



## AGENDA REPORT

**Meeting Date:** August 5, 2014

**Item Number:** E-1

**To:** Honorable Mayor & City Council

**From:** Martha Eros, Transportation Planner  
Bijan Vaziri, Traffic Engineer

**Subject:** RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS FINDING THE CITY TO BE IN CONFORMANCE WITH THE CONGESTION MANAGEMENT PROGRAM AND ADOPTING THE CONGESTION MANAGEMENT PLAN LOCAL DEVELOPMENT REPORT IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE SECTION 65089

**Attachments:**

1. Resolution including CMP Local Development Report
2. Notice of Public Hearing

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### **RECOMMENDATION**

Staff recommends that the City Council adopt the annual Resolution of the Council of the City of Beverly Hills finding the City to be in conformance with the Congestion Management Program, and adopting the Congestion Management Plan Local Development Report in accordance with California Government Code Section 65089.

### **INTRODUCTION**

In 1992, the Los Angeles County Metropolitan Transportation Authority (Metro) Board adopted a Congestion Management Program (CMP) for Los Angeles County to meet Proposition 111 requirements. Proposition 111 authorized an increase in the State Gas Tax to fund regional transportation improvements. The CMP is a countywide multi-modal planning tool designed to coordinate a partnership between local jurisdictions and regional agencies to address regional traffic congestion impacts resulting from new developments.

### **DISCUSSION**

Local jurisdictions must comply with the CMP in order to receive its share of State Gas Tax and Federal Surface Transportation funds. In order to comply with the CMP, the

City must submit a Local Development Report (LDR) and adopt a resolution finding the City in conformance with the CMP requirements. The LDR consists of reporting residential and commercial activity for the period of June 1, 2013 through May 31, 2014.

Traffic counts are required on odd-numbered years. The Traffic Engineering Division will conduct traffic counts in 2015 at two Metro-designated CMP intersections located in Beverly Hills and calculate the levels of service consistent with the requirements of the CMP Highway and Roadway System.

In previous years, local jurisdictions were required to comply with a system of credits/debits, referred to as the Countywide Deficiency Plan, to account for all new development activity and demolition activity. Each local jurisdiction accrued credits by implementing transportation mitigation strategies and was required to have enough credits to offset debits accrued through the impacts of new developments. In 2004, Metro rescinded the credit/debit system and is now only requiring the reporting of development activity.

The attached self-certifying Resolution attests that the City of Beverly Hills is in conformance with the CMP and adopts the LDR in accordance to California Government Code Section 65089.

**NOTICING**

Notice of the City Council review of the Local Development Report certifying the City's conformance with CMP regulations was published in the local newspapers.

**FISCAL IMPACT**

The adoption of this resolution certifying the CMP will have no fiscal impacts.

  
Approved By  
Susan Healy Keene, AICP

# **ATTACHMENT 1**

RESOLUTION NO. 14-R-\_\_\_\_\_

RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS  
FINDING THE CITY TO BE IN CONFORMANCE WITH THE CONGESTION  
MANAGEMENT PROGRAM AND ADOPTING THE CONGESTION  
MANAGEMENT PLAN LOCAL DEVELOPMENT REPORT IN  
ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE SECTION  
65089

WHEREAS, the Congestion Management Program (CMP) statute, Government Code Section 65089 requires the Los Angeles County Metropolitan Transportation Authority/METRO (“Metro”), acting as the Congestion Management Agency for Los Angeles County, to annually determine that the County and cities of Los Angeles County are conforming to all CMP requirements; and

WHEREAS, Metro requires submittal of the CMP Local Development Report by September 1<sup>st</sup> of each year; and

WHEREAS, the City Council held a noticed public hearing on August 5, 2014.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BEVERLY HILLS  
DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. That the City has taken all of the following actions, and that the City is in conformance with all applicable requirements of the 2010 CMP adopted by the Metro Board on October 28, 2010.

(a) By June 15, of odd-numbered years, the City will conduct annual traffic counts and calculate levels of service for selected arterial intersections, consistent with the requirements identified in the CMP Highway and Roadway System chapter.

(b) The City has locally adopted and continues to implement a transportation demand management ordinance, consistent with the minimum requirements identified in the CMP Transportation Demand Management chapter.

(c) The City has locally adopted and continues to implement a land use analysis program, consistent with the minimum requirements identified in the CMP Land Use Analysis Program chapter.

(d) The City has locally adopted and continues to implement a land use analysis program, consistent with the minimum requirements identified in the CMP Land Use Analysis Program chapter.

(e) The City has adopted a Local Development Report, attached hereto as Attachment 1 and made a part hereof, consistent with the requirements identified in the 2004 CMP. This report balances traffic congestion impacts due to growth within the City with transportation improvements, and demonstrates that the City is meeting its responsibilities under the Countywide Deficiency Plan consistent with the Metro Board adopted 2003 Short Range Transportation Plan.

