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August 7, 2024

The Honorable City Council
c/o Holly L. Wolcott
City Clerk
Room 360, City Hall

COUNCIL FILE NO. 22-1476 – Highway Dedication & Improvement Process

SUMMARY

In response to the City Council's direction to review the City's highway dedication and improvement process, this report recommends amending Los Angeles Municipal Code (LAMC) Section 12.37 to clarify the Bureau of Engineering's (Engineering) authority to require dedications and improvements that are consistent with the Council's policy priorities of promoting safety, sustainability, and multimodal street improvements. This report also requests that Council endorse Engineering's proposed street dedication and improvement investigation criteria, authorize future changes to the criteria, and direct the Los Angeles Department of Transportation (LADOT) to review streets with modified cross section designations for alignment with this approach, as needed.

RECOMMENDATION

That the City Council:

1. APPROVE the attached Street Dedication and Improvement Investigation Criteria,

2. AUTHORIZE the Street Standards Committee to amend the Street Dedication and Improvement Investigation Criteria to further the intent of this report,

3. DIRECT LADOT to review streets with modified cross sections, as needed, and

4. DIRECT the Department of City Planning, in consultation with the City Attorney, Bureau of Engineering (BOE), and Department of Transportation (LADOT) to prepare and present an ordinance amending LAMC 12.37 as described herein.

BACKGROUND

On March 3, 2023, the City Council approved a motion directing Engineering, in consultation with the Department of City Planning (Planning) and Los Angeles Department of Transportation (LADOT), to report with recommendations to reform the highway dedication processes to achieve a number of goals related to improving the cohesiveness of the public realm and ensuring that public improvements implemented by development projects align with the City's mobility and sustainability goals.

In 2016, the City Council adopted Mobility Plan 2035, an update to the General Plan's circulation element. Among other things, Mobility Plan 2035 included new goals and policies to reorient city streets away from primarily serving automobiles and instead balance the needs of all travelers. While the Plan updated certain implementation mechanisms and street designations across the city, over time it has become apparent that the regulations as currently applied may not be fully consistent with the Plan's intent. In particular, LAMC 12.37 still requires developers of certain types of projects in certain locations to widen and/or improve the public right of way to achieve standard dimensions. In some cases, these new dimensions implement wider roadways than existing conditions and can create a meandering curb line between adjacent lots.

The subject Council motion instructs Engineering to recommend changes to achieve the following objectives:

1. Preserve consistent roadway widths and curb lines on each block (eliminate spot road widenings);
2. Prioritize consistent pedestrian experience with no or minimal sidewalk meandering, context-appropriate sidewalk and parkway width, and consistent interfaces with street-facing building entrances on each block face;
3. Prioritize pedestrian safety and visibility by minimizing crossing distance at intersections and other crosswalks; ensuring alignment between pedestrian paths of travel, crosswalks, and curb ramps; minimizing curb radii to the greatest extent feasible (including retaining historic curb radii); and promoting curb extensions where feasible and appropriate;
4. Protect existing trees and parkways and create opportunities for planting new and larger shade trees;
5. Incorporate green infrastructure elements where feasible and appropriate; and
6. Ensure accessibility for people with disabilities.

The motion further instructs Engineering to implement a checklist with findings that must be made prior to requiring a street dedication and/or improvement that results in a roadway widening, including concurrence from LADOT for traffic safety and mobility findings and from Planning for pedestrian realm and urban design findings. Finally, the motion instructs Engineering to recommend any revisions to street standards, LAMC 12.37, or other applicable policies to broadly achieve the above objectives. The Council action also requests information about the impact the current Waiver of Dedication and/or Improvement process has on affordable housing projects and recommendations to reduce delays and costs for these projects.

DISCUSSION

Engineering is responsible for determining required public right of way dedications and/or improvements for new developments. For by-right developments, Engineering applies requirements during the plan check process. For discretionary developments, Engineering provides recommended requirements to Planning to be recorded as conditions on the development approval. In both cases, Engineering refers to Mobility Plan 2035's street classifications and applicable street standards to determine requirements. (See Attachment A for process flow charts.)

Engineering follows internal guidelines to ensure that the requirements on a proposed development are reasonable and proportional to the scale of the project and the value of the public benefit. For example, Engineering will not require an applicant to relocate an already improved curb and gutter for a roadway widening that would be three feet or less. In some cases, Engineering will require a dedication without requiring the improvement in order to preserve the City's options to construct a long-term improvement while avoiding a meandering curb in the interim.

