



DEPARTMENT OF CITY PLANNING

RECOMMENDATION REPORT

City Planning Commission

Date: May 19, 2022
Time: After 8:30 A.M.*
Place: In conformity with the Governor's Executive Directive Order N-29-20 (March 17, 2020) and due to concerns over COVID-19, the CPC meeting will be entirely conducted telephonically via Zoom at <https://planning-lacity-org.zoom.us/j/83934037344>
Meeting ID: 839 3403 7344
Meeting Passcode: 122926

Case No.: CPC-2022-2698-GPA
CEQA No.: ENV-2020-6762-EIR-ADD1

Related Cases: CPC-2020-1365-GPA;
ENV-2020-6762-EIR;
CF 21-1230

Council No.: All
Plan Area: Citywide

Applicant: City of Los Angeles

PROJECT LOCATION: Citywide

PROPOSED PROJECT: The General Plan Housing Element update for the 6th cycle (2021-2029) was adopted by the City Council on November 24, 2021. The project proposes a General Plan Amendment to make targeted amendments to the adopted Housing Element, including the modification and addition of implementation programs in Chapter 6 to clarify metrics, milestones, actions, and strategies to affirmatively further fair housing as well as expand place-based programs to encourage community revitalization; and the correction of formatting and typographical errors.

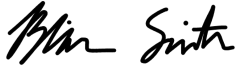
RECOMMENDED ACTIONS:

1. **Conduct** a public hearing on the Proposed Project, as described in this Staff Recommendation Report.
2. **Approve** the Staff Recommendation Report as the Commission Report.
3. **Approve** and **Recommend** that the City Council **adopt** the Findings in the Staff Recommendation Report.
4. **Recommend** the City Council **find**, based on their independent judgment, after consideration of the whole of the administrative record, including the 2021-2029 Housing Element EIR, SCH No. 2021010130, certified on November 24, 2021 (EIR) and the Addendum prepared for the Proposed Project (Addendum) (Exhibit C), the project was assessed in the EIR and pursuant to the CEQA Guidelines, Sections 15162 and 15164 and the Addendum, that no major revisions to the EIR are required and no subsequent EIR, supplemental EIR, or negative declaration is required for approval of the project.
5. **Approve and Recommend** that the Mayor **approve** and the City Council **adopt** the Resolution in Exhibit A to amend the Housing Element of the General Plan, as shown in Exhibit B.
6. **Authorize** the Director of Planning to present the Resolution (Exhibit A) and General Plan Amendment (Exhibit B) to the Mayor and City Council, in accordance with City Charter Section 555 and LAMC Section 11.5.6.
7. **Adopt** a Resolution (Exhibit F) pursuant to City Charter Sections 559 and 560 to delegate authority to the Director of Planning to review and make recommendations on behalf of the City Planning Commission for future technical or targeted modifications by the City Council to the City Planning Commission's recommendation on Resolution (Exhibit A) and General Plan Amendment (Exhibit B), or other targeted amendments to the 2021-2029 Housing Element of the General Plan, until such time as the City obtains a finding by HCD that the 2021-2029 Housing Element substantially complies with all statutory requirements for the sixth revision of the City's Housing Element.

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Director of Planning



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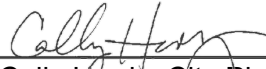
Wajihah Ibrahim, Planning Assistant



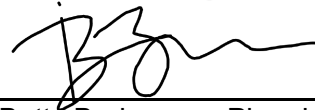
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Matthew Glesne, Senior City Planner



Cally Hardy, City Planning Associate



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ADVICE TO PUBLIC: *The exact time this report will be considered during the meeting is uncertain since there may be several other items on the agenda. Written communications may be mailed to the Commission Secretariat, 200 North Spring Street, Room 532, Los Angeles, CA 90012 (Phone No. 213-978-1300). While all written communications are given to the Commission for consideration, the initial packets are sent the week prior to the Commission's meeting date. If you challenge these agenda items in court, you may be limited to raising only those issues you or someone else raised at the public hearing agendized herein, or in written correspondence on these matters delivered to this agency at or prior to the public hearing. As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability, and upon request, will provide reasonable accommodation to ensure equal access to these programs, services and activities. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or other services may be provided upon request. To ensure availability of services, please make your request not later than three working days (72 hours) prior to the meeting by calling the Commission Secretariat at (213) 978-1300.

