

SUBJECT: TRANSPORTATION DEMAND MANAGEMENT ORDINANCE

PREPARED BY: PLANNING & DEVELOPMENT SERVICES DEPARTMENT

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STATEMENT ON THE SUBJECT:

The City Council will consider amendments to the Municipal Code to adopt an updated Transportation Demand Management Ordinance.

RECOMMENDATION:

Staff recommends that the City Council hold the public hearing, consider all pertinent testimony, and introduce on first reading the following Ordinance:

1. Ordinance No. 18-____: **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, ADOPTING A MUNICIPAL CODE AMENDMENT TO REVISE CHAPTER 10.16, TRANSPORTATION DEMAND MANAGEMENT, AND AMENDING TITLE 19, ZONING ORDINANCE, TO ESTABLISH A NEW TRANSPORTATION DEMAND MANAGEMENT PROGRAM FOR CERTAIN DEVELOPMENT AND EMPLOYERS, IN WEST HOLLYWOOD, CALIFORNIA (ATTACHMENT A).**

BACKGROUND / ANALYSIS:

The City is updating its Transportation Demand Management (TDM) ordinance to help manage congestion, reduce drive-alone trips, and reduce greenhouse gas emissions through requiring new developments to provide physical improvements and incentives to create more travel options for their employees, residents, and visitors. The updated TDM ordinance contains specific measures aimed at providing incentives, on-site improvements, and resources that will reduce the number of drive-alone auto trips. This also reflects the city's goal of shifting travel modes from private/solo vehicle use to transit, carpooling, walking or biking.

These efforts are guided by specific policies adopted in the City's General Plan 2035 and Climate Action Plan focused on reducing the City's annual communitywide greenhouse gas emissions and also reducing traffic congestion in West Hollywood. In addition, the TDM program update echoes the AQMD regional Air Quality Management

Plan and the Congestion Management Plan call for rules and regulations to reduce work and non-work related motor vehicle traffic and thereby reduce emissions of air pollutants generated by motor vehicles. This effort is also funded through a Strategic Growth Council grant, a group that funds initiatives to address climate change. The grant also requires that this TDM Ordinance go before the City Council by July 2018.

TDM seeks to reduce congestion and improve overall mobility by influencing individual travel behavior. Best practice evidence, from local and national examples, suggests that this can be achieved by using employer-based trip reduction strategies to influence how an individual chooses to get to work. These strategies are designed to focus on addressing the travel behavior of employees who commute to work by encouraging employers to develop commute programs for their employees that offer mobility options that are flexible, convenient, budget-friendly, and easy to use, comparative to driving alone. TDM is not a comprehensive solution for West Hollywood traffic congestion as it focuses on work trips and is not intended to address regional pass-through trips.

The existing TDM ordinance, which the City adopted in 1993, complies with regional and State requirements of 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 current TDM ordinance includes several commute travel programs that can be included in a trip reduction plan to target commute travel, such as "implementation of an educational program" and "direct financial incentives to employees or others for ridesharing, bicycling, walking or mass transit use." Under the 1993 ordinance, these guidelines are only applicable to employers of five or more employees at a worksite located in the city and in a development of ten thousand or more square feet of enclosed space. A copy of the current adopted TDM Ordinance is provided in Attachment F.

Two goals of the project were to update this limited definition to cover a larger swath of employers in the City to decrease the rate of employees that drive alone to work and to set a higher standard for new development. In updating the program, the initial approach taken by the project team was focusing on employer-based trip reduction strategies and incorporating amenities into developments that encourage work trips by sustainable modes, such as biking, walking, and transit by making them easy and convenient. Given this approach the outreach process was focused on employers and developers.

Stakeholder Engagement

The City formed a TDM Working Group comprised of commissioners and stakeholders representing local businesses, hotel operators, architects and members from the West Hollywood Bicycle Coalition. The TDM Working Group met four times with the project team to provide important feedback to City staff on the best practices and framework for the program and draft program strategies. In addition the proposed TDM framework was presented to the Planning Commission and Chamber of Commerce Government Affairs Committee on March 15, 2018; the Transportation Commission on March 21, 2018; City Council on April 2, 2018; and members of the Chamber of Commerce on April 26, 2018.

In the development of the framework, careful consideration was taken so as not to burden small businesses in effort or cost but have larger businesses contribute more TDM strategies to offset their higher traffic profile; however, during the course of the outreach, common barriers to this approach were expressed by the business community including:

1. Travel distances and the lack of availability and convenience of mobility options for employees between home and work locations
2. Financial limitations of an employer to provide a commute travel program
3. Employer perception of the benefits of a TDM program are limited

Since the presentation of the draft framework, the TDM Policy options have been updated to reflect the latest input from the TDM Working Group, business/development community, commissions, and City Council. The most significant changes are 1) the pivot to a program that is mainly focused on achieving trip reduction goals through new development only and 2) the originally proposed point system has been replaced with a simpler menu. The proposed program includes an extensive data collection program conducted through annual surveys to provide a greater understanding on commuting patterns of employees within the City. The commute database will provide valuable feedback on the effectiveness of the TDM program and form a basis on potential adjustments of strategies for improvements. The program also extends to new residential developments of ten units or more to allow for dissemination of TDM materials and overall awareness of other available modes of travel besides personal auto use.

On June 7, 2018, staff presented the updated TDM program to the Planning Commission for recommendation to City Council regarding the adoption of amendments to Title 19, Zoning Ordinance which references the TDM program contained in Title 10. The Planning Commission adopted the resolution unanimously (Attachment B) but did express concerns with the TDM Ordinance which include the following:

1. Cost of implementation for developers/businesses does not align with the benefits.
2. Correlation between cost effectiveness ranking and values of the point system are not clear.
3. The TDM program and point system seems prescriptive and onerous on developers.

The Planning Commission approved staff's recommendation with the caveat that the comments and concerns expressed be forwarded to the Transportation Commission and the City Council. Attachment D is the transcript of the item that was discussed during the June 7, 2018 Planning Commission which provides verbatim the concerns/comments that were raised during the meeting.

On June 20, 2018, the Transportation Commission approved staff's recommendation to recommends approval to the City Council of the subject municipal code amendments, and adoption of the Transportation Demand Management Menu of Trip Reduction Strategies with the following additional recommendations to the City Council: (1) Consider requiring parking cash out as a base requirement; and (2) Consider expanding the program to apply to existing residential buildings with over 50 dwelling units, with no

AVR requirements; and (3) Consider requiring existing residential buildings with less than 50 dwelling units to provide TDM marketing and participation in the annual TDM survey, with no AVR requirements. The adopted Resolution No. TC18-617 is provided as Attachment C.

The TDM Ordinance has been modified in direct response to the comments and concerns expressed by Planning Commission and the Chamber of Commerce. The proposed point system has been eliminated and the requirements that would have been required on developer have also been reduced. Details of the revised ordinance are discussed later in this staff report.

There are two sets of amendments to the West Hollywood Municipal Code being proposed as part of this program update, including (1) amendments to Title 19, Zoning Ordinance, to provide reference to the program and notice to development projects that will be required to comply, and also (2) amendments to Chapter 10.16, Transportation Demand Management, with the updated program.

Amendments to Title 19, Zoning Ordinance (Planning Commission):

The following are amendments to Title 19, Zoning Ordinance, which are within the purview of the Planning Commission:

- Amend reference to TDM program in Section 19.20.060A, which incorrectly references Chapter 19.16 instead of Chapter 10.16;
- Addition of Section 19.20.250, Transportation Demand Management, to provide reference to the requirements in Chapter 10.16; and
- Amend Section 19.48.060, Conditions of Approval, Development Permits, to require a condition of approval for a TDM program for certain development.

TDM Program- Amendments to Chapter 10.16 (Transportation Commission):

The requirements of the updated TDM Program are outlined in the updated Chapter 10.16, Transportation Demand Management Ordinance. This draft resolution is provided for reference.

The Transportation Demand Management Ordinance applies to the following:

1. New, substantially remodeled, and additions to commercial and mixed use development with at least 5,000 SF total commercial floor area;
2. New Residential Buildings with at least 10 units;
3. Current employers with 10 or more employees (see below for limited requirements).

Staff proposes using a simple menu system that allows the developer flexibility in choosing TDM strategies that work best for their development size, budget, and end-user type as detailed in the draft TDM Menu. The menu provides a range of options appropriate for various sizes and types of developments. The proposed TDM Plan for a given development project would be required to show a defined number of strategies depending on the size and type of the development. The TDM Plan would be submitted for approval to the Public Works Director prior to issuance of certificate of occupancy. These recommended strategies have been ranked based on their effectiveness for trip

reduction based on California Air Pollution Control Officers Association (CAPCOA) research and their effectiveness at reducing greenhouse gas and vehicle miles traveled. Choosing strategies with higher effectiveness will help to achieve the average vehicle ridership (AVR) goal. AVR is the key metric to define progress for commercial and mixed use development. AVR is the number of employees reporting to or leaving the worksite during a five-day time window, divided by the number of vehicles arriving or leaving the worksite during the same window. AVR is an industry standard used by many jurisdictions and endorsed by AQMD to measure effectiveness of TDM programs.

With enough new development incorporating TDM measures in construction and operation, people will find it easier to get around without relying on a vehicle. For example, a new apartment building that provides dedicated on-site car share and subsidizes car share memberships for the tenants of that building provides a desirable amenity and decreases the necessity for owning a car to get around. Over time, measures such as these have been demonstrated to reduce vehicle trips by providing residents, employees, and visitors an option to leave their cars at home. Other strategies include physical amenities such as bike repair stations, bike storage, and on-site daycare, programmatic strategies such as guaranteed ride home, employee parking cash-out, and commuter incentives. The full menu, with detailed descriptions is provided in Attachment A, Exhibit A.

The TDM Ordinance has three different sets of requirements tailored to specific project types, including the commercial/mixed use requirements, the residential requirements, and employer requirements.

Commercial/Mixed Use Development:

The following commercial and mixed use developments are required to comply with the TDM Ordinance as a condition of their development permit:

1. New structures of 5,000 or more square feet of commercial floor area;
2. Major remodels of 5,000 or more square feet of existing commercial floor area;
3. Additions of 5,000 or more square feet of commercial floor area.

The commercial and mixed use developments have the following program requirements:

1. TDM Marketing: Implement the requirements for TDM Marketing, which includes on-site transportation information and other marketing requirements;
2. TDM Plan and Requirements: Submit a TDM Plan detailing the selected TDM strategies, as provided by the Adopted TDM Menu, that meets the requirements as follows:
 - a. Commercial or mixed use structures with a total of ten thousand square feet or less of floor area: four (4) strategies
 - b. Commercial or mixed use structures with a total of more than ten thousand square feet of floor area: eight (8) strategies
3. AVR Goal: Employ best efforts to implement TDM strategies identified in TDM Plan to achieve the commercial only AVR goal of 1.5;

4. TDM Survey: Conduct the annual TDM survey, provided by and submitted to the Director, which calculates estimated AVR for commercial employees and tracks commute trends
5. Submit a Commercial and Mixed Use Project Annual TDM Report, as further outlined in Section 10.16.080.
6. Maintain TDM records and participate in any City audits.

Prior to issuance of a certificate of occupancy, developers will be are required to submit a TDM Plan to the City that details the TDM strategies that will be implemented to meet the required strategies outlined above. The entity can pick from a number of TDM strategies that are outlined in the TDM Menu, provided as Exhibit A within Attachment A, the draft TDM Ordinance. Any physical strategies, such as bike racks or on-site showers, must be constructed prior to issuance of a certificate of occupancy. The ultimate goal of the TDM Plan is to reduce trips and achieve the trip reduction goal of average vehicle ridership (AVR) target of 1.5 for both AM and PM peak periods.

After a TDM Plan is approved, the business will participate in an annual survey conducted by the City. This survey will result in an estimated AVR for the entity. This AVR will be incorporated into the annual report. If the AVR goal of 1.5 is achieved, the entity can elect to maintain the existing strategies. If the AVR goal is not met, the entity can amend the plan to provide for additional or new strategies to help reach the AVR goal. Entities might not achieve the AVR goal in the first year, or even the second year, so adjusting the plan to achieve the goal may be necessary after evaluating its efficacy.

Residential Development:

New residential Developments with 10 or more units are required to have the following program requirements:

1. TDM Marketing: Implement the requirements for TDM Marketing, which includes on-site transportation information and other marketing requirements
2. TDM Plan: Submit a TDM Plan with TDM strategies that meets the requirements as follows:
 - a. Residential structures with 10-19 units: three (3) strategies
 - b. Residential structures with 20 or more units: five (5) strategies
3. TDM Survey: Conduct annual TDM survey provided by and submitted to the Director.
4. Submit a Residential Annual Compliance Report that shows proof that TDM strategies are in place
5. Maintain TDM records and participate in any City audits.

New residential buildings with 10 or more dwelling units are required to comply with the TDM Ordinance, but are not tied to a specific AVR goal. This is because it is difficult to assess residential AVR, which is typically an employer-based calculation. Further, new residential developments are only required to provide a compliance report showing how

the strategies continue to be implemented, but are not required to amend the project's TDM Plan since there is no target AVR.

Employers with ten (10) or more employees

In addition, all new and existing employers of ten (10) or more employees would need to participate in data collection and promotion only, by doing the following:

1. Provide TDM Marketing, including on-site transportation information; and
2. Participate in the annual transportation survey, provided by and submitted to the Director.

There are no physical or programmatic requirements proposed for employers and they are exempted from the providing a TDM plan or enacting any trip reduction strategies.

Employers of 250 employees or more are still required to comply with the South Coast Air Quality Management District (AQMD), Rule 2202, On-Road Motor Vehicle Mitigation Options, Employee Commute Reduction Program Guidelines, as amended, and would now be required to provide the City with verification of this compliance on an annual basis.

TDM Marketing Requirement

Every applicable project type is required to do TDM Marketing. This helps educate residents, employees and visitors on their choices in transportation. TDM Marketing includes provision vehicular and non-driving directions to the site on any applicable websites, and the provision of on-site transportation information. Providing on-site transportation information is the common core requirement among all TDM ordinance participants – and should prove valuable in reducing trips. The City will provide information for entities to use and distribute, but the entity is welcome to create their own materials. The material for on-site transportation information can be customized and designed for maximum effectiveness. For example, new resident welcome packets will be most effective for residential developers, while a commercial building may target visitors or employees in their travel information. Some developments will prefer to distribute digital material, and others will prefer traditional printed materials. However, consistent and effective messaging created by City staff can help make awareness of multimodal transportation options and programs a new cultural norm of West Hollywood.

Annual Survey

Obtaining better information about how people get around and which strategies make a difference in travel behavior is a core feature of the ordinance and program. As part of the annual review, entities with a TDM Plan, and employers with 10 or more employees are required to participate in a City-run transportation survey. This survey will help the City collect data to track program effectiveness and it will also help certain entities establish their employee AVR for their required annual report. The City aims for broad participation in the annual survey and to achieve this, City staff would focus on designing a survey that is primarily web-based, set up to prioritize simplicity, high participation, and is easy to navigate and promote. The online survey will generate results automatically for City staff review. A summary of the survey results will be provided to the Transportation Commission, and City Council on an annual basis.

Annual Reports and Review

For commercial and mixed use developments, upon receipt of the estimated AVR from the annual survey, each entity required to conduct annual report will provide a document to the City. If the project meets its AVR goal, it continues to implement the same strategies. If the AVR goal is not met, an updated plan will be required showing improvements that will meet the required AVR. AVR is a target goal, and the City understands that TDM Plans may need to be adjusted as necessary to reach that goal.

For residential developments, there is no AVR goal, so the Annual Report includes evidence that all TDM strategies in the TDM Plan continue to be accessible and implemented. Requirements for reporting are provided as reference in the TDM Menu, located in Attachment A, Exhibit A of this staff report.

Consistency with the General Plan

The amended TDM program, and associated amendments to Title 19, Zoning Ordinance, are consistent with the Goals and Policies of the General Plan, specifically those that recommend a TDM program, including Goal M-6 of the Mobility Element, which states that the City should utilize Transportation Demand Management strategies to reduce auto travel, Objective M-6.1, which states that the City should maintain and periodically update a Transportation Demand Management (TDM) Ordinance to reduce auto trips associated with new development; Objective M-6.7, which states the City should support carpool, rideshare, and telecommuting programs in partnership with the City's business community, and strive for increased participation rates, and Policy M-1.4, which calls for the City to consider requiring development developments to include transit amenities and transit incentive programs.

CONFORMANCE WITH VISION 2020 AND THE GOALS OF THE WEST HOLLYWOOD GENERAL PLAN:

This item is consistent with the Primary Strategic Goal(s) (PSG) and/or Ongoing Strategic Program(s) (OSP) of:

- OSP-4: Transportation System Improvement.
- PSG-1: Maintain the City's Unique Urban Balance with Emphasis on Residential Neighborhood Livability.

In addition, this item is compliant with the following goal(s) of the West Hollywood General Plan:

- M-6: Utilize Transportation Demand Management strategies to reduce auto travel.
- IRC-7: Improve air quality and reduce emissions of air pollution.

EVALUATION PROCESSES:

As part of the TDM ordinance update, staff will return to Council with an implementation and monitoring plan that will clarify roles and responsibilities for implementation and operation of new TDM program, measurements for tracking progress, and guidance for monitoring and enforcement.

ENVIRONMENTAL SUSTAINABILITY AND HEALTH:

Enhancing the TDM ordinance to more aggressively manage drive alone trips is crucial for achieving the City's air quality goals and protecting the health and welfare of the community. Transportation-related emissions make up 65% of the City's greenhouse gas emissions inventory. When people choose to leave their car at home, West Hollywood's carbon footprint decreases and air pollution improves.

COMMUNITY ENGAGEMENT:

The City formed a TDM Working Group comprised of commissioners and stakeholders representing local businesses, hotel operators, architects and members from the West Hollywood Bicycle Coalition. The TDM Working Group met four times with the project team to provide important feedback to City staff on the best practices and framework for the program and draft program strategies. In addition the proposed TDM framework was presented to the Planning Commission and Chamber of Commerce Government Affairs Committee on March 15, 2018; the Transportation Commission on March 21, 2018; City Council on April 2, 2018; and members of the Chamber of Commerce on April 26, 2018.

OFFICE OF PRIMARY RESPONSIBILITY:

PLANNING & DEVELOPMENT SERVICES DEPARTMENT / LONG RANGE & MOBILITY PLANNING DIVISION

FISCAL IMPACT:

None at this time.

ATTACHMENTS:

- A. Draft Ordinance CC18-XXXX
- B. Adopted Resolution No. PC18-1264, Amendments to Title 19
- C. Adopted Resolution No. TC18-617, Amendments to Chapter 10.16
- D. Draft Planning Commission Meeting Transcript – TDM Item 10B only
- E. Draft Transportation Commission Meeting Minutes
- F. Existing TDM Ordinance

ATTACHEMENT A
DRAFT TDM ORDINANCE

DRAFT ORDINANCE NO. 18-_____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, ADOPTING A MUNICIPAL CODE AMENDMENT TO REVISE CHAPTER 10.16, TRANSPORTATION DEMAND MANAGEMENT, AND AMENDING TITLE 19, ZONING ORDINANCE, TO ESTABLISH A NEW TRANSPORTATION DEMAND MANAGEMENT PROGRAM FOR CERTAIN DEVELOPMENT AND EMPLOYERS, IN WEST HOLLYWOOD, CALIFORNIA.

The City Council of the City of West Hollywood hereby finds, resolves, and orders as follows:

SECTION 1. On September 19, 2011, the City Council adopted the 2035 General Plan, which calls for the city to: (1) Utilize Transportation Demand Management strategies to reduce auto travel (Goal M-6); (2) Maintain and periodically update a Transportation Demand Management (TDM) Ordinance to reduce auto trips associated with new development (Objective M-6.1); (3) Support carpool, rideshare, and telecommuting programs in partnership with the City's business community, and strive for increased participation rates (Objective M-6.7); and (4) Consider requiring development projects to include transit amenities and transit incentive programs (Policy M-1.3).

SECTION 2. The City of West Hollywood's Climate Action Plan identifies that automobiles and other motor vehicles generate the majority of greenhouse gas emissions in West Hollywood. Motor vehicles cause approximately sixty percent of the region's oxides of nitrogen and eighty-seven percent of the region's carbon monoxide emissions.

SECTION 3. The City of West Hollywood is situated within the South Coast Air Basin which has some of the most noxious air pollution in the United States. Air pollution from motorized transportation vehicles is a persistent and growing threat to public health in the region and has prompted, in part, the adoption of a regional Air Quality Management Plan by the South Coast Air Resources Board, and the Congestion Management Plan by the State Legislature and the Los Angeles County Metropolitan Transportation Authority.

SECTION 4. The City of West Hollywood's Infrastructure, Resources and Conservation Element (see Objective IRC-6.9 and Goal 6), and the AQMD regional Air Quality Management Plan and the Congestion Management Plan call for rules and regulations to reduce work and non-work related motor vehicle traffic and thereby reduce emissions of air pollutants generated by motor vehicles.

SECTION 5. The City's TDM Ordinance was established in 1993, and was in effect when the General Plan 2035 was adopted. It is necessary to adopt an ordinance amending the City of West Hollywood Municipal Code to meet the goal to make the existing program stronger. As a result, the proposed regulations require certain building owners, developers, multifamily residential property managers, hotel owners and other

entities to plan for and implement transportation demand management measures to reduce drive-alone mode share and increase the use of transit, walking and bicycling, thereby reducing the emission of air pollutants due to work and non-work related automobile trips. In order to implement the General Plan, the City seeks to amend the Transportation Demand Management Ordinance in Chapter 10.16, as identified in Exhibit A.

SECTION 6. A public hearing was duly noticed for the Planning Commission meeting of June 7, 2018 by publication in the Beverly Press newspaper, the West Hollywood Independent Newspaper, and the City website and by announcement on City Channel 6 starting May 24, 2018. On June 7, 2018, the Planning Commission held a public hearing and recommended approval of the subject Zone Text Amendments to Title 19, Zoning Ordinance, and provided input on recommended changes to the TDM program.

SECTION 7. A public meeting was duly noticed for the Transportation Commission meeting of June 20, 2018 by posting on the City website, by announcement on City Channel 6 and by posting in all required official posting locations. On June 20, 2018, the Transportation Commission held a public meeting and recommended approval to the City Council of the subject municipal code amendments, and adoption of the Transportation Demand Management Menu of Trip Reduction Strategies with the following additional recommendations to the City Council: (1) Consider requiring parking cash out as a base requirement; and (2) Consider expanding the program to apply to existing residential buildings with over 50 dwelling units, with no AVR requirements; and (3) Consider requiring existing residential buildings with less than 50 dwelling units to provide TDM marketing and participation in the annual TDM survey, with no AVR requirements.

SECTION 8. The ordinance is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061 of the CEQA Guidelines. Section 15061 states that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Transportation Demand Management programs are shown to reduce impacts on the environment by providing incentives and requirements that lead to increases in average vehicle ridership, and increasing usage of public transportation and other alternatives to driving. The zone text changes are also Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15308, which exempts actions by regulatory agencies to protect the environment. A Program Environmental Impact Report (State Clearinghouse #2009091124) was prepared for the City of West Hollywood General Plan and Climate Action Plan, and was certified by the City Council on September 19, 2011. The proposed text amendments are in accordance with recommendations of the General Plan.

SECTION 9. The City Council of the City of West Hollywood hereby finds that the proposed municipal code amendment is consistent with the Goals and Policies of the General Plan, specifically those that recommend a TDM program, including Goal M-6 of the Mobility Element, which states that the city should utilize Transportation Demand Management strategies to reduce auto travel, Policy M-6.1, which states that the city should maintain and periodically update a Transportation Demand Management (TDM)

Ordinance to reduce auto trips associated with new development; Policy M-6.7, which states the city should support carpool, rideshare, and telecommuting programs in partnership with the City's business community, and strive for increased participation rates, and Policy M-1.4, which calls for the city to consider requiring development to include transit amenities and transit incentive programs. This action implements General Plan 2035 and the Climate Action Plan as a measure to reduce overall Greenhouse Gas Emissions and vehicle trips by providing incentives and strategies for trip reduction.

SECTION 10. Section 1.08.010(d), Code Violations Subject to Administrative Penalty Procedures Pursuant to this Chapter, of Chapter 1.08 of Title 1 of the West Hollywood Municipal Code is amended to add the following Chapter to the numerical list of chapters and sections that are subject to the provisions of Sections 1.08.030 through 1.08.070 of this chapter :

Chapter 10.16, Transportation Demand Management;

SECTION 11. Chapter 10.16 Transportation Demand Management of Title 10 of the West Hollywood Municipal Code is amended in its entirety to read as follows:

10.16.010 Title.

This chapter shall be known as the West Hollywood "Transportation Demand Management Ordinance."

10.16.020 Purpose.

The purpose of this chapter is to:

- a. Implement Goal M-6 of the General Plan Mobility Chapter;
- b. Comply with the Congestion Management Program (CMP), which requires that local jurisdictions adopt a trip reduction ordinance;
- c. Encourage land use patterns and resource allocations which are conducive to travel behavior that is not dependent on the automobile;
- d. Provide for a diversity of transportation options reflective of the needs and goals of the city;
- e. Promote sustainable travel modes by requiring certain developments to incorporate design features, incentives, and measures to support transit, shared rides, walking, and biking for residents, tenants, employees, and visitors;
- f. Increase average vehicle ridership and reduce the city's vehicle miles travelled associated with travel from, to, and within the city;
- g. Reduce the emission of air pollutants generated by automobiles and to assist in the attainment of the ambient air quality standards of the Federal Clean Air Act, and to comply with the Air Quality Management Plan and the Congestion Management Program, and thereby protect the public health and welfare.

10.16.030 Definitions.

As used in this chapter:

Average vehicle ridership or AVR shall mean the total number of people that arrived at a site on the given day of observation, divided by the number of vehicles trips into or out

of the site during the defined peak period of 6 a.m. to 10 a.m. in the morning and 3 p.m. to 7 p.m. in the evening.

Department shall mean the City of West Hollywood Department of Public Works.

Development shall mean any construction activity, including the erection or alteration of structures. New development is any construction, or alteration of an existing structure or land use, or establishment of a land use.

Director shall mean the City of West Hollywood Director of Public Works or their designated appointee.

Employee shall mean one who is assigned to the designated work site. An employee is one who works in the service of an employer for either wages or salary, as a contract employee under the direction of the work site employer or through a temporary service agency during a period of more than ninety continuous days.

Employer shall mean any person or persons, firm, business, educational institution, government agency, nonprofit agency or corporation, or other Entity having employees at a worksite in the City of West Hollywood.

Entity shall mean any person or persons, firm, business, education institution, government agency, nonprofit agency or corporation, developer, or property owner within the City of West Hollywood that is subject to this ordinance.

