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June 15, 2021

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

Commissioners,

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

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

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

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

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

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

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

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

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

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

Production of New Affordable Units:

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

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

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

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

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

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

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

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

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

Housing Preservation:

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

Skid Row:

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

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

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

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

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

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

Industrial Zones:

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

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

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

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

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

Hotels:

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

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

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

Simplify The Bonus System:

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

Consistency Review:

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

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

Small Business Recovery:

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

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

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

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

Parking Program:

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

Conclusion:

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

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

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

I look forward to working closely with each of you.

Sincerely,



KEVIN DE LEÓN

Councilmember, District 14

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September 13, 2021

**RE: SECOND LETTER REGARDING DOWNTOWN LOS ANGELES COMMUNITY
PLAN UPDATE: "DTLA 2040"**

Commissioners,

Thank you for your willingness to continue the scheduled August 26th discussion of the Downtown Los Angeles Community Plan Update ("DTLA 2040") to allow myself and my colleagues in Council Districts 1 and 9, the Honorable Councilmembers Cedillo and Price, the opportunity to continue to conduct outreach with our constituents in Downtown Los Angeles. DTLA 2040's objectives are far too important to rush and I particularly appreciate your support for ample time to offer a transparent and public dialogue between your Commission, Council Offices and the DTLA community as a whole.

In my June 15th letter (attached) to this Commission, I identified my primary task for Downtown Los Angeles as, "focused on how we might further cut through the process to simplify and increase the production of affordable housing". I offered an outline of my key concerns with the draft plan and my suggestions for the solutions. After your Commission hearing of June 17th, my staff and I have been engaged in a robust listening tour with multiple and various stakeholders in my district. We informed these stakeholders that we honor the work they and the Planning Department have put in over the years on this plan and articulated my intent to refine this vision and my desire to provide cutting-edge solutions that Downtown Los Angeles will require in the years to come. Thanks to that additional time and dialogue I am pleased to provide this Commission with additional specificity regarding my vision and goals for DTLA 2040.

AFFORDABLE HOUSING POLICY:

- **Inclusionary Housing.** I continue to call for the creation of an Inclusionary Housing Program as a component of this plan as an alternative to the affordable housing tiers represented by the proposed Base-Bonus Program. The reality is that even generous market incentives have not historically produced anything close to the amount of affordable housing the City needs. We must identify our desired outcomes, and work backwards to figure out what portion of affordable housing is required to be built by both the private and public sectors to meet the need. I am also open to any alternative methodology from my colleague Councilmember Cedillo regarding his, “goal of incorporating a minimum 20-percent set-aside of affordable housing in new development.” Inclusionary housing is in effect in many jurisdictions today and I remain convinced that is the best method to create the greatest increase in real units of onsite affordable housing in Downtown Los Angeles.
- **Opposition to waiting for a Citywide Inclusionary Ordinance.** An Inclusionary Housing Program is already underway in the City of Los Angeles. The work is in process at City Planning as directed by City Council. I have heard the argument that in the interest of time, DTLA 2040 should proceed with the Base-Bonus Program today, and wait for the Citywide Inclusionary Housing Ordinance to “catch up” with the plan later. I do not support this suggestion. In this time saving suggestion, Downtown would have to change affordable housing programs three times in a few short years, from the current system, to a brand-new Base-Bonus Program and then reconcile that program with a Citywide Inclusionary Housing Program. This will not save time or free up resources needed to move on to other Community Plans. It will cause impacts to Downtown projects passing between applicability deadlines. It is reasonable to do the work now to ensure that we minimize the need to re-write the DTLA 2040 plan immediately after we adopt it.
- **Simplify Housing Development.** The DTLA 2040 plan already offers substantial process offsets by decreasing discretionary review and minimizing parking standards that should help balance the cost mandates of onsite affordable units. I am entirely open to considering what other offsets in terms of additional reduction in impact fees, permit review times, or tax credits can be made possible to achieve an inclusionary housing program that will “pencil”. With an inclusionary program I believe that Floor Area Ratios (“FARS”) can be significantly simplified and “base” FARs could become far less limited in most of Downtown. Where sensitivity exists for historic and cultural preservation, or community self-determination, height limits and other tools can be easily used as mechanisms to facilitate preservation and prevent displacement.
- **Affordable Housing Must Meet the Need.** It is critical that the DTLA 2040 definition of affordable housing is focused on the areas of greatest need, starting with every category of Low Income. I have stated before that I do not consider what is known as “workforce housing” income ranges to be considered part of my definition for affordable housing. I certainly welcome any and all housing that is affordable to the majority of Angelenos, however, from a policy standpoint I will be watching closely to ensure that our City policies generate units that serve communities of greatest need.

- **Affordable Housing Preservation is Critical.** The City cannot afford to lose existing units of affordable housing. This plan must assure that every possible tool is utilized to retain existing protected affordable housing units and prevent losses. In particular, I support any additional work between the LA Housing Department and City Planning to ensure that expiring housing covenants in the DTLA 2040 Plan are given tools to be renewed or permanently preserved.
- **Tenant Protections are Critical.** I support the comment letters that call for additional protections against tenant displacement. We require Citywide tools to better protect tenants. Some of these tools lie outside the development process, but we must also provide regulations in DTLA to ensure that new projects are not given the green light when tenants are taken advantage of or displaced. I support development of additional specific findings or clearances that will protect tenants in development processes and set standards for levels of displacement that are automatic grounds for rejections of permits or denial of discretionary approval. Replacement units must not be counted towards the mandatory new affordable units required in new buildings unless such sites are designated for permanent 100% affordable housing development.
- **Ensure Public Facilities Zoning Fully Supports Public Housing.** The description for the Public Facilities (“PF”) General Plan land use designation states that “Housing is not typically associated with Public Facilities but may be permitted on a limited basis”. I do not accept this definition for future use of public land and I oppose any self-imposed limitations that would slow the production of public housing. Public housing production is changing rapidly and publicly owned land should have every barrier to production of affordable housing by a public agency or under the purview of a public agency removed immediately. Currently the City’s residential density of PF land is modeled on neighboring zones. This has already restricted the City’s own ability to offer higher volumes of public housing on public land. PF Zones, especially in Downtown Los Angeles should be proactively designed to accommodate high density public housing.

CONCERNS REGARDING THE BASE-BONUS PROPOSAL

- **Base-Bonus Does Not Honor the Creative Spirit of Downtown.** DTLA is unlike any other part of the City of Los Angeles. I have yet to hear a resident in Downtown Los Angeles come before a public hearing on a large project in DTLA to object to a project for “being out of scale”. I am aware how unusual this is for Los Angeles as a whole. In reviewing the letters and comments from downtown stakeholders I see an overwhelming desire for growth, for change, for density. Many of their comments asked for even more ambitious growth in DTLA 2040. Reducing existing allowable FARs and other zoning to extract public benefit bit by bit is not in the spirit of the community that created Adaptive Re-use, the Greater Downtown Housing Incentive Area and the removal of all parking minimums.
- **Base-Bonus Equals Less Public Benefit in Larger Projects.** It is my preference that more community benefits are extracted from larger projects. This is consistent with the Department of City Planning’s intent where they explain the Base-Bonus Program as “Developers are allowed to build larger buildings in exchange for providing benefits that serve the community, such as open space, schools, affordable housing or small business

protections.” However, FAR is not an accurate measure of a project’s relative “largeness” relative to its neighbors or Downtown as a whole, which is why I do not support the Base-Bonus program. Sites which meet the base will contribute no public benefits at all, and larger sites may contribute disproportionately lower benefits. As an example, compare two proposed Arts District General Plan Amendments projects currently in entitlement review. The first has a proposed project FAR of 4.4:1. This project proposes over 1,600 residential units, 400 hotel rooms and upwards 400,000 of commercial square footage on a 15-acre site. Two of the project towers would become the 7th and 11th tallest buildings in Los Angeles. Meanwhile there is another Arts District project with an FAR of 6:1. This project has only around 340 units of housing, and commercial square footage closer to 200,000, on a 2-acre site. DTLA 2040 zoning would assign each a base FAR of 1.5. The bonus maximum is up to 6. If these two projects were being reviewed under the DTLA 2040 plan, the larger project would be required to provide benefits that would get them a 2.9 FAR increase. The smaller project would have to provide 4.5 FAR’s worth of benefit.

- **Alternative Measurements for Project Scale.** Fortunately, Los Angeles City Planning already has alternative tools that do not rely on FAR to consider relative project scale. For instance, the Transportation Demand Management Program groups projects by relative traffic impacts in order to provide a set menu of programs to address that traffic. They provide a preset menu of “small, medium, large and exempt” projects and for each project type the developer is given a menu of options to choose from. This approach would work as an alternative for assigning measurements of benefits that apply for any non-housing based project benefit.
- **Retain Community Benefits.** In shifting from a Base-Bonus Program, all of the desired DTLA 2040 benefits can and should be maintained. Inclusionary housing becomes the primary benefit for residential portions of a project, and all other benefits apply to the commercial portions of the project, with the program tailored to prepare a suitable menu of options relative to the project’s scale. The objective of providing robust public benefits from projects in DTLA must be strengthened, not undermined.

DOWNTOWN COMMUNITY BENEFITS FUNDING

- **Create Greater Flexibility for Community Benefits Fund Eligible Activities.** I would recommend that defined eligible projects be established through administrative guidelines approved at City Council, to allow new categories to be added as necessary, with the Community Benefits Fund Oversight Committee given the role of recommending new categories as needed. The current list of permitted uses is extremely limited. For instance, as currently written the Community Benefit Fund would not be able to fund public art, public street furniture, shade amenities, public electric vehicle charging, a health care center or a grocery store in Skid Row, renovation of historic buildings, wayfinding programs, repair of historic terrazzo sidewalks, community rooftop gardens, tree plantings, bio swales or additional transit amenities, such as elevators at Metro stations. This list of excluded uses is made up of requests made by stakeholders in DTLA. The Community Benefits Fund must be well managed with administrative transparency and

strong oversight in reporting how decisions are made and funds are spent so that members of the public can easily track the program. At the same time the fund must remain innovative and open ended to remain responsive to Downtown's needs.

- **Enhanced Infrastructure Financing District.** There are requests for additional funding sources to support the massive anticipated growth in Downtown Los Angeles, such as creation of tax increment programs, namely an Enhanced Infrastructure Financing District ("EIFD"). An EIFD has potential, implemented alongside the community plan, to bring substantial revenue for affordable public housing, public transportation and new park space to support the planned increase in residential density. Downtown Los Angeles will need substantial public investment to support the necessary capital improvements and public infrastructure that the residential and economic growth under DTLA 2040 will require. I wish to note for the Commission that I too support creation of an EIFD and I am actively working with the Economic Workforce Development Department on an EIFD analysis for Downtown Los Angeles. I look forward to future public meetings to discuss the proposal.

HISTORIC PRESERVATION & COMMUNITY CHARACTER

- **Support for Historic Preservation.** While I believe that Downtown Los Angeles is able to capitalize on additional density opportunities, and provide greater onsite affordable housing opportunities through an inclusionary housing program, I do not wish to see historic preservation undermined in Downtown Los Angeles. I am supportive of DTLA 2040's strong commitment to retaining historic assets in Downtown Los Angeles and interested to consider where such tools may be deepened as has been suggested in public comment. I do not wish my support for an alternative to the Base-Bonus program to be misinterpreted as an intent to weaken protections for historic resources, which are critical components of a culturally and economically vibrant Downtown.
- **Support for Legacy Businesses.** I strongly support enhancing the resiliency of locally owned legacy businesses. Particularly as the City's service sector recovers and responds to the economic pressures of the COVID-19 pandemic, we have a responsibility to ensure that local independent businesses are given every resource they need to thrive.
- **Little Tokyo Community Self-Determination.** While I support a higher base FAR across the majority of Downtown Los Angeles, I respect the longstanding tradition of community self-determination and advocacy in Little Tokyo, and the immensely significant cultural and historic resources within Little Tokyo which are critical to retain as living monuments to the complex history of Japanese Americans in Los Angeles and the United States as a whole. I commit to supporting the self-determination and self-identification of this community as a whole and the Planning Department's efforts to tailor specific additional regulations that respect the intent of Community Design Overlays, and former Community Redevelopment Plans.

A PLAN FOR SKID ROW & IX1

- **Ix1 and Skid Row Consensus.** The proposed Ix1 zone in Skid Row has both detractors and supporters. My office and your Commission have heard strong opinions calling for either the total abolishment of the zone or its expansion. My office has met with representatives of both sides, and I believe it's critical to observe that each side is composed of deeply compassionate, thoughtful individuals fully committed to Skid Row's future and located within the boundaries of Skid Row. Service providers to unhoused persons fall on both sides of the issue. Regardless of the position that individual takes on the correct zoning for Skid Row, there is widespread agreement that the area needs more community development. Skid Row needs services such as a grocery store, family care, health care, job training, and cultural programming. Existing businesses need support to stay operational. Public amenities such as street trees, ADA accessible curbs, well maintained public restrooms, and pedestrian lighting are also critical. All of this work extends well beyond the land use.
- **Conditional Support for Ix1.** In consideration of both sides, as of this point in time I continue to support Ix1 as currently mapped. I have done so because I believe that if we opened the Ix1 zone up to market rate development today there is not enough of a Citywide framework in place to prevent displacement of unhoused residents and too little transitional housing and social service provision Citywide to accommodate the need. However, I do think we need to consider when and in what circumstances the IX1 zone will no longer be necessary. I believe that enough progress will be made on the root causes of homelessness, and the creation of transitional housing and permanent housing across the entire City that we can anticipate a time when no one will be forced to sleep on the streets. I pose the question to the Department of City Planning and this Commission of what real progress looks like. How will we measure when Skid Row is no longer ground zero of the unhoused crisis, and what benchmarks indicate meaningful progress has been made in offering unhoused residents shelter? In future decades when affordable housing and supportive services are available across the entirety of Los Angeles, what additional land use tools will best allow Skid Row's residents, service providers and locally owned small businesses to continue to grow and thrive?
- **Skid Row Self-Determination.** More than anything it is clear that the future ideal state of Skid Row cannot be imposed on Skid Row from the outside. It must be through in-depth dialogue with the key stakeholders and it must be focused on a framework that extends well beyond land use. I am committed to continuing this dialogue and planning work beyond the timeframe of DTLA 2040, to build a consensus-based strategy as to priority projects, services, and investments within the community.

PLAN CONSISTENCY:

- **Projects Currently in the Pipeline.** In general, I have no objection to General Plan Amendment projects which are JJJ compliant in DTLA moving forward expeditiously, provided that any public hearings held for these projects between now and the adoption

of DTLA include disclosures from the Department of City Planning as to the project's overall future consistency with DTLA 2040. This information will ensure that the Commission, the City Council and the public are fully aware of this context in our discretionary deliberations. I believe this approach is superior to pausing projects which may have been delayed due to the COVID-19 pandemic. For projects that predate JJJ approval, I expect these projects to make a good faith effort to become as JJJ compliant as possible and avoid incompatibility with the overall principles of the Draft DTLA 2040 plan. In no instance does this general process recommendation constitute my specific support for any specific project in DTLA prior to my input or determinations at public hearing.

- **Develop A “Very Large Phased Project” Planning Process.** Several projects in Downtown Los Angeles are massive in scope and require something akin to a Specific Plan or Master Conditional Use program. Projects which will change over time or be built in phases, like college campuses, studios, and major mixed use developments benefit from specific planning. The DTLA 2040 Plan and Re:Code should anticipate this process to create a tailored discretionary review and approval planning process for the very largest projects to ensure that such projects develop a specific long term planning and land use program and implement objectives for development which require phases over many years or even decades. The creation of such a program will ensure public input on the largest downtown projects and allow for careful crafting of public benefits.
- **Corridor Consistency.** Comment letters from several groups raised instances where zoning changes from one side of a major street to the other. I support these requests for Planning Department review to ensure that the design of streets are designed with continuity in mind so that streets do not feel substantially different in character and form on either side of the street, even where the use differs.
- **Alternative Substantial Compliance Program.** I note the comment letters that express reservations about the design of the Alternative Substantial Compliance Program established by Re:Code. Determinations made for Alternative Substantial Compliance must be made digitally publicly accessible and searchable so that a transparent public record of these decisions is available in order to inform larger policy. The Planning Department should also consider if there's a process where Alternative Substantial Compliance decisions can become standard practice on future projects to create an interactive code update that learns. Lastly, I request that the Planning Department or the City Attorney clarify the issue raised regarding Alternative Substantial Compliance appeals- in the instance that these determination interpretations of the code are not appealable by the applicant or concerned parties what will the relationship of this determination be in regards to Building and Safety Permit Appeals?
- **Re:Code Analysis Tools.** I have seen a request to your Commission from the LA Fashion District to change from IX zoning to CX zoning. When my office first reviewed the new categories of IX zoning the Department of City Planning helpfully provided my staff with a table comparing permitting for uses in the M2 and M3 zones against the proposed permitted uses in the Ix1-4 and II1&2 zones. I believe such a tool comparing current zoning in the Fashion District against both IX and CX zones would be immensely helpful in considering this zone change request and any others in terms of what is similar and what is different between the two zones. Providing use code “before and afters” to the public as a whole would be a helpful tool for digesting the implications of zoning

code use changes in the new code, especially as requests are made to change from one new zone to another.

ARTS DISTRICT RECOMMENDATIONS:

- **No Height Reduced Below Current Zoning.** Most of the Arts District has M3-1-RIO zoning. In M zones with a height district of 1, the height is unlimited, with the exception of limited commercial uses (“CR”). As noted in the City Planning Supplemental Staff Report, the portion of the Arts District around Alameda has proposed and entitled projects that are changing the profile of the Arts District. I would not support any overall arts district height reductions that would give these current pipeline projects higher average heights than projects which follow after them.
- **Re-Approach Live Work Zoning Standards in New Buildings.** As City Planning notes the intent of Live-Work units is to “facilitate a broad range of employment activities, especially creative work and small businesses”. The proposed model for Live-Work units is modeled on the immense success the creative and artisan community in the Arts District had in adaptive reuse of existing industrial buildings. At the same time more than one comment letter has raised the concern that providing both live work units and the 1.5 production space is financially challenging. Therefore, I am supportive of considering if required Live-Work workspace can be detached onsite, with any such detached space counted towards the required 1.5 production space FAR. In such a case each unit of live-work must be guaranteed the dedicated workspace as a minimum but the developer will gain choice and flexibility in configuration of Live-Work. In order to support the intent, this work space must be a dedicated amenity provided to individual tenants, and not combined into common spaces or unbundled from units. I also do not oppose the idea of multifamily Live-Work; for instance, a two bedroom Live-Work space offering a doubled detached workspace. If the intent of Live-Work is the creation of a dense community of artisans and small business owners living and working “above the shop” there is no reason the shop cannot be down the stairs or in the living room.
- **River Setback & Access.** Multiple letters pointed out that the 20ft minimum river setback along the LA River could be refined. In one instance a proposed project plans to provide a 200 foot wide public deck on the adjacent railway site and was concerned that an additional onsite 20-foot setback would be counterproductive to their design goals. Given that sites along the LA River in the Arts District are separated from the river by 200 feet of rail yard, I support removing redundancies. Provided projects include a greater width of permanent public access closer to the river as part of their project design, and will not obstruct implementation of the LA River Bike Path, the 20-foot setback should be considered met through this alternative design. Additionally, the 20-foot setback requirement should allow a “meandering width” option, where the setback is allowed to narrow and widen so long as it does not go below a minimum accessible width, and median width, allowing projects to create more dynamic and creative public spaces. My goal above all else is to ensure greater public access to high quality open space along the LA River and I am supportive of flexibility that furthers this goal.

ECONOMIC DEVELOPMENT:

- **Support for our builders.** There are widespread labor abuses in the construction industry. I have committed to fight against these practices in legislation (CF# 21-0631) and I commit to this same support in DTLA 2040, to ensure the plan provides tools to ensure compliance with labor standards, encourage local hires, and local apprenticeships.
- **Support for a Jobs/Housing/Tourism Balance:** In my previous letter I raised my concerns regarding the need to provide targeted discretionary review for specific tourism servicing uses- notably hotels in specific zones, and hotels which have specific impacts on existing housing stock. I support further coordination with the Department of Tourism and the Department of City Planning to ensure hotels developed in Downtown Los Angeles are targeted towards the capacities, locations and typologies needed and that hotel projects that enter into tax incentive programs and development incentive deals with the City of Los Angeles are fully compliant with both the goals and policies of DTLA 2040 and the Tourism Master Plan of the City. Visitor serving uses are an important part of an economically vibrant Downtown, however the permitting regulations must be thoughtfully allowed in order to ensure they are compatible with the residents in Downtown.

IMPROVE DTLA STREETSCAPES & PUBLIC TRANSIT

- **No Additional Road Widening on a Project-by-Project Basis.** Developers are regularly required to widen roads at their single parcel by cutting into the sidewalks. These piecemeal road widenings are intended to widen roadways over time to specific goal widths in the City Mobility Plan. However, these mandatory widenings are often contrary to more City Policies than they conform to; among them the preservation of mature street trees, the avoidance of impacts to electrical infrastructure, the removal of streetlights and the narrowing of ADA access, and the City's Vision Zero. Projects in DTLA should be given a by-right administrative process to retain the existing curb, and dedicate wider sidewalks instead. Projects should only be required to widen and improve the street when specifically requested by BOE or LADOT when such widening does not lead to the loss of trees, public parking spaces or create meandering sidewalks which would be difficult to travel on in a wheelchair or other assisted mobility device.
- **Greater DTLA Tree Preservation.** I deplore the removal of healthy mature trees for unnecessary street widening, and driveway cuts that can be sited to design around trees. DTLA 2040 is a plan for increased climate resilience, and in order to maintain that goal, the plan must provide specific strategies to avoid preventable loss of mature healthy trees from private and public projects through commonsense review, and design features that lead to increased tree health.

METRO RECOMMENDATIONS:

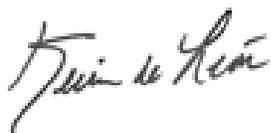
- **Consider Parking Maximums by Transit.** I wish to highlight the statistics provided by Metro regarding overparking close to transit and encourage the City Planning Department to respond with consideration of whether or not there should be additional incentives or disincentives in DTLA that prevent future overparking within transit hub areas.
- **Support for Stronger Coordination with Metro.** I also support the suggestion that when Metro transit projects are approved and built (such as the Regional Connector, West Santa Ana Branch corridor, and the Arts District/6th Street Station project), the DTLA 2040 plan should re-examine the land use and zoning and policies to ensure greatest support of transit dense sites consistent with the DTLA 2040 Plan Goals and Policies.
- **Support for Early Adjacent Metro Review.** Private and public projects on or next to metro land should be required to design in close coordination with Metro in the early planning phases to ensure conflicts are avoided.

CONCLUSION:

Commissioners, it is a privilege to represent DTLA 2040 as we undertake this historic Community Planning effort. I respect and admire the work undertaken by the Department of City Planning and the Downtown community as a whole to prepare such a massive plan. The goals of the Plan are sound. It is my intent that this public review time is used to further refine that spirit, to create even greater simplicity wherever possible, to build additional flexibility in the service of our shared goals. I wish to promote a healthy, affordable, green and pedestrian focused DTLA, with an economic base that is able to recover quickly from the impacts of the past several years. I believe that good planning can lead to a Downtown that is beneficial to all, and representative of the incredible diversity and innovation that is characteristic of Angelenos.

We have an opportunity for truly remarkable growth in both affordable and market rate housing, a chance to attract new businesses while supporting legacy businesses, and further develop an iconic skyline that includes lovingly preserved treasures from our past alongside future iconic architecture of Los Angeles. In short, a Downtown that exceeds all our expectations is possible. I thank you for your collaboration with myself and my colleagues on the City Council in undertaking this work and look forward to our years of service together on behalf of the City.

Sincerely,



KEVIN DE LEÓN,
Councilmember, 14th District,
Los Angeles City Council

ATTACHMENT: Letter from Councilmember de León, “Downtown Los Angeles
Community Plan Update “DTLA 2040””, June 15, 2021

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



Historical importance of the Third and Main street locale in DTLA

john crandell <landscape_vision@sbcglobal.net>

Mon, Sep 13, 2021 at 5:00 PM

To: Los Angeles City Planning Commission <cpcequity@lacity.org>, "cpc@lacity.org" <cpc@lacity.org>

Two notable historic events at the locale are such that programming and design of new developments at the southeast and northwest corners could possibly reflect these historic realities.

Thomas Lincoln Tally's 'Electric Theater' was the birthplace of commercial cinema on the west coast circa April, 1901. Directly next door, the first expressly designed/constructed cinema was constructed in 1910. This was the Liberty Theater and it was designed by Albert Martin Sr. The front facade was demolished and reconstructed in the early 1930s, but the rest of the structure yet remains. Tom Tally was a co-proprietor in the venture.

There is a haunting legend that has connected Third and Main and Pickett's Charge of the third/final day of the Battle of Gettysburg. It has been one of the great legends of the nation's Civil War. This legend was utilized to great effect in the 1993 movie of the battle and as well, forms an emotional highpoint in a 1971 historical novel which garnered a Pulitzer Prize for author Michael Shaara. The movie is based upon Shaara's work. However, the legend has lately been revealed as a cynical myth, constructed in 1887 by the widow of the protagonist of the connection between L A and Gettysburg. A new story regards what truly occurred, based upon primary source materials, is the better and far more resonant tale of the connection between Los Angeles and the epic Civil War battle.

My thought is that these two factors ought to be utilized at the least in terms of an imaginative urban design formulation - the streetscape of the Third and Main intersection and perhaps as well - the programming of adjacent first floor activities in new developments.

The intersection ought to be officially named as Hancock Square. Winfield Scott Hancock was/is the protagonist. The new story describing the connection to the Civil War battle forms a chapter titled 'Myth of Heroes' and can be located within a volume of essays, maps and photos titled: 'Homage To Downtown ~ In Search of Place and Memory in Ancient L.A.' now on file at the reference desk in the history department of the downtown Central Library. Christopher Hawthorne has a copy.

All for Downtown and Downtown for all!

Thank you,

John crandell RLA

GENERAL INFORMATION ABOUT THE CONTENTS OF THIS FILE

Submissions by the public in compliance with the Commission Rules and Operating Procedures (ROPs), Rule 4.3, are distributed to the Commission and uploaded online. Please note that “compliance” means that the submission complies with deadline, delivery method (hard copy and/or electronic) AND the number of copies. Please review the Commission ROPs to ensure that you meet the submission requirements. The ROPs can be accessed at <http://planning.lacity.org>, by selecting “Commissions & Hearings” and selecting the specific Commission.

All compliant submissions may be accessed as follows:

- **“Initial Submissions”**: Compliant submissions received no later than by end of day Monday of the week prior to the meeting, which are not integrated by reference or exhibit in the Staff Report, will be appended at the end of the Staff Report. The Staff Report is linked to the case number on the specific meeting agenda.
- **“Secondary Submissions”**: Submissions received after the Initial Submission deadline up to 48-hours prior to the Commission meeting are contained in this file and bookmarked by the case number.
- **“Day of Hearing Submissions”**: Submissions after the Secondary Submission deadline up to and including the day of the Commission meeting will be uploaded to this file within two business days after the Commission meeting.

Material which does not comply with the submission rules is not distributed to the Commission.

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September 20, 2021

VIA EMAIL (cpc@lacity.org)

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

**September 23, 2021 Meeting
Agenda Item No. 7**

Re: College Street: Comments on DTLA 2040 Community Plan Update (CPC-2017-432-CPU, CPC-2014-1582-CA)

Dear Honorable President Millman and Commissioners:

This letter is submitted on behalf of the ownership of 855-875 N. Figueroa Terrace and 766-788 W. College Street (the “Property”), which is currently developed for office and warehouse uses and is entitled for residential redevelopment through a vesting tentative tract map. We request that the proposed zoning changes in the DTLA 2040 Draft Community Plan (“Draft Plan”) for the Property be reconsidered and revised as discussed in our prior letters, submitted on January 13, 2020 and June 7, 2021, as our requested revisions have yet to be incorporated. Further, we note that the Supplemental Staff Report failed to adequately justify why the November 2020 and June 2021 Draft Plans downzoned properties near transit in light of the Draft Plan’s goals of encouraging housing near transit. The Property, like others similarly situated nearby, is designated Tier 3 under the City’s Transit Oriented Communities Guidelines due to the proximity to Metro’s L Line (Gold) Station in Chinatown, yet its FAR and height allowances were reduced in the November 2020 and June 2021 Draft Plans compared to both existing zoning and prior iterations of the Draft Plan.

The Supplemental Staff Report states that the Draft Plan “proposes higher Base FARs in areas that are in proximity to transit.” (Supplemental Staff Report, p. 12.) While this may have reflected the City’s initial approach to the Draft Plan, which generally increased density for development close to transit within the Plan area, the June 2021 Draft Plan instead reduces Base FAR and height on properties located near transit and further, reduces FAR and height as compared to existing conditions. For the Property specifically, current zoning and the August 2020 version of the Draft Plan allowed for a Base FAR of 3:1, while the November 2020 and June 2021 Draft Plans only allow for a Base FAR of 1.5:1, with a maximum Bonus FAR of 3:1. Height is similarly restricted; while the current zoning does not include a height limitation, the June 2021 Draft Plan includes limits the Base height to 3 stories, with maximum Bonus height limited to 6 stories.

Given the City's goals of encouraging housing near transit, the City should increase density on Downtown-adjacent properties located near transit connections to achieve this goal, including on the Property and others in the area, rather than decreasing allowable FAR and height as proposed in the Draft Plan. To the extent the Supplemental Staff Report states that the decrease in allowable FAR and height was intended to encourage more projects to participate in the proposed Community Benefits Program, the Supplemental Staff Report does not provide sufficient evidence to justify this more restrictive zoning. The Draft Plan should attempt to maintain as much flexibility as possible by maximizing zoning capacity. Further, we reiterate our requests for the Draft Plan to instead consider context-sensitive growth and density near transit and not impose a height limitation on the Property. Height should instead be limited by utilizing FAR, setbacks, and frontage requirements as is done under the Property's existing zoning.

We thank you for your time and attention to this matter, please do not hesitate to contact me should you have any questions.

