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# **SECONDARY SUBMISSIONS**



**GILBERT A. CEDILLO**  
COUNCILMEMBER  
FIRST DISTRICT

June 15, 2021

Ms. Samantha Millman, President  
City Planning Commission  
City of Los Angeles  
200 North Spring Street  
Los Angeles, CA. 90012

Dear Honorable Commissioners:

**Re: DTLA 2040 Chinatown**

Council District 1 represents the Chinatown community in the Central City North portion of Downtown Los Angeles. This office shares the core values and aspirational goals articulated in DTLA 2040 and embraced by diverse Chinatown community stakeholders, including:

- Retention of historic-cultural resources, legacy institutions and community scale, character and identity
- Preservation of affordable housing, protecting very-low-income households, while facilitating production of new housing serving families and a range of income levels and ages
- Fostering an economy that is resilient to market changes and evolution, and supports small businesses and commercial activity

DTLA 2040 proposes the following land-use changes in Chinatown:

- Reduce the currently adopted by-right FAR of 6:1 to a proposed by-right FAR of 2:1, while maintaining a 6:1 or 8.5:1 maximum Bonus FAR as incentives when projects include community benefits
- Apply a five-story height limit for approximately six city blocks along Broadway Street
- Establish Use Districts that provide commercial tenant size limits

My office supports a vision which promotes Chinatown's economic vitality while retaining its historic-cultural character and legacy businesses, protecting affordable housing and low-income tenants, supporting mixed-income housing, and linking land-use with transportation. The challenge is enacting the appropriate and effective implementation policy tools.

In Vancouver's Chinatown district, new high-rise development has been effectively juxtaposed next to collections of low-scale historic buildings - preserving cultural memory, enhancing historic character, achieving economic vitality and stimulating pedestrian-oriented street-level activity. The Vancouver model involves a system of transfer of development rights providing incentives for historic preservation coupled with public-sector participation in supporting mixed-income housing and public benefits and establishing standards promoting high-quality architecture. Vancouver's Chinatown has shown that greater building height and FAR can be accommodated without creating "canyons of high rise" that would block sunlight, views of the sky, and the movement of air. Flexible urban design standards promote sidewalk-level open space, street furniture, street trees, and set-backs for taller buildings behind one- or two-story pedestrian-oriented storefronts.

DTLA 2040's proposed rezoning plan, drastically reducing development rights by 67 percent and imposing absolute building height limits, while well-intentioned, contradicts the City's own economic analyses. The November 2020 analysis prepared by HR&A Advisors shows that most mixed-income project scenarios under Level 1 of DTLA 2040's Community Benefits System are financially infeasible without a bonus greater than 40 percent, while **no scenarios for Chinatown were feasible.**

Furthermore, the proposed rezoning runs counter to fostering transit-oriented development. Chinatown is a former Redevelopment Project Area. It is located in proximity to Los Angeles Union Station, the region's transportation hub, and is served by a signature Metro Gold Line Station. In 2001, the Los Angeles State Historic Park was established as a 32-acre California state park on former industrial land. Today you can enter the Chinatown station and utilize the light rail system to travel to the beach and other parts of the region. Acknowledging the connection between Los Angeles Union Station and Chinatown and surrounding communities, Metro adopted the Connect US Action Plan to enhance historical and cultural connectivity between the region's transportation hub and communities.

Introduction of the proposed "base and bonus" incentive system is certainly a new and different zoning strategy though untested. Delivery of community benefits is a key component and the system's effectiveness is contingent upon project economic feasibility. I am concerned that no community benefits will be delivered without economic feasibility and creating opportunities for catalytic projects. The Cornfield-Arroyo Seco Specific Plan (CASP), adopted in 2013, was touted as an innovative planning document using, for example, FAR and density bonuses to balance jobs and housing. However, the plan has been difficult to interpret in the real world, has produced minimal housing, has effectively deterred private investment, and is therefore currently being updated at my request.

It is important to note that Chinatown has 713 affordable units whose affordability housing covenants have either expired or will reach expiration in the short-term and an additional 475 affordable units with covenants projected to expire within the next 5-10 years. Most of these developments were financed as early state tax credit deals with public subsidies provided by the former Community Redevelopment Agency (CRA/LA). The dissolution of redevelopment has eliminated the largest single source of affordable housing finance available. Preservation of at-risk affordable housing is thus a high priority.

Production of new affordable housing is equally important. My office and city partners have been pursuing creative strategies, with a particular focus on publicly-owned properties. The City is negotiating an agreement with Homeboy Industries to build affordable transitional housing serving formerly incarcerated individuals on City-owned land next to its headquarters. My office is

collaborating with the County of Los Angeles to develop 100-percent affordable housing at a County-owned site located in Chinatown's core. We are partnering with the Housing Authority of the City of Los Angeles (HACLA) and the Los Angeles Unified School District (LAUSD) to pursue federal resources to commence a planning process to enhance and increase affordable housing at the 20-acre William Meade Homes public housing site. I am joining County Supervisor Hilda Solis, the California Endowment and other stakeholders to advance a "Restorative Justice" vision. I have strongly encouraged those proposing new development to set-aside 20 percent as affordable housing.

My office recommends the following modifications to DTLA 2040 relative to Chinatown:

1. Expand the Transit Core General Plan land use designation to Chinatown to maximize transit-oriented development opportunities, given the area's transit station connected to the Gold Line system and proximity to Los Angeles Union Station.
2. Re-calibrate the proposed base-and-bonus incentive system in Chinatown to generate economically feasible scenarios in lieu of imposing a drastic reduction in Base FAR from 6:1 to 2:1 which would have a deleterious effect on attracting catalytic economic development and project feasibility in the former Redevelopment Project Area.
3. Set a goal of incorporating a minimum 20-percent set-aside of affordable housing in new development.
4. Utilize flexible implementation policy tools akin to the Vancouver model to achieve both historic-cultural preservation and economic vitality; remove the absolute building height limit extending over several city blocks which would restrict architecture and create flat block street walls as the only massing option.
5. Reinforce a robust affordable housing preservation strategy to protect very-low and low-income households from loss of housing and displacement, and address at-risk units with expiring affordability housing covenants.

Sincerely,



Gilbert Cedillo  
Councilmember, First District

cc: Vincent P. Bertoni, AICP, Director of Planning  
Shana M. M. Bonstin, Deputy Director



**Kevin de León**  
Councilmember, Fourteenth District

Los Angeles City Planning Commission  
City Hall,  
200 N Spring St,  
Los Angeles, CA 90012

June 15, 2021

**RE: DOWNTOWN LOS ANGELES COMMUNITY PLAN UPDATE, “DTLA 2040”**

Commissioners,

As we prepare to embrace the momentous task of updating the Downtown Los Angeles Community Plan, we must view the task before us through the lens of improving the quality of life for every single individual and family who lives or works in this historic center of Los Angeles: the housed, unhoused, and even those visiting from out of town.

In the years since the plans were last updated, much has changed in Los Angeles – especially in our Downtown neighborhoods. As we know, the number of people experiencing homelessness in Skid Row and the surrounding areas has increased. Businesses weathering the economic storm of COVID-19 have struggled, or been forced to shut their doors.

The challenge before us is not so much a challenge, as it is an opportunity to create a vibrant community – from Little Tokyo to South Park to the Historic Core, and Skid Row, and in each of the “Districts”: Arts, Toy, Fashion, Flower, and Financial. This is a chance to jump-start Downtown Los Angeles’ (DTLA) recovery and build livable neighborhoods that Angelenos will be proud to call home.

As the elected representative for the majority of the new Community Plan Area, I am honored to have the opportunity to work with this body and my constituents in finalizing this plan update, one that began long before I took office, and which will hopefully guide the City for years to come.

Downtown Los Angeles is the epicenter of development in Los Angeles, as well as the transit and entertainment hub of the city. What was once a nine-to-five business outpost that cleared out on evenings and weekends has grown into one of the region's biggest economic and business hubs. It has the potential to become a world-class urban center – but we have work to do.

Angelenos who work in DTLA should be able to afford to live in DTLA. Families young and old, raising children and grandchildren should feel safe walking down the street; and entrepreneurs who start their business here should be able to thrive. That's why I've spent the months since taking office listening to the many voices who have shaped this plan: Downtown residents (housed and unhoused), business owners, community service organizations, and developers of market rate and affordable housing. I have reviewed current proposed projects from the larger Transfer of Floor Area (TFAR), and General Plan Amendments down to the Conditional Use Permits and Cannabis Retail requests. I've been to the Frank Gehry project The Grand, on the span of the 6th Street Bridge, and at the entrances of the tents lining Skid Row.

Alongside the skyscrapers, restaurants, luxury high-rises, museums and concert venues is abject human misery – ground zero of a humanitarian crisis that manifests itself in an ever-growing community of people left to face the harsh realities of living on our streets.

Although a land use plan alone is not a cure-all for the intersecting crises of housing, poverty, mental illness, and addiction, it can be part of a holistic approach to improving the affordability and quality of life for a deeply historic community that is rich in both diversity and culture. The current reality is, most Angelenos cannot afford to live Downtown. Our city is warming rapidly, and the lack of green space and abundance of concrete in DTLA creates a brutal heat island. The economic divide is growing, and time is running out to clean the air we breathe and the water we drink. This is our reality, and it must inform the urgency with which we respond to these challenges, and rise to meet the needs of our city.

It is with this in mind, that I share my first and highest priority goals for DTLA 2040. I want to note that this is only the beginning of a dialogue. This letter is not comprehensive of all the issues and diverse visions for Downtown Los Angeles that we need to address as we publicly review DTLA 2040. I fully anticipate that your Committee will need to hold additional public hearings on the plan and that more time will be needed by the Planning Department to respond to the many new comments received since the last materials were released two weeks ago. I request that generous time be given between these two hearings to accommodate review and leave time for additional discussion and more detailed input before your final recommendations are submitted to the City Council.

It's crucially important that we adopt a new plan for Downtown Los Angeles, and that the plan represents the best of all our knowledge, discussion and review. To that end, I am focused today on how we might further cut through the process to ... **plify** and **increase** the production of affordable housing, what the largest changes in land use in Downtown Los Angeles will be, and how we craft a thoughtful economic policy for Downtown that will support workers of all incomes and help us recover from the impacts of the COVID-19 pandemic.

## **Production of New Affordable Units:**

My vision for our future Downtown is one where the workers in Downtown can also afford to live in Downtown. A dense, mixed income community that has quality public transit, decreased personal vehicle ownership, electric cars and trucks, wide sidewalks with healthy street trees, public open space and a thriving small business and arts and culture community - a complete city inside our City.

As your Commission knows, most of the tall buildings rising to twenty, thirty, forty stories or more in Downtown Los Angeles provide fewer units of onsite affordable housing than new six or seven story Density Bonus or Transit Oriented Community projects (TOC) in other parts of Los Angeles. Additionally projects which use the Transfer of Floor Area Ratio (TFAR) program are exempted from the Affordable Housing Linkage Fee Ordinance (Linkage Fee). As a result most of the residential skyscrapers in Downtown today have zero onsite affordable housing and do not contribute to the Linkage funds.

In order to address this lack of affordable housing the new DTLA 2040 Plan proposes a “base bonus” incentive system modeled after Density Bonus and TOC. Under this system, “base” projects which use the base heights, density and Floor Area Ratios will provide no affordable housing, and no additional benefits. Residential projects which want to increase above this base will provide affordable housing units and then a series of additional benefits such as open space, historic preservation credits and so on.

The alternative to an incentives based affordable housing program is a mandatory inclusionary housing program. Provision of mandatory onsite ranges of affordable housing from extremely low to moderate income units will be better for everyone. Los Angeles created housing incentives programs such as the Linkage Fee, and the TOC program during a time period when inclusionary programs were under legal attack, as the next best thing to inclusionary. But the State of California has since fixed this issue legislatively and now many jurisdictions in California have adopted inclusionary housing, including the County of Los Angeles. I’m pleased that my colleague Councilmember Cedillo has already proposed that the City adopt a Citywide Inclusionary Housing Ordinance. I support inclusionary housing as a whole, and particularly in Downtown Los Angeles.

Inclusionary housing has several benefits as compared to incentives or fee based housing programs. The first and primary benefit is simplicity. An interlocking system of benefits and fees such as the base bonus system is complicated. Complexity adds time and cost. In-lieu fees and trust fund payments are not transmitted until the projects are either finished with their review or issued certificates of occupancy, which means that the City cannot use the fees right away. Time is lost again in selecting projects through City processes and in building. This is a major issue in the provision of affordable housing - the City is already behind in increasing the supply of affordable and protected housing. In comparison, mandated on-site affordable housing becomes available at the exact same time the project is completed, which means that each unit is more quickly available.



A final benefit of inclusionary housing is that it separates the need for affordable housing from the decision by a developer as to whether or not to maximize the site. In incentives based programs, developers may find the market supports a smaller project to avoid the levels where housing incentives kick in. In an inclusionary program, all levels of the project will need to provide a percentage of affordable housing, therefore increasing the project density will no longer be related to whether or not the increase in project size is offset by provision of affordable housing. I believe this change will incentivize use of the bonus system in and of itself.

I ask your Commission to support me in recommending that the Downtown Los Angeles Community Plan become the first new plan update to implement an Inclusionary Housing Ordinance. We cannot wait for the Citywide Inclusionary Program when the opportunity is here right now to create a new baseline for affordable housing that will affect the greatest concentration of future residential units in the City. The plan is projected to add 176,000 new residents by 2040, and these residents cannot all live in above market rate housing.

Secondly I believe that we must do more to ensure that 100% affordable housing projects are entitled to the best options in project streamlining and the highest level of bonuses possible. As introduced in my Council Motion [21-0054](#), I am paying close attention to the process of affordable housing project review.

The DTLA 2040 plan should be designed to pair with process improvements by offering advantageous zoning and use standards that will provide fully affordable housing projects the greatest possible flexibility to maximize sites and minimize complicated review. The Community Plan Implementation Overlay Ordinance establishes additional incentives for affordable housing projects and I support this and any additional recommendations to offer every type of affordable housing project; from temporary and transitional shelters; to adaptive reuse; to ground up new builds a simple by-right process which will yield the greatest number of units on site and cut through the bureaucratic maze.

### **Housing Preservation:**

I support aggressive protection for Downtown's historic affordable housing stock. The commitments made in previous plans have been continually undermined - the City and other government agencies have a long history in Downtown of pushing poor communities further away from the power centers of the area from Bunker Hill to Skid Row. Therefore, I will be looking closely at the recommendations provided by community stakeholders, the City Planning Department and this Commission on how to stop loss of existing affordable housing protected in any prior plans, covenants and programs. We have an obligation to ensure the City makes these commitments real and measurable and to provide transparency and accountability.

### **Skid Row:**

Any discussion of a future plan for Downtown Los Angeles must include discussion of the policies and practices which will apply to Skid Row. Such discussion is always going to be challenging. The communities centered in Skid Row have complex needs that go well beyond land use and zoning. Zoning is an inadequate tool to express the entire vision of a community.

However, Skid Row was also shaped and changed through land use policy and practice and it is therefore crucial to consider if what we do together in this plan will protect or harm the community as a whole.

That's why it is important to note that the community boundaries of Skid Row should not be confused with the zoning designation of Ix1. I acknowledge the community boundaries of Skid Row are Main Street to Alameda Street and Third Street to Seventh Street. Many interrelated service providers of social housing, recovery services, arts and culture programming, and medical care exist in a radius around the proposed Ix1 zone and they too are part of what Skid Row is today. The zoning use of the Ix1 is not the entirety of what Skid Row is or where it is located, even though much of the discussion around Skid Row centers on this proposed zone.

From my perspective, the proposed Ix1 hybrid industrial and affordable housing zone is essentially "no change" zoning that acknowledges the critical epicenter of service providers of affordable housing, recovery services and medical care in a portion of Skid Row, which are currently within an industrial zone. It allows what currently exists, to continue to exist. I understand the legitimate concerns that such zoning concentrates poverty. However, if the Ix1 zone were changed to allow market rate housing, the historic patterns of change in Downtown Los Angeles would indicate that poor residents would be pushed out over time, and as it currently stands, there is nowhere else for them to go. The new plan will be densifying and allowing changes on all sides of Skid Row. Residents and stakeholders in Skid Row have entirely reasonable fears, backed up by historical patterns and decisions in Downtown that they will be displaced without some specific plan protections.

Therefore, I support holding the line on the zoning of Ix1 until such time as there is ample supply of permanent supportive housing Citywide or some alternate plan that will ensure many locations across the City offer both social support services and transitional housing. Here too, I see the provision of inclusionary housing and the protection of existing affordable housing in all of Downtown Los Angeles as also crucially important to decreasing the hard lines between Skid Row and the rest of Downtown.

Within the full community boundary area of Skid Row, I also recommend our policies address sensitive uses. While I don't believe that liquor or cannabis uses are inherently negative uses, many residents of Skid Row are in recovery or newly entered into sobriety. As such, within the Skid Row boundaries, there should be no further expansion of additional alcohol and cannabis retail uses, the number of existing licenses should be reviewed and capped, to ensure that as the areas around Skid Row change, the community is not flooded and Skid Row is reasonably buffered from neighboring districts. Downtown has a high concentration of these uses already. During the COVID-19 pandemic bars and restaurants became able to offer liquor to go and to offer expanded outdoor alcohol service. In most areas in the city these new options have been welcome changes, but in Skid Row, this expansion may have negative impacts on our residents.

### **Industrial Zones:**

Currently Downtown Los Angeles is zoned so that 41% of the plan area is zoned industrial. Within this 41%, 17% is M2 Light Industrial and 24% is M3 Heavy Industrial. In the new plan,

17% of Downtown Los Angeles will remain a more traditional type of Light Industrial zoning, in two zones known as I1, at 5% and I2, at 12%. Heavy Industrial Zoning will be fully removed. The other four zones will be Hybrid Industrial Zones allowing for an assorted mix of additional residential and commercial uses including hotels, daycare, pre-school through high school, offices, and homesharing.

This is potentially the largest single use change to the City's Industrial Zones to ever occur in Los Angeles. Some of these changes are focused on areas that have already experienced some residential infill from the Adaptive Reuse Ordinance or General Plan Amendment projects and some areas will welcome the changes. However, I have concerns that the expansion of sensitive uses, particularly those for children such as daycares and schools may be in conflict with the existing neighboring industrial uses.

I have serious concerns that blue collar jobs and businesses or arts and artisan production may be pushed out in favor of a hotel, office, and residential mix that could be accommodated in all other parts of the City and the rest of Downtown. Moreover, I am concerned that the artists and small business owners whose hard work created communities in Downtown will suddenly be unable to afford workspaces in Downtown. I do however, want our industrial zones to become more walkable, more green, more vibrant, more adaptable to future industries, and more flexible for both large industrial uses and smaller workshops and businesses. If we are allowing for new housing, in most of our Downtown Industrial zones, I want this plan to fully consider which types of housing are appropriate and where.

I come to you with these concerns so we can start to have a public dialogue. I am listening to all the input and I particularly welcome the input of this Commission which has reviewed so much of the ongoing change in the area over the last two decades. We must work together thoughtfully with the Planning Department in considering if this plan has fully explored the unintended consequences of these hybrid industrial/residential uses. While many of the proposed uses have existed at some level in the industrial areas of Downtown for many years, such as in Skid Row, or the Arts District, in all such cases industrial uses were still the primary function of the area and this plan will change that, for better or worse. It is my goal that such change will be positive.

### **Hotels:**

In general I support regulations to simplify the development process - to reduce project-by-project review and shorten approval timelines. Good regulation does not result in tailored case-by-case conditions unique to each site that must be constantly monitored and enforced. However, the call to require a Conditional Use Permit for hotels in Downtown Los Angeles is one which merits serious consideration, and I welcome the input from this Commission as to their thoughts and discussion on this subject.

Hotels in the new Hybrid Industrial zones are currently proposed to require discretionary review. Additionally, I have specific concerns about hotels that convert existing units of housing to hotel uses, sites where housing is demolished and a hotel is later proposed, or historic hotels that change from the Single Room Occupancy (SRO) into other models (particularly those hotels

subject to the Wiggins Settlement Agreement), and hotels which intend to request Incentive Agreements from the City. The DTLA 2040 Plan does contain some language for preventing some of these scenarios, but in all such cases, I would support additional time for public input and consideration of whether or not the hotel is replacing existing jobs or housing, adding new local employment and is a hotel type that is needed under the Los Angeles Tourism Master Plan. Downtown must balance the needs of visitor serving uses with those of residents.

### **Simplify The Bonus System:**

By changing the DTLA Community Plan to require inclusionary housing, the Community Benefit program can correspondingly be simplified. To that end, I also ask the Commission to thoughtfully consider the proposed Community Facilities incentive category. It has an admirable aim to create onsite uses and spaces that are very much needed in Downtown Los Angeles. However, I am not yet fully convinced that the City currently has the technical and staffing capacity to monitor and maintain these quasi-public spaces in privately owned properties and this may create unintended consequences and additional review times in years to come.

### **Consistency Review:**

There are a substantial number of larger projects across Downtown Los Angeles which have applied for entitlements in advance of this DTLA 2040 plan update. In reviewing these Downtown projects which may be heard at your Commission and the City Council concurrent with our public review of the DTLA 2040 Plan, or after we have adopted this new plan, and before it is in effect, I am requesting that the Planning Department add an additional section to their staff reports that analyzes each project's compatibility with the proposed DTLA 2040 plan and whether or not the project will be a conforming use in the future plan. Currently there are projects under review requesting changes to the zoning and land use designations. What is special about the Community Plan update is that these current zone and land use change applications are asking to change to zones which will soon cease to exist.

When the new DTLA 2040 plan is updated these applicants should know if these projects will become immediately non-conforming in their new zones and as decision makers we must use that information to guide our recommendations. A public and informational conformance review would be preferable to implementing a pause on all projects in DTLA that seek to change their zoning until such time as the plan is in effect, which would be the other possible way to prevent projects that may be in conflict with the future zoning and land use.

### **Small Business Recovery:**

Many of the letters I have received from community members regarding the Downtown Community Plan Update mention the need to help local small businesses thrive. In particular, as Downtown recovers from the impacts of the COVID-19 pandemic, I am encouraged to see policies which support small businesses, such as support for commissary uses that will help food trucks and street vendors. Thoughtful policies which strive to ensure DTLA stays a cultural hub

are needed and should be coordinated with the Economic & Workforce Development Department and the Department of Arts and Culture. In particular, I support efforts to ensure local hiring and local education in Downtown Los Angeles.

I also support the policy language from the Hollywood Community Plan which calls for the development of a pre-qualification process that evaluates contractors on their record and commitment to high road wage and benefit standards and local hire training. We must do everything we can to support the ecosystem of workforce training in Downtown Los Angeles.

Additionally, I note several letters that mention that daycares and preschools are capped at 50 students in the Plan. This cap should be lifted. Downtown needs more childcare options to support workers and residents. State regulations and local fire codes should be able to address the adequate staffing and occupancy requirements for local child care. I agree with my constituents that this cap does not seem necessary at this time to solve any particular zoning issue.

### **Parking Program:**

The new community plan removes parking minimums for new projects in Downtown Los Angeles and permits new parking spaces to be “unbundled”. I support this increased flexibility in Downtown. Additionally, I would request that the Commission consider whether we should institute a by-right program to allow all current and existing parking to similarly be reduced and unbundled, so that by-right changes of use are not held up by parking requirements that new buildings are not required to meet. This step may also help businesses in Downtown recover from the events of the last year and would increase consistency in project review.

### **Conclusion:**

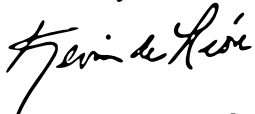
We often speak of Downtown Los Angeles being a microcosm for the challenges the rest of our city is facing – but it is also a proving ground for the world-class future we envision for all of Los Angeles. This is where we will create and test best-practices for expanding and protecting our affordable housing stock and housing our unhoused neighbors. This is where we will expand and develop our iconic skyline; and incubate a car-free lifestyle that can be replicated across the city. We will fight to preserve our existing small businesses, and foster a resurgence of new residents, jobs, and open space.

As I said the day I took office for Council District 14, we must use our authority as leaders to shape development in Los Angeles, to create transparency, predictability and contain the costs of construction. We must make sure every bit of the process is designed to prioritize, accelerate and expand affordable housing and provide support to our unhoused residents with speed. The DTLA 2040 Plan is a welcome update to replace older regulation with new ideas, new innovation, and explicit priorities to prevent gentrification and still spur new development; to create a better, cleaner, and equitable Downtown. I am honored to work together on the DTLA 2040 Plan, to move forward into a better future for every resident and visitor.

Lastly, I want to thank your Commission, the staff of the City Planning Department and the stakeholders in my district for all their hard work. I know we're approaching the end of this lengthy and overdue update and as we work together to finalize the DTLA 2040 Plan.

I look forward to working closely with each of you.

Sincerely,



**KEVIN DE LEÓN**

Councilmember, District 14

CC: Samantha Millman, President  
Caroline Choe, Vice President  
Renee Dake-Wilson, Commissioner  
Jenna Hornstock, Commissioner  
Helen Leung, Commissioner  
Yvette López-Ledesma, Commissioner  
Karen Mack, Commissioner  
Dana Perlman, Commissioner  
Vincent P. Bertoni, AICP, Director, City Planning  
Kevin J. Keller, AICP, Executive Officer, City Planning  
Shana M. M. Bonstin, Deputy Director, City Planning



## Item No. 6

### Department of City Planning

City Hall, 200 N. Spring Street, Room 272, Los Angeles, CA 90012

June 15, 2021

TO: City Planning Commission  
FROM: Craig Weber, <sup>*Craig Weber*</sup> Principal City Planner

#### **TECHNICAL MODIFICATIONS/ CORRECTIONS TO THE STAFF RECOMMENDATION REPORT FOR CASE NO. CPC-2017-432-CPU; CPC-2014-1582-CA; CEQA: ENV-2017-433-EIR**

The following technical modifications/corrections are to be incorporated into the staff recommendation report to be considered at the City Planning Commission meeting of Thursday, June 17th, 2021 related to Item No. 6 on the meeting agenda.

Deleted text is shown in ~~strike through~~ and added text is shown in underline.

#### **A. Exhibit B.3 (Community Benefit Trust Fund)**

1. Edit of responsible department:  
Section K. The ~~City Administrative Officer~~ Department of City Planning shall be responsible for preparing the annual budget for the Fund and is authorized to establish appropriate procedures to carry out the provisions of this chapter.
2. Edit of responsible department:  
Section N. The ~~City Administrative Officer~~ Department of City Planning shall maintain appropriate accounting records of the actual costs of the services rendered pursuant to the Fund. The ~~City Administrative Officer~~ Department of City Planning shall report annually to the Chief Legislative Analyst regarding and identifying all receipts into and all expenditures out of the Fund, as well as the

purpose for which each expenditure was made. Each report shall cover a fiscal year and shall be submitted within 90 days after the close of that fiscal year.

**B. Community Benefits Fee Ordinance (Exhibit B.4):**

1. Clarification of eligible organizations for affordable housing programs:

SECTION. X.9. ELIGIBLE COMMUNITY BENEFITS

1. Programs to support affordable housing

- a. Land acquisition ~~by Community Land Trusts~~, for the purposes of establishing permanent, community-controlled affordable housing by organizations such as Community Land Trusts or other similar groups.
- b. Acquisition of buildings in default or facing expiring affordability covenants in the next 10 years in order to preserve and extend housing affordability. ~~by Organized Tenant Groups, Community Based Organizations, or the Los Angeles Housing and Community Investment Department (HCID).~~ Qualifying applicants include but are not limited to: owners of the said project; developers; non-profit organizations; Organized Tenant Groups; Community Based Organizations; or the Los Angeles Housing and Community Investment Department (HCID).
- c. Time extension for buildings facing expiring affordability covenants in the next 10 years ~~by organized tenant groups and/or Community Based Organizations.~~ Qualifying applicants include but are not limited to: non-profit organizations; owners of the said project; developers; Organized Tenant Groups; Community Based Organizations; or the Los Angeles Housing and Community Investment Department (HCID).



**C. Exhibit C.1 (Proposed Zoning Code)**

1. Edits to add provisions governing signs for pedestrian passageways:

Sec. 4C.1.1.C.3.a.xi. (p 4-21)

Shall be made permanently available to the general public, at no cost, between sunrise and sunset daily, or during the operating hours of the building, whichever would result in a longer period of time. No gates or other barriers may block any portion of a pedestrian passageway from pedestrian access during the required available hours, and a sign shall be posted at every public entrance to the pedestrian passageway in accordance with the standards in Sec. 2C.3.3.D.10.b.ii.

2. Inclusion of provisions to address Shopping Cart Containment:

[ADDED] Add Sec. 4C.12.7 (Shopping Cart Containment) into Division 4C.12 (Site Elements) with the text included below in Technical Modification Exhibit 1.

3. Addition of an allowance for Family Child Care to the Agriculture 1 (A1) Use District:

Sec. 5B.2.1. (p. 5-18)

Add “persons in care (max): 20” standard.

|                   |    |                              |           |
|-------------------|----|------------------------------|-----------|
| Family Child Care | P* | In conjunction with:         | Dwelling  |
|                   |    | <u>Persons in care (max)</u> | <u>20</u> |
|                   |    | <u>Relief</u>                | <u>C2</u> |

4. Clarifications as to the process and limitations for Preschool/Daycare uses in the Agriculture 1 (A1) Use District:

Sec. 5B.2.1. (p. 5-19)

- a. Delete “50 person max”
- b. Add “persons in care (max): 20” standard

|                   |   |                       |                         |
|-------------------|---|-----------------------|-------------------------|
| Preschool/Daycare | P | Persons in care (max) | <del>50</del> <u>20</u> |
|                   |   | <u>Relief</u>         | <u>C2</u>               |

5. Clarifications as to the process and limitations for Family Child Care to the Residential 1 (RG1) Use District:

Sec. 5B.3.1. (p. 5-25)

Add “persons in care (max): 20” standard

|  |  |                      |          |
|--|--|----------------------|----------|
|  |  | In conjunction with: | Dwelling |
|--|--|----------------------|----------|

|                   |    |                       |    |
|-------------------|----|-----------------------|----|
| Family Child Care | P* | Persons in care (max) | 20 |
|                   |    | Relief                | C2 |

6. Clarifications as to the process and limitations for Preschool/Daycare to the Residential 1 (RG1) Use District:  
 Sec. 5B.3.1. (p. 5-26)  
 Add “persons in care (max): 20” standard

|                   |     |                       |    |
|-------------------|-----|-----------------------|----|
| Preschool/Daycare | - P | Persons in care (max) | 20 |
|                   |     | Relief                | C2 |

7. Removal of the limitations on number of persons in care for Preschool/Daycare in the Residential-Mixed 1 (RX1) Use District:  
 Sec. 5B.4.1. (p. 5-33)  
 Delete “persons in care (max): 20” standard

|                   |   |                       |    |
|-------------------|---|-----------------------|----|
| Preschool/Daycare | P | Persons in care (max) | 20 |
|                   |   | Relief                | C2 |

8. Removal of the limitations on number of persons in care for Preschool/Daycare to the following Use Districts: Commercial-Mixed 1 (CX1), Commercial-Mixed 2 (CX2), Commercial-Mixed 3 (CX3), Commercial-Mixed 4 (CX4), Industrial-Mixed 1 (IX1), Industrial-Mixed 2 (IX2), Industrial-Mixed 3 (IX3), Industrial-Mixed 4 (IX4), Public 1 (P1), Public 2 (P2):  
 Sec. 5B.5.1. (p. 5-41), Sec. 5B.5.2. (p. 5-53), Sec. 5B.5.3. (p. 5-64), 5B.5.4. (p. 5-76), Sec. 5B.7.1 (p. 5-89), Sec. 5B.7.2. (p. 5-101), Sec. 5B.7.3. (p. 5-115). Sec. 5B.7.4. (p. 5-129), Sec. 5B.9.1. (p. 5-180), Sec. 5B.9.2. (p. 5-186)  
 Delete “persons in care (max): 50” standard

|                   |   |                       |    |
|-------------------|---|-----------------------|----|
| Preschool/Daycare | P | Persons in care (max) | 50 |
|-------------------|---|-----------------------|----|

9. An addition of Animal Services: General to all Use Districts, permitting the use with limitations in the following Use Districts: Commercial-Mixed 1 (CX1), Commercial-Mixed 2 (CX2), Commercial-Mixed 3 (CX3), Commercial-Mixed 4 (CX4), Industrial-Mixed 1 (IX1), Industrial-Mixed 2 (IX2), Industrial-Mixed 3 (IX3), Industrial-Mixed 4 (IX4), Industrial 1 (I1), and Industrial (I2):

Sec. 5B.5.1. (p. 5-42), Sec. 5B.5.2. (p. 5-54), Sec. 5B.5.3. (p. 5-65), 5B.5.4. (p. 5-77), Sec. 5B.7.1 (p. 5-89), Sec. 5B.7.2. (p. 5-102), Sec. 5B.7.3. (p. 5-116). Sec. 5B.7.4. (p. 5-130), Sec. 5B.8.1. (p. 5-143), Sec. 5B.8.2. (p. 5-161)

|                  |    |               |              |
|------------------|----|---------------|--------------|
| Animal Services: |    |               |              |
| General          | P* | Use enclosure | Fully Indoor |

Prohibit use in the following use districts: Open Space 1 (OS1), Agricultural 1 (A1), Residential 1 (RG1), and Residential-Mixed (RX1).

Sec. 5B.1.1. (p 5-14), Sec. 5B.2.1. (p 5-27), Sec. 5B.3.1. (5-34)

|                  |    |  |  |
|------------------|----|--|--|
| Animal Services: |    |  |  |
| General          | -- |  |  |

Permit use with an A- permission level in the Public 1 (P1) use district.

Sec. 5B.9.1. (p. 5-180)

|                  |    |  |  |
|------------------|----|--|--|
| Animal Services: |    |  |  |
| General          | A- |  |  |

Permit use with an A+ permission level in the Public 2 (P2) use district.

Sec. 5B.9.2. (p. 5-186)

|                  |    |  |  |
|------------------|----|--|--|
| Animal Services: |    |  |  |
| General          | A+ |  |  |

10. Removal of a limitation on the number of beds for lodging uses in the Commercial-Mixed 1 (CX1) Use District:

Sec. 5B.5.1. (p 5-40)

|         |    |                |    |
|---------|----|----------------|----|
| Lodging | P* | Beds (max)     | 49 |
|         |    | Use separation |    |

|  |  |  |                  |
|--|--|--|------------------|
|  |  | Agricultural, Residential, or Residential Mixed Use District (min) | 500'             |
|  |  | Supplemental standards   | Sec. 5B.5.1.C.3. |
|  |  | Relief   | C2               |

11. A modification of the Animal Services definition:

Sec. 5C.1.5.A (p. 5-203)

Animal Services:

A ~~commercial~~ use involving the provision of services related primarily to domestic animal care and keeping.

12. An addition of the Animal Services: General use definition:

Sec. 5C.1.5.A.1. (p. 5-203)

[ADDED] 1. General

Any use in which domestic dogs or cats are provided non-medical care, grooming, training, or supervision. The maximum number of adult dogs or cats is limited to no more than 20, or 1 for every 60 square feet of floor area of the facility rounded up to the nearest whole number, whichever results in the greater number of animals. No more than thirty percent 30% of the floor area of the facility shall be used for overnight boarding. Animal boarding areas shall not occupy the area within the first twenty 20 feet, as measured from the storefront of the facility, and shall be separated from retail, grooming, or food storage areas. For uses where the overnight boarding of dogs or cats exceeds 30% of the floor area of a facility, see (Sec.5C.1.5.A.2.). For the medical treatment of animals, see Animal Sales and Services, Veterinary (Sec.5C.1.5.A.3.).

13. A clarification to the Kennel definition:

Sec. 5C.1.5.A.2. (p. 5-203)

Any use in which 4 or more dogs or cats, at least 4 months of age, are kept sheltered for periods beyond 24 hours per day. This definition does not include animal retail uses. For animal retail use, see ~~animal sales and services~~ Retail, Pet Shop. (Sec.5C.1.5.L.8.). For uses where the sheltering dogs or cats beyond 24 hours per day occupies less than 30% of the floor area of a facility, see Animal Services, General (Sec.5C.1.5.A.1.).

14. A clarification to the Veterinary definition:

Sec. 5C.1.5.A.3. (p. 5-203)

Any use in which animals or pets are given medical or surgical treatment and care. For the non-medical treatment and care of dogs and cats, see Animal Services, General (Sec.5C.1.5.A.1.).

15. Modifications to the commissary kitchen definition:

Sec. 5C.1.5. (p 5-203)

B. Commissary Kitchen

A ~~commercial~~ kitchen facility used for cooking and preparing food to be primarily ~~sold~~ served and consumed off-site. Research, design, and processing are allowed as an incidental use. Includes multi-tenant, incubator, preparatory kitchen, and catering kitchen.

16. A correction to a citation internal to the New Zoning Code involving Records and Agreements:

Sec. 9.3.2.E.1 (p 9-26)

Housing development projects requesting only the incentives outlined in Sec. 9.3.2.C. (Base Incentives), without requesting any additional incentives outlined in applicable CPIO or Specific Plan, shall be considered ministerial and no application to the Department of City Planning is required.

Housing development projects shall comply with the records and agreements requirements of Sec. 9.2.1.4H. (Records and Agreements).

17. A clarification to the rules of measurement pertaining to “uncovered” space:

a. Sec.14.1.2.A.2. (p. 14-5)

Add text from Sec. 14.1.2.B.2.

A space or structure is considered uncovered if 25% or more of its area is open to the sky. Areas containing overhead, non-solid structures, such as lattice and pergolas, may be considered uncovered provided that 25% or more of their area is open to the sky.

b. Sec. 14.1.2.B.2. (p. 14-5)

[DELETED] Areas containing overhead, non-solid structures, such as lattice and pergolas, may be considered uncovered provided they meet the standard in Sec. 14.1.1.A.2. (Uncovered).

18. Clarifications of the definitions of Mechanical Equipment:

a. Sec. 14.1.5.A.1.f. (p. 14-8)

Mechanical Equipment (Ground Mounted)

Equipment whose weight is primarily supported by the ground and that is related to privately operated systems, including related wires, conduits, and pipes.

Includes gas meter, water softener, pool equipment, HVAC equipment, gas tank, cistern, wind turbine, and solar panel.

b. Sec. 14.1.5.A.1.g. (p. 14-9)

Mechanical Equipment (Wall Mounted)

Equipment attached to and primarily supported by a wall and that is related to privately operated systems, including related wires, conduits, and pipes. Includes gas meter, electric meter, electrical panel, water heater, HVAC equipment, and gas tank.

19. A clarification of the definition of Vertical Barriers:

Sec. 14.1.5.B.1.e. (p. 14-11)

Vertical barriers, 45 inches in height or less, provided to protect occupants from falling from walking surfaces ~~required for safety and protection~~. Includes ~~fence, wall, parapet, and railing, and bannister.~~

20. A correction to a provision pertaining to Street Facing Facade determination:

Sec. 14.1.6.D.b.

For building elevations along curved or complex ~~frontage~~ street lot lines, see Sec. 14.1.14. (Parallel or Perpendicular to Irregular Lot line).

21. A clarification to provisions addressing Lot Ties:

a. Sec. 4C.1.11.D. (p. 14-30)

For the purpose of meeting standards associated with ~~an applied zone string~~ the applied zoning districts, a lot composed of multiple parcels ~~may meet all applicable standards independently for each parcel or the lot may meet the standards treating the collection of contiguous parcels as a single parcel.~~ grouped together as a single lot through a lot tie affidavit filed and approved with the Department of Building and Safety shall be considered a single lot. When the involved parcels have different and conflicting applied zoning districts, each individual parcel must meet the standards associated with the applied zoning districts as individual lots.

b. Sec. 2C.1.1.C.2. (p. 2-60)

[DELETED] For the purpose of meeting minimum lot size standards, multiple lots may be grouped together as a lot when a lot tie affidavit is filed and approved by the Department of Building and Safety.

c. Sec. 2C.1.2.C.2. (p. 2-61)

[DELETED] For the purpose of meeting minimum lot width standards, multiple lots may be grouped together as a lot when a lot tie affidavit is filed and approved by the Department of Building and Safety.

22. A removal of a provision pertaining to Primary Street determination:

Sec. 14.1.12.C.1.d.

[DELETED] Where determining the primary street using the above criteria is unclear, primary street lot line may be determined by the Director of Planning according to Sec. 13B.3.1. (Administrative Review).

23. A clarification to the definition of Site Modification:

Sec. 14.1.15.C.4. (p. 14-37)

Work including modifications to horizontal site improvements, pedestrian accessways, motor vehicle use areas, bicycle parking and landscaping, including trees, required screens, outdoor storage areas, signs, mechanical equipment, wireless and broadcasting facilities, waste receptacles, and other site elements. Site modifications also include planting or removing vegetation, fencing or walls, street furniture, lighting fixtures, grading, flatwork, and parking lot resurfacing and restriping. Site modifications, such as grading, that expose additional foundation wall or facade areas are considered to be both a site modification and a facade modification.

24. A clarification to the Yard designation provisions:

Sec. 14.1.16.A. (p. 14-39)

1. All portions of a lot between exterior walls of a building and a property line shall be designated as one of the following yard designations, and no portion of a lot shall have more than one of the following designations:

2. ~~Either a front yard, special yard, side street yard, side yard, or rear yard~~

a. Front yard (Sec. 14.1.6.B.1.)

b. Special yard (Sec. 14.1.6.B.2.)

c. Side street yard (Sec. 14.1.6.B.3.)

d. Side yard (Sec. 14.1.6.B.4.)

e. Rear yard (Sec. 14.1.6.B.5.)

25. A clarification pertaining to Special Yard determination:

Sec. 14.1.16.B.2. (p. 14-40)

No less than 80% of the width length of each special lot line-facing principal structure shall abut the special yard. Only portions of a building set back at least 15 feet behind the facade nearest the special lot line are not required to abut the special yard.

26. An addition of terms related to Shopping Cart provisions to the Glossary:

Div. 14.2. (p. 14-44)

[ADDED] Abandoned Shopping Cart. A shopping cart located outside of the lot where the establishment that furnishes shopping carts for use by its patrons is located.

Bollard. An upright post consisting of a piece of timber, concrete, metal or similar material fixed firmly in an upright position intended to impede various forms of traffic or circulation.

[ADDED] Shopping Cart. A basket of any size, mounted on wheels, rollers or a similar device, including parts, provided by a retail establishment for the purpose of transporting groceries or merchandise of any kind within a retail establishment or associated parking area.

[ADDED] Shopping Cart Containment Plan. A plan sheet that includes a specific written plan with a corresponding site plan that identifies areas of shopping cart containment to prevent customers from removing shopping carts from the premises.

Shopping Cart Corral. A stable structure that provides an enclosure for the collection of shopping carts on a lot.

27. A clarification to the definition of Dwelling Unit:

Div. 14.2 (p. 14-58)

- a. [ADDED] Dwelling (Use). See *Sec. 5C.1.1.A. (Dwelling)*
- b. ~~Dwelling~~ or Dwelling Unit. A habitable residential unit serving as a primary residency or having a tenancy of 30 days or greater. Includes household dwelling unit and efficiency dwelling unit. ~~accessory dwelling unit, and junior accessory dwelling unit.~~

28. A clarification to the Parking Bay definition:

Div. 14.2. (p. 14-76)

For a double-loaded aisle, the width of two rows of parking stalls including the width of the access drive aisle in between, ~~or for.~~ For a single-loaded aisle, the width of a single row of parking stalls including the width of the access drive aisle.



## **TECHNICAL MODIFICATION EXHIBIT 1**

### **Sec. 4C.12.7 Shopping Cart Containment**

#### **A. Intent**

To prevent or reduce the accumulation of abandoned shopping carts in the City, which may obstruct pedestrian and vehicular traffic, and constitute a hazard to the health, safety, and general welfare of the public.

#### **B. Applicability**

Shopping cart containment requirements apply to projects involving new construction, site modification, use modification, and major renovation for commercial uses established in *Sec. 5C.1.5. (General Commercial Uses)* that provide six or more shopping carts.

#### **C. Standards**

##### **1. General**

##### **a. Shopping Cart Noticing**

Every shopping cart owned or provided by any business establishment in the City must have a notice permanently affixed to it that:

- i. Identifies the owner of the cart or the name of the business establishment, or both.
- ii. Notifies the public of the procedure to be utilized for authorized removal of the cart from the business premises.
- iii. Notifies the public that the unauthorized removal of the cart from the premises or parking area of the business establishment is a violation of State and City law.
- iv. Lists a telephone number to contact to report the location of the abandoned cart.
- ii. Lists an address for returning the cart to the owner or business establishment.

##### **b. Shopping Cart Collection Areas**

Shopping cart corrals and/or storage areas shall be provided with a minimum width of 5 feet and minimum depth of 15 feet, but shall not be located within a required frontage yard.

**c. Signs**

Signs that warn customers that shopping cart removal is prohibited and constitutes a violation of Sec. 22435.1. of the California Business and Professions Code and Sec. 41.45. of Chapter 4 (Public Welfare) of the LAMC shall be installed and maintained at exits, shopping cart collection areas, and any vehicular or pedestrian accessways. Signs shall be no less than 16 inches by 20 inches, and placed at a minimum height of 3 feet and a maximum height of 6 feet.

**2. Containment Methods**

A project shall include a practical containment approach with one or more of the following containment methods to ensure that shopping carts remain on the premises.

**a. Wheel Locking or Stopping Mechanisms**

Shopping carts shall be equipped with a wheel locking or stopping mechanism that is used in conjunction with an electronic magnetic barrier along the perimeter of the commercial use or lot, including customer entrances, loading areas, basements, landscaped areas, along crossings and access points required for driveways, drive aisles, pedestrian accessways, and pedestrian passageways, or any other perimeter identified on a shopping cart containment plan. The wheel locking or stopping mechanism must activate when the shopping cart crosses the electronic or magnetic barrier.

**b. Screening Plants**

A type F1 frontage screen, in accordance with *Sec. 4C.8.1.C.2.a. (F-Screen 1)*, shall be provided along the perimeter of the commercial use or lot, or any other perimeter identified on a shopping cart containment plan.

**c. Bollards**

Bollards shall be installed at customer entrances, or within 10 feet of the entrances, and shall be spaced at a maximum distance of 17 inches from each other or nearby enclosed space.

**d. Other Methods**

Other methods for shopping cart containment so long as the Department of Public Works, Bureau of Sanitation, or its successor agency, has approved the system or method which would effectively contain or control shopping carts on the premises.

### **3. Performance Standards**

Applicants shall execute and record a covenant and agreement to the satisfaction of the Department of Public Works, Bureau of Sanitation, meeting the following standards:

#### **a. Daily After Hours Cart Containment**

A plan for securing shopping carts whenever the store is not open for business shall be provided.

#### **b. Shopping Cart Retrieval**

The owner shall be responsible for retrieving their own carts or provide evidence of a contract with a shopping cart retrieval service with terms requiring collection of abandoned shopping carts within 24 hours of notification of an abandoned shopping cart.

#### **c. Employee Training**

The owner of the retail establishment shall implement and maintain a periodic training program for its new and existing employees designed to educate employees about the abandonment and retrieval of shopping carts from the premises of the retail establishment.

### **D. Measurement**

#### **1. Shopping Cart Containment Plan**

A shopping cart containment plan shall be prepared that identifies areas on a lot where shopping carts can be removed from the lot and identifies the proposed containment method for each area.

#### **2. Recorded Agreement**

Prior to issuance of a Building Permit, a covenant acceptable to the Department of Public Works, Bureau of Sanitation and consistent with *Sec. 1.3.2.C.6. (Recorded Agreements)* shall be recorded with the Los Angeles County Recorder, guaranteeing that the contaminants methods, general requirements, and performance standards established in this Section are met.

### **E. Relief**

1. A deviation from shopping cart containment standards established in this Section may be requested in accordance with *Sec. 13B.5.1. (Alternative Compliance)*.
2. A deviation from any shopping cart containment dimensional standard of up to 10% may be requested in accordance with *Sec. 13B.5.2 (Adjustment)*.
3. A deviation from any shopping cart containment standard may be allowed as a variance in accordance with *Sec. 13B.5.3 (Variance)*.

#### **F. Enforcement**

Regardless of *Div. 13B.10. (Department of Building and Safety)*, the Department of Public Works, Bureau of Sanitation shall have the authority and responsibility to enforce the provisions of this Section.

June 11, 2021

City Planning Commission  
Department of City Planning  
Los Angeles City Hall  
200 N. Spring St.  
Los Angeles, CA 90012

Re: Downtown Community Plan Update  
New Zoning Code  
EIR for Downtown Community Plan Update & New Zoning Code  
CPC-CPC-2017-432-CPU, CPC-2014-1582-CA  
CEQA: ENV-2017-433-EIR  
**OPPOSED TO APPROVAL OF ALL REQUESTED ACTIONS**

Members of the City Planning Commission,

I am writing to urge you to oppose the approval of all actions on the agenda for the special meeting to take place on June 17, 2021. Together the requested actions comprise the most egregious assault on due process and the environmental review process I have ever seen.

Throughout the preparation and review of the Downtown Community Plan Update (DCPU) and the New Zoning Code (NZC), the Department of City Planning has repeatedly said that, if approved, the New Zoning Code would only be applied to the Downtown Plan Area. Now, looking at the agenda, it seems clear that approval of the NZC means that it will become a part of the LAMC and that it could be applied across the City of Los Angeles. There does not appear to be anything in the requested actions intended to limit the NZC's application to Downtown only.

It is also hard to believe the numerous breaches of protocol with regard to the adoption of the EIR for the DCPU and NZC. The CPC is being asked to approve the EIR even though it appears that the FEIR has not been published. The CPC is also apparently prepared to recommend approval of a Mitigation Monitoring Program and Statement of Overriding Considerations that have not been prepared yet.

Aside from those mentioned above, there are numerous other problems with the requested actions listed on the June 17 agenda. Below is a brief summary of my objections.

Sincerely,  
Casey Maddren  
2141 Cahuenga Blvd., Apt. 17  
Los Angeles, CA 90068

### **OBJECTIONS TO REQUESTED ACTIONS AND OVERALL PROCESS**

1.

There is no need for a special meeting to approve these actions. City Planning has shown no reason why a special meeting is called to consider numerous significant actions with only 9 days notice. Significant documents related to these approvals have either not been released or only

recently been released for public review. Both Commissioners and the public needs more time to review the documents.

2.

Timing of the notification of the special meeting precludes initial submissions not limited as to volume. The notification of the meeting was sent on May 8, 2021. The agenda says:

*Initial Submissions, not limited as to volume, must be received by the Commission Executive Assistant no later than by 4:00 p.m. on the Monday prior to the week of the Commission meeting.*

This means that the due date for initial submissions had already passed when the hearing notice was posted. There are numerous documents and actions being presented for consideration. Interested parties must be given time to submit detailed comments.

3.

The Recommendation Report is over 5,000 pages, and it was only made available 9 days before the special meeting. Neither neighborhood councils nor interested parties could possibly absorb the information and prepare comments in such a short time.

4.

The Final EIR has not been released. How can the CPC recommend approval when the FEIR has not been published?

5.

Among requested actions, number 3 says:

*3. Approve and Recommend that the City Council adopt the Findings in the Staff Recommendation Report, and direct staff to prepare Environmental Impact Report (EIR) Findings, a Statement of Overriding Considerations, and a Mitigation Monitoring Program (MMP) for City Council consideration;*

This is followed by number 6 which says:

*6. Recommend the City Council adopt the Resolution in Exhibit A to certify the EIR, adopt EIR Findings and a Statement of Overriding Considerations, and adopt a Mitigation Monitoring Program;*

How can the CPC recommend that the City Council approve documents that have not been prepared?

6.

Among requested actions, number 16 says:

*16. Approve and Recommend that the City Council adopt the New Zoning Code Ordinance to Amend Chapter 1A of the Los Angeles Municipal Code ("New Zoning Code") to add new Articles 1 through 12, and Articles 14 and 15, Amend Article 13, and Adopt the accompanying Zoning Code Maps established in Division 1.4. (Zoning Code Maps) of Article 1 of the New Zoning Code (Exhibits C.1. and C.3.).*

Throughout the process of preparing the DCPU and the NZC, City Planning staff have repeatedly assured the public that the NZC would only apply to the Downtown Plan Area at this time. But the above clearly seems to indicate that it will be adopted as part of the LAMC and can legally be used in any planning area Citywide. There does not appear to be any language among the requested actions which would limit its application to other areas. The request actions need to be revised to make it clear that, until its application to other Community Plan Areas has been reviewed, the NZC can only be used in the Downtown Community Plan Area.

# **20+ CONSTITUENTS SUBMITTED THE FOLLOWING STATEMENT FOR YOUR CONSIDERATION:**

The Honorable Members of the City Planning Commission ,

We need a HOTEL CONDITIONAL USE PERMIT, appealable to Council to protect our communities from hotel overdevelopment. We need an equitable DTLA Plan including the following:

1. More public oversight over commercial development through a conditional use permit for hotels, appealable to Council.
2. No new up zoning, only allow bonuses for housing. Don't allow increased base zoning rights, which allow commercial development to crowd out housing. Instead, create bonuses for housing only.
3. Don't allow bonuses to be used by hotel developers. Hotels should not be allowed in projects using CPIO bonuses.
4. Preserve Manufacturing zoning. Do not allow hotels in areas currently zoned for industrial uses.





*Over A Century of Service*

# 羅省同源會 Chinese American Citizens Alliance

*(Organized May 11, 1895)*

LOS ANGELES LODGE

415 BAMBOO LANE, LOS ANGELES, CA 90012

TELEPHONE: (213) 628-8015

WEBSITE: WWW.CACANATIONAL.ORG

June 12, 2021

Via Email: [cpc@lacity.org](mailto:cpc@lacity.org)

Samantha Millman, President

City Planning Commission

Department of City Planning

City of Los Angeles

200 North Spring Street, Room 667

Los Angeles, CA 90012

Re: DTLA 2040 Draft Downtown Community Plan Update - Comments on June 17,  
2021 CPC Agenda Item #6, (CPC-2017-432-CPU, ENV-2017-433-EIR)

Dear President Millman:

The Chinese American Citizens Alliance (C.A.C.A.) is the longest running Asian American civil rights organization in the United States, established in 1895, with 20 chapters across the country. The Los Angeles chapter was founded in 1912 and has been based at our current building at 415 Bamboo Lane in Los Angeles Chinatown since its official dedication in 1957.

We appreciate the City Planning Department staff's efforts to include Chinatown in the Downtown Community Plan Update (DTLA 2040). We especially like to thank Brittany Arceneaux and other City Planning Department staff for their community outreach and willingness to engage Chinatown stakeholders.

Our stakeholder role in Chinatown is multifaceted. One of our purposes and objectives is to preserve American Chinese culture, history, and heritage so we have a vested interest in preserving as much of Chinatown's traditional character as possible. The advisory design standards proposed in DTLA 2040 set forward useful guidelines to encourage compliance with the community's historic preservation objectives. As the long-time small property owner of our meeting hall in Chinatown, we are also sympathetic to the interests of Chinatown property owners in preserving their property values.

We feel that the "base and bonus plan" that is the centerpiece of the Chinatown provisions of the Downtown Community Plan – particularly the zoning amendments consisting of the downzoning of base FAR (floor area ratios) for key parcels in central Chinatown linked to discretionary up-zoning in return for certain Community Benefits – is too much of a gamble with Chinatown's future. If implemented, this provision will have the immediate and unfair

cost to current property owners in the form of decreased property values without any guarantee of future development.

The downzoning of Chinatown proposed by DTLA 2040, as amended (lowering the base FAR of many commercial parcels from 6:1 to 2:1), is too risky and extreme that it could have the effect of discouraging new projects that would revitalize Chinatown's economy. Chinatown does not need more stagnation. Chinatown needs sustainable, non-speculative growth. A paramount goal of any plan for Chinatown should be to avoid doing harm.

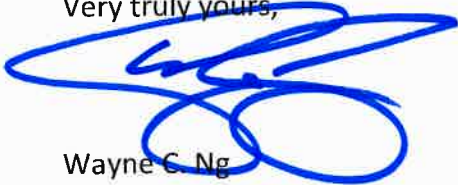
We also believe that affordable housing should be a high priority for Chinatown. If City government is not willing or able to provide subsidies for affordable housing and expects the private sector to absorb the cost of affordable units, it will succeed only if the resulting projects are economically feasible. The City should at least follow the advice of City Planning Department's own economic feasibility consultants, HR&A Advisors, and increase the base FAR and height limits and be more flexible about the mixture of market-rate and affordable units in new projects in Chinatown to enable new projects the opportunity to be economically feasible.