Strategies shall mean any mechanism or concession that motivates or encourages activity related to sustainable transportation goals.

Ridesharing shall mean the use of a private vehicle to facilitate pre-arranged rides between residents, visitors, or employees within similar trip origins and destinations. Rideshare can be facilitated through a trip coordinator or with web or mobile based applications.

Site shall mean any development that includes residential units, retail uses, commercial uses, or office space, or any place of employment.

Transportation Demand Management (TDM) shall mean the implementation of strategies that will encourage individuals to increase the use of sustainable transportation options, reduce trip length, eliminate the trip altogether, or travel at another time other than peak periods.

Transportation Demand Management (TDM) Menu of Trip Reduction Strategies shall refer to the document that includes a list and details of each trip reduction strategy that may be selected for the TDM Plan, adopted by the City Council on file with the Department of Public Works.

Trip Reduction shall mean a reduction of the number of trips taken during defined peak travel hours in single-occupancy vehicles.

10.16.040 Applicability.

This chapter shall apply to the following:

- A. Commercial or mixed use development that meets the following criteria:
 - 1. A new structure containing five thousand square feet or more of commercial floor area
 - 2. Any major remodel to any existing structure where the completed structure contains five thousand square feet or more of commercial floor area
 - 3. An addition of five thousand square feet or more of commercial floor area to any structure
- B. New Residential structures with 10 or more dwelling units
- C. Employers with ten or more employees

10.16.050 TDM Program Requirements:

- A. Commercial or Mixed Use Development: Commercial or mixed use development that meet the thresholds of Subsection 10.16.040A have the following TDM Program Requirements:
 - 1. TDM Marketing: Implement the requirements for TDM Marketing, as outlined in Section 10.16.070;
 - 2. TDM Plan and Required Trip Reduction Strategies: Submit a TDM plan with the contents outlined in Section 10.16.060A, that provides a minimum number of trip reduction strategies as follows:
 - a. Commercial or mixed use structures with a total of ten thousand square feet or less of floor area: four strategies
 - b. Commercial or mixed use structures with a total of more than ten thousand square feet of floor area: eight strategies
 - 3. AVR Goal: Employ best efforts to implement TDM strategies determined in TDM Plan to achieve the commercial only AVR goal of 1.5;
 - 4. TDM Survey: Conduct the annual TDM survey, as outlined in Section 10.16.080, provided by and submitted to the Director, which calculates estimated AVR.
 - 5. Submit a Commercial and Mixed Use Development Annual Report, as further outlined in Section 10.16.080.
 - 6. Maintain TDM records in accordance with 10.16.110.
- B. Residential Development: Residential development that meet the threshold of Subsection 10.16.040B have the following TDM Program Requirements:
 - 1. TDM Marketing: Implement the requirements for TDM Marketing, as outlined in Section 10.16.070;
 - 2. TDM Plan and Required Trip Reduction Strategies: Submit a TDM plan with the contents outlined in Section 10.16.060A, that provides a minimum number of trip reduction strategies as follows:
 - a. Residential structures with 10-19 units: three strategies
 - b. Residential structures with 20 or more units: five strategies
 - 3. TDM Survey: Conduct annual TDM survey, as outlined in 10.16.080, provided by and submitted to the Director.

4. Submit a Residential Annual Compliance Report, as further outlined in Section 10.16.100.
 5. Maintain TDM records in accordance with 10.16.110.
- C. Employers with 10 or more employees: Employers with 10 or more employees shall be required to provide the following:
1. TDM Marketing: Implement the requirements for TDM Marketing, as outlined in Section 10.16.070;
 2. TDM Survey: Conduct the annual TDM survey, as outlined in 10.16.080, provided by and submitted to the Director.
- D. Employers with 250 or more employees: All employers with 250 or more employees shall comply with the South Coast Air Quality Management District (AQMD), Rule 2202, On-Road Motor Vehicle Mitigation Options, Employee Commute Reduction Program Guidelines, as may be amended from time to time, and shall provide the city with verification of this compliance on an annual basis.

10.16.060 TDM Plan Review and Processing.

- A. TDM Plan Contents: A TDM plan shall include each of the following:
1. Responsible party: The name of a representative who is responsible for implementation of the plan. The TDM plan must be signed by persons with authority to legally bind each Entity for which it is submitted.
 2. A statement describing the number of trip reduction strategies required to provide, as stated in Section 10.16.050.
 3. An inventory of trip reduction strategies to be implemented from the TDM Menu of Trip Reduction Strategies;
 4. A schedule for implementation of the trip reduction strategies, if applicable.
 5. A statement acknowledging the requirements of this chapter and committing to implement the plan signed on behalf of each Entity for which the plan is submitted.
 6. Submittal of TDM fee appropriate for the Entity as described in 10.16.130.
 7. Narrative of compliance with TDM Marketing requirement, as further regulated by 10.16.070.
- B. Condition of Approval: The provision of a TDM plan shall be incorporated as a condition of approval for all applicable development permits issued under Title 19, Zoning Ordinance.
- C. The TDM Plan may be approved or denied by the Director. The Director shall provide a determination in writing, and if denied, provide a reason for denial.
- D. The TDM plan shall be approved, with or without conditions, only if the Director, or reviewing body, first finds that:
1. For commercial and mixed use development, the TDM Plan is appropriate for the types of uses on the site, and will help achieve the AVR goal.
 2. For residential development, the TDM Plan meets the required number of trip reduction strategies and can be implemented in a residential building.
- E. The TDM Plan shall be approved prior to issuance of a certificate of occupancy or final building inspection sign-off, as applicable. Any physical improvements shall be constructed prior to issuance of certificate of occupancy or final building inspection

sign-off, as applicable. Operational strategies shall be implemented upon occupation of the subject structure, or as approved in the TDM Plan.

F. Decisions of the Director may be appealed in compliance with Section 10.16.150.

10.16.070 TDM Marketing Requirements.

All entities required to provide TDM Marketing shall provide the following:

- A. External website, when in existence, shall include transit and non-auto directions when driving instructions provided.
- B. On-site transportation information: On-site transportation information shall be located where the greatest number of visitors, employees, and residents are likely to see it, and may be necessary in multiple locations to accommodate larger entities. This information can be provided in an on-site physical location, such as a bulletin board or kiosk, or through other media, such as on a website or other digital means. The Director will provide access to promotional materials, events, and technical assistance regarding transportation options that may be utilized to satisfy this requirement. Employers required to meet the TDM marketing requirement may receive credit for the on-site transportation information if the building has information posted in a place utilized regularly by employees and visitors, if applicable. The information shall include, but is not limited to, the following:
 - 1. Current maps, routes and schedules for public transit routes within a ½ mile of the site;
 - 2. Information including regional ridesharing agency, local transit operators, and City transportation resources;
 - 3. Ridesharing promotional material supplied by commuter-oriented organizations;
 - 4. Bicycle route and facility information, including bike share hubs, regional/local bicycle maps, and rental and sales locations within ½ mile of the site.
 - 5. A listing of facilities available for carpoolers, vanpoolers, bicyclists, transit riders and pedestrians at the site.
 - 6. Walking and biking maps for employees and visitors, which shall include, but not be limited to, information about convenient local services and amenities within walking distance of the development.

10.16.080. Annual TDM Survey.

The Director is authorized to publish an annual TDM survey, and entities required to participate in the survey shall provide a minimum of 80% response rate within sixty days of annual survey publication. The responsible party, as outlined in the TDM plan, is responsible for distributing the survey to individuals on-site and ensuring compliance with response rates. Surveys are required for the TDM annual reports, and are necessary in order for the city to track the efficacy of this ordinance.

10.16.090 Commercial and Mixed Use Development Annual Report

- A. Development outlined in Section 10.16.040A shall be required to submit an annual report, signed under penalty of perjury by persons with authority to legally bind each entity for which it is submitted, to the Director on the anniversary date of a previously submitted plan, or sixty days after the completion of the annual TDM commute survey, whichever is less restrictive, and shall include the following:

1. The trip reduction strategies implemented; and
 2. Narrative of compliance with TDM Marketing requirements; and
 3. The current AVR as determined by the most recently completed TDM survey.
 4. If the current AVR does not meet the required AVR goal, the annual report shall provide amended trip reduction strategies which can reasonably be expected to achieve that AVR goal within twelve months.
- B. The annual report shall be submitted for review and approval by the Director. The annual report shall be approved, with or without conditions, only if the Director, or reviewing body, first finds that: The revised trip reduction strategies are appropriate for the types of uses on the site, and will help achieve the AVR goal.
- C. Any plan denied by the Director shall be resubmitted within thirty days of receipt of the notice of denial. If an Entity's plan is twice denied, and until such time as a revised plan is submitted and approved, the Entity shall be in violation of this chapter.
- D. Any amended strategies shall be implemented within sixty days of annual report approval, or as approved by the Director.

10.16.100 Residential Annual Compliance Report

- A. Residential development with an approved TDM plan shall submit an annual compliance report, signed under penalty of perjury by persons identified in the TDM plan, or their successor, with the following information on an annual basis before the anniversary of the approved TDM plan:
1. The trip reduction strategies implemented; and
 2. Proof of continued maintenance and operation of each trip reduction strategy; and
 3. Narrative of compliance with TDM Marketing requirements.

10.16.110 Records and Audits:

Entities required to submit a TDM and subsequent annual review shall maintain and preserve, for the life of the development, such records as may be necessary to demonstrate compliance with this chapter and to determine AVR for at least one week per year. Upon request of the Director, an Entity shall provide the necessary records to substantiate the most current recorded AVR calculation and to demonstrate compliance with this chapter. If upon audit of such records, the Director determines the Entity has not complied with this chapter, the Entity shall file a revised plan or annual report or take such other steps as the Director determines necessary to comply with this chapter within thirty days of receipt of written notice of the Director's determination.

10.16.120 Authority of the Director

The Director may adopt any rules or regulations necessary or desirable for the implementation and enforcement of this chapter and the TDM Menu of Trip Reduction Strategies.

10.16.130 Establishment of Fees.

Fees for review of trip reduction plans, assistance and support of city staff, the processing of appeals, and other services pursuant to this chapter shall be established by resolution of the City Council.

10.16.140 Violations.

- A. Any Entity which fails to submit an annual report after disapproval by the Director, within the time permitted by this chapter shall be in violation of this chapter.
- B. Any Entity shall be in violation of this chapter if it fails to implement any of the provisions of an approved plan. The Director or their designee shall have the power to inspect on-site and audit files, upon reasonable notice to the Entity. If an Entity complies with all provisions of its approved plan, but fails to attain the site's AVR goal, such failure shall not be in violation of this chapter. In this case, the Entity will be required to revise the Site's TDM plan, with support from the City, to meet AVR goal within the next reporting year.

10.16.150 Appeals

- A. Director Decisions. Any decision made by the Director in accordance with this chapter may be appealed to the Transportation Commission.
- B. Transportation Commission Decisions. Any decision rendered by the Transportation Commission may be appealed to the City Council.
- C. Appeal submittal: Appeals shall be submitted in writing on a City application form, within 10 days after the date the decision is rendered by the Director or Commission. The number of days shall be construed as calendar days. Time limits will extend to the following City Hall working day where the last of the specified number of days falls on a weekend, holiday, or other day when City Hall is officially closed. Appeals shall be filed with the City Clerk, and shall be accompanied by the filing fee set by the City's Fee Resolution. The filing fee shall be waived for appeals accompanied by original petitions, signed by a minimum of 50 residents or property or business owners within West Hollywood.
- D. Effect of Filing. The filing of an appeal in compliance with this chapter shall have the effect of suspending the effective date of the decision being appealed, and no further actions or proceedings shall occur in reliance on the decision being appealed except as allowed by the outcome of the appeal.
- E. Required Statement and Evidence.
 - 1. Applications for appeals shall include a general statement specifying the basis for the appeal and the specific aspect of the decision being appealed.
 - 2. Appeals shall be based upon an error in fact, dispute of findings or inadequacy of conditions, imposition of conditions not necessary to meet AVR goals, or availability of alternatives that could reasonably achieve AVR goals.
 - 3. Appeals shall be accompanied by supporting evidence substantiating the basis for the appeal.
- E. Notice to Applicant. If the appellant is not the responsible party listed in the TDM plan, a copy of the appeal shall be sent to the responsible party, via certified mail, return receipt requested, to the address listed on the application within seven days of its filing.

- F. Report and Scheduling of Hearing. When an appeal has been filed, the Director shall prepare a report on the matter, and schedule the matter for consideration by the appropriate appeal body. All appeals shall be considered in public hearings.
- G. Withdrawal of Appeal. Once filed, an appeal may be withdrawn by a written request submitted to the Director, with the signatures of all persons who filed the appeal.
- H. Action. At the hearing, the appeal body may only consider any issue involving or related to the matter that is the subject of the appeal, in addition to the specific grounds for the appeal, and shall conclude the proceedings with one of the following actions.
 - 1. Affirmation or Reversal. The appeal body may, by resolution, affirm, affirm in part, or reverse the action that is the subject of the appeal.
 - 2. Additional Conditions. When reviewing an appeal, the appeal body may adopt additional conditions of approval involving or related to the subject matter of the appeal.
 - 3. Referral. If new or different evidence is presented in the appeal, the Commission or Council, may, but shall not be required to, refer the matter back to the Director or Commission for further consideration. Any new evidence shall relate to the subject of the appeal.
- I. Deadlock Vote.
 - 1. By Commission. In the event an appeal from an action of the Director results in a deadlock vote by the Commission, the determination, interpreting decision, judgment, or similar action of the Director shall be reinstated, unless appealed to the Council.
 - 2. By Council. In the event that an appeal from an action of the Commission results in a deadlock vote by the Council, the action of the Commission shall become final.
- J. Judicial Review. If no action seeking judicial review of a decision of the City Council is timely filed, the decision shall be final and any penalty shall be immediately due and payable. The City Council hereby makes Section 1094.6 of the California Code of Civil Procedure applicable to decisions pursuant to this chapter and an action seeking judicial review shall be brought within the time permitted by that section.

SECTION 12. Section 19.20.060A(15), Transportation Demand Management, of Chapter 19.20 of Title 19 is amended as follows:

Transportation Demand Management. Projects shall comply with all applicable provisions of Chapter 10.16 (Transportation Demand Management).

SECTION 13. Section 19.20.250, Transportation Demand Management, of Chapter 19.20 of Title 19 is added to read as follows:

Transportation Demand Management: Certain development permits, as outlined in Section 10.16.040, Applicability, West Hollywood Municipal Code, may require compliance with WHMC Chapter 10.16, Transportation Demand Management, as a condition of approval for a development permit.

SECTION 14. Section 19.48.060, Conditions of Approval, of Chapter 19.48 of Title 19 is amended to add subsection 19.48.060(C) as follows:

C. Transportation Demand Management: Development permits subject to compliance with the Transportation Demand Management Ordinance, as outlined in Section 10.16.040, shall include a condition of approval requiring compliance with the Transportation Demand Management Ordinance prior to issuance of certificate of occupancy, with Transportation Demand Management plan updates required to be submitted on an annual basis.

SECTION 15. The provisions of this ordinance shall apply to all entities as set forth in Section 10.16.040A and Section 10.16.040B that are deemed complete after the effective date of this ordinance on _____. The provisions of this ordinance shall apply to all entities as set forth in Section 10.16.040C upon receipt of a new or renewed business license.

SECTION 16. Based on the foregoing, the City Council of the City of West Hollywood hereby approves the subject municipal code amendments, and adopts the Transportation Demand Management Menu of Trip Reduction Strategies, which is attached hereto as Exhibit A.

PASSED, APPROVED AND ADOPTED by the City Council of the City of West Hollywood at a regular meeting held this 9th day of July, 2018 by the following vote:

John Duran, Mayor

ATTEST:

Yvonne Quarker, Clerk

EXHIBIT A

**Transportation Demand Management Ordinance
Menu of Trip Reduction Strategies**



CITY OF WEST HOLLYWOOD TRANSPORTATION DEMAND MANAGEMENT (TDM) MENU

The purpose of Transportation Demand Management is to ultimately reduce the number of trips taken during peak traffic hours by offering strategies to reduce automobile use and promote alternative transportation. Projects subject to the Transportation Demand Management Ordinance in Chapter 10.16, West Hollywood Municipal Code, are required to provide a TDM Plan that incorporates trip reduction strategies selected from this menu.

| Trip Reduction Strategy | Applicability (Commercial, Mixed-Use, Residential) | | | Intervention (Physical or Operational) | | Cost (\$-\$\$\$\$) | Effectiveness (0-5000) |
|---------------------------------------|--|----|---|--|--------|--------------------|------------------------|
| | C | MU | R | P | O | | |
| Description | | | | | | | |
| Wayfinding/Signage | • | • | • | • | | \$\$ | • |
| Real-time Information | • | • | • | • | | \$\$-\$\$\$\$ | •• |
| Bike Repair Station | • | • | • | • | | \$ | • |
| Guaranteed Ride Home | • | • | | | • | \$ | • |
| Rideshare Matching | • | • | | | • | \$\$ | •• |
| Delivery Amenities | | • | • | • | | \$ | • |
| Bike Racks | • | • | • | • | | \$ | • |
| Secure Bike Storage | • | • | • | • | | \$\$ | • |
| Bike Share Hub | • | • | • | • | | \$\$\$ | •• |
| Preferential Parking | • | • | | • | | \$ | •• |
| EV Chargers & Preferential Parking | • | • | | • | | \$\$\$ | •• |
| Car Share Parking | • | • | • | • | | \$ | • |
| Car Share Membership | • | • | • | | • | \$\$ | • |
| Price Parking | • | • | | | • | \$ | •••• |
| Bike Share Membership | • | • | • | | • | \$\$ | • |
| Telecommuting | • | • | | | • | \$ | •• |
| Vanpool, Shuttle Preferential Parking | • | • | | | • | \$\$-\$\$\$ | •• |
| Employee Parking Cash Out | • | • | | | • | \$\$\$ | •••• |
| Unbundled Parking | | | • | | • | \$ | ••• |
| Showers/Lockers | • | • | | • | | \$\$\$ | •••• |
| Transit Subsidies | • | • | | | • | \$\$\$\$ | ••• |
| Commuter Incentives | • | • | | | • | \$\$\$ | •• |
| On-site Daycare | • | • | | • | | \$\$\$ | •• |
| Innovative Measures | • | • | • | | Varies | Varies | Varies |
| Legend: | | | | | | | |
| Applicability: | Some strategies are better suited for certain types of developments including commercial, mixed-use and residential, while other strategies are universal in applicability. | | | | | | |
| Key: | Commercial (C); Mixed-Use (MU); Residential (R) | | | | | | |
| Physical or Operational: | Some strategies are physical improvements, with up-front investments that sometime have ongoing maintenance requirements, while others are operational programs that necessitate ongoing implementation, oversight, and costs. | | | | | | |
| Cost: | Costs for each strategy vary depending on detailed design decisions but this range aims to help provide initial high-level guidance on relative costs to help users identify which strategies fit their budget goals. | | | | | | |
| Effectiveness: | The "Effectiveness" dots measure a strategy's contribution to Citywide goals, including reducing drive-alone trips or Vehicle Miles Traveled (VMT), reducing air pollution and greenhouse gas emissions, increasing the convenience and affordability of multiple transportation options, and improving overall quality of life in West Hollywood. Strategies that help the City meet these goals score higher in this category. | | | | | | |

TDM STRATEGY DETAILS

| On-site Wayfinding & Signage | |
|---|---|
| Description: | Applicable to developments on sites greater than 2.5 acres in size. Provide directional signage and/or wayfinding to locate nearby transportation services and amenities (e.g. transit stops and bicycle routes). |
| Standards: | Provide multimodal wayfinding and signage at main entrances and/or at key decision points. |
| | Wayfinding and signage should be located externally/internally to direct users to transportation services and infrastructure, including but not limited to transit, bikeshare, carshare, bike parking and amenities, ride-hailing, taxi/shuttle/carpool/vanpool pick-up/drop-off locations. |
| | Wayfinding and signage shall meet City standards. |
| Monitoring & Reporting: | City staff should confirm installed wayfinding meets design requirements noted above during a pre-occupancy inspection of the site. The property owner should include photos of wayfinding demonstrating that all signage is in place, up to date, properly maintained, and visible to tenants/residents upon submittal of their annual TDM Reporting Update. |
| Justification: | Establishing a wayfinding system throughout a project site, or near key access points, provides clear directions to key destinations and encourages the use of implemented TDM amenities. CAPCOA does not specifically quantify the trip reduction benefits of wayfinding and signage, as it has little impact when implemented alone. |

| Real-Time Multimodal Information | |
|---|---|
| Description: | Provide monitors that display travel options and real-time transit schedules (e.g. transit screens, TNC wait times, bikeshare availability). Should be located in highly visible locations such as building entrances and hotel lobbies. |
| Standards: | Provide at least one real-time display at highly visible location. |
| | Display should be curated by location and show nearby stops, travel time for different transportation modes and options, and transit schedules. |
| | Transportation options include, but are not limited to: train, bus, personal bike, bikeshare, walking, ride-hailing service (Uber/Lyft), carshare, and private shuttles. |
| Monitoring & Reporting: | City staff should confirm that the installed display(s) meet design requirements noted above during a pre-occupancy inspection of the site. The property owner should include current photos of the display to demonstrate that all components are in place, properly maintained, and visible to tenants/residents upon submittal of their annual TDM Reporting Update. |
| Justification: | Real-time information displays support on-the-go decision-making and help to mitigate reliability concerns with alternative modes. CAPCOA does not specifically quantify the trip reduction benefits of wayfinding and signage, as it has little impact when implemented alone. |

| Bike Repair Station | |
|------------------------------------|--|
| Description: | Provide an on-site bicycle repair station with adequate tools that is publicly accessible, visible, and located at ground level. |
| Standards: | Install bicycle repair stations to allow for basic repair with a bicycle pump, screwdrivers, wrenches, and hex tools. |
| | Locate at ground level, weather-protected, well-lit, easy-to-find areas near bicycle parking and building entrances. |
| Monitoring & Reporting: | City staff should confirm that the installed repair station(s) meet design requirements noted above during a pre-occupancy inspection of the site. The property owner should include up-to-date photos of the repair station(s) demonstrating that all tools are in place, properly maintained, and accessible to tenants/residents upon submittal of their annual TDM reporting update. |
| Justification: | On-site repair stations support the ongoing use of bicycles as a reliable mode of alternative transportation. CAPCOA does not specifically quantify the trip reduction benefits of repair stations, as they have little impact when implemented alone. |

| Guaranteed Ride Home | |
|------------------------------------|--|
| Description: | Offer non-drive alone commuters free rides home in event of an approved emergency. Can be provided through LA Metro's Guaranteed Ride Home Program which offers up to two rides per 12-month period. |
| Standards: | Provide full reimbursements for qualified trips home to employees who commute to/from work by biking, taking public transit, or carpooling at least one day of the week. |
| | Valid emergencies include personal illness/emergencies, family illness/emergency, unplanned overtime, inclement weather, and mechanical problems. |
| | Provide at least 2 free rides in a 12-month period, and up to \$3.50 per mile. |
| | Set a cap to discourage commuters from abusing the program and relying on it as a secondary commute mode. |
| | Provide reimbursements for taxis, ride-hailing services (Uber/Lyft), company vehicles, and transit. |
| | Can be implemented internally or through Metro's Guaranteed Ride Home program. |
| Monitoring & Reporting: | Employers should designate a representative to ensure that employees do not exceed their maximum number of free rides/per mile subsidies within the 12-month period. Employees should submit receipts detailing the transportation mode, mileage, and total cost. Provide written policy to City as part of the annual report. |
| Justification: | Provides a way for employees who commute to work by transit, carpool, vanpool, biking, or walking to travel home when an unexpected need arises (such as a personal emergency or unscheduled overtime). CAPCOA calculates a trip reduction ranging from 1.0 – 6.2% for Guaranteed Ride Home programs when it is part of a larger group of commute trip strategies. |

| Rideshare Matching | |
|------------------------------------|---|
| Description: | Facilitate carpooling by investing in a platform or database that matches potential riders. Can be implemented through the Director or through a private operator such as Scoop or RideAmigos. |
| Standards: | Provide a rideshare matching service to identify potential carpool partners; dynamic rideshare options may be suitable if encouraged for all participants. Ridesharing shall mean the use of a private vehicle to facilitate pre-arranged rides between residents, visitors, or employees within similar trip origins and destinations. Rideshare can be facilitated through a trip coordinator or with web or mobile based applications. |
| | Implement internally or through a third-party operator such as Scoop or RideAmigos. |
| | Partners can be matched during new hire orientation, a company-wide survey, and/or on-demand. |
| Monitoring & Reporting: | The property owner should submit copies of invoices for a ride matching platform and provide any informational materials distributed that describe the program during submittal of their annual TDM reporting update. |
| Justification: | Rideshare matching eases the burden of locating carpool partners by connecting employees who live and work in close proximity and have similar work hours. Rideshare matching falls under Commute Trip Reduction Programs, which CAPCOA calculates a VMT reduction of 1-6.2%. |

| Delivery Amenities | |
|------------------------------------|---|
| Description: | Facilitate delivery services by providing a staffed reception desk, delivery lockers, or other delivery amenity. |
| Standards: | Facilitate delivery services by providing one of the following areas to receive deliveries: <ul style="list-style-type: none"> - Staffed reception desk -Delivery lockers -Temporary storage for deliveries -Temporary refrigeration of grocery deliveries -Other delivery supportive areas as proposed by the property owner. |
| Monitoring & Reporting: | The City should confirm the installation of the aforementioned amenities during a pre-occupancy inspection of the site. The property owner should include up to date photos of the amenities demonstrating that all components are properly maintained and accessible to tenants/residents upon submittal of their annual monitoring and reporting update. |
| Justification: | May reduce VMT through reducing the number of trips, such as shopping, that may otherwise have been made by a single occupant vehicle and reduces trip by delivery vehicles. CAPCOA does not specifically quantify the trip reduction benefits of delivery support amenities, as they have little impact when implemented alone. |

| Bike Racks | |
|------------------------------------|---|
| Description: | Provide on-site bike parking that is double the amount required by the Municipal Code 19.28.150. Can be provided via a combination of bike racks and secure bike storage if desired. The Director is available to advise on more detailed design and siting considerations to ensure that bicycle facilities are placed and designed to ensure high visibility and usage. |
| Standards: | Provide bike parking that is double the amount required by the Municipal Code 19.28.150. Can be provided via a combination of bike racks and secure bike storage if desired. Locate bike racks at well-lit, easy-to-find areas nearby bike facilities and building entrances and at grade. The Director is available to advise on more detailed design and siting considerations to ensure that bicycle facilities are placed and designed to ensure high visibility and usage. |
| Monitoring & Reporting: | The City should confirm that the installed spaces meet the design requirements stated above during a pre-occupancy inspection of the site. The property owner should include up to date photos of the bicycle parking demonstrating that the spaces are in good condition and accessible during annual reporting. |
| Justification: | CAPCOA does not specifically quantify the trip reduction benefits of bicycle parking; however, it is included as a supporting element of "Improved Design of Development," which has a calculated trip reduction of 3.0-21.3%. The Center for Clean Air Policy (CCAP) Guidebook attributes a 1%-5% VMT reduction to the overall use of bicycles, of which 0.625% can be attributed to bicycle parking. |