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PROJECT ANALYSIS

Project Summary

The Housing Element is one of eight state-required elements of the city's General Plan. It is the only element required to be updated on a consistent (8-year) schedule and be reviewed by the state for consistency with state law. The California Department of Housing and Community Development (HCD) review for compliance is required and their finding of compliance is required to avoid several potential significant consequences.

On November 24, 2021, the Los Angeles City Council adopted the Housing Element (2021-2029) and submitted the plan to HCD for compliance review. The City Council found the Housing Element (2021-2029) was in substantial compliance with state law. On February 22, 2022, the City received a letter of non-compliance from HCD indicating that HCD would like to see additional revisions reflected in the Housing Element (2021-2029) before the Housing Element would be found in substantial compliance. Specifically, the HCD letter referenced the need for more detailed metrics and milestones, as well as specific place-based strategies in lower-income areas of the city as part of the affirmatively furthering fair housing (AFFH) requirements.

The City worked closely with HCD to make the revisions necessary to satisfy HCD's finding. The draft amendments were formally submitted to HCD for draft review on April 28, 2022 with a request for expedited review of the amendments. On May 11, 2022, the City received a letter from HCD (Exhibit D) stating that the revised element meets the statutory requirements described in HCD's February 22, 2022 review and that, absent any further changes to the revised draft that may impact the finding, when the revisions are adopted and submitted for final review to HCD, the Housing Element will be found to be in compliance with state law.

This staff report provides an overview of the proposed Housing Element (2021-2029) amendments, summarizes key changes to the AFFH Programs and strategies, and presents a summary of the public discussion and input received to date. Additionally, the report includes recommendations on requested actions for the adoption of the revisions.

Background on Amendments to the Housing Element Update

On February 22, 2022, the City of Los Angeles received a letter from HCD reporting the results of its review of the City's 2021-2029 Housing Element Update. While the letter acknowledged the City's Housing Element met almost all of the statutory requirements of state housing element law, it directed the City to make additional revisions in order to be in full compliance.

In particular, the HCD letter cited two related deficiencies with regard to the new AFFH requirements in state law (Assembly Bill 686). First, housing element programs, strategies and actions designed to meet local AFFH goals must include additional metrics and milestones, pursuant to Government Code Section 65583(c)(10)(A). The purpose of metrics and milestones is to determine what beneficial fair housing results will be achieved during the eight-year housing element cycle and to better allow HCD to evaluate the effectiveness and progress of local implementation actions. Secondly, HCD found that the adopted Housing Element's AFFH programs did not sufficiently address targeting of geographic areas or neighborhoods and needed to include additional place-based strategies to encourage community revitalization. In subsequent

communications, HCD has indicated the City's housing-related place-based strategies were exemplary but that additional non-housing related strategies, such as anti-poverty programs and infrastructure investments, needed to be added in order to address broader community development goals.

As background, the AFFH requirements were adopted in 2018 pursuant to Assembly Bill 686. AFFH is defined, in part, as "taking meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics." (Cal. Gov. Code § 8899.50.) With regards to housing elements, the law requires that fair housing disparities are analyzed through an assessment of fair housing, which identifies "contributing factors" found to be worsening fair housing issues. These factors are prioritized and then used to help create a set of AFFH strategies and actions expected to address these issues.

