



# LOS ANGELES CITY PLANNING COMMISSION

200 N. Spring Street, Room 272, Los Angeles, California, 90012-4801, (213) 978-1300

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## LETTER OF DETERMINATION

**Mailing Date: October 20, 2021**

**Case No. CPC-2020-1365-GPA**

Council District: All

CEQA: ENV-2020-6762-EIR; SCH. No. 2021010130

Plan Area: Citywide

**Project site:** Citywide

**Applicant:** City of Los Angeles

At its meeting on **October 14, 2021**, the Los Angeles City Planning Commission considered three related amendments to the Los Angeles General Plan: The 2021-2029 Housing Element, Safety Element Update, and targeted amendments to the Health Element (Plan for a Healthy Los Angeles) (detailed in the Staff Report as “Proposed Plans”). Each of the Proposed Plans and related actions are documented in a separate Letter of Determination.

The Commission took the actions below in conjunction with approval of the following:

An update to the City of Los Angeles General Plan consisting of the 2021-2029 Housing Element. The Housing Element is one of the eight State-mandated elements of the General Plan and identifies the City’s housing conditions and needs, establishes the goals, objectives, and policies that are the foundation of the City’s housing strategy, and provides an array of programs to increase housing production, minimize displacement, provide greater access to opportunity and assist vulnerable populations. California law requires local governments to adopt land use plans and regulatory systems that provide opportunities for, and do not unduly constrain, housing development; implement programs to maintain and monitor existing and future housing stock, and update the Housing Element every eight years. The Housing Element Update will revise existing and establish new citywide priorities, policies, goals, and programs for the City to accommodate the City’s required housing needs allocation as determined by the Department of Housing and Community Development (HCD) and the Southern California Association of Governments (SCAG) in the Regional Housing Needs Assessment (RHNA). A new requirement of Housing Element law also requires a fair housing analysis to address, combat, and relieve disparities resulting from past patterns of segregation to foster more inclusive communities.

The Project involves State-mandated updates to accommodate the RHNA allocation through the year 2029, as established by SCAG. Under the RHNA allocation, the City is required to provide the zoned capacity to accommodate the development of at least 456,643 residential units using various land use planning strategies to plan for all income groups. The Housing Element Update includes revisions and additions to the goals, objectives, policies and implementation programs. The Housing Element Update also includes a Rezoning Program to create needed housing capacity for any identified shortfall in order to reach the required RHNA allocation and associated buffer by October 2024, as described in Chapter 4 of the draft Housing Element. A draft of the Housing Element is available as Exhibit B of the Staff Report.

1. **Conducted** a limited public hearing on the Proposed Plans, as described in the Staff Recommendation Report;
2. **Approved** the October 14, 2021 Staff Recommendation Report as the Commission Report, with those modifications in Attachment 1;
3. **Approved and recommended** that the City Council adopt the Findings in the Staff Recommendation Report, and directed staff to prepare the Final EIR, Environmental Impact Report (EIR) Findings, a Statement of Overriding Considerations, and a Mitigation Monitoring Program (MMP) for City Council consideration;
4. **Found** that the City Planning Commission has reviewed the Draft EIR (City EIR No. ENV-2020-6762- EIR and State Clearinghouse No. 2021010130), as shown in Exhibit N;
5. **Recommended** the City Council **adopt** the Resolution in Exhibit M to certify the EIR, adopt EIR Findings and a Statement of Overriding Considerations, and adopt a Mitigation Monitoring Program; or in the alternative, if the Resolution to certify the EIR has been adopted in a prior action by the City Council and the Housing Element Update and/or the Safety Element Update and/or the Health Element Update has been approved, find, as applicable, that the Housing Element Update and/or the Safety Element Update and/or the Health Element Update, was considered in the EIR and pursuant to CEQA Guidelines Sections 15162 and 15164, no subsequent EIR or supplemental EIR, or addendum is required;
6. **Approved and recommended** 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, as modified by the City Planning Commission in Attachment 1; and
7. **Authorized** the Director of Planning to present the Resolution (Exhibit A) and General Plan Amendment (Exhibit B), as modified by the City Planning Commission in Attachment 1, to the Mayor and City Council, in accordance with City Charter Section 555 and LAMC Section 11.5.6.

The vote proceeded as follows:

Moved: Millman  
Seconded: Dake Wilson  
Ayes: Campbell, Choe, Hornstock, Leung  
Absent: López-Ledesma, Mack, Perlman

**Vote: 6 – 0**

*Cecilia Lamas* (Electronic Signature due to COVID-19)

Cecilia Lamas, Commission Executive Assistant  
City Planning Commission

**Effective Date/Appeals:** The decision of the Los Angeles City Planning Commission is final and not appealable.

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

**Attachments:**

- Attachment 1 (October 14, 2021 Modifications)
- Attachment 2 Findings
- Attachment 3 Housing Element Resolution
- Attachment 4 Environmental Impact Report Resolution

**Exhibits:**

[Staff Recommendation Report](#)

- A. [Draft Housing Element Resolution](#)
- B. [2021-2029 Update to the Housing Element of the General Plan](#)
- C. [Vision and Concept Phase Outreach Summaries](#)
- D. [Housing Element Poll and Concept Survey Results](#)
- E. [Summary of Proposed Changes to Housing Element Goals, Objectives, Policies, and Programs](#)
- M. [Draft Environmental Impact Report Resolution](#)
- N. [Draft Environmental Impact Report \(DEIR\) and Appendices](#)
- O. [Draft Review Comments from State HCD and Responses to the State HCD Review](#)

cc: Arthi Varma, Deputy Director  
Nicholas Maricich, Principal City Planner  
Matt Glesne, Senior City Planner  
Blair Smith, City Planner  
Cally Hardy, City Planning Associate  
Betty Barberena, City Planning Assistant  
Wajiha Ibrahim, City Planning Assistant

**Attachment 1: (October 14, 2021 Modifications)****MODIFICATIONS TO THE HOUSING ELEMENT UPDATE BY  
THE CITY PLANNING COMMISSION ON OCTOBER 14, 2021  
CPC-2020-1365-GPA**

1. Incorporate modifications presented to the Commissioners as detailed in the Technical Modifications memo to CPC (Agenda Item No. 7) dated October 13, 2021, which included clarifications and corrections to be incorporated into the Proposed Housing Element Update:
  - a. Modify Chapter 4 of the proposed plan, regarding the Inventory of Adequate Sites.
  - b. Modify Chapter 4 of the proposed plan, regarding the Rezoning Program Strategies and Key Assumptions.
  - c. Modify Chapter 4 of the proposed plan, regarding the inventory of Candidate Sites for Rezoning.
  - d. Modify Chapter 4 of the proposed plan, regarding Affirmatively Furthering Fair Housing Analysis of the Rezoning Program, including directing staff revise analysis, reflected in Tables 4.32 through 4.37 and accompanying text in Chapter 4, and in Tables 4A-10 through 4A-21 in Appendix 4.4, to reflect edits to Inventory of Candidate Sites for Rezoning as described above.
  - e. Modify pages 272 and 273 of Chapter 6 of the proposed plan, regarding the final sentence of the objective and program description for Program 21.
  - f. Modify pages 272 and 273 of Chapter 6 of the proposed plan, regarding the final sentence of the objective and program description for Program 21.
  - g. Modify page 286 of Chapter 6 of the proposed plan, regarding the objective for Program 43.
  - h. Modify page 288 of Chapter 6 of the proposed plan, regarding the objective and program description for Program 45.
  - i. Modify page 298 of Chapter 6 of the proposed plan, regarding the first sentence of the description of Program 58.
  - j. Modify page 352 of Chapter 6 of the proposed plan, regarding Program 131 objective and program description.
    - i. On page 3, Executive Summary, amend the Mayor's Office Acknowledgement section as follows: Claudia Monterrosa, Chief Housing Officer
    - ii. In Chapter 1, correct graphical error at the bottom of page 99 that caused overlap of body text and footnote.
    - iii. In Appendix 1.1, make the following corrections:
      - a. To maintain uniformity in the lowercase labeling of the race category "white," modify the following tables and chart by converting the capital "W" in "white" to a lowercase "w" in:
        - i. Page 1.1-17, Table 1.1.1 (Population Growth Rate of Race and Ethnicity - City of Los Angeles)
        - ii. Page 1.1-18, Chart 1.1.15 (Change in Race and Ethnicity Over Time - LA City)
        - iii. Page 1.1-29, Table 1.1.4 (Isolation Index); and
        - iv. Page 1.1-94, Table 1.1.10 (Back Rent Owed by Race/Ethnicity of ERAP Applicants)
      - b. On page 1.1-16, Chart 1.1.13: Correct data entry error by modifying chart to depict the correct Percentage of Total Persons Experiencing Homelessness (blue bar) for Latinx (33%) and Black/African American (38%).