Developers and investors do not have to build projects in Chinatown. They can go somewhere that is less restrictive. If they go somewhere else, Chinatown's economy and the quality of the community will continue to decline.

DTLA 2040 contains a lot of good for Chinatown, particularly in its outlook and strategic thinking for the next 20 years. The supporting documents, especially in the Community Plan Implementation Overlays (CPIO), are great for defending the neighborhood character and cultural/historical assets of Chinatown. Unfortunately, our major concern is related to the amended base FAR and height limits that have changed since City Planning Department staff last presented the Chinatown provisions of DTLA 2040 to us last November. We respectfully request that the City Planning Commission and the City Planning Department reexamine the proposed zoning amendments and their potential negative impact on the Chinatown community.

Thank you for your kind attention.

Very truly yours,



Wayne C. Ng  
President  
Chinese American Citizens Alliance, Los Angeles chapter

Cc: Gilbert Cedillo, Los Angeles City Councilmember, 1<sup>st</sup> District

# 美國羅省中華會館 Chinese Consolidated Benevolent Association

923-925 North Broadway, Los Angeles, California 90012  
Tel: 213-626-1646 Fax: 213-626-2938

## 羅省中華會館轄下組織 CCBA COMMITTEES

中華孔教學校校董會  
Chinese Confucious Temple of Los Angeles  
中華福地管理委員會  
Chinese Cemetery of Los Angeles  
中華福僑委員會  
Community Welfare Council

## 羅省中華會館會員團體 CCBA MEMBER ASSOCIATIONS

秉公堂  
Bing Kong Tong Association  
保安堂  
Bow On Association  
昭倫公所  
Chew Lun Association  
同源會  
Chinese American Citizens Alliance  
婦女新運會  
Chinese Women's New Life Movement Club  
伍胥山公所  
Eng Family Benevolent Association  
鳳倫公所  
Fong Lun Association  
至孝篤親公所  
Gee How Oak Tien Association  
朱沛園堂  
Gee Poy Kuo Association  
至德三德公所  
Gee Tuck Sam Tuck Association  
合勝堂  
Hop Sing Tong Association  
開平同鄉會  
Hoi Ping Benevolent Association of So. Cal.  
台山寧陽會館  
Hoi Sun Ning Yung Association  
俊英工商會  
Jan Ying Benevolent Association  
同州會館  
Kong Chow Benevolent Association  
國民黨羅省分部  
Kuo Ming Tang  
李氏敦宗公所  
Lee On Dong Benevolent Association  
林西河堂  
Lim's Family Association  
呂渭濱公所  
Louie Wai Benevolent Association  
龍同親義公所  
Lung Kong Tin Yee Association  
南加省馬氏宗親會  
Mar's Family Association of So. Cal.  
新華埠大中華物業公司  
New Chinatown Property Owner's Corp.  
台山寧僑會  
Ning Kui Kong Wue Association  
滋源堂  
Soo Yen Fraternal Association  
南加省余風渠堂  
So. Cal. Yee Family Association  
黃氏宗親會  
Wong Family Benevolent Association  
英端工商會  
Ying On Merchants & Labor Benevolent Ass'n

June 5, 2021

Samantha Millman, President  
City Planning Commission  
City of Los Angeles  
200 North Spring Street. Rpp, 667  
Los Angeles, CA 90012  
Via email: [cpc@lacity.org](mailto:cpc@lacity.org)

## **Re: CPC-2017-432-CPU, ENV-2017-433-EIR: DTLA 2040 Draft Community Plan Update**

Dear Ms. Millman,

We are writing this letter as the only broad-based Chinatown umbrella organization - Chinese Consolidated Benevolent Association (CCBA) - authorized to speak out on behalf of 27 family/geographic associations and organizations with a history of over 130 years of Chinatown existence. Our members include Chinatown business owners, property owners and community members, with a combined membership totaling over 3,000.

It was brought to our attention that there are aspects of the draft development plan that may impose negative impacts on the future of Chinatown. Specifically, the Plan proposes reductions in Floor Area Ratio ("FAR") and building height for much of the Chinatown.

We believe that these FAR and building height limits represent significant downzoning that is entirely too restrictive and will lead to negative consequences for the future development of Chinatown. Although the Plan's proposed reduction in height and FAR are intended to preserve Chinatown's neighborhood character, they may not achieve the intended goal. The reduction would needlessly inhibit new projects on sites that are not historically or culturally significant. This potential inhibition of new projects would unfairly penalize the current property owners and potential developers and business owners. Chinatown will never be as it once was but must grow in a balanced and economically sustainable manner. The proposed reduction in FAR and height will gravely impact and hinder our community's ability to achieve this end.

Also, after review of the proposed DTLA 2040 plan, it is both troublesome and noteworthy that Chinatown is the only area and community that is

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## 羅省中華會館轄下組織

### CCBA COMMITTEES

中華孔教學校校董會

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中華福地管理委員會

Chinese Cemetery of Los Angeles

中華福僑委員會

Community Welfare Council

## 羅省中華會館會員團體

### CCBA MEMBER ASSOCIATIONS

秉公堂

Bing Kong Tong Association

保安堂

Bow On Association

昭倫公所

Chew Lun Association

同源會

Chinese American Citizens Alliance

婦女新運會

Chinese Women's New Life Movement Club

伍荷山公所

Eng Family Benevolent Association

鳳倫公所

Fong Lun Association

至孝篤親公所

Gee How Oak Tien Association

朱沛國堂

Gee Poy Kuo Association

至德三德公所

Gee Tuck Sam Tuck Association

合勝堂

Hop Sing Tong Association

開平同鄉會

Hoy Ping Benevolent Association of So. Cal.

台山寧陽會館

Hoy Sun Ning Yung Association

俊英工商會

Jan Ying Benevolent Association

岡州會館

Kong Chow Benevolent Association

國民黨羅省分部

Kuo Ming Tang

李氏敦宗公所

Lee On Dong Benevolent Association

林西河堂

Lim's Family Association

呂渭濱公所

Louie Way Benevolent Association

龍岡親義公所

Lung Kong Tin Yee Association

南加省馬氏宗親會

Mar's Family Association of So. Cal.

新華埠大中華實業公司

New Chinatown Property Owner's Corp.

台山寧僑公會

Ning Kui Kong Wue Association

澗源堂

Soo Yen Fraternal Association

南加省余風采堂

So. Cai. Yee Family Association

黃氏宗親會

Wong Family Benevolent Association

英端工商會

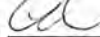
Ying On Merchants & Labor Benevolent Ass'n

singled out for a "blanket" 67% reduction in FAR and restrictive height limits. Please explain.

We truly believe your planning organization would make efforts to reconsider the height and FAR reduction and any other restrictions that may negatively impact Chinatown's future development. We treasure our heritage and are very proud of it. We always believe that there are rooms for mutual benefits and achieve Win-Win outcomes for all stakeholders involved. Your careful reconsideration of the reduction in height limits and FAR would be greatly appreciated.

Truly Yours,

Mei Lau, President, CCBA

Ernest Lee, Vice-President, CCBA 

Andrew Kwong, Chairman, Supervisory Board, CCBA

Angela Cai, Vice-Chairwoman, Supervisory Board, CCBA





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David P. Waite  
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June 14, 2021

**VIA E-MAIL**

Planning Commission  
City of Los Angeles  
200 N. Spring Street  
Los Angeles, CA 90012

**Re: Downtown Los Angeles Community Plan Update (DTLA 2040) Comment Letter**

Dear President Millman and Honorable Commissioners:

On behalf of our client, Keshvar, LLC, we respectfully submit this comment letter regarding the most recent proposed Downtown Los Angeles Community Plan Update (“**DTLA 2040**”) published by the City of Los Angeles (the “**City**”) Department of City Planning (the “**Planning Department**”) in June 2021. Our client is the owner of multiple parcels (identified below) fronting on Main Street between 7<sup>th</sup> and 8<sup>th</sup> Street and a single parcel fronting on Los Angeles Street between 7<sup>th</sup> and 8<sup>th</sup> Street.

As long-time stakeholders in the Downtown Community Plan area, we applaud the City’s effort in providing a new framework and guidance for smarter development practices that will accommodate our community’s and City’s growing needs, especially as it relates to the dire need to create more affordable housing<sup>1</sup>. We also appreciate the Planning Department’s concerted outreach, especially in light of this past year’s logistical challenges, and willingness to incorporate comments from our community in continuing to refine and improve DTLA 2040. Therefore, we submit for your consideration our—minor in scope, but major in impact—recommendation to build on the great work that has been done to date with the aim of exercising the best planning practices to grow better neighborhoods for Angelenos of all income levels.

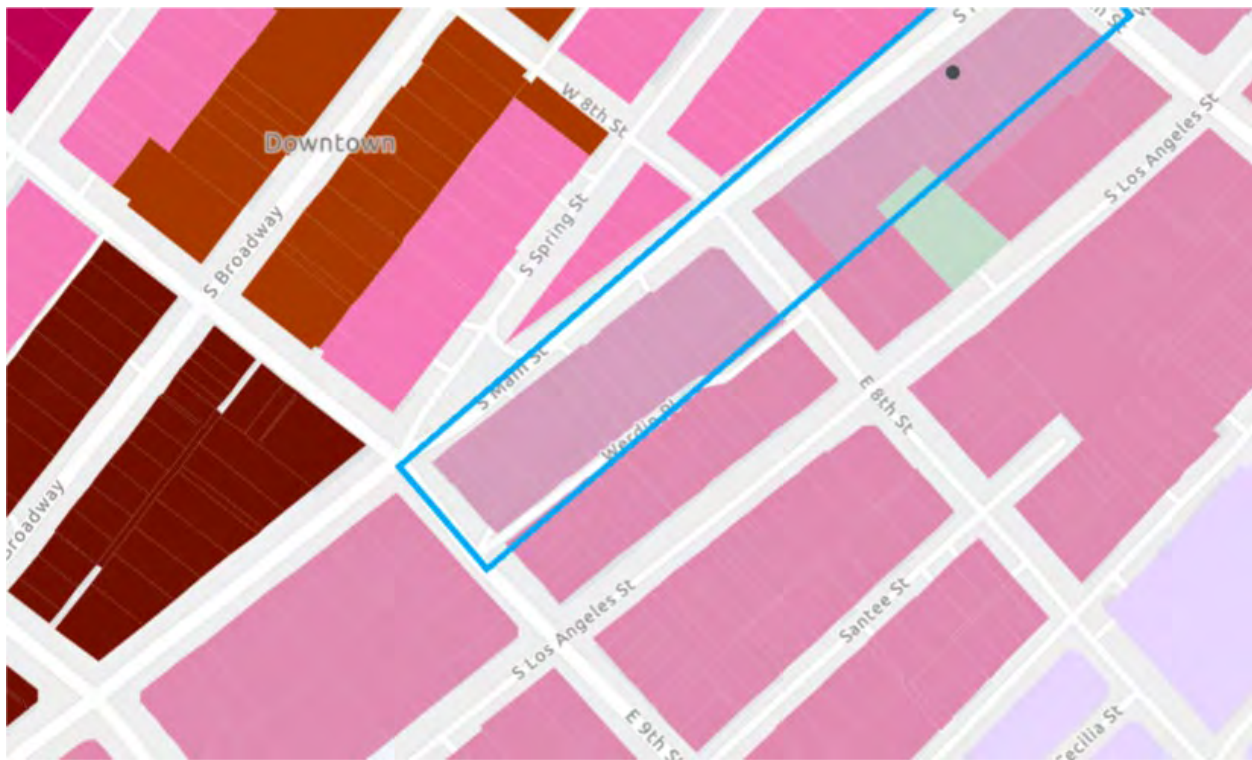
We believe that with the incorporation of our recommendation to **adjust a single proposed Form District designation from DM3 (Moderate-Rise Medium 3) to HM1 (High-Rise Medium 1) for the subject parcels** (as identified below), DTLA 2040 would be more effective in achieving DTLA 2040’s goal of **creating more housing that is affordable** to and occupied by lower income households, while more consistently following the architectural

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<sup>1</sup> Although pre-dating the COVID-19 pandemic, the need for housing and affordable housing in particular has become even more magnified and critical during the COVID-19 pandemic recovery.

character and proposed potential development patterns within the immediately surrounding vicinity.

By this recommendation we seek to increase the maximum Bonus Floor Area Ratio (“**Bonus FAR**”)<sup>2</sup> for the subject parcels—composed of the south side of two City blocks along South Main Street, bounded by 7<sup>th</sup> Street to the east and 9<sup>th</sup> Street to the west (collectively, the “**Property**”—as illustrated within the box on the map below)<sup>3</sup>—from 8.5:1 to 13:1 and with a major impact of enabling the creation of more affordable housing through use of incentives provided in the innovative DTLA 2040 Community Benefits Program.



**The Property’s Form District is the Only Difference with the Surrounding Parcels**

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<sup>2</sup> The maximum *Base* FAR of the current Form District (DM3) and the recommended Form District (HM1) are the same—3:1. In fact, as discussed further below, just about all of the Form District standards are the same between the two Form Districts—other than the maximum Bonus FAR, which can be utilized only by providing affordable housing.

<sup>3</sup> The common property address range would be 700-762 South Main Street (for the parcels between 7<sup>th</sup> Street and 8<sup>th</sup> Street) and 800-862 South Main Street (for the parcels between 8<sup>th</sup> Street and 9<sup>th</sup> Street). In fact, as per the interactive draft DTLA 2040 Zoning Map, it appears that one of the subject parcels—the southwest corner of South Main Street and 8<sup>th</sup> Street (*i.e.*, 762 South Main Street)—is *already* zoned with the recommended Form District (of HM1) for the entire Property. (*See* the illustrated map.)

The Property is currently designated in the proposed DTLA 2040 as “Traditional Core” with a corresponding zoning of [DM3-CHC1-5][CX2-FA][CPIO]. As mentioned above, our recommendation is to change only the Form District to HM1, so it is aligned with the parcels adjacent to the south and west (colored **dark pink**) (the “**Surrounding Parcels**”), which are designated “Traditional Core” with a corresponding zoning of [HM1-CHC1-5][CX2-FA][CPIO]. Accordingly, the Property and the Surrounding Parcels currently have the *same* DTLA 2040 designation (*i.e.*, “Traditional Core”), Frontage District (*i.e.*, CHC1), Standards District (*i.e.*, 5), Use District (*i.e.*, CX2), and Density District (*i.e.*, FA), with the only *difference* being the Form District (*i.e.*, DM3 *v.* HM1).

Furthermore, given the most recent, June 2021, amendments (*see* [here](#)) to the Form District standards within the DM3 Form District (*e.g.*, removing all maximum height limitations to now match the HM1 Form District in that regard) and within the HM1 Form District (*e.g.*, increasing the upper-story step-back to 30 feet to now match the DM3 Form District in that regard), the primary difference in zoning regulations between the Property and the Surrounding Parcels (as illustrated in the table below) is the maximum Bonus FAR—with the likely unintended impact of limiting the amount of potential affordable housing that can be provided thereon.

| Form District Standards <sup>4</sup> | Recommended <b>HM1 Form District</b> [Similar to Surrounding Parcels]       | Current <b>DM3 Form District</b>  |
|--------------------------------------|---|---|
| Lot Size                             | Lot Area (min): n/a<br>Lot Width (min): 25 feet                             | Lot Area (min): n/a<br>Lot Width (min): 25 feet                             |
| Coverage                             | Building Coverage (max): 100%<br>Building Setbacks (min): 0 feet            | Building Coverage (max): 100%<br>Building Setbacks (min): 0 feet            |
| Amenity                              | Lot Amenity Space (min): 10%<br>Resi. Amenity Space (min): 10%              | Lot Amenity Space (min): 10%<br>Resi. Amenity Space (min): 10%              |
| Height                               | Maximum: n/a<br><b>Minimum: none</b>  | Maximum: n/a<br><b>Minimum: 3 stories</b>                                   |
| <b>Maximum FAR</b>                   | Base: 3.0<br><b>Bonus: 13.0</b>   | Base: 3.0<br><b>Bonus: 8.5</b>  |
| Upper-Story Bulk                     | Stories w/o Step-Back (min/max):<br>2/12<br>Street Step-Back Depth: 30 feet | Stories w/o Step-Back (min/max):<br>2/12<br>Street Step-Back Depth: 30 feet |
| Building Mass                        | <b>Building Width: 210 feet</b><br>Building Break: 15 feet                  | <b>Building Width (max): 160 feet</b><br>Building Break (min): 15 feet      |

<sup>4</sup> Given that the Property and the Surrounding Parcels currently have the *same* DTLA 2040 designation (*i.e.*, “Traditional Core”), Frontage District (*i.e.*, CHC1), Standards District (*i.e.*, 5), Use District (*i.e.*, CX2), and Density District (*i.e.*, FA), the only differences would be found in the Form District standards.

**A Change to the Recommended HM1 Form District Would Provide for More Opportunities for Affordable Housing with No Apparent Unintended Consequences**

In addition to making the Property and its proposed future development pattern consistent<sup>5</sup> with the Surrounding Parcels, the greater opportunity of this Form District change is to increase the potential availability of affordable housing on the Property (effectively without any adverse consequences given the almost across the board similarities within the two Form Districts—other than materially the maximum Bonus FAR). More to the point, a property owner undertaking development must commit to providing on-site affordable housing through the DTLA 2040 Community Benefits Program in order to be eligible for the maximum Bonus FAR. As currently structured, the DTLA 2040 Community Benefits Program incentivizes the development of on-site affordable housing, by first providing an additional 40 percent FAR<sup>6</sup> increase over and above the Base FAR in exchange for the provision of a required number of on-site affordable units<sup>7</sup>. Following that, an additional 1:1 FAR is available, up to the maximum Bonus FAR, in exchange for the provision of an additional percentage of on-site affordable units—*i.e.*, for each 1.5% of the total units restricted at Deeply Low, Extremely Low or Very Low Income units or 2.5% of the total units restricted at Low or Moderate Income<sup>8</sup>.

Accordingly, simply changing the Form District from DM3 to HM1, and in turn increasing the maximum Bonus FAR from 8.5:1 to 13:1, would increase the potential provision of an additional 6.75% of total units restricted at Deeply Low, Extremely Low or Very Low Income or an additional 11.25% of total units restricted at Low or Moderate Income across the two-block Property. To more concretely illustrate the opportunity for additional affordable housing, as an example, taking just a single parcel within the Property—742 South Main

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<sup>5</sup> With each publicly circulated revision to DTLA 2040, the Planning Department has indicated a continued intent to “marry up” the Property and the Surrounding Parcels. As indicated above, in the June 2021 update, the Planning Department amended certain Form District standards that removed certain then-existing differences between the Property and the Surrounding Parcels. Furthermore, prior to that, in the Fall 2020 update (*see [here](#)*), the Use District for the Property was amended to match that of the Surrounding Parcels. The City is just this one recommended change away from complete “marriage.”

<sup>6</sup> Because of the Property’s FA Density District, the maximum density is only limited by floor area; as such the maximum number of dwelling units is only controlled by the physical constraints of the Form District’s maximum Bonus FAR.

<sup>7</sup> As currently structured, either: 7% of total residential units must be set aside towards Deeply Low Income units; 8% of total residential units must be set aside towards Extremely Low Income units; 11% of total residential units must be set aside towards Very Low Income units; 20% of total residential units must be set aside towards Low Income units; or 40% of total residential units must be set aside towards Moderate Income units.

<sup>8</sup> The DTLA 2040 Community Benefits Program also ties this 2.5% provision to Above Moderate Income, but does not elaborate or explain the calculation of that affordability level; and as such, it is not included in this comment letter (or the calculations below).



Street—with an approximate 12,000 square feet lot area<sup>9</sup>, the increase in maximum Bonus FAR, by changing the Form District to HM1, would increase the incentivized potential number of affordable units by eighteen (18) for Deeply Low Income units<sup>10</sup> all the way to forty-five (45) for Moderate Income units<sup>11, 12</sup>. Multiplied across the two-block Property, this Form District change would work to greatly expand the opportunity and capacity for affordable housing within the community, by likely well into the hundreds of additional affordable units—all while increasing consistency with the zoning of the Surrounding Parcels.

Among the primary stated goals of DTLA 2040 is addressing the need for affordable housing by creating increased opportunities for such via development incentives in the DTLA 2040 Community Benefits Program. As such, our recommendation to adjust the Form District designation from DM3 to HM1 for the Property (to match that of the Surrounding Parcels) should be seriously considered. The failure to amend the Form District, given the almost complete overlap in standards already between the two Form Districts—effectively other than maximum Bonus FAR—is seemingly at odds and inconsistent with the stated goal to address the affordable housing crisis within the community, City at-large, and State.

\* \* \* \* \*

For the above-referenced reasons, we respectfully request that the City consider the proposed change to DTLA 2040—creating more of an opportunity for affordable housing within the community. Thank you for your consideration, and please reach out if you would like to discuss the foregoing recommendation or if additional information is needed.

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<sup>9</sup> The City’s Zone Information Map Access System (“ZIMAS”) provides a square footage of 11,923.8. For simpler mathematical calculations and illustrative purposes, this has been rounded to 12,000 square feet.

<sup>10</sup> Under an 8.5 maximum Bonus FAR (under the current DM3 Form District), assuming a unit size of 1,000 square feet, a housing development would provide for 102 total units of which 14 (or 13.45%) would be set aside for Deeply Low Income. Whereas, under a 13 maximum Bonus FAR (under the recommended HM1 Form District), assuming the same unit size as above, a housing development would provide for 156 total units of which 32 (or 20.20%) would be set aside for Deeply Low Income. This results in a potential *increase* of 18 Deeply Low Income units under the recommended HM1 Form District and its maximum Bonus FAR of 13:1.

<sup>11</sup> Under an 8.5 maximum Bonus FAR (under the current DM3 Form District), assuming a unit size of 1,000 square feet, a housing development would provide for 102 total units of which 52 (or 50.75%) would be set aside for Moderate Income. Whereas, under a 13 maximum Bonus FAR (under the recommended HM1 Form District), assuming the same unit size as above, a housing development would provide for 156 total units of which 97 (or 62.00%) would be set aside for Moderate Income. This results in a potential *increase* of 45 Deeply Low Income units under the recommended HM1 Form District and its maximum Bonus FAR of 13:1.

<sup>12</sup> Likewise, under a 13 maximum Bonus FAR (under the recommended HM1 Form District) rather than a 8.5 maximum Bonus FAR (under the current DM3 Form District), a potential *increase* of 19 Extremely Low Income units [34 (or 21.20%) – 15 (or 14.45%)], 20 Very Low Income units [38 (or 24.20%) – 18 (or 17.45%)], and 34 Low Income units [66 (or 42.00%) – 32 (or 30.75%)] would be provided for. Again, this increase extrapolated across the two-block Property would greatly expand the opportunity and capacity for affordable housing within the community.

City Planning Commission  
June 14, 2021  
Page 6

Thank you for considering this recommendation.

Very truly yours,

Cox, Castle & Nicholson LLP

A handwritten signature in blue ink that reads "D. P. Waite". The signature is written in a cursive style with a large, looping initial "D".

David P. Waite

DPW



Los Angeles City Planning Commission  
200 N. Spring Street  
Los Angeles, CA 90012

*Delivered via electronic mail.*

June 12, 2021

**RE: CPC-2017-432-CPU – Downtown LA Community Plan**

Dear Honorable Commissioners,

We are pleased to offer the following comments and policy recommendations to advance equity and racial justice in the Downtown LA Community Plan update. We are heartened by the inclusion of numerous new policies and standards in the most recent draft Plan, CPIO, zoning code, and corresponding ordinances (collectively, the “Draft Plan”) that are directly responsive to the needs and priorities of low-income downtown residents. We appreciate the Planning Department for their engagement and thoughtful consideration of many community-centered policy recommendations, and we urge the Commission to adopt these new equity provisions as described below. However, there are other areas where the Draft Plan still needs changes in order to advance equity and justice throughout downtown. As described in detail in this letter, we urge the Commission to:

1. Adopt the Draft Plan’s careful calibration of Base and Bonus floor area ratio in Chinatown and Little Tokyo to maximize value capture and promote inclusive housing growth.
2. Expand the IX1 District to create new affordable and supportive housing and prevent displacement in Skid Row.
3. Replace the TFAR program with a Community Benefits Fund, and amend the Oversight Committee requirements to include residents with lived experience.
4. Eliminate in-lieu fee and off-site options to prioritize on-site affordable housing.
5. Remove competing incentives for Moderate and Above-Moderate units in order to maximize the creation of deeply affordable housing.
6. Require on-site affordable housing in the Downtown Adaptive Reuse Program, consistent with the Citywide Adaptive Reuse Program.
7. Incorporate stronger affordable housing preservation and anti-displacement measures.
8. Strengthen standards for hotel development review.
9. Adopt the Draft Plan’s important protections and opportunities for community-serving small businesses, and amend the Small Legacy Business definition to include a 50 FTE threshold.
10. Adopt the Draft Plan’s important policies and programs to advance equitable access to parks and open space.

The Central City United Coalition (CCU) is led by Little Tokyo Service Center (LTSC), the Los Angeles Community Action Network (LA CAN), and the Southeast Asian Community Alliance (SEACA), as key stakeholders in Little Tokyo, Skid Row, and Chinatown, along with Public Counsel. CCU formed to lift up the voices and concerns of the poorest and most vulnerable residents of Downtown in the community plan update process. We know from experience that community-led planning results in healthier, more stable communities. CCU has been engaged with the Downtown Community Plan update process since its inception. We have spent, separately and collectively, hundreds of hours convening community meetings, conducting outreach, and engaging our communities across seven languages about the community plan process and discussing its impacts. Through this, we have built capacity among local residents to be active participants in the planning process. The CCU People’s Plan,<sup>1</sup> and our specific recommendations listed below, are the result of our collective community engagement and reflect the priorities and needs of residents in Little Tokyo, Skid Row, and Chinatown.

As the City grapples with institutional racism and structural injustice, we applaud the Department of City Planning for acknowledging the deep harms that past land use and planning policies have inflicted on low-income communities and communities of color. As the City commits to repairing these harms, the Community Plans are a tool to do just that. As the framework for growth, development and investment in Downtown for years to come, this Plan must center the needs and priorities of those communities that have been most harmed. The Downtown Community Plan is one of the most important opportunities for the City to put its stated commitment to racial justice into practice. To advance a more inclusive and equitable Community Plan, we ask the Commission to take the following actions.

1. **Adopt the Planning Department’s careful calibration of Base and Bonus floor area ratios in Chinatown and Little Tokyo in order to maximize value capture and promote inclusive and affordable housing growth.**

The Department has created a comprehensive community benefits program that utilizes a carefully calibrated Base-Bonus Floor Area Ratio (FAR) incentive. The proposed incentive structure builds on the TOC Program and prioritizes mixed income affordable housing in Downtown neighborhoods like Chinatown and Little Tokyo, which desperately need more affordable housing. We appreciate and support the Department’s recommended approach to “*facilitate growth near transit infrastructure in these neighborhoods while introducing a system that links growth with community benefits*” (Staff Report, A-20), and we urge the Commission to approve this structure.

Importantly, setting the Base FAR in Chinatown at 2:1 as currently proposed in the Draft Plan **is not a downzoning or reversion of development rights**. First, while setting the Base FAR at 2, the Draft Plan also removes residential density restrictions that currently apply in Chinatown, now allowing unlimited residential unit density within the FAR. In total, the Draft Plan has *expanded* development rights in this area by increasing the maximum FAR accessible through a carefully calibrated community benefits incentive program. The Draft Plan encourages projects at the Bonus FAR of 6 or 8.5, which is a density increase properly aligned with affordability. This is a thoughtful, coordinated approach to inclusive growth.

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<sup>1</sup> <https://www.centralcityunited.org/peoples-plan>

Increasing the Base FAR in these areas (as some will certainly ask the Commission to do) would be a mistake and would be in direct conflict with the Plan's numerous stated goals of increasing affordable housing opportunities. Maintaining the Base FAR at its current setting in the Draft Plan is critical to an effective value capture program. Even a small compromise in the Base FAR will undo the incentive structure and will result in projects foregoing the Bonus FAR and building at the Base instead, creating fewer housing units overall, no affordable housing, and the elimination of no-net-loss protections (which currently only attach to projects that use the Bonus). As currently structured, projects in Chinatown and Little Tokyo are actually incentivized to build at the *higher* Bonus FAR, creating more housing and much-needed affordable housing - a win-win. We implore the Commission to approve the Base and Bonus FARs for Chinatown and Little Tokyo as proposed by the Planning Department in the Draft Plan.

**2. Expand the IX1 District to create new affordable housing and prevent displacement in Skid Row.**

The IX1 district, which is currently bounded by San Pedro Street, 5th Street, Central Avenue, and 7th Street, is the only use district in the Draft Downtown Community Plan (Draft Plan) Zones where residential uses are restricted to only affordable housing. There are other areas of the Skid Row neighborhood not currently covered by this use district that need the affordable housing prioritization and displacement protections afforded by the IX1 district. Given the income and needs of the residents of these communities, the affordable housing prioritization of the **IX1 district should be expanded to cover all of the area bounded by Main Street, 3rd Street, Alameda Street, and 8th Street**. Additionally, the use district should be modified to require all Restricted Affordable Units be set at housing costs affordable to Low-Income households and lower (i.e., no Moderate-Income units). The Permanent Supportive Housing incentive should continue to apply in this use district.

**3. Include residents with lived experience in the oversight and implementation of the Community Benefits Fund.**

We strongly support the Planning Department's bold and important proposal to eliminate the existing TFAR Program and replace it with a Community Benefits Fund. The Draft Community Benefits Fee Ordinance makes funding available for vital housing and economic justice programs, including building the capacity for innovative community ownership models, acquisition of affordable housing, new supportive housing, subsidies for community serving small businesses, funding and infrastructure support for low-income sidewalk vendors, and services and amenities for people experiencing homelessness.

In addition to these important eligible uses of funding, the Draft Community Benefits Fee Ordinance also establishes an Oversight Committee to make recommendations for disbursement of funds. In order to make this oversight process more transparent and equitable, we offer the following recommendations regarding the Oversight Committee and Draft Community Benefits Fee Ordinance:

- Increase the fee amount from \$50 per square foot to \$60 to encourage onsite affordable housing and generate greater revenue from projects that use the Community Benefits Fund.
- Ensure that the Oversight Committee adequately includes downtown residents affected by the affordable housing and eviction crisis, including at least 50% current or former houseless residents, with representatives from multiple downtown neighborhoods including Skid Row, Chinatown, and Little Tokyo ("lived experience appointees").
- Provide training and an appropriate stipend to lived experience appointees.

- Empower and appropriately staff the Oversight Committee to produce and present an annual report to the City Council with an assessment of the program’s impact on advancing housing and economic justice and recommendations for improvements.
- 4. Eliminate in-lieu fee options in order to prioritize on-site affordable housing in mixed income development.**

The Community Benefits Program is intended to be a tool to promote inclusive development. Allowing developers to satisfy affordable housing obligations through an in-lieu fee or off-site option undermines this goal by separating the residents of new market-rate construction from the residents of affordable housing, and exacerbates segregated development patterns to the detriment of a diverse community. Including these options is also inconsistent with tried-and-true value capture policies, such as state density bonus law and the TOC, neither of which permit projects to access density incentives without on-site affordable housing. Aligning FAR bonuses with on-site affordable housing is the simplest way to ensure that the required affordable housing is built in the areas affected by new market-rate construction, and is built simultaneously and of comparable quality to the market-rate units. We urge the Commission to remove the provision allowing developers to meet affordable housing requirements through payment of a fee or through off-site construction.

- 5. Remove competing incentives for Moderate and Above-Moderate units to ensure that the Community Benefits Program produces much-needed deeply affordable housing.**

The Draft CPIO allows a housing development to receive a 40% density increase (Level 1) by providing “Set G” affordability standards, which includes an option to provide Moderate-Income (120% AMI) for-sale units. The Draft CPIO further provides that a housing development may exceed this initial density increase by providing an additional increase in Moderate-Income or *Above Moderate-Income* (150% AMI) for-sale or rental units. (As a point of reference, 150% AMI for a 3-person household is \$108,000). This incentive structure is inconsistent with state density bonus law and undermines efforts to prioritize affordable housing for those most in need.

State density bonus law very plainly restricts the provision of a Moderate-Income incentive only to for-sale Common Interest Development projects. The TOC Program does not offer any Moderate-Income incentive for for-sale or rental projects. Here, by allowing rental housing developments a density increase for Moderate-Income and Above Moderate-Income units, the Draft Community Benefits Program would be inconsistent with state law standards and local programs. Moreover, there is no incentive whatsoever in state density bonus law or the TOC for so-called “Above Moderate-Income” units. But the Draft Community Benefits Program would reward the provision of such units with the exact same bonus as it provides to projects that include additional Low Income units in Level 2. For the same benefit, a project will always include the Above-Moderate units at the expense of Low Income units. This deviates from, and is fundamentally inconsistent with, the structure of the TOC and state density bonus law.

More importantly, including a Moderate- and Above Moderate-Income option would undermine the Draft Plan’s ability to respond to the community’s most pressing housing need. The vast majority of Los Angeles renters (nearly 70%) are lower-income, with most being Very Low- or Extremely Low-Income.<sup>2</sup> Despite this, the City consistently produces far more Above Moderate-Income housing than

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<sup>2</sup> U.S. Department of Housing and Urban Development. Office of Policy Development and Research. *Consolidated Planning/CHAS Data*. Aug. 2019. <https://www.huduser.gov/portal/datasets/cp.html>.

lower-income housing.<sup>3</sup> Additionally, in some parts of the plan area, Moderate and Above Moderate rents are close to current market rate units. The CPIO should focus incentives where the need is greatest: on lower-income housing.

**6. Require affordable housing in the Downtown Adaptive Reuse Program, consistent with the Citywide Adaptive Reuse Program.**

Inexplicably, the proposed modifications to the Downtown Adaptive Reuse Program, which would significantly expand the use of the program, do not include any affordable housing standards. In contrast, the Citywide Adaptive Reuse Program includes on-site affordable housing requirements. There is no reason that adaptive reuse projects in Downtown LA, the epicenter of the City's homelessness and affordable housing crisis, should be exempt from affordable housing standards that apply to adaptive reuse projects in the rest of the City. We urge the Commission to include on-site affordable housing standards for the Downtown Adaptive Reuse Program, consistent with the rest of the City.

**7. Incorporate stronger affordable housing preservation and anti-displacement measures.**

The CPIO should also be amended to include stronger anti-displacement protections. We propose the following specific amendments to protect tenants, preserve the affordable housing stock, and maximize inclusive development without displacement.

***a. Adopt a Community Plan-wide universal replacement requirement.***

As currently drafted, the replacement requirements only apply to CPIO Affordable Housing Projects. This means that any project not participating in the CPIO incentive structure would be permitted to demolish RSO and affordable housing without meeting any replacement requirements. While SB 330 applies a replacement requirement to discretionary approvals, City implementation policy does not currently extend this protection to ministerial approvals. This leaves a big gap in protections, especially in Historic and Transit Core areas where the Department acknowledges that increasing the Base FAR "increases the development potential of development projects before participating in the Community Benefits Program."<sup>4</sup> We urge the Commission to amend the Draft Plan to apply the replacement requirements to *all new development*, closing this dangerous loophole and ensuring consistent and predictable application of baseline protections across all projects.

***b. Strengthen RSO replacement requirements.***

We recommend that the CPIO replacement requirements be amended to clarify that any RSO units be replaced with covenanted affordable housing units occupied by lower income households. Under current City implementation, demolished RSO units occupied by lower income households are replaced with affordable units, but RSO units occupied by Moderate or higher income households are replaced pursuant to the RSO, which enables vacancy decontrol and new units offered at market rate. This is not required. State law explicitly enables the City to require any RSO units occupied by persons or families above lower income to be replaced with units affordable to and occupied by low-income persons or families.<sup>5</sup> In addition, to avoid incentivizing the demolition of RSO units and to

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<sup>3</sup> [https://planning.lacity.org/odocument/e9ae0d56-b01b-443e-a3d6-7a86c6e88dea/2018\\_APR.pdf](https://planning.lacity.org/odocument/e9ae0d56-b01b-443e-a3d6-7a86c6e88dea/2018_APR.pdf).

<sup>4</sup> Staff Report, A-32

<sup>5</sup> California Government Code 65915(c)(3)(C)(i).

ensure a net gain of affordable housing Downtown, we encourage the Commission to consider making RSO replacement units additive to the CPIO set-asides. A slightly higher affordable housing contribution is justified for projects that are replacing existing units, especially considering the additional value conferred by streamlined approval and eliminated parking minimums. These important policy changes can be achieved with the following amendment to Draft Zoning Code, LAMC Sec. 9.3.2.B.2:

A housing development project must meet any applicable housing replacement requirements of California Government Code Section 65915(c)(3), as verified by the Department of Housing and Community Investment prior to the issuance of any building permit. Any units subject to the Rent Stabilization Ordinance deemed or presumed to be occupied by persons or families above lower income shall be replaced with units available at affordable rent or affordable housing cost to, and occupied by, low-income persons or families. Replacement dwelling units required by this Section shall not count towards the on-site restricted affordable units requirements in Sec. 9.3.2.B.1. (Local Program Incentive Sets).

***c. Add enhanced relocation requirements and a right of return for projects using CPIO incentives.***

Projects that use the development incentives in the CPIO on sites that have rental housing should be required to provide enhanced relocation assistance and a true right to return to a comparable unit in the new project at an affordable rent.<sup>6</sup> If a developer makes use of the development incentives in the CPIO, each tenant should be entitled to enhanced relocation assistance and support to compensate the tenant for moving and to guarantee that a tenant can remain in their neighborhood while the new project is completed. The enhanced relocation assistance program should be structured to avoid affecting a tenant's eligibility for public benefits. Additionally, displaced tenants must have a meaningful right of return upon completion of the new project. Developers should be responsible for maintaining contact information for all displaced tenants and should provide at least 90 days of notice of right to return to former tenants prior to the completion of the replacement unit. Tenants displaced from the project site must have a right of first refusal to rent the replacement units at a permanently affordable rent.

***d. Include new Policies and Programs to regulate demolitions and condo conversions.***

Numerous Draft Plan policies and CPIO provisions encourage the production of new housing. While this is important, there are also thousands of existing affordable and rent stabilized units in the Downtown Community Plan Area, many of which are at constant risk of being lost to conversion or demolition. To address this important but often overlooked dimension of our affordable housing crisis, the Plan should include Policies and Programs that specifically help preserve the existing affordable and rent stabilized housing stock. These proposed Policies are proven and effective

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<sup>6</sup> These obligations and incentives should in no way provide an exception to, or otherwise obviate, the obligations of developers and landowners under the Rent Stabilization Ordinance, Residential Hotel Preservation Ordinance, and any other obligations related to preservation and replacement of affordable housing and the rights of displaced tenants to remain, access or return to such housing.



strategies, and are necessary to ensure a net gain of affordable units in the Downtown community. We urge the Commission to direct that the following Policies and Programs be included in the Plan:

LU [#].[#] Residential Conversions. Residential Conversion Projects, as defined in LAMC Section 12.95.2, shall be denied if the vacancy rate in the Community Plan Area is five percent or less, or the vacancy rate in the Community Plan Area is unknown, or if the cumulative effect on the rental housing market is significant. In any event, the maximum number of units converted as part of a Residential Conversion Project in the Community Plan Area shall not exceed 50 per 12-month period.\*

LU [#].[#] Residential Demolition Annual Allowance. Adopt an ordinance establishing an annual cap on demolitions of RSO units based on an appropriate percentage of the RSO housing stock in the Community Plan Area.

| [program number] | [number description]   | [responsible agency] |
|------------------|--|----------------------|
| PXX Demolitions: | <u>Promptly establish and implement monitoring and waitlist procedures to prohibit new residential demolition permits unless and until all necessary building permits have been issued for new construction on the site, and adopt an ordinance establishing an annual cap on demolitions of RSO units based on an appropriate percentage of the RSO housing stock in the Community Plan Area.</u> | HCIDLA               |

| [program number]                             | [number description]   | [responsible agency] |
|--|--|----------------------|
| PXX Residential Conversion Annual Allowance: | <u>Promptly establish and implement monitoring and waitlist procedures to deny residential conversion projects if the vacancy rate in the Community Plan Area is five percent or less, or the vacancy rate in the Community Plan Area is unknown, or if the cumulative effect on the rental housing market is significant, and implement an annual allowance of no more than 50 residential conversions in the Community Plan Area per 12 month period.*</u> | HCIDLA               |

We understand and appreciate there may be a preference to adopt these policies at a citywide level, rather than in a Community Plan. We would strongly support a citywide policy that regulated condo conversions and demolitions and otherwise strengthened tenant protections. In fact, our organizations have been advocating for such citywide policies for many years. But every year that we avoid adopting these policies in Community Plans in the hopes of some citywide action, more and more Angelenos lose their homes. At a certain point, we need to act at the Community Plan level and then scale up to a Citywide policy. In many ways, condo conversion and demo policies are actually well-suited for a Community Plan, as both policies require monitoring activity at a sub-municipal level. A citywide annual allowance would still allow for a heavy concentration in a single area. Conversely, an annual allowance within a Community Plan Area would protect against a geographic concentration of condo conversions and demolitions and help stabilize RSO housing in downtown.

## **8. Create stronger standards for hotel development review.**

In order to prioritize housing, prevent displacement, and ensure appropriate review, we support the recommendations provided by UNITE HERE Local 11 to require a CUP (appealable to Council) for hotel and lodging uses, with an additional finding that ensures the protection of existing residential uses and does not detract from or provide standards weaker than those required under the Wiggins Settlement or the Residential Hotel Conversion Ordinance.

## **9. Adopt strong protections and opportunities for community-serving small businesses.**

The Draft Plan includes numerous new programs and policies that significantly increase protections and opportunities for Downtown's vital community serving small businesses. These important additions include: supporting the development of space and opportunities for community-serving small businesses; encouraging the development of new commissaries and commercial kitchens to support low-income street vendors; supporting existing neighborhood stores that support local residents; facilitating the protection of existing markets and swap meets; and dedicating community benefits funds to support small legacy and community-serving businesses, including rent subsidies to provide below-market rent to community-serving Small Legacy Businesses, grants for Low-income Micro-entrepreneurs, subsidies to facilitate creation of Sidewalk Vendor Commissaries, and design and procurement of sidewalk vending carts for donation to low-income sidewalk vendors.

We deeply appreciate the Department's engagement and responsiveness to community-driven recommendations. We urge the Commission to adopt these important policies and programs. We also propose one important amendment to the definition of Small Legacy Business, which we believe will prioritize truly community-serving small legacy businesses while accounting for unique staffing considerations at local restaurants:

Small Legacy Business shall mean a privately-owned corporation, cooperative, non-profit, social enterprise, or other entity that serves the neighborhood in which it is located by providing culturally relevant needed goods or services for local low-income residents, is not franchised or affiliated with a national chain, and meets at least four of the following six standards: (i) has been in continuous operation in the Downtown Community Benefit Area for at least 20 years with no break in its operations exceeding two years (ii) has no more than ~~100 employees/shareholders~~ **50 full time equivalent employees** (iii) the business has contributed to the neighborhood's history and/or the identity of a particular neighborhood or community. (iv) the business includes employees that can serve multi-lingual members of the community (v) Accepts government issued assistance such as EBT (vi) Pays employees a living wage per the City's Living Wage Ordinance

We also recommend the Commission remove the 50-child cap from preschool/daycare uses, as State licensing may permit larger centers.

## **10. Adopt policies and programs to advance equitable access to parks and open space.**

The Draft Plan includes numerous new programs and policies that enhance equitable access to and enjoyment of public space. These important additions include: providing 24-hour restroom access and maintenance in Skid Row parks; encouraging new open space and streetscape improvements to include design features for seniors; preventing hostile architecture and exclusionary design; recognizing important community parks; creating a program to assess park and open space needs; and defining publicly accessible open space to include requirements for 24/7 public restrooms, drinking water,

shade, and phone charging stations. We appreciate the Department's engagement and responsiveness to community-driven recommendations, and we urge the Commission to adopt these important policies and programs.

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The Downtown Community Plan presents an important and timely opportunity to establish a framework for equitable growth and a just recovery. If done right, this Plan can protect current low-income and houseless Downtown residents, create new opportunities for safe and affordable housing, open the economy to low-income entrepreneurs, and establish a model for equitable community planning. Thank you for considering these recommendations and please reach out with any questions.

Sincerely,

Doug Smith  
Public Counsel

Erich Nakano  
Little Tokyo Service Center

Sissy Trinh  
Southeast Asian Community Alliance

Steve Diaz  
Los Angeles Community Action Network

CC: Councilmember Kevin de León  
Councilmember Gil Cedillo  
Councilmember Curren Price  
Vince Bertoni



June 15, 2021

Samantha Millman, President  
Los Angeles City Planning Commission  
200 North Spring Street  
Los Angeles, CA 90012

**Re: Item 6: CPC- 2017-432-CPU; CPC-2014-1582-CA; DTLA 2040 Community Plan Update**

Dear President Millman and Honorable Los Angeles City Planning Commissioners:

As a member of the Skid Row and greater Downtown community for over 43 years, the Downtown Women's Center ("DWC") has been actively engaged in both the community-driven and formal processes associated with the updating of the Downtown Community Plan, which will be before you later this week.

Though we have expanded our programs over the years to meet the evolving needs of unhoused women across Los Angeles County, the vast majority of the 5,500 women we support annually are receiving services at our facilities in Skid Row. Our drop in Day Center, located on the first floor of our headquarters on San Pedro Street, helped nearly 3,300 women access housing, healthcare, and employment in 2020; 99% of our 119 residents of permanent supportive housing split between our San Pedro Street and Los Angeles Street buildings remained permanently housed due to our services; and, our social enterprise, "MADE by DWC," split between MADE Café on San Pedro and our resale boutique located on Los Angeles Street, employed 30 women from our programs into transitional and long-term employment. DWC's commitment to the unhoused in Skid Row and the greater Downtown community is evidenced by our current plans to expand our San Pedro Street campus to develop an additional 97 units of permanent supportive housing.

As you contemplate and ultimately help guide the next two decades of planning and growth in Skid Row and Downtown, DWC urges a full embrace of a racial and gender equity lens toward the proposed Community Plan Update. Inasmuch the history of development in Los Angeles, and specifically Downtown, was largely guided by either explicit or de facto exclusion of Black, Latinx, Indigenous, AAPI, and low-income communities, this is a moment for the City of Los Angeles to plan for a neighborhood and city that fully centers the needs and humanity of its entire citizenry.

To that end, DWC recommends the following:

- **Plan for a Skid Row that addresses the needs of both future and current residents, housed and unhoused:** In the city's overall approach to planning and land use in Skid Row, the needs of the community's 4,700 unhoused residents, of which 60% are Black Angelenos, cannot be merely incidental, much less ignored, but in fact critical to all decisions made by elected leaders and city departments. Anything less will be a tragic continuation of failed policies that perpetuate gross racial inequities.
- **Ensure no net loss of affordable housing in Skid Row:** As the development of Downtown continues, the city must ensure that the current residents of Skid Row are not at risk of displacement by committing to the preservation of the community's current affordable housing stock.



- **Increase green space, shade structures, and overall greenscape across Skid Row and Downtown:** In order to more fully connect Skid Row with the rest of Downtown and to create a fuller sense of a neighborhood, the Community Plan Update must prioritize and promote the investment of greenscape and open space in Skid Row, which has been historically under-parked and devoid of the type of shade and greenery that make both communities more inviting and reduce the exposure to extreme heat.
- **Expand access to hygiene and sanitary facilities in Skid Row and Downtown:** Over 1-in-3 of women interviewed in the 2019 City of Los Angeles Women's Needs Assessment conducted by DWC indicated it was "always" difficult to find a safe and clean restroom and shower. Access to basic hygiene was also listed as a barrier to employment for 36% of women. The inclusion of public hygiene and sanitary facilities should be encouraged in the development of public, and publicly-financed construction throughout Downtown.
- **Allow for the development of infrastructure that supports unarmed crisis response models:** The Community Plan Update must allow for the approval and prompt development of infrastructure that supports the move toward trauma-informed, unarmed crisis response models to address the physical and mental health needs of vulnerable Angelenos. Bureaucratic hurdles should not stand in the way of overdose prevention sites, crisis beds, and 24-hour access centers from being promptly developed.

Central to the success of the Downtown Community Plan Update and any serious efforts to provide housing to our unsheltered neighbors is a major overhaul of how housing is approved and financed in the city. Concerningly, there remains continued gendered inequities in accessing stable housing. In DWC's 2019 Los Angeles City Women's Needs Assessment, 2/3 of respondents in our first-ever citywide report cited lack of accessible, affordable housing as a problem they faced, which ranked as the top issue. According to a 2019 California Policy Lab review of recent HUD data, unaccompanied women who are unsheltered wait on average more than 10 years to access stable housing, a rate more than twice of men.

DWC calls upon the Los Angeles City Council to delegate its authority to the Housing and Community Investment Department (HCID) for the approval of funding commitments for standard affordable housing projects, with HCID staff empowered to review and make decisions on affordable housing developments when the City investment is \$20 million or less; this funding level should increase over time, such as 10% per year. Cities like Santa Monica and West Hollywood already have delegated their authority to their housing and planning departments when it comes to approving affordable housing developments.

Furthermore, the City Council should eliminate site plan review for projects that are 100% affordable housing. The City should also raise the housing unit threshold that triggers site plan review to 100 units for projects that are at least 50% affordable, and affordable housing should have a by-right entitlement process that can be approved over the counter by Planning as long as the projects meet certain conditions.

The City of Los Angeles should also create an Affordable Housing Division within Los Angeles City Planning that would be dedicated solely to processing entitlements and environmental approvals for affordable housing projects. Whether through the proposed Los Angeles County Affordable Housing Solutions Agency ("LACAHS"), tax increment financing, imposing inclusionary zoning set-asides that would require a minimum of 25% of all new housing developments be affordable, or the implementation of a vacancy tax, all potential funding streams should be pursued to rapidly increase the availability of affordable housing stock in Skid Row and across the city.

# DOWNTOWN WOMEN'S CENTER



442 South San Pedro Street  
Los Angeles, California 90013  
T: 213.680.0600 | F: 213.680.0844  
[www.DowntownWomensCenter.org](http://www.DowntownWomensCenter.org)

Thank you for considering this letter, and we look forward to our continued partnership with the city as we work to end homelessness for women in Los Angeles.

Sincerely,

A handwritten signature in black ink, appearing to read 'Amy Turk'. The signature is fluid and cursive, with a large initial 'A'.

Amy Turk, LCSW  
Chief Executive Officer  
Downtown Women's Center



June 15, 2021

**VIA EMAIL**

The Honorable Samantha Millman, President  
and Honorable Commissioners  
Los Angeles City Planning Commission  
c/o Los Angeles Department of City Planning  
200 North Spring Street  
Los Angeles, CA 90012-2601

Re: **DTLA 2040 Community Plan Update; Importance of Transit-Adjacent Zoning Incentives**

  
Dear Chairwoman Millman and Honorable Planning Commissioners:

I have been working closely for nearly five years with stakeholders including the Arts District Business Improvement District and the proponents of the 670 Mesquit project, including the Gallo family and their partners RCS Vella, to advocate for new transit improvements to serve the Arts District. This letter is written in my longstanding capacity consulting with these stakeholders as Executive Director of FAST and FASTLinkDTLA, and not in my capacity in a role that I took on in 2019 as a Commissioner and, from 2020 to the present, Chairwoman of the California Transportation Commission.

For the Arts District stakeholders, we are very appreciative of the progress demonstrated by LA Metro in initiating the environmental impact report for the proposed 6<sup>th</sup> Street Station, which would be located adjacent to the 670 Mesquit project and near the 6<sup>th</sup> Street Viaduct and PARC. We also appreciate the leadership of the Mayor and the City Council in funding support to complete the 6<sup>th</sup> Street Station. Given the City's role in supporting the 6<sup>th</sup> Street Station, however, it is disappointing to see that the latest draft of the DTLA 2040 Plan does not appropriately acknowledge the proposed station and does not recommend the necessary transit-adjacent zoning and incentives for housing in the vicinity of the proposed new 6<sup>th</sup> Street Station. Moreover, the limitations currently included in the draft with height and setback restrictions near the proposed station and limits on housing typologies to favor live-work proposals should be eliminated, since all of these limitations will result in reducing the City's ability to provide more housing opportunities near transit. While the 6<sup>th</sup> Street Station EIR process just recently commenced, recognizing that the DTLA 2040 Plan is still in the review phase, there is time to update the DTLA 2040 Plan with the appropriate changes, especially changes that would negatively affect housing production in the midst of a housing shortage.

I request that the Commission direct staff update the proposed DTLA 2040 Plan for the Arts District to recommend the appropriate densities and residential incentives to incentivize housing and mixed-use investment adjacent to the new transit station. Such incentives are not only good planning for Los Angeles; they are essential, as recognized in California's planning, to achieve emissions reductions and VMT targets that are essential to secure California's clean-air future. As a practical matter, in addition, funding for implementation of the proposed Metro station will require significant contributions from state and federal funding sources which incorporate principles of transit-adjacent zoning into their funding considerations. Demonstrating that the 6<sup>th</sup> Street Station is included in the DTLA 2040 Plan would be very important to garnering federal and state funds by showing proximity to current and future transit riders and public destinations.

I appreciate your consideration and look forward to the City Planning Commission's review. Please let me know if any additional information would be helpful.

Sincerely,



Hilary Norton  
Executive Director  
FASTLinkDTLA

Cc: Frank Gallo  
Vince Gallo  
Zach Vella  
Michael LoGrande  
Cindy Starrett, Esq.  
Benjamin Hanelin, Esq.

**FASTLinkDTLA**

**DTLA Headquarters: 525 South Hewitt Street, Los Angeles, CA 90013**

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**[hilary@FASTLinkDTLA.org](mailto:hilary@FASTLinkDTLA.org)**





Los Angeles City Planning Commission  
 200 N. Spring Street  
 Los Angeles, CA 90012  
*Delivered via electronic mail.*

June 15, 2021

**RE: CPC-2017-432-CPU – Downtown LA Community Plan**

Dear Honorable Commissioners,

The undersigned organizations respectfully submit the following comments and recommendations concerning the Downtown LA Community Plan update. We stand with the Central City United Coalition (CCU) in advocating for a Plan that maximizes equity and racial justice in the growth of Downtown. This Plan must center and prioritize the needs of low-income tenants, unhoused residents, immigrants, low-wage workers, low-income entrepreneurs, and other vulnerable residents.

Downtown Los Angeles is home to the City’s oldest neighborhoods and has seen over a century’s worth of transformation, with more changes yet to come. However, historically Downtown has been the site of racist and discriminatory land use practices. For example, Chinatown, Little Tokyo, and Skid Row were originally created to specifically segregate low-income immigrant and houseless residents from the rest of the City. In more recent years, much has been made of the “*revitalization*” or “*resurgence*” of Downtown. But in too many instances, the policies and practices driving this

“*resurgence*” have caused more harm than benefit to low-income Downtown residents, including increased criminalization of unhoused residents and gentrification-fueled displacement and destabilization of low-income and immigrant communities.

As the City now grapples with its history of institutional racism and structural injustice, we applaud the Department of City Planning for acknowledging the deep harms that past land use policies have inflicted on low-income communities and communities of color. As the City commits to repairing these harms, the Community Plans are a tool to do just that. As the framework for growth, development and investment in Downtown for years to come, the Downtown Community Plan is one of the most important and timely opportunities for the City to put its stated commitment to racial justice into practice.

We support CCU’s recommendations for the plan and ask the Commission to take the following actions to advance a more inclusive and equitable Community Plan.

**1. Adopt the Planning Department’s careful calibration of Base and Bonus floor area ratios in order to maximize value capture and promote inclusive affordable housing growth in Chinatown and Little Tokyo.**

The Department has created a comprehensive community benefits program that utilizes a carefully calibrated Base-Bonus Floor Area Ratio (FAR) incentive. The proposed incentive structure builds on the TOC Program and prioritizes mixed income affordable housing in Downtown neighborhoods like Chinatown and Little Tokyo, which desperately need more affordable housing. We urge the Commission to approve this structure.

Any increase in the Base FAR in these areas (as some will certainly ask the Commission to do) would be counterproductive to the Plan’s numerous stated goals of increasing affordable housing opportunities. Maintaining the Base FAR at its current setting in the Draft Plan is critical to an effective value capture program. Even a small compromise in the Base FAR will undo the incentive structure and will result in projects foregoing the Bonus FAR and building at the Base instead, creating fewer housing units overall, no affordable housing, and the elimination of no-net-loss protections (which currently only attach to projects that use the Bonus). As currently structured, projects in Chinatown and Little Tokyo are actually incentivized to build at the higher Bonus FAR, creating more housing and much-needed affordable housing - a win-win. We implore the Commission to approve the Base and Bonus FARs as proposed by the Planning Department for Chinatown and Little Tokyo.

