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August 2, 2022

BY EMAIL

The Honorable Planning and Land Use
Management Committee of the Los Angeles
City Council
200 N. Spring Street, Room 395
Los Angeles, CA 90012
Attn: Armando Bencomo, Deputy City Clerk

LACouncilComment.com

clerk.plumcommittee@lacity.org

RE: Case No. CF 12-1269 /2111-2139 South Pacific Avenue/ (Item No. 20 on the Committee's August 2, 2022 Agenda)

Dear Committee Members:

This firm represents RKD 2111 Pacific, LLC ("Applicant"), the applicant for the above-referenced project (the "Project") located at 2111-2139 South Pacific Avenue (the "Site"). The Project is the construction of a four-story mixed-use residential building with 100 dwelling units (including 11 Very Low-Income affordable units) and 1,800 square feet of ground floor retail space. We are writing on behalf of our client to respond to two letters, each dated August 1, 2022, from the Channel Law Group (the "Letters") on behalf of the appellants in the matter (the "Appellants").

As preliminary matter, we object to the Appellants' effort to sandbag this Committee, City Staff, the Applicant, and the public by waiting until less than 24 hours before the hearing to submit over 150 pages of materials. By submitting the Letters at the last minute, Appellants cynically seek to deprive the Applicant and City Staff of a reasonable opportunity to respond. Fundamental fairness and due process dictate that you reject the Letters as untimely.

Despite the limited time afforded, we have been able to complete a preliminary review of the Letters. They consist primarily of a rehash of Appellants' prior meritless arguments that have been fully refuted in the very thorough Staff Report dated July 26, 2022 and our appeal response letter to this Committee dated July 29, 2022 ("Response Letter"). The following is

summary of the main points of the Letters and our preliminary responses. We reserve the right to provide additional information following a more in depth review.

A. The Appeal is Meritless and Should Be Denied.

1. This Hearing Was Properly Noticed. The Appellants claim that this hearing was not properly noticed as the Site was not properly posted. As set forth in the Staff Report and the August 2, 2022 letter from Burns Bouchard, the Site was in fact properly posted.

2. The Appellant's Due Process Rights Were Not Violated. The Appellants claim that that their due process rights were violated because they were not able to appeal the Project's off menu density bonus incentives and waivers. However, due process does not require that all City actions be appealable, only that the Appellants be afforded a reasonable opportunity to be heard. In this case, the Appellants had such a reasonable opportunity, both orally and in writing, at the Hearing Examiner Hearing and City Planning Commission ("CPC").

The Appellants claim that the density bonus incentives and waivers are appealable under LAMC Section 12.36. However, LAMC Section 12.36 E clearly states:

> **No New Appeal Rights**. This section does not create any additional appeal or level of appeal in connection with any land use approval….

As the LAMC does not provide for an appeal of the off menu density bonus incentives and waivers, nor can LAMC Section 12.36.

3. The Conditional Use And Site Plan Review Findings Are Supported By Substantial Evidence. The Appellants assert that the CPC's findings were not supported by substantial evidence. In fact, the CPC's findings cite and are supported by ample evidence in the record; the Appellants simply disagree with or ignore them. Please refer to the Staff Report and our Response Letter for additional details.

The Appellants also assert that the Project's parking does not comply with LAMC requirements. This assertion is wrong, as set forth in our Response Letter and the memorandum dated August 2, 2022 from traffic experts Linscott Law & Greenspan (see Attachment 1 to this letter).

4. The Project's Approval Complies with CEQA. The Appellants make a number of unfounded claims regarding the Project's CEQA clearance. These claims are thoroughly refuted by substantial evidence in record, including the Staff Report, our Response Letter, and the expert technical analyses.

a. The Project Will Not Result in Significant Traffic, Noise, or Air Quality Impacts. The Appellants speculate that the Project will result in significant traffic, noise, and air quality impacts. As set forth in the Staff Report, our Response Letter, the August 1 supplemental

memorandum from Linscott Law & Greenspan (see Attachment 2 to this letter), and the August 2, 2022 memorandum from noise and air quality experts Douglas Kim + Associates, LLC (see Attachment 3 to this letter), the Appellants claims are without merit. There is substantial evidence in the record that the Project will not result in significant traffic, noise, and air quality impacts.

5. Project Approval Will Not Violate the Coastal Act. The Appellants allege that the Project approval will violate the Coastal Act. However, the Project is not located in the Coastal Zone, and the Appellants have not provided any credible evidence that the Project would have a direct impact on resources within the Coastal Zone. The Appellants speculate that Project residents will compete with visitors to the Coastal Zone for scarce on street parking, but they provide no credible evidence that the Project's parking is insufficient or that there is an existing parking shortage in the Coastal Zone. In contrast, there is substantial evidence, in the form of expert reports, memoranda, and testimony that the Project will not result in any direct impacts to Coastal Zone resources.

B. Conclusion

For the foregoing reasons, we respectfully request that you deny the appeal and uphold the CPC's approval of the Project.

Very truly yours,

Dale J. Goldsmith

cc: Connie Chauv, Department of City Planning
Michelle Singh, Department of City Planning
Jonathan Lonner, Burns & Bouchard

ATTACHMENT 1

MEMORANDUM

To:	Dale J. Goldsmith Armbruster Goldsmith & Delvac LLP	Date:	August 2, 2022
From:	David S. Shender, P.E. Francesca S. Bravo Linscott, Law & Greenspan, Engineers	LLG Ref:	1-19-4338-2
Subject:	2111 South Pacific Avenue Residential Project – Responses to Comments		

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Linscott, Law & Greenspan, & Engineers (LLG) has prepared the below responses to specific traffic and transportation comments included within the Channel Law Group, LLP letter (dated August 1, 2022) associated with the 2111 South Pacific Avenue Residential Project. For reference, attached to this memorandum is a copy of the Channel Law Group, LLP comment letter which also included as an attachment an additional comment letter prepared by Infrastructure Group, Inc. (also dated August 1, 2022).

Response to Comment II.B.2.b (queuing space for tandem spaces)

The Project applicant intends to comply with the City's parking standards. The detailed architectural and parking plans will be submitted to the City of Los Angeles Department of Building & Safety (LADBS) for final determination/approval prior to issuance of any building permits for the project. It is important to note that the topic/issue of parking is no longer included in the CEQA checklist for purposes of determining a project's environmental impacts.

Related to the tandem vehicle parking spaces proposed at the Project, the Channel Law Group letter and attached Infrastructure Group letter cite the Los Angeles Department of Building and Safety's Parking Design information bulletin regarding the required onsite queuing space or staging area. The Parking Design bulletin states that a queuing space needs to be 8 feet in width and 18 feet in length, while not reducing the adjacent access drive aisle to less than 10 feet in width. The drive aisles adjacent to the tandem parking spaces at the Project are expected to exceed 20 feet in width. Thus, a vehicle temporarily staged in the drive aisle perpendicular to the vehicle parking spaces (i.e., using 8 feet of the 20+ feet of drive aisle width) will allow a drive aisle width in excess of 10 feet to be maintained. Therefore, the Project's parking area will comply with the Parking Design bulletin's requirements with respect to providing the necessary queuing spaces related to the use of the tandem parking spaces while not adversely affecting the adjacent drive aisle.

The use of the word "unbundled" in the Infrastructure Group letter appears to be referring to "unassigned" parking. Within the transportation planning industry, the term "unbundled" in reference to parking refers to the separation or "unbundling" of the parking space costs from the property/rent costs. It is LLG's understanding that the parking spaces at the Project will be assigned/designated for the residential dwelling units.

Response to Comment IV.A.2 (significant traffic impacts)

Table 3 within LLG's September 26, 2019 traffic study for the Project provides a vehicle trip generation forecast for the Project. Within the trip generation forecast is a trip generation credit for the prior bar use on the Project site. The trip generation forecast for the prior use was prepared using trip generation rates for the Drinking Place land use as published in the Institute of Transportation Engineers' *Trip Generation Manual*. The trip rates in the ITE manual are derived based on driveway traffic counts conducted at existing land uses, including drinking places/bars. Further, the ITE trip generation rates utilized in Table 3 for estimating trips related to the bar are those that occur during the weekday commuter peak hour. It is further noted that the footnote in the table stating "PM peak hour volume was estimated to represent 10% of the daily totals" relates to the assumption used to forecast daily (24-hour) vehicle trips generated by the prior bar use as the ITE manual does not provide daily vehicle trip rates in the Drinking Place land use category.

Based on the guidelines set forth in LADOT's *Transportation Assessment Guidelines (TAG)*[1], an existing use trip generation credit may be applied to a project's trip generation forecast (i.e., in order to account for vehicle trips already on the street system) if the existing use has been occupied for at least six (6) consecutive months within the past two years (i.e., two years as measured back from the date of the baseline traffic counts). These conditions apply as it relates to the prior bar use, and therefore the application of the trip generation credit for the prior bar use in Table 3 is appropriate.

The Channel Law Group letter asserts recent reductions in local public transit services near the Project site which may affect the Project's trip generation forecast. It is noted in Table 3 attached to the traffic study that no reductions/credits were assumed related to Project residents or visitors utilizing public transit in lieu of an automobile. Therefore, recent changes in nearby transit services will not affect the trip generation forecast provided in the traffic study.

Of further note is that with the certification and adoption of the CEQA Guidelines with the amended Appendix G by California Natural Resources Agency in December of 2018, the City of Los Angeles has adopted revised transportation analysis and significance criteria for transportation impacts. LADOT issued new City of Los Angeles *Transportation Assessment Guidelines* in response to Senate Bill 743 after issuance of the original departmental clearance letter (i.e., which changed the way transportation impacts are evaluated for CEQA and shifts from driver delay, or level of service [LOS], to reduction of vehicle miles traveled [VMT]).

[1] City of Los Angeles *Transportation Assessment Guidelines*, July 2020.

LINSCOTT LAW & GREENSPAN engineers

LLG prepared a supplemental transportation assessment for the Project dated August 1, 2022 based on the current CEQA evaluation of transportation impacts including a VMT analysis. It is noted the VMT analysis prepared for the Project conservatively did not assume any credit related to the prior bar use. As noted in the VMT analysis, the Project's transportation impacts are calculated to be less than significant based on the applicable City of Los Angeles thresholds of significance.

Please feel free to call us at (626) 796-2322 if you have any questions regarding the above responses to the comments.

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August 1, 2022

VIA ELECTRONIC MAIL

Los Angeles Planning and Land Use Management ("PLUM") Committee
Honorable Chair Marqueece Harris-Dawson
Los Angeles City Hall
Los Angeles, CA 90012
Via Email: clerk.plumcommittee@lacity.org

Re: Appeal of Conditional Use, Density Bonus and Site Plan Review at 2111-2139 S. Pacific Ave; CPC-2019-4884-CU-DB-SPR-RDP and ENV-2019-4885-CE; Appeal Case No. CPC-2019-4884-CU-DB-SPR-1A

Honorable Chair Harris-Dawson and Committee Members:

This firm represents Appellant Citizens Protecting San Pedro ("CPSP") in its appeal of the City Planning Commission's approval of the Conditional Use Permit, Density Bonus incentives and waiver, and Site Plan Review for the Project at 2111 South Pacific Avenue in the San Pedro Community. As demonstrated below, the Project grab-bag of deviations from applicable development regulations beyond those contemplated even for affordable housing projects is a galling abuse of the City's Density Bonus Ordinance. Furthermore, the City violates its own Multiple Approvals Ordinance in refusing to hear Appellant's Density Bonus arguments, barring a meaningful hearing of Appellant's arguments. In a desperate attempt to justify Project approval under CEQA, the City advances three theories of CEQA compliance, each one less credible than the last. Finally, the July 29, 2022 letter from the Applicant's counsel ignores the plain language of the LAMC regarding appeal procedures and density bonus procedures, mischaracterizes Density Bonus Law, misapplies CEQA law and conceals the Project's significant environmental impacts. Appellant respectfully requests that the PLUM Committee grant the appeal, deny the granted exceptions and determine that the environmental review is inadequate.

I. FAILURE TO HEAR THE DENSITY BONUS APPEAL VIOLATES APPELLANT'S DUE PROCESS RIGHTS

Under LAMC Section 12.22 A.25(g)(3)(ii)(a), for a project with a request for waiver or modification of any development standard(s) not on the menu that also has other discretionary applications, such as the Project, the applicable procedures set forth in LAMC Section 12.36 (Projects Requiring Multiple Approvals) shall apply. The requirements of LAMC Section 12.36 apply to quasi-judicial approvals for which the initial decision becomes final unless the specific code sections listed are appealed. The list of land use approvals falling within LAMC 12.36 includes LAMC 12.22-A.25 (Density Bonus), LAMC Section 12.24 (Conditional Use Permits), LAMC Section 16.05 (Site Plan Review) and LAMC 11.5.14 (Redevelopment Plan Permits).

LAMC Section 12.36 further states that when the CPC is the initial decision-making authority for projects requiring multiple approvals that the appellate body is the City Council. City Charter Section 564, although silent on appeal procedures detailed in LAMC Section 12.36, further justifies hearing CPSP's density bonus appeal claims, establishing that the City Planning Commission is the initial decision maker for purposes of the appeal procedures in LAMC Section 12.36. LAMC Section 12.36(1)(b) which provides in unambiguous terms that the "City Council shall decide all appeals of the City Planning Commission's decisions or recommendations as the initial decision-maker on projects requiring multiple approvals." Thus, all entitlements requested including Density Bonus approvals, Site Plan Review, Conditional Use Permits and Redevelopment Plan permits – are appealable to the City Council.

The Applicant improperly relies on LAMC Section 12.22-A.25(g)(3)(i)(b) to assert that the Density Bonus approvals are final and not appealable as it states: "The decision of the City Planning Commission shall be final." This language section applies only to stand-alone Density Bonus Cases "that are not subject to other discretionary applications" per LAMC Section 12.22-A.25(g)(3)(i). For developments requesting Density Bonus approvals "and which include other discretionary applications," the "applicable procedures set forth in Section 12.36 of this Code shall apply" per LAMC Section 12.22-A.25(g)(3)(ii). Therefore, developments with multiple approvals are not subject to the provision that the CPC decision is final, and the City Council must accept the Density Bonus appeal.

The CPC Letter of Determination ("LOD") erroneously states on page 2 that the decision of the CPC related to the off-menu incentives and waiver of development standard is not appealable. This is not correct because, as described above, all entitlements for the entire Project are appealable under LAMC Section 12.36.

The failure to hear Appellant's Density Bonus appeal arguments in violation of LAMC Section 12.36 violates appellant's due process rights by precluding its arguments from being heard by the ultimate decision-making body, City Council. In particular, Appellant was

prevented from presenting supplemental claims arguing that the Project improperly approved the waiver of the loading space. The CPC findings asserted that the Project would lose two dwelling units by providing the loading space instead of parking, but failed to justify this claim. The floor plans on a four-story, 100-unit development are sufficiently broad to allow the Project to accommodate two units elsewhere in the Project. The Project already requested relief from parking regulations, so regulatory compliance was not a barrier. Nor could the loading space have been used as required usable open space, as it was below grade and adjacent to parking. Furthermore, the loss of two dwelling units in the context of a 100 dwelling unit development can hardly spell the difference between a development that is able to provide for affordable housing costs, and one that is not. The two dwelling units are a marginal change in the size of the project, and it does not intuitively follow that the loss of two dwelling units would preclude the Project providing for affordable housing costs. Fundamentally, the findings fail to show that the waiver of the loading space was necessary to provide for affordable housing costs *compared to a development already receiving the other incentives and waivers*.

The Project's incentives further violate State Density Bonus Law because the need for requesting the full extent of the incentives was generated by the Project's decision to request a Conditional Use Permit to allow additional density in the Project *beyond* that which is provided for by State Density Bonus Law. A comparison with the development at 1309 S. Pacific Avenue illustrates this point, as that development was approved with a comparable number of dwelling units (102) and affordable units (12 Very Low Income units), yet the development at 1309 S. Pacific Avenue did not request a CUP as its density increase was provided for by State Density Bonus Law. It is clear that the Project's incentives are the result of a self-created circumstance due to the additional density from the CUP request allowing additional dwelling units and a financial windfall, in direct violation of State Density Bonus law which allows approval of incentives only to provide for affordable housing costs.

Moreover, the Project does not comply with the State Density Bonus Law and the local implementing ordinance adopted by the City. Density Bonus projects are permitted a maximum of three incentives, or four incentives if the development is 100 percent affordable housing.[1] LAMC Section 12.22-A.25(f) contains the list of eight on-menu incentives for affordable housing. The City's grant of a waiver of development standard to permit a 15.5 foot and two-story increase in the permitted building height is a fourth incentive as it is no different from any other incentive. Labeling the requested height increase as a waiver of development standards is simply a means to enable the Project to request four, rather than three incentives, mooting the purpose of Government Code Section 65915(d) which permits only up to three incentives based on the density bonus for which a development is eligible. There is no logical difference between an off-menu height request and a height waiver, yet the City readily abuses its Density Bonus procedures to bypass the three incentive limit. The CPC therefore erred by approving a Density Bonus project with four incentives in violation of State Density Bonus Law and the local implementing ordinance. Furthermore, the Project does not comply with the Density Bonus

[1] LAMC Section 12.22-A.25(e)(1).

Ordinance because it utilizes a bicycle parking reduction in addition to Parking Option 1 as prohibited by LAMC Section 12.21-A. which provides that "the replacement of automobile parking with bicycle parking shall be implemented in lieu of the parking options in Section 12.22 A.25.(d)."

Finally, the Project fails to comply with requirements in the LAMC which limit incentives and concessions only to those requests which are required to provide for affordable housing costs as defined in Health & Saf. Code, § 50052.2 or § 50053 for rents for the affordable units per LAMC Section 12.22-A.25(g)(2)(c)(i). Here, the City has not only failed to require a pro forma consistent with LAMC Section 12-22-A.25(g)(3)(i)(a), it has also failed to present Project-specific evidence to justify the findings for each of the requested incentives and waivers. In particular, the findings failed to adequately justify the incentive for waiver of the loading space. In the sparse findings relied on to approve the waiver of the loading space, the City determines that provision of the loading space would require removal of two dwelling units. This analysis fails to define the analytical route by which the removal of two dwelling units would render the development unable to provide for affordable housings costs. *Topanga Ass'n. for a Scenic Community v. County of Los Angeles* (1974) 11 Cal.3d 506, 515.

The Applicant's response letter cites *Schreiber v. City of Los Angeles* (2021) 69 Cal.App.5th 549, 558 for the proposition that the City's pro forma requirement is pre-empted. However, State Density Bonus Law explicitly allows a local government to require documentation to establish eligibility for incentives or waivers:

> A local government shall not condition the submission, review, or approval of an application pursuant to this chapter on the preparation of an additional report or study that is not otherwise required by state law, including this section. This subdivision does not prohibit a local government from requiring an applicant to provide reasonable documentation to establish eligibility for a requested density bonus, incentives or concessions, as described in subdivision (d), waivers or reductions of development standards, as described in subdivision (e), and parking ratios, as described in subdivision (p).[2]

Nothing in this Section precludes City from requesting a study to support the finding that the loading space removal physically precludes development of the requested density. The study could have been focused on architectural and schematic design rather than economic feasibility. City's failure to require a study fatally undermines its findings justifying the incentives and waivers. Without a study or any evidence at all, City lacks the one piece of evidence which could credibly support its findings.

[2] Gov. Code, § 65915, subd. (a)(2).

The CPC's approval of the Project nullifies the limitations on incentives and concessions required by State Density Bonus Law, including the finding that incentives must provide for affordable housing costs. Here, the City not only failed to request any evidence from the Applicant regrading the implications of removing any of the incentives, such as the waiver of loading space, the supposed evidence supporting its findings is speculative and addresses irrelevant issues such as the development rights under alternative entitlement schemes. Crucially, it fails to connect any of its analysis with the core requirement of the finding itself, to provide for affordable housing costs.

The Applicant's response letter asserts that "Although the City was not required to make any finding in support of the density bonus approval, the LOD's detailed findings explained the incentives were necessary." The City itself is operating within a framework in which it makes findings and purports to support those findings with substantial evidence. It cannot represent to the public that it has no obligation to make findings while simultaneously producing sparsely-justified findings lacking substantial evidence.

However, CPSP was never able to present these arguments because its appeal rights were unlawfully truncated by the City's refusal to consider appeals of the Density Bonus approval. CPSP has been prejudiced by this violation of applicable appeal procedures because it was precluded from advancing and fully developing this argument before the City Council, resulting in the removal of the loading space incentive and disapproval of the off-menu height incentives. To comply with due process and the LAMC's mandatory appeal procedures, CPSP requests the PLUM Committee re-notice the hearing to recognize the appeal of the Project's Density Bonus incentives. This prejudice to the Appellant is exacerbated by Applicant's last-minute submittal of an appeal response late on Friday, July 29 – leaving just one working day before the hearing which is inadequate time for the Appellant to fully analyze the letter and correct its inaccuracies in fact and law and mischaracterization of Appellant's arguments.

II. THE CONDITIONAL USE FINDINGS LACK SUBSTANTIAL EVIDENCE

The CPC erred and abused its discretion by approving, pursuant to LAMC Section 12.24-U-26, a Conditional Use Permit for a 46 percent increase in density over the Project site, in lieu of the otherwise permitted 35 percent increase in density allowable under LAMC Section 12.22-A.25. The CPC findings unreasonably rely on the existence of a single three-story building approximately 30 feet in height to justify its 45-foot, 5-inch height, ignore the development context of Pacific Avenue and generally fail to develop any analytical route to justify its conclusions. The following findings required by LAMC Section 12.24-E cannot be made.

A. The Project's Location, Size, Height, Operations and Other Significant Features Will Not Be Compatible with Adjacent Properties and the Neighborhood

1. The Project's Height Lacks Precedent and Impacts Adjacent Residences

The CPC findings failed to muster enough relevant evidence to allow a reasonable person to conclude the Project's height is compatible with adjacent residences. All evidence about the Project and its development context along Pacific Avenue demonstrate that there are material conflicts between the Project's proposed height and the use and enjoyment of adjacent properties, as the alley would be dominated by an imposing four-story structure. Furthermore, the Project's height implicates the aesthetic of Pacific Avenue and the surrounding community more generally, which is dominated by low-rise commercial or mixed use development ranging from one to three stories.

The Findings adopted by CPC accurately recognize that the Project's height rendered it taller than structures on adjacent properties, noting that adjacent uses range from one to three stories. Even this overstates the height of such developments which are limited to 30 feet within the "1XL" Height District. The Findings recite further facts purporting to justify the increased height, claiming incorrectly that the Project provides stepbacks compliant with the CPIO to ensure compatibility with adjacent developments. The minimal stepbacks provided by the Project are far from the 29-foot setback or stepback required by the CPIO, as demonstrated below.

After effectively acknowledging that the Project is substantially taller than all nearby development, the CPC's findings inexplicably conclude that the Project's height will not adversely affect adjacent properties. However, the findings fail to articulate how the existence of a nearby three-story structure renders the development compatible with an overwhelmingly low-rise neighborhood. The findings are deficient in that they fail to identify the analytical route to conclude that the Project's height is compatible with adjacent developments.

In fact, the Project's height would be materially incompatible with adjacent developments. Of the seven adjacent residential properties in the block between 21st and 22nd street, there are six one-story homes and one two-story home, which would all be approximately twenty feet away from, and completely in the shadow of, this proposed 45.4-foot apartment building lined with balconies to look down on them. The project's size is grossly and materially over the mass and scale of the surrounding neighborhood, which include modest one-story and two-story homes which will be dwarfed by the Project. The Project will shade adjacent residents' homes for much of the day, reducing their quality of life. It will significantly lessen sunlight and air flow and shut out the sunset views that are a defining characteristic of the neighborhood. The towering mixed-use structure is incompatible with its surroundings and will impair the integrity and character of the neighborhood and it will be detrimental to the public welfare.

2. The Lack of Loading Space is Incompatible with Adjacent Uses

Further, the elimination of the loading space requirement will cause conflicts by requiring necessary commercial deliveries to double-park in the street, not only obstructing traffic but risking injuries to bicyclists using the bike lanes on Pacific Avenue. Because Pacific Avenue is already on the City's High Injury Network, delivery vehicles double-parking in bicycle lanes is especially hazardous.

