

# COASTAL TRANSPORTATION CORRIDOR

---

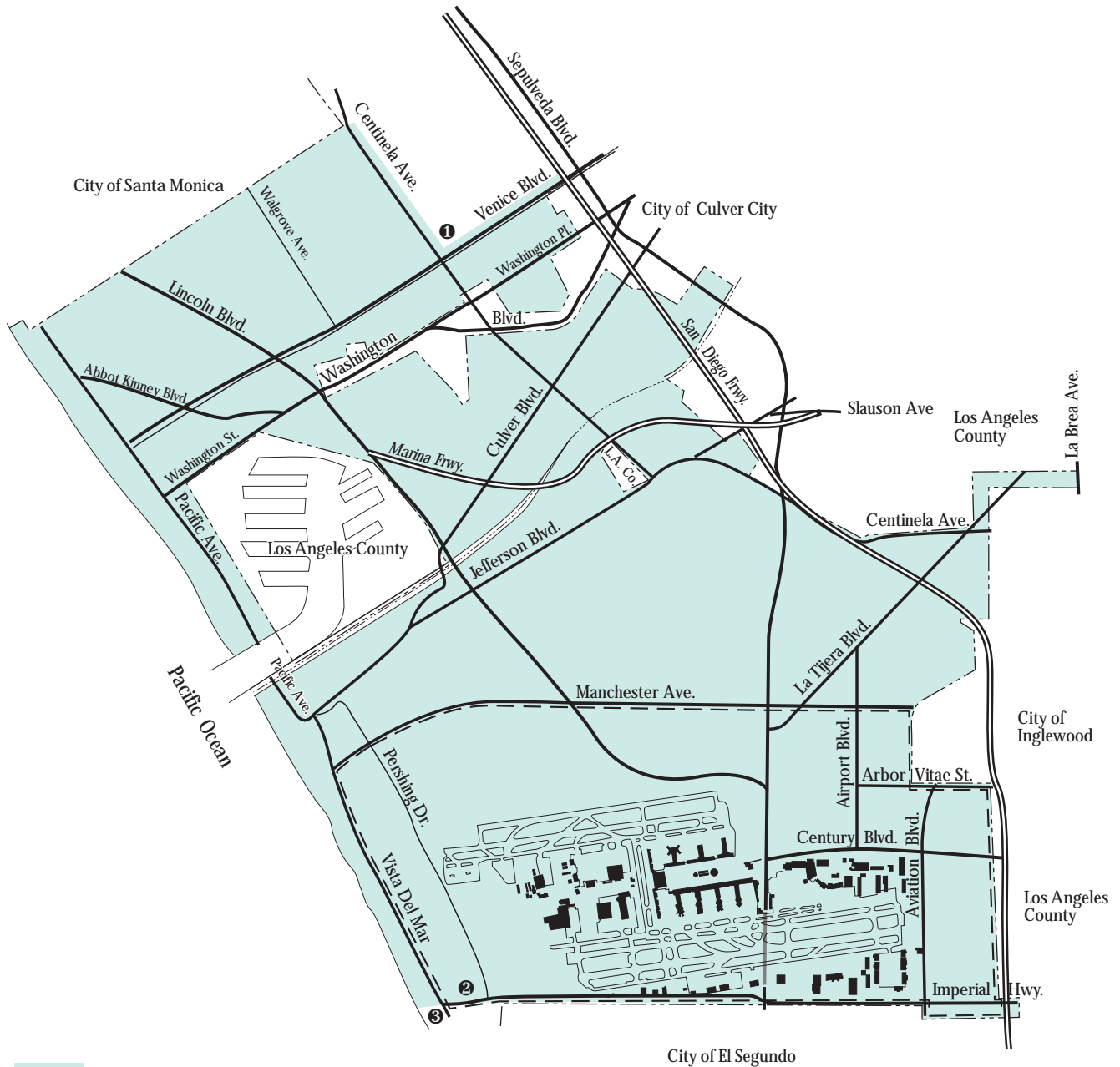
# Specific Plan

**Ordinance No. 168,999**  
**Effective September 22, 1993**

## TABLE OF CONTENTS

MAP	Specific Plan Area
Section 1.	Repeal of the 1985 Coastal Transportation Corridor Specific Plan, Ordinance No. 160,394
Section 2.	Establishment of Coastal Transportation Corridor Specific Plan
Section 3.	Relationship to Provisions of the Los Angeles Municipal Code
Section 4.	Definitions
Section 5.	Transportation Mitigation Standards and Procedures
Section 6.	Transportation Impact Assessment Fee
Section 7.	Credits from the Tia Fee
Section 8.	Land use
Section 9.	Appeals
Section 10.	Review of the Specific Plan
Section 11.	Violations
Section 12.	Severability

# Coastal Transportation Corridor Specific Plan



- Specific Plan Area
- Airport Corridor Boundary

**NOTES:**

- ①** Includes frontages on both sides of Centinela Ave. from Santa Monica City Boundary line south to Venice Blvd. and both sides of Venice Blvd from Centinela Ave. east to the San Diego Frwy.
- ②** Includes only northerly frontage of Imperial Hwy. between Pershing Dr. and the westerly terminus of the Specific Plan area.
- ③** Westerly prolongation of Imperial Hwy. to Pacific Ocean.



# COASTAL TRANSPORTATION CORRIDOR SPECIFIC PLAN

An ordinance repealing Ordinance No. 160,394 and establishing the Los Angeles Coastal Transportation Corridor Specific Plan for the area of the Westchester-Playa Del Rey Community Plan, the Palms-Mar Vista-Del Rey Community Plan, the Venice Community Plan and the Los Angeles International Airport Interim Plan.

