

ORDINANCE NO. _____

An ordinance adding a new Chapter 19 to Division 19 of the Los Angeles Administrative Code implementing the Mobility Plan 2035 element of the City of Los Angeles General Plan.

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

Section 1. Chapter 19 is added to Division 19 of the Los Angeles Administrative Code is added to read as follows:

CHAPTER 19

IMPLEMENTATION OF MOBILITY PLAN 2035

Sec. 19.190. Purpose.

The purpose of this chapter is to implement the provisions of the Mobility Plan 2035 element of the City's General Plan by requiring that public works of improvement in the public right-of-way be planned, designed, and constructed to meet the mobility needs of road and sidewalk users, including pedestrians, bicyclists, transit riders, drivers, children, older adults, people with disabilities, emergency vehicles, and private and commercial vehicles. The additional purpose of this Chapter is to set forth the administrative oversight and respective responsibilities of the City departments in carrying out this implementation.

Sec. 19.191. Definitions.

The following definitions shall apply to this chapter:

"Board" shall mean the Board of Public Works.

"City" shall mean the City of Los Angeles.

"Citywide Mobility Corridors" shall mean Streets comprising the Transit Enhanced Network (TEN), Bicycle Enhanced Network (BEN), and Bicycle Lane Network (BLN) in the Mobility Plan, or as further designated or modified pursuant to this chapter.

"Dashboard" shall mean the Mobility Plan Implementation Dashboard.

"Director" shall mean the Director of Planning of the Department of City Planning.

“General Manager” shall mean the General Manager of the Department of Transportation.

“Mobility Corridor” shall mean either a Citywide Mobility Corridor or a Neighborhood Mobility Corridor.

“Mobility Plan” shall mean the circulation element of the City’s General Plan, adopted by the City Council on August 11, 2015, as amended from time to time.

“Neighborhood Mobility Corridor” shall mean Streets comprising the Neighborhood Enhanced Network (NEN) and Pedestrian Enhanced Districts (PED) in the Mobility Plan, or as further designated or modified pursuant to this chapter.

“Project” shall mean a public work of improvement in a Street, but shall not include: (i) work or improvements less than one-fourth of one mile in length; (ii) routine maintenance work, including, but not limited to, pothole repair, slurry seals, restriping, street cuts to install or repair utility service connections, tree planting, or tree maintenance; (iii) emergency repairs; (iv) work required by the American with Disabilities Act; or (v) work of urgent necessity to address issues that impact public safety and require immediate attention. Any public work of improvement that occurs in a contiguous segment of a Street commenced within one year of another public work of improvement on such Street shall be considered a single Project.

“Standard Elements” shall mean the specific improvements that the Board, the Director and the General Manager designate for inclusion in a Project being implemented on a Mobility Corridor.

“Street” shall mean all roads, highways, avenues, lanes, alleys, courts, places, squares, parkways, or other public ways in the City which have been or may hereafter be dedicated to public use, or such other public property so designated in any law of this state.

Sec. 19.192. Implementation of Mobility Plan.

(a) A City department implementing a Project on a Mobility Corridor shall include, as part of the Project, all required Standard Elements for that Mobility Corridor.

(b) A City department exercising permitting authority over another public agency carrying out a Project on a Mobility Corridor shall require the public agency to include, as part of the Project, required Standard Elements for that Mobility Corridor.

(c) The General Manager shall determine whether each Project on a Mobility Corridor complies with the requirements of this chapter. The determination shall be

reported on the Dashboard within 14 days and shall be subject to the administrative appeal provisions of this chapter.

Sec. 19.193. Administration of Mobility Plan Implementation.