Staff prioritized AFFH throughout the Housing Element (2021-2029) process and the adopted Housing Element demonstrates an exceptionally strong commitment to AFFH. The City's adopted Housing Element included a 109-page Assessment of Fair Housing (see Appendix 1.1), a strong commitment to rezone in a way that affirmatively furthers fair housing (See Chapter 4 and Program 121), and identified 38 individual Housing Element Programs that include significant strategies and actions to affirmatively further fair housing (see Program 6). The various AFFH strategies in the Housing Element were grouped and summarized in Program 124 (Affirmatively Furthering Fair Housing).

The Housing Element's (2021-2029) AFFH strategies were directly informed by community input and built upon the City's previous 2018–2023 Assessment of Fair Housing, led by Los Angeles Housing Department (LAHD). The adopted AFFH strategies included a focus on preventing displacement, increasing housing access in higher opportunity neighborhoods, as well as providing funding, services, and outreach for lower income communities of color and for individuals with special needs around housing.

Staff from City Planning, LAHD, and the Mayor's Office have been actively collaborating with HCD since receiving the February 22nd letter to understand how best to respond to HCD's concerns and to obtain a finding by HCD that the City's Housing Element is in substantial compliance. In addition, the types of amendments being requested necessitated additional detailed discussions within City Planning and LAHD, as well as numerous other departments and agencies, including the Housing Authority of the City of Los Angeles (HACLA), the Los Angeles Homeless Services Authority (LAHSA), Economic & Workforce Development Department (EWDD), LA Civil + Human Rights and Equity Department, Los Angeles Department of Transportation (LADOT), and Department of Recreation and Parks. City Planning and LAHD also considered additional public input received (see Summary of Public Communications and Comments below).

With the proposed amendments, the revised draft meets the statutory requirements described in HCD's February 22, 2022 review, and HCD has found that the City's Housing Element will be in full compliance with all state housing element law requirements upon final adoption.

Explanation of Program Edits

The proposed amendments to the Housing Element's (2021-2029) AFFH programs and strategies are all part of Chapter 6 and included as Exhibit B of this report. These amendments include a revised and reorganized AFFH Program 124, as well as targeted edits to individual existing programs that have important AFFH components. In addition, four new programs are proposed to be added to the Housing Element in order to better reflect place-based strategies.¹ These programs reflect activities that are a part of the City's existing work programs but had not previously been included in the Housing Element as they are not explicitly related to housing programs.

Staff closely reevaluated each of the existing Housing Element (2021-2029) Programs in relation to their AFFH components and the guidance received by HCD. This included all programs and strategies, not just those that were already associated with the AFFH Program 124 in the adopted element. As a result of this review, 36 of the existing AFFH implementation Programs are proposed to be amended to better illustrate metrics and milestones and more clearly identify the significant and meaningful AFFH outcomes.² In addition, five amended programs had not been part of the adopted AFFH Program 124 but were added as it was determined they had important AFFH components and therefore merited inclusion.³ AFFH related programs that did not require any amendments are not included in Exhibit B but are available in Chapter 6 of the adopted Housing Element (2021-2029) (see Appendix E).

Examples of the types of specific program revisions being proposed include the following:

- Replacing language around exploring or considering specific actions, to include more specific commitments. For example, language to “explore” and “evaluate” the drafting of code amendments is revised to clarify the intention to take more specific actions, such as drafting a code amendment or presenting a report to the City Council (see Program 7, Opportunities to Increase Affordable Housing and Increase Equity through Major Entitlements and Program 85, Just Cause Eviction).
- Adding language detailing geographic targets of programs. For example, language is added to several programs to clarify that the City will target outreach to areas with high displacement risk and High Segregation & Poverty areas (see Program 22, Systematic Code Enforcement Program; Program 32, RSO Enforcement; Program 38, Rent Escrow Account Program/Utility Maintenance Program and Program 86, Tenant Anti-Harassment).
- Providing clearer timelines for program implementation — for example, “Release draft methodology for public review by 2023, and bring to the City Planning Commission for action by 2024” (see Program 49, Targeted Zoning Allocations by Community Plan Area).