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

**Section 1. REPEAL OF THE 1985 COASTAL TRANSPORTATION CORRIDOR SPECIFIC PLAN, ORDINANCE NO. 160,394**

Ordinance No. 160,394 is hereby repealed

**Section 2. ESTABLISHMENT OF COASTAL TRANSPORTATION CORRIDOR SPECIFIC PLAN**

**A. Purpose.**

The Coastal Transportation Corridor Specific Plan is intended to:

1. Provide a mechanism to fund specific transportation improvements due to transportation impacts generated by the projected new commercial and industrial development within the corridor; and
2. Establish the Coastal Transportation Corridor Impact Assessment Fee process for new development in the C, M and P Zones and for development on property owned by the Department of Airports; and
3. Regulate the phased development of land uses, insofar as the transportation infrastructure can accommodate such uses; and
4. Establish a Coastal Transportation Corridor infrastructure implementation process; and
5. Promote or increase work-related ridesharing and bicycling to reduce peak-hour Trips and to keep critical intersections from severe overload; and

6. Avoid Peak Hour Level of Service (LOS) on streets and interchanges from reaching LOS F or, if presently at LOS F, preclude further deterioration in the Level of Service; and
7. Promote the development of coordinated and comprehensive transportation plans and programs with other jurisdictions and public agencies; and
8. Reduce commute Trips by encouraging the development of affordable housing at or near job site; and
9. Ensure that the public transportation facilities that will be constructed with funds generated by the Specific Plan will significantly benefit the contributor; and
10. Encourage Caltrans to widen the San Diego Freeway for high-occupancy vehicle lanes.

B. **Specific Plan Area.** The Specific Plan Area consists of an area, as shown on the Specific Plan Map, which includes all or parts of the Westchester-Playa Del Rey Community Plan Area, the Palms-Mar Vista-Del Rey Community Plan Area, the Venice Community Plan Area and the Los Angeles International Airport Interim Plan Area, generally bounded by the City of Santa Monica on the north, Imperial Highway on the south, San Diego Freeway on the east, and the Pacific Ocean on the west.

C. **Airport Corridor Area.** The Los Angeles International Airport Corridor Area consists of an area as shown on the Specific Plan Map, generally bounded by Manchester Avenue to the north, Imperial Highway to the south, City of Los Angeles boundary line to the east and Vista Del Mar to the west.

**Section 3.**

**RELATIONSHIP TO PROVISIONS OF THE LOS ANGELES MUNICIPAL CODE**

- A. The regulations of this Specific Plan are in addition to those set forth in the planning and zoning provisions of Los Angeles Municipal Code (LAMC) Chapter 1, as amended, and any other relevant ordinances, and do not convey any rights not otherwise granted under the provisions and procedures contained in that Chapter or other ordinances, except as specifically provided herein.
- B. The procedures for the granting of exceptions to the requirements of this Specific Plan are set forth in LAMC Section 11.5.7.

**Section 4.**

**DEFINITIONS**

Whenever the following terms are used in this Specific Plan, they shall be construed as defined in this Section. Words and phrases not defined herein shall be construed as defined in LAMC Section 12.03, if defined therein.

**Adjacent Intersection.** Any intersection which is within a one mile radius from any lot line of the Project or which affects or is affected by a Project, as determined by the Department of Transportation.

**Air Transportation Purposes.** Aviation-related activities and facilities, including aircraft operations, whether commercial or noncommercial; aircraft maintenance facilities; air cargo facilities; airport operation facilities, including terminals; and other passenger-related facilities, excluding Governmental or Public Facilities. Hotels, motels, commercial retail restaurants and bar uses, housing, car rental facilities, commercial offices, research and development uses and industrial parks are not considered Air Transportation Purposes.

**Applicant.** Any person, as defined in LAMC Section 11.01, submitting an application for a building, a grading or a foundation permit for a Project.

**Average Vehicle Ridership (AVR).** The number derived by dividing the employee population at a given worksite that reports to work weekdays between 6 a.m. and 10 a.m. by the number of vehicles driven by these employees commuting from home to the worksite during these hours. AVR may be calculated using weekly or biweekly averaging periods. The applicable employee population is multiplied by the number of weekdays in the selected averaging period, then divided by the total number of vehicles driven by these employees to the worksite during the same period. Vehicles counted shall exclude bicycles, transit vehicles, buses serving multiple worksites, and cars stopping on route to other worksites.

**Carpool.** Two or more persons travelling together in a single vehicle.

**City Building Cost Index.** An index for tracking inflation in building costs for the Los Angeles Metropolitan Area, published by Marshall and Swift. If for any reason this index ceases to be published, then a similar building cost index shall be utilized as determined by the Department of Transportation.

**Convenience Market.** A retail store which has a floor area less than 5,000 square feet and which sells an assortment of packaged food and small, non-food carry-out items.

**Dwelling Unit, Low Income.** A Dwelling Unit which is rented or sold to and occupied by persons or families whose annual income does not exceed 80 percent of the median annual income for persons or families residing in the Los Angeles Metropolitan Area. Median income shall be established from periodic publications of the United States Department of Housing and Urban Development, as determined by the Housing Department or its successor or assignee.

**Dwelling Unit, Moderate Income.** A Dwelling Unit which is rented or sold to and occupied by persons or families whose annual income is up to 120 percent of the median annual income for persons or families residing in the Los Angeles Metropolitan Area. Median income shall be established from periodic publications of the United States Department of Housing and Urban

Development, as determined by the Housing Department or its successor or assignee.

**Dwelling Unit, Very Low Income.** A Dwelling Unit which is rented or sold to and occupied by persons or families whose annual income does not exceed 50 percent of the median annual income for persons or families residing in the Los Angeles Metropolitan Area. Median income shall be established from periodic publications of the United States Department of Housing and Urban Development, as determined by the Housing Department or its successor or assignee.

**Governmental or Public Facilities.** Capital improvements and/or buildings or structures primarily used for the operation of City, County, State or Federal governments including, but not limited to, police and fire stations, government offices, government equipment yards, sanitation facilities, schools, parks, Federal Aviation Authority or Department of Airports administrative facilities, and similar facilities in or through which general government operations are conducted. Private commercial or industrial activities pursuant to lease agreements on public lands shall not be considered Governmental or Public Facilities.

**In-Lieu Credit.** A credit toward payment of the Transportation Impact Assessment Fee, pursuant to the provisions of Section 7 of this Ordinance.