Engineering frequently consults with Planning and LADOT via the Streets Working Group when making determinations. Over time, the three agencies have developed general practices that have greatly reduced the number of roadway widenings in recent years. The recommendations in this report would explicitly authorize and document these processes to increase clarity and predictability about what the City will require from prospective development projects and why. In addition, Engineering expects that reducing the need for discretionary Waiver of Dedication and/or Improvement (WDI) requests will streamline project approvals and reduce costs for both affordable and market-rate housing projects.

Current practice does not allow for affordable housing projects to request a WDI as an incentive in conjunction with an application for a density bonus or other local incentive program. In instances where an affordable housing application would otherwise be processed ministerially, applicants are required to request a WDI as a separate discretionary application, adding additional time and costs for a project. Additionally, in the proposed Affordable Housing Streamlining Ordinance (permanent ED 1 Ordinances), projects seeking a Waiver of Dedication and/or Improvements do not qualify for the streamlined review program. The recommendations contained in this report, which will limit where roadway widening is required and achieve more consistency across project types and locations, are expected to significantly reduce the number of affordable housing projects that would consider requesting a WDI, thereby reducing cost and time delays presented by the City's current WDI process for these projects.

Recommendation #1: Approve Street Dedication and Improvement Investigation Criteria

Engineering recommends formalizing existing practices that avoid roadway widenings where permitted under existing code and expanding these practices by applying them to all dedication and improvement investigations undertaken pursuant to LAMC 12.37 (by-right projects) and LAMC 17.05 (discretionary projects). These criteria can be used immediately on discretionary projects, which comprise the majority of roadway widenings under current practice. These criteria would apply street standards with sensitivity to

existing conditions and local context while maintaining the predictability of ministerial processes. The proposed Street Dedication and Improvement Investigation Criteria (Attachment B) would implement the following best practices:

- Avoid requiring spot roadway widening improvements in established neighborhoods, unless specific roadway requirements for a street segment are set through an intentional community planning process.
- Require dedication and sidewalk-related improvement sufficient to achieve standard sidewalk widths for the street designation, with limited exceptions, and in all cases ensure that new and/or existing pedestrian facilities comply with the requirements of the Americans with Disabilities Act.
- Require parkway dedication and improvement consistent with standards for the street designation, while allowing for flexibility within the required sidewalk and parkway dedication to provide increased opportunities for street trees and/or other green infrastructure elements and appropriate transitions to connect with sidewalks fronting adjacent properties.
- Where there is a discrepancy between adjacent properties on the same street, the required improvement should: 1) reduce the number of jogs in the curb line, 2) generally align the curb with the adjacent property with the narrower roadway width unless there is a prevailing width on the remainder of the block that is desirable for safety and mobility, and 3) ensure that stormwater can drain effectively.
- Require dedications to the extent necessary and appropriate to achieve a consistent right of way width along a block face and/or street corridor.

Recommendation #2: Delegate further amendments to the Street Dedication and Improvement Investigation Criteria to the Street Standards Committee

The proposed Street Dedication and Improvement Investigation Criteria are an effort to document current best practices, however department staff use judgment when looking at specific cases to ensure that the outcome of the investigation is appropriate. As these practices are codified, Engineering recommends that the ability to further update and maintain these criteria be delegated to the Street Standards Committee so that they can be refined over time as staff learn from applying them to additional cases.

Recommendation #3: Review streets with modified cross section designations

While street dimensions are generally based on standard street classifications adopted in Mobility Plan 2035, the City has designated modified cross sections for 202 streets, totalling approximately 270 miles, throughout the city (Attachment C). Many modified street designations reflect the existing ROW and roadway width of a given street and were adopted to maintain those widths (preventing future dedications and roadway widenings). However, in other cases, the modified street designations, if implemented, would require roadway widening resulting in the outcomes the motion aims to prevent.

Though implemented by Engineering, these modified designations are adopted by the Mobility Plan and/or Community Plans based on Planning's and LADOT's assessment of circulation needs and local conditions. As a general practice, modified designations are evaluated and updated by Planning as needed during the Community Plan Update process, and Engineering believes that process should continue. However, Engineering recommends that LADOT be instructed to review designated streets to confirm their

modified designation reflects current policy objectives on an as-needed basis. Whenever appropriate, LADOT would notify Engineering that a street with a modified designation should instead be handled according to the new Street Dedication and Improvement Investigation Criteria, described above.