¹ Newly proposed programs: 133, 134, 135, and 136

² Previously existing programs: 1, 3, 4, 6, 7, 8, 10, 14, 15, 18, 20, 22, 26, 30, 32, 38, 49, 52, 56, 63, 65, 81, 82, 84, 85, 86, 87, 88, 89, 90, 99, 102, 108, 122, 123 and 124; Previous programs detached from revisions: 41, 42, 49 and 68

³ Additional AFFH programs identified in Program 124: 9, 24, 68, 96, and 128

- Adding reasonable and achievable AFFH metrics, which are intended to aid in ongoing evaluation of program success — for example, setting a goal that at least 8% of city-financed affordable housing units will be located in High Opportunity Areas (Program 6, New Production of Affordable Housing through the Affordable Housing Managed Pipeline)
- More clearly define program objectives and description text — for example, “Revise the Asset Management Evaluation Framework to add AFFH criteria into the property review and evaluation process” (see Program 15, Public Land for Affordable Housing).
- Articulating previously established metrics and targeting — for example, adding language about priority scoring for affordable housing in High Opportunity Areas, (established in Council File (CF) 21-0305), adding the requirement that 20% of Linkage Fee revenue will support affordable housing preservation (established in CF 17-0274) and adding the requirements of the Accessible Housing requirements established under the Voluntary Settlement Agreement (see Program 6, New Production of Affordable Housing through the Affordable Housing Managed Pipeline; Program 8, Accessible Housing Program; Program 10, Linkage Fee; and Program 19 Finance the Construction and Maintenance of Permanent Supportive Housing)

In addition, four new implementation programs are proposed to be added to the Housing Element, to better capture existing place-based efforts that have been implemented across City Departments and have strong commitments to AFFH. These are all existing work programs, and the metrics associated with them have been previously established through grant requirements, council report backs, or existing department policies:

- Program 133 - Mobility Improvements in Lower-Income Areas
- Program 134 - Promote Equitable Economic Development in High Poverty and High Unemployment Areas
- Program 135 - Place Based Community Revitalization Efforts
- Program 136 - Solid Ground Program

Finally, the proposed revisions include a revised structure for Program 124, which is the Housing Element’s overarching AFFH Program. This revised structure is proposed to provide a more clear structure for the Program, that clearly demonstrates how the various strategies and actions affirmatively further fair housing. The Program includes a table containing the various strategies and actions identified to affirmatively further fair housing. Within the table, thirteen broader AFFH strategies link to more than 50 individual Housing Element implementation programs, where metrics, timelines, commitments and AFFH components have been summarized. The table also links these strategies and program actions to the primary contributing factors identified in the element’s assessment of fair housing as well as the four examples of AFFH Categories identified in state law, as provided below:

Contributing Factors

1. Lack of Access to Opportunity Due to High Housing Costs
2. Land Use and Zoning Laws
3. Availability of Affordable and Accessible Units in a Range of Sizes
4. Lack of Affordable Housing
5. Insufficient Tenant Protections
6. Housing Discrimination
7. Violations of the Rent Stabilization Ordinance
8. Displacement of Residents Due to Economic Pressures
9. Lack of Private Investment in Specific Neighborhoods
10. Lack of Public Investment in Specific Neighborhoods, Including Services and Amenities

Examples of AFFH Categories Identified in State Law

1. *Mobility and Inclusion* - Enhancing mobility strategies and promoting inclusion for protected classes.
2. *Access to Opportunity* - New housing choices and affordability in areas of opportunity / encouraging development of new affordable housing in high-resource areas
3. *Place-based Strategies* - Strategies to encourage community development and revitalization
4. *Anti-Displacement* - Protecting existing residents from displacement

Additional Technical Corrections

In addition, as provided in Exhibit B, the project includes minor technical corrections. This includes corrections of typographical and formatting errors, including but not limited to accrediting staff, adding references to the amendment case number and adoption dates, and revisions to Appendix 4.1 (Inventory of Adequate Sites for Housing (Table A)). The Appendix 4.1 correction appends missing data for individual sites that is intended to be provided for informational purposes only, regarding the maximum number of units that would be permitted on the site after application of a development bonus. This data was inadvertently omitted due to a formatting error, but are entirely optional, not required by the state, and provided for additional clarity. The addition of this data does not affect the substance of the plan, the sites identified in the inventory, or the overall evaluation of potential site capacity.