- c. On page 1.1-66, Chart 1.1.36: Correct data selection error by deleting extraneous unlabeled bar to the far right of the chart. 4.
    - iv. Make additional, non-substantive text edits as necessary to correct typographical errors.
  - k. Correct Map 2.1.2 “Percentage of Residential Land Area,” located on page 7 in Appendix 2.1. This map is missing information and the legend necessary to convey the percentage of all residential land zoned as Single Family (70.4% of all residential land), Lower Density Multi-Family (12.3% of all residential land), and Higher Density Multi-Family (17.3% % of all residential land) as was originally depicted in the Map of the same name included in Appendix 2.1 of the July Housing Element Draft. The corrected Map 2.1.2 provided below is to replace the current map on page 7 of Appendix 2.1.
  - l. Modify Appendix 4.7 as follows:
    - i. Remove from the Candidate Sites for Rezoning listed properties included erroneously including parcels subject to the Wiggins Settlement, Residential Hotels, Homekey sites, and sites unlikely to develop such as street medians, museums, and other long-term uses. Modify capacities on listed publicly owned sites to avoid duplication with sites listed on Appendix 4.8. Parcels to be removed are listed in a table in the Technical Modifications memo.
    - ii. Add and modify listed sites near the Exposition/Sepulveda intersection, by applying the Opportunity Corridor (OPP C) incentives to NMU(EC)-POD zoned parcels. Parcels to be added and modified are listed in a table in the Technical Modifications memo.
- 2. Incorporate modifications presented to the Commissioners as detailed in the Technical Modifications memo to CPC (Agenda Item No. 7) dated October 14, 2021, which including:
  - a. Exhibit M, removed the footer "Admin Draft" which was erroneously included.
  - b. Exhibit N, corrected the hyperlink (previously was hyperlinking to two pages).
- 3. Incorporate the modifications made by the City Planning Commission on October 14, 2021 pertaining to the Housing Element Update summarized as follows:
  - a. Modify Program 121 (RHNA Rezoning) to include an intent to evaluate strategies to avoid displacement of existing RSO tenants through the rezoning.
  - b. Modify Program 121 (RHNA Rezoning) to include an intent to prioritize rezoning in higher opportunity areas and ensure that high opportunity areas include the maximum amount of on-site affordable housing that is economically feasible.
  - c. Modify Program 48 (Update Density Bonus and Other Affordable Housing Incentive Programs) to explore the prioritization of the rental of affordable units for those who were displaced by an Ellis Act no-fault eviction.
  - d. Modify Program 88 (Eviction Defense Program) to explore and evaluate the goal of establishing a tenant’s “right to counsel” program in Los Angeles.
  - e. Add new Policy 3.1.9: Encourage “convertible design” of above ground parking structures in transit rich areas so they can later be converted to housing. Also amend Program 21 (Innovative Parking/Mobility Strategies in Housing) to include, as a part of future planning efforts, the exploration of ways parking structures can more easily be converted to housing in the future as needs change, particularly in transit-rich areas.
  - f. Amend Program 16 (New Models for Affordable Housing) to include exploration of considerations regarding the prioritization of public land for new models of affordable housing development and control, including Community Land Trusts or social/public housing.

## **ATTACHMENT 2:**

### **FINDINGS**

#### **Summary**

The Proposed Plan as modified is consistent with the City Charter, LAMC, and General Plan Findings as recommended by the City Planning Commission on October 14, 2021 and the modifications approved by the City Planning Commission on October 14, 2021 are consistent with and further support the Findings of Fact.

#### **Project Location**

The Los Angeles Citywide Housing Element 2021-2029 Update, Safety Element Update, and Health Element Amendments (the Proposed Plans) will apply to the entire geographic area located within the boundaries of the City of Los Angeles, which encompasses 467 square miles.

#### **I. Finding Requirements for General Plan Amendments**

##### **City Charter Requirements**

**Charter Section 555** — Charter Section 555 provides that the City Council may amend the General Plan in its entirety, by subject elements or parts of subject elements, or by geographic areas, provided that the part or area involved has significant social, economic, or physical identity. No legislative findings are required to amend the General Plan. The Proposed Plans propose amendments to three elements of the General Plan: (1) updating the Housing Element of the General Plan, including a new policy document and related Rezoning Program, (2) amendments to the Safety Element of the General Plan, and (3) amendments to the Health Element (Plan for a Healthy Los Angeles) of the General Plan. All the amendments to subject elements of the City's General Plan apply citywide.

##### **State General Plan Consistency Requirement**

State law requires that the General Plan have internal consistency among its elements (Government Code Section 65300.5). The updated Housing Element, Safety Element and the Health Element must be consistent with the other elements and components of the General Plan. Those elements are the Land Use, Circulation (Mobility), Housing, Conservation, Open Space, Noise, Safety and Health Element. In addition to the eight mandated elements, the City's General Plan includes a Framework Element, an Infrastructure Systems Element, a Public Facilities and Services Element, and an Air Quality Element. State Housing law does provide an exception to consistency where the Housing Element includes a program to bring the other elements into consistency with the Housing Element where necessary to make adequate provision for the housing needs of all economic segments of the community (Gov. Code Section 65583(c)(8).)

Neither state law nor local law (City Charter and Code) requires the City to adopt consistency findings or any other findings to amend a general plan element. The consistency discussion is provided for the City Planning Commission's consideration in approving and recommending the Proposed Plans and its determination that the Proposed Plans are consistent with the City's General Plan.

## State Housing Element Findings

If a Housing Element relies on non-vacant sites to accommodate 50 percent or more of its RHNA for lower income households, the non-vacant site's existing use is presumed to impede additional residential development, unless the Housing Element describes findings based on substantial evidence that the use will likely be discontinued during the planning period. The City must make findings stating the uses on non-vacant sites identified in the inventory to accommodate the RHNA for lower income is likely to be discontinued during the planning period and the factors used to make that determination (Gov. Code, § 65583.2, subd. (g)(2)). These findings are provided in Section B, below.

## II. Housing Element Consistency Discussion and Findings

### A. General Plan Consistency Discussion

For all the reasons provided below, the Housing Element Update contains goals, objectives, policies, and programs that are consistent with the City of Los Angeles General Plan.

#### The Framework Element

The Housing Element Update is consistent with and carries out the long-range growth goals, objectives, and policies of the Framework Element of the General Plan. This section contains a discussion showing the consistency between the Housing Element and Framework Element.

The General Plan Framework Element sets forth a Citywide comprehensive long-range growth strategy and defines Citywide policies regarding the following categories: growth and capacity, land use, housing, urban form, neighborhood design, open space and conservation, economic development, transportation, infrastructure, and public services. Therefore, the following discussion is organized by the categories found in the Framework Element below:

#### *Growth and Capacity*

With regards to **growth and capacity**, the State of California requires that cities accommodate a share of the region's projected growth based on a RHNA allocation every eight years as part of the Housing Element. In 2020, SCAG determined that the City must accommodate a RHNA allocation of 456,643 housing units with 184,721 units of the RHNA allocation at lower income levels. While this number of housing units exceeds the Framework Element's 2010 estimates, which corresponded to SCAG's forecast for 2010, the accommodation of the RHNA reflects a 2029 time horizon. The Framework Element states that it is a plan to accommodate whatever growth occurs in the future and that the population and housing estimates used by the plan do not represent maximum or minimum levels of growth to be permitted. The 2010 Framework population and household figures still have not been reached in 2021 and remain relevant, as do the Framework policies, even if housing needs anticipated by the RHNA exceed these figures. Therefore, the growth and capacity figures in the Housing Element are not inconsistent with the Framework Element goals, policies and objectives. The Housing Element accommodates the City's forecasted growth and existing need for housing and does not induce unplanned growth.