(a) Mobility Corridors

The General Manager and Director, in consultation with first responders, such as the Los Angeles Police Department and the Los Angeles Fire Department, and the City Attorney, shall have the joint authority to establish or, from time to time, revise Mobility Corridors. Prior to any recommendation establishing or revising a Mobility Corridor, the General Manager and Director shall jointly certify for each Street segment revision that the Street segment has been replaced with an alternative Street segment that furthers to an equal or greater extent the public safety and utility of the Street and the Purpose as set forth in Section 19.190. Prior to a final decision being made to establish or revise any Mobility Corridor, the proposed decision shall be reported on the Dashboard for public review for not less than 30 days. A final decision to establish or revise any Mobility Corridor shall be reported on the Dashboard within 14 days after the expiration of the preceding 30 day period and shall be subject to the administrative appeal provisions of this chapter.

(b) Standard Elements

The General Manager, the Director and the Board, in consultation with the City Attorney, shall jointly establish the Standard Elements for inclusion in a Project in a Mobility Corridor. Standard Elements shall include basic modal infrastructure to be included in a Project based on the Mobility Corridor classification, as appropriate or necessary for the Purpose as specified. The General Manager, the Director and the Board may, from time to time, jointly revise the Standard Elements or establish optional elements in order to further the Purpose of this chapter

(c) Notification and Outreach Requirements for Mobility Projects

The General Manager, the Director and the Board, in consultation with the City Attorney, shall jointly establish minimum notification and outreach requirements for a Project in a Mobility Corridor.

(d) Mobility Plan Implementation Dashboard

The Department of Transportation, with the assistance of the Department of City Planning and the Bureau of Engineering, shall maintain the Dashboard on the City's website (and include links to the Dashboard in the websites of the City's departments of Planning, Building & Safety, and Housing, as well as in the websites of the Mayor and City Attorney) and provide public access to data

regarding the implementation of the Mobility Plan and the proposed actions under this chapter. The Dashboard shall be activated within one year of the effective date of this chapter, and shall contain the following information:

1. A brief description of each Project that is subject to the requirements of this chapter (Mobility Corridor Project);
2. The location of each Mobility Corridor Project;
3. The status of each Mobility Corridor Project (i.e., proposed, approved, under construction completed); and
4. The Standard Elements and optional elements, if applicable, included or not included for each Mobility Corridor Project.

The provisions of this chapter shall become operative upon the activation of the Dashboard and shall not apply prior to that date so as to ensure notice and an opportunity to be heard in accordance with the process due to all interested parties.

Sec. 19.194. Administrative Appeals.

(a) Determinations Subject to Appeal

Project compliance determinations pursuant to Section 19.192(c) and Mobility Corridor determinations pursuant to Section 19.193(a) shall be appealable to the Board by any person who is a resident of the City. All other determinations under this chapter shall be final and are not subject to appeal.

(b) Time to File a Mobility Appeal

Any appeal of a Project compliance determination under Section 19.192(c) or a Mobility Corridor determination under Section 19.193(a) (Mobility Appeal) shall be filed no later than: (i) 14 days following the reporting of the determination on the Dashboard; or (ii) 60 days following the determination if the determination is not reported on the Dashboard, whichever is earliest.

(c) Place to File Mobility Appeal

A Mobility Appeal and all supporting documents must be filed with the Board and the General Manager. The General Manager shall then immediately submit the Mobility Appeal and all supporting documents to the Director and the City Attorney. An untimely, incomplete, or improperly filed Mobility Appeal will not be considered and shall be deemed not to have been filed.

(d) Contents of Mobility Appeal

Mobility Appeals shall be in writing on a form provided by the Board or, if no such form is provided, shall include a cover sheet that contains the following:

1. Identification of the filing as a Mobility Appeal under Los Angeles Administrative Code Section 19.194;
2. Identification of the specific Mobility Plan implementation determination being appealed and the date on which the determination was made;
3. The name, address, and telephone number of the person filing the Mobility Appeal (Appellant); and
4. The legal and factual bases for the Mobility Appeal.

(e) Supporting Documents for Mobility Appeal

Within 10 days of filing a Mobility Appeal, Appellant shall submit to the Board all documentary evidence, other supporting material, and a written argument limited to 15 pages, double-spaced. The Board shall then immediately submit the Mobility Appeal and supporting documentation to the Director and the City Attorney.