Discussion of Key Issues

The most significant issue regarding the proposed amendments is achieving compliance under housing element law. The City of Los Angeles currently does not have a Housing Element for the 6th cycle that HCD has found to be compliant with state law, which has triggered a number of significant consequences or potential future consequences. This includes the following:

1. Eligibility for State Funding - Several federal, state, and regional funding programs consider housing element compliance, as determined by HCD, as an eligibility or ranking criteria. For example, the CalTrans Senate Bill (SB) 1 Sustainable Communities grant; the Strategic Growth Council and HCD's Affordable Housing and Sustainable Communities programs; and HCD's Permanent Local Housing Allocation and Prohousing Incentive Program consider

housing element compliance and/or annual reporting requirements. With a compliant housing element, the City will meet housing element requirements for these and other funding sources.

2. Compressed Timelines for Rezoning - As a result of Assembly Bill 1398 (2021), failure to adopt a housing element HCD has found to be in substantial compliance within 120 days of the statutory deadline (October 15, 2021), requires that any rezoning needed to accommodate the regional housing needs allocation (RHNA) be completed one year from the statutory deadline. Failure to meet the deadline, could allow the HCD to refer non-compliance to the State Attorney General for enforcement.
3. No Net Loss Requirements - Housing element law requires findings be made when jurisdictions approve developments at a lower residential density than identified in the housing element inventory of sites. The intent is to ensure adequate sites remain available through the eight-year planning period to accommodate the RHNA Allocation. A housing element that is not compliant requires that findings be made for a broader set of sites, as this changes the definition of "lower residential density" to include anything less than 80 percent of the maximum allowable residential density for that parcel, or 80 percent of the maximum density required for lower income sites in housing element law (30 units/acre), whichever is greater.
4. Attorney General Referral - If HCD finds a housing element not to be in substantial compliance with state law, they can refer the matter to the Office of Attorney General, who may bring a lawsuit against the City. If a Court finds the housing element to not be in substantial compliance with state law the court would issue an order to correct, and the local agency may face potential consequences such as mandatory compliance within 120 days, suspension of local control on building matters, financial penalties (from \$10,000 to \$300,000 or more) and/or court approval of housing developments.

Given these important consequences, it is critical to obtain compliant status from HCD as soon as possible. While the City does not anticipate it will lose any state funding provided the City's Housing Element is adopted and certified by the state on the anticipated schedule, any elongated approval process begins to push closer to funding deadlines.

The one-year rezoning timeline has the potential to truncate an important and complex implementation program. The state is aware of the challenges associated with an expedited rezoning program, particularly for larger jurisdictions such as Los Angeles, and has indicated that it would seek to prioritize enforcement against jurisdictions that have not demonstrated progress towards rezoning, or other enforcement priorities. In addition, the City understands there may be future state legislation proposed this session to address the one-year rezoning timeline.

It is also important to note that HCD, under legislation enacted in recent years, is authorized to review any action or failure to act by a local government that it finds inconsistent with an adopted housing element or state housing element law. This includes failure to implement program actions included in the housing element. HCD may revoke housing element compliance if the local government's actions do not comply with state law.

HCD'S February 22, 2022 review letter (see Exhibit D) on the City's Housing Element (2021-2029) identified two key revisions that needed to be addressed in the programs which support the Affirmatively Furthering Fair Housing strategy. First, HCD requested that existing programs be strengthened to include more metrics and milestones to strengthen their connection to the overall AFFH strategy. HCD's suggestions include ensuring that each program supporting the overarching AFFH strategy includes the following four components:

1. numerical metrics/targets for measurable outcomes
2. discrete timing/milestones (e.g., annual, or completion by a given date)
3. specific commitment (e.g., the city will amend X ordinance)
4. clear connection to AFFH and/or geographic targeting

Second, HCD identified a need to better emphasize place-based investments and community revitalization strategies, particularly those less specifically relating to housing, such as place-based mobility investments.

