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City of Los Angeles Parking Management Ordinance

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16. Abstract The Los Angeles parking management ordinance was adopted in April 1983, as a result of a federally sponsored parking study conducted by the city in 1980 and 1981. Under its provisions, developers can reduce code-required parking in exchange for the promotion of commute alternatives at the development. Only one serious inquiry about use of the ordinance has been received by the City of Los Angeles, and no one has yet used the ordinance. Several possible reasons for its non-use were offered by developers and city staff that may have relevance to other cities considering such measures: 1) the low level of minimum parking already required; 2) fear by lenders that over-reducing parking would lessen marketability of a property; 3) lack of familiarity with the ordinance by developers (due in part to a lack of city resources for publicizing the ordinance); and 4) restrictive provisions of the ordinance protecting the city, especially the requirement to either maintain specified compliance levels or develop additional parking spaces. The two other reasons mentioned for non-use of the ordinance are probably relevant only to large cities: 1) delays of three to nine months in obtaining conditional use permits user the ordinance, and 2) diffusion of responsibility for the ordinance among different city departments.					
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P R E F A C E

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The authors wish to thank City of Los Angeles staff for their continued cooperation in supplying the information on which this report is based. Our main sources were:

- Graham Smith (the Study Director during 1980 and 1981) and Craig Lawson, Office of the Mayor.
- Alice Lepis and Thornton Prime, Department of Transportation.
- Franklin Eberhard, Zoning Administrator, formerly with Department of City Planning.

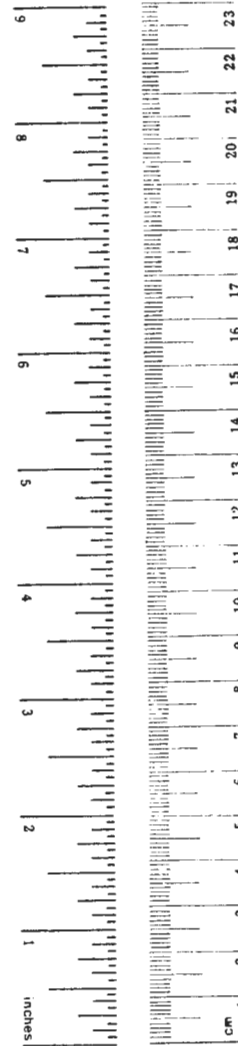
Jim Bautz was UMTA's project manager for this study. Eric Schreffler and Carla Heaton were the project managers from the Transportation Systems Center during the study. Their consistent support is appreciated.

METRIC CONVERSION FACTORS

Approximate Conversions to Metric Measures

Symbol	When You Know	Multiply by	To Find	Symbol
LENGTH				
in	inches	*2.5	centimeters	cm
ft	feet	30	centimeters	cm
yd	yards	0.9	meters	m
mi	miles	1.6	kilometers	km
AREA				
in ²	square inches	6.5	square centimeters	cm ²
ft ²	square feet	0.09	square meters	m ²
yd ²	square yards	0.8	square meters	m ²
mi ²	square miles	2.6	square kilometers	km ²
	acres	0.4	hectares	ha
MASS (weight)				
oz	ounces	28	grams	g
lb	pounds	0.45	kilograms	kg
	short tons (2000 lb)	0.9	tonnes	t
VOLUME				
tsp	teaspoons	5	milliliters	ml
Tbsp	tablespoons	15	milliliters	ml
fl oz	fluid ounces	30	milliliters	ml
c	cups	0.24	liters	l
pt	pints	0.47	liters	l
qt	quarts	0.95	liters	l
gal	gallons	3.8	liters	l
ft ³	cubic feet	0.03	cubic meters	m ³
yd ³	cubic yards	0.76	cubic meters	m ³
TEMPERATURE (exact)				
°F	Fahrenheit temperature	5/9 (after subtracting 32)	Celsius temperature	°C

*1 in = 2.54 (exactly). For other exact conversions and more detailed tables, see NBS Misc. Publ. 286, Units of Weights and Measures, Price \$2.25, SD Catalog No. C13.10.286.



Approximate Conversions from Metric Measures

Symbol	When You Know	Multiply by	To Find	Symbol
LENGTH				
mm	millimeters	0.04	inches	in
cm	centimeters	0.4	inches	in
m	meters	3.3	feet	ft
m	meters	1.1	yards	yd
km	kilometers	0.6	miles	mi
AREA				
cm ²	square centimeters	0.16	square inches	in ²
m ²	square meters	1.2	square yards	yd ²
km ²	square kilometers	0.4	square miles	mi ²
ha	hectares (10,000 m ²)	2.5	acres	
MASS (weight)				
g	grams	0.035	ounces	oz
kg	kilograms	2.2	pounds	lb
t	tonnes (1000 kg)	1.1	short tons	
VOLUME				
ml	milliliters	0.03	fluid ounces	fl oz
l	liters	2.1	pints	pt
l	liters	1.06	quarts	qt
l	liters	0.26	gallons	gal
m ³	cubic meters	35	cubic feet	ft ³
m ³	cubic meters	1.3	cubic yards	yd ³
TEMPERATURE (exact)				
°C	Celsius temperature	9/5 (then add 32)	Fahrenheit temperature	°F

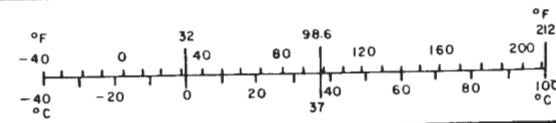


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1. INTRODUCTION

1.1 BACKGROUND

Effective April 20, 1983, the City of Los Angeles adopted a parking management (PM) ordinance whose purpose is to grant land developers reduced employee parking requirements in exchange for successful encouragement of commute alternatives that would lessen parking demand at the site. The ultimate aim of this ordinance is to reduce motor vehicle emissions through the mitigation of commuter traffic, though traffic mitigation itself was regarded as a worthwhile aim as well. The ordinance was the result of a detailed city-managed study, in 1980 and 1981, that was financed by a grant from the Service and Methods Demonstration (SMD) Program of the U.S. Department of Transportation (DOT), Urban Mass Transportation Administration (UMTA).

The purpose of this report is to document the process by which the Los Angeles parking management ordinance was developed and implemented, emphasizing the features of the adopted ordinance and reasons for its non-use by developers up to the present time. It draws heavily on the staff study report for the parking management program. (1)

There have been a number of new ventures into urban traffic mitigation and parking management within the past five years. Most of these ventures are documented in two recent reports on parking management ordinances and other traffic mitigation measures (2 and 3). The more extensive documentation of the Los Angeles study process in this report provides insight into the range of conditions that can affect the feasibility of a parking management ordinance. Following this introduction to the concept of parking/ridesharing tradeoffs and the study issues, the report describes first the study that developed a recommended ordinance; next, differences between

the recommended and adopted ordinance; and next, the probable reasons for non-use of the ordinance. The last section presents lessons for other cities from Los Angeles' experience.

1.2 PARKING/RIDESHARING TRADEOFFS

Minimum parking requirements for buildings are one way that cities control the traffic effects of new construction. The aim is generally to require enough parking that building occupants or visitors do not need to park on city streets, especially in residential neighborhoods.

Generally the parking minimums range from 1 or 2 spaces per 1,000 gross square feet of office space in CBDs well served by transit, to 3 or 4 spaces per 1,000 square feet in suburban areas with poor transit service. Requirements for industrial and commercial property vary, with the aim being to assure each commuter and visitor vehicle a parking space without imposing undue expense on an employer.

Office space usually averages about 250 square feet per employee, so 4 spaces per 1,000 square feet would permit every employee to drive alone. However, if employers are successful in encouraging commute alternatives to single occupant vehicles or other traffic mitigation measures among their employees, they can reduce their parking needs far below the level of one space per employee. The principal commute alternatives are ridesharing (carpools, vanpools, and buspools); transit and paratransit modes; and bicycling or walking. Sometimes the term "ridesharing" is used loosely to refer to all of these modes, as we will do in the balance of this report.

