analysis may not have a significant impact by itself. The City has not identified other projects of the same type in the same place that could result in cumulative impacts. While there is another streetscape plan (i.e. Exposition Corridor Streetscape Plan) proposed near the street segments featured in the Livable Boulevards Streetscape Plan, the two plans are not expected to result in individual or cumulatively significant impacts.

- c) **Significant Effect.** According to Section 15300.2(c) of the CEQA Guidelines, a categorical exemption shall not be used when “there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances”. The adoption of a streetscape plan, including of the type and scope of the Livable Boulevards Streetscape Plan, is not an unusual circumstance. There are 15 other streetscape plans in other parts of the City that have been approved over the past 17 years that are of similar size, scope and intent. Similar to the Livable Boulevards Streetscape Plan, these approved streetscape plans describe the same types of public right-of-way treatments such as street trees, street furniture styles, pedestrian-scale lighting styles, and special paving. Therefore, this exception does not apply.
- d) **Scenic Highways.** According to Section 15300.2(d) of the CEQA Guidelines, a categorical exemption shall not be used when a project “may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway.” The Streetscape Plan consists of five street segments that are not located on highways officially designated as state scenic highways. Therefore, the exception specified in Section 15300.2(d) has no application here.
- e) **Hazardous Waste Sites.** According to Section 15300.2(e) of the CEQA Guidelines, a categorical exemption shall not be used when a project “is located on a site which is included on a list compiled pursuant to Section 65962.5 of the Government Code.” As of February 12, 2018, the State Department of Toxic Substances Control has not listed any site with known contamination along street segments covered by the Streetscape Plan.⁷ Based on this information, there are no sites with known contamination along the Streetscape Plan segments. Therefore, this exception has no application here.
- f) **Historic Resources.** According to Section 15300.2(f) of the CEQA Guidelines, a categorical exemption shall not be used when a project “may cause a substantial adverse change in the significance of a historical resource”. There are no properties that have been designated as historic resources on any of the five street segments featured in the Streetscape Plan.

⁷ Retrieved from Envirostor at <http://www.envirostor.dtsc.ca.gov/public/map/>