The provision of a loading space in the subterranean parking level *without a service door* renders it virtually useless. To ensure that loading spaces are usable for significant commercial loading and unloading operations, the Zoning Code requires that loading spaces "shall be directly accessible through a usable door not less than three feet in width and not less than six feet six inches in height opening from the building it is to serve."[3] Here, the loading space has *no service door* so delivery persons would need to move the truck into the drive aisle to move items from the truck to the commercial areas. This path of travel requires delivery persons to transport deliveries across a drive aisle with highly limited visibility because it is at the bottom of a ramp at the Project entrance.

In addition, the practical value of the loading space in the lower subterranean level becomes clear when one traces the route a truck would take to *back into* the loading space and then leave the loading space, as it requires a three-point turn in a delivery truck while maneuvering between structural columns with limited visibility and several changes in grade. Rather than endure this gauntlet of risks and hassles, delivery drivers will predictably opt to save time by double parking in the street. As a result, the lack of a loading space increases risks to bicyclists and drivers on a High Injury Network and is materially incompatible with adjacent uses because it predictably results in regular double parking impeding neighbors' safe use of public streets.

3. The Project's Inadequate Parking Facilities Impact Residents and Businesses

The Project provides only 80 parking spaces for the 100 dwelling units, nearly half of which are tandem spaces. Appellant has obtained an expert report prepared by Infrastructure Group, Inc. attached hereto as **Exhibit 1** demonstrating that the Project's parking is both inadequate for the Project demand and noncompliant with applicable law. The reliance on tandem parking spaces dramatically reduces the utilization of the rear tandem parking spaces, as the inconvenience and time to coordinate with another household is simply not sustainable on a daily basis. In addition, the Project proposes to unbundle parking for the market units, further incentivizing residents to forego on-site parking and rely on street parking. To make matters worse, the Project includes many two-bedroom units which will likely include households with more than one vehicle. Thus, the Project is woefully deficient in parking spaces, as it provides approximately one half of a usable (individually accessible) parking space per dwelling unit.

[3] LAMC Section 12.21-C.6(b).

Residents have testified that street parking is in critically short supply in the Project area, especially in the evenings. The lack of street parking has resulted in residents fighting for any available space they can find, double parking in narrow streets, blocking traffic, causing accidents and obstructing the two major tsunami evacuation routes relied in by police and fire assistance. **(Exhibit 2)** The Project will directly cause and exacerbate these nuisance behaviors based on the testimony of residents observing driver behaviors after development of comparable under-parked projects in the area. The existing road infrastructure in San Pedro gives rise to numerous conflicts between road users, including bicyclists, motorists and buses. Illustrations of inadequate infrastructure and resulting road conflicts are attached as **Exhibit 3**. The lack of adequate parking also causes risks to bicyclists as drivers will double park within bike lanes on Pacific Avenue, which is already is on the High Injury Network. Therefore, the Project's lack of a loading space is not compatible with adjacent properties or the neighborhood.

B. The Project Does Not Substantially Conform to the General Plan, CPIO and Redevelopment Plan

1. The Project Does Not Substantially Conform to the General Plan

The Project conflicts with core goals, objectives and policies of the General Plan, including the Framework Element, the San Pedro Community Plan and the Mobility Element. Appellant exhaustively documented the Project's conflicts with the General Plan while not only listing policies, but establishing the causal and analytical connections between the Project and the alleged inconsistencies. In contrast, the CPC's findings merely list the Project's zoning, the Project description and lists goals, objectives and policies without explanation. It describes the Project as consistent with Community Plan Goal LU3 which provides for multifamily neighborhoods that "exhibit the architectural characteristics and qualities that distinguish San Pedro." The findings never identify which characteristics and qualities are characteristic of San Pedro, and which the Project emulates. In fact, the overwhelming evidence supports the opposite conclusion: that the Project fails to incorporate key architectural characteristics of San Pedro architecture, such as its low-rise character or ample setbacks. Likewise, the findings identify the Project as consistent with Community Plan Goal LU5 which provides for "Strong and competitive commercial districts that are aesthetically appealing, pedestrian-oriented, easily accessible and serve the needs of the community while preserving the unique commercial and cultural character of the community." Once again, the findings fail to explain how the Project is consistent with this policy, when it is apparent the opposite conclusion is the case. The Project is not "easily accessible" because it fails to provide adequate parking or loading spaces, nor does it preserve the unique commercial and cultural character of the community by providing only token commercial space in a wildly oversized structure.

2. The Project Does Not Comply with the Zoning Code

a. The Project fails to provide one "individually accessible" parking space per dwelling unit and requests no relief

The Project relies on the State Density Bonus Law to permit tandem parking, but its request exceeded the mandates of the Density Bonus Law because it not only superseded local limitations on the use of tandem parking, but also local parking design standards requiring one accessible space per dwelling unit which are not pre-empted by the State Density Bonus Law.

The Zoning Code requires that every parking area providing required parking spaces shall be improved to standards established by LADBS.[4] One Bulletin promulgated by LADBS pursuant to this authority, P/ZC 2002-001, provides that when tandem parking is used in a private parking garage, "[a]t least one parking stall per dwelling unit and all stalls required for any guest parking shall be individually and easily accessible."

State Law does not entitle the Project to disregard local parking design standards, such as the requirement to provide one individually accessible space per dwelling unit, which are categorically distinct from tandem parking prohibitions. The expert traffic letter prepared by Infrastructure Group, Inc. concludes that the "individually and easily accessible" requirement is separate from the Zoning Code but is instead a Building and Safety standard implicating health and safety.[5] Thus, the LADBS requirement to provide at least one individually accessible parking space per dwelling unit remains in effect. However, the Project's request for relief to provide fewer parking spaces (80) than dwelling units (100) means it is not in compliance with the City's Zoning Code. Furthermore, because the applicant did not request relief from the "individually accessible" standard, and because it is not pre-empted, this standard remains applicable. Therefore, the CPC erred by determining the Project is compliant with the Zoning Code, because its parking scheme conflicts with core LAMC parking design regulations.

b. The Project fails to provide queuing space for tandem spaces

The same LADBS Bulletin requires a queuing space for the rear tandem parking space to pull into and accommodate the "shuffling of cars" while specifying its required dimensions:

> *When tandem parking is provided, parking area shall be capable of accommodating required onsite queuing spaces for the shuffling of cars. The queuing spaces shall be arranged so to that the required driveway access aisle is not reduce to less than 10' wide. Each of the queuing spaces shall be minimum 8' wide and 18' long.*

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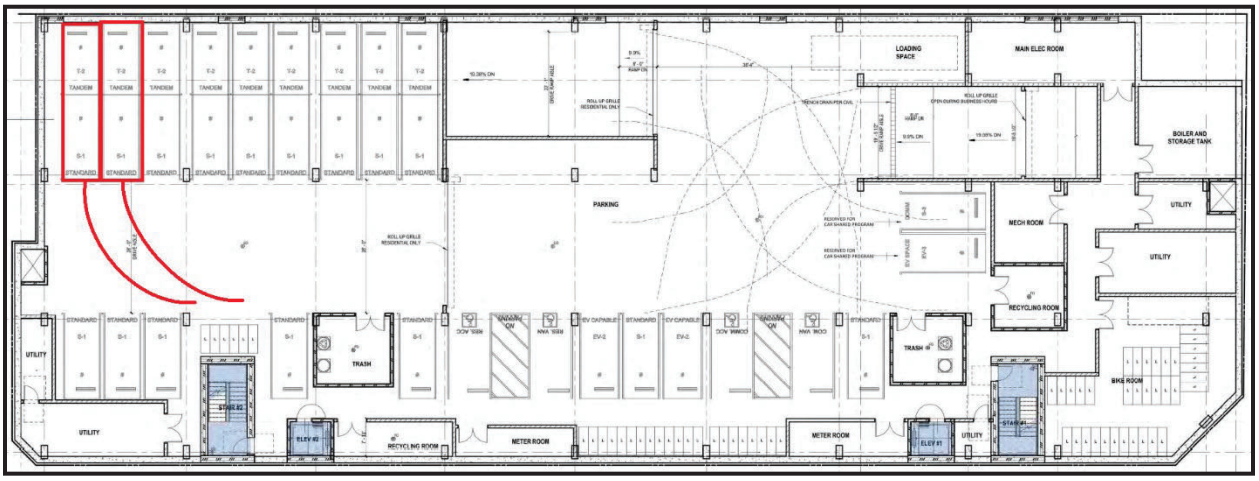
4 LAMC Section 12.21-A.5.

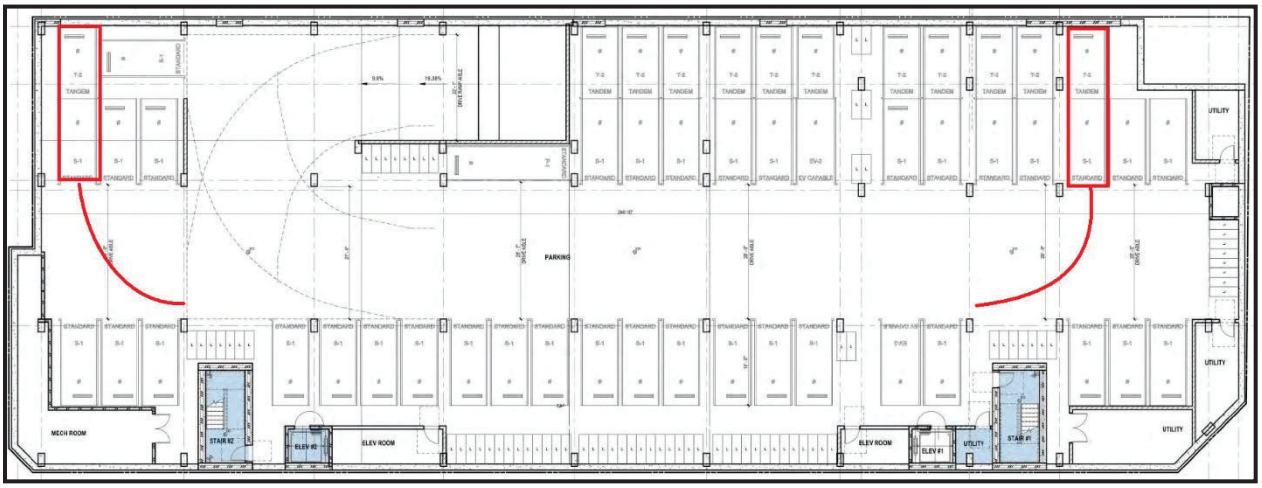
5 *Wollmer v. City of Berkeley* (2011) 193 Cal.App.4th 1329 is distinguishable because it addressed a zoning modification granted by the City of Berkeley's Zoning Adjustment Board, whereas here Appellant challenges, in part, compliance with *Building and Safety* parking standards for which no relief was granted.

As shown in the Upper Level and Lower Level Parking Plans, several pairs of tandem parking spaces lack adequate space for the shuffling of cars. In each case, the rear tandem vehicle has space to back into, but the front tandem vehicle is obstructed and cannot complete its maneuvers to exit the tandem parking space. It is clear from the arrangement of these spaces that there is insufficient space for an 8 foot wide and 18 foot long queuing space due to the location of tandem spaces in the corners of the garages.

Upper Level Parking Plan



Lower Level Parking Plan



3. <u>The Project Does Not Comply with Redevelopment Plan.</u>

The Pacific Corridors Redevelopment Plan establishes land use and development standards, including parking standards. In particular, the Redevelopment Plan provides that "in no case shall parking be less than the requirements of the Los Angeles Municipal Code, including reduced parking requirements at and around transit stations and reductions permitted

for shared parking."[6] Here, the Project fails to comply with the Redevelopment Plan parking standards because it proposes parking not in compliance with the requirements of the LAMC, specifically the requirement to provide one individually accessible space per dwelling unit. Therefore, the CPC erred by finding the Project is in substantial conformance with the Redevelopment Plan because it's unwarranted tandem parking scheme conflicts with mandatory and unambiguous language requiring compliance with minimum LAMC standards.

4. The Project Does Not Comply with the CPIO.

The Staff Report inaccurately states that the applicant "has not requested, and has not been granted, any deviations from the CPIO regulations." This is transparently false, as demonstrated by the approval grants in the CPC Letter of Determination which approved a FAR of 3.26 in lieu of 1.5:1 "as otherwise permitted in the C2-1XL-CPIO Zone and San Pedro ***Community Plan Implementation Overlay*** (CPIO) ***Section IV-2.B***;" and a 15.5 foot and two story increase in the maximum building height to allow 45 feet five inches and four stories in lieu of 30 feet and two stories as otherwise permitted in the C2-1XL-CPIO zone and ***CPIO Section IV-2.A.2***." Despite these deviations, the Project was improperly approved with an Administrative Clearance which is appropriate only "for a Project that complies with the provisions of an adopted CPIO" per LAMC Section 13.14-G.2.

The CPIO requires that the "structure shall be set back or stepped back one foot for every foot in height as measured 15 feet above grade at the residentially zoned plot property line."[7] The Project's height measured above Grade is 45 feet, 5 inches, with the adjacent property line at 1 foot, 5 inches above the Property's Grade. Thus, the Project's height as measured at the adjacent lot line is 44 feet, and its height measured 15 feet above the adjacent lot line is therefore 29 feet. Applying this standard, the structure shall be set back or stepped back 29 feet, with ten feet of this able to be accommodated within the alley, and thus the building must be stepped back 19 feet from the alley.[8]

Here, the City erroneously applied a 45-degree measurement to implement this regulation, but this interpretation is not grounded in the CPIO or in any diagram or Guidelines accompanying the CPIO. In fact, the only references to a 45-degree angle measurement within the CPIO Development Standards is for the Central Commercial Subarea, which provides an *intentionally distinct method of measurement* and which is not applicable to the Project. Within the Guidelines, the Building Scale guidelines recommend stepping back a structure at a 45 degree angle measured 30 feet at the development's own lot line. The language at issue, however, requires a "setback or stepback" which is distinct language from the other references and provides some flexibility to accommodate the greater setbacks or stepbacks required – in this case, 29 feet. The CPC erred by finding the Project substantially conformed to the CPIO because

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6 Pacific Corridors Redevelopment Plan, § 514.
7 CPIO Section IV-2.A.3(b).
8 LAMC Section 12.22-C.10.

it deviates from stepback requirements specifically conceived to reduce the height and mass impacts of developments like the Project.

5. The Project Does Not Comply with the Density Bonus Ordinance.

As demonstrated above, the Project does not comply with the Density Bonus Ordinance in two respects. First, it improperly relies on a waiver of development standards to grant the Project a fourth incentive in violation of LAMC Section 12.22-A.25€(1). Second, it utilizes both a bicycle parking reduction and Parking Option 1 in violation of LAMC Section 12.21-A.4. Further, as articulated in Appellant's prior correspondences, the Project cannot satisfy the findings to approve Density Bonus incentives.

III. THE SITE PLAN REVIEW FINDINGS LACK SUBSTANTIAL EVIDENCE

A. The Project is Not in Substantial Conformance with the Coastal Act and Land Use Plan

Coastal Act Section 30200(a) requires: "All public agencies carrying out or supporting activities outside the coastal zone that could have a direct impact on resources within the coastal zone shall consider the effect of such actions on coastal zone resources in order to assure that these policies are achieved." Here, the Project violates policies in the Coastal Act and Land Use Plan providing that public parking is a coastal resource and that Projects should not be approved where they result in an inconvenient traffic pattern that would implicate public access. Here, the Project would result in a severely under-parked development without adequate loading space adjacent to bicycle infrastructure and parking spaces used by the public to access the Coastal Zone, located just feet from the Project Site.

B. The Housing Accountability Act Does Not Preclude Appellant's Claims

The Applicant's response letter asserts that the Housing Accountability Act precludes denial of the Project because the required findings are subjective. This is in error. First, the Density Bonus Law and Housing Accountability Act do not preclude application of Coastal Act policies, such as those protecting public parking, including in areas outside the Coastal Zone that could have a direct impact on resources within the Coastal Zone. Second, the argument incorrectly assumes that the Site Plan Review findings are exclusively subjective, as its second finding requires consideration of aspects of the Project which are objectively not in compliance with LAMC standards, such as "off street parking facilities" and "loading areas." Finally, to the extent the Housing Accountability Act applies to the Appellant's arguments, the City erred and abused its discretion by failing to find that the Project would result in specific adverse impacts and on that basis denying the Project as authorized in Government Code Section 65589.5(j)(1)(A).

C. The Project is Not Compatible with Existing and Future Neighboring Developments.

As articulated above and in Appellant's previous correspondences, the Project's height and lack of parking and loading facilities renders it fundamentally incompatible with neighboring developments. Many adjacent uses consist of older multifamily building with nonconforming parking and lack adequate parking facilities for residences, forcing many to rely on street parking in increasingly congested local streets.

The findings fail to provide substantial evidence that the Project is compatible with neighboring developments, relying on faulty logic and misconstruing evidence. First, the findings assert that the Project's height is compatible with the neighborhood due to the existence of a three-story building, without noting that the Project's first floor alone is nearly half the height of that entire structure. Next, the findings fail to consider the broader context of Pacific Avenue and adjacent developments other than the often-referenced three-story structure. Finally, the findings provide irrelevant and misleading information by asserting what the Project's permitted height *would be* with the On-Menu incentives, claiming the Project requests "only a 4 foot 5 inch increase from the maximum height allowed through an On-Menu Incentive." The permitted development rights under an alternative entitlement scheme is irrelevant to the finding, and its inclusion in the findings distracts from the transparent conflicts between the Project and neighboring development. Furthermore, the proposed 45-foot, 5 inch height exceeds the 41-foot height limit permitted by incentive by *eleven percent*, which is a material difference in height especially in the context of a low-rise neighborhood such as San Pedro.

IV. THE PROJECT'S APPROVAL VIOLATES CEQA

A. The Project is Not Eligible for Class 32 CE.

1. The Project is Not Consistent with the General Plan and Zoning Regulations.

a. General Plan

As described above, the Project violates the Framework Element, the San Pedro Community Plan and the Mobility Element. The City's findings list clearly inapplicable policies while failing to articulate any connection between the Project and the findings. The Project is therefore ineligible for a Class 32 Categorical Exemption.

b. Zoning Regulations

The Project requests, and has been granted, substantial deviations from the applicable zoning regulations. First, the Project was granted three off-menu incentives including (i) an FAR of 3.26 to 1 in lieu of 1.5 to 1 as permitted in the C2-1XL-CPIO Zone within the San Pedro

Community Plan Implementation Overlay ("CPIO") Section IV-2.B; (ii) a reduction in required parking to provide 80 spaces in lieu of 121 spaces required by Density Bonus Parking Option 1 and LAMC Section 12.22-A.25(d)(1); (iii) elimination of loading space required by LAMC Section 12.21-C.6. Second, the Project was granted two waivers of development standards to permit a 45-foot five inch structure with four stories in lieu of 30 feet and two stories otherwise permitted in the C2-1XL-CPIO Zone. Third the Project has been granted a conditional use permit for a 46 percent increase in density over the Project site, in lieu of the otherwise permitted 35 percent increase in density allowable under LAMC Section 12.22-A.25.

The Project requests numerous deviations from the applicable zoning regulations. The Project requests relief beyond that authorized by on-menu incentives, requesting off-menu incentives, a waiver of development standards and a CUP to exceed underlying zoning regulations.

In addition, the Project maintains noncompliance with applicable zoning regulations without requesting relief. As Appellant has noted, the Project fails to comply with CPIO stepback regulations requiring a 29-foot setback or stepback and LAMC parking access standards requiring individually accessible spaces. Therefore, the Project is not consistent with applicable zoning regulations and is not eligible for the Class 32 Categorical Exemption.

2. Approval of the Project Would Result in Significant Traffic, Noise and Air Quality Impacts.

As documented above, the Project provides woefully inadequate parking and loading space facilities to accommodate its 100 dwelling units. As a result, the Project's residents and delivery vehicles will circle blocks scouring public streets for non-existent parking spaces, causing more double parking and increasing hazards to vehicles and bicyclists along a recognized dangerous street. It is well established that a Project's context is relevant to a determination of significance, and here the fact that Pacific Avenue is on the City's High Injury Network means the community is especially vulnerable to poorly considered parking or loading facilities. Moreover, the additional traffic caused the Project operations and the additional obstructions to other traffic from its double-parked residents deliveries result in substantial air quality impacts.

The Project's Traffic Impact Assessment and other transportation analysis inaccurately state that the previously existing use on the vacant Project site was a "restaurant/bar." This false assumption results in a trip distribution pattern with high peak-hour trip generation with PM peak hour volume alone accounting for 10 percent of total trips, allowing the Project's Traffic Impact Assessment to deduct these peak hour trips when analyzing the Project's transportation impacts. However, no reasonable person would characterize this venue as a restaurant. The basis for the determination originates in a *Department of Housing and Community Investment* determination intended to determine the number of existing dwelling units in compliance with AB 2556. The

use code attached to the pre-existing use was 2100 corresponding broadly to "restaurant/lounge/tavern." However, the Recommendation Report to the PLUM Committee describes the previous use as a "single-tenant bar" at page 12, which conforms to neighbor testimony. These uses have wildly different trip generation profiles, with restaurants producing a much greater share of PM peak-hour trips compared to a bar or tavern, in which trip generation is concentrated in later evening. Moreover, recent reductions in bus service within San Pedro and specifically on Pacific Avenue will increase reliance on vehicle trips, further exacerbating already significant Project impacts. As a result, the Traffic Impact Assessment understates peak hour vehicle trips and conceals significant impacts.

3. The Project is Subject to Exceptions Precluding Use of a Categorical Exemption

a. The Project causes significant cumulative impacts

There have been a succession of residential and mixed-use development projects in San Pedro which have, through their construction and operations, cumulatively caused substantial environmental impacts. First, the developer and applicant for the Project is also the applicant for two related projects: the development at 1309-1331 Pacific Ave. and the development at 1801 Mesa. Second, there are eleven additional related projects in the Project vicinity in San Pedro:

- 111 N. Harbor Blvd. – 120 units, seven stories
- 407 N. Harbor Blvd. – 63 units, six stories
- 511 N. Harbor Blvd. – 137 units, eight stories
- 222 W. 6th St. – 228 units
- 337 W. 7th St. – 32 units, five stories
- 444 W. 5th St. – 99 units, eight stories
- 420 W. 9th St. – 56 units
- 500 block of S. Palos Verdes St. – 375 units, seven stories
- 1309-1331 Pacific Ave. – 101 units, four stories
- 200 block of 8th St. – 24 townhomes, three stories
- 1801 Mesa, 22 townhomes, three stories

Cumulatively, these developments have caused substantial aesthetic, air quality, GHG, and transportation impacts. Their excessive heights and bulky masses, often accompanied by minimal yards, result in cumulatively significant aesthetic impacts. Their concurrent construction and additional vehicle emissions associated with increased population will contribute to local air quality impacts. The construction and operation of hundreds of thousands of square feet of development, and the emissions associated with its energy needs and vehicle emissions, constitute a cumulatively significant GHG impact. These related projects often lack adequate parking, a condition exacerbated by some requesting parking waivers. In conjunction with inadequate transit servicing the increased population result in significant transportation impacts, the Project and related projects result in significant transportation impacts.

The Project's contributions to these impacts are cumulatively considerable, as its contributions to cumulative impacts are qualitatively different from impacts caused by related projects. First, the Project is unique in being surrounded on four sides by streets or alleys. As a result, the Project will result in the "canyon effect" of a tall structure adjacent to an alley, and also result in heightened visual and aesthetic impact of the Project relative to other developments with limited frontage and thus limited public visibility.

b. The Project causes significant impacts due to unusual circumstances

Under CEQA Guidelines Section 15300.2, categorical exemptions shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. The City erroneously concluded that the project's size and height is not unusual for the vicinity of the subject site, and is similar in scope to other existing multi-family dwellings and proposed future projects in the area. However, other commercial and multi-family dwellings in the area are consistent with height limits for the subarea.

Further, the City failed to adequately recognize the four unusual circumstances, which in combination with the proposed project have the potential to result in significant impacts. First, the project's location in an area with poor air quality, increased cancer risk, and high environmental hazards scores from several agencies is an unusual circumstance giving rise to significant air quality impacts. Second, the project's location on the City's High-Injury Network designated for bicycle use according to the Mobility Element, combined with its unusual loading space in the subterranean level, give rise to significant traffic and air quality impacts. Third, the Project is served by aging sewer lines which are a daily challenge for San Pedro residents who suffer from low water pressure, sewer backup and line breaks. San Pedro's water infrastructure is in unusually poor disrepair because some of its main lines are among the oldest in the City. Fourth, the Project is highly unusual in that it is located on a Tsunami Evacuation Route, so its double parked residents and delivery vehicles could be abandoned and block Pacific Avenue during an emergency.