(f) Processing of Mobility Appeal

Upon receipt of a Mobility Appeal, the General Manager shall report the filing of the Mobility Appeal on the Dashboard. Within 60 days of the filing of a Mobility Appeal, the Board shall hear and decide the matter or, upon a determination that good cause exists, may continue the matter for a reasonable period of time. Notice of the appeal hearing shall be mailed or emailed to the Appellant at least ten days prior to the hearing. Following the Board rendering its decision on a Mobility Appeal, the General Manager shall report the decision on the Dashboard.

(g) Appeal to the City Council

Decisions by the Board on a Mobility Appeal shall be appealable to the City Council by the Appellant who filed the Mobility Appeal.

(h) Time to File a City Council Mobility Appeal

Any appeal of a decision by the Board on a Mobility Appeal under Section 19.194(g) (City Council Mobility Appeal) shall be filed no later than 14 days following the decision of the Board on the Mobility Appeal.

(i) Place to File a City Council Mobility Appeal

A City Council Mobility Appeal and all supporting documents must be filed with the City Clerk. The City Clerk shall then immediately submit the Mobility Appeal and all supporting documents to the Board and the Director. An untimely, incomplete, or improperly filed City Council Mobility Appeal will not be considered and shall be deemed not to have been filed.

(j) Contents of City Council Mobility Appeal

All City Council Mobility Appeals shall be in writing on a form provided by the City Clerk or, if no such form is provided, shall include a cover sheet that contains the following:

1. Identification of the filing as a City Council Mobility Appeal under Los Angeles Administrative Code Section 19.194;
2. Identification of the specific Mobility Appeal decision being appealed and the date on which the Mobility Appeal decision was made;
3. The name, address, and telephone number of the person filing the City Council Mobility Appeal (Appellant); and
4. The legal and factual bases for the City Council Mobility Appeal.

(k) Supporting Documents for City Council Mobility Appeal

Within ten days of filing a City Council Mobility Appeal, Appellant shall submit to the City Clerk all documentary evidence, other supporting material, and a written argument limited to 15 pages, double-spaced. The City Clerk shall then immediately submit the Mobility Appeal and all supporting documents to the General Manager. For a City Council Mobility Appeal filed with the City Clerk arising out of Mobility Corridor determination under Section 19.183(a), the City Clerk shall immediately submit the Mobility Appeal and all supporting documents to the Board and Director.

(l) Processing of City Council Mobility Appeal

Upon receipt of a City Council Mobility Appeal, the General Manager shall report the filing of the City Council Mobility Appeal on the Dashboard. Within 60 days of the filing of a City Council Mobility Appeal, the City Council shall hear and decide the matter or, upon a determination that good cause exists, may continue the matter for a reasonable period of time. Notice of the appeal hearing shall be mailed or emailed to the Appellant at least 10 days prior to the hearing. Following the City Council rendering its decision on a City Council Mobility

Appeal, the General Manager shall report the decision on the Dashboard. The decision of the City Council on a City Council Mobility Appeal shall be final.

Sec. 19.195. Private Right of Action.

(a) Any City resident may file a civil action in the Los Angeles Superior Court against the City to challenge a Project compliance determination pursuant to Section 19.192(c) or a Mobility Corridor determination pursuant to Section 19.193(a).

(b) No person may file a civil action pursuant to this section unless and until such person has properly filed a timely and complete City Council Mobility Appeal and the City Council has taken final action on the City Council Mobility Appeal.

(c) A civil action filed pursuant to this section must be filed no later than 30 days following the decision of the City Council on a City Council Mobility Appeal.


(d) No attorneys' fees shall be available in a civil action pursuant to this section.

Sec. 2. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

Approved as to Form and Legality

HYDEE FELDSTEIN SOTO, City Attorney

By


EDWARD JORDAN
Assistant City Attorney

Date

8/7/2023

File No. _____

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The Clerk of the City of Los Angeles hereby certifies that the foregoing ordinance was passed by the Council of the City of Los Angeles.

CITY CLERK

MAYOR

Ordinance Passed _____

Approved _____