**2. Adopt policies and programs to advance equitable access to parks and open space.**

This most recent draft of the Plan, CPIO and Zoning Code include numerous new programs and policies that enhance equitable access to and enjoyment of public space. These important additions include: providing 24-hour restroom access and maintenance in Skid Row parks; encouraging new open space and streetscape improvements to include design features for seniors; preventing hostile architecture and exclusionary design; recognizing important community parks; creating a program to

assess park and open space needs; and defining publicly accessible open space to include requirements for public restrooms, drinking water, shade, and phone charging stations. We appreciate the Department's engagement and responsiveness to community-driven recommendations, and we urge the Commission to adopt these important policies and programs.

**3. Adopt strong protections and opportunities for community-serving small businesses and micro-entrepreneurs.**

This most recent draft of the Plan, CPIO and Zoning Code include numerous new programs and policies that significantly increase protections and opportunities for Downtown's vital community serving small businesses. These important additions include: supporting the development of space and opportunities for community-serving small businesses; encouraging the development of new commissaries and commercial kitchens to support low-income street vendors; supporting existing neighborhood stores that support local residents; facilitating the protection of existing markets and swap meets; and including community-serving small businesses, micro-entrepreneurs, and street vendors in the Community Benefits Fund.

**4. Include residents with lived experience in the oversight and implementation of the Community Benefits Fund.**

We strongly support the Planning Department's bold and important proposal to eliminate the existing TFAR Program and replace it with a Community Benefits Fund. As a replacement, the Draft Community Benefits Fee Ordinance makes funding available for vital housing and economic justice programs. The Draft Community Benefits Fee Ordinance also establishes an Oversight Committee to make recommendations for disbursement of funds. In order to make this oversight process more transparent and equitable, the Oversight Committee should be required to include downtown residents affected by the affordable housing and eviction crisis, including at least 50% current or former houseless residents, with representatives from multiple downtown neighborhoods including Skid Row, Chinatown, and Little Tokyo ("lived experience appointees"). The Oversight Committee should be empowered and appropriately staffed to produce and present an annual report to the City Council with an assessment of the program's impact on advancing housing and economic justice and recommendations for improvements.

**5. Expand the IX1 District to create new housing and prevent displacement in Skid Row.**

The affordable housing prioritization of the IX1 zoning use district should be expanded to **cover all of the Skid Row neighborhood - the area bounded by Main Street, 3rd Street, Alameda Street, and 8th Street**. Additionally, the use district should be modified to require all Restricted Affordable Units be set at housing costs affordable to Low-Income households and lower (i.e., no Moderate-Income units). The Permanent Supportive Housing incentive should continue to apply in this use district.

6. **Eliminate in-lieu fees and Moderate and Above-Moderate Income incentives in order to ensure that new development includes on-site affordable housing available to lower income households.**

The draft CPIO allows developers to satisfy affordable housing obligations by paying an in-lieu fee, which has the effect of separating the residents of new market-rate construction from the residents of affordable housing, and exacerbates segregated development patterns and exclusively luxury enclaves to the detriment of a diverse and dynamic community. The draft CPIO also appears to provide valuable incentives to projects that include Moderate Income *rental* units and so-called “Above Moderate Income” units. This diverts incentives away from much-needed deeply affordable housing and is inconsistent with the state density bonus and TOC framework. Additionally, in some parts of the plan area, moderate and above moderate rents are close to current market rate units. We urge the Commission to focus valuable incentives where the need is greatest: on-site housing affordable to lower-income households.

7. **Require affordable housing in the Downtown Adaptive Reuse Program, consistent with the Citywide Adaptive Reuse Program**

Inexplicably, the proposed modifications to the Downtown Adaptive Reuse Program, which would significantly expand the use of the program, do not include any affordable housing standards. In contrast, the Citywide Adaptive Reuse Program includes on-site affordable housing requirements. There is no reason that adaptive reuse projects in Downtown LA, the epicenter of the City’s homelessness and affordable housing crisis, should be exempt from affordable housing standards that apply to adaptive reuse projects in the rest of the City.

8. **Incorporate stronger affordable housing preservation and anti-displacement measures.**

The CPIO should also be amended to better protect tenants, preserve the affordable housing stock, and maximize inclusive development without displacement. We urge the Commission to:

- ***Adopt a Community Plan-wide universal replacement requirement*** to close a loophole and ensure consistent and predictable application of baseline protections across all projects.
- ***Strengthen Replacement Requirements*** by clarifying that any RSO units must be replaced with covenanted affordable housing units occupied by lower income households and making RSO replacement units additive to the CPIO set-asides.
- ***Require enhanced relocation assistance and a guaranteed right of return for projects using CPIO incentives*** so that tenants are compensated for moving and are able to remain in their neighborhood before returning at an affordable rent once the project is completed.
- ***Include new Policies and Programs to regulate demolitions and condo conversions*** by imposing an annual allowance of demolitions and conversions in the Community Plan Area.

\*\*\*

The Downtown Community Plan presents an important and timely opportunity to establish a framework for equitable growth and a just recovery. If done right, this Plan can protect current low-income and houseless Downtown residents, create new opportunities for safe and affordable housing, open the economy to low-income entrepreneurs, and establish a model for equitable community planning. Thank you for considering these recommendations

Sincerely,

Southeast Asian Community Alliance

Little Tokyo Service Center

LA CAN

Public Counsel

Alliance for Community Transit - Los Angeles

Asian Pacific Islander Forward Movement

Center for the Pacific Asian Family

Community Power Collective

East LA Community Corporation

Eastside LEADS

Esperanza Community Housing Corporation

Inclusive Action for the City

J-TOWN Action and Solidarity

Japanese American Cultural and Community Center

Koreatown Immigrant Workers' Alliance

Koreatown Youth and Community Center

Kounkey Design Initiative

Little Tokyo Historical Society

Los Angeles Alliance for a New Economy

Los Angeles Neighborhood Land Trust

Los Angeles Poverty Department

Los Angeles River State Park Partners

National Resources Defense Council

Nikkei Progressives

Service Employees International Union (SEIU) —United Service Workers West

Strategic Actions for a Just Economy

Southern California Association of Non Profit Housers

Sustainable Little Tokyo

Thai Community Development Center

United Way of Greater Los Angeles

Visual Communications

We the Unhoused

Jon Christensen

Adjunct Assistant Professor, UCLA Luskin Center for Innovation and Institute of the Environment and Sustainability

Sara Daleiden

Resident and Creative Small Business Owner, Fashion District  
Skid Row Now and 2040 Coalition Member

Joan Ling

Lecturer, UCLA Urban Planning Department  
Former Commissioner and Treasurer, Community Redevelopment Agency of the City of Los Angeles, 2005-2012  
Former Executive Director, Community Corporation of Santa Monica, 1991-2011

Pauletta Pierce, Resident, Chinatown



## Skid Row Now & 2040's Vision Document for the Public Hearing on June 17.

Henriette <info@lapovertydept.org>  
To: cpc@lacity.org

Mon, Jun 14, 2021 at 10:35 PM

Dear City Planning Commissioners,

I am submitting the attached Vision Document on behalf of Skid Row Now & 2040 for the hearing on June 17. Skid Row Now & 2040 is a coalition of community organizations, residents and stakeholders advocating for humanitarian land use policy for Skid Row.

Over the past 5 years, tSkid Row Now & 2040 has engaged with the Department of City Planning and created this Vision Document for the Skid Row community, and additional ideas for funding housing that will get people off the streets.

Thank you to the Department of City Planning for building from the transformative and ethical history of the [1970s Blue Book city plan for Skid Row](#) in **creatively making the IX1 zone for affordable housing only** in the neighborhood. **In this plan draft, the special IX1 zone still doesn't cover all of Skid Row**, and it squeezes affordable housing into a small set of blocks east of San Pedro. Skid Row residents want the expansion of the IX1 zone where **only affordable housing with extremely low and deeply low-income levels** can be built to the **existing, historic, legal Skid Row neighborhood boundaries**: from Main to Alameda, and from 3rd to 7th street.

We need a way to influence land use and development until **every person without shelter and nearby supportive services, has a sustainable home** and needs met. **We can't rely on the private development market** to produce the necessary affordable housing and amenities in Skid Row or Downtown overall without City guardrails. The percentage of affordable housing being built in our **current real estate development market isn't producing at a rate and scale to care for everyone** regardless of income level. We are **hopeful about the DTLA 2040 Community Benefits Program**, but without an IX1 affordable housing only zone, we don't think this is enough to adequately support Skid Row neighbors.

Additionally, we greatly appreciate the focus in the current plan draft on **holistic improvements for Skid Row**, as well as Downtown Los Angeles, that **prioritize safe, welcoming and inclusive design** to make a **livable community** for all current residents and workers in Downtown. This includes a mix of uses and investments in Skid Row including:

- **public gathering spaces** including restrooms, hygiene stations and water fountains and valuing our parks
- **local business** contracting and training for jobs, entrepreneurs and other neighborhood work opportunities
- **healthy food retail** including support of street vendors and other small businesses
- **street infrastructure** that prioritizes well-walked corridors and connectivity
- **public health services** that are supportive to the range of current residents and workers
- **community arts** that make space for the wide array of neighborhood artists who can celebrate and memorialize Skid Row history and culture

Health and vibrancy for any of us in Downtown Los Angeles is inextricable from **respecting current cultures and life experiences of our Skid Row neighborhood**.

Sincerely,

Henriette Brouwers

[Los Angeles Poverty Department](#)  
[Skid Row History Museum and Archive](#)  
[Walk the Talk Archive](#)  
cell: 310-227.6071



**Skid Row Now & 2040 Vision 2021.pdf**

192K





## Skid Row Now & 2040 Coalition

### *Essential community plan principles for Skid Row*

*A community plan should be a vision for supporting and responding to the needs of existing neighbors and neighborhoods, while paving a roadway to a better tomorrow. It should be community-focused, and not solely driven by business interests or the incongruent placement of buildings to maintain a status quo. Below are essential principles for Skid Row.*

## Neighborhood Preservation

**No Net Loss of Affordable Housing:** All existing units must be protected so no affordable housing loss occurs in Skid Row.

**Anti-Displacement Protections:** Protect tenant legal rights from being violated and prohibit discriminatory practices that prevent access to affordable and low-income housing. Create a process for unhoused Skid Row residents to access housing in Skid Row as a first option.

**No Changes to Skid Row Boundaries:** The proposed IX1 zone for affordable housing only, with extremely low and deeply low-income levels (and all principles contained in this document) must extend to the traditional boundaries of Skid Row; Main Street to Alameda Street and Third Street to Seventh Street. This includes restrictions on new market rate housing. A buffer zone extending beyond these boundaries is recommended as additional protection and support for Skid Row and adjacent communities.

**Arts and Culture:** Support the creation and sustenance of community cultural centers as creative places to preserve and share local history, enhance neighborhood pride, and strengthen social cohesion. This includes the integration of locally produced and community oriented public art projects and cultural programming into public spaces. Cultural space must offer substantial and accessible programming for all ages and in more than one dedicated cultural facility, including renovation and new construction. Expand support for the large number of artists and culture bearers that live and work in the Skid Row neighborhood (i.e. property owners fee for the arts, contracting with local artists, and supporting street vending for local artisans). Implement a process to facilitate the community ownership of creative space and encourage art production. Ensure exhibition spaces are accessible and affordable to community-based artists.

## **Health & Well-being**

**Green Space and Common Space:** Ensure that Skid Row parks receive their fair share of resources to support the many patrons that daily utilize them. This includes maintenance, facility improvements, and programming. Create new parks and green space when possible. Prioritize the creation of common spaces that are responsive to community social (i.e. performances, markets, events, tournaments) and personal needs (i.e. access to restrooms, handwashing, drinking water, seating, Wi-Fi, charging stations, cooling stations, shade, heat). Expand hygiene supporting resources based on the 24/7 ReFresh Spot model, including utilization of Skid Row parks. Implement street safety and comfort investment on primary corridors in Skid Row. Protect pedestrian and biker safety utilizing longer crosswalk timers, speed bumps, crossing signals, bike lanes and improved signage on all Skid Row streets. Create community gardens utilizing converted City land.

**Sanitation and Neighborhood Maintenance:** Create jobs for Skid Row residents to conduct neighborhood street cleaning and 311 bulky items pickup. Employ residents to staff, monitor and maintain community resources (i.e. permanent toilets, water fountains, portable toilets and showers).

**Health and Wellness Protections:** Skid Row has long prioritized resources for treatment, recovery, and self-help for trauma and system impacted individuals manifesting mental and substance use disorders. This is threatened by alcohol-fueled redevelopment in the 5 census tracts in and adjacent to Skid Row. The State allows 27 alcohol licenses in these census tracts while a staggering 273 currently exist. No new alcohol permits shall be issued in Skid Row (including restaurants, bars, and convenience stores). No new marijuana businesses shall be permitted (with a possible exception for community run Social Equity businesses). Access to affordable, culturally relevant healthy food options and nutritional support is a major community priority. Incentives must be provided to convert existing stores, promote new businesses, and support community gardens and farmers markets.

**Resiliency Centers:** Identify areas and buildings as resiliency centers for public use during climate events, multi-casualty incidents, and other emergencies. Implement community responsive and informed approaches to address and minimize casualties, harm, trauma, and threat. These resources should be accessible 24/7 in Skid Row where residents are often living in a stage of emergency.

## **Neighbor Engagement and Participation**

**Skid Row Neighborhood Council or Other Representative Body for DTLA 2040:** A process must be implemented to support a neighborhood council or other representative body for the Skid Row neighborhood. This will give residents and workers a direct channel to weigh in on City decisions related to Skid Row including implementation of the community plan. With Skid Row being a predominantly Black neighborhood, this representative body could address equity concerns, including systemic practices that have historically disenfranchised community members, as well as identify and promote best practices.

**Bridging the Digital Divide:** Neighborhood-wide internet and computer access must be provided for Skid Row community members to easily access vital information, participate in meetings, and correspond with the City and other supporting groups and agencies.

**End the Criminalization of Homelessness:** Stop the over-policing and arrest of homeless people. Redirect police funding to Skid Row community members and advocates and partner with people experiencing homelessness to create opportunities to address their immediate needs and inform systems change. This includes leadership and employment opportunities (aimed at improving safety, wellness, autonomy, and social connection) for community members including those with lived expertise.

**Employment Opportunities:** Offer Skid Row residents work opportunities in their neighborhood related to parks, hygiene stations, resiliency centers, art projects, cultural programming, sanitation and neighborhood maintenance, community safety, and other relevant facility and engagement work.

## Development Opportunity Enhancement & Investment

**Inclusionary Zoning:** Developers must be required to set-aside no less than 25% of all Downtown Los Angeles residential units built for affordable housing at a deeply affordable level for residents currently living in poverty. Require a range of affordable housing levels in all new housing construction, possibly for new mixed-use and commercial construction.

**Affordable Housing Financing:** The City must create new funding sources for affordable housing through developer fees, tax increment financing, and a vacancy tax. Activate developer fees from the existing TFAR program as well as a new 1% impact bond for rental subsidies. Assess the feasibility of tax increment financing mechanisms such as EIFD, CRIA, NIFTI and AHA, and establish a tax increment financing district in Skid Row and Downtown Los Angeles. Charge a 1% tax annually on any vacant building's value for every year it is vacant and route this funding to affordable housing in Skid Row.

**Land Banking:** Local government should purchase, manage and repurpose an inventory of underused, abandoned or foreclosed property for affordable housing and other development described in this document.

**Public Housing:** This infrastructure can be mixed-use and mixed-income housing produced and managed by local government with public and private funding, possibly as part of existing government buildings and property.

**Save Mom-and-Pop Program:** Prioritize the preservation of and support for local business to avoid displacement.





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## Public Comment for June 17, 2021 City Planning Commission Hearing, DTLA 2040, Agenda Items #2 and #6.

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Phyllis Ling <pling@yahoo.com>

Tue, Jun 15, 2021 at 4:11 AM

To: Planning Cpc <cpc@lacity.org>

Cc: Gilbert.Cedillo@lacity.org, councilmember.kevindeleon@lacity.org, gerald.gubatan@lacity.org, Ricardo Flores <ricardo.x.flores@lacity.org>

June 15, 2021

Subject: DTLA 2040 Community Plan, June 17, 2021 CPC Hearing, Agenda Item #2 and #6.

Dear City Planning Commissioners, Councilmember Cedillo, and Councilmember De Leon,

My name is Phyllis Ling. I am a board member of Historic Cultural North Neighborhood Council (HCNNC), the city's newest neighborhood council, which represents Chinatown, El Pueblo, Victor Heights, and Solano Canyon.

On May 27, 2021, the board of HCNNC voted to approve a Community Impact Statement (CIS) that purports to represent our communities' views on the DTLA 2040 community plan. I am writing this letter in my personal capacity as a stakeholder (resident and property owner) who has detailed knowledge of the circumstances surrounding the passage of this statement, and is alarmed by the lack of transparency and lack of opportunity for stakeholder input.

### The following is a complete history of HCNNC's discussions about DTLA 2040 since the neighborhood council began meeting in June of 2019:

**Note:** Meeting minutes and recordings are available on hcnncc's website at <https://hcnncc.org/agendas-and-minutes>.

- In **August 2020**, HCNNC began informing stakeholders about the DTLA 2040 Community Plan Updates via website postings and email newsletters.

Examples: <https://mailchi.mp/398c0175af18/reminder-hcnncc-8-13-pluc-meeting>, <https://mailchi.mp/94a4b7e0c714/december-2-2020-newsletter>, <https://hcnncc.org/dtla-2040-community-plan-update/>

- On **August 13, 2020**, HCNNC's Planning and Land Use Committee (PLUC) heard a brief presentation about a competing community plan for Chinatown that was drafted by stakeholders seeking to influence the DTLA 2040 Plan. No public comments were heard or received about either plan.

- On **October 13, 2020**, HCNNC's PLUC reviewed and discussed the DTLA 2040 Plan for 5 minutes, towards the end of the meeting. No public comments were heard or received. (Recording available at <https://bit.ly/HCNNC-10-13-20>, 1:42:43-1:48:00.)

- On **May 26, 2021**, HCNNC announced that a special meeting would be held the following day. On the agenda for this meeting was over \$34k in proposed expenditures and two community impact statements, one of which was in regard to DTLA 2040. This was the first time HCNNC suggested it may take any position on the Downtown Community Plan.

- On **May 27, 2021**, HCNNC's board voted to approve the CIS on DTLA 2040, which was made public only 24 hours earlier, at the same time that the meeting notice was posted. (Recording available at <https://bit.ly/HCNNC-5-27-21>, 1:53:21-2:12:30.)

As of today, no written comments have been received by HCNNC in regard to DTLA 2040. Two public comments were heard at the May 27, 2021 special meeting. The commenters opposed its passage due to concerns about undermining the Community Benefits program and lack of opportunity for stakeholder comment on the statement.


Neighborhood councils were established in an effort to make City Hall more responsive to stakeholders' needs and concerns. Neighborhood councils are official bodies of elected representatives, who are tasked not only with speaking on behalf of stakeholders, but also with engaging with and hearing directly from stakeholders. Community Impact Statements should reflect the will and concerns of stakeholders. Community impact statements, especially on complex and consequential issues such as a community plan, should only be approved after there has been a concerted effort to inform and solicit feedback from the community. Allowing only 24.5 hours to send in public comment was inadequate to say the least.

I hope this provides context on the statement approved by HCNNC on May 27, 2021 in regard to DTLA 2040.

Sincerely,

Phyllis Ling

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 **CIS-DTLA2040-05-27-21-rev-06-15-21.pdf**  
61K

**Chair**

Don Toy

**1st Vice Chair**

Mei Wah Lau

**2nd Vice Chair**

Bryce Louie

**Treasurer**

Steve Rice

**Secretary**

Huiling Cai

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# Historic Cultural North Neighborhood Council

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323-716-3918

[www.hcnnc.org](http://www.hcnnc.org)

[hcnc.board@gmail.com](mailto:hcnc.board@gmail.com)

200 N Spring St  
Los Angeles, CA 90012

June 15, 2021

To: City Planning Commission  
Los Angeles City Council

Subject: **CPC-2017-432-CPU, CPC-2014-1582-CA, ENV-2017-433-EIR (Downtown  
Community Plan/DTLA 2040)**

The Historic Cultural North Neighborhood Council (HCNNC) requests that the following Community Impact Statement (CIS) be attached to City Planning Commission Files for CPC-2017-432-CPU, CPC-2014-1582-CA, and ENV-2017-433-EIR.

Please note that this statement is submitted pending determination of the legality of the HCNNC's May 27, 2021 special board meeting per the Brown Act.

On May 27, 2021, with a quorum of 17, the HCNNC Board of Directors held a special meeting, and with a vote of 11 yeas, 5 nays, and 1 abstention, voted to approve the following Community Impact Statement:

## **Community Impact Statement (CIS)**

### **RE: DTLA 2040 DRAFT ENVIRONMENTAL IMPACT REPORT**

The HCNNC is against the down zoning of the Chinatown East and Chinatown West areas. We are in favored of a minimum base FAR of 6:1 and a height, limited only by FAR. The current proposed base FAR of 2:1 and height restriction of 3 stories is far too restrictive. This would curtail new development in Chinatown and more importantly, discourage development of affordable housing.

We are against a plan that would create highly specific design requirements for buildings in the Plan area. We would like a design review board to review each building in the Chinatown area, rather than a "one design fits all" approach.

We are against a plan to limit hotels rooms in the Chinatown area to 49 rooms per hotel. Chinatown is a major tourist area. This makes no sense whatsoever. Large hotels are a major source of employment, much needed in our area.

We are against the restriction to limit the square footage of businesses in Chinatown. Chinatown is in dire need of a supermarket. The limit of 5,000 square feet would preclude them from opening in Chinatown.

We would support higher density developments in the Chinatown area. Higher density above the Public Benefits Program currently in place. All additional density, either commercial or residential development, shall have a majority of it's square footage allocated to subsidized rents for non-profits, community use, supermarkets, other essential businesses lacking in Chinatown. At least 60% of additional residential units should be allocated to affordable housing.

We ask the Los Angeles Department of City Planning to consider the wishes of the people in the Chinatown community.

Don Toy, Chairman  
Historic Cultural North Neighborhood Council

LAW OFFICE OF JOHN P. GIVEN  
2309 Santa Monica Blvd., #438  
Santa Monica, CA 90404  
john@johngivenlaw.com  
(310) 471-8485

June 14, 2021

*VIA EMAIL ONLY to [cpc@lacity.org](mailto:cpc@lacity.org)*

Los Angeles City Planning Commission  
Los Angeles City Hall  
200 N. Spring Street  
Los Angeles, CA 90012

RE: Downtown Community Plan Update /  
New Zoning Code for Downtown Community Plan  
Case Nos. CPC-2017-432-CPU, CPC-2014-1582-CA, ENV-2017-433-EIR

Dear President Millman and Honorable Planning Commissioners:

This comment letter is submitted on behalf of Arts District Community Council Los Angeles (“ADCCLA”)<sup>1</sup> in response to the Department of City Planning Recommendation Report (“Recommendation Report”) for the Downtown Community Plan Update (“DTLA Community Plan” or “Community Plan”) and the New Zoning Code for the Downtown Community Plan (collectively, the “Project”). ADCCLA submitted a comment letter on the Draft EIR in December 2020, adopted herein by reference.<sup>2</sup> ADCCLA notes that the Project is scheduled for consideration by the City Planning Commission before the Final EIR has been released.

### **General Comments**

ADCCLA’s substantive comments on the Community Plan update and New Zoning Code are primarily with reference to Community Plan changes being considered for the City’s Arts District area and immediately surrounding neighborhoods. ADCCLA appreciates the significant effort that the Department of City Planning has expended since 2014 in reviewing the Central City and Central City North Community Plan areas and preparing a new DTLA Community Plan comprising both of these existing community plan areas.

In addition to this ambitious scope of work, Planning has added a sizable portion of the proposed New Zoning Code as part of the Project. Between the DTLA Community Plan and New Zoning

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<sup>1</sup> ADCCLA is the leading Arts District community stakeholder organization. It represents a broad coalition of stakeholders with a shared vision of preserving, protecting, and enhancing the community by addressing the urban lifestyle needs of those who live and work in the Arts District. ADCCLA provides information, services, and opportunities for stakeholders to participate in rendering a true urban community with an emphasis on green solutions, enhancing and promoting art in the neighborhood, and encouraging stakeholder participation. For more information, see <https://www.adccla.org>.

<sup>2</sup> John P. Given, letter to Brittany Arceneaux, City Planner, re Downtown Community Plan Update etc., December 4, 2020.



Code, well over 5,000 pages of Project-related documents are currently before the Planning Commission for review.<sup>3</sup>

The ability of stakeholders to review and meaningfully respond to this volume of information with limited notice is a major barrier to community stakeholder participation.<sup>4</sup> For example, entirely new documentation has been introduced for a new Historic Preservation tool that will apply to the Arts District, Chinatown, Historic Core, and part of Little Tokyo, new standards for privately owned public spaces provided through the community benefits program were introduced, Downtown Street Standards have been updated in a new Appendix E, and the requirements and procedures for the Community Benefit Fund were released, among other important new information.<sup>5</sup>

The community plan update has been in progress for approximately seven years. ADCCLA wonders why more time is not being provided to the public to review the many changes introduced in this latest version of the Project, especially when the Final EIR document is not yet published, and therefore no environmental review commenters, including ADCCLA, will have had an opportunity to review the City's required written responses to their comments before the update is considered by the CPC.<sup>6</sup>

Notwithstanding the above concerns, ADCCLA is appreciative of some of the changes that have been made between the November and current versions of the proposed plan update. For your consideration, below we comment on those points as well as on our primary remaining concerns.

### **Zoning Map Updates**

ADCCLA appreciates the change from Market (IX2) to Hybrid Industrial (IX4) in the several square block area between Alameda Street and Central Avenue and between 7th Street and Olympic Boulevard as reflected in the updated Community Plan Draft Zoning Map in order to promote additional affordable housing and other community benefits. While the area recommended for this change is only adjacent to the Arts District, providing incentives to increase affordable housing in this part of Los Angeles will greatly benefit the entire City.

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<sup>3</sup> ADCCLA appreciates that changes to the November 2020 Project documents were summarized in a helpful document entitled "Spring 2021 Draft Downtown Community Plan Updates" (hereafter "Spring Community Plan Updates") available at: [https://planning.lacity.org/odocument/88e52490-0f0e-4804-bf69-5e4bffa0cf0b/DT-Community-Plan-CPC-Spring-2021-Changes\\_6.2.21.pdf](https://planning.lacity.org/odocument/88e52490-0f0e-4804-bf69-5e4bffa0cf0b/DT-Community-Plan-CPC-Spring-2021-Changes_6.2.21.pdf).

<sup>4</sup> While some community members became aware of the tentative June 17 hearing in advance of the CPC's formal agenda being released, the agenda was only released to the public on June 8. ADCCLA notes that under the CPC's submission rules, June 7 was the deadline for unlimited written comments to be made to the CPC, with comments made after that time limited to 10 pages (not counting images). It is procedurally unfair for the CPC rules to limit written submissions in this way, as many members of the public would have had no notice of the June 7 deadline until *after* the initial comment deadline passed.

<sup>5</sup> See Spring Community Plan Updates, *supra* note 3, pp. 3-4.

<sup>6</sup> The failure to complete environmental review before the item is heard by the Planning Commission also raises significant concerns over conflicts with the City Charter's mandated process for land use legislation, as discussed further below.

### **Land Use Policy 2.6 and Land Use Policy 13.4**

ADCCLA is supportive of the change to Land Use Policy LU 2.6 to incentivize rehabilitation and conversion of buildings 25 years or older into a variety of housing types, including live/work, micro-units, and multi-bedroom units. Micro-unit developments, however, may not be appropriate for the conversion of buildings within certain neighborhoods such as the Arts District, where the overriding policy emphasis should remain the retention of productive uses.

ADCCLA strongly supports the creation of a Historic Planning tool for the Arts District and other community plan areas with significant historic resources by strengthening Land Use Policy LU 13.4. We applaud the expansion of historic preservation policy to extend beyond historic resources that have already been designated on local, state, or national registers to include those that are *eligible* to be so designated, especially where the policy broadly references registration as part of *Survey LA* and other City-recognized historic surveys. This change will be helpful in ensuring that buildings that contribute significantly to the historic fabric of Los Angeles are not lost because they were never formally registered on local, state, or federal historic registers.

### **Article 9 Change to Ministerial Approval for Privately Owned Public Spaces and Community Facilities Provided Through Community Benefits**

ADCCLA understands the rationale to make the proposed bonus described in New Zoning Code Section 9.3.3 (Privately Owned Public Space Incentive Program) ministerial. If the proposed public space is part of a project that is otherwise entirely ministerial, this change could make sense. Such a change, however, would substantially limit the ability of members of the public to use a public process to comment on the shared public benefit proposal itself to improve or make it a better fit for the community in which the project is proposed. This bonus is thus quite different from a typical density bonus incentive, where the question of additional density is not one that is necessarily aided by community input. (Moreover, unlike a standard density bonus, there is no state law mandate requiring ministerial approval when baseline requirements are met.)

The substantial difference between ministerial and non-ministerial decision-making relates to whether environmental review under the California Environmental Quality Act (CEQA) is required. If a project included discretionary components such that environmental review is required, as very many development projects do, the exemption would not apply, as the whole project would still be considered discretionary. Moreover, if this bonus is to be made on a truly ministerial basis, the Department of City Planning has no ability to guide prospective applicants through even a basic design process as this could be construed as limiting an applicant's ministerial development rights.

Since public engagement regarding the public benefit portion of a project would be likely to provide significant and meaningful benefit to both the project and the community in which the project is located, if the change to ministerial approval for this public benefit bonus is desired, ADCCLA strongly encourages the City to explore alternative methods to allow for public engagement during the project review process so that community benefits obtained are properly

tailored to the community in which the project is located. If the City believes that is not possible, ADCCLA recommends that the bonus remain discretionary so that community members will have an opportunity to provide public comment on at least the public benefit features of the project leading to the development bonus, if not on the resulting bonus itself.

### **IX3 (Industrial-Mixed 3) and IX4 (Industrial-Mixed 4) Zoning Designations**

ADCCLA appreciates that the Department of City Planning has retained the 1,000 square foot minimum average per unit size for live/work units in the proposed IX4 zone and urge the Planning Commission to support this minimum unit size, and to consider extending a higher minimum average square foot per unit size for live/work units in the proposed IX3 zone (currently set at only 750 square feet average minimum unit size).

In addition, and more important, ADCCLA objects to the removal of Construction Type limitations to the IX4 (Industrial-Mixed 4) zone.<sup>7</sup> There is no written explanation in any of the DTLA Community Plan documents explaining why this construction type limitation change was made, and ADCCLA suspects that it is the result of *ex parte* lobbying of Planners by residential developers who prefer Type III and Type V construction for their projects. This change represents an extremely significant loss to the character and integrity of the Arts District, which is comprised of many historic structures with significantly longer average life spans and greater utility and flexibility due to their underlying industrial construction typology. Type I, II, and IV building types are specifically intended to allow for industrial uses due to their comparative fire-resistance compared to Type III and Type V buildings. Type I buildings are fire-resistive, built from concrete and steel; Type II buildings are non-combustible; Type IV buildings are constructed of heavy timber, and hold up well against fire compared to Type III and Type V buildings.<sup>8</sup>

Allowing all Construction Types in the Arts District would most likely result in a spate of Type III and Type V residential buildings being constructed. Type III and Type V buildings are not only generally out of character with the existing historic industrial framework of the Arts District, but are also the least flexible building type with respect to permissible uses, since they are the least fire-safe structures, built from combustible materials that are not appropriate for truly industrial use buildings. These structures are also the least environmentally friendly in the sense that their expected useful life is significantly shorter than Type I, II, and IV buildings. The City's environmental vision for the Arts District should embrace modern industrial buildings that will last for decades, possibly centuries, instead of convenient shorter life-span buildings to

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<sup>7</sup> Compare New Zoning Code Section 5B.8.4 (Industrial-Mixed 4 (IX4)), Nov. 12, 2020 Public Hearing Draft, p. 5-107 (restricting residential construction types to Types I, II, or IV) with New Zoning Code Section 5B.7.4 (Industrial-Mixed 4 (IX4)), June 2, 2021 Proposed Draft, p. 5-127 (construction type limitations removed).

<sup>8</sup> See generally California Building Code, Chapter 6, Section 602, available at: <https://up.codes/viewer/california/ca-building-code-2016/chapter/6/types-of-construction#602>. Type III buildings are brick and joist, but with combustible interior structural elements. Type V buildings are wood-framed and are the most combustible of all the construction types.

satisfy the speculative desires of residential developers seeking to cash in on what has been an extremely hot part of the City for residential development in recent years.

As discussed at length in ADCCLA's December 2020 letter, once the City's rapidly diminishing industrial building stock has been depleted by allowing unfettered residential development in place of the existing industrial neighborhoods, it will be gone forever. This is an important reason why Chapter 3 of the City's General Plan Framework calls for preservation of industrial designations and uses, allowing for conversion only where planning studies have been done to justify conversion to other uses.<sup>9</sup> The City's industrial land use policy, unchanged by the proposed DTLA Community Plan and New Zoning Code, remains "*to retain industrial land for job producing uses*, as established in the adopted General Plan Framework and Community Plans."<sup>10</sup> Removing the construction type limitation from the IX4 (Industrial-Mixed 4) zone is inconsistent with this goal, because it will allow buildings to be considered industrial even though they are actually unsafe for industrial uses.

Finally, this removal of construction type limitations was not contemplated in the Draft EIR, but allowing Type III and Type V construction residential buildings in the Arts District will accelerate the displacement of industrial uses from the Arts District, and must therefore be considered and analyzed in the environmental review process before the City can adopt either the DTLA Community Plan update or the New Zoning Code.<sup>11</sup>

ADCCLA urges the CPC to recommend an amendment to the New Zoning Code to reinstate the construction type restriction to allow only Type I, II, and IV construction in the IX4 zone as previous versions of the Community Plan and New Zoning Code had provided.

### **Arts District Retention of Productive Use**

One of the fundamental goals of ADCCLA, based on the neighborhood's history as one of the City's most important industrial areas, is the retention of developed floor area for productive uses. Arts District stakeholders are not reflexively opposed to development, including residential development, so long the City's industrial land use base is preserved and development is generally consistent with the character of the neighborhood. The Arts District is now predominantly zoned for heavy industrial use, with most parcels zoned for a Floor Area Ratio (FAR) of 1.5:1.

ADCCLA's recommended policy to achieve the goal of preserving job producing uses has long been to allow for increases in FAR to accommodate residential and other development in the

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<sup>9</sup> Los Angeles General Plan Framework Element, Chapter 3, available at: <https://planning.lacity.org/cwd/framwk/chapters/03/03209.htm>.

<sup>10</sup> Memorandum from S. Gail Goldberg, Staff Direction Regarding Industrial Land Use and Potential Conversion to Residential or Other Uses, January 3, 2008, p. 1 [emphasis in original], available at: [https://planning.lacity.org/code\\_studies/landuseproj/Industrial\\_Files/StaffDirections.pdf](https://planning.lacity.org/code_studies/landuseproj/Industrial_Files/StaffDirections.pdf).

<sup>11</sup> See Given letter, supra note 2, pp. 1-3 (discussing secondary impacts, including potentially significant environmental impacts of displacement of uses in the CEQA context).

Arts District so long as the first 1.5 FAR is retained for job producing uses. This remains ADCCLA's recommended policy. When development bonuses provide for increased FAR under the new Community Benefits regime, the City should ensure that the first 1.5 FAR for bonus projects allows for job producing uses, exclusive of square footage maintained as private work space within live/work dwelling units.

### **Counting Height in Stories Versus Feet**

ADCCLA is concerned that the forms contemplated for use in the Arts District all measure height and bonus height using "stories," which is not a well-defined term in the New Zoning Code.<sup>12</sup> There may be an expectation that stories other than ground stories will each be approximately 10 vertical feet high, but nothing in the zoning code appears to require this. Thus, an 8-story building may range from approximately 80 feet to some unknown maximum height, or a 10-story building may range from approximately 100 feet to some even taller unknown height, so long as the building otherwise conforms to zoning code requirements. The vague and ambiguous height standard is of particular concern to Arts District stakeholders because, as the Project's Draft EIR noted, "average building heights and associated shadows would increase in the [Hybrid Industrial] area due to the higher permitted FAR" in the Downtown Plan. (DEIR, p. 4.1-69.) And because skyscraper heights are currently relatively unknown in the Arts District, allowing significantly taller heights may be advantageous to certain high-end residential development, where taller building heights, even with limited number of floors, would allow for expansive unobstructed views.

Shade and shadow impacts, which were not adequately analyzed in the DEIR, are therefore likely to have significant aesthetic and cultural impacts on the Arts District. Likewise, the Community Plan Update's vague and ambiguous height standards for properties adjacent to or near the Los Angeles River are very problematic, as it is impossible to assess the Plan's impact on the LA River, a valuable resource that should be protected now, while that is still possible.

ADCCLA urges the City Planning Commission to consider recommending an amendment to the Community Plan with an appropriate maximum height limit in feet for the Arts District in addition to or instead of a story limit, and similarly for properties near or adjacent to the Los Angeles River. Other DTLA Community Plan neighborhoods could benefit from a similar limitation.

### **Procedural Objection**

ADCCLA is very concerned that the City Planning Commission has received an incredibly complex and detailed Community Plan update Project for its review and recommendation before the Project is quite ready for the CPC's consideration. In particular, the Project's Final EIR has not yet been published, which means stakeholders who took the time to review and comment on

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<sup>12</sup> See, e.g., Form LM1 (New Zoning Code June 2, 2021 draft, p. 2-23), which provides for a base height of 8 stories and a bonus height of 10 stories.

the environmental document for the Project in 2020 have not had an opportunity to review the written responses to their comments, because those comments have not been provided.

One of the actions recommended by Planning's Recommendation Report is to "[r]ecommend the City Council adopt the Resolution in Exhibit A to certify the EIR, adopt EIR Findings and a Statement of Overriding Considerations, and adopt a Mitigation Monitoring Program."<sup>13</sup> Exhibit A includes the following certification language:

(3) CEQA Certification and Findings.

(a) Contents of FEIR. Pursuant to CEQA Guidelines Section 15132, the Final Environmental Impact Report (FEIR), which is attached hereto and incorporated herein by this reference, includes the Draft EIR SCH No. 2017021024 (ENV-2017-433-EIR), dated August 6, 2020, the Draft EIR appendices, and the document titled "Final EIR" dated \_\_\_\_\_, including all its related appendices and attachments.<sup>14</sup>

There is a fundamental problem with this language and this process—there is not yet a Final EIR, which is made evident by the absence of a date for the Final EIR in the resolution language. The CPC is thus being put in a position to evaluate and recommend for adoption a land use and planning resolution premised upon the CPC's review of, and members of the public's review of and ability to comment to the CPC before it makes a recommendation, documents that do not yet exist. This the CPC cannot do.

The Los Angeles City Charter requires that before an amendment of the City's General Plan may be adopted, the City Planning Commission must have an opportunity to make its recommendation on the amendment. (LA City Charter, § 555(b).) In fact, the Exhibit A resolution itself notes this requirement. (Exhibit A recitals, p. 2.) In addition, the City Charter requires that "the adoption, amendment or repeal of ordinances, orders or resolutions by the Council concerning: (1) the creation or change of any zones or districts for the purpose of regulating the use of land; (2) zoning or other land use regulations concerning permissible uses, height, density, bulk, location or use of buildings or structures, size of yards, open space, setbacks, building line requirements, and other similar requirements..." also requires a recommendation of the City Planning Commission. (LA City Charter, § 558(b)(2).) The instant resolution certainly qualifies as a resolution requiring the application of Charter section 558.

The CPC cannot make an informed recommendation on an incomplete land use resolution, or it is making no recommendation at all on those aspects of the resolution it has not been provided

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<sup>13</sup> Recommendation Report, p. 3 (recommended action number 6).

<sup>14</sup> CPC-2017-432-CPU, CPC-2014-1582-CA; ENV-2017-433-EIR, *Exhibit A: Draft Resolution Certifying EIR and Adopting General Plan Amendments* ("Exhibit A"), June 17, 2021, p. 3, available at: [https://planning.lacity.org/odocument/837e0f65-a4e3-4bbf-8709-4ba625a0b664/Exhibit\\_A.pdf](https://planning.lacity.org/odocument/837e0f65-a4e3-4bbf-8709-4ba625a0b664/Exhibit_A.pdf). The CEQA Certification portion of the resolution continues with respect to the Final EIR, Mitigation Monitoring, CEQA Findings, and a Statement of Overriding Considerations. (*Ibid.*, pp. 3-4.)

for review. The City’s legislative scheme required by the City Charter does not allow the CPC to make recommendations on a limited portion of a planning case that the Planning Department has permitted the CPC to review while bypassing the CPC and sending the unknown remainder along to the City Council with no review or recommendation from the CPC.

The CPC is asked to sign off on the Final EIR and on the CEQA Findings, which are made “based on the whole of the administrative record.” But the whole of the administrative record doesn’t exist—there is no Final EIR and therefore no comments in responsive to Draft EIR comments. The CPC is asked to make a recommendation when it cannot evaluate the document itself. It also cannot hear public comment regarding the Final EIR to inform its Council recommendation. This process robs members of the public from their opportunity to be heard by the board of the most important land use and planning agency in the City, while robbing the commissioners of their opportunity and duty to fully evaluate one of the most important planning documents drafted in the City in a generation.

Moreover, in addition to making a recommendation on certification of the Final EIR through adoption of the Exhibit A Council resolution, the CPC is being asked to sign off on a recommendation on the Project’s Statement of Overriding Considerations, an additional environmental review document that appears to not yet exist.<sup>15</sup> But a Statement of Overriding Considerations may only be adopted if the City finds there is no feasible mitigation measure that would avoid or substantially mitigate the significant impact. (See *Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502, 524, discussing Pub. Resources Code, § 21081(b).) This finding must be supported by substantial evidence. (14 Cal. Code Regs., § 15093(b).) ADCCLA, and likely other environmental review commenters, recommended certain environmental mitigations that the City might consider for the Project. Because the Final EIR has not yet been published, no one can say with any certainty whether all feasible mitigation measures that would substantially mitigate significant impacts will be adopted.

The City Planning Department seeks to have the CPC’s recommendation on the Final EIR, the Statement of Overriding Considerations, and other CEQA documents, as well as on the Council resolution to certify the EIR and adopt the General Plan Amendments associated with the Community Plan update and New Zoning Code without providing all the documents necessary to obtain that recommendation.

If the CPC makes its recommendation for a resolution that references substantive documents that do not yet exist, and the City Council acts on that recommendation, the City will have violated its Charter in obtaining the CPC’s recommendation without the CPC having reviewed the complete resolution. As the California Supreme Court has explained, “it is well settled that a charter city may not act in conflict with its charter. [Citations.] Any act that is violative of or not in compliance with the charter is void.” (*Domar Electric, Inc. v. City of Los Angeles* (1994) 9 Cal.4th 161, 171.)

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<sup>15</sup> See Exhibit A, p. 3, referencing “Exhibit 3 to this Resolution,” even though no such exhibit yet exists.

ADCCLA therefore objects to the City Planning Commission making any recommendation on the Project until the Final EIR has been published and an adequate amount of time has been provided for interested stakeholders to review the comments to the Final EIR and provide their informed public comment to the CPC.

### **Conclusion**

While ADDCLA understands that no complex policy document such as the proposed DTLA Community Plan update will be able to perfectly satisfy every constituent group, ADCCLA greatly appreciates the years of effort that have gone into creating the current version of the update. We hope the CPC will seriously consider the important amendments to the DTLA Community Plan and New Zoning Code we have recommended to better protect the Arts District and the City's industrial land use stock.

ADCCLA must urge the Planning Commission, however, to demand a complete record of the Project for review, including the Final EIR and accompanying documents, from the Department of City Planning before agreeing to provide your charter-mandated recommendation to avoid a violation of the City Charter.

Thank you for your consideration of these comments.

Sincerely,

A handwritten signature in blue ink, appearing to read 'John Given', with a long horizontal flourish extending to the right.

John Given

Cc (by email only):

Brittany Arceneaux, City Planner [brittany.arceneaux@lacity.org](mailto:brittany.arceneaux@lacity.org)





## Chinatown Stakeholders

Cathay Bank\*Central Plaza/LA Chinatown  
Corporation\*Chunsan Plaza\*  
Mandarin Plaza\*Moy Family Properties

c/o Summit Western LLC, 970 North  
Broadway,  
Suite 111, Los Angeles, CA 90012

June 14, 2021

Samantha Millman, President  
City Planning Commission  
Department of City Planning  
City of Los Angeles  
200 North Spring Street, Room 667  
Los Angeles, CA 90012  
Via email: [cpc@lacity.org](mailto:cpc@lacity.org)

**Re: DTLA 2040 Draft Community Plan Update - Comments on June 17, 2021 CPC Agenda Item #6, (CPC-2017-432-CPU, ENV-2017-433-EIR)**

Dear President Millman and Honorable Commissioners:

We are writing as longtime Chinatown Stakeholders including business owners, property owners and community members who cumulatively have over 350 years of ownership and experience in Los Angeles' Chinatown. In general, the Chinatown Stakeholders have interest in property in two areas including Chinatown East and Chinatown West<sup>1</sup>. Within the Chinatown East area, the first area of interest is the central part of Chinatown near the intersection of Alpine Street and

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<sup>1</sup> Per the DTLA 2040 Plan, Chinatown East is an area approximately bounded by Ord Street, Hill Street, N. Spring Street and LA State Historic Park. Chinatown West is defined as the area approximately bounded by Cesar E. Chavez Avenue, Hill Street, 110 Freeway and Bernard Street.

Broadway. The second area of interest is the northern part of Chinatown closer to the Los Angeles State Historic Park.

We have reviewed the June 2021 Draft DTLA 2040 Plan (“Updated Draft Plan”) and the associated Draft Environmental Impact Report (“DEIR”). While we recognize the hard work of the City Planning staff in developing the DTLA 2040 Plan, we believe that the provisions relating to the Chinatown sub-area are fundamentally misguided. They underestimate the tenuous economic reality of the Chinatown real estate market, and would gamble recklessly with Chinatown’s future. Specifically, singling-out Chinatown for severe downzoning (Chinatown would be the only sub-area in which Regional Center Commercial parcels currently allowed a 6:1 FAR would be downzoned to 2:1 FAR) could cripple Chinatown’s nascent efforts to arrest the economic decline that has doomed once-popular restaurants such as Empress Pavilion and has led to the closure of all of the Chinese supermarkets.

The threat to Chinatown represented by the DTLA 2040 Plan has brought together a rare coalition of Chinatown groups that do not always see eye-to-eye, but have united to oppose the staff’s proposal to lower the base FAR for major commercial parcels in Chinatown to 2:1 FAR. As they have become aware of the staff’s recommendations, the following groups recently have gone on record to oppose the DTLA 2040 Plan’s downzoning provisions for Chinatown:

- **The Historic Cultural North Neighborhood Council.**
- **The Chinese Consolidated Benevolent Association (CCBA)**, the umbrella organization representing 27 traditional Chinese family associations and social service and nonprofit community organizations serving Chinatown.
- **The Chinese American Citizens Alliance (CACA), Los Angeles Lodge**, the local chapter of the nation’s oldest Asian American civil rights organization.

These are in addition to the **Chinese Chamber of Commerce** and the **Chinatown Business Improvement District** that previously took positions opposing the downzoning provisions of the DTLA 2040 Plan.

A summary of our recommendations as Chinatown Stakeholders may be found **highlighted in yellow** starting at the top of page 5.

### Chinatown History and Background

The changing role of L.A. Chinatown in relation to the rest of DTLA and the San Gabriel Valley provides a useful background for planning the next 20 years of Chinatown’s development. Once the social, cultural, and economic center of L.A.’s Chinese American community, Chinatown has evolved over the past 50 years. Many Chinese-oriented restaurants, businesses, and community institutions have followed the ethnic Chinese population moving eastward to the San Gabriel Valley, although some continue to locate in Chinatown. At the same time, adjacent and nearby areas of downtown such as Bunker Hill, South Park, the Arts District, and Little Tokyo have attracted a housing boom generating a downtown residential population that has fueled demand for restaurants, cultural facilities, specialty retail stores and other resident-serving enterprises.

The downtown housing boom has largely passed Chinatown by. However, filling the vacuum left by the departure of traditional Chinese businesses and organizations, new uses have emerged in Chinatown such as innovative food and retail entrepreneurs, art galleries, and architecture and design studios. And there are signs that the demand for downtown housing is spilling over into Chinatown. This has led to proposals for new residential projects serving both Chinese and non-Chinese residents.

Many of the Chinatowns in other U.S. cities have stagnated and lost their economic vitality as a result of demographic changes, even in the face of development activity in adjacent or nearby areas. The fundamental challenge for L.A. Chinatown is how to maintain its neighborhood character and serve a wide range of community needs while generating a level of new economic activity that can sustain the community.

### A More Balanced Approach to Planning Chinatown's Future

The City Planning Department has an important role in creating a framework for guiding future development in Chinatown. It can deploy planning tools to provide incentives which encourage outcomes that it deems positive or constraints which discourage outcomes that it deems negative. But if the overall planning framework fails to strike the right balance or equilibrium of tools, the desired goals for Chinatown's future will not materialize.

A first step would be to avoid doing harm. Chinatown was largely bypassed by previous waves of new residential development in and around Downtown Los Angeles. In the Cornfield – Arroyo Seco Specific Plan ("CASP") adopted in 2013, City Planning attempted to promote infill development in the CASP area but also sought to limit the percentage of residential space in the floor area of new projects. This had the unintended effect of discouraging new development even at a time when other parts of the Central City were experiencing a development boom. The only project within the CASP area that has been approved since adoption of CASP (1457 N. Main St., with 244 live/work units) moved forward only as a result of the Central Area Planning Commission granting (in May 2020) an exception from CASP's limitation of residential uses not exceeding 15 percent of the floor area. The City Council subsequently approved Councilmember Cedillo's motion (Council File No. 13-0078-S2) directing City Planning to review the land use incentives in CASP to determine whether they had the net effect of discouraging the production of mixed-income housing.

In addition to the 1457 N. Main St. project, there are at least two other projects (Elysian Park Lofts located above L.A. State Historic Park and the College Station project at the corner of North Spring and College Streets adjacent to the Gold Line station) where the developers asked to be excluded from the CASP area in order to avoid the CASP restrictions. This additional evidence of other projects that were ready to proceed – but did not want to be covered by the restrictions of the CASP – provide additional evidence that the CASP was discouraging projects that were ready to proceed.

While the City Planning Department is conducting its study of the CASP's real-world impact on housing production, it would not make sense to adopt overly prescriptive restrictions in another Central City neighborhood that might also result in unintended consequences of discouraging

new housing development at a time when we continue to fall further behind current and future housing demand.

### Changes to Draft Plan Between Summer 2020 and Fall 2020

The Summer 2020 Draft of the Plan largely kept Chinatown's existing base FARs intact at 6:1 in alignment with the current Regional Center Commercial designation for this area and in consideration of its proximity to regional transit and employment centers, including the Chinatown Gold Line Station and Union Station. However, in the Fall 2020 Draft of the Plan the Chinatown area was downzoned to a base FAR of 2:1 a stunning 2/3 reduction in the base FAR. This base density of FAR of 2:1 remains in the Updated Draft Plan, with a 6:1 FAR achievable only through maximum utilization of the Plan's Community Benefits Program.

The following case study sheds light on the dramatic negative effects of this downzoning on development potential and property value in Chinatown. We reviewed a potential development site in Chinatown that is proposed to be within the very restrictive MN1 Form District of the Plan. This site is approximately 28,000 square feet of lot area and located in TOC Tier 3 due to proximity to the Chinatown Gold Line station.

Based on this site's current C2-2 zoning, a base FAR of 6:1, approximately 140 dwelling units and unlimited height could be achieved. Utilizing TOC Tier 3, the site would be eligible for a 50% FAR increase and 70% density increase, resulting in a 9:1 FAR and approximately 238 dwelling units, including either 24 extremely low income, 34 very low income, or 55 low income restricted affordable dwelling units.

Under the Plan's proposed MN1 Form District zoning, the site could achieve a base FAR of 2:1, approximately 59 dwelling units and height would be limited to 3 stories. Utilizing Tier 1 of the Plan's Community Benefits Program would result in a FAR of 2.7:1, 5 stories and approximately 80 dwelling units, including either 5 deeply low income, 7 extremely low income, 9 very low income, or 16 low-income units. Utilizing Tier 2, the site could achieve an additional maximum FAR of 6:1 and a total density of approximately 176 dwelling units including either 17 deeply low income, 22 extremely low income, 28 very low income or 49 low income units. However, given the maximum height of 5 stories, it is potentially infeasible to fit all 176 potential dwelling units within the allowable development envelope proposed by the Plan.

When comparing the maximum development potential under TOC Tier 3 and Tier 2 of the Community Benefits Program under this case study, the proposed downzoning of this site and forced utilization of the Community Benefits Program to restore existing FAR allowed would result in a potential loss of 62 total dwelling units and within that either 2 extremely low income, 6 very low income, or 6 low income units.

We believe this proposed downzoning is a misguided attempt to create more affordable housing and serve as a blanket tool for historic preservation in Chinatown. This is important to note as

the Summer 2020 Draft is more in alignment with the Stakeholders' recommendations as listed below.

### Recommended Changes to the Updated Draft Plan Regarding Chinatown

Based on our collective experience in Chinatown and review of the Draft Plan we recommend the following changes:

- **Base FAR and Height Limits**
  - Raise Base FAR for the MN1 and DM2 Form Districts to 6:1 from 2:1 to increase the economic feasibility of future development projects in Chinatown.
  - Remove height limits in the MN1 and DM5 Form Districts.
  
- **CPIO Community Benefits Program**
  - To reflect the proven success fo the City's Transit Oriented Communities (TOC) program, increase Tier 1 FAR bonus for the CPIO Community Benefits Program from 40% to 50% (the current bonus provided Toc Tier 3).
  - Remove 2-bedroom unit requirement in Chinatown for development projects utilizing the CPIO Community Benefits Program to avoid further exacerbating economic infeasibility.
  
- **Historic Preservation**
  - Remove Chinatown from the Subarea D for Historic Preservation to avoid creating a redundant additional hurdle to development in Chinatown. Historic and potentially historic sites in Chinatown have already been identified in Survey LA and Historic Places LA, which are already subject to Historic Preservation Review.
  - Add Subarea A.3 for the CPIO Community Benefits Program into the Transfer of Development Rights for Historic Properties

### Building Height and FAR Limits

**In order to enable Chinatown to do its part to fulfill City and Regional housing targets, increase allowable base height and FAR.**

The Updated Draft Plan proposes reductions in Floor Area Ratio ("FAR") and building height for much of the Chinatown area that is currently designated Regional Center Commercial by the current Community Plan. We believe that these FAR and building height limits represent significant downzoning and subsequent loss of property value that is entirely too restrictive and will lead to negative consequences for the future development of Chinatown.

Although it pertains to a different area of DTLA, it is worth noting the discussion of taking away property rights on page A-17 of the DTLA 2040 City Planning Commission Staff Report in this context. Regarding the proposed zoning approach for Skid Row and the consideration of the boundaries for a prohibition on market rate and mixed-income development in that area, it states

that the rationale for not expanding that prohibition west or north is that it “would amount to a reversion of development rights that are currently available.”<sup>2</sup> Here too in Chinatown, the Updated Draft Plan amounts to a reversion of development rights that are currently available.

This is especially true for the area generally bounded by Bernard Street, Yale Street, Alpine Street and Broadway that is proposed to be within the MN1 Form District which would allow a base FAR of only 2:1 and maximum height of 3 stories, and which can only be increased up to 6:1 FAR and 5 stories maximum through the Plan’s Community Benefits Program. This is also true for the two blocks bounded by Alpine Street, Hill Street, Ord Street and Broadway. Although these two blocks were recently moved out of the MN1 Form District and into the DM2 Form District, the DM2 Form District would also limit base FAR to 2:1 with a maximum up to 8.5:1 through the Community Benefits Program. Height is not as severely limited within these two DM2-zoned blocks as the MN1-zoned blocks, however the severe reduction in base FAR will amount to a limitation that will reduce property values and restrict future development.