**Larger Transportation Improvement.** A transportation improvement which is in excess of major highway standards.

**Level of Service.** The operational characteristics of an intersection based on the delay being experienced by vehicles passing through an intersection in the peak hour, calculated using a ratio of its traffic volume (V) and its intersection traffic capacity (C) and based on intersection geometrics, peak-hour volumes, turning movements and signal phasing. Level of Service varies from A to F, with A representing free-flow, uncongested conditions and F representing traffic jam conditions. Level D is the level commonly experienced in urban areas during peak hours where drivers occasionally must wait through more than one signal cycle to proceed through the intersection. Level E is generally considered at capacity.

**Local Serving Uses.** Land uses which serve a local community, generate Trips of 3 miles or less and which do not substantially affect the regional or subregional transportation infrastructure as determined by the Department of Transportation. These uses are referenced by an asterisk in the Trip Table in Appendix A.

**Peak Hour.** The single hour of the highest volume of traffic passing the Project on adjacent streets.

**Pedestrian Bridge.** A grade-separated public pedestrian way over a public street, as shown on the map for the Los Angeles International Airport Interim Plan, the Palms-Mar Vista-Del Rey Community Plan, the Venice Community Plan or the Westchester-Playa Del Rey Community Plan, whichever is applicable.

**Phasing Program.** A schedule which is applicable to any Project for the purpose of determining the timing of construction of a Project and the construction of related transportation improvements.

**Project.** Any construction, addition, conversion, change of use, or use of land on a lot in the C, M, or P Zones which requires the issuance of a building, grading or foundation permit and which results in an increase in the number of Trips as determined by the Department of Transportation. Off-site parking areas which serve a Project shall be considered a part of the Project.

**Project Serving Improvements.** Those streets, roads, traffic lanes, driveways and transit facilities or portions of those facilities which are adjacent to a Project or which provide access to a Project or circulation within a Project. Project Serving Improvements include all curbs and gutters, sidewalks, trees, landscaping, street lights, traffic signals, traffic lanes or any other traffic control devices in the public right of way and adjacent to the Project.

**Regional or Subregional Transportation Improvements.** A transportation or transit improvement (excluding maintenance and Project Serving Improvements), or portion thereof, which is listed in Appendix B or Appendix C of this Specific Plan, or a highway within the Specific Plan area designated on the City's Master Plan of Highways and Freeways as a secondary highway or higher classification.

**Shopping Center.** A building or group of buildings on a lot or lots which has 5,000 or more square feet of floor area devoted to commercial retail use(s) in such building or group of buildings.

**Significant Transportation Impact.** The transportation impact, measured either as an increase in volume/capacity (V/C) ratio at an intersection; an impact on streets between intersections; or an increase in the number of average daily vehicles on a local residential street, as determined by the Department of Transportation.

1. A transportation impact on an intersection shall be deemed "significant" in accordance with the following table and formula:

**Significant Transportation Impact**

<u>Final (V/C)</u>	<u>Project-Related Increase In (V/C)</u>
0.00 - 0.79	equal to or greater than 0.04
0.80 - 0.89	equal to or greater than 0.02
0.9 or greater	equal to or greater than 0.01

For purposes of this calculation, final V/C shall mean the V/C ratio at an intersection considering impacts with a Project and without proposed Traffic Impact Mitigation.

2. A transportation impact on a local residential street shall be deemed significant if the average daily traffic (ADT) volumes are projected to exceed 1,000 vehicles per day and the change in traffic volumes due to Project-related traffic represents an increase of 12.5 percent or more of the average daily traffic volumes.

**Specific Plan Area.** The area as shown in the Specific Plan Map.

**Super Major Highway.** A major highway designed for eight through traffic lanes and/or a transit lane. Land dedications for a Super Major Highway may include both fee dedications and right-of-way easements.

**Supermarket.** A retail store which has a floor area equal to or greater than 5,000 square feet and which sells an assortment of foods as well as items for food preparation, household cleaning and personal care.

**Traffic Assessment.** A written determination by the Department of Transportation as to the likely traffic impacts resulting from a Project considering an estimate of Project-generated Trips, ambient traffic growth, related developments and current traffic volumes and Levels of Service at Adjacent Intersections.

**Traffic Impact Mitigation.** The implementation of physical improvements which would reduce Significant Transportation Impacts to levels of insignificance at Adjacent Intersections and streets between intersections to the extent feasible, as determined by the Department of Transportation.

**Traffic Mitigation Plan (TMP).** A document submitted by the Applicant indicating proposed street improvements, Transportation Demand Management (TDM) measures and appropriate monitoring mechanisms, and/or other transportation improvements which will be implemented by the Applicant to mitigate traffic impacts of the Project.

**Transit Facility.** Stations and their support facilities, including rights-of-way for the facility, for transportation by means other than single-occupancy vehicles. Land dedications for a Transit Facility may include both fee dedications and right-of way easements.

**Transportation Coordinator.** A full or part time paid employee of, or a contracted service for, an individual Project, or an employer organization whose function is to promote Carpools and Vanpools and TDM programs. The Coordinator shall have a permanent mailing address, daytime telephone and office within a two-mile radius of the Project.

**Transportation Demand Management (TDM).** A program for a Project promoting rideshare and transit use to reduce Project-related Trips, to be provided by an Applicant or owner, lessee or assignee of an Applicant.

**Transportation Impact Assessment (TIA) Fee.** The monies required to be paid to the Coastal Transportation Corridor Fund by an Applicant for a Project, pursuant to the terms of this Specific Plan.



**Trip.** An arrival at or a departure from a Project by a motor vehicle during the p.m. peak hours. The number of Trips generated by a Project shall be calculated using the Trip generation formulas in Appendix A.