Section 2. That the City Clerk shall certify to the adoption of this Resolution and shall cause this resolution and certification to be entered in the Book of Resolutions of the Council of this City. The City Clerk also shall forward a copy of this Resolution to the Los Angeles County Metropolitan Transportation Authority/Metro.

Adopted:

\_\_\_\_\_  
LILI BOSSE  
Mayor of the City of Beverly Hills,  
California

ATTEST:

\_\_\_\_\_  
(SEAL)  
BYRON POPE  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
LAURENCE S. WIENER  
City Attorney

APPROVED AS TO CONTENT:

 For: \_\_\_\_\_  
SUSAN HEALY KEENE, AICP  
Director of Community Development

Contact: Bijan Vaziri P.E.  
Phone Number: 310-285-2556

**CONGESTION MANAGEMENT PROGRAM  
FOR LOS ANGELES COUNTY**

**2014 DEFICIENCY PLAN SUMMARY**

**\* IMPORTANT: All "#value!" cells on this page are automatically calculated.  
Please do not enter data in these cells.**

**DEVELOPMENT TOTALS**

**RESIDENTIAL DEVELOPMENT ACTIVITY**

**Dwelling Units**

Single Family Residential	(7.00)
Multi-Family Residential	44.00
Group Quarters	0.00

**COMMERCIAL DEVELOPMENT ACTIVITY**

**1,000 Net Sq.Ft.<sup>2</sup>**

Commercial (less than 300,000 sq.ft.)	(227.53)
Commercial (300,000 sq.ft. or more)	0.00
Freestanding Eating & Drinking	0.00

**NON-RETAIL DEVELOPMENT ACTIVITY**

**1,000 Net Sq.Ft.<sup>2</sup>**

Lodging	0.00
Industrial	0.00
Office (less than 50,000 sq.ft.)	14.92
Office (50,000-299,999 sq.ft.)	0.00
Office (300,000 sq.ft. or more)	0.00
Medical	0.00
Government	3.30
Institutional/Educational	0.00
University (# of students)	0.00

**OTHER DEVELOPMENT ACTIVITY**

**Daily Trips**

ENTER IF APPLICABLE	0.00
ENTER IF APPLICABLE	0.00

**EXEMPTED DEVELOPMENT TOTALS**

Exempted Dwelling Units	0
Exempted Non-residential sq. ft. (in 1,000s)	0

**City of Beverly Hills**  
**2014 CMP Local Development Report**  
**Reporting Period: JUNE 1, 2013 - MAY 31, 2014**

Date Prepared: July 30, 2014

Enter data for all cells labeled "Enter." If there are no data for that category, enter "0."

**PART 1: NEW DEVELOPMENT ACTIVITY**

**RESIDENTIAL DEVELOPMENT ACTIVITY**

Category	Dwelling Units
Single Family Residential	19.00
Multi-Family Residential	48.00
Group Quarters	0.00

**COMMERCIAL DEVELOPMENT ACTIVITY**

Category	32,250 square feet of med	1,000 Gross Square Feet
Commercial (less than 300,000 sq.ft.)		0.47
Commercial (300,000 sq.ft. or more)		0.00
Freestanding Eating & Drinking		0.00

**NON-RETAIL DEVELOPMENT ACTIVITY**

Category	1,000 Gross Square Feet
Lodging	0.00
Industrial	0.00
Office (less than 50,000 sq.ft.)	32.25
Office (50,000-299,999 sq.ft.)	0.00
Office (300,000 sq.ft. or more)	0.00
Medical	0.00
Government	19.80
Institutional/Educational	0.00
University (# of students)	0.00

**OTHER DEVELOPMENT ACTIVITY**

Description (Attach additional sheets if necessary)	Daily Trips (Enter "0" if none)
ENTER IF APPLICABLE	0.00
ENTER IF APPLICABLE	0.00

**City of Beverly Hills**

Date Prepared: July 30, 2014

**2014 CMP Local Development Report**

Reporting Period: JUNE 1, 2013 - MAY 31, 2014

Enter data for all cells labeled "Enter." If there are no data for that category, enter "0."

**PART 2: NEW DEVELOPMENT ADJUSTMENTS**

IMPORTANT: Adjustments may be claimed only for 1) development permits that were both issued and revoked, expired or withdrawn during the reporting period, and 2) demolition of any structure with the reporting period.