Figure 1 illustrates the wide variation of parking spaces required under different assumptions of building occupancy and employee participation in commute alternatives. If you were a

Building
Occupancy
Rate
(Feet² Per
Employee)

Ridesharing Participation Rates

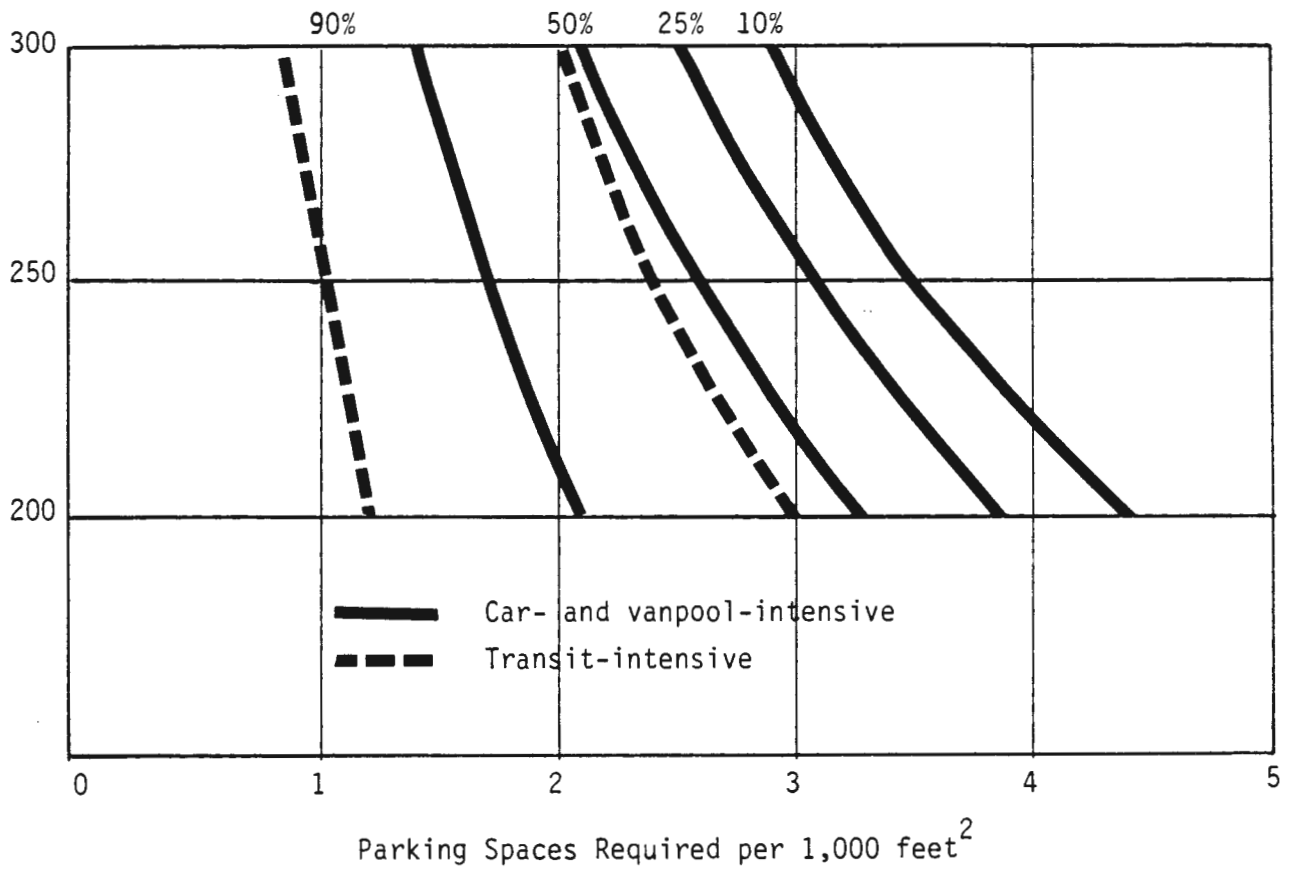


FIGURE 1. PARKING SPACES REQUIRED AT VARIOUS RIDESHARING PARTICIPATION AND BUILDING OCCUPANCY RATES

developer or an employer considering plant expansion, you could use Figure 1 to estimate the decrease of parking needs with higher commute alternative participation rates. For example, if the applicable city parking requirement is 3.5 spaces per 1,000 square feet and your anticipated building occupancy rate is 250 square feet per employee, a participation rate of about 27% would be needed to reduce your estimated parking requirements to 3 spaces per 1,000 square feet. A 50% participation rate would reduce your parking needs to about 2.5 spaces per 1,000 square feet, depending somewhat on what fraction of ride-sharers use transit.

Table 1 shows the mode split assumptions underlying Figure 1, while Tables 2 and 3 derive the corresponding points plotted in the figure.

1.3 STUDY ISSUES

A reduced parking requirement seems a logical tradeoff for reducing parking demand through ridesharing promotion. If a bargain can be struck early and adhered to, the property owner can reduce building costs and the public can gain the benefits of less automotive traffic in reduced congestion and better air quality. However, in the Los Angeles case, and probably in all U.S. cities, there are three central issues or difficulties that must be resolved in adopting such an ordinance. These issues emerged early in the Los Angeles study and permeated the debate on the feasibility of implementing a parking management (PM) ordinance. The three issues are 1) leverage--can the city obtain PM agreements by offering reduced parking as an incentive?; 2) legal assurances--how can the city be assured that the bargain will be kept?; and 3) monitoring--what information can the city obtain to measure ongoing compliance? How the Los Angeles study addressed these issues is covered in the next section.

TABLE 1. ILLUSTRATIVE PERCENT OF EMPLOYEES USING EACH MODE FOR VARYING RIDESHARING PROGRAMS AND PARTICIPATION RATES

<u>Mode</u>	<u>Transit Intensive Car-, Vanpool Intensive</u>					
	<u>Employee Participation Rate</u>					
	<u>90%</u>	<u>50%</u>	<u>90%</u>	<u>50%</u>	<u>25%</u>	<u>10%</u>
Transit, bicycle, walk	70%	25%	20%	10%	8%	2%
Vanpool	10	7	20	12	3	0
Carpool	10	18	50	30	4	8
SOV	10	50	10	50	75	90
Total	100%	100%	100%	100%	100%	100%

TABLE 2. PARKING SPACES REQUIRED FOR VARYING RIDESHARING PROGRAMS AND PARTICIPATION RATES (Spaces Per 100 Employees)