**Trip Cost Factor.** The pro rata cost of public improvements funded by a single Trip.

**Vanpool.** Seven to twelve persons travelling together in a single vehicle.

**V/C Ratio.** The ratio of traffic volume (V) to intersection capacity (C) at an intersection.

## Section 5.

### TRANSPORTATION MITIGATION STANDARDS AND PROCEDURES

#### A. Prohibition.

1. No building, grading or foundation permit for a Project shall be issued until the Department of Transportation and the City Engineer have certified completion of mitigation measures required by this Section, or that their completion has been guaranteed to the satisfaction of these departments.
2. Exemptions. The following are exempted from the requirements of this Section:
  - a. Single-family dwelling Projects.
  - b. Demolition Projects.
  - c. Electrical, plumbing, mechanical, facia, sign installations and earthquake-related modifications on any lot.

#### B. Covenant and Agreement.

1. Prior to the issuance of a building, grading or foundation permit for any Project within the Specific Plan Area, the owner(s) of the property shall covenant and agree to complete, prior to the issuance of any certificate of occupancy, the transportation mitigation measures required pursuant to the Transportation Mitigation Plan approved by the Department of Transportation, or Area Planning Commission on appeal. The covenant shall also include a declaration, in writing, that the owner acknowledges the contents and limitations of this Specific Plan.
2. All Covenants and Agreements referred to herein shall be effective upon recordation, shall run with the land and shall be binding upon any future owners, successors, heirs or assigns of the Applicant.

#### C. Review of Transportation Impacts.

1. Project Trip Generation Calculations.

- a. The Department of Transportation shall calculate Trips based on Appendix A. The City Council, acting by resolution, may revise these formulas, based upon updated reports submitted by the Department of Transportation and after review and recommendation by the Area Planning Commission. The Area Planning Commission shall act within 30 days after receipt of the updated reports submitted by the Department of Transportation.
  - b. The Department of Transportation shall establish the number of Trips for a Project. When a Project includes a use not listed in Appendix A or more than one use, then the Department shall use reasonable methods to establish the appropriate number of Trips for that use.
  - c. The Department of Transportation shall grant a 100 percent Trip credit to a Project from the Trips generated by the existing use, if the existing use has been in place for at least one year continuously during the four years immediately preceding the application for a building permit. A 50 percent Trip credit from the Trips generated by the existing use shall be allowed if the use has been in place for at least 6 months continuously during the same four year period.
2. Prior to the issuance of any building, grading or foundation permit, the Department of Transportation shall determine that the Applicant has submitted the application and paid the fee as follows:
- a. Project Application Form: Submit a Project description on an application form to the Department of Transportation for review of the number of Trips to be generated by the Project and a determination regarding Significant Traffic Impacts of the Project during a.m. and p.m. Peak Hours.
  - b. Application Fee: Pay the following application processing fee based on the size and nature of the Project:

**Application Fee**

Number of Trips	<u>Filing Fee</u>
Projects with 42 or fewer Trips: Traffic Assessment <u>not</u> required	
Applicable street dedication/ improvement and TIA Fee are not required.	\$200

Applicable street dedication/ improvement or TIA Fee are required.	\$400
Projects with 43 or more Trips: Traffic Assessment required	
Traffic Assessment required upon application; applicable street dedication/improvement or TIA Fee may be required.	\$500
Traffic Assessment indicates significant impacts; design and review of mitigation measures required; applicable street dedication/improvement and/or TIA Fee may be required	\$2,100 plus \$50 for every 1,000 sq.ft. of floor area not to exceed a total of \$25,000

**D. Mitigation of Transportation Impacts.**

Prior to the issuance of any building, grading or foundation permit, the Project shall comply with the appropriate criteria below:

1. 42 or fewer Trips: An Applicant for a Project which generates 42 or fewer Trips, as calculated by the Department of Transportation, shall make the highway dedications and complete the improvements as required by the Department of Transportation pursuant to Section 5F below or guarantee them pursuant to the Department of Public Works' B-Permit procedures.
2. 43 or more Trips: An Applicant for a Project which generates 43 or more Trips, as calculated by the Department of Transportation, shall make the highway dedications and shall complete the improvements as required by the Department of Transportation pursuant to Section 5F below or guarantee them pursuant to the Department of Public Works' B-Permit procedures.

The Department of Transportation shall provide a Traffic Assessment of a Project with fewer than 500 Trips to the Applicant within 30 working days from the date the Applicant submits a description of the Project to the Department of Transportation for review. For a Project with 500 or more Trips, the Traffic Assessment shall be provided within 60 working days. If the Department of Transportation does not provide the Traffic Assessment within the time prescribed, the Applicant's Traffic Assessment shall be deemed approved, unless the Applicant and the Department agree in writing to extend the time period.

If the Traffic Assessment finds that there will be a Significant Transportation Impact caused by the Project, the Applicant shall

provide a Traffic Mitigation Plan (TMP) prepared to the standards and guidelines of the Department of Transportation proposing mitigation measures to be implemented by the Applicant to reduce Significant Transportation Impacts at intersections and streets identified in the Traffic Assessment in accordance with the mitigation measures set forth in the environmental clearance for the Project. The TMP shall be prepared in accordance with guidelines of the Department of Transportation and shall be accompanied by appropriate maps, graphics, and drawings to reflect clearly the impact of the Project and the feasibility and ability of the proposed mitigation measures to reduce any Significant Transportation Impact.

3. The Department of Transportation shall require that mitigation measures be undertaken or guaranteed to reduce the transportation impacts of a Project. The mitigation measures may include but are not limited to the following:
  - a. Street widenings and dedications;
  - b. Construction of off-site improvements;
  - c. Traffic signal system improvements;
  - d. Transportation Demand Management measures such as ridesharing and Vanpool programs, shuttle buses, staggered work hours and employee incentive programs that encourage Carpool and Vanpool usages as described in Subsection G;
  - e. Implementation of transit improvements;
  - f. Payment of the Transportation Impact Assessment Fee pursuant to Section 6 of this Specific Plan; and
  - g. Land dedications.