Very truly yours,



Beth Gordie
of LATHAM & WATKINS LLP

Attachment

cc: Craig Weber, Principal City Planner
Valerie Watson, Senior City Planner
Brittany Arceneaux, City Planner, Project Manager
Clare Kelley, City Planner
Erick Lopez, City Planner
Erin Coleman, City Planner
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LATHAM & WATKINS LLP

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September 20, 2021

VIA EMAIL (cpc@lacity.org)

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

**September 23, 2021 Meeting
Agenda Item No. 7**

Re: 1201 N. Broadway: Comments on DTLA 2040 Community Plan Update (CPC-2017-432-CPU, CPC-2014-1582-CA)

Dear Honorable President Millman and Commissioners:

This letter is submitted on behalf of the ownership of 1201 N. Broadway, which also includes adjacent properties fronting East Savoy Street, collectively referred to herein as the “Property.” We previously submitted letters on the November 2020 and June 2021 drafts of the DTLA 2040 Draft Community Plan (“Draft Plan”). We reiterate the requests made in our prior letters, including to apply the Community Center designation and [DM5-SH2-5][CX1-FA][CPIO] zoning to the Property. This letter also responds to certain statements in the Supplemental Staff Report pertaining to proposed zoning in Chinatown, where the Property is located within convenient walking distance from the Metro L Line (Gold) Station at College Street.

The City Should Not Downzone Chinatown Properties Located Near Transit

As discussed in our prior letters, a major focus of both the Draft Plan and the Draft Plan’s draft environmental impact report is to encourage additional housing near transit. The Supplemental Staff Report states that the Draft Plan “proposes higher Base FARs in areas that are in proximity to transit,” with the exception of Chinatown due to “stakeholder . . . concerns about displacement of residents and small businesses.” (Supplemental Staff Report, p. 12.) The Property is one such downzoned area within Chinatown, with a Base FAR of 1.5:1. Yet, later in the Supplemental Staff Report, Staff contends that the Draft Plan “acknowledges Chinatown’s proximity to transit and open space, allowing greater intensity in the blocks surrounding the Chinatown Metro L Line station.” (*Id.*, p. 20.) If this statement is to be supported, the Property and other such areas of Chinatown located near transit should be afforded greater intensity to encourage additional housing near transit. In particular, the Property should be afforded

intensity consistent with the property located directly across Broadway from the Property and to the northeast due to both properties' proximity to transit. The adjacent property is proposed to be designated Community Center with [DM5-SH2-5][CX1-FA][CPIO] zoning, allowing for a Base FAR of 6:1 with a Bonus FAR of 8.5:1, and a Base height of 12 stories, with a Bonus height of 15 stories, whereas the Property is afforded a 1.5:1 Base FAR and 3:1 Bonus FAR, with a base height of 3 stories and a bonus height of 6 stories. Both properties are designated Tier 3 under the City's Transit Oriented Communities Guidelines due to the proximity to Metro's L Line (Gold) Station in Chinatown, yet only one is afforded the intensity warranted by its location near transit. The same designation, height, and FAR as the adjacent property are appropriate for the Property. Designating the Property as Community Center with [DM5-SH2-5][CX1-FA][CPIO] zoning is compatible with Chinatown's transition to a more dense-transit oriented community.

Lowering the Base FAR Near Transit Imposes Unnecessary Barriers to Development Where It Is Most Needed

The Supplemental Staff Report suggests that the reduction of Base FAR at the Property and others within Chinatown is in response to stakeholder concerns regarding the need for more low-income housing while decreasing displacement pressures. (Supplemental Staff Report, pp. 14, 22.) The Supplemental Staff Report also states that current economic conditions do not support higher FAR development in Chinatown. (*Id.*, p. 21.) Generally, the Draft Plan should not be basing its zoning determinations on current economic conditions, which have undoubtedly been affected by the ongoing COVID-19 pandemic. The Draft Plan should instead consider the City's long-term housing needs by allowing for flexibility within the Plan to adapt to market changes over the next two decades. Moreover, recent housing proposals support that higher FAR and height limits are currently proposed and under construction in Chinatown.

In addition, the Supplemental Staff Report does not provide support for how its Community Benefits Plan would increase development in the area by downzoning properties and imposing additional hurdles to achieving additional FAR, simply stating that the reduced Base FARs would "encourage more projects to participate in the Community Benefits Program to achieve the higher FARs evident in recent housing proposals." (Supplemental Staff Report, p. 22.) The Supplemental Staff Report is internally inconsistent, suggesting on one page that Chinatown cannot sustain higher FARs due to current economic conditions (*id.*, p. 21), while at the same time stating that recent housing proposals containing higher FARs in Chinatown support the Draft Plan's proposed zoning, intended to capture additional community benefits through the Draft Plan's Community Benefits Program (*id.*, p. 22.).

The Supplemental Staff Report has not provided any evidence to suggest that the reduced Base FAR would actually encourage more projects to participate in the Community Benefits Program to avail themselves of a higher FAR. Such restrictive zoning may have the unintended consequence of stalling development entirely, as the November 2020 economic analysis prepared for the City found that Chinatown's proposed zoning does not result in financially feasible projects. Constraining development as the Draft Plan proposes would jeopardize project feasibility and ensure that public benefits considered in the Draft Plan are never actualized. Instead, the Draft Plan should attempt to maintain as much flexibility as possible by maximizing

zoning capacity to ensure that the City meets its housing production goal of over 455,000 units for the next eight years, especially for properties located near transit to facilitate sustainable growth.

The Plan Does Not Support Locating Housing Near Transit as the Supplemental Staff Report Suggests

While the November 2020 and June 2021 Draft Plans largely downzoned Chinatown, the Supplemental Staff Report contends that “overall FAR rights” within Chinatown would “remain the same as today or would be increased by the Proposed Plan.” (Supplemental Staff Report, p. 20.) However, the Property’s existing zoning allows for a 3:1 Base FAR and a Bonus FAR of 4.5:1 using TOC incentives, with an unlimited height. Proposed zoning under the Draft Plan would allow for a Base FAR of 1.5:1 with a Bonus FAR of 3:1, and a Base height of 3 stories with a maximum Bonus height of 6 stories. This allowance is much lower than existing zoning. Accordingly, the proposed zoning in Chinatown, including for the Property, effectively amounts to a reversion of development rights that are currently available. Downzoning Downtown-adjacent properties located near transit connections such as the Property will not enable the City to reach its housing production goal or the Draft Plan’s goals of encouraging housing near transit. For the reasons discussed in our prior letters, we request that the City apply the Community Center designation and [DM5-SH2-5][CX1-FA][CPIO] zoning to the Property, as this is the zoning of the property located directly across Broadway from the Property and it is consistent with the Supplemental Staff Report’s recognition that increased intensity is warranted in the vicinity of Metro’s L Line (Gold) Station in Chinatown.

Additional Revisions to the Plan Are Needed to Support Transit-Oriented Development

In addition to the proposed revisions to the Property’s land use designation and zoning, the Draft Plan should ensure that it is not imposing any unnecessary roadblocks to development near transit or placing any unnecessary burdens on existing property owners. For example, the June 2021 Draft Plan includes new lighting standards for development in the Plan area that are significantly more restrictive than what the Los Angeles Municipal Code currently allows. Specifically, in the majority of the Plan area the June 2021 Draft Plan would result in a 50 percent reduction in the allowable lighting levels and in some areas the reduction would be as high as 75 percent. Such a reduction is not appropriate or consistent with a Downtown area, which benefits from having additional lighting. New, more restrictive standards should not be introduced at this stage in the Draft Plan process, and the Draft Plan should instead retain existing lighting standards.

In addition, the new lighting standards require that “[t]he owner of a lot with any existing light source shall bring such light source into compliance with this section upon receipt of written notice from the Department of Building and Safety.” (Draft Plan, Proposed Zoning Code, § 4C.10.1.C.1.c.) This section imposes an unnecessary burden on existing development and should be removed from the Draft Plan – previously permitted development should be allowed to remain and should not be subject to ongoing review and approval by the Department of Building and Safety.

Likewise, should a project participate in the proposed Community Benefits Program, the CPIO requires a minimum of 30 percent of total dwelling units be two bedrooms or greater. (Supplemental Staff Report, p. 25.) The Draft Plan should refrain from including any provisions that would make it difficult to actualize the construction of housing units Downtown given the dire need for housing in the region.

* * *

Conclusion

We thank you for your time and attention to this matter, please do not hesitate to contact me should you have any questions.

Very truly yours,



Beth Gordie
of LATHAM & WATKINS LLP

cc: Craig Weber, Principal City Planner
Valerie Watson, Senior City Planner
Brittany Arceneaux, City Planner, Project Manager
Clare Kelley, City Planner
Erick Lopez, City Planner
Erin Coleman, City Planner
Cindy Starrett, Latham & Watkins
Samantha Seikkula, Latham & Watkins



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

Delivered via electronic mail.

September 20, 2021

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

Dear Honorable Commissioners,

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

Downtown Los Angeles is home to the City’s oldest neighborhoods and has seen over a century’s worth of transformation, with more changes yet to come. However, historically Downtown has been

the site of racist and discriminatory land use practices. For example, Chinatown, Little Tokyo, and Skid Row were originally created to specifically segregate low-income immigrant and houseless residents from the rest of the City. In more recent years, much has been made of the “*revitalization*” or “*resurgence*” of Downtown. But in too many instances, the policies and practices driving this “*resurgence*” have caused more harm than benefit to low-income Downtown residents, including increased criminalization of unhoused residents and gentrification-fueled displacement and destabilization of low-income and immigrant communities.

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

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

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

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

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

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

This most recent draft of the Plan, CPIO and Zoning Code include numerous new programs and policies that enhance equitable access to and enjoyment of public space. These important additions include: providing 24-hour restroom access and maintenance in Skid Row parks; encouraging new open space and streetscape improvements to include design features for seniors; preventing hostile architecture and exclusionary design; recognizing important community parks; creating a program to assess park and open space needs; and defining publicly accessible open space to include requirements for public restrooms, drinking water, shade, and phone charging stations. We appreciate the Department's engagement and responsiveness to community-driven recommendations, and we urge the Commission to adopt these important policies and programs.

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

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

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

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

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

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

Moderate-Income units). The Permanent Supportive Housing incentive should continue to apply in this use district.

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

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

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

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

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

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

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

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

Sincerely,

Southeast Asian Community Alliance

Little Tokyo Service Center

LA CAN

Public Counsel

Alliance for Community Transit - Los Angeles

Asian Pacific Islander Forward Movement

Center for the Pacific Asian Family

Chinatown Community for Equitable Development

Community Power Collective

East LA Community Corporation

Eastside LEADS

Esperanza Community Housing Corporation

Inclusive Action for the City

Inner City Law Center

J-TOWN Action and Solidarity

Japanese American Cultural and Community Center

Koreatown Immigrant Workers Alliance

Koreatown Youth and Community Center

Kounkey Design Initiative

Leadership Education for Asian Pacifics

Lincoln Heights Neighborhood Council

Little Tokyo Historical Society

Los Angeles Alliance for a New Economy

Los Angeles Neighborhood Land Trust

Los Angeles Poverty Department

Los Angeles River State Park Partners

National Resources Defense Council

The Nature Conservancy

Nikkei Progressives

The Row - LA Church Without Walls

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

Strategic Actions for a Just Economy

Southern California Association of Non Profit Housers

Sustainable Little Tokyo

Thai Community Development Center

United Way of Greater Los Angeles

Visual Communications

We the Unhoused

Jon Christensen

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

Sara Daleiden

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

Kirsten Grimm, Writer/Consultant

Joan Ling

Lecturer, UCLA Urban Planning Department

Former Commissioner and Treasurer, Community Redevelopment Agency of the City of Los Angeles, 2005-2012

Former Executive Director, Community Corporation of Santa Monica, 1991-2011

Pauletta Pierce, Resident, Chinatown

Julie Rico, Owner, Julie Rico Gallery

Alex and Dalina Sasayama, Residents, Downtown LA

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

Delivered via electronic mail

August 12, 2021

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

Dear Honorable Commissioners,

On behalf of the undersigned academic researchers and practitioners at UCLA, USC, CalPoly Pomona, and Occidental College who focus on planning, housing, and economic development, we are pleased to submit the following comments and policy recommendations on the Downtown Community Plan update. The inclusion of numerous new policies and standards in the most recent draft Plan, CPIO, zoning code, and corresponding ordinances (collectively, the “Draft Plan”) does much to address the numerous racial and economic justice issues facing low-income communities of Downtown which are also the poorest in the City. We believe that in order for the Commission to advance a vision of racial equity, it must adopt policies that will create a net gain of affordable housing at the deepest levels of affordability, prevent displacement, protect the Community Benefits Program, and center the needs and priorities of historically excluded communities. As described in detail in this letter, we urge the Commission to:

1. Adopt the Draft Plan’s careful calibration of Base and Bonus floor area ratio in Chinatown and Little Tokyo to maximize value capture and promote inclusive housing growth.
2. Expand the IX1 District to create new affordable and supportive housing and prevent displacement in Skid Row.
3. Require on-site affordable housing in the Downtown Adaptive Reuse Program, consistent with the Citywide Adaptive Reuse Program.

The Draft Plan’s Base/Bonus system has been carefully calibrated with feasibility in mind
Chinatown is a dynamic community of residents, workers, landowners and small businesses. It is also one of the poorest communities in Los Angeles where many residents live close to, or below, the poverty line and many are one rent increase away from becoming homeless. In order to thrive, future development must support the low-income refugees and immigrants that make up the bulk of the community, not exacerbate displacement and gentrification.

As such, the Planning Department spent considerable time and resources to carefully calibrate the zoning standards in Chinatown in order to ensure that developers are incentivized to provide

affordable housing and other community benefits. We urge the City Planning Commission to adopt the Base/Bonus system for Chinatown as recommended by the Planning Department.

There has been some confusion about the Plan's proposed base zoning in Chinatown, with several voices mischaracterizing the Plan as a downzoning that, coupled with the requirement for affordable housing, will make development infeasible.

This is simply incorrect. According to the HR&A report, commissioned by the City as part of the community planning process, "the new Downtown Community Plan does not change current by-right entitlement standards, nor does it impose additional requirements for developers who choose to build within the existing base zoning."¹ While a small portion of Chinatown's base zoning will be set at 2.0 FAR, various concessions such as the removals of height limits, density limits, and parking maximums will in fact *increase* development capacity and allow eligible projects to return to the current allowable FAR of 6.0 and beyond. Rather, the Plan actively seeks to set the zoning regulations in order "to ensure that the baseline zoning in Downtown is calibrated such that developers are motivated to exceed it"² and that in order for the Plan and the Community Benefits program to be most effective, the system must be "calibrated to produce sufficient incremental value for private developers, over and above any public benefits produced, to encourage additional development in light of increased risk and cost."³

In addition, these same voices have been making misleading arguments that the affordable housing provisions within the Community Benefits Plan will make development infeasible in Chinatown. The updated memo from HR&A dated November 13, 2020 very clearly states that, with key changes such as eliminating height limits and some adjustment to the inclusionary requirement, "affordable housing production would be feasible at a maximum FAR of 3.0," many of which were incorporated into the June 2021 Draft Plan. The memo is also clear that, with a 15% rent increase and the removal of story limits, "the Chinatown prototype can generally accommodate the inclusion of affordable housing for both Level 1 and Level 2 with bonuses only modestly higher than anticipated by LADCP."⁴

In fact, the feasibility issues brought up by HR&A are not about the cost of including affordable housing but rather the cost of switching from wood to steel frame construction to reach higher FARs. "The by-right FAR (Base Case Scenario) could be developed using wooden frame construction over a concrete podium to produce market-aligned residual land values. However, achieving higher FAR scenarios would require changing to concrete or steel frame construction,

¹ City of Los Angeles, Department of City Planning. *Downtown Los Angeles Community Benefits Program: Summary of Analysis and Recommendations*, HR&A Advisors, Inc., 2019, p. 7.

² City of Los Angeles, Department of City Planning. *Downtown Los Angeles Community Benefits Program: Summary of Analysis and Recommendations*, HR&A Advisors, Inc., 2019, p. 6

³ Ibid.

⁴ City of Los Angeles, Department of City Planning. *Downtown Los Angeles Community Benefits Program: Additional Feasibility Testing*, HR&A Advisors, Inc., 2020, p. 5

which may not be financially feasible in the near term.”⁵ It must also be noted that housing markets are dynamic and that as markets change, so will the feasibility for higher FAR development.

Overall, the Plan improves the feasibility of development with the inclusion of community benefits through the following changes to current zoning standards:

- Elimination of parking minimums
- Removal of density & height restrictions
- Streamlined approvals process that will speed up the entitlement process and reduce risk that projects will be bogged down in bureaucracy, which according to the HR&A report “could be worth as much as \$3,250,000 to a developer, plus the avoided cost of legal and other consultants services.”⁶

Importantly, setting the Base FAR in Chinatown at 2:1, as currently proposed in the Draft Plan, is not a downzoning or reversion of development rights but is a strategy to expand development rights in this area by increasing the maximum FAR accessible through a carefully calibrated community benefits incentive program. The Draft Plan encourages projects at the Bonus FAR of 6 or 8.5, which is a density increase properly aligned with affordability. This is a thoughtful, coordinated approach to inclusive growth.

Increasing the Base FAR will undermine affordable housing production

Increasing the Base FAR in these areas would be a mistake and would be in direct conflict with the Plan’s numerous stated goals of increasing affordable housing opportunities. Maintaining the Base FAR proposed in the Draft Plan is critical to an effective value capture program. Even a small compromise in the Base FAR will undo the incentive structure and will result in projects foregoing the Bonus FAR and building at the Base instead, creating fewer housing units overall, without affordable housing, and eliminating no-net-loss protections (which currently only attach to projects that use the Bonus). As currently structured, projects in Chinatown and Little Tokyo are actually incentivized to build at the higher Bonus FAR, creating more housing and much-needed affordable housing - a win-win.

Furthermore, increasing the Base FAR will crowd out affordable housing development and undermine use of the incentives. Upzoning untethered to any form of value capture will simply increase land value and provide a windfall to the current owners of the land. The increase in land value will particularly constrain affordable housing developers, who already face significant challenges in acquiring land. Unlike market rate developers, affordable housing developers cannot recoup any increased costs through increased rents. Increasing the Base FAR for projects

⁵ City of Los Angeles, Department of City Planning. *Downtown Los Angeles Community Benefits Program: Summary of Analysis and Recommendations*, HR&A Advisors, Inc., 2019, p. 24.

⁶ City of Los Angeles, Department of City Planning. *Downtown Los Angeles Community Benefits Program: Summary of Analysis and Recommendations*, HR&A Advisors, Inc., 2019, p. 29.

would have an overall effect of discouraging the use of the Community Benefits Program, which provides a broad range of benefits including affordable housing, publicly accessible open space, and support for community serving small businesses.

We urge the Commission to adopt the Planning Department's careful calibration of Base and Bonus FARs in Chinatown and Little Tokyo in order to maximize value capture and promote inclusive and affordable housing growth. The Department has created a comprehensive community benefits program that utilizes the proposed Base/Bonus FAR incentive that builds on the TOC Program and prioritizes mixed income affordable housing in Downtown neighborhoods like Chinatown and Little Tokyo, which desperately need more affordable housing. We appreciate and support the Department's recommended approach to "facilitate growth near transit infrastructure in these neighborhoods while introducing a system that links growth with community benefits,"⁷ and we urge the Commission to approve this structure.

The IX1 use district should be preserved and expanded

The IX1 district, which is currently bounded by San Pedro Street, 5th Street, Central Avenue, and 7th Street, is the only use district in the Draft Plan where residential uses are restricted to only affordable housing. We urge the City Planning Commission to preserve the IX1 use district, and indeed expand it.

There has been debate about the impacts of the IX1 zone, including claims by opponents that it will contribute to a "concentration of poverty." Yet these opponents provide no alternative solutions to our profound homelessness crisis nor do they acknowledge that the IX1 zone does not prohibit the construction of affordable housing elsewhere in the plan area. Numerous studies have shown that LA's homelessness crisis is being driven by evictions and the lack of affordable housing. Elimination of the IX1 zone will only reduce the overall capacity for affordable housing in Downtown, further contributing to our affordable housing and homelessness crisis.

While we recognize that other policies are being explored to increase the supply of affordable housing in other parts of the city, unlike the proposals contained within the Draft Plan, it is not clear when those policies would be adopted, let alone generate the affordable units the community desperately needs. Additionally, the Draft Plan is currently the only policy proposal to include a deeply low-income (15% AMI and below) incentive program which explicitly targets residents at highest risk of houselessness. The IX1 zone provides a stronger guarantee that the units will be built and at the rents that Skid Row residents can actually afford.

⁷ City of Los Angeles, Department of City Planning. *Recommendation Report to City Planning Commission*. June 17, 2021, p. A-20.

https://planning.lacity.org/odocument/04ca2a68-c5fd-4a26-90c2-8128910239f7/DRAFT_DTLA_CPC_Staff_Recommendation_Report.pdf. Accessed September 7, 2021

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

Require on-site affordable housing in the Downtown Adaptive Reuse Program, consistent with the Citywide Adaptive Reuse Program

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

Conclusion

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

Sincerely,

Joan Ling

Lecturer, Urban Planning Department

UCLA

Former member, Community Redevelopment Agency of the City of Los Angeles

Former Executive Director, Community Corporation of Santa Monica

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September 20, 2021

VIA EMAIL (cpc@lacity.org)

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

**September 23, 2021 Meeting
Agenda Item No. 7**

Re: Los Angeles Aerial Rapid Transit Connecting Union Station and Dodger Stadium:
Comments on DTLA 2040 Community Plan Update (CPC-2017-432-CPU, CPC-
2014-1582-CA)

Dear Honorable President Millman and Commissioners:

We write to you on behalf of our client, Aerial Rapid Transit Technologies LLC in connection with the proposed aerial rapid transit gondola system connecting Union Station and Dodger Stadium (the “Project” or “LA ART”). We appreciate staff’s consideration in connection with our discussions about the Project, and previously submitted comment letters on the November 2020 DTLA 2040 Draft Community Plan and on the June 2021 City Planning Commission Draft Plan. We reiterate our prior comments requesting that impediments to development Downtown be removed from the Plan. We also request that transit uses be expanded throughout the Plan area and an “aerial rapid transit” use be included within the Plan, because the Draft Plan’s current transit-related definitions do not fully account for the infrastructure necessary to operate an aerial rapid transit system.

This letter provides additional information as to how LA ART would support the Plan’s goals. In addition, while at the June 17, 2021 City Planning Commission meeting the Commissioners requested information on current and future planned transportation and mobility-related infrastructure projects in Downtown, the Supplemental Staff Report did not include LA ART in its discussion.

LA ART Provides an Additional Transit Option in the Plan Area, Supporting the Plan's Aim of Improving Transit and Access Downtown

When discussing planned development along Alameda Street, the Supplemental Staff Report recognizes that “significant transit and mobility infrastructure investment coming to Downtown L.A. on Alameda Street will reshape the region, increase connectivity to Union Station and enable the transition of Alameda Street to better serve mixed-use developments,” citing among other projects the Metro Los Angeles Union Station Forecourt and Esplanade Improvements. (Supplemental Staff Report, p. 10.) LA ART is one such transit project proposed to provide a connection to Alameda Street and Union Station, but is not discussed in the Supplemental Staff Report or Draft Plan as a future transit project within the Plan area. LA ART should be acknowledged and accommodated within the Draft Plan, as it would provide an additional transit connection for existing communities including El Pueblo, Chinatown, Mission Junction, and Solano Canyon to Union Station.

The Supplemental Staff Report states that “[i]mproving access and connectivity for communities in and around Downtown, especially historic/cultural communities and communities of color is central to the vision of the Proposed Plan,” specifically noting that the Plan “calls for significant investment in pedestrian, bicycle, and transit infrastructure” in Chinatown. (Supplemental Staff Report, p. 61.) The Supplemental Staff Report cites a “number of mobility and transportation improvement projects currently in the pipeline that will improve access and connectivity for historic/cultural communities and communities of color,” noting that they will provide “multi-modal access to housing and employment.” (*Id.*, pp. 61-62.) While the Supplemental Staff Report does not discuss LA ART, as noted above, LA ART would provide an additional transit connection to Chinatown through an intermediate station near the southern entrance of the Los Angeles State Historic Park. Further, LA ART proposes pedestrian enhancements at this location, including landscape and hardscape improvements and shade structures along Spring Street to connect LA ART’s Chinatown / State Park Station within the southernmost portion of the Park to Metro’s L Line (Gold) station. LA ART would improve “access and communities in and around Downtown” by providing a new transit option, as well as and pedestrian improvements in Chinatown.

The Supplemental Staff Report states that the “Proposed Plan recognizes the importance of reducing vehicle miles traveled, regardless of vehicle technology, and focuses on strategies to make it easier to bike, roll, and take transit Downtown.” (Supplemental Staff Report, p. 59.) Again, LA ART is one such strategy that would make it easier to take transit Downtown, as it would provide an additional connection to the City’s public transit hub at Union Station for Cathedral High School transit patrons, Los Angeles State Historic Park and Elysian Park visitors, and for residents of and visitors to existing communities such as Elysian Park, El Pueblo, Chinatown, Mission Junction, and Solano Canyon. LA ART’s cabins will also be large enough to accommodate bicycles, with large sliding doors to easily transport bicycles on and off the cabins. In addition, by directly linking Dodger Stadium to Union Station, LA ART would reduce vehicle miles traveled by removing up to 3,000 cars from the road on Dodger game and event days through an environmentally friendly, zero-emission technology.

As detailed above and discussed in greater detail in our prior letters, LA ART would support the Draft Plan’s goals and policies. Therefore, we respectfully reiterate our requests that the Draft Plan expand transit uses throughout the Plan Area to facilitate the Draft Plan’s aims of expanding transit service and connectivity Downtown by including aerial rapid transit as a use in the Plan area and adopt an “Aerial Rapid Transit” use defined as “an aerial gondola system consisting of cables, passenger stations and/or non-passenger junction(s), tower(s), and gondola cabins.”

The June 2021 City Planning Commission Draft Plan Should Not Add Additional Impediments to Transit Uses

As discussed in LA ART’s prior submittals to the City Planning Commission, the June 2021 City Planning Commission Draft Plan should not be adding additional impediments to transit uses within the Plan area. In addition to the additional hurdles noted in our prior submittals, the June 2021 City Planning Commission Draft Plan includes additional lighting standards that are significantly more restrictive than those currently allowed under the Los Angeles Municipal Code. Specifically, in the majority of the Plan area the June 2021 Draft Plan would result in a 50 percent reduction in the allowable lighting levels and in some areas the reduction would be as high as 75 percent. Such a reduction is not appropriate or consistent with a Downtown area, which benefits from having additional lighting. Lighting on transit projects such as LA ART are necessary to maintain passenger safety, among other benefits. Accordingly, the Draft Plan should be revised to include requirements consistent with the current Los Angeles Municipal Code or otherwise exempt transit uses from such requirements. Should transit uses be exempted, we request the following revision to Section 4C.10.1.C.1.b of the Proposed Zoning Code (additions in underline):

No person, unless in connection with the operation of a transit use, including aerial rapid transit, shall construct, establish, create, or maintain any stationary exterior light source that may cause light trespass onto adjacent properties exceeding the following amounts

...

New, more restrictive standards should not be introduced at this stage in the Draft Plan process, and the Draft Plan should instead retain existing lighting standards or at the very least ensure that transit uses are not subject to such requirements.

* * *

Conclusion

We thank you for your time and attention to this matter, please do not hesitate to contact me should you have any questions.

Very truly yours,

A handwritten signature in black ink, appearing to read "Beth Gordie", is centered on the page.

Beth Gordie
of LATHAM & WATKINS LLP

cc: Craig Weber, Principal City Planner
Valerie Watson, Senior City Planner
Brittany Arceneaux, City Planner, Project Manager
Clare Kelley, City Planner
Erick Lopez, City Planner
Erin Coleman, City Planner
Aerial Rapid Transit Technologies LLC
Cindy Starrett, Latham & Watkins
Samantha Seikkula, Latham & Watkins



September 16, 2021

To: Valerie Watson, DCP
City Planning Commission
Councilmember Kevin De Leon
Councilmember Gil Cedillo
Councilmember Curren Price

To the Department of City Planning, the City Planning Commission, Councilmembers, staff, and stakeholders. We acknowledge the work done to date on the Downtown Community Plan and New Zoning Code and offer our comments and recommendations from the Community Forest Advisory Committee (CFAC).

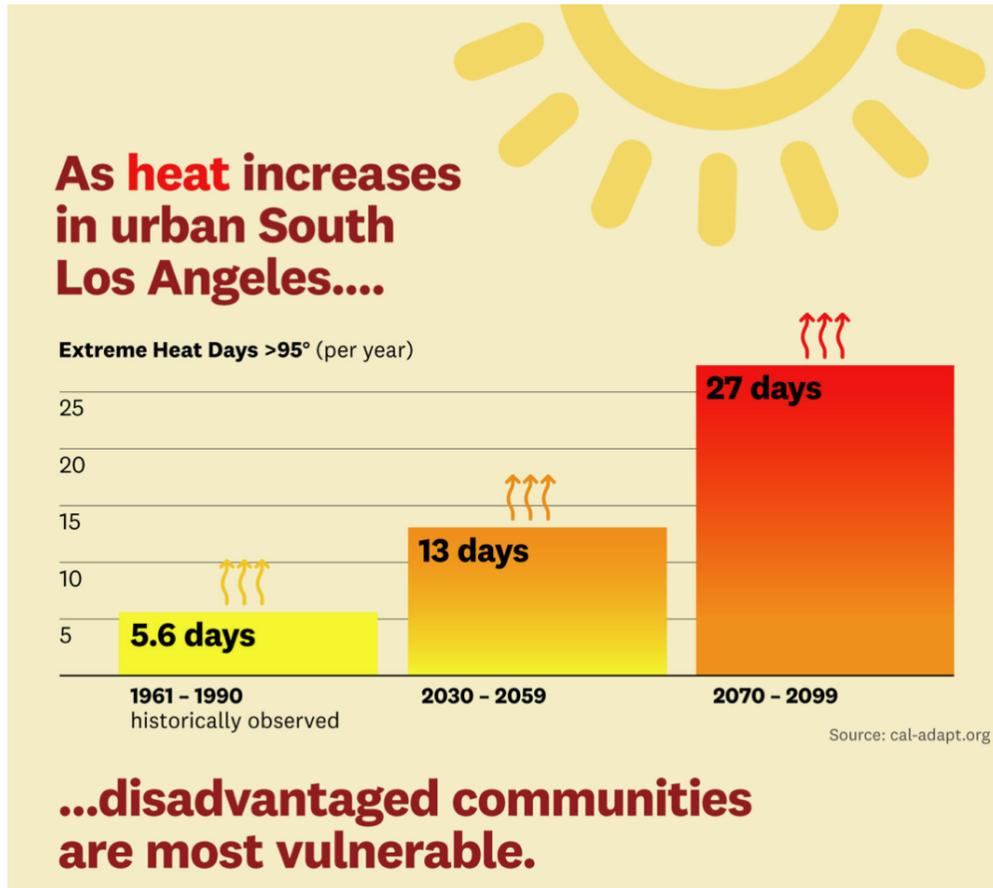
The City's Community Forest Advisory Committee (CFAC) was formed in 1993 to improve the state of our City's urban forest by convening community representatives from the 15 council districts and a Mayor's representative. Committee members are chosen by their councilmembers and appointed by the Mayor to advise the City on practices and policies. We are all volunteers who are passionate and work tirelessly to advocate on behalf of our urban forest.