#### *Land Use*

With respect to the **Land Use**, the General Plan Framework Element states the following:

**Framework GOAL 3A**

*A physically balanced distribution of land uses that contributes towards and facilitates the City's long-term fiscal and economic viability, revitalization of economically depressed areas, conservation of existing residential neighborhoods, equitable distribution of public resources, conservation of natural resources, provision of adequate infrastructure and public services, reduction of traffic congestion and improvement of air quality, enhancement of recreation and open space opportunities, assurance of environmental justice and a healthful living environment, and achievement of the vision for a more liveable city.*

**Objective 3.1** *Accommodate a diversity of uses that support the needs of the City's existing and future residents, businesses, and visitors.*

**Policy 3.1.4** *Accommodate new development in accordance with land use and density provisions of the General Plan Framework Long-Range Land Use Diagram.*

**Policy 3.1.6** *Allow for the adjustment of General Plan Framework Element land use boundaries to account for changes in the location or introduction of new transit routes and stations (or for withdrawal of funds) and, in such cases, consider the appropriate type and density of use generally within one quarter mile of the corridor and station to reflect the principles of the General Plan Framework Element and the Land Use/Transportation Policy.*

**Objective 3.2** *Provide for the spatial distribution of development that promotes an improved quality of life by facilitating a reduction of vehicular trips, vehicle miles traveled, and air pollution.*

**Policy 3.2.2** *Establish, through the Framework Long-Range Land Use Diagram, community plans, and other implementing tools, patterns and types of development that improve the integration of housing with commercial uses and the integration of public services and various densities of residential development within neighborhoods at appropriate locations.*

**Objective 3.3** *Accommodate projected population and employment growth within the City and each community plan area and plan for the provision of adequate supporting transportation and utility infrastructure and public services.*

**Policy 3.3.1** *Accommodate projected population and employment growth in accordance with the Long-Range Land Use Diagram and forecasts in Table 2-2 (see Chapter 2: Growth and Capacity), using these in the formulation of the community plans and as the basis for the planning for and implementation of infrastructure improvements and public services.*

**Objective 3.4** *Encourage new multi-family residential, retail commercial, and office development in the City's neighborhood districts, community, regional, and downtown centers as well as along primary transit corridors/boulevards, while at the same time conserving existing neighborhoods and related districts.*

**Policy 3.4.1** *Conserve existing stable residential neighborhoods and lower-intensity commercial districts and encourage the majority of new commercial and mixed-use (integrated commercial and residential) development to be located (a) in a network of neighborhood districts, community, regional, and downtown centers, (b) in proximity to rail and bus transit stations and corridors, and (c) along the City's major boulevards, referred*

*to as districts, centers, and mixed-use boulevards, in accordance with the Framework Long-Range Land Use Diagram (Figure 3-1 and 3-2).*

**Policy 3.4.3** *Establish incentives for the attraction of growth and development in the districts, centers, and mixed-use boulevards targeted for growth that may include:*

- a. Densities greater than surrounding areas,*
- d. Streamlined development review processes,*
- e. "By-right" entitlements for development projects consistent with the community plans and zoning,*
- f. Modified parking requirements in areas in proximity to transit or other standards that reduce the cost of development, and*
- g. Pro-active solicitation of development.*

The proposed Housing Element supports and is consistent with the Framework Element land use Goal 3A because its policies describe planning for local and citywide housing needs in balance with factors such as jobs and transit (Pol. 1.1.1), in alignment with the General Plan and the Citywide Housing Priorities (Pol. 1.1.2) and with an emphasis on achieving a more equitable distribution of affordable housing opportunities throughout the city, particularly in Higher Opportunity Areas that lack it today (Pol. 1.18, 1.3.1 and 1.3.2). The emphasis on Higher Opportunity Areas is in line with the Goal's first direction to balance land uses (housing is out of balance in these areas) as well as more equitably distribute public resources such as affordable housing. It also aligns closely with the Framework's overall Housing Goal 4A discussed below. The proposed Housing Element acknowledges that a focus on Higher Opportunity Areas need to be balanced with other growth considerations outlined in the General Plan, including the location of high-quality transit, jobs, hazard areas, and ecologically sensitive areas. The Plan also supports the preservation and enhancement of the quality of housing (Goal 2, Obj. 2.3, Pol. 3.1.4) as well as the conservation of sensitive areas. The Rezoning Program generally emphasizes corridors and boulevards, Regional Centers, new and forthcoming transit centers, as well as access to jobs and Higher Opportunity Areas. Overall, the Housing Element seeks to support the vision of an equitable, livable, sustainable city that meets the needs of the population through a thoughtful balanced distribution of different types of housing types.

The policies and programs contained in the Housing Element Update encourage housing at different densities, sizes, affordability levels, and in different areas of the City's to meet the housing needs of all the segments of its diverse population. The proposed Housing Element also calls for the adoption of updates to Community Plans, Transit Neighborhood Plans, Specific Plans, and Citywide ordinances to establish appropriate land uses, densities, and mixes of housing types and levels of affordability in areas that are well served by public transit and are employment/activity centers, and where the potential for displacement is minimized, particularly in Higher Opportunity Areas. Those updates will be consistent with the Long-Range Land Use Diagram in the Framework Element or will include amendments. The proposed Housing Element supports the identification of areas of opportunity for future housing development, while ensuring protection of environmentally sensitive areas. Areas where new housing is anticipated would be served by sufficient public infrastructure and services in the City.

### *Single-Family Neighborhoods*

With respect to Single-Family Neighborhoods, the General Plan Framework Element states the following:

#### **Framework GOAL 3B**

*Preservation of the City's stable single-family residential neighborhoods.*

**Objective 3.5** *Ensure that the character and scale of stable single-family residential neighborhoods is maintained, allowing for infill development provided that it is compatible with and maintains the scale and character of existing development.*

**Policy 3.5.3** *Promote the maintenance of existing single-family neighborhoods and support programs for the renovation and rehabilitation of deteriorated and aging housing units.*

**Objective 3.6** *Allow for the intensification of selected single-family areas that directly abut high-density development as "transitions" between these uses.*

**Policy 3.6.1** *Ensure that the new development of "duplex" or multi-family units maintains the visual and physical character of adjacent single-family neighborhoods, including the maintenance of front property setbacks, modulation of building volumes and articulation of facade to convey the sense of individual units, and use of building materials that characterize single-family housing.*

**Policy 7.9.3** *Preserve existing single-family neighborhoods throughout the City to assure a continuing supply of variously priced single-family homes from the existing inventory.*

The proposed Housing Element is consistent with the Framework Element's in that it promotes new development that furthers Citywide Housing Priorities in balance with the existing architectural context and aims to ensure a variety of ownership models that increase the ability for households to attain homeownership (Pol 3.1.2 and 2.2.1). Citywide Housing Priorities include designing and regulating housing to contribute to a sense of place and balance with architectural context (Obj. 3.1 and Pol. 3.1.2). Proposed Policy 1.1.8 promotes the introduction of "more flexible zoning and incentives for existing lower density residential areas to create opportunities for more "missing middle" low-scale housing typologies, particularly in Higher Opportunity Areas." This is expressed through programs to address better transitions between single family and multi-family development, accessory dwelling units (ADUs), low-scale multi-family housing (such as duplexes, fourplexes, and bungalow courts), and rehabilitation projects (see Programs 58, 63, 59, 103, 23). In this regard it may also be noted that state law has changed the nature of single-family zoning in recent years with the ADU reforms and SB 9 going into law in January 2022. The Housing Element Update also contains policies and programs that reflect the overarching need (and state law) to create more affordable housing opportunities and in a broader array of areas in a way that affirmatively furthers fair housing. This requires an honest examination of land use practices that have perpetuated racial exclusion and inequities (Program 130) as well as an exploration of the development of more affordable housing types housing that are compatible with low-density neighborhoods (4.3.3 and Policy 1.1.8). Neither policy calls for wholesale changes to single-family zoned areas but does recognize that goals such as affordability and equity must be considered alongside other land use policy objectives. Where intensification of lower density areas is considered proposed through the Rezoning Program, it is in alignment with other Framework policies regarding transit, mixed-use boulevards, urban form, transitions, and equitable distribution of public resources like affordable housing (see Policies 3.1.6, 3.13.2, 5.3.6, Objective 3.6, Goal 3A and 4A). The Housing Element includes several programs that support Framework single-family policies such as Programs 23, 58, 63, etc. Therefore, the Housing Element Update is consistent with the Framework Element policies, goals, and objectives for Single-Family Neighborhoods.

*Multi-Family Neighborhoods*

With respect to Multi-Family Neighborhoods, the General Plan Framework Element states the following:

**Framework GOAL 3C**

*Multi-family neighborhoods that enhance the quality of life for the City's existing and future residents.*

**Objective 3.7** *Provide for the stability and enhancement of multi-family residential neighborhoods and allow for growth in areas where there is sufficient public infrastructure and services and the residents' quality of life can be maintained or improved.*

**Policy 3.7.1** *Accommodate the development of multi-family residential units in areas designated in the community plans in accordance with Table 3-1 and Zoning Ordinance densities indicated in Table 3-3, with the density permitted for each parcel to be identified in the community plans.*

**Policy 3.7.3** *Allow the reconstruction of existing multi-family dwelling units destroyed by fire, earthquakes, flooding, or other natural catastrophes to their pre-existing density in areas wherein the permitted multi-family density has been reduced below the pre-existing level.*

The proposed Housing Element is consistent with the Framework Element in that it encourages multi-family housing that enhances the quality of life (Pol. 3.1.1, 3.1.2, 3.1.3, Programs 58, 59, 60, 63, 64, etc.). The Housing Element Update contains policies and programs that promote the new multi-family housing, particularly affordable and mixed-income housing, in areas near transit stations, jobs, and in higher opportunity areas. Furthermore, the Housing Element Update also supports the ability to reconstruct and ensure a right of return to existing residents if their housing is retrofitted or reconstructed after a disaster (Pol. 3.3.4. Program 53). The Rezoning Program proposes candidate sites for potential future rezoning actions, which will include updates to Community Plans as well as citywide zoning ordinances and affordable housing incentive programs.