Recommendation #4: Amend LAMC 12.37

Recommended amendments to LAMC 12.37, and other relevant code sections, to achieve goals of only requiring public improvements to promote multimodal accessibility, good street design, and sustainable infrastructure, include, but may not be limited to:

- Apply consistent dedication and improvement requirements across similar project types and regardless of street designation
- Establish dedication and improvement requirements for alleys where appropriate to promote vehicular and service access from the rear of properties
- Authorize the use of sidewalk easements in lieu of full right of way dedications, at the discretion of the City Engineer
- Maintain current practices requiring dedication and improvement of hillside streets to provide emergency access and evacuation routes
- Establish standards and procedures that are compatible with the forthcoming Landscape and Site Design Ordinance to require street tree and landscape improvements in the public right of way
- Authorize the City Engineer, in consultation with the Director of Planning and General Manager of Transportation, to promulgate Street Dedication and Improvement Investigation Criteria and to exercise reasonable discretion in their application to individual cases

These recommended amendments will ensure that requirements are applied equally across various project types that might occur on a single block, such as condominiums and apartments, that are currently treated differently by the municipal code. The amendments will also enable new sidewalk improvements on local streets, where appropriate. Furthermore, the recommendation will align dedication requirements with circulation policies aimed at reducing the number of driveways on primary streets by improving circulation and access along rear alleys. While generally promoting consistency, the recommendation would provide some flexibility to preserve existing desirable conditions, such as roadway width or parkway configuration, that may conflict with otherwise rigid street standards. Amendments to LAMC 12.37 must continue to ensure proportionality between project size and required improvements and avoid potential conflicts with the building code and/or State law, including State housing law. Like all zoning code changes, amending LAMC 12.37 will require a public process and may require additional studies, to be determined by Planning.

Street Standards

The motion also discusses the option of revising street standards as a possible approach. Engineering understands the intent of the motion to apply a flexible and context-sensitive approach to dedication and improvement requirements rather than continuing to impose a uniform citywide standard. Engineering believes that the outlined approach can achieve the motion's objectives without a resource-intensive effort to proactively set customized standards for every street in the city. However, the Street Standards Committee has the

authority to recommend updating the Standard Street Dimensions (S-470) to the City Planning Commission, whenever needed. If the outlined approach does not prove to be as effective as anticipated, the Street Standards Committee could consider providing a range of acceptable values for roadway and sidewalk widths instead of fixed values to further enable context-sensitive design. Engineering has initiated a multi-year effort to update the Street Design Manual, which will likewise guide engineers to apply standards and guidance based on local context. Engineering anticipates that the Street Design Modernization Initiative will include a review of Standard Street Dimensions and/or how they are applied in various contexts.

FISCAL IMPACT

Approving this report will have no fiscal impact. Over time, the recommendations in this report would reduce long-term maintenance costs associated with roadway widening.

Respectfully submitted,

Ted Allen, P.E.
City Engineer

TA/BM/EB::cs;eg

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Attachments

cc: Randall Winston, Office of the Mayor
Aura Garcia, Board of Public Works
Teresa Villegas, Board of Public Works
Vince Bertoni, Department of City Planning
Laura Rubio Cornejo, Department of Transportation

Attachment A

LAMC 12.37 - Establishing Dedication and Improvement Requirements

Land Use Report - Establishing Dedication and Improvement Recommendations

- Area of dedication cannot exceed 25% of lot area
- Dedication cannot reduce the width of lot below 50-ft
- Dedication cannot reduce lot below an area of 5,000 sf
- Dedication cannot be taken over an existing building that will remain

- No street widening per SO 02-0506 if existing half roadway width is within:
  - 2 ft of standard half roadway width for Local/Collector
  - 3 ft of standard half roadway width for Avenue/Boulevard
- No street widening of parallel frontage and/or service road and for streets designated as divided streets

The purpose of this document is to standardize decision making about right of way dedication and improvement requirements for both by-right and discretionary development projects and reduce the need for applicants to use the Waiver of Dedication and/or Improvement (WDI) process to achieve good street design outcomes. The Bureau of Engineering (BOE) aims to provide a transparent and predictable process for making right-of-way determinations that appropriately apply City policies to specific local context.

Per CF 22-1476, the City Council aims to accomplish the following objectives:

1. Preserve consistent roadway widths and curb lines on each block (eliminate spot road widenings);
2. Prioritize consistent pedestrian experience with no or minimal sidewalk meandering, context-appropriate sidewalk and parkway width, and consistent interfaces with street-facing building entrances on each block face;
3. Prioritize pedestrian safety and visibility by minimizing crossing distance at intersections and other crosswalks; ensuring alignment between pedestrian paths of travel, crosswalks, and curb ramps; minimizing curb radii to the greatest extent feasible (including retaining historic curb radii); and promoting curb extensions where feasible and appropriate;
4. Protect existing trees and parkways and create opportunities for planting new and larger shade trees;
5. Incorporate green infrastructure elements where feasible and appropriate; and
6. Ensure accessibility for people with disabilities.

