TRANSPORTATION COMMISSION
ITEMS FROM STAFF NOVEMBER 19, 2014

SUBJECT: TRANSPORTATION DEMAND MANAGEMENT ORDINANCE OVERVIEW

INITIATED BY: COMMUNITY DEVELOPMENT DEPARTMENT
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STATEMENT ON THE SUBJECT:

The Transportation Commission will hear an update on the City's Transportation Demand Management Ordinance.

RECOMMENDATIONS:

1) Receive and file.

BACKGROUND ANALYSIS:

At the City Council meeting of August 18, 2014 staff was directed to provide a report on the status of the City's Transportation Demand Management (TDM) Ordinance. The City has had an active TDM Ordinance since 1993 and staff is planning an update as soon as possible as described below.

Transportation Demand Management Program

The TDM Ordinance, found in Chapter 10.16 of the West Hollywood Municipal Code, was adopted by the City Council in 1993 to establish a program of transportation management tools to reduce travel demand, manage the movement of people and vehicles within the City, improve mobility of City residents' access to local services, and address the public health threat of air pollution caused by motor vehicles. The ordinance was established following regional, State and Federal statutes requiring cities to adopt Transportation Demand Management Ordinances: the South Coast Air Quality Management District (SCAQMD) Rule 2202, AB2109 (California Parking Cash-Out Program), and the Los Angeles County Metropolitan Transportation Authority (LACMTA) Congestion Management Plan (CMP). The Ordinance requires large new developments and businesses within them to employ a series of tools to reduce single occupant vehicle travel of employees to work sites within West Hollywood.

Applicability

Development Projects

TDM requirements apply to new stand-alone commercial development projects and mixed-use projects with 10,000 square feet or more of commercial uses.

Developers are required to submit TDM plans prior to obtaining a Certificate of Occupancy. Projects must include infrastructure to support active transportation for employees, such as shower facilities, clothing lockers, and bicycle parking, with requirements based on the number of employees anticipated, as well as square footages of specific uses within a project. Project plans must identify features such as preferential parking for rideshare/carpool vehicles, transit information kiosks, rideshare information, alternative fuel vehicle parking/charging, Dial-a-Ride information, and guaranteed ride home programs, among others.

Businesses within a Development

In addition to requirements that apply to development projects as a whole, the ordinance also applies to businesses with five or more employees that are located within a development of 10,000 square feet or more, regardless of the size of the business. These businesses must submit a TDM plan to the City within six months of establishing a business. It must show alternate modes of transportation will be encouraged sufficiently to achieve an average vehicle ridership (AVR) of 1.5 employees within twelve months after approval of a trip reduction plan by the City. Annual reports must be submitted by each business along with documentation on the success of each business' efforts to meet the goal of 1.5 AVR. Employers must submit an annual trip reduction report to the City documenting the success of their program.

Implementation

A total of 18 projects have been approved or constructed since adoption of the TDM ordinance, as shown on the table below. Each of these successfully incorporates physical improvements that meet the requirements of the TDM ordinance. The second component of the TDM program, ongoing reporting and tracking of businesses, has not worked as originally anticipated.

After adoption of the TDM ordinance the City hired a consultant to help implements the program and conduct outreach to local businesses. Despite the City's efforts to provide assistance in the implementation of the ordinance, informal feedback indicated that the required paperwork was onerous and overly technical for the small business community. It also became apparent that many cities in the region were experiencing difficulty in implementing the TDM ordinance as required by the Los Angeles County Metropolitan Transportation Authority Congestion Management Plan. Developers found the preparation of TDM plans and associated documentation to be challenging, as the paperwork essentially is estimating the future behaviors of commercial tenants. Plans submitted to the City commonly use boilerplate language sufficient to be in compliance with the TDM Ordinance but may not ultimately have a meaningful impact on congestion.