The Project's unusual circumstances, further described herein, have the potential to result in a number of potentially significant project and cumulative impacts, including: (1) Increased cancer and health risks, (2) Increased pedestrian and bicyclist accident risks and (3) Increased risk of sewer pipe leaks.

The Applicant's response letter incorrectly asserts that the City determined that only developments within 500 feet would constitute "related projects" for purposes of determining cumulative impacts of developments in the "same place." This determination lacks substantial evidence because the alleged environmental impacts, including air pollution, noise and lack of parking for coastal access, are caused by developments having impacts far beyond a 500-foot

radius. In the Project vicinity, parking for access to the Coastal Zone is distributed throughout neighborhoods, requiring members of the public to often use parking spaces more than 500 feet from their destination. Air quality impacts from increased diesel and particulate emissions are localized across San Pedro, not merely within 500 feet of the Port. Similarly, the noise impacts from the amphitheater would reverberate across San Pedro; there is no evidence to support the conclusion that its impacts beyond 500 feet are not potentially significant. Finally, nothing in CEQA supports the City's decision to arbitrarily cut off related developments based on a 500-foot radius, which instead requires analysis focused substantively on accurate analysis of cumulative impacts and a determination of whether the Project's contributions are "cumulatively considerable[.]" CEQA Guidelines Section 15064(h)(1).

B. The Project Does Not Qualify for Streamlining Pursuant to Guidelines Section 15162.

a. The Project is Subject to Changed Circumstances Requiring a Major Revision to the Community Plan EIR to Mitigate Air Quality Impacts

i. *Expanded Port of Los Angeles Operations Have Increased Air Pollution Burden Since EIR Approval*

The Project requires preparation of a subsequent EIR pursuant to CEQA Guidelines Section 15162(a)(2) because "substantial changes have occurred with respect to the circumstances under which the Project is undertaken that will require major revisions to the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects." Since the adoption of the Community Plan EIR, the Port of Los Angeles has expanded its hours to include operations 24 hours a day, 7 days per week, nearly doubling its loading hours and resulting in approximately a thousand truck trips daily through the San Pedro community.[9]

The Community Plan EIR recognized that the Port of Los Angeles "represents a Major source of off-road sources of air emissions."[10] Further, the DEIR acknowledges that the "largest contributors to inhalation cancer risk are diesel engines from trucks and ships operating in and out of the adjacent ports of Los Angeles and Long Beach."[11] Encompassing more than 7,500 acres and containing 25 passenger and cargo terminals, the Port of Los Angeles generates enormous volumes of pollution directly impacting the San Pedro community. Based on the circumstances during preparation of the EIR, the City determined that the Community Plan would not conflict with implementation of an air quality management plan, and that the

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[9] The expansion of hours increased container processing by 3,500 containers per week, requiring 7,000 weekly one-way truck trips to the Port of Los Angeles through San Pedro. Seven thousand weekly truck trips yields one thousand daily truck trips. Container processing source available at: https://www.cbsnews.com/news/supply-chain-issues-port-of-los-angeles-going-247/

[10] DEIR, p. 4.2-2.

[11] DEIR, p. 4.2-11.

Community Plan could cause potentially significant air quality impacts requiring Mitigation Measures MM4.2-1 through MM4.2-3.

The expansion of operations at the Port of Los Angeles has dramatically increased diesel exhaust in the Project vicinity, resulting in a wildly different background of air quality and health impacts compared to those analyzed in the EIR. As a result, residents of San Pedro can expect to suffer greater health impacts from the Project's contribution to air quality impacts compared to the assumptions in the EIR. The EIR's reliance on methodologies of the Southern California Air Quality Management District ("SCAQMD") results in inappropriately high thresholds of significance given the changed and unique circumstances adjacent to the Port of Los Angeles.

Since the overall pollution burden in San Pedro has increased due to Port of Los Angeles expanding operations, development of the Project under current circumstances will result in a new impacts conflicting with implementation of an applicable air quality management plan (Impact 4.2.1) and greater severity of previously identified impacts (Impact 4.2-3). Therefore, the Project requires preparation of a subsequent EIR pursuant to CEQA Guidelines Section 15162(a)(2).

ii. Subsequent Major Developments Increase the Noise Pollution Burden on San Pedro Since EIR Approval

Subsequent to approval of the Community Plan EIR, the San Pedro community has been subjected to a flurry of development proposals which have increased the noise environment of San Pedro generally, resulting in greater susceptibility to the construction noise impacts of the Project. In particular, the San Pedro Waterfront Project would result in a host of uses which would increase noise impacts on its neighborhoods, including a 6,200-seat amphitheater (**Exhibit 4**) that would amplify and direct noise impacts towards San Pedro's residential communities. As a result of the substantially higher background noise levels, the Project's analysis of construction noise impacts is fatally flawed. The Project's Technical Noise Report states that the threshold of significance for construction noise is established by LAMC Section 112.05, which prohibits construction noise exceeding 75 decibels more than 50 feet from the source unless noise reductions are technically infeasible. Higher levels of ambient noise must be factored into the City's determination of a threshold of significance, yet the City applied the same thresholds in the LA CEQA Thresholds Guide despite a substantially worsened noise environment. *Los Angeles Unified School District v. City of Los Angeles* (1997) 68 Cal. Rptr. 2d 367.

C. The Project Does Not Qualify for Streamlining Pursuant to Guidelines Section 15168.

1. The Project Requires a Subsequent EIR for Significant Air Quality and Noise Impacts

The Project requires a subsequent EIR because it would have air quality and noise impacts that were not examined in the program EIR for the San Pedro Community Plan pursuant to CEQA Guidelines Section 15168(c)(1). As described above, the Project's environmental settling has deteriorated materially since the Community Plan EIR was approved, as San Pedro's streets accommodate approximately 1,000 additional daily truck trips and their associated exhaust fumes which are strongly correlated with cardiovascular disease and cancer. Given this environment of deteriorated air quality, the thresholds for conflict with an air quality management plan (Impact 4.2-1) and violating air quality standards (Impact 4.2-3) are inappropriately high and should be reduced to account for the community's susceptibility to air quality health impacts. The Community Plan EIR incorrectly anticipated the Project's air quality impacts to be less than significant (Impact 4.2-1) or less than significant with mitigation (Impact 4.2-3). The deteriorated air quality results in increased health impacts for the equivalent amount of air pollution caused by the Project. Therefore, the Project does not qualify for streamlining pursuant to CEQA Guidelines Section 15168. Similarly, the increased noise pollution from major developments subsequent to approval of the EIR results in significant noise impacts for the same magnitude of noise determined to cause less than significant impacts in the Community Plan EIR.

2. The Project's Density Exceeds the Scope of the Community Plan EIR and Requires a Subsequent EIR

Furthermore, the Project requires a subsequent EIR because it requests a Conditional Use Permit for a density increase of 46 percent, exceeding the 35 percent permitted by the State Density Bonus Law and the implementing ordinance codified in LAMC Section 12.22-A.25. The Community Plan Final EIR responded to comments by including descriptions of sections of the LAMC relevant to population and density. In Page 10-91 of the Additions and Corrections, the Final EIR describes the background density regulations relevant to the Project. In its description of the LAMC, the Final EIR conclusively states that the LAMC determines the permitted density on a lot. ("Zoning regulations provide for the types and densities of residential uses permitted in each of the City of Los Angeles' zones… The City of Los Angeles residential density standards are defined by zone… Zones dictate the number of units allowed per lot." The Final EIR qualifies these conclusions with a description of the Density Bonus Ordinance, but not the Conditional Use pursuant to LAMC Section 12.24-U.26 as requested by the applicant. In contrast, the Final EIR correctly notes that the Density Bonus Ordinance provides for "up to a 35 percent density bonus." The Project requests an additional *eleven percent* density increase, in addition to taking advantage of any additional units it can obtain by rounding fractional units up

to the nearest whole number. To exacerbate the impact of this request, the applicant is able to manipulate the LAMC calculations to allow it to include the alley in its density calculations.

The additional density requested by the Project, and not contemplated by the Community Plan EIR, results in numerous environmental impacts not considered by the EIR. The proposed density conflicts with Framework Element and Community Plan density policies, as articulated in the Appellant's October 20, 2021 appeal letter. Additional dwelling units contribute to an unworkable and overcrowded floor plan which is incapable of accommodating a loading space, resulting in traffic and safety impacts. Therefore, a supplemental EIR is required pursuant to CEQA Guidelines Section 15168(c)(1).

The circumstances highlighted by appellant are precisely the same factors favoring preparation of a supplemental EIR according to CEQA Guidelines section 15168(c)(2), including "consistency of the later activity with the type of allowable land use, overall planned density and building intensity, geographic area analyzed for environmental impacts, and covered infrastructure[.]" Here, the appeal has raised compelling arguments that the Project's density is *not* consistent with the planned density of the site, as it requests a Conditional Use for additional density that became feasible only after stripping all setbacks, loading space and parking from the project. Moreover, the appeal has demonstrated that the Project would impact a geographic area highly susceptible to traffic and safety hazards caused by the Project's double-parking residents and commercial deliveries, as it is located on the City's High Injury Network and the tsunami evacuation route. Finally, the appeal presents credible testimony from residents most knowledgeable about sewer infrastructure deficiencies, as the Project's unwarranted Conditional Use for a 46% density increase would overload local sewer capacity. Therefore, the Project is not eligible for streamlining pursuant to CEQA Guidelines section 15168.

V. PROJECT APPROVAL VIOLATES THE COASTAL ACT

The Project violates core Coastal Act policies regarding the preservation of parking and fails to comply with Coastal Act requirements for approval of developments outside the Coastal Zone. The Project is located adjacent to the Coastal Zone, which extends to the midpoint of Pacific Avenue just a few feet from the Project site boundaries (**Exhibit 5**). As a result, the Letter of Determination utterly fails to account for the Project's impacts on valuable coastal resources. As noted above, Coastal Act Section 30200(a) requires:

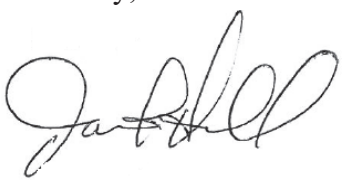
> All public agencies carrying out or supporting activities outside the coastal zone that could have a direct impact on resources within the coastal zone shall consider the effect of such actions on coastal zone resources in order to assure that these policies are achieved.

In particular, the availability of public parking is a coastal resource subject to the protections of the Coastal Act, recognizing the necessity of public parking to allow meaningful access to coastal resources in San Pedro. Here, the Appellants have presented ample evidence that there is a shortage of parking in the Project area which will implicate public access within the Coastal Zone, located just feet away from the Project site. In addition, the Project is only approximately 575 feet, or one block, from the Dual Permit Jurisdiction Coastal Zone, where parking access is even more protected. The Project proposes only 55 individually accessible stalls for 100 dwelling units, requiring nearly half of all dwelling units to rely on street parking rather than endure the circumstances of lacking regular access to the tenants' parking spaces. Despite these impacts, the City has failed to comply with its obligations under the Coastal Act to consider the Project's impacts to the adjacent Coastal Zone area.

VI. CONCLUSION

I may be contacted at 310-982-1760 or at jamie.hall@channellawgroup.com if you have any questions, comments or concerns.

Sincerely,



Jamie T. Hall

EXHIBIT 1

INFRASTRUCTURE GROUP, INC.

2672 N. Vista Crest Road
Orange, CA 92867
(714) 749-6386

August 1, 2022

City of Los Angeles
Department of City Planning
Los Angeles, CA 90012

Subject: 2111-2039 South Pacific Avenue Residential Project
Case Number: CPC-2019-4884-CU-CB-SPR

The City is using CEQA Guidelines § 15332 (Class 32 Categorical Exemption) for infill housing. In order to utilize this exemption, "the project is consistent with the applicable general plan designation and all general plan policies, as well as with zoning designation and regulations."
That is not the case. A waiver for building height is being granted, in addition to the other three incentives as provided in the density bonus law. Therefore, the building in not consistent with zoning regulations, absent a waiver. This makes it ineligible for a Class 32 exemption.

PARKING

The number of parking spaces and configuration of the spaces fails to conform to the municipal code and the building and safety code. Namely, the number of accessible stalls, and the width of the compact stalls. The parking structure stalls are "unbundled", meaning that the stalls for use on a fee basis and are not associated with any specific unit. Tandem stalls are proposed in an operation where there is no valet, and spaces are for rent and unassigned. This proposed configuration is not functional and does not comply with the zoning code and LADBS regulations. Tandem spaces are only allowed when "At least one parking stall per dwelling unit and all stalls required for guest parking shall be individually and easily accessible". And "At least one standard stall per dwelling unit shall be provided". This parking lot is unbundled, and one stall is not assigned or provided per unit. Therefore tandem spaces should not be permitted. The applicable pages from the LA Building and Safety informational bulletin are published below. Note that while Gov't Code Section 65915(p)(5) allows tandem parking to satisfy municipal code requirements, it does NOT override building and safety requirements.

Informational Bulletin-LA Building and Safety Department
E. TANDEM PARKING STALLS

1. Tandem parking stalls are permitted in public garages and public parking areas providing an attendant. A "Covenant and Agreement to Provide Parking Attendant" will be required.
2. Tandem stalls are permitted in private parking garages and private parking areas provided:
a. At least one parking stall per dwelling unit and all stalls required for any guest parking shall be individually and easily accessible.
b. At least one standard stall per dwelling unit shall be provided.
3. Tandem parking shall be limited to a maximum of two cars in depth except for additional parking required in accordance with Section 12.21A17(h).
4. When determining access aisle widths for tandem parking having both standard and compact stalls in tandem, the aisle widths for standard stalls shall be used.

In addition, the LA Building and Safety informational bulletin states that tandem parking is prohibited within a commercial corner lot development. The land-use designation for this project is "neighborhood commercial" and the project is a commercial corner development with retail and mixed use. Tandem parking is prohibited.

Furthermore, the bulletin states that when tandem parking is provided, parking area shall be capable of accommodating required onsite queuing spaces for the shuffling of cars. There are no such queuing spaces in the plan, such that utilizing several of the front tandem parking spaces at the corners of the garage is not possible. Therefore tandem spaces should not be permitted. The applicable pages from the LA Building and Safety informational bulletin are attached.

Informational Bulletin-LA Building and Safety Department (page 26)

8. Mechanical automobile parking lifts are considered tandem parking. Therefore, they shall not be installed where tandem parking is prohibited, such as within a commercial corner lot development, mini-shopping center, for recreational vehicles or guest parking.
11. When tandem parking is provided, parking area shall be capable of accommodating required onsite queuing spaces for the shuffling of cars. The queuing spaces shall be arranged so that the required driveway access aisle is not reduce to less than 10' wide. Each of the queuing spaces shall be minimum 8' wide and 18' long.

The requirements in the LADBS Information Bulletin are Building and Safety requirements not within the zoning code and are intended to allow tandem parking spaces to function without causing hazards from maneuvering such vehicles in inadequate queuing areas to allow the front tandem vehicle to enter or enter the parking space.

The site plan also fails to identify the location of the required 4 EV charging stalls & 26 EV capable stalls. The only identified EV stall is also reserved for the car share program.

The use of unbundled parking and tandem parking leads to an absurd result. 21 of the parking spaces are essentially unusable as they are behind another unbundled space.

The report states the applicant is opting for the **Density Bonus Parking Option 1**, which requires parking to be set by a dwelling unit basis. This equates to a total of 121 parking spaces. However, they further state they will also be using the **Bicycle Parking Ordinance, LAMC Section 12.21.A.4**, which allows affordable residential projects to reduce required vehicle parking by up to 10 percent, bringing the parking spaces down by 13 spaces to a total of 109 spaces. The applicant is proposing 84 spaces.

LA City Ordinance 179681, amends Section 12.22, 12.24, 14.00, and 19.01 of the Los Angeles Municipal Code to implement Density Bonus program as required by State law., "Housing Development Project that is for sale or for rent and qualifies for a Density Bonus and complies with this subdivision may be provided by complying with whichever of the following options requires the least amount of parking: **applicable parking provisions of Section 12.21 A.4 of this Code, OR Parking Option 1 OR Parking Option 2, below.**"

The applicant is double dipping on the parking reduction, which is not allowable. Therefore, the 109 required parking spaces cannot be reduced thus making the 84 proposed parking spaces not enough for the housing development.

Loading Space

LAMC Section 12.21 C.6 requires that a loading space be provided and maintained for a building with a commercial use that is located on a C or M Zone abutting an alley. As a mixed-use building with a commercial component at the ground floor on a C2-1XL-CPIO zoned lot adjacent to an alley, the project is required to provide a loading space with a minimum height of 14 feet, be accessible through a usable door not less than 3 feet in width and not less than 6 feet 6 inches in height, with a minimum area of 400 square feet, and a minimum width of 20 feet as measured along the alley. The applicant has requested to eliminate the loading space requirements of LAMC Section 12.21 C.6, and contends that the locational requirements along the alley will affect the residential units on the ground floor. The applicant instead proposes a loading space in the subterranean parking garage which further reduces the number available to the residents. The applicant has stated, without substantiation, that up to 2 dwelling units may be lost to comply with the code. This is an absurd argument. Compliance with any code requirements will result is less dwelling units.

Within the City's Recommendation Report and the Letter of Determination, it is stated that compliance will be determined later. For example on page C-4 in the Letter of Determination dated October 5, 2021 it states:

> **36. Department of Building and Safety**. The granting of this determination by the Director of Planning does not in any way indicate full compliance with applicable provisions of the Los Angeles Municipal Code Chapter IX (Building Code). Any corrections and/or modifications to

plans made subsequent to this determination by a Department of Building and Safety Plan Check Engineer that affect any part of the exterior design or appearance of the project as approved by the Director, and which are deemed necessary by the Department of Building and Safety for Building Code compliance, shall require a referral of the revised plans back to the Department of City Planning for additional review and sign-off prior to the issuance of any permit in connection with those plans.

However, the numerous and obvious violations of LADBS code in this project, as outlined above in this letter, are so profound that the project cannot possibly be built as planned and will require major redesign. The City has ignored its responsibility to properly vet the project, and has erroneously recommended its approval.

Infrastructure Group Inc.
A California Corporation

Denis Bilodeau

Denis Bilodeau, PE

PARKING DESIGN

I. GENERAL REQUIREMENTS

A. STALL WIDTHS

1. Minimum 8 ft 6 inches wide for standard stalls serving dwelling units.
2. Minimum 8 ft 4 inches wide for all other standard stalls.
3. Minimum 8 ft 0 inches wide for all parallel parking standard stalls.
4. Minimum 7 ft 6 inches wide for all compact stalls.
5. For disabled access stall widths and other requirements, refer to Information Bulletin P/BC 2020-084.
6. Stall widths must be increased 10 inches for obstructions, except for stalls serving single family dwellings and duplexes, as shown in Figures 8 & 9 and shall be increased for end stall conditions as shown in Figures 2 and 3 in section N. For purposes of determining increases for obstructions, property lines shall be considered as obstructions. No increase for obstructions is required for parallel parking stalls.

B. STALL DEPTHS

1. Minimum 18 feet deep for all standard stalls.
2. Minimum 15 feet deep for all compact stalls.
3. Minimum 26 feet deep for all standard parallel stalls and 30 feet deep for end parallel stalls.
4. Minimum 23 feet deep for all compact parallel stalls and 27 feet deep for end parallel stalls.

C. COMPACT PARKING SPACES PERMITTED

In parking areas or garages containing 10 or more spaces for other than dwelling uses, up to 40% of the total required parking spaces and 100% of the non-required parking spaces may be compact. For dwelling uses, all parking stalls in excess of one stall per unit may be compact. Unless specified otherwise, required guest parking spaces may be compact spaces.

D. ACCESS AISLE AND PARKING BAY WIDTHS

1. The basic access aisle and parking bay widths for compact and standard stalls are shown in Tables 1 through 6.

2. Parking bay dimensions shall be determined using the required basic stall width before required increases for obstructions. Where required and non-required stalls are intermixed in a bay, the width of the bay shall be the larger of the bay widths shown in the tables for the required and non-required stalls. Where single access is provided for both entrance and exit to a parking bay and the bay contains 25 stalls or less, the bay may be designed using one-way traffic tables. Where the number of stalls exceeds 25 and single access for entrance is provided, the bay widths shall be determined using the two-way traffic tables.

E. TANDEM PARKING STALLS

1. Tandem parking stalls are permitted in public garages and public parking areas providing an attendant. A "Covenant and Agreement to Provide Parking Attendant" will be required.

2. Tandem stalls are permitted in private parking garages and private parking areas provided:

   a. At least one parking stall per dwelling unit and all stalls required for any guest parking shall be individually and easily accessible.

   b. At least one standard stall per dwelling unit shall be provided.

3. Tandem parking shall be limited to a maximum of two cars in depth, in a private garage or private parking area, except for additional parking required in accordance with Section 12.21A17(h) or 12.21C10(g)(4).

4. When determining access aisle widths for tandem parking having both standard and compact stalls in tandem, the aisle widths for standard stalls shall be used.

F. PARKING STALL LOCATION

1. Each parking stall shall be so located that no automobile is required to back into any public street or sidewalk to leave the parking stall, parking bay, or driveway, except where such parking stalls, parking bays, or driveways serve not more than two dwelling units and where the driveway access is to a street other than a major or secondary highway.

2. No automobile parking space shall be provided or maintained within the required front yard of an A or R zoned lot except for additional parking provided in accordance with Sections 12.21A17(h) or 12.21C10(g)(2).

3. No parking stall may be located within a 5 foot side yard along the side street lot line of an A or R zoned corner lot.

G. DRIVEWAY WIDTHS AND LOCATIONS

1. Department of Transportation approval for the location of the driveways shall be obtained on lots located in a P (including any combination with an A or R Zone) or PB Zone, for all residential driveways serving two or more dwelling units which front on major and secondary highways and for all new driveways serving all other uses.

2. 9 ft. minimum in the A, RE, RS, R1, RU, RZ, R2, RMP and RW Zones.

3. 10 ft. minimum in all other zones and when serving an apartment house in the R2 Zone.

4. 19 ft. minimum when serving more than 25 cars or, in lieu thereof, there shall be two 10 ft. minimum wide driveways.

5. Not more than 50% of a required front yard shall be designed, improved or used for access driveways unless the lot is developed with a building meeting the requirements of Section 12.08.3B1 (RZ Zone requirements).

H. SLOPES FOR DRIVEWAYS, RAMPS AND STALLS

1. 20% maximum slope on driveway or ramp.

2. 10% maximum cross slope of a driveway or ramp.

3. 6.67% maximum slope in any direction in a parking stall.

4. Transition slopes are required when the slope of the driveway or ramp exceeds 12.5%. See Figures 11A and 11B for acceptable transition slope designs.

I. GARAGE DESIGN

1. DOOR OPENING WIDTHS

a. The required garage door opening width shall be increased in the event the stall widths are increased in order to accommodate a reduced access aisle width.

> Exception: The required garage door opening width for a one car garage serving single family dwellings, duplexes and garages serving individual units shall be 8 feet minimum.

b. The required garage door opening width for a two car garage serving single family dwellings, duplexes and garages serving individual units shall be 16 feet minimum.

c. The opening shall be equal to the required stall width less 8 inches for a one car garage and the required stall width multiplied by 2, less 16 inches for a two car garage.

d. The required garage door opening width for all other garages shall be equal to the required driveway width or stall width whichever is greater.

2. CLEAR HEIGHT IN GARAGE

a. All parking garages shall have an unobstructed headroom clearance of not less than 7 feet above the finished floor to any ceiling, beam, pipe or similar obstruction.

b. All entrances to and vertical clearances within parking structures shall have a minimum vertical clearance of 8 feet 2 inches where required for accessibility to parking spaces for persons with physical disabilities.

J. PAVING, LANDSCAPING, AND CAR STOPS

1. Every parking area and parking garage including access driveways thereto, shall be paved with hard, durable asphaltic paving which has been mixed at a plant and is at least two inches thick after compaction or with portland cement paving at least three inches thick. **Exception:** Access driveways to the areas referenced above may be paved with a permeable material such as pavers, porous concrete, a combination of 45% concrete and 55% holes filled with grass distributed uniformly (commonly known as grasscrete), or any material deemed equivalent by the Department of City Planning.