| Secure Bike Storage | |
|------------------------------------|--|
| Description: | Provide secure and long-term bike parking on-site via a secure bike room or ground floor lockers. Provide at least 1 space per 3,000 sq. ft. of floor area, with a minimum of 4 spaces. Establish a building policy to permit bicycles in elevators. |
| Standards: | Provide at least one space/ 3,000 sq. ft. of floor area, with a minimum of four spaces. Establish a building policy to permit bicycles in elevators. Locate bike parking at weather-protected, well-lit, easy-to-find areas nearby bike facilities and building entrances and at grade where possible. Install signage to increase awareness of the facility among site users. |
| Monitoring & Reporting: | The City should confirm that the installed spaces meet the design requirements stated above during a pre-occupancy inspection of the site. The property owner should include up to date photos of the bicycle parking demonstrating that the spaces are in good condition and accessible during annual reporting. |
| Justification: | CAPCOA does not specifically quantify the trip reduction benefits of bicycle parking; however, it is included as a supporting element of "Improved Design of Development," which has a calculated trip reduction of 3.0-21.3%. The Center for Clean Air Policy (CCAP) Guidebook attributes a 1%-5% VMT reduction to the overall use of bicycles, of which 0.625% can be attributed to bicycle parking. |

| On-Site Bike Share Hub | |
|------------------------------------|---|
| Description: | Sponsor or provide a WeHo Pedals Bike Share hub on site. If the City determines the location is not a good site or expansion is not possible at that time, a private bike share fleet may be provided. |
| Standards: | When possible, if bikeshare stations are not located nearby, negotiate with the City Bikeshare representative for on-site placement of stations in convenient, publicly accessible locations. |
| | When not a viable option, property owners and managers can provide on-site bikeshare themselves or through a third-party vendor. |
| | Shared bikes should be branded and marketed to increase visibility. |
| Monitoring & Reporting: | City staff should confirm the provision of the shared bicycles during a pre-occupancy inspection of the site. The property owner should include up to date photos of the bicycles demonstrating that all components are properly maintained and accessible to tenants/residents upon submittal of their annual TDM reporting update. |
| Justification: | Provides a flexible alternative to driving alone at places of work and residential buildings. While unlikely to serve as a means of commuting, onsite loaner bicycles offer a viable alternative for midday trips such as lunch or meetings at offices and for errands at residential sites. CAPCOA does not specifically quantify the trip reduction benefits of loaner bicycles, as they have little impact when implemented alone. |

| Preferential Parking | |
|------------------------------------|---|
| Description: | Designate the most desirable parking spaces for carpools and vanpools. Requires ongoing enforcement to be effective. |
| Standards: | Provide preferential parking at the following rates: -Carpool/vanpool: 2% of all parking spaces. |
| | Post or mark parking spaces clearly as carpool or vanpool use only. |
| | Identify preferential locations, such as the first (or most convenient) level within parking structures and spaces closest to building entrances (after ADA spaces). |
| | Pair with enforcement to monitor use and compliance; adjust total quantities of spaces needed annually. |
| Monitoring & Reporting: | Assign parking permits and monitor the occupancy rate to determine whether sufficient levels of preferential parking are being provided. Property owners should employ parking enforcement officers to ensure spaces are solely being used by carpool and vanpool users. Provide documentation to City during annual reporting. |
| Justification: | Reserving parking spaces near building entrances and other desirable locations for carpool and vanpool vehicles encourages people to share rides to work. CAPCOA calculates a trip reduction ranging from 1.0 – 6.2% for preferential parking for carpools and vanpools. |

| EV Chargers and Preferential Parking | |
|---|--|
| Description: | Designate the most desirable parking spaces for electric vehicles (EVs) and provide charging stations. Requires ongoing enforcement to be effective. |
| Standards: | For development required to provide Electric Vehicle Charging per Zoning Ordinance, West Hollywood Municipal Code, provide double the EV preferential parking and chargers (1 charger per space) for electric vehicles. |
| | Post or mark parking spaces clearly as EV use only. |
| | Identify preferential locations, such as the first (or most convenient) level within parking structures and spaces closest to building entrances (after ADA spaces). |
| | Pair with enforcement to monitor use and compliance; adjust total quantities of spaces needed annually. |
| Monitoring & Reporting: | Property owners should employ parking enforcement officers to ensure spaces are solely being used by EV vehicles. Provide documentation to City during annual reporting. |
| Justification: | Reserving parking spaces near building entrances and other desirable locations for carpool and vanpool vehicles encourages people to share rides to work. CAPCOA calculates a trip reduction ranging from 1.0 – 6.2% for preferential parking for carpools and vanpools. |

| Carshare Parking | |
|------------------------------------|--|
| Description: | Designate parking for carshare vehicles in convenient and publicly accessible area with spaces clearly marked as carshare only. This strategy is available to all but particularly recommend for new development projects. |
| Standards: | Post or mark parking spaces clearly as carshare only at the following rates: <ul style="list-style-type: none"> - A minimum of one carshare parking space per site; and - One carshare parking space per 20,000 Occupied Floor Area. Assign carshare spaces by converting existing parking spaces or in convenient and publically accessible areas. |
| Monitoring & Reporting: | City staff should confirm that the numbers of required spaces are provided during a pre-occupancy inspection of the site. The property owner should include up-to-date photos of the carshare spaces and any accompanying signage to demonstrate that they are in good condition and accessible to tenants/residents in the submittal of their annual TDM reporting update. |
| Justification: | Carshare enables people to forego car ownership and thereby drive less overall. Providing onsite carshare parking increases program accessibility. CAPCOA calculates a VMT reduction of 0.4-0.7% for carshare programing. |

| Carshare Membership | |
|------------------------------------|---|
| Description: | Offer fully subsidized annual carshare memberships. For developments, the strategy can be accomplished by providing one year of a fully subsidized carshare membership. Recommended to be combined with carshare parking for maximum effectiveness. |
| Standards: | Provide a carshare subsidy to cover at least 50% of monthly carshare membership fees. Establish a business account with a third party vendor and purchase memberships for employees who wish to carshare. If carshare vehicles are not located within walking distance of the site, negotiate with the vendor for on-site placement of vehicles in convenient, publicly accessible locations. |
| Monitoring & Reporting: | The property owner should submit copies of invoices for carshare memberships and any informational materials that describe available carshare benefits that have been provided to employees/residents during submittal of their annual TDM reporting update. |
| Justification: | Carshare enables people to forego car ownership and thereby drive less overall. CAPCOA calculates a VMT reduction of 0.4-0.7% for carshare programing. |

| Price Parking | |
|------------------------------------|--|
| Description: | Applicable to any facility that offers private parking. Charge for parking by setting a minimum price per hour or per day. For residential uses, utilize the unbundled parking strategy. |
| Standards: | Determine pricing based on optimal occupancy during peak periods (85%). |
| Monitoring & Reporting: | The property owner should submit copies of all informational materials about parking pricing and current rates as part of their annual TDM reporting update. Conduct bi-annual parking occupancy analysis to evaluate program effectiveness. |
| Justification: | Pricing parking at or above market rates provides a clear signal to employees to consider shifting to alternate modes. Workplace parking pricing is most effective when nearby on-street spaces are priced at market rates or regulated with residential parking permits. CAPCOA calculates a VMT reduction of 0.1-19.7% for parking cash out. |

| Bike Share Membership | |
|------------------------------------|--|
| Description: | Offer a fully subsidized WeHo Pedals/Bikeshare Connect membership as an option to employees, residents and/or visitors. |
| Standards: | Determine pricing based on optimal occupancy during peak periods (85%). |
| | Establish a corporate account with WeHo Pedals/Bikeshare Connect to purchase memberships for employees, residents, and visitors who wish to use bikeshare. |
| | If bikeshare stations are not located nearby, negotiate with the vendor for on-site placement of stations in convenient, publicly accessible locations. |
| Monitoring & Reporting: | The property owner should submit copies of invoices for WeHo Pedals memberships and any informational materials describing available bike share benefits provided to employees/residents during submittal of their annual monitoring and reporting update. |
| Justification: | Bikeshare provides flexibility and options for existing cyclists while introducing bicycling as a viable form of transportation to new users. CAPCOA does not specifically quantify the trip reduction benefits of bike share, as it has little impact when implemented alone. |

| Telecommuting | |
|------------------------------------|--|
| Description: | Provide telecommute and/or flexible schedule options for employees, with the exception of temporary, contracted, and seasonal employees. |
| Standards: | A site is eligible for this strategy if 10% of employees or more could potentially access this policy based on their job requirements. |
| | Adopt an official telecommute and/or flexible schedule policy allowing employees to: <ul style="list-style-type: none"> - Telecommute at least 1.5 days per week and/or - Work compressed work weeks outside of the traditional five eight-hour days per week (i.e. 9/80, 4/40). |
| | Document telecommuting and/or flexible schedule policy and enrollment figures in the annual report. |
| Monitoring & Reporting: | Conduct an annual survey to determine how many employees are partaking in flexible work schedules and use the data to track popularity each year. |
| Justification: | Telecommuting and flexible schedules allows employees to commute less frequently or during off-peak times. CAPCOA calculates a trip reduction ranging from 0.07 – 5.50% for flexible work arrangement programs. |

| Vanpool, Shuttle, or Microtransit Program | |
|--|--|
| Description: | Offer private vanpool, shuttle, or microtransit services to employees or other site users. Can be achieved by partnering with other employers or entities. For example, providing connections to nearby rail stations. |
| Standards: | Limit vanpools to groups of five to 15 employees. |
| | Vanpool members should regularly travel together no less than 30 roundtrip miles at least 13 days each month. |
| | Riders typically pay a monthly fare and maintenance fee, while drivers ride at a discounted rate in exchange for driving and maintaining the van. |
| | Vans can be owned/leased by employers, employees, or third-party operators. |
| | Provide a vanpool subsidy to cover at least 50% of monthly vanpool expenses which can include vanpool fare, insurance, fuel, or maintenance. |
| | Implemented internally, through the Metro Vanpool Program, or third-party operator. |
| Monitoring & Reporting: | The property owner should submit copies of invoices for vanpool expenses and any informational materials distributed that describe the program during submittal of their annual TDM reporting update. |
| Justification: | Vanpooling is a proven and effective means of reducing commuter trips. CAPCOA groups vanpool programs with shuttle programs for a combined calculated VMT reduction of 0.3-13.4%. |

| Employee Parking Cash-Out | |
|------------------------------------|--|
| Description: | Applicable to new developments and employers. If parking is leased, give employees the option to receive the full cash value of the space in lieu of parking. If parking is not leased, the cash-out can be equal to or more than the lowest monthly parking rate at the nearest public parking facility as identified at time of annual submission. |
| Standards: | Offer to employees who receive free or subsidized parking. |
| | Cash-out amounts vary by office and the amount paid per parking space. Can be applied to employers who lease or own their parking supply. |
| Monitoring & Reporting: | The property owner should submit copies of all informational materials about cash out and current rates for all employers at the site as part of their annual TDM reporting update. |
| Justification: | Parking cash-out allows employees to forgo subsidized or free workplace parking in exchange for the cash equivalent of the cost of the space covered by the employer. Like unbundling, cash out can be an extremely effective strategy as it helps to highlight the true cost of parking and provides financial incentive to shift to, or maintain use of alternative modes. CAPCOA calculates a VMT reduction of 0.6-7.7% for parking cash out. |

| Unbundled Parking | |
|------------------------------------|--|
| Description: | Detach the cost of parking from rents or leases. Affordable units should unbundle parking rates proportional to the unit cost. |
| Standards: | Lease parking spaces separately so tenants only pay for the number of desired parking spaces. |
| | Property owners must be able to lease or sell excess parking spaces. |
| | City staff should regulate nearby on-street parking to avoid potential spillover issues from residents and employees using on-street parking to avoid paying for parking. Charge affordable units for parking in proportion to the cost of the unit. |
| Monitoring & Reporting: | The property owner should submit copies of all informational materials about unbundled parking and current parking rates as part of their annual TDM reporting update. |
| Justification: | Unbundling separates parking from property costs and requires those who wish to access a parking space to do so at an additional marginal cost. Unbundling is one of the most effective methods of discouraging single-occupant vehicle (SOV) travel as it reflects the true cost of parking, which is usually "hidden" in rents. CAPCOA calculates a VMT reduction of 2.6-13% for unbundling parking. |

| Showers & Lockers | |
|------------------------------------|---|
| Description: | Applicable to commercial and mixed use projects. Provide showers and lockers on-site for employees. |
| Standards: | Provide shower facilities and lockers for employees or other visitors to secure and store clothing and personal items – at least one showers and at least six lockers for every 30 bike parking spaces. |
| Monitoring & Reporting: | City staff should confirm that the changing facilities meet design requirements stated above during a pre-occupancy inspection of the site. The property owners should include up-to-date photos of the changing facilities demonstrating that the showers and lockers are in good shape and accessible to tenants during submittal of their annual TDM reporting update. |
| Justification: | Providing showers and lockers encourages employees to walk and bike to work, especially for employees that ride longer distances or have concerns about arriving to work sweaty from a bike ride. A policy brief from the California Air Resources Board cites studies in which end of trip facilities, including showers at work places, increase the perceived comfort of bicycling and encourage shifts from other modes. CAPCOA calculates a VMT reduction of 5.4-6.2% for providing showers and lockers. |

| Transit Subsidies | |
|------------------------------------|--|
| Description: | Provide a transit subsidy equal to at least 50% of a monthly transit pass (i.e. Metro BTAP) to all residents and/or employees on site. Can be provided via a BTAP pass or a stored value on a TAP card. |
| Standards: | Provide a monthly transit subsidy to cover at least 50% of monthly transit fares. |
| | Distribute pass subsidies on a monthly, quarterly, or annual basis by providing preloaded TAP cards or using a third-party transit benefits vendor. |
| | Offer pass subsidies to all employees and/or residents, regardless of primary commute mode, to encourage using transit as a primary or secondary choice. |
| Monitoring & Reporting: | Business/property owners should include copies of invoices for transit pass contributions and any informational materials that describe available transit benefits that have been provided to employees/residents in the submittal of their annual TDM reporting update. |
| Justification: | Subsidized transit passes provide a strong incentive to utilize transit and may be the catalyst for some residents or employees to forgo vehicle ownership entirely. CAPCOA calculates a VMT reduction of 0.3-20.0% for transit subsidies. |

| Commuter Incentives | |
|------------------------------------|---|
| Description: | Applicable to employees who do not receive free parking at work. Provide a monetary incentive of at least \$30 per month for employees who commute to work via sustainable modes (i.e. walk, bike, transit, carpool/vanpool, or low-emission vehicle). |
| Standards: | Provide a direct cash incentive for each non-drive alone commute trip (i.e. walk, bike, transit, carpool/vanpool, or low-emission vehicle). |
| | The total value of incentives should be at least \$30 per participant, per month, or \$360 annually. |
| | May also incorporate shared Transportation Network Company services (e.g. UberPOOL or LyftLine) only for trips to and from a Metro/bus hub and pending confirmation of the ability to geofence and ensure ridesharing. |
| Monitoring & Reporting: | Business owners should document the total number of employees and/or visitors that were provided with incentives for non-drive alone trips within the year. If no employees or visitors have opted to receive the incentive, the business owners should submit documentation showing that incentives were offered and declined. |
| Justification: | Incentivizing alternative modes and shared rides can dissuade drive alone commuting. CAPCOA does not specifically quantify the trip reduction benefits of commuter incentives; however, this is similar to providing a parking cash-out, which has a calculated VMT reduction of 0.6-7.7%. |

| On-Site Daycare | |
|------------------------------------|---|
| Description: | Provide childcare services on-site through a licensed daycare provider. Preference should be given to those who live or work on-site. |
| Standards: | Include an on-site childcare facility through a licensed daycare provider that complies with all state and City requirements, including provisions within the West Hollywood Municipal Code. Enrollment preference should be given to on-site employees and residents. |
| Monitoring & Reporting: | Before construction the developer/property owner should identify the location of the childcare space and submit plans for City staff to ensure that the facility will meet any applicable State and City requirements. Department of City Planning staff should confirm the constructed facility meets the specifications of approved plans during a pre-occupancy inspection of the site. The property owner should submit a letter from the contracted childcare provider that includes a description of the facility's operations (days of week and hours of operation, level of enrollment, etc.) and contact information of all applicable parties upon submittal of their annual monitoring and reporting update. |
| Justification: | Provision of on-site childcare may reduce VMT related to drop-off/pick-ups of children, in addition to making it easier for parents and caregivers to shift their daily commutes to other modes. CAPCOA does not specifically quantify the trip reduction benefits of on-site childcare, as no literature on its effects was identified. |

| Innovative Measures | |
|------------------------------------|--|
| Description: | Innovation is encouraged. Other strategies may achieve similar effects, ranging from emerging technology-based initiatives to physical features that enhance walkability. To achieve this strategy, propose your concept to the Director to receive confirmation of its applicability and point value. |
| Standards: | Trip Reduction Potential: The potential reduction should be proven to reach the drive-alone mode share, or AVR, target set for the development. Average vehicle ridership or AVR shall mean the total number of people that arrived at a site on the given day of observation, divided by the number of vehicles trips into or out of the site during the defined peak period of 6 a.m. to 10 a.m. in the morning and 3 p.m. to 7 p.m. in the evening. |
| Monitoring & Reporting: | As part of the annual reporting, information must be included to show the overall effectiveness, use, and impact of user satisfaction of any "innovation" strategy implemented as part of a TDM program. |

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ATTACHEMENT B

ADOPTED RESOLUTION NO. PC 18-1264M AMENDMENTS TO TITLE 19

RESOLUTION NO. PC 18-1264

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, RECOMMENDING TO THE CITY COUNCIL APPROVAL OF A ZONE TEXT AMENDMENT TO CLARIFY EXISTING REFERENCES AND ADD SECTION §19.20.250, TRANSPORTATION DEMAND MANAGEMENT, TO THE WEST HOLLYWOOD MUNICIPAL CODE, TO REFERENCE UPDATED STANDARDS FOR TRANSPORTATION DEMAND MANAGEMENT AS PROVIDED IN WEST HOLLYWOOD MUNICIPAL CODE CHAPTER 10.16, IN WEST HOLLYWOOD, CALIFORNIA.

The Planning Commission for the City of West Hollywood hereby finds, resolves, and orders as follows:

SECTION 1. On September 19, 2011, the City Council adopted the 2035 General Plan, which calls for the city to: (1) Utilize Transportation Demand Management strategies to reduce auto travel (Goal M-6); (2) Maintain and periodically update a Transportation Demand Management (TDM) Ordinance to reduce auto trips associated with new development (Objective M-6.1); (3) Support carpool, rideshare, and telecommuting programs in partnership with the City's business community, and strive for increased participation rates (Objective M-6.7); and (4) Consider requiring development projects to include transit amenities and transit incentive programs (Policy M-1.3).

SECTION 2. The City of West Hollywood's Climate Action Plan identifies that automobiles and other motor vehicles generate the majority of greenhouse gas emissions in West Hollywood. Motor vehicles cause approximately sixty percent of the region's oxides of nitrogen and eighty-seven percent of the region's carbon monoxide emissions.

SECTION 3. The City of West Hollywood is situated within the South Coast Air Basin which has some of the most noxious air pollution in the United States. Air pollution from motorized transportation vehicles is a persistent and growing threat to public health in the region and has prompted, in part, the adoption of a regional Air Quality Management Plan by the South Coast Air Resources Board, and the Congestion Management Plan by the State Legislature and the Los Angeles County Metropolitan Transportation Authority.

SECTION 4. The City of West Hollywood's Infrastructure, Resources and Conservation Element (see Objective IRC-6.9 and Goal 6), and the Air Quality Management District regional Air Quality Management Plan and the Congestion Management Plan call for rules and regulations to reduce work and non-work related motor vehicle traffic and thereby reduce emissions of air pollutants generated by motor vehicles.

SECTION 5. The City's TDM Ordinance was established in 1993, and was in effect when the General Plan 2035 was adopted. It is necessary to adopt an ordinance amending the City of West Hollywood Municipal Code to meet the goal to make the existing program stronger. As a result, the proposed regulations require certain building owners, developers, multifamily residential property managers, hotel owners and other entities to plan for and implement transportation demand management measures to reduce drive-alone mode share and increase the use of transit, walking and bicycling, thereby reducing the emission of air pollutants due to work and non-work related automobile trips.

SECTION 6. In order to implement the General Plan, the City seeks to amend the City's existing Transportation Demand Management Ordinance in Chapter 10.16 of the West Hollywood Municipal Code. In order to provide a reference to those regulations in Title 19, Zoning Regulations, staff initiated ZTA18-0003, in order to provide a new section 19.20.250, Transportation Demand Management, that would direct Zoning Ordinance users to the appropriate code section in Chapter 10.16.

SECTION 7. A public hearing was duly noticed for the Planning Commission meeting of June 7, 2018 by publication in the Beverly Press newspaper, the West Hollywood Independent Newspaper, and the City website and by announcement on City Channel 6 starting May 24, 2018.

SECTION 8. The zone text changes are Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061 of the CEQA Guidelines. Section 15061 states that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Transportation Demand Management programs are shown to reduce impacts on the environment by providing incentives and requirements that lead to increases in average vehicle ridership, and increasing usage of public transportation and other alternatives to driving. The zone text changes are also Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15308, which exempts actions by regulatory agencies to protect the environment. A Program Environmental Impact Report (State Clearinghouse #2009091124) was prepared for the City of West Hollywood General Plan and Climate Action Plan, and was certified by the City Council on September 19, 2011. The proposed text amendments are in accordance with recommendations of the General Plan.

SECTION 9. The Planning Commission of the City of West Hollywood hereby finds that Zone Text Amendment 2018-0003 is consistent with the Goals and Policies of the General Plan, specifically those that recommend a TDM program, including Goal M-6 of the Mobility Element, which states that the city should utilize Transportation Demand Management strategies to reduce auto travel, Policy M-6.1, which states that the city should maintain and periodically update a Transportation Demand Management (TDM) Ordinance to reduce auto trips associated with new development; Policy M-6.7, which states the city should support carpool, rideshare, and telecommuting programs in partnership with the

City's business community, and strive for increased participation rates, and Policy M-1.4, which calls for the city to consider requiring development projects to include transit amenities and transit incentive programs. This action implements General Plan 2035 and the Climate Action Plan as a measure to reduce overall Greenhouse Gas Emissions and vehicle trips by providing incentives and strategies for trip reduction.

SECTION 10. Based on the foregoing, the Planning Commission of the City of West Hollywood hereby recommends approval to the City Council of Zone Text Amendment 2018-0003, which is attached hereto as Attachment A.

PASSED, APPROVED AND ADOPTED by the Planning Commission of the City of West Hollywood at a regular meeting held this 7th day of June, 2018 by the following vote:

AYES: Commissioner: Aghaei, Altschul, Carvalheiro, Hoopingarner, Vice-Chair Jones, Chair Buckner.

NOES: Commissioner: None.

ABSENT: Commissioner: Bass.

ABSTAIN: Commissioner: None.



SUE BUCKNER, CHAIRPERSON

ATTEST:



BIANCA SIEGL, PLANNING MANAGER
LONG RANGE AND MOBILITY PLANNING

Decisions of the Planning Commission are subject to appeal in accordance with the procedures set forth in West Hollywood Municipal Code Chapter 19.76. Any action to challenge the final decision of the City of West Hollywood made as a result of the public hearing on this application must be filed within the time limits set forth in Code of Civil Procedure Section §1094.6.

Attachment A

(New text indicated with underline, deleted text with ~~strikethrough~~.)

Section 1. Section 19.20.060A(15), Transportation Demand Management, of Chapter 19.20 of Title 19 is amended as follows:

15. Transportation Demand Management. Projects shall comply with all applicable provisions of Chapter ~~19~~10.16 (Transportation Demand Management).

Section 2. Section 19.20.250, Transportation Demand Management, of Chapter 19.20 of Title 19 is added to read as follows:

Transportation Demand Management: Certain development permits, as outlined in Section 10.16.040, Applicability, West Hollywood Municipal Code, may require compliance with WHMC Chapter 10.16, Transportation Demand Management, as a condition of approval for a development permit.

Section 1. Section 19.48.060, Conditions of Approval, of Chapter 19.48 of Title 19 is amended to add subsection 19.48.060(C) as follows:

C. Transportation Demand Management: Development permits subject to compliance with the Transportation Demand Management Ordinance, as outlined in Section 10.16.040, shall include a condition of approval requiring compliance with the Transportation Demand Management Ordinance prior to issuance of certificate of occupancy, with Transportation Demand Management plan updates required to be submitted on an annual basis.

Appendix B: Index to Zoning Code Changes

| Code Section | Equivalent Section in Current Code | Description of Change |
|---|---|---|
| <p>Title 19 Zoning Ordinance Article 19-3 Site Planning and General Development Standards Chapter 19.20 General Property Development and Use Standards 19.20.060 Green Building. 19.20.060A. Green Building General Requirements.</p> | | |
| 19.20.060A(15) Transportation Demand Management. | 19.20.060A(15) | Correct the reference to Chapter 10.16, Transportation Demand Management (currently erroneously referring to Chapter 19.16). |
| <p>Title 19 Zoning Ordinance Article 19-3 Site Planning and General Development Standards Chapter 19.20 General Property Development and Use Standards</p> | | |
| 19.20.250 Transportation Demand Management | N/A | Creation of a new reference to requirements in Chapter 10.16, Transportation Demand Management. |
| <p><i>Article 19-4 Land Use and Development Permit Procedures</i> <i>Chapter 19.48 Development Permits</i> Section 19.48.060, Conditions of Approval</p> | | |
| 19.48.060 (C) Transportation Demand Management | N/A | Require a condition of approval for TDM Plan for certain development permits, in compliance with Chapter 10.16, Transportation Demand Management. |

ATTACHEMENT C

ADOPTED RESOLUTION NO. TC 18-617, AMENDMENTS TO CHAPTER 10.16

RESOLUTION NO. TC18-617

A RESOLUTION OF THE TRANSPORTATION COMMISSION OF THE CITY OF WEST HOLLYWOOD, RECOMMENDING TO THE CITY COUNCIL APPROVAL OF A MUNICIPAL CODE AMENDMENT TO REVISE CHAPTER 10.16, TRANSPORTATION DEMAND MANAGEMENT, TO ESTABLISH A NEW TRANSPORTATION DEMAND MANAGEMENT PROGRAM FOR CERTAIN DEVELOPMENT AND EMPLOYERS IN WEST HOLLYWOOD, CALIFORNIA.