*Transit Stations*

It is the intent of the General Plan Framework Element to encourage new development in proximity to rail and bus transportation corridors and stations. Within these areas, the highest development intensities are targeted generally within one quarter mile of the transit stations. It is intended that a considerable mix of uses be accommodated to provide population support and enhance activity near the stations.

With respect to **Transit Stations**, the General Plan Framework Element states the following:

**Objective 3.15** *Focus mixed commercial/residential uses, neighborhood-oriented retail, employment opportunities, and civic and quasi-public uses around urban transit stations, while protecting and preserving surrounding low-density neighborhoods from the encroachment of incompatible land uses.*

**Policy 3.15.3** *Increase the density generally within one quarter mile of transit stations, determining appropriate locations based on consideration of the surrounding land use characteristics to improve their viability as new transit routes and stations are funded in accordance with Policy 3.1.6.*

The proposed Housing Element is consistent with the Framework Element in that it contains policies and programs that encourage multi-family and mixed-use residential development, particularly affordable housing, in areas of the City that have quality transit stations and a range of employment opportunities supported by commercial services and amenities (Pol. 1.1.1, 1.3.1, 3.2.2). The Housing Element Update supports the adoption of updates to Community Plans, Transit Neighborhood Plans, Specific Plans, and Citywide ordinances to establish appropriate residential land uses, densities, and mixes of housing types and levels of affordability in areas that are well served by public transit (Pr. 65).

With respect to **Urban Form and Neighborhood Design**, the General Plan Framework Element state the following:

**Framework GOAL 5A**

*A liveable City for existing and future residents and one that is attractive to future investment. A City of interconnected, diverse neighborhoods that builds on the strengths of those neighborhoods and functions at both the neighborhood and citywide scales.*

**Policy 5.1.1** *Use the Community Plan Update process and related efforts to define the character of communities and neighborhoods at a finer grain than the Framework Element permits.*

**Objective 5.2** *Encourage future development in centers and in nodes along corridors that are served by transit and are already functioning as centers for the surrounding neighborhoods, the community or the region.*

**Policy 5.2.3** *Encourage the development of housing surrounding or adjacent to centers and along designated corridors, at sufficient densities to support the centers, corridors, and the transit system. While densities and distances will vary based on local conditions, the following residential density standards, which are based on the City's adopted Land Use/Transportation Policy, should be used as a general guide when updating community plans through a public participation process:*

- a. Four-stories over parking (R4) within 1,500 feet of grade-separated (subway or arterial) fixed rail transit stations;*
- b. Three-stories over parking (R3) within 1,500 feet of at-grade fixed rail transit stations;*
- c. Two-stories over parking (RD1.5) within 750 feet of major bus corridor intersections;*
- d. Where appropriate, two units per lot (R2) may be considered within 750 feet of major bus corridors.*

**Objective 5.5** *Enhance the liveability of all neighborhoods by upgrading the quality of development and improving the quality of the public realm.*

**Policy 5.5.3** *Formulate and adopt building and site design standards and guidelines to raise the quality of design Citywide.*

**Objective 5.8** *Reinforce or encourage the establishment of a strong pedestrian orientation in designated neighborhood districts, community centers, and pedestrian-oriented sub-areas within regional centers, so that these districts and centers can serve as a focus of activity for the surrounding community and a focus for investment in the community.*

**Policy 5.8.3** *Revise parking requirements in appropriate locations to reduce costs and permit pedestrian-oriented building design:*

- a. Modify parking standards and trip generation factors based on proximity to transit and provision of mixed-use and affordable housing.*
- b. Provide centralized and shared parking facilities as needed by establishing parking districts or business improvement districts and permit in-lieu parking fees in selected locations to further reduce on-site parking and make mixed-use development economically feasible.*

The proposed Housing Element is consistent with the Framework Element because it promotes and encourages livable buildings and neighborhoods with a range of housing types for diverse communities that builds on their strengths while also meeting citywide needs. The Housing Element policies and programs encourage a wide range of different densities and scales, balanced by architectural context, of high-quality design and offering pedestrian-friendly, (Policies 3.1.2, 3.1.3, 3.1.5). The Housing Element Update contains policies and programs that are focused on promoting mixed use and affordable and mixed-income housing particularly within close proximity to public transit stations and major bus corridors (Policies 3.2.1 and 3.2.2) The Housing Element Update also supports residential design standards that reduce housing costs, create a sense of place, and foster livable, resilient, and sustainable communities throughout the City (Pol. 3.1.2, 3.1.3, Programs 58, 59, 60, 63, 64, etc.)

### *Economic Development*

With respect to **Economic Development**, the General Plan Framework states the following:

***Policy 7.2.1*** *Identify the characteristics of any surplus City-owned land and determine the appropriateness of designating this land for public, commercial, industrial, or residential uses.*

***Policy 7.8.3*** *Encourage mixed-use development projects, which include revenue generating retail, to offset the fiscal costs associated with residential development.*

### **Framework GOAL 7G**

*A range of housing opportunities in the City*

***Objective 7.9*** *Ensure that the available range of housing opportunities is sufficient, in terms of location, concentration, type, size, price/rent range, access to local services and access to transportation, to accommodate future population growth and to enable a reasonable portion of the City's workforce to both live and work in the City.*

***Policy 7.9.1*** *Promote the provision of affordable housing through means which require minimal subsidy levels and which, therefore, are less detrimental to the City's fiscal structure.*

***Policy 7.9.2*** *Concentrate future residential development along mixed-use corridors, transit corridors and other development nodes identified in the General Plan Framework Element, to optimize the impact of City capital expenditures on infrastructure improvements.*

***Objective 7.10*** *Program resources in a manner that encourages appropriate development, housing opportunities, transit service and employment generation in all areas of the City, with particular emphasis on those portions of the City which historically have not received a proportional share of such opportunities, consistent with the City's overall economic policies.*

The Framework Element recognizes the critical link between economic development and housing, particularly between jobs and housing. The proposed Housing Element is consistent with the Framework Element in that aims to enable the City's workforce to both live and work in the City, by encouraging an ample supply of housing for residents and workers and promoting an array of housing types at different costs, including affordable and mixed income housing in areas with transit stations, a range of employment opportunities, and commercial services and amenities (Pol. 1.1.1, 1.1.2, 1.1.3, 1.2.1, 1.2.2, 1.3.1, 3.2.2). The Plan also promotes identification of appropriate public land for affordable housing, and supports mixed-use development (Obj. 3.2, Policies 1.2.10, 3.1.1, 3.2.9, Programs 15, 16, 60 and 67) and lowering the cost to build affordable housing by supporting incentives and streamlining for 100% affordable housing (Policy 1.2.4, 1.2.5, 1.2.8, 1.2.9, 1.2.10) as well as promoting an *emphasis on those portions of the City which historically have not received a proportional share of housing opportunities, including Higher Opportunity Areas (Obj. 1.3 and 4.3 and Pol. 1.3.1 and 3.2.3).*

### *Housing*

The Framework Element furthers goals stated in Housing Element and provides policy direction for future amendments to the Housing Element. The Framework Element acknowledges that housing production has not kept pace with the demand for housing leading to increased overcrowding and states that the “City must strive to meet the housing needs of the population in a manner that contributes to stable, safe, and livable neighborhoods, reduces conditions of overcrowding, and improves access to jobs and neighborhood services, particularly by encouraging future housing development near transit corridors and stations.”