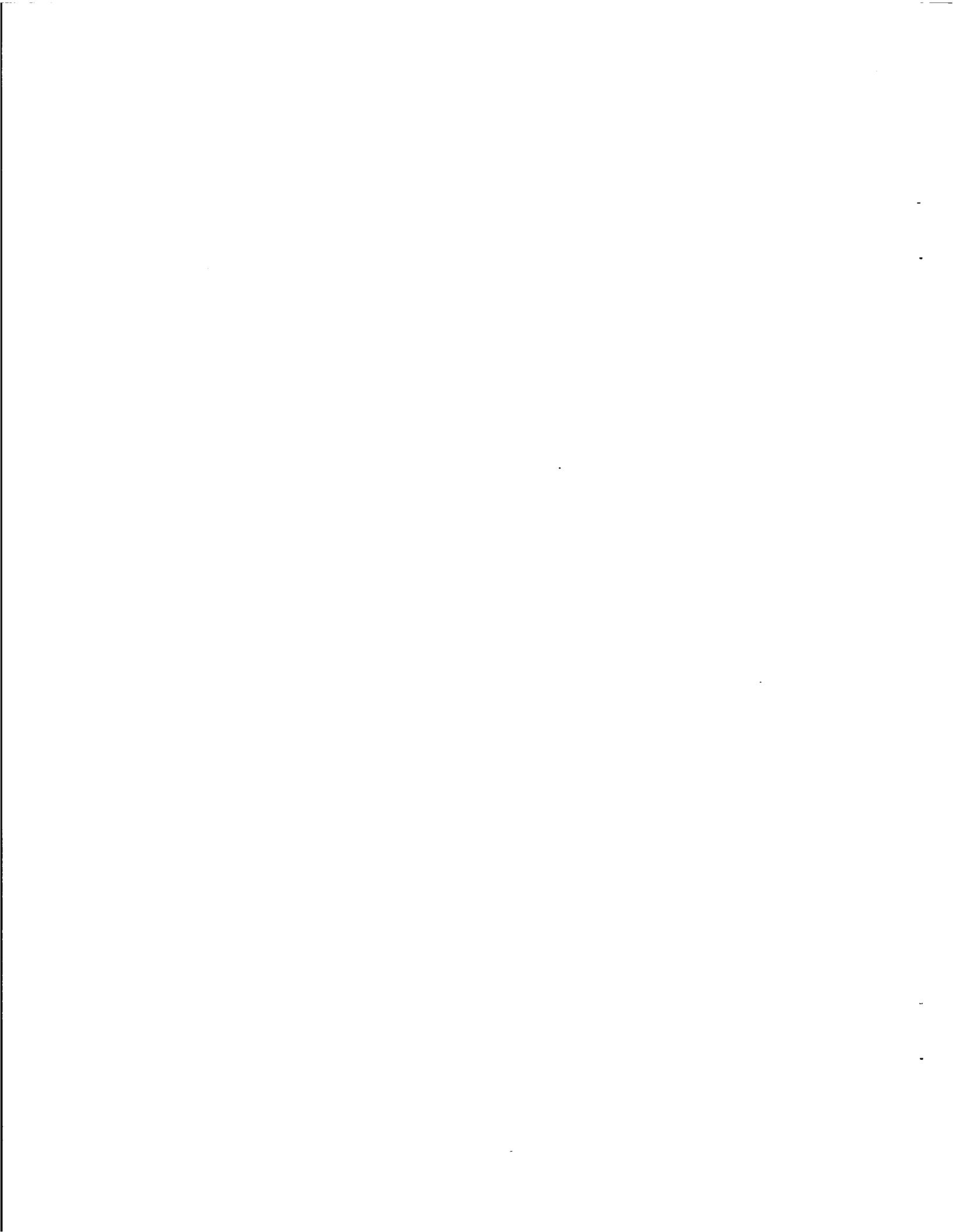
<u>Parking User Category</u>	<u>Transit Intensive Car-, Vanpool Intensive</u>					
	<u>Employee Participation Rate</u>					
	<u>90%</u>	<u>50%</u>	<u>90%</u>	<u>50%</u>	<u>25%</u>	<u>10%</u>
Transit, etc. users	0	0	0	0	0	0
Vanpool users	0.8	0.6	1.7	1.0	0.3	0
Carpool users	4.0	7.2	20.0	12.0	5.6	3.2
HOV floater spaces	9.0	5.0	9.0	5.0	2.5	1.0
SOV users	9.0	45.0	9.0	45.0	67.5	81.0
Visitors	2.0	2.0	2.0	2.0	2.0	2.0
Total Spaces	24.8	59.8	41.7	65.0	77.9	87.2

TABLE 3. CORRESPONDING PARKING SPACES REQUIRED PER 1,000 SQUARE FEET

<u>Square Feet Per Employee</u>	<u>Transit Intensive Car-, Vanpool Intensive</u>					
	<u>Employee Participation Rate</u>					
	<u>90%</u>	<u>50%</u>	<u>90%</u>	<u>50%</u>	<u>25%</u>	<u>10%</u>
200	1.2	3.0	2.1	3.3	3.9	4.4
250	1.0	2.4	1.7	2.6	3.1	3.5
300	0.8	2.0	1.4	2.1	2.5	2.9

Assumptions: Vanpools require one space per 12 vanpoolers, carpools require one space per 2.5 carpoolers. One HOV (high occupancy vehicle) "floater" space is required per 10 ridesharers to accommodate their occasional need to bring their own car. SOV (single occupant vehicle) users have a 10% absenteeism rate due to trips, sick leave, vacations, etc., and thus require nine spaces per 10 persons. Two visitor spaces are required per 100 employees.

SOURCE: Crain & Associates



2. STUDY PHASE AND RECOMMENDED ORDINANCE

2.1 OBJECTIVES AND APPROACH

The initial purpose of the parking management study was to determine the viability of "a parking substitution proposal". This proposal would have allowed a reduction of the number of parking spaces required on site or within 750 feet of the work-site (1,500 feet of the site in the downtown parking district) in exchange for a space-for-space parking substitution at off-site, remote locations within the city. The initial proposal was considerably expanded and refined in the course of the study.

The major components of the study, their purpose, and the performing agencies are summarized below.

Steering Committee meetings were held to integrate views of relevant public and private sector interests. Meetings were administered by the city's project manager.

A background study of the development of the city's parking requirements, procedures for administering those requirements, and the role of parking in the city's general plan was performed by the Planning Department. Its purpose was to ensure that any new ordinance was developed in the context of existing parking regulatory procedures.

A survey of local parking requirements was conducted to evaluate actual parking demand at various types of office and industrial sites compared to city parking requirements. This determined the degree of leverage the city might have in offering to reduce requirements. It was performed by the Planning Department with much of the input data coming from site studies.

A survey of alternative ridesharing programs to evaluate the forms of employer-based ridesharing programs that are

possible, the conditions under which they best operate, their costs and benefits, and impacts on parking demand was performed by the city Department of Transportation (DOT).

A survey of PM Programs in other cities, to profit from what has been learned in other applications, was performed by the Planning Department.

Detailed site studies were performed by the city DOT of specific office and industrial buildings to evaluate the various proposed PM measures in real-world settings and to develop some data on relevant functional relationships, e.g., the degree of ridesharing required to reduce parking demand below city-required levels.

Case studies -- adjuncts to the site studies -- were also performed on six additional sites with emphasis on exploring the feasibility of various methods of legal assurance and monitoring of compliance.

Alternative ordinance language, legal assurance, and monitoring procedures were developed for review by the Steering Committee. The evaluation and selection of the approach to be recommended to the Planning Commission was led by the project manager with most of the detailed preparation done by the Planning Department.

Selection of final ordinance language was led by the project manager and developed through consensus of the Steering Committee, the Planning Department, and the Office of City Attorney, with lesser involvement of other city departments.

Preparation of guidelines for use by the Zoning Administrator in implementing the ordinance was done by the Planning Department with input from the city DOT.

2.2 STUDY FINDINGS

The study began with the appointment of the Steering Committee in June 1980. The final task of the Steering Committee was to submit a draft parking management ordinance to the Mayor and the City Council. This task was completed in September 1981, at which time the review and modifications of the ordinance became the responsibility of the Planning Commission and the City Council.

Although the end result of the staff study was a proposed parking management ordinance, several intermediate research findings were also significant. These were:

- o A compilation of ridesharing program components, including carpools and vanpools, fleetpools, subscription buses, transit passes, and shuttle buses
- o A summary of the uses of these ridesharing program components by employers in Los Angeles, together with measures of program effectiveness
- o A review of parking management programs in other cities
- o A review of potential applications for the ordinance, through case studies of ten exemplary development sites.