**E. Guarantee of Mitigation Measures.**

Prior to the issuance of any building, grading or foundation permit, the Applicant shall do the following:

1. Guarantee the proposed mitigation measures required pursuant to Section 5D of this Specific Plan, as agreed upon by the Department of Transportation. The guarantees may consist of one or more of the following: bonds for B-Permits on City streets, Encroachment Permits for State Highways or cash payments for ATSAC improvements.
2. Sign and record a Covenant and Agreement pursuant to Section 5B of this Specific Plan.

3. Comply with Section 6 of this Specific Plan.

**F. Land Dedications and Improvements.**

Notwithstanding LAMC Section 12.37 to the contrary, no building, grading or foundation permit shall be issued for a Project until land is dedicated and improved as may be required by the Highways and Freeways Element of the General Plan to the satisfaction of the City Engineer and the Department of Transportation.

**G. Transportation Demand Management Programs.**

1. **Covenant.** Prior to the issuance of any building, grading or foundation permit for a Project which generates more than 100 Trips, the Applicant shall execute a Covenant with the City to submit a TDM program satisfactory to the Department of Transportation.
2. **Requirements of the Covenant.** The Covenant shall:
  - a. Provide that the TDM program be implemented within five years after the issuance of any certificate of occupancy;
  - b. Provide that the TDM program shall be designed to reduce Trips to achieve 1.5 Average Vehicle Ridership (AVR) as determined by the Department of Transportation;
  - c. Provide for a Transportation Coordinator; and
  - d. Include provisions for monitoring the TDM program.
3. **Requirements for TDM Programs.** A TDM program may include, but is not limited to, the following:
  - a. Direct financial incentives for ridesharing;
  - b. Establishment of Carpool, buspool, or Vanpool programs;
  - c. Partial or full subsidization of parking for ridesharing employees;
  - d. Full or partial subsidization of Carpools, Vanpools, buspools, shuttles, or use of public transit;
  - e. Provisions of an allowance for employees to utilize company-owned fleet vehicles for ridesharing purposes;
  - f. Preferential parking for vehicles used for ridesharing;
  - g. Facility improvements which provide preferential access and/or egress for ridesharing employees;
  - h. Facility improvements to encourage use of bicycles

(showers, bike racks, etc.);

- i. Active use of a computerized rideshare matching service such as Commuter Computer or Orange County Transit District Commuter Ridesharing Matching Services, or an effective in-house rideshare matching service;
- j. Compressed work weeks such as a 4/40 or 9/80 work schedule where employees work 40 hours in fewer than five days in one week or 80 hours in fewer than ten days in two weeks;
- k. Flexible work hours that facilitate employee ridesharing;
- l. Telecommuting or work at home;
- m. Provisions for the construction and/or placement of a transit waiting shelter, bus shelter, transit stop or bus stop at the public right-of-way on established transit routes adjacent to the Project, including the granting of any easement necessary to accommodate the shelter;
- n. Provisions for bus or transit turnouts along a bus, tram or transit route; and
- o. Before or after work programs, such as meal, exercise, educational, entertainment, and rest facilities.

**4. Compliance with the TDM Program.**

- a. Projects shall achieve the objectives of the Trip reduction program within five years after the issuance of any certificate of occupancy. Multi-phase Projects shall achieve the objectives of the Trip reduction program for each phase within three years after the issuance of any certificate of occupancy for that phase. The permitted floor area for the final phase of the Project shall be dependent upon a demonstration that earlier phased TDM programs have achieved the Trip reduction goals.
- b. An Applicant may perform the TDM programs through tenants or lessees in the Project. However, agreements that tenants or lessees will perform the TDM program shall not relieve the Applicant or its successors of the duty to perform or require performance.
- c. Upon written certification of the Department of Transportation, a TDM program or portion thereof may be determined not necessary.

**5. TDM Performance Reports.**

The Applicant or successors shall submit an annual status report on the TDM program to the Department of Transportation beginning a year after the issuance of any certificate of occupancy. The report shall be prepared in the form and format designated by the Department of Transportation, which must either approve or disapprove the program within 60 days.

The TDM performance reports shall focus on ridesharing and Trip reduction incentives offered by the Project and shall include the following:

- a. Estimates of AVR levels attained;
- b. Verification that the plan incentives have been offered;
- c. Description of incentives offered by employers;
- d. Evaluation of why the plan did or did not work, and an explanation of why the revised plan is likely to achieve the AVR target levels; and
- e. List of additional incentives which can reasonably be expected to correct deficiencies.

**Section 6.**

**TRANSPORTATION IMPACT ASSESSMENT FEE**

**A. Establishment of Transportation Impact Assessment (TIA) Fee.**

- 1. Prior to the issuance of any building, grading or foundation permit, an Applicant shall pay or guarantee a Transportation Impact Assessment (TIA) Fee to the Department of Transportation. The TIA Fee shall be for the purpose of funding the transportation improvements listed in Appendix B of this Specific Plan, including any revisions made to the Appendix pursuant to Section 6E2 below.
- 2. The Fee shall be paid or guaranteed before a building permit is issued for a Project or each phase of a multi-phased Project approved under the provisions of Section 9 of this Specific Plan. Any guarantee of payment of the Fee shall be by cash or letter of credit from an accredited bank pursuant to guidelines established by the Department of Transportation.

**B. Fee Payment Procedures.**

Prior to the issuance of a building permit for a Project, the Applicant, at its option, shall:

- 1. Pay the Transportation Impact Assessment Fee in cash; or

2. Pay a cash deposit equal to 10 percent of the TIA Fee, as determined by the Department of Transportation, prior to the issuance of a building permit, and guarantee the payment of the balance to be paid in full before the issuance of any temporary or permanent certificate of occupancy or 24 months from the date of issuance of the building permit, whichever is earlier; or
3. Pay a cash deposit equal to 10 percent of the TIA Fee, prior to the issuance of a building permit, and guarantee the payment of the balance of the TIA Fee in 120 monthly installments. The monthly installments shall include compound interest beginning from the date of issuance of the building permit with first payment commencing thirty days after the issuance of the building permit. The initial interest rate shall be the effective yield the Los Angeles City Treasurer is obtaining on the City's investment pool as reported to the City Council for the month preceding the date of issuance of the building permit. The interest rate shall be adjusted annually and shall be the effective yield the Los Angeles City Treasurer is obtaining on the City's investment pool as reported to the City Council for the month preceding the anniversary date of the building permit issuance date.