With respect to **Housing**, the General Plan Framework includes the following overall Housing **Goals and Objectives**:

**Goal 4A:** *An equitable distribution of housing opportunities by type and cost accessible to all residents of the City.*

**Objective 4.1** *Plan the capacity for and develop incentives to encourage production of an adequate supply of housing units of various types within each City subregion to meet the projected housing needs by income level of the future population to the year 2010 (Per Table 2-1, the Framework Plan 2010 population is 4,306,500 persons).*

**Policy 4.1.1** *Provide sufficient land use and density to accommodate an adequate supply of housing units by type and cost within each City subregion to meet the twenty-year projections of housing needs (see Figure 4-1).*

**Policy 4.1.2** *Minimize the overconcentration of very low- and low-income housing developments in City subregions by providing incentives for scattered site development citywide.*

**Policy 4.1.3** *Minimize the over concentration of public housing projects in a City subregion.*

**Policy 4.1.4** *Reduce overcrowded housing conditions by providing incentives to encourage development of family-size units.*

**Policy 4.1.5** *Monitor the growth of housing developments and the forecast of housing needs to achieve a distribution of housing resources to all portions of the City and all income segments of the City's residents.*

**Policy 4.1.6** *Create incentives and give priorities in permit processing for low- and very-low income housing developments throughout the City.*

**Policy 4.1.7** *Establish incentives for the development of housing units appropriate for families with children and larger families.*

**Policy 4.1.8** *Create incentives and reduce regulatory barriers in appropriate locations in order to promote the adaptive re-use of structures for housing and rehabilitation of existing units.*

**Policy 4.1.9** *Whenever possible, assure adequate health-based buffer zones between new residential and emitting industries.*

**Objective 4.2**

*Encourage the location of new multi-family housing development to occur in proximity to transit stations, along some transit corridors, and within some high activity areas with adequate transitions and buffers between higher-density developments and surrounding lower-density residential neighborhoods.*

**Policy 4.2.1** *Offer incentives to include housing for very low- and low-income households in mixed-use developments.*

**Objective 4.3**

*Conserve scale and character of residential neighborhoods.*

**Objective 4.4**

*Reduce regulatory and procedural barriers to increase housing production and capacity in appropriate locations.*

**Policy 4.4.1**

*Take the following actions in order to increase housing production and capacity:*

*a. Establish development standards that are sufficiently detailed and tailored to community and neighborhood needs to reduce discretionary approvals requirements.*

*b. Streamline procedures for securing building permits, inspections, and other clearances needed to construct housing.*

*c. Consider raising thresholds for categorical exemptions for CEQA clearances for projects conforming to the City's development standards, particularly when housing is combined with commercial uses in targeted growth areas.*

*d. Consider establishing City service which assists applicants in processing applications for housing projects.*

The proposed Housing Element supports and is consistent with the Framework Element housing goal 4A as it strongly promotes a more equitable distribution of housing opportunities throughout the updates (e.g., Goal 2, 4, Obj. 1.3, 4.3, Pol.1.1.8, 1.3.1, 3.2.2, and various programs listed under Program 124 - AFFH). The Rezoning Program (Program 121) also significantly supports this goal, by focusing rezoning in Higher Opportunity Areas that have seen less than their fair share of housing opportunities.

The Housing Element aligns with the Framework's Objective 4.1 and associated policies with its focus on planning for capacities to provide a supply to make housing available at affordable types and costs (Pol. 1.1.2), while alleviating overconcentration of affordable housing (Obj. 1.3), overcrowding (Pol. 1.1.1), creating incentives and priorities for affordable housing (Pol. 1.1.8), adaptive reuse (Pol. 3.2.8), large families (Pol. 1.1.2 and Program 49) and health buffers (Pol. 3.1.4). The Plan also continues to emphasize transit as a key location for growth (Pol. 1.3.1 and 3.2.2) in alignment with Objective 4.2, the reduction of barriers to production in appropriate locations (Pol. 1.2.3, 1.2.5., 1.2.9) as well as to continue to balance production goals with

preservation and conservation policies (Goal 2, Obj. 2.3, Pol. 3.1.2). The Rezoning Program is consistent in that it is necessary to provide sufficient land use and density to accommodate an adequate supply of housing units by type and cost to meet projections of housing needs and plans to minimize the overconcentration of very low- and low-income housing developments in City subregions by providing incentives for scattered site development citywide, particularly in Higher Opportunity areas that have seen less affordable housing production than others.

### **Other General Plan Elements**

The proposed Housing Element is consistent with the purpose, intent, and provisions of the General Plan in that it helps to implement policies contained in a number of other General Plan Elements in addition to the Framework Element discussed above, including the:

- Circulation Element (Mobility Plan 2035)
- Health Element (Plan for a Healthy Los Angeles)
- Air Quality Element
- Conservation Element
- Safety Element

#### *Mobility Plan 2035 (Circulation Element)*

The City's Mobility Plan 2035 (Circulation Element) provides the policy foundation for achieving a transportation system that balances the needs of all road users and incorporates "complete streets" principles and lays the policy foundation for how future generations of Angelenos interact with their streets. This includes the strong link between residential land uses to transportation.

The City's Mobility Plan 2035 contains a number of important policies related to the proposed Housing Element, including:

#### ***Mobility Objective 3.1***

*Ensure that 90% of households have access within one mile to the Transit Enhanced Network by 2035.*

#### ***Mobility Objective 3.2***

*Ensure that 90% of all households have access within one-half mile to high quality bicycling\* facilities by 2035. (\*protected bicycle lanes, paths, and neighborhood enhanced streets)*

The Housing Element Update is consistent with the City's Mobility Plan 2035 in that it contains policies and programs that support the strong link between residential land uses and transportation, particularly public transit stations (Policies 1.1.1, 1.3.1 and 3.2.2). Incentivizing housing, particularly affordable housing, near transit stations ensures that transit-dependent residents have access to housing and employment opportunities, education, quality healthcare, and other amenities. These policies and programs acknowledge the ample opportunities for transit-oriented development that can support new housing (particularly affordable housing) as a result of significant transit infrastructure investments occurring in multiple neighborhoods of the City.

*Plan for a Healthy Los Angeles (Health Element)*

The Plan for a Healthy Los Angeles (Health Element) lays the foundation to create healthier communities for all Angelenos. As an Element of the General Plan, it provides high-level policy vision, along with measurable objectives and implementation programs, to elevate health and environmental justice as a priority for the City's future growth and development. It acknowledges that access to safe, affordable, accessible, and healthy housing is of paramount importance to living a healthy life.

The proposed Housing Element is consistent with the Health Element and furthers the following goals, objectives, and policies:

***Health Element Policy 1.6*** *Reduce the debilitating impact that poverty has on individual, familial, and community health and well-being by: promoting cross-cutting efforts and partnerships to increase access to income; safe, healthy, and stable affordable housing options; and attainable opportunities for social mobility.*

***Policy 1.7*** *Reduce the harmful health impacts of displacement on individuals, families, and communities by pursuing strategies to create opportunities for existing residents to benefit from local revitalization efforts by: creating local employment and economic opportunities for low-income residents and local small businesses; expanding and preserving existing housing opportunities available to low-income residents; preserving cultural and social resources; and creating and implementing tools to evaluate and mitigate the potential displacement caused by large-scale investment and development.*

***Health Element Goal 2***

*A city that is built for health uses design, construction, and public services to promote the physical, mental, and social well-being of its residents. A healthy city has neighborhoods where health-promoting goods and services are abundant and accessible, so that the healthy choice is the easy choice for all residents. Health is further supported by safe multi-modal corridors that offer active transportation alternatives, access to a diverse housing stock that offers options for all ages and incomes, ample opportunities for recreation, healthy food options, and a vibrant economy that offers quality employment opportunities.*

***Policy 2.2*** *Promote a healthy built environment by encouraging the design and rehabilitation of buildings and sites for healthy living and working conditions, including promoting enhanced pedestrian-oriented circulation, lighting, attractive and open stairs, healthy building materials and universal accessibility using existing tools, practices, and programs.*

***Policy 5.7*** *Promote land use policies that reduce per capita greenhouse gas emissions, result in improved air quality and decreased air pollution, especially for children, seniors and others susceptible to respiratory diseases.*

The proposed Housing Element is consistent with the Health Element goals, objectives, and policies related to housing in the City in that it prioritizes affordable housing, anti-displacement policies and orienting housing development around health, economic stability, and well-being (Obj 1.2, 2.1, 3.1 and Policies 1.1.7, 1.2.1, 1.2.6, 2.1.1, 2.1.7, 3.1.5, 3.1.6, 3.3.2 etc.). The focus on health has increased in the Housing Element Update, with new policies guiding development to

better orient building siting and features toward beneficial uses and away from polluting or hazardous features (Pol. 3.1.4).

### *Air Quality Element*

The Air Quality Element sets forth the goals, objectives, and policies which guide the City in its implementation of its air quality improvement programs and strategies. A number of these goals, objectives, and policies are relevant to land use development, and relate to traffic mobility, discouraging single-occupancy vehicle trips, and increasing energy efficiency in City facilities and private developments.