2.3 KEY ISSUES AND THEIR RESOLUTION

2.3.1 Leverage

For an ordinance to be attractive to developers, the local parking minimums should be high enough that many or most developers will wish to seek reductions in the parking requirements. The Los Angeles city code, however, requires minimums of 1 space per 1,000 square feet of floor space within the central business district (CBD), 2 per 1,000 square feet outside the CBD, and usually from 3 to 3.3 per 1,000 square feet in cases where discretionary review indicates the need for a higher parking minimum in order to prevent spillover parking onto city streets. As is clear from Figure 1 earlier, only

developments with relatively high floor areas per employee or relatively high ridesharing rates can manage even with 3 spaces per 1,000 square feet, and the rates of 1 or 2 spaces per 1,000 square feet are inadequate for all buildings except those with exceptional ridesharing rates. In the vast majority of cases, building developers in Los Angeles are already installing more parking spaces than required by the city code, and few would want less than 3.3 per 1,000 square feet unless they had unusually good transit service and/or an effective employee ridesharing program.

Only in two of the ten case study sites were there potential benefits from application of the proposed parking management ordinance. Warner Center, a large business park and cultural center in the San Fernando Valley section of Los Angeles, was one of these. However, Warner Center has since installed the full requirement of 3.3 spaces per 1,000 square feet rather than opt for a reduction in parking -- even though it has an aggressive ridesharing program. Abbott Labs was the other case, but it has subsequently moved to another site to obtain increased parking space, rather than opting for less space plus an effective ridesharing program. Hence the results of the case studies at the time overwhelmingly confirmed the potential lack of leverage by the city, and subsequent events have negated even the two examples that were considered favorable.

2.3.2 Legal Assurances

If an agreement is made between a building developer or user and a city (e.g., for building occupants to rideshare for some concession by the city), the agreement needs to contain some legal assurance that the bargain will be kept. The problem is complex in that a city will often be dealing with developers who somehow must bind future building owners and

tenants to a ridesharing agreement. Should the agreed-to-rides-sharing program fail, the building owner might plead successfully that no remedy was possible, e.g., there was no space to build remedial parking spaces. The form of legal assurance could be so costly, as in a requirement to hold land vacant to house a future parking facility if needed, that the bargain might not be cost-effective to the developer.

The initial approach by city staff was to write a parking management ordinance requiring that legal assurance be established in a covenant whereby a developer would obtain and/or hold open an area for parking in the event that the ridesharing program proved unsuccessful. This was referred to within project discussions as the "nuclear deterrent" approach, giving the city immense power to enforce agreements.

While this particular form of assurance would be highly acceptable from the perspective of the city, it was not to all of the situations the program was geared to address. In particular, when nearby parking areas could not be readily found, possibly unnecessary parking in structures would have had to be added at great expense. By permitting only one form of assurance, the applicability of the program would be limited. Thus it was decided that the range of assurances would be broadened to permit a selection based on: an assessment of 1) the risk of noncompliance; 2) the objectives to be achieved; 3) the potential for adverse impact on the surrounding public; and 4) the unique circumstances surrounding a particular application. In some cases, a covenant would be the preferred mechanism and should be required in those cases.

2.3.3 Monitoring of Compliance

A city should have some means for monitoring users of the parking management ordinance and detecting non-compliance. The fundamental choices are between self-reporting by users of the ordinance and active monitoring by a public agency that attempts direct observation of results--or some combination of

the two extremes. However, in a successful large program, a city could have hundreds of agreements in existence. The cost of total active monitoring could be prohibitive, particularly the cost of obtaining sufficient data to provide a legal basis for claiming noncompliance. Probably the best compromise is self-reporting of an easily confirmed statistic, with some spot checks by the public agency.

The Los Angeles study determined that city monitoring of employers participating in a ridesharing arrangement would be too expensive. If the city's parking management efforts were successful, city staff would be needed to periodically measure employee participation rates in ridesharing. But adding to city staff for any reason was judged politically infeasible at the time of the study.

The plan proposed was to require the applicant as a condition of the parking management arrangement to annually survey the commute modes of its employees and determine, using city-provided formulas, actual reductions in parking requirements. This was to function as a self-certification process, minimizing continuing city staff involvement in inspection and enforcement. The applicant would file an annual report providing these data to show the degree of compliance. The Zoning Administrator was then to review the annual submittals for compliance.

3. RECOMMENDED AND ADOPTED ORDINANCES

3.1 RESULTS AND RECOMMENDATIONS OF THE STAFF STUDY

The culmination of the Los Angeles staff study was a four volume report, submitted to UMTA in August 1981, summarizing all aspects of the study (1). In addition, the Steering Committee submitted a draft parking management ordinance, as well as guidelines for implementation of the ordinance, to the City Planning Commission.

The recommended form of legal assurance was a covenant or "...alternative legal agreements as to assurances and remedies..." found adequate to protect the city against failure to achieve the levels of compliance specified in the conditional use permit. The guidelines for implementing the ordinance suggested that the legal assurance: 1) last the lifetime of the project, 2) provide for adjustments for failure to meet promised levels of parking demand, and 3) protect the city's interest in terms of default, bankruptcy, or sale of property.

The proposed monitoring system required that the applicant submit an annual statement with supporting data showing compliance with the agreement. This statement was to be the basis for the Zoning Administrator to recertify (or deny recertification to) the project. If recertification was denied, either parking would have to be expanded to the level from which it was reduced or the developer would have to gain the Zoning Administrator's approval of an alternative plan.

The Steering Committee also recommended that the parking management measures be implemented on a phased basis, applying them first only to applications for conditional use permits. If proven successful, the measures were then to be applied to other applications to the city, such as for zoning changes, zoning variances, developments with a specific plan area, and environment impact review (EIR) approval.

3.2 MODIFICATIONS AND FINAL APPROVAL BY THE CITY

Upon receipt of the recommendations of the Steering Committee, the proposed parking management ordinance was reviewed by the Planning Commission and the City Council for approximately one year. The only point of controversy was the form of legal assurance to be required in order to protect the City. The Planning Department supported the requirement of a covenant in all cases. Other city agencies wanted to keep the option for alternative legal assurances to be negotiated between the applicant and the Zoning Administrator before approval of the permit application would be granted. Since the Steering Committee and project staff had by this time been disbanded, they were not consulted on resolution of this conflict.

The final ordinance was approved by the City Council of Los Angeles to become effective April 20, 1983.

The views of the Planning Department had prevailed, and the option for equivalent forms of legal assurance had been removed from the measure. Revisions to the wording of the code were also made, in the interest of clarity.

