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November 2, 2022

Councilmember Paul Krekorian, Chair  
Budget and Finance Committee

RE: Council File No. 15-0719-S19

On November 1, 2022, the Planning and Land Use Management and Transportation Committees considered an October 26, 2022 Los Angeles Department of Transportation and September 22, 2022 City Planning Department reports, Environmental Impact Report and associated addendums, and other City Planning documents relative to updating the the Citywide Transportation Demand Management (TDM) Program. After consideration and having provided an opportunity for public comment, both Committees moved to make the following recommendations:

Recommendations for Council action:

1. FIND 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 (EIR) No. ENV-2013-0911-EIR, SCH No. 2013041012, certified on November 25, 2015 (Council File No. 15-0719); Addendum No. ENV-2013-0911-EIR-ADD1, dated December 3, 2015 (Council File No. 15-0719-S15); Addendum No. ENV-20130911-EIR-ADD2, dated March 2016 (Council File No. 15-0719); and pursuant to California Environmental Quality Act (CEQA) Guidelines, Sections 15162 and 15164 and the Addendum No. ENV-2013-0911-EIR-ADD3, dated September 9, 2022, that no major revisions to the EIR are required and no subsequent EIR or negative declaration is required for approval of the Project.
2. FIND that:
  - a. The Fee Ordinance and Trust Fund Ordinance do not constitute a "project," as defined by CEQA pursuant to CEQA Guidelines Section 15378(b)(4), which states that a "project" does not include "[t]he creation of government funding mechanisms or other government fiscal activities which does not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment.."

- b. That the adoption of the Fee Ordinance and Trust Fund Ordinance are exempt from CEQA based upon CEQA Guidelines Section 15061 (b)(3), since it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, and as such the activity is not subject to CEQA.
3. ADOPT the recommendations contained in the September 22, 2022 Department of City Planning [(CPD); (CPC-2021-3141-CA)] report, attached to the Council File.
4. INSTRUCT the DCP to incorporate the new TDM Ordinance, once it is adopted by City Council, into the Los Angeles Municipal Code (LAMC), Chapter 1A )proposed new zoning code), and thereby conform to its new formats/style
5. INSTRUCT the City Administrative Officer (CAO) to prepare a report with recommendations in regard to the New Development Review Fee Ordinance and “Mobility Investment Trust Fund” as recommended by the LADOT in its October 26, 2022 report, attached to the Council File; and, further INSTRUCT the CAO to include in said report if the recommended fee Ordinance is fully cost-recoverable and not expected to negatively impact the General Fund.
6. REQUEST the City Attorney to prepare and present the following Ordinances:
  - a. An Ordinance amending LAMC Section 19.15 (Fee Ordinance; (Attachment B- currently titled “Department of Transportation Traffic Study Review Condition Clearance and Permit Issuance Fees”) to incorporate the new and revised fees which the Los Angeles Department of Transportation (LADOT) as detailed in the October 26, 2022 LADOT report, attached to the Council File.
  - b. An Ordinance to add Article 33 to Chapter 5 of Division 5 of the Los Angeles Administrative Code (LAAC) to establish a new special fund that combines multiple trust funds to be known as the “Mobility Investment Trust Fund” as detailed in Attachment C of the October 26, 2022 LADOT report, attached to the Council File.
  - c. An Ordinance to repeal LAAC Article 13.9 of Chapter 5 of Division 5 Neighborhood Management Trust Fund and LAAC Article 26 of Chapter 5 of Division 5 Bicycle Plan Trust Fund as detailed in as detailed in Attachments D and E of the October 26, 2022 LADOT report, attached to the Council File.
7. REQUEST the City Attorney to prepare and present a new TDM Ordinance, and thereby repeal the existing Ordinance adopted in 1993 amending LAMC Section 12.26 to update the TDM and Trip Reduction Measures, substantially as detailed

in Exhibit A of the October 24, 2022 LADOT and September 22, 2022 CPD (CPC-2021-3141-CA) reports, attached to the Council File; and, further REQUEST the City Attorney, in coordination with the DCP and LADOT, to include in the TDM Ordinance the following:

- a. Revision of hotel thresholds to:
  - i. 25 rooms for Level 1 (currently proposed)
  - ii. 50 rooms for Level 2 (on par with housing)
  - iii. 135 Rooms for Level 3
- 8. REQUEST the City Attorney, upon completion of the CAO fee analysis report, to prepare and present the following Ordinances:
  - a. The new Development Review Fee Ordinance
  - b. A second Ordinance to create a new special fund that combines multiple trust funds, to be know as the “Mobility Investment Trust Fund” and thereby repeal the existing “Neighborhood Traffic Management Trust Fund” and the “Bicycle Plan Trust Fund.”

This file is now transmitted to the Budget and Finance Committee.

Adam R. Lid  
Legislative Assistant