As such, the City of Los Angeles proposes targeted amendments to the Housing Element (2021-2029), including revisions and additions to the fair housing programs in Chapter 6 to clarify metrics, milestones, actions, and strategies to affirmatively further fair housing and prioritize community investment in vulnerable communities subject to environmental pollution, as well as, expand place-based programs to encourage community revitalization and affordable housing access. Fair housing programs which were not revised are available in Chapter 6 of the adopted Housing Element, see Exhibit E.

Delegation of Authority to the Director for Future City Council Resolutions

As described above, the Housing Element requires targeted modifications in order to bring the Element into full compliance with state housing element law. Before the City Council can take action to amend the Housing Element, as an element of the General Plan, the City Charter Section 555 requires the City Planning Commission (CPC) to make a recommendation on the amendments and related resolutions. Under Section 555, any modification by the City Council of the CPC's recommendation, no matter how minor, must be reviewed by CPC and CPC must make a recommendation on the modification before the City Council can approve the amendment.

To facilitate timely adoption of these amendments, and given consideration of the implications of continued housing element noncompliance, the Department recommends that the CPC invoke City Charter Section 559 to delegate authority to the Director of Planning to review and recommend on behalf of the CPC any additional technical or targeted modifications to the CPC's recommendation on the proposed amendment to the 2021-2029 Housing Element, until such time as the City obtains a finding by HCD that the 2021-2029 Housing Element substantially complies with all statutory requirements for the sixth revision of the City's Housing Element. To the extent this requires additional public hearings by the CPC, the delegation of authority would authorize the Director to hold a required public hearing on behalf of the CPC, as well as comply with all other procedures required under Section 11.5.6 and Charter Section 555.

Environmental Analysis/CEQA

On November 24, 2021 the Los Angeles City Council certified the Environmental Impact Report (EIR) prepared for the Citywide Housing Element 2021-2029 and Safety Element Update, SCH No. 2021010130 ("2021-2029 Housing Element EIR") and adopted the updates to the Housing Element and Safety Element. The 2021-2029 Housing Element EIR was prepared to examine the potential environmental effects of the 2021-2029 Housing Element Update, including the programs and policies that have the potential to result in physical environmental effects, and the Inventory of Sites and Rezoning Program needed to demonstrate zoned capacity needed to accommodate the City's RHNA Allocation.

Approval of the Proposed Project is supported by an Addendum to the 2021-2029 Housing Element EIR, as presented in Exhibit C. As supported by the analysis therein and the whole of the record, including review of the EIR, none of the criteria are met under Section 15162 of the CEQA Guidelines to require preparation of a subsequent or supplemental EIR for the Proposed Project.

Conclusion

This staff report describes the proposed amendments to the 2021-2029 Housing Element, with a focus on the programs that Affirmatively Further Fair Housing (AFFH). This report provides background on the housing element requirements under state law, gives an overview of the 2021-2029 Housing Element amendments and summarizes key changes to the AFFH Programs, and presents a summary of the public discussion and input received to date. Additionally, the report includes recommendations on requested actions for the adoption of the revisions. With these proposed modifications, HCD has found that the City's Housing Element will be in full compliance with all state housing element law requirements upon final adoption.