The Transportation Commission for the City of West Hollywood hereby finds, resolves, and orders as follows:

SECTION 1. On September 19, 2011, the City Council adopted the 2035 General Plan, which calls for the city to: (1) Utilize Transportation Demand Management strategies to reduce auto travel (Goal M-6); (2) Maintain and periodically update a Transportation Demand Management (TDM) Ordinance to reduce auto trips associated with new development (Objective M-6.1); (3) Support carpool, rideshare, and telecommuting programs in partnership with the City's business community, and strive for increased participation rates (Objective M-6.7); and (4) Consider requiring development projects to include transit amenities and transit incentive programs (Policy M-1.3).

SECTION 2. The City of West Hollywood's Climate Action Plan identifies that automobiles and other motor vehicles generate the majority of greenhouse gas emissions in West Hollywood.

SECTION 3. The City of West Hollywood is situated within the South Coast Air Basin which has some of the most noxious air pollution in the United States. Air pollution from motorized transportation vehicles is a persistent and growing threat to public health in the region and has prompted, in part, the adoption of a regional Air Quality Management Plan by the South Coast Air Resources Board, and the Congestion Management Plan by the State Legislature and the Los Angeles County Metropolitan Transportation Authority.

SECTION 4. The City of West Hollywood's Infrastructure, Resources and Conservation Element (see Objective IRC-6.9 and Goal 6), and the AQMD regional Air Quality Management Plan and the Congestion Management Plan call for rules and regulations to reduce work and non-work related motor vehicle traffic and thereby reduce emissions of air pollutants generated by motor vehicles.

SECTION 5. Motor vehicles cause approximately sixty percent of the region's oxides of nitrogen and eighty-seven percent of the region's carbon monoxide emissions.

SECTION 6. The City's TDM Ordinance was established in 1993, and was in effect when the General Plan 2035 was adopted. It is necessary to adopt an ordinance amending the City of West Hollywood Municipal Code to meet the goal to make the existing program stronger. As a result, the proposed regulations require certain building owners, developers, multifamily residential property managers, hotel owners and other

entities to plan for and implement transportation demand management measures to reduce drive-alone mode share and increase the use of transit, walking and bicycling, thereby reducing the emission of air pollutants due to work and non-work related automobile trips. In order to implement the General Plan, the City seeks to amend the Transportation Demand Management Ordinance in Chapter 10.16, as identified in Attachment A.

SECTION 7. A public meeting was duly noticed for the Transportation Commission meeting of June 20, 2018 by publication in the Beverly Press and West Hollywood Independent on or before June 6, 2018, on the City website, by announcement on City Channel 6 and by posting in all required official posting locations.

SECTION 8. The ordinance is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061 of the CEQA Guidelines. Section 15061 states that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Transportation Demand Management programs are shown to reduce impacts on the environment by providing incentives and requirements that lead to increases in average vehicle ridership, and increasing usage of public transportation and other alternatives to driving. The zone text changes are also Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15308, which exempts actions by regulatory agencies to protect the environment. A Program Environmental Impact Report (State Clearinghouse #2009091124) was prepared for the City of West Hollywood General Plan and Climate Action Plan, and was certified by the City Council on September 19, 2011. The proposed text amendments are in accordance with recommendations of the General Plan.

SECTION 9. The Transportation Commission of the City of West Hollywood hereby finds that the proposed municipal code amendment is consistent with the Goals and Policies of the General Plan, specifically those that recommend a TDM program, including Goal M-6 of the Mobility Element, which states that the city should utilize Transportation Demand Management strategies to reduce auto travel, Policy M-6.1, which states that the city should maintain and periodically update a Transportation Demand Management (TDM) Ordinance to reduce auto trips associated with new development; Policy M-6.7, which states the city should support carpool, rideshare, and telecommuting programs in partnership with the City's business community, and strive for increased participation rates, and Policy M-1.4, which calls for the city to consider requiring development to include transit amenities and transit incentive programs. This action implements General Plan 2035 and the Climate Action Plan as a measure to reduce overall Greenhouse Gas Emissions and vehicle trips by providing incentives and strategies for trip reduction.

SECTION 10. Section 1.08.010(d), Code Violations Subject to Administrative Penalty Procedures Pursuant to this Chapter, of Chapter 1.08 of Title 1 of the West Hollywood Municipal Code is amended to add the following Chapter to the numerical list of chapters and sections that are subject to the provisions of Sections 1.08.030 through 1.08.070 of this chapter :

Chapter 10.16, Transportation Demand Management;

SECTION 11. Chapter 10.16 Transportation Demand Management of Title 10 of the West Hollywood Municipal Code is amended in its entirety to read as follows:

10.16.010 Title.

This chapter shall be known as the West Hollywood "Transportation Demand Management Ordinance."

10.16.020 Purpose.

The purpose of this chapter is to:

- a. Implement Goal M-6 of the General Plan Mobility Chapter;**
- b. Comply with the Congestion Management Program (CMP), which requires that local jurisdictions adopt a trip reduction ordinance;**
- c. Encourage land use patterns and resource allocations which are conducive to travel behavior that is not dependent on the automobile;**
- d. Provide for a diversity of transportation options reflective of the needs and goals of the city;**
- e. Promote sustainable travel modes by requiring certain developments to incorporate design features, incentives, and measures to support transit, shared rides, walking, and biking for residents, tenants, employees, and visitors;**
- f. Increase average vehicle ridership and reduce the city's vehicle miles travelled associated with travel from, to, and within the city;**
- g. Reduce the emission of air pollutants generated by automobiles and to assist in the attainment of the ambient air quality standards of the Federal Clean Air Act, and to comply with the Air Quality Management Plan and the Congestion Management Program, and thereby protect the public health and welfare.**

10.16.030 Definitions.

As used in this chapter:

Average vehicle ridership or AVR shall mean the total number of people that arrived at a site on the given day of observation, divided by the number of vehicles trips into or out of the site during the defined peak period of 6 a.m. to 10 a.m. in the morning and 3 p.m. to 7 p.m. in the evening.

Department shall mean the City of West Hollywood Department of Public Works.

Development shall mean any construction activity, including the erection or alteration of structures. New development is any construction, or alteration of an existing structure or land use, or establishment of a land use.

Director shall mean the City of West Hollywood Director of Public Works or their designated appointee.

Employee shall mean one who is assigned to the designated work site. An employee is one who works in the service of an employer for either wages or salary, as a contract

employee under the direction of the work site employer or through a temporary service agency during a period of more than ninety continuous days.

Employer shall mean any person or persons, firm, business, educational institution, government agency, nonprofit agency or corporation, or other Entity having employees at a worksite in the City of West Hollywood.

Entity shall mean any person or persons, firm, business, education institution, government agency, nonprofit agency or corporation, developer, or property owner within the City of West Hollywood that is subject to this ordinance.

Strategies shall mean any mechanism or concession that motivates or encourages activity related to sustainable transportation goals.

Ridesharing shall mean the use of a private vehicle to facilitate pre-arranged rides between residents, visitors, or employees within similar trip origins and destinations. Rideshare can be facilitated through a trip coordinator or with web or mobile based applications.

Site shall mean any development that includes residential units, retail uses, commercial uses, or office space, or any place of employment.

Transportation Demand Management (TDM) shall mean the implementation of strategies that will encourage individuals to increase the use of sustainable transportation options, reduce trip length, eliminate the trip altogether, or travel at another time other than peak periods.

Transportation Demand Management (TDM) Menu of Trip Reduction Strategies shall refer to the document that includes a list and details of each trip reduction strategy that may be selected for the TDM Plan, adopted by the City Council on file with the Department of Public Works.

Trip Reduction shall mean a reduction of the number of trips taken during defined peak travel hours in single-occupancy vehicles.

10.16.040 Applicability.

This chapter shall apply to the following:

- A. Commercial or mixed use development that meets the following criteria:
 - 1. A new structure containing five thousand square feet or more of commercial floor area
 - 2. Any major remodel to any existing structure where the completed structure contains five thousand square feet or more of commercial floor area
 - 3. An addition of five thousand square feet or more of commercial floor area to any structure
- B. New Residential structures with 10 or more dwelling units
- C. Employers with ten or more employees

10.16.050 TDM Program Requirements:

- A. Commercial or Mixed Use Development: Commercial or mixed use development that meet the thresholds of Subsection 10.16.040A have the following TDM Program Requirements:**
 - 1. TDM Marketing: Implement the requirements for TDM Marketing, as outlined in Section 10.16.070;**
 - 2. TDM Plan and Required Trip Reduction Strategies: Submit a TDM plan with the contents outlined in Section 10.16.060A, that provides a minimum number of trip reduction strategies as follows:**
 - a. Commercial or mixed use structures with a total of ten thousand square feet or less of floor area: four strategies**
 - b. Commercial or mixed use structures with a total of more than ten thousand square feet of floor area: eight strategies**
 - 3. AVR Goal: Employ best efforts to implement TDM strategies determined in TDM Plan to achieve the commercial only AVR goal of 1.5;**
 - 4. TDM Survey: Conduct the annual TDM survey, as outlined in Section 10.16.080, provided by and submitted to the Director, which calculates estimated AVR.**
 - 5. Submit a Commercial and Mixed Use Development Annual Report, as further outlined in Section 10.16.080.**
 - 6. Maintain TDM records in accordance with 10.16.110.**
- B. Residential Development: Residential development that meet the threshold of Subsection 10.16.040B have the following TDM Program Requirements:**
 - 1. TDM Marketing: Implement the requirements for TDM Marketing, as outlined in Section 10.16.070;**
 - 2. TDM Plan and Required Trip Reduction Strategies: Submit a TDM plan with the contents outlined in Section 10.16.060A, that provides a minimum number of trip reduction strategies as follows:**
 - a. Residential structures with 10-19 units: three strategies**
 - b. Residential structures with 20 or more units: five strategies**
 - 3. TDM Survey: Conduct annual TDM survey, as outlined in 10.16.080, provided by and submitted to the Director.**
 - 4. Submit a Residential Annual Compliance Report, as further outlined in Section 10.16.100.**
 - 5. Maintain TDM records in accordance with 10.16.110.**
- C. Employers with 10 or more employees: Employers with 10 or more employees shall be required to provide the following:**
 - 1. TDM Marketing: Implement the requirements for TDM Marketing, as outlined in Section 10.16.070;**
 - 2. TDM Survey: Conduct the annual TDM survey, as outlined in 10.16.080, provided by and submitted to the Director.**
- D. Employers with 250 or more employees: All employers with 250 or more employees shall comply with the South Coast Air Quality Management District (AQMD), Rule 2202, On-Road Motor Vehicle Mitigation Options, Employee Commute Reduction Program Guidelines, as may be amended from time to time, and shall provide the city with verification of this compliance on an annual basis.**

10.16.060 TDM Plan Review and Processing.

- A. TDM Plan Contents: A TDM plan shall include each of the following:**
- 1. Responsible party: The name of a representative who is responsible for implementation of the plan. The TDM plan must be signed by persons with authority to legally bind each Entity for which it is submitted.**
 - 2. A statement describing the number of trip reduction strategies required to provide, as stated in Section 10.16.050.**
 - 3. An inventory of trip reduction strategies to be implemented from the TDM Menu of Trip Reduction Strategies;**
 - 4. A schedule for implementation of the trip reduction strategies, if applicable.**
 - 5. A statement acknowledging the requirements of this chapter and committing to implement the plan signed on behalf of each Entity for which the plan is submitted.**
 - 6. Submittal of TDM fee appropriate for the Entity as described in 10.16.130.**
 - 7. Narrative of compliance with TDM Marketing requirement, as further regulated by 10.16.070.**
- B. Condition of Approval: The provision of a TDM plan shall be incorporated as a condition of approval for all applicable development permits issued under Title 19, Zoning Ordinance.**
- C. The TDM Plan may be approved or denied by the Director. The Director shall provide a determination in writing, and if denied, provide a reason for denial.**
- D. The TDM plan shall be approved, with or without conditions, only if the Director, or reviewing body, first finds that:**
- 1. For commercial and mixed use development, the TDM Plan is appropriate for the types of uses on the site, and will help achieve the AVR goal.**
 - 2. For residential development, the TDM Plan meets the required number of trip reduction strategies and can be implemented in a residential building.**
- E. The TDM Plan shall be approved prior to issuance of a certificate of occupancy or final building inspection sign-off, as applicable. Any physical improvements shall be constructed prior to issuance of certificate of occupancy or final building inspection sign-off, as applicable. Operational strategies shall be implemented upon occupation of the subject structure, or as approved in the TDM Plan.**
- F. Decisions of the Director may be appealed in compliance with Section 10.16.150.**

10.16.070 TDM Marketing Requirements.

All entities required to provide TDM Marketing shall provide the following:

- A. External website, when in existence, shall include transit and non-auto directions when driving instructions provided.**
- B. On-site transportation information: On-site transportation information shall be located where the greatest number of visitors, employees, and residents are likely to see it, and may be necessary in multiple locations to accommodate larger entities. This information can be provided in an on-site physical location, such as a bulletin board or kiosk, or through other media, such as on a website or other digital means. The Director will provide access to promotional materials, events, and technical assistance regarding transportation options that may be utilized to satisfy this**

requirement. Employers required to meet the TDM marketing requirement may receive credit for the on-site transportation information if the building has information posted in a place utilized regularly by employees and visitors, if applicable. The information shall include, but is not limited to, the following:

1. Current maps, routes and schedules for public transit routes within a ½ mile of the site;
2. Information including regional ridesharing agency, local transit operators, and City transportation resources;
3. Ridesharing promotional material supplied by commuter-oriented organizations;
4. Bicycle route and facility information, including bike share hubs, regional/local bicycle maps, and rental and sales locations within ½ mile of the site.
5. A listing of facilities available for carpoolers, vanpoolers, bicyclists, transit riders and pedestrians at the site.
6. Walking and biking maps for employees and visitors, which shall include, but not be limited to, information about convenient local services and amenities within walking distance of the development.

10.16.080. Annual TDM Survey.

The Director is authorized to publish an annual TDM survey, and entities required to participate in the survey shall provide a minimum of 80% response rate within sixty days of annual survey publication. The responsible party, as outlined in the TDM plan, is responsible for distributing the survey to individuals on-site and ensuring compliance with response rates. Surveys are required for the TDM annual reports, and are necessary in order for the city to track the efficacy of this ordinance.

10.16.090 Commercial and Mixed Use Development Annual Report

- A. Development outlined in Section 10.16.040A shall be required to submit an annual report, signed under penalty of perjury by persons with authority to legally bind each entity for which it is submitted, to the Director on the anniversary date of a previously submitted plan, or sixty days after the completion of the annual TDM commute survey, whichever is less restrictive, and shall include the following:
 1. The trip reduction strategies implemented; and
 2. Narrative of compliance with TDM Marketing requirements; and
 3. The current AVR as determined by the most recently completed TDM survey.
 4. If the current AVR does not meet the required AVR goal, the annual report shall provide amended trip reduction strategies which can reasonably be expected to achieve that AVR goal within twelve months.
- B. The annual report shall be submitted for review and approval by the Director. The annual report shall be approved, with or without conditions, only if the Director, or reviewing body, first finds that: The revised trip reduction strategies are appropriate for the types of uses on the site, and will help achieve the AVR goal.
- C. Any plan denied by the Director shall be resubmitted within thirty days of receipt of the notice of denial. If an Entity's plan is twice denied, and until such time as a revised plan is submitted and approved, the Entity shall be in violation of this chapter.

- D. Any amended strategies shall be implemented within sixty days of annual report approval, or as approved by the Director.**

10.16.100 Residential Annual Compliance Report

- A. Residential development with an approved TDM plan shall submit an annual compliance report, signed under penalty of perjury by persons identified in the TDM plan, or their successor, with the following information on an annual basis before the anniversary of the approved TDM plan:**
- 1. The trip reduction strategies implemented; and**
 - 2. Proof of continued maintenance and operation of each trip reduction strategy; and**
 - 3. Narrative of compliance with TDM Marketing requirements.**

10.16.110 Records and Audits:

Entities required to submit a TDM and subsequent annual review shall maintain and preserve, for the life of the development, such records as may be necessary to demonstrate compliance with this chapter and to determine AVR for at least one week per year. Upon request of the Director, an Entity shall provide the necessary records to substantiate the most current recorded AVR calculation and to demonstrate compliance with this chapter. If upon audit of such records, the Director determines the Entity has not complied with this chapter, the Entity shall file a revised plan or annual report or take such other steps as the Director determines necessary to comply with this chapter within thirty days of receipt of written notice of the Director's determination.

10.16.120 Authority of the Director

The Director may adopt any rules or regulations necessary or desirable for the implementation and enforcement of this chapter and the TDM Menu of Trip Reduction Strategies.

10.16.130 Establishment of Fees.

Fees for review of trip reduction plans, assistance and support of city staff, the processing of appeals, and other services pursuant to this chapter shall be established by resolution of the City Council.

10.16.140 Violations.

- A. Any Entity which fails to submit an annual report after disapproval by the Director, within the time permitted by this chapter shall be in violation of this chapter.**
- B. Any Entity shall be in violation of this chapter if it fails to implement any of the provisions of an approved plan. The Director or their designee shall have the power to inspect on-site and audit files, upon reasonable notice to the Entity. If an Entity complies with all provisions of its approved plan, but fails to attain the site's AVR goal, such failure shall not be in violation of this chapter. In this case, the Entity will be required to revise the Site's TDM plan, with support from the City, to meet AVR goal within the next reporting year.**

10.16.150 Appeals

- A. Director Decisions.** Any decision made by the Director in accordance with this chapter may be appealed to the Transportation Commission.
- B. Transportation Commission Decisions.** Any decision rendered by the Transportation Commission may be appealed to the City Council.
- C. Appeal submittal:** Appeals shall be submitted in writing on a City application form, within 10 days after the date the decision is rendered by the Director or Commission. The number of days shall be construed as calendar days. Time limits will extend to the following City Hall working day where the last of the specified number of days falls on a weekend, holiday, or other day when City Hall is officially closed. Appeals shall be filed with the City Clerk, and shall be accompanied by the filing fee set by the City's Fee Resolution. The filing fee shall be waived for appeals accompanied by original petitions, signed by a minimum of 50 residents or property or business owners within West Hollywood.
- D. Effect of Filing.** The filing of an appeal in compliance with this chapter shall have the effect of suspending the effective date of the decision being appealed, and no further actions or proceedings shall occur in reliance on the decision being appealed except as allowed by the outcome of the appeal.
- E. Required Statement and Evidence.**
 - 1. Applications for appeals shall include a general statement specifying the basis for the appeal and the specific aspect of the decision being appealed.
 - 2. Appeals shall be based upon an error in fact, dispute of findings or inadequacy of conditions, imposition of conditions not necessary to meet AVR goals, or availability of alternatives that could reasonably achieve AVR goals.
 - 3. Appeals shall be accompanied by supporting evidence substantiating the basis for the appeal.
- E. Notice to Applicant.** If the appellant is not the responsible party listed in the TDM plan, a copy of the appeal shall be sent to the responsible party, via certified mail, return receipt requested, to the address listed on the application within seven days of its filing.
- F. Report and Scheduling of Hearing.** When an appeal has been filed, the Director shall prepare a report on the matter, and schedule the matter for consideration by the appropriate appeal body. All appeals shall be considered in public hearings.
- G. Withdrawal of Appeal.** Once filed, an appeal may be withdrawn by a written request submitted to the Director, with the signatures of all persons who filed the appeal.
- H. Action.** At the hearing, the appeal body may only consider any issue involving or related to the matter that is the subject of the appeal, in addition to the specific grounds for the appeal, and shall conclude the proceedings with one of the following actions.
 - 1. **Affirmation or Reversal.** The appeal body may, by resolution, affirm, affirm in part, or reverse the action that is the subject of the appeal.
 - 2. **Additional Conditions.** When reviewing an appeal, the appeal body may adopt additional conditions of approval involving or related to the subject matter of the appeal.
 - 3. **Referral.** If new or different evidence is presented in the appeal, the Commission or Council, may, but shall not be required to, refer the matter back to the Director

or Commission for further consideration. Any new evidence shall relate to the subject of the appeal.

I. Deadlock Vote.

1. **By Commission.** In the event an appeal from an action of the Director results in a deadlock vote by the Commission, the determination, interpreting decision, judgment, or similar action of the Director shall be reinstated, unless appealed to the Council.
2. **By Council.** In the event that an appeal from an action of the Commission results in a deadlock vote by the Council, the action of the Commission shall become final.

J. Judicial Review. If no action seeking judicial review of a decision of the City Council is timely filed, the decision shall be final and any penalty shall be immediately due and payable. The City Council hereby makes Section 1094.6 of the California Code of Civil Procedure applicable to decisions pursuant to this chapter and an action seeking judicial review shall be brought within the time permitted by that section.

SECTION 12. Section 19.20.060A(15), Transportation Demand Management, of Chapter 19.20 of Title 19 is amended as follows:

Transportation Demand Management. Projects shall comply with all applicable provisions of Chapter 10.16 (Transportation Demand Management).

SECTION 13. Section 19.20.250, Transportation Demand Management, of Chapter 19.20 of Title 19 is added to read as follows:

Transportation Demand Management: Certain development permits, as outlined in Section 10.16.040, Applicability, West Hollywood Municipal Code, may require compliance with WHMC Chapter 10.16, Transportation Demand Management, as a condition of approval for a development permit.

SECTION 14. Section 19.48.060, Conditions of Approval, of Chapter 19.48 of Title 19 is amended to add subsection 19.48.060(C) as follows:

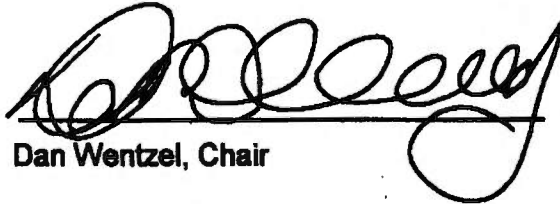
C. Transportation Demand Management: Development permits subject to compliance with the Transportation Demand Management Ordinance, as outlined in Section 10.16.040, shall include a condition of approval requiring compliance with the Transportation Demand Management Ordinance prior to issuance of certificate of occupancy, with Transportation Demand Management plan updates required to be submitted on an annual basis.

SECTION 15. The provisions of this ordinance shall apply to all entities as set forth in Section 10.16.040A and Section 10.16.040B that are deemed complete after the effective date of this ordinance on _____. The provisions of this ordinance shall apply to all entities as set forth in Section 10.16.040C upon receipt of a new or renewed business license.

SECTION 16. Based on the foregoing, the Transportation Commission of the City of West Hollywood hereby recommends approval to the City Council of the subject


municipal code amendments, and adoption of the Transportation Demand Management Menu of Trip Reduction Strategies, which is attached hereto as Attachment B, with the following additional recommendations to the City Council: (1) Consider requiring parking cash out as a base requirement; and (2) Consider expanding the program to apply to existing residential buildings with over 50 dwelling units, with no AVR requirements; and (3) Consider requiring existing residential buildings with less than 50 dwelling units to provide TDM marketing and participation in the annual TDM survey, with no AVR requirements.

PASSED, APPROVED AND ADOPTED BY THE TRANSPORTATION COMMISSION OF THE CITY OF WEST HOLLYWOOD AT A REGULAR MEETING HELD THIS 20TH DAY OF JUNE, 2018 BY THE FOLLOWING VOTE: MOTION BY WENTZEL, 2ND BY EICHMAN WITH A VOTE OF 5-0-2 (ALEXANDER AND BOWEN ABSTAINED).