The Plan’s proposed reductions in height and FAR are some of the main tools proposed to preserve Chinatown’s neighborhood character. But height and FAR reductions comprise a very blunt and inexact tool that may not achieve the intended goal. The reductions in height and FAR would needlessly inhibit new projects on sites that are not historically or culturally significant. This is further exacerbated by the recent addition of the CPIO Subarea D for Historic Preservation which will require discretionary historic review for any project in the core area of Chinatown. Our feedback on Subarea D is further discussed in the next section.

We are concerned that the base 2:1 FAR and 3-story height restrictions would result in more fast-food restaurants, strip malls, and other buildings accompanied by surface parking lots, which is inconsistent with Chinatown’s historical legacy as a walkable, mixed-use neighborhood that respects historic context. The proposed height restrictions also could produce the unintended effect of encouraging developers to maximize their FAR within the new restrictions by reducing ground floor open space. The small size of many lots in Chinatown already constrains their development potential. The Plan could easily revert our neighborhood back to the lack of amenities and absence of pedestrian activity of the 1970s.

This decision to downzone central Chinatown could also result in no development at all due to the constraints on financial feasibility, similar to the effects of the CASP described above. **The November 2020 economic analysis prepared by HR&A Advisors for the City Planning Department found that the proposed zoning for Chinatown does not result in financially feasible projects.**<sup>3</sup> Ultimately, constraining development as is proposed, jeopardizes project feasibility, and if projects cannot be built the public benefits that are envisioned in the plan and desired by DTLA stakeholders will not materialize. Reducing the base FAR will result in less density near transit and will also result in reduced property value since the development potential of this area will be reduced. Less ability to develop densely, in conjunction with a loss in property value,

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<sup>2</sup> [https://planning.lacity.org/odocument/04ca2a68-c5fd-4a26-90c2-8128910239f7/DRAFT\\_DTLA\\_CPC\\_Staff\\_Recommendation\\_Report.pdf](https://planning.lacity.org/odocument/04ca2a68-c5fd-4a26-90c2-8128910239f7/DRAFT_DTLA_CPC_Staff_Recommendation_Report.pdf)

<sup>3</sup> [https://planning.lacity.org/odocument/89341d11-a3a9-4a21-96f2-f04471468872/Benefits\\_Program\\_Analysis\\_Summary.pdf](https://planning.lacity.org/odocument/89341d11-a3a9-4a21-96f2-f04471468872/Benefits_Program_Analysis_Summary.pdf)

will disincentivize new development in Chinatown. We believe this proposed downzoning is incongruous for a transit-oriented area like Chinatown that is currently designated Regional Center Commercial.

We firmly believe that the proposed zoning for the Chinatown area should allow a base FAR of at minimum 6:1 and height limited only by FAR, as this would encourage new mixed-use development (including much needed housing as outlined in the Southern California Association of Government's Regional Housing Needs Assessment). This new development would help maintain sufficient density to support the mix of local businesses that make the Chinatown neighborhood function as a pedestrian friendly district where daily errands can be performed without a car.

### Affordable Housing

#### **Incentivize new affordable housing in Chinatown by raising the Tier 1 Community Benefits Program FAR bonus, in addition to increasing the Base FAR.**

We support the intent of the Community Benefits System to realize more on-site public benefits, especially affordable housing, but propose changes that would make it more usable and a better framework for delivering new housing affordable to all income levels.

The Level 1 bonus for the provision of affordable housing was increased from 35 percent to 40 percent. However, this is an insignificant increase, and we believe this bonus percentage should be greater still to be in alignment with the highest tiers of the successful Transit Oriented Communities (TOC) Program and considering the economic analysis prepared for the Department of City Planning by HR&A Advisors<sup>4</sup>.

Level 1 of the DTLA 2040 Community Benefits System is essentially aligned with Tier 1 of the TOC Program which is the lowest TOC tier and toward the lower end of the City's affordable housing incentive programs. However, most of Chinatown falls within TOC Tier 3, which provide a 50 percent FAR bonus. As such, Level 1 of the DTLA 2040 Community Benefits System should be at minimum aligned with the highest TOC tiers, thus allowing a 50 percent FAR bonus in Chinatown.

### Historic Preservation and Project Review in Chinatown

Subarea D of the CPIO is a new addition to the proposed plan released in early June 2021 that has not been thoroughly vetted. It describes a "Historic Preservation Subarea" that would apply to areas within the Plan including the central area of Chinatown. The CPIO states that these are "neighborhoods that have an abundance of historically and architecturally significant buildings," yet none of these areas are within Historic Preservation Overlay Zones (HPOZs), and there are few nominated or designated buildings in Chinatown. Additionally, any individual site with eligibility is already well-covered through the City's prior historic surveys (such as Survey LA) and

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<sup>4</sup> [https://planning.lacity.org/odocument/89341d11-a3a9-4a21-96f2-f04471468872/Benefits\\_Program\\_Analysis\\_Summary.pdf](https://planning.lacity.org/odocument/89341d11-a3a9-4a21-96f2-f04471468872/Benefits_Program_Analysis_Summary.pdf)

the Citywide demolition restrictions which ensure that no structure over 50 years old can be demolished without notice to the community.

Moreover, the CPIO states that “Within Subarea D, a ‘Project’ shall mean any activity that requires the issuance of a building, grading, demolition, or change of use permit on any site that is an Eligible Historic Resource, unless the work consists solely of interior work such as tenant improvements or interior rehabilitation/repair.” As an example, this suggests that even minor changes such as opening a rooftop bar/restaurant with a shade structure would require lengthy CPIO review and Office of Historic Resources review, and it would also likely require a CEQA clearance.

This CPIO layer adds unwarranted regulatory burdens for both applicants and the City Planning Department and transforms otherwise ministerial permits into discretionary approvals that would require CEQA Clearance, which is counter to the plan’s goals.

Historic Preservation is not the opposite of height and density. They can coexist well and bolster each other. The City should expand the Transfer of Development Rights for Historic Preservation pursuant to LAMC Chapter 1A Section 9.3.5 to Subarea A.3 to include Chinatown. This would allow transfer of floor area rights between historic receiver sites to new development sites that are not affecting historic structures. Limiting this to only the Arts District Subarea A.2 is neither reasonable nor equitable and all areas within the Plan area including Chinatown should be able to utilize the Transfer of Development Rights program.

### Conclusion

The Chinatown Stakeholders first wrote to City Planning staff to express our concerns with the November 2020 version of the DTLA 2040 Plan in a letter dated December 3, 2020. Now, after reviewing the most recently revised version of the DTLA 2040 Plan, we continue our opposition for the reasons explained above. Planned limits on maximum building height and floor area, weakness of the Community Benefits Program to promote affordable housing, and blunt and overly procedural historic preservation tools without sufficient density to make projects economically sustainable will severely impair the future growth potential of Chinatown and lead Chinatown into stagnation while nearby Downtown areas flourish.

Because the DTLA 2040 Plan could have such a pervasive impact on the physical reality of Chinatown over the next 20 years, it is imperative to further expand City Planning Department’s outreach efforts to include a wider range of stakeholders including more of the property owners and business owners who provide the jobs, business opportunities, and housing that constitute Chinatown today. We would be happy to help City Planning Department further extend its Chinatown outreach efforts.

Given the precarious economic development situation in Chinatown in context of the recent impacts of the COVID-19 pandemic, the Stakeholders believe that the Department of City Planning should not be so quick to push through the Plan that was drafted outside of this context without first fully understanding how the proposed Plan may interplay with the new economic reality of Chinatown and our city overall. The existing TOC program serves as the best tool the



City has for producing more housing at all levels, including affordable housing. The Stakeholders believe that the Department of City Planning should reconsider the structure of the Plan and the CPIO Community Benefits program and embrace the success of the TOC program instead of replacing the TOC program with the new untested approach in the DTLA 2040 Plan.

We strongly urge the Los Angeles City Planning Commission to reconsider these proposed zoning regulations in the Chinatown area and instead adopt the alternatives outlined in this letter. We appreciate your time and consideration.

Sincerely,

Representing Cathay Bank (Owner of Cathay Bancorp's original corporate headquarters at 777 North Broadway):

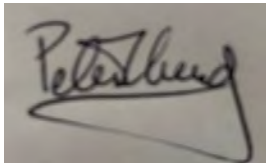
MAY CHAN



Senior Vice President, General Counsel, and Secretary

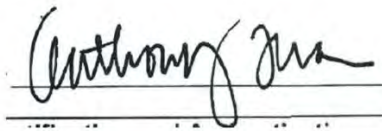
Representing KTWK Corporation (Owner of the Chunsan Plaza shopping center):

PETER CHENG



Representing L.A. Chinatown Corporation (Owner of Central Plaza):

TONY QUON



Board Member

JASON FUJIMOTO



Board Member

(Also representing Moy and Associates)

Representing Summit Western LLC (Owner of Mandarin Plaza):

MARTIN LEE



Co-Managing Member

(Also former City of Los Angeles Affordable Housing Commissioner)

SCOTT LEE



Co-Managing Member

MICHAEL WOO



Co-Managing Member

(Also former L.A. City Planning Commissioner and City Councilmember)



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## for June 17, City Planning Commission Hearing. Comment on Staff Recommendation report

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edad@lapovertydept.org <edad@lapovertydept.org>

Mon, Jun 14, 2021 at 2:26 PM

To: cpc@lacity.org

Dear Commissioners:

I'm writing in support of the affordable housing only zone (aka 1x1 zone) in the Department of City Planning's Downtown Now and 2040 Plan. I believe this zone should not only remain in the plan but that it should be expanded to the traditional boundaries of Skid Row. In addition, I believe the creation of such zones in every council district of the city is necessary to generate housing and community for people throughout the city.

In 1976 "the Blue Book" plan was adopted by the City Council. It called for saving and renovating the residential housing in Skid Row: 65 SRO hotels, in the 50 square blocks between Main and Alameda Streets from 3<sup>rd</sup> Street to 7<sup>th</sup>. And it used increased taxes from Bunker Hill development to pay for renovating that housing. It prohibited market rate housing in the area, and it put additional money into expanding services for people in Skid Row.

The above plan was adopted in 1976. In 1983, people started living on the streets, the homeless population exploded. It wasn't until 1986 that the first of the renovated—and now in non-profit hands, hotels opened its doors. Already, the city was running uphill. But momentum and will were on the side of those trying to house the homeless. SRO Housing, Inc., continued to buy up the slum housing as did Skid Row Housing Trust, and both non-profits also created new hotels, including bigger units with kitchens and baths and on-site social services. Things were getting better.

In 1999, the city passed the Adaptive Re-Use ordinance. Commercial properties in downtown could be turned into live-work spaces. Minimum size limits for units, made it impossible to use these properties to house the un-housed. However, the Downtown Women's Center did buy one building to greatly expand its programs and its ability to house women.

In the 2000's the real estate market exploded. In 2002, the new community plan made it possible to create market rate housing in the Western half of Skid Row. However, from then until now only 3 or 4 new residential buildings have gone up in this area—there was no pent-up demand for this change.

While the real estate bubble popped in 2008, the market has now surpassed 2008 levels. While momentum has returned to building market-rate housing, the momentum to create housing for low-income people never did come back. And, when the criminalizing of the poor strategies of "Broken Window Policing" were frustrated in the courts, the LA Police department, decided to just go with the flow and let people and belongings pile up everywhere. Leading to the situation we've got now of encampments throughout the city and no one wanting to house folks in their neighborhood. Wanting the solution to be affected -- somewhere else.

Now, LA Times in a January 8, 2021 article on Project Home Key, says : Project Home Key purchases hotels and motels and renovates them to become permanent supportive housing. Project Home Key creates housing at half the cost of new construction. The program has been hailed as innovative and successful. 8,000 units have been created statewide and 1,600 in Los Angeles.

This innovative approach is the same approach that was used in the 1970's to save and renovate the hotel housing in Skid Row. As Alice Callaghan, founder of Skid Row Housing Trust has said, "It was about saving the housing, recognizing that no one was going to build that housing for people living on welfare checks. ...It was never about containment."

A January 17<sup>th</sup>'s LA Times article lauds the promise of new permanent and transitional housing created rapidly and cost-effectively, built from re-purposed shipping containers, in the industrial area that exists between the County jail and Chinatown. Supervisor Hilda Solis who is quoted as saying, "Treating homeless people can be done with dignity and respect."

The article goes on to say, "Solis foresees the development as a step in the transformation of a gritty industrial district on the murky boundary between Chinatown and downtown into a community oriented around social benefit." Solis said the county is working to come up with a master plan for the area that she calls "Hope Village".

This is great. A community organized around social benefit –or better said, to provide for a social need. A brilliant "new" idea that offers hope and more importantly belief in not only the possibility, but the justice of organizing a community address an urgent social problem. This hope and belief followed by resolve and action, in 1976 resulted in saving the low-income housing in the fifty square blocks of Skid Row. Rather, than bull-doing Skid Row, the housing was saved, existing hotel stock was renovated, only low-income housing was allowed, and the community's residents began work to improve their neighborhood. I've witnessed and participated in this transition over the past 35 years, as an outreach worker with Legal Aid Foundation of LA and Inner City Law Center, and as the founding director of Skid Row's first ongoing arts group, The Los Angeles Poverty Department. During this time the sauce of neighborhood has continued to thicken, through achievements large and small effected by grassroots groups with significant resident leadership. These achievements include everything from 53 resident led recovery meetings per week, getting infrastructure for community parks, envisioning and creating a 24-hour hygiene center staffed by Skid Row residents, spear-heading the enactment of a citywide moratorium on residential hotel conversions and, The Festival for All Skid Row Artists and Walk the talk, the biennial parade honoring the achievements of people living and working in Skid Row, (these later 2 being LA Poverty Department projects).

Skid Row was 50 years ahead of its time, now, is the time for its achievements to be recognized, and used as inspiration to animate a more equitable future. Creating such a neighborhood begins with housing and services and its arrival as a full-fledged community entails amenities and decision-making power as well. The last is the hardest to come by, because it means veto power on development detrimental to the existing community. The strength of Skid Row has developed because it's remained a predominately low-income community, with no desire for upscaling that would lead to wholesale displacement. For this reason, the Ix1 Zone must be adopted without alteration.

Now that we know how fragile our entire society is, with street encampments everywhere, it's clear that the Skid Row experience can and should be used as create similar neighborhoods throughout the city. That is to say affordable housing only zones (aka Ix1 zones) can and should be created in every Council district. And more affordable housing only neighborhoods can and should be created in District 14.

Sincerely,

John Malpede

Artistic Director

Los Angeles Poverty Department

June 14, 2021

To the LA City Planning Division

Specifically, the hard-working folks who put together the current DRAFT LA Zoning Code.

First of all, let me congratulate you on a very professional-looking (if wordy) document. It is obviously competently produced and is very organized and uses the latest hyperlinking technology to ease the lives of its users. It is also about time - the current document, the 4th edition, has been around almost as long as I have been interacting with the City of LA Planning division - which is a very long time now.

That said, let me say that while some parts of the previous (version 4) document have been cleaned up and re-formatted with the latest interpretations and council addenda and determinations, and are much easier to find and jump around in with the hyperlinks, that there are also sections that have been entirely re-examined from first principles and expanded, to the point where they seem to account for the majority of the new documents' 1120 (current but increasing as this is just the draft and there are a lot of 'reserved' sections) 'pages'.

On close examination, not all of this new product is desirable, needed, or even wanted by the Architectural Design community, the Construction community, or the other miscellaneous communities that will come in contact with this document. And I foresee some significant problems with implementation.

First, let us address the change from some simple general rules on massing to ensure less 'blocky' buildings to a completely new 'pattern language' approach to facade design. While I can see the desire for the Planning Division to make it easier for their junior counter staff to review and assess the wild variety of designs that come over their counters, from sophisticated world-class Architects to the single-family homeowner looking to add an ADU or 2nd story, I would argue that the HUNDREDS of pages of examples and interlocking requirements that have been added will have a chilling effect on ALL construction across the spectrum.

This is an expansion of [the Zoning Code](#) of unprecedented (at least in the greater LA metro area) scale and scope and I can only imagine the time it will take to implement and get familiar with the basics, let alone the fine print. However, already there are some 'unintended consequences' visible.

One of these is the attempt to set neighborhood standards. Pretty much everyone agrees that it is a good thing to have interesting and diverse neighborhoods for the 'welfare and safety' of the citizens of LA (quote taken from the 'Intent' section of the document) however as an Architect that has worked on thousands of market-rate and affordable housing units over the last 30 years or so, I can tell you that something as simple as restricting the use of vinyl windows (a concept I first ran into in WEHO some years ago) has a definite chilling effect on the production of affordable housing where that window type is indispensable in keeping the costs of construction down. [Who or what is this document trying to protect? The 'intent' \(Div 1.4/SEC 14.1.B\) states many 'intents' – there are currently 11 - some which demonstrably conflict with and undermine each other. Is the general design product in the City of LA so bad that we need a straightjacket like this document to 'protect' the average citizen from eyesores?](#)

The following examples will all impact future projects detrimentally (a very short list looking at only pages 3-37 to 3-39 – there are potentially many more and inter-dependencies that have not been discovered yet – however this was done to show the ‘tip of the iceberg’ of potential issues):

New Requirement: \_\_\_\_\_ Page 3-28 - Ground level at 16’  
Impact on Projects \_\_\_\_\_ will end up reducing density  
Reasoning \_\_\_\_\_ Type V projects do not have commercial on the first level typically if they are not a podium project  
– this requirement costs a floor of units

New Requirement: \_\_\_\_\_ Ground level in a few areas having more than 40 percent transparency  
Impact on Projects \_\_\_\_\_ podium project needed where previously a lower transparency would have allowed non-podium types  
Reasoning \_\_\_\_\_ glazing will most likely require the building to be a podium due to shear walls - adding cost and complexity and reducing the number of floors available for apartment units

New Requirement: \_\_\_\_\_ Page 3-37 Projected balconies prohibited in Character elevations  
Impact on Projects \_\_\_\_\_ open space harder to achieve  
Reasoning \_\_\_\_\_ balconies are currently a large component of ‘private open space’ required

New Requirement: \_\_\_\_\_ Page 3-38 Vinyl windows prohibited  
Impact on Projects \_\_\_\_\_ increased cost  
Reasoning \_\_\_\_\_ vinyl windows are used on ALL low income projects due to cost savings over the alternatives

New Requirement: \_\_\_\_\_ 12 inch recessed windows required in one section  
Impact on Projects \_\_\_\_\_ increased cost / loss of usable square footage  
Reasoning \_\_\_\_\_ our standard recessed window is based on a standard 2x4 in a 2x6 exterior wall – 2x12 is non-standard and reduces the floor area by 6” x frontage

New Requirement: \_\_\_\_\_ Horizontal sliding windows prohibited  
Impact on Projects \_\_\_\_\_ increased cost  
Reasoning \_\_\_\_\_ use of casements or double hung windows is more expensive

New Requirement: \_\_\_\_\_ Page 3-39 - 70 percent enhanced materials.  
Impact on Projects \_\_\_\_\_ Increased cost  
Reasoning \_\_\_\_\_ creative use of stucco and color can mitigate a façade as much as ‘enhanced’ materials at a much lower cost

One section (page 3-122) flat out denies any window mullion pattern that is not symmetrical. Antonio Gaudi would turn over in his grave. Symmetry Police? Is that what the Planning Division wants their staff to be concerned with, rather than looking at density and diversity?

Our design staff has enough trouble getting our buildings through local design review boards - whose members I guarantee you will not be cognizant of a fraction of this new document for years.

To be fair, the authors of this document realized that their efforts to harmonize design would not cover all the possible things that our very creative design communities in LA could come up with and they put in a section on 'alternatives' to handle that. It is currently one of the LEAST developed sections in the document so I can't really say anything about it, however a few things are apparent from what is there.

First, only a very few building types are singled out as even applicable to be handled with an 'alternative' approach. The listed categories that allow alternatives are currently extremely limited (multi-family residential does not appear in the list) to:

Institutional/Civic Institutional (the only one partially fleshed out in the Draft)

Corner Store

Small Lot Subdivision

Drive-Through

Fueling Station

This in itself is a straightjacket no one needs.

Second, the approach seems to be that the design will be given 'alternative' leeway IF other aspects are 'upgraded'. This implies a carrot and stick approach that is entirely inappropriate when applied to the concept of appearance design. If I design a facade that does not meet the exacting and particular standards of the new code, does that imply that the rest of my building is substandard in any way? It should not. It may merely mean that I have a unique approach and though not yet in the book, it may become a standard over a few years' time.

Look at the adoption of the podium 4 over 1 type building which was originated in this state by the Principal Emeritus of our firm, Tim Smith, many years ago. This building type has progressed and evolved from an initial ground breaking project requiring multiple 'alternates' or modifications to being a type now completely covered by standard code language these many years later and spreading rapidly across the country. Now, not everyone does these projects as well as some of our local firms and there may be some that don't actually like the concept, but it meets code, creatively solves a big issue with affordability and, when done correctly, results in very handsome mid-rise buildings. I have had people on the street give unsolicited complements on several of our buildings when they were walking past and saw me in my hard hat and PPE taking photos of them for a job visit.

Third, what is the overall intent of this code revision? The 'intent' section says to protect the welfare and safety of the general public. How is facade design elevated to this high goal? It is not clear that there is a direct linkage, as peoples tastes in building design vary widely. You can't point to one style or feature and say 'that is universally accepted as improving the general welfare'. The history of trying to dictate people's inner state through external design has been a notable failure from Hitler's fascist styles to the 'enlightened' panopticon prison designs of the last century. That is not to say that some generic suggestions are not out of line, just that this over-reach in the other direction is over-kill.

Frankly, the entire chapter on facade design should be scrapped and re-thought as some simple general open-ended rules.

As far-reaching and inclusive as it tries to be, the document has some glaring omissions. The document does not seem to be plugged in to what other City Divisions are doing to the extent that it should be. The LADWP recently issued some directives regarding approaches to its equipment that had potentially large negative design impacts on smaller projects - they too offered to do 'case by case' modifications. However, it turned out that the majority of projects asked for these modifications, so they reversed course back to the previous solution that had worked for everyone for decades prior.

Chris Hawthorn (LA City's Chief Design Officer) has been working on harmonizing the City's eclectic light pole standards but there is no reference to the Citywide approach in the section on lighting streets. This lack of coordination is insular and short-sighted and further makes Planning a 'silo' of oddball and inconsistent decisions.

In summary, I see an unwieldy, overly-constricting document that will take a long time to dissect by all parties - and I see the 'alternative' section being used by most applicants as I guarantee that our creative design minds will continually come up with approaches not dreamed of in this new philosophy. This will drive up costs for everyone - Planning staff and applicants alike - in time spent to deal with this new complexity, in consultant fees that reflect time spent arguing with Planning staff on these new issues, and in money spent on variances (the other way to get an 'alternate' approved if you can't get a determination). The cynical would say this is a not so subtle way for Planning to improve its bottom line. The sad part is that in the end, this all costs projects time. Time that we don't have to get the much needed affordable projects out the door and into the ground. With the current entitlement period for an affordable housing project approaching a year or more, the carrying costs of the land alone, to say nothing of the costs of complying with this new document are becoming an impediment. We don't need more rules and regulations that a) don't make sense and b) are not needed - to slow things up even further.

Signed - several concerned Architects,

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**JEROME SCOTT** AIA, CSI, ICC, LEED AP  
SR ASSOCIATE | CONSTRUCTION ADMINISTRATION DIRECTOR  
D 213 614 6088

**JEFF MERTZEL**  
ASSOCIATE PRINCIPAL | DESIGN DIRECTOR  
D 213 614 6091







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## CPC-2017-432-CPU – Downtown LA Community Plan

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**King Cheung** <kingcheung47@gmail.com>  
To: cpc@lacity.org

Sun, Jun 13, 2021 at 9:55 PM

Dear Commissioners,

I support the just released DTLA 2040 plan by the City Planning Department. This new land use and zoning tool is a good way to repair past harm done to the low income communities and people of color, such as Chinatown. The proposed base and bonus method is the best compromise between economic development and affordable housing and preservation needs.

The past zoning laws allow developers to build luxury apartment buildings by right in Chinatown without providing any affordable housing or a little affordable housing. Thus, the consequences are gentrification, and displacement of low income immigrant residents, some of them having been living in Chinatown for years. The mom and pop stores also suffer from higher and higher rents.

I applaud the City Planning Department for coming up with the new DTLA 2040 proposal that supports racial justice. It is the best the City can do under the circumstances.

I support:

1. The proposed base and bonus floor area ratio zoning to provide affordable housing and preservation efforts.
2. The effort of Subarea D, historical preservation, recognizing the community's cultural and historical assets.
3. The effort of Appendix G, guide for best practices for Chinatown form, structure, facade, and street environment

King Cheung

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June 14, 2021

## VIA EMAIL

Samantha Millman, President  
Honorable Commissioners  
Los Angeles City Planning Commission  
c/o Los Angeles Department of City Planning  
200 North Spring Street  
Los Angeles, CA 90012-2601

Re: Draft DTLA 2040 Plan Update (June 17, 2021, Planning Commission Hearing);  
Additional Comments re Arts District as to River View Deck, Specific Plans, and  
Encouraging Transit Adjacent Housing

Dear Commission President Millman and Honorable Commissioners:

Following up on our recent correspondence on behalf of the partnership developing the 670 Mesquit project, RCS VE LLC, we write to provide additional comments on several issues. As noted in our letters dated June 7, 2021, as well as in December 2020 and January 2021, some revisions are needed to the DTLA 2040 draft for the Arts District to better achieve important policy goals.

1. River View Deck and Amtrak Agreement. As announced in 2016 when the exciting Bjarke Ingels design for 670 Mesquit was unveiled, the project can create unparalleled access to views of the LA River through a river view deck and view corridors. The unlimited heights provided under the existing zoning, which does not require a setback for the property, comprise key elements underlying this proposal, which will cantilever over railroad property to create a view of the river. The railroad properties include tracks owned by Amtrak, Metro and railroads, comprising approximately 200 feet in width between the 670 Mesquit site and the LA River. The project has recently achieved agreement with Amtrak on an MOU for the necessary rights to construct over the Amtrak property and bring people within viewing distance of the river, which has a berm that rises above street level and necessitates viewing from above for true river visibility. Attached is a graphic showing the area of the proposed deck, which represents a multimillion dollar investment by the project to create this public benefit.

Yet while good faith efforts have now proceeded for several years to implement the steps needed to create the river view deck, the latest draft of the 2040 Plan adds provisions such as a new recommended 20-foot setback and height restrictions for this property that are contrary to the proposal. As the project's landowner partners, the Gallo family and Rancho Cold Storage, have pointed out in their correspondence, the setback would be from the railroad properties and does not create any benefits for the river. Moreover, substantive planning justifications for these

new restrictions, which do not appear to have been studied in detail in the 2040 Plan EIR, are not clear.

As a prominent urban ecologist wrote to Planning in January 2021, the lands surrounding the river should be linked to the river ecosystem to provide connectivity, with green plazas and taller buildings. (See attached Letter from Professor Steven N. Handel, January 12, 2021). As Professor Handel's letter has pointed out, most "California rivers have shady canopies at the edges of the river... and shadows created by buildings are not antithetical to the biodiversity in a healthy river ecosystem. New development for housing and other civic needs can coexist with ecological progress."

In summary, we believe that for the properties between 7<sup>th</sup> Street and 6<sup>th</sup> Street, the proposed new setback requirement and the height restrictions for properties to the east of railroad properties, which are already 200 feet east of the river, do not provide benefits to the river that overrides the negative impacts of these restrictions. Both should be eliminated.

2. Strengthen Specific Plan Provision in Land Use Policy 6.5 of 2040 Plan. The 670 Mesquit project was proposed shortly after the 6AM project, also in the Arts District, which Planning agreed to process through a Specific Plan. For 670 Mesquit, for which Planning agreed to process a General Plan Amendment, a Specific Plan is also proposed. While we welcome the update to the 2040 Plan, provided the requested changes are incorporated, the unique nature of the Mesquit property and the BIG design warrants a Specific Plan. Moreover, as we have discussed with Planning staff over the years, Specific Plans and other master planning efforts can incentivize provision of additional public benefits that justify additional density, over and above densities set forth in the updated 2040 Plan. The river view deck described above, and the other public benefits of the 670 Mesquit project, support densities above 6.0 FAR.

While we appreciate the inclusion of LU 6.5, which acknowledges Specific Plans, we suggest that language be added as shown in the bolded underlined provision below:

LU 6.5 Support Specific Plans or other master planning efforts on multi-acre or phased development sites to facilitate the creation of alternative public benefits such as infrastructure improvements, **which may justify additional incentives such as density increases, as appropriate.**

3. Encouraging Housing Near Transit. The Plan's proposed restriction of residential uses in the Arts District to "live-work" does not reflect the reality of the projects built and proposed in the Arts District. Over three years ago, the Mayor noted that the "Arts District has become a widely popular arts, culture, and shopping destination with rapid residential growth. There are over twenty development projects in the Arts District under construction, entitled or in the entitlement process....An Arts District Purple/Red Line Extension Station is a great opportunity to support the continued development of a transit-oriented community with a rapidly expanding population with a strong desire for transit service." (See attached Letter to DOT, 2-5-18.)

LATHAM & WATKINS<sup>LLP</sup>

The Mayor's vision and the reality of residential development in the Arts District have prompted Metro to proceed with the study of the new Arts District station, yet the 2040 Plan does not acknowledge and embrace the potential to encourage housing and affordable housing.

We respectfully request that you direct staff to revise the Plan to reflect the proposed new station and to incorporate transit-adjacent housing incentives and zoning in the Plan. Attached is a graphic showing the proposed location of the station adjacent to the 670 Mesquit property. Our clients are also in discussions with Metro over the connections between the project, the river view deck and the station. (See attached Metro NOP and graphics).

DTLA 2040 has tremendous potential to encourage affordable housing near transit and river activation, provided these changes to the Plan are made to encourage Arts District investment.

Thank you very much and we look forward to your consideration of the DTLA 2040 Plan.

Very truly yours,



Lucinda Starrett  
of LATHAM & WATKINS LLP

cc: Mr. Zach Vella  
Mr. Frank Gallo  
Mr. Vince Gallo  
Mr. Michael LoGrande  
Benjamin Hanelin, Esq.

TOTAL ACTIVE/PASSIVE GREEN SPACE = HABITAT AND ENVIRONMENTAL BENEFITS, AND ACCRUES TO QUALITY OF LIFE

215,000 SF = 5 ACRE



January 12, 2021

Mr. Craig Weber, Principal City Planner  
City Planning Department, Los Angeles, CA

Re: Downtown Los Angeles 2040 Community Plan: ecological foundations

Dear Mr. Weber:

I write to you as an urban ecologist who has come to know the many values of including an ecological framework into all aspects of city planning decisions. I have worked for many years studying urban ecology principles and applying them to public spaces. I was heartened to read your Downtown Community Plan draft and wish to comment on some simple ways that your Plan might be improved. I have a special interest on how the Plan can mesh well with the parallel ideas embedded in the Army Corps of Engineers Los Angeles River Ecosystem Restoration documents.

My work in urban ecology has been based at three major institutions. I have been a professor of ecology at Rutgers University for many years and at the Harvard University Graduate School of Design. In addition, I was a Visiting Professor of Ecology for six years at the UC-Irvine Department of Ecology. My time as a professor in Irvine built my strong interest in Los Angeles and motivated these comments to you.

There are so many profound and interlocking parts of your Downtown Plan. I feel these could be better meshed with a much greater attention to an urban ecology structure that can be the foundation for a better Los Angeles. My interest in urban ecology is not just in the charm and beauty of nature, as important as they are, to your residents. Rather I have come to learn that nature is important as well is lovely. Los Angeles can improve its fortunes for the future by including the many functions of nature in your planning documents. The value of emphasizing ecological restoration as an integral part of Los Angeles planning includes these many advantages to your residents:

The Urban Wild – Adding plantings of native California species along streetscapes, rooftops, and new parks, even small ones, celebrate the specialness of the Los Angeles area and its natural heritage. It expresses to people that nature is where we live and work, not just what we go on our vacations. Native plantings within the city also support migrations and animal populations in the preserved areas around the city adding to area's sustainability. Many modern design professionals have shown how nature in the city can be accommodated in detailed planning documents. The city is part of nature not really separate from the historic landscape.

The Urban Environment for Health - There are now so many studies showing how landscaping and green spaces in the city support the health of our residents. Urban plantings clean and cool the air, help control hydrology to mitigate flooding (pervious areas absorb water, decreasing potential flooding volume), and cut down on particulates in the air that cause respiratory diseases. Urban birdlife even helps control the number of insects that may carry disease. We are living in a time when public health needs are enormous and an ecologically designed landscape plays a critical role in advancing public health. In addition, there are many academic studies on how urban landscapes can improve mental health by relieving stresses associated with modern urban living. Once the Commissioner of Parks of New York City said

to me that he had never seen a fistfight in front of a flower bed. This was an offhand remark, but it is based on a psychological reality. The 2019 L.A. Green New Deal report details these advantages for the city.

The Urban Farm – Urban agriculture is already a major initiative in Los Angeles, and this can be defined as part of your ecological planning. Natural areas assist urban ag by giving nesting areas for pollinators; in this way the ecological landscape supports your local food supply. Additionally, community supported agriculture plots build social cohesiveness. People meet their neighbors at these plots, and this advances community collaboration and well-being.

The Urban School - There are many initiatives to support STEM education in Los Angeles. Native plantings, even small areas and along the Los Angeles River, can give new venues to study science, math, and the arts (photography, drawing, creative writing). Streetscapes and urban parks can be part of your educational system at modest cost. This is a value added which must not be ignored.

The Urban Retreat - Comfortable shaded and lovely green spaces throughout the downtown add to the joy of living in Los Angeles. People crave time in the outdoors; we have seen that so much during this pandemic. Streetscapes and green areas near the river and elsewhere support low-cost venues to mitigate social tensions.

The Urban Economic Driver - Natural landscaping within Los Angeles can also supply a bevy of jobs in maintenance and in improving our green capital. It is a way to build job creation as well as the other environmental benefits that I have mentioned. Also, many, many studies have shown that streetscapes that have natural landscaping increase the desirability and value of property which may be translated into economic benefits for the city. Your Urban Forestry Division in the Bureau of Street Services is addressing this; the links between ecological structure and the city's economic health are tight.

The Urban Driver of Environmental Justice - The distribution of green streetscapes and their many values is not equitably distributed in American cities. Adding ecological investment as part of the Downtown Plan can be a big step forward to address significant environmental justice concerns. In addition to the many benefits I have already summarized, an ecological framework for the Downtown Plan can help mitigate the housing shortage that is highlighted in your goals. Healthy streetscapes advance the desirability of residential. Higher density and taller buildings will of course alleviate housing shortages, but those new concentrations of residents must be matched with an advance in ecological services for them. Nationally, Los Angeles is so admired for its multicultural population and the joy it expresses in being an urban United Nations in so many ways. Ecological restoration gives this diverse population an appealing and healthy environment within which to build the future of your city. I know that City Plants and their non-profit partners are supporting such efforts.

There is another environmental opportunity here that I must mention, the juncture of the Los Angeles River and the Downtown Plan. The Army Corps of Engineers released a detailed Feasibility Report for the river, with many ecological restoration components. That Report does not reach the section that borders your plan but has interesting ideas. The section of the L.A. River that borders the Downtown district is very constrained by critical infrastructures that are not going away! Despite this, improvements to the river corridor could be integrated and can mesh with the environmental improvements as part of the final Downtown Plan. The Downtown Plan can come first. So many novel ecological design initiatives are including “green

building” features. Not green building in the sense of energy conservation (although I am sure that will be mandated) but in the sense of planting programs that support the natural heritage and public health advantages I am championing. This would bring great positive attention to the City of Los Angeles as a national leader in urban ecological planning.

What is missing, to me, is a linkage between concepts in the existing Corps plan and your Downtown Plan. In fact, the lands surrounding the river is part of the river ecosystem in many significant ecological ways, building connectivity. By having the Downtown Plan near the river encourage green plazas, green roofs, and significant green streetscapes we would be advancing the important goals of improving the river. Initiatives such as these are perfect for urban areas near your river and I hope this is encouraged in the detailed rules you are planning to adopt. The existing RIO (River Improvement Overlay) plan is a fine foundation for future planting work and the Downtown Plan should advance that important ecological framework.

Taller buildings will, of course, help add much needed housing to Los Angeles. Densification is widely understood to have environmental value. Almost all our California rivers have shady canopies at the edges of the river, native sycamores, willows, flowering shrubs, and so on. Shadows from taller buildings are not antithetical to the biodiversity in a healthy river ecosystem. New development for housing and other civic needs can coexist with ecological progress. This adds resilience and sustainability to your great efforts to improve the City’s ecological future.

We recently completed a large study for the United States National Park Service addressing the future of another great urban water body, Jamaica Bay in New York City. The federal government wrote: “...*the perimeter of the bay is an important buffer between the bay and surrounding developed areas and also an integral part of the Jamaica Bay ecosystem.*” (USFWS, 1997). In this way our nation’s leading park agency supports the concept that terrestrial features and the river corridor are tightly linked to improve urban wildlife habitat. I would hope the Los Angeles Downtown Plan mirrors this well substantiated scientific conclusion. I honor the many public spirited and detailed goals in your current Downtown Los Angeles 2040 Community Plan. However, I urge a much more inclusive perspective that expresses the critical need for ecological restoration to secure a healthy future for your wonderful city.

Yours truly,

A handwritten signature in blue ink that reads "Steven Handel". The signature is written in a cursive style and is contained within a thin black rectangular border.

Steven N. Handel, Ph.D., Hon. ASLA  
Distinguished Professor

Attachment – CV

cc: Kevin De Leon, City of LA Council Member  
Jessica Lall, CCA





**ERIC GARCETTI**  
**MAYOR**

February 5, 2018

Seleta Reynolds  
General Manager  
Los Angeles Department of Transportation  
100 S. Main Street, 10<sup>th</sup> Floor  
Los Angeles, CA 90012

Dear Ms. Reynolds:

The rapid unprecedented growth in the Arts District underscores the need to increase reliable transit options to serve this expanding community. The Arts District has become a widely popular arts, culture, and shopping destination with rapid residential growth. There are over twenty development projects in the Arts District under construction, entitled or in the entitlement process. While the Arts District is the location of several planned major infrastructure projects that will improve the public realm, such as the 6th Street Viaduct Replacement project, the Los Angeles River Waterway and System Bike Path project, and the Arts District Pedestrian and Cyclist Safety Project, we must invest more to provide meaningful transit access and connectivity.

An Arts District Purple/Red Line Extension Station is a great opportunity to support the continued development of a transit-oriented community with a rapidly expanding population with a strong desire for transit service. This includes connections to the Downtown Los Angeles bike share pilot, which helps to provide better first/last mile station access to existing transit stations. Additional benefits of adding a new Arts District Metro Station include the opportunity to leverage the transportation services and innovations developed by the Los Angeles Cleantech Incubator. An Arts District Metro Station would also provide a convenient active transportation connection to the future bicycle path along the Los Angeles River.

While no discrete funding source is identified to plan and construct the Arts District Purple/Red Line Extension Station, the City should partner with Metro to initiate the preliminary environmental analyses required to plan for a new station so that Metro and the City are in better position to seek the necessary funding to build the station. I ask that LADOT fully fund the environmental review analyses of the Arts District Purple/Red Line Extension Rail Station and lead the station access planning while Metro works with the City in pursuit of capital funding. A formal collaboration with Metro will help deliver this needed project to provide safe and convenient first/last mile access to the Arts District Purple/Red Line Extension Station.

I look forward to furthering this close partnership of the City and Metro. Feel free to contact me or Transportation Director Borja Leon at (213) 473-9771 or [borja.leon@lacity.org](mailto:borja.leon@lacity.org) if you have any questions.

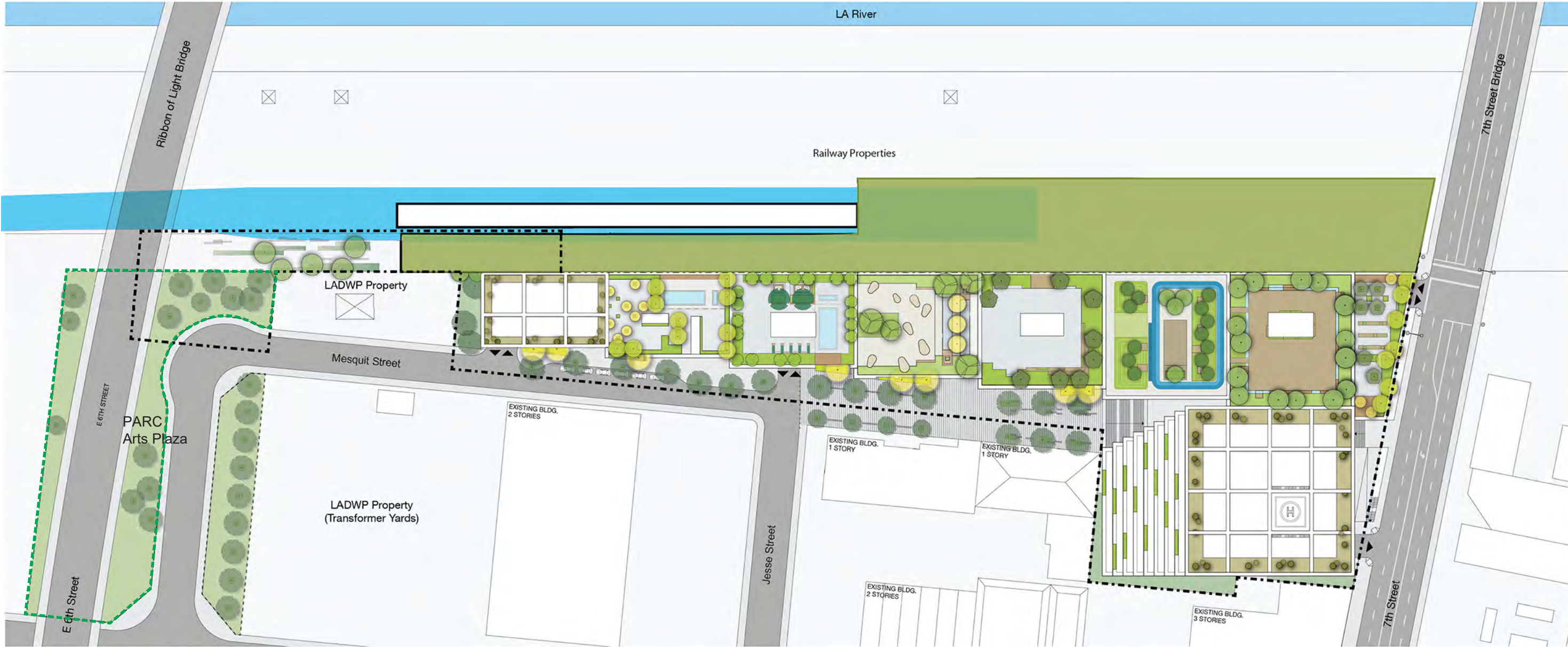
Very truly yours,

A handwritten signature in black ink, appearing to read "E. Garcetti". The signature is fluid and cursive, with a small flourish at the end.

ERIC GARCETTI  
Mayor

cc: Phillip Washington, Metro CEO

# 670 Mesquit - Deck Area Adacency to Proposed Metro Station\*



- Expanded Riverview Deck Area Boundary
  - Proposed Station\*
  - Proposed Station Tracks\*
- \*(Per NOP 03.29.21)



June 15, 2021

VIA US MAIL AND EMAIL

Samantha Millman, President  
Los Angeles City Planning Commission  
200 North Spring Street, Room 667  
Los Angeles, California 90012  
[CPC@lacity.org](mailto:CPC@lacity.org)

Re: DTLA 2040 Downtown Los Angeles Community Plan Update

Dear President Millman and Honorable Commissioners:

Mack Real Estate Group (MREG) is pleased to comment on the Downtown Los Angeles Community Plan Update. Mack Real Estate Group is a vertically integrated, institutional real estate investor, developer, debt capital provider and operator with its roots as a family-owned business dating back to the 1960s. MREG develops, owns and operates real estate projects in major markets in the United States including, Los Angeles, Seattle, Portland, Phoenix, Miami, Atlanta and New York City.

MREG, through its predecessor companies, has been involved in the development of downtown Los Angeles for over 40 years. Most recently, MREG completed two major projects in the South Park neighborhood of downtown Los Angeles -- the high-rise Aven mixed-use project (537 units in a 38-story building) and the mid-rise Wren mixed-use project (362 units in a 7-story building). Additionally, we have two other land parcels in South Park that are in the entitlement process and will accommodate over 1,200 units. Together, these projects represent an investment of over \$1.2 billion dollars in downtown Los Angeles.

We commend the Department of City Planning on its efforts to develop a long-term land use plan for the growth and development of the downtown Los Angeles. For the past twenty years, downtown Los Angeles has led the City of Los Angeles and the southern California region in building public transit infrastructure and producing high quality housing and jobs. Before the COVID-19 pandemic, downtown Los Angeles was poised to accelerate this trend. By 2040, downtown is projected to build 70,000 housing units, provide 55,000 more jobs and add 125,000 new residents. No other area in Los Angeles presents a similar opportunity to build large amounts of high quality housing and expand employment opportunities.

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In this letter, we want to express our concerns on three primary areas: (1) the community benefits requirements necessary to exceed the Base Floor Area Ratio, (2) the form-based design requirements, and (3) the need for the Community Plan Update to include an integrated, comprehensive strategy for developing transportation resources to link the many neighborhoods of downtown Los Angeles.

1. As Presently Structured, the Community Benefits Requirements to Exceed the Base

FAR Will Likely Suppress the Development of Market-Rate and Affordable Housing. The DTLA 2040 Community Plan assigns a Base Floor Area Ratio to each parcel in the Community Plan. In order to exceed the Base FAR and utilize Bonus FAR, the project must first provide on-site affordable housing at below-market rent levels and in percentages based on the City's Density Bonus ordinance. We believe that, even in a robust economic environment, the cost of providing the necessary levels of affordable housing in order to exceed the Base FAR will usually render the Bonus FAR economically infeasible. As a result, the City will not receive the benefit of higher density residential development or the affordable units.

This structure will be even more detrimental during the economic conditions that will affect downtown Los Angeles as it recovers from the COVID-19 pandemic. The affordable housing requirements will prevent residential development from exceeding the Base FAR and downtown will have the worst of both worlds – fewer new residential units and no affordable units.

We suggest that the Planning Commission direct the Department of City Planning work with market-rate and affordable housing developers to study in detail the impact of the affordable housing requirements on new development. We will be pleased to participate in that effort. We are confident that together we can create an incentive program that will maximize both more high-density residential development and affordable housing.

2. The Form-Based Design Requirements are overly prescriptive and may stifle architectural creativity. The DTLA 2040 Community Plan also assigns detailed form-based architectural requirements to each parcel. Unlike typical downtown zoning requirements that prescribe only minimal setback or height restrictions, the Community Plan as drafted specifies (i) minimum lot area, (ii) minimum lot width, (iii) minimum building coverage percentage, (iv) minimum lot amenity space, (v) minimum residential amenity space, (vi) maximum base height and maximum bonus height, (vii) upper story step-backs, (viii)

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height transitions, and (ix) building bulk and mass, such as building breaks and façade breaks. In addition, the frontage requirements specify (i) entrance locations and features, (ii) ground story height, (iii) ground floor elevation, (iv) minimum transparency requirements for ground stories and upper stories, (v) maximum dead wall width, and (vi) landscaping area. In some districts, the requirements prescribe horizontal bands, window details, and exterior and roof materials.

The downtown Community Plan area has a wide range of topography, street types and lot sizes and configurations. In response to these challenges, downtown has produced some of the most innovative and successful architecture and urban design. We are concerned that the overly specific architectural requirements will impede high quality development and stifle architectural creativity in downtown. In particular, the design requirements may hamper architects in finding design solutions that produce economically feasible projects.

The Planning Commission should eliminate the rigid prescriptive form-based design requirements. At a minimum, the new zoning code should include a flexible process by which the developer can obtain relief from the form-based design requirements by meeting the intent of the design standards. Alternatively, the design standards should be repurposed to serve as design guidelines rather than mandatory requirements.

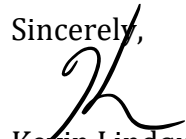
3. The DTLA 2040 Community Plan Should Mandate the Further Development of an Integrated Transportation Plan to Link the Many Downtown Neighborhoods. The Community Plan's land use regulations will be an important element in helping make downtown Los Angeles a thriving center for jobs, properly located density and a high quality of residential life. However, downtown also needs an integrated strategy for further developing a network of transportation resources to link downtown's neighborhoods. These resources should include DASH buses, the DTLA streetcar, shuttles, a system of bicycle lanes and private transportation services to connect downtown residences and businesses. Moreover, downtown Los Angeles should have a comprehensive streetscape plan that will include street trees, landscaping, open space and sidewalks to create an inviting pedestrian environment throughout downtown. To enhance the public realm, downtown should have a comprehensive plan to build parks and more open space. We hope the Department of City Planning will create a detailed capital improvement workplan for City Council approval and funding that will bring together all of the applicable City departments to create a financeable plan to build the public infrastructure necessary to create a livable and properly planned downtown.

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Finally, the COVID-19 pandemic has severely affected the downtown Los Angeles economy, as measured by increased residential and commercial vacancy rates, falling rental rates, and the number of closed restaurants and other businesses. The Planning Commission should ensure that the implementation of the DTLA 2040 Community Plan does not impede downtown's economic recovery.

We look forward to the further refinement of the Community Plan Update in response to public comments. Please contact me if you would like to discuss any of the ideas presented in this letter.

Sincerely,



Kevin Lindquist  
Chief Operating Officer  
Mack Real Estate Development

cc:

Councilmember Kevin de León  
Councilmember Gilbert Cedillo  
Councilmember Curren Price  
Mayor Eric Garcetti  
Mr. Vince Bertoni  
Mr. Paul Keller



Mack Real Estate Development LLC  
1150 S. Olive Street, Suite 2250  
Los Angeles, CA 90015  
213 437 0470

City Planning Commission  
June 15, 2021





June 15, 2021

Samantha Millman, President  
Los Angeles City Planning Commission  
200 North Spring Street  
Los Angeles, CA 90012

**Re: Item 6: CPC-2017-432-CPU; CPC-2014-1582-CA; DTLA 2040 Community Plan Update**

Dear President Millman and Honorable Commissioners,

I am writing on behalf of Maxxam Enterprises, a property owner in the greater downtown LA area.

We have been following the development of the DTLA 2040 community plan (the "Plan") for some time and we would like to echo several comments raised by the Central City Association (CCA) in their [June 7<sup>th</sup>, 2021](#) letter submitted to the City Planning Commission. The DTLA 2040 plan must be an affirmative plan for robust, transit-oriented growth across all of DTLA to address the impacts of the COVID-19 pandemic, the persistent housing shortage and homelessness crisis, compete for transportation infrastructure funding and fully leverage transit investments.

We support CCA's goals of maximizing opportunities for housing at all income levels, creating flexibility to adapt over the next two decades and depoliticizing DTLA development by setting clear, economically feasible standards.

Accordingly, we are opposed to certain part of the proposed Plan, and recommend the following changes to the Plan:

1. In Chinatown, we recommend:
  - a. Not downzoning and instead increasing base FARs to match currently allowable FARs and max FARs to what is achievable with TOC today,
  - b. Removing height limits,
  - c. Removing hotel CUP requirements,
  - d. Removing the requirement that 30% of units must be two-bedroom units or larger, and
  - e. Revising or removing Subarea D from the CPIO.
  
2. In the Fashion District, we recommend:
  - a. Increasing base FARs to 6.0, and
  - b. Changing IX2 and IX3 areas to CX2 or CX3 uses.

We believe these changes will further strengthen this forward-looking plan that will serve as the guiding framework for DTLA's growth over the next two decades. Thank you for your consideration.

Sincerely,  


Michael Soroudi  
Maxxam Enterprises



**Metro**

Los Angeles County  
Metropolitan Transportation Authority

One Gateway Plaza  
Los Angeles, CA 90012-2952

213.922.2000 Tel  
metro.net

June 15, 2021

Honorable President and Commissioners of the City Planning Commission  
City of Los Angeles  
Department of City Planning  
Sent by Email: [cpc@lacity.org](mailto:cpc@lacity.org)

**RE: Downtown Los Angeles Community Plan Update and New Zoning Code  
City Planning Commission Public Hearing, June 17, 2021**

Dear President Millman and Commissioners:

The Los Angeles County Metropolitan Transportation Authority (Metro) appreciates the opportunity to comment on the proposed Downtown Los Angeles Community Plan Update (Plan) and associated new Zoning Code (Zoning Code) located in the City of Los Angeles (City). Metro's mission is to provide a world-class transportation system that enhances quality of life for all who live, work, and play within Los Angeles County.

Metro fully supports the core principles and objectives of the Plan, which will reflect a future vision for Downtown Los Angeles and are intended to guide development through the year 2040. Metro recognizes the Plan's significance to the City and the greater Los Angeles County region and is proud to support the Plan's development through our Transit Oriented Development Planning Grant Program. The Plan will further Metro's Transit Oriented Communities (TOC) goals for transit-supportive developments and places that grow ridership, reduce driving, and promote walkable neighborhoods.

Metro and the City have been collaborating closely on many efforts in the Plan area, including major capital projects such as the Regional Connector Project and West Santa Ana Branch Corridor, the Arts District/6<sup>th</sup> Street Station, the Union Station Master Plan, the NextGen Bus Plan, and facilities to support active transportation and shared mobility.

We are committed to continuing a collaborative approach with the City on the Plan. In particular, we appreciate meeting with City Planning staff on September 11, 2020, and provided a comment letter dated January 14, 2021 on the previous Plan draft. Below, we provide general comments on selected subjects of the Plan. Additional technical comments and background information are provided in the attachments to this letter.

## Comments

### *Transit Priority Areas*

Metro encourages the City to continue providing for additional density for developments surrounding major transit stops which should include, without limitation, high-frequency bus stops and Metro Rail stations (as currently defined in the City’s Transit Oriented Communities Affordable Housing Incentive Guidelines). Metro’s NextGen Bus Plan should be used as a resource to determine the location of high-frequency bus stops within the Plan area. For more information, visit the NextGen Bus Plan’s website at, <https://www.metro.net/projects/nextgen/>. In addition, the Plan should include stations for all rail lines that are existing and under construction. For planned rail lines, the Plan and Zoning Code (including land use and zoning maps) should be updated when Metro approves a Locally Preferred Alternative alignment. Please refer to Metro’s 2020 Long Range Transportation Plan, Measure M Expenditure Plan, and Measure M Guidelines for information on transit corridor projects that are being planned.

### *Community Benefits Program*

Metro commends the City’s efforts to promote affordable housing, open space, and community-facilities through the proposed Community Benefits Program (CBP). **Metro requests that the City include facilities that support transit and active transportation (“transit-supportive infrastructure”) as a category of menu items that qualify for Level 2 benefits under the CBP.** Such facilities can include, without limitation: transit stations; access improvements to transit stations (such as new entrances to above-ground rail stations or portals to underground rail stations, where technically feasible); enhanced bus stops; protected bike lanes; and improved sidewalks and crosswalks. Both on-site and off-site improvements should be considered for inclusion. The implementation of off-site improvements would require close coordination with key departments and agencies (including LADOT, BOE, StreetsLA, and Metro). Incentivizing transit-supportive infrastructure furthers the Plan’s mobility goals and better integrates new development with transit, bike, and pedestrian networks. Other major cities such as New York City have similar incentive structures that support and enhance their transit systems.

### *Public Use Districts*

We note that the description for the Public Facilities General Plan land use designation states that “Housing is not typically associated with Public Facilities but may be permitted on a limited basis” (Plan p. 15). **Metro respectfully requests that this sentence be clarified to more affirmatively allow for housing, either for all Public Facilities lands or specifically for Metro-owned properties (under a sub-designation similar to the one for Freeways on Caltrans-owned lands).** Metro’s Joint Development program provides much-needed affordable housing and community-serving commercial space that often is integrated into transit facilities.

### *Mobility*

Metro commends the Plan’s mode share goal of 75% for transit, walking, and biking for the year 2040 (Policy MC 2.1). To support this goal, **Metro recommends policies that call for the systematic implementation of transit-related and first-last mile improvements (by the City or as part of off-site improvements for new development) as new Metro transit projects are approved and built (including the Regional Connector, West Santa Ana Branch corridor, and the Arts District/6<sup>th</sup> Street Station project).** These can include periodic updates to the Plan and to LADOT’s Capital Improvement Plan. The Plan should account for Metro’s planned projects as described in Metro’s 2020 Long Range Transportation Plan and Measure M Expenditure Plan. For reference, please note that in May 2021, Metro adopted the First/Last Mile Guidelines, which outline Metro’s policy for integration of first/last mile improvements into new transit corridors.