I. SHADE INEQUITY AND LACK OF TREE CANOPY ARE NOT ADDRESSED IN THE PROPOSED DOWNTOWN PLAN AND NEW ZONING CODE.

Downtown is particularly susceptible to the urban heat island effect and its tree canopy is substantially less than affluent neighborhoods in the City. One need only walk the streets, wait for an Uber or bus to understand that there is no relief from the heat downtown. This is an equity problem! Scientists tell us that the City's overall tree canopy should be at least 40% in order to maximize the cooling benefits.

Covid-19 has proven and intensified our need for fresh air: fresh oxygen that is generated by trees. It has intensified our need for open spaces and nature. We understand the need for affordable housing. Commercial corridors can be densified and made walkable - but that also requires shade canopy and long term strategies to accommodate trees in the ROW.

II. URBAN HEAT ISLAND EFFECT KILLS AND IS NOT ADEQUATELY ADDRESSED IN THE DOWNTOWN PLAN AND NEW ZONING CODE.



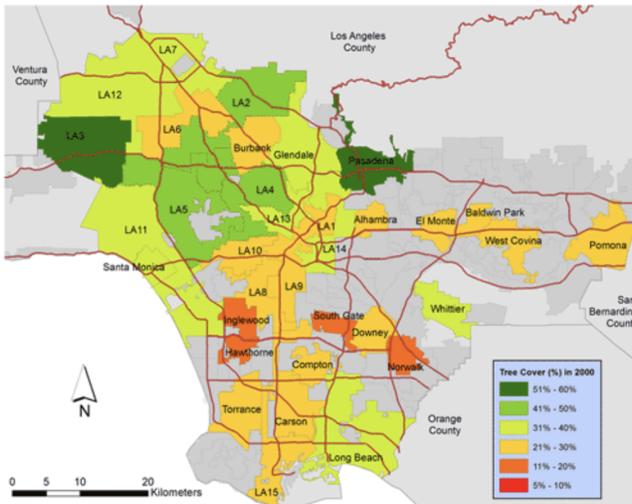
Our City is experiencing extreme heat and has had the worst air pollution in the United States for at least 10 years in a row. The Los Angeles Urban Cooling Collaborative found that one in four lives currently lost during heat waves could be saved, largely in low income communities and communities of color. Trees provide shade and can cool ambient temperatures by up to 20 degrees. Trees also clean our air and provide much needed storm water maintenance services. Trees not only make a city more beautiful, welcoming and comfortable, they promote well being, reduce crime, and provide much needed infrastructure services at a low cost. We must stop looking at trees as simply “landscape” and “aesthetic” -- they are a critical part of our infrastructure that actually increases in value over time.

Heat most likely contributes to more deaths each year than are officially recorded. Some studies have estimated 5000-12,000 deaths per year in the US. Last month, NYT found that more than 600 people died in Oregon & Washington during a heat wave, more than 3 times the state official’s estimates.

III. REVERSAL OF DOWNTOWN'S RAPIDLY DECLINING TREE CANOPY IS NOT ADDRESSED IN THE DOWNTOWN PLAN AND NEW ZONING CODE.

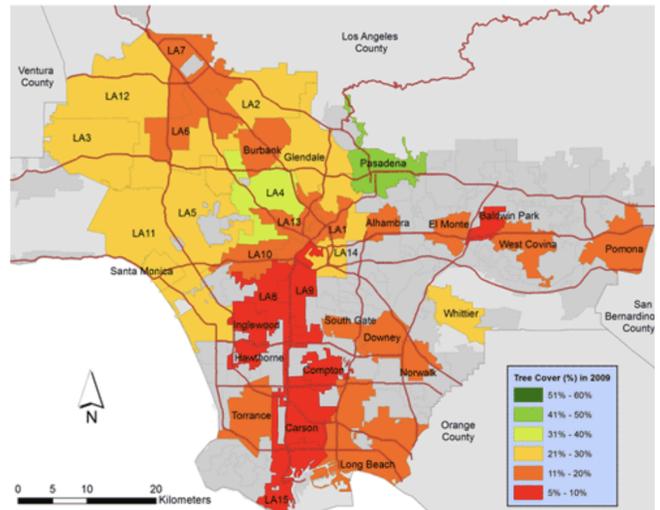
The LA County tree canopy distribution study conducted by the LMU Center for Urban Resilience and Tree People in 2016, found that downtown had a tree canopy cover of less than 11.74%, and the more recent tool through Google's Tree Canopy Lab shows the canopy coverage is as low as 3½%. Further investigation needs to be done in reconciling these two tools, but the trend indicates a substantial decline in downtown's overall tree canopy in just 4 short years. And it is significantly less than the City's overall canopy cover of approximately 20% in 2016.

The decline is consistent with the USC Dornsife study which showed that Los Angeles lost between 15%- 55% of its canopy cover between 2000-2009 due to the City's urban planning policies resulting in dwelling structures built lot to lot with no accommodation for existing mature shade trees on private property. Housing without trees is unhealthy housing.



Tree cover, represented in green, has decreased since the year 2000. (Illustration/Courtesy of Travis Longcore)

Tree Cover in 2000



Tree cover, represented in green, has decreased since the year 2000. (Illustration/Courtesy of Travis Longcore)

Tree Cover 2009

IV. THE DOWNTOWN COMMUNITY PLAN AND ZONING CODE FAIL TO ALIGN WITH OTHER CITY GOALS REGARDING TREES, BIODIVERSITY & SHADE



The Biodiversity Index and Report,¹ issued by City of LA Sanitation City Biodiversity Report,² has articulated a variety of goals and policies to be considered by City Planning in the existing and the revision of the Zoning Code. The report calls for the preservation, protection and enhancement of natural and existing resources such as natural plant and wildlife diversity, habitats, corridors and linkages. Development should include a balanced distribution for open space (including private land) *throughout all of the City* that supports a diversity of active and passive uses for the environmental benefit, health and safety of the public.

In 2018 the City of Los Angeles commissioned the Dudek Report, which explored the City's existing tree policies and set forth steps for developing a comprehensive urban forest plan.³ The report pointed out that trees and plants on private property comprised 90% of Los Angeles urban forest. The report encouraged the City of Los Angeles to look at preserving yards, creating green living contiguous rooftop gardens (not limited to boxed trees), encouraging living walls around dwelling structures, planting trees and providing for setback accommodations to grow large shade trees, as well as designing green courtyard/open space as opportunities to maintain and grow the urban forest. Some of the key findings of the Report found that trees were not valued in the City budget, nor by the Department of City Planning, and that there is a lack of direction from leadership.

The City of Los Angeles is considered to be one of the most progressive cities yet its green infrastructure policies are outdated and fail to reflect the policies being articulated to the public. The Downtown Community Plan and proposed New Zoning Code fail to reflect the biodiversity goals set forth by LA Sanitation Biodiversity Report and Index, the Green New Deal⁴, the Dudek Report³ and the commitment to reverse shade inequity.

The proposed plans reflect the existing cultural practices within the City that fail to reflect the importance of Trees and the ecosystem services they provide. **The City Council in its**

¹ [Los Angeles is a Biodiversity Hotspot](#)

² [LASAN 2020 Biodiversity Report](#)

³ [CityPlants First Step \(Dudek\) Report](#)

⁴ [LA's Green New Deal, Sustainability pLAn 2019/](#)

adoption of the Biodiversity Report in August 2021 added an amendment to direct City departments to follow it.⁵

V. DENSITY IS PRIORITIZED WITH NO CONNECTION TO TREES AND GREENERY, THEREBY SACRIFICING LIVABILITY

The Downtown Community Plan and proposed changes to the Zoning Code fail to include the planting and growing of large shade trees by failing to provide adequate space for existing mature trees to thrive, and for new trees to be planted. Many cities statewide, nationwide and globally have modified their zoning codes to allow for (1) flexible setbacks in order to accommodate large shade trees such as allowing for planting on the south/west side of buildings, further setbacks for the 1st-3rd floor of buildings, (2) below-ground garages are modified to allow for tree roots, (3) trees are planted in clusters, (4) courtyards are required and (5) accommodations are made to create more open space to allow for trees to be retained and grow.

We have attached our specific comments to the Downtown Community Plan and the Zoning Code. They are not intended to be exhaustive. We believe the City should look to urban forest plans in Sacramento, Santa Monica, San Mateo and other major California cities that face similar if not the same challenges. Some of these proposed changes are intended to shift the cultural bias against considering trees as a valued part of the City's green infrastructure and others reflect a more substantive approach.

THE TIME TO ACT IS NOW

Los Angeles has the unique opportunity to increase equity and livability, and mitigate climate change impacts by protecting existing mature trees and building a robust tree canopy. Large shade trees provide lucrative energy savings and other ecosystem services such as stormwater management, while creating a comfortable environment for pedestrians. We cannot wait five years for the completion/adoption of an Urban Forestry Management Plan and the next round of Community Plans. The health of the City's residents is at stake. We look to your leadership to integrate these values into all the community plans. Please see the following pages for specific recommendations.

Very truly yours,



Shelley Billik, Chair

Isabelle Duvivier, FAIA, Vice Chair

**cc: Brittany Arceneaux
Shana Bonstin
Erin Coleman
Kevin Keller**

**Erick Lopez
Arthi Varma
Lisa Webber
Clare Kelley**

Michelle Levy

⁵ [ECCEJR Committee 8/5/2021 & passed by full Council](#)

CFAC Comments on the CPC Staff Recommendation Report and Exhibits

EXHIBIT A.1: Community Plan Text

Chapter 1 INTRODUCTION & COMMUNITY PROFILE

PLAN VISION - p4 –issues

- lacks mention of urban tree canopy or urban forest and improving the overall tree canopy.

COMMUNITY PROFILE p8

- Downtown has less than a 1% tree canopy compared to the City average of 18%

GUIDING PRINCIPLES p10

Create linkages between districts page 11

- Include information of the biodiversity work in LASAN that describes linking natural areas to provide connectivity among increasingly isolated animal communities

Create a world-class public realm page 11

- Public and private open space to support large stature canopy trees

TRENDS AND PROJECTIONS

- CANOPY LOSS - Mention should be made to the USC Dornsife Study that shows that the urban canopy declined between 2000-2009 by up to 55% due to mansionization, lot-to-lot dwellings, and urban planning practices. Creating more housing doesn't have to destroy natural areas.
-
- BIODIVERSITY - LA is a biodiversity hotspot with short and long-term goals and benchmarking. Include information including targets from the plan in this section. Add language about open space, connective linkages, trees, shade, biodiversity, and/or canopy to reflect the goals set forth by the City of Los Angeles LA Sanitation Biodiversity Report.

Open Space p 15 -

- Add trees and biodiversity info

Chapter 2 LAND USE & URBAN FORM

DOWNTOWN WIDE GOALS AND POLICIES

HOUSING AND COMPLETE NEIGHBORHOODS

Land Use p17 - Include tree and shade in the introduction

- LU1.1 Large trees
- LU3.3 Add shade
- LU4.3 Add shade

ECONOMIC DEVELOPMENT

- LU 6.6 Promote green infrastructure such as vegetated swales and large canopy trees

URBAN FORM

- LU9.13 Enhance property values by creation of shaded streets and private/public open space
- LU 11.1 Add tree shading

HISTORIC AND CULTURAL RESOURCES

- LU 13 historic trees

- LU 13.3 historic trees
- LU13.5 require incorporation of existing trees

WELLNESS AND SUSTAINABILITY

- LU 16.1 leverage shade, transit and open space
- LU 16.3 use of native and shade trees
- LU 16.7 Utilize the biodiversity report to identify desirable plant material and corridor opportunities
- LU 16.8 Encourage the use of large stature native trees to enhance biodiversity
- LU 17.12 Support infrastructure opportunities to locate large stature shade trees with space for their roots and canopy
- LU 18-2 Preserve, maintain and expand tree canopy to provide shade .

DOWNTOWN PLACES GOALS AND POLICIES

TRANSIT CORE

- LU 20.1 Add trees
- LU 21.1 Shade
- LU 22.5 Add trees
- LU 22.6 Shaded open space
- LU 22.8 streetscape improvement that preserve existing trees and provide rich and varied amenities
- LU 22.9 streetscape elements and tree shade
-

TRANSIT CORE NEIGHBORHOOD POLICIES

- LU 22.11 Shaded pedestrian paths of travel

TRADITIONAL CORE

- LU 25.2 Tree shaded
- LU 26.1 Existing built and natural environment

COMMUNITY CENTER

- LU 30.2 tree-lined and shaded

COMMUNITY CENTER NEIGHBORHOOD POLICIES

- LU 30.11 Encourage culturally appropriate trees

MARKETS

- LU 35.4 Tree shaded open space

VILLAGES

- LU 42.11 tree canopy

Chapter 3 MOBILITY & CONNECTIVITY

GOALS AND POLICIES

- Provide safe convenient and shaded multimodal, Pedestrian friendly Tree canopy
- MC1 – safe = shaded
- MC2 sustainable = shaded
- MC3.4 streetscapes and canopy
- MC4 Bikers need shade too.

MOBILITY & CONNECTIVITY

- Graphic p 54 -- should not have palm trees (Palms provide minimal to no shade), but have pictures of shade trees.

Chapter 4 PUBLIC REALM & OPEN SPACE

- Need for live large trees in creative open spaces
- A discussion about Street trees are critical in this section
- Streets need to accommodate large trees with creative curb extensions, widened parkways.

GOALS AND POLICIES

- PO1.2 Large trees are not just for the rich
- PO1.3 Promote tree canopy to combat heat island effect and to sequester carbon
- PO1.5 Ensure that Private open space has trees growing in the ground.
- PO1.9 Working with the Biodiversity team and Urban forestry, develop tree corridors that support biodiversity and pedestrian-friendly amenities
- PO2.2 Adapt streets and parkways so that large trees can be accommodated
- PO3- Discuss the goals of the biodiversity team and incorporate into this section. We are facing an insect extinction. Sustainability includes providing for our pollinators. Native trees provide the best benefits and large oaks are the absolute best for biodiversity.
- PO4 - Encourage knowledge of the value of our natural resources.

ALLEYS

- PO5 - Create guidelines that encourage the planting of trees in alleyways
- PO6.1 -Sustainable best practices include tree planting
- PO6.2 - Encourage tree planting

Chapter 5 IMPLEMENTATION

- Create a minimum number of trees that need to be in the ground on each project
- Create a goal of 40% canopy
- Create biodiversity metrics with LASAN
- Tree plantings should be 70% native

ACRONYMS FOR AGENCIES p 71

LASAN is not on the list. Were they not included in this process?

FUTURE IMPLEMENTATION ACTIONS ESTABLISHED PROGRAMS

p 72 Add: Biodiversity Report and Index - City of LA Sanitation
Street Tree Inventory for Urban Forestry
LACounty Lidar Data mapping canopy done with LMU and Tree People
DUDEK Report commissioned by the Bureau of Street Services (Streets LA)

Appendix: RELATIONSHIP TO OTHER PLANS

RELATIONSHIP TO MOBILITY PLAN 2035

- The Mobility Plan is out of date. Tree removals occur at an alarming rate for road widenings that are automatically triggered and are often unnecessary. It requires the efforts of the Council Offices and many stakeholders to reverse them and it is only possible when stakeholders are paying attention.
- Relationship to other plans - It is critical that you establish a relationship with the biodiversity group and coordinate your implementation plan with their implementation plans.

EXHIBIT A.7: Mobility Plan 2035 Amendments

Mobility Plan 2035 amendments

- Is there a similar designation to BEN and HEN with regard to tree canopy? It could be called CEN Streets that would support larger canopy trees. This could help inform the soon to be developed Urban Forestry Master Plan

EXHIBIT B.1: Downtown Community Plan Implementation Overlay (CPIO)

Section 3 SIDEWALKS p 4

- A.2. Projection on the sidewalk eliminates opportunities for large trees.
- A.5. 4' is too narrow for great big trees, especially if it includes the curb
- Why do walkway + parkway for sidewalk widths 12, 13 and 14 not add up.
- Nice images

Section 4 ALLEYS

- Why no trees in alleys
- Section 5 OPEN SPACE AND LANDSCAPING
- 3-11 Require trees in the ground in plazas, courtyards, etc..
- Pictures too small

Section 6 STREETScape IMPROVEMENTS

- Planting standards
- 6. In most locations, smaller gallon trees adapt quicker when first planted. Care should be taken to consider soils, space, heat island impacts and watering capabilities.

APPENDIX A MASTER STREET TREE LIST p.23

- Needs to be updated
- River planting Zone
- Is this being coordinated with Biodiversity at LASAN and Urban Forestry Division?
- Tree list here should also be different in the River Zone, more riparian trees.

EXHIBIT C.1: Proposed Zoning Code

CFAC RECOMMENDATIONS TO THE NEW ZONING CODE:

- Create a “save/protect the tree” and “grow the canopy” culture among planning professionals, architects and developers.
- Require all future tree locations be determined on site before other infrastructure. Require other infrastructure, meters, transformers, mailboxes, power poles, driveways, etc to work around trees.
- All trees, not just protected trees or street trees, to be identified on plans.
- Tree check via google maps by the planning department at the counter.
- Encourage the use of large trees which provide shade but need space to grow.
- Increase setbacks on the Western and Southern side of a building that will allow at a minimum 5 – 8 ft for trees to be planted and ground.
- Increase setbacks on the first - third floor of multiple floor dwellings and relax setbacks for the fourth floor and up.

- Require accommodation for tree roots when considering the street trees, sidewalks and medians.
- Require developments to have a minimum percentage of public open space with trees planted in the ground.
- Street Standards Committee should include staff from LASAN and UFD.
- Required Trees - Minimum trees required to be planted in the ground based on floor area, not number of units.
- Minimum Tree Canopy Requirement- Establish a minimum tree canopy requirement for neighborhoods and streets.
- Require Developers to devote a percentage of overall budget for trees, landscaping and open space.
- Don't allow underground parking in the setbacks.
- Require trees in all parkways. Select species that will benefit our City and accommodate the needs of that species.
- Require excessively large driveways be broken up by trees.
- Work with urban forestry to revise the tree spacing guidelines. Consider that trees are living systems that communicate with other living systems and benefit from being co-planted close to other trees.



Commercial storefronts and trees are not in conflict.



Cafe life centered around shade trees.



Part 2C. FORM RULES

Div. 2C.3. AMENITY

Sec. 2C.3.1. LOT AMENITY SPACE

An area on a lot designated to be used for active or passive recreation, including common open space, private open space, pedestrian amenity space, and privately-owned public space.

C. Standards

- Require some of lot amenity to be public space on the ground floor with trees in the ground (not in planted boxes)
- Separate private and public lot amenity

Sec. 2C.3.1.C.10. p 2-69

See shade requirement: Increase min shade from 20% to 40%

E. Relief

- Remove relief for lot amenity.

Div. 3C.3. LANDSCAPING

Sec. 3C.3.1. FRONTAGE PLANTING AREA p3-62

The area in a frontage yard designated and designed for plants.

C. Standards

- Frontage area must be located directly on soil.

Setbacks

- Front yard setbacks for multifamily housing needs to be no less than 10' to accommodate large stature trees.
- Side back cumulative of 20%



Multi- family housing must have shade trees for livability. The zoning code must require it.

E. Relief

- Remove relief from planting area.



Trees are a critical part of public infrastructure and are barely mentioned in the new code.

Part 4C.DEVELOPMENT STANDARDS RULES

DIV 4C.4 AUTOMOBILE PARKING

Sec. 4C.4.4 PARKING LOT DESIGN p4-66

Sec. 4C.4.4.C.2. PARKING LOT LANDSCAPING p 4-74

Option 1 Prescriptive -

- Need enforcement and minimum size requirement after 10 years so trees are not pruned into lollipops. 5' will not support a large tree but like the continuous parkway. Maybe bulb out to 8' (7'-6") every 3-4 spots, where a compact spot can be located.

Option 1 and 2

- No curbs to allow for drainage and lot infiltration. Slope parking towards median.



Creative use of trees in parking lots reduces the heat island effect and can be used as public spaces.

DIV. 4C.6. PLANTS

Sec. 4C.6.4. PLANT DESIGN & INSTALLATION page 4-97

- Rooftop Planting Areas should not count towards the required open space unless standards regulate minimum soil depths
- Offer significant incentives to create meaningful, long-lasting, deep rooted, rooftop gardens.

Div. 4C.8. SCREENING

Sec. 4C.8.1. FRONTAGE SCREENS

2. Frontage Screen Types - pages 4-112 - 4-114

- Minimum frontage screens should be no less than 6', 8' wide or more is preferred. There are no large trees that can be planted in a 3' yard.

Sec. 4C.8.2. TRANSITION SCREENS

C. Standards

2. Freeway Screening

3. Transition Screen Types

C. T-screen 3 page 4-119

- 3 5' freeway- screening is woefully inadequate. Planting space should be enough to plant a tree forest. 10' minimum. 20' preferred. Require trees offset. Planting shall be denser than on medians and parkways.





BOMME STUDIO



MYM ORGANICS

September 20, 2021

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

Re: Downtown Los Angeles Community Plan Update Recommendations

We represent an alliance of garment workers, many of whom live in adjacent neighborhoods to the Los Angeles Fashion District (see Figure 3), manufacturers, producers, distributors, and advocates that together define and characterize today's Fashion District. As a group of stakeholders dedicated to ensuring the viability of Downtown Los Angeles for the garment industry, we hope to realize and uplift solutions that improve working conditions, access and pay for garment workers, and a healthy business environment for the growing sustainable fashion sector.

We write this letter to communicate the significant impact that the DTLA 2040 Plan, as drafted, will have on the growing Los Angeles garment industry *and*, most notably, the industry's 45,000 garment workers. Within the Fashion District, the DTLA 2040 Plan proposes a drastic shift of land use from largely manufacturing zones, to primarily 'Markets' and 'Hybrid Industrial' designations, both of which allow for a significant restructuring of the Fashion District's urban form. The consequences of these strategies on the garment sector overall and the Fashion District's low wage workers cannot be understated. For this reason, we see the preservation of

industrial uses in Downtown as critical to ensuring the success of garment workers. **We urge the City Planning Commission (CPC) to halt the process and engage workers and business owners in the garment industry, which have been vital to the City Of Los Angeles during the pandemic in allowing for domestic production of Personal Protective Equipment (PPE) in particular through the LA Protects program¹. We also demand CPC institute policies to preserve light manufacturing and light industrial uses at existing densities within the Fashion District.**

As you consider the adoption of the DTLA 2040 Plan and the recommendations we outline below, we ask you to examine how the wide displacement of the garment industry, ***the largest manufacturing industry in Los Angeles and largest apparel producing hub in the United States***, will be codified through the existing approach.² We agree with Councilmember Kevin De Leon's comments to the City Planning Commission regarding the decrease in light industrial uses and zoning in the area. In June he stated, "Currently Downtown Los Angeles is zoned so that 41% of the plan area is zoned industrial. Within this 41%, 17% is M2 Light Industrial and 24% is M3 Heavy Industrial. In the new plan, 17% of Downtown Los Angeles will remain a more traditional type of Light Industrial zoning, in two zones known as I1, at 5% and I2, at 12%. Heavy Industrial Zoning will be fully removed. The other four zones will be Hybrid Industrial Zones allowing for an assorted mix of additional residential and commercial uses including hotels, daycare, pre-school through high school, offices, and home sharing. This is potentially the largest single use change to the City's Industrial Zones to ever occur in Los Angeles [. . .] I have serious concerns that blue collar jobs and businesses [. . .] may be pushed out in favor of a hotel, office, and residential mix that could be accommodated in all other parts of the City and the rest of Downtown."³

As Angelenos, you and we know that a countless amount of land use decisions that were mobilized by capital gain resulted in stains on our city's history that will never be forgotten. Within our communities, the dismantling of the character and function of the Los Angeles Fashion District will be equated to the forced displacement of residents and workers that once occupied Chavez Ravine, Boyle Heights, and what we now know as the Arts District. As part of this effort, we also hope to emphasize the lack of engagement within our communities that has taken place throughout the City's development of the DTLA 2040 Plan. At this time, the voices of building owners and landlords within the Fashion District triumph over those of the very businesses and workforce that actually define and characterize the area. This land use proposal is an important opportunity to redirect the systemic inequities garment workers face and engage this historically underrepresented population in the planning process.

Therefore, we preface the land use recommendations outlined in this document to call on the City Planning Commission to set, **at minimum, one (1) additional public hearing** to allow

¹ Velasco, Paulina. "LA's Mask Factories Shut Down as HUNDreds of Workers Get Sick," July 11, 2020. <https://www.theguardian.com/us-news/2020/jul/11/coronavirus-los-angeles-mask-making>

² Hsu, Tiffany. "Los Angeles Is Largest Manufacturing Center in U.S., Government Says - Los Angeles Times," September 1, 2014. Accessed June 5, 2021. <https://www.latimes.com/business/la-fi-los-angeles-manufacturing-20140829-story.html>

³ LA City Planning. June 15, 2021. <https://planning.lacity.org/dcpapi/meetings/document/addtldoc/61136>

stakeholders such as ourselves to express our overwhelming concerns with the DTLA 2040 Plan as it is drafted to date.

I. Executive Summary

The exclusion of garment workers and sector stakeholders from long-range planning and policy documents is a historic, systemic issue that contributes to worker and workplace displacement in Los Angeles. The institutional devaluation of garment work in Los Angeles is particularly unbalanced as the city continues to rely on its firms for local jobs and wages. Los Angeles is the largest manufacturing center in the United States, and as of 2016, the garment manufacturing industry, specifically, is the largest manufacturing industry in Los Angeles. **The garment manufacturing industry alone employs at least 45,000 of over 500,000 manufacturing jobs in the Greater Los Angeles Region.**⁴ Los Angeles County has 4,641 registered manufacturers and contractors that are involved in the industry, though this number is assumed to be low as there are likely to be many more unregistered apparel manufacturers that have not been accounted for by the state.⁵

In recent years, the Los Angeles fashion industry has developed innovative manufacturing and production processes to meet the growing demands for ethically produced sustainable fashion, a global movement and imperative towards environmental integrity and ethical manufacturing practices throughout supply chains. The global ethical fashion market reached a value of nearly \$6,345.3 million in 2019, having increased at a compound annual growth rate (CAGR) of 8.7% since 2015. The market is expected to grow to \$8,246.1 million by 2023.⁶ Los Angeles manufacturers have already expanded locally to meet domestic production demands, due in part to the Coronavirus pandemic, and are well situated to adapt to these growing trends to make California the home of sustainable apparel manufacturing. In 2020, Saitex, a Vietnam based B-Corp sustainable denim manufacturer for American brands J.Crew, Everlane, and Target, opened a second location in LA.⁷ Many smaller manufacturers with sustainability objectives, such as Bomme Studio, are also situated in the Fashion District, and attract a growing number of small, sustainable brands like Senza Tempo, Selva Negra, and Lacausa, who depend on the close relationships, transparency, and sustainability-aligned low minimums that only localized production can provide. Other local manufacturers Nana Atelier & All for Ramon, along with brand-manufacturers Reformation & Christy Dawn have similarly expanded in and around the Fashion District, while still heavily relying on other businesses within the Fashion District that make up their supply chain. These trends run counter to the common

⁴ Hsu, Tiffany. "Los Angeles Is Largest Manufacturing Center in U.S., Government Says - Los Angeles Times," September 1, 2014. Accessed June 5, 2021.

<https://www.latimes.com/business/la-fi-los-angeles-manufacturing-20140829-story.html>

⁵ Garment Workers Center, UCLA Labor Center, and Research Action Design. "Hanging By A Thread," 2015. <https://garmentworkercenter.org/report-hanging-by-a-thread/>

⁶ <https://www.thebusinessresearchcompany.com/report/ethical-fashion-global-market-report>

⁷ Nishimura, Late. Sourcing Journal. "Sustainable Jeans Manufacturer Saitex Is LA Bound." August 21, 2020.

<https://sourcingjournal.com/denim/denim-mills/sustainable-jeans-manufacturer-saitex-los-angeles-facility-sanjeev-bahl-227231/>

sentiment that the Fashion District is dead. In fact, **the Fashion District should be understood as a lively ecosystem that provides the critical infrastructure needed to ensure the industry's growth in sustainable production**, which requires affordable manufacturing and industrial spaces for fabric manufacturing, dyeing, apparel assembly, warehousing, and distribution processes. To sum, **the growing apparel supply chain will be disrupted if garment manufacturers are displaced from the Fashion District.**

The history of the Fashion District in Los Angeles has always intertwined with the development and growth of Downtown and the surrounding communities of immigrant workers and entrepreneurs. Recent land use changes in Downtown, though, have already displaced large swathes of these communities and populations.⁸ In Downtown, almost 97% of the current rental units under construction are classified as luxury units, with rent averages of \$2,800 per month.⁹

The proposals put forward by the DTLA 2040 Plan to make the Fashion District a better place for local stakeholders notably offer community benefits that do not uplift or support the existing community stakeholders. Changes proposed by the DTLA 2040 Plan would see a greater emphasis on mix-use urban design and zoning, meaning a greater presence of residential and commercial within the Fashion District to create a 'Market' or 'Hybrid Industrial' urban form.¹⁰ The plan aims to concentrate 20% of the City's household growth in Downtown, and while the plan includes some language around affordability and transit-oriented development for the Fashion District, the zoning proposals for the Fashion District emphasize the creation of a creative economy that encourages livability and workplace proximity for a wealthier class.¹¹ Notably, the Arts District in Los Angeles is directly referenced for the Fashion District as a model for Hybrid Industrial zones, despite the district's rapid conversion of manufacturing warehouses to trendy housing and centers for entertainment and ongoing displacement of workers.¹² Furthermore, the DTLA 2040 Plan references land use goals for Market zones that encourage the encroachment of the creative class within spaces that currently act as workplaces for our workers. This urban development and the resulting shifts in demographics such as income will upend our working class communities.