Dan Wentzel, Chair

ATTEST:



Bianca Siegl, Manager, Long Range Planning Division

Exhibit A:
Transportation Demand Management (TDM) Menu of Trip Reduction Strategies



CITY OF WEST HOLLYWOOD TRANSPORTATION DEMAND MANAGEMENT (TDM) MENU

The purpose of Transportation Demand Management is to ultimately reduce the number of trips taken during peak traffic hours by offering strategies to reduce automobile use and promote alternative transportation. Projects subject to the Transportation Demand Management Ordinance in Chapter 10.16, West Hollywood Municipal Code, are required to provide a TDM Plan that incorporates trip reduction strategies selected from this menu.

| Strategy | Applicability (Commercial, Mixed-Use, Residential) | | | Intervention (Physical or Operational) | | Cost | Effectiveness |
|------------------------------------|--|----|---|--|--------|---------------|---------------|
| | C | MU | R | P | O | | |
| Description | | | | | | | |
| Wayfinding/Signage | • | • | • | • | | \$\$ | • |
| Real-time Information | • | • | • | • | | \$\$-\$\$\$\$ | •• |
| Bike Repair Station | • | • | • | • | | \$ | • |
| Guaranteed Ride Home | • | • | | • | • | \$ | • |
| Rideshare Matching | • | • | | | • | \$\$ | •• |
| Delivery Amenities | | • | • | • | | \$ | • |
| Bike Racks | • | • | • | • | | \$ | • |
| Secure Bike Storage | • | • | • | • | | \$\$ | • |
| Bike Share Hub | • | • | • | • | • | \$\$\$ | •• |
| Preferential Parking | • | • | | • | | \$ | •• |
| EV Chargers & Preferential Parking | • | • | | • | | \$\$\$ | •• |
| Care Share Parking | • | • | • | • | | \$ | • |
| Care Share Membership | • | • | • | • | • | \$\$ | • |
| Price Parking | • | • | | | • | \$ | •••• |
| Bike Share Membership | • | • | • | | • | \$\$ | • |
| Telecommuting | • | • | | | • | \$ | •• |
| Vanpool, Shuttle | • | • | | | • | \$\$-\$\$\$ | •• |
| Employee Parking Cash Out | • | • | | | • | \$\$\$ | •••• |
| Unbundle Parking | | | • | | • | \$ | ••• |
| Showers/Lockers | • | • | | • | | \$\$\$ | •••• |
| Transit Subsidies | • | • | | | • | \$\$\$ | ••• |
| Commuter Incentives | • | • | | | • | \$\$\$ | •• |
| On-site Daycare | • | • | | • | | \$\$\$ | •• |
| Innovative Measures | • | • | • | | Varies | Varies | Varies |
| Legend: | | | | | | | |
| Applicability: | Some strategies are better suited for certain types of developments including commercial, mixed-use and residential, while other strategies are universal in applicability. | | | | | | |
| Key: | Commercial (C); Mixed-Use (MU); Residential (R) | | | | | | |
| Physical or Operational: | Some strategies are physical improvements, with up-front investments that sometime have ongoing maintenance requirements, while others are operational programs that necessitate ongoing implementation, oversight, and costs. | | | | | | |
| Cost: | Costs for each strategy vary depending on detailed design decisions but this range aims to help provide initial high-level guidance on relative costs to help users identify which strategies fit their budget goals. | | | | | | |
| Effectiveness: | The "Effectiveness" dots measure a strategy's contribution to Citywide goals, including reducing drive-alone trips or Vehicle Miles Traveled (VMT), reducing air pollution and greenhouse gas emissions, increasing the convenience and affordability of multiple-transportation options, and improving overall quality of life in West Hollywood. Strategies that help the City meet these goals score higher in this category. | | | | | | |

TDM STRATEGY DETAILS

| On-site Wayfinding & Signage | |
|---|---|
| Description: | Applicable to developments on sites greater than 2.5 acres in size. Provide directional signage and/or wayfinding to locate nearby transportation services and amenities (e.g. transit stops and bicycle routes). |
| Standards: | Provide multimodal wayfinding and signage at main entrances and/or at key decision points. |
| | Wayfinding and signage should be located externally/internally to direct users to transportation services and infrastructure, including but not limited to transit, bikeshare, carshare, bike parking and amenities, ride-hailing, taxi/shuttle/charpool/vanpool pick-up/drop-off locations. |
| | Wayfinding and signage shall meet City standards. |
| Monitoring & Reporting: | City staff should confirm installed wayfinding meets design requirements noted above during a pre-occupancy inspection of the site. The property owner should include photos of wayfinding demonstrating that all signage is in place, up to date, properly maintained, and visible to tenants/residents upon submittal of their annual TDM Reporting Update. |
| Justification: | Establishing a wayfinding system throughout a project site, or near key access points, provides clear directions to key destinations and encourages the use of implemented TDM amenities. CAPCOA does not specifically quantify the trip reduction benefits of wayfinding and signage, as it has little impact when implemented alone. |

| Real-Time Multimodal Information | |
|---|---|
| Description: | Provide monitors that display travel options and real-time transit schedules (e.g. transit screens, TNC wait times, bikeshare availability). Should be located in highly visible locations such as building entrances and hotel lobbies. |
| Standards: | Provide at least one real-time display at highly visible location. |
| | Display should be curated by location and show nearby stops, travel time for different transportation modes and options, and transit schedules. |
| | Transportation options include, but are not limited to: train, bus, personal bike, bikeshare, walking, ride-hailing service (Uber/Lyft), carshare, and private shuttles. |
| Monitoring & Reporting: | City staff should confirm that the installed display(s) meet design requirements noted above during a pre-occupancy inspection of the site. The property owner should include current photos of the display to demonstrate that all components are in place, properly maintained, and visible to tenants/residents upon submittal of their annual TDM Reporting Update. |
| Justification: | Real-time information displays support on-the-go decision-making and help to mitigate reliability concerns with alternative modes. CAPCOA does not specifically quantify the trip reduction benefits of wayfinding and signage, as it has little impact when implemented alone. |

| Bike Repair Station | |
|------------------------------------|--|
| Description: | Provide an on-site bicycle repair station with adequate tools that is publicly accessible, visible, and located at ground level. |
| Standards: | Install bicycle repair stations to allow for basic repair with a bicycle pump, screwdrivers, wrenches, and hex tools. |
| | Locate at ground level, weather-protected, well-lit, easy-to-find areas near bicycle parking and building entrances. |
| Monitoring & Reporting: | City staff should confirm that the installed repair station(s) meet design requirements noted above during a pre-occupancy inspection of the site. The property owner should include up-to-date photos of the repair station(s) demonstrating that all tools are in place, properly maintained, and accessible to tenants/residents upon submittal of their annual TDM reporting update. |
| Justification: | On-site repair stations support the ongoing use of bicycles as a reliable mode of alternative transportation. CAPCOA does not specifically quantify the trip reduction benefits of repair stations, as they have little impact when implemented alone. |

| Guaranteed Ride Home | |
|------------------------------------|--|
| Description: | Offer non-drive alone commuters free rides home in event of an approved emergency. Can be provided through LA Metro's Guaranteed Ride Home Program which offers up to two rides per 12-month period. |
| Standards: | Provide full reimbursements for qualified trips home to employees who commute to/from work by biking, taking public transit, or carpooling at least one day of the week. |
| | Valid emergencies include personal illness/emergencies, family illness/emergency, unplanned overtime, inclement weather, and mechanical problems. |
| | Provide at least 2 free rides in a 12-month period, and up to \$3.50 per mile. |
| | Set a cap to discourage commuters from abusing the program and relying on it as a secondary commute mode. |
| | Provide reimbursements for taxis, ride-hailing services (Uber/Lyft), company vehicles, and transit. Can be implemented internally or through Metro's Guaranteed Ride Home program. |
| Monitoring & Reporting: | Employers should designate a representative to ensure that employees do not exceed their maximum number of free rides/per mile subsidies within the 12-month period. Employees should submit receipts detailing the transportation mode, mileage, and total cost. Provide written policy to City as part of the annual report. |
| Justification: | Provides a way for employees who commute to work by transit, carpool, vanpool, biking, or walking to travel home when an unexpected need arises (such as a personal emergency or unscheduled overtime). CAPCOA calculates a trip reduction ranging from 1.0 – 6.2% for Guaranteed Ride Home programs when it is part of a larger group of commute trip strategies. |

| Rideshare Matching | |
|------------------------------------|---|
| Description: | Facilitate carpooling by investing in a platform or database that matches potential riders. Can be implemented through the Director or through a private operator such as Scoop or RideAmigos. |
| Standards: | Provide a rideshare matching service to identify potential carpool partners; dynamic rideshare options may be suitable if encouraged for all participants. Ridesharing shall mean the use of a private vehicle to facilitate pre-arranged rides between residents, visitors, or employees within similar trip origins and destinations. Rideshare can be facilitated through a trip coordinator or with web or mobile based applications. |
| | Implement internally or through a third-party operator such as Scoop or RideAmigos. |
| | Partners can be matched during new hire orientation, a company-wide survey, and/or on-demand. |
| Monitoring & Reporting: | The property owner should submit copies of invoices for a ride matching platform and provide any informational materials distributed that describe the program during submittal of their annual TDM reporting update. |
| Justification: | Rideshare matching eases the burden of locating carpool partners by connecting employees who live and work in close proximity and have similar work hours. Rideshare matching falls under Commute Trip Reduction Programs, which CAPCOA calculates a VMT reduction of 1-6.2%. |

| Delivery Amenities | |
|------------------------------------|--|
| Description: | Facilitate delivery services by providing a staffed reception desk, delivery lockers, or other delivery amenity. |
| Standards: | Facilitate delivery services by providing one of the following areas to receive deliveries: <ul style="list-style-type: none"> - Staffed reception desk - Delivery lockers - Temporary storage for deliveries - Temporary refrigeration of grocery deliveries - Other delivery supportive areas as proposed by the property owner. |
| Monitoring & Reporting: | The City should confirm the installation of the aforementioned amenities during a pre-occupancy inspection of the site. The property owner should include up to date photos of the amenities demonstrating that all components are properly maintained and accessible to tenants/residents upon submittal of their annual monitoring and reporting update. |
| Justification: | May reduce VMT through reducing the number of trips, such as shopping, that may otherwise have been made by a single occupant vehicle and reduces trip by delivery vehicles. CAPCOA does not specifically quantify the trip reduction benefits of delivery support amenities, as they have little impact when implemented alone. |

| Bike Racks | |
|------------------------------------|---|
| Description: | Provide on-site bike parking that is double the amount required by the Municipal Code 19.28.150. Can be provided via a combination of bike racks and secure bike storage if desired. The Director is available to advise on more detailed design and siting considerations to ensure that bicycle facilities are placed and designed to ensure high visibility and usage. |
| Standards: | Provide bike parking that is double the amount required by the Municipal Code 19.28.150. Can be provided via a combination of bike racks and secure bike storage if desired. Locate bike racks at well-lit, easy-to-find areas nearby bike facilities and building entrances and at grade. The Director is available to advise on more detailed design and siting considerations to ensure that bicycle facilities are placed and designed to ensure high visibility and usage. |
| Monitoring & Reporting: | The City should confirm that the installed spaces meet the design requirements stated above during a pre-occupancy inspection of the site. The property owner should include up to date photos of the bicycle parking demonstrating that the spaces are in good condition and accessible during annual reporting. |
| Justification: | CAPCOA does not specifically quantify the trip reduction benefits of bicycle parking; however, it is included as a supporting element of "Improved Design of Development," which has a calculated trip reduction of 3.0-21.3%. The Center for Clean Air Policy (CCAP) Guidebook attributes a 1%-5% VMT reduction to the overall use of bicycles, of which 0.625% can be attributed to bicycle parking. |

| Secure Bike Storage | |
|------------------------------------|--|
| Description: | Provide secure and long-term bike parking on-site via a secure bike room or ground floor lockers. Provide at least 1 space per 3,000 sq. ft. of floor area, with a minimum of 4 spaces. Establish a building policy to permit bicycles in elevators. |
| Standards: | Provide at least one space/ 3,000 sq. ft. of floor area, with a minimum of four spaces. Establish a building policy to permit bicycles in elevators. Locate bike parking at weather-protected, well-lit, easy-to-find areas nearby bike facilities and building entrances and at grade where possible. Install signage to increase awareness of the facility among site users. |
| Monitoring & Reporting: | The City should confirm that the installed spaces meet the design requirements stated above during a pre-occupancy inspection of the site. The property owner should include up to date photos of the bicycle parking demonstrating that the spaces are in good condition and accessible during annual reporting. |
| Justification: | CAPCOA does not specifically quantify the trip reduction benefits of bicycle parking; however, it is included as a supporting element of "Improved Design of Development," which has a calculated trip reduction of 3.0-21.3%. The Center for Clean Air Policy (CCAP) Guidebook attributes a 1%-5% VMT reduction to the overall use of bicycles, of which 0.625% can be attributed to bicycle parking. |

| On-Site Bike Share Hub | |
|------------------------------------|---|
| Description: | Sponsor or provide a WeHo Pedale Bike Share hub on site. If the City determines the location is not a good site or expansion is not possible at that time, a private bike share fleet may be provided. |
| Standards: | When possible, if bikeshare stations are not located nearby, negotiate with the City Bikeshare representative for on-site placement of stations in convenient, publicly accessible locations. |
| | When not a viable option, property owners and managers can provide on-site bikeshare themselves or through a third-party vendor. Shared bikes should be branded and marketed to increase visibility. |
| Monitoring & Reporting: | City staff should confirm the provision of the shared bicycles during a pre-occupancy inspection of the site. The property owner should include up to date photos of the bicycles demonstrating that all components are properly maintained and accessible to tenants/residents upon submittal of their annual TDM reporting update. |
| Justification: | Provides a flexible alternative to driving alone at places of work and residential buildings. While unlikely to serve as a means of commuting, onsite loaner bicycles offer a viable alternative for midday trips such as lunch or meetings at offices and for errands at residential sites. CAPCOA does not specifically quantify the trip reduction benefits of loaner bicycles, as they have little impact when implemented alone. |

| Preferential Parking | |
|------------------------------------|---|
| Description: | Designate the most desirable parking spaces for carpools and vanpools. Requires ongoing enforcement to be effective. |
| Standards: | Provide preferential parking at the following rates: -Carpool/vanpool: 2% of all parking spaces. |
| | Post or mark parking spaces clearly as carpool or vanpool use only. |
| | Identify preferential locations, such as the first (or most convenient) level within parking structures and spaces closest to building entrances (after ADA spaces). |
| | Pair with enforcement to monitor use and compliance; adjust total quantities of spaces needed annually. |
| Monitoring & Reporting: | Assign parking permits and monitor the occupancy rate to determine whether sufficient levels of preferential parking are being provided. Property owners should employ parking enforcement officers to ensure spaces are solely being used by carpool and vanpool users. Provide documentation to City during annual reporting. |
| Justification: | Reserving parking spaces near building entrances and other desirable locations for carpool and vanpool vehicles encourages people to share rides to work. CAPCOA calculates a trip reduction ranging from 1.0 – 6.2% for preferential parking for carpools and vanpools. |

| EV Chargers and Preferential Parking | |
|---|--|
| Description: | Designate the most desirable parking spaces for electric vehicles (EVs) and provide charging stations. Requires ongoing enforcement to be effective. |
| Standards: | For development required to provide Electric Vehicle Charging per Zoning Ordinance, West Hollywood Municipal Code, provide double the EV preferential parking and chargers (1 charger per space) for electric vehicles. |
| | Post or mark parking spaces clearly as EV use only. |
| | Identify preferential locations, such as the first (or most convenient) level within parking structures and spaces closest to building entrances (after ADA spaces). |
| | Pair with enforcement to monitor use and compliance; adjust total quantities of spaces needed annually. |
| Monitoring & Reporting: | Property owners should employ parking enforcement officers to ensure spaces are solely being used by EV vehicles. Provide documentation to City during annual reporting. |
| Justification: | Reserving parking spaces near building entrances and other desirable locations for carpool and vanpool vehicles encourages people to share rides to work. CAPCOA calculates a trip reduction ranging from 1.0 – 6.2% for preferential parking for carpools and vanpools. |

| Carshare Parking | |
|------------------------------------|--|
| Description: | Designate parking for carshare vehicles in convenient and publicly accessible area with spaces clearly marked as carshare only. This strategy is available to all but particularly recommend for new development projects. |
| Standards: | Post or mark parking spaces clearly as carshare only at the following rates: <ul style="list-style-type: none"> - A minimum of one carshare parking space per site; and - One carshare parking space per 20,000 Occupied Floor Area. Assign carshare spaces by converting existing parking spaces or in convenient and publically accessible areas. |
| Monitoring & Reporting: | City staff should confirm that the numbers of required spaces are provided during a pre-occupancy inspection of the site. The property owner should include up-to-date photos of the carshare spaces and any accompanying signage to demonstrate that they are in good condition and accessible to tenants/residents in the submittal of their annual TDM reporting update. |
| Justification: | Carshare enables people to forego car ownership and thereby drive less overall. Providing onsite carshare parking increases program accessibility. CAPCOA calculates a VMT reduction of 0.4-0.7% for carshare programing. |

| Carshare Membership | |
|------------------------------------|---|
| Description: | Offer fully subsidized annual carshare memberships. For developments, the strategy can be accomplished by providing one year of a fully subsidized carshare membership. Recommended to be combined with carshare parking for maximum effectiveness. |
| Standards: | Provide a carshare subsidy to cover at least 50% of monthly carshare membership fees. Establish a business account with a third party vendor and purchase memberships for employees who wish to carshare. If carshare vehicles are not located within walking distance of the site, negotiate with the vendor for on-site placement of vehicles in convenient, publicly accessible locations. |
| Monitoring & Reporting: | The property owner should submit copies of invoices for carshare memberships and any informational materials that describe available carshare benefits that have been provided to employees/residents during submittal of their annual TDM reporting update. |
| Justification: | Carshare enables people to forego car ownership and thereby drive less overall. CAPCOA calculates a VMT reduction of 0.4-0.7% for carshare programing. |

| Price Parking | |
|------------------------------------|--|
| Description: | Applicable to any facility that offers private parking. Charge for parking by setting a minimum price per hour or per day. For residential uses, utilize the unbundled parking strategy. |
| Standards: | Determine pricing based on optimal occupancy during peak periods (85%). |
| Monitoring & Reporting: | The property owner should submit copies of all informational materials about parking pricing and current rates as part of their annual TDM reporting update. Conduct bi-annual parking occupancy analysis to evaluate program effectiveness. |
| Justification: | Pricing parking at or above market rates provides a clear signal to employees to consider shifting to alternate modes. Workplace parking pricing is most effective when nearby on-street spaces are priced at market rates or regulated with residential parking permits. CAPCOA calculates a VMT reduction of 0.1-19.7% for parking cash out. |

| Bike Share Membership | |
|------------------------------------|--|
| Description: | Offer a fully subsidized WeHo Pedals/Bikeshare Connect membership as an option to employees, residents and/or visitors. |
| Standards: | Determine pricing based on optimal occupancy during peak periods (85%). |
| | Establish a corporate account with WeHo Pedals/Bikeshare Connect to purchase memberships for employees, residents, and visitors who wish to use bikeshare. |
| | If bikeshare stations are not located nearby, negotiate with the vendor for on-site placement of stations in convenient, publicly accessible locations. |
| Monitoring & Reporting: | The property owner should submit copies of invoices for WeHo Pedals memberships and any informational materials describing available bike share benefits provided to employees/residents during submittal of their annual monitoring and reporting update. |
| Justification: | Bikeshare provides flexibility and options for existing cyclists while introducing bicycling as a viable form of transportation to new users. CAPCOA does not specifically quantify the trip reduction benefits of bike share, as it has little impact when implemented alone. |

| Telecommuting | |
|------------------------------------|--|
| Description: | Provide telecommute and/or flexible schedule options for employees, with the exception of temporary, contracted, and seasonal employees. |
| Standards: | A site is eligible for this strategy if 10% of employees or more could potentially access this policy based on their job requirements. |
| | Adopt an official telecommute and/or flexible schedule policy allowing employees to: <ul style="list-style-type: none"> - Telecommute at least 1.5 days per week and/or - Work compressed work weeks outside of the traditional five eight-hour days per week (i.e. 9/80, 4/40). |
| | Document telecommuting and/or flexible schedule policy and enrollment figures in the annual report. |
| Monitoring & Reporting: | Conduct an annual survey to determine how many employees are partaking in flexible work schedules and use the data to track popularity each year. |
| Justification: | Telecommuting and flexible schedules allows employees to commute less frequently or during off-peak times. CAPCOA calculates a trip reduction ranging from 0.07 – 5.50% for flexible work arrangement programs. |

| Vanpool, Shuttle, or Microtransit Program | |
|--|--|
| Description: | Offer private vanpool, shuttle, or microtransit services to employees or other site users. Can be achieved by partnering with other employers or entities. For example, providing connections to nearby rail stations. |
| Standards: | Limit vanpools to groups of five to 15 employees. |
| | Vanpool members should regularly travel together no less than 30 roundtrip miles at least 13 days each month. |
| | Riders typically pay a monthly fare and maintenance fee, while drivers ride at a discounted rate in exchange for driving and maintaining the van. |
| | Vans can be owned/leased by employers, employees, or third-party operators. |
| | Provide a vanpool subsidy to cover at least 50% of monthly vanpool expenses which can include vanpool fare, insurance, fuel, or maintenance. |
| | Implemented internally, through the Metro Vanpool Program, or third-party operator. |
| Monitoring & Reporting: | The property owner should submit copies of invoices for vanpool expenses and any informational materials distributed that describe the program during submittal of their annual TDM reporting update. |
| Justification: | Vanpooling is a proven and effective means of reducing commuter trips. CAPCOA groups vanpool programs with shuttle programs for a combined calculated VMT reduction of 0.3-13.4%. |

| Employee Parking Cash-Out | |
|------------------------------------|--|
| Description: | Applicable to new developments and employers. If parking is leased, give employees the option to receive the full cash value of the space in lieu of parking. If parking is not leased, the cash-out can be equal to or more than the lowest monthly parking rate at the nearest public parking facility as identified at time of annual submission. |
| Standards: | Offer to employees who receive free or subsidized parking. Cash-out amounts vary by office and the amount paid per parking space. Can be applied to employers who lease or own their parking supply. |
| Monitoring & Reporting: | The property owner should submit copies of all informational materials about cash out and current rates for all employers at the site as part of their annual TDM reporting update. |
| Justification: | Parking cash-out allows employees to forgo subsidized or free workplace parking in exchange for the cash equivalent of the cost of the space covered by the employer. Like unbundling, cash out can be an extremely effective strategy as it helps to highlight the true cost of parking and provides financial incentive to shift to, or maintain use of alternative modes. CAPCOA calculates a VMT reduction of 0.6-7.7% for parking cash out. |

| Unbundle Parking | |
|------------------------------------|--|
| Description: | Detach the cost of parking from rents or leases. Affordable units should unbundle parking rates proportional to the unit cost. |
| Standards: | Lease parking spaces separately so tenants only pay for the number of desired parking spaces. Property owners must be able to lease or sell excess parking spaces. City staff should regulate nearby on-street parking to avoid potential spillover issues from residents and employees using on-street parking to avoid paying for parking. Charge affordable units for parking in proportion to the cost of the unit. |
| Monitoring & Reporting: | The property owner should submit copies of all informational materials about unbundled parking and current parking rates as part of their annual TDM reporting update. |
| Justification: | Unbundling separates parking from property costs and requires those who wish to access a parking space to do so at an additional marginal cost. Unbundling is one of the most effective methods of discouraging single-occupant vehicle (SOV) travel as it reflects the true cost of parking, which is usually "hidden" in rents. CAPCOA calculates a VMT reduction of 2.6-13% for unbundling parking. |

| Showers & Lockers | |
|------------------------------------|---|
| Description: | Provide showers and lockers on-site for employees. |
| Standards: | Provide shower facilities. Provide lockers for employees to secure and store personal items. |
| Monitoring & Reporting: | The property owner should submit photos of facilities as part of their annual TDM reporting update. |
| Justification: | Providing showers and lockers encourages employees to walk and bike to work. CAPCOA calculates a VMT reduction of 5.4-6.2% for providing showers and lockers. |

| Transit Subsidies | |
|------------------------------------|--|
| Description: | Provide a transit subsidy equal to at least 50% of a monthly transit pass (i.e. Metro BTAP) to all residents and/or employees on site. Can be provided via a BTAP pass or a stored value on a TAP card. |
| Standards: | Provide a monthly transit subsidy to cover at least 50% of monthly transit fares. |
| | Distribute pass subsidies on a monthly, quarterly, or annual basis by providing preloaded TAP cards or using a third-party transit benefits vendor. |
| | Offer pass subsidies to all employees and/or residents, regardless of primary commute mode, to encourage using transit as a primary or secondary choice. |
| Monitoring & Reporting: | Business/property owners should include copies of invoices for transit pass contributions and any informational materials that describe available transit benefits that have been provided to employees/residents in the submittal of their annual TDM reporting update. |
| Justification: | Subsidized transit passes provide a strong incentive to utilize transit and may be the catalyst for some residents or employees to forgo vehicle ownership entirely. CAPCOA calculates a VMT reduction of 0.3-20.0% for transit subsidies. |

| Commuter Incentives | |
|------------------------------------|---|
| Description: | Applicable to employees who do not receive free parking at work. Provide a monetary incentive of at least \$30 per month for employees who commute to work via sustainable modes (i.e. walk, bike, transit, carpool/vanpool, or low-emission vehicle). |
| Standards: | Provide a direct cash incentive for each non-drive alone commute trip (i.e. walk, bike, transit, carpool/vanpool, or low-emission vehicle). |
| | The total value of incentives should be at least \$30 per participant, per month, or \$360 annually. |
| | May also incorporate shared Transportation Network Company services (e.g. UberPOOL or LyftLine) only for trips to and from a Metro/bus hub and pending confirmation of the ability to geofence and ensure ridesharing. |
| Monitoring & Reporting: | Business owners should document the total number of employees and/or visitors that were provided with incentives for non-drive alone trips within the year. If no employees or visitors have opted to receive the incentive, the business owners should submit documentation showing that incentives were offered and declined. |
| Justification: | Incentivizing alternative modes and shared rides can dissuade drive alone commuting. CAPCOA does not specifically quantify the trip reduction benefits of commuter incentives; however, this is similar to providing a parking cash-out, which has a calculated VMT reduction of 0.6-7.7%. |

| On-Site Daycare | |
|------------------------------------|---|
| Description: | Provide childcare services on-site through a licensed daycare provider. Preference should be given to those who live or work on-site. |
| Standards: | Include an on-site childcare facility through a licensed daycare provider that complies with all state and City requirements, including provisions within the West Hollywood Municipal Code. Enrollment preference should be given to on-site employees and residents. |
| Monitoring & Reporting: | Before construction the developer/property owner should identify the location of the childcare space and submit plans for City staff to ensure that the facility will meet any applicable State and City requirements. Department of City Planning staff should confirm the constructed facility meets the specifications of approved plans during a pre-occupancy inspection of the site. The property owner should submit a letter from the contracted childcare provider that includes a description of the facility's operations (days of week and hours of operation, level of enrollment, etc.) and contact information of all applicable parties upon submittal of their annual monitoring and reporting update. |
| Justification: | Provision of on-site childcare may reduce VMT related to drop-off/pick-ups of children, in addition to making it easier for parents and caregivers to shift their daily commutes to other modes. CAPCOA does not specifically quantify the trip reduction benefits of on-site childcare, as no literature on its effects was identified. |

| Innovative Measures | |
|------------------------------------|--|
| Description: | Innovation is encouraged. Other strategies may achieve similar effects, ranging from emerging technology-based initiatives to physical features that enhance walkability. To achieve this strategy, propose your concept to the Director to receive confirmation of its applicability and point value. |
| Standards: | Trip Reduction Potential: The potential reduction should be proven to reach the drive-alone mode share, or AVR, target set for the development. Average vehicle ridership or AVR shall mean the total number of people that arrived at a site on the given day of observation, divided by the number of vehicles trips into or out of the site during the defined peak period of 6 a.m. to 10 a.m. in the morning and 3 p.m. to 7 p.m. in the evening. |
| Monitoring & Reporting: | As part of the annual reporting, information must be included to show the overall effectiveness, use, and impact of user satisfaction of any "Innovation" strategy implemented as part of a TDM program. |

ATTACHEMENT D

PLANNING COMMISSION MEETING TRANSCRIPT – TDM ITEM 10B ONLY

BEFORE THE PLANNING COMMISSION
OF THE CITY OF WEST HOLLYWOOD
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

In the Matter of Planning Commission Agenda Minutes

Address:)
West Hollywood Park Public Meeting Room)
625 N. San Vicente Boulevard)
West Hollywood, California)
_____)

DATE OF MEETING: June 7, 2018

PLANNING COMMISSION:

Sue Buckner, Chair
Stacey Jones, Vice-Chair
David Aghaei, Commissioner
John Altschul, Commissioner
R. Carvalheiro, Commissioner
Lynn Hoopingarner, Commissioner

STAFF:

John Keho, AICP, Inter Director
Jennifer Alkire, Senior Planner
Rachel Dimond, Senior Planner
Bob Cheung, Sr. Trans. Planner
David DeGrazia, CHPP. Manager
Bianca Siegl, L R & MP Manager
Lauren Langer, Act Asst C. Atty.
David Gillig, Comm. Secretary
Staff Consultant
And Public speakers

ITEM 5.A.

you start moving towards the dais. We have one more item to deal with, and we've got staff that's been waiting all day and they worked hard all day, even before the meeting.

(BREAK)

Buckner: Thank you everybody for getting up here so quick. All right, we're going to reconvene our hearing, and move on to the second public hearing, which is Number 10B, Zone Text Amendment, it's a transportation demand management, and we have Rachel Dimond, oh, you're not going to do it? Who's going to speak?

Cheung: We're both gonna speak.

Buckner: Okay. Well, let's do it.