The proposed Housing Element is consistent with the City's Air Quality Element and furthers the following goals, objectives, and policies:

#### ***Air Quality Element Goal 2***

*Less reliance on single-occupant vehicles with fewer commute and non-work trips*

#### ***Air Quality Element Goal 4***

*Minimal impact of existing land use patterns and future land use development on air quality by addressing the relationship between land use, transportation, and air quality.*

***Objective 4.2*** *Reduce vehicle trips and vehicle miles traveled associated with land use patterns*

***Policy 4.2.1*** *Revise the City's General Plan / Community Plans to achieve a more compact, efficient urban form and to promote more transit-oriented development and mixed-use development.*

***Policy 4.2.3*** *Ensure that new development is compatible with pedestrians, bicycles, transit, and alternative fuel vehicles.*

#### ***Air Quality Element Goal 5***

*Energy Efficiency through land use and transportation planning, the use of renewable resources, and the implementation of conservation measures such as site orientation and tree planting.*

***Objective 5.1*** *Increase energy efficiency of City facilities and private developments.*

The proposed Housing Element is consistent with the Air Quality Elements' goals, objectives, and policies related to housing development in the City in that it encourages housing locations near jobs and transit, as well supports various green-building and other sustainability efforts (Pol. 1.1.1, 1.3.1, 3.2.2, 3.2.3, 3.2.6). These efforts facilitate high quality, healthy housing in neighborhoods that mix uses, incomes and improve accessibility to jobs and services, which reduces vehicle miles traveled (VMTs) and therefore improves air quality. These programs and policies are also aligned with the regional and state mandates of improving air quality. The Housing Element supports providing technical assistance and disseminating information and guidelines to the residential development community to encourage the use of quality building materials, sustainable materials and practices to protect air quality, water conservation, and energy efficiency. The proposed Housing Element also supports improved air quality in residential development by encouraging residential developers to use building orientations that take advantage of natural ventilation opportunities, filtered air systems, landscaping, venting appliances to the outside, and the use of low-emitting construction and finish materials (Programs 70-74, 76 and 79).

### *Conservation Element*

The Conservation Element states that the City has a primary responsibility for identifying and protecting its cultural and historical structures, natural features or sites of historic, architectural, cultural or aesthetic significance.

***Conservation Element Objective 4*** *Protect important cultural and historical sites and resources for historical, cultural, research, and community educational purposes.*

***Policy 4.1*** *Continue to protect historic and cultural sites and/or resources potentially affected by proposed land development, demolition or property modification activities.*

The proposed Housing Element is consistent with the Conservation Element in that it seeks to maintain and protect important cultural and historic resources while allowing for the development and preservation of housing in the City. The Housing Element Update contains policies and programs that incentivize the preservation and reuse of historic structures for the purposes of providing housing, particularly with affordable housing units. The proposed Housing Element supports exploring the provision of additional incentives for the rehabilitation of affordable housing and for low-income homeowners of historic properties in HPOZs Policies (see Chapter 6, Policies 3.1.1 and 3.1.8). The Housing Element Update supports the prioritization of the initiation of proactive nominations of new Historic-Cultural Monuments that reflect the histories of communities of color within Los Angeles. Policies and programs are also included that encourage expanding designation of historic, architectural, and cultural resources in neighborhoods with a high concentration of historic properties and few historic protections, particularly in communities of color (see Chapter 6, Policies 3.1.1 and 3.1.8).

### *Safety Element*

The Safety Element details a policy direction to prevent, respond to, and recover from disaster events. This direction is consistent across the 1996 Element and the proposed update. Updated policies of the Safety Element include:

**SE Goal 1: Hazard Mitigations** A city where potential injury, loss of life, property damage and disruption of the social and economic life of the City due to hazards is minimized.

**Policy 1.1.5 Risk Reduction.** Reduce potential risk hazards due to disaster with a focus on protecting the most vulnerable people, places and systems.

**Policy 1.1.8 Land Use.** Consider hazard information and available mitigations when making decisions about future land use. Maintain existing low density and open space designations in Very High Fire Hazard Severity Zones. Ensure mitigations are incorporated for new development in hazard areas such as VHFHSZs, landslide areas, flood zones and in other areas with limited adaptive capacity.

**Goal 3: Disaster Recovery** A city where private and public systems, services, activities, physical condition and environment are reestablished as quickly as feasible to a level equal to or better than that which existed prior to the disaster.

**Policy 3.1.5 Restoration.** Look to the future and rebuild based on the lessons of the past. Prior to a disaster, develop and establish procedures for securing assistance and expediting inspection and permitting activities to facilitate the rapid repair and rebuilding of those parts of the private and public sectors which were damaged or disrupted as a

result of the disaster with an added consideration of future safety. Develop and establish procedures to enhance the resilience of buildings and infrastructure that are rebuilt following a disaster. Develop tools to ensure that vulnerable residents and business owners are included in community rebuilding efforts.

The proposed Housing Element is consistent with the updated policies above in that it seeks to mitigate the exposure of residents to hazard conditions and includes policy direction for equitable and resilient housing recovery following a disaster. Specifically Objective 3.3, which directs the City to promote disaster and climate resilience in citywide housing efforts, includes policies 3.3.1 through 3.3.7, which direct the city to identify disaster risks to housing stock and plan for post disaster housing recovery, including efforts to mitigate the impacts on vulnerable tenants.

### **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 Update is part of the sixth cycle, which covers the period of October 15, 2021 through October 15, 2029 for the SCAG region.

Because housing needs are recognized as a matter of statewide concern, the State, through HCD, must certify the compliance of every jurisdiction's Housing Element upon adoption. The first draft Housing Element was submitted for HCD review on July 7th, 2021. On September 3, 2021, HCD provided comments on the proposed draft to the City (see Exhibit O). These comments were subsequently incorporated (as described in Exhibit O) and resolved in the revised draft, released on September 15, 2021 and shown in Exhibit B. Pending objection from HCD, 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.

**Findings for Non-vacant Sites Identified to Accommodate the RHNA** — Pursuant to Government Code Section 65583.2, the City finds, based on the factors described here, that the existing uses on the non-vacant sites identified in the site inventory to accommodate the lower income RHNA are likely to be discontinued during the planning period, and therefore do not constitute an impediment to additional residential development during the period covered by the housing element. The methodology used to determine the likelihood to discontinue and the development potential for each non-vacant site is described below along with a description of the facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts, which collectively support this finding.

Given the number of potential non-vacant sites to accommodate the lower income RHNA in the City of Los Angeles, and the variety of types of sites, in preparing the site inventory, the City secured pro-bono consulting services from the Turner Center for Housing Innovation at the University of California, Berkeley and senior fellow Issi Romem, Ph.D., of the economics research firm MetroSight (“consulting team”). The consulting team, representing academic experts in the field of econometric modeling, prepared an econometric model (“the model”) to estimate likelihood of housing development during the period and site capacity based on anticipated impediments based on the City's past experience of housing development as reflected in data on housing

production and various site-specific factors related to existing uses, the market environment, and regulatory incentives based on the requirements of state law.

The model uses parcel-level data on permitting from 2015 to 2019 to model the likelihood of new units being permitted on each parcel and their number. The model accounts for parcel's zoned capacity before and after the awarding of any development bonuses, as well as the market conditions and various other factors (described below) which the city is required to address by state Housing Element law. The study then applies the model to current data, including changes in zoned capacity, market conditions and other factors, in order to predict that likelihood and unit number going forward from 2021 to 2029, conditional on the same variety of parcel attributes used in estimation, including existing uses - but updated to their values as of 2020.

The model consists of two steps to determine the realistic development potential that is expected to occur on each parcel during the planning period. Step One determines the likelihood of new units being permitted on each parcel using a logit regression model. Step Two determines the conditional number of new units expected to be permitted on each parcel if development occurs, using a fractional logit regression model. For each parcel, the results of Step One are multiplied by the outcome of Step Two, which results in the "unconditional" number of new housing units that can be expected to be built on each parcel during the planning period. The factors (covariates) included in the model are as follows:

<b>Regression Model Variables</b>		
<b>Factors Considered in Model</b>	<b>Included in Step 1</b>	<b>Included in Step 2</b>
Number of base-zoned units allowed on the parcel	✓	✓
Number of bonus-zoned units allowed on the parcel, considering any applicable development bonus	✓	✓
Ratio of existing units to base-zoned units on the parcel	✓	
Indicators for residential market area type	✓	✓
Existing use on the parcel	✓	
Age of existing structure on the parcel	✓	
Floor Area Ratio (FAR) utilization of existing structure on the parcel	✓	
Applicability of City's Rent Stabilization Ordinance (RSO) to existing structures on the parcel	✓	
Ratio of total permitted units to total based-zoned units in the Community Plan Area (CPA), over a 5-year period	✓	✓
Typical estimated home value in the zip code area	✓	✓
Typical estimated asking rent in the zip code area	✓	✓

Average rental vacancy rate in the Census Public Use Microdata Area (PUMA) during the prior 5-year period	✓	✓
Average remaining commercial lease duration in the CPA	✓	

Government Code Section 65583.2 requires a number of factors to be considered in the evaluation of non-vacant sites (item enumeration, bracketed text and emphasis added):

*"Section 65583.2(g)(1) For [relevant non-vacant sites], the city or county shall specify the additional development potential for each site within the planning period and shall provide an explanation of the methodology used to determine the development potential. The methodology shall consider factors including[:]*

- [i] the extent to which **existing uses** may constitute an impediment to additional residential development,*
- [ii] the city's or county's **past experience** with converting existing uses to higher density residential development,*
- [iii] the current **market demand** for the existing use,*
- [iv] an analysis of any **existing leases** or other contracts that would perpetuate the existing use or prevent redevelopment of the site for additional residential development,*
- [v] **development trends,***
- [vi] **market conditions,** and*
- [vii] regulatory or other **incentives** or standards to encourage additional residential development on these sites."*

The correspondence between the model and factors i through vii required in the law is as follows.