2. All areas shall have appropriate bumper guards, wheel stops, steel posts, walls, curbs, suitable landscaping, or other installations adequate to prevent vehicles from parking or maneuvering on those portions of a lot upon which a driveway or parking area is prohibited, or into a public right of way, or where those portions of a lot are needed to prevent encroachment on walkways or adjoining properties.

3. All portions of a required front yard shall be landscaped as required by LAMC Section 12.21C1(g). A City Planning approval is required for all such landscaped areas in the RD, R3, RAS3, R4, RAS4, R5, or C zones, and when landscaping is required by any other provision of the LAMC.

K. INTERNAL CIRCULATION

All portions of a public parking area or public garage shall be accessible to all other portions thereof without requiring the use of any public street, unless the Department of Transportation determines that such use is not detrimental to the flow of traffic.

TABLE 1: STANDARD CARS - PARKING BAY WIDTHS FOR ONE-WAY TRAFFIC * AND DOUBLE LOADED AISLES, BASED ON CHART NO. 1 IN ORDINANCE NO. 142,306

Parking Angle	8'-4" Stalls	8'-6" Stalls	8'-8" Stalls	8'-10" Stalls	9'-0" Stalls	9'-2" Stalls	9'-4" Stalls
30	43'-0"	43'-0"	43'-0"	43'-0"	43'-0"	43'-0"	43'-0"
32.5	44'-2"	44'-2"	44'-2"	44'-2"	44'-2"	44'-2"	44'-2"
35	45'-3"	45'-3"	45'-3"	45'-3"	45'-3"	45'-3"	45'-3"
37.5	46'-3"	46'-3"	46'-3"	46'-3"	46'-3"	46'-3"	46'-3"
40	47'-4"	47'-0"	47'-0"	47'-0"	47'-0"	47'-0"	47'-0"
42.5	48'-10"	48'-4"	47'-10"	47'-8"	47'-8"	47'-8"	47'-8"
45	50'-3"	49'-10"	49'-5"	49'-0"	48'-7"	48'-5"	48'-5"
47.5	51'-6"	51'-1"	50'-8"	50'-3"	49'-10"	49'-5"	49'-0"
50	52'-8"	52'-3"	51'-10"	51'-5"	51'-0"	50'6"	50'-1"
52.5	53'-8"	53'-3"	52'-10"	52'-5"	52'-0"	51'-6"	51'-1"
55	54'-7"	54'-2"	53'-9"	53'-4"	52'-11"	52'-5"	52'-0"
57.5	55'-6"	55'-0"	54'-7"	54'-1"	53'-8"	53'-2"	52'-9"
60	56'-5"	55'-11"	55'-5"	55'-0"	54'-8"	54'-0"	53'-7"
62.5	57'-4"	56'-10"	56'-4"	55'-10"	55'-4"	54'-9"	54'-5"
65	58'-2"	57'-8"	57'-2"	56'-8"	56'-2"	55'-8"	55'-2"
67.5	58'-10"	58'-3"	57'-9"	57'-3"	56'-9"	56'-3"	55'-9"
70	59'-7"	59'-0"	58'-6"	58'-0"	57'-6"	57'-0"	56'-6"
72.5	60'-3"	59'-8"	59'-2"	58'-7"	58'-1"	57'-7"	57'-1"
75	60'-11"	60'-4"	59'-9"	59'-2"	58'-8"	58'-1"	57'-7"
77.5	61'-7"	61'-0"	60'-5"	59'-10"	59'-3"	58'-8"	58'-2"
80	62'-2"	61'-7"	61'-0"	60'-5"	59'-10"	59'-3"	58'-8"
82.5	62'-8"	62'-0"	61'-5"	60'-10"	60'-3"	59'-8"	59'-1"
85	63'-2"	62'-8"	61'-11"	61'-3"	60'-8"	60'-1"	59'-6"
87.5	63'-7"	62'-11"	62'-3"	61'-7"	61'-0"	60'-4"	59'-9"
90	64'-0"	63'-4"	62'-8"	62'-0"	61'-4"	60'-8"	60'-0"

* NOTE: All values on this table are for required parking stalls. To determine parking bay widths for non-required stalls, merely use a column showing a stall width dimension that is 4 inches more. The values above the darkened lines are governed by minimum aisle width.
The stall widths (8'-6", 8'-10", and 9'-2") are not shown in the ordinance, but are available for use.

TABLE 2: STANDARD CARS - PARKING BAY WIDTHS FOR ONE-WAY TRAFFIC AND SINGLE LOADED AISLES, BASED ON CHART NO. 2 IN ORDINANCE NO. 142,306 *

Parking Angle	8'-4" Stalls	8'-6" Stalls	8'-8" Stalls	8'-10" Stalls	9'-0" Stalls	9'-2" Stalls	9'-4" Stalls
30	27'-6"	27'-6"	27'-6"	27'-6"	27'-6"	27'-6"	27'-6"
32.5	28'-1"	28'-1"	28'-1"	28'-1"	28'-1"	28'-1"	28'-1"
35	28'-7"	28'-7"	28'-7"	28'-7"	28'-7"	28'-7"	28'-7"
37.5	29'-1"	29'-1"	29'-1"	29'-1"	29'-1"	29'-1"	29'-1"
40	29'-11"	29'-6"	29'-6"	29'-6"	29'-6"	29'-6"	29'-6"
42.5	30'-11"	30'-6"	30'-1"	29'-10"	29'-10"	29'-10"	29'-10"
45	31'-11"	31'-6"	30'-8"	30'-8"	30'-3"	30'-3"	30'-5"
47.5	32'-11"	32'-6"	32'-1"	31'-8"	31'-3"	31'-10"	30'-5"
50	33'-10"	33'-5"	33'-0"	32'-7"	32'-2"	31'-9"	31'-4"
52.5	34'-9"	34'-3"	33'-9"	33'-4"	32'-11"	32'-6"	32'-1"
55	35'-7"	35'-1"	34'-7"	34'-2"	33'-8"	33'-3"	32'-10"
57.5	36'-5"	35'-11"	35'-5"	35'-0"	34'-6"	34'-0"	33'-7"
60	37'-3"	36'-9"	36'-3"	35'-9"	35'-3"	34'-9"	34'-4"
62.5	38'-0"	37'-6"	37'-0"	36'-6"	36'-0"	35'-6"	35'-0"
65	38'-9"	38'-2"	37'-8"	37'-2"	36'-8"	36'-2"	35'-8"
67.5	39'-6"	38'-11"	38'-5"	37'-11"	37'-4"	36'-10"	36'-4"
70	40'-3"	39'-8"	39'-2"	38'-7"	38'-1"	37'-6"	37'-0"
72.5	40'-11"	40'-4"	39'-10"	39'-3"	38'-9"	38'-2"	37'-8"
75	41'-8"	41'-1"	40'-7"	40'-0"	39'-5"	38'-10"	38'-4"
77.5	42'-5"	41'-10"	41'-3"	40'-8"	40'-1"	39'-6"	39'-0"
80	43'-1"	42'-6"	41'-11"	41'-4"	40'-9"	40'-2"	39'-7"
82.5	43'-9"	43'-1"	42'-6"	41'-11"	41'-4"	40'-9"	40'-2"
85	44'-6"	43'-10"	43'-3"	42'-7"	42'-0"	41'-4"	40'-9"
87.5	45'-3"	44'-7"	43'-11"	43'-4"	42'-8"	42'-0"	41'-5"
90	46'-0"	45'-4"	44'-8"	44'-0"	43'-4"	42'-8"	42'-0"

* NOTE: All values on this table are for required parking stalls. To determine parking bay widths for non-required stalls, merely use a column showing a stall width dimension that is 4 inches more. The values above the darkened lines are governed by minimum aisle width.
The stall widths (8'-6", 8'-10", and 9'-2") are not shown in the ordinance, but are available for use.

TABLE 3: STANDARD CARS - PARKING BAY WIDTHS FOR TWO-WAY TRAFFIC AND DOUBLE LOADED AISLES, BASED ON CHART NO. 3 IN ORDINANCE NO. 142,306 *

Parking Angle	8'-4" Stalls	8'-6" Stalls	8'-8" Stalls	8'-10" Stalls	9'-0" Stalls	9'-2" Stalls	9'-4" Stalls
30	51'-2"	51'-2"	51'-2"	51'-2"	51'-2"	51'-2"	51'-2"
32.5	52'-4"	52'-4"	52'-4"	52'-4"	52'-4"	52'-4"	52'-4"
35	53'-3"	53'-3"	53'-3"	53'-3"	53'-3"	53'-3"	53'-3"
37.5	54'-2"	54'-2"	54'-2"	54'-2"	54'-2"	54'-2"	54'-2"
40	54'-10"	54'-10"	54'-10"	54'-10"	54'-10"	54'-10"	54'-10"
42.5	55'-7"	55'-7"	55'-7"	55'-7"	55'-7"	55'-7"	55'-7"
45	56'-4"	56'-4"	56'-4"	56'-4"	56'-4"	56'-4"	56'-4"
47.5	57'-0"	57'-0"	57'-0"	57'-0"	57'-0"	57'-0"	57'-0"
50	57'-8"	57'-8"	57'-7"	57'-7"	57'-0"	57'-6"	57'-6"
52.5	58'-4"	58'-3"	58'-2"	58'-2"	58'-1"	58'-0"	58'-0"
55	58'-11"	58'-9"	58'-8"	58'-7"	58'-6"	58'-5"	58'-4"
57.5	59'-6"	59'-4"	59'-2"	59'-1"	58'-11"	58'-9"	58'-8"
60	59'-11"	59'-9"	59'-7"	59'-5"	59'-3"	59'-1"	58'-11"
62.5	60'-5"	60'-2"	60'-0"	59'-9"	59'-7"	59'-4"	59'-2"
65	60'-11"	60'-8"	60'-5"	60'-2"	59'-11"	59'-8"	58'-5"
67.5	61'-5"	61'-1"	60'-9"	60'-6"	60'-2"	59'-10"	59'-7"
70	61'-10"	61'-5"	61'-1"	60'-9"	60'-5"	60'-1"	59'-9"
72.5	62'-3"	61'-10"	61'-5"	61'-0"	60'-7"	60'-2"	59'-10"
75	62'-7"	62'-1"	61'-8"	61'-3"	60'-9"	60'-4"	59'-11"
77.5	62'-11"	62'-5"	61'-11"	61'-5"	60'-11"	60'-5"	60'-0"
80	63'-3"	62'-8"	62'-2"	61'-7"	61'-1"	60'-6"	60'-0"
82.5	63'-6"	62'-11"	62'-4"	61'-9"	61'-2"	60'-7"	60'-0"
85	63'-9"	63'-1"	62'-6"	61'-10"	61'-3"	60'-7"	60'-0"
87.5	63'-11"	63'-3"	62'-7"	61'-11"	61'-3"	60'-7"	60'-0"
90	64'-0"	63'-4"	62'8"	62'-0"	61'-4"	60'-8"	60'-0"

* NOTE: All values on this table are for required parking stalls. To determine parking bay widths for non-required stalls, merely use a column showing a stall width dimension that is 4 inches more. The values above the darkened lines are governed by minimum aisle width. The stall widths (8'-6", 8'-10", and 9'-2") are not shown in the ordinance, but are available for use.

TABLE 4: STANDARD CARS - PARKING BAY WIDTHS FOR TWO-WAY TRAFFIC AND SINGLE LOADED AISLES, BASED ON CHART NO. 4 IN ORDINANCE NO. 142,306 *

Parking Angle	8'-4" Stalls	8'-6" Stalls	8'-8" Stalls	8'-10" Stalls	9'-0" Stalls	9'-2" Stalls	9'-4" Stalls
30	35'-6"	35'-6"	35'-6"	35'-6"	35'-6"	35'-6"	35'-6"
32.5	36'-0"	36'-0"	36'-0"	36'-0"	36'-0"	36'-0"	36'-0"
35	36'-6"	36'-6"	36'-6"	36'-6"	36'-6"	36'-6"	36'-6"
37.5	37'-0"	37'-0"	37'-0"	37'-0"	37'-0"	37'-0"	37'-0"
40	37'-6"	37'-6"	37'-6"	37'-5"	37'-5"	37'-5"	37'-5"
42.5	38'-0"	38'-0"	37'-11"	37'-11"	37'-11"	37'-10"	37'-10"
45	38'-6"	38'-6"	38'-5"	38'-5"	38'-4"	38'-4"	38'-3"
47.5	39'-0"	38'-11"	38'-10"	38'-10"	38'-9"	38'-8"	38'-8"
50	39'-5"	39'-4"	39'-3"	39'-3"	39'-2"	39'-1"	39'-0"
52.5	39'-10"	39'-9"	39'-8"	39'-7"	39'-6"	39'-5"	39'-4"
55	40'-3"	40'-1"	40'-0"	39'-11"	39'-10"	39'-9"	39'-8"
57.5	40'-8"	40'-6"	40'-5"	40'-4"	40'-2"	40'-1"	40'-0"
60	41'-1"	40'-11"	40'-10"	40'-8"	40'-7"	40'-5"	40'-4"
62.5	41'-6"	41'-4"	41'-2"	41'-0"	40'-10"	40'-8"	40'-7"
65	41'-11"	41'-8"	41'-6"	41'-4"	41'-2"	41'-0"	40'-10"
67.5	42'-4"	42'-1"	41'-11"	41'-8"	41'-6"	41'-3"	41'-1"
70	42'-9"	42'-6"	42'-3"	42'-0"	41'-9"	41'-6"	41'-4"
72.5	43'-2"	42'-10"	42'-7"	42'-4"	42'-0"	41'-9"	41'-6"
75	43'-7"	43'-3"	42'-11"	42'-7"	42'-3"	41'-11"	41'-8"
77.5	44'-0"	43'-7"	43'-3"	42'-11"	42'-6"	42'-2"	41'-10"
80	44'-5"	44'-0"	43'-7"	43'-2"	42'-9"	42'-4"	41'-11"
82.5	44'-10"	44'-4"	43'-10"	43'-5"	42'-11"	42'-5"	42'-0"
85	45'-3"	44'-8"	44'-2"	43'-7"	43'-1"	42'-6"	42'-0"
87.5	45'-8"	45'-0"	44'-5"	43'-10"	43'-2"	42'-7"	42'-0"
90	46'-0"	45'-4"	44'-8"	44'-0"	43'-4"	42'-8"	42'-0"

* NOTE: All values on this table are for required parking stalls. To determine parking bay widths for non-required stalls, merely use a column showing a stall width dimension that is 4 inches more. The values above the darkened lines are governed by minimum aisle width.
The stall widths (8'-6", 8'-10", and 9'-2") are not shown in the ordinance, but are available for use.

TABLE 5A: PARKING BAY DIMENSIONS FOR COMPACT CARS - REQUIRED STALLS

REQUIRED STALLS					
ONE WAY TRAFFIC				TWO WAY TRAFFIC	
ANGLE α	**DOUBLE LOADED** BAY WIDTH	**SINGLE LOADED** BAY WIDTH		ANGLE α	**DOUBLE LOADED** BAY WIDTH	**SINGLE LOADED** BAY WIDTH
30	40'-0"	26'-0"		30	48'-2"	34'-0"
32.5	40'-11"	26'-6"		32.5	49'-1"	34'-5"
35	41'-10"	26'-10"		35	49'-10"	34'-9"
37.5	42'-7"	27'-3"		37.5	50'-6"	35'-2"
40	43'-2"	27'-7"		40	50'-11"	35'-6"
42.5	43'-7"	27'-10"		42.5	51'-6"	35'-10"
45	44'-4"	28'-2"		45	52'-1"	36'-3"
47.5	45'-5"	29'-0"		47.5	52'-7"	36'-6"
50	46'-5"	29'-10"		50	52'-11"	36'-10"
52.5	47'-3"	30'-6"		52.5	53'-4"	37'-2"
55	48'-10"	31'-3"		55	53'-7"	37'-4"
57.5	48'-7"	31'-11"		57.5	53'-10"	37'-8"
60	49'-4"	32'-8"		60	54'-1"	37'-11"
62.5	50'-0"	33'-4"		62.5	54'-3"	38'-2"
65	50'-9"	33'-11"		65	54'-6"	38'-5"
67.5	51'-3"	34'-7"		67.5	54'-8"	38'-9"
70	51'-10"	35'-3"		70	54'-9"	38'-11"
72.5	52'-4"	35'-10"		72.5	54'-10"	39'-2"
75	52'-10"	36'-6"		75	54'-11"	39'-4"
77.5	53'-4"	37'-3"		77.5	55'-1"	39'-7"
80	53'-11"	37'-10"		80	55'-2"	39'-10"
82.5	54'-4"	38'-4"		82.5	55'-3"	39'-11"
85	54'-8"	39'-0"		85	55'-3"	40'-1"
87.5	55'-0"	39'-8"		87.5	55'-3"	40'-2"
90	55'-4"	40'-4"		90	55'-4"	40'-4"

TABLE 5B: PARKING BAY DIMENSIONS FOR COMPACT CARS - NON-REQUIRED STALLS

NON-REQUIRED STALLS					
ONE WAY TRAFFIC			TWO WAY TRAFFIC		
ANGLE α	DOUBLE LOADED BAY WIDTH	SINGLE LOADED BAY WIDTH	ANGLE α	DOUBLE LOADED BAY WIDTH	SINGLE LOADED BAY WIDTH
30	40'-0"	26'-0"	30	48'-2"	34'-0"
32.5	40'-11"	26'-6"	32.5	49'-1"	34'-5"
35	41'-10"	26'-10“	35	49'-10"	34'-9"
37.5	42'-7"	27'-3"	37.5	50'-6"	35'-2"
40	43'-2"	27'-7"	40	51'-0"	35'-6"
42.5	43'-7"	27'-10"	42.5	51'-6"	35'-10"
45	44'-2"	28'-1"	45	52'-1"	36'-2"
47.5	44'-7"	28'-3"	47.5	52'-7"	36'-5"
50	45'-6"	29'-0"	50	52'-11"	36'-8"
52.5	46'-3"	29'-10"	52.5	53'-2"	37'-0"
55	47'-0"	30'-5"	55	53'-5"	37'-3"
57.5	47'-8"	31'-1"	57.5	53'-7"	37'-6"
60	48'-5"	31'-9"	60	53'-9"	37'-8"
62.5	49'-1"	32'-4"	62.5	53'-10"	37'-11"
65	49'-9"	32'-11"	65	54'-0"	38'-1"
67.5	50'-3"	33'-7"	67.5	54'-0"	38'-4"
70	50'-10"	34'-2"	70	54'-0"	38'-6"
72.5	51'-4"	34'-10"	72.5	54'-0"	38'-8"
75	51'-10"	35'-5"	75	54'-0"	38'-9"
77.5	52'-4"	36'-1"	77.5	54'-0"	38'-11"
80	52'-9"	36'-8"	80	54'-0"	39'-0"
82.5	53'-2"	37'-2"	82.5	54'-0"	39'-0"
85	53'-6"	37'-9"	85	54'-0"	39'-0"
87.5	53'-9"	38'-5"	87.5	54'-0"	39'-2"
90	54'-0"	39'-0"	90	54'-0"	39'-2"

TABLE 6: ACCESS AISLE WIDTH FOR 90 DEGREE COMPACT AND STANDARD STALLS

STANDARD STALLS-RESIDENTIAL		STANDARD STALLS-ALL OTHERS		COMPACT STALLS	
STALL WIDTH	AISLE WIDTH	STALL WIDTH	AISLE WIDTH	STALL WIDTH	AISLE WIDTH
8'-6"	27'-4"	8'-4"	28'-0"	7'-6"	25'-4"
8'-8"	26'-8"	8'-8"	26'-8"	7'-10"	24'-0"
9'-0"	25'-4"	9'-0"	25'-4"	8'-2"	22'-8"
9'-4"	24'-0"	9'-4"	24'-0"	8'-4"	22'-0"
9'-6"	23'4"	9'-6"	23'-4"	8'-6"	21'-4"
9'-8"	22'-8"	9'-8"	22'-8"	8'-8"	20'-8"
9'-10"	22'-0"	9'-10"	22'-0"	8'-10"	20'-0"

L. CALCULATION OF PARKING SPACES

To determine the number of parking spaces possible on a given sized lot or to determine the lot size required for a certain number of spaces, refer to Figure 3 and the following procedures:

1. To find the required Length (L) for a certain Number (N) of parking stalls:

   a. Select Bay Width (B) from lot area that is available.

   b. Using the parking bay charts or tables choose a trial Parking Angle, α (use maximum) and Stall Width, W (W is 8'-4" minimum for commercial required and non-required parking, 8'-6" minimum for residential required and non-required parking.)

      NOTE: See Table 1 thru 4 for standard car stall and Tables 5A, 5B, and 6 for compact car stall bay width dimensions.

   c. From Figure 3 calculate the following values:

      $X = S \cos \alpha \quad Y = W/\sin \alpha \quad Z = W \sin \alpha$

      Then the Length (L) is the sum of the X, Y, and Z dimensions.

      $L = X + Z + (N-1)\,Y$, which is (one stall) + (all stalls but one) Y

2. To determine the Number (N) of parking stalls possible for an available parking bay of Length (L)

   Total number of parking spaces, $N = \frac{L - (X + Z)}{Y} + 1$

3. For multiple parking bays where the bays overlap and interlock, the net bay widths may be determined by the parking bay relationships shown below:

   a. Parking lot width for overlapping, interlocking bay widths, M (See Figure 3).

   b. Compute parking bay overlap width, Q = W cos α then determine required parking area width as follows:

      i. For 2 interlocking bays, both double loaded: lot width = 2B - Q, where b = width of single loaded bay

      ii. For double and single loaded lot width = B + b + Q

      iii. For multiple bays, all double loaded: lot width = r (B - Q) + Q, where r = number of bays

      iv. One single loaded end bay: lot width = r (B - Q) - b
      both end bays single loaded: lot width = r (B - Q) + b

4. Supplementary dimensions:

   a. For angle α, parking stall depth, P = S sin α + Q

   b. Driveway aisle width, D
      double loaded bays, D = B - 2P
      single loaded bays, D = b - P

5. Double loaded means parking on both sides of the driveway access aisle. Single loaded means parking on one side of the driveway access aisle.

M. STRIPING FOR ALL PARKING STALLS OTHER THAN THOSE SERVING A ONE FAMILY DWELLING

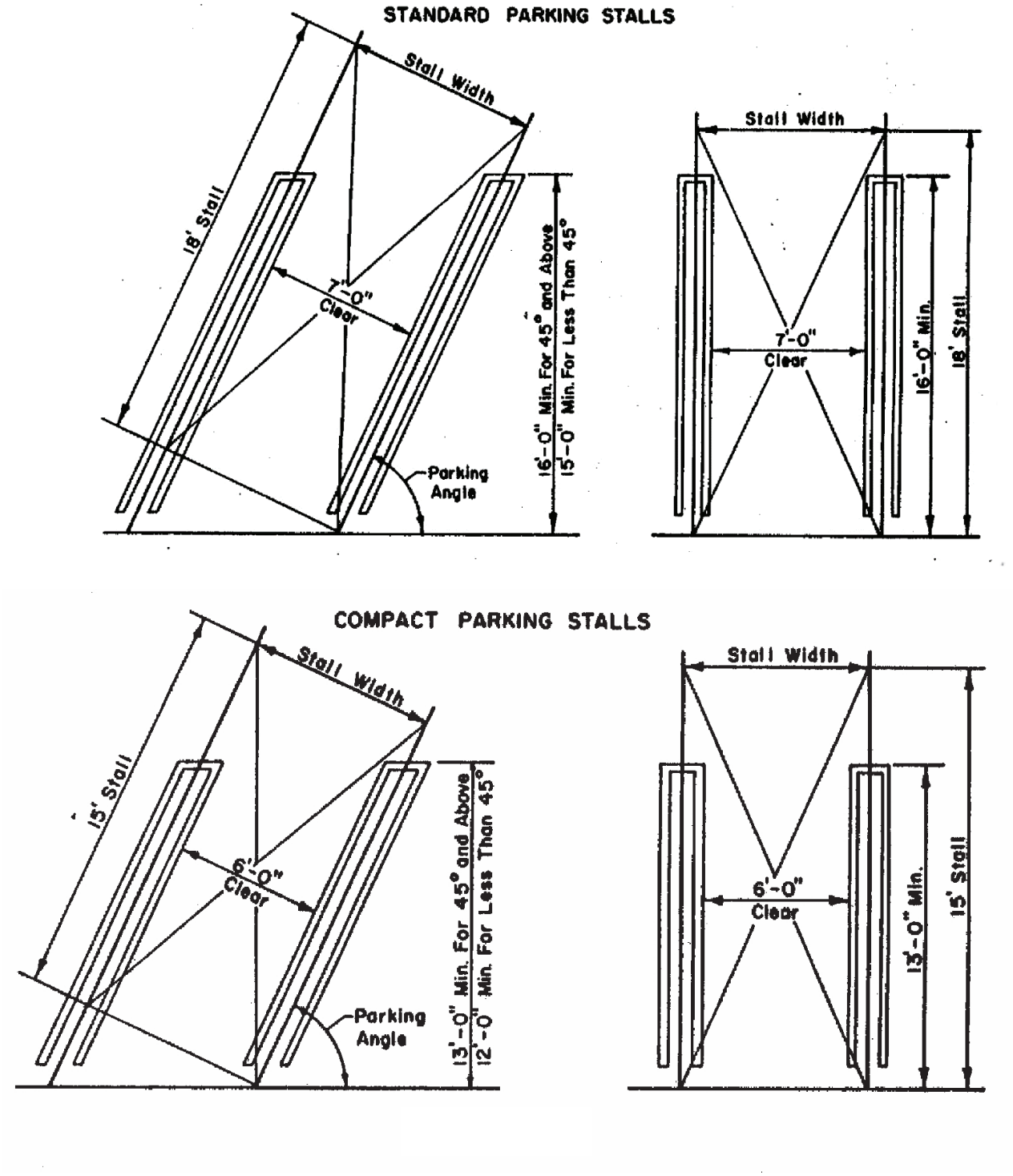


FIGURE 1

N. END STALL CONDITIONS

1. For end parking stalls placed at angles greater than 80 degrees, an increase of 3 ft. for standard stalls and 2 ft. for compact stalls to the Basic Stall Width (BSW) is required.