As a result of the above concerns from the business community the City's consultant began completing the paperwork for each business covered by the ordinance. The process was inefficient and time consuming, and came at a significant cost to the City. Recognizing this, a decision was made to eliminate the consultant position for certain reporting and tracking aspects of the program. However, the TDM program continues to be implemented through the

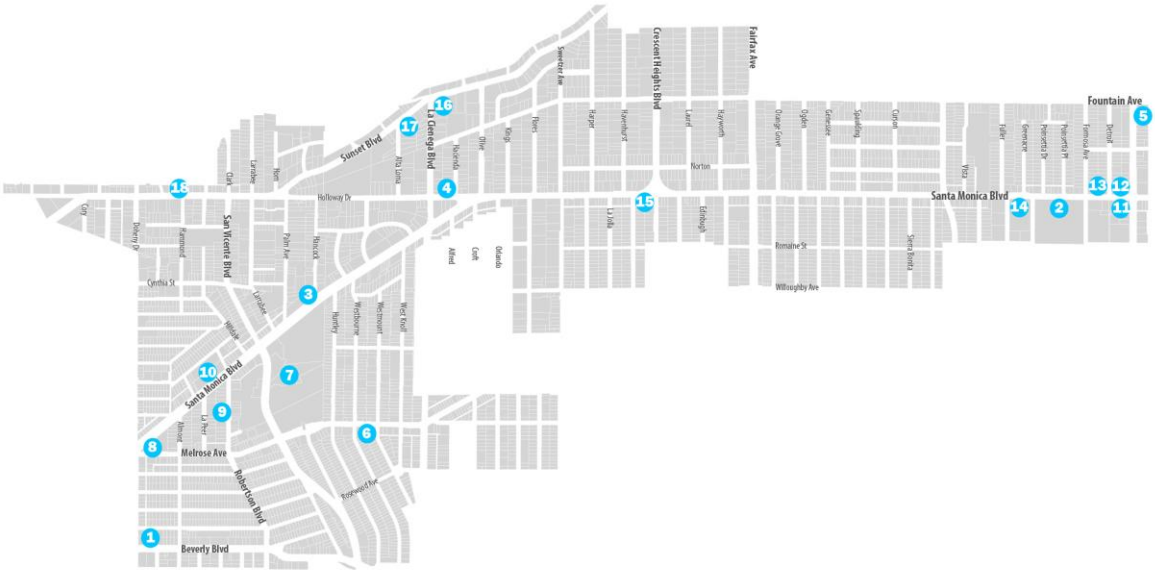
development review process. Pertinent provisions of the Transportation Demand Management Program are a key component of the City's "standard conditions of approval" for applicable commercial development projects (10,000 square feet or more of new construction). In addition, TDM review is incorporated into the City's plan check process in lieu of TDM Trip Reduction Plans being filed with each development application. However, in select cases, the City has required TDM Trip Reduction Plans as a condition of approval based on staff project analysis. Separate TDM Trip Reduction Plans and annual trip reduction plan reports are no longer requested by the City.

Existing TDM Plans

As of the time of publication of this staff report, six complete TDM plans have been received by the City since the adoption of the ordinance in 1993. Twelve additional development projects have been reviewed for TDM compliance as part of the plan check process after the City stopped requiring TDM Trip Reduction Plans with submittals:

Property Name	Address	Status
*1. *Bristol Farms*	*9039 Beverly Blvd*	*Constructed*
2. The Lot	1041 Formosa Ave	Constructed
*3. *901 Hancock*	*901 Hancock Ave*	*Constructed*
*4. *Palihouse*	*8465 Holloway Dr*	*Constructed*
5. The Huxley	1234 N La Brea Ave	Constructed
6. Restoration H.	8564 Melrose Ave	Constructed
7. PDC Red Building	8687 Melrose Ave	Constructed
8. Melrose Triangle	9001-9040 Melrose Ave	Approved
*9. *Phyllis Morris*	*655 N Robertson Blvd*	*Constructed*
10. Pavillion's	8969 Santa Monica Blvd	Constructed
*11. *Gateway Center*	*7100 Santa Monica Blvd*	*Constructed*
12. The Dylan	7111 Santa Monica Blvd	Constructed
13. Faith Plating	7141 Santa Monica Blvd	Under Construction
14. Movietown Plaza	7304 Santa Monica Blvd	Under Construction
15. Walgreen's	8100-8120 Santa Monica Blvd	Under Construction
16. Sunset Millennium II	8490 Sunset Blvd	Under Construction
*17. *Sunset Millennium I*	*8590 Sunset Blvd*	*Constructed*
18. Commercial Building	8981 Sunset Blvd	Constructed

**Projects listed above in italics have submitted a full TDM Trip Reduction Plan, others listed are in compliance by way of TDM Conditions of Approval.*



The above map shows all properties subject to the City's TDM Ordinance.