**RESIDENTIAL DEVELOPMENT ADJUSTMENTS**

Category	Dwelling Units
Single Family Residential	26.00
Multi-Family Residential	4.00
Group Quarters	0.00

**COMMERCIAL DEVELOPMENT ACTIVITY**

Category	1,000 Gross Square Feet
Commercial (less than 300,000 sq.ft.)	228.00
Commercial (300,000 sq.ft. or more)	0.00
Freestanding Eating & Drinking	0.00

**NON-RETAIL DEVELOPMENT ACTIVITY**

Category	1,000 Gross Square Feet
Lodging	0.00
Industrial	0.00
Office (less than 50,000 sq.ft.)	17.33
Office (50,000-299,999 sq.ft.)	0.00
Office (300,000 sq.ft. or more)	0.00
Medical	0.00
Government	16.50
Institutional/Educational	0.00
University (# of students)	0.00

**OTHER DEVELOPMENT ACTIVITY**

Description (Attach additional sheets if necessary)	Daily Trips (Enter "0" if none)
ENTER IF APPLICABLE	0.00
ENTER IF APPLICABLE	0.00

Enter data for all cells labeled "Enter." If there are no data for that category, enter "0."

**PART 3: EXEMPTED DEVELOPMENT ACTIVITY**

**(NOT INCLUDED IN NEW DEVELOPMENT ACTIVITY TOTALS)**

Low/Very Low Income Housing	0	Dwelling Units
High Density Residential Near Rail Stations	0	Dwelling Units
Mixed Use Developments Near Rail Stations	0	1,000 Gross Square Feet
	0	Dwelling Units
Development Agreements Entered into Prior to July 10, 1989	0	1,000 Gross Square Feet
	0	Dwelling Units
Reconstruction of Buildings Damaged due to "calamity"	0	1,000 Gross Square Feet
	0	Dwelling Units
Reconstruction of Buildings Damaged in Jan. 1994 Earthquake	0	1,000 Gross Square Feet
	0	Dwelling Units
Total Dwelling Units	0	
Total Non-residential sq. ft. (in 1,000s)	0	

**Exempted Development Definitions:**

1. Low/Very Low Income Housing: As defined by the California Department of Housing and Community Development as follows:
  - Low-Income: equal to or less than 80% of the County median income, with adjustments for family size.
  - Very Low-Income: equal to or less than 50% of the County median income, with adjustments for family size.
2. High Density Residential Near Rail Stations: Development located within 1/4 mile of a fixed rail passenger station and that is equal to or greater than 120 percent of the maximum residential density allowed under the local general plan and zoning ordinance. A project providing a minimum of 75 dwelling units per acre is automatically considered high density.
3. Mixed Uses Near Rail Stations: Mixed-use development located within 1/4 mile of a fixed rail passenger station, if more than half of the land area, or floor area, of the mixed use development is used for high density residential housing.
4. Development Agreements: Projects that entered into a development agreement (as specified under Section 65864 of the California Government Code) with a local jurisdiction prior to July 10, 1989.
5. Reconstruction or replacement of any residential or non-residential structure which is damaged or destroyed, to the extent of > or = to 50% of its reasonable value, by fire, flood, earthquake or other similar calamity.
6. Any project of a federal, state or county agency that is exempt from local jurisdiction zoning regulations and

# **ATTACHMENT 2**



City Clerk's Office

## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Council of the City of Beverly Hills, at its meeting to be held on **Tuesday, August 5, 2014, at 7:00 p.m.**, in the Council Chambers of the City Hall, 455 N. Rexford Drive, Beverly Hills, CA 90210, will hold a public hearing to consider:

RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS FINDING THE CITY TO BE IN CONFORMANCE WITH THE CONGESTION MANAGEMENT PROGRAM, AND ADOPTING THE LOCAL DEVELOPMENT REPORT IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE §65089.

The City of Beverly Hills is required to comply with the Congestion Management Program (CMP), a state-mandated program administered by the Los Angeles County Metropolitan Transportation Authority/METRO, the regionally designated CMP agency. The City Council will consider adoption of a Resolution acknowledging the City's conformance with the CMP requirements.

At the public hearing, the City Council will hear and consider all comments. All interested persons are invited to attend and speak on this matter. Written comments may also be submitted and should be addressed to the City Council, c/o City Clerk, 455 N. Rexford Drive, Beverly Hills, CA 90210. The comments should be received prior to the hearing date.

Please note that if you challenge the Council's action in regards to this matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City, either at or prior to the public hearing.

If there are any questions regarding this notice, please contact **Bijan Vaziri**, Traffic Engineer, in the Beverly Hills Public Works & Transportation Department at **310.285.2556**, or by email at **bvaziri@beverlyhills.org**. Copies of the Local Development Report and associated documents are on file in the Community Development Department - Transportation and can be reviewed by any interested person at 455 N. Rexford Drive, Beverly Hills, California 90210.

A handwritten signature in black ink, appearing to read "Byron Pope".

BYRON POPE, CMC  
City Clerk