Metro supports the implementation of the LADOT Mobility Hubs program in the Downtown area to provide transportation options and promote multimodal trips. Metro will continue to serve in a liaison role to facilitate the development of Mobility Hubs in strategic locations, such as near transit and active transportation infrastructure.

### *Parking Policies*

Metro commends the Plan’s efforts to set up an efficient parking system that encourages non-vehicular travel and serve the needs of a range of users (MC Goal 6 and MC Policies 6.1-6.7). In particular, the elimination of parking minimums, the unbundling of parking in property costs, and the inclusion of parking area in floor area allowances are important and effective policy tools in supporting the Plan’s goals for sustainability, mobility and urban design, and housing affordability.

**To further promote a more robust and successful parking policy, Metro strongly encourages the City to consider parking maximums.** In areas that have high congestion but are also rich in transit access, parking maximums provide a more effective policy signal for “transit-first” mobility and preventing over-parking in the Plan area.

**Also, the Zoning Code’s definition of floor area should include above-ground auto parking areas** (Zoning Code section 14.1.7.A.1). This would align the definition with MC Policy 6.6 (“Include square footage dedicated to above ground parking in the calculation of floor area to discourage over-parking and promote pedestrian friendly design”). Additional discussion and resources pertaining to parking policies are provided in Attachment B.

### *Adjacent Development Review Policy*

The Plan area includes Metro-owned right-of-way (ROW) and transit facilities for Metro Rail and Metro Bus. Buses and trains operate 24 hours a day, seven days a week in these facilities.

**Metro recommends that the Plan include an adjacent development review policy,** similar to Policy M4.16 in the Hollywood Community Plan Update, encouraging applicants to coordinate with Metro

during City Planning review if the subject parcel is within a 100-foot buffer of Metro infrastructure. Such projects should also comply with Metro’s Adjacent Development Handbook. **Similar language should also be included in the Zoning Code.** Together, the policy and code text will better implement Zoning Information 1117 and the Master Cooperative Agreement between the City and Metro with respect to coordination on adjacent development.

In addition to comments contained within the body of this letter, **Attachment A contains specific technical comments pertaining to the Plan text and maps.**

Metro looks forward to continued collaboration with the City on the Plan and Zoning Code. Should you or your team have any questions or would like to discuss contents in this letter, please contact Shine Ling, Transportation Planning Manager ([lings@metro.net](mailto:lings@metro.net)).

Sincerely,



Nick Saponara  
Executive Officer, Transit Oriented Communities

cc: Craig Weber, Principal City Planner

Attachments:

- A. Other Technical Comments
- B. Parking Requirements – Recommendations and Supplemental Information

## ATTACHMENT A Other Technical Comments

### *Plan Text*

- MC Policy 4.4 should be made more specific to emphasize access and linkages to transit, including safe biking infrastructure near transit facilities, as well as secure parking and bikeshare.
- MC Policy 8.4 is included in the *Spring 2021 Draft Downtown Community Plan Updates* document, but not included in the Plan's *Proposed Draft Spring 2021*. Please add this back to the Plan text.
- Mobility/Union Station: Study if specific policies or projects/implementation actions in the *Connect US Action Plan* can be referenced in the Plan.
- Implementation Action P11 (LA River Way): Include reference to Metro as an implementing agency for this action. See Metro's Los Angeles River Path Project for additional information (<https://www.metro.net/projects/lariverpath>).

### *Land Use Designation Map*

- Update to show recent changes to "Existing bicycle facilities map", including recently installed upgrades to protected lanes on 6th St, 7th St, Main, Grand, and Figueroa.

### *Metro - Recently adopted plans*

Please be advised that Metro has recently adopted the following policy documents, which should be reviewed and referenced, as appropriate, in the Plan:

- Adjacent Development Handbook (<https://media.metro.net/2020/DevReview-Handbook.pdf>)
- First/Last Mile Guidelines (<https://www.dropbox.com/s/dbxq6hl59jqwd8v/Metro%20FLM%20Guidelines.pdf>)
- 2020 Long Range Transportation Plan (<https://www.metro.net/projects/lrtp/>)
- Transit Oriented Communities Policy ([http://media.metro.net/projects\\_studies/joint\\_development/images/toc\\_policy\\_final.pdf](http://media.metro.net/projects_studies/joint_development/images/toc_policy_final.pdf))
- Transit Oriented Communities Implementation Plan (<https://media.metro.net/2020/Metro-TOC-Implementation-Plan-Final.pdf>)
- Transfers Design Guide ([http://media.metro.net/projects\\_studies/toc/images/Metro\\_Transfers\\_Design\\_Guide\\_2018-0312.pdf](http://media.metro.net/projects_studies/toc/images/Metro_Transfers_Design_Guide_2018-0312.pdf))

## ATTACHMENT B

### Parking Requirements – Recommendations and Supplemental Information

#### 1. Implement parking maximums in Downtown Los Angeles:

- Benefits:
  - Downtown Los Angeles is well-suited for implementing a policy of parking maximums. It has a concentration of dense, walkable neighborhoods and high-quality, high-frequency transit options that is unparalleled in the Southern California region. A parking maximum would prevent over-parked development, which will bolster transit ridership, improve pedestrian safety, and promote environmental sustainability through reduced emissions, and traffic congestion. It will decrease the overall cost of housing. It will also aid in preserving historic buildings by ending the parking “arms race” between new development and older ones that took advantage of the Adaptive Reuse Ordinance.
- The need for maximums: In highly congested areas, parking maximums provide a more effective tool to discourage over-parking in new development. Eliminating parking minimums, while an important step, are not sufficient to achieve the desired goals and benefits of limiting overall parking supply.
  - A study of City of Los Angeles building permit data found that a large share (42%) of approved residential and mixed-use developments built 10% or more parking spaces than required by the binding parking minimum (Stangl 2019, p. 20).
  - A study completed for Metro by a national transportation planning and research firm has shown that on average, transit-oriented developments nationwide are over-parked by 30%, i.e., only 70% of the parking lot is in demand (Marsden 2014; Nelson/Nygaard 2020).
  - Some projects that qualify for Tier 3 or Tier 4 status in the TOC Affordable Housing Incentive Guidelines (TOC Guidelines) have taken advantage of reduced parking requirements. These projects are in close proximity to transit and can provide less than 1 space per residential unit, yet often end up building 1 to 2 spaces per unit. (See Stangl 2019, p. 21.)
- Setting the maximum:
  - The simplest method is to set the maximum at the same level as the existing parking minimum. This sends a clear signal that parking will be capped at what was previously required of a development project (Shoup 2018, p. 16).
  - Many cities in United States and elsewhere have implemented parking maximums, including Denver, New York City, San Francisco, Seattle, and London. (Hanson et al., n.d.; Manville et al. 2014; Shoup 2018). Alternatively, Philadelphia and Boston have adopted different types of cap-and-trade programs for on-street and off-street parking spaces (Geeting 2014; City of Boston 2021).

- As most of the Plan area is rich in transit options, we recommend that maximums be set for all of the Plan area (except possibly for lands with the “Production” land use designation).
  - Alignment with Metro policies: Parking maximums are a recommended strategy in Metro’s Transit Supportive Planning Toolkit. Metro also expects to include parking maximums in its Joint Development Policy, setting an example for other transit-oriented developments. Implementing a parking maximum will align the City’s policies with Metro’s policy direction.
2. Include parking areas in floor area allowances:
- Metro recommends that the Zoning Code include automobile parking areas in the definition of Floor Area (Zoning Code section 14.1.7). This will aid in discouraging over-parked development, reduce the size of above-ground parking podiums and improve the quality of urban design and the pedestrian experience.

## References and Resources

Bula, F. (2021). The hidden costs of “over-parking” our cities. Sightline Institute blog, January 5, 2021. <https://www.sightline.org/2021/01/05/the-hidden-costs-of-over-parking-our-cities/>

City of Boston. (2021). Parking freezes. <https://www.boston.gov/departments/environment/air-pollution-control-commission/parking-freezes>

Geeting, J. (2014). It’s time to cap-and-trade parking permits. *NextCity*, January 28, 2014. <https://nextcity.org/daily/entry/its-time-to-cap-and-trade-parking-permits>

Hanson, B. (n.d.). *Parking Maximums*. Sustainable Development Code. Retrieved January 5, 2021, from <https://sustainablecitycode.org/brief/parking-maximums-7/>

Mardsen, G. (2014). *Parking: Issues and Policies* (S. Ison & C. Mulley, Eds.; Vol. 5). Emerald Group P. <http://iementaraddod.com/wp-content/uploads/2017/07/622-Parking-Issues-and-Policies-Transport-and-SustainabilityStephen-G.-Ison-Stephen-G.-Ison-.pdf>

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Shoup, D. (2018). *Parking and The City*. New York: Routledge.

Stangl, K. (2019). *Parking? Lots! Parking Over the Minimum in City of Los Angeles* [Comprehensive Project]. University of California, Los Angeles. <https://escholarship.org/uc/item/8zb447g4>





Los Angeles City Planning Commission  
200 N. Spring Street  
Los Angeles, CA 90012

*Delivered via electronic mail.*

June 11, 2021

**RE: CPC-2017-432-CPU – Downtown LA Community Plan**

Dear Honorable Commissioners,

Public Counsel is the public interest law firm of the Los Angeles County and Beverly Hills Bar Associations. Public Counsel’s Early Care & Education (“ECE”) Law Unit was established in 1986 to increase access to and the supply of quality child care in Los Angeles County. Due to the critical role that quality child care plays in supporting California’s current and future workforce and our economy as a whole, the ECE Law Unit provides free legal assistance to child care providers and helps them maneuver legal barriers they encounter in providing a very valuable service to the community. The ECE Law Unit assists individual child care providers, but also works directly with cities to develop policies that support child care, preserve a variety of child care options for working parents, and comply with state law. Public Counsel welcomes this opportunity to advocate for increased access to child care in the City of Los Angeles.

Quality, affordable child care is vital for parents, especially those with infants and toddlers, and who work variable hours. Child care is also an essential community service that supports employers and boosts economic development. The City of Los Angeles has a tremendous shortage of licensed child care, and only a small fraction of families who need child care are able to access it. Low-income families throughout the City are struggling to find child care for their babies and toddlers. Ninety-six percent of children under the age of two lack access to a licensed child care center seat in the City of Los Angeles. There are only 3,406 licensed infant toddler child care center seats for the 85,251 children under the age of two in the City of Los Angeles. In our experience, unnecessary regulatory, zoning, and land use barriers to opening child care facilities in the City of Los Angeles have hurt the small business owners who operate these facilities, but also low-income families and communities that these businesses could potentially serve.

The ongoing COVID-19 pandemic has only underscored the critical societal importance of child care providers, while subjecting them to unprecedented strain. This critical industry of small business owners, beyond supporting their own families, allowed parents to continue to serve as

essential workers and helped fill the gaps left by distance learning and closed schools. Good, affordable childcare gives children a strong start and creates opportunities for families and communities. It is also an essential component of equitable and livable communities.

Unfortunately, due to COVID-19, many child care facilities in the region have permanently closed. Losing these child care facilities has exacerbated the child care shortage in California, and makes it even harder for parents to find care for their children.

We support the proposed plan's incentivization of the creation of early childhood facilities through the Community Benefits System. However, the plan does not go far enough. Given the important benefits of quality child care and the negative effects of COVID-19 on the limited supply of child care, we urge the Commission to reconsider the 50 child limitation on preschool/daycare uses in all commercial-mixed and industrial-mixed use districts. Downtown Los Angeles is particularly well suited to host larger child care facilities that may serve more than 50 children because it is a large employment hub and can support the families that live and work in Downtown. The limitation also runs counter to the plan's goals of encouraging the creation of child care facilities. Further, the California Department of Social Services oversees the license capacity of child care facilities in the state. The Department imposes strict indoor and outdoor space requirements on child care facilities that limit the number of children a facility may care for. **We urge the Commission to remove the 50 child limit on preschool/daycare uses from commercial-mixed and industrial-mixed use districts as this restriction contradicts the plan's goals. Such a limit is unnecessary because the State already regulates child care capacity limits.**

Thank you for considering this recommendation. If you have any questions, please contact me at the below.

Sincerely,



Ritu Mahajan  
Supervising Senior Staff Attorney  
Community Development Project/ Early Care & Education Law Unit  
213-385-2977, ext. 135; [rmahajan@publiccounsel.org](mailto:rmahajan@publiccounsel.org)

# **RANCHO COLD STORAGE, INC.**

**670 MESQUIT STREET**

**LOS ANGELES, CA, 90021**

**(213) 624-8861 FAX (213) 622-8256**

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June 14, 2021

Los Angeles City Planning Commission  
c/o Los Angeles Department of City Planning  
200 North Spring Street  
Los Angeles, CA 90012-2601

Re: Draft DTLA 2040 Plan Update (June 17, 2021, Planning Commission Hearing)

Dear Commission President Millman and Honorable Commissioners:

As detailed in our prior correspondence with Planning staff, we are the owners of Rancho Cold Storage, Inc. and two other properties located on Mesquit Street between the 6<sup>th</sup> Street and 7<sup>th</sup> Street bridges in the Arts District. As long-term stakeholders in the Arts District community—our father worked in the area since 1964 and we purchased Rancho Cold Storage in 1985—we are very concerned with the proposed discriminatory spot zoning for our properties.

We are founding members of the Arts District Business Improvement District and have worked cooperatively and in good faith with the City for years regarding the Arts District and major infrastructure improvements in it. Our property extends from 7<sup>th</sup> Street to 6<sup>th</sup> Street and we have worked closely with the City regarding the construction of the new 6<sup>th</sup> Street viaduct. In fact, we reached a settlement in good faith with the City concerning the City's use of our property to facilitate the viaduct's construction and operation. In addition, our cooperation has made possible two other major public infrastructure projects: the proposed PARC adjacent to the new 6<sup>th</sup> Street viaduct, which is currently in the Draft EIR process, and the proposed location for the new Metro-Arts District station at 6<sup>th</sup> Street, adjacent to the viaduct, the PARC and our property.

Consistent with our approach of working cooperatively with City, in 2016 we announced a partnership to bring one of the world's leading architects, Bjarke Ingles and his firm BIG, to Los Angeles with a visionary project. The Planning Department agreed to initiate a General Plan Amendment for our project at 670 Mesquit and for four years our EIR has been in preparation, hopefully to be published soon for public comment. As referenced in a separate letter submitted on behalf of our partnership for the project, the guiding principles for the 670 Mesquit design have been discussed in meetings with Planning over the years and are appropriate for a Specific Plan which provides extraordinary public benefits. We agree with our partners that the Plan's current language as to Specific Plans should be strengthened and made very clear to encourage creative investment in the 2040 Plan area.

But we write not about the 670 Mesquit project, which will be Measure JJJ compliant and include inclusionary affordable housing, specifically. Rather, we write to object to the arbitrary way in which our property is treated vis-à-vis all surrounding and similarly situated properties. The staff report offers no justification for this disparate treatment and we can discern none.

(LAMC, Sec. 13.17.C.) Given that our properties are more than 200 feet from the river's edge and separated by railroad tracks and do not abut a river frontage road, they are not "adjacent" to the river. Therefore, none of the RIO's standards for river "adjacent" properties apply.

### **DTLA 2040 Proposed Zoning – Disparate Treatment of Our Properties and Unnecessary River Setback Standards**

As the attached graphic shows (Attachment B), our properties are the only properties between the 6<sup>th</sup> and 7<sup>th</sup> Street bridge zoned MM1. In fact, two properties immediately south of the 7<sup>th</sup> Street bridge and which are located as close if not closer to the river than our properties are zoned MB3. Further, as you move north of 6<sup>th</sup> Street, there may be only one additional privately owned properties zoned MM1.

Despite our properties being no different from the surrounding properties, the difference between the MB3 zone and the MM1 zone now proposed is stark.

- **Setbacks.** The MB3 zone has no river setbacks. The MM1 zone has a 20-foot "river" setback.
- **Height.** The MB3 zone permits unlimited height. The MM1 zone limits height to only 15 stories.
- **Bonus FAR.** The MB3 zone permits a Bonus FAR of up to 6.0:1. The MM1 zone has a Bonus FAR of only 4.5:1.
- **Building Widths.** The MB3 zone allows buildings to have a maximum width of 280 feet. The MM1 zone permits buildings to have a maximum width of 160 feet.

There is no reason for our properties to be treated differently from the surrounding MB3-zoned properties. All we ask is that our properties be treated the same.

The arbitrariness of this zoning is highlighted by the fact that the City and this Planning Commission recently approved a 36-story tower that abuts what the Planning Department calls the "Special River Lot Line" and is immediately south of our properties. (See Attachment C.) The orange dotted line is the City's "Special River Lot Line." While the Onni project also sits on this "Special River Lot Line," it is proposed to be zoned MB3 while our properties are zoned MM1. (See Attachment B.) This makes no sense.

Similarly, the One Santa Fe project, which runs between 1<sup>st</sup> and 4<sup>th</sup> Streets in the Arts District and is separated from the river by railroad tracks, just as our properties are, is designated MB3. Again, applying a more restrictive zoning to our properties to us while identically situated properties are not makes no sense.

**No River Setback.** There should be no setback requirement for the MB3 zone where the property is not adjacent to the LA River. Again, our properties are at least 200 feet from the river. What point is there in requiring a further 20-foot setback from the railroad tracks? This

setback is counterintuitive to the goal of increasing access and engagement to the river in this area because with this setback, we would not be able to construct the proposed project deck that is needed to provide the public with visual access to the river. This 20-foot setback also substantially interferes with our northernmost properties that are only 80 feet in width. A 20-foot setback effectively takes and renders valueless a full 25% of these properties.

**No Height Limit.** There should be no height limit for the MB3 zone. The staff report contains no explanation why our properties are limited to 15 stories in height with a bonus maximum height of 18 stories. Every private property adjacent to our properties to the east has no height limit. If shading of the LA River is a concern, it should not be. First, the railroad properties to the west of our properties would be allowed a building of five stories, which would shade the river. Second, as explained by a renowned urban ecologist who wrote to staff earlier this year and in the letter from Mia Lehrer, shade is a welcome and attractive part of river environments.

**Increased Bonus FAR.** The Bonus FAR should be at least 6.0:1 for our properties. Again, there is no difference between our properties and those immediately to the west that would justify the reduction in FAR. Today, these properties are zoned the same. There is no reason to zone them differently going forward. Further, as noted above, Metro is currently completing an EIR for a new 6<sup>th</sup> Street Metro Station which we are helping to make possible through our agreements for the PARC and the Sixth Street viaduct. Locating increased density in proximity to transit is good planning and is being employed elsewhere under the plan. It should similarly be employed here. Housing near transit is one of the essential goals for sustainability and increasing the City's housing supply for the future through 2040. The restrictive proposals for residential uses in the draft Plan should also be revised to encourage housing production including affordable housing. The Bonus FAR for our properties should be at least 6.0:1.

Spot zoning our properties as MM1 has no rational basis.

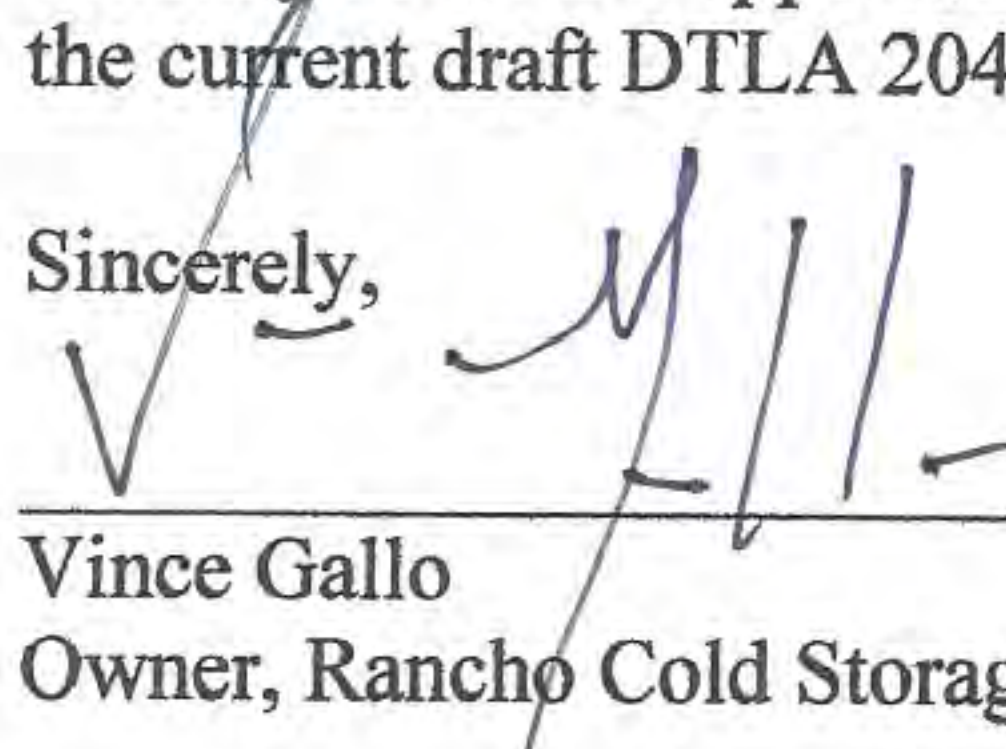
### **Conclusion**

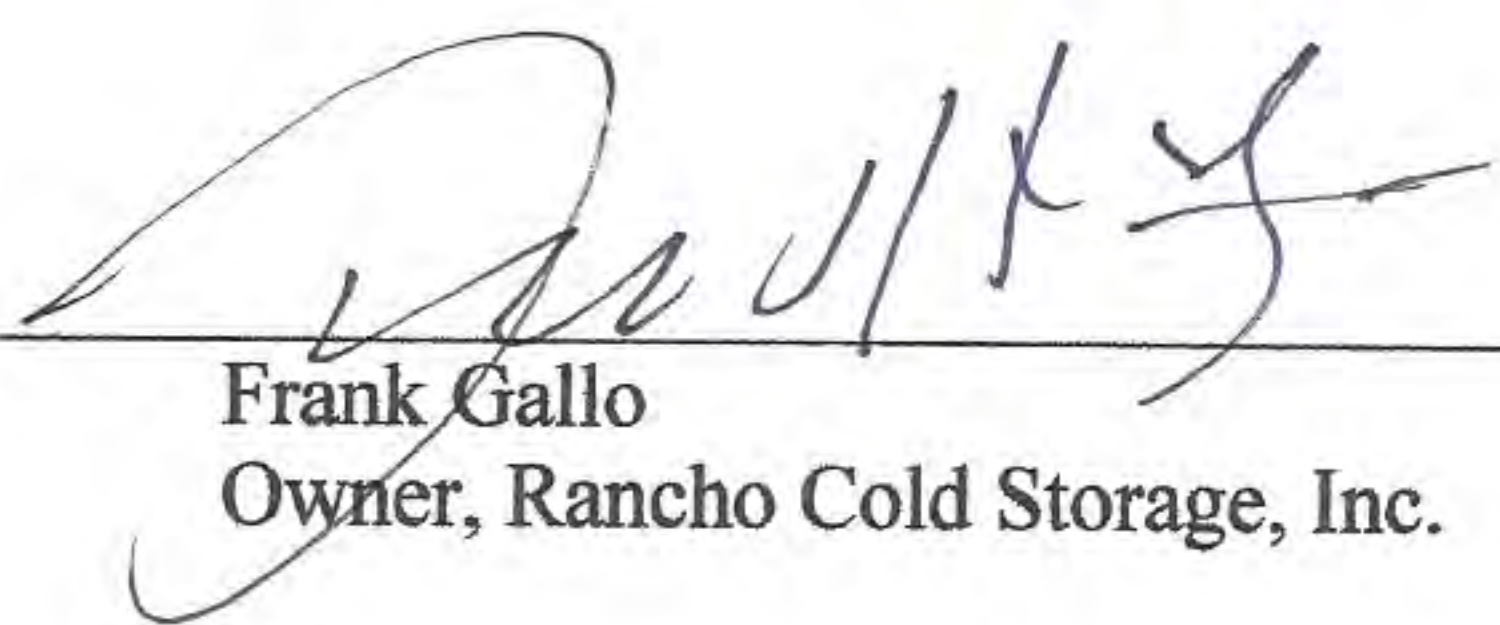
For all these reasons, we respectfully ask that the Commission modify the proposed DTLA 2040 plan as follows.

1. Remove the, site specific zoning restriction on our properties (property east of Mesquit between 6<sup>th</sup> and 7<sup>th</sup> street), including the setback, height and FAR limits, and instead provide zoning similar to adjacent properties.
2. Address the location of the 6<sup>th</sup> street Metro station and include incentives for housing near this transit location in the DTLA Community Plan land use and zoning recommendations.
3. Recognize that a project with a Specific Plan may obtain additional density with unique public benefits such as the proposed river-view deck in the 670 Mesquit design.

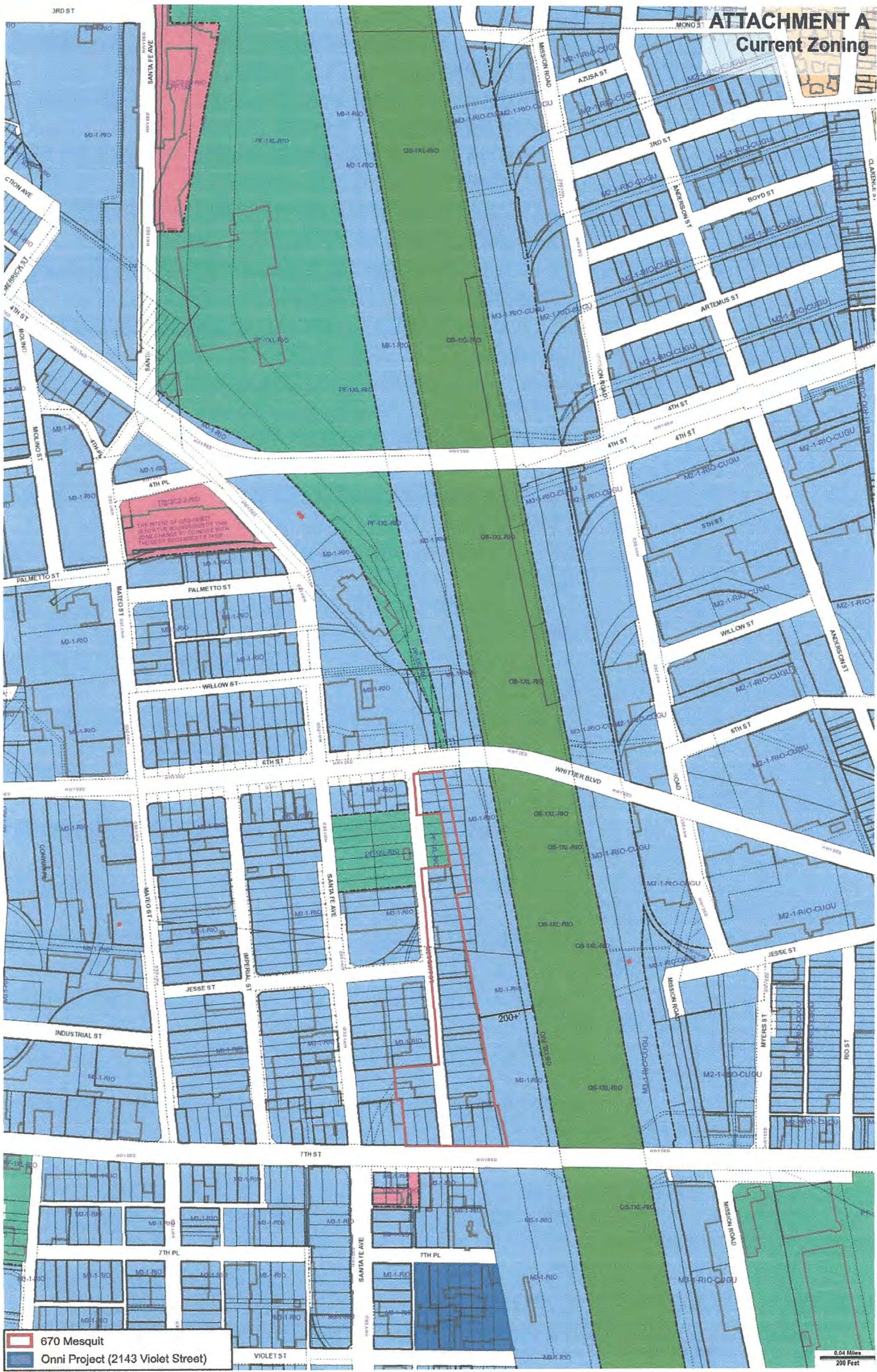
Thank you for the opportunity to provide our input and for your consideration of our issues with the current draft DTLA 2040 Plan.

Sincerely,

  
\_\_\_\_\_  
Vince Gallo  
Owner, Rancho Cold Storage, Inc.

  
\_\_\_\_\_  
Frank Gallo  
Owner, Rancho Cold Storage, Inc.

# ATTACHMENT A Current Zoning



670 Mesquit  
 Omni Project (2143 Violet Street)

0.04 Miles  
200 Feet

# ATTACHMENT B DTLA 2040 Proposed Zoning





# ATTACHMENT C Special River Lot Line Map<sup>1</sup>

1. DTLA 2040 Plan - Exhibit C.3 Zoning Code Maps, 6/17/2021



- 670 Mesquit
  - Onni Project (2143 Violet Street)
  - Proposed 20' Special River Setback\*
  - Special River Lot Line\*
- \* DTLA 2040 Plan (June 17, 2021)

0.04 Miles  
200 Feet

SHIMODA DESIGN GROUP  
ARCHITECTURE

15 June 2021

Los Angeles City Planning

Attn: Samantha Millman, President

RE: Remarks to the Draft of the Downtown Community Plan Update: Hearing 17 June 2021

Dear President Millman and Honorable Commissioners.

As an architect who has been building within the City of Los Angeles for 10 years, I would like to express my concerns about the current draft of the Downtown Community Plan Update and the Code recommendations for Recode LA 2040. The website states the following:

*"Several years ago, City Planning set out to create a modern and efficient zoning system for Los Angeles. The proposed approach aims to establish a new Zoning Code that is more responsive to the needs of Los Angeles's neighborhoods, in addition to being easier to use."*

These are noble goals, but the current draft of the code does not show itself to be more responsive to local needs, nor is it easier to use.

We believe that the zoning sections regarding Form, Frontage, Standards & Use and Density are too prescriptive and need to be revised to allow for creativity and diversity in aesthetics and construction. As it stands this document is too granular and contains many contradictions in its prescription. The density and the complexity of the current version will create an administrative nightmare for the city in its implementation and interpretation. Many of the prescriptions for dimensional minimums and maximums are not reflective of real market conditions and place unnecessary limitations on creativity. The code will inadvertently create requirements that will effectively neuter Los Angeles as a competitive and desirable place to invest in. The result will negatively impact the future of Los Angeles.

The current draft encourages specific distinction between neighborhoods and their current or perceived cultural affiliations. This distinction freezes a location in time and prohibits the future evolution of these areas. This will ultimately result in the perpetuation of a fake architectural representation to gain city approval. The draft also points to recommended programmatic uses for the interior of the building. No part of a planning code should have jurisdiction in how to organize or program the interior of a structure. The creation of specific development standards in each district will only create confusion and contradiction which will lead to the increased reliance on interpretation from the governing bodies. A greater reliance on interpretation and conversation between differing jurisdictions will make approval times longer.

The Hybrid Industrial District in particular has too many development standards that will ultimately put a cap on interest in creating housing in this area because the minimum unit size, material and physical form requirements will be too expensive to implement. We should be supporting increased density, up zoning and incentives for the creation of commercial and residential projects for all income levels. That will not happen when the rules are stacked against freedom of aesthetic choice and affordable construction methods. All great cities in the world have evolved through changing economic and cultural conditions. Planned communities have never resulted in diverse and compelling solutions. A form-based code only creates conditions of conformance and sameness, not diversity and vibrance. Implementing code to "protect" a neighborhood that was borne from a lack of those very limitations is at odds with the march of civilization.

We strongly believe that the current draft needs further revisions and input from the professional design and development community prior to adoption. The draft analysis of the Downtown, Arts District, Little Tokyo, and Chinatown districts in particular need to be reconsidered and not be defined by transitory cultural associations, a form-based code or by prescribed use requirements that will not evolve over time to reflect the community that it serves. We strongly believe and support the up zoning of all of these areas to increase density and affordability.

Los Angeles deserves a code that allows for creativity and design diversity to grow with cultural change while also recognizing the economics of development and construction.

Sincerely,

Chris Carlton, Shimoda Design Group

cc: Will Wright [will@aialosangeles.org](mailto:will@aialosangeles.org)

SHIMODA DESIGN GROUP  
ARCHITECTURE

14 June 2021

Los Angeles City Planning

Attn: Samantha Millman, President

RE: Remarks to the Draft of the Downtown Community Plan Update: Hearing 17 June 2021

Dear President Millman and Honorable Commissioners.

As an architect who has been building within the City of Los Angeles for 30 years, I would like to express my concerns about the current draft of the Downtown Community Plan Update and the Code recommendations for Recode LA 2040. The website states the following:

*"Several years ago, City Planning set out to create a modern and efficient zoning system for Los Angeles. The proposed approach aims to establish a new Zoning Code that is more responsive to the needs of Los Angeles's neighborhoods, in addition to being easier to use."*

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Los Angeles deserves a code that allows for creativity and design diversity to grow with cultural change while also recognizing the economics of development and construction.

Sincerely,



Joey Shimoda FAIA, FIIDA

cc: Will Wright [will@aialosangeles.org](mailto:will@aialosangeles.org)



251 South Mission Road Los Angeles, California 90033 T. 213 384 3844  
2544 Mission Street San Francisco, California 94110 T. 415 289 2200

studio-mla.com

**VIA EMAIL**

Samantha Millman, President  
Honorable Commissioners  
Los Angeles City Planning Commission  
c/o Los Angeles Department of City Planning  
200 North Spring Street  
Los Angeles, CA 90012-2601

June 14, 2021

Re: DTLA 2040 Community Plan Update; The Plan's Relationship with the LA River

Dear Honorable Commissioners:

Thank you for the opportunity to comment on DTLA 2040. I write specifically to comment on the draft plan's proposals for how the built environment interfaces with the LA River as it wends its way through Downtown LA and, specifically, through the lower reaches of Downtown below 6th Street.

As you may know, I have been heavily involved in the City's reimagining of how we, as a community, relate to the LA River. I've had the great privilege of working on the Los Angeles River Revitalization Master Plan, NELA Riverfront District Placemaking Plan, Piggyback Yard Conceptual Master Plan and Feasibility Study, and the LA Riverfront Greenway Phase II.

As the landscape architects for the 670 Mesquit project, I have also worked with BIG Architects on this exciting project which began its City entitlement process in 2017. Attached are two graphics to illustrate the project's pedestrian deck over the railroad property which separates the site from the river. This deck will provide access for people to view to the river's edge for a true LA experience. The landscape design celebrates Los Angeles' climate, capitalizing on the abundant sunshine and mild winter with generous outdoor space and indoor-outdoor connection. Unfortunately, however, the current draft for DTLA 2040's includes draft development standards for this portion of Downtown's Arts District that discourage creative approaches like this river deck.

The goal in all of my efforts on projects impacting the LA River, including 670 Mesquit, is to enhance our community's connection and access. In reviewing the draft DTLA 2040 plan, I am concerned that proposed development standards for setbacks and height restrictions detract from, rather than further, these goals.

As to setbacks, the draft includes a requirement that certain properties in the Arts District, an area of the river separated from developable property by at least 200 feet of railroad tracks, maintain a 20 foot setback. Yet these properties are not even adjacent to the river, so the setback would be from railroad property.

Along this stretch of the river, particularly between 6th and 7th Streets, there is actually a berm along the river's western edge that makes viewing the channel impossible from street level. What this means is that for there to be meaningful engagement and in light of the railroad tracks, one must be elevated to see the river. Requiring a 20-foot setback in this area from properties separated from the river's edge by 200 feet of railroad tracks will frustrate opportunities for engagement. For this reason, I respectfully submit that the 20-foot setback standard be eliminated from DTLA 2040 for this area of the Arts District.

The river deck is also made possible by the project's design. The design concentrates its density into adjacent buildings, rather than extending lower rise buildings across the whole property. Yet the draft 2040 Plan also creates a 15 story height limit for the properties along the railroad property between 6th and 7<sup>th</sup> Streets, while allowing unlimited height for other properties including those east of railroad frontage properties. These height limits do not protect the river. A more nuanced approach should recognize the benefits of pedestrian access, view corridors, and landscape elements to invite visitors into the River experience, rather than arbitrary height limits.

I ask that the Commission direct staff to eliminate this setback and height limits for the properties between 6th and 7th Streets along the railroad tracks. Rather, to foster the river and the City's health, the Plan should provide incentives for projects like 670 Mesquit to encourage innovative ways in which our community can engage with the river.

Thank you very much for your consideration of these important issues.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mia Lehrer', with a long horizontal flourish extending to the right.

**Mia Lehrer**  
President

THE RIVER DECK BUILT OVER RAILROAD TRACKS



TOTAL ACTIVE/PASSIVE GREEN SPACE = HABITAT AND ENVIRONMENTAL BENEFITS, AND ACCRUES TO QUALITY OF LIFE

215,000 SF = 5 ACRE





## written comment regarding DTLA 2040

**Tom Grode** <manoftheseatom@gmail.com>  
 To: cpc@lacity.org  
 Cc: Emma Howard <emma.howard@lacity.org>

Mon, Jun 14, 2021 at 8:09 AM

### **Azusa/Healing (WE RISE 2021) and the Proposed DTLA 2040 Implementation Program - Racial Justice and Equity Analysis**

This written comment to the Planning Commissioners for the June 17th meeting presentation is in the following sections:

- 1) Introduction
- 2) Azusa/Healing (WE RISE 2021)
- 3) Proposed DTLA 2040 Implementation Program Racial Justice and Equity Analysis
- 4) Suggestion
- 5) Context for Suggestion

#### **Introduction:**

My name is Tom Grode. My Native (Tongva) name is Woorypot Moompet, which translates as Man of the Sea. I'm a Skid Row Artist and former resident. I lived inside Union Rescue Mission and the Weingart Center from 2013 to 2017. I was a docent for the Skid Row History Museum and Archive when fifteen or so Staff from the Department of City Planning came to our *Back 9* exhibit the summer of 2017 and totally geeked out. The *Back 9* was a playable nine hole miniature golf course where each hole taught something different about Zoning.

This past January I was contacted by We Rise to see if I wanted to submit an Individual Artist project idea.

#### **Azusa/Healing (WE RISE 2021):**

We Rise, an annual initiative by the Los Angeles County Department of Mental Health, encourages wellbeing and healing through art, connection, community engagement, and creative expression. My application, which was accepted, was Azusa/Healing. Azusa is a Tongva word and one of the main translations is Healing. As an exercise in community engagement and creative expression, Azusa/Healing was based on the fact that if you stand at the intersection of Third and San Pedro, the border of Skid Row and Little Tokyo, and look north, you'll see a street sign for Azusa Street.

We Rise was the entire month of May which is National Mental Health Awareness Month. Azusa/Healing took three forms. One was a short video honoring Julia Bogany, Tongva Elder and Cultural Officer, who passed away on March 28. Video narration was written and spoken by her 16 year old great granddaughter. The second part was an interview with Jenna Kyle, a young Native American attorney, who played a major role in the *Poor People's Campaign: a national call for moral revival* confronting Sean Fuecht/Let Us Worship, known for "COVID worship protests", coming to Azusa Street the end of 2020. Azusa Street is the site of the Azusa Street Revival of 1906, listed as number 68 in the *Time-Life 100 Most Important Events Of The Past One Thousand Years 1000-2000AD*. The third part was a zoom titled *Umeya* that featured highly respected Skid Row and Little Tokyo community leaders and artists.

#### **Proposed DTLA 2040 Implementation Program Racial Justice and Equity Analysis:**

One of the DTLA 2040 materials is [Living In Downtown: Equity & Identity](#). The *Anti-Displacement Plan Strategies* section contains this proposed Implementation Program - **A Racial Justice and Equity Analysis: Explore the creation of a Racial Justice and Equity Analysis, that outlines recommended transformative or restorative strategies, such as targeted plan and code amendments, if harm is identified.**

#### **Suggestion:**

I suggest the Planning Commissioners highlight and look to "fast track" **A Racial Justice and Equity Analysis**, currently in the form of a proposed Implementation Program.

#### **Context for Suggestion (harm has been identified):**

On April 10, Federal Judge Carter issued a 110 page Preliminary Injunction in the LA Alliance for Human Rights case against the City and County of Los Angeles. The detailed historic overview of Systemic Racism in Los Angeles in the



Preliminary Injunction was well received by Racial Justice and Equity advocates.

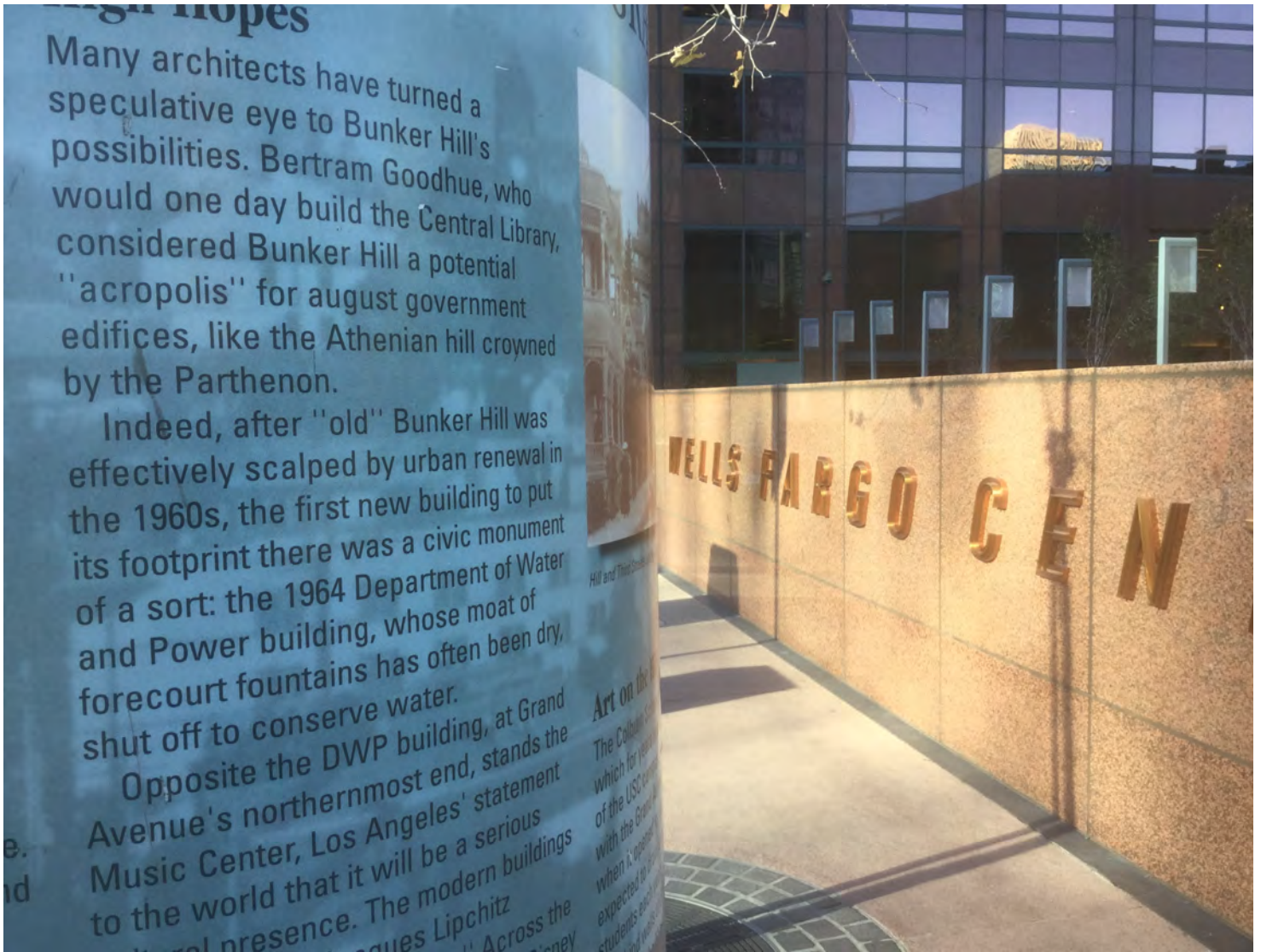
In looking at the modern history of Skid Row, specifically the drive to save the housing in the 1970's, the context is Bunker Hill when Urban Renewal in the 1960's wiped out the low income housing. Grand Avenue today in Bunker Hill says the following (see photo): "Bertram Goodhue, who would one day build the Central Library, considered Bunker Hill a potential 'acropolis' for august government edifices, like the Athenian hill crowned by the Parthenon. Indeed, after 'old' Bunker Hill was effectively scalped by urban renewal in the 1960's..." Scalped.

Bunker Hill had a sizable Native American population due to the Indian Relocation Act of 1956 which caused Natives to move off reservations and into urban areas. Downtown Los Angeles, specifically Bunker Hill, was one of those urban areas. This story is told in the 1961 film *The Exiles*. Driven out of Bunker Hill, some Natives went to Indian Alley in Skid Row, today a major art destination for tourists because of the Native themed street murals.

Executive Order N-15-19 was signed by Governor Newsom on June 18, 2019 which formally apologized for the history of California injustices towards Native Peoples and established the Truth and Healing Circle with a responsibility of submitting yearly reports with a final report due on or before January 1, 2025. While Native leaders throughout California have embraced Executive Order N-15-19 and the Truth and Healing Circle process, concerns have also been raised by Native leaders and others that the formal apology includes no Direct Action beyond establishing the Truth and Healing Circle.



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2532K



**High hopes**  
Many architects have turned a speculative eye to Bunker Hill's possibilities. Bertram Goodhue, who would one day build the Central Library, considered Bunker Hill a potential "acropolis" for august government edifices, like the Athenian hill crowned by the Parthenon.

Indeed, after "old" Bunker Hill was effectively scalped by urban renewal in the 1960s, the first new building to put its footprint there was a civic monument of a sort: the 1964 Department of Water and Power building, whose moat of forecourt fountains has often been dry, shut off to conserve water.

Opposite the DWP building, at Grand Avenue's northernmost end, stands the Music Center, Los Angeles' statement to the world that it will be a serious presence. The modern buildings Jacques Lipchitz designed across the

Hill and Third Street

Art on the

The Colburn... which for years... of the USC... with the Grand... when it opened... expected to... students...



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## written comment regarding DTLA 2040

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**Tom Grode** <manoftheseatom@gmail.com>  
To: cpc@lacity.org  
Cc: Emma Howard <emma.howard@lacity.org>

Mon, Jun 14, 2021 at 8:10 AM

### Skid Row Cooling Resources And The Wellness And Sustainability Section Of The Plan

My name is Tom Grode and I gave my background in the material I submitted titled **Azusa/Healing (WE RISE 2021) and the Proposed DTLA 2040 Implementation Program - A Racial Justice and Equity Analysis**

I'm part of a Skid Row grassroots planning effort titled Skid Row Cooling Resources (SRCR). SRCR came into being as a response to the terrible heat waves of last September, meaning it is dealing with Skid Row as a unique micro Urban Heat Island in the larger Heat Island of Downtown.

Here is a Land Acknowledgement written for it:

Skid Row is a unique Urban Heat Island in the midst of Downtown Los Angeles as an Urban Heat Island. As year after year the summer temperatures continue to rise more and more in the day, what man has made captures the heat and releases it during the night.

We Acknowledge the Land beneath what man has made.

We Acknowledge the Tongva, Native indigenous people of Los Angeles, and their ancient village Yaangna, what we call Downtown Los Angeles.

We Acknowledge Bidy Mason as the "patron saint" of Downtown Los Angeles, a former slave who became a Matriarch of early Los Angeles. Bidy Mason was a wealthy landowner and philanthropist to the poor and those in need.

We Acknowledge the Native indigenous people of Los Angeles, their special relationship with Mother Earth, and their hospitality, inviting us into that special relationship.

We Acknowledge the patience, kindness, and compassion of Mother Earth.

I participated in the *Climate Conversations* initiative of City Planning as part of updating the Downtown Community Plan. I'm happy to see *Climate Conversations* very much reflected in the Wellness and Sustainability section of the Plan (see page 28-29). I especially want to highlight **LU 16.3, 17.1, 17.7, 17.11, 18.2, 18.3, 18.5.**

I was also happy to see 19 very positive Skid Row specific recommendations based on supporting Skid Row as a residential neighborhood (see pages 36-37) in the recently released Plan.

My concern is the 19 very positive Skid Row Community recommendations do not include the *Climate Conversations* material, meaning the Wellness and Sustainability material which is written for all of Downtown.

My suggestion to the Commissioners is that you encourage the creation of a Task Force, or possibly create it yourself, for the purpose of seeing how these seven Wellness and Sustainability recommendations I listed could be applied directly to Skid Row, specifically in the context of Skid Row as a unique micro Urban Heat Island.



THEPEOPLECONCERN

Because everyone should be housed, healthy and safe.  
OPCC & LAMP COMMUNITY UNITED

June 10, 2021

Samantha Millman, President  
Los Angeles City Planning Commission  
200 North Spring Street  
Los Angeles, CA 90012

**Re: Item 6: CPC-2017-432-CPU; CPC-2014-1582-CA; DTLA 2040 Community Plan Update**

Dear President Millman and Honorable Commissioners,

I am John Maceri, Chief Executive Officer of The People Concern. The People Concern is one of Los Angeles' largest housing and social services agencies serving people experiencing homelessness and victims of domestic violence. The People Concern is the lead service agency for single adults experiencing homelessness in Service Planning Area (SPA) 4, which encompasses Downtown Los Angeles (DTLA). Our organization has a substantial footprint in DTLA, occupying multiple office locations and service locations in Skid Row as well as near Union Station/Olvera Street. We operate multidisciplinary outreach teams, drop-in services as well as interim housing in DTLA; our teams also provide comprehensive services to neighbors living in permanent housing in the area.

We are writing to echo the comments raised by the Central City Association (CCA) in their [June 7<sup>th</sup>, 2021](#) letter submitted to the City Planning Commission. The DTLA 2040 plan must be an affirmative plan for robust, transit-oriented growth across all of DTLA to address the impacts of the COVID-19 pandemic, the persistent housing shortage and homelessness crisis, compete for transportation infrastructure funding and fully leverage transit investments.

We support CCA's goals of maximizing opportunities for housing at all income levels, creating flexibility to adapt over the next two decades and depoliticizing DTLA development by setting clear, economically feasible standards. Accordingly, we recommend the following changes to the plan:

- **Maximize capacity for growth** by aligning the plan with Alternative 3 of the DEIR and expanding Transit Core General Plan land use designation to include all areas close to existing, entitled and future transit.
- **Make the Community Benefits System make more usable and a better framework for delivering new housing affordable to all income levels** by:
  - Increasing Level 1 bonus of the Community Benefits Program to 55 percent.
  - Retaining use of TOC Guidelines.
  - Removing Site Plan Review for projects that comply with a site's allowable zoning.
  - Allowing affordable units to be a different mix than market rate units by basing affordable unit requirements on total residential floor area instead of total units.
  - Adding an option for land dedication for affordable housing.
  - Removing the requirement for bathrooms at parks.
  - Revising or removing Subarea D from the CPIO.
- **Foster DTLA's growth as a complete community with schools and childcare** by:
  - Removing minimum building height requirements (schools are typically standalone, low-rise buildings).
  - Rezoning industrial areas around existing schools for a mix of uses, including all types of multifamily housing.
  - Removing the 50-child limit on preschool/daycare uses.

- **Ensure that all DTLA neighborhoods, especially near transit, enable financially feasible mixed-income projects with public benefits** by:
  - In the Arts District, removing building height limits and baseline non-residential floor area requirements, increasing base FARs to at least 4.5 and max FARs to at least 6.0, allowing all types of multifamily housing without imposing average unit sizes.
  - In Chinatown, not downzoning and instead increasing base FARs to match currently allowable FARs and max FARs to what is achievable with TOC today, and removing height limits, hotel CUP requirements and the requirement that 30% of units must be two-bedroom units or larger.
  - In the Fashion District, increasing base FARs to 6.0 and changing IX2 and IX3 areas to CX2 or CX3 uses.
  - On Skid Row, adopting the alternative zoning proposal offered on page A-19 of the Staff Report that would allow mixed-income development essentially as inclusionary zoning.
- **Clarify the plan's Policy Goals to avoid unintended constraints** by amending policy goal LU 2.15 to allow parallel permitting and LU 8.7 and LU 9.5 that comment on business leases, which exceeds the scope of a land use plan.

We believe these changes will further strengthen this forward-looking plan that will serve as the guiding framework for DTLA's growth over the next two decades. Thank you for your consideration.

Sincerely,



John Maceri  
Chief Executive Officer  
The People Concern

ATTN: Cecilia Lamas  
Honorable City Planning Commission  
200 N Spring Street  
Los Angeles, CA 90012

June 15, 2021

Dear Cecilia,

I write to you today regarding the Downtown 2040 Community Plan. Townline, has been keeping a close eye on the draft version of the 2040 plan and appreciate the staff's efforts thus far in drafting the plan but do have some concerns that I want to share with you.

Townline is an industry-leading, Vancouver-based real estate developer known for its innovative living solutions, unparalleled attention to detail, and renowned customer care. For over 40 years, every Townline project – from single-family homes and townhomes to concrete high-rise towers, mixed-use communities, and alternative housing solutions – has been defined by purposeful design, meticulous construction, forward-thinking amenities, and an unwavering commitment to enriching the cities and communities we build in.

Townline's current development portfolio includes projects both completed and in process, in British Columbia, Canada, Los Angeles and Phoenix. Since 2016, Townline has seen tremendous opportunity in Los Angeles and are currently in the development process on two large scale mixed-use projects in the Chinatown and Koreatown neighborhoods, with the Chinatown project beginning construction this year.

These projects are called Harmony (942 North Broadway) and Terrace Block (550 Shatto Place). Harmony will be 23-storeys with 178 rental homes as well as office and commercial space. Terrace Block is a proposed 40-storey tower with 313 rental units, 54 co-living units and 42 affordable units and is currently in the Entitlement process.

Townline has more plans for future developments in Los Angeles and the Downtown 2040 Update will be a critical consideration in our planning and development. Of these plans, we are exploring a large mixed-use project in Chinatown and are planning for another significant financial commitment to secure the project.

Our development and planning of this project has been undertaken under the current Downtown Community Plan and any update to the plan is a risk that we would need to evaluate once finalized. We believe the DTLA2040 zoning approach, as currently drafted, for Chinatown runs counter to fostering transit-oriented growth and is a downzoning from existing regulations that will make projects infeasible. We recommend increasing base FARs to the currently allowable FARs, increasing bonus FARs to correspond to those achievable currently with TOC, and removing height limits to be consistent with the Historic Core approach.

It is our understanding that the community plan update includes a "grandfathering" provision for entitlement applications that are deemed complete prior to the adopted date of the plan. Because of the investment being made by Townline during the entitlement phase for its Chinatown project, it is imperative that this grandfathering exception remain in the plan.

Sincerely,

A handwritten signature in black ink, appearing to read 'Chris Colbeck', with a stylized flourish at the end.

Chris Colbeck

Senior Vice President Development, Sales & Marketing

Townline



**United Neighborhoods for Los Angeles**

**[www.un4la.com](http://www.un4la.com)**

**UN4LA Board**

***Casey Maddren, President***

***Cherilyn Smith, Treasurer***

***Richard Platkin, Secretary***

***Annie Gagen***

***Jack Humphreville***

***Kim Lamorie***

***Gina Thornburg***

June 14, 2021

City Planning Commission  
Department of City Planning  
200 N. Spring St.  
Los Angeles, CA 90012

Re: Special Meeting of City Planning Commission  
Downtown Community Plan Update & New Zoning Code  
CPC-CPC-2017-432-CPU, CPC-2014-1582-CA, ENV-2017-433-EIR  
OBJECTIONS TO PROCESS  
COMMENTS ON DOWNTOWN CPU & NEW ZONING CODE

Members of the City Planning Commission,

United Neighborhoods for Los Angeles (UN4LA) is a community group formed to foster better planning and better government within the County of Los Angeles, and all cities and unincorporated areas contained within the County's borders. UN4LA's primary areas of focus are planning, development, budget/finance, environment/open space, and ethics.