The garment industry and its workforce are particularly sensitive to the land use proposals made by the DTLA 2040 Plan. The overall majority of garment workers are low wage skilled workers who already live adjacent to their workplaces in the Fashion District in communities such as

⁸ Reese, Ellen, Geoffrey Deverteuil, and Leanne Thach. "'Weak-Center' Gentrification and the Contradictions of Containment: Deconcentrating Poverty in Downtown Los Angeles." *International Journal of Urban and Regional Research* 34, no. 2 (2010): 310–27.
<https://doi.org/10.1111/j.1468-2427.2010.00900.x>

⁹ SAJE, ACCE, and UCLA Law. "The Vacancy Report." SAJE, n.d.
https://www.saje.net/wp-content/uploads/2020/09/The_Vacancy_Report_Final.pdf.

¹⁰ Los Angeles City Planning. "Downtown Los Angeles Community Plan Update," 2021.
<https://planning.lacity.org/plans-policies/community-plan-update/downtown-los-angeles-community-plan-update>.

¹¹ Ibid.

¹² Marshall, Colin. "The Gentrification of Skid Row - a Story That Will Decide the Future of Los Angeles." *The Guardian*, n.d.
<https://www.theguardian.com/cities/2015/mar/05/gentrification-skid-row-los-angeles-homeless>.

South Central and Pico Union. At least 60% of them already rely on public transportation as their sole form of transportation.¹³ Increased market rate housing and commercial development in the area will displace businesses which currently employ these workers and increase the cost of rent in the adjacent neighborhoods. For the undersigned businesses, the most pressing existing concern is the increasing costs of rent and retention of their business in the area. The current plan does not address the increasing cost of rent for manufacturers. In a May 2021 roundtable with local brands & manufacturers, hosted by the Garment Worker Center, rising rents and a lack of governmental acknowledgement or support of LA's second largest creative and manufacturing industry were named as top concerns. This plan does nothing to "create job sanctuaries," as stated as a goal of the plan, nor does it address any of the issues raised by businesses.

The issue here is clear: the development of the DTLA 2040 Plan involved targeted outreach to building owners, building management networks, Neighborhood Associations, and Business Improvement Districts - not the workers and businesses that define the Fashion District today. According to phone outreach conducted by the Garment Worker Center over the last few weeks, zero garment workers or business leaders are familiar with the existence of the DTLA 2040 Plan.

The Fashion District is more than pro formas and real estate listings. The DTLA 2040 Plan, as drafted, incorporates land use designations that invite gentrification and displacement in the Fashion District. Our voices have not been heard. **We call on the CPC to pass, at minimum, one (1) additional public hearing to allow a public engagement process that considers industry stakeholders. We also call on the CPC to incorporate our land use recommendations, which call on the City to preserve the industrial uses of the Fashion District, into the DTLA 2040 Plan.**

II. The Greater Geographic Context of the Fashion District

Los Angeles is the largest hub of apparel in the United States, with almost half of domestic apparel manufacturing firms located in Los Angeles County alone.¹⁴ The Los Angeles Metropolitan area has 7.8 times the national average of these jobs, and a third of all apparel manufacturing jobs in America are in the Los Angeles metropolitan area.¹⁵ The garment industry is deeply interconnected to the Port of Los Angeles and the Port of Long Beach (collectively referred to as the San Pedro Bay Port Complex) due to the port's role as a gateway to foreign

¹³ Garment Worker Center 2021 Garment Worker Survey data, preliminary assessment.

¹⁴ "Private, NAICS 31521 Cut and Sew Apparel Contractors, All Counties 2020 Third Quarter, All Establishment Sizes Source: Quarterly Census of Employment and Wages - Bureau of Labor Statistics." Accessed June 5, 2021.
https://data.bls.gov/cew/apps/table_maker/v4/table_maker.htm#type=1&year=2020&qtr=3&own=5&ind=31521&supp=0.

¹⁵ "Manufacturing in Los Angeles: A Test Case in Why Increasing Concentration Isn't Always a Positive | Newgeography.Com." Accessed June 5, 2021.
<https://www.newgeography.com/content/003841-manufacturing-los-angeles-a-test-case-why-increasing-concentration-isn-t-always-a-positive>.

markets, suppliers, and distribution channels. Much of the product that reaches Los Angeles's apparel factories are brought in through the port half-sewn and through bulk import from factories on the Pacific Rim, to be assembled, treated, and finished through Los Angeles's garment network.¹⁶

The key node of apparel production of Los Angeles has been the Fashion District located south of City Hall and bounded by Washington Boulevard south of the 10 highway. The Fashion District's proximity to brand and apparel companies in the downtown area, and the interconnectivity between resident manufacturers and contractors creates a short distance between the production and retail of apparel, which also supports environmental initiatives to reduce the carbon footprint associated with garment manufacturing. Throughout conversations with industry stakeholders, the issue of rising rents for both residential and commercial leases creates an increasing pressure for displacement, and upends the potential environmental advantages sought by businesses utilizing this central production hub. The infiltration of market rate housing through the DTLA 2040 Plan is therefore of particular concern, as it will significantly raise land values within the area. **By applying Market and Hybrid Industrial zoning designations over much of the Fashion District, the DTLA 2040 Plan incentivizes commercial landlords to displace garment manufacturing businesses to create unaffordable, market-rate housing.**

The spatial distribution of apparel manufacturers and contractors in Los Angeles, as depicted in Figures 1 and 2, are mainly concentrated in zip codes within Downtown Los Angeles, with some clustering in East Los Angeles and the Southern Alameda corridor. These areas allow for high interconnectivity between contractors, manufacturers, and other suppliers, but it also reflects the area's deep history of migration, and the high density of co-ethnic networks around the Downtown and Central areas of Los Angeles, as well as the proximity of South Los Angeles and Long Beach to the port, and East Los Angeles and El Monte to factories in the Inland Empire.

Workers from the Garment Worker Center, a worker advocacy group based in the Fashion District, are represented in Figure 3. This map samples a portion of garment workers in LA, but does illustrate how residences are concentrated around Downtown. These garment workers predominantly reside adjacent to Downtown Los Angeles in neighborhoods such as Historic South Central, Pico Union, Westlake, East LA, and Koreatown and rely on public transit as their primary mode of transportation.

¹⁶ "Bill's Defeat Keeps Undocumented Garment Workers in Meager Wages | CalMatters." Accessed June 5, 2021. <https://calmatters.org/california-divide/2020/09/bills-defeat-keeps-undocumented-garment-workers-in-meager-wages/>.

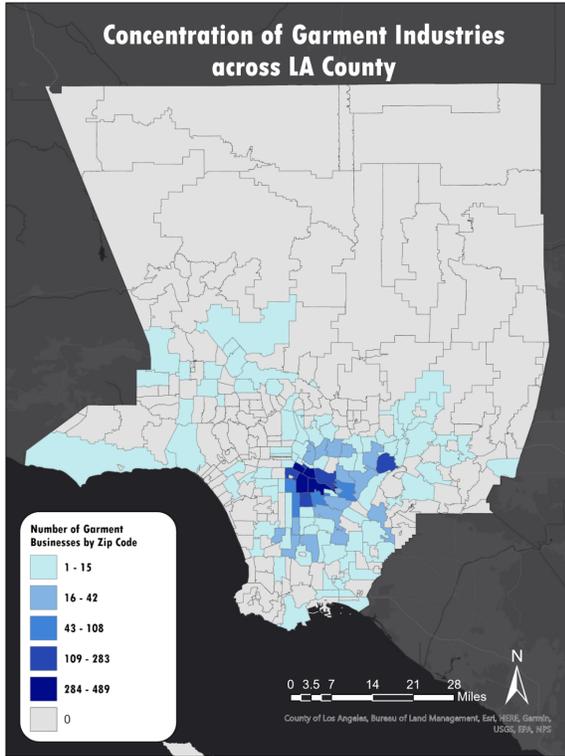


Figure 1. Garment manufacturers and contractors in Los Angeles County

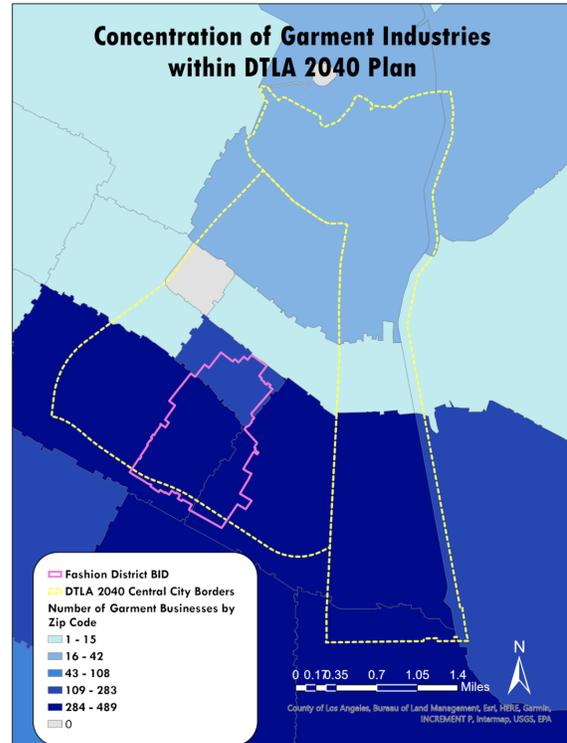


Figure 2. Garment manufacturers and contractors in Downtown Los Angeles

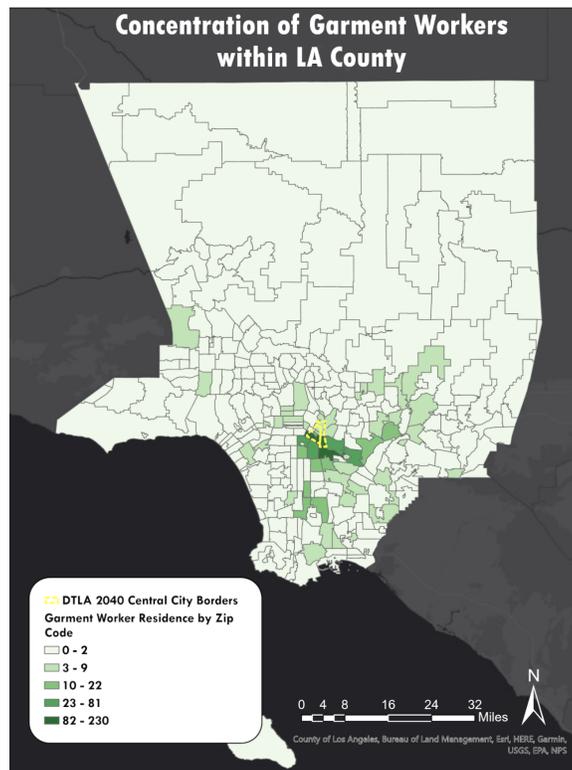


Figure 3. Garment workers in Los Angeles county

Proponents of the existing DTLA 2040 Plan suggest a remarkable amount of housing could and should be developed in the Fashion District; however, a deeper examination clarifies how, with the passage of the existing DTLA 2040 Plan, Downtown Los Angeles will remain a site of large-scale displacement that is driven by the construction of luxury apartments and a proportionally striking lack of deeply affordable housing and commercial units. The following section proposes land use recommendations that will support the businesses and workers that define the Fashion District today.

III. Recommendations to the City Planning Commission

A. Delay the public approval process until the largest manufacturing sector workers and business owners are engaged. Schedule at least one (1) additional public hearing.

The Garment Worker Center led outreach to Fashion District stakeholders that are historically underrepresented by the City's policy and land use decisions. These calls with industry stakeholders highlighted how local manufacturers, workers, and organizations in the Fashion District are unaware of land use proposals like the DTLA 2040 Plan and have not yet considered the implications of these developments on the industry and access to work. All fashion industry stakeholders had significant concern when details of the Plan were provided.

The City Planning Commission should establish additional public hearings to meet with representatives of our local garment workforce and apparel businesses. The Garment Worker Center continuously engages hundreds of workers within the planning area and partners with 160 businesses that are committed to the CA garment industry that supported our recent initiative around state legislation to improve wages for garment workers. We are happy to connect them to this process for engagement.

B. Maintain and Preserve the Light Industrial, Single Land Use Designations

The Fashion District already serves as Transit Oriented Development since most workers, 60%, use public transportation to move to and from work from adjacent neighborhoods. In recent history, the City of Los Angeles treated our communities' industrial spaces as unexploited lands free to be developed for market rate housing for the creative class. The codified displacement of jobs and workers is historically neglected. Though this development certainly increases property taxes and land value within the City, we cannot under-represent or deny the fact that light industrial zones are important to our local economies and the social fabric of our downtown spaces. The Los Angeles garment manufacturing sector alone provides jobs to 45,000 garment workers, the majority of whom are women supporting migrant families. The industry provides an important safety net for our most neglected communities. We must maintain this single land use designation as this would be in line with the goals of Transit Oriented Development mandates

set out in this plan. These low-wage working class communities shouldn't be overlooked in favor of higher income residents.

In 2019, a 26,000 square foot commercial property in the fashion district was sold for \$10.25 million to a mixed-use developer that cited the incentives of TODs and compatibility with the DTLA 2040 plan density benefits as motivations for purchasing the lot.¹⁷ Gentrification is expanding from the Arts District across Downtown, and major development projects in the Fashion District are already causing significant economic ripples. In fact, Downtown Los Angeles was the most gentrified zip code in the United States from 2001- 2016 with a nearly 707% change in home value.¹⁸ The clear intention of the DTLA 2040 Plan is to empower and mobilize local landowners to disrupt the Fashion District's existing character and culture, and expel manufacturing and pre-existing uses from the area. What will happen to garment workers if the industry is decentralized is unclear.

C. Consult with stakeholders to incorporate small business programs that would support ethical, sustainable fashion businesses with the increasing costs of doing business in the City of LA and incentivize sustainability practices through the Community Benefits Program.

The Garment Worker Center is currently working with a coalition of 160 fashion brands and manufacturers who support *SB62: the Garment Worker Protection Act (Durazo)*. All of them are deeply invested in making Los Angeles the ethical & sustainable fashion capital of the United States. The existing Community Benefits program proposed by the DTLA 2040 Plan provides incentives for developers to support incoming residents, but does nothing to encourage benefits for the 45,000 low wage workers who make this industry, nor the existing tenants, often immigrant owned small businesses improving & innovating on the traditions of an industry with over 130 years of history in downtown LA.

The Community benefits funds should be prioritized to incentivize preservation & expansion of this crucial industry. In concert with our recommendation to further engage stakeholders, we encourage the creation of a "legacy business" and "ethical & sustainable business" definition specific to the local garment industry. Criteria should take into account the existing challenges faced by these businesses, and unique advantages they each provide as employers, contributors to the local economy, and agents for change within a globalized industry currently in a moment of reckoning. Any development in the Fashion District should incentivize the preservation or creation of space at rates accessible to legacy and or sustainable businesses above all else. Community benefits funds should also be made available to support rent subsidies for these businesses.

¹⁷ Bianca Barragan, "Fashion District Building Sells for \$10.25M, to Be Redeveloped," *Curbed Los Angeles*, September 10, 2019,

<https://la.curbed.com/2019/9/10/20859722/fashion-district-commercial-building-sale-redevelopment>

¹⁸ "The Most Gentrified Cities & ZIP Codes in the U.S. - RENTCafé Rental Blog." Accessed June 5, 2021. <https://www.rentcafe.com/blog/rental-market/real-estate-news/top-20-gentrified-zip-codes/>.

We welcome the opportunity to consult further on these criteria and all of our recommendations to preserve LA's Fashion District.

We respectfully ask for your support of these policy requests.

Sincerely,

Daisy Gonzalez, Organizing Director
Garment Worker Center

Ayesha Barenblat, Founder & CEO
Re/Make

Nicholas J. Brown, Policy Director
Fashion Revolution USA

Bo Metz, Founder & Creative Director
Bomme Studio

Michael Aguilar, President
MYM Organics

Richard Harding, Owner
RANDL USA

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September 21, 2021

VIA EMAIL (cpc@lacity.org)

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

**September 23, 2021 Meeting
Agenda Item No. 7**

Re: 670 Mesquit: Comments on DTLA 2040 Community Plan Update (CPC-2017-432-CPU, CPC-2014-1582-CA)

Dear Honorable President Millman and Commissioners:

We write to you on behalf of our client, RCS VE LLC, the proponent of the 670 Mesquit Street project.

As described in more detail in our December 2020, January 2021, and June 2021 letters, 670 Mesquit is a transformative project for the Arts District. With new multi-family residences and 58 units of inclusionary affordable housing, a hotel, and commercial office, and restaurant uses, this mixed-use project truly embodies the live/work nature the Arts District has historically enjoyed. Additionally, a publicly accessible multiuse platform built above the railroad tracks will bridge an existing barrier to the LA River, as depicted in the attached architectural rendering. The elevated platform and other passageways and walkways will also connect with the City's PARC and other 6th Street viaduct improvements and the 6th Street Metro station that is currently in the planning stages.

We are very excited for the Commission to consider 670 Mesquit, a Measure JJJ compliant project, in the coming year. The project is broadly supported and we look forward to continuing our significant outreach and continuing our discussions with our neighbors and the community, including the Historic Cultural Arts District Little Tokyo Neighborhood Council, the Arts District Business Improvement District, LARABA, Boyle Heights stakeholders, and others.

Since the City has been reviewing 670 Mesquit since 2017, the project will not be subject to DTLA 2040. However, our clients are longstanding stakeholders of the Arts District community and heavily invested in future development in the Arts District, we wanted to share

how 670 Mesquit is consistent with many of the goals that members of the Arts District community and others have for the Arts District.

We also wanted to reiterate the request that the 670 Mesquit project site be treated the same as all surrounding properties. All properties surrounding 670 Mesquit (from south to Violet, north to Fourth Street, east to the LA River, and west to Alameda) are proposed to be zoned MB3-CDF1-5. The lone exception is 670 Mesquit and a small unbuildable immediately north. Mesquit would be more restrictively zoned **MM-CDR1-5**. We see no basis for this disparate treatment. Additionally, a new 20-foot setback is imposed on 670 Mesquit even though it sits 200 feet from the edge of the LA River. No other privately owned properties abutting the railroad tracks has a setback. Similarly, 670 Mesquit is burdened with a height limit that no other privately owned Arts District properties have. We respectfully ask that these discriminatory and unnecessary restrictions be removed and that 670 Mesquit be zoned like similarly situated properties.

The attached map shows the substantial investment that has already occurred in the Arts District. Unlike the map in the Staff Report at page eight that shows a much more limited scope of activity and suggests there is a substantial amount of remaining traditional “industrial” properties, the fact is that much of the Arts District’s outdated and outmoded industrial properties have already been revitalized with new offices, housing, and retail properties. This new vibrant part of Downtown LA must be supported with new, progressive planning ideas that further this momentum.

670 Mesquit looks forward to contributing to and supporting the following key principles and asks the Commission to ensure that DTLA 2040 does the same.

- Building on the LA River Master Plan’s vision. 670 Mesquit will make accessible an inaccessible, channelized portion of the LA River between 6th and 7th Streets through the development of a raised platform across a large portion of the 200-foot wide railroad tracks.

- Continuing to embrace the Arts District’s creative fabric and protecting affordability for artists. Consistent with Measure JJJ, 670 Mesquit will provide 58 units of affordable housing and anticipates housing current and future Arts District artists.

- Ensuring construction methods (Type 1) are additive to the history and built environment and crafted to stand the test of time. Designed by the Bjarke Ingels Group (BIG), 670 Mesquit draws inspiration from the Arts District’s building palette to create an iconic silhouette and that produces a true sense of place.

- Encouraging developments that create jobs and foster creative uses. A mixed-use project with nearly 950,000 square feet of commercial office space that will create approximately 1760 permanent jobs. In addition, the development includes studio space, and fosters emerging creative industries together with over 300 new residential units.

LATHAM & WATKINSLLP

- Protect historic buildings by promoting increased density for mixed-use projects. 670 Mesquit relieves pressure to develop historic properties by increasing density to accommodate an array of uses that create synergies within the project and with the Arts District.

* * * *

We appreciate Staff's effort in preparing DTLA 2040 and are confident that the Commission's expert direction will make DTLA a truly progressive planning document.

Thank you for your time and attention to this matter. Please do not hesitate to contact us should you have any questions.

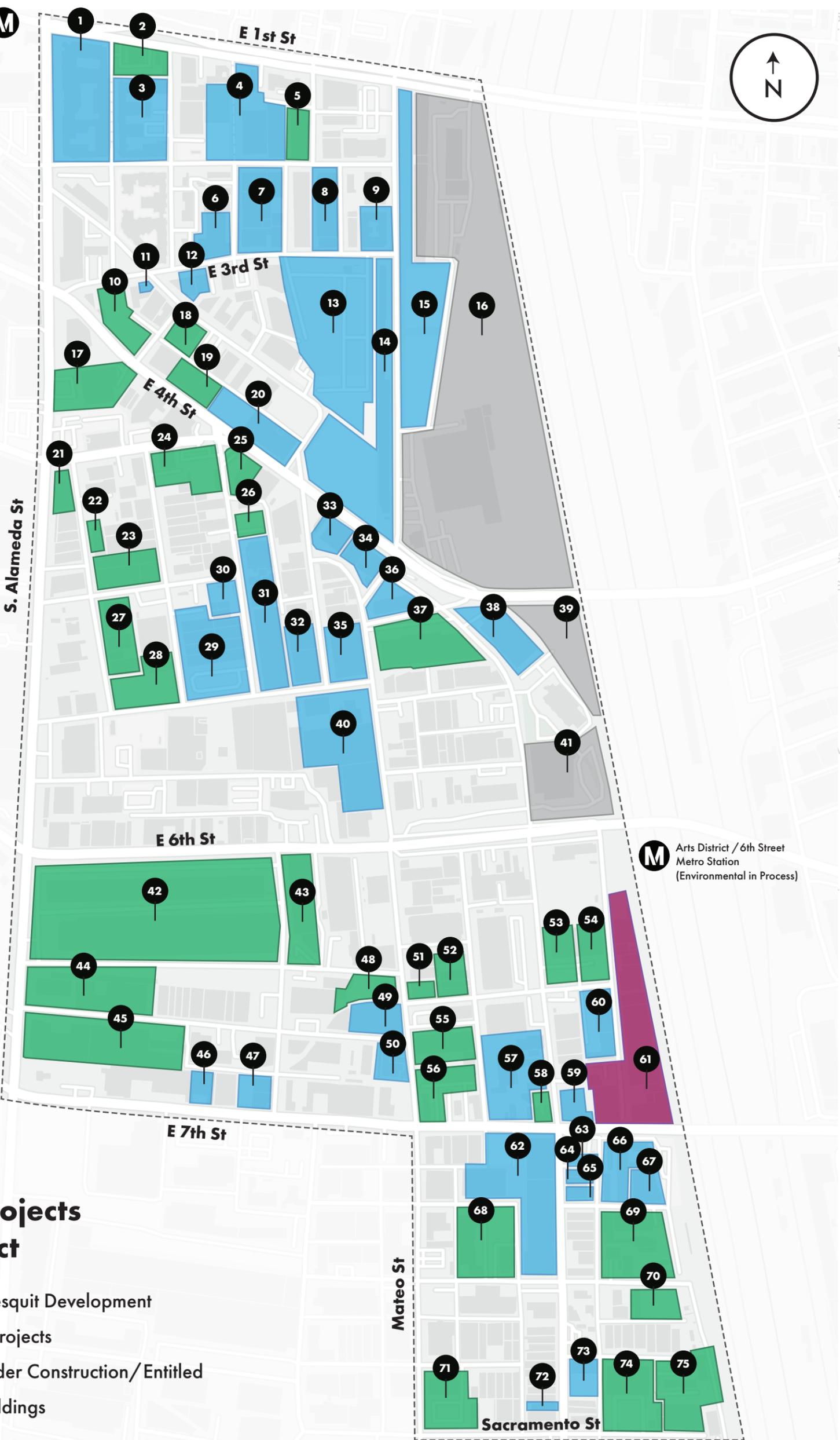
Very truly yours,



Benjamin J. Hanelin
of LATHAM & WATKINS LLP

cc: Mr. Zach Vella
Mr. Frank Gallo
Mr. Vince Gallo
Mr. Michael LoGrande
Cindy Starrett, Latham & Watkins LLP
Derek Galey, Latham & Watkins LLP

Little Tokyo/ Arts District
Metro Station
(Under Construction)



Development Projects in the Arts District

- Proposed 670 Mesquit Development
- Other Proposed Projects
- Projects Built/Under Construction/Entitled
- Metro Land & Buildings

- | | | | | | |
|---|------------------------------|--------------------------------|-------------------------------|-----------------------------|----------------------|
| 1. Savoy (R) | 14. SCI-Arc (School) | 27. 5th and Seaton | 40. AT MATEO | 53. ProduceLA | 66. 2121 7th (R) |
| 2. 600 E. 1st (R) | 15. One Santa Fe (R) | 28. Palmetto Colyton* | 41. Location 64 MOW Building | 54. 655 Mesquit | 67. 2121 Lofts (R) |
| 3. Artisan on 2nd (R) | 16. Metro Division 20 | 29. La Kretz Innovation Campus | 42. 6AM* | 55. 676 Mateo* | 68. 2045 Violet |
| 4. Garey Building (R) | 17. 330 S. Alameda (R) | 30. Arts District Park | 43. 1340 E. 6th | 56. 688 Mateo | 69. 2143 Violet* |
| 5. Challenge Cream and Butter 6. 3rd & Garey | 18. Ben Hur Coffee and Spice | 31. Barker Block(R) | 44. The Industrial | 57. AMP Lofts | 70. 2130 Violet |
| 7. Hauser & Wirth | 19. 813 E. 4th | 32. Barker Block Phase 2 (R) | 45. AVA Arts District (R) | 58. Rendon Hotel | 71. Mateo Arts |
| 8. 940 E. 2nd St. (R) | 20. Coca-Cola Building | 33. 405 Mateo | 46. 1717 E. 7th | 59. 688 S. Santa Fe (R) | 72. 1019 S. Santa Fe |
| 9. 255 S. Santa Fe (R) | 21. 400 S. Alameda | 34. Maxwell Coffee Building | 47. Walnut Building | 60. The Artfield | 73. 1000 S. Santa Fe |
| 10. 4th and Hewitt | 22. 440 Seaton | 35. Molino Street Lofts (R) | 48. 647 Mateo | 61. 670 Mesquit* | 74. 2110 Bay Street* |
| 11. 744 E. 3rd | 23. Arts District Center* | 36. 500 S. Mateo | 49. Toy Factory Lofts (R) | 62. Ford Factory Building | 75. 2159 Bay Street* |
| 12. 3rd & Traction | 24. 401 S. Hewitt* | 37. 520 Mateo | 50. Biscuit Company Lofts (R) | 63. Engine Co. 17 Firehouse | |
| 13. The Aliso (R) | 25. 4th and Hewitt (R) | 38. Santa Fe Business Center | 51. Brick Lofts (R) | 64. 712 S. Santa Fe (R) | |
| | 26. Radisson RED Hotel | 39. Metro Division 20 | 52. 641 | 65. Loft 726 (R) | |

(R) = Residential Development
* = Major Projects per LADCP

LADCP Major Projects: <https://www.arcgis.com/apps/MapJournal/index.html?appid=b06f97cf94741fdaad27443013eadd1>
 Projects Source Data: Downtown LA Development Projects (https://www.google.com/maps/d/u/0/viewer?mid=1mTXj5STIZz66Dzs2MS9ZWmIfONI&hl=en_US&ll=34.04777823102235%2C-118.23768983548946&z=18)
 Base Map: Esri Community Maps Contributors, County of Los Angeles, Esri, HERE, Garmin, SafeGraph, INCREMENT P, METI/ NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA





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

August 26, 2021

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

Dear Honorable Commissioners,

As a property owner within the Downtown LA Community Plan boundaries, the California Endowment respectfully submits the following statement concerning the Downtown LA Community Plan update. We support the Central City United coalition and others who are advocating for equity and racial justice in the growth of Downtown. The Downtown Community Plan must center and prioritize the needs and voices of low-income tenants, unhoused residents, immigrants, low-wage workers, low-income entrepreneurs, and other vulnerable residents.

Downtown Los Angeles is home to the City's oldest neighborhoods and has seen over a century's worth of transformation, with more changes yet to come. However, historically Downtown has been the site of racist and discriminatory land use practices. For example, Chinatown, Little Tokyo, and Skid Row were originally created to specifically segregate low-income immigrant and houseless residents from the rest of the City. In more recent years, much has been made of the "revitalization" or "resurgence" of Downtown. But in too many instances, the policies and practices driving this "resurgence" have caused more harm than benefit to low-income Downtown residents, including increased criminalization of unhoused residents and gentrification-fueled displacement and destabilization of low-income and immigrant communities.

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

The California Endowment is a private, statewide health foundation that was created in 1996 as a result of Blue Cross of California's creation of WellPoint Health Networks,

www.calendow.org

1000 North
Alameda Street
Los Angeles
CA 90012
213.928.8800
FAX 213.928.8801
800.449.4149

a for-profit corporation. This conversion set the groundwork for our mission: to expand access to affordable, quality health care for underserved individuals and communities, and to promote fundamental improvements in the health status of all Californians.

The Endowment's vision for a healthy California involves more than the absence of disease. It is a state where community members and policymakers work together to improve health and health care, and there is respect for the experience and knowledge of the people who are the most directly affected by health disparities. It is a state where all Californians have a strong sense of self-worth, where individuals and communities are actively engaged in creating the conditions enabling people to thrive, where diversity is a source of strength for communities, where health problems are addressed promptly, effectively and systematically, to minimize their consequences, and where prevention is a shared agenda and partnership is the norm.

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

Sincerely,

A handwritten signature in black ink, appearing to read 'Robert K. Ross', written in a cursive style.