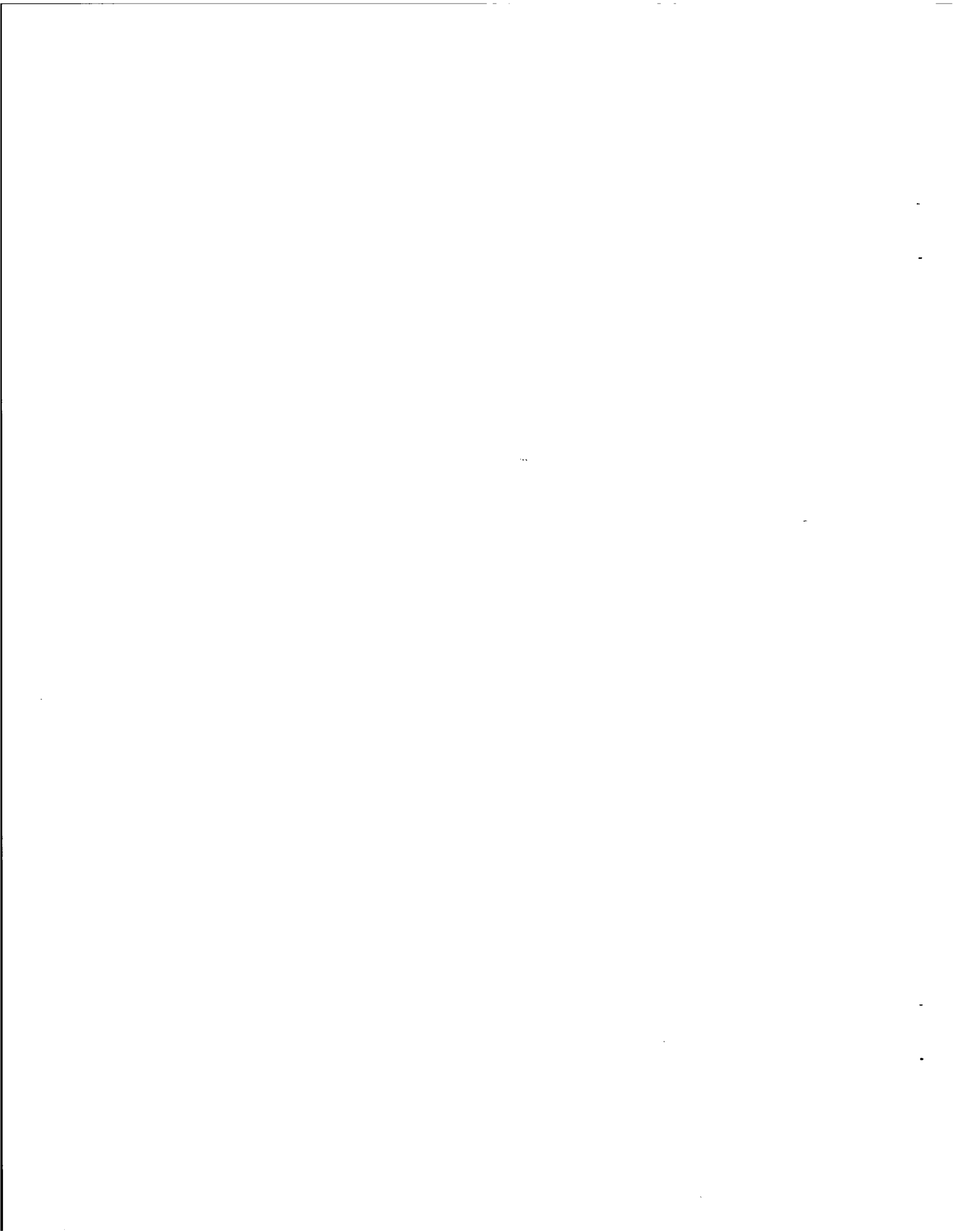
3.3 ADOPTED ORDINANCE

The principal features of the adopted ordinance are summarized below, and the ordinance is reproduced in full as Appendix A.

- A conditional use permit must be obtained by the applicant, authorizing a variance from the city's minimum parking space requirement (e.g., either 1 space per 1,000, 500, or 300 gross square feet for office space, depending on the density of development in the area).
- Reductions in parking requirements of up to 40% for on-site or 25% for remote parking are authorized if supported by a parking management plan submitted with the application for a conditional use permit.

- The land owner must either set aside enough open space to accommodate the full amount of parking required by the code, or gain approval by the Zoning Administrator of an alternative plan if projected reductions in parking demand at the site are not achieved.
- Finally, the owner must record a covenant running with the land that if specified levels of compliance are not achieved, the owner at that time will develop the additional parking spaces or other measures required upon written request of the Zoning Administrator.

The Zoning Administrator is responsible for explaining and promoting the ordinance and for reviewing any resulting conditional use permit applications. City DOT staff review any applications for the adequacy of the transportation alternatives that are proposed. The Planning Commission must approve the parking variances requested under the ordinance.



4. REASONS FOR NON-USE OF THE LA ORDINANCE

4.1 DEVELOPER EXPERIENCE AND COMMENTS

Only one serious inquiry concerning utilization of the ordinance has been received by Los Angeles from a developer since the effective date of the ordinance, and that inquiry was terminated before it resulted in an application. Discussions with the developer revealed that the reason for his inquiry was his interest in reducing his minimum requirement of 3 spaces per 1,000 square feet to 2.62 spaces, in view of a "solid" ridesharing program that had been prepared for him by a transportation consulting firm.

The Los Angeles DOT indicated in discussions that they would not agree to the indicated parking reduction until the developer's ridesharing measures were implemented and proven to be effective. In other words, parking had to be supplied at the rate of 3 spaces per 1,000 square feet until there was a demonstrated capacity to get by with less parking.* The developer felt this was too severe a requirement, and applied to the Planning Commission separately for a variance. In spite of the Los Angeles DOT's objections at the hearing, the Planning Commission approved a reduction of parking requirements to 2.5 per 1,000 square feet. Use of the parking management ordinance was therefore unnecessary in this case.

*The Los Angeles DOT requires "solid historical evidence" of developers' ability and will to follow through on promises to mitigate traffic by encouraging ridesharing at their projects. For example, another variation of this type of requirement that is used by the DOT is to approve only reduced parking for the first stage of construction in the conditions of use for a multi-stage project with relatively low parking levels. Approval of parking for the second or final stage is then made contingent on the developer meeting his parking demand targets for the first stage.

The foregoing case illustrates the strict evidence of rideshare program effectiveness that is required by the Los Angeles DOT for use of the parking management ordinance. It also shows the differing attitudes about granting parking reductions that exist within the city government.

Four other developers or developers' agents (engineering or legislative advocacy firms) were contacted for their views on the reasons for lack of utilization of the ordinance. Two of the firms interviewed had not heard of the ordinance. Staff of the other two firms were familiar with the ordinance but were not interested in utilizing it. They believed that the reasons for its non-use were as follows:

- Most developers don't know the ordinance exists.
- Those who do know it exists would often be unwilling to tolerate either 1) the delay of three to nine months typically required in Los Angeles for approval of such variances (which could delay parking designs or completion dates for construction), or 2) the lack of clearly defined evaluation criteria for permit approval, particularly specified tradeoffs between transportation alternatives and parking reductions.
- One developer believed that local lenders would sometimes oppose parking reductions out of a fear that inadequate parking would lessen the marketability of a property.
- Finally, one developer cited the diffusion of responsibility for the ordinance among the three city departments concerned with transportation, planning, and zoning, none with a strong commitment to promoting and expediting applications for conditional use permits under the ordinance.

Although these "reasons" are only the opinions of developers, they appear plausible and were not contested by City of Los Angeles staff. The City Zoning Administrator and staff of the city DOT did attribute lack of use of the ordinance independently (without reference to the developers'

opinions just cited) to the following three causes, which also seem quite plausible -- especially the first one:

- The low level of minimum parking currently required by the city code.
- The restrictive provisions of the ordinance protecting the city, specifically the requirements for land set asides and a covenant running with the land to bind the future property owners.
- The lack of any city budget, staff, or materials for publicising the ordinance.

Of all the reasons given by both developers and city staff for non-use of the ordinance, three seem to be most significant: 1) the low present city minimum parking requirements, 2) the lack of specified evaluation criteria for permit approval, and 3) the fear of local lenders that overreducing parking will lessen marketability. None of the developers mentioned the restrictive nature of the ordinance's provision for legal assurance as a deterrent of ordinance use. The problems of lack of funds for promotion of the ordinance, diffusion of responsibility, the delays for conditional use permits, and the lack of developer awareness do not need to be addressed unless changes are made to increase the usefulness and use of the ordinance.

The problem of low minimum parking requirements was foreseen in the results of the case studies, but was never reconciled or fully addressed during passage of the ordinance. The low minimum parking requirements are also related to the alleged fear of local lenders that overreducing parking will lessen marketability. Higher parking minimums would certainly reduce these fears.