We are writing to express our strong objections to the circumstances surrounding the scheduling of this special meeting. We object to the fact that interested parties are being given an extremely short period of time to study and comment on the documents provided. We object to the fact that the requested actions include recommendations on



documents that are not yet available. We also wish to make comments related to the approval of the Downtown Community Plan Update (DCPU) and the New Zoning Code (NZC) and documents associated with those projects. Our detailed comments are below.

Sincerely,  
Casey Maddren, President  
United Neighborhoods for Los Angeles  
cmaddren@un4la.com

## **OBJECTIONS TO SPECIAL MEETING**

### The CPC Cannot Recommend Certification of the EIR

We do not understand how a recommendation that the City Council certify the EIR can be among the requested actions. As of June 13, 2021, four days before the special meeting, the Final EIR has not been published on the Department of City Planning web site. It is likely that the Final EIR will contain several hundred pages of public comment, along with the City's responses. Even if the Final EIR were to be published in the few days remaining before the special meeting, it would be impossible for interested parties to review the complete document and provide comments to the CPC. The CPC cannot recommend certification of an EIR it has not reviewed.

### The CPC Cannot Recommend Adoption of Documents that Have Not Been Prepared Among requested actions, number 3 says:

*3. Approve and Recommend that the City Council adopt the Findings in the Staff Recommendation Report, and direct staff to prepare Environmental Impact Report (EIR) Findings, a Statement of Overriding Considerations, and a Mitigation Monitoring Program (MMP) for City Council consideration;*

This is followed by number 6 which says:

*6. Recommend the City Council adopt the Resolution in Exhibit A to certify the EIR, adopt EIR Findings and a Statement of Overriding Considerations, and adopt a Mitigation Monitoring Program;*

The CPC cannot recommend that the City Council adopt documents that have not been prepared or released for public review.

### Timing of Notification of Special Meeting Precludes Initial Submissions

Timing of the notification of the special meeting precludes initial submissions not limited as to volume. The notification of the meeting was sent on May 8, 2021. The agenda says:

*Initial Submissions, not limited as to volume, must be received by the Commission Executive Assistant no later than by 4:00 p.m. on the Monday prior to the week of the Commission meeting.*

This means that the due date for initial submissions had already passed when the hearing notice was posted. There are numerous documents and actions being presented for consideration. Interested parties must be given time to submit detailed comments.

The Public Has Not Been Given Adequate Time to Review the Recommendation Report

The Recommendation Report is over 5,000 pages, and it was only made available 9 days before the special meeting. Neither neighborhood councils nor interested parties could possibly absorb the information and prepare comments in such a short time.

Unacceptable Lack of Clarity on Application of New Zoning Code

Among requested actions, number 16 says:

*“Approve and Recommend that the City Council adopt the New Zoning Code Ordinance to Amend Chapter 1A of the Los Angeles Municipal Code”.*

The agenda states that some components of the New Zoning Code “could ultimately be used Citywide” but goes to say that it “may only be applied or implemented elsewhere in the City of Los Angeles through the Community Plan update process or other future planning and zoning efforts.” This is unacceptably vague. In the past City Planning staff has told stakeholders that the NZC will only be applied to areas outside of Downtown through the Community Plan Update process. Now it appears that the NZC could also be applied through “other future planning and zoning efforts”, but no further details are given.

The CPC cannot recommend adoption of the NZC until the process for applying the NZC to areas outside of Downtown has been clearly defined.

**DOWNTOWN COMMUNITY PLAN/FAILURE TO ASSESS REAL HOUSING NEEDS**

Population and Housing

On page 12 of the Downtown Community Plan we see a graph showing that Downtown had 76,000 residents in 2017. However, on page 4.12-1 of the DEIR we are disturbed to find the following statement:

*The Downtown Plan Area is also home to a sizeable homeless population, as well as an incarcerated population, neither of which is included in the population data described above. Based on counts conducted by the Los Angeles Homeless Services Authority (LAHSA), Downtown Los Angeles, including Skid Row, had a homeless population of approximately 6,000 in 2017 (LAHSA 2017).*

While it may be justifiable to exclude the incarcerated population, since the inmates do not use services and infrastructure systems that support the rest of Downtown, we are bewildered by the exclusion of the homeless population. With the addition of the homeless, the Downtown population rises to 82,000. It is absolutely necessary to include homeless residents in the total count. Using the higher figure, they comprise 7% of the area’s population.

The number of homeless living Downtown has only risen since the release of the DEIR, and the City’s ongoing failure to provide housing and services for these individuals has created a health and safety crisis. The fact that neither the Downtown Community Plan nor the DEIR include the homeless in their population calculations seems to be

indicative of the City's attitude toward those living on the streets. The failure to include them in planning for the future might well be one of the primary reasons for the City's ongoing failure in this area.

Table 4.12-4 in the DEIR offers data related to the City's success (or lack thereof) in meeting State RHNA allocations. It's clear from the data shown that the City is far from meeting RHNA goals for Extremely Low Income, Very Low Income, Low Income and Moderate Income households. While glittering high-rises offering thousands of new apartments have risen throughout the Downtown area, the City has failed miserably to provide for the needs of low income households and homeless individuals.

A review of the Plan shows that the words "homeless" and "homelessness" are only found six times over 93 pages. The references mostly occur as part of the Land Use Goals, which deal in generalities and do not include specific actions that will address this issue.

Possible Violation of LAMC Sec. 11.5.8.

LAMC Section 11.5.8 is clear in stating that when changes are made to a Community Plan Area....

*The changes must include a program to create and monitor an inventory of units within the Community Plan Area that are: subject to a recorded covenant, ordinance or law that restricts rents to levels affordable to persons and families of Lower or Very Low-Income; subject to the City Rent Stabilization Ordinance; and/or occupied by Lower-Income or Very Low-Income households*

We have so far seen no evidence of this program.

## **DOWNTOWN COMMUNITY PLAN/FAILURE TO ASSESS PUBLIC SAFETY NEEDS**

### Public Safety

Section 35 of Article III of the California Constitution, subdivision (a)(2) states: "The protection of the public safety is the first responsibility of local government and local officials have an obligation to give priority to the provision of adequate public safety services." But the Downtown Community Plan fails to discuss or address the extremely high crime rate that exists in some areas within Downtown. A look at LAPD COMPSTAT data reveals the following:

*Citywide Per Capita Crime Rate: 0.031*

*Central Division Per Capita Crime Rate: 0.151*

It is alarming that the per capita crime rate within the Central Division is almost five times higher than the citywide rate. Obviously, given the current debate surrounding law enforcement, providing public safety services has become more complex and difficult. A large segment of the public is demanding that funds currently directed toward existing law enforcement agencies be redirected to other services. However, it is not acceptable that the Plan fails to even acknowledge this issue, which certainly impacts the health, safety and welfare of Downtown residents. The alarming spike in the per capita crime rate in Central Division shows that the City has failed to adequately plan for Downtown's

growth. By avoiding this issue entirely, the version of the Downtown Community Plan under consideration now will only perpetuate this failure.

## **DOWNTOWN COMMUNITY PLAN UPDATE & NEW ZONING CODE DEIR**

### **GENERAL COMMENTS**

#### Combined Environmental Review of Downtown Community Plan and New Zoning Code

We object to the City's decision to combine environmental review of the Downtown Community Plan Update and the New Zoning Code. These are two separate processes, and should have been pursued separately. The City says that the NZC will only be applied to the DCPU at this point, and will only be applied to other community plans as they are updated, but the City apparently plans to apply one part of the NZC, the proposed Processes & Procedures Ordinance, on a citywide basis.

The adoption of the New Zoning Code should be a stand-alone project, with communication and outreach designed to reach out to the entire city.

#### Notice of Preparation (NOP)/NZC Modules

We are concerned about what appears to be a significant discrepancy in the way the New Zoning Code (NZC) is presented in the NOP and the way it's presented in the EIR. The NOP outlines the following modules:

*Context*  
*Form District*  
*Frontage*  
*Use District*

But the EIR Project Description offers a different set of modules:

*Form*  
*Frontage*  
*Development Standards*  
*Use*  
*Density districts*

The removal of Context and the addition of Development Standards and Density Districts seems to be a significant change in the proposed framework. We believe that if the NOP had included the current list of modules, it could well have elicited very different responses from the public during the scoping process, and therefore changed the scope of the EIR. We believe this change between the release of the NOP and the release of the DEIR has prevented the public from fully engaging in the scoping process and may be a violation of CEQA.

#### NOP/New Zoning Code Application

The NOP says:

*Some elements of the New Zoning Ordinance that will be applicable citywide will need to be adopted to use the New Zoning Ordinance anywhere. These elements include definitions, administrative rules, and development standards.*

*These elements will be adopted before or simultaneously with the first ordinance to implement the New Zoning Ordinance zone classifications.*

This appears to refer to the proposed Processes & Procedures Ordinance, but we find the lack of clarity disturbing. We are also bothered by the City's decision to combine environmental review and approval of the Downtown Plan with the New Zoning Code, while withholding the text of the Processes & Procedures Ordinance through most of the process. This piecemeal approach has certainly been confusing for us, and we believe it has probably also caused confusion for the general public. We have to wonder if the DCP's process complies with the information disclosure requirements of CEQA.

## **DOWNTOWN COMMUNITY PLAN IMPLEMENTATION OVERLAY (CPIO)**

### Why Was the CPIO Published Only as an Appendix to the DEIR?

We are concerned that the Downtown CPIO does not seem to have been published as a separate document, and only appears in the appendices to the DEIR. We are also concerned that the DEIR does not seem to refer to the CPIO or make any effort to assess its impacts. We believe the segregation of the CPIO in the appendices, the failure to publish and disseminate information about the CPIO, and the failure to assess its impacts, constitute a violation of CEQA's information disclosure requirements.

### CPIO/Director's Administrative Clearance

We are extremely concerned about the following language from page 7 of the CPIO:

*a. Director Approval. The Director shall grant an Administrative Clearance after reviewing the Project and finding that it is in compliance with all applicable provisions of the Downtown CPIO District as indicated by a plan stamped by the Department of City Planning.*

*b. Non-Appealable Ministerial Approval. The approval of an Administrative Clearance is not subject to appeal and is not discretionary for purposes of CEQA Guidelines Sections 15060(c)(1) and 15268.*

We strongly object to the attempt to remove the public from the approval process through a so-called Administrative Clearance, and we question the legality of declaring that such Administrative Clearances are not discretionary and not appealable.

### CPIO/Environmental Standards Procedures

On page 10 of the CPIO we find a section entitled I –VIII. Section I-8. ENVIRONMENTAL STANDARDS PROCEDURES which contains the following language:

*Any Discretionary Project within the CPIO Boundaries shall comply with all applicable Environmental Standards as set forth in Appendix A, subject to the following rules.*

Bewilderingly, when we took a look at Appendix A, we found that it does not contain any environmental standards. It ends with the following text:

*[MITIGATION MEASURES / ADDITIONAL ENVIRONMENTAL STANDARDS FORTHCOMING]*

## DEIR COMMENTS

### Greenhouse Gas Emissions

On pages 4.7-29,30, the EIR states:

*As illustrated in Table 4.7-4, per capita GHG emissions are estimated at 29.9 MT CO<sub>2</sub>e in 2017 and 11.3 MT CO<sub>2</sub>e in 2040 with implementation of the Downtown Plan. This change represents a 62 percent drop in per capita emissions, which can be attributed to a combination of state-mandated GHG emission reduction strategies and the fact that implementation of the Downtown Plan would lower per capita VMT due to the location of jobs and housing in close proximity to each other and creation of substantial opportunities to use such transportation modes as transit, bicycling, and walking. By guiding development near transit corridors and encouraging creative mixed land uses, the Downtown Plan creates an efficient strategy for reasonably foreseeable development in the region, consistent with AB 32, SB 32 and the 2016-2040 RTP/SCS.*

The claimed 62% reduction in per capita emissions due to the implementation of the Downtown Plan is frankly absurd. It seems this claim is based on CalEEMod calculations which are based on generic assumptions and do not reflect actual data regarding vehicle miles travelled (VMT) and transit usage in the City of LA. While GHG emissions from power generation have fallen substantially, data from some sources indicate that emissions related to transportation remain stubbornly high. The City of LA has failed miserably to produce results with its efforts at Transit-Oriented Development (TOD). Ridership on Metro lines has fallen from 430,212,003 in 1988 to 390,933,379 in 2018, in spite of the fact that LA County (the area served by Metro) added over a million people during that period. According to annual reports published by the Federal Transit Administration, LADOT's DASH system has also seen steep declines since 2013.

Both Metro and DASH ridership have declined steadily even as the City added thousands of new units near transit stops and transit corridors. In addition, while the EIR also claims that the Downtown Plan will achieve reductions in VMT through an increase in active transportation, the City offers absolutely no data to support this claim. The Mobility Plan does direct City agencies to collect data on biking and walking and to present annual reports, but it does not appear that the City has ever actually followed through on this.

### Utilities/Solid Waste

On page 4.17-29 the EIR states:

*As of 2012, the City achieved a diversion rate of 76.4 percent (LADPW 2013b). As discussed further under Regulatory Framework, per the Solid Waste Integrated Resources Plan (SWIRP), landfill solid waste disposal for the City of Los Angeles totaled 2,849,237 annual tons in 2010. Assuming no additional programs are implemented to reduce waste and that the City maintains its 2010 baseline diversion rate (72 percent), citywide disposal is projected to increase by 10 percent to 3,121,937 annual tons by 2030 (LADPW 2013a).*

In fact, the City is nowhere near the claimed 76.4% rate of diversion to recycling. Most of the Downtown Area will be served by RecyclLA, the citywide program which serves all commercial and large multi-family residential structures. Since 2012, significant changes have occurred with regard to solid waste production and disposal. Up until 2018, the City had been shipping most of its recyclable materials to China, but China has largely closed its doors to imported waste. Because of China's refusal to take our recyclables, at the beginning of 2019 the City revised its contracts for the RecyclLA program and revised its diversion target for 2023 down to 35%. This should make it clear that the City is currently NOT diverting 50% of solid waste collected and will be struggling to reach that goal over the next decade, and therefore the City is not complying with the requirements of AB 939. The EIR offers no current data on rates of diversion to recycling.

Adoption of the Downtown Community Plan and the New Zoning Code are likely to bring about significant new growth in the Downtown Area, and therefore a significant increase in solid waste. Because the EIR bases its recycling claims on data from 2012, and because the claimed rate is more than twice the current actual recycling rate, the EIR fails to accurately assess impacts from the production of solid waste. Simply falling back on the claim that there is adequate landfill capacity to absorb additional waste is not enough. The EIR fails to state that the City is well out of compliance with AB 939, which requires California cities to divert 50% of their solid waste to recycling. Also, landfills are a significant source of GHG emissions, and the numbers used in the EIR to calculate emissions from this source are based on the assumption of a much higher recycling rate.

# **DAY OF HEARING SUBMISSIONS**





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## Item 6 and Case Nos. CPC-CPC-2017-432-CPU

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**Allen Compton** <allen@salt-la.com>  
To: cpc@lacity.org

Wed, Jun 16, 2021 at 4:04 PM

Dear Commissioners:

I am writing to you in regards to Item 6 and Case Nos. CPC-CPC-2017-432-CPU, CPC-2014-1582-CA. It has come to my (firm's) attention recently that page 4-95 of the new zoning code's development standards section includes a modification to the existing tree ordinance that essentially doubles the existing requirement. The current ordinance does not place a limitation on the size and/or type of tree that can be located on the site whereas the new code allows for one large tree (min. 30' H at maturity) or two small (15-30' H) trees for every four thousand square feet. Instead of penalizing the use of small trees, which are often all that is feasible in many urban conditions, we recommend that the language be modified to require one small tree for every 4,000 square feet and allow for the placement of a large tree to count as two trees.

As an active landscape architect, working to make viable places for people in the City, it is crucial that the planning framework support our work and not encumber it. Faced with so many environmental challenges and equity issues in the City, trees can address a vast array of needs, but in order for the trees to work for everyone, the regulatory environment must understand how trees can serve that need. Ill considered calculations for required numbers of trees, damages open space functions, results in higher per square foot costs of construction, ownership, and rents.

Attached please find suggested language for the modification.

Thank you for your consideration

Best,  
AC.

**ALLEN COMPTON** / ASLA / President  
**SALT** Landscape Architects  
[423 Gin Ling Way / Los Angeles / CA 90012](#)

[SALT-LA.com](#) / o 213.234.0057 / m 323.333.6333

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**DTLA-A95.pdf**  
48K

## DIV. 4C.6. **PLANTS**

### SEC. 4C.6.1. **PROTECTED VEGETATION**

Provisions for protected vegetation are outlined in *LAMC Sec. 46.02. (Requirements for Public Works Permits to Relocate or Remove Protected Trees and Shrubs)* and *Sec. 11.1.3.P. (Protected Vegetation Regulations)*.

### SEC. 4C.6.2. **REQUIRED TREES**

#### A. **Intent**

To maintain and increase the City's tree canopy, reduce consumption of electricity, improve air quality, promote infiltration of stormwater runoff, offset urban heat island effect, mitigate noise pollution, sequester carbon and support urban biodiversity.

#### B. **Applicability**

All lots containing 4,000 square feet or more of floor area shall comply with required tree standards.

#### C. **Standards**

1. One ~~large~~ <sup>small</sup> species tree (Sec. 4C.6.5.C.3.a.i.a.) ~~or two small species trees~~ (Sec. 4C.6.5.C.3.a.i.b.) shall be planted for every 4,000 square feet of total floor area on a lot. For each additional 4,000 square feet of floor area, one additional ~~one large~~ <sup>small</sup> species tree ~~or two small species trees~~ shall be required. **The planting of one large species tree will count towards two of the required small trees.**
2. No less than one ~~large~~ <sup>small</sup> species tree (Sec. 4C.6.5.C.3.a.i.a.) ~~or two small species trees~~ (Sec. 4C.6.5.C.3.a.i.b.) shall be planted on every lot.
3. Palms and bamboo do not count as required trees, with the exception of existing palm trees located on a lot identified as being within a targeted planting area established by the *Targeted Planting Map* (Sec. 1.4.5.). In these targeted planting areas, existing palms may count as a required tree provided that the specific palm tree species meets the requirements outlined in the targeted planting list for the applicable targeted planting area.
4. Existing trees on-site count toward the minimum tree requirement based on tree type (large species or small species) in accordance with *Sec. 4C.6.5.C.3.a. (Tree Types)*, provided each tree is healthy and has a minimum 1 inch caliper.
5. Required trees shall be planted either on-site, in a common area accessible to multiple lots from a shared pedestrian accessway, or in the abutting parkway. Trees planted in the parkway require approval from the Board of Public Works or its designee per *LAMC Sec. 63.169 (Permit Required to Plant Streets)*.

JUNE 16, 2021

FROM: BIL CHIN 836 N. BEAUDRY AVE LA 90012

TO: PLANNING COMMISSION FOR DT COMMUNITY PLAN 2040 DRAFT  
WRITTEN COMMENT DUE JUNE 17 8:30 AM

I LIKE MY BLOCK: BETWEEN COLLEGE AND ALPINE.  
AND BETWEEN BEAUDRY AVE, AND CENTENNIAL.

TO BE UP ZONED TO LM2-MU2-5 RG1-FA  
FROM LN1-MU1-5 RG1-FA.

BECAUSE THIS BLOCK IS LOW ON THE HILLSIDE:

I: ① NEXT TO C2, 1111 W. SUNSET (ACROSS BEAUDRY)

② DASH BUS STOPS AT: A. CENTENNIAL AND ALPINE  
B. NEW DEPOT AND CENTENNIAL

③ COLLEGE STREET, BEAUDRY AVE AND ALPINE  
ARE COLLECTOR STREET. ALPINE HAS MIX USED ZONE  
C. COLLEGE AND CENTENNIAL

II: MANY DING-BAT APARTMENTS ON THIS BLOCK  
REQUIRES SOFT-STORY RETROFITTING (COSTLY TO DO)

III: OIL WELL MAP SHOW ABOUT TWO DOZEN OIL  
WELLS TO BE PROPERLY ABANDON TO  
BUILD TO THE BASE ZONING OF  
3 STORIES. (COSTLY TO DO)

ADDITION COST OF SOIL REPORTS AND  
METHANE MIGRATION (COSTLY TO DO)

VI: TO DO ANY INFILL OR ADDITION FOR MORE  
DWELLING UNITS IS ADDITION COST WITHOUT  
BASE LEVEL INCENTIVES TO SPREAD THE  
COST OVER MORE UNITS AND TO REDUCE  
THE COST PER ADDITION SQUARE FEET.

BIL CHIN  
OM. 213-250-4826 JUNE 16th 2021



## Proposed Draft Zoning Code

1 message

**Chava Danielson** <chava@dsharc.com>  
To: "cpc@lacity.org" <cpc@lacity.org>

Wed, Jun 16, 2021 at 1:53 PM

Dear President Millman and Honorable Commissioners,

As an active member of the AIA Los Angeles I am taking this opportunity to speak in support of a number of stands our membership and leadership have taken regarding the Draft Zoning Code, as stands. I want to thank you for soliciting input and for your consideration of all the comments from our professional community.

First, as a practitioner for multiple child care providers I want to salute the revised technical memo that addresses many of our concerns, articulated specifically by both the AIA and the CCA. My comments, inserted in the letter from the AIA LA, are copied below, for emphasis (since all is still in flux):

### Childcare Facilities

We are concerned that the enrollment cap established as a limitation for child care centers under all of the current Use Districts is insufficient to allow child care centers to receive proper funding and to thrive. We advise that any revised enrollments caps, where they are deemed necessary at all, are the result of conversations that include child care providers, and that these numbers are derived from current data and best practices wherever possible.

Below I have copied crucial input from our community on the effects of overly-prescriptive frontage descriptions and requirements. As a profession, we have finally begun to actively engage new technologies and means of construction to profoundly affect the carbon footprint of buildings and superficially-applied façade standards will hamstring many of those innovations before they have even come to fruition. **We must understand that our building stock will be re-imagined for the 21<sup>st</sup> and 22<sup>nd</sup> centuries and this is not the time to codify 100-year old practices as our standard.**

### Cultural Diversity & Frontage Requirements

We are concerned that the underlying motivations to many of the frontage requirements drafted for the historic core are intended to codify and make permanent practices reflective of the early 20th century – in fact this is specifically alluded to in a number of cases. The AIA, as a voice of the architectural profession, is in support of an esthetic language promoting a more culturally inclusive and forward-looking way of building in the 21st century. Additionally, innovative responses to climate change must be supported as means and methods of building a downtown for Los Angeles that allow us to effectively respond to 21st and 22nd century challenges.

We believe that the zoning sections regarding Form, Frontage, Standards & Use and Density are too prescriptive and need to be revised to allow for creativity and diversity in aesthetics and construction. As it stands this document is too granular and contains many contradictions in its prescription. The density and the complexity of the current version will create an administrative nightmare for the city in its implementation and interpretation. Many of the prescriptions for dimensional minimums and maximums are not reflective of real market conditions and place unnecessary limitations on creativity. The code will inadvertently create requirements that will effectively negate Los Angeles as a competitive and desirable place to invest in. The result will negatively effect the future of Los Angeles.

The current draft encourages specific distinction between neighborhoods and their current or perceived cultural affiliations. This distinction freezes a location in time and prohibits the future evolution of these areas. This will ultimately result in the perpetuation of a fake architectural representation to gain city approval. The draft also points to recommended programmatic uses for the interior of the building. No part of a planning code should have jurisdiction in how to organize or program the interior of a structure. The creation of specific development standards in each district will only create confusion and contradiction which will

lead to the increased reliance on interpretation from the governing bodies. A greater reliance on interpretation and conversation between differing jurisdictions will make approval times longer.

Thank you for your thoughtful consideration.

Sincerely,

Chava Danielson

--

**Chava Danielson, AIA**

**DSH // architecture**

[3250 Wilshire Boulevard #1105 // Los Angeles, CA 90010](#)

[Ph: 213-386-5955 // \[dsharc.com\]\(#\)](#)

[M: 323-578-1728](#)

June 16, 2021

City Planning Commission  
Department of City Planning  
200 N. Spring St.  
Los Angeles, CA 90012

Re: Downtown Community Plan Update, New Zoning Code  
CPC-CPC-2017-432-CPU, CPC-2014-1582-CA  
CEQA: ENV-2017-433-EIR  
ADDITIONAL COMMENTS

Members of the City Planning Commission,

I'd like to submit the following additional comments on the Downtown Community Plan Update and the New Zoning Code which are being considered at the June 17, 2021 special meeting of the CPC.

Public Has Had No Opportunity to Review Additional Technical Changes

The Secondary Submissions file contains an additional memo dated June 15, 2021 containing several more pages of technical modifications to the staff recommendation. The public has no time to review or comment on these modifications. The CPC must postpone consideration of the agenda item until the public has had ample time to review this new information.

The City Has Failed to Update Required Elements of the General Plan

The City is preparing to adopt a New Zoning Code that entails a radical revision of the planning process, but the City has failed for decades to complete the fundamental work of updating a number of General Plan Elements, including: Air Quality (1992); Conservation (2001) [Required]; Safety (1996) [Required]; Infrastructure (1968-1972); Open Space (1973) [Required]; Public Facilities & Services (1969); Noise (1999) [Required]; Environmental Justice [Required]. The City has also failed to comply with the General Plan's monitoring requirements.

The City is facing serious challenges in the areas that these Elements are intended to address. Many of LA's communities deal with unhealthy air quality. Many of these same communities are also grappling with serious safety issues. Our roads and sidewalks are in need of repair, while much of LA's water infrastructure is over 70 years old. Access to open space is a major challenge for many underserved communities. Also, the City is still in the process of updating its Housing Element, which is possibly the most crucial component of planning for LA's future. How is it possible that the City is ready to implement major changes to the Zoning Code without having done the fundamental work that should be guiding all planning decisions? How is it possible that the City has failed to update State-mandated Elements for decades?

Rather than preparing to adopt a New Zoning Code that will allow significant increases in density by right, the City first needs to tackle the job of updating its framework for development. The City's failure to do so will clearly impact the health, safety and welfare of the people of Los Angeles.

Sincerely,  
Casey Maddren  
2141 Cahuenga Blvd., Apt. 17  
Los Angeles, CA 90068



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**Re: DTLA 2040 Community Plan (Skid Row Protections)**

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**Charles Porter** <charlesp@socialmodel.com>  
To: "cpc@lacity.org" <cpc@lacity.org>

Thu, Jun 17, 2021 at 8:21 AM

Dear Commissioners,

I have worked in Skid Row with United Coalition East (a program of Social Model Recovery Systems) since since 1999. During this time I was participated in numerous community battles for self-determination, dignity, representation, and land use diversity in the face of rampant gentrification and inequitable development. This has included nuisance abatement cases to clean up bars and liquor stores that lasted decades, 2 campaigns to create a Skid Row Neighborhood Council, and successes such as new park amenities and the Skid Row Community ReFresh Spot. I am a member of the Skid Row Now and 2040 Coalition and ask that you include our recommendations for the downtown community plan to support, protect, and improve Skid Row. I also support and ask that you include the Central City United recommendations. Those documents contain detailed recommendations demanding equitable land use responsive to the needs of Skid Row. Based on my experience I amplify the ask that you prohibit new alcohol (more than 273 alcohol permits exist in the census tracts connected to Skid Row while the state allows 23!) and marijuana permits (to protect the health and safety of our neighborhood, prevent overconcentration, and stem gentrification). To truly achieve equity there must also be accountability measures in place to make sure the principles (ideally including our vision) of the plan are implemented. This should include neighborhood advisory bodies composed of community members with lived experience, historically impacted by systemic racism. There should also be an annual report generated by the planning department documenting approved land uses relative to desired uses detailed in the Community Plan. This report can be the benchmark for reaching desired goals and serve as a basis for remedial action to halt development in impacted communities/zones. Resources to address existing disparities and needs, and to empower our neighborhood should be prioritized and have their own funding streams that incorporate funds from, but not solely dependent on market rate development. Skid Row is one of the poorest communities in the nation and therefore we support an expanded Ix1 zone to cover all of the traditional boundaries of Skid Row that only allows affordable housing with emphasis on very low incomes. Increased employment opportunities, healthy food access, and social spaces in Skid Row are also essential. Thank you for your time.

Charles Porter  
Prevention Coordinator  
United Coalition East Prevention Project  
804 E. 6th Street  
[Charlesp@socialmodel.com](mailto:Charlesp@socialmodel.com)  
213.622.1621



california flower mall, inc.

Samantha Millman, President  
Los Angeles City Planning Commission  
200 North Spring Street  
Los Angeles, CA 90012

**Re: Item 6: CPC-2017-432-CPU; CPC-2014-1582-CA; DTLA 2040 Community Plan Update**

Dear President Millman and Honorable Commissioners,

I am Mark Chatoff, CEO of Mac Holdings LLC dba California Flower Mall and Fashion District Board Member.

We are writing to echo the comments raised by the Central City Association (CCA) in their [June 7<sup>th</sup>, 2021](#) letter submitted to the City Planning Commission. The DTLA 2040 plan must be an affirmative plan for robust, transit-oriented growth across all of DTLA to address the impacts of the COVID-19 pandemic, the persistent housing shortage and homelessness crisis, compete for transportation infrastructure funding and fully leverage transit investments.

We support CCA's goals of maximizing opportunities for housing at all income levels, creating flexibility to adapt over the next two decades and depoliticizing DTLA development by setting clear, economically feasible standards. Accordingly, we recommend the following changes to the plan:

- **Maximize capacity for growth** by aligning the plan with Alternative 3 of the DEIR and expanding Transit Core General Plan land use designation to include all areas close to existing, entitled and future transit.
- **Make the Community Benefits System make more usable and a better framework for delivering new housing affordable to all income levels** by:
  - Increasing Level 1 bonus of the Community Benefits Program to 55 percent.
  - Retaining use of TOC Guidelines.
  - Removing Site Plan Review for projects that comply with a site's allowable zoning.
  - Allowing affordable units to be a different mix than market rate units by basing affordable unit requirements on total residential floor area instead of total units.
  - Adding an option for land dedication for affordable housing.
  - Removing the requirement for bathrooms at parks.
  - Revising or removing Subarea D from the CPIO.

**T** 213-488-1983      **F** 213-488-0973

825 South San Pedro Street, Suite 200, Los Angeles, California 90014

[californiaflowermall.com](http://californiaflowermall.com)





- **Foster DTLA's growth as a complete community with schools and childcare by:**
  - Removing minimum building height requirements (schools are typically standalone, low-rise buildings).
  - Rezoning industrial areas around existing schools for a mix of uses, including all types of multifamily housing.
  - Removing the 50-child limit on preschool/daycare uses.
- **Ensure that all DTLA neighborhoods, especially near transit, enable financially feasible mixed-income projects with public benefits by:**
  - In the Arts District, removing building height limits and baseline non-residential floor area requirements, increasing base FARs to at least 4.5 and max FARs to at least 6.0, allowing all types of multifamily housing without imposing average unit sizes.
  - In Chinatown, not downzoning and instead increasing base FARs to match currently allowable FARs and max FARs to what is achievable with TOC today, and removing height limits, hotel CUP requirements and the requirement that 30% of units must be two-bedroom units or larger.
  - In the Fashion District, increasing base FARs to 6.0 and changing IX2 and IX3 areas to CX2 or CX3 uses.
  - On Skid Row, adopting the alternative zoning proposal offered on page A-19 of the Staff Report that would allow mixed-income development essentially as inclusionary zoning.
- **Clarify the plan's Policy Goals to avoid unintended constraints** by amending policy goal LU 2.15 to allow parallel permitting and LU 8.7 and LU 9.5 that comment on business leases, which exceeds the scope of a land use plan.

We believe these changes will further strengthen this forward-looking plan that will serve as the guiding framework for DTLA's growth over the next two decades. Thank you for your consideration.

Mark Chatoff, CEO of Mac Holdings LLC dba California Flower Mall

**T** 213-488-1983      **F** 213-488-0973

825 South San Pedro Street, Suite 200, Los Angeles, California 90014

[californiaflowermall.com](http://californiaflowermall.com)



華埠服務中心  
Chinatown Service Center

www.CSCLA.ORG

Board of Directors

June 15, 2021

VIA EMAIL: [cpc@lacity.org](mailto:cpc@lacity.org)

**President**

Henry Kwong  
Universal Chung  
Wah

Madam Samantha Millman, President  
City Planning Commission  
City of Los Angeles

**Vice President**

Vinh Ngo  
Bank of America

200 North Spring Street. RPP 667  
Los Angeles, CA 90012

**Secretary**

Teodoro (Ted)  
Ramirez  
Methodist Credit  
Union

Re: DTLA 2040 Draft Community Plan

Subject: Chinatown Zoning Changes

**Treasurer**

Lawrence Tam  
AT&T

Dear Madam President,

**Immediate Past President**

Gloria M. Tang  
First Republic Bank

I am writing to you to express our concern about the proposed “Down Zoning” in Chinatown. Specifically, the “FAR” and height limitations are being reduced, should the proposed Plan pass. It will impact negatively the potential developers coming to Chinatown. It is also unfair to the many current property owners to strip and lessen the property value.

**President Emeritus**

Roy Jasso  
Vice President  
Wells Fargo Bank  
(Retired)

Since 1971, Chinatown Service Center has served thousands of immigrants, businesses, and residents annually. We provide essential services in social, healthcare and economic needs.

Bee Hsu  
Community Leader

We thank you and your team for all the hard work you had done on this important project. We urge you to devise a more suitable plan in regard to this change in Chinatown. Or retain the current “FAR” and height ratio as starting points to entice developments for the benefit of the Chinatown community.

**Members:**

Joseph Chang  
San Marino School  
Board

Simone Liu  
Wells Fargo Advisors

Wilson Tang  
Cathay Bank

Heidi Kwok  
CPA, MBT

Sincerely,

Peter Ng  
Chief Executive Officer



**GILBERT A. CEDILLO**  
COUNCILMEMBER  
FIRST DISTRICT

June 15, 2021

Ms. Samantha Millman, President  
City Planning Commission  
City of Los Angeles  
200 North Spring Street  
Los Angeles, CA. 90012

Dear Honorable Commissioners:

**Re: DTLA 2040 Chinatown**

Council District 1 represents the Chinatown community in the Central City North portion of Downtown Los Angeles. This office shares the core values and aspirational goals articulated in DTLA 2040 and embraced by diverse Chinatown community stakeholders, including:

- Retention of historic-cultural resources, legacy institutions and community scale, character and identity
- Preservation of affordable housing, protecting very-low-income households, while facilitating production of new housing serving families and a range of income levels and ages
- Fostering an economy that is resilient to market changes and evolution, and supports small businesses and commercial activity

DTLA 2040 proposes the following land-use changes in Chinatown:

- Reduce the currently adopted by-right FAR of 6:1 to a proposed by-right FAR of 2:1, while maintaining a 6:1 or 8.5:1 maximum Bonus FAR as incentives when projects include community benefits
- Apply a five-story height limit for approximately six city blocks along Broadway Street
- Establish Use Districts that provide commercial tenant size limits

My office supports a vision which promotes Chinatown's economic vitality while retaining its historic-cultural character and legacy businesses, protecting affordable housing and low-income tenants, supporting mixed-income housing, and linking land-use with transportation. The challenge is enacting the appropriate and effective implementation policy tools.

In Vancouver's Chinatown district, new high-rise development has been effectively juxtaposed next to collections of low-scale historic buildings - preserving cultural memory, enhancing historic character, achieving economic vitality and stimulating pedestrian-oriented street-level activity. The Vancouver model involves a system of transfer of development rights providing incentives for historic preservation coupled with public-sector participation in supporting mixed-income housing and public benefits and establishing standards promoting high-quality architecture. Vancouver's Chinatown has shown that greater building height and FAR can be accommodated without creating "canyons of high rise" that would block sunlight, views of the sky, and the movement of air. Flexible urban design standards promote sidewalk-level open space, street furniture, street trees, and set-backs for taller buildings behind one- or two-story pedestrian-oriented storefronts.

DTLA 2040's proposed rezoning plan, drastically reducing development rights by 67 percent and imposing absolute building height limits, while well-intentioned, contradicts the City's own economic analyses. The November 2020 analysis prepared by HR&A Advisors shows that most mixed-income project scenarios under Level 1 of DTLA 2040's Community Benefits System are financially infeasible without a bonus greater than 40 percent, while **no scenarios for Chinatown were feasible.**

Furthermore, the proposed rezoning runs counter to fostering transit-oriented development. Chinatown is a former Redevelopment Project Area. It is located in proximity to Los Angeles Union Station, the region's transportation hub, and is served by a signature Metro Gold Line Station. In 2001, the Los Angeles State Historic Park was established as a 32-acre California state park on former industrial land. Today you can enter the Chinatown station and utilize the light rail system to travel to the beach and other parts of the region. Acknowledging the connection between Los Angeles Union Station and Chinatown and surrounding communities, Metro adopted the Connect US Action Plan to enhance historical and cultural connectivity between the region's transportation hub and communities.

Introduction of the proposed "base and bonus" incentive system is certainly a new and different zoning strategy though untested. Delivery of community benefits is a key component and the system's effectiveness is contingent upon project economic feasibility. I am concerned that no community benefits will be delivered without economic feasibility and creating opportunities for catalytic projects. The Cornfield-Arroyo Seco Specific Plan (CASP), adopted in 2013, was touted as an innovative planning document using, for example, FAR and density bonuses to balance jobs and housing. However, the plan has been difficult to interpret in the real world, has produced minimal housing, has effectively deterred private investment, and is therefore currently being updated at my request.

It is important to note that Chinatown has 713 affordable units whose affordability housing covenants have either expired or will reach expiration in the short-term and an additional 475 affordable units with covenants projected to expire within the next 5-10 years. Most of these developments were financed as early state tax credit deals with public subsidies provided by the former Community Redevelopment Agency (CRA/LA). The dissolution of redevelopment has eliminated the largest single source of affordable housing finance available. Preservation of at-risk affordable housing is thus a high priority.

Production of new affordable housing is equally important. My office and city partners have been pursuing creative strategies, with a particular focus on publicly-owned properties. The City is negotiating an agreement with Homeboy Industries to build affordable transitional housing serving formerly incarcerated individuals on City-owned land next to its headquarters. My office is

collaborating with the County of Los Angeles to develop 100-percent affordable housing at a County-owned site located in Chinatown's core. We are partnering with the Housing Authority of the City of Los Angeles (HACLA) and the Los Angeles Unified School District (LAUSD) to pursue federal resources to commence a planning process to enhance and increase affordable housing at the 20-acre William Meade Homes public housing site. I am joining County Supervisor Hilda Solis, the California Endowment and other stakeholders to advance a "Restorative Justice" vision. I have strongly encouraged those proposing new development to set-aside 20 percent as affordable housing.

My office recommends the following modifications to DTLA 2040 relative to Chinatown:

1. Expand the Transit Core General Plan land use designation to Chinatown to maximize transit-oriented development opportunities, given the area's transit station connected to the Gold Line system and proximity to Los Angeles Union Station.
2. Re-calibrate the proposed base-and-bonus incentive system in Chinatown to generate economically feasible scenarios in lieu of imposing a drastic reduction in Base FAR from 6:1 to 2:1 which would have a deleterious effect on attracting catalytic economic development and project feasibility in the former Redevelopment Project Area.
3. Set a goal of incorporating a minimum 20-percent set-aside of affordable housing in new development.
4. Utilize flexible implementation policy tools akin to the Vancouver model to achieve both historic-cultural preservation and economic vitality; remove the absolute building height limit extending over several city blocks which would restrict architecture and create flat block street walls as the only massing option.
5. Reinforce a robust affordable housing preservation strategy to protect very-low and low-income households from loss of housing and displacement, and address at-risk units with expiring affordability housing covenants.

Sincerely,



Gilbert Cedillo  
Councilmember, First District

cc: Vincent P. Bertoni, AICP, Director of Planning  
Shana M. M. Bonstin, Deputy Director



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## dtla2040 plan public comment Diane Valencia

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**Diane Valencia** <diane@seaca-la.org>  
To: cpc@lacity.org

Thu, Jun 17, 2021 at 1:00 PM

Hello my name is Diane Valencia and I am here on behalf of the Southeast Asian Community Alliance and the CCU coalition. I work with Chinatown youth and families who are constantly at risk of being evicted or priced out of their homes. This places incredible stress and burden on low-income families and exacerbates our housing and homelessness crisis. Especially with the pandemic, things have only gotten worse. We urge the commission to ensure that renters are protected from displacement through strong anti-displacement policies, including:

- protecting affordable housing stock
- providing tenants relocation benefits and interim housing assistance
- and giving residents a right of return

The urgency is now, we cannot wait for a City-wide policy when this plan is before you now. We need your leadership on this, the DTLA 2040 plan can and should become the model for renter stabilization across the City.

--

Diane Valencia  
Youth Trainer  
SouthEast Asian Community Alliance

November 23, 2020

Shana M. Bonstin, Deputy Director,  
Community Planning Bureau  
Los Angeles Department of City Planning  
200 North Spring Street  
Los Angeles, California 90012

**RE: Draft Environmental Impact Report (EIR): Downtown Community Plan Update/New Zoning Code for Downtown Community Plan; DLANC Comments as of November 23, 2020**

Dear Ms Bonstin:

At a public meeting on November 23, 2020, the Board of Directors of the Downtown Los Angeles Neighborhood Council (“DLANC”) voted to provide the following comments below pursuant to the motion passed on November 16, 2020, by DLANC’s Planning & Land Use Committee (“PLUC”).

Background: DLANC previously provided a letter to Los Angeles Department of City Planning dated January 29, 2019 including comments to the Draft 2040 Plan. DLANC reviewed the revised Downtown Community Plan and other documents included in the DEIR. This letter includes some comments carried through from the previous letter that have not been addressed as well as additional comments on the revised Community Plan and other documents in the DEIR for your consideration.

**COMMENT 1: Adoption of Downtown Community Plan**

Section 2.2 of the DEIR states that the primary issue to be resolved through the planning and environmental review process for the Proposed Project is whether the City should adopt the updated Downtown Plan and New Zoning Code to replace the existing community plans and code.

DLANC conditionally supports the adoption and implementation of the Downtown Community Plan as revised and included in the DEIR. DLANC support is conditioned on incorporation of the following stipulations and comments below for the plan. DLANC support may include other items of stipulation and additional comments as the Community Plan process progresses and the Final EIR document is modified.

**COMMENT 2: Preferred Alternative**

The DLANC Board supports the adoption of Alternative 3: Increased Development Potential. Alternative 3 would result in the highest level of development in all areas of Downtown Los Angeles to meet all the basic project objectives, which are in line with the DLANC Vision

Document. Simply put, Alternative 3 is the most in line with the guiding policies of the DLANC Vision Document of all Alternatives.

**COMMENT 3: Existing Regional Parks or Recreation Facilities**

The Draft EIR identifies an impact of Significant and unavoidable. The DLANC Board requests the Downtown Plan designate more land area for Parks and Open Space to accommodate for the anticipated growth proposed in this plan.

**COMMENT 4:** The DLANC Board supports level 1 of the community benefits program provision for affordable housing in the DTLA 2040 plan, which requires the option for on-site, in-lieu fee, off-site and off-site acquisitions, all located in Downtown LA.

**COMMENT 5:** The DLANC Board rejects the DTLA2040 plan's proposed exclusion of market rate housing and rejects the requirement of 100% affordable housing in any one specific area/land use designation in downtown.

**COMMENT 6:** The DLANC Board rejects any required minimum or average unit size in any area within Downtown.

**COMMENT 7:** The DLANC Board requests traditional residential dwelling units be allowed in all areas in addition to those currently shown as being restricted to live-work only units in the Industrial-Mixed districts.

**COMMENT 8:** The DLANC Board requests a proposal that allows any area within ¼ mile radius of an existing or planned Metro station, including the location at 7th and Alameda, to have the "Transit Core" FAR and land use designation. The historic Broadway corridor south of 3rd Street should be exempt from this request.

**COMMENT 9:** The DLANC Board rejects the inclusion of all Parking Requirements at any location in Downtown.

**COMMENT 10:** The DLANC Board request to reconsider the toy district zoning to remove height restrictions.

**COMMENT 11:** The DLANC Board request to expand the Traditional Core and Transit Core areas east to continue down Maple past 9<sup>th</sup> street down the 10 Freeway to be consistent with the Federal Opportunity zone boundary and for consistency in the neighborhood.

Please provide a digital copy of your responses to these comments and any decisions on any actions taken based on these comments in a letter by mail to [planning@dlanc.com](mailto:planning@dlanc.com). Thank you in advance for your consideration of the comments presented in this Letter.



Very truly yours,

Very truly yours,



Patricia Berman  
DLANC President



Ryan Afari  
DLANC Planning & Land Use Committee Chair

CC: Kevin de Leon (Council District 14) (via email)  
Gil Cedillo (Council District 1) (via email)  
Curren Price (Council District 9) (via email)  
Cecilia Lamas (Central Planning Commission) (via email)

June 17, 2021

[via email to cpc@lacity.org](mailto:cpc@lacity.org)

City Planning Commission  
Samantha Millman, President  
City of Los Angeles  
200 North Spring Street  
Los Angeles CA 90012

Honorable Commissioners:

We are writing to express support for the DTLA 2040 Plan, with some suggestions for further study.

For the past five years, a group of Chinatown stakeholders has been meeting as the Chinatown Sustainability Dialogue Group (CSDG). Our stakeholders have included residents, property owners, business owners, members of community organizations and service agencies. Some are urban planners, architects, social workers, educators, lawyers, and community activists, including individuals serving on the neighborhood council. We represent a cross-section of the community in ethnicity, race, gender, and age.

When the DTLA 2040 planning process commenced, the CSDG began meeting regularly to discuss concerns for the future of the Chinatown community. Other stakeholders such as individuals from senior housing and public housing projects attended our discussions. We invited housing, legal, and real estate professionals to share their knowledge. We attended meetings with other downtown stakeholders such as Central City United (Little Tokyo, Skid Row, etc.) to listen and learn. We invited City Planning staff to present draft concepts and to hear community concerns at different venues. The CSDG subsequently adopted and presented a statement of principles, which are listed herein in abbreviated form:

- 1. Protect Chinatown's historic and cultural assets**
- 2. Promote a safer and healthier Chinatown**
- 3. Provide community-serving amenities**
- 4. Create inclusive housing without displacement of current residents**

These principles have been presented, sometimes in more detailed form, to City Planning staff. To assist even further, we even created a 40-page Chinatown Village Community Plan which expressed in detail some recommended planning and design principles.

The current draft DTLA 2040 Plan before us represents an enormous amount of research, citizen input, and thoughtful effort, and we applaud the City and the City Planning staff for their monumental effort. It addresses many of the concerns that our community has shared with staff. Very importantly, the Plan contains guidelines that reinforce neighborhood through form, frontage, use, and best practices. In the following paragraphs we would like to briefly discuss how the Plan has addressed our community priorities.

**1. Protect historic and cultural assets.**

Los Angeles Chinatown is a complex and dynamic heritage community that emerged more than 160 years ago. We therefore appreciate recognition in the Community Plan Implementation Overlay (CPIO) of Chinatown as a cultural heart of Los Angeles. We appreciate that the CPIO allows for an array of urban design features that respects cultural heritage and neighborhood character, including preservation and rehabilitation of historic buildings and facades, historic signs and lighting, and plazas and open space,

We agree that new development should complement the existing cultural heritage inventory as identified in Survey LA by the City's Office of Historic Resources; it should celebrate and respect the prominence of historic

structures and uses. Careful and thoughtful adaptive reuse of historic structures should be encouraged. We agree with using Transfer of Development Rights (TDR) as a tool to incentivize preservation and rehab. However, we have a concern with allowing only an administrative determination that an Eligible Historic Resource (EHR) is not an historical resource. The EHR list was developed with thorough community consultation, and any proposed demolition should involve community consultation and not be removed from discretionary review by a public body.

## **2. Promote a safer and healthier Chinatown**

### **3. Provide community-serving amenities**

We feel that these principles have been addressed in many ways through the various DTLA 2040 documents, including through adopting “best practices” guidelines. We see that the language encourages “thoughtful allocation of growth”. We support the recommendations in CPIO Subarea D for neighborhood building scale and porous building facades at ground level. We applaud the encouragement of small scale commercial spaces to promote local business, instead of large footprint chain stores.

We do recognize that the maximum commercial space footprints could be analyzed further, especially for culturally relevant independent business or service operations, or for marketplaces that aggregate small businesses. Also, it is not clear whether vehicle-pedestrian safety or air quality will be improved given the increased traffic levels with new development. The designation of “cultural corridors” must be measured in light of the continued use of these corridors as connectors to freeway on- and off-ramps.

### **4. Create inclusive housing without displacement of current residents**

There has been great community concern that market development will not yield any community benefits such as affordability. We would nominally support the CPIO Subarea A tiered incentive structure that prioritizes mixed-income and 100% affordable housing. The base and bonus concept, of a reduced FAR base with density and height incentives for community benefits, on the surface appears to be a bold and innovative approach to encourage community benefits. The ministerial approval of increases from base FAR and building height if affordable housing is included appears to provide an easy to understand incentive, and a simplified entitlement process, which saves time and cost, which can support affordability.

However, we hear concerns from certain property owner stakeholders that base and bonus is an untried concept for this region. We therefore suggest further analysis to prove its effectiveness. Regardless, we do recommend, if this concept is adjusted or rescinded, that we not reward speculative market development which brings no community benefits by allowing overly permissive FAR’s and unlimited building heights.

These are some of our thoughts and concerns on a complex process. There is no simple blueprint for a diverse world city such as Los Angeles, and especially for the downtown area and its heritage neighborhoods. We feel that overall, the DTLA 2040 Plan represents a sound community planning effort, and with perhaps a few minor adjustments, will be an extraordinary plan. Thank you for considering wide community input.

Sincerely,

King Cheung                      Eugene Moy  
Steering Committee representatives  
Chinatown Sustainability Dialogue Group Steering Committee

# EPTDESIGN

June 15, 2021

Dear Commissioners:

I am writing in regard to Item 6 and Case Nos. CPC-CPC-2017-432-CPU, CPC-2014-1582-CA. It has come to EPTDESIGN's attention recently that page 4-95 of the new zoning code's development standards section includes a modification to the existing tree ordinance that essentially doubles the existing requirement. The current ordinance does not place a limitation on the size and/or type of tree that can be located on the site whereas the new code allows for one large tree (min. 30' H at maturity) or two small (15-30' H) trees for every four thousand square feet. Instead of penalizing the use of small trees, which are often all that is feasible in many urban conditions, we recommend that the language be modified to require one small tree for every 4,000 square feet and allow for the placement of a large tree to count as two trees.

Thank you for your consideration.

Best,



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Nord Eriksson, Principal



Planning CPC &lt;cpc@lacity.org&gt;

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**Item 6: CPC-2017-432-CPU; CPC-2014-1582-CA; DTLA 2040 Community Plan Update**

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**Hal Bastian** <hal@halbastian.com>  
To: "cpc@lacity.org" <cpc@lacity.org>  
Cc: Michael Shilstone <mshilstone@ccala.org>

Wed, Jun 16, 2021 at 9:47 PM

Samantha Millman, President  
Los Angeles City Planning Commission  
[200 North Spring Street](#)  
[Los Angeles, CA 90012](#)

Re: Item 6: CPC-2017-432-CPU; CPC-2014-1582-CA; DTLA 2040 Community Plan Update

Dear President Millman and Honorable Commissioners,

I have been a member of the Central City Association (CCA) since 1994 and worked for its sister organization, the Downtown Center Business Improvement District (DCBID) from 2001 to 2014, as its Executive Vice President & Director of Economic Development. Since 2014, I've been self-employed as a DTLA consultant and real estate broker, am a DTLA resident since 2001, currently living two blocks south of City Hall at the Douglas Building, located at [257 S Spring Street](#), and am a past member of the Downtown Los Angeles Neighborhood Council.

It has been my privilege to be a leader of the Renaissance of DTLA and I would like to express my complete support of CCA's letter of recommendations to you dated June 7, 2021.

## HAL BASTIAN INC.

[257 S Spring Street](#)  
Suite 3K  
[Los Angeles, CA 90012](#)  
[hal@halbastian.com](mailto:hal@halbastian.com)  
Mobile: 213-440-0242

Sent from my iPhone



## Skid Row Now & 2040 Coalition

### *Essential community plan principles for Skid Row*

*A community plan should be a vision for supporting and responding to the needs of existing neighbors and neighborhoods, while paving a roadway to a better tomorrow. It should be community-focused, and not solely driven by business interests or the incongruent placement of buildings to maintain a status quo. Below are essential principles for Skid Row.*

## Neighborhood Preservation

**No Net Loss of Affordable Housing:** All existing units must be protected so no affordable housing loss occurs in Skid Row.

**Anti-Displacement Protections:** Protect tenant legal rights from being violated and prohibit discriminatory practices that prevent access to affordable and low-income housing. Create a process for unhoused Skid Row residents to access housing in Skid Row as a first option.

**No Changes to Skid Row Boundaries:** The proposed IX1 zone for affordable housing only, with extremely low and deeply low-income levels (and all principles contained in this document) must extend to the traditional boundaries of Skid Row; Main Street to Alameda Street and Third Street to Seventh Street. This includes restrictions on new market rate housing. A buffer zone extending beyond these boundaries is recommended as additional protection and support for Skid Row and adjacent communities.

**Arts and Culture:** Support the creation and sustenance of community cultural centers as creative places to preserve and share local history, enhance neighborhood pride, and strengthen social cohesion. This includes the integration of locally produced and community oriented public art projects and cultural programming into public spaces. Cultural space must offer substantial and accessible programming for all ages and in more than one dedicated cultural facility, including renovation and new construction. Expand support for the large number of artists and culture bearers that live and work in the Skid Row neighborhood (i.e. property owners fee for the arts, contracting with local artists, and supporting street vending for local artisans). Implement a process to facilitate the community ownership of creative space and encourage art production. Ensure exhibition spaces are accessible and affordable to community-based artists.

## **Health & Well-being**

**Green Space and Common Space:** Ensure that Skid Row parks receive their fair share of resources to support the many patrons that daily utilize them. This includes maintenance, facility improvements, and programming. Create new parks and green space when possible. Prioritize the creation of common spaces that are responsive to community social (i.e. performances, markets, events, tournaments) and personal needs (i.e. access to restrooms, handwashing, drinking water, seating, Wi-Fi, charging stations, cooling stations, shade, heat). Expand hygiene supporting resources based on the 24/7 ReFresh Spot model, including utilization of Skid Row parks. Implement street safety and comfort investment on primary corridors in Skid Row. Protect pedestrian and biker safety utilizing longer crosswalk timers, speed bumps, crossing signals, bike lanes and improved signage on all Skid Row streets. Create community gardens utilizing converted City land.

**Sanitation and Neighborhood Maintenance:** Create jobs for Skid Row residents to conduct neighborhood street cleaning and 311 bulky items pickup. Employ residents to staff, monitor and maintain community resources (i.e. permanent toilets, water fountains, portable toilets and showers).

**Health and Wellness Protections:** Skid Row has long prioritized resources for treatment, recovery, and self-help for trauma and system impacted individuals manifesting mental and substance use disorders. This is threatened by alcohol-fueled redevelopment in the 5 census tracts in and adjacent to Skid Row. The State allows 27 alcohol licenses in these census tracts while a staggering 273 currently exist. No new alcohol permits shall be issued in Skid Row (including restaurants, bars, and convenience stores). No new marijuana businesses shall be permitted (with a possible exception for community run Social Equity businesses). Access to affordable, culturally relevant healthy food options and nutritional support is a major community priority. Incentives must be provided to convert existing stores, promote new businesses, and support community gardens and farmers markets.

**Resiliency Centers:** Identify areas and buildings as resiliency centers for public use during climate events, multi-casualty incidents, and other emergencies. Implement community responsive and informed approaches to address and minimize casualties, harm, trauma, and threat. These resources should be accessible 24/7 in Skid Row where residents are often living in a stage of emergency.

## **Neighbor Engagement and Participation**

**Skid Row Neighborhood Council or Other Representative Body for DTLA 2040:** A process must be implemented to support a neighborhood council or other representative body for the Skid Row neighborhood. This will give residents and workers a direct channel to weigh in on City decisions related to Skid Row including implementation of the community plan. With Skid Row being a predominantly Black neighborhood, this representative body could address equity concerns, including systemic practices that have historically disenfranchised community members, as well as identify and promote best practices.

**Bridging the Digital Divide:** Neighborhood-wide internet and computer access must be provided for Skid Row community members to easily access vital information, participate in meetings, and correspond with the City and other supporting groups and agencies.

**End the Criminalization of Homelessness:** Stop the over-policing and arrest of homeless people. Redirect police funding to Skid Row community members and advocates and partner with people experiencing homelessness to create opportunities to address their immediate needs and inform systems change. This includes leadership and employment opportunities (aimed at improving safety, wellness, autonomy, and social connection) for community members including those with lived expertise.