**C. Calculation of Fee.**

The TIA Fee shall be calculated according to the following formula:

$$\text{Fee} = \text{Number of Trips Generated} \times \text{Trip Cost Factor}$$

Number of Trips Generated	=	Floor Area or unit of measurement, as per applicable Appendix A	X	Trip Generation Rate in A Appendix
---------------------------	---	---	---	------------------------------------

**D. Trip Cost Factor.**

1. Amount. The Trip Cost Factor is hereby established at \$5,690 per Trip.
2. Annual Indexing. The Trip Cost Factor shall be annually increased (or decreased) as follows:

The Trip Cost Factor shall be increased (or decreased) as of January 1 of each year by the amount of the percent increase (or decrease) in the most recently available City Building Cost Index as determined by the Department of Transportation. The revised Trip Cost Factor shall be published by the Department of Transportation in a newspaper of citywide circulation before January 31 of each year.

If the Department determines that the City Building Cost Index does not adequately reflect the actual increase in costs, then the Department shall recommend to the City Council, based on a



written report, that the City Council adopt different cost figures. Upon receipt of such a report, and after public hearing, the City Council may, by resolution, adopt these different cost figures to be used for adjustment of the Trip Cost Factor.

**E. Uses of the Fee.**

**1. Transportation Improvements.**

The Department of Transportation shall coordinate the implementation of the transportation improvements listed in Appendix B and funded by the TIA Fee.

**2. Substitute Improvements.**

Appendix B may be revised every two years by providing substitute or additional improvements to the list if the City Council, upon recommendation by the Department of Transportation, has determined that the improvements are consistent with this Specific Plan and that a substitute improvement fulfills the transportation objectives of the improvement which it is to replace. No improvement which is fully funded by other sources shall be added to the list.

**F. Exemptions from Fee.**

1. The following are exempted from the requirement of payment of a TIA Fee:
  - a. Those commercial uses which are considered Local Serving Uses as preceded by an asterisk (\*) in the Trip Generation Table (Appendix A).
  - b. Additions, alterations or construction of any residential or multiple dwelling uses and accessory structures, excluding hotels and motels.
  - c. Temporary uses of less than six months in duration. No extension of time shall be permitted.
  - d. Park and ride facilities.
  - e. Churches, Temples, and other properties used for religious worship.
  - f. Private and public elementary and secondary schools and all non-profit educational institutions.
  - g. Governmental or Public Facilities, excluding Projects on real property owned by the Department of Airports and used for Air Transportation Purposes.

- h. A telework center facility, as determined by the Department of Transportation, designed or used as a work site to save commuter Trips for people who live in adjacent or nearby residential locations.
  - i. Freestanding commercial or medical office Projects of less than 20,000 square feet.
2. The following shall pay the TIA Fee required on July 1, 1991 pursuant to Ordinance No. 160,394:
- a. A Project which is required to provide a dedication(s) or an easement(s) for the light rail route under analysis by the Los Angeles County Transportation Commission (LACTC).
  - b. A Project which received a Coastal Development Permit or Project Permit prior to the effective date of this Specific Plan.
  - c. A Project which received a Project Permit pursuant to Ordinance Nos. 163,472, 164,937, 166,173, 166,986 or 167,056 (Venice Coastal Interim Control Ordinance) prior to the effective date of this Specific Plan.

**G. Refunds.**

- 1. If a Fee is claimed to be erroneously, illegally or unconstitutionally collected, or a refund is claimed pursuant to this Specific Plan, then requests for refunds may be filed utilizing the procedures for refunds described in Sections 22.12 and 22.13 of the LAMC.
- 2. In addition to the above procedure, the City Council may refund the Fee and/or release a letter of credit if:
  - a. The building permit and all extensions have expired and the Project for which the TIA Fee has been collected has not been constructed; or
  - b. A refund or release is specifically authorized by resolution of the City Council, and the Council finds that the Fee is no longer needed or its retention would violate the constitutional rights of any person; or
  - c. A refund or release based on the effectiveness of TDM Programs, as recommended by the Department of Transportation, is specifically authorized by resolution of the City Council.
- 3. Except as specified in Section 7B4 for TDM Programs, a claim for refund pursuant to Section 6G2 a above shall be filed no later

than one year after payment of the TIA Fee or one year after the expiration date of the building permit, including any extensions thereof, whichever is later.

## **Section 7.**

### **CREDITS FROM THE TIA FEE**

#### **A. Trip Credit for Previous Land Use .**

##### **1. Change of Use.**

- a. Applicants for Projects changing the existing land use may request a Trip credit for the existing use based on the Trip Generation Table (Appendix A) if, as determined by the Department of Transportation, the existing use has been in place for twelve consecutive months continuously during the four years immediately preceding the application for a building permit. A 50 percent Trip credit from the Trips generated by the existing use shall be allowed if the use has been in place for at least 6 months continuously during the same four year period.
- b. Notwithstanding the provisions of Paragraph "a" of this Subdivision, Applicants for a Project for which a TIA Fee has been paid pursuant to Ordinance No. 160,394 may request and receive a full Trip credit for the existing land use.
- c. The Department of Transportation shall have the authority to adopt guidelines, with the approval of the City Council by resolution, to implement this Section.

##### **2. No Change of Use.**

Applicants for Projects not changing the existing land use may request a Trip credit against the TIA Fee based on the Trip Generation Table (Appendix A) if the use was in effect on the effective date of Ordinance No. 160,394 (November 3, 1985).