The lack of specified evaluation criteria for permit approvals, including advance agreement on the range of parking reduction effectiveness that will be attributed to specific transportation alternatives, has probably contributed to the lack of use of the ordinance. The absence of such criteria

places both the burden of proof and the risk of achieving predicted parking reduction levels entirely on the developer or his consultant.

There are other ways to reduce the actual or apparent developer risk under the LA ordinance, as evidenced by the approach in a TSM ordinance that was recently adopted by the City of Pleasanton, east of San Francisco Bay (4). The Pleasanton ordinance specifies review of an employer's TSM program effectiveness by the city after two years. If ride-sharing results are below agreed targets, remedial measures to increase the effectiveness of the employer's program can be prescribed by the city's TSM Task Force (an advisory committee of employer and business park representatives). In effect, this introduces both a peer review process and the opportunity for remedial steps short of providing more parking, which is the single threat posed by the LA ordinance.

4.2 PLANS FOR MODIFICATIONS TO THE PARKING MANAGEMENT STRATEGY

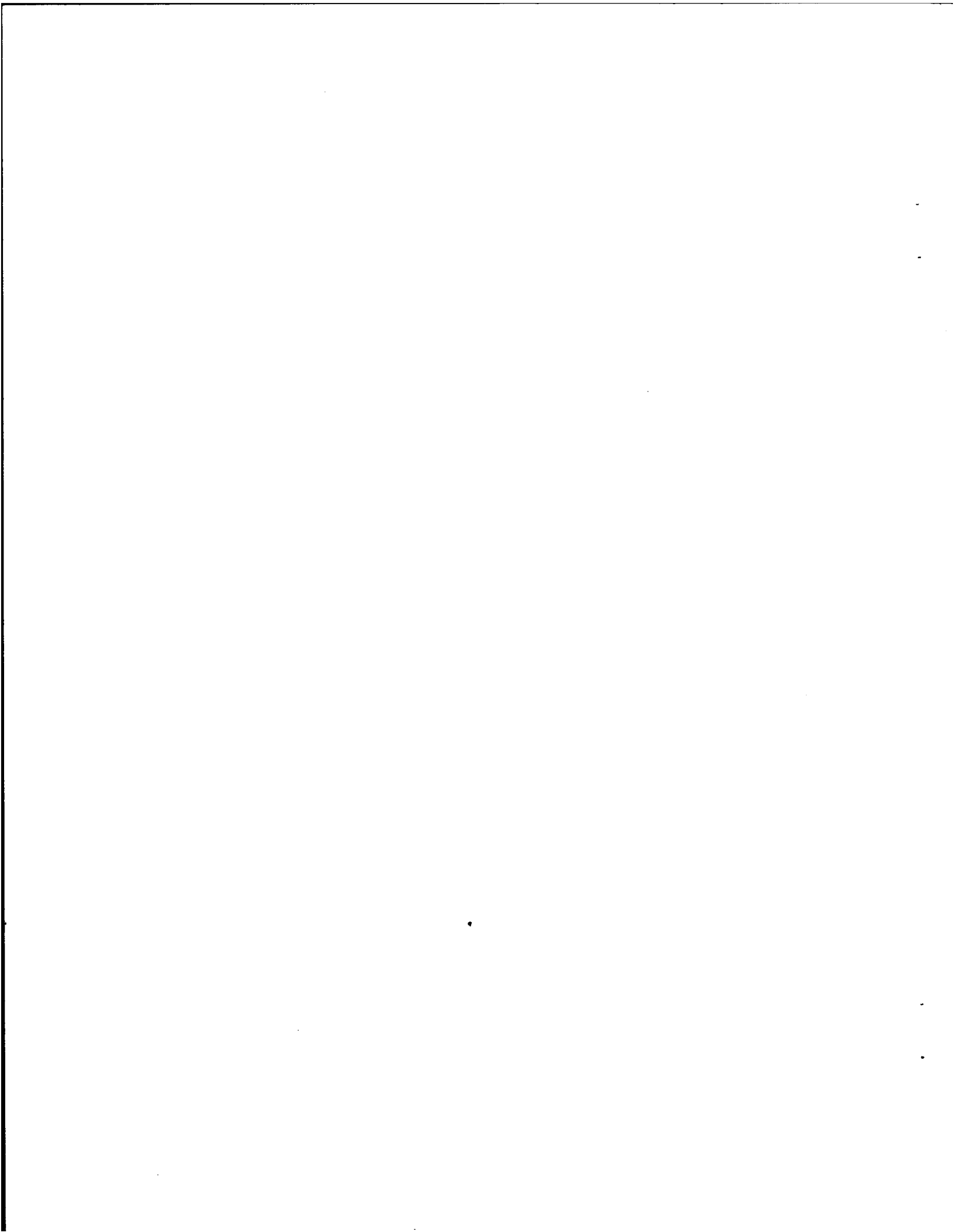
Los Angeles is currently considering raising its basic parking requirement to a more realistic level of three spaces per 1,000 gross square feet. This would also provide more incentive for utilization of the ordinance to reduce parking requirements. However, a change in the minimum parking requirement will not be made until funding is found for a proposed study of the city's parking requirements.

Other possible causes for lack of use of the ordinance are not planned to be rectified in the near future. There is no available funding for promotion of the ordinance. Action to quantify the effectiveness of specific transportation alternatives in reducing parking demand will probably not be taken until the specified trade-offs in parking management tactics being tested in other jurisdictions are proven valid. No changes in the institutional setting of parking management in Los Angeles are foreseen. Probably this matter is not

considered to be very urgent by the city, because there are other means for encouraging developers to include traffic mitigation measures in their plans. The three principal ones are:

- Review of applications for variances and environmental impact reports for most large developments by the city DOT, which usually results in detailed specifications for traffic mitigation measures by the city if they are not already part of the plans.
- Consulting services that are now offered to developers by Commuter Computer, the local ridesharing agency, to assist them in preparing the transportation or TSM element of their plans (other consulting firms are in the same business).
- Moratoriums on building permits in the Westwood Community Plan Area and the Westchester/Los Angeles International Airport/Venice/Palms transportation corridor. The moratoriums require developers in those areas to submit an initial traffic assessment or study and a transportation plan that reduces traffic impacts to an insignificant level before a building permit will be issued, due to exceptionally severe traffic congestion in the two areas.

In addition, the Los Angeles DOT is considering an ordinance that would require developers in traffic-impacted areas to pay a one-time fee for each commute vehicle trip generated by their project. The fees could be used to improve the regional traffic circulation system (which is affected even by local developments) as well as for local traffic improvements. No definite fee level has been arrived at, though a fee of \$800 per vehicle trip was incorporated in a similar ordinance considered for the Westwood Community Plan Area. Such fees could provide some added incentive for developers to provide for ridesharing programs that would reduce the vehicle trips to their projects. Los Angeles DOT expects this ordinance to be in place, if it is accepted by the City Council, by mid-1985.



5. CONCLUSIONS

The reasons given by developers and city staff for non-use of the Los Angeles parking management ordinance should serve as reminders of pitfalls to other cities devising such ordinances. However, few cities are comparable in size and complexity to Los Angeles, and it is possible to separate the reasons given into those of more general applicability and those that would be peculiar to large cities. Those reasons of general applicability are:

- The low level of minimum parking already required
- Fear by lenders that overreducing parking would lessen marketability of a property.
- Lack of familiarity with the ordinance by developers (due in part to lack of city resources for publicising the ordinance)
- Restrictive provisions of the ordinance protecting the city, especially land set asides and covenants.

The last of these reasons may be unavoidable. Some enforcement provisions are needed, and given the adequacy of an ordinance on other counts, they should not be critical disadvantages of an ordinance.