**Employment Opportunities:** Offer Skid Row residents work opportunities in their neighborhood related to parks, hygiene stations, resiliency centers, art projects, cultural programming, sanitation and neighborhood maintenance, community safety, and other relevant facility and engagement work.

## **Development Opportunity Enhancement & Investment**

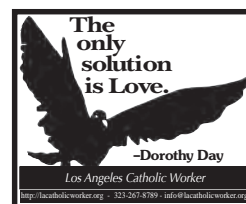
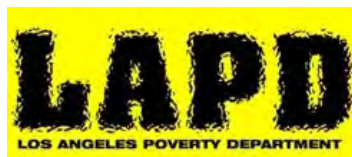
**Inclusionary Zoning:** Developers must be required to set-aside no less than 25% of all Downtown Los Angeles residential units built for affordable housing at a deeply affordable level for residents currently living in poverty. Require a range of affordable housing levels in all new housing construction, possibly for new mixed-use and commercial construction.

**Affordable Housing Financing:** The City must create new funding sources for affordable housing through developer fees, tax increment financing, and a vacancy tax. Activate developer fees from the existing TFAR program as well as a new 1% impact bond for rental subsidies. Assess the feasibility of tax increment financing mechanisms such as EIFD, CRIA, NIFTI and AHA, and establish a tax increment financing district in Skid Row and Downtown Los Angeles. Charge a 1% tax annually on any vacant building's value for every year it is vacant and route this funding to affordable housing in Skid Row.

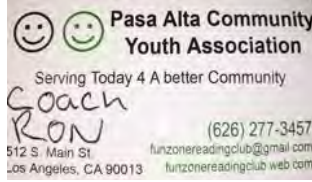
**Land Banking:** Local government should purchase, manage and repurpose an inventory of underused, abandoned or foreclosed property for affordable housing and other development described in this document.

**Public Housing:** This infrastructure can be mixed-use and mixed-income housing produced and managed by local government with public and private funding, possibly as part of existing government buildings and property.

**Save Mom-and-Pop Program:** Prioritize the preservation of and support for local business to avoid displacement.







# STREET SYMPHONY

- United Coalition East Prevention Project
- Los Angeles Poverty Department
- Los Angeles Catholic Worker
- Los Angeles Community Action Network
- Urban Voices Project
- Piece by Piece
- Skid Row Coffee
- Skid Row Peoples Market
- Inner City Law Center
- Skid Row 3 on 3 Street Ball League
- Skid Row Brigade
- Slide Walk Project
- Creative I
- Street Symphony

1600+ signed petitions from Skid Row residents and stake holders.  
 348 online petitions signed.

[Public Comments](#) by Skid Row community members and advocates, submitted to the Department of City Planning for the Public Hearing on December 8, 2020, in response the updated DTLA2040 community plan.

[The Blue Book](#), a very brief history of Skid Row, 1973 – 2021.



## Updated ! Skid Row Now & 2040's Vision Document for the Public Hearing on June 17.

2 messages

**Henriette** <info@lapovertydept.org>  
To: cpc@lacity.org

Tue, Jun 15, 2021 at 2:58 PM

Dear City Planning Commissioners,

I am submitting the attached Vision Document on behalf of Skid Row Now & 2040 for the hearing on June 17.

Skid Row Now & 2040 is a coalition of community organizations, residents and stakeholders advocating for humanitarian land use policy for Skid Row. Over the past 5 years, Skid Row Now & 2040 has engaged with the Department of City Planning and created this Vision Document for the Skid Row community, and additional ideas for funding housing that will get people off the streets.

More organizations signed on to our plan since I submitted it yesterday, so I'm submitting it once again with an updated list of supporters.

Thank you to the Department of City Planning for building from the transformative and ethical history of the [1970s Blue Book city plan for Skid Row](#) in **creatively making the IX1 zone for affordable housing only** in the neighborhood. **In this plan draft, the special IX1 zone still doesn't cover all of Skid Row**, and it squeezes affordable housing into a small set of blocks east of San Pedro. Skid Row residents want the expansion of the IX1 zone where **only affordable housing with extremely low and deeply low-income levels** can be built to the **existing, historic, legal Skid Row neighborhood boundaries**: from Main to Alameda, and from 3rd to 7th street.

We need a way to influence land use and development until **every person without shelter and nearby supportive services, has a sustainable home** and needs met. **We can't rely on the private development market** to produce the necessary affordable housing and amenities in Skid Row or Downtown overall without City guardrails. The percentage of affordable housing being built in our **current real estate development market isn't producing at a rate and scale to care for everyone** regardless of income level. We are **hopeful about the DTLA 2040 Community Benefits Program**, but without an IX1 affordable housing only zone, we don't think this is enough to adequately support Skid Row neighbors.

Additionally, we greatly appreciate the focus in the current plan draft on **holistic improvements for Skid Row**, as well as Downtown Los Angeles, that **prioritize safe, welcoming and inclusive design** to make a **livable community** for all current residents and workers in Downtown. This includes a mix of uses and investments in Skid Row including:


- **public gathering spaces** including restrooms, hygiene stations and water fountains and valuing our parks
- **local business** contracting and training for jobs, entrepreneurs and other neighborhood work opportunities
- **healthy food retail** including support of street vendors and other small businesses
- **street infrastructure** that prioritizes well-walked corridors and connectivity
- **public health services** that are supportive to the range of current residents and workers
- **community arts** that make space for the wide array of neighborhood artists who can celebrate and memorialize Skid Row history and culture

Health and vibrancy for any of us in Downtown Los Angeles is inextricable from **respecting current cultures and life experiences of our Skid Row neighborhood**.

Henriette Brouwers

[Los Angeles Poverty Department](#)  
[Skid Row History Museum and Archive](#)  
[Walk the Talk Archive](#)  
cell: 310-227.6071

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 **Skid Row Now & 2040 Vision 2021.pdf**  
262K

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**Planning CPC** <cpc@lacity.org>  
To: Henriette <info@lapovertydept.org>

Tue, Jun 15, 2021 at 2:57 PM

Good afternoon,

Please note your submission has been received and it will be distributed for the City Planning Commission meeting of June 17, 2021.

Thank you.



LOS ANGELES  
CITY PLANNING

**Cecilia Lamas, Commission Executive Asst.**  
**City Planning Commission - Citywide**  
**Harbor Area Planning Commission**  
200 N. Spring St., Room 272  
Los Angeles, CA. 90012  
Planning4LA.org  
T: (213) 978-1300



*Note: Regular Day Off Alternating Fridays*

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**Henriette Brouwers**

[Los Angeles Poverty Department](#)  
[Skid Row History Museum and Archive](#)  
[Walk the Talk Archive](#)  
cell: 310-227.6071



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## Public Comment for June 17th, 2021 City Planning Commission meeting on the DTLA2040 plan

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Hayk Makhmuryan <hayhayk@yahoo.com>

Thu, Jun 17, 2021 at 7:33 AM

Reply-To: Hayk Makhmuryan <hayhayk@yahoo.com>

To: "cpc@lacity.org" <cpc@lacity.org>

Cc: Henriette <info@lapovertydept.org>, Skid Row Now & 2040 <skidrownow2040@gmail.com>

Hi, my name is Hayk Makhmuryan and I'm a Skid Row community member for over 13 years. I want to thank the Department of City Planning for recognizing the history of Skid Row by including in their plan the IX1 zone for affordable housing only. But, in this plan draft, the special IX1 zone still doesn't cover all of Skid Row. Anything less than having affordable housing cover the entire neighborhood is complicity in suffocating an already small and deeply oppressed working class, economically-poor, predominantly Black/BIPOC neighborhood.

The plan must require only affordable housing with extremely low and deeply low-income levels to be built in all of existing, historic, legal Skid Row neighborhood boundaries: from Main to Alameda, and from 3rd to 7th street.

- This would be the minimum first step to allow meaningful improvement without displacement.
- Doing this would also mean actually listening and centering the voices and demands of Skid Row neighborhood residents, as well as recognizing and taking meaningful action to address the deep oppression of BIPOC and economically poor neighborhoods.

I also want to underscore how much we need community resident controlled and well-maintained community spaces, public gathering spaces, as well as drastically increased access to restrooms, hygiene stations, water fountains, and cooling stations and shade.

Downtown Los Angeles is big and diverse, and real wellness and vibrancy begins with recognizing, prioritizing, and respecting the perspectives and life experiences of the neighborhoods most impacted by systemic racism and deep economic inequality: that's Chinatown, that's Little Tokyo, that's Skid Row neighborhood.

Thank you.



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## Public Comment - July 17, 2021

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**Jenn Murphy** <jenn.m.murphy@gmail.com>  
To: cpc@lacity.org

Wed, Jun 16, 2021 at 7:30 AM

Dear City Planning Commission,

My name is Jenn Murphy and I've been a resident of Los Angeles for the past 11 years. First off I'd like to say thanks to the Department of City Planning for creating a special zone where only affordable housing with extremely low and deeply low-income levels can be built. However, the zone doesn't cover all of Skid Row, it squeezes affordable housing into the blocks East of San Pedro: between Alameda and 5th and 7th street. Skid Row residents want the expansion of the IX1 zone to the existing, legal Skid Row neighborhood boundaries: from Main to Alameda, and from 3rd to 7th street, to avoid displacement of current residents.

Residents also want the current draft's focus on "Accessible, healthy, and safe housing opportunities affordable to low-income households" to include extremely low and deeply low-income households. And want the plan's commitment to "Facilitate the integration of locally produced and community oriented public art projects and cultural programming into public spaces to reinforce community character" to include consistent maintenance and additional amenities like hygiene stations, cooling stations, trees, shade structures and seating to occur at the Skid Row parks including San Julian Park and Gladys Park. Skid Row residents also want the creation of new Skid Row parks where possible and would like to see this street safety and comfort investment on primary corridors in Skid Row (San Pedro, 3rd, 4th, 5th, 6th, and 7th streets).

Poor communities and communities of color bear the brunt of climate change and so special attention must be paid to the vulnerabilities of folks in Skid Row and the Urban Heat Island effect. It is crucial to "Identify areas and buildings as resiliency centers for public use during future climate events and other emergencies," but these resiliency centers need to be available 24/7 in Skid Row where residents are often living in a stage of emergency.

I'd also like to stress the importance of the draft's claim to "Facilitate access to affordable, healthy, and fresh food for all Downtown residents and support community serving small businesses that sell affordable, fresh, and culturally relevant foods" for Skid Row residents.

Lastly, the draft's intention to "Foster opportunities for individuals facing barriers to employment" is best achieved in Skid Row by offering Skid Row residents work opportunities in their neighborhood related to parks, hygiene stations, resiliency centers, art projects, cultural programming and other facility and engagement work identified in this plan.

I hope you will consider these requests that are coming directly from the residents in Skid Row as they know best what services and support they need.

Thank you for your time,  
Jenn Murphy



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## Comments on the DTLA 2040 Community Plan

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**King Cheung** <kingcheung47@gmail.com>  
To: cpc@lacity.org

Thu, Jun 17, 2021 at 12:05 AM

Dear City Planning Commissioners,

Chinatown Community for Equitable Development (CCED) is a community based organization in Los Angeles Chinatown. Currently we are working with residents, small businesses and organizations to fight against gentrification and displacement in our community. As part of this effort, we are fighting for really affordable housing for the low income and extremely low income immigrant residents.

Equally important, we are fighting to preserve and enrich the historical and cultural legacy of Chinatown. It is not just the buildings. It is also the longtime residents, mom and pop businesses, and civic organizations that make up this historical and cultural legacy.

With these in mind, CCED ask the Commission to take the following actions:

1. Adopt the City Planning Department's base and bonus floor area ratio to achieve more affordable housing. In our 8 years of work in Chinatown, we have seen developers build nothing but luxury apartments, with no or minimum affordable housing. We applaud the City Planning Department for coming up with this important proposal to correct the past zoning wrongs. It is a good compromise between economic development and the needs for affordable housing and preservation. In addition, we support inclusive zoning for new developments in Chinatown, downtown and Little Tokyo.
2. Chinatown is not downtown. We do not want tall buildings to dominate the skyline in Chinatown. We want to preserve the historical and cultural institutions, businesses, and longtime low income working class character of our community. We support the City Planning Department's conservation policies and the expansion of these policies. We support the building height limit within the Chinatown and Little Tokyo Village areas.
3. We support strong protection for mom and pop small businesses that serve our community. Because of gentrification, right now we do not even have a full service market in Chinatown. However, we oppose big chain supermarkets or stores that exploit the labor of working class people of color, who make up a majority of the Chinatown community. We need a full service market that provides good jobs and culturally relevant, healthy food.
4. We support the IX1 zone for affordable housing only, and which should be expanded to cover all of Skid Row. The draft plan squeezes affordable housing into a small set of blocks east of San Pedro Street. Skid Row residents want the expansion of the IX1 zone. So that only affordable housing with extremely low and deeply low-income levels can be built in the existing, historic, legal Skid Row neighborhood boundaries: from Main to Alameda, and from 3rd to 7th street.

In closing, the community plan is an important document that will affect Chinatown, Little Tokyo, Skid Row and downtown for many years to come. We want the plan to be done right, so that low income immigrant residents, mom and pop small businesses and the unhoused will not suffer more systematic racism and inequality. We want the plan to provide affordable housing, protection for small businesses and preservation and expansion of the historical and cultural significance of Chinatown and Little Tokyo.

Sincerely,

King Cheung  
CCED Community Organizer  
[418 Bamboo Lane, Suite A](#)  
[Los Angeles, CA 90012](#)



June 15, 2021

Dear Commissioners,

My name is Karla Torres. I am a resident of the Little Tokyo neighborhood, where I have lived for a year now. Prior to our move to Casa Heiwa in Little Tokyo, and LTSC affordable housing apartment, my family of 6 was renting a market rate 1 bedroom apartment in South Los Angeles because it was all we could afford.

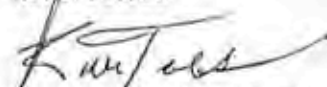
It's important to me that the City Commission makes affordable housing a priority in Downtown moving forward because we do not need any more over-priced apartments being built and displacing low-income families that work hard to make ends meet. Affordable housing allows the opportunity for people to have access to good quality of life without constantly feeling the financial pressure and stress of not knowing if you'll be able to keep a roof over your head next month.

I personally have benefited from affordable housing. Affordable housing has allowed me the opportunity to provide a safe living space for my children to grow and thrive. Aside from the financial benefit, my family lives in an apartment that provides supportive services to the youth, seniors, and adults to ensure that we have resources to continue to develop and work towards our goals.

I want my affordable housing to be protected from being demolished! I want to be protected from being moved out of my affordable housing due to construction because the fear of being displaced and ending up in the streets is a reality that nobody should have to deal with. Over the last couple of years, we have witnessed the homeless population increase in ridiculous numbers and although I know there are many factors that play into that, I know that there are a large number of people that were displaced or evicted due to rent increase and/or lack of affordable housing opportunities.

I ask that the commissioners please adopt the policies put forth by Central City United so that Downtown Los Angeles can create more affordable housing so that more families like mine can be safe and continue to live and work in Los Angeles. Downtown is a beautiful place, but it should not prioritize profit over people. I'm fortunate to be able to call Little Tokyo my home and be able to provide a safe space for my children but I can only hope that you as Commissioners can see the beauty and importance of equal opportunity for low-income families because affordable should and good quality of life should be attainable for all.

Sincerely,  
Karla Torres



Resident, Little Tokyo Neighborhood





## Letter regarding today City Planning Commission Meeting

Linda & Howard Becker <lbecker233@gmail.com>  
To: cpc@lacity.org

Thu, Jun 17, 2021 at 10:34 AM

Samantha Millman, President  
Los Angeles City Planning Commission  
[200 North Spring Street](#)  
[Los Angeles, CA 90012](#)

Re: Item 6: CPC-2017-432-CPU; CPC-2014-1582-CA; DTLA 2040 Community Plan Update  
Dear President Millman and Honorable Commissioners,

I am Linda Becker, partner of ASM Property Management, LLC. I was on the LA Fashion District BID Board of Directors for 6 years and the Treasurer of the Board for 4 years. I am deeply concerned about the future of the LA Fashion District BID's ability to keep up with the rapidly changing environment in the Downtown area.

I am writing to echo the comments raised by the Central City Association (CCA) in their June 7th, 2021 letter submitted to the City Planning Commission. The DTLA 2040 plan must be an affirmative plan for robust, transit-oriented growth across all of DTLA to address the impacts of the COVID-19 pandemic, the persistent housing shortage and homelessness crisis, compete for transportation infrastructure funding and fully leverage transit investments.

I support CCA's goals of maximizing opportunities for housing at all income levels, creating flexibility to adapt over the next two decades and depoliticizing DTLA development by setting clear, economically feasible standards. Accordingly, we recommend the following changes to the plan:

- Maximize capacity for growth by aligning the plan with Alternative 3 of the DEIR and expanding Transit Core General Plan land use designation to include all areas close to existing, entitled and future transit.
- Make the Community Benefits System more usable and a better framework for delivering new housing affordable to all income levels by:
  - o Increasing Level 1 bonus of the Community Benefits Program to 55 percent.
  - o Retaining use of TOC Guidelines.
  - o Removing Site Plan Review for projects that comply with a site's allowable zoning.
  - o Allowing affordable units to be a different mix than market rate units by basing affordable unit requirements on total residential floor area instead of total units.
  - o Adding an option for land dedication for affordable housing.
  - o Removing the requirement for bathrooms at parks.
  - o Revising or removing Subarea D from the CPIO.
- Foster DTLA's growth as a complete community with schools and childcare by:
  - o Removing minimum building height requirements (schools are typically standalone, low-rise buildings).
  - o Rezoning industrial areas around existing schools for a mix of uses, including all types of multifamily housing.
  - o Removing the 50-child limit on preschool/daycare uses.
- Ensure that all DTLA neighborhoods, especially near transit, enable financially feasible mixed-income projects with public benefits by:
  - o In the Arts District, removing building height limits and baseline non-residential floor area requirements, increasing base FARs to at least 4.5 and max FARs to at least 6.0, allowing all types of multifamily housing without imposing average unit sizes.
  - o In Chinatown, not downzoning and instead increasing base FARs to match currently allowable FARs and max FARs to what is achievable with TOC today, and removing height limits, hotel CUP requirements and the requirement that 30% of units must be two-bedroom units or larger.
  - o In the Fashion District, increasing base FARs to 6.0 and changing IX2 and IX3 areas to CX2 or CX3 uses.
  - o On Skid Row, adopting the alternative zoning proposal offered on page A-19 of the Staff Report that would allow mixed-income development essentially as inclusionary zoning.
- Clarify the plan's Policy Goals to avoid unintended constraints by amending policy goal LU 2.15 to allow parallel permitting and LU 8.7 and LU 9.5 that comment on business leases, which exceeds the scope of a land use plan.

We believe these changes will further strengthen this forward-looking plan that will serve as the guiding framework for DTLA's growth over the next two decades. Thank you for your consideration.

Sincerely,

6/17/2021

City of Los Angeles Mail - Letter regarding today City Planning Commission Meeting

Linda Becker

Samantha Millman, President  
Los Angeles City Planning Commission  
200 North Spring Street  
Los Angeles, CA 90012

Via email [CPC@lacity.org](mailto:CPC@lacity.org)

**Re: Item 6: CPC-2017-432-CPU; CPC-2014-1582-CA; DTLA 2040 Community Plan Update**

Dear President Millman and Honorable Commissioners,

I am Laurie Sale, of SCS Building Fund, LLC (property owner and Fashion District BID Vice Chair.

We are writing to echo the comments raised by the Central City Association (CCA) in their [June 7<sup>th</sup>, 2021](#) letter submitted to the City Planning Commission. The DTLA 2040 plan must be an affirmative plan for robust, transit-oriented growth across all of DTLA to address the impacts of the COVID-19 pandemic, the persistent housing shortage and homelessness crisis, compete for transportation infrastructure funding and fully leverage transit investments.

We support CCA's goals of maximizing opportunities for housing at all income levels, creating flexibility to adapt over the next two decades and depoliticizing DTLA development by setting clear, economically feasible standards. Accordingly, we recommend the following changes to the plan:

- **Maximize capacity for growth** by aligning the plan with Alternative 3 of the DEIR and expanding Transit Core General Plan land use designation to include all areas close to existing, entitled and future transit.
- **Make the Community Benefits System make more usable and a better framework for delivering new housing affordable to all income levels** by:
  - Increasing Level 1 bonus of the Community Benefits Program to 55 percent.
  - Retaining use of TOC Guidelines.
  - Removing Site Plan Review for projects that comply with a site's allowable zoning.
  - Allowing affordable units to be a different mix than market rate units by basing affordable unit requirements on total residential floor area instead of total units.
  - Adding an option for land dedication for affordable housing.
  - Removing the requirement for bathrooms at parks.
  - Revising or removing Subarea D from the CPIO.
- **Foster DTLA's growth as a complete community with schools and childcare** by:
  - Removing minimum building height requirements (schools are typically standalone, low-rise buildings).
  - Rezoning industrial areas around existing schools for a mix of uses, including all types of multifamily housing.
  - Removing the 50-child limit on preschool/daycare uses.
- **Ensure that all DTLA neighborhoods, especially near transit, enable financially feasible mixed-income projects with public benefits** by:
  - In the Arts District, removing building height limits and baseline non-residential floor area requirements, increasing base FARs to at least 4.5 and max FARs to at least 6.0, allowing all types of multifamily housing without imposing average unit sizes.
  - In Chinatown, not downzoning and instead increasing base FARs to match currently allowable FARs and max FARs to what is achievable with TOC today, and removing

height limits, hotel CUP requirements and the requirement that 30% of units must be two-bedroom units or larger.

- In the Fashion District, increasing base FARs to 6.0 and changing IX2 and IX3 areas to CX2 or CX3 uses.
- On Skid Row, adopting the alternative zoning proposal offered on page A-19 of the Staff Report that would allow mixed-income development essentially as inclusionary zoning.
- **Clarify the plan's Policy Goals to avoid unintended constraints** by amending policy goal LU 2.15 to allow parallel permitting and LU 8.7 and LU 9.5 that comment on business leases, which exceeds the scope of a land use plan.

We believe these changes will further strengthen this forward-looking plan that will serve as the guiding framework for DTLA's growth over the next two decades. Thank you for your consideration.

*Laurie Sale*

*PO Box 552 Pacific Palisades, CA 90272*

*(310)365-5123*



**CITY TOURISM DEPARTMENT**

LOS ANGELES CONVENTION CENTER  
1201 S. FIGUEROA STREET  
LOS ANGELES, CA 90015

(213) 741-1151

June 15, 2021

City Planning Commission  
200 North Spring Street  
Los Angeles, CA 90012

Dear Honorable Commissioners:

**SUBJECT: Item 6 - DTLA 2040 Community Plan**

The Los Angeles City Tourism Department (CTD) works to enhance and increase Los Angeles' prominence as a world-class tourist and convention destination. CTD promotes policies that drive economic development, create jobs, and improve the experience tourists have when visiting the City's unique cultural, sports, entertainment, and leisure attractions. As the Executive Director of CTD, I would like to express the importance of ensuring that the DTLA 2040 Community Plan supports hotel growth in Downtown Los Angeles to accommodate visitors to our city and to the LA Convention Center (LACC).

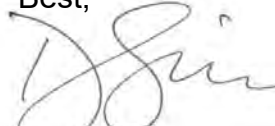
In 2013, the City of Los Angeles set a goal of having 8,000 hotel rooms within walking distance of the LACC. Given that LACC has a shortage of nearby hotel rooms compared with other big convention cities, increasing the supply would make LACC better compete for convention business and help the facility realize its full potential as an economic engine for the region. The City now has 5,264 hotel rooms within walking distance and 1,336 rooms under construction. This total of 6,600 is more than 2.5 times the amount of rooms that existed when the goal was set in 2013. However, we still need to do more to ensure the City hits this goal, especially as we prepare for the expansion and modernization of the LACC which will bring in even more visitors. Hotel development is not only beneficial for making LACC more competitive, but it supports the City's tax base and creates high-paying hospitality careers.

Additionally, CTD recently completed the City's first [Tourism Master Plan](#), which is a destination management plan that analyzes Los Angeles' tourism assets and looks at what infrastructure is required in order to handle the large increase in visitation expected in the upcoming years. The Tourism Master Plan contains many important recommendations to develop and position Los Angeles as a leading tourist destination.

Understandably, the recommendations include identifying and advocating for new hotel development opportunities (Recommendation 4.2) and advocating for the development of new hotels in areas well served by public transit in order to reduce usage of cars by visitors (Recommendation 5.1). Aligning the policies set forth in DTLA 2040 with the strategies set forth in the Tourism Master Plan will help improve the visitor experience as well as quality of life for residents of Los Angeles.

The DTLA 2040 Community Plan will define Downtown's future and impact the types of projects that will be built. In order to stay on track with the City's goal of 8,000 hotel rooms, support the City's Tourism Master Plan, and advance the City as a world-class destination, CTD believes that it is important that DTLA 2040 maximizes opportunities for hotel development, which will create long term benefits for our residents, businesses, and other stakeholders.

Best,

A handwritten signature in black ink, appearing to read "Doane Liu", written over a light gray circular stamp.

Doane Liu  
Executive Director

DL:DL

Exec. Ref. No. 21-086



June 15, 2021

Via email

**RE: DTLA2040 – Downtown Community Plan Update**

Dear President Millman and Honorable Commissioners,

Since 1985, the Central City East Association (CCEA) has represented the stakeholders of a 46-block industrial district in the heart of Downtown Los Angeles. It is the principal advocate for property owners, businesses, service providers, employees, and residents, spanning the area from San Pedro Street to Alameda Street, and 3rd Street to 8th Street/Olympic Blvd. In 1999, CCEA property owners established the Downtown Industrial Business Improvement District (BID) to provide services that benefit the public realm.

CCEA has actively followed the DTLA2040 plan update process and engaged the Los Angeles Department of City Planning in providing input since 2014. We previously submitted to the Commission our organization's formal response document, "Voices of Central City East." That document lays out the broad positions and principles of our stakeholders, including our non-profit partners. Via this letter, we are providing additional feedback to supplement the original comments in our response document.

**We must not create an intentional poverty pocket where segregation by income is the goal**

We cannot support any recommendation that creates a neighborhood of intentional, permanent poverty and that flies in the face of all tenets of good planning and the City's own principles. We believe that any approach that determines residents by income (either affluent or poor) is seriously misguided and fundamentally indefensible. The goal cannot be a policy that perpetuates cycles of entrenched poverty that will not offer its future residents, especially children, opportunities for better life outcomes in health, education, and family prosperity.

Therefore, we strongly oppose the staff recommended approach (Use District IX1) to future housing that applies, partially or wholly, to 28 blocks in the heart of our district. By limiting future residential uses to 100% affordable developments, this approach, ostensibly to expand housing affordability, is essentially segregation by income. We are all too familiar with the consequences of this thinking. We have lived, witnessed, and continue to experience the aftermath of a similar and universally acknowledged failed policy. Instituted in the 1970's, the Policy of Containment is our city's defining planning folly. It has for nearly 50 years served as the planning framework for how our neighborhood is perceived and operates - by deliberately concentrating and confining our region's most vulnerable populations to some 50 blocks in the heart of Downtown. DTLA2040's approach to future housing in our neighborhood reinforces this flawed and anachronistic policy.

We would also like to remind the Commission that in March 2016, the Los Angeles City Council adopted a motion to "formally reverse the policy of containment that has led to over-concentrations of homeless services in certain parts of the City." We ask that DTLA2040 be consistent with Council direction and with the Planning Department's own tenets of neighborhood planning that prioritizes diversity of housing typologies for a diversity of populations, from small to big, owned to rented, affordable to market-rate in making "complete communities."

IX1, as currently written, also appears to be conceptually inconsistent with California's Department of Housing and Community Development (HCD) and Federal Department of Housing and Urban Development (HUD's) guidance for Affirmatively Furthering Fair Housing (AFFH). HUD AFFH guidebook for local governments identifies "replacing segregated living patterns with truly integrated and balanced living patterns" as an overarching goal. While IX1 theoretically prioritizes the production of affordable units, in practice it disadvantages itself (via AFFH inconsistency) to receive future public funding for affordable units.

Further, we urge you to review the City's ongoing Housing Element update, which sets for itself a primary goal to "increase access to opportunities and proactively desegregate the City by planning for more affordable and mixed-income housing in high-resource areas." Central City East, expectedly, is designated as "High Segregation and Poverty," the lowest resource category identified by the HCD.

Finally, by allowing only 100% affordable developments, the goals of IX1 are self-defeating. By precluding market-rate, mixed-income units, the resulting absence of the cross-subsidization makes developments less feasible and more reliant on highly competitive public subsidies. The experience of Jordan Downs in the Watts neighborhood has some lessons to share. The City of Los Angeles was awarded \$30 million to transform Jordan Downs because it committed to decentralizing poverty with high-quality mixed-income housing that is well-managed and responsive to the needs of the surrounding neighborhood. IX1 appears to be doing the exact opposite.

#### **We support an alternative approach to IX1, but not as currently drafted**

We appreciate the inclusion of an alternative option for IX1 provided in the staff report (pp. A-18 and A-19). The stated goal of this alternative is to facilitate mixed-income housing in our district. We endorse this thinking. However, the suggested base FAR of 1.5 will prevent any future development. Downtown's real estate economics will not accommodate enough units at base FAR to make it economically feasible. And our district's constrained lot sizes will disallow any inclusion of on-site community benefits to make use of bonus FAR. The typical parcel in our district is 30 feet by 110 feet and is individually owned. The proposed development regulations disregard the feasibility of future developments on individual lots and will necessitate lot assemblage for any future development. Given our lot constraints, proposed Tier 2 community benefits will never be feasible on site and make almost all redevelopment projects financially infeasible.

We ask that the alternative approach to IX1 set a base FAR for 3, which is consistent with the adjacent districts, and we ask that regulations for small lots allow flexibility so that they too can make use of future development potential.

#### **Live/work requirements in IX4 are too onerous**

The development standards for live/work units in the IX4 Use District (applicable to parcels along Alameda St within our district) are unrealistic and infeasible. A minimum average size of 1,000 square feet per unit as well as a requirement of 50% workspace area does not match market realities and will hinder the development of housing on these blocks. We ask that the minimum average size be set at 750 square feet with 150 square feet of minimum workspace area.

#### **Streets should have similar development policies on both sides**

Development potential on both sides of streets should be consistent in use and scale. Within our district, this is especially applicable to Central Avenue. It is a major Downtown corridor, and we ask that it be allowed matching scale and intensity on its east and west edges.

We thank you for your consideration of our input and look forward to continuing to work with the City on improving the draft DTLA2040 plan.

Sincerely,



Estela Lopez, Executive Director  
Central City East Association & Downtown Industrial BID





June 17, 2021

Samantha Millman, President  
Los Angeles City Planning Commission  
200 North Spring Street  
Los Angeles, CA 90012

**Re: Item 6: CPC-2017-432-CPU; CPC-2014-1582-CA; DTLA 2040 Community Plan Update**

Dear President Millman and Honorable Commissioners,

We are writing to echo the comments raised by the Central City Association (CCA) in their June 7, 2021 letter submitted to the City Planning Commission. We support CCA's goals of maximizing opportunities for housing at all income levels, creating flexibility to adapt over the next two decades.

The LA Fashion District Business Improvement District (BID) is a private, non-profit corporation created and maintained by local property owners. We serve the community of businesses, employees, residents and visitors. We serve a 107-block area generally between 7<sup>th</sup> Street to the north and the Santa Monica 10 Freeway to the south, and from Broadway to the west and Paloma Street to the east.

We believe the updated zoning approach for the Fashion District is an improvement from what exists today but still needs more flexibility for capacity and land use to meet current and future needs.

- We are concerned that Base FARs in the eastern areas of the Fashion District have been reduced in the current draft to 3.0.
- This reduction is economically unworkable and has created significant gaps between base and bonus FARs in some areas, where bonus FARs are as high as 8.0, 10.0 and 13.0.
- To support project economic feasibility, growth, and maximum public benefits, we recommend increasing the base FAR to 6.0.
- There are also seemingly arbitrary limitations proposed such as requiring a minimum of 1 FAR of non-retail commercial space in the central portion and limiting residential to adaptive reuse in the eastern portion.
- We recommend changing the IX2 and IX3 areas of the Fashion District to CX2 or CX3, which will allow the Fashion District to evolve into a mixed-use neighborhood anchored



by needed residential growth and connect to Ninth Street Elementary, enhancing access to educational facilities, which is a key need in DTLA.

- The Councilmember notes in his comment letter a desire to protect and preserve industrial zoning in the eastern part of Downtown as a strategy for growing jobs. We are very concerned with this approach because the industrial sector is dramatically changing in Los Angeles and California and keeping strict industrial zoning in place and hoping there will be new factories is just not feasible. We need have flexibility to support local businesses so they can adapt to market trends and grow their businesses. There needs to be a blending of industrial, retail, research and development, office, and mixed-use development. The blended approach will allow property and business owners to grow good, local working-class jobs while also creating a dynamic and complete neighborhood!
- Lastly, we agree with Councilmember Kevin de León's call for more housing in Downtown and recommend that the overall capacity for the Fashion District, and throughout Downtown, should be greater. We encourage the City to utilize Alternative 3 of the EIR as the preferred plan going forward. This will help transform Downtown into a neighborhood where local workers can also afford to live.

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Rena Leddy".

Rena Leddy  
Executive Director



June 16, 2021

Samantha Millman, President  
Los Angeles City Planning Commission  
200 North Spring Street  
Los Angeles, CA 90012

**Re: *Item 6: CPC-2017-432-CPU; CPC-2014-1582-CA; DTLA 2040 Community Plan Update***

Dear President Millman and Honorable Commissioners,

LAACO, Ltd. is the owner of the Los Angeles Athletic Club Building at 7<sup>th</sup> & Olive Street in DTLA.

We are writing to echo the comments raised by the Central City Association (CCA) in their [June 7<sup>th</sup>, 2021](#) letter submitted to the City Planning Commission: the DTLA 2040 plan must be an affirmative plan for robust, transit-oriented growth across all of DTLA to address the impacts of the COVID-19 pandemic, the persistent housing shortage and homelessness crisis, compete for transportation infrastructure funding and fully leverage transit investments.

We particularly endorse the goal of creating flexibility to adapt over the next two decades and depoliticizing DTLA development by setting clear, economically feasible standards.

CCA has done a great job of listing important and urgent changes to the draft Plan and we urge you to adopt them.

Respectfully,

Karen L. Hathaway  
*Signed electronically*

# Los Angeles Catholic Worker

## Hospitality Soup Kitchen & Free Clinic

Los Angeles City Planning Commission  
200 N. Spring Street  
Los Angeles, CA 90012  
Delivered via electronic mail.

June 16, 2021

RE: CPC-2017-432-CPU – Downtown LA Community Plan

Dear Honorable Commissioners,

The Los Angeles Catholic Worker has served the Skid Row community for over 50 years. That experience has shown us just how significant zoning (and the accompanying policy) changes can be to the life of L.A.'s most marginalized residents. In that vein, we are pleased to offer the following comments and policy recommendations to the Downtown LA Community Plan update.

As this draft plan, zoning code, and corresponding ordinances have evolved, it has been hopeful to see the expansion of specifics that are directly responsive to the needs and priorities of low-income downtown residents. We appreciate the Planning Department for their engagement with and thoughtful consideration of many community-centered policy recommendations, and we urge the Commission to expand on the newly added equity provisions in the following ways:

1. Expand the IX1 zone to all of Skid Row to ensure the creation and preservation of affordable and supportive housing throughout the entire existing, historic, legal Skid Row neighborhood to prevent the displacement of long-time community members.
2. Increase public gathering spaces, including parks with restrooms, hygiene stations, water fountains, cooling stations, and shade. Additionally, more trees and green spaces are needed within the IX1 zone and beyond.
3. Replace the TFAR program with a Community Benefits Fund, and amend the Oversight Committee requirements to include residents with lived experience.
4. Eliminate in-lieu fee and off-site options to prioritize on-site affordable housing.
5. Remove competing incentives for Moderate and Above-Moderate units in order to maximize the creation of deeply affordable housing.
6. Require on-site affordable housing in the Downtown Adaptive Reuse Program, consistent with the Citywide Adaptive Reuse Program.
7. Incorporate stronger affordable housing preservation and anti-displacement measures.
8. Strengthen standards for hotel development review.
9. Adopt the Draft Plan's important protections and opportunities for community-serving

# Los Angeles Catholic Worker

## Hospitality Soup Kitchen & Free Clinic

small businesses, and amend the Small Legacy Business definition to include a 50 FTE threshold.

10. Adopt the Draft Plan's important policies and programs to advance equitable access to parks and open space.

Each day more and more Angelenos find themselves slipping into that risky zone where their housing security gets more and more precarious. If time has shown anything, it is that the private development market will never prioritize the housing and service needs of this ever-expanding community of L.A. residents. The city must put guardrails in place to ensure that none of today or tomorrow's vulnerable community slips through the cracks. We are hopeful about the DTLA 2040 Community Benefits Program, but without an IX1 affordable housing only zone (and accompanying regulations and code), we don't think this is enough to adequately support the Angelenos in need.

That said, we greatly appreciate the focus in the current plan draft on holistic improvements for Skid Row, as well as Downtown Los Angeles, that prioritize safe, welcoming, and inclusive design to make a livable community for all current residents and workers in Downtown. This includes a mix of uses and investments in Skid Row including:

- local business contracting and training for jobs, entrepreneurs and other neighborhood work opportunities
- healthy food retail including support of street vendors and other small businesses
- street infrastructure that prioritizes well-walked corridors and connectivity
- public health services that are supportive to the range of current residents and workers
- community arts that make space for the wide array of neighborhood artists who can celebrate and memorialize Skid Row history and culture

This is a moment that will define Los Angeles and us for years to come. We have been through a pandemic, a global reckoning with systemic racism, and now have the chance to chart a path forward that sets everyone up for success. Thank you for making sure that those historically discarded will not be forgotten in the new Los Angeles.

Sincerely,

Matt Harper  
Associate Director  
Los Angeles Catholic Worker

CC: Councilman Kevin de Leon; Vince Bertoni

**632 N. BRITANIA STREET, LOS ANGELES, CALIFORNIA 90033 / (323) 267-8789**



Artwork of Catherine Morris and Jeff Dietrich in Gladys Park, celebrating each of their 50+ years working on Skid Row.



Some of the Catholic Workers after a kitchen serving day 2018.

FIRM / AFFILIATE OFFICES

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June 15, 2021

**VIA EMAIL (cpc@lacity.org)**

City Planning Commission  
200 N. Spring Street  
Los Angeles, CA 90012

Re: Los Angeles Aerial Rapid Transit Connecting Union Station and Dodger Stadium: Additional Comments on DTLA 2040 Community Plan Update (CPC-2017-432-CPU, CPC-2014-1582-CA)

Dear Honorable President Millman and Commissioners:

We write to you on behalf of our client, Aerial Rapid Transit Technologies LLC (“ARTT”) in connection with the proposed aerial rapid transit gondola system connecting Union Station and Dodger Stadium (the “Project” or “LA ART”). On June 7, 2021, we submitted a letter requesting that the Draft Plan expand transit uses within the Plan Area and adopt an “Aerial Rapid Transit” use to allow for all components of aerial rapid transit gondola systems like LA ART. This letter provides additional comments on the June 2021 City Planning Commission DTLA 2040 Draft Community Plan (“June 2021 Draft Plan”).

The June 2021 Draft Plan added Subarea D of the CPIO, designating it as a “Historic Preservation Subarea” that would apply to Chinatown, the Arts District, Historic Core, and Little Tokyo. While the CPIO contends that Subarea D applies to “neighborhoods that have an abundance of historically and architecturally significant buildings[,]” none of the areas within Subarea D are within Historic Preservation Overlay Zones and there are very few nominated or designated structures located within this area outside of the Historic Core.

Based on the current CPIO Subarea D Boundary Map (Figure 1-4) in the June 2021 Draft Plan’s CPIO, it appears a portion of LA ART’s cables would fly over Subarea D, and we are concerned that Subarea D may be extended to prohibit or impose additional requirements on this much needed, zero-emission rapid transit project. Indeed, Subarea D broadly defines what constitutes a project requiring CPIO review and Office of Historic Resources review, and may have the unintended consequence of capturing projects that the June 2021 Draft Plan would otherwise hope to incentivize. Subarea D adds unwanted regulatory burdens for both applicants and the City Planning Department, providing an additional layer of unnecessary review.

We request that the City clarify that transit projects or projects located within the public right-of-way in Subarea D, such as LA ART, are not subject to the requirements of Subarea D. Specifically, the City should include the following language in the definition of “Project” for CPIO Subarea D, on page 9 of the Draft Plan’s CPIO:

Within Subarea D, a “Project” shall not include activities related to the construction and operation of transit uses, including aerial rapid transit, or to activities within the public right-of-way.

Ultimately, the June 2021 Draft Plan should not be adding additional impediments to transit uses such as Subarea D, which creates unnecessary and redundant hurdles for non-historic sites that add administrative times and costs to both applicants and the City. Doing so conflicts with the Draft Plan’s stated goals of incentivizing housing near transit.

### **Conclusion**

We thank you for your time and attention to this matter, please do not hesitate to contact me should you have any questions.

Very truly yours,



Beth Gordie  
of LATHAM & WATKINS LLP

cc: Craig Weber, Principal City Planner  
Valerie Watson, Senior City Planner  
Brittany Arceneaux, City Planner, Project Manager  
Clare Kelley, City Planner  
Erick Lopez, City Planner  
Erin Coleman, City Planner  
Aerial Rapid Transit Technologies LLC  
Cindy Starrett, Latham & Watkins  
Samantha Seikkula, Latham & Watkins



June 16, 2021

Samantha Millman, President  
Los Angeles City Planning Commission  
200 North Spring Street  
Los Angeles, CA 90012

**Re: Item 6: CPC-2017-432-CPU; CPC-2014-1582-CA; DTLA 2040 Community Plan Update**

Dear President Millman and Honorable Commissioners,

My name is Ricardo Mendoza, and I currently serve as the Vice President at Lee Andrews Group, a Public Affairs Firm, serving public agencies like Metro, the City of Los Angeles, Los Angeles Unified School District, Los Angeles County, private and non-profit developers. I have also been a lifelong Angeleno that has worked for the City of Los Angeles and has seen the expansive growth of Downtown Los Angeles during the last two decades.

I am writing to echo the comments raised by the Central City Association (CCA) in their [June 7<sup>th</sup>, 2021](#) letter submitted to the City Planning Commission. The DTLA 2040 plan must be an affirmative plan for robust, transit-oriented growth across all of DTLA to address the impacts of the COVID-19 pandemic, the persistent housing shortage and homelessness crisis, compete for transportation infrastructure funding and fully leverage transit investments.

I support CCA's goals of maximizing opportunities for housing at all income levels, creating flexibility to adapt over the next two decades and depoliticizing DTLA development by setting clear, economically feasible standards. Accordingly, we recommend the following changes to the plan:

- **Maximize capacity for growth** by aligning the plan with Alternative 3 of the DEIR and expanding Transit Core General Plan land use designation to include all areas close to existing, entitled and future transit.
- **Make the Community Benefits System make more usable and a better framework for delivering new housing affordable to all income levels** by:
  - Increasing Level 1 bonus of the Community Benefits Program to 55 percent.
  - Retaining use of TOC Guidelines.
  - Removing Site Plan Review for projects that comply with a site's allowable zoning.
  - Allowing affordable units to be a different mix than market rate units by basing affordable unit requirements on total residential floor area instead of total units.
  - Adding an option for land dedication for affordable housing.
  - Removing the requirement for bathrooms at parks.
  - Revising or removing Subarea D from the CPIO.
- **Foster DTLA's growth as a complete community with schools and childcare** by:
  - Removing minimum building height requirements (schools are typically standalone, low-rise buildings).
  - Rezoning industrial areas around existing schools for a mix of uses, including all types of multifamily housing.

- Removing the 50-child limit on preschool/daycare uses.
- **Ensure that all DTLA neighborhoods, especially near transit, enable financially feasible mixed-income projects with public benefits** by:
  - In the Arts District, removing building height limits and baseline non-residential floor area requirements, increasing base FARs to at least 4.5 and max FARs to at least 6.0, allowing all types of multifamily housing without imposing average unit sizes.
  - In Chinatown, not downzoning and instead increasing base FARs to match currently allowable FARs and max FARs to what is achievable with TOC today, and removing height limits, hotel CUP requirements and the requirement that 30% of units must be two-bedroom units or larger.
  - In the Fashion District, increasing base FARs to 6.0 and changing IX2 and IX3 areas to CX2 or CX3 uses.
  - On Skid Row, adopting the alternative zoning proposal offered on page A-19 of the Staff Report that would allow mixed-income development essentially as inclusionary zoning.
- **Clarify the plan's Policy Goals to avoid unintended constraints** by amending policy goal LU 2.15 to allow parallel permitting and LU 8.7 and LU 9.5 that comment on business leases, which exceeds the scope of a land use plan.

I believe these changes will further strengthen this forward-looking plan that will serve as the guiding framework for DTLA's growth over the next two decades. Thank you for your consideration.

Sincerely,

*Ricardo Mendoza*

Ricardo Mendoza  
Vice President  
Lee Andrews Group  
700 S. Flower St. Suite 1275,  
Los Angeles, CA 90017



June 15, 2021

**VIA EMAIL**

Samantha Millman, President  
Honorable Commissioners  
Los Angeles City Planning Commission  
200 North Spring Street  
Los Angeles, CA 90012-2601

**Re: Draft DTLA 2040 Plan Update - Comments**

Dear President Millman and Honorable Commissioners,

Thank you for the opportunity to comment on the latest update to the Downtown LA Community Plan. Linc Housing is a statewide nonprofit builder of affordable housing and a longtime partner in the City's effort to address our housing crisis, creating rental communities for low-income families, seniors, and special needs populations, including people who've experienced homelessness. In Los Angeles, we have built 570 apartment homes, with 300+ in the pipeline.

The DTLA 2040 Community Plan update is an opportunity to ensure a sustainable future for Downtown, which must include the realization of its vision for safe and affordable housing at all income levels. While the development of affordable housing and transit-oriented communities is a stated priority in the Policies and Goals of the Plan, **some of the June 2021 proposals continued from the December 2020 version will work against providing housing affordability at all levels and increase the cost of building affordable housing.** As an example, there are suggestions for the Arts District that would limit the ability to fully provide necessary housing, including:

- Requiring average minimum unit sizes.
- Requiring live/work floor layouts.
- Imposing FAR limits and height limits to areas that formerly had unlimited height.
- Relying upon a nexus study for public benefits that was undertaken prior to Covid-19 market realities.

The City of Los Angeles is one of the nation's most unaffordable housing markets, its housing shortage a result of exclusionary zoning, systemic racism, and longstanding constraints on denser housing production, combined with a lack of sufficient funding for affordable housing production and preservation. High rents and a lack of housing opportunities have led to alarming financial pressures on families, increased homelessness, displacement of historically disadvantaged communities, additional commute time creating more pollution,



and reduced access to economic and educational opportunity. Many of these challenges are now further exacerbated by the Covid-19 crisis.

**We ask for the following changes to the current draft of the DTLA 2040 Plan, so as to ensure critical housing needs are met over the next 20 years:**

- Adopt alternative 3 in the Draft Environmental Impact Report (DEIR) to allow for the greatest housing growth.
- Expand Transit Core General Plan land use designation to include all areas close to existing, entitled and future transit to maximize transit-oriented housing development opportunities.
- Allow affordable units to be a different mix than market rate units by basing affordable unit requirements on total residential floor area, which would provide more opportunities to create more total affordable units or accommodate more family affordable units.
- Remove minimum building height requirements.
- Do not include areas zoned exclusively for industrial uses, and instead provide more flexible zoning for these areas to allow them to gradually convert to other uses, including housing, over the long term.

A Downtown Community Plan update that incorporates these policies will be a plan for All, true to its vision of advancing the common goals of housing affordability, socioeconomic equity, economic prosperity, and environmental sustainability. Thank you for your consideration and your efforts on this important endeavor.

Sincerely,

A handwritten signature in black ink that reads "Rebecca Clark".

Rebecca Clark  
CEO  
Linc Housing

June 16, 2021

Dear Commissioners,

My name is Maria Vargas. I am a resident of the Casa Heiwa apartments in Little Tokyo, where I have lived for over 20 years.

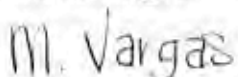
It's important to me that the City Commission makes affordable housing a priority in Downtown moving forward because in the last 5 to 10 years we have seen a lot of market-rate buildings constructed in the community. This has impacted the community in a negative manner because we have seen so many small businesses closing their doors because they cannot afford the rent and then prices for everything continue to rise creating a financial burden for low-income families that have lived here for many years and live on a paycheck-to-paycheck.

I personally have benefited from affordable housing. Affordable housing has helped provide me and my family a home where we feel safe in a community that we fell in love with. My daughter only knows Little Tokyo as her home, and she has benefited from the different programs and services offered within the apartment we live in and engagement opportunities in the community.

I want my affordable housing to be protected from being demolished, I want to be protected from being moved out of my affordable housing due to construction because my family would not have anywhere else to go and I honestly do not think I could afford the rent prices that for profit owners are asking for. Living in affordable housing helped me over the years to ensure that I was present for my daughter to support her in her academic needs but also in her pursuit for a higher education. As a single mother I always worried that I may not be enough or make enough money to support her and I am truly grateful for the opportunity to live in affordable housing at Casa Heiwa because I always felt supported and happy to be able to call this place my home.

I ask that the commissioners please adopt the policies put forth by Central City United so that Downtown Los Angeles can create more affordable housing so that more families like mine can be safe and continue to live and work in Los Angeles.

Sincerely,  
Maria Vargas



Resident, Little Tokyo Neighborhood



## Comments regards Downtown Community Plan and Program Area package

1 message

**MAK** <munsonak@aol.com>

Tue, Jun 15, 2021 at 10:25 AM

Reply-To: MAK <munsonak@aol.com>

To: "cpc@lacity.org" <cpc@lacity.org>

June 14, 2021

Chairperson Samantha Millman  
 Los Angeles City Planning Commission  
[200 N. Spring Street, Suite 525](#)  
[Los Angeles, CA. 90012](#)

Re: CPC-2017-432-CPU and CPC-2014-1582-CA

Dear Chairperson Millman:

The Spring 2021 version of the Downtown Community Plan is a well-constructed and carefully considered document set. I must express appreciation for particularly the effort of the Community Plan team. My particular interest as a citizen of the City and as a community volunteer is in unique small neighborhoods of historical and cultural significance, namely Los Angeles Chinatown and even special places such as El Pueblo and Little Tokyo and so on. If I were to quantify the success of this document set in meeting the issues and needs of these enclaves in addressing their future and their sustainability while conserving the major aspects of their uniqueness in heritage and culture, I would assess 85-90%. Yet there are a couple of issues yet to be noted from my view, mainly in land use zoning and in linkages between areas.

1. I commend the thoroughness in defining the Objectives, specifically thoughtful growth, sustainable community, affordable residential base, and conservation (you use "preservation") of social, cultural, and historic identity. Then consistently applying these objectives as themes to state goals throughout the chapters.
2. 1. The Community Plan team's effort to canvass industriously for community input in the neighborhoods is also appreciated and community views and issues are captured in the statement of goals, sufficiently to guide future users.
3. 2. Besides the lead document, "Downtown Community Plan," among the important documents of the Project Package of interest to us is the Community Plan Implementation Overlay, which summarizes relevant important community elements which I support, notably CPIO Subarea A, Community benefits that provide development options including affordable housing from 100% to lowest income, Subarea D, historic resources covering the key Chinatown commercial Village areas and a bit more, and CPIO Appendix D, Best practices suggesting form, façade and structure specifically for Chinatown. On the matter of Adaptive Reuse, proposal that buildings as recent as only 25 years old may be eligible if in the Subarea D overlay zone is positive for many important Chinatown assets, since many owners remain reluctant to file for historic landmark status.
4. 3. The new apparently flexible five-part designation in the new Zoning Code for each lot can be endorsed as a possible improvement, once the system is learned, but only usage with time will determine efficiency. I will indicate only that it doesn't seem to take as much time to learn.
5. 4. Unfortunately, one cannot praise the team efforts of the New Zoning project in terms of getting adequate insight and input from community. Particularly in Chinatown, the Zoning team seems to have missed concern about FAR "downzoning" from that of the current code for the commercial cultural village areas. The Zoning team has proposed downzoning to base FAR = 2, declared to inhibit developers from avoiding affordable housing and accelerating displacement through the "by right" clauses of the current code. In trying to correct one inequity, the team may be creating another, by removing current value suddenly without apparent remediation for long time, or legacy, small property owners, which is representative of many Chinatown family ownerships. The community consensus seems to be less downzoning and height lowering in the Village zones, or more flexible options toward achieving Subarea A Community Benefits. The Community Plan text itself, it seems Village base max FARs would not be lower than 3 [Ch. 1, p. 14].

6. 5. There would be added value for a section, perhaps somewhere in Chapter 2, Downtown Places, some notice on connections or linkages between neighborhoods with different kinds of land use. For example, right now Chinatown is proposed Village and Community Center land use zones, but really also historically, ethnically, and by common interests have relationships and geography with El Pueblo, Union Station, State Historic Park, the CASP area, and even Little Tokyo. Chinatown historically has had several locations in Los Angeles, at least four of them in Downtown. An obvious tie-in is Downtown tourism. Downtown is unique that many adjacent neighborhoods have interactions with its neighbors in terms of community.

Thanks for your attention,  
Sincerely yours,  
Munson A. Kwok  
[415 Bamboo Lane](#)  
[Los Angeles, CA. 90012](#)

# OMGIVNING

Dear President Millman and Honorable Commissioners,

We are a Los Angeles Architecture firm dedicated to the revitalization of Downtown Los Angeles (DTLA) through the reuse of existing and historic buildings. We have touched over 400 existing buildings in and around DTLA in the last 10 years. We've witnessed the strength of City directives to help transform our city and have been highly involved in policy reform such as the Bringing Back Broadway Initiative, LADBS's Broadway Historic Commercial Reuse Bulletin, Non-ductile Concrete ordinance, and our Founder, Karin Liljegren, was involved in the 1999 Adaptive Reuse Ordinance. We are excited by the prospect of the DTLA 2040 document to again bring positive change. We have been analyzing and following revisions in the general DTLA 2040 plan for the past few years. In particular, we focused on Adaptive Reuse under Article 9, working with Los Angeles City Planning (LACP) for the past year. **We compared the new Adaptive Reuse incentives in the DTLA 2040 plan with the current Adaptive Reuse Ordinance and applied the new incentives to nine case study buildings.** LACP has been highly engaged in answering our questions and clarifying the language, and we are very appreciative of their time and efforts. Below we identified our comments for both Article 9 as it pertains to Adaptive Reuse. While this document is highly transformative, we do not feel that it goes far enough. **The cost of renovating and retrofitting old buildings has doubled in the last 20 years** due to new codes, strict interpretations of existing codes and general construction cost escalations. As codes are scheduled to be amended every three years, we foresee the costs escalating further. Despite the increased challenges, we believe that **retaining and reusing existing buildings is the key to carbon reduction in our city**, and will play a critical part in the Mayor's 'Decade of Action' plan. These buildings need all the help that they can get to **offset the high costs** and ensure they remain. **Incentives such as allowing existing floor area which exceeds the maximum FAR and not counting additional floor area created within an existing building towards the max floor area limit for the lot are a perfect solution.** In light of what we have all learned from our current health crisis, social injustice crisis and climate crisis, **we need as much flexibility and adaptability in our codes as possible.**

## Section 9.4.5.D.1.e - Adaptive Reuse Unified Development

### **We recommend:**

- 1) To apply floor area incentives to all existing buildings rather than distinguishing between historic and non-historic adaptive reuse projects.**
  - 2) A recalibrated tiered approach to allow an increase in the floor area credits.**
  - 3) Flexibility built into the incentive to address the needs of small unified development sites without penalizing large unified development sites.**
1. The 2040 Plan provides an additional incentive for historic projects as part of a unified adaptive reuse project, however we think all existing buildings over 25 years old from the current date should become eligible for this incentive. Although they may not qualify as historic, existing buildings are also important cultural pieces that contribute to the character of a neighborhood or the city at large. We have learned through our research that "background buildings" are at the greatest threat of being demolished. Currently CEQA doesn't allow for their protection, and that a Developer wishing to unlock a site's maximum developmental potential will likely demolish these "background buildings." We have seen evidence of this throughout the Arts District in the recent past. While not every existing building deserves to be saved, we would encourage that thoughtful analysis be performed prior to the demolition of the mentioned background buildings. We believe that the Unified Development tool, if written and calibrated correctly, will encourage such an analysis..
  2. This incentive should exclude total floor area for unified adaptive reuse projects up to a maximum of 1.5 FAR for all existing buildings over 25 years old and a maximum of 2.0 FAR for historic projects. This incentive should be tiered as well to allow a maximum 50,000 square feet of bonus FAR for all existing buildings over 25 years old and a maximum 65,000 square feet of bonus FAR for historic projects. The increase in the floor area credits for



# OMGIVNING

Historic Buildings (tiered approach) is necessary as historic buildings will likely be limited with the other incentives in the AR section of the code. Historic Buildings are subject to sight line studies to ensure new additions are set back from the buildings exterior walls. A general rule of thumb is that they are set back by one column bay from the building exterior wall. Intermediate and mezzanine floors are generally limited to this rule of thumb of one column bay too, or are generally not allowed at all, due to existing character defining features.