Cheung: Great.

Buckner: Thank you.

Cheung: Thank you, Commissioners. Good evening, Bob Chung, Senior Transportation Planner, with me is Rachel Dimond, Senior Planner. Together, we will be presenting you the Staff Report on the TDM Ordinance. I will start off with a brief overview of TDM and Rachel will walk you through the details of the program, and we'll be happy to answer any questions that you may have. Staff is requesting

Commission to approve a resolution to recommend to City Council, amendments to Title 19 of the Zoning Ordinance. The ZTA makes reference to the TDM program, which is, which resides in Title 10, Vehicles and Traffic, which is under the purview of Transportation Commission, so tonight, we're asking, again, the Planning Commission to approve the resolution to amend Title 19. It's a fact that residents of H-, West Hollywood commute by driving alone 75 percent. The other 25 percent either takes transit, ride a bike, walk, or carpool or work at home. LA County fare is worse at 84 percent. It's this type of disparity in how we travel that contributes to traffic congestion in the region. A closer look at how folks get around within West Hollywood, as we all know, a big portion of our trips are, are, are passthrough trips, 39 percent. The TDM Ordinance is not designed to address all traffic congestion. We are focusing just on those who commute into West Hollywood, who work in West Hollywood, because we have strategies and, and ways of addressing those type of trips. So I will go on, TDM, it's a pretty simple concept. It's a supply-demand concept. Our

roadways have a finite capacity, and so when you have this extra demand on our roadways, more than what the capacity can handle, we have congestion, and as congestions grow, the peak hour becomes peak period becomes three, four hours of congestion, so TDM aims at how do we move some of those trips away from driving alone into other modes of travel, bike, walk, transit. Why do we need a TDM ordinance? Well, first of all, it's required by law. We don't want to do it because it's just required by law. It's also good for the environment. Reducing drive alone rates also helps with reducing greenhouse gas emissions. It also manages congestion as I alluded earlier. By promoting sustainable transportation option to our folks, our, our workers and employ-, employees, we can help with managing that congestion. A TDM ordinance is also consistent with the goals of the General Plan and the Climate Action Plan, and we need to do our part. So West Hollywood is required to have a TDM ordinance, and so are the 88 other cities within the county, so if we all do our part, you know, it's like recycling, right? If only a few recycle, it doesn't work, but if we all do it

then it actually has a measurable benefit. Our existing ordinance was adopted in 1993 and is applicable to business with five or more employees within a development of 10,000 square feet or more, or addition to buildings that are over 10,000 square feet. Some of the issues that we have with our existing ordinance is the one-size-fits-all approach. So Rachel is going to walk you through how we have updated our ordinance to address this issue, and the other issue that we've had is that we don't have any regular monitoring to gauge how we deal with these measures, so again, we, we have a solution to this issue. During the last year or two years that we've been working on this we have made extensive outreach efforts to get feedback from our community. We formed a TDM working group, which comprised of a Commissioner from Planning Commission, as well as Transportation Commission, hotel operators, businesses, residents. The, the working group provided valuable insights and, and feedback as we developed this ordinance. We also conducted commuter surveys, commute surveys from employees, we've met with the Chamber of Commerce and the business folks, and we've also had actually

an additional working group meeting. A lot of the, the, the program that we're presenting tonight is an outcome of those meetings and the feedback. We have actually modified the program from the last time we were here. We presented a couple months ago the framework to the TDM ordinance, and based on feedback from Council and also additional outreach to the Chamber and businesses, we have actually scaled back some of the requirements, and again, Rachel will walk you through some of those finer points. So I'm gonna pass it over to Rachel, and take it away.

Dimond:

Good evening, Rachel Dimond, Senior Planner and Long-Range Planning Division. So as Bob said, this, this process has evolved over time, so as the City has worked with stakeholders in the community, the program and the proposed program has, has been adjusted, so at this point, you know, the, the key approach that we're talking is that the emphasis be placed on new development to, to bear the burden of TDM, and that businesses participate with minimal effort and cost. So essentially how the program works is that for new developments, substantial remodels, or additions that include 5,000 square

feet or more of commercial floor area, they would be required to participate in the TDM program, as well as new residential development that includes ten or more dwelling units, and those two types of projects have kind of the, the majority of the requirements of this program that I'll get into in a minute, and then employers with ten or more employees have a very minimal program, that again, I'll, I'll get into detail in just a moment. So for commercial development that includes 5,000 square feet or more of commercial floor area this would include a brand-new building, a substantial remodel, which means more than 50 percent of the walls or structural members are removed from the building or an addition of 5,000 square feet. There's a number of key items that they're required to participate in. The first is TDM Marketing, and this is actually a requirement that is applicable across the board to all of those applicable types of projects, and in this case, TDM Marketing is really helping people to understand what their transportation options are. So essentially the City would actually provide marketing material to, to developers, to businesses, to basically provide

maps, rideshare information, bike routes and facilities, a list of facilities available for carpoolers, vanpoolers, et cetera, walking and biking maps that are accessible to both employees and visitors of a business or a building, and this way there is accessible information on-site, and then also electronically, if that project has a website, for example. So this would be located in a place that's really easily accessible for people to see. The next really key piece of all this is that they would need to submit a TDM plan, and essentially what the TDM Plan would do is the, they would essentially select from a list of strategies that meet a certain points requirement. So each of the strategies that are listed in the menu have a different point value between 1 and 5, and for projects that have 5,000 to 10,000 square feet of new commercial floor area they would be required to provide 10 points worth of strategies, and for 10,000 or more, they would be required to provide 20 points worth of strategies. Ultimately, all of this is, the purpose of that is to reach an average vehicle ridership for that project of 1.5. I like to think of it this way. You have two people who

work together, one drives and one walks, so on average has that car has 1 poi-, or I'm sorry. Yes, thank you. It has two, because one person didn't drive at all, one person drove alone, but combined they, there's two people on average in each car, because that car is essentially serving those two people. If there were three people, I'll, I'll skip that because it's too late for math. Sorry. So was that, thank you for laughing. So, you know, essentially, again, I'll get into the strategies, but it really gives flexibility for people to pick from a variety of strategies to meet that point requirement, and to reach that AVR goal. Now, on an annual basis, all the employees and, would be required to participate in the City's annual TDM survey, so the City would administer a survey. This is also a requirement that you'll see throughout for the various types of projects, and when they, when they participate in the survey we would require that 80 percent of employees participate so that, that would be an onus on the employer to, to help us get participation. The City would also work with the employers to help get that participation, and ultimately, that survey

would help determine what their actual AVR is over that past year. Again, it's an estimate on average, typically, surveys will take about a two-week timeframe of people's behavior to try to figure that out. So now you've, you've figured out an AVR, and let's assume that a project did not meet the AVR goal. Well, on an annual basis, you would also submit your annual TDM report, which would basically say, okay, our goal is 1.5. We're now at 1.4. Here were the strategies that we selected in the first year, and so they may elect to either continue to utilize the same strategies and see if they continue to improve the AVR, or they may elect to alter those strategies slightly, so this really gives us the ability to shift the program as time goes on and really see what works and what doesn't work, because that's going to be different for every type of project and every type of working environment and living environment. So those are the requirements for mixed-use and commercial developments. For residential developments, it's a little bit different. They do have to have the TDM Marketing on site. They do need to have residents participate in the annual

TDM survey, but what you'll see is that they don't have an AVR goal, and it's a little bit different because people that are leaving their residences aren't necessarily, are doing trips that are outside of their work-related trips, right? And they're peak and non-peak trips, it's a little bit more difficult to hone in on the AVR goal, so for this, for this base, you know, TDM Program that we're recommending at this time, essentially, what staff is recommending is that projects that are 10 to 19 units provide 5 points worth of strategies on site, and 20 or more units provides 10 points worth strategies, so essentially they would provide those strategies and they would continue to monitor compliance with an annual report, but they wouldn't be required to shift to meet an AVR goal, but they would essentially put things in place. They, they could elect to change their re-, their strategies but aren't required to do so based on any sort of specific goal. Then there's the requirements for employers. Again, this was heavily scaled back in order to provide kind of a base scenario for employers that would, that would help improve people's opportunities to take alternative

transportation but not necessarily burden smaller businesses, so as a result employers with ten or more employees would be required to provide the TDM marketing, again, provided by the City, as well as participate in the annual TDM survey. For employers that have 250 or more employees, which I believe there's five businesses within the City with that threshold, that meet that threshold, they would just be required also to provide the City with verification that they're participating in the Air Quality Management District's TDM Program that they're already required to do. We would just want to get verification of that so we can track that as part of our larger TDM Program. So like I said, there are a number of strategies that you can select in order to meet your points requirement for your TDM plan, and the points, strat-, the strategies range in point value from 1 to 5 based on how effective they are in helping to reduce your actual driving during peak times, and so I won't go through them in detail, but these are the one-point strategies, which are fairly simple to enact, and then they get a little bit more complex as you get into higher point value, the two-point strategies;

I did want to point out that the strategies range things that are physical improvements that you would build on the site, for example, EV chargers and preferential parking for EV park, EV, electric vehicles versus an operational item like providing rideshare matching or guaranteed ride home. These are the three-point strategies, four points and then the five points, and my favorite part about this program is that we also have an innovative, open innovative measure which could range from one to five points, so like everything else we talk about here, we don't know what the future holds and what kind of opportunities there are out there for kind of outside-of-the-box thinking, and we really welcome innovation in terms of this program, and so if someone wanted to propose an innovative measure, it would just approved by the director as part of their TDM plan. We provided a number of examples in your packet, and I don't want to go through them in, in detail, but I did want to point out one thing, and that is that any of the points requirements can be achieved with physical improvements only or operational improvements only, or obviously a mix of the two. So if a developer

wanted to elect just put physical improvements in the ground and not pass on any sort of operational requirements to people in the building, that could certainly be done through this program, and it's certainly something that we want people to think about, whether they want to do things that they construct at the beginning and require ongoing maintenance but in a minimal way versus an operational requirement that has a higher ongoing cost through the future. So today this is actually really interesting because a majority of this program lives in Chapter 1016, which the Planning Commission doesn't have purview over, so obviously we do want your input on the program, and we would pass that along to both the Transportation Commission and the City Council, but the key piece that we're looking for tonight is to make a decision on resolution PC 18-1264, which is a recommendation to the City Council on Zone Text Amendments to Title 19, and essentially what we did was we included references to Chapter 1016 so that in, in a variety of places people will be reminded that they do need to comply with this program as they're thinking about their development permits,

so this would be something that would be a condition of approval of a development permit that you would potentially see and, ultimately, would be, the TDM plan would be approved by the time they have a Certificate of Occupancy. So, again, there are just three amendments in Title 19 that we're requesting recommendation on, and as I said previously, we will be headed to the Transportation Commission on June 20th and then we'll follow up with the City Council on July 9th. With that, we're available for questions and we also have a consultant available if you have questions for them.

Buckner: Now this is only for new development, right?

Dimond: It's --

Buckner: Or for existing businesses that have ten or more employees, right?

Dimond: That's correct.

Buckner: Otherwise the people that are already doing business in the City don't have any obligation to comply, is that correct?

Dimond: If you're a small business with one or two employees this would not apply to you in any way, shape, or form.

Buckner: Okay. So, and, and residences that have ten or more units that are already built, nothing?

Dimond: This does not apply to, this would be strictly 100 percent new development for residential.

Buckner: Question? Stacey?

Jones: I know that there was a working group for this, and I believe Commissioner Bass was on the working group, was a member of the working group, was he not?

Cheung: He attended one of the meetings and Commissioner Hoopingarner stepped in and, and --

Hoopingarner: He attended the first two, I attended the second two.

Jones: Okay, okay. Thank you.

Jones: Thank you. I seem to remember him, and I, it's a little foggy now, but expressing concern about it, and I don't, I don't remember exactly what it was, but I guess I'd like to know, you know, were there other alternatives discussed at the working group, and I didn't see a lot of those included here, and I think just in the interest of being able to make the most comprehensive, you know, recommendation to Council possible, I, you know, I always like to just kind of see what all of our, what all of our

options are.

Cheung: First of all, Commissioner Bass' concern was on the outreach, so I think we covered that as part of the presentation. Alternatives, yes, we went through many, many alternatives ranging from a very robust TDM program to don't do anything at all, so we, we've had inputs and, and, and we looked at many different types of approach to how we should formulate this program, and what we've come up with is a compromise, if you will, of something that we originally proposed that was a little bit more robust than what we have before you, but it's okay because what we want to do is establish this program, a base program, think of it as Version 1.0, and part of the program is to do the surveys and collect the data, and once we get a couple years of data back to us and we can really get a sense of how well it's working or not working, we can start to make adjustments then, so we think this is a good compromise and a good starting point.

Buckner: Question? Go ahead.

Aghaei: Well, something, maybe semi-silly, but those Bird scooters, that, or we had the lime ones I think,

and then you, you know, I know Code Enforcement, you know, swiftly stepped in and confiscated them, but, you know, that, looking at, so I have, and this is like a specific question, and then I have a broader, broader question on this or statement or question on this topic, but, you know, how is that impacting, like, you know, or different modes of transportation, like bike sharing or these scooters, like have we created opportunities to kind of incorporate these new modes of transportation in, in an effort to kind of ease mobility issues?

Cheung: We, we welcome innovative solutions to transportation, and we support any type of new technology. With the Bird situation, what they -- it wasn't Bird actually, it was Lime Bike.

Aghaei: Lime, yeah.

Cheung: They, they just dropped their goods on the sidewalk without permits, without coordinating --

Aghaei: Right.

Cheung: -- with the City, so that, that was the, the, the reason why we asked them to, you know, suspend their operation. We are currently talking with multiple vendors, and our, our plan is to propose a

pilot program to explore how we can regulate and manage these new types of services, but also, you know, we want to make sure that it's done in a safe and efficient manner.

Aghaei:

And I guess my broader question and/or statement is, you know, these things came out of nowhere, right? And then all of a sudden, you know, Bird raised \$150 million dollars with some crazy evaluation, and the City of Santa Monica doesn't know what to do, and they're all over LA, but the flip s-, you know, there was an article in the *New York Times* the other day about, you know, I wanted to hate it but then I got around town superfast and I loved it, right? The reason I'm bringing this up is, you know, mobility is a moving target these days, and it's changing rapidly. And, you know, there, I think there will come a time, and this is, you know, this is just an opinion, yes?

Buckner:

We're discussing before Public Comment.

Aghaei:

Oh. Oh well this is a question, so should I wait for Public Comment? Oh, is this a discussion item? I don't know. Okay. I'll wait for Public Comment then. I was going somewhere, but it'll be, I'll still be going there.

Buckner: Okay, do we have speaker slips? Questions from Staff --

Gillig: Genevieve Morrill --

Buckner: -- as far as the report goes, we can ask those questions now, but --

Aghaei: Sorry.

Buckner: -- no discussion yet, sorry, David. Hold it. Do we have a speaker?

Gillig: Yes, we have one, Genevieve Morrill.

Buckner: Genevieve, come forward, please.

Morrill: Thank you, Madam Chair, Commissioners. Happy Pride. Genevieve Morrill still, CEO and President of West Hollywood Chamber of Commerce. You know, we really do recognize the importance of this program, and we want it to succeed, and we really appreciate the amendments and the compromises that Staff have made in, to have this, what you see before you today, so we want to help move it forward, but we also think that there's still a lot of work to do, and we'd like to see whether we can work with Staff before we get it all the way through to Jul-, July 9th on some of the issues that we have. You know, some of the details haven't been worked out. I really appreciate

Commissioner Jones' question, because we feel that, you know, there have been a lot of recommendations for alternatives, but I think while there's been alternatives provided and compromises provided, they've been within the same formula, and so what we actually recommended was not to use a point system at all but really look at more of intensity of use, and that's because, you know, and now, of course, it doesn't have the same scope with the small businesses, but with this, you know, let's say as a business owner, whether I am five employees working and walking to work or whether I'm 100 employees at a restaurant, if I'm in that new development, those same requirements are going to be provided to me whether I'm five employees or 100 employees, whether my employees are staggered or not, so I think there's not sort of this rewards-back that we also presented. I'm sure there'll be a robust educational program. The developer also, you know, we, we're just looking really at some of the unintended consequences, and we want to make sure we work out the details with Staff. The developer may or, be only the money person, right? He has no care about how this

impacts the future tenants. What kind of foresight does he have to know who these future tenants or what they're gonna need. He may just choose a point system for the sake of having the point system. We also don't know if the new development is really going to be fully realized because of the amount of land, land that they have to use, of whether it needs to be more infrastructure-based or more operational-based. You know, we have to hope that the developer chooses wisely and that they care about the community and that they're not going to just turn around and sell the building and not care the tenants that move in and what the onus is upon them when they, when they take it, so we hope that. We hope that they, I'm losing my track of my thoughts, but we really do just want to really work with Staff on these details before it goes to Council on the 9th, but we do really encourage to move it forward because we really want to kind of keep this moving and we know that we re-, it's important to try to get as many cars off the road as we can. We do think that more of a global type of approach to the whole City, and I know it's hard to look at any kind of through traffic, but

something that we can do to kind of really encourage to get cars off the road, both with the residents and the business owners and the new development, so thank you.

Buckner: Genevieve, don't go away yet. With the Outreach Program and the Task Force, were you or anybody from the Chamber involved in the Task Force?

Morrill: I was, the very first run, it landed on the last Wednesday of the month, which of course is our Mixer Night, and so I couldn't attend any, and then the last meeting of that first run I was able to attend. I then attended the, the second meeting they had, and then pulled together the listing group, and I really do feel that the listing group had a lot of impact because we brought in other types of businesses for Staff to listen to, and it was, it was quite productive.

Buckner: Okay. So did you have an opportunity to make your suggestions then and were those suggestions incorporated in the --?

Morrill: Yes, I, I, I believe they were in terms of existing small businesses and how that impacts them. I think when we look at new development though, to say it doesn't impact employees or businesses, is,

is, is really not the case, because your new development is gonna impact the, whoever is gonna move in there, and to have a developer have the foresight to know what that is or what's gonna be required is what we're concerned about right now and working out those details.

Buckner: So would you think then these points and these, would be better if it was the operator of the business rather than the developer that would be required to participate in the program?

Morrill: I, I think it's looking at the point system. What, what happens is we're locked into this point system, and every time we try to manipulate that, you know, as an example, the Abbey has hundreds of employees, but they come in at 9 o'clock at night, so they're not really part of that impact, so I think there needs to be some reward-back programs for people that already are not driving to work, that already don't impact what's happening, and so I'm not sure, and again, I mean, we're locked into the point system and that's so, what's so challenging for us to kind of say, how do you manipulate that for, as opposed to looking at intensity of use for something or --

Buckner: But the Abbey's not a new business so it won't be impacted at all.

Morrill: No, and, and now, I mean, we really are appreciative of the Staff's time on this, and I think that we do feel heard, and I just think that there's, I have, I really have had state of the City, which is all about Sunset Strip in front of me, and so no excuses, but I've had, I haven't been able to dive into this very much, and Rachel spent a good amount of time on the phone with me, as did Bianca, and so I'm trying to understand it a little more. I'm, I haven't had a lot of time to absorb this new plan, and really understand how it would ultimately, as a developer. We're calling it a developer, but ultimately it's the end user that's it's gonna be, it's gonna be passed onto, and we did, Rachel and I did work out a scenario where it was complete infrastructure, but you might have a building that doesn't have the infrastructure to do all of those either, so, and then you choose operational and you say, bus passes for employees, and then they're meant to do that, so --

Buckner: It's complicated?

Morrill: It's complicated, and, and I don't envy what the

challenge in front of us, but we want it to succeed and we want to support where we can.

Buckner: Thank you.

Morrill: And work on it.

Hoopingarner: One of the things we talked about, you know, is you, you'd have a developer that, I'm sorry, were we done with --?

Buckner: That's the only speaker, right?

Hoopingarner: I think there's only one speaker.

Buckner: So, can I close --

Hoopingarner: Yeah.

Buckner: -- the Public Hearing at this point? Okay, now go.

Hoopingarner: So, you know, you're having a developer develop a business, okay, or, or a building, effectively, okay? But who's going to be the tenant?

Buckner: That's what I was saying.

Hoopingarner: You know, if the tenant's going to be a real estate company, the idea of doing 90 percent of these things is virtually impossible because the real estate people have to have their cars, and they have to be able to, to drive to take their clients around, et cetera, so it is very, very complicated and complex. I think one of the things that we did discuss; and, and I would highly encourage, is that

we, we set a baseline now. We get some good baseline data because to start moving forward with the plan without knowing where we are today is to get to the proverbial cart ahead of the horse, and, so if you've got some baseline data, you know where you stand, and then from there, you can then start making better decisions about what are our options, et cetera, et cetera. I think one of my big concerns about what I'm seeing here is the whole concept of the cost of the thing versus the yield of what it's going to accomplish, and Staff has done a, has, has tried to put that in if you look at Exhibit C. Exhibit C has that little grid where, you know, here are the things you can do to get one point and here are the things you can get two points, but we all know our developers, and they're not stupid people, and the idea that they're going to do a \$4 thing to get one point, you know, you've got all these little dollar signs, et cetera, you know, it's just not gonna happen, and so I, I think there's some misalignments in some of these points, that it's not a pure one-for-one, and Staff's done a good job of, you know, also rating then the effectiveness of that thing, and so

it's a combination of what is the cost of the thing and, and what does it, what do we think it's gonna to accomplish in terms of it's overall effectiveness, and so when you get to real-time multimodal information centers, those are super expensive. Now it might have merit in a hotel lobby, but to put it in a residential building, the people who live in that building are gonna check their phone app, you know, before they leave their house, you know, to check on the bus schedule or whatever. Having that in the lobby they're not going to get up, get dressed, go down, look at the lobby, and then decide, you know, what bus to take or how they're gonna get to work, so I think there's still some refinement that needs to happen on some of these, and again, you know, to have a high-dollar thing that's only got a one-point effectiveness, or a two-point effectiveness, but then gives multiple points as a reward, it, there's some, I think there's some further refinement that might need to happen, and I guess I have concerns, I think we've, we've narrowed it down so much now, that the, I, I don't know, you'd have to do the math, and I know you've worked on it, it's going to

actually impact, like five percent of the community. It's, it, when you say it's only new development and it's only over this size and it's only, only, only, the TDM is now pulled away from the most impact, to, to Genevieve's point. How can we do more impact to the larger community? We don't want to make it onerous on an existing business, because they don't have the ability to build a new bike rack or do whatever, because they, they have limited real estate, but by the same token, what we're doing here is just a little, a little teeny-tiny piece of the whole pie, and you, you know, as they say, there's only one way to eat an elephant; it's one piece at a time. This is a big elephant, and it's gonna be very complicated, but those are just my comments on --

Buckner: Are you saying that it's a lot of work for a very little reward?

Hoopingarner: Yeah.

Jones: I'm going to add to that. I'm in agreement that I had a little bit of, of trouble kind of deciphering, I mean, you guys are the experts, I know it. We, we worked with the consultant on this, right? We did? Hi. But I think just the

correlation between cost effectiveness and points, I don't know, I, I guess I struggle to kind of find a correlation there. I think my bigger issue with it, and of course, I appreciate, like very much appreciate all of the work that went into this, and, you know, the intent is right on, but I feel like it, a lot of these kind of presupposed behaviors that don't actually exist. Like, for example, I've worked in buildings before where there are like screens inside the elevators, or, you know, whatever. Showing someone a bus schedule is not going to incent them to the bus, and incenting a building to like build a space for an on-site daycare or having companies that provide telecommuting doesn't nec-, it, like, there has to be another incentive. I mean, I, you know, I've, have worked for venture-backed companies. These are very, like, these are great benefits to have, but, like, on-site daycare, I mean, that's a, that's a dream come true, but it doesn't mean that people are going to build it, and, you know what I'm saying? Like I guess I just, it's a little bit of like putting the cart before the horse in a way that I don't, I just don't know if it addresses the

biggest problem, which is really kind of what's happening right now. It's like part of a future problem not addressing necessarily the current problem. I mean, I think this is a great starting point, but I, I think that there is some work to be done in the way of how we're thinking about, a lot of these are, to me, like idealized behaviors, like, as per Lynn's point, you know, if you build a building, you don't know who's gonna lease a space, if they're gonna offer telecommuting or if they're gonna offer on-site daycare or even like bike racks, which is, you know, I feel like in West Hollywood especially, I don't know how our bike share program is doing. I don't live on a street where people ride bikes a lot 'cause it's a steep grade, but I don't see a lot of green bikes on my street, and I don't see them getting used a lot, and I think that speaks to a larger problem of us, we, it's just not easy to ride a bike here. It's not necessarily safe, it's not necessarily pleasant as opposed to like a Santa Monica or a Venice where we have wider streets, and very clearly kind of marked, you know, lines and things of that nature, so --

Buckner: It's safe, bike paths.

Jones: Yeah, I mean I was on the Bicycle Task Force a number of years ago, and I mean, I think some of it, some of it speaks to this, but it's like, having a bike rack in a place doesn't mean that someone's gonna ride a bike to work, you know? I don't know. I just, I think this is a good starting point, but I think that more work can be done, and I kind of, being that Ms. Morrill was our only public speaker this evening in service of our business community, I think I'd be interested to know just to see some more, some other suggestions on this.

Aghaei: To add to that, you know, if you have a residential project over 19 units and have to hit 10 of these points, is that, that's correct, right? I mean, it's tough, yeah, you know, what if, what if you don't have the room for some of these amenities to get there or what if they're not practical, what if they, you know, I, I think it's one thing to encourage a developer to do these things, but it's, you know, to penalize them if they don't, or i.e., restrict their development if they can't, that's not fair. I don't know. That's a, I know it's a

broad statement but --

Buckner: Can somebody tell me what "price parking" is?

Dimond: Did you say, "price parking"?

Buckner: Yes.

Dimond: 3.3?

Buckner: It's under 3 points, 3.3, right.

Dimond: So, basically price parking is any, anyone that offers private parking would charge for the parking by providing a minimum price per hour, per day, so it's, it's not providing free parking, so that's something that almost every commercial development does. Certainly some don't, but almost all of them charge you a fee. The residential version of that would be unbundled parking, which is four points by the way, so you're already almost halfway there, add a sign and you have five, so you've met it for smaller buildings, and unbundled parking is essentially, you know, showing the price of parking, essentially, where you have your rent, it's, you know, X amount, and then the actual rent for your parking space is separately listed so that you can see that.

Buckner: And opt not to have parking?

Dimond: Sure, so you don't --

Buckner: That's the idea behind it?

Dimond: Yes, you could opt to just lease your unit and not the --

Buckner: And not the parking?

Dimond: -- parking if you don't have a car but, you know, another example would be you unbundle the parking and also have carshare spaces that, which you'll also see at your next meeting, carshare spaces in the building with preferential carshare and memberships for the, the building. You've met all of your points and essentially you can have people just using Zipcar or similar company, you know, right out of the building.

