

TRANSPORTATION COMMITTEE REPORT relative to a proposed Ordinance amending Los Angeles Municipal Code Section 12.26 J to update the City's Transportation Demand Management (TDM) Ordinance; proposed New Development Review Fee Ordinance and Mobility Investment Trust Fund Ordinance, and related actions to repeal existing Ordinances to align with the City's climate action goals.

Recommendations for Council action, as amended and SUBJECT TO THE APPROVAL OF THE MAYOR:

1. RECEIVE and FILE the Los Angeles Department of Transportation (LADOT) report, dated June 5, 2019, attached to the Council file, relative to the status of proposed updates to the City's TMD Ordinance requirements for new developments.
2. FIND that:
  - a. 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-2013-0911-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.
  - b. 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.
  - c. 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. CONCUR with the action of the Los Angeles City Planning Commission (LACPC) recommending approval of the proposed TMD Ordinance, approved at its meeting of September 22, 2022, attached to the Department of City Planning (DCP) report CPC-2021-3141-CA, dated October 24, 2022, attached to the Council File.

4. ADOPT the:

- a. Findings of the LACPC as the Findings of the City Council, attached to the DCP report CPC-2021-3141-CA, dated October 24, 2022, attached to the Council File.
- b. Proposed TMD Ordinance amending LAMC Section 12.26 J, Transportation Demand Management and Trip Reduction Measures, attached to the DCP report CPC-2021-3141-CA, dated October 24, 2022, attached to the Council File.

5. REQUEST the City Attorney, in coordination with the DCP:

a. Prepare and present the following:

- i. An Ordinance amending Los Angeles Municipal Code (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 detailed in the October 26, 2022, LADOT report, attached to the Council File.

ii. An Ordinance to:

1. 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, and include revisions to the hotel thresholds as follows:

- 50 rooms for Level 2
- 135 rooms for Level 3

2. Repeal LAAC Article 13.9 of Chapter 5 of Division 5 Neighborhood Traffic Management Trust Fund and LAAC Article 26 of Chapter 5 of Division 5 Bicycle Plan Trust Fund, as detailed in Attachments D and E, respectively, of the October 26, 2022, LADOT report, attached to the Council File.

- b. Incorporate the new TDM Ordinance, once it is adopted by City Council, into the New Zoning Code, subject to changes to conform to the format, style, and nomenclature of the New Zoning Code.

Fiscal Impact Statement: None submitted by the DCP. The LADOT reports that the TDM program update includes a cost recovery fee ordinance, and is not expected to impact the General Fund. The City Administrative Officer reports that approval of the recommendation in this report will have no impact on the General Fund. With the approval of the new proposed Development Review Fees in the LADOT report dated October 26, 2022, attached to this Council file, LADOT estimates a total of \$2.17 million in annual revenue of which \$1.74 million will be received as revenue by the General Fund and \$430,000 will be received as revenue by the Transportation Review Fee Fund, a fee-supported Special Fund. The proposed fees provide full cost recovery.

Financial Policies Statement: The CAO reports that the recommendation in this report complies with the City Financial Policies in that it recommends to note and file this report.

Community Impact Statement: Yes

For:

Mid City WEST Neighborhood Council  
North Westwood Neighborhood Council  
South Robertson Neighborhood Council

For, if Amended:

Westside Neighborhood Council

Summary:

On June 12, 2019, your Transportation Committee considered a June 5, 2019 LADOT report relative to preparing an Ordinance that updates the City of Los Angeles' TDM requirements on new development. After consideration and having provided an opportunity for public comment, the Committee moved to Note and File the report.

Subsequently, on November 1, 2022, your Transportation Committee considered reports from the LACPC, dated October 24, 2022, and from the LADOT, dated October 26, 2022, relative to a proposed ordinance to update the TMD Ordinance. After consideration and having provided an opportunity for public comment, the Committee moved to approve the recommendations contained in both reports, as amended.

This matter is now submitted to Council for its consideration.

Respectfully Submitted,

Transportation Committee

**COUNCILMEMBER VOTE**

BONIN: YES  
MARTINEZ: YES  
KORETZ: YES

AL  
6/12/19

**COUNCILMEMBER VOTE**

BONIN: YES  
HUTT: YES  
BUSCAINO: ABSENT

AL  
11/01/22

**-NOT OFFICIAL UNTIL COUNCIL ACTS-**