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Public Comments Not Uploaded TDM Ordinance (Council File # 15-0719-S19): Item 9 PLUM & Item 11 TRANSPORTATION Committee Hearings

1 message

jordan@gideonlaw.net <jordan@gideonlaw.net>
Reply-To: clerk.plumcommittee@lacity.org
To: clerk.plumcommittee@lacity.org, adam.lid@lacity.org
Cc: Charlie Carnow <ccarnow@unitehere11.org>

Mon, Oct 31, 2022 at 9:53 AM

Dear PLUM Chair Harris-Dawson, Transportation Chair Bonin, and respective Committees:

On behalf of UNITE Here Local 11, please see attached brief comment letter on the above referenced item to be heard tomorrow. In short:

- i) City Planning Commission requested staff to research trip generation rates for hotel projects and consider whether hotel thresholds should be adjusted, which is not addressed in the staff report;
- ii) Local 11 suggests revising hotel thresholds so hotel projects with more than 50 rooms are required to do Tier 2 levels of mitigation, and that projects of over 135 rooms do Tier 3 levels of mitigation; and
- iii) Local 11 suggests that all commercial projects within ½ mile of high-quality transit be required to provide free transit passes, as is law in Santa Monica's Downtown Plan.

Thank you for the opportunity to provide these comments. Please let me know if you have any issues retrieving the attached comment letter.

Sincerely,

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October 31, 2022

Via Email & Web: <https://cityclerk.lacity.org/publiccomment/?cfnumber=15-0719-S19>

Planning and Land Use Management Committee
c/o Candy Rosales, Legislative Assistant
clerk.plumcommittee@lacity.org

Transportation Committee
c/o Adam Lid, Legislative Assistant
adam.lid@lacity.org

RE: Transportation Demand Management (“**TDM**”) Ordinance (Council File # 15-0719-S19);
Item 9, Planning and Land Use Management (“**PLUM**”) Committee Meeting (11/1/22);
Item 11, Transportation Committee Meeting (11/1/22)

Dear PLUM Chair Harris-Dawson, Transportation Chair Bonin, and respective Committees:

On behalf of UNITE HERE Local 11 (“**Local 11**”), the hospitality workers’ union representing over 30,000 workers in Southern California and Arizona, we ask that you change the proposed TDM Ordinance. Local 11 previously commented on the TDM Ordinance when it was before the City Planning Commission (“**CPC**”) with suggestions for an improved ordinance, including adjusting hotel thresholds so that projects with more than 50 rooms are required to do Tier 2 levels of mitigation, and that projects of over 135 rooms do Tier 3 levels of mitigation (see letter attached hereto as “**Exhibit A**”). We also asked that all commercial projects within ½ mile of high-quality transit be required to provide free transit passes, as is law in Santa Monica’s Downtown Plan.

Per the cover page of the Letter of Determination mailed on October 4, 2022,¹ CPC directed City Planning staff to research the trip generation rates and thresholds for hotel projects (see excerpt below). However, no new research or justifications seem to be included in the proposed ordinance or its analysis.

In addition to the above actions, the City Planning Commission directed staff to research the trip generation rates and thresholds for Hotel Projects to analyze if those thresholds should be adjusted.

Accordingly, we ask that staff come back with the research requested by the CPC and that you make our suggested changes to the ordinance.

Regards,

Charlie Carnow, Research Analyst

UNITE HERE Local 11

Attachment: Exhibit A: Local 11 Letter (9/21/22)

¹ https://clkrep.lacity.org/online/docs/2015/15-0719-s19_misc_1_10-24-22.pdf.

EXHIBIT A

Dear Commission President Millman and City Planning Commission (“CPC”) Commissioners:

UNITE HERE Local 11 (“**Local 11**”), the hospitality workers’ union representing over 30,000 workers in Southern California and Arizona, strongly supports pending changes to the City of Los Angeles (“**City**”) Transportation Demand Management (“**TDM**”) Ordinance that would improve mobility and encourage better access to transit, carpooling, and other non-auto forms of transportation for working people. Local 11’s members often do not live where they work because of high housing costs and gentrification that has rendered formerly working-class areas unaffordable. We support an aggressive policy to make transit free, and to encourage carpooling, employer-provided shuttles, and other strategies to make it easier for workers to get to work without relying on single-occupancy vehicles. However, after reviewing the CPC “**Staff Report**,” *we believe the Draft TDM Ordinance needs to be strengthened as laid out below.*