- i. "The extent to which existing uses may constitute an impediment to additional residential development" is reflected by the conditioning of the model on existing use categories and on existing structures' age and FAR utilization, as well as being subject to the Rent Stabilization Ordinance and the remaining local commercial existing lease duration variable.
- ii. "The city's or county's past experience with converting existing uses to higher density residential development" is captured by the basic premise of the exercise: Predicting future permitting based on an empirical estimate that draws on the city's recent (5-year) experience. That experience consists primarily of converting existing uses--including less dense residential use--to higher density residential development.
- iii. "The current market demand for the existing use" is reflected in the existing use indicators, as well as the remaining local commercial existing lease duration variable and the local information on rental vacancy rates and on residential property values and rents.
- iv. "An analysis of any existing leases or other contracts that would perpetuate the existing use or prevent redevelopment of the site for additional residential development" is addressed in the model by the inclusion of the local remaining existing commercial lease duration variable. This is also addressed by subsequent steps which removed any sites from the Sites Inventory that have an existing regulatory agreement or other regulatory protection related to affordable housing units that would preclude the redevelopment of the site during the planning period.

- v. "Development trends" are captured by the basic premise of the exercise as explained in item II, and also by the local ratio of total permitted units to total base-zoned units over the prior 5-year period. That variable captures the recent level of permitting for housing in the area. (The division by total base-zoned units is necessary for that variable to not simply convey the size of the Community Plan Area, and to account for regulation-imposed differences in past permitting, as opposed to market-driven development trends.)
- vi. "Market Conditions" are captured by the local ratio of total permitted units to total base-zoned units over the prior 5-year period, as well as the local information on rental vacancy rates and on residential property values and rents, the remaining local commercial existing lease duration variable, and the set of existing land use indicators, as well as the City's identification of four residential market area types.
- vii. "Regulatory or other incentives or standards to encourage additional residential development on these sites" are reflected by the distinction between base-zoned units and bonus-zoned units, as well as the inclusion of their ratio. The model results are further adjusted to consider the overall influence of the City's Transit Oriented Communities (TOC) Affordable Housing Incentive Program on site-level development outcomes.

The consulting team found that both Step 1 and Step 2 of the model have defensible predictive power, meaning that the model is successful at predicting site-level outcomes regarding housing development, when considering the above-described variables on each site. More information on the predictive values can be found in Appendix 4.6 of the proposed Housing Element (Exhibit B).

The outcome of the model is that each site is assigned an anticipated development potential that is well below the zoned capacity for the site, as there are many factors which make it difficult to identify precisely which sites will develop with housing over the 8-year period. It is not expected that all sites identified using this model will redevelop with their identified realistic development potential; rather, the much more likely outcome is that a smaller number of sites are developed with their expected build out (outcome of step 2 of the model). The model results are best understood that, given 100 similar sites, it would be expected that one site would develop with the expected build out during the planning period. As it is not possible to identify precisely which site would redevelop, the model indicates that each site has a small percent chance of redeveloping.

Furthermore, in its September 3, 2021 letter, HCD did not identify any necessary revisions to the above-described methodology; and therefore it is understood that the methodology satisfactorily complies with the requirements in Government Code Section 65583.2.

For these reasons, the City finds that the existing uses on the non-vacant sites identified in the site inventory to accommodate the lower income RHNA are likely to be discontinued during the planning period, and therefore do not constitute an impediment to additional residential development during the period covered by the housing element.

### **III. Safety and Health Element Findings**

See separate Council Files for Safety Element and Health Element specific findings.

#### **IV. Summary of CEQA Findings**

The EIR analyzed the approval of the Proposed Plans. In regard to the Housing Element, the EIR analyzed the potential effect from the construction and operation of 420,327 housing units (full RHNA build out of 456,643 units minus the 36,316 housing units that have been approved but not built). The Draft EIR found that the environmental impacts of several of the issue areas were significant and unavoidable, even with imposition of mitigation measures. Based on the analysis in the Draft EIR, the EIR concluded the Proposed Project could result in unavoidable significant environmental impacts with regard to:

- Air Quality – Threshold 4.2-2 (Construction and Operational Air Criteria Air Pollutant Emissions: Project and Cumulative)
- Biological Resources – Threshold 4.3-1 (Special-Status Species: Project and Cumulative); Threshold 4.3-2 (Sensitive Habitats: Project and Cumulative); Threshold 4.3-3 (Wildlife Corridors: Project and Cumulative)
- Cultural Resources – Threshold 4.4-1 (Historic Resources: Project and Cumulative); Threshold 4.4-2 (Archaeological Resources: Project and Cumulative)
- Geology and Soils – Threshold 4.5-1 (Paleontological Resources: Project and Cumulative)
- Hazards and Hazardous Materials – Threshold 4.7-2 (Hazardous Materials Near Schools: Project and Cumulative); Threshold 4.7-3 (Hazardous Materials Sites: Project and Cumulative)
- Noise – Threshold 4.10-1 (Construction Noise: Project and Cumulative); Threshold 4.10-2 (Operation Noise: Project and Cumulative); Threshold 4.10-3 (Construction Vibration: Project and Cumulative)
- Public Services – Threshold 4.12-1 (Fire Protection: Project); Threshold 4.12-2 (Police Protection: Project); Threshold 4.12-3 (School Facilities: Project)
- Recreation – Threshold 4.13-1 (Deterioration of Recreational Facilities: Project and Cumulative); Threshold 4.13-2 and Threshold 4.13-3 (Construction of Recreational Facilities: Project and Cumulative)
- Transportation (Freeway Queuing: Project and Cumulative)
- Tribal Cultural Resources – Threshold 4.15-1 (Construction: Ground Disturbance during Construction: Project and Cumulative)
- Wildfire – Threshold 4.17-1 (Impair Emergency Response Plan: Project and Cumulative), Threshold 4.17-2 (Exacerbate Wildfire Risks in State Responsibility Area or VHFHSZ: Project and Cumulative), Threshold 4.17-3 (Require Infrastructure that may Exacerbate Fire Risk: Project and Cumulative), Threshold 4.17-4 (Expose People or Structures to Significant Risks in State Responsibility Area or VHFHSZ: Project and Cumulative), Threshold 4.17-5 (Expose People or Structures to Significant Risks Involving Wildland Fires: Project and Cumulative)

The Draft EIR has also identified the following significant impacts that are anticipated to be reduced to less than significant with identified mitigation measures: Air Quality (Construction TACs); Hydrology (Impeding or Redirect Flood Flows); and Transportation (Conflict with Circulation Plan, Policy, Ordinance; Hazard due to Geometric Design; Emergency Access).

#### **Recommended Project**

The Proposed Project was analyzed in the Draft EIR. As discussed above some changes have been made to the Proposed Project since the Draft EIR was published. None of the changes

affect the analysis or conclusions in the Draft EIR. In particular, while the Proposed Project has been revised to include a higher overall required rezoning need (increased to 255,415 units from 220,000 units), this changed number does not affect the analysis presented in the Draft EIR as the rezoning need is determined to be needed in order to accommodate build-out of the RHNA. The Draft EIR analyzed build-out of the RHNA, and therefore this and other changes do not result in new significant impacts or an increase in the severity of the significant impacts identified in the Draft EIR. As such, that change and the others to be described in the Final EIR do not result in significant new information as defined in CEQA Guidelines Section 15088.5 requiring recirculation.

## **FINAL EIR**

Section 15088 of the CEQA Guidelines requires the lead agency, Department of City Planning (DCP), to evaluate comments on environmental issues received from public agencies and interested parties who review Draft EIR and provide written responses. The City received written comments on the Draft EIR from public agencies, groups, and individuals. Responses to all comments received during the comment period will be included in the Final EIR.