#### **B. In-Lieu Credits.**

##### **1. Transportation Improvements.**

In-Lieu Credit against the TIA Fee shall be given for all or portions of Regional or Subregional Transportation and Transit Improvements designated in Appendix B or Appendix C or for Regional or Subregional Improvements as determined by the Department of Transportation. Project Serving Improvements in Appendix B or Appendix C shall not be eligible for any In-Lieu Credit. The Department of Transportation may apportion In-Lieu Credit for improvements which are beyond the minimum required to mitigate the impacts of the Project. The amount of In-Lieu Credit for Regional or Subregional Transportation Improvements

shall be calculated by the Department of Transportation and credited at the time the building permit is issued.

**2. In-Lieu Credit Estimates.**

- a. The Applicant shall be required to prepare preliminary plans and a detailed cost estimate of the proposed Regional or Subregional Transportation Improvements for review by and approval of the City Engineer and the Department of Transportation. Costs shall be approved by the Department of Transportation based on estimated B-Permit construction costs, including an additional 15 percent for contingency costs, as prepared by the City Engineer. The City Engineer may contract out for costing and appraisal services, the cost of which shall be paid by the Applicant and included in the In-Lieu Credit estimates.
- b. In-Lieu Credits shall be applied to reduce the TIA Fee after the required transportation improvements have been completed or guaranteed to the satisfaction of the Department of Transportation and the City Engineer. The total TIA Fee, after deducting any applicable In-Lieu Credits, shall be guaranteed prior to issuance of a building permit. The guarantees shall consist of Bonds for B-Permit construction on City streets; Encroachment Permits for construction on State Highways; and cash payments for ATSAC improvements. The City shall not grant In-Lieu Credits that are in excess of the assessed TIA Fees for the entire Project.

**3. Larger Transportation Improvement.**

In cases where a Project Serving Improvement was required pursuant to a parcel or tract map approval but the Department of Transportation, pursuant to a Traffic Assessment, determines that a Larger Transportation Improvement is needed as part of a Regional or Subregional Transportation Improvement, the Department of Transportation shall approve an In-Lieu Credit, based upon the difference in costs between the Project Serving Improvements and Larger Transportation Improvement. Dedications for the Larger Transportation Improvement shall be given In-Lieu Credit based on the fair market value of the land appraised as of the date of dedication, to the satisfaction of the City Engineer and the General Manager of the Department of Transportation.

**4. TDM Programs.**

- a. Effectiveness of TDM Program.
  - 1) Within five years of issuance of any certificate of occupancy, a Project which has achieved a 90 percent

occupancy may receive an In-Lieu Credit against the TIA Fee after it has demonstrated the effectiveness of the TDM Program to the satisfaction of the Department of Transportation. However, if the first phase of a multi-phased Project has demonstrated the effectiveness of the TDM Program to the satisfaction of the Department of Transportation, then the next phase of the multi-phased Project shall be entitled to an In-Lieu Credit against that phase's TIA Fee when that Fee is due.

- 2) The amount of In-Lieu Credit shall be calculated on the basis of Average Vehicle Ridership (AVR) as indicated below:

<u>AVR</u>	<u>In-Lieu Credit</u>
1.30 - 1.39	10 percent of TIA Fee
1.40 - 1.49	15 percent of TIA Fee
1.50 and above	25 percent of TIA Fee

- b. Nonconformance Assessment Fee.

If the Applicant fails to maintain full conformance with the TDM Program for which the Applicant has received In-Lieu Credit, the Applicant shall pay the amount of the reduction credit plus interest from the date of the credit and reasonable administrative costs. The amount shall be levied by the Department of Transportation upon the Applicant or its successor by written assessment which states the failure of conformance. The Applicant or its successor may appeal the assessment to the City Council within 15 days of service of the assessment.

**5. Multi-Phase Projects.**

In multi-phase Projects approved under the provisions of Section 9 of this Specific Plan, In-Lieu Credits to reduce the TIA Fee may be reserved and credited from one phase to a future phase of the same Project. However, in no case shall a final phase be approved with land uses that generate less than 25 percent of the Project's total Trips.

**6. Land Dedications.**

- a. In-Lieu Credit shall not be granted for land dedication for right-of-way purposes to meet standard street requirements pursuant to Section 5F of this Specific Plan.
- b. Land dedications for a Larger Transportation Improvement or a Transit Facility, excluding land for Project Serving Improvements, shall be given In-Lieu Credit.

- c. In-Lieu Credit for land dedications shall be based on the fair market value of the dedication, appraised to the satisfaction of the City as of the date of dedication. Land dedications shall include both fee dedications and right-of-way easements.

**7. Housing Production Program.**

- a. **Authority.** The City Council may, by resolution after report of the City Planning Department and other appropriate City agencies, and in consultation with the Department of Transportation, grant additional In-Lieu Credits to a Project that contributes to a more balanced jobs/housing ratio in the Specific Plan Area through provision of dwelling units otherwise unsubsidized by any public agency. The dwelling units shall be reserved for the life of a mixed-use Project, or for 40 years if produced off-site, and shall be available as Very Low, Low and Moderate Income Dwelling Units.

- b. **In-Lieu Credits.** The In-Lieu Credits shall be credited upon issuance of the certificate of occupancy for the Very Low, Low Income and Moderate Income Dwelling Units. The In-Lieu Credits against the TIA Fee shall be calculated for Very Low, Low Income and Moderate Income Dwelling Units subject to this Subdivision in the following manner:

- 1) Very Low Income Dwelling Units (DU) provided on-site, or associated with, or combined with a non-residential Project. 2.0 Trips/DU
- 2) Very Low Income Dwelling Units provided within 1,300 feet of the lot line of the Project. 1.3 Trips/DU
- 3) Very Low Income Dwelling Units provided within the Specific Plan Area. 0.7 Trips/DU
- 4) Low Income Dwelling Units shall be eligible for 65 percent, and Moderate Income Dwelling Units for 25 percent of credit available to Very Low Income Dwelling Units. Senior citizen dwelling units shall not be eligible for In-Lieu Credits.

- c. **Maximum Credits.** In no case shall the housing In-Lieu Credits exceed 50 percent of the TIA Fee for a Project. The housing In-Lieu Credit shall not be granted until issuance of the certificate of occupancy for the dwelling units.