1) LIKE SANTA MONICA, REQUIRE FREE TRANSIT AND PARKING CASH OUT NEAR METRO STOPS

Santa Monica’s TDM program requires, among other elements, an employee-orientation providing information about transit/non-single-occupancy auto forms of transportation, free transit for employees (100% of the current cost of a monthly regional transit pass of the employee’s choice [e.g., Metro EZ Pass, Metro TAP or equivalent]), and parking cash out for all commercial and hotel projects of over 7,500 square feet in its Downtown Community Plan area, which is no more than a ½ mile from a Metro Rail Station. (See Santa Monica Municipal Code § 9.5.130(B)(2)(b).) Outside of the Downtown Community Plan area, Santa Monica requires a 50% transit subsidy. (Id.) Los Angeles can easily adopt a similar policy by requiring at minimum that developments provide employee orientation, free transit passes, and parking cash out (which may count toward the TDM Ordinance point requirement) for any hotel or commercial project of over 7,500 square feet on a parcel that is in Tier 3 or Tier 4 in the Transit-Oriented Communities (“TOC”) program. This suggested policy would cover all parcels near Metro rail. For other projects not near rail but still within ½ mile of lower standard transit (e.g., TOC Tier 1 and Tier 2 near rapid bus lines or two regular buses that intersect), transit subsidy covering 50% of the cost of an annual pass should be offered to employees, parking cash out, and an orientation.

2) FIX OVERLY HIGH HOTEL ROOM THRESHOLDS TO REQUIRE MORE MITIGATION FROM HOTELS

The proposed draft TDM Ordinance proposes project level thresholds of 25, 100, and 250 hotel rooms for Tier 1, Tier 2, and Tier 3 compliance (respectively). (See Staff Report, p. A-7.) The Staff Report states that hotel thresholds are derived from analysis of trip generation. (Id., at p. A-14.) However, *it is not explained how City Planning came up with 100 and 250 room thresholds*. For example, as shown in the table below, the proposed Tier 2 and Tier 3 hotel room thresholds (i.e., 100 and 250 rooms, respectively) are much higher than the derived thresholds based on the project size thresholds under the existing TDM ordinance for non-residential development (**yellow**).

Tier	Existing TDM Ordinance (Project Size) [a]	SCAG’s Equivalent Employee Generation [b]	City’s Equivalent Hotel Rooms [c]
1	25,000 square feet	22 employees	44 rooms
2	50,000 square feet	43 employees	86 rooms
3	100,000 square feet	85 employees	170 rooms
Notes: a: Staff Report, pp. A-7 - A-8 (Tbl. 1: Project Level Threshold). b: Calculated (rounded up): (square footage threshold) / (SCAG’s 1,179 SF per employee ratio for City of LA). ¹ c: Calculated: (SCAG Equivalent Employees) / (City’s 0.5 Jobs per Room Rate). ²			

Additionally, as shown in the table below on the following page, the current hotel room Tier 2 and 3 thresholds permit a much higher trip generation (**red**) than the trips generated by the dwelling unit (“**DU**”) thresholds for housing projects (**blue**) or thousand square feet (“**KSF**”) thresholds for office projects (**green**)—which would be equivalent to a much lower hotel room threshold based on the City’s trip rate (**yellow**).

¹ See Southern California Association of Governments (“SCAG”) (Oct. 2001) Employment Density Study Summary Report, p. 4, <https://docplayer.net/30300085-Employment-density-study-summary-report-october-31-prepared-for-southern-california-association-of-governments.html>.

² See LADOT (Feb. 2019) “VMT Calculator Documentation,” pp. 8-9 (Table 1), https://www.ladot.lacity.org/sites/default/files/documents/vmt_calculator_documentation_0.pdf.

Tier	Housing			Office			Hotel	
	Threshold [a]	Trips (6 per DU) [b]	Equivalent Hotel Rooms [c]	Threshold [a]	Trips (11.03 per KSF) [b]	Equivalent Hotel rooms [c]	Threshold [a]	Trips (8.17 per room) [b]
1	25 DU	150 trips	19 rooms	25 KSF	275.75 trips	34 rooms	25 room	204.25 trips
2	50 DU	300 trips	37 rooms	50 KSF	551.5 trips	68 rooms	100 room	817 trips
3	250 DU	1500 trips	184 rooms	100 KSF	1103 trips	135 rooms	250 room	2042.5 trips
Notes: a: Staff Report, pp. A-7 - A-8 (Tbl. 1: Project Level Threshold). b: VMT Calculator Documentation, pp. 8-9 (Table 1). c: Calculated (rounded up): (Trips) / (8.17 trips per room rate). d: Calculated: (Trips) / (8.17 trips per room).								