Robert K. Ross
President and CEO
The California Endowment



Chinatown Stakeholders

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

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

September 20, 2021

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

**Re: DTLA 2040 Draft Community Plan Update - Comments on September 23, 2021
CPC Agenda Item #7, (CPC-2017-432-CPU, ENV-2017-433-EIR)**

Dear President Millman and Honorable Commissioners,

We are writing as longtime Chinatown Stakeholders including business owners, property owners and community members who cumulatively have over 350 years of ownership and experience in Los Angeles' Chinatown (the "Chinatown Stakeholders"). We have reviewed the June 2021 Draft DTLA 2040 Plan ("Plan") and the associated Draft Environmental Impact Report ("DEIR"). We have also reviewed the August 26, 2021 Supplemental Recommendation Report ("Staff Report").

As we stated at your public hearing on June 17, 2021, **we are strongly opposed to the downzoning of Chinatown from the current 6:1 FAR to 2:1 FAR and the associated height limit of 5 stories. We therefore urge your Commission to either incorporate the changes that we have proposed or withhold the Chinatown provisions of the DTLA 2040 Plan.** This significant reduction in allowable density and height will dramatically lower property values and will curtail any efforts to develop property in the central part of Chinatown.

Unfortunately, the Staff Report does not address the Chinatown Stakeholders concerns that were previously stated in our June 14, 2021 letter to your Commission. Planned limits on maximum building height and floor area, weakness of the Community Benefits Program to promote affordable housing, and blunt and overly procedural historic preservation tools without sufficient height and FAR to make projects economically sustainable will severely impair the future growth potential of Chinatown and lead Chinatown into stagnation while nearby Downtown areas flourish. **The Staff recommendations are based upon a very unrealistic view of the Chinatown real estate market.**

The Staff Report justifies the downzoning of Chinatown by arguing that past development patterns and current market conditions should dictate allowable height and FAR for future development, stating that recent development projects in the area have not utilized the currently available 6:1 FAR and are generally 6-story wood frame construction. While some recent projects in Chinatown have been at a lower FAR and height, that is not true for the most recently approved and proposed projects, some that have gone through the entitlement process and some that are currently preparing applications. For example, the project located at 942 N. Broadway (called “Harmony”) has been approved at 7.35:1 FAR and 23 stories. The Staff Report characterized this project’s utilization of the Density Bonus program as a “small FAR increase”, however that was potentially a “small increase” between the presently allowed 6:1 FAR and proposed 7.35:1 FAR, based on the currently zoning. The increase between 2:1 base FAR proposed by the Plan and Harmony’s 7.35:1 FAR is a very large increase (a difference of 5.35:1 FAR). The Plan’s proposed downzoning would render projects like the Harmony project economically infeasible.

The Staff Report states that it is necessary to reduce base FAR artificially low to 2:1, because otherwise retaining the base FAR of 6:1 may dissuade development projects from participation in the proposed Downtown Community Benefits Program. The Harmony project was subject to a base FAR of 6:1 and it did result in

both the production of new market rate and affordable housing units. **The proposed downzoning will result in zero community benefits and zero new housing units in Chinatown because it will dissuade development altogether. We object to the use of outdated market analysis as the basis for future market conditions in the Chinatown area.**

Artificially lowering FAR to force applicants to use the proposed Downtown Community Benefits Program to seek a feasible FAR for their projects will not produce new housing and will halt all future development in Chinatown at a time when we are seeing transformational projects come online, like the Harmony project mentioned above. This effect would be very similar to the Cornfield Arroyo Seco Specific Plan (“CASP”) where we have seen almost no development since its inception. This proposed downzoning represents a serious decrease in property values and development potential and will negatively impact economic development of Chinatown.

Furthermore, the Staff Report states that the market analysis of the proposed 5-story height limits in parts of Chinatown (carried out by the economic consulting firm known as HR&A) presents feasibility challenges for future development. In a November 13, 2020 Memorandum to the City Planning Department which summarizes its supplemental analysis of the economic feasibility of the proposed downzoning in Chinatown, HR&A states that:

“HR&A has found that the prototype in Chinatown is not feasible with proposed height restrictions of 5 stories. No bonus can support a feasible residual land value with affordable units.”¹

HR&A did find that market rate housing production and affordable housing production in Chinatown would be feasible at a higher FAR, no height limits and lower inclusionary affordable requirements. However, the Staff Report *still* recommends the height limitation and downzoning in this area as a tool to preserve cultural and historic resources despite that fact that their own studies show it would make future development infeasible.

Lowering height and density is a weak, harmful way to preserve Chinatown’s traditional character. Development does not preclude preservation and there are several other existing preservation tools in place and proposed by the Plan to ensure preservation of cultural and historic resources in Chinatown. Utilization of these preservation tools without artificial limits on FAR and height establishes

¹ November 13, 2020 HR&A Memorandum to Los Angeles City Planning Department

proper protocols for reviewing impacts on cultural and historic resources while still allowing for feasible projects without curbing economic development in the area.

The Chinatown Stakeholders urge that the height and FAR restrictions for Chinatown be removed from the Plan, that current FAR and unlimited height is restored, and that Chinatown is included in the Transfer of Development Rights program for historic resources.

We strongly urge the Los Angeles City Planning Commission to reject these proposed zoning regulations and abandon the Staff recommendations for Chinatown. The Commissioners should undo the reductions in height and FAR and the proposed Base and Bonus system as they relate to Chinatown or withhold the provisions in the DTLA 2040 Plan that pertain to Chinatown. We appreciate your time and consideration.

Sincerely,

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

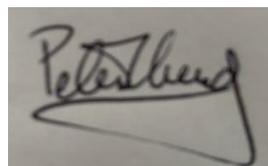
MAY CHAN



Senior Vice President, General Counsel, and Secretary

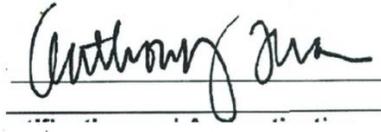
Representing KTWK Corporation (Owner of the Chunsan Plaza shopping center):

PETER CHENG



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

TONY QUON

Handwritten signature of Anthony Quon in black ink, written over a horizontal line.

Board Member

JASON FUJIMOTO

Handwritten signature of Jason Fujimoto in black ink.

Board Member

(Also representing Moy and Associates)

Representing Summit Western LLC (Owner of Mandarin Plaza):

MARTIN LEE

Handwritten signature of Martin Lee in black ink.

Co-Managing Member

(Also former City of Los Angeles Affordable Housing Commissioner)

SCOTT LEE

Handwritten signature of Scott Lee in black ink.

Co-Managing Member

MICHAEL WOO

A handwritten signature in black ink that reads "Michael Woo". The signature is written in a cursive, flowing style with a prominent initial "M" and a long, sweeping underline.

Co-Managing Member

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



Downtown Community Plan Update - Comments

Dafne Gokcen <dfgokcen@gmail.com>

Tue, Aug 24, 2021 at 2:09 PM

To: cpc@lacity.org

Cc: downtownplan@lacity.org, gerald.gubatan@lacity.org

Good afternoon,

I am writing today as a resident and home owner in the Chinatown community. I was surprised to learn that the Department of City Planning is suggesting that central Chinatown be down-zoned and imposed with strict height limits. We are experiencing a dual housing crisis alongside a climate crisis. We desperately need to provide more housing, and more housing in areas that allow residents to live without a car. Not only is Chinatown itself walkable and bikeable, it also has its own train station which connects residents with neighboring job and entertainment centers like downtown LA and Pasadena. I regularly walk, bike, or take Metro to get to work, go out with friends, and run errands. This neighborhood is exactly where we need to see more development, not less.

While I appreciate that there are concerns for preserving the historic cultural architecture of the area, I want to note that Chinatown is far from "full" and is home to many half-empty surface parking lots and low-density commercial properties with no historic value. These are the properties that desperately need to be redeveloped with new housing units as well as economic opportunities like office, retail, and restaurant space. The proposal to severely downgrade these parcels combined with LA's notorious red tape and high development costs will make development cost-prohibitive. Chinatown needs thoughtful development and economic investment so that existing historic buildings have the funding to be maintained. Who will pay to maintain the Central Plaza if there aren't residents nearby spending money at the businesses?

I urge the Department of City Planning and the Planning Commission to listen to the unified voices of the City Council Office, Neighborhood Council, and the many business and cultural organizations that have written to you about this issue. Amend the proposed zoning for Chinatown.

Thank you,
Dafne Gokcen
[918 W College Street #505](#)
[Los Angeles, CA 90012](#)



CITY TOURISM DEPARTMENT

LOS ANGELES CONVENTION CENTER
1201 S. FIGUEROA STREET
LOS ANGELES, CA 90015

(213) 741-1151

June 15, 2021

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

Dear Honorable Commissioners:

SUBJECT: Item 6 - DTLA 2040 Community Plan

The Los Angeles City Tourism Department (CTD) works to enhance and increase Los Angeles' prominence as a world-class tourist and convention destination. CTD promotes policies that drive economic development, create jobs, and improve the experience tourists have when visiting the City's unique cultural, sports, entertainment, and leisure attractions. As the Executive Director of CTD, I would like to express the importance of ensuring that the DTLA 2040 Community Plan supports hotel growth in Downtown Los Angeles to accommodate visitors to our city and to the LA Convention Center (LACC).

In 2013, the City of Los Angeles set a goal of having 8,000 hotel rooms within walking distance of the LACC. Given that LACC has a shortage of nearby hotel rooms compared with other big convention cities, increasing the supply would make LACC better compete for convention business and help the facility realize its full potential as an economic engine for the region. The City now has 5,264 hotel rooms within walking distance and 1,336 rooms under construction. This total of 6,600 is more than 2.5 times the amount of rooms that existed when the goal was set in 2013. However, we still need to do more to ensure the City hits this goal, especially as we prepare for the expansion and modernization of the LACC which will bring in even more visitors. Hotel development is not only beneficial for making LACC more competitive, but it supports the City's tax base and creates high-paying hospitality careers.

Additionally, CTD recently completed the City's first [Tourism Master Plan](#), which is a destination management plan that analyzes Los Angeles' tourism assets and looks at what infrastructure is required in order to handle the large increase in visitation expected in the upcoming years. The Tourism Master Plan contains many important recommendations to develop and position Los Angeles as a leading tourist destination.

Understandably, the recommendations include identifying and advocating for new hotel development opportunities (Recommendation 4.2) and advocating for the development of new hotels in areas well served by public transit in order to reduce usage of cars by visitors (Recommendation 5.1). Aligning the policies set forth in DTLA 2040 with the strategies set forth in the Tourism Master Plan will help improve the visitor experience as well as quality of life for residents of Los Angeles.

The DTLA 2040 Community Plan will define Downtown's future and impact the types of projects that will be built. In order to stay on track with the City's goal of 8,000 hotel rooms, support the City's Tourism Master Plan, and advance the City as a world-class destination, CTD believes that it is important that DTLA 2040 maximizes opportunities for hotel development, which will create long term benefits for our residents, businesses, and other stakeholders.

Best,

A handwritten signature in black ink, appearing to read "Doane Liu". The signature is fluid and cursive, with a large initial "D" and "L".

Doane Liu
Executive Director

DL:DL

Exec. Ref. No. 21-086



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

Delivered via electronic mail.

September 17, 2021

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

Dear Honorable Commissioners,

We are pleased to offer the following comments and policy recommendations to advance equity and racial justice in the Downtown LA Community Plan update. We remain grateful to the Planning Department for their engagement and thoughtful consideration, resulting in the inclusion of many community-centered policy recommendations in the current draft. We urge the Commission to adopt these new equity provisions as described below. However, there are other areas where the Draft Plan still needs important changes in order to advance equity and justice throughout downtown. As described in detail in this letter, we urge the Commission to:

1. Adopt a Plan that advances housing justice without delay.
2. Require on-site affordable housing in the Downtown Adaptive Reuse Program, consistent with the Citywide Adaptive Reuse Program.
3. Remove competing incentives for Moderate and Above-Moderate units in order to maximize the creation of deeply affordable housing.
4. Eliminate in-lieu fee and off-site options to prioritize on-site affordable housing.
5. Adopt the Draft Plan's careful calibration of Base and Bonus floor area ratio in Chinatown and Little Tokyo to promote inclusive housing growth.
6. Expand the IX1 District to create new affordable and supportive housing and prevent displacement in Skid Row.
7. Replace the TFAR program with a Community Benefits Fund, and amend the Oversight Committee requirements to include residents with lived experience.
8. Incorporate stronger affordable housing preservation and anti-displacement measures.
9. Strengthen standards for hotel development review.
10. Adopt the Draft Plan's important protections and opportunities for community-serving small businesses, and amend the Small Legacy Business definition to include a 50 FTE threshold.
11. Adopt the Draft Plan's important policies and programs to advance equitable access to parks and open space.

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

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

1. Adopt a Plan that advances housing justice without delay.

As we prepare for the 2nd City Planning Commission hearing on the DTLA Community Plan (not counting a 3rd meeting where the item was continued), we are concerned about the lack of clarity at this late stage in the process. After several years of deep engagement on this Plan—including organizing and collaborating with residents and small businesses in 7 different languages and in the midst of the pandemic, conducting legal and policy analysis, facilitating community-led policy development, and meeting with city officials—it is now entirely unclear whether the Commission or Council intends to maintain the existing Community Benefits Program incentive structure, or replace this program with an inclusionary housing framework. So far, the concept of inclusionary housing has been endorsed by at least two Council offices, but no concrete proposal has been put forward.

Our coalition exists to elevate the priorities and expertise in those communities that have long been excluded (and often harmed) by the planning process. This requires a rigorous process of community engagement, education, outreach, and community-led analysis that must also balance the importance of immediately addressing the pressing needs of the most vulnerable residents. We cannot take a position on a proposal for inclusionary housing without understanding the parameters of what is being considered. Likewise, we cannot put forward our own recommendations without deep engagement with community members.

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

Individually, some of our organizations have supported inclusionary zoning in other contexts, and would support a strong citywide inclusionary policy that produced meaningful amounts of deeply affordable housing without displacement. However, we do not have the information necessary to determine whether, *in this specific context*, replacing the existing Community Benefits Program with an undefined inclusionary housing program in the DTLA Plan will better serve the low-income and housing insecure residents in Downtown, who have the most to lose from the current uncertainty. While we want the Plan to create significant new deeply affordable housing, we are acutely aware that there is no guarantee that an inclusionary program will automatically produce sufficient affordable units at appropriately deep affordability levels and with the necessary tenant protections. The details will make or break an inclusionary policy. Absent any meaningful proposal to evaluate at this time, we can only offer the following principles that must guide any affordable housing and community benefits policy in the Plan:

- Significant amounts of *deeply* affordable housing are necessary to confront Downtown’s affordable housing crisis. Policies that result in meager affordability rates or prioritize Moderate or Above-Moderate income units are not responsive to the greatest needs.
- On-site affordable housing in mixed-income development is crucial to avoid segregated housing patterns and to maximize inclusive growth. Programs that enable in-lieu fees and unaccountable off-site affordable housing options will only contribute to the crisis.
- Tenant protections and affordable housing preservation/replacement must be part and parcel of any housing production program.
- Great care was taken to incorporate no-net-loss standards into the Plan’s currently proposed incentive programs. If those programs are replaced or superseded, then great care must also be taken to ensure these protections and rights are incorporated into new programs.
- Incentives or mandates for important non-housing community benefits—including policies that protect community serving small legacy businesses, improved access to parks and public amenities for low-income communities, and programs that support street vendors—must be retained.
- The DTLA Plan should not undermine an initiative to evaluate and implement citywide inclusionary. We support comprehensive affordable housing policies that also remove barriers in historically exclusionary high resources communities. This cannot be achieved by only adopting inclusionary policies in Downtown LA. As a result, we urge city officials to analyze and take great care to avoid any actions that will undermine or delay the ability to strengthen affordable housing standards across the city.

In addition to these core principles of housing justice, we urge all city officials—the Commission, the Department, and the Council Offices—to take great care to avoid significant delays. Low-income residents and small business owners in Little Tokyo, Skid Row, Chinatown, and neighborhoods across Downtown have made tremendous sacrifices and contributed significant resources to bring their perspectives and expertise into a planning process that has historically excluded them. Most are understandably wary of the planning process and significant delays only contribute to the perception of an exclusionary process. While we must take the time to get this Community Plan right, we also need city leaders to act with a sense of purpose to put in place and start implementing a framework for equity and inclusive development.

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

Inexplicably, the proposed modifications to the Downtown Adaptive Reuse Program, which would significantly expand the use of the program, do not include any affordable housing standards. In contrast, the Citywide Adaptive Reuse Program includes on-site affordable housing requirements. There is no reason that adaptive reuse projects in Downtown LA, the epicenter of the City’s homelessness and affordable housing crisis, should be exempt from affordable housing standards that apply to adaptive reuse projects in the rest of the City. The Supplemental Recommendation Report explains this discrepancy by stating: “*The most notable difference is the inclusion of affordable housing requirements in the Citywide Adaptive Reuse program. Such affordable housing requirements were not included in the Downtown Adaptive Reuse program because the requirements would represent a significant policy change from the Downtown program in the currently adopted Zoning Code.*”² What is the Downtown Community Plan update, if not significant policy changes to improve the lives of Downtown residents? We urge the Commission to include on-site affordable housing standards for the Downtown Adaptive Reuse Program, consistent with the rest of the City.

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

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

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

More importantly, including a Moderate- and Above Moderate-Income option would undermine the Draft Plan’s ability to respond to the community’s most pressing housing need. The vast majority of Los Angeles renters (nearly 70%) are lower-income, with most being Very Low- or

² Los Angeles Department of City Planning, City Planning Commission, Supplemental Recommendation Report, 39.

Extremely Low-Income.³ Despite this, the City consistently produces far more Above Moderate-Income housing than lower-income housing.⁴ Additionally, in some parts of the plan area, Moderate and Above Moderate rents are close to current market rate units. The CPIO should focus incentives where the need is greatest: on lower-income housing.

4. Eliminate in-lieu fee options in order to prioritize on-site affordable housing in mixed income development.

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

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

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

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

Increasing the Base FAR in these areas (as some have asked the Commission to do) would be a mistake and would be in direct conflict with the Plan’s numerous stated goals of increasing affordable housing opportunities. Maintaining the Base FAR at its current setting in the Draft Plan

³ U.S. Department of Housing and Urban Development. Office of Policy Development and Research. *Consolidated Planning/CHAS Data*. Aug. 2019. <https://www.huduser.gov/portal/datasets/cp.html>.

⁴ https://planning.lacity.org/odocument/e9ae0d56-b01b-443e-a3d6-7a86c6e88dea/2018_APR.pdf.

is critical to an effective value capture program. Even a small compromise in the Base FAR will undo the incentive structure and will result in projects foregoing the Bonus FAR and building at the Base instead, creating fewer housing units overall, no affordable housing, and the elimination of no-net-loss protections (which currently only attach to projects that use the Bonus). As currently structured, projects in Chinatown and Little Tokyo are actually incentivized to build at the *higher* Bonus FAR, creating more housing and much-needed affordable housing - a win-win. We implore the Commission to approve the Base and Bonus FARs for Chinatown and Little Tokyo as proposed by the Planning Department in the Draft Plan.

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

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

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

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

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

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

- Empower and appropriately staff the Oversight Committee to produce and present an annual report to the City Council with an assessment of the program’s impact on advancing housing and economic justice and recommendations for improvements.

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

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

a. Strengthen RSO replacement requirements.

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

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

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

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

Projects that use the development incentives in the CPIO on sites that have rental housing should be required to provide enhanced relocation assistance and a true right to return to a comparable

⁵ California Government Code 65915(c)(3)(C)(i).

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

c. Include new Policies and Programs to regulate demolitions and condo conversions.

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

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

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

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

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

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

9. Create stronger standards for hotel development review.

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

10. Adopt strong protections and opportunities for community-serving small businesses.

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

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

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

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

The Draft Plan includes numerous new programs and policies that enhance equitable access to and enjoyment of public space. These important additions include: providing 24-hour restroom access and maintenance in Skid Row parks; encouraging new open space and streetscape improvements to include design features for seniors; preventing hostile architecture and exclusionary design; recognizing important community parks; creating a program to assess park and open space needs; and defining publicly accessible open space to include requirements for 24/7 public restrooms, drinking water, shade, and phone charging stations. We appreciate the Department's engagement and responsiveness to community-driven recommendations, and we urge the Commission to adopt these important policies and programs.

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

Sincerely,

Erich Nakano
Little Tokyo Service Center

Sissy Trinh
Southeast Asian Community Alliance

Steve Diaz
Los Angeles Community Action Network

Doug Smith
Public Counsel

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



September 14, 2021

City Planning Commission
Los Angeles Department of City Planning
200 North Spring Street
Los Angeles, California 90012

CPC-2017-432-CPU; CPC-2014-1582-CA

Re: Downtown Los Angeles 2040 Community Plan Update

Dear Commissioners:

At a public meeting on September 14, 2021, the Board of Directors of the Downtown Los Angeles Neighborhood Council (“DLANC”) voted to provide the following comments below:

DLANC previously provided a letter to Los Angeles Department of City Planning dated January 29, 2019, with comments to the Draft 2040 Plan and a subsequent letter dated November 23, 2020, with comments to the Draft Environmental Impact Report (EIR) for the Downtown Community Plan Update/New Zoning Code for Downtown Community Plan.

DLANC reviewed the revised Draft Community Plan published in June, 2021. This letter includes two comments based on previously provided comments. Please note, it is the intention that the City addresses and implements both comments together. Implementation of both Comments 1 and 2 is expected to result in a positive impact on the inventory and distribution of affordable housing. However, if the City implements Comment 1 without implementing the solutions proposed in Comment 2, this could result in negative impacts to affordable housing.

COMMENT 1:

As previously stated in the letter dated November 23, 2020, DLANC rejects the DTLA 2040 Plan’s proposed exclusion of market-rate housing and rejects the requirement of 100% affordable housing in any one specific area or land use designation in Downtown. Rather,

affordable housing should be distributed across the entirety of the community plan area as possible by the zoning code.

The current community plan with revisions as of July 2021 still includes an area in Center City-East that excludes market-rate housing and disproportionately concentrates affordable housing through the CX2 and IX1 zoning designation, rather than encouraging a mix of housing and land use typologies. This policy perpetuates longstanding inequitable zoning practices that have concentrated poverty and contribute to segregation in ways similar to historical practices such as “Containment” and “Red-lining.”

DLANC’s Vision Plan states, as one of its Land Use Guiding Principles, “As it continues to grow, Downtown should prioritize housing in future developments – for all incomes and generations.” Therefore, DLANC encourages the provision of affordable housing throughout downtown instead of being concentrated in any one area.

It is understood by DLANC that the intention for retaining an area for 100% affordable housing is to protect existing affordable housing stock and avoid gentrification. However, the practice of concentrating affordable housing does an injustice to the residents of the area and does not adequately provide enough affordable housing in the long term. A more equitable and sustainable solution should be created for the provision of affordable housing throughout Downtown and the City Los Angeles so that families of all income levels can have the opportunity to live in all neighborhoods.

COMMENT 2:

The DLANC Board supports a more aggressive community benefits program that includes on-site affordable housing for new developments in Downtown for projects seeking to achieve the maximum FAR or other variances. A more aggressive community benefits program proposed in Comment 2 is a proposed solution to eliminating the 100% affordable housing zone mentioned in Comment 1.

In our previous letters in regards to the draft DTLA 2040 plan, we have supported calls for mandates for funds and fees collected for affordable housing by projects being entitled and constructed in Downtown, to be used to build affordable and supportive housing in Downtown. We have supported increased density surrounding transit centers/stops so that more affordable housing stock can be constructed in areas that allow for easy mobility for those who struggle with access to quality transit options. We have also called for removing average unit minimums so that all neighborhoods in Downtown can be mixed-income communities.

As such, DLANC supports Councilmember De León’s call for the DTLA 2040 Plan to include a more robust alternative affordable housing policy. However, since these policies do not exist at this time, other policy mechanisms should be implemented to both generate and distribute affordable housing throughout the city. Within the Downtown Community plan, one potential solution can be to investigate additional opportunities for community benefits program requirements.

In closing, the DTLA 2040 Plan paves the way for setting instrumental planning policy that changes the way for tackling the future growth for Los Angeles in unprecedented ways. It is

essential however that this plan corrects the wrongs of the past and allows for essential investment into communities to bring critical social and community services to neighborhoods that have severely lacked historical investment. We are eager and excited for a more equitable, diverse, and inclusive Downtown for all Angelenos.

Sincerely,



Claudia Oliveira
President,
DLANC



Ryan Afari,
Chair,
DLANC Planning & Land Use Committee

CC: Council District 1 (via email)
Council District 9 (via email)
Council District 14 (via email)
Craig Weber, Department of City Planning (via email)
Brittany Arceneaux, Department of City Planning (via email)

September 17, 2021

Dear City Planning Commissioners,

I'd like to provide a little background information about the work Los Angeles Poverty Department has done over the past 6 years that resulted in the creation of the iX1 zone, and a perspective on the history of Skid Row as a neighborhood.

In 2015 Theresa Hwang, an architect working with Skid Row Housing Trust at the time, invited us and other community organizations to think about the future development of Skid Row. We created a group called **Our Skid Row** and we designed a [map of our community](#) with Skid Row residents.

In 2017 Los Angeles Poverty Department created "[The Back 9](#): Golf and Zoning Policy in Los Angeles," a miniature golf course at the Skid Row History Museum with Rosten Woo, to teach our communities about zoning, TFAR, Costa Hawkins, etc. and the DTLA2040 community plan. We invited the Department of City Planning to come and play golf with us and to present their plans to the community. This engagement resulted in a new coalition: **Skid Row Now and 2040**. DCP came to our [Festival for All Skid Row Artists](#) and presented the draft DTLA2040 community plan to get input from community members. Out of this community input DCP created the plan for Skid Row that they presented to you. DCP listened to the Skid Row community and created the iX1 zone.

We realized that in order to create enough affordable housing, we will need new funding mechanisms and with Rosten and Anna Kobara we made a new exhibition: "[How to house 7,000 people in Skid Row](#)" and held panel conversations with planners and community members.

The iX1 zone is a unique zone, it is a new idea for Los Angeles to attack the huge crisis we are facing: houselessness, not enough affordable housing. And: yes, the traditional ways of developing housing do not apply anymore. A FAR of 8% for affordable housing is not going to solve this problem. We will have to find new ways to fund it.

We'll have to listen to the communities we are serving and get creative. Skid Row says: the iX1 zone is great and we need much more of that: we need to expand this zone to the original boundaries of Skid Row (from 3rd to 7th Street and from Main to Alameda Street). And we need zones like this in all parts of Los Angeles because there are houseless and poor people who cannot afford "affordable housing" everywhere in our city.

We are asking you to embrace change and give this zone a chance. Don't water down the idea of the iX1 zone but expand it and see how we can make this work.

That's what we imagined in our latest performance, "[The New Compassionate Downtown](#)" which we performed at The Geffen Contemporary at MOCA last May.

HISTORY

People speak about Skid Row as a "containment zone" in a negative and a positive way. Often people refer to the "Blue Book," where this word is used. At the Skid Row History Museum & Archive we have the Blue Book and videos of extensive interviews with the people who wrote the Blue Book which was presented to mayor Bradley in 1973.

The history of the containment policy is complex. Unhoused people and their advocates fought for the preservation of Skid Row in the 1970s as a means to preserve affordable housing and prevent the displacement of unhoused people. Their proposal was to clean up the 65 hotels that remained in Skid Row for the people who were already living there. (Actually, much like the idea that started Project Housekey today.)

The boundaries of Skid Row were established in 1976 when the city implemented the recommendations made in the “Blue Book.” The Blue Book served to preserve any existing affordable housing and upgrade the existing Single Room Occupancy hotels in Skid Row into additional safe and affordable housing, so that the people who were already living in the neighborhood would not be displaced and would be permanently housed. The implementation of this plan created a community of long-term residents in the hotels that use the services that are consolidated in Skid Row. Skid Row is currently the only neighborhood in Los Angeles that offers housing at levels that are more affordable than the standard unaffordable “affordable housing” for Deeply Low, Very Low-, Low- and Moderate-Income households, in addition to supportive housing uses.

I made a short [movie](#) about this history from interviews with the people involved in the Blue Book. I hope that you will check it out. And we’d love to invite you to come to the Skid Row History Museum & Archive at 250 S. Broadway if you would like to learn more.

Because of this history Skid Row is a unique neighborhood of low-income people. We now have a chance to improve the neighborhood with their input. Obviously, they need deep low-income housing options to be able to live in a healthy way. They also need to continue to be able to have a say about what happens in their neighborhood. That is another reason why we don’t want more market-rate housing in Skid Row. Because it is our experience that when people who are more affluent enter the neighborhood, the voice of poor people does no longer count.

This is one more reason why we advocate to not allow more market rate housing in Skid Row and to expand the iX1 zone to the original boundaries of Skid Row. There is no reason to argue that we can only upgrade zoning because some market rate housing already exists outside the iX1 zone. If you look at the existing housing, there is in fact very little market-rate housing currently in Skid Row. The projects that exist can simply be grandfathered in to the expanded iX1 zone.

Let’s be visionaries and create something unique that can be an example to other cities and development projects.

Sincerely,

Henriëtte Brouwers

Associate Director
[Los Angeles Poverty Department](#)
[Skid Row History Museum and Archive](#)
[Walk the Talk Archive](#)

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

Delivered via electronic mail

August 12, 2021

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

Dear Honorable Commissioners,

On behalf of the undersigned academic researchers and practitioners at UCLA, USC, CalPoly Pomona, and Occidental College who focus on planning, housing, and economic development, we are pleased to submit the following comments and policy recommendations on the Downtown Community Plan update. The inclusion of numerous new policies and standards in the most recent draft Plan, CPIO, zoning code, and corresponding ordinances (collectively, the “Draft Plan”) does much to address the numerous racial and economic justice issues facing low-income communities of Downtown which are also the poorest in the City. We believe that in order for the Commission to advance a vision of racial equity, it must adopt policies that will create a net gain of affordable housing at the deepest levels of affordability, prevent displacement, protect the Community Benefits Program, and center the needs and priorities of historically excluded communities. As described in detail in this letter, we urge the Commission to:

1. Adopt the Draft Plan’s careful calibration of Base and Bonus floor area ratio in Chinatown and Little Tokyo to maximize value capture and promote inclusive housing growth.
2. Expand the IX1 District to create new affordable and supportive housing and prevent displacement in Skid Row.
3. Require on-site affordable housing in the Downtown Adaptive Reuse Program, consistent with the Citywide Adaptive Reuse Program.