The two other reasons mentioned for non-use of the ordinance are probably relevant only to large cities:

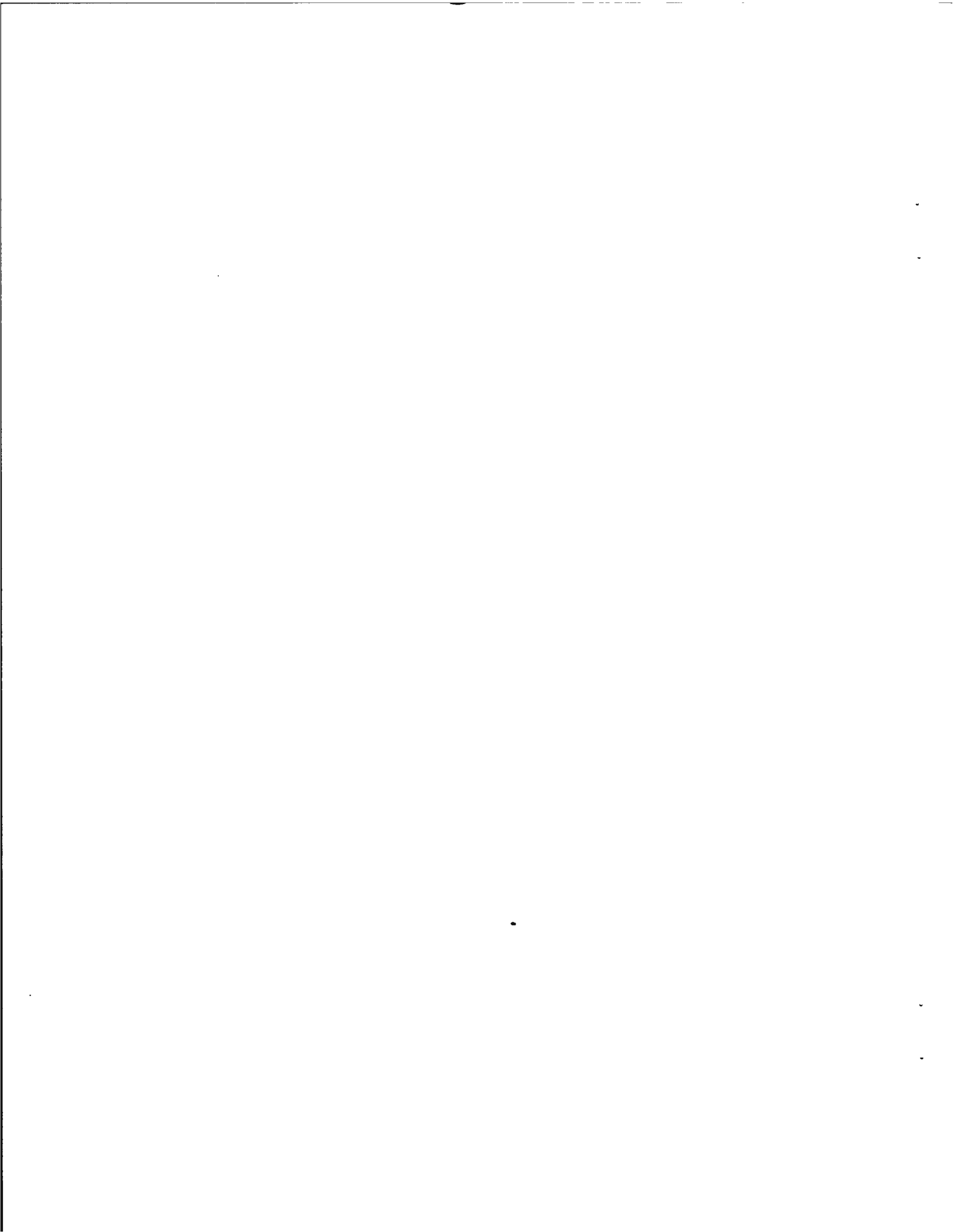
- Delays of three to nine months in obtaining conditional use permits under the ordinance
- Diffusion of responsibility for the ordinance among different city departments.

Cities would also do well to check references 2 and 3 along with progress of the the new TSM ordinance of the City of Pleasanton, California when devising their own ordinances for encouraging traffic mitigation.

REFERENCES

1. "The Los Angeles Parking Management Staff Report", Volume 1, Parking Management Program, Program Manager's Introduction and Overview, 15 pages. Volume 2, Parking Management Program; Code Amendment Staff Reports & Administrative Guidelines Report; 32 pages, 7 appendices. Volume 3, Parking Management Program, Background Research Report, 196 pages, 18 appendices. Volume 4, Parking Management Program, City of Employee Incentive Measure, 151 pages, 3 appendices, City of Los Angeles, August 1981.
2. Smith, Steven A., and Stuart I. TenHoor, "Model Parking Code Provisions to Encourage Ridesharing and Transit Use", prepared by JHK & Associates for the Federal Highway Administration, Washington, D.C., September 1983.
3. "Traffic Mitigation Reference Guide", Metropolitan Transportation Commission, Oakland, CA, December 1984
4. Curry, David, and Karen Fraser-Middleton, "Pleasanton TSM Ordinance: A New Approach to Traffic Mitigation", paper presented at 64th Annual Transportation Research Board Meeting, January, 1985.

APPENDIX A
TEXT OF ORDINANCE



PARKING MANAGEMENT
ORDINANCE

ORDINANCE NO. 157493

1
2
3 An ordinance authorizing reduced on-site parking and
4 remote off-site parking for commercial and industrial uses
5 meeting certain requirements.

6
7 THE PEOPLE OF THE CITY OF LOS ANGELES
8 DO ORDAIN AS FOLLOWS:

9
10 Section 1. Section 12.27 of the Los Angeles Municipal
11 Code is hereby amended by adding Subsection J thereto to read:

12 J. Parking Requirements for Commercial or Industrial
13 Uses with Parking Management Alternatives in the C and M
14 Zones.

15 1. Reduced On-Site Parking with Transportation
16 Alternatives.

17 (a) Notwithstanding any other provision of
18 the Los Angeles Municipal Code, the Zoning
19 Administrator may, upon application, authorize
20 reduced on-site parking for commercial or
21 industrial uses in the C or M Zones, involving
22 arrivals at the site by at least 100 employees
23 and/or tenants, if the number of such reduced
24 parking spaces is no less than sixty percent
25 (60%) of the number of parking spaces otherwise
26 required by this Code. Such authorization shall
27 be known as the Reduced On-Site Parking/Trans-
28 portation Alternatives Authorization.

1 (b) Before approving such authorization,
2 the Zoning Administrator shall find, based on the
3 Parking Management Program Administrative
4 Guidelines prepared by the City of Los Angeles
5 and/or other standards acceptable to the City of
6 Los Angeles Department of Transportation, that
7 the Parking Management Plan submitted by the
8 applicant pursuant to Subdivision 3 hereof will
9 result in:

10 (i) sufficient on-site parking spaces
11 and transportation alternatives to single-
12 occupant automobiles (including carpools,
13 vanpools, mass transit systems, buses or
14 bicycles), provided by the owner or lessee
15 for the employees and/or tenants, to
16 accommodate anticipated parking demand; and

17 (ii) no on-street parking created by
18 such use in the area immediately surrounding
19 the use; and

20 (iii) an achievable level of employee
21 and/or tenant use of transportation
22 alternatives.

23 (c) The areas in which the on-site parking
24 spaces referred to in (i) above are located must
25 be clearly posted for the sole use of employees
26 and/or tenants of the use.

27 (d) The Zoning Administrator may impose
28 such additional conditions as are deemed

1 necessary to protect the public health, safety or
2 welfare of the adjacent area and to assure
3 compliance with the objectives of this Subsection.

4 (e) No change in the use of the
5 transportation alternatives referred to in (i)
6 above may be made until reviewed and approved by
7 the Zoning Administrator.