FINDINGS

Housing Element Consistency Discussion and Findings

A. General Plan Consistency Discussion

The proposed targeted amendments to the adopted 2021-2029 Housing Element only affect implementation programs related to the AFFH strategy and provide relatively minimal revisions to clarify existing programs and commitments. The project also includes minor technical corrections. This includes corrections of typographical and formatting errors, including but not limited to accrediting staff, adding references to the amendment case number and adoption dates, and revisions to Appendix 4.1 (Inventory of Adequate Sites for Housing (Table A)). These minor technical revisions do not affect the substance of the plan, the sites identified in the inventory, or the overall evaluation of potential site capacity. The goals, policies, and objectives included in the adopted 2021-2029 Housing Element are not proposed to be amended or modified. The amended programs are supported by the existing goals, policies, and objectives in the 2021-2029 Housing Element, and are intended to provide the necessary tools to implement and carry out the vision established by those goals, policies, and objectives. Therefore, the proposed amendments do not result in a substantive change to the adopted 2021-2029 Housing Element, and the findings adopted by the City Council on November 24, 2021 are applicable to the proposed project.

Furthermore, the four new proposed Implementation Programs (Programs 133, 134, 135, and 136) are intended to capture existing place-based efforts that have been identified in prior planning efforts and/or implemented across City Departments. These are all existing work programs, and the metrics and commitments associated with them have been previously established through grant requirements, council report backs, or existing department policies. These programs are consistent with the General Plan, and several of the programs reflect existing implementation programs identified in elements of the General Plan, including the Mobility Plan (Program 133) and the Safety Element (Program 135).

For all the reasons provided above, the proposed targeted amendments to the 2021-2029 Housing Element fair housing programs and the minor technical corrections mentioned in this report are consistent with the City of Los Angeles General Plan.

B. State Housing Element Findings (California State Government Code Section 65580 - 65589.11)

Consistency with State Law - Statutory requirements for the housing element are delineated in California State Government Code Section 65580 - 65589.11. The housing element is required to be updated every eight years in accordance with a specific schedule of dates established by the California Department of Housing and Community Development (HCD). This Housing Element is part of the sixth cycle, which covers the period of October 15, 2021 through October 15, 2029 for the SCAG region.

The City is required to comply with all applicable state housing element requirements, including submitting the adopted Housing Element to HCD for its review and findings on substantial compliance.

On November 24, 2021, the Los Angeles City Council adopted a General Plan Amendment for the 2021-2029 Housing Element Update. Following adoption, the Plan was submitted to HCD for formal review and certification on November 24, 2021.

On February 22, 2022 the City received a letter from HCD (Exhibit D) stating that additional revisions were needed to the Housing Element's programs to ensure compliance with new Affirmatively Furthering Fair Housing (AFFH) requirements in state law.

The City collaborated with HCD to respond to guidance, directions and technical assistance to make the needed targeted revisions to bring the City's Housing Element into full compliance. On April 21, 2022, the City released a draft of the targeted amendments for public review and provided notice to all interested parties. On April 28, 2022, the City submitted the proposed targeted modifications to HCD for formal compliance review, meeting the statutorily required seven-day public review period in advance of HCD's formal review. On May 11, 2022, the City received a letter from HCD (Exhibit D) stating that, "The revised draft element meets the statutory requirements described in HCD's February 22, 2022 review ... As a result, the revised element will comply with State Housing Element Law (Article 10.6 of the Gov. Code) when the revisions are adopted and submitted to HCD, pursuant to Government Code section 65585." As such, absent any further changes to the revised draft that may impact the finding, the proposed Housing Element is consistent with state housing element law (California State Government Code Section 65580 - 65589.11), and no further findings are required.

CEQA Findings

The Proposed Project has been reviewed by the City of Los Angeles in pursuant to Sections 15162 and 15164 of the California Environmental Quality Act (CEQA) Guidelines, and Section 21166 of the Public Resource Code. As supported by the Addendum, attached in Exhibit C, and the Environmental Impact Report (EIR) prepared for the Citywide Housing Element 2021-2029 and Safety Element Update, SCH No. 2021010130 ("2021-2029 Housing Element EIR"), and the whole of the record, the Proposed Project was analyzed in the EIR and no subsequent or supplemental EIR is required.

PUBLIC HEARING AND COMMUNICATIONS

Summary of Public Communications and Comments

The draft targeted revisions to the Housing Element were made available to the public on April 21, 2022. Consistent with Government Code 65585 (b)(1), the subsequent draft was posted on the Planning Department's website and a link of the draft revision was emailed to all individuals and organizations that have previously requested notices relating to the Housing Element seven days prior to this submission to HCD for review.