2. If access aisle extends a minimum of 3 ft. for standard stalls and 2 ft. for compact stalls beyond the end parking stall, no increase in stall width is required other than the 10 inch increase for obstructions. (See Figure 2 below)

3. The increase in stall width for end stall conditions or the extension of the access aisle beyond the end parking stall may be omitted if a minimum of 32 ft. wide access aisle is provided.

4. For standard stall with access aisle widths between 28 ft. and 32 ft., you can decrease the 3 ft. increase in stall width or extension of the access aisle by 6 ½ inches per foot of width of access aisle width beyond 28 ft.

5. For compact stalls, you can decrease the 2 ft. increase in stall width or extension of access aisle by 3 ½ inches per foot of width beyond 28 ft. of access aisle width.

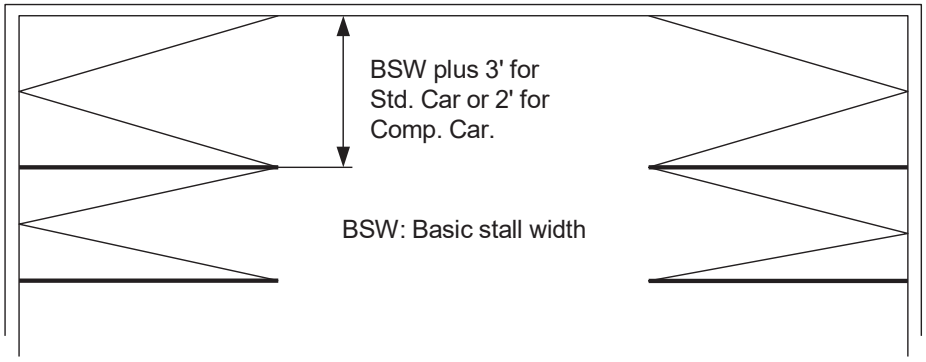
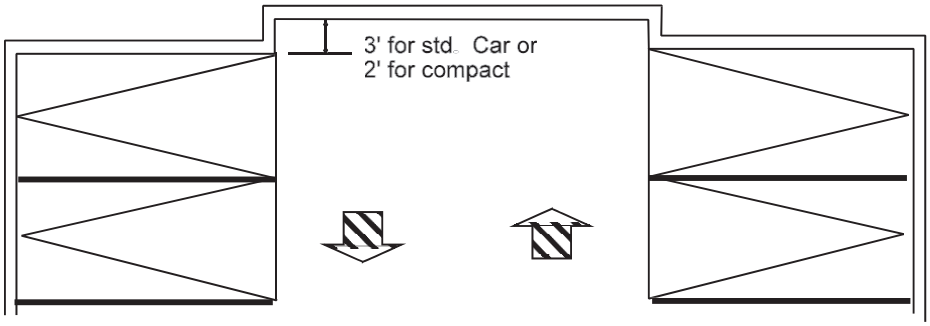


FIGURE 2



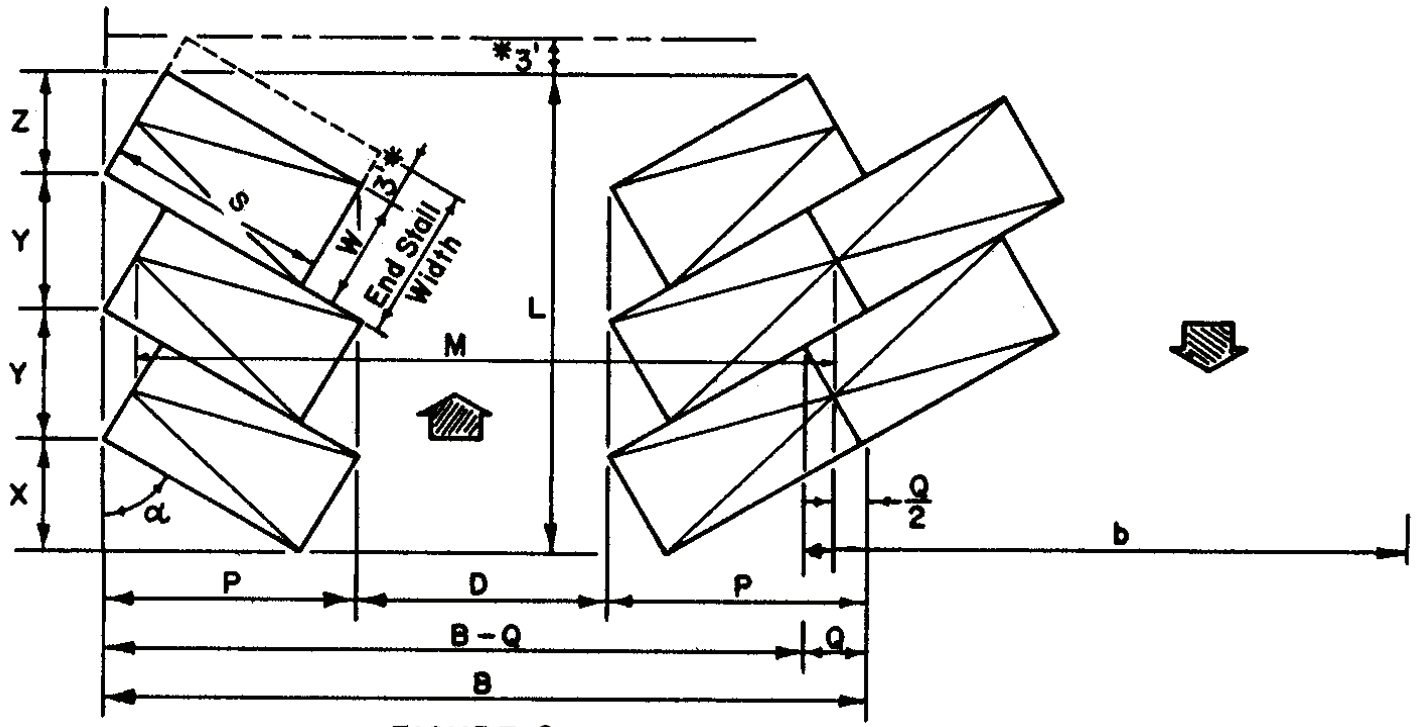


FIGURE 3

*** End stalls for 82.5° to 90° parking shall be 3'-0" wider, or the access aisle shall extend 5' minimum beyond bay (L + 3').**

O. PARKING WALL HEIGHT

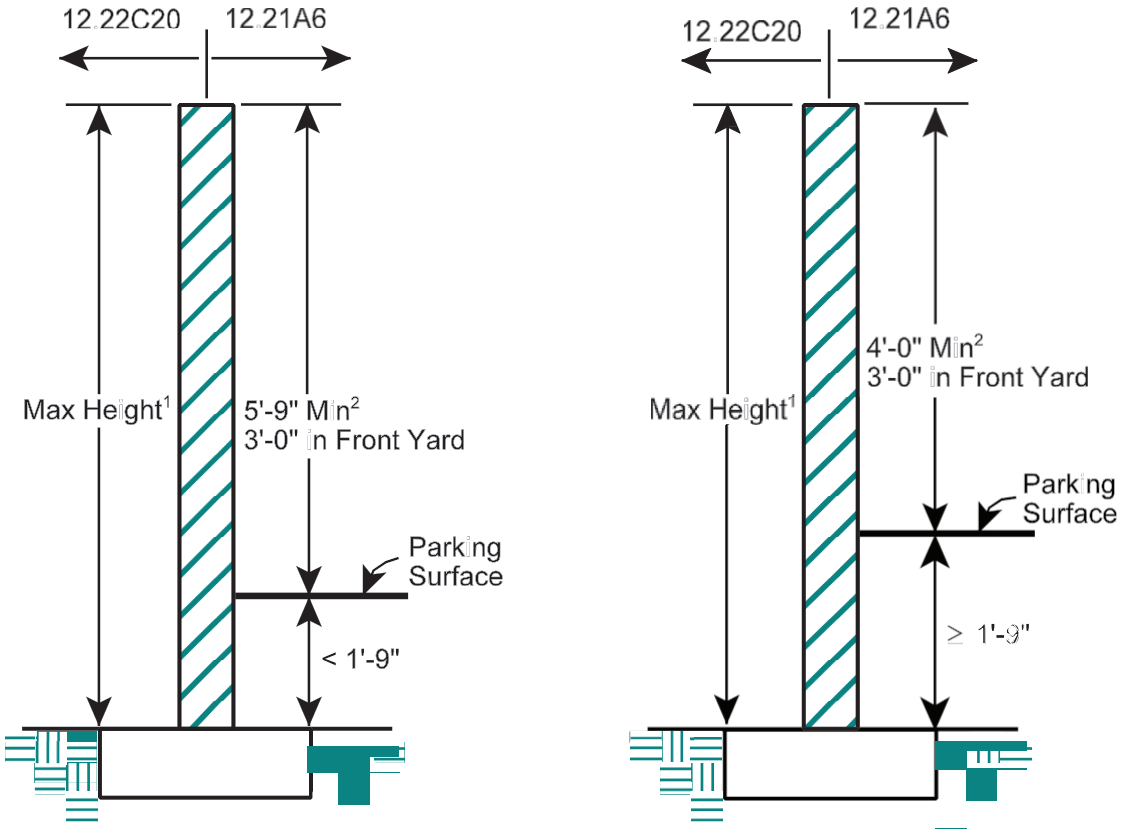


FIGURE 4

[1] Wall cannot exceed the height limitation as specified in 12.22C20(f) for “A” or “R” zones.

[2] Minimum height for parking wall is measured from the finished grade of the parking surface.

P. DRIVEWAY AND TURNING AREAS

FIGURE 5 - FOR PARALLEL PARKING

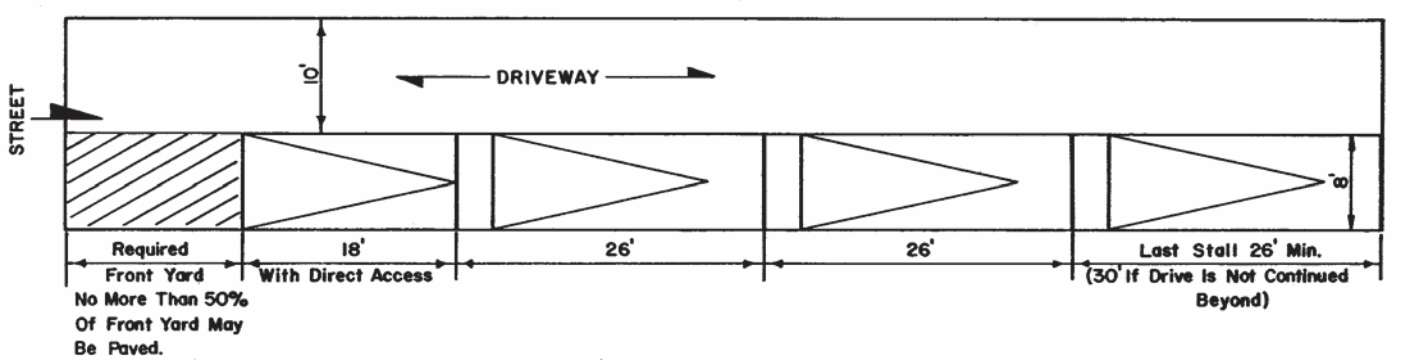


FIGURE 6 - CIRCULATION DRIVEWAYS FOR VARIOUS PARKING ANGLES

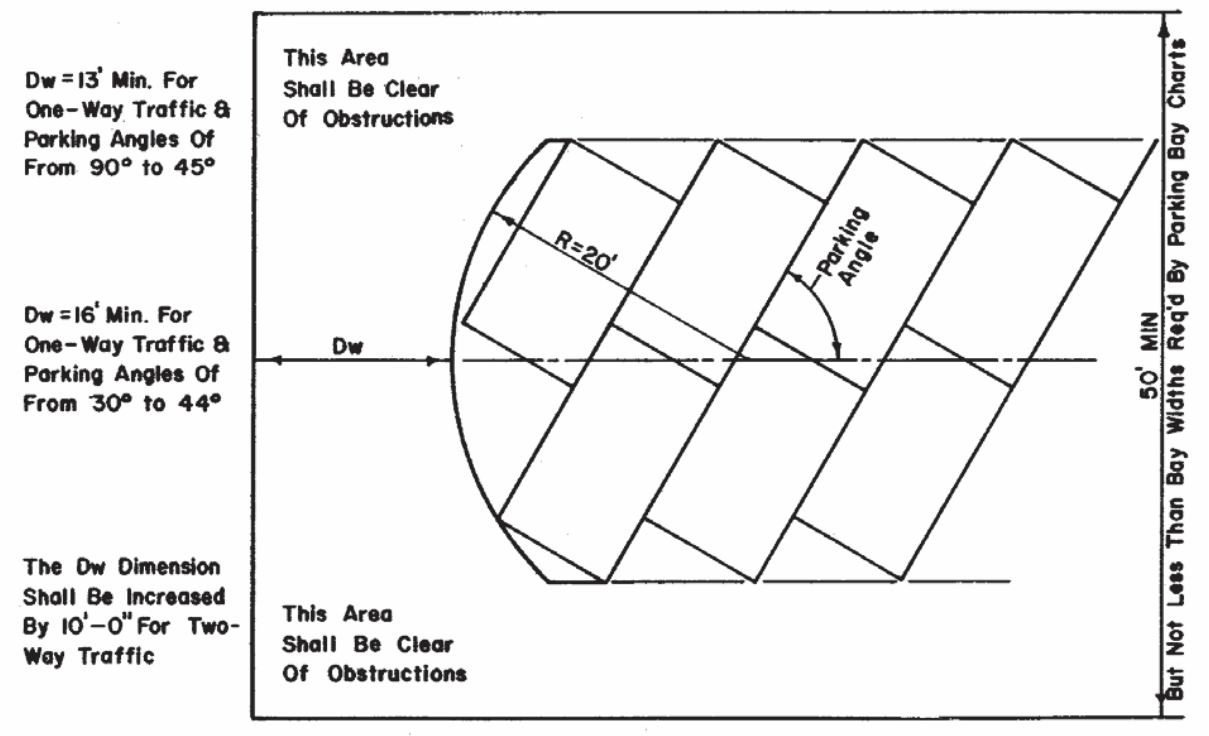
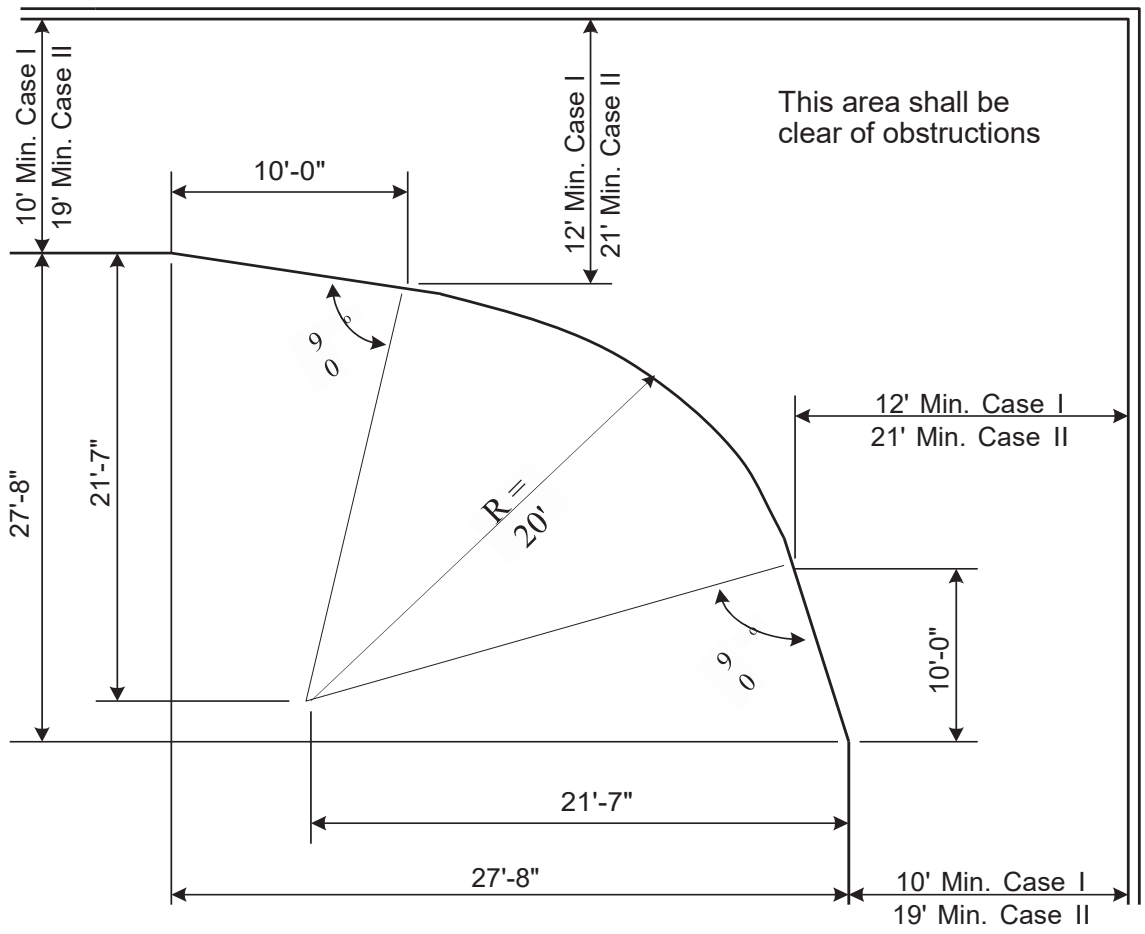


FIGURE 7 - CIRCULATION DRIVEWAYS

90° Turn

(No Scale)



Case I - One-way traffic or two-way traffic where no more than 25 cars go around the turn.

Case II - Two-way traffic and more than 25 cars go around the turn.

FIGURE 8 -MINIMUM ACCESS AISLE PER TABLES 1 THROUGH 6

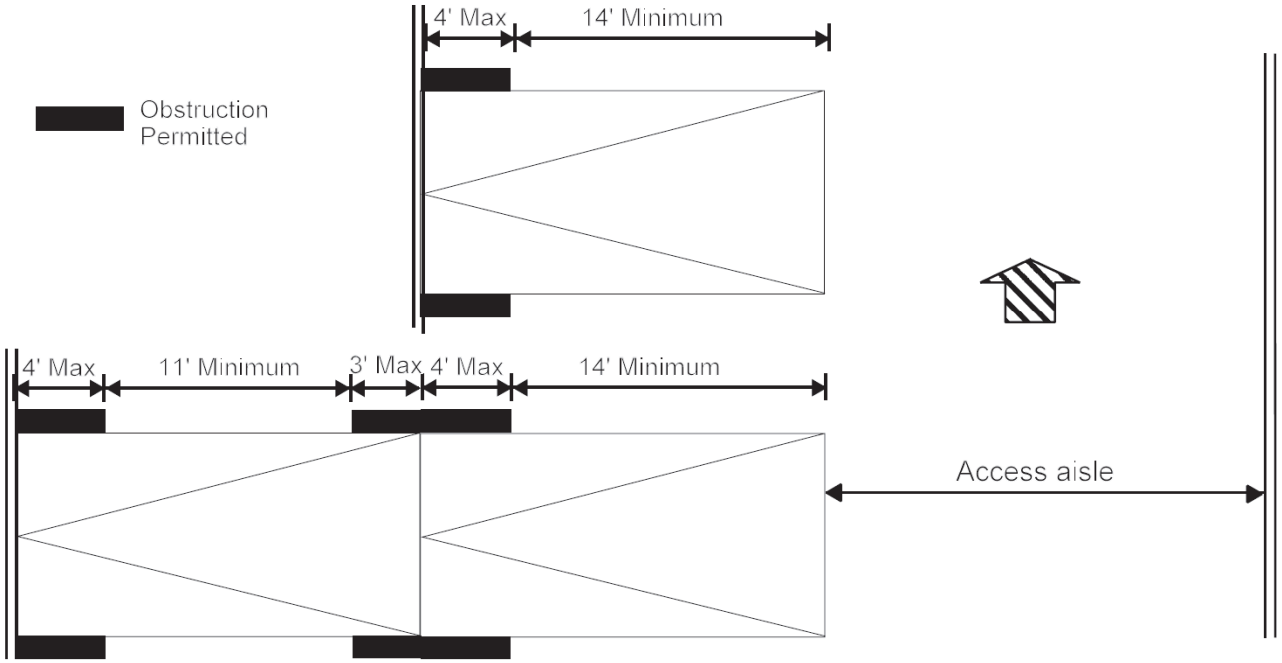
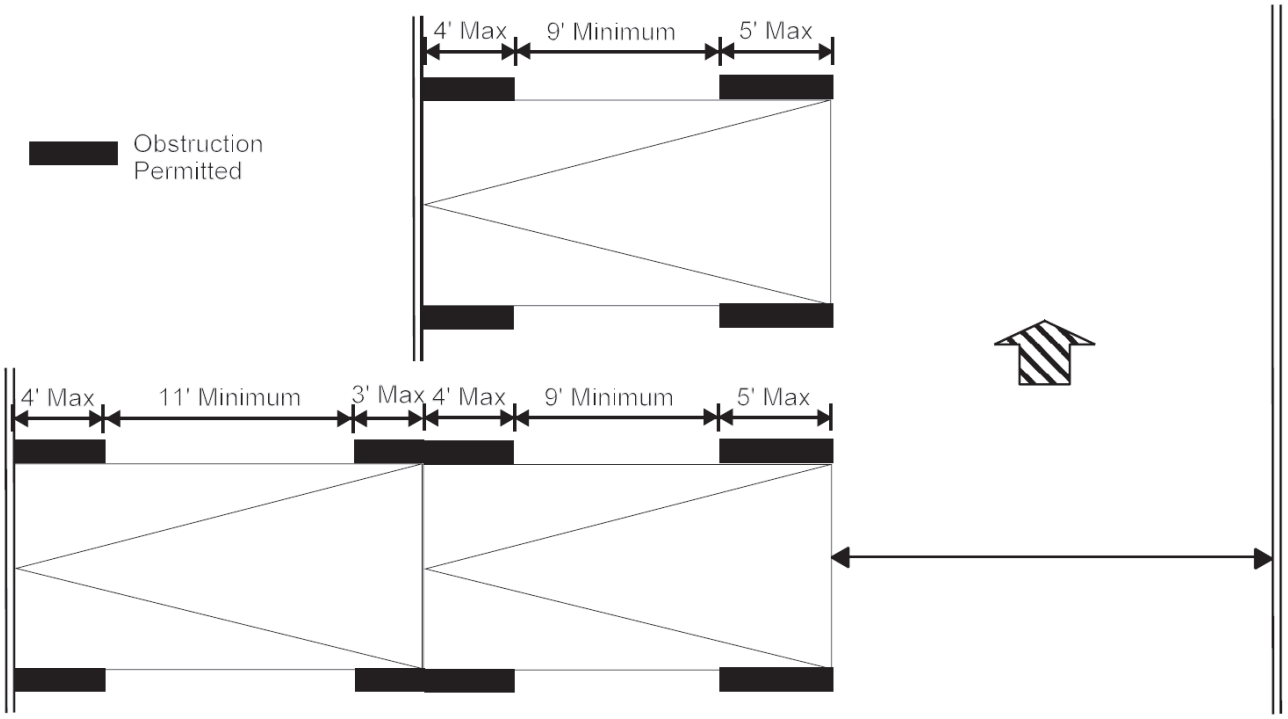