Furthermore, it should be noted the City’s VMT Calculator uses a higher trip rate for multi-family projects (i.e., 6 per DU) as compared to relevant Institute of Traffic Engineer (“ITE”) Tenth Edition trip rates, such as Multi-Family Mid-Rise (i.e., ITE Code 221 [5.44 per DU]) or Multi-Family High Rise (i.e., ITE Code 222 [2.07 per DU]). As shown in the table below, if the proposed housing thresholds (i.e., 25, 30, 250 DUs) were converted into trip based on ITE trip rates (i.e., ITE 221 and 222), the equivalent hotel room Tier 2 and 3 thresholds would be significantly lower (yellow).

Tier	Housing Threshold [a]	ITE 221 Multi-Family Mid-Rise		ITE 222, Multi-Family High Rise	
		Housing Trips (5.44 per DU) [b]	Equivalent Hotel Rooms [c]	Housing Trips (2.07 per DU) [d]	Equivalent Hotel Rooms [c]
1	25 DU	136 trips	17 rooms	51.7 trips	7 hotel rooms
2	50 DU	272 trips	34 rooms	103.5 trips	13 hotel rooms
3	250 DU	1360 trips	167 rooms	517.5 trips	64 hotel rooms
Notes: a: Staff Report, pp. A-7 - A-8 (Tbl. 1: Project Level Threshold). b: LADOT MOU for 8000 W. 3rd Street Mixed-Use Project, PDF pp. 2, 11. ³ c: Calculated (rounded up): (Trips) / (8.17 trips per room rate). d: Main Street Tower Project Non-CEQA Transportation Analysis, PDF pp. 8. ⁴					

Hence, we request the City revise hotel thresholds to: (i) 25 rooms for Tier 1 (currently proposed); (ii) 50 rooms for Tier 2 (on par with housing); and (iii) 135 rooms for Tier 3 (equivalent to trip level for office). This is reasonable.

3) COMPLIANCE WITH TDM ORDINANCE DOES NOT EQUATE TO CEQA COMPLIANCE

Additionally, it is unclear how the TDM hotel thresholds are quantitatively tied to various City objectives, such as the City’s Sustainable City pLAN 2019 goal to increase the percentage of all trips by walking, biking, transit, and other non-automobile means (e.g., 35% by 2025, 50% by 2035, 45% by 2050). (See Staff Report, p. A-4.) Nor is it clear how the thresholds tie to the Sustainable City pLAN’s municipal greenhouse gas (“GHG”) reduction goals from 2008 baseline levels (e.g., 55% by 2025, 65% by 2035). (Id.) Finally, it is unclear how compliance with TDM strategies is tied to City’s vehicle miles traveled (“VMT”) thresholds of 15 percent below applicable area averages.⁵ Per the Los Angeles Department of Transportation (“LADOT”) current Traffic Assessment Guidelines (“TAG”), the City must evaluate a hotel’s VMT impacts from both employee trips and visitor/guest trips, and apply a separate impact threshold to each trip type.⁵ The TDM Ordinance does not adequately fill the analytical gap showing compliance with the TDM Ordinance will mitigate potentially significant impacts under the California Environmental Quality Act (“CEQA”).

In closing, we are very concerned that the proposed thresholds are too permissive. Hotel projects should not be given preferential treatment over housing and other projects. As discussed above, we respectfully request the City revise the TDM ordinance to: (1) require subsidized transit, parking cash out for hotel and commercial projects within TOC areas; (2) revise the hotel room threshold to 25, 50, and 135 for Tiers 1, 2, 3 (respectively); and (3) make clear that compliance with TDM Ordinance does not necessarily mitigate a project’s potential VMT and GHG impact under CEQA. These changes will strengthen the TDM Ordinance and ensure workers of Los Angeles benefit from the economic and environmental benefits of sustainable mobility. Thank you so much for your consideration,

Charlie Carnow, Research Analyst, UNITE HERE Local 11

³ <https://planning.lacity.org/odocument/90d2c25b-476a-40bc-9c14-6bb50c95aa56/ENV-2018-1651-IS-10.pdf>.

⁴ https://planning.lacity.org/odocument/66d38baf-8126-4ae9-8788-fc950a5068c9/Appendix_J.2_Non-CEQA_Transportation_Study.pdf.

⁵ LADOT (Aug. 2022) TAG, pp. 2-6 – 2-7, https://ladot.lacity.org/sites/default/files/documents/2020-transportation-assessment-guidelines_final_2020.07.27_0.pdf.