3. We have discovered through performing a series of case studies that while this incentive that is currently written in the latest DRAFT Plan works well for the taller existing properties on larger sites, it is not as effective for smaller sites with shorter buildings. For this reason, we would also recommend keeping the newly proposed flat square footage option available to allow for flexibility in how this incentive may be utilized, with the suggestion that the incentive be structured as a bonus rather than an allowable exemption. Please see [here](#) for a series of case studies we have performed on several existing properties in DTLA that analyze this incentive in practice.

## Section 9.3.5 - Transfer of Development Rights Program

- We recommend expanding the Transfer of Development Rights (TDR) program beyond the Arts District by removing the limitation to Subarea A.2 in the CPIO. The majority of historic projects in DTLA are outside of the Arts District. Historic properties often face much more difficult, costly and lengthy retrofits than non-historic/newer properties. It is our feeling that the requirements for a director determination and approved preservation plan in order to utilize this incentive will provide ample control measures for projects seeking additional FAR using this tool. Expanding the TDR program to include more historic buildings will provide much needed financial tools to ensure they are preserved, rehabilitated or reused..

## Section 9.4.6 - Adaptive Reuse - City Wide By Right

- **We strongly encourage a citywide AR policy which allows “by-right” development** such as Article 9. One scenario is an update to the 1999 Adaptive Reuse Ordinance through a targeted code amendment in order to adopt the adaptive reuse incentives from the DTLA 2040 plan before the creation and implementation of the full community plan. Otherwise, we anticipate citywide adaptive reuse projects will stall until the community plan is enacted due to the high holding costs associated with ownership and maintenance of a building prior to its development. The urgency of developing new residential units has never been more dire, as pointed out in our housing element letter found [here](#). While AR city wide is one of the quickest ways to get new housing units online, the current DRAFT plan states minimal affordable unit requirements. While Omgivning believes in affordable housing units, we also believe in affordability by design. Reducing the lengthy entitlement process is one tool for successful affordability by design. **We recommend that a financial feasibility study be performed before establishing minimally affordable housing unit requirements.** While such a study will take time and financial resources. We recommend that a mechanism to allow for city wide AR by right be rolled out immediately, with no affordable housing requirements, while at the same time allowing for the affordability housing financial analysis to be performed. We fear that nothing could be worse for AR city wide and the housing crisis, than mandating minimal affordable housing unit requirements, which makes the AR housing conversion financially infeasible.

We commend the efforts of Planning staff and look forward to a fruitful collaboration.

Sincerely,



Karin Liljegren, FAIA,  
Omgivning Architecture and Interiors  
Principal and Founder



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## Public Comment for CPC6-17-21 Special Meeting

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**Phyllis Chiu** <pchiu1@yahoo.com>  
To: cpc@lacity.org

Wed, Jun 16, 2021 at 10:24 PM

Los Angeles City Planning Commission  
200 N. Spring St.  
Los Angeles, CA 90012

June 16, 2021

As a stakeholder in the Chinatown community, I am submitting this public comment on the DTLA 2040 Community Plan in advance of the Public Hearing on June 17, 2021.

Chinatown is one of the special neighborhoods that adds to the rich fabric of downtown Los Angeles. It is also a community that has been displaced several times in the development of the city, and is presently vulnerable. In considering any plan that will govern the future development of downtown, we must place foremost the preservation of this historic cultural neighborhood, not just as a "museum," but as a vibrant place where immigrants continue to live, work, and thrive. We must stop displacement that is occurring now or the community will disappear.

Chinatown is in critical need of affordable housing. Residents have one of the lowest AMIs in the entire city. I support the DTLA plan to downzone from 6.0 to 2.0 FAR to promote affordable housing development in Chinatown. Some property owners and developers disagree, but the type of development they want to be free to pursue will lead to more boxy structures like Jia Apartments, out of character and scale with the rest of the area's historical buildings, and completely unaffordable to community members. We need to strengthen affordable housing incentives for deeply affordable units, not reduce them.

The city should also protect and preserve existing affordable units by requiring one to one replacement of units, and anti-displacement measures such as right of return for tenants.

I support the Planning Department's Village designation and hope that this vision will lead to a truly livable neighborhood with amenities such as affordable and culturally relevant markets and small businesses, access to transportation and health care, pedestrian friendly streets, and refreshing green space.

In summary, I ask the Commission to approve the Base and Bonus FARs as proposed by the Planning Department for Chinatown, in order to preserve a part of the legacy of Los Angeles, which is home to immigrants who have contributed to the economic vitality of the city.

Thank you for carefully considering the needs of the community.

Yours truly,  
Phyllis Chiu  
[pchiu1@yahoo.com](mailto:pchiu1@yahoo.com)  
323-482-0788

Samantha Millman, President  
Los Angeles City Planning Commission  
200 North Spring Street  
Los Angeles, CA 90012

**Re: Item 6: CPC-2017-432-CPU; CPC-2014-1582-CA; DTLA 2040 Community Plan Update**

Dear President Millman and Honorable Commissioners,

I am Paul De Martini, Senior Managing Director, Tishman Speyer. We own 2159 Bay Street in the Arts District.

We are writing to echo the comments raised by the Central City Association (CCA) in their [June 7<sup>th</sup>, 2021](#) letter submitted to the City Planning Commission. The DTLA 2040 plan must be an affirmative plan for robust, transit-oriented growth across all of DTLA to address the impacts of the COVID-19 pandemic, the persistent housing shortage and homelessness crisis, compete for transportation infrastructure funding and fully leverage transit investments.

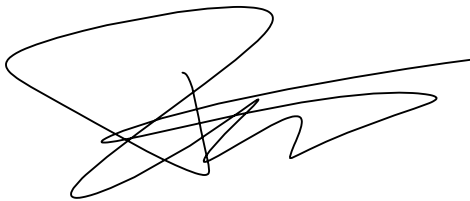
We support CCA's goals of maximizing opportunities for housing at all income levels, creating flexibility to adapt over the next two decades and depoliticizing DTLA development by setting clear, economically feasible standards. Accordingly, we recommend the following changes to the plan:

- **Maximize capacity for growth** by aligning the plan with Alternative 3 of the DEIR and expanding Transit Core General Plan land use designation to include all areas close to existing, entitled and future transit.
- **Make the Community Benefits System make more usable and a better framework for delivering new housing affordable to all income levels** by:
  - Increasing Level 1 bonus of the Community Benefits Program to 55 percent.
  - Retaining use of TOC Guidelines.
  - Removing Site Plan Review for projects that comply with a site's allowable zoning.
  - Allowing affordable units to be a different mix than market rate units by basing affordable unit requirements on total residential floor area instead of total units.
  - Adding an option for land dedication for affordable housing.
  - Removing the requirement for bathrooms at parks.
  - Revising or removing Subarea D from the CPIO.
- **Foster DTLA's growth as a complete community with schools and childcare** by:
  - Removing minimum building height requirements (schools are typically standalone, low-rise buildings).
  - Rezoning industrial areas around existing schools for a mix of uses, including all types of multifamily housing.
  - Removing the 50-child limit on preschool/daycare uses.
- **Ensure that all DTLA neighborhoods, especially near transit, enable financially feasible mixed-income projects with public benefits** by:
  - In the Arts District, removing building height limits and baseline non-residential floor area requirements, increasing base FARs to at least 4.5 and max FARs to at least 6.0, allowing all types of multifamily housing without imposing average unit sizes.
  - In Chinatown, not downzoning and instead increasing base FARs to match currently allowable FARs and max FARs to what is achievable with TOC today, and removing

height limits, hotel CUP requirements and the requirement that 30% of units must be two-bedroom units or larger.

- In the Fashion District, increasing base FARs to 6.0 and changing IX2 and IX3 areas to CX2 or CX3 uses.
- On Skid Row, adopting the alternative zoning proposal offered on page A-19 of the Staff Report that would allow mixed-income development essentially as inclusionary zoning.
- **Clarify the plan's Policy Goals to avoid unintended constraints** by amending policy goal LU 2.15 to allow parallel permitting and LU 8.7 and LU 9.5 that comment on business leases, which exceeds the scope of a land use plan.

We believe these changes will further strengthen this forward-looking plan that will serve as the guiding framework for DTLA's growth over the next two decades. Thank you for your consideration.

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

# paRa los niños for the childRen

June 14, 2021

Samantha Millman, President  
Los Angeles City Planning Commission  
200 North Spring Street  
Los Angeles, CA 90012

## **Re: Comments on the DTLA 2040 Community Plan Update**

Dear President Millman and Honorable Commissioners,

For the past 40 years, [Para Los Niños](#) has placed education at the core of our mission to ensure our children, youth, and families can thrive. We operate seven early childhood education centers and three Charter Schools serving 1,100 low-income children (ages 6 weeks to 14 years), and we prepare another 2,000 youth (ages 14-24) annually for success in post-secondary education and the workforce with a focus on drop-out recovery and prevention. As we also emphasize the importance of strong family and community relationships, we offer a range of support services and community engagement opportunities to our children, youth and families. By addressing these factors of intellectual development and supportive environments, we build a strong foundation for children's success in school and in life.

In the May 2020 White Paper, "Expanding Opportunities for Child Care and Schools in DTLA" published by the Central City Association (CCA), they shared that we are on a trajectory to see an additional 12,000 children aged 0-14 in the Downtown Area by 2040. As an organization providing key resources to children, family, and youth in Downtown, we have some concerns about the proposed DTLA 2040 Community Plan Update that we would like to share with you. Of our seventeen locations across Los Angeles County, many of them are located in close proximity to the Skid Row neighborhood and Arts District.

In reviewing the commitments to incentivizing the creation of new early childhood education facilities through the Community Benefits System, we are concerned with the limit for preschool/daycare use to a maximum of 50 children in all commercial-mixed and industrial-mixed districts. As shared by the Central City Associations (CCA) comment letter, "the State of California is the licensing jurisdiction for these facilities, and has stringent indoor and outdoor space requirements that directly limit the number of children that a given facility may include in their care. Adding a City-imposed limit on the number of children is therefore duplicative and an unnecessary additional barrier." More so, as an early childhood education provider that functions with public dollars, the limit of 50 children is not reasonable and quite frankly financially impossible to sustain. Given the demographic of the population we serve in DTLA, our families receive our services at no charge and we forecast a continued presence of families that need services such as these.

We also hope that the plan will more thoughtfully consider proposed uses around schools. All three of our schools in DTLA are within industrial areas – one in the Arts District, one near Skid Row and another on the eastern edge of the Fashion District. Despite DTLA's rapid residential growth, our industrial context has made it challenging for DTLA's residents to access our schools. We believe allowing a broader mix of uses, including apartments, close to our schools would make it a better environment for DTLA families to walk, bike or take public transit to bring their children to school, and allow our schools to more closely connect with our community. Having homes near our schools would also make it easier for our teachers and staff to live close to where they work.

Another element of concern is the proposal to prohibit mixed-income housing in a specific area of DTLA from 5th to 7th Streets and San Pedro Street to Central Avenue. Given our presence in DTLA, including our Early Education Center on 6<sup>th</sup> Street that is within this proposed boundary, we know first-hand that this area is one of the largest regions in the country with unsheltered people. We understand the complexities that solving this problem brings but we believe that banning mixed-income housing would further exacerbate the concentration of poverty to this area of DTLA. We are committed like you, to making DTLA an inclusive and diverse neighborhood

for all. Our three schools in DTLA serve a broad range of diverse families from several neighborhoods. This is only possible because of the availability of affordable housing in the area that gives garment, flower, and hospitality workers the opportunity to live close to their work. We believe that schools can further strengthen their surrounding neighborhoods when businesses, community, and schools work close together to solve issues.

The final concern we have is regarding the lack of consideration to family housing in the Arts District, where our Elementary School on 7<sup>th</sup> Street is located. By restricting new housing in this area to only live/work units, which are typically loft spaces without partitions, the commission is stopping families from moving into the area. Over the last decade, DTLA has become an increasingly attractive community that many now call home. To intentionally limit the availability of affordable housing and opportunity for future families to consider the Arts District home can have drastic consequences on the surrounding community and further increase the racial and economic equity gaps we are currently experiencing. This limit in housing opportunities will not bring forth a diverse and inclusive DTLA but instead it would be the opposite.

My organization looks forward to continue serving the vibrant, diverse, and inclusive DTLA community for many more years to come. We hope we can be of support to you, other members of the commission, and broader DTLA community in further strengthening our community.



Drew Furedi  
President & CEO  
Para Los Niños



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## Support for Local Historical Designation of Mafundi Building

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**Rudy Barbee** <rudy.barbee@gmail.com>

Thu, Jun 17, 2021 at 9:20 AM

To: Joe Buscaino <Joe.Buscaino@lacity.org>

Cc: eric.garretti@lacity.org, daniel.luna@lacity.org, ottavia.smith@lacity.org, michael.valdivia@lacity.org, CPC@lacity.org, vince.bertoni@lacity.org, ken.bernstein@lacity.org, lambert.giessinger@lacity.org, danielle.brazell@lacity.org, chc@lacity.org, mike.feuer@lacity.org, HollyJMitchell@bos.lacounty.gov, kendrick.jones@sen.ca.gov, ericwashington@asm.ca.gov, norchelle.brown@mail.house.gov, blanca.jiminez@mail.house.gov, friendsatmafundi@gmail.com

At the time of this writing, a number of "tour buses" and individuals have scoped Watts and its vicinity for development support and opportunities. This feat has likely been repeated throughout Los Angeles, San Pedro and the Opportunity Zones. All the more reason that efforts continue to save and reaffirm aesthetic and operational integrity of certain of the city's relics. Realizing architectural and functional economics are among key factors in determining whether to retain or raze a community structure, the police/fire station and the Watts Towers should share coveted recognition as local community assets with the Mafundi building at 103rd and Wilmington.

The dearth of individual or group shelter development throughout this state aside, public policy should be trusted to approach smart development in a way that retains and integrates certain of its older structures into a community's transformative future. At the time of this writing, the culmination of a battle between environmental quality and land development advocates resulted in over a dozen legis pieces effectively creating a paradigm shift in land use and zoning policy. While some will appreciate certain aspects supporting increased number of dwellings on a residential property, others marvel at the relaxed CEQA and impact statement requirements allowed to facilitate expeditious and "less burdensome" processes for building projects.

The hunger and sweeping legislative and local policy promotions for increased housing density should neither overshadow a community's historic character and quality of life nor undermine a community's opportunity to have an equitable share in the transit-oriented development challenges of our time. However, the historic cultural Magundi building should be neither razed nor a victim to these challenges.

The Cultural Heritage Commission, today, and hopefully your councilmanic colleagues in the near future, will have another opportunity to ensure a community's historic asset remains an integral part of its future. A venue for a revival of an arts and cultural haven should not fall victim to revisionist planning methodology. By copy of this message to the commission, I am stating my support of local historic cultural landmark designation being provided to the Mafundi building and grounds, and informing them of a request to you for like support and that of your colleagues.

Sincerely,

Rudy Barbee



June 15, 2021

Samantha Millman, President  
Los Angeles City Planning Commission  
200 North Spring Street  
Los Angeles, CA 90012

**Re: *Item 6: CPC-2017-432-CPU; CPC-2014-1582-CA; DTLA 2040 Community Plan Update***

Dear President Millman and Honorable Commissioners,

I am Rick Vogel, Senior Vice President, Related Companies, developer of The Grand LA, a mixed-use project located on Grand Avenue in DTLA. We are also the owner of the Emerson at 225 South Grand Avenue.

We are writing to echo the comments raised by the Central City Association (CCA) in their June 7<sup>th</sup>, 2021 letter submitted to the City Planning Commission. The DTLA 2040 plan must be an affirmative plan for robust, transit-oriented growth across all of DTLA.

We support maximizing opportunities for housing at all income levels, creating flexibility to adapt over the next two decades and depoliticizing DTLA development by setting clear, economically feasible standards. Accordingly, we recommend the following changes to the plan:

- **Maximize capacity for growth** by aligning the plan with Alternative 3 of the DEIR and expanding Transit Core General Plan land use designation to include all areas close to existing, entitled and future transit.
- **Make the Community Benefits System more usable and a better framework for delivering new housing affordable to all income levels by:**
  - Increasing Level 1 bonus of the Community Benefits Program to 55 percent.
  - Retaining use of TOC Guidelines.
  - Removing Site Plan Review for projects that comply with a site's allowable zoning.
  - Allowing affordable units to be a different mix than market rate units by basing affordable unit requirements on total residential floor area instead of total units.
  - Adding an option for land dedication for affordable housing.
  - Removing the requirement for bathrooms at parks.
  - Revising or removing Subarea D from the CPIO.
- **Foster DTLA's growth as a complete community with schools and childcare by:**
  - Removing minimum building height requirements (schools are typically standalone, low-rise buildings).

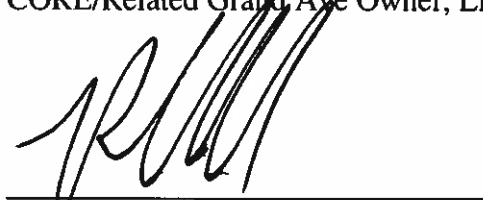


- Rezoning industrial areas around existing schools for a mix of uses, including all types of multifamily housing.
- Removing the 50-child limit on preschool/daycare uses.
- **Ensure that all DTLA neighborhoods, especially near transit, enable financially feasible mixed-income projects with public benefits by:**
  - In the Arts District, removing building height limits and baseline non-residential floor area requirements, increasing base FARs to at least 4.5 and max FARs to at least 6.0, allowing all types of multifamily housing without imposing average unit sizes.
  - In Chinatown, not downzoning and instead increasing base FARs to match currently allowable FARs and max FARs to what is achievable with TOC today, and removing height limits, hotel CUP requirements and the requirement that 30% of units must be two-bedroom units or larger.
  - In the Fashion District, increasing base FARs to 6.0 and changing IX2 and IX3 areas to CX2 or CX3 uses.
  - On Skid Row, adopting the alternative zoning proposal offered on page A-19 of the Staff Report that would allow mixed-income development essentially as inclusionary zoning.
- **Clarify the plan's Policy Goals to avoid unintended constraints** by amending policy goal LU 2.15 to allow parallel permitting and LU 8.7 and LU 9.5 that comment on business leases, which exceeds the scope of a land use plan.

We believe these changes will further strengthen this forward-looking plan that will serve as the guiding framework for DTLA's growth over the next two decades. Thank you for your consideration.

Sincerely,

CORE/Related Grand Aye Owner, LLC



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Richard H. Vogel  
Senior Vice President



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## new zoning regarding tree count

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**sbillings@sblastudio.com** <sbillings@sblastudio.com>  
To: cpc@lacity.org

Wed, Jun 16, 2021 at 8:44 AM

Dear Commissioners:

I am writing to you in regards to Item 6 and Case Nos. CPC-CPC-2017-432-CPU, CPC-2014-1582-CA. It has come to our attention recently that page 4-95 of the new zoning code's development standards section includes a modification to the existing tree ordinance that essentially doubles the existing requirement. The current ordinance does not place a limitation on the size and/or type of tree that can be located on the site whereas the new code allows for one large tree (min. 30' H at maturity) or two small (15-30' H) trees for every four thousand square feet.

Instead of penalizing the use of small trees, which are often all that is feasible in many urban conditions, we recommend that the language be modified to require one small tree for every 4,000 square feet and allow for the placement of a large tree to count as two trees.

Attached please find suggested language for the modification.

Thank you!

Best Regards,

Stephen Billings, *ASLA*



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12818 Venice Boulevard Los Angeles CA 90066

O: 310 310 8438 C: 617 610 4043


SBLAstudio.com



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**2 attachments**

 **DTLA-A95.pdf**  
48K

 **CPC Agenda\_6.17.21.pdf**  
64K

## DIV. 4C.6. **PLANTS**

### SEC. 4C.6.1. **PROTECTED VEGETATION**

Provisions for protected vegetation are outlined in *LAMC Sec. 46.02. (Requirements for Public Works Permits to Relocate or Remove Protected Trees and Shrubs)* and *Sec. 11.1.3.P. (Protected Vegetation Regulations)*.

### SEC. 4C.6.2. **REQUIRED TREES**

#### A. **Intent**

To maintain and increase the City's tree canopy, reduce consumption of electricity, improve air quality, promote infiltration of stormwater runoff, offset urban heat island effect, mitigate noise pollution, sequester carbon and support urban biodiversity.

#### B. **Applicability**

All lots containing 4,000 square feet or more of floor area shall comply with required tree standards.

#### C. **Standards**

1. One ~~large~~<sup>small</sup> species tree (Sec. 4C.6.5.C.3.a.i.a.) ~~or two small species trees~~ (Sec. 4C.6.5.C.3.a.i.b.) shall be planted for every 4,000 square feet of total floor area on a lot. For each additional 4,000 square feet of floor area, one additional ~~one large~~<sup>small</sup> species tree ~~or two small species trees~~ shall be required. **The planting of one large species tree will count towards two of the required small trees.**
2. No less than one ~~large~~<sup>small</sup> species tree (Sec. 4C.6.5.C.3.a.i.a.) ~~or two small species trees~~ (Sec. 4C.6.5.C.3.a.i.b.) shall be planted on every lot.
3. Palms and bamboo do not count as required trees, with the exception of existing palm trees located on a lot identified as being within a targeted planting area established by the *Targeted Planting Map* (Sec. 1.4.5.). In these targeted planting areas, existing palms may count as a required tree provided that the specific palm tree species meets the requirements outlined in the targeted planting list for the applicable targeted planting area.
4. Existing trees on-site count toward the minimum tree requirement based on tree type (large species or small species) in accordance with *Sec. 4C.6.5.C.3.a. (Tree Types)*, provided each tree is healthy and has a minimum 1 inch caliper.
5. Required trees shall be planted either on-site, in a common area accessible to multiple lots from a shared pedestrian accessway, or in the abutting parkway. Trees planted in the parkway require approval from the Board of Public Works or its designee per *LAMC Sec. 63.169 (Permit Required to Plant Streets)*.



## DTLA 2040: Public Comment for City of Los Angeles Planning Commission June 17 Hearing

2 messages

Sara Daleiden <saradaleiden@yahoo.com>  
To: cpc@lacity.org

Tue, Jun 15, 2021 at 2:02 PM

Dear City Planning Commissioners,

I hope this finds you feeling your well-being.

I am writing to you as a **resident and small business owner located at the border of the Fashion District and Historic Core** in Downtown Los Angeles. I have lived and worked in this area for over 15 years as an artist and facilitator focused on civic engagement in development landscapes. I am also a **leader with the Skid Row Now and 2040 Coalition** along with Los Angeles Poverty Department, Los Angeles Community Action Network, United Coalition East Prevention Project, LA Catholic Worker and other neighbors in Skid Row. I previously was on a DTLA 2040 ad hoc committee for the Downtown Los Angeles Neighborhood Council. I am a dedicated advocate for land justice, racial justice and gender justice through land use processes and policies in Los Angeles like the DTLA 2040.

I encourage you to **review our Skid Row Now and 2040 vision statement and public comment video**. Our coalition formed years ago to be able to focus on the DTLA 2040 community plan to ensure Skid Row neighbors had a voice in this pivotal City process.

I am grateful to the Department of City Planning for building from the transformative and ethical history of the **1970s Blue Book city plan for Skid Row** in **creatively making the IX1 zone for affordable housing only** in the neighborhood. **In this plan draft, the special IX1 zone still doesn't cover all of Skid Row**, and it squeezes affordable housing into a small set of blocks east of San Pedro. Skid Row residents want the expansion of the IX1 zone where **only affordable housing with extremely low and deeply low-income levels** can be built to the **existing, historic, legal Skid Row neighborhood boundaries**: from Main to Alameda, and from 3rd to 7th street.

**The alternative proposal to the IX1 does not preserve an affordable housing only zone.** If you as planning commissioners have concern about having an IX1 zone for many levels of affordable housing in Skid Row alone, then let's talk about how to **have an IX1 zone in other neighborhoods in Downtown, or in every City community plan**. Let's also talk about how to have an incremental housing change happen where **if we meet our goals with affordable housing in Skid Row in 10 years, then we can talk about options for market rate housing development**.

We need a way to influence land use and development until **every person without shelter and nearby supportive services has a sustainable home** and needs met. **We can't rely on the private development market** to produce the necessary affordable housing and amenities in Skid Row or Downtown overall without City guardrails. The percentage of affordable housing being built in our **current real estate development market isn't producing at a rate and scale to care for everyone** regardless of income level. We are **hopeful about the DTLA 2040 Community Benefits Program**, but without an IX1 affordable housing only zone, we don't think this is enough to adequately support Skid Row neighbors.

Additionally, we greatly appreciate the focus in the current plan draft on **holistic improvements for Skid Row**, as well as Downtown Los Angeles, that **prioritize safe, welcoming and inclusive design** to make a **livable community** for all current residents and workers in Downtown. This includes a mix of uses and investments in Skid Row including:

- **public gathering spaces** including restrooms, hygiene stations and water fountains and our beloved parks
- **local business** contracting and training for jobs, entrepreneurs and other neighborhood work opportunities
- **healthy food retail** including support of street vendors and other small businesses
- **street infrastructure** that prioritizes well-walked corridors and connectivity
- **public health services** that are supportive to the range of current residents and workers
- **community arts** that make space for the wide array of neighborhood artists who can celebrate and memorialize Skid Row history and culture

I am also supportive of the **Central City United People's Plan** that our Skid Row Now and 2040 Coalition is connected to and reinforce the points in their letter to you:

1. Adopt the Draft Plan's careful calibration of Base and Bonus floor area ratio in Chinatown and Little Tokyo to maximize value capture and promote inclusive housing growth.
2. Expand the IX1 District to create new affordable and supportive housing and prevent displacement in Skid Row.
3. Replace the TFAR program with a Community Benefits Fund, and amend the Oversight Committee requirements to include residents with lived experience.
4. Eliminate in-lieu fee and off-site options to prioritize on-site affordable housing.
5. Remove competing incentives for Moderate and Above-Moderate units in order to maximize the creation of deeply affordable housing.
6. Require on-site affordable housing in the Downtown Adaptive Reuse Program, consistent with the Citywide Adaptive Reuse Program.
7. Incorporate stronger affordable housing preservation and anti-displacement measures.
8. Strengthen standards for hotel development review.
9. Adopt the Draft Plan's important protections and opportunities for community-serving small businesses, and amend the Small Legacy Business definition to include a 50 FTE threshold.
10. Adopt the Draft Plan's important policies and programs to advance equitable access to parks and open space.

Health and vibrancy for any of us in Downtown Los Angeles is inextricable from **respecting current cultures and life experiences of our Skid Row neighborhood**. Respecting our asks for Skid Row addresses long standing inequities for our vulnerable neighbors and a deep practice of systemic racism that require robust change.

Thank you for considering my perspective during your important decision-making process.

Be well,  
Sara

**Sara Daleiden, Artist and Facilitator**

117 West 9th Street #1024  
Los Angeles, CA 90015  
323-630-7272  
[saradaleiden@yahoo.com](mailto:saradaleiden@yahoo.com)  
[@daleiden\\_sara](#)  
[Sara Daleiden LinkedIn Profile](#)

*Facilitating civic engagement within developing landscapes.*

---

**Planning CPC** <cpc@lacity.org>  
To: Sara Daleiden <saradaleiden@yahoo.com>

Tue, Jun 15, 2021 at 2:57 PM

Good afternoon,

Please note your submission has been received and it will be distributed for the City Planning Commission meeting of June 17, 2021.

Thank you.



LOS ANGELES  
CITY PLANNING

**Cecilia Lamas, Commission Executive Asst.**  
**City Planning Commission - Citywide**  
**Harbor Area Planning Commission**  
200 N. Spring St., Room 272  
Los Angeles, CA. 90012  
[Planning4LA.org](http://Planning4LA.org)

6/15/2021

City of Los Angeles Mail - DTLA 2040: Public Comment for City of Los Angeles Planning Commission June 17 Hearing

T: (213) 978-1300



*Note: Regular Day Off Alternating Fridays*

[Quoted text hidden]



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**(no subject)**

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**Star Dust** <bibianarosalia77@gmail.com>  
To: cpc@lacity.org

Thu, Jun 17, 2021 at 8:04 AM

- A. Hi, my name is Bibi and I'm a Skid Row resident. I want to thank the Department of City Planning for recognizing the history of Skid Row by including in their plan **the IX1 zone for affordable housing only**. But, **in this plan draft, the special IX1 zone still doesn't cover all of Skid Row**. It squeezes affordable housing into a small set of blocks east of San Pedro Street. Skid Row residents want the expansion of the IX1 zone. So that **only affordable housing with extremely low and deeply low-income levels** can be built to the **existing, historic, legal Skid Row neighborhood boundaries**: from Main to Alameda, and from 3rd to 7th street.
- B. And I also want to say how much we need **public gathering spaces** including restrooms, hygiene stations and water fountains and cooling stations and shade. We need more parks, and we need trees on the streets.
- And, in closing, I've got to say, health and vibrancy in Downtown Los Angeles begins with **respecting current cultures and life experiences of our Skid Row neighborhood**





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## City Planning: Skid Row

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Soma Snakeoil <somasnakeoil@gmail.com>

Tue, Jun 15, 2021 at 8:03 PM

To: cpc@lacity.org, Henriette <info@lapovertydept.org>, Stacey Dee <staceydee.sidewalkproject@gmail.com>

My name is Natasha Vanderhoof AKA Soma Snakeoil and I'm the Executive Director of The Sidewalk Project, a non-profit that works in Skid Row, and is a city-approved public health provider.

I want to thank the Department of City Planning for recognizing the history of Skid Row by including in their plan **the IX1 zone for affordable housing only**. But, **in this plan draft, the special IX1 zone still doesn't cover all of Skid Row**. It squeezes affordable housing into a small set of blocks east of San Pedro Street. Skid Row residents want the expansion of the IX1 zone. So that **only affordable housing with extremely low and deeply low-income levels** can be built to the **existing, historic, legal Skid Row neighborhood boundaries**: from Main to Alameda, and from 3rd to 7th street.

From our daily work on the street we want to underline the importances for the health & wellbeing of the community for **public gathering spaces** including restrooms, hygiene stations, water fountains, cooling stations and shade. We need more parks and we need trees on the streets. Having worked on the streets during 120 degree heat waves doing crisis response to people who were dehydrated with no shade, we would insist on the need to respond in a timely manner to the urban heat island with appropriate shade & cooling relief measures. This is a matter of life & death.

In closing, as part of an organization that prioritizes the arts and wellness, health and vibrancy in Downtown Los Angeles begins with **respecting current cultures and life experiences of our Skid Row neighborhood**.

**This video by our organization featuring a local artist in Skid Row:** <https://youtu.be/FVlyu51ZdZM>

With respect,

Soma Snakeoil (she/her)  
Executive Director and Co-Founder

6/16/2021

City of Los Angeles Mail - City Planning: Skid Row

The Sidewalk Project

<https://thesidewalkproject.org/>

415.966.6019



# **55+ CONSTITUENTS SUBMITTED THE FOLLOWING STATEMENT FOR YOUR CONSIDERATION:**

The Honorable Members of the City Planning Commission ,

We need a HOTEL CONDITIONAL USE PERMIT, appealable to Council to protect our communities from hotel overdevelopment. We need an equitable DTLA Plan including the following:

1. More public oversight over commercial development through a conditional use permit for hotels, appealable to Council.
2. No new up zoning, only allow bonuses for housing. Don't allow increased base zoning rights, which allow commercial development to crowd out housing. Instead, create bonuses for housing only.
3. Don't allow bonuses to be used by hotel developers. Hotels should not be allowed in projects using CPIO bonuses.
4. Preserve Manufacturing zoning. Do not allow hotels in areas currently zoned for industrial uses.



SOUTHERN CALIFORNIA FLOWER GROWERS INC.

June 16, 2021

Samantha Millman, President  
Los Angeles City Planning Commission  
200 North Spring Street  
Los Angeles, CA 90012

Re: Item 6: CPC-2017-432-CPU; CPC-2014-1582-CA;DTLA 2040 Community Plan Update

Dear President Millman and Honorable Commissioners,

My name is Scott Yamabe, CEO of the Southern California Flower Market located here in DTLA.

We are writing to echo the comments raised by the Central City Association (CCA) in their June 7th, 2021 letter submitted to the City Planning Commission. The DTLA 2040 plan must be an affirmative plan for robust, transit-oriented growth across all of DTLA to address the impacts of the COVID-19 pandemic, the persistent housing shortage and homelessness crisis, compete for transportation infrastructure funding and fully leverage transit investments. We support CCA's goals of maximizing opportunities for housing at all income levels, creating flexibility to adapt over the next two decades and depoliticizing DTLA development by setting clear, economically feasible standards. Accordingly, we recommend the following changes to the plan:

- Maximize capacity for growth by aligning the plan with Alternative 3 of the DEIR and expanding Transit Core General Plan land use designation to include all areas close to existing, entitled and future transit.

- Make the Community Benefits System make more usable and a better framework for delivering new housing affordable to all income levels by:

- Increasing Level 1 bonus of the Community Benefits Program to 55 percent.
- Retaining use of TOC Guidelines.
- Removing Site Plan Review for projects that comply with a site's allowable zoning.
- Allowing affordable units to be a different mix than market rate units by basing affordable unit requirements on total residential floor area instead of total units.
- Adding an option for land dedication for affordable housing.

- Removing the requirement for bathrooms at parks.
- Revising or removing Subarea D from the CPIO.

● Foster DTLA's growth as a complete community with schools and child care by:

- Removing minimum building height requirements (schools are typically standalone, low-rise buildings).
- Rezoning industrial areas around existing schools for a mix of uses, including all types of multifamily housing.
- Removing the 50-child limit on preschool/daycare uses.

● Ensure that all DTLA neighborhoods, especially near transit, enable financially feasible mixed-income projects with public benefits by:

- In the Arts District, removing building height limits and baseline non-residential floor area requirements, increasing base FARs to at least 4.5 and max FARs to at least 6.0, allowing all types of multifamily housing without imposing average unit sizes.
- In Chinatown, not downzoning and instead increasing base FARs to match currently allowable FARs and max FARs to what is achievable with TOC today, and removing height limits, hotel CUP requirements and the requirement that 30% of units must be two-bedroom units or larger.
- In the Fashion District, increasing base FARs to 6.0 and changing IX2 and IX3 areas to CX2 or CX3 uses.
- On Skid Row, adopting the alternative zoning proposal offered on page A-19 of the Staff Report that would allow mixed-income development essentially as inclusionary zoning.

● Clarify the plan's Policy Goals to avoid unintended constraints by amending policy goal LU 2.15 to allow parallel permitting and LU 8.7 and LU 9.5 that comment on business leases, which exceeds the scope of a land use plan.

We believe these changes will further strengthen this forward-looking plan that will serve as the guiding framework for DTLA's growth over the next two decades.

Thank you for your consideration.



Samantha Millman, President  
Los Angeles City Planning Commission  
200 North Spring Street  
Los Angeles, CA 90012

**Re: Item 6: CPC-2017-432-CPU; CPC-2014-1582-CA; DTLA 2040 Community Plan Update**

Dear President Millman and Honorable Commissioners,

I am Tom Gilmore, CEO of Gilmore Associates,

The Central City Association has spent an enormous amount of time and energy reviewing the DTLA 2040 PLAN. They engaged some of the most thoughtful and knowledgeable minds in the downtown area, including a significant amount of property owners, residents, businesses owners, non-profit organizations and Homeless service providers. The comments they offer are serious, balanced and forward looking. The following is a template letter, but please do not infer that somehow the other copies of this you receive represent a lack of desire on behalf of those who sign to engage in individual conversation regarding this extremely important document. It is simply the fact that CCA'S recommendations are the product of a broad consensus among its members.

Thank you for your consideration,

Tom Gilmore

I write to echo the comments raised by the Central City Association (CCA) in their [June 7<sup>th</sup>, 2021](#) letter submitted to the City Planning Commission. The DTLA 2040 plan must be an affirmative plan for robust, transit-oriented growth across all of DTLA to address the impacts of the COVID-19 pandemic, the persistent housing shortage and homelessness crisis, compete for transportation infrastructure funding and fully leverage transit investments.

I support CCA's goals of maximizing opportunities for housing at all income levels, creating flexibility to adapt over the next two decades and depoliticizing DTLA development by setting clear, economically feasible standards. Accordingly, I recommend the following changes to the plan:

- **Maximize capacity for growth** by aligning the plan with Alternative 3 of the DEIR and expanding Transit Core General Plan land use designation to include all areas close to existing, entitled and future transit.
- **Make the Community Benefits System make more usable and a better framework for delivering new housing affordable to all income levels** by:
  - Increasing Level 1 bonus of the Community Benefits Program to 55 percent.
  - Retaining use of TOC Guidelines.
  - Removing Site Plan Review for projects that comply with a site's allowable zoning.
  - Allowing affordable units to be a different mix than market rate units by basing affordable unit requirements on total residential floor area instead of total units.
  - Adding an option for land dedication for affordable housing.
  - Removing the requirement for bathrooms at parks.
  - Revising or removing Subarea D from the CPIO.
- **Foster DTLA's growth as a complete community with schools and childcare** by:

- Removing minimum building height requirements (schools are typically standalone, low-rise buildings).
- Rezoning industrial areas around existing schools for a mix of uses, including all types of multifamily housing.
- Removing the 50-child limit on preschool/daycare uses.
- **Ensure that all DTLA neighborhoods, especially near transit, enable financially feasible mixed-income projects with public benefits** by:
  - In the Arts District, removing building height limits and baseline non-residential floor area requirements, increasing base FARs to at least 4.5 and max FARs to at least 6.0, allowing all types of multifamily housing without imposing average unit sizes.
  - In Chinatown, not downzoning and instead increasing base FARs to match currently allowable FARs and max FARs to what is achievable with TOC today, and removing height limits, hotel CUP requirements and the requirement that 30% of units must be two-bedroom units or larger.
  - In the Fashion District, increasing base FARs to 6.0 and changing IX2 and IX3 areas to CX2 or CX3 uses.
  - On Skid Row, adopting the alternative zoning proposal offered on page A-19 of the Staff Report that would allow mixed-income development essentially as inclusionary zoning.
- **Clarify the plan's Policy Goals to avoid unintended constraints** by amending policy goal LU 2.15 to allow parallel permitting and LU 8.7 and LU 9.5 that comment on business leases, which exceeds the scope of a land use plan.

I believe these changes will further strengthen this forward-looking plan that will serve as the guiding framework for DTLA's growth over the next two decades. Thank you for your consideration.

Respectfully,

Tom Gilmore



Planning CPC &lt;cpc@lacity.org&gt;

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## public comment for Planning Commission Hearing June 17th

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**Tiff Guerra** <tiffanytguerra@gmail.com>  
To: cpc@lacity.org

Thu, Jun 17, 2021 at 7:42 AM

Good morning -

My name is Tiff, and I work in the city of LA. I wanted to start by thanking the Department of City Planning for recognizing the history of Skid Row by including in their plan the IX1 zone for affordable housing only, however in this plan draft, the special IX1 zone still doesn't cover all of Skid Row.

The zone squeezes affordable housing into a small set of blocks east of San Pedro Street.

**Skid Row residents want the expansion of the IX1 zone, so that only affordable housing with extremely low and deeply low-income levels can be built to the existing, historic, legal Skid Row neighborhood boundaries: from Main to Alameda, and from 3rd to 7th street.**

The community would also love more public health services that are supportive to the range of current residents and workers in the Skid Row community!

The health and vibrancy in Downtown Los Angeles begins with respecting current cultures and life experiences of our Skid Row neighborhood. Please listen to the voices of Skid Row residents and expand the the special IX1 zone.

thank you -

T. Guerra

--

T Guerra  
they/them/theirs  
(818) 389-4952





## Proposed draft of Los Angeles Zoning Code - comments

Tracy Stone <tracystonearchitect@gmail.com>

Tue, Jun 15, 2021 at 3:04 PM

To: cpc@lacity.org, Will Wright <will@aialosangeles.org>, MacKenzie Leifeste <mleifeste@tracystonearchitect.com>

To members of the Planning Commission:

I am writing to submit my comments on the current draft of the new Los Angeles Zoning Code. These comments have entirely to do with the areas of the current code where there are a variety of interpretations in the field. I know that the intent of this new zoning code is to simplify where possible, and I think this draft has made great strides towards doing that. I would like to see as many of these addressed as possible, so that we get more standardization in the application of the code. With that said, here are my comments:

### 1. Sec. 6C.1.2. LOT AREA PER HOUSEHOLD DWELLING UNIT (Calculation of density):

Section F on pp 738 describes the processes for relief from the density limitations, but it does not address one area that we have seen so much variation of interpretation in recent years: how to calculate the relief needed (if less than 20%, it just requires an exception, not an adjustment). Here are the two most common methods we run into - used seemingly at random by different planners:

**Method 1** = multiply the allowed density by desired number of units. The difference between that lot size, and the actual lot size is the amount of relief needed.

For example: 5 units \* 1500 sf/unit = 7500 sf lot required. Actual lot is 7000 sf, so the deficit is 500 sf, or  $500/7000 = 7\%$  relief needed (a modest "ask", likely to be approved).

**Method 2** = Divide the lot by the allowed density, determine the total number of legal units, and compare the remainder to the required amount of lot per unit. The difference between the two is the required relief.

For example: 7000 sf lot/1500 sf/unit = 4 legal units.  $4 * 1500 = 6000$ . Remaining lot area = 1000 sf. Lot is 500 sf too small, so  $500/1500 = 30\%$  relief needed (an impossible "ask").

Clearly, the two methods result in radically different requests. It would be nice to see a method for calculating the amount of relief needed included in the code, so that developers know, going in, what they can expect to build, and whether or not the deficit is reasonable, and the relief may be approved, or not.

### 2. General Rules - Glossary pp 1082 (Calculation of height related to depressed driveways):

Currently, P/ZC 2017-008 states "Depressed driveways, stairwells, and light wells below grade can be exempt from building height determination." Recently, we have been subject to a variety of opinions on this exception with respect to driveways for small lot subdivisions, with some plan checkers allowing it without question, some stating that it does not apply when the driveway provides access to more than one parking garage, and some stating that it only applies if you drive straight into the garage, but if you turn to enter, it doesn't apply. The new code includes this definition:

*"Existing Grade. Grade as established prior to any site modification. Existing grade does not include fill material or retained soil established without a grading permit. Excludes entrances to basements, entrances to parking garages, and window wells".*

This seems to be an attempt to incorporate the exemption noted above into the code. However, it leaves the same room for interpretation as we currently experience. NOTE: this comes into play when calculating the grade plane. It would be nice to clean this up. I would recommend that they modify the language as follows:

*Excludes entrances to basements, **driveways and entrances to parking garages (both single family residential, multifamily residential, and commercial)**, and window wells".*

### 3. Sec. 14.1.5. ENCROACHMENTS B. Vertical Encroachments

I am happy to see that Article 14, section B makes an attempt to clean up the allowed vertical encroachments. However, I think that standard 1.b - Mechanical/Electrical Equipment: Roof Mounted could be improved.

In conjunction with a roof deck and roof access stair, we have often tried to add a mechanical closet to house a water heater and FAU using Section 12.21.1.B.3(a) which allows "...any roof structures housing...ventilation fans..." to exceed the height limit. Sometimes this works, and sometimes it doesn't (depending on the plan checker's interpretation of the words "ventilation fans"). The new code adds the explicit language "HVAC equipment", but seems to eliminate the possibility of such closets (which are very useful in Small Lot Subdivisions where rooftop package units have not kept up with T24 efficiency requirements, and therefore, are not an option). I would request the inclusion of the following language in Article 14, Section B.1.b:

*Equipment supported by a roof related to publicly-operated or privately-operated systems, including related wires, conduits, pipes and visual screens. Includes HVAC equipment, cistern, water tank, wind turbine, solar panel, solar water heater, exhaust duct, smokestack, wireless mast, communication equipment, satellite dish, ventilation fan, chimney, flue, vent stack, and generator. Roof Mounted also includes required screening and any roof structure housing such equipment, including water heaters.*

4. Driveway vs Access Aisle/Drive Aisle

We are running into multiple interpretations of P/ZC 2002-001 with respect to the distinction between access aisles and driveways for small lot subdivision projects. We have historically used the aisle widths in Table 6 in this info bulletin to determine our required back up distance and parking stall width. Between multiple garages served by a single driveway, we have always reduced back down to a driveway width. However, we now see different interpretations of this, including the idea that the driveway width is determined by the "aisle width", so that as the driveway passes from one lot/garage to another, it must maintain the entire aisle width. The question becomes one, then, of defining a driveway vs an access aisle. The new code only includes two references to "access aisle" (and on pp 334, it uses access and drive aisle interchangeably in the diagram) and no definition. I would recommend that they add a definition, and explain how this concept differs from a driveway, and when to use one or the other.

Sincerely,  
Tracy

**Tracy Stone AIA LEED AP BD&C**

Principal

Tracy A. Stone Architect

tel 323-664-0202 | [tracystonearchitect.com](http://tracystonearchitect.com)

[2041 Blake Ave, Los Angeles, CA 90039](#)



SHIMODA DESIGN GROUP  
ARCHITECTURE

14 June 2021

Los Angeles City Planning

Attn: Samantha Millman, President

RE: Remarks to the Draft of the Downtown Community Plan Update: Hearing 17 June 2021

Dear President Millman and Honorable Commissioners.

As an architect who has been building within the City of Los Angeles for 20 years, I would like to express my concerns about the current draft of the Downtown Community Plan Update and the Code recommendations for Recode LA 2040. The website states the following:

*"Several years ago, City Planning set out to create a modern and efficient zoning system for Los Angeles. The proposed approach aims to establish a new Zoning Code that is more responsive to the needs of Los Angeles's neighborhoods, in addition to being easier to use."*

These are noble goals, but the current draft of the code does not show itself to be more responsive to local needs, nor is it easier to use.

We believe that the zoning sections regarding Form, Frontage, Standards & Use and Density are too prescriptive and need to be revised to allow for creativity and diversity in aesthetics and construction. As it stands this document is too granular and contains many contradictions in its prescription. The density and the complexity of the current version will create an administrative nightmare for the city in its implementation and interpretation. Many of the prescriptions for dimensional minimums and maximums are not reflective of real market conditions and place unnecessary limitations on creativity. The code will inadvertently create requirements that will effectively negate Los Angeles as a competitive and desirable place to invest in. The result will negatively effect the future of Los Angeles.

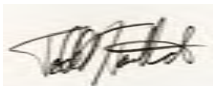
The current draft encourages specific distinction between neighborhoods and their current or perceived cultural affiliations. This distinction freezes a location in time and prohibits the future evolution of these areas. This will ultimately result in the perpetuation of a fake architectural representation to gain city approval. The draft also points to recommended programmatic uses for the interior of the building. No part of a planning code should have jurisdiction in how to organize or program the interior of a structure. The creation of specific development standards in each district will only create confusion and contradiction which will lead to the increased reliance on interpretation from the governing bodies. A greater reliance on interpretation and conversation between differing jurisdictions will make approval times longer.

The Hybrid Industrial District in particular has too many development standards that will ultimately put a cap on interest in creating housing in this area because the minimum unit size, material and physical form requirements will be too expensive to implement. We should be supporting increased density, up zoning and incentives for the creation of commercial and residential projects for all income levels. That will not happen when the rules are stacked against freedom of aesthetic choice and affordable construction methods. All great cities in the world have evolved through changing economic and cultural conditions. Planned communities have never resulted in diverse and compelling solutions. A form-based code only creates conditions of conformance and sameness, not diversity and vibrance. Implementing code to "protect" a neighborhood that was borne from a lack of those very limitations is at odds with the march of civilization.

We strongly believe that the current draft needs further revisions and input from the professional design and development community prior to adoption. The draft analysis of the Downtown, Arts District, Little Tokyo, and Chinatown districts in particular need to be reconsidered and not be defined by transitory cultural associations, a form-based code or by prescribed use requirements that will not evolve over time to reflect the community that it serves. We strongly believe and support the up zoning of all of these areas to increase density and affordability.

Los Angeles deserves a code that allows for creativity and design diversity to grow with cultural change while also recognizing the economics of development and construction.

Sincerely,



Todd Tuntland

cc: Will Wright [will@aialosangeles.org](mailto:will@aialosangeles.org)



Los Angeles City Planning Commission  
200 N. Spring Street  
Los Angeles, CA 90012  
*Delivered via electronic mail.*

135 W Green Street  
Suite 200  
Pasadena, CA  
91105  
t: 323.223.0441  
tpl.org

June 15, 2021

**RE: CPC-2017-432-CPU – Downtown LA Community Plan**

Dear Honorable Commissioners,

On behalf of Trust for Public Land, I respectfully submit the following comments and recommendations concerning the Downtown LA Community Plan update. We stand with the Central City United Coalition (CCU) in advocating for a Plan that maximizes equity and racial justice in the growth of Downtown. This Plan must center and prioritize the needs of low-income tenants, unhoused residents, immigrants, low-wage workers, low-income entrepreneurs, and other vulnerable residents.

The Trust for Public Land has been working with low-income communities of color for years to support their needs to live in a healthy and vibrant Los Angeles. As a parks organization, much of this work is about creating green space and closing the equity gap in access to park and open space. Yet for communities to be truly healthy, people need more than access to parks, they need housing security, good paying jobs, and access to healthy food.

As the City now grapples with its history of institutional racism and structural injustice, we applaud the Department of City Planning for acknowledging the deep harms that past land use policies have inflicted on low-income communities and communities of color. As the City commits to repairing these harms, the Community Plans are a tool to do just that. As the framework for growth, development and investment in Downtown for years to come, the Downtown Community Plan is one of the most important and timely opportunities for the City to put its stated commitment to racial justice into practice.

Specifically we urge the Commissioners to **adopt policies and programs to advance equitable access to parks and open space**. When the community advocates for greater access to parks and open space, we are referring to above and beyond what is legally (e.g., open public space permit requirements/green infrastructure to offset stormwater impact of development) or contractually required of developers (e.g., development disposition agreements). Planned development already requires public/open space – in order to establish equity, the City must increase public parks and open space to address past redlining and injustice. Several redlining studies have found that parks and open space in low income communities like this planned area have smaller parks than compared to more affluent neighborhoods but are used twice as much. Knowing the high demand for parks and open space, the city should require greater per person ratios in the study area.

The most recent draft of the Plan, CPIO and Zoning Code include numerous new programs and policies that enhance equitable access to and enjoyment of public space. These important additions include: providing 24-hour restroom access and maintenance in Skid Row parks; encouraging new open space and streetscape improvements to include design features for seniors; preventing hostile architecture and exclusionary design; recognizing important community parks; creating a program to assess park and open space needs; and defining publicly accessible open space to include requirements for public restrooms,

drinking water, shade, and phone charging stations. We appreciate the Department's engagement and responsiveness to community-driven recommendations, and we urge the Commission to adopt these important policies and programs.

In addition, we support CCU's recommendations for the plan and ask the Commission to take the following actions to advance a more inclusive and equitable Community Plan.

1. Adopt the Planning Department's careful calibration of Base and Bonus floor area ratios in order to maximize value capture and promote inclusive affordable housing growth in Chinatown and Little Tokyo.
2. Adopt strong protections and opportunities for community-serving small businesses and micro-entrepreneurs.
3. Include residents with lived experience in the oversight and implementation of the Community Benefits Fund.
4. Expand the IX1 District to create new housing and prevent displacement in Skid Row.
5. Eliminate in-lieu fees and Moderate and Above-Moderate Income incentives in order to ensure that new development includes on-site affordable housing available to lower income households.
6. Require affordable housing in the Downtown Adaptive Reuse Program, consistent with the Citywide Adaptive Reuse Program
7. Incorporate stronger affordable housing preservation and anti-displacement measures.

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The Downtown Community Plan presents an important and timely opportunity to establish a framework for equitable growth and a just recovery. If done right, this Plan can protect current low-income and houseless Downtown residents, create new opportunities for safe and affordable housing, open the economy to low-income entrepreneurs, and establish a model for equitable community planning. Thank you for considering these recommendations.

Sincerely,



Robin Mark  
Los Angeles Program Director  
The Trust for Public Land



Via Email to [downtownplan@lacity.org](mailto:downtownplan@lacity.org)

June 15, 2021

Attn: Brittany Arceneaux, Project Manager  
Downtown Community Plan  
Los Angeles Department of City Planning  
200 N. Spring St., Room 667  
Los Angeles, CA 90012

Dear Ms. Arceneaux,

On behalf of the residents of Tokyo Villa, thank you for this opportunity to provide comments regarding the "DTLA 2040 plan".

Tokyo Villa is a residential condominium complex with over 300 long-time residents/owners. Tokyo Villa residents consist of many elderly individuals, singles as well as families with children. It is located on 3<sup>rd</sup> and Alameda in DTLA and will be directly affected by the DTLA 2040 plan. As stakeholders in Little Tokyo, we recognize and value the historical significance of Little Tokyo – which at 134-years-old is the second oldest neighborhood in Los Angeles, and one of three remaining historic Japantowns in the country.

The Little Tokyo community has experienced decades of encroachment, displacement and destruction – from the unjust mass incarceration of Japanese Americans during World War II, to the eminent domain of the major hub of Little Tokyo's neighborhood to make way for the 1950s Civic Center expansion, to the destruction of community institutions, residential buildings, and businesses during Redevelopment.

The Tokyo Villa HOA has heard the concerns of the residents and believe that their concerns should be considered in the DTLA 2040 plan. Envision what Little Tokyo would be with new housing developments that significantly increases the population density of Little Tokyo without adequate public amenities. Presently, there are four residential developments in the planning stage and three others that are being considered. With so many people being stacked one on top of each other in multi-level residential complexes, it would be a total injustice and intolerable situation without providing needed facilities, resources and services to the present and future residents of Little Tokyo.

We as a community request that at least the following points be included for Little Tokyo in the DTLA 2040 plan:

**TOKYO VILLA HOA 222 S CENTRAL AVENUE, LOS ANGELES CA 90012**

1. Encourage new facilities, resources, and services including, but not limited to playgrounds, aquatic center, science center and other forms of recreational facilities that accommodate people of all ages, incomes, and levels of mobility.
2. Provide adult day care centers and services/resources to seniors and those with disabilities.
3. Encourage a pedestrian-friendly destination through new open space and streetscape improvements to include design features for families and seniors, such as seating, shade and ample gathering spaces.
4. Provide direct access from the Little Tokyo community to creative civic projects such as the LA River Bike Path.
5. Provide financial support and maintenance to existing public art that was established with the City of LA through the Community Redevelopment Agency (CRA).
6. Encourage development through financial subsidies and financial incentives for new, innovative businesses, small or large, that will draw people to Little Tokyo from the regional connector and from all walks of life. Because Little Tokyo is trying to preserve one of the few remaining historical Japantowns in the United States, it is imperative that the new, innovative business not compete with existing small businesses.
7. Encourage and develop a connectivity to the Grand Park by establishing a "**Arts, Cultural, Museum Loop**" starting from MOCA in Bunker Hill and continuing with the BROAD Museum, Walt Disney Concert Hall, Dorothy Chandler Pavilion, Ahmanson Theatre, Grand Park, and then linking it to Little Tokyo with the East-West Players Performing Arts theater, Geffen Contemporary at MOCA Museum in Little Tokyo, The National Center for the Preservation of Democracy, Japanese American National Museum, Go For Broke Museum, Aratani Theatre, Japanese American Cultural & Community Center and then the regional connector to loop us back to the MOCA Museum in Bunker Hill. This will help sustain the historical Little Tokyo's district by increasing the visitors and patronage to the small businesses in Little Tokyo.
8. Provide financial support and incentives to existing residential complexes in order for them to be able to afford the installation of electric car charging stations. Promoting zero-emission will help Little Tokyo to contribute to a cleaner air environment in DTLA.

Thank you for your consideration.



George Campos

Director of Tokyo Villa HOA