In furtherance of these objectives, BOE development review staff will apply the following process to all cases when establishing dedication and improvement requirements, unless the subject street segment has a “modified cross section” designation, in which case the modified cross section shall prevail. Standard street sections and curb radii shall be treated as maximums not to be exceeded by the following process, rather than objectives to be achieved via dedication and improvement requirements:

Dedications

1. Establish a minimum acceptable half-roadway width for the subject property frontage. The minimum acceptable half-roadway width shall be calculated using the following values:
    a. In cases where the subject property is less than half of the frontage of the subject block, the minimum acceptable half-roadway shall be the prevailing (i.e. median) half-roadway width at each property fronting the subject block. If there is no clear prevailing half-roadway width on the subject block, then the prevailing width determination may include consideration of adjacent blocks with the same classification.
    b. In cases where the subject property comprises greater than half of the frontage of the subject block, the minimum acceptable half-roadway shall be the median half-roadway width of the subject street extending for two blocks in either direction of the subject block, unless the subject street changes classifications within a two block radius in which case the value shall only consider the block faces that match the subject segment’s classification.
    c. In cases where the existing half-roadway width is greater than the minimum acceptable half-roadway width calculated above, the applicant *may* use the narrower width for the calculation of required dedication, provided that the applicant (re)constructs public right of way improvements using the minimum acceptable half-roadway width (i.e. voluntarily narrow the roadway).

   d. In cases where implementing the minimum acceptable half-roadway width would result in significant tree removal, the existing roadway width *may* remain unchanged. Significant tree removal includes any of the following:
      i. Three or more healthy trees of any size
      ii. Any individual healthy tree greater than 12 inches in diameter at breast height (DBH)
      iii. Any individual healthy tree planted and/or established using public funds in the past 10 years
   e. In cases where implementing the minimum acceptable half-roadway width would result in disproportionate utility relocation costs affecting project feasibility, the existing roadway width *may* remain unchanged.
   f. In no case shall the value determined via this method exceed the half-roadway width established by standard street sections for the subject street's classification (S-470).
2. Establish a standard border for the subject property frontage. The border shall include the sidewalk and parkway width as established by standard street sections for each street classification (S-470). The following exceptions apply to establishing a standard border:
   a. In cases where a subject block has an established street wall of existing buildings fronting the sidewalk, the applicant may use the prevailing building frontage as the limits of any required dedication. This exception shall not apply in cases where a dedication is needed to achieve ADA compliance.
3. The total dedication required shall be the sum of the minimum acceptable half-roadway width and the border, as calculated above.
4. For applicants fronting multiple streets (e.g. corner parcels), the above process shall be applied for each street independently. Additional dedication at the corner shall be required when necessary to achieve ADA standards, such as curb ramps.

Improvements

5. Improvements shall be provided when required by the LAMC (i.e. when a frontage is not currently fully improved) or other applicable codes.
6. Within the required border, establish sidewalk dimensions and location. To the greatest extent feasible, any new sidewalk shall provide a straight-line path of travel for pedestrians traveling in front of adjacent properties. The applicant *may only* deviate from this straight-line path of travel if necessary to accommodate larger tree wells and/or stormwater capture elements within the parkway. The applicant may provide parkway amenities, such as trees and landscaping, on either side of the sidewalk within the required border, provided that doing so furthers the purpose of providing a straight-line path of travel for pedestrians. In all cases, sidewalks must be designed and constructed in compliance with ADA standards.
7. For applicants fronting multiple streets (e.g. corner parcels), the above process shall be applied for each street independently.
8. Additional improvement shall be required when necessary to achieve ADA standards (LAMC 91.106.4.7.1), such as curb ramps at the corner.
9. For applicants required to construct a new corner, improvements shall prioritize objectives, in the following order:
   a. Providing a direct path of travel, including placement of required curb ramps, that prolongs the straight-line path of travel from the sidewalk across the intersection with minimal deviation for pedestrians.
   b. Matching the predominant curb radii and/or other corner design features (e.g. curb extensions) at all existing corners of the intersection. This may result in smaller curb radii than current standards.
   c. Minimizing pedestrian crossing distance.

Modified Streets

Attachment C

Total Mileage: 268.8

Legend

- Modified Boulevard I
- Modified Boulevard II
- Modified Avenue I
- Modified Avenue II
- Modified Avenue III
- Modified Collector
- Modified Industrial Collector
- Modified Industrial Local
- Modified Local Street - Standard
- Modified Scenic Arterial Mountain
- Modified Alley
- City of Los Angeles

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