FIGURE 9 - MINIMUM ACCESS AISLE OF 28'-0" REQUIRED APARTMENTS AND CONDOMINIUM UNITS ONLY



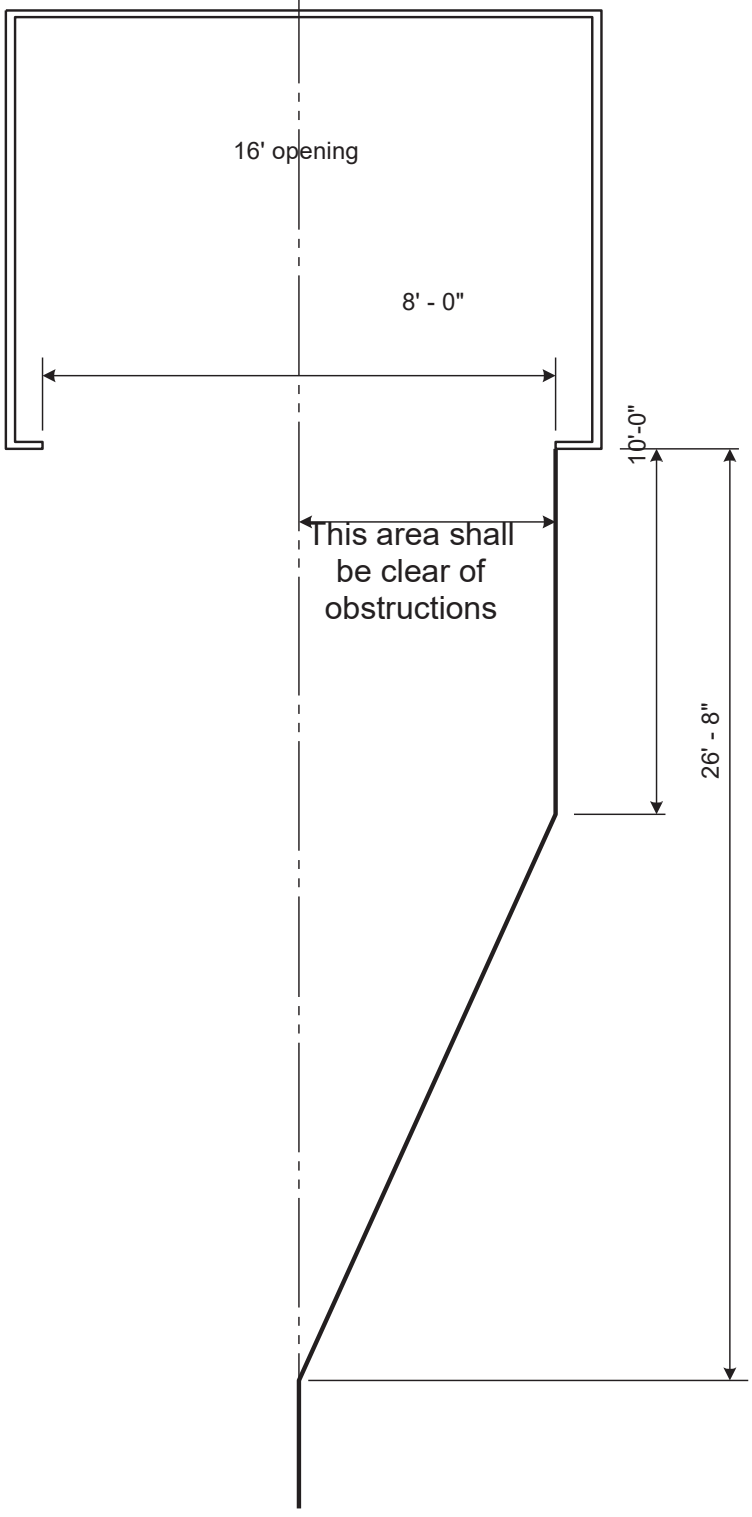
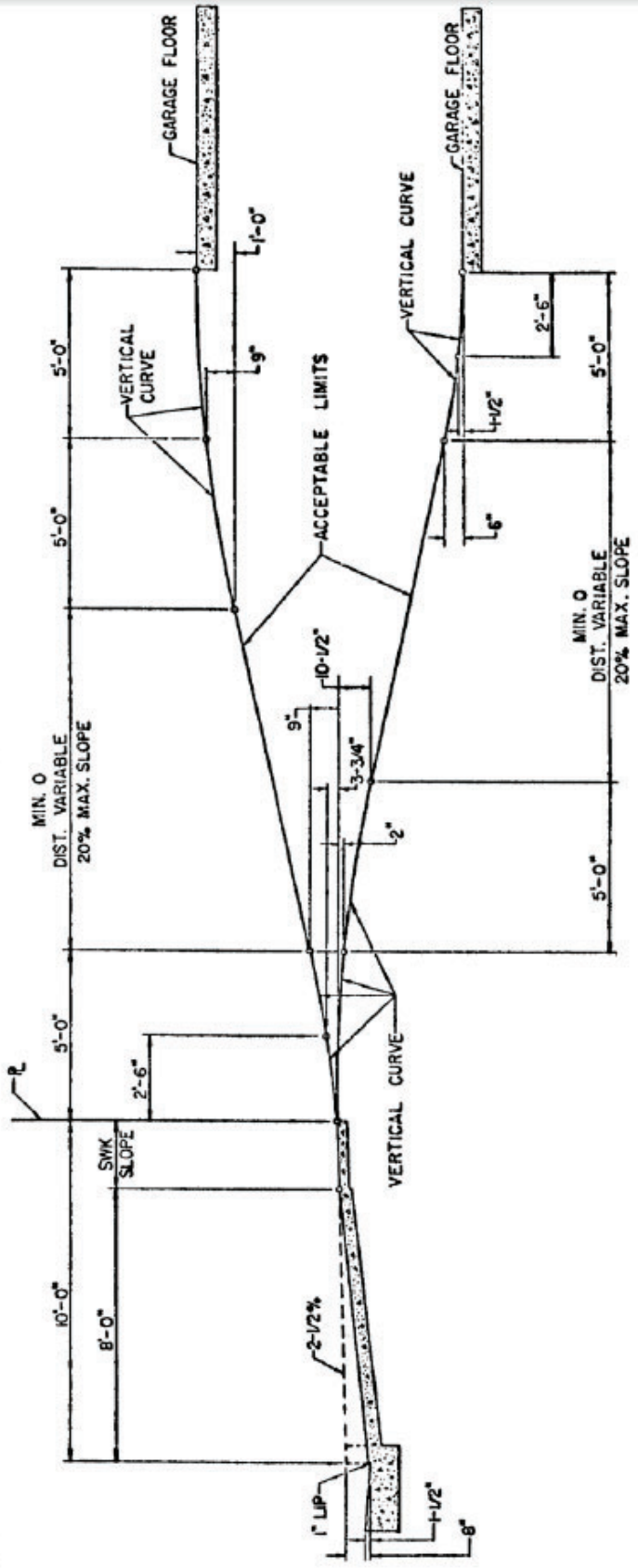
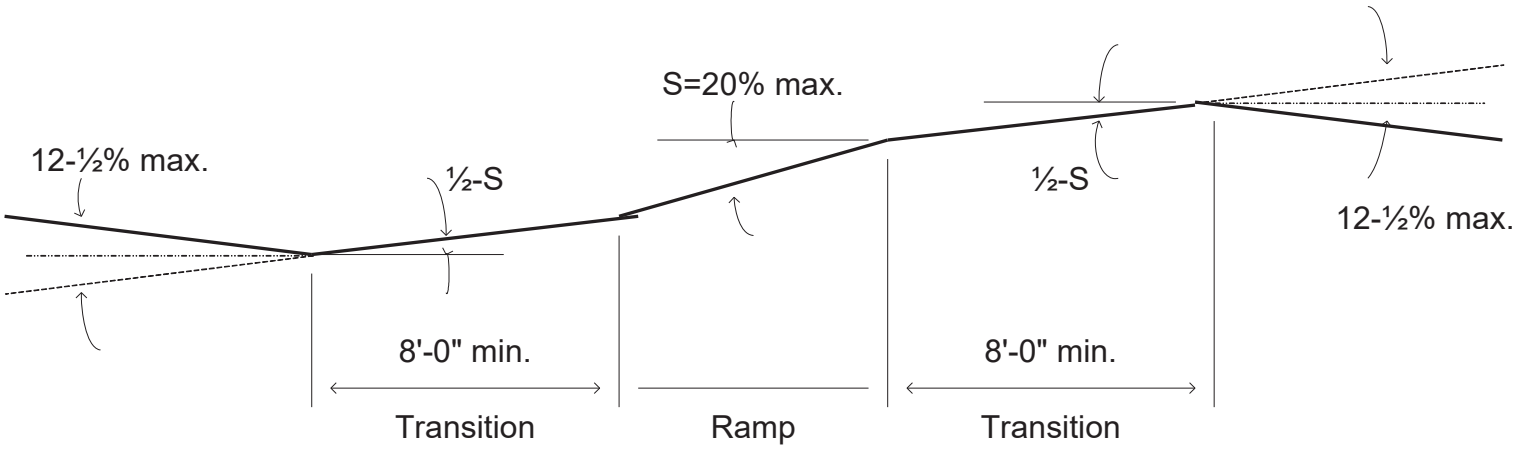


FIGURE 10: RESIDENTIAL GARAGE - TURNING CLEARANCE (FOR SINGLE FAMILY WELLINGS)

FIGURE 11A: ACCEPTABLE DRIVEWAY SLOPES ON PRIVATE PROPERTY





Note:
Where ramp intersects the public way, the transition shall be designed as required by the Department of Public Works.

FIGURE 11B: DRIVEWAY TRANSITIONS (SIMPLIFIED DIAGRAM)

Q. MECHANICAL AUTOMOBILE PARKING LIFTS

Mechanical automobile parking lifts can be used to provide required parking spaces with the following conditions:

1. Types of mechanical automobile parking lifts that are covered by this section are:
   a. 2- post lifts
   b. Scissor lifts
   c. 4-post lifts

   Other types of mechanical automobile parking lift system may be considered on case-by-case bases. *See **Figure 12** below for graphical representation of the typical lifts.*

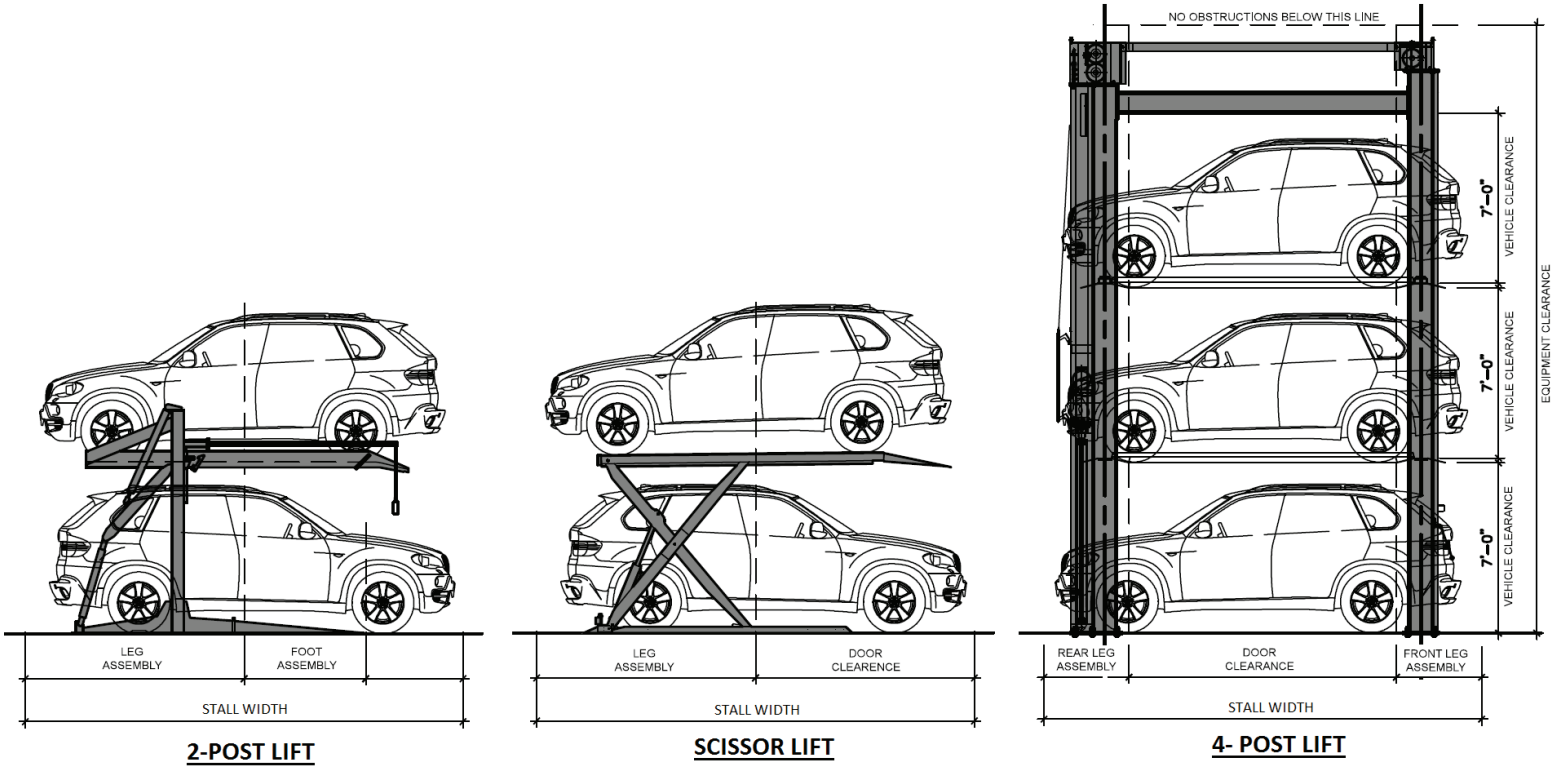


FIGURE 12- TYPES OF MECHANICAL AUTOMOBILE PARKING LIFTS

2. The platform of the mechanical lift on which the automobile is first places shall be individually and easily accessible and shall be placed so that the location of the platform and vehicular access to the platform meets the LAMC Section 12.21A5(a), (b), and (i) requirements.

3. Electrical Testing Laboratory approval is required for a mechanical automobile parking lifts. All of the conditions of approval shall be complied with.

4. Mechanical automobile parking lifts must maintain the following clear width between vertical supports or any obstructions:
    a. Minimum 8'- 0" clear width for standard stalls
    b. Minimum 7'- 0" clear width for compact stalls.

*See **Figure 13** below for additional information.*

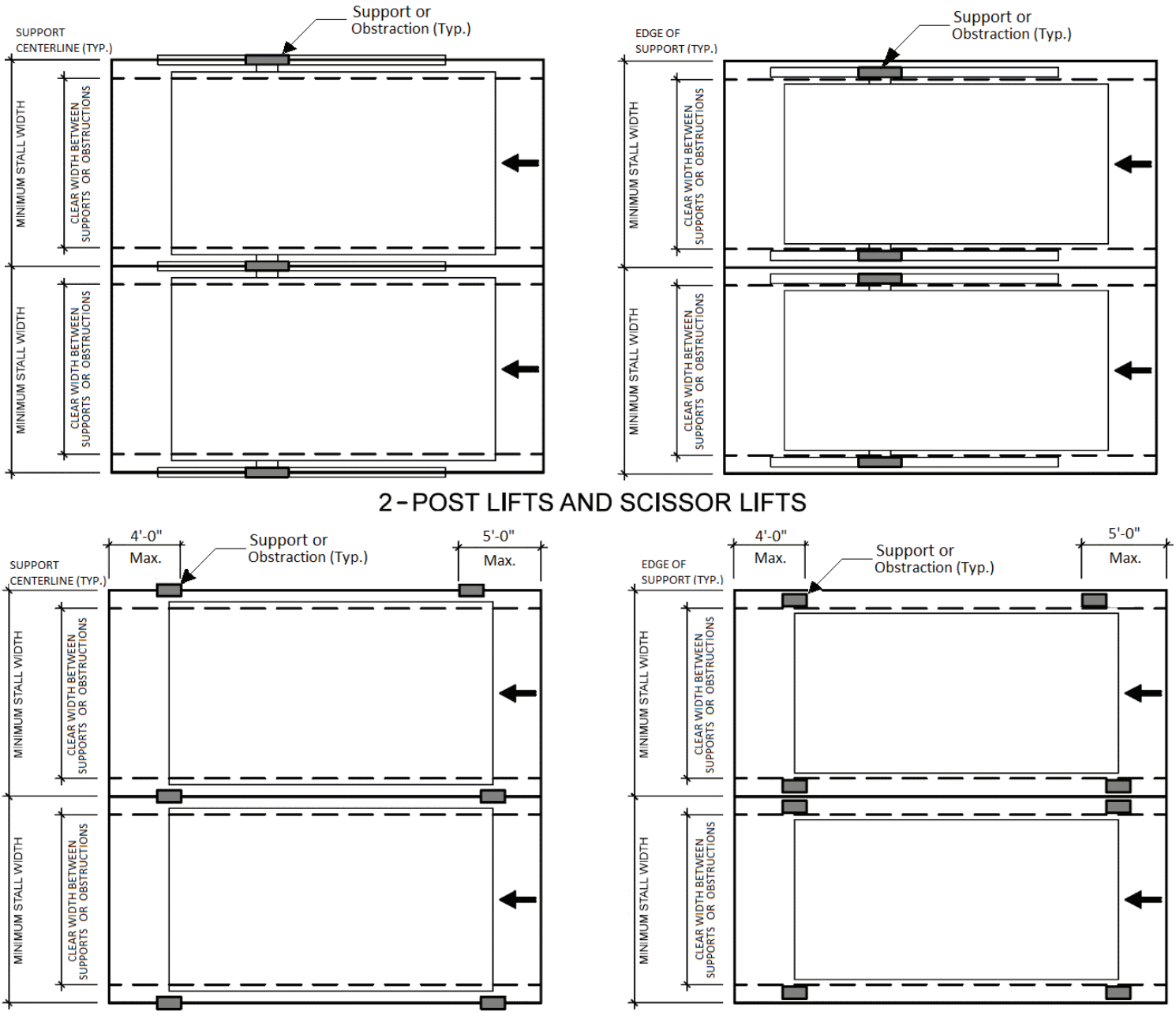
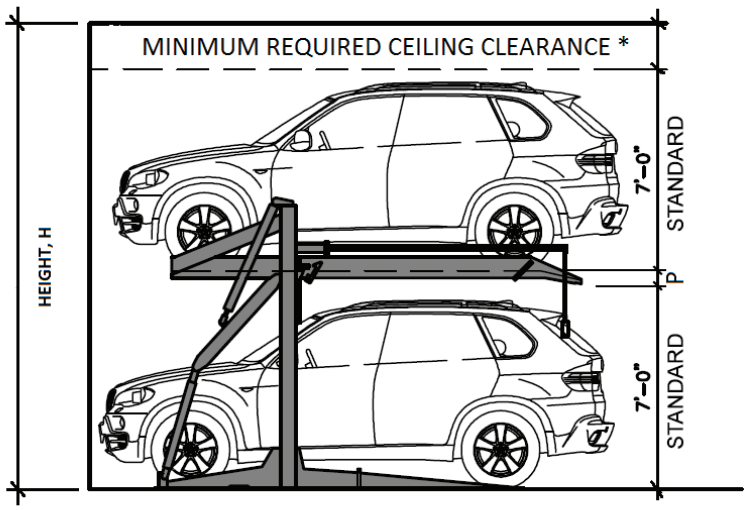


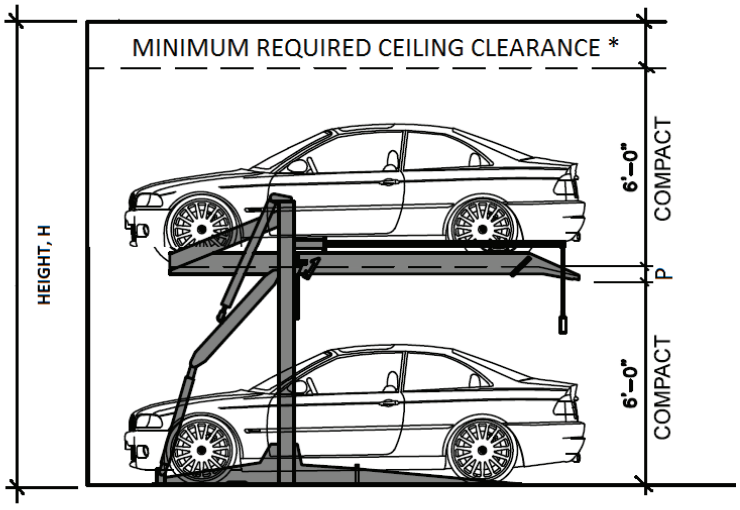
FIGURE 13- MINIMUM CLEAR WIDTH BETWEEN SUPPORTS AND OBSTRUCTIONS

5. The stall heights within the mechanical automobile parking lifts shall be as follows:
   a. Minimum clear height of 7’-0” for standard stalls
   b. Minimum clear height of 6’-0” for compact stalls

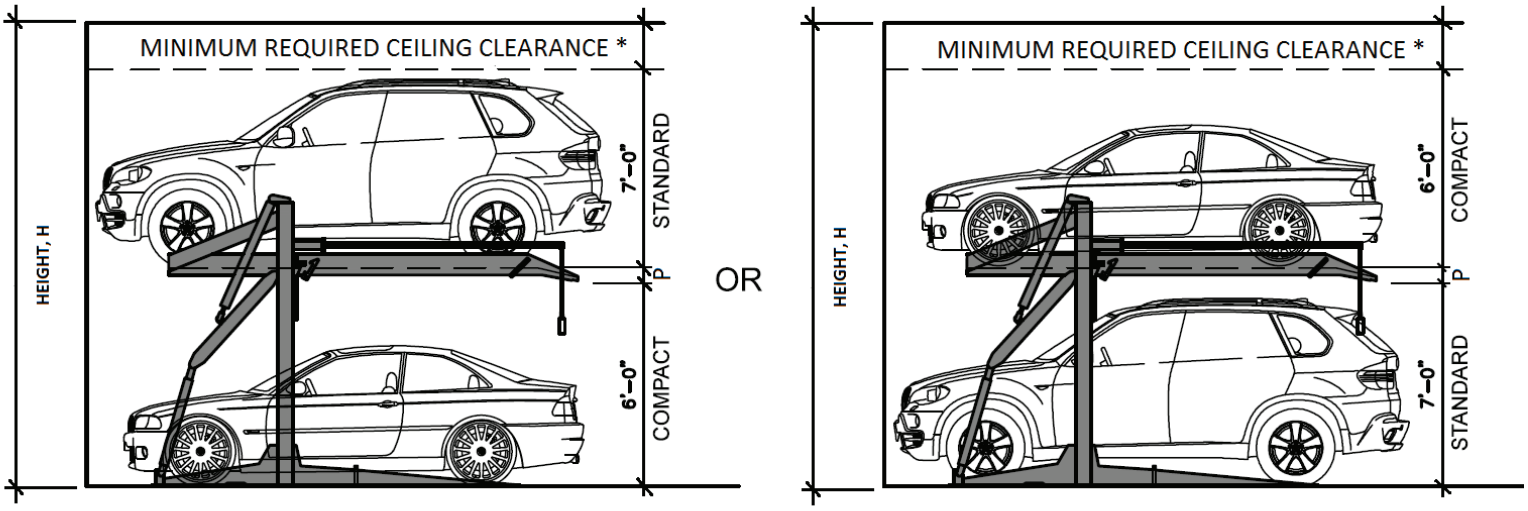
   *See **Figure 14** below for additional requirements.*



STANDARD / STANDARD



COMPACT / COMPACT

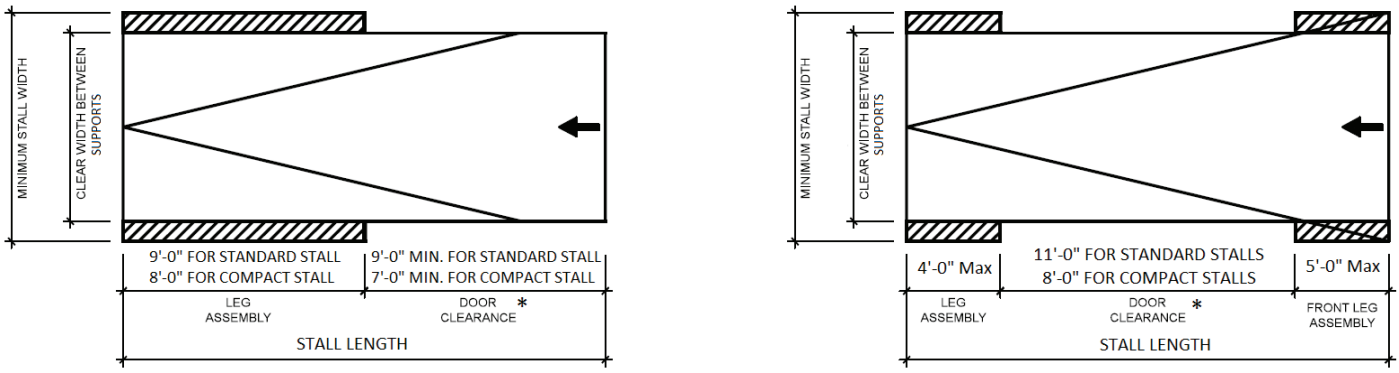


COMPACT AND STANDARD

* Minimum required clearance shall be 18” for sprinklers, or as-needed for roll-up doors.
P = Platform thickness (See Manufacturer’s Specifications)
H = Height of any combination of the car type in stacked + P + Ceiling Clearance = Minimum clear floor to ceiling height required.