- d. **Dwelling Unit Mix.** A maximum of 49 percent of the total dwelling units on off-site housing which is eligible for In-Lieu

Credits may be reserved as Low and/or Very Low Income Dwelling Units, as defined by the Housing Department or its successor or assignee.

- e. **Report.** Applicants granted In-Lieu Credits for housing shall submit a biannual report to the Department of Transportation and to the Council Office showing p.m. Peak Hour Trip generation to the Project site. The first report shall be submitted one year after issuance of the final certificate of occupancy.

## Section 8.

### LAND USE

#### A. Phasing Program.

##### 1. Prohibition.

Prior to the issuance of a building permit for any building or structure within a Project with more than one phase, a Phasing Program for the Project shall be approved by the Departments of City Planning and Transportation. This prohibition shall not apply to Projects by the Department of Airports within the Airport Corridor Area.

##### 2. Project Phasing.

An Applicant for a Project which generates 500 or more Trips shall conform to the following provisions to implement the mitigation measures required pursuant to Section 5 of this Specific Plan and the transportation improvements listed in Appendix B of this Specific Plan:

- a. **Application.** For a Project with more than one phase, the Applicant shall submit an application for a Phasing Program containing the following: proposed density and land uses for the entire Project; Adjacent Intersections on which the Project has a Significant Transportation Impact; proposed Regional or Subregional Transportation Improvements to be provided as part of this Project; and TDM programs and goals.
- b. **Phasing Program.** The Phasing Program shall include the following:
  - 1) Total floor area and use of the Project in each phase.
  - 2) Anticipated Project schedule.
  - 3) Trip generation tables for each phase.
  - 4) Regional or Subregional Transportation Improvements scheduled to be constructed in each phase.

5) Project Serving Improvements scheduled to be constructed in each phase.

c. **Review of Phasing Program.** Prior to approval of the Phasing Program, the Department of Transportation shall review the Phasing Program, identify the Traffic Impact Mitigations to be undertaken by the Project, approve any In-Lieu Credits available to the Project, determine that TDM program goals are in conformance with the provisions of this Specific Plan and calculate the TIA Fee for each phase. If an Applicant subsequently submits a modification to the Project which results in a change in density or land use and which results in an increase in Trip generation in an approved Phasing Program, appropriate adjustments in Fees, Traffic Impact Mitigations or TDM requirements applicable to the increase shall be made as a condition of Departmental approval.

d. **Review of the Phases.**

1) Prior to the issuance of a building permit for each phase of the Project, the Department of Transportation shall review the building permit application for conformance to the Phasing Program conditions.

2) The final phase shall be designed to include land uses which generate at least 25 percent of the total Project Trips. The final phase of a multi-phase Project reviewed under this Section shall demonstrate to the Department of Transportation that required TDM programs for prior phases have achieved Trip reduction objectives. Where a TDM program is found not to be functioning and/or not reducing Trips as anticipated for the Project, the final phase of the Project shall be reduced proportionally.

e. **Covenant and Agreement.** Prior to issuance of the building permit for the first phase of the Project, the owner(s) of the property shall covenant and agree to comply with the provisions of this Section. The covenant shall be recorded, shall run with the land and shall be binding upon any future owners, successors, heirs or assignees of the Applicants.

**B. Public Pedestrian Facilities**

1. A Project shall dedicate the right-of-way needed for construction of and access to public Pedestrian Bridges as shown on the applicable Community Plans.



2. Public pedestrian walkways shall conform to the design standards set forth by the City Engineer.
3. Any requested change by the Applicant in the approximate location of the public Pedestrian Bridges, as shown on the Community Plan Map, shall be subject to the approval of the Director of Planning, the City Engineer and the General Manager of the Department of Transportation, who must find that the change will provide equal or better pedestrian access and safety.

## **Section 9.**

### **APPEALS**

#### **A. Appeal to the Area Planning Commission.**

An Applicant or any other interested person adversely affected by the proposed Project who disputes any determination made by the Department of Transportation pursuant to this Specific Plan may appeal to the Area Planning Commission within a 15-day period following the date of mailing of a letter of determination of the Department of Transportation. The appeal shall set forth specifically the basis of the appeal and the reasons why the determination should be reversed or modified. The appeal shall be on a form as prescribed by the Department of Transportation and shall be accompanied by a filing fee of \$500 payable to the Department of Transportation or, in the case of an appeal by an aggrieved person other than the Applicant, by a filing fee of \$60. The Department shall determine the matter within 30 days following the appeal.

An Applicant or any other interested person adversely affected by the proposed Project who disputes any determination made pursuant to Section 8 of this Specific Plan may appeal to the Area Planning Commission within a 15-day period following the date of mailing of a letter of determination. The appeal shall set forth specifically the basis of the appeal and the reasons why the determination should be reversed or modified. The appeal shall be on a form as prescribed by the Department of City Planning and shall be accompanied by a filing fee of \$500 payable to the Department of City Planning or, in the case of an appeal by an aggrieved person other than the Applicant, by a filing fee of \$60. The Area Planning Commission shall determine the matter within 30 days following the appeal.

## **Section 10.**

### **REVIEW OF THE SPECIFIC PLAN**

The Coastal Transportation Corridor Specific Plan shall be monitored on a regular basis by the City's Department of Transportation. A report reviewing the status of the Fund and implementation of the Specific Plan shall be submitted by the General Manager of the Department of Transportation to the City Council every two years. The report shall be submitted to the City Council no later than November of the year in which the report is due.

**Section 11.**

**VIOLATIONS**

Any person who violates any provision of this Specific Plan shall be guilty of a misdemeanor.

**Section 12.**

**SEVERABILITY**

If any provision of this Specific Plan or the application thereof to any person, property or circumstances is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect other Specific Plan provisions, clauses or applications which can be implemented without the invalid provisions, and, to this end, the provisions and clauses of this Ordinance are declared to be severable.

P:\DIVISION\Commplan\PlnBk-PA\SpecPlan Revised 2003\Coastal Transportation Corridor SP Revised 2003.wpd  
Updated May 2003