This section summarizes comments received as of since the public release of the proposed targeted amendments to the 2021-2029 Housing Element Update. In total, the Department received 6 comment letters via email, including one letter from ACT-LA, a coalition of community-based organizations. The recent comments received align and are consistent with the comments received during the development and adoption process of the 2021-2029 Housing Element. Comments expressed support for: affordable housing production and funding, housing for homeless populations, and parks funding.

Following is a detailed summary of comments received, grouped according to topic.

Affirmatively Furthering Fair Housing

- While improvements to streets and infrastructure are crucial, the City should also ensure that the City's current low-income inhabitants will not be displaced and thus not be able to stay and enjoy these public investments. One way identified to reduce displacement is to establish a right of return. The comment letter included specific key elements for consideration as part of a right to return policy.
- Housing Element goals to affirmatively further fair housing must prioritize plans for affordable and healthy residences, support tenant protections, and prevent displacement and gentrification, especially for vulnerable communities whose health have been impacted by long-standing environmental – air, soil and water – pollution.
- The Housing Element's AFFH Program 124 should be expanded to additionally report the status and remaining needs to fulfill the goals, metrics and measures shown in adopted 2017-23 AFFH Plan and Report.

Environmental Justice

- The City should utilize new funding sources for equitable built environment policies in Los Angeles that may not have existed or that may have existed but have not been historically used for built environment policies.
- The Housing Element should account for the cumulative impacts focused in Black and brown communities caused by harmful land uses such as warehouse expansions and neighborhood oil drilling by planning for safe and healthy housing that all residents can afford.

Rezoning

- The Rezoning Program 121 lacks details to describe how these programs will affirmatively further fair housing.
- The Rezoning Program 121 should be expanded to express an intention of the city to advance the goals, metrics, and measures shown in the 2017-23 AFFH Plan.

Public Land

- Land already owned by all public agencies within the City should be prioritized and utilized to address the collective need for affordable housing, especially given both the City's deep need for affordable housing and potential housing development cost savings by utilizing public lands for affordable housing development.
- The City should prioritize the adoption of implementing City ordinance necessary to advance Housing Element Program 15 (Public Land for Affordable Housing) with priority to reduce homelessness and support people at risk of becoming homeless by building affordable housing.
- The City of Los Angeles should revise the parks fee to encourage community revitalization in park-starved neighborhoods through new parks.

Staff made several edits based on these comments from the public. Program 87 (Strengthen Enforcement of Ellis Act Provisions) was amended to reflect more recent work in the area of administering and enforcing the right to return that exists for all housing development projects under state law (SB 8) until 2030. Programs 123 and 124 were amended to include an annual progress report on the goals, metrics, and measures listed in the 2017-23 AFH action plan as part of the Housing Element's Annual Progress Report. Program 134 includes a number of new environmental justice components, including references to the Safety Element's work programs on identifying and mitigating oil drilling impacts (Program 6) and expanding the Clean Up Green Up pilot (Program 15); as well as programs supporting parks, including distributing parks funding and a ballot measure to provide funding for the purposes identified in the Parks Condition assessment report and the Mayor's Executive Directive 31.

The Rezoning Program 121 contains details and analysis to demonstrate it will affirmatively further fair housing. In addition, Program 15 (Public Land for Affordable Housing) already prioritizes land owned by public agencies within the City and the Rezoning Program 121 includes a specific strategy to rezone Public Facility (PF) zoned land for affordable housing.

Public Hearing

A public hearing for the targeted amendments to the Housing Element will occur at the meeting of the City Planning Commission (CPC) on May 19, 2022. A public hearing notice was provided to interested parties on May 6, 2022, and published in the Daily Journal ten days in advance of the hearing, on May 9, 2022. Translation services will be made available to facilitate public comments in Spanish.