FIGURE 14- MINIMUM CLEAR HEIGHTS

6. Mechanical automobile parking lifts must provide adequate door clearance for an attendant to exit a vehicle per manufactures specifications. *See **Figure 12 and Figure 15** for additional information.*



* Obstructions are not allowed within this area

FIGURE 15- VEHICLE DOOR CLEARANCES

7. Mechanical automobile parking lifts shall be arranged in such a manner as to allow full operation of the sprinkler system. The required ceiling height may be reduced by up to 18 inches if the mechanical automobile parking lift is installed in a non-sprinklered garage, or when approval has been obtained from the Mechanical Plan Check for wall mounted Fire sprinklers **prior to Building Plan Check approval**. Additional headroom may be required to accommodate installation of roll-up garage doors.

8. Mechanical automobile parking lifts are considered tandem parking. Therefore, they shall not be installed where tandem parking is prohibited, such as within a commercial corner lot development, mini-shopping center, for recreational vehicles or guest parking.

9. In a private garage or private parking area, the tandem parking shall not be more than two-cars in depth [LAMC Section 12.21 A.5 (h)(2)]. Therefore, no parking spaces are permitted at the front and/or back of mechanical automobile parking lifts.

10. A “Covenant and Agreement to Provide Parking Attendant” shall be recorded with LA County Recorder’s Office for tandem parking in public parking areas.

11. When tandem parking is provided, parking area shall be capable of accommodating required onsite queuing spaces for the shuffling of cars. The queuing spaces shall be arranged so to that the required driveway access aisle is not reduce to less than 10’ wide. Each of the queuing spaces shall be minimum 8’ wide and 18’ long.

12. A “Covenant and Agreement Regarding Maintenance of Vehicle Lift System” shall be recorded with LA County Recorder’s Office to maintain vehicle lift system in operable conditions at all times. Affidavit# 43A for a 2- level lifts and Affidavit# 43B for 3-level lifts. The copies of the forms can be obtained from www.LADBS.org.

13. Installation of the mechanical automobile parking lift shall comply with the applicable provisions of the Los Angeles City Codes (Building, Electrical, Mechanical, Plumbing, and Fire Codes).

14. Mechanical automobile parking lift shall comply with Los Angeles Fire Department (LAFD), Fire Prevention Bureau Requirement No. 101. Refer to LAFD for additional information.

15. Separate permit and approvals shall be obtained for the mechanical and electrical work.

16. The mechanical automobile parking lift shall be installed on a level surface. The supporting structure and connections to the supporting structure shall be designed by the State of California licensed civil or structural engineer. The weight of the automobiles shall be included in determining the design seismic load.

17. Mechanical Automobile parking lifts are not permitted within required front, side, or rear yards.

ATTACHMENT 2

MEMORANDUM

To:	Pedro Ayala Los Angeles Department of Transportation	Date:	August 1, 2022
From:	David S. Shender, P.E. Jason A. Shender, AICP Linscott, Law & Greenspan, Engineers	LLG Ref:	1-19-4338-2
Subject:	**2111 South Pacific Avenue – Revised Vehicle Miles Traveled Analysis**		

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This memorandum has been prepared by Linscott, Law & Greenspan, Engineers (LLG) to provide a revised Vehicle Miles Traveled (VMT) analysis for the proposed 2111 South Pacific Avenue project ("the Project") located at 2111-2139 Pacific Avenue in the San Pedro Community Plan area of the City of Los Angeles (the "Project Site").

For this Project, LLG previously prepared a transportation impact study dated September 26, 2019 (the "2019 Original Traffic Study") for this Project based on the Los Angeles Department of Transportation (LADOT) *Transportation Impact Study Guidelines*, December 2016 (the "2016 Guidelines"). The findings of the 2019 Original Traffic Study were confirmed based on the LADOT assessment letter dated October 21, 2019. A supplemental transportation analysis dated March 30, 2022 (the "2022 Supplemental Transportation Analysis"), was prepared to evaluate the potential transportation impacts of a modified Project. The 2022 Supplemental Transportation Analysis was prepared based on the *Los Angeles Department of Transportation (LADOT) Transportation Assessment Guidelines,* July 2020 (the "TAG"). The findings of the 2022 Supplemental Transportation Analysis were confirmed based on the LADOT assessment letter dated June 16, 2022.

This memorandum has been prepared to provide a replacement VMT analysis for the Project. The Project evaluated in the 2022 Supplemental Transportation Analysis has not changed, and the other analyses (i.e., Threshold T-1 and T-3 analyses) provided within the 2022 Supplemental Transportation Analysis are still applicable.

Project Description

The Project Site is located at 2111-2139 Pacific Avenue in the San Pedro Community Plan area of the City of Los Angeles (consisting of APN 7462030030-028, -029, -030, -031). The Project consists of the construction of a 100-unit apartment complex, including 11 affordable housing dwelling units, and 1,800 square feet of feet of retail floor area. Vehicular access to the Project will be provided via one driveway along the south side of 21st Street west of the Pacific Avenue / 21st Street intersection. The two existing driveways along Pacific Avenue will be closed.

A total supply of 84 parking spaces is planned to be provided on-site within two subterranean parking levels per the Density Bonus Parking Option 1 Los Angeles Municipal Code (LAMC) Section 12.22 A.25(d)(1). Of the 84 parking spaces, 80 parking spaces are allocated for residential use and 4 parking spaces for commercial use. In addition, as part of the total parking supply, 16 electric vehicle spaces will be provided, and four parking spaces will be equipped with electric chargers.

Project Transportation Demand Management

The Project includes one transportation demand management (TDM) strategy, Include Bike Parking per LAMC, which will be implemented as a Project Design Feature. As the Bike Parking is required by the LAMC, it is a mandatory Regulatory Compliance Measure. It is not a mitigation measure. Please note that this replacement analysis conservatively does not take into account Unbundled Parking, which is a condition of approval imposed by the City Planning Commission

Table 12.21A.16(a)(1)(i) of the LAMC provides the required short-term and long-term bicycle parking spaces for the residential component of the Project (100 units). The short-term bicycle parking ratios are as follows:

- Dwelling Units 1-25: 1 space per 10 units (3 spaces); and
- Dwelling Units 26-100: 1 space per 15 units (5 spaces).

The long-term bicycle parking ratios are as follows:

- Dwelling Units 1-25: 1 space per unit (25 spaces); and
- Dwelling Units 26-100: 1 space per 1.5 units (50 spaces).

Table 12.21.A.16(a)(2) in the LAMC provides the required short-term and long-term bicycle parking spaces for the retail component of the Project. The short-term bicycle parking ratios are as follows:

- Retail (1,800 s.f.): 1 space per 2,000 s.f. (2 spaces[1]).

[1] While the calculation would yield a requirement of one short-term bicycle parking space, Table 12.21 A.16(a)(2) states that a minimum of two short-term bicycle parking spaces are required for a restaurant use (i.e., the assumed use for the Project's commercial component).

The long-term bicycle parking ratios are as follows:

- Retail (1,800 s.f.): 1 space per 2,000 s.f. (2 spaces[2]).

Based on the above, the Project is required to provide 10 short-term and 75 long-term bicycle parking spaces for the residential component. For the commercial component, the Project is required to provide two short-term bicycle parking spaces and two long-term bicycle parking spaces. The Project will provide the LAMC-required number of short-term and long-term bicycle parking spaces as a Project Design Feature. The bicycle parking requirements for the Project will be confirmed with the appropriate City departments.

VMT Analysis (Threshold T-2.1)

The State of California Governor's Office of Planning and Research (OPR) issued proposed updates to the CEQA Guidelines in November 2017 and an accompanying technical advisory guidance in April 2018 (*OPR Technical Advisory*) that amends the Appendix G question for transportation impacts to delete reference to vehicle delay and level of service and instead refer to Section 15064.3, subdivision (b)(1) of the CEQA Guidelines asking if the project will result in a substantial increase in vehicle miles traveled (VMT). Section 15064.3, subdivision (b)(1) states the following:

- Land Use Projects. Vehicle miles traveled exceeding an applicable threshold of significance may indicate a significant impact. Generally, projects within one-half mile of either an existing major transit stop or a stop along an existing high-quality transit corridor should be presumed to cause a less than significant transportation impact. Projects that decrease vehicle miles traveled in the project area compared to existing conditions should be considered to have a less than significant transportation impact.

Comprehensive updates to the State CEQA Guidelines were certified and adopted by the California Natural Resources Agency in December 2018. Accordingly, the City adopted significance criteria for transportation impacts based on VMT for land use projects and plans in accordance with the amended Appendix G question:

- Threshold T-2.1: For a land use project, would the project conflict or be inconsistent with CEQA guidelines section 15064.3, subdivision (b)(1)?

[2] While the calculation would yield a requirement of one long-term bicycle parking space, Table 12.21 A.16(a)(2) states that a minimum of two long-term bicycle parking spaces are required for a restaurant use (i.e., the assumed use for the Project's commercial component).

For land use projects, the intent of this threshold is to assess whether a land use project causes substantial VMT impacts. The City has developed the following screening and impact criteria to address this question. The criteria below are based on the *OPR Technical Advisory* but reflects local considerations.

If the project requires discretionary action, and the answer is no to either T-2.1-1 or T-2.1-2, further analysis will not be required for CEQA Threshold T-2.1, and a "no impact" determination can be made for that threshold:

- T-2.1-1: Would the land use project generate a net increase of 250 or more daily vehicle trips?

For purposes of screening the daily vehicle trips, a proposed project's daily vehicle trips should be estimated using the City's VMT Calculator tool or the most recent edition of the ITE *Trip Generation Manual*. TDM strategies should not be considered for the purposes of screening. If existing land uses are present on the project site or there were previously terminated land uses that meet the criteria for trip credits described in the trip generation methodology discussion (refer to Subsection 3.3.4.1 of the TAG), the daily vehicle trips generated by the existing or qualified terminated land uses can be estimated using the VMT Calculator tool and subtracted from the proposed project's daily vehicle trips to determine the net increase in daily vehicle trips.

    - As indicated on the Screening Tab of the City's VMT Calculator (Page 1 of ***Appendix A***), the Project is forecast to generate a net increase of 537 daily vehicle trips. It should be noted that this estimate does not account for the existing use on-site, a 1,490 square-foot bar. Therefore, the Project exceeds the screening criteria set forth in T-2.1-1.

- T-2.1-2: Would the project generate a net increase in daily VMT?

For the purpose of screening the VMT, a project's daily VMT should be estimated using the City's VMT Calculator tool or the City's Travel Demand Forecasting (TDF) model. TDM strategies should not be considered for the purpose of screening. If existing land uses are present on the project site or there were previously terminated land uses that meet the criteria for trip credits description in the trip generation methodology discussion (refer to Subsection 3.3.4.1 of the TAG), the daily VMT generated by the existing or qualified terminated land uses can be estimated using the City VMT Calculator tool and subtracted from the project's daily VMT to determine the net increase in daily VMT.

- As indicated on the Screening Tab of the City's VMT Calculator (Page 1 of *Appendix A*), the Project is forecast to generate 4,834 daily VMT. It should be noted that this estimate does not account for the existing use on-site, a 1,490 square-foot bar. Therefore, the Project exceeds the screening criteria set forth in T-2.1-2.

In addition to the above screening criteria, the portion of, or the entirety of a project that contains small-scale or local serving retail uses[3] are assumed to have less than significant VMT impacts. If the answer to the following question is no, then that portion of the project meets the screening criteria and a no impact determination can be made for the portion of the project that contains retail uses. However, if the retail project is part of a larger mixed-use project, then the remaining portion of the project may be subject to further analysis in accordance with the above screening criteria. Projects that include retail uses in excess of the screening criteria would need to evaluate the entirety of the project's VMT, as specified in Subsection 2.2.4 of the TAG.

- If the project includes retail uses, does the portion of the project that contain retail uses exceed a net 50,000 square feet?

  - The Project includes 1,800 square feet of retail uses. Based on the criteria above, the Project's retail component is assumed to be local serving. Therefore, a no impact determination can be made for the Project's retail component.

Impact Criteria and Methodology

Per Section 2.2.3 of the TAG, a development project will have a potential VMT impact if the project meets the following:

- For residential projects, the project would generate household VMT per capita exceeding 15% below the existing average household VMT per capita for the Area Planning Commission (APC) area in which the project is located.

- For office projects, the project would generate work VMT per employee exceeding 15% below the existing average work VMT per employee for the APC in which the project is located.

- For regional serving retail projects, the project would result in a net increase in VMT.

[3] As noted in the TAG, the definition of "retail" for this purpose includes restaurant uses.

- For other land use types, measure VMT impacts for the work trip element using the criteria for office projects above.

Different VMT significance thresholds have been established for each APC boundary area as the characteristics of each are distinct in terms of land use, density, transit availability, employment, etc. As the Project Site is located within the Harbor Area Planning Commission (APC), the VMT impact criteria (i.e., 15% below the APC average) applicable to the Project is 9.2 Daily Household VMT per Capita and 12.3 Daily Work VMT per Employee.

The impact methodology set forth in the TAG for a mixed-use project such as the Project is as follows:

- Mixed-Use Projects. The project VMT impact should be considered significant if any one (or all) of the project land uses exceed the impact criteria for that particular land use, taking credit for internal capture. In such cases, mitigation options that reduce the VMT generated by any or all of the land uses could be considered.

Summary of Project VMT Analysis

The daily vehicle trips and VMT expected to be generated by the Project were forecast using Version 1.3 of the City's VMT Calculator tool. Copies of the detailed City of Los Angeles VMT Calculator worksheets for the proposed project are contained in *Appendix A*. As indicated in the summary VMT Calculator worksheet, the Project is forecast to generate the following:

- As described in the Project Transportation Demand Management section herein, the Project will commit to including bike parking per the requirements of the LAMC as a Project Design Feature.

- The Project, with the inclusion of the Project Design Feature, is estimated to generate a total of 534 daily vehicle trips.

- The estimated Daily Household VMT per Capita for the Project is 9.2 Daily Household VMT per Capita, which is equal to the Harbor APC Daily Household VMT per Capita significance threshold. As the estimated Daily Household VMT per Capita is not greater than the Harbor APC's significance threshold for Daily Household VMT per Capita, the Project's residential component would result in a "less than significant" VMT impact.

- Per the TAG, the Project's retail component, which totals 1,800 square feet of floor area, is considered a local-serving retail use. As the retail component provides less than 50,000 square feet, the Project's retail component would result in a "less than significant" VMT impact.

Based on the above analyses, the Project is not expected to result in a significant VMT impact. Therefore, no mitigation is necessary as it relates to VMT.

Summary of Cumulative VMT Analysis

As stated in the City's TAG document, analyses should consider both short-term and long-term project effects on VMT. Short-term effects are evaluated in the detailed Project-level VMT analysis summarized above. Long-term, or cumulative, effects are determined through a consistency check with the Southern California Association of Government's (SCAG's) Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). The RTP/SCS is the regional plan that demonstrates compliance with air quality conformity requirements and greenhouse gas (GHG) reduction targets. As such, projects that are consistent with this plan in terms of development, location, density, and intensity, are part of the regional solution for meeting air pollution and GHG goals. Projects that are deemed to be consistent would have a less than significant cumulative impact on VMT. Development in a location where the RTP/SCS does not specify any development may indicate a significant impact on transportation. However, as noted in the City's TAG document, for projects that do not demonstrate a project impact by applying an efficiency-based impact threshold (i.e., VMT per capita or VMT per employee) in the analysis, a less than significant project impact conclusion is sufficient in demonstrating there is no cumulative VMT impact. Projects that fall under the City's efficiency-based impact thresholds are already shown to align with the long-term VMT and GHG reduction goals of SCAG's RTP/SCS.

Based on the above Project-related VMT analysis and the conclusions reported in above (i.e., which conclude that the Project falls under the City's efficiency-based impact thresholds and thus are already shown to align with the long-term VMT and GHG reduction goals of SCAG's RTP/SCS), no cumulative VMT impacts are anticipated. Therefore, a "less than significant" determination can be made as it relates to the Project's cumulative VMT impact.

Conclusions

- *Project Description* – The 2022 Supplemental Transportation Addendum Traffic Analysis evaluated a Project consisting of a 100-unit apartment complex, including 11 affordable housing dwelling units, and 1,800 square feet of feet of retail floor area. No changes to the Project description or site plan are proposed.

- *Project Transportation Demand Management* – As a Project Design Feature, the Project will include bicycle parking per the requirements of the LAMC. The required supply of short-term and long-term bicycle parking spaces for the Project will be confirmed with the appropriate City departments prior to the commencement of Project construction.

- *Revised VMT Analysis* – The estimated Daily Household VMT per Capita for the Project is 9.2 Daily Household VMT per Capita, which is equal to the Daily Household VMT per Capita significance threshold for the Harbor APC. As the Project's estimated Daily Household VMT per Capita is not greater than the 9.2 Daily Household VMT per Capita significance threshold for the Harbor APC, the Project's residential component results in a "less than significant" VMT impact. As the Project's retail component will provide less than 50,000 square feet of floor area, it is considered local serving, and is therefore assumed to result in a "less than significant" Daily Work VMT per Employee impact. Based on this analysis, the Project is not expected to result in a significant VMT impact. Further, based on the Project-related VMT analysis and the conclusions reported herein (i.e., which conclude that the Project falls under the City's efficiency-based impact thresholds and thus are already shown to align with the long-term VMT and GHG reduction goals of SCAG's RTP/SCS), no cumulative VMT impacts are anticipated.

cc: File

APPENDIX A

VMT ANALYSIS

CITY OF LOS ANGELES VMT CALCULATOR Version 1.3

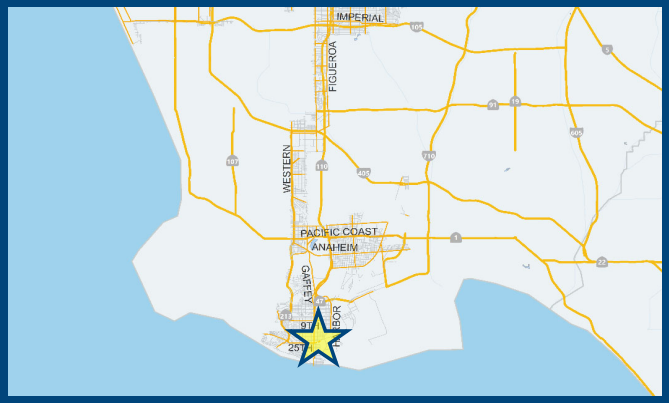
Project Screening Criteria: Is this project required to conduct a vehicle miles traveled analysis?

Project Information

Project: 2111 S. Pacific Avenue

Scenario:

Address: 2111 S PACIFIC AVE, 90731



Is the project replacing an existing number of residential units with a smaller number of residential units AND is located within one-half mile of a fixed-rail or fixed-guideway transit station?

○ Yes ○ No

Existing Land Use

Land Use Type	Value	Unit
Housing | Single Family		DU

☐ Click here to add a single custom land use type (will be included in the above list)

Proposed Project Land Use

Land Use Type	Value	Unit
Housing | Affordable Housing - Family	11	DU
Housing | Multi-Family	89	DU
Retail | General Retail	1.8	ksf
Housing | Affordable Housing - Family	11	DU

☐ Click here to add a single custom land use type (will be included in the above list)

Project Screening Summary

Existing Land Use	Proposed Project
0 Daily Vehicle Trips	537 Daily Vehicle Trips
0 Daily VMT	4,834 Daily VMT

Tier 1 Screening Criteria

Project will have less residential units compared to existing residential units & is within one-half mile of a fixed-rail station. ☐

Tier 2 Screening Criteria

The net increase in daily trips < 250 trips	537 Net Daily Trips
The net increase in daily VMT ≤ 0	4,834 Net Daily VMT
The proposed project consists of only retail land uses ≤ 50,000 square feet total.	1.800 ksf

The proposed project is required to perform VMT analysis.

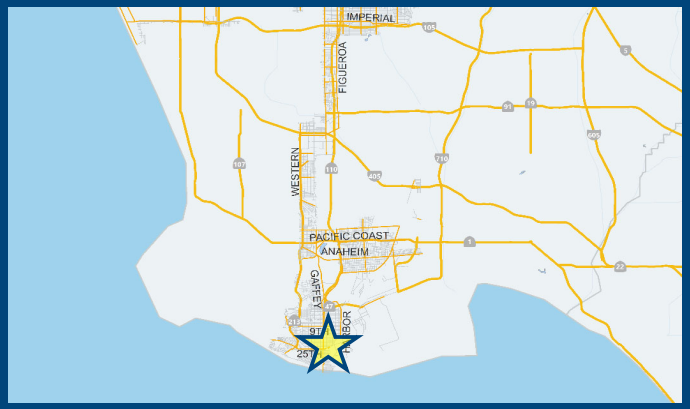
Measuring the Miles

8/1/2022

CITY OF LOS ANGELES VMT CALCULATOR Version 1.3

Project Information

Project: 2111 S. Pacific Avenue
Scenario:
Address: 2111 S PACIFIC AVE, 90731



Proposed Project Land Use Type	Value	Unit
Housing | Multi-Family	89	DU
Retail | General Retail	1.8	ksf
Housing | Affordable Housing - Family	11	DU

TDM Strategies

Select each section to show individual strategies
Use ☑ to denote if the TDM strategy is part of the proposed project or is a mitigation strategy

	Proposed Project	With Mitigation
Max Home Based TDM Achieved?	**No**	**No**
Max Work Based TDM Achieved?	**No**	**No**

- **A** Parking
- **B** Transit
- **C** Education & Encouragement
- **D** Commute Trip Reductions
- **E** Shared Mobility
- **F** Bicycle Infrastructure

Implement/Improve On-street Bicycle Facility
☐ Proposed Prj ☐ Mitigation — Select Proposed Prj or Mitigation to include this strategy

Include Bike Parking Per LAMC
☑ Proposed Prj ☐ Mitigation — Select Proposed Prj or Mitigation to include this strategy

Include Secure Bike Parking and Showers
☐ Proposed Prj ☐ Mitigation — Select Proposed Prj or Mitigation to include this strategy

- **G** Neighborhood Enhancement

Analysis Results

Proposed Project	With Mitigation
534 Daily Vehicle Trips	**534** Daily Vehicle Trips
4,804 Daily VMT	**4,804** Daily VMT
9.2 Household VMT per Capita	**9.2** Household VMT per Capita
N/A Work VMT per Employee	**N/A** Work VMT per Employee

Significant VMT Impact?