The Draft Plan’s Base/Bonus system has been carefully calibrated with feasibility in mind
Chinatown is a dynamic community of residents, workers, landowners and small businesses. It is also one of the poorest communities in Los Angeles where many residents live close to, or below, the poverty line and many are one rent increase away from becoming homeless. In order to thrive, future development must support the low-income refugees and immigrants that make up the bulk of the community, not exacerbate displacement and gentrification.

As such, the Planning Department spent considerable time and resources to carefully calibrate the zoning standards in Chinatown in order to ensure that developers are incentivized to provide

affordable housing and other community benefits. We urge the City Planning Commission to adopt the Base/Bonus system for Chinatown as recommended by the Planning Department.

There has been some confusion about the Plan's proposed base zoning in Chinatown, with several voices mischaracterizing the Plan as a downzoning that, coupled with the requirement for affordable housing, will make development infeasible.

This is simply incorrect. According to the HR&A report, commissioned by the City as part of the community planning process, "the new Downtown Community Plan does not change current by-right entitlement standards, nor does it impose additional requirements for developers who choose to build within the existing base zoning."¹ While a small portion of Chinatown's base zoning will be set at 2.0 FAR, various concessions such as the removals of height limits, density limits, and parking maximums will in fact *increase* development capacity and allow eligible projects to return to the current allowable FAR of 6.0 and beyond. Rather, the Plan actively seeks to set the zoning regulations in order "to ensure that the baseline zoning in Downtown is calibrated such that developers are motivated to exceed it"² and that in order for the Plan and the Community Benefits program to be most effective, the system must be "calibrated to produce sufficient incremental value for private developers, over and above any public benefits produced, to encourage additional development in light of increased risk and cost."³

In addition, these same voices have been making misleading arguments that the affordable housing provisions within the Community Benefits Plan will make development infeasible in Chinatown. The updated memo from HR&A dated November 13, 2020 very clearly states that, with key changes such as eliminating height limits and some adjustment to the inclusionary requirement, "affordable housing production would be feasible at a maximum FAR of 3.0," many of which were incorporated into the June 2021 Draft Plan. The memo is also clear that, with a 15% rent increase and the removal of story limits, "the Chinatown prototype can generally accommodate the inclusion of affordable housing for both Level 1 and Level 2 with bonuses only modestly higher than anticipated by LADCP."⁴

In fact, the feasibility issues brought up by HR&A are not about the cost of including affordable housing but rather the cost of switching from wood to steel frame construction to reach higher FARs. "The by-right FAR (Base Case Scenario) could be developed using wooden frame construction over a concrete podium to produce market-aligned residual land values. However, achieving higher FAR scenarios would require changing to concrete or steel frame construction,

¹ City of Los Angeles, Department of City Planning. *Downtown Los Angeles Community Benefits Program: Summary of Analysis and Recommendations*, HR&A Advisors, Inc., 2019, p. 7.

² City of Los Angeles, Department of City Planning. *Downtown Los Angeles Community Benefits Program: Summary of Analysis and Recommendations*, HR&A Advisors, Inc., 2019, p. 6

³ Ibid.

⁴ City of Los Angeles, Department of City Planning. *Downtown Los Angeles Community Benefits Program: Additional Feasibility Testing*, HR&A Advisors, Inc., 2020, p. 5

which may not be financially feasible in the near term.”⁵ It must also be noted that housing markets are dynamic and that as markets change, so will the feasibility for higher FAR development.

Overall, the Plan improves the feasibility of development with the inclusion of community benefits through the following changes to current zoning standards:

- Elimination of parking minimums
- Removal of density & height restrictions
- Streamlined approvals process that will speed up the entitlement process and reduce risk that projects will be bogged down in bureaucracy, which according to the HR&A report “could be worth as much as \$3,250,000 to a developer, plus the avoided cost of legal and other consultants services.”⁶

Importantly, setting the Base FAR in Chinatown at 2:1, as currently proposed in the Draft Plan, is not a downzoning or reversion of development rights but is a strategy to expand development rights in this area by increasing the maximum FAR accessible through a carefully calibrated community benefits incentive program. The Draft Plan encourages projects at the Bonus FAR of 6 or 8.5, which is a density increase properly aligned with affordability. This is a thoughtful, coordinated approach to inclusive growth.

Increasing the Base FAR will undermine affordable housing production

Increasing the Base FAR in these areas would be a mistake and would be in direct conflict with the Plan’s numerous stated goals of increasing affordable housing opportunities. Maintaining the Base FAR proposed in the Draft Plan is critical to an effective value capture program. Even a small compromise in the Base FAR will undo the incentive structure and will result in projects foregoing the Bonus FAR and building at the Base instead, creating fewer housing units overall, without affordable housing, and eliminating no-net-loss protections (which currently only attach to projects that use the Bonus). As currently structured, projects in Chinatown and Little Tokyo are actually incentivized to build at the higher Bonus FAR, creating more housing and much-needed affordable housing - a win-win.

Furthermore, increasing the Base FAR will crowd out affordable housing development and undermine use of the incentives. Upzoning untethered to any form of value capture will simply increase land value and provide a windfall to the current owners of the land. The increase in land value will particularly constrain affordable housing developers, who already face significant challenges in acquiring land. Unlike market rate developers, affordable housing developers cannot recoup any increased costs through increased rents. Increasing the Base FAR for projects

⁵ City of Los Angeles, Department of City Planning. *Downtown Los Angeles Community Benefits Program: Summary of Analysis and Recommendations*, HR&A Advisors, Inc., 2019, p. 24.

⁶ City of Los Angeles, Department of City Planning. *Downtown Los Angeles Community Benefits Program: Summary of Analysis and Recommendations*, HR&A Advisors, Inc., 2019, p. 29.

would have an overall effect of discouraging the use of the Community Benefits Program, which provides a broad range of benefits including affordable housing, publicly accessible open space, and support for community serving small businesses.

We urge the Commission to adopt the Planning Department's careful calibration of Base and Bonus FARs in Chinatown and Little Tokyo in order to maximize value capture and promote inclusive and affordable housing growth. The Department has created a comprehensive community benefits program that utilizes the proposed Base/Bonus FAR incentive that builds on the TOC Program and prioritizes mixed income affordable housing in Downtown neighborhoods like Chinatown and Little Tokyo, which desperately need more affordable housing. We appreciate and support the Department's recommended approach to "facilitate growth near transit infrastructure in these neighborhoods while introducing a system that links growth with community benefits,"⁷ and we urge the Commission to approve this structure.

The IX1 use district should be preserved and expanded

The IX1 district, which is currently bounded by San Pedro Street, 5th Street, Central Avenue, and 7th Street, is the only use district in the Draft Plan where residential uses are restricted to only affordable housing. We urge the City Planning Commission to preserve the IX1 use district, and indeed expand it.

There has been debate about the impacts of the IX1 zone, including claims by opponents that it will contribute to a "concentration of poverty." Yet these opponents provide no alternative solutions to our profound homelessness crisis nor do they acknowledge that the IX1 zone does not prohibit the construction of affordable housing elsewhere in the plan area. Numerous studies have shown that LA's homelessness crisis is being driven by evictions and the lack of affordable housing. Elimination of the IX1 zone will only reduce the overall capacity for affordable housing in Downtown, further contributing to our affordable housing and homelessness crisis.

While we recognize that other policies are being explored to increase the supply of affordable housing in other parts of the city, unlike the proposals contained within the Draft Plan, it is not clear when those policies would be adopted, let alone generate the affordable units the community desperately needs. Additionally, the Draft Plan is currently the only policy proposal to include a deeply low-income (15% AMI and below) incentive program which explicitly targets residents at highest risk of houselessness. The IX1 zone provides a stronger guarantee that the units will be built and at the rents that Skid Row residents can actually afford.

⁷ City of Los Angeles, Department of City Planning. *Recommendation Report to City Planning Commission*. June 17, 2021, p. A-20.

https://planning.lacity.org/odocument/04ca2a68-c5fd-4a26-90c2-8128910239f7/DRAFT_DTLA_CPC_Staff_Recommendation_Report.pdf. Accessed September 7, 2021

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

Require on-site affordable housing in the Downtown Adaptive Reuse Program, consistent with the Citywide Adaptive Reuse Program

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

Conclusion

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

Sincerely,

Joan Ling

Lecturer, Urban Planning Department

UCLA

Former member, Community Redevelopment Agency of the City of Los Angeles

Former Executive Director, Community Corporation of Santa Monica

Jon Christensen

Adjunct Assistant Professor

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UCLA Luskin School of Public Affairs

*Note: academic affiliations are listed for identification purposes only

Hi. My name is John Malpede. I've been working in Skid Row since 1984, first as a volunteer at the Catholic Worker, then as an employee of the Legal Aid Foundation's Homeless Unit, and finally as the founder (1985) of Skid Row's first on-going arts group for Skid Row residents. In the many years I've been working in Skid Row, I've seen the neighborhood develop due to the manifold initiatives of people living in Skid Row. It is a neighborhood of compassionate practice.

I'm writing in favor of extending the boundaries of the IX1 (affordable housing only) Zone, so that they conform with the recognized boundaries of Skid Row, that is, from Main Street to Alameda Street and from 3rd Street to 7th St. Skid Row has the largest concentration of low-income housing and services in Los Angeles. It is a low-income residential neighborhood. Yes, it is the home of numerous transitional programs for un-housed people. Thousands of formerly unhoused people are permanent residents living in Skid Row apartments and residential hotels. Many people have lived in the same apartment for 10 or 20 years or more. From 1976 until 1999, this area was protected (with the adoption of the 1976 Downtown Plan). This has derisively been called a "containment plan", suggesting that low-income people were corralled there. I'd say it was a means of containing the developers from, bull-dozing Skid Row and rebuilding it for the affluent. The protection put in place by that plan stipulated that no market rate housing was allowed within the Skid Row boundaries (as articulated above). It is the only area protected in this way from development in the entirety of Los Angeles.

Market rate units in Skid Row became possible with the signing of the Adaptive Re-Use Ordinance in 1999. Notably, the ordinance required a large square footage for each unit—making them unable to be used for the obvious need of creating low-income housing. In 2002, a revision of the Community Plan also allowed new, market-rate construction from the west side of San Pedro St. to Main Street. My unofficial count, from walking the neighborhood, is that 3 new buildings have been built in this area in the ensuing 19 years, from 2002 until now. The majority of this "western half" of Skid Row continues to be occupied by Skid Row serving residences (hotels, apartments and missions) and Skid Row serving and compatible businesses, (such as the Toy District).

The IX1 Zone as proposed in the plan, would further shrink the protected area, in which only housing for low and extremely low-income people is allowed. Obviously, there is a great need for a great amount of low-income housing. Not only that there is a need for residents of Skid Row to articulate and realize their desires for the community they want to live in. While Skid Row is the greatest resource in the city and the whole region for people experiencing homelessness, the wishes and the voice of the permanent resident community are too often ignored. Formerly unhoused people now, living in apartments in Skid Row are too often forgotten.

Yet, the residents, housed and un-housed have successfully advanced the cause of creating a viable, low-income residential neighborhood. Their achievements are many: including achieving a city-wide moratorium on residential hotel conversions.

It is erroneous, to think that at some, albeit illusive, date down the road, there will be no more homelessness and that at that moment, there will no longer be reason to protect the long-term low-income residents of Skid Row. Nothing could be further from the truth. Skid Row will continue to need protections from market rate housing. If the neighborhood becomes saturated with market rate housing, the voices of the low-income residents will be overwhelmed by the voices and desires of the affluent newcomers. First, Skid Row voices will be overwhelmed and ultimately, Skid Row people will be displaced.

Instead, extend the boundaries of the IX1 Zone to the accepted boundaries of Skid Row, and protect the continued vitality of the Skid Row neighborhood.

Sincerely,
John Malpede
Director LA Poverty Department and The Skid Row History Museum



Planning CPC <cpc@lacity.org>

Rezoning to destroy neighborhoods- PLEASE STOP!

Jan Reichman <jreichmann@sbcglobal.net>
To: cpc@lacity.org

Mon, Sep 20, 2021 at 6:04 PM

I began reviewing some of the thousands of addresses Planning thinks should be rezoned to the desired density called out by our State Government. This madness included so many familiar addresses in my Westwood community, Cheviot, WW Hills, Little Holmby, Brentwood on and on. What kind of madness is this? Put on the brakes and see what you are doing. The environment, utilities, water supply, schools, emergency services cannot handle what you think is your mission to accomplish. Stop the madness! Jan Reichmann, Comstock Hills HOA.



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September 20, 2021

Sent Electronically

Los Angeles City Planning Commission
City Hall
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Los Angeles, CA 90012
Email: cpc@lacity.org

RE: Draft EIR Comments for the Downtown Community Plan Update/New Zoning Code for Downtown Community Plan

On behalf of the Los Angeles Conservancy, I am writing to comment on the Draft Environmental Impact Report (EIR) for the Downtown Community Plan Update/New Zoning Code for the Downtown Community Plan (DTLA 2040). As proposed, DTLA 2040 combines two existing Community Plans, Central City and Central City North, into one single Community Plan. DTLA 2040 is the culmination of six years of outreach and will guide development in downtown Los Angeles for the next twenty years. Because of its lengthy time horizon, it is vital for the City to provide a considered and comprehensive Community Plan that successfully protects some of Los Angeles's most important historic resources.

The Conservancy supports a community plan that places historic preservation at the forefront and fully integrated within the planning principles. Whether through the existing draft or a revised version, we want the plan to provide for meaningful mechanisms to ensure preservation is a core priority. The Conservancy envisions a long-term plan that fully acknowledges, values, and meaningfully prioritizes the many diverse historic places that help define and contribute to the vitality, culture and character of DTLA.

The ongoing revitalization of Downtown Los Angeles has been firmly rooted in historic preservation and must be going forward, to build upon the success to date and ensure Downtown is a place for all and is reflective of the area's broad heritage and cultures. The plan needs to strike a balance between many competing priorities, including preservation, equity and affordable housing, while implementing land use mechanisms that both direct growth and manage new development (through controls and



incentives) in a way that adequately protects the important parts of Downtown (Historic Core, Arts District, Little Tokyo, Chinatown, etc.).

We do support the Community Benefits program, legacy business support, expanded transfer of development rights (TDR) program, adaptive reuse streamlining, and new form-based zoning code. The form districts, height standards, and base-bonus systems that have been carefully calibrated for Chinatown and Little Tokyo are critical to maintain in this plan, to allow for more affordable housing, flexibility, and acknowledging the value of cultural assets. The same needs to be afforded to the Historic Core historic districts. Until recently, this plan had very generous story height limitations in place; these need to be reinstated. Otherwise, we are leaving these areas extremely vulnerable, as increased high-rise development pressures will most certainly lead to greater demolition and the erosion of a significant community asset. The preservation components will help, but do not go far enough without some reasonable height limitations in place for the Historic Core.

I. Preserve and maintain existing protected affordable housing and minimize promote community stability.

As the community plan area grows and sees greater investment, it is critical to preserve and maintain existing protected affordable housing units, including multifamily housing and residential hotels, and prevent losses. The Plan must also address displacement risks and create tools to minimize displacement and promote community stability. Former low-income tenants of demolished units should be provided the first right of refusal on leases for new housing units constructed on-site at affordable rents.

Recommendation: Incorporate stronger affordable housing preservation and anti-displacement measures.

I. Inclusion of SurveyLA findings and analysis of potential conflicts in DTLA 2040

It is imperative that DTLA 2040 include and fully incorporate SurveyLA findings throughout the plan area to identify resources and determine any potential conflicts with what is being proposed. The Downtown Community Plan Area includes four historic districts listed in the National Register of Historic Places, 190 individually eligible resources identified through SurveyLA, and 138 Historic-Cultural Monuments (HCM), indicating an extremely high concentration of historic resources in the city.

Surveys are intended to help identify eligible individual historic resources and areas of concentrations of contributing resources that qualify as potential historic districts. The data from SurveyLA exists and should be fully incorporated into the Proposed DTLA 2040 Plan and made available in a user-friendly format so that it is useful for long-term planning purposes, balancing preservation, and development priorities.



The Proposed Plan should articulate a clear understanding of the survey results to better plan for preservation and development in the future. This information is critical as a starting point in identifying potentially significant resources. Informative maps of historic districts, planning districts, and CPIOs should be fully incorporated into the Plan document to better inform interested parties. At present, limited information and scope is provided within the Fall 2020 Community Plan Draft, with only a single reference to SurveyLA findings listed within the “Future Implementation Actions Table.”

Recommendation: SurveyLA findings should be included, expanded and fully articulated in a revised DTLA 2040 Community Plan document, including detailed analysis that discusses potential conflicts. We would like to see this prior to the plan’s introduction and review at the City Planning Commission.

V. Modify and Expand Adaptive Reuse 2.0 Provisions

Through DTLA 2040, the City proposes to update its adaptive reuse program in Downtown. As a policy established in 1999 (Adaptive Reuse Ordinance, ARO), adaptive reuse has successfully resulting in the creation of new housing (more than 12,000 new housing units) and reinvestment in existing community assets. Without question, it has also been central to the revitalization of Downtown Los Angeles. Now, following more than twenty years of progress it is time to revise the policy to ensure it remains effective as an incentive to encourage the reuse of existing buildings. This is not only good for preservation but sustainability as we need to retain and reinvest in existing resources rather than throw them away.

A number of buildings remain that present new challenges and require innovative solutions. Costs for rehabilitation and retrofit are much greater and difficult now than when the ARO was first established, in part due to the complexity of various codes that must be adhered to and an escalation in overall construction. Adaptive Reuse 2.0 aims to solve many of the issues that now face historic buildings that are not capable of being converted only into housing. Greater flexibility and adaptability within city codes is needed.

Adaptive reuse 2.0 (Article 9) does not distinguish between historic and non-historic resources, despite there being clear differences and challenges. It concentrates on larger-scale, unified development projects, whereby adaptive reuse is one incentive, but this falls short in offering additional incentives for single building projects. One example would be to allow historic buildings to add additional floor area (intermediate floors and mezzanines), where viable and regardless of use. Further, any amenity requirements should be tied to new floor area only, not existing for the historic buildings.

Many of the Downtown buildings that remain empty are those that present unique challenges (small floor plates, ADA accessibility issues, etc.) and unable to be combined with other buildings or a larger project. Until we are able to help in this area, many of these types of historic buildings will remain empty and under-utilized. Therefore, additional incentives are especially needed for these types of examples to ensure financial feasibility for rehabilitation. If



we can help these projects “pencil out” they have an opportunity to create additional housing which lines up with this clear priority articulated with DTLA 2040.

Adaptive Reuse 2.0 no longer limits adaptive reuse projects to dwelling unit conversions. “Under the Downtown Plan, the Proposed Downtown Adaptive Reuse Program will be expanded through the New Zoning Code to allow for the conversion of eligible buildings to any permitted or conditionally permitted by the designated Use District of property.” The new expanded uses are expected to resolve many of the hurdles faced by developers who were unable to convert historic buildings into housing because of building and life-safety codes.

In a number of City Planning presentations, planners stated that the new Adaptive Reuse program would allow for any building that is 25 years or older to be eligible for these incentives. However, nowhere in the Draft Community Plan and supporting documents could this be found. We understand this was originally articulated and restricted to buildings constructed prior to July 1, 1974 in the ARO. This date is no longer applicable to DTLA 2040 and believe it should be removed. Instead, it should just say 25 years with no reference to a specific cut-off date.

Recommendation: Please distinguish between historic and non-historic adaptive reuse types of projects, and offer additional incentives which are needed to offset costs and unique challenges associated with historic buildings. Change the criteria to clearly state any building 25 years or older is eligible for the Adaptive Reuse Program. By specifying 25 years, Adaptive Reuse 2.0 will allow new building stock to become eligible for incentives year after year, rather than tying it to 1974.

VI. Ensure Adequate Height, Setback, and Frontage within Historic Core designated historic districts

Context-sensitive growth occurs when there is a priority placed on maintaining the existing qualities and assets while also outlining where future compatible new development can occur. We believe DTLA 2040 attempts to do this, especially within the Historic Core area. This is fundamental to the work of the Conservancy as we always strive to achieve a balance and “win-win” outcomes whenever possible.

There are two designated National Register Historic Districts located within Los Angeles’s Historic Core, including the Spring Street Financial District and the Broadway Theater District. Like other historic neighborhoods throughout the city, the Broadway and Spring Street National Register Historic Districts are increasingly under pressure by new development. Often this development is out-of-scale with its historic environment and chips away at the district’s integrity overtime.

Further, this type of development places pressure on existing historic assets, and will only escalate throughout the “life” of the DTLA 2040 plan if there are no tools in place to help. Given there are now limited sites to redevelop within the Historic Core, in the near future we anticipate seeing proposals coming forward to demolish and redevelop individual and entire groupings of historic buildings here, as well as in Chinatown and Little Tokyo. Outside of the



California Environmental Quality Act (CEQA) process, while noting its inherent limitations, we would not be able to prevent this from occurring.

It is important to preserve DTLA’s historic neighborhoods and maintain a balance between existing and new development in certain areas of the DTLA 2040 plan area, therefore we support height limitations in these areas. We also recommend this should be expanded, by identifying transition or buffer zone areas with measures to ensure there is some inter-connectivity between various areas within the DTLA 2040 plan.

If the underlying zoning, FAR, setbacks and frontage requirements allow for greater height and massing than what exists now, either for individual parcels or those that might be assembled and combined in the future, there will be pressure to demolish existing historic resources and rebuild at a larger scale. Maximum height building limitations offer a much-needed tool and mechanism to balance growth pressures. It is one tool to ensure the City is meeting its stated priority of preservation, by maintaining the existing and valued character that is offered through these historic districts.

Without a maximum height building limitation, the Historic Core is left exposed and vulnerable. It is important to note that while National Register status is in place and some historic buildings are designated as individual Historic-Cultural Monuments (HCM), landmarking and historic district designation alone cannot ensure a preservation-based outcome or compatible development, as it is extremely limited in scope.

Appendix N, the “Broadway Theater and Entertainment District Design Guide,” referred to as the Broadway CDO is a supplemental “best practices” guide for future development in the historic district. Within the CDO’s Section 3: New Construction there are two key provisions:

- Standard 6a Building Scale and Massing dictates that all new buildings “south of Fourth Street, the portion of the building above 150-feet (as permitted by tower standards) shall be setback a minimum of 30 feet from Broadway and any perpendicular street.”
- Standard 6b dictates that “when constructing a tower, the portion of the building above 150 feet shall include a lot coverage of no less than 30-percent and not more than 40-percent of lot coverage which can include minimum 30-foot setback when a 30-foot setback is require”

Such standards are important for the historic district’s ability to retain its integrity and convey its significance. While DTLA 2040 includes the Broadway District CDO, the guide is not mandatory and exists as a “best practice” document. The Conservancy urges the City to adopt these guidelines as a mandatory set of rules to enhance and maintain the historic district’s ability to convey its significance.

A significant issue with the Broadway District CDO is that it is written in a different technical language than the new zoning code and should be updated to reflect re:code LA to avoid any confusion. The Broadway Historic District, from 4th Street south is given the form codes DM4



and HB4 which means a building with a twelve-story street frontage is required to have a setback of thirty-feet for any volume above the twelfth story. This is roughly equivalent to the 150 feet guideline standard in the Broadway CDO.

Despite the majority of the Broadway District having a DM4 designation, the block between Third and Second Street have given a form code of HB4 allowing for unlimited maximum height with no setback due to its proximity to Metro. Instead, this block should be zoned similarly to the rest of the historic district. The same pattern of HB4 zoning is also seen on the opposite end of the district, however, there is no Metro stop nearby and this should also be downzoned to be in line with the rest of the district.

Recommendation: Maintain consistent maximum height building limitations within the Historic Core as they offer a much-needed tool and mechanism to balance growth pressures. We recommend this should be expanded, by identifying transition or buffer zone areas with measures to ensure there is some inter-connectivity and gradation between various areas within the DTLA 2040 plan. While we appreciate the inclusion of Chinatown and the Arts District in Appendix C (Historic Cultural Neighborhoods Best Practices), we ask the City to add best practices for the Spring Street Financial District. In addition, language should also be included that acknowledges and encourages the preservation and rehabilitation of existing historic/eligible resources in these neighborhoods.

VII. Balance Arts District development through introduction of Transfer of Development Rights (TDR) tool

The Arts District of Los Angeles is the heart of the city’s industrial heritage. Identified by SurveyLA as the Downtown Los Angeles Industrial Historic District, the collection of historic resources is eligible for listing at the local, state, and national levels. From its origins in the early 1900s through the late twentieth century, the district has transformed from a heavy industrial center to artist enclave. Today, this low-scale neighborhood faces increased development pressure by much larger new development. This threat, like high-rise development in other parts of the city, continues to threaten the integrity of this eligible historic district at an ever-increasing pace.

Under the proposed Community Plan Update, Transfer of Development Rights (TDR) will be included to promote the preservation of historic resources. The Conservancy has been working closely with City Planning on this concept for the past few years, and we welcome its inclusion with the DTLA 2040 plan. As proposed, a Community Plan Implementation Overlay (CPIO) will designate areas available for TDRs. Eligible donor sites must be designated as a Los Angeles Historic-Cultural Monument (HCM), a site listed or determined to be eligible for the California Register of Historical Resources or the National Register of Historic Places, a contributor to a historic district identified by SurveyLA, or an individual resource identified by SurveyLA.

Under the new TDR program, donor sites would be allowed to sell unused floor area, up to the maximum Bonus FAR permitted in the Form District to a receiver site within the Downtown Plan Area. The new TDR program is concentrated in the Arts District, where it will incorporate



Hybrid Industrial 2 properties as possible donor sites. Hybrid Industrial 2 a new zoning designation for the City will allow for mixed uses that include light industrial, creative office space, and residential to promote more pedestrian friendly neighborhoods.

Recommendation: The TDR program has been a successful tool for preservation in the past and the Conservancy commends the City for implementing the TDR program in the Arts District, one of the Central City’s most vulnerable eligible historic districts. Provided the TDR program proves successful as a pilot, we would like to see the City expand its application to other parts of the DTLA 2040 plan area. So that areas such as Chinatown and Little Tokyo might benefit, we recommend the City identify the mechanism and process by which this can occur in the future, without having to wait for another community plan update. There should be flexibility embedded within the plan to adapt to changing market circumstances, including applying the TDR program to other areas.

VII. Expand Villages land use designation in Chinatown

Villages are areas characterized by walkable and fine-grained block patterns that serve as historic and cultural regional niche market destinations. The building form in these areas are very low to mid-scale, with uses that include restaurants, retail, services, and small offices with a range of housing types interspersed. Villages only make up 5% of the Community Plan Area.

Chinatown is a historic-cultural neighborhood, home to a long-standing multigenerational residential community, a variety of small and family-owned businesses, family associations, and institutions that serve the Chinese American, as well as other immigrant communities.

We appreciate that the Villages land use designation was expanded to include the block between College Street and Alpine Street to the north and south, and North Broadway and North Spring to the east and west.

To further protect this historic-cultural neighborhood and its legacy businesses and institutions, it should also include 1) the area south of Ord Street to Cesar E. Chavez Avenue between North Hill Street and North Alameda Street; 2) the west side of North Hill Street between Alpine Street and Cesar E. Chavez Avenue; 3) the area west of North Alameda Street to New High Street between Alpine Street and Cesar E. Chavez Avenue; 4) the north and south side of Alpine Street between Yale Street and North Hill Street; and 5) the block between College Street and Alpine Street to the north and south, and Cleveland Street and Yale Street to the west and east.

Recommendation: Expand the Villages land use designation in Chinatown to ensure it captures the key areas that represent Chinatown’s neighborhood identity and rich history.



VIII. Adopt new policies and programs in support of longtime community-serving small businesses and institutions.

Throughout the DTLA 2040 plan area are small, community-serving businesses, also referred to as legacy businesses. Many are at risk due to soaring rents, increased development pressures, lack of succession plans, and now the COVID-19 pandemic. While we support and value growth and new development, it should not come at the expense of community-serving small businesses. The combination of these factors has left some longtime small businesses with reduced revenues and uncertainty about the future. This result raises questions of equity, leaving business owners without a means of income, and residents and neighborhoods without access to essential goods and services.

Longtime community-serving small businesses in the DTLA 2040 plan area are community assets and neighborhood anchors. It is important for the DTLA 2040 plan to acknowledge this issue as it is inherently linked to future growth and development within the plan area. If not, more of these businesses will be lost. Just as we are trying to maintain and create new affordable housing, without gentrification and displacement, we need to plan for, support and avoid displacing our community-serving small businesses. Investment in Opportunity Zones should not displace low-income residents or small businesses. In many instances, these businesses are also serving as primary employers for these neighborhoods and their residents.

DTLA 2040 should define what a community-serving small business (including street vendors) is as part of the plan. The Conservancy has defined these as legacy businesses and “a privately-owned corporation, cooperative, non-profit, social enterprise or other entity that has been around for 20-25 years or more and contributes to the history, culture, and identity of Los Angeles, and has no more than 25 employees/shareholders and is not franchised or affiliated with a national chain.” Further, DTLA 2040 should identify all available tools and programs that can help, including within the package of community benefits as articulated within DTLA 2040. We support protections and opportunities for legacy businesses, including but not limited to the creation of a Community Benefits Fund as proposed by the Downtown Community Plan Update.

Through the Conservancy’s Legacy Business initiative, we have outlined the following as additional measures that could be implemented to help support longtime community-serving small businesses:

- Establish a Legacy Business Program and Registry with the City of Los Angeles.
- Establish a Rent Relief and Stabilization subsidy program that allows for a reduced or below- market rent rate to stabilize and avoid closures through escalating rents. This will directly assist Legacy Business owners serving as tenants and incentivize building owners to maintain stable, long-term agreements. A square foot formula is recommended to determine the grant amount and reflect the variety of types and sizes of legacy businesses, and to correspond to commercial leasing terms.
- Establish a Vendor Procurement Priority to increase opportunities for eligible legacy businesses to benefit through the procurement process. As vendors that do business with the City, legacy businesses shall receive priority through the procurement process.



Besides simply cost control, selection that supports legacy businesses will ensure City resources are being spent in a means that underpins a goal of retaining longtime businesses.