8
9 2. Reduced On-Site Parking with Remote Off-Site
10 Parking

11 (a) Notwithstanding any other provision of
12 the Los Angeles Municipal Code, the Zoning
13 Administrator may, upon application, authorize
14 remote off-site parking at distances greater than
15 those authorized by Section 12.21A4(g) and (i) of
16 this Code for commercial or industrial uses, in
17 the C or M Zones, involving arrivals at the site
18 by at least 100 employees and/or tenants, if the
19 remote off-site parking does not exceed
20 seventy-five percent (75%) of the number of
21 parking spaces otherwise required by this Code.
22 Such Authorization shall be known as the Reduced
23 On-Site Parking/Remote Off-Site Parking
24 Authorization.

25 (b) Before approving such Authorization,
26 the Zoning Administrator shall find, based on the
27 Parking Management Program Administrative
28 Guidelines prepared by the City of Los Angeles

1 and/or other standards acceptable to the City of
2 Los Angeles Department of Transportation, that
3 the Parking Management Plan submitted by the
4 applicant pursuant to Subdivision 3 hereof will
5 provide for:

6 (i) remote off-site parking spaces
7 used solely by the employees and/or tenants
8 of such commercial or industrial use; and

9 (ii) an adequate form of
10 transportation provided by the applicant or
11 applicant's successor and used by employees
12 and tenants between the remote off-site
13 parking location and the commercial or
14 industrial use to a level sufficient to
15 transport all persons using the remote
16 parking location.

17 (d) The Zoning Administrator may impose
18 such additional conditions as are deemed
19 necessary to protect the public health, safety or
20 welfare of the adjacent area and to assure
21 compliance with the objectives of this Subsection.

22 (e) No change in the use of the form of
23 transportation referred to in (ii) above may be
24 made until reviewed and approved by the Zoning
25 Administrator.

26
27 3. The application for a Reduced On-Site
28 Parking/Transportation Alternatives Authorization or a

1 Reduced On-Site Parking/Remote Off-Site Parking
2 Authorization shall be accompanied by a Parking
3 Management Plan. Such Plan shall include but not be
4 limited to the following information:

5 (a) the number of parking spaces on-site
6 and the number and location of spaces off-site
7 proposed to be maintained;

8 (b) the numbers and kinds of transportation
9 alternatives proposed for the Reduced
10 On-Site/Transportation Alternatives Authorization
11 and the forms of transportation proposed between
12 the commercial or industrial use and the remote
13 off-site parking location for the Reduced On-Site
14 Parking/Remote Off-Site Parking Authorization; and

15 (c) the level of employee and/or tenant use
16 of transportation alternatives and forms of
17 transportation identified in (b) above expected
18 to be achieved and maintained.

19
20 4. Each year, prior to the anniversary date of
21 the approval of any authorization received pursuant to
22 this Subsection, the owner, subsequent owner or lessee
23 shall submit a report and request for review to the
24 Zoning Administrator containing such information
25 regarding the implementation of the Parking Management
26 Plan as the Zoning Administrator shall specify.
27 Within thirty (30) days of receiving such report, the
28 Zoning Administrator shall approve, disapprove or

1 conditionally approve the report, imposing such
2 additional conditions to the authorization as deemed
3 appropriate in light of information contained in the
4 report. If the Zoning Administrator disapproves an
5 annual report, a revised report shall be filed within
6 thirty (30) days for the Zoning Administrator's
7 review. If the revised report is disapproved, the
8 Zoning Administrator shall set the matter for
9 revocation hearing in the manner set forth in
10 Subdivision 9 below.

11
12 5. The commercial or industrial use shall be
13 designed to provide sufficient open space on or
14 off-site to accommodate the additional parking spaces
15 otherwise required for the use by this Code. In
16 seeking a building permit for construction or
17 improvement of such use, the applicant shall submit a
18 site plan to the Department of Building and Safety,
19 satisfactory to said Department, showing the size and
20 location of the open space and other areas required to
21 be set aside pursuant to this Subdivision. Such open
22 space shall be in addition to required yards,
23 setbacks, driveways, passageways, private streets, and
24 parking, loading and service areas. Such open space
25 shall be sufficient to meet one of the following
26 requirements:

27 (a) Sufficient open space shall be provided
28 which, if converted to parking spaces, would

1 permit surface parking meeting the full
2 requirements of this Code at the time of the
3 application; or

4 (b) Sufficient open space shall be provided
5 to permit the future construction of a parking
6 structure where such is determined by the
7 Department of Building and Safety to be
8 practical, feasible and compatible with the site
9 plan for the use, and where such parking
10 structure would produce the additional number of
11 parking spaces necessary to meet the full
12 requirements of this Code at the time of the
13 application; or

14 (c) An alternative plan is determined by
15 the Zoning Administrator to be adequate to assure
16 that the additional number of parking spaces to
17 meet the requirements of this Code at the time of
18 the application will be provided to protect the
19 City in the event the owner, subsequent owner, or
20 lessee fails to achieve levels of compliance
21 specified under this authorization.

22
23 6. Before approving such authorization, the
24 Zoning Administrator shall require proof that the
25 owner has executed and recorded in the Office of the
26 County Recorder of Los Angeles County, as a covenant
27 running with the land for the benefit of the City of
28 Los Angeles, an agreement that if the levels of

1 compliance specified in the authorization are not
2 achieved, the owner will at the written request of the
3 Zoning Administrator develop the additional parking
4 spaces as set forth on the site plan referred to in
5 Subdivision 5 above.
6

7 7. This Subsection is not intended to mean nor
8 shall be interpreted to authorize any development in
9 excess of the density, including floor area, floor
10 area ratio, dwelling units or guest rooms, otherwise
11 permitted by an applicable zone, specific plan or
12 other regulation.
13

14 8. Procedures. The filing and processing of all
15 proceedings pursuant to this Subsection shall be
16 governed by the provisions of Sections 12.24C3 and
17 12.28A9 of this Code.
18

19 9. If the owner, subsequent owner, or lessee
20 fails to submit the annual report and review request
21 as specified in Subdivision 4 above, or if the Zoning
22 Administrator receives information which indicates a
23 failure to achieve levels of compliance with the
24 conditions specified in the authorization or
25 abandonment of the authorization or submission of
26 false statements or misrepresentations in the annual
27 report, the Zoning Administrator may, upon such
28 failure or upon knowledge of such facts, give notice

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Sec. 2. Subsection F of Section 19.01 of the Los Angeles Municipal Code is hereby amended to read:

F. REVIEW BY ZONING ADMINISTRATOR.

Type of Application	Filing Fee	Fee For Appeal To Board	Fee for Appeal To Council
Request to Permit Continued Operation of Nonconforming Oil Wells Pursuant to Section 12.23-C,4	\$390	85 Percent Filing Fee	None
Request for Approval of Plans re Conditional Use Existing Prior to Enactment of More Restrictive Zoning Pursuant to Section 12.24-F	\$200	85 Percent Filing Fee	None
Request for Approval in Oil Drilling Cases Where Control Site Is in City of Los Angeles but Well is Bottomed Outside City Limits	\$620	85 Percent Filing Fee	None
Request for Determination Made Pursuant to Section 12.21-A,2	\$85	85 Percent Filing Fee	None

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Type of Application	Filing Fee	Fee For Appeal To Board	Fee For Appeal To Council
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Request for Second and Subsequent Continuations of Nonconforming Uses in R Zones Made Pursuant to Section 12.23-A,6

	\$380	85 Percent Filing Fee	None
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Request for Determination for Building Permit for Dwelling Adjacent to an Equinekeeping Use Made Pursuant to Section 12-27-H

	\$170	85 Percent of Filing Fee	
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Request for Approval of Plans in Connection With Reduced On-Site and Remote Off-Site Parking Authorization Pursuant to Section 12.27-J,4

	\$1080	85 Percent Filing Fee	85 Percent Filing Fee
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