Buckner: Any other, anybody else have something to add?

Carvalho: I just, Rachel and I had a quick conversation about this a couple of days ago, and I understood that this is just the starting point. This is something that will evolve over time, and is, I don't think is presented as a finite thing, is it?

Dimond: That, that's the goal, that this is really a starting point for us, and we'll evaluate it as time goes on, as we continue to do surveys, collect data, really understand what people are doing, adjust over time for various projects. We would

adjust this as necessary.

Carvalho: Yeah.

Dimond: But --

Buckner: But if it --

Dimond: -- but if we --

Buckner: -- this is going to be --

Hoopgarner: But if we approve this, it, and if it goes to Council and gets approved, we would be held to enforcing this for a new development, correct?

Dimond: Yes, absolutely.

Hoopgarner: So, so it would be whatever we choo-, we choose to and ultimately Council chooses to do, the next project that came to us that was X units, would have to comply with this as part of their development, so that's, that's the important bit, I think, is we're setting, potentially, setting people up to fail, and, or to have to, to scramble to do awkward things that may not have the results that we really truly want, so that's my concern about codifying this today is it's not quite ready for primetime in my opinion.

Aghaei: And that was kind of the point I was getting to earlier, when I was rambling about nothing, but that, you know, I want to make sure that anything,

you know, we do is robust enough to kind of respond to changes quickly, because, you know, there might be a time five years from now when people won't be driving anymore because you just, you know, Uber, you know, an Uber'll show up without a driver maybe, or maybe not, we don't know, or, you know, Uber, Uber Air becomes a thing, and then like, you know --?

Hoopingarner: Well, but Uber actually doesn't help with this at all, because it's still traffic --

Aghaei: Uber, I'm talking about autonomous driving --

Hoopingarner: Yeah.

Aghaei: -- and the fu, we don't know what's gonna happen --

Hoopingarner: Yeah.

Aghaei: -- and it can happen at the drop of a hat, so, but I don't want to, you know, disincentivize or, you know, impose some, you know, something overly restrictive. I wouldn't be comfortable with it. I, I'm okay with encouraging it very strongly.

Jones: It's, I think it's very prescriptive, and again, there are just things right now that people aren't doing. I mean, people aren't providing on-site daycare. Everybody would want to work at that company. I would love to know anybody who works

for a company that has on-site daycare or telecommuting. I have worked for a company that offered telecommuting. I, I mean, I still do. I work from home at least one day a week, but, like, it's presupposing behavior that doesn't, I don't know, I feel like we're making a lot of assumptions about what we would expect businesses to be doing, and it doesn't, like, development, new development doesn't really work that way.

Dimond:

Right, and that's why we really wanted to make this actually flexible, so by giving people options, they get to decide what they do, and I think with the innovative points, you start to think about things like the scooters and other, you know, things that, as mobility evolves, can be, you know, interspersed with the TDM programs. We really wanted to give people the freedom to choose what works for them and ultimately a developer is going to have at least the best guess as a start for what works for them, and I think what's really essential to point out is that on an annual basis we would be reevaluating every single TDM plan, so, you know, for example you, you put in a number of measures and they don't really do anything, and they don't

work, so you can adjust over time, and, you know, with the help of, you know, working with the City to make sure that you kind of adjust to what works. You know, if a business is offering bus passes but that wasn't something that you necessarily had in your TDM plan, you could then roll it in because the business came in and, and opted to give bus passes because often many businesses in this community do give them.

Consultant: Yeah, so, so now I think that you guys are hearing just among yourselves some of the, some of what we got with the working group which is, you know, notions that the program's not big enough to make a difference and the notions that the program is too onerous or unfair, and so I, I would say the scale this is at right now, I would call it a pilot, and we feel like as a pilot it does a couple things. One of the things that we heard from people was that, and I think you heard it from a comment, we'd like better data to, to, you know, before we go big with this thing --

Buckner: So then --

Consultant: -- so running it as a pilot on a small group, monitoring and checking those groups and collecting

better data, you know, getting back, getting a baseline, getting the effectiveness before we sort of scale it, that's, that's part of one of the ideas that we thought --

Buckner: But why not do it as a pilot project and not require it, make it part of a code?

Jones: If it's ETA, yeah.

Buckner: Instead of, yeah, instead of a Zone Text Amendment. It doesn't feel ready. It feels like it's gonna take a lot of manpower to manage it, to monitor it, to make sure that everybody's complying, and what's going to happen if they don't comply? What are the penalties? How are you gonna enforce it?

Dimond: So essentially there's a few questions in there, so I just want to make sure --

Buckner: Lots of questions.

Dimond: Yeah, so I, there's a few things. You know, the key is we don't want people, we want people to succeed, so we are not in the business of sending people to court for not meeting their average vehicle ridership, right? That's not what this, this is doing, so we, essentially, wanted to set up a program that helps to establish kind of a baseline of transportation demand management for

these types of projects that are applicable and then build on that, right? So if someone comes in and essentially as part of their development permit they would have a condition of approval to have a TDM plan, they'd establish a plan. Like I've said, on an annual basis they would reevaluate that plan, and if things weren't working, they would readjust. Essentially, the only way they would really be in violation, you know, say for some other few details, is if they were just actively not cooperating with us. Then you would start to be, become in violation of these requirements, but not meeting your goal is not a violation of this, of these requirements, so we wouldn't say, well, you didn't meet your goal so we're taking you to court, because, obviously giving someone a ticket is not going to make them stop driving their car, you know, or giving, giving a developer a ticket is not gonna stop a, an employee from driving their car, right? So it's really a matter of getting people to work with the City, I mean, from our end, I think, you know, in terms of the, the amount of projects that this is effecting, you know, we essentially assume that City Staff will be able to

absorb dealing with developers in this way, and in the near future, but ultimately, you know, as this program grows and expands and we readjust not only the individual TDM plans but readjust our TDM program as a whole, we would reevaluate and make sure that we have enough resources on our end to help people. There's certainly a lot of things that we are promising as a city here, but I also wanted to just touch upon that this is really, you know, as Paul said, it's it's much of a pilot. because this is really minimal compared to what other cities in our region are already requiring of their businesses, and when we speak to them it's very doable and they've been very successful in changing the behaviors of people who we wouldn't assume would typically change their behavior. You know, maybe a realtor's always going to need a car, but in most other circumstances you can make little changes that change people's behavior, and over time all of those little changes and maybe one less driving trip versus walking or taking a Bird or taking a bicycle or taking the bus with your bus pass, you know, all start to cumulative-, cumulatively have a positive impact on traffic.

Consultant: And, and the, the, I think somebody made the, the comment, the developers aren't stupid, which is correct. What's gonna happen is the developers are gonna pick the options that, that either they were probably going to want to do anyway or that they think is going to amenitize their property, so if that's adding double, double the amount of bike racks, which is one of the pieces, that's the one they're gonna choose. If they're a hotel, putting the screen in the lobby might make sense. If they're a residential building, not so much, as you, as, you know, so having this be a big menu of things that they needed to choose a, a small piece of lets them pick the ones that they either were already going to do probably, sort of gives them that little, that last little push to do it or ones that they can, that they think will be effective, or in the worst case scenario they're gonna go for the cheap ones, right? So they're, they're gonna do one of those three things most likely. I, I just want to make the point too that the correlation part, it's mostly correlated to the effect, the effect from this measure, because that's the thing that the policymakers should care

about, so it, it doesn't really matter to you guys how much somebody's spending if they get the effectiveness right, so that's mostly what the correlation is about. Most people will go for the cheaper ones to get the points. We just want to make sure that we're correlating them to the effectiveness that we've seen for other projects like that around, around the State of California primarily.

Hoopingartner: So a couple of points back to this chart. Let's see here. About 50 percent of these are actual physical infrastructure. The other 50 percent are, hey, bus passes, or whatever, and especially when it comes to our deliberations, as this body, those things that are actual infrastructure that impact the plans, one of the questions I don't know that we ever discussed, I'm looking at 2.8, the EV charges, and the 3.2 and 3.1 and, yeah, 3.1 in particular, the carshare parking. Now, that one's, we just discussed this at Long-Range Planning two weeks ago, and I think it's coming to this body soon. So now we're talking about something that a developer is going to get the ability to reduce their parking for doing a carshare, and they get

their demand management points, and so have we looked at that sort of doubling down on some of these things?

Dimond: Absolutely. I'm a, I'm a big, I'm usually a big opponent of double-dipping in most cases, but I think in some cases, it's helpful to reward people for --

Hoopingartner: Sure.

Dimond: -- good behavior and good actions, and the way that it's being proposed right now, and you'll see it at your next meeting, carshare, using that as an example, the proposal that's before you in two weeks, would allow for a reduction in parking when you provide on-site carshare and dedicated parking spaces. The way that this is written, if you provide those carshare spaces as infrastructure, that you could double count it, certainly if you think that that's inappropriate, we can pass that information along and see, you know, see how we can adjust those things and we can talk about that tonight, we can talk about that in two weeks as it relates to the zone text amendment, but there are some things that, you know, may be requirements of the building code, or maybe requirements of other

outside regu-, regulatory agencies or our own regulations that can be part of this program, and we don't want to hinder someone's ability to do that, because it would allow them to, to double-dip, I think that some of the things that we're trying to promote, like having carshares, particularly in, in certain buildings, you know, if, however way that we can get that, if that's giving people multiple incentives, I think we're, we're happy with that, but certainly, there does come a point where there needs to be, you're not gonna see these in every building, so I think the concern that we're, you know, every building is going to take advantage of this double-dipping is, is likely unfounded, particularly when it comes to carshare because the market can only bear so many of those spaces, so we're seeing and we're hearing from carshare companies as an example that, that they only need so many in this City. We are a small city with, you know, only so many users for their system, and similarly, you know, I, I'd point to bike racks, that there's gonna be kind of a tipping point for how many bike racks you need, espec-, particularly when they're private and, you

know, in the garage, that you probably don't need, you know, bike racks in certain situations, whereas in other cases, where you have a ton of employees, bike racks might be, you know, the best solution for you, so we really wanted to provide open options and not cut peop-, cut people off from a variety of programs.

Hoopingarner: And I guess to, my, on the flip side of the point is we're, a number of these are infrastructure items, okay? So you're gonna end up with a bunch of bike racks, and then all of a sudden the use of the property becomes a disabled citizens' service center who aren't gonna use bike racks or something. I mean that's just a weird example, but you, you get where I'm headed, that, that the developer is gonna be incentivized via dollars or whatever, because they may or may not know who the user is gonna be, and we're going to end up with this infrastructure that's supposed to achieve our demand management, but then on the flip side the end uses can't even use it and they're still gonna be asked to comply with this, and then they're gonna have to be scrambling for their own points.

Dimond: Right, and that's the beauty of the points system,

in that it's a menu of options and that people can change what they provide on an annual basis, so, I mean, to use your example, if someone is going to build a senior facility, they typically know that it's what their building when they're starting their entitlement process, particularly because in that case, that's something that you really need to cater to. Let's just say open tenant space for commercial, right? So that's where there's that like extensive flexibility, and someone is kind of assuming retail across the board, so they're gonna pick a menu that really caters to like a retail environment, like a gateway with, with Target and a few restaurants, you know, sprinkled in, and some nail-salon type things. It's, you know, it's gonna be geared towards that. A year later, they'll, they'll have their plan approved and implemented for a Certificate of Occupancy. A year later if that entire project becomes office the needs may change, and they can come in and completely rework their entire program, and certainly, we're extremely open to that, because the goal is for them to be effective and not to have strategies in place that don't work, and that's where we'll test

them out, you know, and giving them time to do so. I think we'll be pleasantly surprised at some of the strategies that are geared towards one type of use that will find also help to improve the AVR of other types of commercial uses.

Buckner: So at this point, we're supposed to just make a recommendation?

Dimond: There's two things that we're asking for tonight. First, we were asking for input on the program. I think that thus far, that's what's been happening, but the key piece that we need tonight is a, is a decision on the resolution before you that would provide a recommendation to the City Council on the Zone Text Amendments to the Zoning Ordinance. So there's three changes proposed to the Zoning Ordinance that are outlined in Attachment A of Attachment A, and so those are just changing a reference to the chapter where TDM is located adding a new reference to the requirements for specific uses and then also adding a reference that there's, would be a conditional of approval related to TDM for certain development permits, so really those are the key pieces that are under the purview of the Planning Commission at this time.

Altschul: Of course, there's always the other option that the Council prefers, which is don't do any of this, wait for the subway.

Dimond: That's certainly an option but I would respectfully request that you make a determination --

Altschul: Not to --

Dimond: -- today of however you decide of course.

Buckner: Okay. My feeling, my sense is that it's half baked, it's not done, and I don't know whether we can make a recommendation to make these zoning changes really or changes to the zoning thing without, it doesn't feel, I know you guys spent a lot of time on it, I know it's very difficult and complicated, but it doesn't feel, to me, like I can make that at this point.

Altschul: I think it is makeable because as you say it may be half baked, it may be three-quarter baked, but this is just a recommendation, the Council can put it in the oven for a little longer.

Buckner: But it, but it's not, it's more, the, the decision on the amendments, right, the changes to the actual text --

Altschul: That's the recommendation. It doesn't happen until the Council passes.

Buckner: It doesn't happen until the Council passes. So --

Dimond: That's correct. So you're making a recommendation on the changes to Title 19. The Transportation Commission is going to make a recommendation to the changes to Chapter 1016, Transportation Demand Management, and then we'll go to Council with one final ordinance that incorporates both of those, and then they would make a decision. Ultimately, what's interesting about the proposed amendments to the Zoning Ordinance is that we have a TDM program on the books.

Buckner: Uh-huh (AFFIRMATIVE).

Dimond: We, it, it has not been enforced. It has been on the books since 1993. If we do not change a thing related to that TDM Ordinance, these references would provide an actual reference to that TDM Ordinance that exists today, already on the books.

Buckner: Okay, so why haven't we done anything with it? Why haven't we enforced it, or why, why has it been sitting there? It seems like it's a big code enforcement issue.

Cheung: It's, it's a little complicated, but --

Buckner: Well this is complicated too.

Cheung: Yeah. We had staffing, a, a part-time staffer to

help with development of the TDM plans, working with the businesses, and that was when we had a Transportation Department. When the Transportation Department got splintered out to various different depart, other departments, they're, the staffing, we lost the staffing. We lost expertise. We had turnover on key staff, so it's, it's some, it's not a good answer, but it's something, the ball got dropped.

Dimond: I would --

Buckner: So who's going to be in charge of --

Siegl: I want to complete that answer a little bit.

Buckner: -- to keep --?

Siegl: So, right, part of it is the staffing conversation. The other part of this that I want to be clear about in this discussion is that the current ordinance is from 1993, so as has been pointed out a lot has changed in the world of transportation, and the current ordinance is also very inflexible. It has a set number of requirements that do apply and are enforced in new development currently, right? Every project that you see, you know, that fits those size requirements incorporates those required elements, but there is no flexibility

allowed in the current program, and that what we're proposing is a system that has a wide number of options that are not intended to be perfect for every project but provide flexibility for different project types and, and, you know, development scenarios to pick those programs that, that best compliment their goals. Often, those are presented as, as building amenities, as employee benefits. These are, these are actually positive attributes of buildings. Sometimes they're expensive, so what we're trying to do is make a program that is more flexible, recognizing the changes in technology and recognizing that different project types actually need to have the flexibility to make these choices, so that's the, that's the system that we're trying to put in place, and then over time, the actual menu is easily amended. Our, our plan is, will there be, upon the conclusion of the annual surveys, we would make a report to the Transportation Commission and the Council about how we're doing overall, you know, have we been closer as a city towards these targets, and if, as we're doing that annual evaluation we find that the program requirements are out of sync with where

we're headed or what's most effective, we will recommend changes at that time.

Buckner: So our planners are going to be working with the developers, and this will be an added task for our planners to deal with this to counsel the --?

Siegl: To some degree, that's a task that the planners already do, right? Because in the current ordinance, they are, they are required, Bob works with, you know, with applicants all the time talking about how to incorporate the currently required elements. In this case, the program is, is, is more, more robust in terms that there's more flexibility to tailor to project types, so there might be more conversation necessary, but to some degree that's actually a benefit to the developers because they can tailor it to their needs while still meeting the City's goals.

Buckner: Okay. Is somebody ready to make a motion? Well. Well, we have, I mean, they're asking us to do, and we, we have a job to do. We have to do something, so I guess we could just, I'll just move to rec-, recommend to Staff --

Altschul: Well, it's been moved.

Buckner: It's been moved? Who did it?

Aghaei: There you go.

Buckner: Commissioner Altschul.

Aghaei: All right.

Buckner: Okay. So move to move the Zone Text Amendment as set forth by the Staff?

Altschul: Move the recommendation.

Aghaei: The recommendation, yeah.

Altschul: Just a recommendation.

Buckner: Just a recommendation?

Altschul: We're not moving the amendment.

Gillig: And motion fails, four no's, two ayes.

Aghaei: So does that mean we have to make another recommendation? Okay, so let me, let me try this. You know, I would move to make a recommenda-, you know, before I make the motion, I want to say that, you know, I think this is, we're going in the right direction. My only concern, and I think it's a concern that it sounds like we share, is that it sounds somewhat possibly, I, I don't want to use the word "punitive," but prescriptive, i.e., like, you know, and, yeah, I, I think it makes it somewhat onerous for developers.

Buckner: That was the word I was gonna use.

Aghaei: Onerous? So what I would reco-, the recommendation

would like to move is that we do move forward with the program in this vein, but that, I mean that it, we come up with a scheme where we encourage it, where it's, you know, you can participate in it, but not where it's so much required, I don't know if that, does that make --

Altschul: You mean --

Buckner: Well --

Aghaei: -- is that, is that, do we need to, does it need to be more concrete?

Altschul: You mean not, not mandatory.

Langer: Well, because the actual changes -- oh.

Buckner: Yeah, I would like --

Langer: The actual --

Buckner: -- to do is an incentive program, like give them a bonus if they do it.

Langer: But I, okay. The actual changes to the Z-, to the Zoning Code are very narrow --

Aghaei: Right.

Langer: -- they're changing the references, so you could recommend --

Aghaei: We could recommend against these --

Langer: -- that --

Aghaei: -- changes then?

Langer: -- and then recommend -- and then make part of your recommendation these policy changes --

Aghaei: Understood.

Langer: -- that Staff could present both to the Transportation Commission and City Council that you would like to see the program --

Aghaei: So --

Langer: -- a little bit different.

Buckner: But --

Aghaei: -- my -- oh, go ahead.

Langer: So you don't need, you don't need code language to do that. You can, you can put forth ideas.

Aghaei: But if, if I could, my mo-, my motion would be to recommend against these changes and then as a policy matter try to come up with the scheme where you, we incentivize, just as a memo line to it, I guess, effectively --

Langer: Wait you, so you don't want the changes to the, the technical changes to the Zoning Code?

Aghaei: Correct.

Langer: Okay.

Dimond: But, just to jump in, so regardless of whether we actually change the, the TDM program on the books, these changes just are making references to another

chapter. They're just helping someone open their Zoning Ordinance and say, hey, I need to look at Chapter 1016, regardless of what that says, frankly, so if we kept it the same as today, these zone text amendments would, would actually still make sense, right? So I, I, I respect that you, you want to make changes to the program itself, but what I would suggest is considering that these changes could live without a change in the program or with a varied version of what we're presenting as the actual TDM program, does that make sense?

Hoopingarner: It does, but you're, you're right in that we, this is sort of housekeeping in terms of keeping the references within the ordinance, which I get, but by doing that, we're setting it up to point to this new code you're proposing to add in Section 10, which is going to Transportation in two weeks, correct?

Dimond: Yes, but there is something in 1016 today.

Hoopingarner: I agree.

Dimond: Yeah.

Hoopingarner: But by setting up this reference, we're setting it up to be pointing to the new code you're proposing if and when that gets through, okay? And so I

think that's our reluctance, is to say, yeah, go ahead and set that up, but by the way, we know you're gonna change stuff, so you're correct in the housekeeping component of it, but we're also setting it up to be pointing to that new stuff.

Altschul: Was this item Staff-oriented or Council-orient- Staff originated it or Council originated it?

Siegl: There was direction from the Council a couple years ago now to update the TDM ordinance recognizing that it was out of date. The work on this project has been funded by a grant from the State Strategic Growth Council, and recognizing that that is, that having a updated TDM program is an important part of meeting the City's greenhouse gas emissions reductions goals, so that's, that, this is meeting both sustainability goals and transportation goals, both of which have been suggested by the Council.

Buckner: But you don't know that any of these things are gonna actually reduce the gas emissions.

Siegl: Well, actually, we --

Dimond: Every time someone doesn't drive --

Siegl: Actually, we do, yeah.

Dimond: -- they do.

Siegl: We do, and the, the effectiveness ratings are based

on, on technical studies that rate the effectiveness of, of reducing those car trips, largely from the state of California, if I'm correct about that, and, and have been proven to, to, to help achieve it. Our, in fact, our General Plan included, this, this is implementing a general plan item as well, which was to update our TDM ordinance to help meet our greenhouse gas emissions reduction goal. TDM is an important part of that in any community.

Buckner: You know, I think a lot of our traffic problems and our gas emissions are not necessarily our, our residents but people driving through our city because they have to drive through our city to go east to west or west to east, and we have no control over --

Siegl: Absolutely, and TDM, you're totally right, and also, TDM programs are never meant to address passthrough trips. That's, there are a different set of strategies that we have been using and will continue to explore to address passenger trips and regional mobility issues. A TDM program has a relatively narrow focus, which is work-oriented trips.

Buckner: Uh-huh (AFFIRMATIVE).

Cheung: But if, if I can also add to that, those people who are driving through our city are going to work at another city that has a TDM Ordinance in, in place too, so they're, they're also, you know, subjected to the same type of requirements.

Buckner: So these, I want to, I want to call them logistics or ways of managing it, are the kinds of things that you're saying are being done like in Santa Monica, Beverly Hills, Hollywood, these other cities, is that right? And we're the only ones that don't have a list of items?

Cheung: No, we do, it's just that it's out of date and, again, our, what we're recommending is a very mild approach compared to other cities.

Buckner: So they have like a menu like this, and that's the kind of thing that, that cities are going to, basically? So this isn't unusual, is that right?

Dimond: Yeah, I mean, I would say that that, oh, go ahead.

Consultant: So it varies quite a bit. Santa Monica, in particular, has a program very much like this system but considerably more robust, you know, within California, San Francisco, Oakland have, have very, like national, nation-leading kinds of

programs. City of Los Angeles is relatively weak at this point and not particularly well enforced. I mean every city by state law has to have a program, so but the, but the effectiveness and the robustness of them varies with, and Southern California and Santa Monica kind of leading the way and Los Angeles kind of in a comparable place to you guys.

Buckner: When you say that our program isn't as robust as Santa Monica, what do you mean by "robust"?

Consultant: So Santa Monica's applies to more people, more, more businesses, residences, you know, it's not sort of narrowly just focused on new development. The, the level of requirement to those who, to whom it applies is higher, so if we were asking, say, 10 points, they're probably asking 20 points for the same group of people. You know, the politics are different there. There, there's all kinds of reasons people have variable programs, but, you know, at, at the Western and (INAUDIBLE) of a lot of these through commutes, there is a, you know, the most robust program in Southern California.

Buckner: Okay. Okay, so I need help from you, Lauren. What, what do we need to do? We need to do

something. I don't want to leave Staff --

Langer: So I --

Hoopingarner: I have a question.

Buckner: Yeah. Hanging.

Hoopingarner: There are a number of members of our community, Genevieve, for one, that perhaps, without having to go back entirely to the drawing board that you could work at this very small, very intense working group with some key peoples, an architect, this chamber, a couple of people to refine some of these things. I realize that you think, you're, you're taking this to Transportation. Is there anything to prevent you from taking that refined set to Transportation and then bringing it back to us for this bit?

Dimond: Yes, there, there is.

Hoopingarner: Okay. So we, we do have some time issues here. We have a, a grant that required us to meet certain timeframes, and at this point, to be totally frank, at 11:01, you know, we, we would love a recommendation on the, on the changes to the, to the Zoning Ordinance. I think we could absolutely continue to, to fine tune this, work with the Transportation Commission and take it to Council

with your input that you've provided today, but we, we will not be coming back for this round to the Planning Commission.

Altschul: This is political. It's just bouncing it back to the Council where they want it, let them do it.

Buckner: Yes. So then we should just vote again.

Aghaei: Does someone want me to --

Altschul: You should vote again.

Hoopingarner: So I'll make a motion. I'll make a motion. I'm making a motion to adopt the Staff's recommendation with the caveat that the actual, because we're only voting on the pointers, right? Right? That the actual code that's going be addressed by Transportation addresses some of these key issues that have been identified by the Chamber, by citizens in the community, because we don't ultimately have any say over it anyway.

Buckner: And by our Commission.

Hoopingarner: Yeah, and by our Comm-, and, and indeed our comments before you take it to Council.

Dimond: Absolutely, your, your comments will be incorporated into the report to Transportation Commission and to Council.

Hoopingarner: So that would be my motion.

Buckner: That --

Langer: Yes, that is --

Buckner: We'll do it.

Langer: -- an acceptable way to proceed.

Buckner: Are we happy? It's the same thing, the same --

Gillig: And the motion passes unanimous. It's a recommendation to City Council, no appeal process.

Buckner: Our comments are gonna go forward?

Langer: Yes, your comments will be conveyed both to Transportation and to City Council on the substance of the program.

Altschul: And you'll guarantee that they'll read them? Good response, Bianca.

Buckner: Thank you. Do we have any public speakers at this point?

Gillig: We have one, George Bujarski.

Buckner: Oh, excuse me. No new, there's no New Business, no Unfinished Business, no Excluded Consent Calendar. Items from Staff for their planning --? No? Public comment. Hi, George.

Bujarski: Hi. Good evening, Commissioners. My name is, my name is George Bujarski. I live in West Hollywood. The last item reminded me of that old Polish adage, "The point of life is to avoid as many calculations

as possible." I'm, I, you know, I really appreciated the discussion during the Sunset, or after, you know, the Sunset meeting. You know, I've, I've come here talking about my neighborhood, but I do live in, you know, in West Hollywood, and my wife and I have lived here now for five years, and as one of the commissioners said, you know, we really love it, and sort of like we enjoy the joy of this place. It's got, you know, it's got a lot of life. However, what I want to talk about was pedestrian crosswalks, and pedestrian crosswalks on Melrose Avenue in the stretch between Fairfax and La Cienega and more specifically, pedestrian crosswalks between Crescent Heights and, and Orlando, because there aren't any. West Holly-, Melrose, at this point is a white street. It's got two lanes, two lanes and a lane for left turns in the middle. It's got, between Crescent and Orlando, those two traffic lights and the one on Harper. Melrose, like, Melrose has a lot of shops, it's got a lot of boutiques, it's got a lot of cafes, and some of them are on the other side of the street. I've, I've driven Melrose a number of times, you know, a lot of times in the stretch, so,

you know, people want to cross the street. Now, in the three blocks between Crescent and Harper, it's only three blocks, so I don't know why so many of them are crossing except for Johnathan Adler. I don't know if you've ever heard of it, they have a pink wall and it's the number one self-photo destination in the United States. Oh no. Really? The, the blocks between, between Harper and Orlando, there are three blocks but they're really like four or five blocks. They are very long blocks, so what happens is that people, you know, (INAUDIBLE) in two hops, they go from the sidewalk into that center turning lane, and they go over.