- For legacy businesses that also qualify as a historic resource, are currently designated as a Historic-Cultural Monument (HCM), or listed in a historic district, the City's Mills Act program shall give priority in selection for a Mills Act contract. Mills Act participants may realize substantial property tax savings of between 40% and 60% each year for newly improved or purchased older properties. For recent and new owners of property, including those with legacy business tenants, this incentive program will be especially beneficial. To ensure the legacy business remains, the Mills Act contract should include specific provisions that maintain long-term (at least 10 years) tenancy and/or the property owner participates in the Rent Relief and Stabilization program.
- Provide strategic loans and/or grants needed to provide emergency relief to offset increased rents for legacy businesses. In some instances, funding is necessary to purchase real estate housing legacy business tenants and maintain community control of small businesses and commercial properties. This funding is provided directly to the legacy business and/or a qualified entity raising funding to strategically support legacy businesses in a specific neighborhood or area. In addition to providing capitol to assist with rent relief or acquisition of real estate, funding can help support legacy businesses by providing enhanced and culturally-specific technical assistance, succession planning, and coaching to ensure these valued community assets thrive.

Recommendation: Acknowledge, define and adopt new policies and programs that can help support and avoid displacement of longtime community-serving small business (legacy businesses).

VIX. Conclusion

While much of downtown's success in recent years can be attributed to the rehabilitation and adaptive reuse of the neighborhood's historic building stock, the demand for higher density and new infill construction has increased as well. The continued revitalization of downtown Los Angeles over the last two decades has brought about a new wave development, spurring discussions over the compatibility of new buildings in historic districts and affordable housing.

The Plan offers a number of new provisions as part of the re:code LA zoning and more contextual- based guidance. It also includes important incentives for preservation such as, an updated adaptive reuse ordinance and a pilot Transfer of Floor Area Ratio (TFAR) incentive program for the Arts District.

DTLA 2040 also introduces a new "Village" designation for some low- to mid-scale areas within downtown, supporting their role as historic and cultural destinations. We believe this approach could be applied elsewhere within downtown to both help preserve existing affordable housing units and legacy businesses.



The Conservancy is pressing for ways to strengthen these proposed provisions and additional aspects of DTLA 2040 to support preservation. We welcome the opportunity to continue working with City Planning to strengthen DTLA 2040. Thank you for all your hard work in crafting this plan and for your consideration of our recommendations.

About the Los Angeles Conservancy:

The Los Angeles Conservancy is the largest local historic preservation organization in the United States, with nearly 5,000 members throughout the Los Angeles area. Established in 1978, the Conservancy works to preserve and revitalize the significant architectural and cultural heritage of Los Angeles County through advocacy and education.

Please do not hesitate to contact me at (213) 430-4203 or afine@laconservancy.org should you have any questions or concerns.

Sincerely,



Adrian Scott Fine
Senior Director of Advocacy

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





September 20, 2021

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

Dear Honorable Commissioners:

On behalf of over 58,000 members of the Southwest Regional Council of Carpenters, I write to provide the following comments and recommendations to the DTLA 2040 Community Plan Update.

The DTLA 2040 Community Plan Update provides a historic opportunity to shape the future of Los Angeles. Though Downtown is just one percent of the City's land it accounts for over one-third of new housing units built over the past decade. Downtown will continue to grow and is expected to make up over twenty percent of the City's growth over the next two decades.

That is why the City must approach this process in a way that maximizes the potential for quality development that works for all Angelenos. The plan should be bold in prioritizing a more holistic approach that explores innovative solutions that grow community wealth and combat decades of inequality.

The plan will fall short if it fails to include smart zoning standards, strategies to spur increased affordable housing production, and policies that generate high-quality middle-class local jobs.

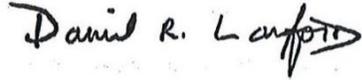
We urge the final DTLA 2040 plan include the following:

- Maximize capacity for growth by aligning the plan with Alternative 3 of the DEIR and expanding Transit Core General Plan land-use designation to include all areas close to existing, entitled and future transit.
- Remove height limits and other impediments that can prevent downtown from creating the conditions to meet our future housing needs.
- Support Land Use Policy 23- Equitable Contracting Programs: Study, research, and develop a pre-qualification process that evaluates contractors on their record and commitment to high road wage, benefit standards, and local hire training. This corresponds to current City Council motion CF # 21-0631.
- Encourage good faith efforts on pre-JJJ development projects that have requested General Plan Amendments to be compliant with JJJ labor standards.
- Support prevailing wage and skilled and trained apprenticeship standards for affordable housing development projects that receive public money or other incentives.

- Study the use of an Inclusionary Housing program for private sector development projects to spur more affordable housing units.

Thank you for your consideration of these important issues. The Southwest Regional Council of Carpenters looks forward to continue working with the City of Los Angeles to build a thriving, more equitable city.

Sincerely,

A handwritten signature in black ink that reads "Daniel R. Langford". The signature is written in a cursive style with a large, stylized "D" and a long, sweeping tail on the "f".

Daniel Langford
Executive Secretary-Treasurer
Southwest Regional Council of Carpenters



DTLA 2040 written comment for September 23

Tom Grode <manoftheseatom@gmail.com>
 To: cpc@lacity.org
 Cc: Emma Howard <emma.howard@lacity.org>

Tue, Sep 14, 2021 at 5:40 PM

Dear Commissioners,

"Maybe you haven't thought about it this way, but shade is an equity issue," said Mayor Eric Garcetti.

Here are brief follow up thoughts to what I sent you in June (attached).

The Central City United People's Plan is engaging LU 17.11 - Identify areas and buildings as resiliency centers for public use during future climate events and other emergencies.

One of the Skid Row Cooling Resources core members is Lisa Boyle, an Environmental Attorney. As for LU 17.7 which deals with Cool Roofs and Cool Pavement, Lisa and I have been researching Skycool Systems, connected to Heat Resilient LA at UCLA...

<https://youtu.be/CMaZfulnd9c>

Numerous Skid Row community-based efforts are engaging LU 16.3, 17.1, and 18.5

LU 18.2 and 18.3 deal with the need to experience Nature in Downtown: trees, birds, pollinators, plants, and animals. In development are Skid Row Petting Zoo and Skid Row Tiny Forest. The Skid Row History Museum and Archive at Third and Broadway across from the Bradbury Building in Summer/Fall 2019 had an exhibit *DOGS IN THE HOUSE* that looked at various groups providing pet services for unhoused folks and those with extremely low incomes. Tiny Forests began in Japan more than ten years ago and have spread throughout Europe in recent years. The first Tiny Forest in Los Angeles was planted in Griffith Park this past June.

The Skid Row Cooling Resources effort began last October and one of the first recommendations was to advocate around the lack of quality Air Conditioning in older Single Room Occupancy (SRO) hotels where many of the residents of Skid Row live. Because Skid Row Cooling Resources was envisioned initially as an emergency public health response to the brutal summer heat on the sidewalks of Skid Row, the A/C needs of SRO residents was not a focus. However, this issue will be given more attention in the days ahead.

Thank You,
 Tom

Skid Row Cooling Resources And The Wellness And Sustainability Section Of The Plan

My name is Tom Grode and I gave my background in the material I submitted titled **Azusa/Healing (WE RISE 2021) and the Proposed DTLA 2040 Implementation Program - A Racial Justice and Equity Analysis**

I'm part of a Skid Row grassroots planning effort titled Skid Row Cooling Resources (SRCR). SRCR came into being as a response to the terrible heat waves of last September, meaning it is dealing with Skid Row as a unique micro Urban Heat Island in the larger Heat Island of Downtown.

Here is a Land Acknowledgement written for it:

Skid Row is a unique Urban Heat Island in the midst of Downtown Los Angeles as an Urban Heat Island. As year after year the summer temperatures continue to rise more and more in the day, what man has made captures the heat and releases it during the night.

We Acknowledge the Land beneath what man has made.

We Acknowledge the Tongva, Native indigenous people of Los Angeles, and their ancient village Yaangna, what we call Downtown Los Angeles.

We Acknowledge Bidy Mason as the “patron saint” of Downtown Los Angeles, a former slave who became a Matriarch of early Los Angeles. Bidy Mason was a wealthy landowner and philanthropist to the poor and those in need.

We Acknowledge the Native indigenous people of Los Angeles, their special relationship with Mother Earth, and their hospitality, inviting us into that special relationship.

We Acknowledge the patience, kindness, and compassion of Mother Earth.

I participated in the *Climate Conversations* initiative of City Planning as part of updating the Downtown Community Plan. I'm happy to see *Climate Conversations* very much reflected in the Wellness and Sustainability section of the Plan (see page 28-29). I especially want to highlight LU 16.3, 17.1, 17.7, 17.11, 18.2, 18.3, 18.5.

I was also happy to see 19 very positive Skid Row specific recommendations based on supporting Skid Row as a residential neighborhood (see pages 36-37) in the recently released Plan.

My concern is the 19 very positive Skid Row Community recommendations do not include the *Climate Conversations* material, meaning the Wellness and Sustainability material which is written for all of Downtown.

My suggestion to the Commissioners is that you encourage the creation of a Task Force, or possibly create it yourself, for the purpose of seeing how these seven Wellness and Sustainability recommendations I listed could be applied directly to Skid Row, specifically in the context of Skid Row as a unique micro Urban Heat Island.

DAY OF HEARING SUBMISSIONS



Item No. 7

Department of City Planning

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

September 22, 2021

TO: City Planning Commission
FROM: Craig Weber, Principal City Planner

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

The following technical correction is to be incorporated into the staff recommendation report to be considered at the City Planning Commission meeting of Thursday, September 23rd, 2021 related to Item No. 07 on the meeting agenda. The correction is additional to the technical corrections/modifications issued on September 21, 2021 and relates to the Supplemental Staff Recommendation Report dated August 26, 2021.

Added text recommended for adoption is shown in underline.

Addition of a Recommended Action (7. c.) omitted in error under Item 7 within the Supplemental Staff Report dated August 26, 2021:

7. Approve and Recommend that the Mayor approve and the City Council adopt, pursuant to LAMC Section 11.5.6 and City Charter Section 555, the attached Resolution in Exhibit A to amend the General Plan as follows:
 - a. Amend the General Plan Land Use Element and adopt the Plan Boundary Change Map to consolidate the Central City Community Plan area and Central City North Community Plan area into the new Downtown Plan Area as shown in Exhibit A.5, adopt the Downtown Community Plan as shown in Exhibit A.1, and adopt the General Plan Land Use Map for the Downtown Community Plan, inclusive of Symbols, Footnotes, and Corresponding Zone and Land Use Nomenclature as shown in Exhibit A.3, and the General Plan Land Use Change Maps and Matrices as shown in Exhibit A.4.
 - b. Amend the Mobility Plan 2035 to reclassify selected streets and Enhanced Networks, as shown in Exhibit A.7.
 - c. [ADDED] Amend the Citywide General Plan Framework Element, as shown in Exhibit A.6.



DTLA community Plan

Adelene Bertha <adeleneb@downtownwomenscenter.org>

Thu, Sep 23, 2021 at 8:30 AM

To: "cpc@lacity.org" <cpc@lacity.org>

Cc: Charles Porter <charlesp@socialmodel.com>

Hello my name is Adelene Bertha, I been a community member in Skid Row since the age of 16 and have been working in Skid Row to address the disparities due to AOD related harms and the lack of culturally appropriate housing in the community.

I am writing today regarding Downtown LA community Plan (DTLA 2040) to advocate for the following:

- adopt the Ix1 Zone (affordable/low income housing only)
- expand this zone to the traditional Skid Row Boundaries (3rd to 7th, Main to Alameda)
- Restrict new alcohol and marijuana permits in Skid Row
- expand green space and park amenities
- expand healthy food access

Sincerely,
Adelene Bertha
Peer Support Specialist
Pronouns: she/her/hers

333 South Los Angeles Street

Los Angeles, California 90013

T: [213.952.8833](tel:213.952.8833) | F: [213.225.8001](tel:213.225.8001)

CONFIDENTIALITY NOTICE: This communication and any attachments are confidential to our organization and to the intended recipient of this email. If you have received this email in error, please advise the sender immediately and delete the message and any attachments. If you are not the intended recipient of this message, please be advised that any dissemination, distribution, or use of the contents of this message is strictly prohibited.

September 21 , 2021

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

Re: Comments on the DTLA 2040 Community Plan Update, CPC-CPC-2017-432-CPU, CPC-2014-1582-CA 9, CEQA: ENV-2017-433-EIR 14

Dear President Millman and Honorable Commissioners,

On behalf of the Los Angeles Chapter of The American Institute of Architects (AIA LA) and our 4500+ members, I am writing to share our comments on the proposed DTLA 2040 Community Plan Update and the new zoning code. We will continue working with Los Angeles City Planning and City Council on more in depth, technical comments and welcome the opportunity to further connect more deeply with the City Planning Commission on this collective endeavor.

We want to express our sincere gratitude for the leadership, expertise, and commitment of the staff at Los Angeles City Planning. This has been a multi-year, inclusive, and accessible planning effort and we truly respect the ongoing relationship that LACP has bestowed upon AIA Los Angeles and our 4,500+ members of architects, designers, students, and emerging professionals. **LACP should be recognized for their monumental progress to date and congratulated on their high level of due diligence, community outreach, and professional insight.**
DTLA 2040 COMMUNITY PLAN UPDATE

We are extremely supportive of the Adaptive Re-use provisions included in the community plan and encourage that these provisions be extended citywide vis-a-vis the current Housing Element Update process so that it can be included in its CEQA clearance, and to serve as an opportunity to increase site feasibility and opportunities for housing citywide while preserving more existing buildings. We also recommend expanding Unified Adaptive Re-Use to all buildings (existing structures, not just those designated as historic) and increase the FAR incentive for historic structures, and to provide a tiered incentive program for non-historic and historic buildings, etc. Furthermore, we discourage CPC, LACP, and City Council from adding more restrictions to adaptive reuse projects (such as affordability provisions) and instead recommend adding more incentives. Adding more requirements to adaptive reuse projects will significantly decrease the financial viability of adaptive reuse and historic preservation and to adequately address our climate crisis we must do more to ensure we are renovating, retrofitting, and refurbishing our existing building stock and the embodied carbon that it represents.

As to the rest of DTLA 2040 I have collected the following preliminary concerns during two recently held AIA LA listening sessions:

1. We need to evolve beyond the planning act of “manufacturing scarcity” so that projects have to go through additional reviews and incentive programs to achieve the outcomes we desire for our communities. The Cornfield Arroyo Seco Plan (CASP) is an excellent example of well-intentioned, yet misguided policy that creates an arbitrary series of low thresholds to trigger incentive packages, etc. As indicated in your economic analysis provided by HR&A Advisors, this will have detrimental market impacts on site feasibility, etc. in many neighborhoods.

2. Do not downzone Chinatown or Little Tokyo, especially the areas near METRO light-rail stops. We must ensure the added capacity for more housing in all areas of DTLA 2040 to optimize the public's multi-billion dollar investment in transit. Alternative and more measured tools to prevent displacement and to preserve existing covenants for affordable housing can be utilized without the need to downzone any part of our urban core. Instead, recognize these vibrant areas as 'community centers' rather than 'villages'.

3. Allow mixed-income housing in all areas of DTLA 2040, even in Skid Row. Requiring new housing in Skid Row to be 100% affordable will continue to exacerbate the problems of inequitable housing policy throughout the city. That is, "containment" is not a desirable result and is pernicious in its long term outcomes. We must distribute affordable housing throughout the city and recognize that housing is a human right. To make exclusive neighborhoods (even 100% affordable), you're eliminating the opportunity to enliven all neighborhoods with a mixture of cultures, incomes, access to ideas and jobs, and a diversity of demographics.

THE NEW ZONING CODE

We would like to formally pay tribute to and recognize the leadership of LACP staff, the Code Studies Department, and the Zoning Advisory Committee. This milestone represents nearly eight years of work and the evolution of ReCode LA into the new zoning code marks a monumental occasion for the City of Los Angeles. It is with respect for this ongoing professional outreach process that AIA LA offers to the City Planning Commission, the Zoning Advisory Committee, and LACP the leadership, insight, and professional resources of AIA LA members. Primarily, we recommend that City Council financially supports LACP with the substantial resources that will be necessary for architects, building engineers, plan checkers, and zoning administrators to continually 'test the code' on an ongoing basis. We recommend that CPC and LACP include with adoption of this new zoning code proactive strategies and professional development opportunities that will make the code easier to use and understand by the architects and designers that will have to interpret and utilize the new zoning code on a near daily basis.

Although these are examples of a few of our concerns, observations, and recommendations, we look forward to staying engaged in the public hearing process and further connecting with both the City Planning Commission and the dedicated staff of Los Angeles City Planning. We also welcome the opportunity to further connect with City Councilmembers and their planning staff to ensure that DTLA 2040 and the new zoning code are effective tools to achieve safe, complete, healthy, beautiful, and equitable communities.

In the meantime, please feel free to connect with Will Wright, the Director of Government & Public Affairs for AIA Los Angeles via email at will@aialosangeles.org or via phone at (213) 739-0764 with any questions or concerns.

Very truly yours,



Wade Killefer, FAIA
President
American Institute of Architects, Los Angeles Chapter

ALL FOR **RAMON**

September 23, 2021

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

Re: Downtown Los Angeles Community Plan Update Recommendations

We write to you today as a member of a growing alliance of garment workers, manufacturers, producers, distributors, and advocates that together define and characterize Los Angeles' Garment Industry - ***the largest manufacturing industry in Los Angeles and largest apparel producing hub in the United States***. As a group of stakeholders dedicated to ensuring the viability of Downtown's Fashion District for the our industry, we hope to realize and uplift solutions that improve working conditions, access, and pay for garment workers, and a healthy business environment for the growing sector of fashion businesses committed to producing sustainably and ethically in Los Angeles.

The DTLA 2040 Plan, as drafted, will have a significant impact on the growing Los Angeles garment industry *and*, most notably, the industry's 45,000 skilled garment workers. Within the Fashion District, the DTLA 2040 Plan proposes a drastic shift of land use from largely manufacturing zones, to primarily 'Markets' and 'Hybrid Industrial' designations, both of which allow for a significant restructuring of the Fashion District's urban form. The consequences of these strategies on the garment sector overall and the Fashion District's low wage workers cannot be understated. **We urge the City Planning Commission (CPC) to halt the process and engage workers and business owners in the garment industry, which have been vital to the City Of Los Angeles during the pandemic in allowing for domestic production of Personal Protective Equipment (PPE) in particular through the LA Protects program¹. We also demand CPC institute policies to preserve light manufacturing and light industrial uses at existing densities within the Fashion District.**

The development of the DTLA 2040 Plan involved targeted outreach to building owners, building management networks, Neighborhood Associations, and Business Improvement Districts - not the workers and businesses that define the Fashion District today. The exclusion of garment workers and sector stakeholders from long-range planning and policy documents is a historic, systemic issue that contributes to worker and workplace displacement in Los Angeles. The

¹ Velasco, Paulina. "LA's Mask Factories Shut Down as HUndreds of Workers Get Sick," July 11, 2020. <https://www.theguardian.com/us-news/2020/jul/11/coronavirus-los-angeles-mask-making>

institutional devaluation of garment work in Los Angeles is particularly unbalanced as the city continues to rely on its firms for local jobs and wages. The fashion sector in Los Angeles is the 2nd largest creative economy in terms of employment after the entertainment industry.² Los Angeles is the largest manufacturing center in the United States, and as of 2016, the garment manufacturing industry, specifically, is the largest manufacturing industry in Los Angeles. **The garment manufacturing industry alone employs at least 45,000 of over 500,000 manufacturing jobs in the Greater Los Angeles Region.**³

In recent years, the Los Angeles fashion industry has developed innovative manufacturing and production processes to meet the growing demands for ethically produced sustainable fashion, a global movement and imperative towards environmental integrity and ethical manufacturing practices throughout supply chains. Garment workers and manufacturers throughout the Fashion District have expanded capacity to meet domestic production demands, producing millions of PPE to keep Angelenos and health care workers around this country safe. They are well situated to adapt to other growing trends including the reshoring of production by brands seeking to avoid the risks and volatility of overseas production. **The Fashion District should be understood and celebrated as a lively ecosystem that provides the critical infrastructure needed to protect public health and ensure the industry's growth in sustainable production,** which requires affordable manufacturing and industrial spaces for fabric manufacturing, dyeing, apparel assembly, warehousing, and distribution processes.

For these reasons, we see the preservation of industrial uses in Downtown as critical to ensuring the success of garment workers and the local businesses that make up and utilize the fashion district.

We urge the City Planning Commission (CPC) to:

- **Delay the public approval process until the largest manufacturing sector workers and business owners are engaged. Schedule at least one (1) additional public hearing.**
- **Maintain and Preserve the Light Industrial, Single Land Use Designations within the Fashion District.**
- **Consult with stakeholders to incorporate small business programs that would support ethical, sustainable fashion businesses with the increasing costs of doing business in the City of LA and incentivize sustainability practices through the Community Benefits Program.**

Best,

Diana Ibarria, Co-Founder
All For Ramon

² Otis College of Art and Design 2020 Creative Economy Report. Accessed Sept. 21, 2021.

<https://www.otis.edu/creative-economy/2020/fashion>

³ Hsu, Tiffany. "Los Angeles Is Largest Manufacturing Center in U.S., Government Says - Los Angeles Times," September 1, 2014. Accessed June 5, 2021. <https://www.latimes.com/business/la-fi-los-angeles-manufacturing-20140829-story.html>



September 23, 2021

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

Re: Downtown Los Angeles Community Plan Update Recommendations

We write to you today as a member of a growing alliance of garment workers, manufacturers, producers, distributors, and advocates that together define and characterize Los Angeles' Garment Industry - **the largest manufacturing industry in Los Angeles and largest apparel producing hub in the United States**. As a group of stakeholders dedicated to ensuring the viability of Downtown's Fashion District for the our industry, we hope to realize and uplift solutions that improve working conditions, access, and pay for garment workers, and a healthy business environment for the growing sector of fashion businesses committed to producing sustainably and ethically in Los Angeles.

The DTLA 2040 Plan, as drafted, will have a significant impact on the growing Los Angeles garment industry *and*, most notably, the industry's 45,000 skilled garment workers. Within the Fashion District, the DTLA 2040 Plan proposes a drastic shift of land use from largely manufacturing zones, to primarily 'Markets' and 'Hybrid Industrial' designations, both of which allow for a significant restructuring of the Fashion District's urban form. The consequences of these strategies on the garment sector overall and the Fashion District's low wage workers cannot be understated. **We urge the City Planning Commission (CPC) to halt the process and engage workers and business owners in the garment industry, which have been vital to the City Of Los Angeles during the pandemic in allowing for domestic production of Personal Protective Equipment (PPE) in particular through the LA Protects program¹. We also demand CPC institute policies to preserve light manufacturing and light industrial uses at existing densities within the Fashion District.**

The development of the DTLA 2040 Plan involved targeted outreach to building owners, building management networks, Neighborhood Associations, and Business Improvement Districts - not the workers and businesses that define the Fashion District today. The exclusion of garment workers and sector stakeholders from long-range planning and policy documents is a historic,

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systemic issue that contributes to worker and workplace displacement in Los Angeles. The institutional devaluation of garment work in Los Angeles is particularly unbalanced as the city continues to rely on its firms for local jobs and wages. The fashion sector in Los Angeles is the 2nd largest creative economy in terms of employment after the entertainment industry.² Los Angeles is the largest manufacturing center in the United States, and as of 2016, the garment manufacturing industry, specifically, is the largest manufacturing industry in Los Angeles. **The garment manufacturing industry alone employs at least 45,000 of over 500,000 manufacturing jobs in the Greater Los Angeles Region.**³

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- **Consult with stakeholders to incorporate small business programs that would support ethical, sustainable fashion businesses with the increasing costs of doing business in the City of LA and incentivize sustainability practices through the Community Benefits Program.**

Best,

Tiffany Asamoah, Owner
Bold Swim

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GILBERT A. CEDILLO
COUNCILMEMBER
FIRST DISTRICT

September 21, 2021

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

Dear Honorable Commissioners:

Re: DTLA 2040 Chinatown

Council District 1 represents the Chinatown community in the Central City North portion of Downtown Los Angeles. In my letter dated June 15, 2021, I expressed serious concerns about the proposed plan.

Upon further detailed review of the draft plan as presented by the Department of City Planning, my office recommends that the Commission consider the following modifications:

1. Allow for Transfer of Development Rights for Historic Preservation in Chinatown
2. Establish a Historic Resource Evaluation Process Using Design Compatibility Criteria and Secretary of Interior's Standards to Allow A Proposed Project to Exceed Proposed Five-Story Limit in Central Chinatown
3. Eliminate the Proposed 2:1 Base FAR and Replace with 3:1 Base FAR in Proposed "6:1 Form District" and "8.5:1 Form District" in Chinatown
4. Increase Proposed Ground Floor Commercial Limitation from 10,000 square feet to 15,000 square feet in the CX1 Zone

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

DTLA 2040's proposed rezoning plan, drastically reducing development rights by 67 percent to an allowable base FAR of 2:1, and imposing absolute building story limits, while well-intentioned, contradicts the City's own economic analyses. The November 2020 analysis prepared by HR&A Advisors shows that most mixed-income project scenarios under Level 1 of DTLA 2040's Community Benefits System are financially infeasible without a bonus greater than 40 percent, while **no scenarios for Chinatown were feasible**. Furthermore, imposing an absolute building height limit extending over several city blocks would restrict architecture and create flat block street walls as the only massing option. Introduction of the proposed "base and bonus" incentive system is certainly a new and different zoning strategy. Delivery of community benefits is a key component and the system's effectiveness is contingent upon project economic feasibility.

I am concerned that introducing an overly-complicated land-use scheme may adversely impact Chinatown, a former Redevelopment Project Area located in the vicinity of Los Angeles Union Station. The Cornfield-Arroyo Seco Specific Plan (CASP), adopted in 2013, was touted as an innovative planning document using, for example, FAR and density bonuses to balance jobs and housing. However, the plan has been difficult to interpret in the real world, has produced minimal housing, has effectively deterred private investment, and is therefore currently being updated at my request.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Gilbert Cedillo". The signature is written in a cursive, flowing style.

Gil Cedillo
Councilmember, Council District 1



Planning CPC <cpc@lacity.org>

City Planning 2040

Eric Dean <lowerlesny@gmail.com>
To: cpc@lacity.org

Thu, Sep 23, 2021 at 8:32 AM

As a long time resident of Skid Row and downtown Los Angeles, I wish to strongly encourage the committee to adapt the plan changes and suggestions of the Skid Row Improvement committee to the city's 2040 plan.

Skid Row should remain bounded by 3rd to 7th and Main to Central.

The lx1 plan to maintain preferences for low income and supportive housing in Skid Row should be adapted.

Improvement of existing parks and expansion of projects to increase greening of Skid Row such as already provided by Industrial Green and their partners KYCC.

The above measures are vital to preserving our Skid Row neighborhood and insuring its continuance as a place of recovery and growth for many citizens of the City of Los Angeles

Thank you

Eric Dean



**HISTORIC
CORE**
BUSINESS IMPROVEMENT DISTRICT

209 W 5th St
Los Angeles, CA 90013
(213) 488-1901 Office
(213) 239-8336 Hotline
info@historiccore.bid

September 20, 2021

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

Re: DTLA 2040

Dear President Millman and Honorable Commissioners,

The Historic Core Business Improvement District has been lucky enough to witness the rapid development of Downtown Los Angeles, which not only has outpaced the rest of the city in developing market rate residential units in the past two decades, but also in building low-income housing units. Many of these affordable housing projects occurred in our own district. We also witnessed the preservation of SRO units in 2005, which created an affordability covenant for 55 years on most of the affordable housing stock in Downtown. Downtown has not only been sensitive to the need for affordable housing; our communities have led the way both in construction and preservation.

If the intent is to provide even more affordable housing units, then reducing the lengthy entitlement process is one opportunity the plan must incorporate. This is a universal complaint of all developers. Decreasing discretionary reviews and minimizing parking requirements are great beginnings. But the plan has a great opportunity to create more housing, and we would recommend mixed income housing, including low income and workforce housing by making the projects easier to build. Incorporating all levels of housing near transit corridors also ensures some of our workers end commutes, thereby alleviating traffic issues and giving easy access to public transit for daily activities.

Regarding the FAR bonus structure and how it relates to community benefits, how will we know what our needs may be as the city grows? Our current most urgent push is affordable

housing, but if the housing is incentivized and built, there should be mechanisms to make the community benefit component more flexible. For example, if our critical need in Downtown becomes daycare facilities or some other community benefit (the case ten years ago), the flexibility should account for that. Rather than making inclusionary housing on the percentage of overall units, we recommend making it a basis percentage of FAR dedicated to community benefits. That is an excellent opportunity for the Community Benefit Fund Oversight Committee to make recommendations based on area need. If you expand the potential density of a project and require a developer to fold in a percentage of its project to give back to its community vis-à-vis an Inclusionary Zoning Ordinance, the flexibility is more beneficial to the community and a compromise for both city and developer.

We truly need as much flexibility and adaptability in our codes as possible. And in this spirit, at the very least, the FAR should be 13:1 as specified in the city charter, which should rule on height restrictions. Larger projects by nature would allow for more community benefits and give the developer and the community the needed density.

With regards to the prohibition of market rate housing in the proposed Ix 1 zone, we see there is no purpose, either financial or otherwise, in preventing mixed income development, which should be the requirement of all communities. Historically, projects have a better opportunity to thrive if there is a diversity of economics. Incorporating all levels of housing throughout Downtown (and ultimately the city) should be the goal. And the goal of ending Skid Row as a containment zone for all homeless and critical need services is critical. The last few years have demonstrated that homelessness occurs in all parts of the city, and the health and wellbeing of communities should be encouraged in all parts of the city, not restricted in a particular Downtown neighborhood.

Thank you for the time and energy spent on this plan, which if carefully constructed could encourage development and end the housing crisis which has plagued us for too long. We commend the efforts of Planning staff and the input from so many field experts

who have thoughtfully offered their recommendations. We look forward to the collaboration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Blair Besten', with a long horizontal flourish extending to the right.

Blair Besten
Executive Director



Item 7

isabelle duvivier <isabelle@idarchitect.com>
To: cpc@lacity.org

Thu, Sep 23, 2021 at 10:12 AM

CITY PLANNING COMMISSION

cpc@lacity.org

Re: Item: 7. Community Plan/Zoning Code

Dear Planning Commissioners,

My name is Isabelle Duvivier. I am an architect in Venice and Vice chair of the Community Forest Advisory Committee (CFAC) appointed by my Council Office to advise the city around issues involving tree canopy.