## **CPC RECOMMENDATION**

Pursuant to Section 15025(c) of the CEQA Guidelines, the City Planning Commission, as a recommending body on the Proposed Project, is required to consider the Draft EIR and make a recommendation to the City Council.

The Final EIR will be completed after the City Planning Commission meeting, and the Final EIR and associated CEQA Finding and Statement of Overriding Considerations will be considered by the City Council prior to adoption of the Proposed Project and certification of the EIR.

**Attachment 3: Housing Element Resolution****RESOLUTION**

WHEREAS, California Government Code Sections 65580-65589.9 require cities to prepare a Housing Element as a component of each city's General Plan and to revise it regularly on a schedule set forth in the law; and

WHEREAS, the Director of City Planning initiated an amendment to the Housing Element of the General Plan and prepared proposed revisions to the Housing Element for the 2021-2029 planning period ("Housing Element (2021-2029)"), which replaces the Housing Element that covered the period 2013 to 2021; and

WHEREAS, the Housing Element (2021-2029) sets forth the housing policies for the City, facilitated the preservation and development of housing, and established programs to accommodate the City's share of the regional housing need in Southern California; and

WHEREAS, the Housing Element (2021-2029) complies with the requirements of State law; and

WHEREAS, in accordance with Government Code Section 65583, the City finds that the Housing Element (2021-2029) complies with the duty to Affirmatively Further Fair Housing; and

WHEREAS, the City of Los Angeles has been assigned an allocation of 456,643 new housing units as its share of the regional housing need assessment (RHNA) in Southern California; and

WHEREAS, in accordance with Government Code Section 65583.2, the City finds, based on the facts described in the Findings section of the Staff Recommendation Report (CPC-2020-1365-GPA) dated September 30, 2021, that the existing uses on the sites identified in the site inventory to accommodate the lower income RHNA are likely to be discontinued during the planning period, and therefore do not constitute an impediment to additional residential development during the period covered by the housing element; and

WHEREAS, in accordance with Charter Section 556, the Housing Element (2021-2029) conforms to the purposes, intent and provisions of all the Elements of the City's General Plan; and

WHEREAS, in accordance with Charter Section 558 (b)(2), the draft update to the Housing Element (Exhibit 8) conforms with the public necessity, convenience, and general welfare and will not have an adverse impact on the General Plan or any other plans being created by the Department of City Planning; and

WHEREAS, the Hearing Officer, as a representative of the City Planning Commission held a public hearing on the proposed plan on September 21 and 22, 2021; and

WHEREAS, a notice of public hearing was published in the "Daily Journal" on September 1, 2021, in accordance with Section 12.32-C4 of the Los Angeles Municipal Code; and

WHEREAS, the City Planning Commission conducted a public hearing on October 14, 2021; and

WHEREAS, the City Planning Commission, on October 14, 2021 recommended that the Mayor approve and the City Council adopt the proposed Housing Element (2021-2029) with amendments to replace the 2013-2021 Housing Element, and transmitted its recommendation pursuant to the City Charter and the Municipal Code; and

**WHEREAS**, the City Council's Planning and Land Use Management Committee and Housing Committee, each held a public hearing on \_\_\_\_\_ 2021 and \_\_\_\_\_ 2021 regarding the Housing Element (2021-2029) in accordance with the City's Charter and Municipal Code; and

**WHEREAS**, pursuant to the provisions of the Los Angeles City Charter, the Mayor and the City Planning Commission have transmitted their recommendations on the Housing Element (2021-2029).

**NOW, THEREFORE, BE IT RESOLVED**, that the Housing Element (2021-2029) adopted by the City Council on \_\_\_\_\_ 2021 and found in compliance with State housing element law by HCD in 2021 be re-adopted to replace the 2013-2021 Housing Element of the General Plan. Guidelines relating thereto and, that the City Council hereby certifies the Final Environmental Impact Report and instructs that a "Notice of Determination" be filed with the Los Angeles County Clerk and the Los Angeles City Clerk, in accordance with Los Angeles Guidelines for the implementation of the California Environmental Quality Act of 1970, as amended.

**Attachment 4: Environmental Impact Report Resolution****RESOLUTION**

A RESOLUTION OF THE COUNCIL OF THE CITY OF LOS ANGELES, CERTIFYING ENVIRONMENTAL IMPACT REPORT STATE CLEARINGHOUSE (SCH) No. 2021010130 (ENV-2020-6762-EIR) AS RELATED TO THE AMENDMENTS TO THE HOUSING ELEMENT OF THE GENERAL PLAN, THE SAFETY ELEMENT OF THE GENERAL PLAN, AND THE HEALTH AND WELLNESS ELEMENT OF THE GENERAL PLAN (“PROPOSED PROJECT”); ADOPTING FINDINGS OF FACT PURSUANT TO PUBLIC RESOURCES CODE SECTION 21081(a), ADOPTING A MITIGATION MONITORING PLAN, AND ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS.

WHEREAS, the City of Los Angeles analyzed the Proposed Project in the Environmental Impact Report (Case No. EIR-2020-6762-EIR and State Clearinghouse No. 2021010130) (“EIR”); and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15082, a Notice of Preparation for the Draft EIR was issued on January 13, 2021, by the City for a 30-day public review period (“Scoping Period”), with a closing date of February 15, 2021; and

WHEREAS, two public scoping meetings were held during the Scoping Period on January 26, 2021 and January 28, 2021; and

WHEREAS, during the Scoping Period, the City received a total of 252 written and verbal comments and letter responses to the Notice of Preparation, which are addressed throughout the Draft EIR, where relevant; and

WHEREAS, the Draft EIR was circulated for a 45-day public review and comment period, which began on July 22, 2021, with a closing date of September 7, 2021; and

WHEREAS, pursuant to Section 15088 of the CEQA Guidelines, written responses to all comments on the adequacy of the Draft EIR received during the comment period are provided in the Final EIR; and

WHEREAS, the City Council has reviewed and considered the Final Environmental Impact Report (FEIR) No. ENV-2020-6762-EIR and the whole of the administrative record in its determination of adopting the Proposed Project.

NOW, THEREFORE, BE IT RESOLVED, AS FOLLOWS:

1. Recitals. The foregoing recitals are true and correct and incorporated herein by reference.
2. CEQA Certification and Findings.
  1. 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, at Exhibit 1, includes the Draft EIR SCH No. 2021010130 (ENV-2020-6762-EIR), dated July 22, 2021, the Draft EIR appendices, and the document titled “Final EIR” dated \_\_\_\_\_, including all its related appendices and attachments.

2. EIR Certification. The City Council certifies:
  1. The FEIR has been completed in compliance with CEQA;
  2. The FEIR was presented to the City Council and that the City Council has reviewed and considered the information contained in the FEIR prior to approval of the Proposed Plan, and all of the information contained therein has substantially influenced all aspects of the decision by the City Council; and
  3. The FEIR reflects the City Council's independent judgement and analysis.
- c. Mitigation Monitoring. The Mitigation Monitoring Program (MMP) set forth in Exhibit 2 to this resolution, which is attached hereto and incorporated herein by this reference, is adopted to ensure that all mitigation measures described in the MMP are fully implemented. The City Council finds all of the mitigation measures in the MMP are feasible.
- d. CEQA Findings. The Council, in its independent judgement, based on the whole of the administrative record, adopts all of the findings in the EIR Findings set forth in Exhibit 1 to this Resolution, which are added hereto and incorporated herein by this reference. In adopting the EIR Findings, the Council ratifies, adopts, and incorporates the analysis and explanation in the FEIR, and ratifies, adopts and incorporates in these findings the determinations and conclusions in the FEIR relating to environmental impacts and mitigation measures.
- e. Statement of Overriding Considerations. The City Council adopts the Statement of Overriding Considerations attached at Exhibit 3 to this Resolution, which is attached hereto and incorporated herein by reference. The City Council finds that each listed Proposed Project benefit identified in the Statement of Overriding Considerations provides a separate and independent ground for its approval of the Proposed Project and overrides all of the identified significant and unavoidable impacts of the Proposed Project.
- f. Location and Custodian of Documents. The record of approval of the Proposed Project shall be kept in the office of the City Clerk, City of Los Angeles, City Hall, 200 North Spring Street, Los Angeles, California 90012 which shall be held by the City Clerk as the custodian of the documents; all other record of proceedings shall be kept with the Department of City Planning and the Director of the Department of City Planning shall be the custodian of the documents.
- g. Notice of Determination. The Director of the Department of City Planning is directed to file a Notice of Determination as required by the Public Resources Code and CEQA Guidelines.

Attachments:

1- Exhibit 1 - FEIR

2- Exhibit 2 - MMP

3- Exhibit 3 - CEQA Findings of Fact and Statement of Overriding Considerations