Proposed Project	With Mitigation
Household: No Threshold = 9.2 15% Below APC	**Household: No** Threshold = 9.2 15% Below APC
Work: N/A Threshold = 12.3 15% Below APC	**Work: N/A** Threshold = 12.3 15% Below APC

Measuring the Miles

8/1/2022

CITY OF LOS ANGELES VMT CALCULATOR

Report 1: Project & Analysis Overview

Date: August 1, 2022
Project Name: 2111 S. Pacific Avenue
Project Scenario:
Project Address: 2111 S PACIFIC AVE, 90731

Version 1.3

Project Information			
Land Use Type		**Value**	**Units**
Housing	*Single Family*	*0*	*DU*
	Multi Family	89	DU
	Townhouse	*0*	*DU*
	Hotel	*0*	*Rooms*
	Motel	*0*	*Rooms*
Affordable Housing	Family	11	DU
	Senior	*0*	*DU*
	Special Needs	*0*	*DU*
	Permanent Supportive	*0*	*DU*
Retail	General Retail	1.800	ksf
	Furniture Store	*0.000*	*ksf*
	Pharmacy/Drugstore	*0.000*	*ksf*
	Supermarket	*0.000*	*ksf*
	Bank	*0.000*	*ksf*
	Health Club	*0.000*	*ksf*
	High-Turnover Sit-Down Restaurant	*0.000*	*ksf*
	Fast-Food Restaurant	*0.000*	*ksf*
	Quality Restaurant	*0.000*	*ksf*
	Auto Repair	*0.000*	*ksf*
	Home Improvement	*0.000*	*ksf*
	Free-Standing Discount	*0.000*	*ksf*
	Movie Theater	*0*	*Seats*
Office	*General Office*	*0.000*	*ksf*
	Medical Office	*0.000*	*ksf*
Industrial	*Light Industrial*	*0.000*	*ksf*
	Manufacturing	*0.000*	*ksf*
	Warehousing/Self-Storage	*0.000*	*ksf*
School	*University*	*0*	*Students*
	High School	*0*	*Students*
	Middle School	*0*	*Students*
	Elementary	*0*	*Students*
	Private School (K-12)	*0*	*Students*
Other		*0*	*Trips*

CITY OF LOS ANGELES VMT CALCULATOR

Report 1: Project & Analysis Overview

Date: August 1, 2022
Project Name: 2111 S. Pacific Avenue
Project Scenario:
Project Address: 2111 S PACIFIC AVE, 90731

Version 1.3

Analysis Results			
Total Employees: 4 Total Population: 235			
Proposed Project		***With Mitigation***	
534	**Daily Vehicle Trips**	**534**	**Daily Vehicle Trips**
4,804	**Daily VMT**	**4,804**	**Daily VMT**
9.2	**Household VMT per Capita**	**9.2**	**Household VMT per Capita**
N/A	**Work VMT per Employee**	**N/A**	**Work VMT per Employee**

Significant VMT Impact?			
APC: Harbor			
Impact Threshold: 15% Below APC Average Household = 9.2 Work = 12.3			
Proposed Project		***With Mitigation***	
VMT Threshold	**Impact**	**VMT Threshold**	**Impact**
Household > 9.2 Work > 12.3	No N/A	Household > 9.2 Work > 12.3	No N/A

TDM Strategy Inputs

Strategy Type		Description	Proposed Project	Mitigations
Parking	*Reduce parking supply*	*City code parking provision (spaces)*	*0*	*0*
		Actual parking provision (spaces)	*0*	*0*
	Unbundle parking	*Monthly cost for parking ($)*	*$0*	*$0*
	Parking cash-out	*Employees eligible (%)*	*0%*	*0%*
	Price workplace parking	*Daily parking charge ($)*	*$0.00*	*$0.00*
		Employees subject to priced parking (%)	*0%*	*0%*
	Residential area parking permits	*Cost of annual permit ($)*	*$0*	*$0*

(cont. on following page)

TDM Strategy Inputs, Cont.

Strategy Type		Description	Proposed Project	Mitigations
Transit	*Reduce transit headways*	*Reduction in headways (increase in frequency) (%)*	*0%*	*0%*
		Existing transit mode share (as a percent of total daily trips) (%)	*0%*	*0%*
		Lines within project site improved (<50%, >=50%)	*0*	*0*
	Implement neighborhood shuttle	*Degree of implementation (low, medium, high)*	*0*	*0*
		Employees and residents eligible (%)	*0%*	*0%*
	Transit subsidies	*Employees and residents eligible (%)*	*0%*	*0%*
		Amount of transit subsidy per passenger (daily equivalent) ($)	*$0.00*	*$0.00*
Education & Encouragement	*Voluntary travel behavior change program*	*Employees and residents participating (%)*	*0%*	*0%*
	Promotions and marketing	*Employees and residents participating (%)*	*0%*	*0%*

(cont. on following page)

TDM Strategy Inputs, Cont.

Strategy Type		Description	Proposed Project	Mitigations
Commute Trip Reductions	*Required commute trip reduction program*	*Employees participating (%)*	*0%*	*0%*
	Alternative Work Schedules and Telecommute	*Employees participating (%)*	*0%*	*0%*
		Type of program	*0*	*0*
	Employer sponsored vanpool or shuttle	*Degree of implementation (low, medium, high)*	*0*	*0*
		Employees eligible (%)	*0%*	*0%*
		Employer size (small, medium, large)	*0*	*0*
	Ride-share program	*Employees eligible (%)*	*0%*	*0%*
Shared Mobility	*Car share*	*Car share project setting (Urban, Suburban, All Other)*	*0*	*0*
	Bike share	*Within 600 feet of existing bike share station - OR- implementing new bike share station (Yes/No)*	*0*	*0*
	School carpool program	*Level of implementation (Low, Medium, High)*	*0*	*0*

(cont. on following page)

TDM Strategy Inputs, Cont.

Strategy Type		Description	Proposed Project	Mitigations
Bicycle Infrastructure	*Implement/Improve on-street bicycle facility*	*Provide bicycle facility along site (Yes/No)*	*0*	*0*
	Include Bike parking per LAMC	Meets City Bike Parking Code (Yes/No)	Yes	Yes
	Include secure bike parking and showers	*Includes indoor bike parking/lockers, showers, & repair station (Yes/No)*	*0*	*0*
Neighborhood Enhancement	*Traffic calming improvements*	*Streets with traffic calming improvements (%)*	*0%*	*0%*
		Intersections with traffic calming improvements (%)	*0%*	*0%*
	Pedestrian network improvements	*Included (within project and connecting off-site/within project only)*	*0*	*0*

CITY OF LOS ANGELES VMT CALCULATOR

Report 3: TDM Outputs

Date: August 1, 2022
Project Name: 2111 S. Pacific Avenue
Project Scenario:
Project Address: 2111 S PACIFIC AVE, 90731

Version 1.3

TDM Adjustments by Trip Purpose & Strategy

Place type: Suburban Center

		Home Based Work Production		*Home Based Work Attraction*		*Home Based Other Production*		*Home Based Other Attraction*		*Non-Home Based Other Production*		*Non-Home Based Other Attraction*		*Source*
		Proposed	Mitigated	Proposed	Mitigated	Proposed	Mitigated	Proposed	Mitigated	Proposed	Mitigated	Proposed	Mitigated	
Parking	Reduce parking supply	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	TDM Strategy Appendix, Parking sections 1 - 5
	Unbundle parking	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	
	Parking cash-out	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	
	Price workplace parking	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	
	Residential area parking permits	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
Transit	Reduce transit headways	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	TDM Strategy Appendix, Transit sections 1 - 3
	Implement neighborhood shuttle	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	
	Transit subsidies	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	
Education & Encouragement	Voluntary travel behavior change program	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	TDM Strategy Appendix, Education & Encouragement sections 1 - 2
	Promotions and marketing	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	
Commute Trip Reductions	Required commute trip reduction program	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	TDM Strategy Appendix, Commute Trip Reductions sections 1 - 4
	Alternative Work Schedules and Telecommute Program	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	
	Employer sponsored vanpool or shuttle	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	
	Ride-share program	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	
Shared Mobility	Car-share	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	TDM Strategy Appendix, Shared Mobility sections 1 - 3
	Bike share	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
	School carpool program	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	

TDM Adjustments by Trip Purpose & Strategy, Cont.

Place type: Suburban Center

		Home Based Work Production		*Home Based Work Attraction*		*Home Based Other Production*		*Home Based Other Attraction*		*Non-Home Based Other Production*		*Non-Home Based Other Attraction*		*Source*
		Proposed	Mitigated	Proposed	Mitigated	Proposed	Mitigated	Proposed	Mitigated	Proposed	Mitigated	Proposed	Mitigated	
Bicycle Infrastructure	Implement/ Improve on-street bicycle facility	*0.0%*	*0.0%*	*0.0%*	*0.0%*	*0.0%*	*0.0%*	*0.0%*	*0.0%*	*0.0%*	*0.0%*	*0.0%*	*0.0%*	TDM Strategy Appendix, Bicycle Infrastructure sections 1 - 3
	Include Bike parking per LAMC	0.6%	0.6%	0.6%	0.6%	0.6%	0.6%	0.6%	0.6%	0.6%	0.6%	0.6%	0.6%	
	Include secure bike parking and showers	*0.0%*	*0.0%*	*0.0%*	*0.0%*	*0.0%*	*0.0%*	*0.0%*	*0.0%*	*0.0%*	*0.0%*	*0.0%*	*0.0%*	
Neighborhood Enhancement	Traffic calming improvements	*0.0%*	*0.0%*	*0.0%*	*0.0%*	*0.0%*	*0.0%*	*0.0%*	*0.0%*	*0.0%*	*0.0%*	*0.0%*	*0.0%*	TDM Strategy Appendix, Neighborhood Enhancement sections 1 - 2
	Pedestrian network improvements	*0.0%*	*0.0%*	*0.0%*	*0.0%*	*0.0%*	*0.0%*	*0.0%*	*0.0%*	*0.0%*	*0.0%*	*0.0%*	*0.0%*	

Final Combined & Maximum TDM Effect

	Home Based Work Production		*Home Based Work Attraction*		*Home Based Other Production*		*Home Based Other Attraction*		*Non-Home Based Other Production*		*Non-Home Based Other Attraction*	
	Proposed	Mitigated	Proposed	Mitigated	Proposed	Mitigated	Proposed	Mitigated	Proposed	Mitigated	Proposed	Mitigated
COMBINED TOTAL	*1%*	*1%*	*1%*	*1%*	*1%*	*1%*	*1%*	*1%*	*1%*	*1%*	*1%*	*1%*
MAX. TDM EFFECT	*1%*	*1%*	*1%*	*1%*	*1%*	*1%*	*1%*	*1%*	*1%*	*1%*	*1%*	*1%*

= Minimum (X%, 1-[(1-A)*(1-B)…])

where X%=

PLACE TYPE MAX:	*urban*	*75%*
	compact infill	*40%*
	suburban center	*20%*
	suburban	*15%*

Note: (1-[(1-A)*(1-B)…]) reflects the dampened combined effectiveness of TDM Strategies (e.g., A, B,…). See the TDM Strategy Appendix (*Transportation Assessment Guidelines Attachment G)* for further discussion of dampening.

CITY OF LOS ANGELES VMT CALCULATOR

Report 4: MXD Methodology

Date: August 1, 2022
Project Name: 2111 S. Pacific Avenue
Project Scenario:
Project Address: 2111 S PACIFIC AVE, 90731

Version 1.3

MXD Methodology - Project Without TDM

	Unadjusted Trips	MXD Adjustment	MXD Trips	Average Trip Length	Unadjusted VMT	MXD VMT
Home Based Work Production	89	-16.9%	74	12.4	1,104	918
Home Based Other Production	247	-30.0%	173	7.3	1,803	1,263
Non-Home Based Other Production	132	-2.3%	129	9.3	1,228	1,200
Home-Based Work Attraction	5	-80.0%	1	15.2	76	15
Home-Based Other Attraction	156	-25.0%	117	8.1	1,264	948
Non-Home Based Other Attraction	45	-4.4%	43	11.4	513	490

MXD Methodology with TDM Measures

	Proposed Project			*Project with Mitigation Measures*		
	TDM Adjustment	Project Trips	Project VMT	TDM Adjustment	Mitigated Trips	Mitigated VMT
Home Based Work Production	-0.6%	74	912	-0.6%	74	912
Home Based Other Production	-0.6%	172	1,255	-0.6%	172	1,255
Non-Home Based Other Production	-0.6%	128	1,193	-0.6%	128	1,193
Home-Based Work Attraction	-0.6%	1	15	-0.6%	1	15
Home-Based Other Attraction	-0.6%	116	942	-0.6%	116	942
Non-Home Based Other Attraction	-0.6%	43	487	-0.6%	43	487

MXD VMT Methodology Per Capita & Per Employee

Total Population: 235
Total Employees: 4
APC: Harbor

	Proposed Project	*Project with Mitigation Measures*
Total Home Based Production VMT	**2,167**	**2,167**
Total Home Based Work Attraction VMT	**15**	**15**
Total Home Based VMT Per Capita	**9.2**	**9.2**
Total Work Based VMT Per Employee	**N/A**	**N/A**

VMT Calculator User Agreement

The Los Angeles Department of Transportation (LADOT), in partnership with the Department of City Planning and Fehr & Peers, has developed the City of Los Angeles Vehicle Miles Traveled (VMT) Calculator to estimate project-specific daily household VMT per capita and daily work VMT per employee for land use development projects. This application, the VMT Calculator, has been provided to You, the User, to assess vehicle miles traveled (VMT) outcomes of land use projects within the City of Los Angeles. The term "City" as used below shall refer to the City of Los Angeles. The terms "City" and "Fehr & Peers" as used below shall include their respective affiliates, subconsultants, employees, and representatives.

The City is pleased to be able to provide this information to the public. The City believes that the public is most effectively served when they are provided access to the technical tools that inform the public review process of private and public land use investments. However, in using the VMT Calculator, You agree to be bound by this VMT Calculator User Agreement (this Agreement).

VMT Calculator Application for the City of Los Angeles. The City's consultant calibrated the VMT Calculator's parameters in 2018 to estimate travel patterns of locations in the City, and validated those outcomes against empirical data. However, this calibration process is limited to locations within the City, and practitioners applying the VMT Calculator outside of the City boundaries should not apply these estimates without further calibration and validation of travel patterns to verify the VMT Calculator's accuracy in estimating VMT in such other locations.

Limited License to Use. This Agreement gives You a limited, non-transferrable, non-assignable, and non-exclusive license to use and execute a copy of the VMT Calculator on a computer system owned, leased or otherwise controlled by You in Your own facilities, as set out below, provided You do not use the VMT Calculator in an unauthorized manner, and that You do not republish, copy, distribute, reverse-engineer, modify, decompile, disassemble, transfer, or sell any part of the VMT Calculator, and provided that You know and follow the terms of this Agreement. Your failure to follow the terms of this Agreement shall automatically terminate this license and Your right to use the VMT Calculator.

Ownership. You understand and acknowledge that the City owns the VMT Calculator, and shall continue to own it through Your use of it, and that no transfer of ownership of any kind is intended in allowing You to use the VMT Calculator.

Warranty Disclaimer. In spite of the efforts of the City and Fehr & Peers, some information on the VMT Calculator may not be accurate. The VMT Calculator, OUTPUTS AND ASSOCIATED DATA ARE PROVIDED "as is" WITHOUT WARRANTY OF ANY KIND, whether expressed, implied, statutory, or otherwise including but not limited to, the implied warranties of merchantability and fitness for a particular purpose.

Limitation of Liability. It is understood that the VMT Calculator is provided without charge. Neither the City nor Fehr & Peers can be responsible or liable for any information derived from its use, or for any delays, inaccuracies, incompleteness, errors or omissions arising out of your use of the VMT Calculator or with respect to the material contained in the VMT Calculator. You understand and agree that Your sole remedy against the City or Fehr & Peers for loss or damage caused by any defect or failure of the

VMT Calculator, regardless of the form of action, whether in contract, tort, including negligence, strict liability or otherwise, shall be the repair or replacement of the VMT Calculator to the extent feasible as determined solely by the City. In no event shall the City or Fehr & Peers be responsible to You or anyone else for, or have liability for any special, indirect, incidental or consequential damages (including, without limitation, damages for loss of business profits or changes to businesses costs) or lost data or downtime, however caused, and on any theory of liability from the use of, or the inability to use, the VMT Calculator, whether the data, and/or formulas contained in the VMT Calculator are provided by the City or Fehr & Peers, or another third party, even if the City or Fehr & Peers have been advised of the possibility of such damages.

This Agreement and License shall be governed by the laws of the State of California without regard to their conflicts of law provisions, and shall be effective as of the date set forth below and, unless terminated in accordance with the above or extended by written amendment to this Agreement, shall terminate on the earlier of the date that You are not making use of the VMT Calculator or one year after the beginning of Your use of the VMT Calculator.

By using the VMT Calculator, You hereby waive and release all claims, responsibilities, liabilities, actions, damages, costs, and losses, known and unknown, against the City and Fehr & Peers for Your use of the VMT Calculator.

Before making decisions using the information provided in this application, contact City LADOT staff to confirm the validity of the data provided.

Print and sign below, and submit to LADOT along with the transportation assessment Memorandum of Understanding (MOU).

You, the User

By: _____

Print Name: _____

Title: _____

Company: _____

Address: _____

Phone: _____

Email Address: _____

Date: _____

ATTACHMENT 3

DouglasKim+Associates,LLC

To: **The Honorable Planning and Land Use Committee of the Los Angeles City Council**
From: **Douglas Kim, AICP**
CC: **Planning Staff and Dale Goldsmith**
Date: **August 2, 2022**
Re: **2111-2139 Pacific Avenue/ Response to Comments (Case Nos. CPC-2019-4884-CU-DB-SPR-RDP and ENV-2019-4885-CE)**

This memo provides responses to Air Quality and Noise comments in the Channel Law Group, LLP, August 1, 2022 Letter regarding the proposed project at 2111-2139 South Pacific Avenue in the City of Los Angeles ("Project"). All page references are to the relevant page in this letter.

Page 16, Noise

- **Comment:**
  Similarly, the noise impacts from the amphitheater would reverberate across San Pedro; there is no evidence to support the conclusion that its impacts beyond 500 feet are not potentially significant. Finally, nothing in CEQA supports the City's decision to arbitrarily cut off related developments based on a 500- foot radius, which instead requires analysis focused substantively on accurate analysis of cumulative impacts and a determination of whether the Project's contributions are "cumulatively considerable[.]" CEQA Guidelines Section 15064(h)(1).

- **Response:**
  The comment appears to speculate that there will be significant cumulative impacts from the proposed amphitheater project along the waterfront. It is unclear whether the comment alleges cumulative construction impacts, operational impacts, or both, as the commenter provides no evidence to support their assertion.
  Regardless, the proposed amphitheater will be located over ½ mile from the Project site. As set forth in our Noise Impact Analysis dated November 2019, the Project's construction and operational noise impacts would be less than significant. As noise attenuates with distance (a 6 dBA reduction for each doubling of distance) and will be further reduced due to existing structures and landscaping between the Project site and the amphitheater, there is no potential for the Project to make a cumulatively considerable contribution to a significant cumulative construction or operational noise impact.

In any event, CEQA only requires an analysis of related projects that were reasonably foreseeable when the CEQA analysis is commenced. In this case, the Project's CEQA review commenced in 2019. However, the Initial Study for the amphitheater project was not issued until April 2022, about seven months after the City Planning Commission made the necessary CEQA findings and approved the Project. Therefore, the Project's CEQA analysis does not need to consider the amphitheater project. Rather, to the extent that there are cumulative impacts (and the comment provides no evidence thereof)2, the CEQA document for the amphitheater project would need to address them.

Page 18, Noise

- **Comment**:
  Subsequent to approval of the Community Plan EIR, the San Pedro community has been subjected to a flurry of development proposals which have increased the noise environment of San Pedro generally, resulting in greater susceptibility to the construction noise impacts of the Project. In particular, the San Pedro Waterfront Project would result in a host of uses which would increase noise impacts on its neighborhoods, including a 6,200-seat amphitheater (Exhibit 4) that would amplify and direct noise impacts towards San Pedro's residential communities. As a result of the substantially higher background noise levels, the Project's analysis of construction noise impacts is fatally flawed. The Project's Technical Noise Report states that the threshold of significance for construction noise is established by LAMC Section 112.05, which prohibits construction noise exceeding 75 decibels more than 50 feet from the source unless noise reductions are technically infeasible. Higher levels of ambient noise must be factored into the City's determination of a threshold of significance, yet the City applied the same thresholds in the LA CEQA Thresholds Guide despite a substantially worsened noise environment. *Los Angeles Unified School District v. City of Los Angeles* (1997) 68 Cal. Rptr. 2d 367.
- **Response**:
  As set forth above, the amphitheater project would be located more than ½ mile from the Project site. Therefore, there is no potential for cumulative noise impacts. Moreover, the comment provides no evidence that this other project will result in substantially higher background noise levels, only speculation. As also set forth above, the Project CEQA analysis did not need to consider this other project. The comment suggest that a different noise threshold be applied, but does not propose a different threshold, much less provide substantial evidence that the City's threshold is flawed.

Page 17 and 19, Air Quality

- **Comments**:
  The expansion of operations at the Port of Los Angeles has dramatically increased diesel exhaust in the Project vicinity, resulting in a wildly different background of air quality and health impacts compared to those analyzed in the EIR. As a result, residents of San Pedro can expect to suffer greater health impacts from the Project's contribution to air quality impacts compared to the assumptions in the EIR. The EIR's reliance on methodologies of the Southern California Air Quality Management District ("SCAQMD") results in inappropriately high thresholds of significance given the changed and unique circumstances adjacent to the Port of Los Angeles.

Since the overall pollution burden in San Pedro has increased due to Port of Los Angeles expanding operations, development of the Project under current circumstances will result in a new impacts conflicting with implementation of an applicable air quality management plan (Impact 4.2.1) and greater severity of previously identified impacts (Impact 4.2-3). Therefore, the Project requires preparation of a subsequent EIR pursuant to CEQA Guidelines Section 15162(a)(2).

…

As described above, the Project's environmental settling has deteriorated materially since the Community Plan EIR was approved, as San Pedro's streets accommodate approximately 1,000 additional daily truck trips and their associated exhaust fumes which are strongly correlated with cardiovascular disease and cancer. Given this environment of deteriorated air quality, the thresholds for conflict with an air quality management plan (Impact 4.2-1) and violating air quality standards (Impact 4.2-3) are inappropriately high and should be reduced to account for the community's susceptibility to air quality health impacts. The Community Plan EIR incorrectly anticipated the Project's air quality impacts to be less than significant (Impact 4.2-1) or less than significant with mitigation (Impact 4.2-3). The deteriorated air quality results in increased health impacts for the equivalent amount of air pollution caused by the Project. Therefore, the Project does not qualify for streamlining pursuant to CEQA Guidelines Section 15168. Similarly, the increased noise pollution from major developments subsequent to approval of the EIR results in significant noise impacts for the same magnitude of noise determined to cause less than significant impacts in the Community Plan EIR.

- **Response:**
  The comment speculates that the community is facing a greater risk of health impacts from increase port activity, but provides no credible evidence of such an increase or that there is a correlation between any such increased activity and health risks. In fact, the Multiple Air Toxics Exposure Study IV (MATES IV) generally shows a decrease in excess cancer risks in the Los Angeles area as compared to the prior study MATES III, despite increased growth.

  In any event, ambient air quality is an existing baseline condition that is not relevant in this case. CEQA requires the analysis of project impacts over the baseline, and not the baseline itself. As set forth in our Air Quality Technical Report dated November 2019, the Project would not exceed any of the significance thresholds for regional or localized pollutants during construction or operation. In addition, the January 2022 Health Risk Assessment from Air Quality Dynamics shows that the Project would not result in significant health risks from toxic air contaminants (TACs) during construction. Moreover, as a mixed use project, the Project would not generate substantial TACs during operations. As the Project would not result in a significant project-specific impact, it would not result in a significant cumulative impact under the widely used SCAQMD methodology. While the comment asserts that different thresholds should be applied, it does not propose a different threshold, much less provide substantial evidence that the City's and SCAQMD's thresholds are flawed.