Challenges in Implementation:

- Businesses may turn over making tracking difficult.
- Business-appointed 'transportation coordinators' (required by the ordinance) come and go frequently, often with no reassignment of the position.
- Time consuming to manage the program properly.
- Little payoff in terms of congestion management. The ordinance covers only 18 commercial properties.
- Viewed as onerous regulations by developers and businesses community.

Other TDM Programs in the Region:

Regionally, many other cities are facing similar challenges to West Hollywood in managing effective TDM programs. The 1993 model TDM ordinance was adopted by most cities in the region during the same time period and incorporated the technical requirements of South Coast Air Quality Management District (SCAQMD's Rule 2202), AB2109 (California Parking Cash-Out Program), and the Los Angeles County Metropolitan Transportation Authority Congestion Management Plan. Many cities have found that the ordinance is difficult to implement and has a minimal benefit, if any, to traffic congestion. As a result many cities have updated their TDM ordinances over the years, adding new strategies consistent with best practices in the field, while maintaining the original language required by the 1993 model ordinance.

City of Beverly Hills:

The City of Beverly Hills has TDM policies included in its General Plan, and an adopted TDM ordinance, however no reporting by businesses is required.

City of Los Angeles:

The City of Los Angeles has a TDM Ordinance similar to West Hollywood's that is triggered by commercial development of 25,000 square feet or more. Annual reporting is required for 5 consecutive years. This TDM program is implemented based on automobile 'trips' evaluated during CEQA review in place of square footage. If a project must reduce trips in order to be approved, additional requirements will be applied. The City of Los Angeles has multiple staff assigned to TDM compliance as a portion of their caseload, but not a dedicated staff person.

City of Pasadena:

Pasadena's ordinance applies to commercial developments of 25,000 commercial square feet or more, with a higher tier category for projects of 75,000 square feet or more with enhanced requirements. Pasadena maintains one full time staff position to coordinate annual reporting of plans for businesses subject to the ordinance.

City of Santa Monica:

The City of Santa Monica's ordinance applies to all businesses, and categorizes businesses into separate tiers with different requirements, along with a fee that funds two dedicated staff positions. The Land Use & Circulation Element of their General Plan is predicated on the idea that no new net 'trips' will be generated by new growth. This has led Santa Monica to be more aggressive with Transportation Demand Management.

Legislative & Cultural Context

The context in which the City's Transportation Demand Management ordinance was adopted in 1993 has changed dramatically. Today, global climate change is at the forefront of international politics, auto congestion continues to worsen in the region, and alternate transportation modes have become viable solutions. Since 1993 when the City's TDM Ordinance was adopted, Metro has developed multiple heavy and light rail lines, bus rapid transit lines (dedicated busways), and a large network of Metro Rapid Buses. More recently, the advent of the sharing economy has provided a last mile solution for many Los Angeles area residents. Significant demographic and cultural shifts have strengthened the demand for public transportation and supporting facilities and programs.

Next Steps

A comprehensive update to the TDM ordinance is planned as part of the adopted 2014-15 Long Range and Mobility Planning Division work program. The City anticipated and update to the Transportation Demand Management Ordinance and integrated these principles and policies as part of the General Plan update process in 2011. During the process, there was strong support for the City to encourage alternate transportation modes both to reduce auto congestion and reduce the demand on the City's parking resources. As a result, Goal M-6 of the General Plan urges the City to "Utilize Transportation Demand Management strategies to reduce auto travel." One of the specific policies listed below that goal

is M-6.1, “Maintain and periodically update a Transportation Demand Management (TDM) Ordinance to reduce auto trips associated with new development.” In 2013, staff sought grant funding from the Strategic Growth Council to perform a comprehensive update to the Transportation Demand Management Ordinance and the City was awarded the funding. The Sustainable Communities Planning Grant Award will be used to analyze the effectiveness of the City’s current TDM measures, incorporate best practices in the field, and to prepare an updated ordinance. Staff will return to the Transportation Commission and City Council with further information about this project and with a scope of work in early 2015.

ATTACHMENTS:

A. Transportation Demand Management Ordinance