Gillig: Time.

Bujarski: Huh?

Altschul: Aren't those in Los Angeles?

Buckner: Can we let him have one more minute? Go one more minute, George.

Altschul: Bianca, aren't those in Los Angeles? George, those are in Los Angeles.

Bujarski: What?

Altschul: Those, those --

Buckner: Those streets --

Altschul: -- intersections are in Los Angeles.

Buckner: They aren't even --

Bujarski: Nothing is in West Hollywood?

Buckner: No.

Altschul: Not what you're talking about.

Bujarski: Oh no, those poor pedestrians.

Buckner: Fairfax and Crescent.

Bujarski: Wait a minute. Wait, Crescent isn't in West --?

Altschul: Heights, between Crescent Heights --

Buckner: Crescent is.

Altschul: -- and Orlando, and Melrose is in Los Angeles.

Bujarski: Ah. So all of that area is Los Angeles?

Altschul: Yes.

Buckner: Yeah. Go to City Hall, talk to them.

Altschul: Or let's form a militia and, and capture it, and then, then we can solve the problem. Now I'll have to just have to drive along and watch them trying to cross, it's --

Hoopingarner: Let's invade.

Altschul: -- look at the street signs.

Bujarski: And to think that I waited, and waited for this?

Altschul: Sorry.

Buckner: Well, thank you so much. We always appreciate your comments.

Bujarski: Have a nice dinner, everyone.

Hoopingarner: In any case, George, it would probably be a thing to take to Council instead of to Planning.

Bujarski: Oh. It's not in West Hollywood, you know.

Buckner: Thank you. So then items from Commissioners?

Jones: I have one thing. Okay, this is not a teacher's pet situation. There's been a lot of conversation in our community for the one person who's still here, anyone watching on TV, about the landlord-tenant (INAUDIBLE) for seismic retrofitting, and there are gonna be two meetings about this. One is this, actually, it's next Saturday, I believe, from 11:00 to 12:30, that's in the morning, here, and there's another one on June 23rd at the same time. There's also a survey that you can take online, so if you have opinions, I encourage you, I encourage you to participate, and that's it.

Buckner: Yes. Okay, thank you very much for mentioning that. No other commissioners at this time? Thank you then. The Planning Commission will adjourn to the next regularly scheduled meeting, which is Thursday, June 21st beginning at 6:30 p.m. The 14th, the one that would've been normally a meeting, is being canceled, correct?

Altschul: That's Design Review.

Buckner: Oh, it's a design review? I'm all confused.

Altschul: Yes.

Buckner: Sorry about that.

Altschul: Well, that's canceled.

Buckner: Design Review is cancelled.

(END OF MEETING).

DRAFT

PASSED, APPROVED AND ADOPTED by the Planning Commission of the City of West Hollywood at a regular meeting held this 21st day of June, 2018 by the following vote:

AYES: Commissioner:

NOES: Commissioner:

ABSENT: Commissioner: Bass.

ABSTAIN: Commissioner:

SUE BUCKNER, CHAIRPERSON

ATTEST:

DAVID K. GILLIG, COMMISSION SECRETARY



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CERTIFICATE AND

DECLARATION OF TRANSCRIBER

I, ALICE BURKE, hereby declare as follows:

I am located at 21220 Devonshire Street, Suite 202-B, Chatsworth, California 91311. I am the person who transcribed the foregoing Planning Commission minutes of June 7, 2018. Present were the Planning Commission, Staff - Jennifer Alkire, Rachel Dimond, Bob Cheung, David DeGrazia, Bianca Siegl, Lauren Langer, David Gillig, and public speakers.

I have transcribed this transcript to the best of my ability and certify that this written transcript is a true and accurate account thereof. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

I further certify that I am not of counsel or attorney for any of the parties in the foregoing matter or in any way interested in the outcome of the matter set forth in this transcript.

EXECUTED this 13th day of June 2018 at Chatsworth, California.

Alice Burke

Alice Burke
Written Communications, Inc.

ATTACHEMENT E

DRAFT TRANSPORTATION COMMISSION MEETING RESULTS

**TRANSPORTATION COMMISSION
CITY OF WEST HOLLYWOOD
DRAFT MINUTES
JUNE 20, 2018
7:00 P.M.
ROOM 5 & 6
PLUMMER PARK
7377 SANTA MONICA BOULEVARD
WEST HOLLYWOOD, CA 90046**

1. **CALL TO ORDER** – Chair Wentzel called the meeting to order at 7:00.
 - A. **PLEDGE OF ALLEGIANCE** – Cody Alexander led the Pledge of Allegiance.
 - C. **OATH OF OFFICE** – Councilmember Lauren Meister swore in Christopher Bowen as a Transportation Commissioner
 - D. **ROLL CALL**

Present: Cody Alexander, Kevin Burton, Misti Cooper, Christopher Bowen
David Eichman, David Warren, Dan Wentzel

Absent: None

Also Present:
Bob Cheung, Senior Transportation Planner
Bianca Siegl, Long Range Planning Manager
Oscar Delgado, Department of Public Works Director
Vince Guarino, Parking Manager
Bill Bortfeld, Parking Services & Projects Officer
Coby Wagman, Parking Operations Supervisor
Hany Demitri, Interim City Engineer
Joanna Hankamer, Special Projects Senior Planner
David Fenn, Associate Planner
Florenzel Jose, Consultant
Lauren Mattern, Consultant
Danny Casillas, Administrative Specialist III
 - E. **APPROVAL OF THE AGENDA**

SUBJECT: The Transportation Commission is requested to approve the Agenda with the following amendments: Move Item 7.A. ahead of item 4.A. and adjourn in the memory of Jack Mehlman.

ACTION: Motion by Wentzel to approve the June 20, 2018 Agenda, seconded by Warren and approved.
 - F. **APPROVAL OF MINUTES**

SUBJECT: The Transportation Commission is requested to approve the minutes of prior Transportation Commission meeting.

ACTION: Approve the minutes of May 16, 2018 **Motion by Eichman, seconded by Warren and approved.**

2. PUBLIC COMMENT

No Item

3. PUBLIC HEARINGS:

No item

7. ITEMS FROM STAFF:

Oscar Delgado and Hani Demitri addressed the Commission regarding the upcoming reorganization of departments.

A. Metro Update

Joanna Hankamer and David Fenn presented an update on Metro Line Activity.

The Commission asked about possible alignments.

Joanna Hankamer listed some possible segments.

The Commission asked about the projected schedule of the extension.

Joanna Hankamer explained the timing.

The Commission asked what more the City could do.

Joanna Hankamer replied that it is already being done.

4. NEW BUSINESS:

A. Permit By Plate Parking

Staff report by **Vince Guarino, Coby Wagman and Florezel Jose**

The Commission asked about registering for the program.

Florezel Jose replied that it only had to be done once, rather than every time one applies for day permits.

The Commission asked about the thirty minute grace period.

Coby Wagman explained.

The Commission asked what has been done to prevent abuse.

Vince Guarino explained.

The Commission asked what happens when the system or network goes down.

Coby Wagman replied that the manual system and physical permits will still be in place and available.

The Commission asked if entries are amendable.

Florezel Jose said that they are amendable.

ACTION: Recommend to City Council to approve staff recommendations to introduce on first reading Ordinance No. 18-____ "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING TITLE 10, CHAPTER 10.08 OF THE WEST HOLLYWOOD MUNICIPAL CODE PERTAINING TO PREFERENTIAL PARKING DISTRICTS."

Motion by Warren, seconded by Alexander and approved.
All Aye

B. Weho Pedals Resident Discount Pilot Program

Staff report by Bianca Vince Guarino and Coby Wagman

The Commission provided feedback leaning toward providing residents with one month of free bike share membership.

**5. SUBCOMMITTEE REPORTS:
No Reports**

6. UNFINISHED BUSINESS:

A. Municipal Code Amendment To Update Title 10 Vehicles and Traffic Transportation Demand Management Program in the City of West Hollywood

Staff report by Bob Cheung, Rachel Dimond and Lauren Mattern

The Commission asked if the previous program would stay in effect if the proposed resolution is not approved by council.

Rachel Dimond replied that it would.

The Commission asked how the program would be applied to mixed use projects.

Rachel Dimond explained.

The Commission expressed a desire to make regulations retro-active.

The Commission felt the onus of parking is misplaced on the developer/owner.

ACTION: Recommend approval to the City Council of the subject municipal code amendments, and adoption of the Transportation Demand Management Menu of Trip Reduction Strategies with the following additional recommendations to the City Council: (1) Consider requiring parking cash out as a base requirement; and (2) Consider expanding the program to apply to existing residential buildings with over 50 dwelling units, with no AVR requirements; and (3) Consider requiring existing residential buildings with less than 50 dwelling units to provide TDM marketing and participation in the annual TDM survey, with no AVR requirements.

Motion by Wentzel seconded by Eichman

Aye: Burton, Cooper, Doebler, Eichman, Warren, Wentzel

Abstain: Alexander, Bowen

Motion Passed.

7. ITEMS FROM STAFF:

Cheung

- Electric Scooter Update

8. ITEMS FROM COMMISSIONERS:

Eichman

- Word usage; "Crash" vs. "Accident"

Warren

- Chair and Vice-Chair Elections
- New Departmental Work Plan
- Thanks to Bianca Siegl

Burton

- Thanks to Bianca Siegl
- Packet containing unsearchable staff report
- Beverly Hills Bike lanes

Bowen

- New Commissioner

Cooper

- Thanks to Bianca Siegl
- San Francisco Bike Signals on masthead

- Welcome to Commissioner Bowen

Wentzel

- Painted Bike Lanes and Vibrant Sharrows
- Thanks to Bianca Siegl
- Welcome to Commissioner Bowen

9. PUBLIC COMMENT:
No Comments

- 10. ADJOURNMENT:** The **Transportation Commission** adjourned in the memory of Jack Mehlman at **10:17 PM** to a regularly scheduled Special meeting on **July 18, 2018** beginning at **7:00 PM** at **Rooms 5 & 6, Plummer Park, West Hollywood, 90046**

APPROVED BY MOTION OF THE TRANSPORTATION COMMISSION THIS
18th DAY OF July, 2018.

Chair

ATTEST:

Staff Liaison

ATTACHEMENT F
EXISTING TDM ORDINANCE

Chapter 10.16 Transportation Demand Management

10.16.010 Title.

This chapter shall be known as the West Hollywood "Transportation Demand Management Ordinance."
(Ord. 93-361 § 1, 1993; prior code § 32100)

10.16.020 Findings.

The City Council hereby finds as follows:

- a. Transportation options have been seriously limited by land use decisions and resource allocations favoring the private automobile.
- b. The City of West Hollywood's General Plan Circulation Element calls for the city to:
 1. Goal 5.C – Establish a program of transportation management tools to reduce travel demand and manage the movement of people and vehicles within the city;
 2. Objective 5.5 – Improve the mobility of city residents to access local services, particularly for the disadvantaged, including the elderly, the handicapped, the low and moderate income, students, and the temporarily disabled; and
 3. Objective 5.6 – Maximize and improve the operating efficiency and safety of the existing circulation system.
- c. The cost of owning and operating a motor vehicle is prohibitive or unduly burdensome to a large number of our residents.
- d. Alternatives to the automobile exist but are under-used because of excessive expenditure of fiscal and other resources on the automobile.
- e. The City of West Hollywood is situated within the South Coast Air Basin which has some of the most noxious air pollution in the United States. Air pollution from motorized transportation vehicles is a persistent and growing threat to public health in the region and has prompted, in part, the adoption of a regional Air Quality Management Plan by the South Coast Air Resources Board, and the Congestion Management Plan by the State Legislature and the Los Angeles County Transportation Commission.
- f. The City of West Hollywood's General Plan Air Quality Element, Section 12.2, the regional Air Quality Management Plan and the Congestion Management Plan call for new rules and regulations to reduce work and non-work related motor vehicle traffic and thereby reduce emissions of air pollutants generated by motor vehicles.
- g. Motor vehicles cause approximately sixty percent of the region's oxides of nitrogen and eighty-seven percent of the region's carbon monoxide emissions.
- h. It is therefore necessary to adopt an ordinance adding new regulations to and amending the City of West Hollywood Municipal Code to require building owners, employers, developers, and other entities, even those regulated under Regulation XV (as adopted by the South Coast Air Quality Management District ("SCAQMD") on December 11, 1987) to plan for and implement transportation demand management measures to increase private passenger-car occupancy and the use of transit, walking and bicycling and thereby reduce the emission of air pollutants due to work and non-work related motor vehicle traffic.

(Ord. 93-361 § 1, 1993; prior code § 32101)

10.16.030 Purposes.

The purposes of this chapter are to:

- a. Implement Goal 5.C of the General Plan Circulation Element.
 - b. Comply with the Congestion Management Program (CMP), which requires that local jurisdictions adopt a trip reduction ordinance.
 - c. Encourage land use patterns and resource allocations which are conducive to travel behavior that is not dependent on the automobile.
 - d. Provide a diversity of transportation options reflective of the needs and goals of the city.
 - e. Reduce traffic congestion and increase mobility in the City of West Hollywood through the use of proven and innovative programmatic and facilities-oriented transportation demand management strategies.
 - f. Encourage the formation of transportation management organizations.
 - g. Reduce the emission of air pollutants generated by automobiles and to assist in the attainment of the ambient air quality standards of the Federal Clean Air Act (42 USC Sec. 7401 *et seq.*), and to comply with the Air Quality Management Plan and the Congestion Management Program, and thereby protect the public health and welfare.
- (Ord. 93-361 § 1, 1993; prior code § 32102)

10.16.040 Definitions.

As used in this chapter:

1. "Average vehicle ridership" or "AVR" shall mean the total number of employees assigned to a work site between 6:00 a.m. and 10:00 a.m., Monday through Friday, divided by the number of vehicles they drive from home to work. AVR shall be calculated using a five consecutive-weekday average that does not include a holiday. Bicycles shall not be counted as vehicles for the purposes of AVR calculation.
2. "Department" shall mean the City of West Hollywood Department of Transportation and Engineering, unless otherwise specified.
3. "Director" shall mean the City of West Hollywood Director of the Department of Transportation and Engineering or her/his designated appointee, unless otherwise specified.
4. "Employee" shall mean one who is assigned to the designated work site in the a.m. peak period. An employee is one who works in the service of an employer for either wages or salary, as a contract employee under the direction of the work site employer or through a temporary service agency during a period of more than ninety continuous days.
5. "Employer" shall mean any person or persons, firm, business, educational institution, government agency, nonprofit agency or corporation, or other entity having employees at a worksite in the City of West Hollywood.
6. "Ridesharing" shall mean the use of some means of transportation other than the single occupant car. Bicycling, walking, transit use, carpools, etc. are examples of ridesharing.
7. "Transportation management organization" or "TMO" shall mean an entity of persons, employers, building owners, building managers, developers or any combination thereof, established, in part or solely, for the purpose of providing trip reduction incentives and services, including the promotion of ridesharing, use of public transit and trip elimination strategies and/or assistance to employers in complying with the requirements of this Division.
8. "Trip reduction" shall mean a reduction of the number of commute trips taken between 6:00 a.m. and 10:00 a.m. inclusive Monday through Friday in single-occupancy vehicles.

(Ord. 93-361 § 1, 1993; prior code § 32103)

10.16.050 Application of this Chapter.

This chapter shall apply to all employers of five or more employees at a worksite located in the city and in a development of ten thousand or more square feet of enclosed space which is established after the effective date of the ordinance which adopted this chapter. A development is "established" within the meaning of this section if it is:

- Newly constructed; or
- The use of that space is changed.

A net addition to an existing structure of ten thousand or more square feet of enclosed space which occurs after the effective date of the ordinance which adopted this chapter shall also constitute a development "established" within the meaning of this section.

(Ord. 93-361 § 1, 1993; prior code § 32104)

10.16.060 Trip Reduction Goals.

Each employer shall employ best efforts to attain an AVR of 1.5 within twelve months after approval of a trip reduction plan pursuant to this chapter.

(Ord. 93-361 § 1, 1993; prior code § 32105)

10.16.070 Requirements for Employers.

Employers shall:

- a. Submit a trip reduction plan as set forth in Section 10.16.080;
- b. Employ best efforts to achieve an AVR of 1.5 as stated in Section 10.16.060;
- c. Provide incentives to their employees to achieve an AVR of 1.5;
- d. Submit an annual progress report to the city.

(Ord. 93-361 § 1, 1993; prior code § 32106)

10.16.080 Trip Reduction Plan – Content.

a. A trip reduction plan shall include each of the following:

1. The name of a designated transportation coordinator responsible for development and implementation of the plan. The designated transportation coordinator may serve more than one employer. If the designated transportation coordinator is not located at the employer's worksite or for any plan submitted by a TMO, the plan shall also designate a coordinator responsible for implementation of the plan at an employer's worksite.

2. An inventory of trip reduction incentives currently being implemented by each employer on behalf of which the plan is submitted.

3. A verifiable estimate of the current AVR for each worksite covered by the plan.

4. A list of trip reduction incentives each employer commits to implementing which can reasonably be expected to lead to achievement AVR of 1.5 within twelve months.

5. A schedule for implementation of the trip reduction incentives.

6. A separate statement acknowledging the requirements of this chapter and committing to implement the plan signed on behalf of each employer for which the plan is submitted.

7. A requirement that if the employer offers free or subsidized parking to any of its employees, the employer shall permit employees to receive in-lieu of that parking subsidy its fair market value in the form of a cash allowance for ridesharing or other commuting expenses or as a subsidy for transit fares.

8. Adequate provisions to ensure that the commitments of the plan will be legally enforceable against successors in interest of the employer.

9. Assignment of preferential parking in an employee parking area, access, or egress for vehicles used for ridesharing.

10. The location of no fewer than one bulletin board, display case, or kiosk which will be used to display transportation information and which will be located where the greatest number of employees are likely to see it. It shall also specify when information will be updated and who will update the information. The transportation information displayed shall include the following:

- (a) Current maps, routes and schedules for public transit routes serving the site;

- (b) Telephone numbers for referrals on transportation information including number for the regional ridesharing agency and local transit operators;
- (c) Ridesharing informational material supplied by commuter-oriented organizations;
- (d) Bicycle route and facility information, including regional/local bicycle maps and bicycle safety information;
- (e) A listing of facilities available for carpoolers, vanpoolers, bicyclists, transit riders and pedestrians at the site.
- (f) A statement that preferential carpool or vanpool spaces for employees are available and a description of the method for obtaining such spaces.

11. Such other information as is reasonably required by the Director for the evaluation of the plan and the implementation of this chapter.

- b. Employers are encouraged to consider the following trip reduction incentives and trip elimination strategies:
 - 1. Establishment of ridesharing, bicycle, pedestrian, and mass transit commute programs.
 - 2. Direct financial incentives to employees or others for ridesharing, bicycling, walking or mass transit use.
 - 3. Flexible or modified work hours for employees.
 - 4. Use of company-owned fleet vehicles for ridesharing and/or bicycles for use in commuting or during the workday.
 - 5. Participation with a TMO to facilitate ridesharing and the creation of trip reduction or elimination incentives.
 - 6. Implementation of an education program for employees, customers, patrons or students to disseminate information on ridesharing and trip reduction and elimination.
 - 7. Implementation of satellite worksites, telecommuting, compressed work weeks or other trip elimination strategies.

(Ord. 93-361 § 1, 1993; prior code § 32107)

10.16.090 Trip Reduction Plan – Submittal.

Employers shall submit a trip reduction plan within six months of establishing business in a worksite subject to the requirements of this chapter. An employer may satisfy this requirement by arranging for the submission of a trip reduction plan on the employer's behalf by a transportation management organization (TMO), but such a plan must be signed by persons with authority to legally bind each employer for which it is submitted.

The Director shall either approve or disapprove the plan in writing and if disapproved shall indicate the reason. Any plan disapproved by the Director shall be resubmitted within thirty days of receipt of the notice of disapproval. If an employer's plan is twice disapproved, and until such time as a revised plan is submittal and approved, the employer shall be in violation of this chapter.

(Ord. 93-361 § 1, 1993; prior code § 32108)

10.16.100 Trip Reduction Plan – Annual Review and Revision.

a. Each employer or TMO shall conduct a review of its trip reduction plan and make revisions necessary for the attainment of an AVR of 1.5.

b. An annual report on each plan, signed under penalty of perjury by persons with authority to legally bind each employer for which it is submitted, shall be submitted to the Director on the anniversary date of a previously submitted plan and shall report separately for each employer covered by the plan:

- 1. The trip reduction incentives implemented; and
- 2. The current AVR at each worksite as determined by an employee commuter survey conducted within six months of the date the report is submitted.

c. If the annual report indicates that an employer has not attained an AVR of 1.5, the plan shall be revised to include trip reduction incentives and other measures which can reasonably be expected to achieve that AVR within twelve months.

d. An annual report, and any revision to the plan submitted therewith, shall be submitted for review pursuant to Section 10.16.090 of this chapter. Any employer whose report and revised plan is twice rejected pursuant to Section 10.16.090 shall be in violation of this chapter until such time as a revised report and plan is submitted and approved. (Ord. 93-361 § 1, 1993; prior code § 32109)

10.16.110 Powers and Duties of the Director.

a. *Records and Audits.* Employers subject to this chapter shall maintain and preserve, for a period of at least two years, such records as may be necessary to demonstrate compliance with this chapter and to determine AVR for at least one week per year. Upon request of the Director, an employer shall provide the necessary records to substantiate an AVR calculation and to demonstrate compliance with this chapter. If upon audit of such records, the Director determines the employer has not complied with this chapter, the employer shall file a revised plan or annual report or take such other steps as the Director determines are necessary to comply with this chapter within thirty days of receipt of written notice of the Director's determination.

b. The Director, in consultation with the City Attorney, and with the approval of the City Manager, may adopt any rules or regulations necessary or desirable for the implementation and enforcement of this chapter, included but not limited to the following:

1. AVR calculation guidelines to account for trip elimination strategies;
2. Guidelines for the content of trip reduction plans, including incentives and alternatives to be considered in developing plans; and
3. Procedures for allowing extensions of up to one year for compliance with this chapter.

(Ord. 93-361 § 1, 1993; prior code § 32110)

10.16.120 Establishment of Fees.

Fees for review of trip reduction plans, the processing of appeals from determinations of violations, and other services pursuant to the chapter shall be established by resolution of the City Council.

(Ord. 93-361 § 1, 1993; prior code § 32111)

10.16.130 Enforcement.

a. *Violations.*

1. Any employer which fails to submit an initial trip reduction plan or annual report, or to submit a revised plan or annual report after disapproval by the director, within the time permitted by this chapter shall be in violation of this chapter.

2. Any employer shall be in violation of this chapter if it fails to implement any of the provisions of an approved plan. The Director shall have the power to inspect on-site and audit files. If an employer complies with all provisions of its approved plan, but fails to attain an AVR of 1.5, such failure shall not be in violation of this chapter.

b. *Administrative Penalty.*

1. *Notice of Violation.* If the Director determines that an employer has violated any provision of this chapter, he or she may issue a notice of violation to that employer. Such a notice shall state the violation, the penalty for that violation as most recently established by resolution or ordinance of the City Council, how that penalty may be paid, and the availability of an appeal to the Transportation Commission.

2. *Notice of Appeal to the Commission.* An employer may appeal a determination of the Director that it has violated a provision of this chapter by filing a notice of appeal within fifteen days of receipt of a notice of violation. The notice of appeal shall be signed by one with legal authority to bind the employer, shall briefly state the basis of the appeal,

and shall be accompanied by the appropriate appeal fee as established by resolution or ordinance of the City Council. If no appeal is filed within that time, the penalty shall be final and shall be immediately due and payable.

3. **Hearing Before Transportation Commission.** Upon receipt of a timely notice of appeal, the Transportation Commission shall promptly set the matter for hearing and provide the appellant reasonable notice of the time and place at which the hearing will be heard. Upon termination of the hearing, the Commission shall take one of the following actions:

- (a) Affirm the determination of the Director in its entirety;
- (b) Rescind the determination of the Director; or
- (c) Refer the matter to the Director for reconsideration in light of the Commission's deliberations.

4. **Appeal to the City Council.** The Director or an employer may appeal a decision of the Transportation Commission to affirm or rescind a determination of the Director by filing a notice of appeal with the City Clerk within fifteen days of the Commission's decision. If no appeal is filed within that time, the penalty shall be final and shall be immediately due and payable. The notice of appeal and decision of the Council shall be controlled by subsections (b)(2) and (b)(3) of this section and the Council shall determine the appeal and take one of the actions authorized by subsection (b)(3).

5. **Judicial Review.** If no action seeking judicial review of a decision of the City Council is timely filed, the decision shall be final and any penalty shall be immediately due and payable. The City Council hereby makes Section 1094.6 of the California Code of Civil Procedure applicable to decisions pursuant to this chapter and an action seeking judicial review shall be brought within the time permitted by that section.

c. **Criminal Penalty.** An employer who violates any provision of this chapter is guilty of a misdemeanor and may be prosecuted for such violation pursuant to subsection (a) of Section 1.08.010 of this code. Alternatively, a violation of this chapter may be charged as an infraction pursuant to subsection (c) of Section 1.08.010 of this code in which case, upon conviction, the employer shall be punishable as provided in subsection (b) of Section 1.08.010 of this code.

d. **Remedies Cumulative.** The conviction and punishment of any person for failure to comply with the provisions of this chapter shall not relieve such person from paying any fee or penalty due and unpaid at the time of such conviction, nor shall payment prevent prosecution of a violation of any of the provisions of this chapter. All remedies shall be cumulative and the use of one or more remedies to enforce this chapter shall not bar the use of any other remedy available by law.

(Ord. 93-361 § 1, 1993; prior code § 32112)

10.16.140 Relationship to Other Legal Requirements.

If the provisions of this chapter are inconsistent with requirements imposed by another rule, ordinance, or statute, the strictest of the applicable provisions shall control. To the extent permitted by law, the provisions of this chapter shall supersede any less stringent requirements, including but not limited to those which arise from a condition of approval of permit for development, a specific plan, or a development agreement.

(Ord. 93-361 § 1, 1993; prior code § 32112)

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