CFAC has been told that the downtown plan is the model for all the other community plans. This is very concerning. Our city is facing increased heat events. According to an NPR report, published on sept 17, 2021, heat kills more people than any another disaster. The report said in 2020, 8800 were killed from heat whereas less than 450 were killed by hurricanes. The report also specifically described the discrepancy in canopy coverage in Los Angeles neighborhoods.

“Record heatwaves in June and July 2019 caused the deaths of 1,435 people in France this year, according to the country's health minister.” BBC

I am writing you and listening to the public hearing from France where I am on my holiday, but I love Los Angeles and I am hoping to bring to your attention several items that the Community Plans and the Zoning Code need to address. As I travel through France I see an amazing change in the way that the public and PRIVATE open space and tree canopy is addressed. TREES ARE BEING PLANTED EVERYWHERE.

Downtown is particularly susceptible to the urban heat island effect due to the amount of hard surfaces and the heat these surfaces absorb during the day.

Scientists tell us that the City's overall tree canopy should be at least 40% in order to maximize the cooling benefits. Downtown has much less than 10%. Trees provide shade and can cool ambient temperatures by up to 20 degrees. Trees also clean our air and provide much needed storm water maintenance services. Trees not only make a city more beautiful, welcoming and comfortable, they promote well-being, reduce crime, and provide much needed infrastructure services at a low cost. We must stop looking at trees as simply “landscape”, “furniture,” and “aesthetic” -- they are a critical part of our infrastructure that actually increases in value over time.

THE DOWNTOWN COMMUNITY PLAN AND ZONING CODE FAIL TO ALIGN WITH OTHER CITY GOALS such as those stated in the Dudek Report, Biodiversity Report, the Mayor's Green New Deal all which have stated canopy, TREE, biodiversity, or SHADE equity goals.

CFAC provided you with a list of recommendations. Following are a few:

1. The zoning code and the community plans need to articulate a culture that prioritizes the short-term impacts of tree preservation and the long term goals of tree planting in ways that can accommodate large trees.
2. All developments must prioritize tree locations above all other infrastructure
3. Large trees on private property should be preserved at all cost. Planning can provide incentives to allow a developer to work around existing trees.
4. Planning needs to work with urban designers, urban forestry and landscape architects to map the long term shade vision of each street. World-wide trees are being accommodated in new, unusual, and interesting ways.
5. Planning must work with and communicate with the other City departments.

Los Angeles has the unique opportunity to increase equity and livability, and mitigate climate change impacts by protecting existing mature trees and building a robust tree canopy. We cannot wait five years for the completion/adoption of an Urban Forestry Management Plan and the next round of Community Plans. The health of the City's residents is at stake. We look to your leadership to integrate these values into all the community plans.



Planning CPC <cpc@lacity.org>

New Zoning for Comstock Hills

Jean Katz <avivaj.katz944@gmail.com>
To: cpc@lacity.org

Tue, Sep 21, 2021 at 4:34 PM

To whom it may concern,

I am a home-owner living at 10383 Rochester Avenue. I am very opposed to the change of zoning which will allow multiple unit housing to be build in the area we call Comstock Hills. This are is bounded by Beverly Glen Blvd. on the West, the L.A. Country Club on the east, Wilshire Blvd. on the North and Santa Monica Blvd on the south. It is primarily a home-owning area and should stay a home-owning area. We don't need more crowded parking, busier residential roads, or overcrowding in our neighborhood public schools. Our homes, all well maintained, would lose value if properties are converted to multiple dwellings when older homes are sold. Many homes now are modernized at the time they are sold.

Please oppose these changes and help unto maintain the value of our homes and safety offer neighborhood.

Thank you,

Jean Katz
10383 Rochester Ave.
Los Angele, CA. 90024
310-276-7941
Avivaj.katz944@gmail.com



September 20, 2021

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

Via email

RE: DTLA2040 – Downtown Community Plan Update

Dear President Millman and Honorable Commissioners,

We thank you for the opportunity to further comment on the staff recommendations, as well as City Councilman Kevin de Leon's ideas, for improving DTLA2040.

On August 20, 2021, stakeholders of Central City East – including affordable housing developers, homeless service providers, and industrial property owners – met with Councilman de Leon's staff. We reiterated our opposition to Use District IX1 that applies, partially or wholly, to 28 blocks in the heart of our district and limits future residential uses to 100%-affordable developments.

We cannot support any recommendation that creates a neighborhood of intentional, permanent poverty and that flies in the face of all tenets of good planning and the City's own principles. We believe that any approach that determines residents by income is misguided and indefensible. Our policy goal cannot be to perpetuate cycles of entrenched poverty, and withhold from our residents, opportunities for better life outcomes in health, education, and family prosperity.

Councilmember de Leon supports IX1 and has introduced the idea of a trigger mechanism that would allow IX1 to sunset when some future, citywide condition is met regarding our ongoing homelessness crisis. This is a wholly unrealistic method upon which to base a community plan. Our community would be told to wait for the entire region to discover compassion before we are granted the planning considerations that are afforded to every other neighborhood in Los Angeles. This will never happen, especially when Central City East and Skid Row remain subject to anachronistic policies not applied to any other neighborhood in our city. IX1 condemns the

poorest of the poor, including a significant number of senior and disabled individuals, to live without basic neighborhood needs for the foreseeable future. This is unacceptable.

Furthermore, persisting with IX1 now will further absolve Los Angeles' 33 other Community Plans of their responsibility to provide affordable housing and supportive services for our city's most impoverished residents. Creating a 100%-affordable neighborhood in downtown will perpetuate the 50-year perception that the only appropriate regional "home" of our unhoused residents are the streets of Central City East and Skid Row.

Our position, as expressed previously to your Commission, is support for the Planning Department's alternative approach to IX1 (June 2021 staff report, pp. A-18 and A-19). The stated goal of this alternative is to facilitate mixed-income housing in our district. We endorse this thinking. While we know that the suggested base FAR of 1.5 may inhibit future development, it at least represents a departure point for further discussion and we urge you to support it. While imperfect, it will give this neighborhood an opportunity to evolve into a mixed-income community with an increased supply of affordable, workforce, and market-rate housing; protection of all existing affordable units and rental stability for their residents; and the promise of amenities and services that are currently infeasible to introduce and sustain.

We thank you for your consideration.

Sincerely,

DocuSigned by:
Mark Shinbane
11E69C4B15EF4D3

Mark Shinbane, CEO
Harvest of the Sea
Chairman, CCEA & Industrial District BID

DocuSigned by:
Mike Arnold
7357936FC1134D8

Michael Arnold, CEO
The Midnight Mission

DocuSigned by:
Sierra Atilano
3CC82BE7D90F4A1

Sierra Atilano, Chief Real Estate Officer
Skid Row Housing Trust

DocuSigned by:
Sherri Franklin
D11CC3A411CB440

Sherri Franklin, CEO
Urban Design Center

DocuSigned by:
Sergio Moreno
8B113377FC37439

Sergio Moreno, CEO
Durango Properties

L A C A U S A

September 23, 2021

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

Re: Downtown Los Angeles Community Plan Update Recommendations

We write to you today as a member of a growing alliance of garment workers, manufacturers, producers, distributors, and advocates that together define and characterize Los Angeles' Garment Industry - ***the largest manufacturing industry in Los Angeles and largest apparel producing hub in the United States***. As a group of stakeholders dedicated to ensuring the viability of Downtown's Fashion District for the our industry, we hope to realize and uplift solutions that improve working conditions, access, and pay for garment workers, and a healthy business environment for the growing sector of fashion businesses committed to producing sustainably and ethically in Los Angeles.

The DTLA 2040 Plan, as drafted, will have a significant impact on the growing Los Angeles garment industry *and*, most notably, the industry's 45,000 skilled garment workers. Within the Fashion District, the DTLA 2040 Plan proposes a drastic shift of land use from largely manufacturing zones, to primarily 'Markets' and 'Hybrid Industrial' designations, both of which allow for a significant restructuring of the Fashion District's urban form. The consequences of these strategies on the garment sector overall and the Fashion District's low wage workers cannot be understated. **We urge the City Planning Commission (CPC) to halt the process and engage workers and business owners in the garment industry, which have been vital to the City Of Los Angeles during the pandemic in allowing for domestic production of Personal Protective Equipment (PPE) in particular through the LA Protects program¹. We also demand CPC institute policies to preserve light manufacturing and light industrial uses at existing densities within the Fashion District.**

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Best,

Kelynn Smith, Creative Director & Rebecca Grenell, Founder
LACAUSA

² Otis College of Art and Design 2020 Creative Economy Report. Accessed Sept. 21, 2021.

<<https://www.otis.edu/creative-economy/2020/fashion>>

³ Hsu, Tiffany. "Los Angeles Is Largest Manufacturing Center in U.S., Government Says - Los Angeles Times," September 1, 2014. Accessed June 5, 2021. <https://www.latimes.com/business/la-fi-los-angeles-manufacturing-20140829-story.html>



September 21, 2021

VIA EMAIL (cpc@lacity.org)

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

Planning Commission Hearing September 23, 2021 Agenda Item 7

RE: Letter from Councilman De Leon dated September 13, 2021 to City Planning Commission (Re: Second Letter Regarding Downtown Los Angeles Community Plan Update: "DTLA 2040")

Dear member of the Planning Commission:

Members of our community, among them the board members of LARABA and Arts District Community Council, received a copy of the above-referenced letter late last week and were deeply saddened by its content.

The letter begins by thanking the commission for affording CD 14 office an opportunity to "conduct outreach" to the constituents through a "robust listening tour with multiple and various stakeholders". Unfortunately, none of this outreach was evident to Arts District community members represented by LARABA and ADCCLA. (I serve as a board member on both boards and numerous other organizations in the Arts District like ADLA (Arts District BID, ICALA)

The letter continually alludes to the significant changes CD 14 office is proposing to the DTLA 2040 Community Plan update as being based on feedback received from our community. Some of these changes, however, are contrary to the significant efforts that community members have labored on since 2011. These efforts took two decades to craft, largely in cooperation with the planning department. Efforts also unfortunately involved litigation costly to both the community and City when previous political leadership also ignored the voice of the community.

This recent history is relevant both to current Arts District stakeholders and to the City of Los Angeles as a whole. Our story reflects the benefits and threats of our market driven society and the significant role of government in these matters.

After 20 years of workshops and community meetings, we recognized a few guiding principles that has proven successful during the past decades to preserve character and the economic vitality of the area:

1. The historic M3 designation stopped new development of residential buildings in its least expensive form (Type II and Type V construction), and allowed for older buildings built of concrete, steel, and bricks to remain viable while adjusting their use to real lofts, affording artists and the creative class to use spaces for multiple purposes.
2. Adapting buildings with larger unit sizes avoided the perceived market need to maximize rental efficiency by shrinking unit sizes to the smallest possible so numbers work on the residential developers pro forma, and created more flexible, shareable spaces that allow small businesses to operate affordably.
3. Maintaining the space as originally designated by the M3 zone for non-residential unit (1.5:1 FAR) kept many businesses in place, avoided the displacement of these businesses simply to make room for mostly residential buildings.
4. Protecting not only historic buildings, but also "contributing" buildings that do not have a "historic" designation, made sure their owners had a financial incentive to maintain these beautiful buildings, and not simply sell them due to real or perceived land value increases as the City dramatically increased air rights by approving numerous general plan amendments rather than preserving industrial zoning.

These lessons, learned and proven over the past three decades, lead the community to insist on the few key principles that would preserve the creative nature of the neighborhood, with its economic vitality that benefits the entire City and offers a rare example of a sustainable future balancing commercial and residential development. They show the importance of creating planning tools that do not yet exist to better preserve the community character while increasing both the number of residents and jobs in the community.



Yes, we have heard many arguments against these protocols, exclusively driven by developers uncomfortable with these ideas as they are used to doing business in a different way (smaller units, less commercial space so they can qualify for an agency loan, not wanting to deal with nonresidential product, etc.). We have the proof, however, that the Arts District is one of the most desirable places to live and work because of these very facts. We are among the first neighborhoods in the region that one can conceive of living in without the need for a car. The Arts District dream could well result in our community being the first neighborhood to eliminate passenger cars altogether.

Note also that we are one of the only neighborhoods in the City that is welcoming to greater density (so long as we do not cause more damage to our only natural resource, the LA River). We welcome any thoughtful and proven policy for greater affordability as the City looks for comprehensive housing policy solutions. To date, and without any mandatory requirements in place, the amount of entitled affordable units has already surpassed the number of artist lofts we had back in 2001.

We respectfully ask that you endorse the elements in the proposed community plan that advance these goals and guidelines when it comes to the Arts District and continue to engage in a real dialogue with the thoughtful constituency that helped create this “miracle” in the City of Los Angeles.

Based on all of the above, as well as on our past two decades of experience and collaboration with the Department of City Planning and previous City decisionmakers as detailed in previous letters to your office, we insist on the following guiding policies for the Arts District:

- 1. Maintain the existing 1.5:1 FAR for non-residential use for all new projects;**
- 2. Maintain *average* Live/Work unit size of 1,000 square feet (or an *absolute* minimum of 750 square feet);**
- 3. Utilize construction method of column and beam structure (either steel or heavy timber) so flexibility of use is maintained, and buildings can last for 200 years;**
- 4. Encourage increased density;**
- 5. Reserve affordable units to artists and creative workers;**
- 6. Protect the Los Angeles River and its future as envisioned in the City Master Plan; and**
- 7. Protect both historic and contributing buildings.**

We all recognize that a lot of the suggested solutions in the proposed plan may well address these goals but there is a risk that they would not as some of them are based on an incentive program. It is our collective responsibility to make sure that these concepts get carefully screened and studied by experts outside of the planning department to avoid unintended consequences. We also recommend that a look back at results compared to objectives every five years and a mechanism to adjust maybe a smart way not to get s “stuck” with a good intent that did not yield any of the intended policies.

The train seems to have already left the station, as City leaders work at attracting developers with the lure of increasing I and capacity by at least four-fold. If we do not get the current community plan update right, it will be one more in a long series of myopic mistakes of our City’s elected officials with respect to the Arts District.

Sincerely,

Randall Miller

Todd Terrazas



President
LARABA Board



President
ADCCLA Board



September 23, 2021

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

Re: Downtown Los Angeles Community Plan Update Recommendations

We write to you today as a member of a growing alliance of garment workers, manufacturers, producers, distributors, and advocates that together define and characterize Los Angeles' Garment Industry - ***the largest manufacturing industry in Los Angeles and largest apparel producing hub in the United States***. As a group of stakeholders dedicated to ensuring the viability of Downtown's Fashion District for the our industry, we hope to realize and uplift solutions that improve working conditions, access, and pay for garment workers, and a healthy business environment for the growing sector of fashion businesses committed to producing sustainably and ethically in Los Angeles.

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Best,

Kestrel Jenkins, Co-Founder
Left Edit

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<<https://www.otis.edu/creative-economy/2020/fashion>>

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MARA HOFFMAN

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Best,

Dana Davis, Vice President of Sustainability, Product and Business Strategy
Mara Hoffman

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Best,

Preetamitoj Gill, Garment Production Consultant
Misha Gill

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Avery Antonio, Founder

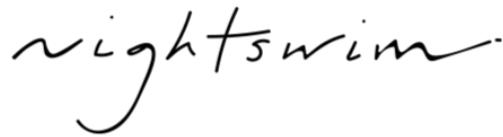


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Best,

Diana Ganem, Owner
Nightswim

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Ornella de la Campa, Founder
Open Studios

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Fw: Today's "zoning", public hearing on the reinstatement/ liquor license for the High Tide

Suzette Shaw <suzetteshaw2010@yahoo.com>

Thu, Sep 23, 2021 at 8:14 AM

Reply-To: Suzette Shaw <suzetteshaw2010@yahoo.com>

To: Planning CPC <cpc@lacity.org>, Jessica Jimenez <jessica.jimenez@lacity.org>

Cc: Charles Porter <charlesp@socialmodel.com>, Zelenne Cardenas <zelenne@socialmodel.com>, Holland Gale <gholland@latimes.com>, "gale.holland@latimes.com" <gale.holland@latimes.com>

Appointed / Elected Officials:

I reach out to you today regarding the future of Skid Row, here in Downtown Los Angeles.

I have come to know and call Skid Row my home, although I was displaced here approximately (9) years ago.

Skid Row is where I have begun my journey of healing. Skid Row is where I found my voice, my purpose and come to know what it means to be a Black woman in America.

Black middle aged to elderly women track as one of the number one demographics displaced into poverty and homelessness, not just year after year but literally decade after decade, by huge disproportionate numbers.

Judge Carter recognizes us in his (110) page injunction, page(s) 107/ 108.

Skid Row looks like the slave motherships capsized in this concrete jungle.

People living in Skid Row are living in less than third world 🌐 living conditions by Syrian refugee standards, this is according to the United Nations Refugee Camps standards.

Please understand, it is our government who created these conditions. It is our government who enforced redlining, urbanization, gentrification and draconian zoning and updated Jim Crow Laws.

You did this. YOU.

You have historically superseded the good done by our ancestors through the letter of the law.

It is the blood, sweat, tears and labor of ancestors who created Downtown Los Angeles but as always it is our government who has sought to obliterate any contributions done by our people.

Our blood is on your hands.
YOUR hands.

The only means you have to redeem yourselves is to do what is right by our people. Therefore, reverse your draconian ordinances, laws and zoning restrictions.

Bring Skid Row back to it's original zoning boundaries. Stop poisoning our people for your gain and profits. No more alcohol sales.

Put the needs of Black women first and foremost. YOU owe us this.

"We can no longer talk about equality and empowerment while enforcing inequities."

Suzette Shaw

Poetess

Skid Row From A Woman's Perspective

Mental Health Peer Advocate, MHA

California Black Women's Health Advocate

----- Forwarded Message -----

From: Charles Porter <charlesp@socialmodel.com>

To: Suzette Shaw <suzetteshaw2010@yahoo.com>

Sent: Wednesday, September 1, 2021, 10:22:38 AM PDT

Subject: RE: Today's "zoning", public hearing on the reinstatement/ liquor license for the High Tide

Thanks for sharing 😊

From: Suzette Shaw <suzetteshaw2010@yahoo.com>

Sent: Wednesday, September 1, 2021 10:18 AM

To: jessica.jimenez@lacity.org

Cc: Charles Porter <charlesp@socialmodel.com>; Zelenne Cardenas <zelenne@socialmodel.com>

Subject: Today's "zoning", public hearing on the reinstatement/ liquor license for the High Tide

City Officials:

In my nine (9) years of displacement I have come to know and embrace Skid Row as my home. Nevertheless, Skid Row is a long established neighborhood of recovery and hub of social services for people experiencing homelessness and a wide variety of complexities, that continue to disenfranchise people like me. I am a middle aged Black woman. We historically have suffered injustices by our government and abusers.

Our government has historically systematically castrated Blacks through updated Jim Crow ordinances and laws of pathology and redlining. They have done this unapologetically while blaming and shaming us for not pulling ourselves up by our bootstraps.

Judge Carter wrote is his 110 page injunction, highlighting our plight going all the way back to Reconstruction, while also uplifting the historical trauma done to Black women.

At one point does our city government not hold themselves accountable?! At what point do our appointed and elected officials get it?!

At what point do you all not draw the correlations and put the needs of our people,

FIRST?!

No, on liquor license for High Tide.

"We can no longer talk about equality and empowerment while enforcing inequities".....Suzette Shaw

Poetess
Skid Row From A Woman's Perspective
Mental Health Peer Advocate, MHA
California Black Women's Health Advocate



COASTAL SAN PEDRO NEIGHBORHOOD COUNCIL

Doug Epperhart
President
Dean Pentcheff
Vice President
Kathleen Martin
Secretary
Sheryl Akerblom
Treasurer

September 22, 2021

To: City Planning Commissioners
cpc@lacity.org

Cecilia Lamas, CPC Executive Asst.
cecilia.lamas@lacity.org

The following resolution was passed by the Coastal San Pedro Neighborhood Council Board at the September 20, 2021 Meeting:

Resolution Re: Neighborhood Council Representative Speaking Time at Los Angeles City Planning Commission Meetings

WHEREAS, Neighborhood Councils, which are branches of Los Angeles City government, are intended by the Los Angeles City Charter to promote citizen participation in government and to make government more responsive to local needs;

WHEREAS, the current rules of the Los Angeles City Planning Commission allow Neighborhood Council representatives to speak at Commission meetings for only three minutes on an agenda item in their communities;

WHEREAS, by contrast, project advocates are allowed to set their own time limit to speak before the Planning Commission on an agenda item, and City Council representatives are allowed unlimited time, thus creating an imbalance between presenting the views of developers, the views of the Council Office, and the views of the Neighborhood Councils;

WHEREAS, at its September 9, 2021 meeting, the Planning Commission strictly enforced the three-minute time-limit for Neighborhood Council representatives, but allowed project representatives extensions of time beyond their requested speaking times and the City Council representative unlimited time; and

WHEREAS, Commissioner Karen Mack noted the disparity in speaking times, and proposed that the Commission revisit its rules to remedy this inequity;

THEREFORE, BE IT RESOLVED that the Coastal San Pedro Neighborhood Council requests the Los Angeles City Planning Commission amend its rules to extend the time limit allowed for the relevant Neighborhood Council representative to speak on a project, and to allow the chair discretion to grant the Neighborhood Council representative a reasonable extension of time to speak as appropriate.

Please contact Greg Ellis, CSPNC Planning Committee at gregellis2@gmail.com should you have any questions related to this letter and resolution.

Sincerely,

A handwritten signature in black ink that reads "Douglas Epperhart". The signature is written in a cursive, flowing style.

Doug Epperhart, President
On behalf of the Coastal San Pedro Neighborhood Council Board

cc:

Councilmember Buscaino
Councilmember.Buscaino@lacity.org

Alison Becker Senior Advisor Councilmember Buscaino
Alison.Becker@lacity.org

Aksel Palacios Planning Deputy Councilmember Buscaino
Aksel.Palacios@lacity.org



September 23, 2021

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

Re: Downtown Los Angeles Community Plan Update Recommendations

We write to you today as a member of a growing alliance of garment workers, manufacturers, producers, distributors, and advocates that together define and characterize Los Angeles' Garment Industry - **the largest manufacturing industry in Los Angeles and largest apparel producing hub in the United States**. As a group of stakeholders dedicated to ensuring the viability of Downtown's Fashion District for the our industry, we hope to realize and uplift solutions that improve working conditions, access, and pay for garment workers, and a healthy business environment for the growing sector of fashion businesses committed to producing sustainably and ethically in Los Angeles.

The DTLA 2040 Plan, as drafted, will have a significant impact on the growing Los Angeles garment industry *and*, most notably, the industry's 45,000 skilled garment workers. Within the Fashion District, the DTLA 2040 Plan proposes a drastic shift of land use from largely manufacturing zones, to primarily 'Markets' and 'Hybrid Industrial' designations, both of which allow for a significant restructuring of the Fashion District's urban form. The consequences of these strategies on the garment sector overall and the Fashion District's low wage workers cannot be understated. **We urge the City Planning Commission (CPC) to halt the process and engage workers and business owners in the garment industry, which have been vital to the City Of Los Angeles during the pandemic in allowing for domestic production of Personal Protective Equipment (PPE) in particular through the LA Protects program¹. We also demand CPC institute policies to preserve light manufacturing and light industrial uses at existing densities within the Fashion District.**

The development of the DTLA 2040 Plan involved targeted outreach to building owners, building management networks, Neighborhood Associations, and Business Improvement Districts - not the workers and businesses that define the Fashion District today. The exclusion of garment workers and sector stakeholders from long-range planning and policy documents is a historic,

¹ Velasco, Paulina. "LA's Mask Factories Shut Down as HUndreds of Workers Get Sick," July 11, 2020. <https://www.theguardian.com/us-news/2020/jul/11/coronavirus-los-angeles-mask-making>

systemic issue that contributes to worker and workplace displacement in Los Angeles. The institutional devaluation of garment work in Los Angeles is particularly unbalanced as the city continues to rely on its firms for local jobs and wages. The fashion sector in Los Angeles is the 2nd largest creative economy in terms of employment after the entertainment industry.² Los Angeles is the largest manufacturing center in the United States, and as of 2016, the garment manufacturing industry, specifically, is the largest manufacturing industry in Los Angeles. **The garment manufacturing industry alone employs at least 45,000 of over 500,000 manufacturing jobs in the Greater Los Angeles Region.**³

In recent years, the Los Angeles fashion industry has developed innovative manufacturing and production processes to meet the growing demands for ethically produced sustainable fashion, a global movement and imperative towards environmental integrity and ethical manufacturing practices throughout supply chains. Garment workers and manufacturers throughout the Fashion District have expanded capacity to meet domestic production demands, producing millions of PPE to keep Angelenos and health care workers around this country safe. They are well situated to adapt to other growing trends including the reshoring of production by brands seeking to avoid the risks and volatility of overseas production. **The Fashion District should be understood and celebrated as a lively ecosystem that provides the critical infrastructure needed to protect public health and ensure the industry's growth in sustainable production**, which requires affordable manufacturing and industrial spaces for fabric manufacturing, dyeing, apparel assembly, warehousing, and distribution processes.

For these reasons, we see the preservation of industrial uses in Downtown as critical to ensuring the success of garment workers and the local businesses that make up and utilize the fashion district.

We urge the City Planning Commission (CPC) to:

- **Delay the public approval process until the largest manufacturing sector workers and business owners are engaged. Schedule at least one (1) additional public hearing.**
- **Maintain and Preserve the Light Industrial, Single Land Use Designations within the Fashion District.**
- **Consult with stakeholders to incorporate small business programs that would support ethical, sustainable fashion businesses with the increasing costs of doing business in the City of LA and incentivize sustainability practices through the Community Benefits Program.**

Best,

Kristen Fanarakis, Founder
Senza Tempo Fashion

² Otis College of Art and Design 2020 Creative Economy Report. Accessed Sept. 21, 2021.

<https://www.otis.edu/creative-economy/2020/fashion>

³ Hsu, Tiffany. "Los Angeles Is Largest Manufacturing Center in U.S., Government Says - Los Angeles Times," September 1, 2014. Accessed June 5, 2021. <https://www.latimes.com/business/la-fi-los-angeles-manufacturing-20140829-story.html>



THEPEOPLECONCERN

Because everyone should be housed, healthy and safe.
OPCC & LAMP COMMUNITY UNITED

September 21, 2021

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

Re: *Item 7: CPC-2017-432-CPU; CPC-2014-1582-CA; DTLA 2040 Community Plan Update*

Dear President Millman and Honorable Commissioners,

I am John Maceri, Chief Executive Officer of The People Concern. The People Concern is one of Los Angeles' largest housing and social services agencies serving people experiencing homelessness and victims of domestic violence. The People Concern is the lead service agency for single adults experiencing homelessness in Service Planning Area (SPA) 4, which encompasses Downtown Los Angeles (DTLA). Our organization has a substantial footprint in DTLA, occupying multiple office locations and service locations in Skid Row as well as near Union Station/Olvera Street. We operate multidisciplinary outreach teams, drop-in services as well as interim housing in DTLA; our teams also provide comprehensive services to neighbors living in permanent housing in the area.

We are writing to echo the comments raised by the Central City Association (CCA) in their [June 7th, 2021](#) letter and their [August 23, 2021](#) letter submitted to the City Planning Commission. The DTLA 2040 plan must be an affirmative plan for robust, transit-oriented growth across all of DTLA to address the impacts of the COVID-19 pandemic, the persistent housing shortage and homelessness crisis, compete for transportation infrastructure funding and fully leverage transit investments.

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

- **Maximize capacity for growth** by aligning the plan with Alternative 3 of the DEIR and expanding Transit Core General Plan land use designation to include all areas close to existing, entitled and future transit.
- **Make the Community Benefits System make more usable and a better framework for delivering new housing affordable to all income levels** by:
 - Increasing Level 1 bonus of the Community Benefits Program to 55 percent.
 - Retaining use of TOC Guidelines.
 - Removing Site Plan Review for projects that comply with a site's allowable zoning.
 - Allowing affordable units to be a different mix than market rate units by basing affordable unit requirements on total residential floor area instead of total units.
 - Adding an option for land dedication for affordable housing.
 - Removing the requirement for bathrooms at parks.
 - Revising or removing Subarea D from the CPIO.
- **Foster DTLA's growth as a complete community with schools and childcare** by:
 - Removing minimum building height requirements (schools are typically standalone, low-rise buildings).

- Rezoning industrial areas around existing schools for a mix of uses, including all types of multifamily housing.
- **Ensure that all DTLA neighborhoods, especially near transit, enable financially feasible mixed-income projects with public benefits** by:
 - In the Arts District, removing building height limits and baseline non-residential floor area requirements, increasing base FARs to at least 4.5 and max FARs to at least 6.0, allowing all types of multifamily housing without imposing average unit sizes.
 - In Chinatown, not downzoning and instead increasing base FARs to match currently allowable FARs and max FARs to what is achievable with TOC today, and removing height limits, hotel CUP requirements and the requirement that 30% of units must be two-bedroom units or larger.
 - In the Fashion District, increasing base FARs to 6.0 and changing IX2 and IX3 areas to CX2 or CX3 uses.
 - On Skid Row, adopting the alternative zoning proposal offered on page A-19 of the Staff Report that would allow mixed-income development essentially as inclusionary zoning.
- **Clarify the plan's Policy Goals to avoid unintended constraints** by amending policy goal LU 2.15 to allow parallel permitting and LU 8.7 and LU 9.5 that comment on business leases, which exceeds the scope of a land use plan.

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

Sincerely,



John Maceri
Chief Executive Officer
The People Concern



TOIT VOLANT

September 23, 2021

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

Re: Downtown Los Angeles Community Plan Update Recommendations

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The development of the DTLA 2040 Plan involved targeted outreach to building owners, building management networks, Neighborhood Associations, and Business Improvement Districts - not the workers and businesses that define the Fashion District today. The exclusion of garment workers and sector stakeholders from long-range planning and policy documents is a historic, systemic issue that contributes to worker and workplace displacement in Los Angeles. The

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- **Consult with stakeholders to incorporate small business programs that would support ethical, sustainable fashion businesses with the increasing costs of doing business in the City of LA and incentivize sustainability practices through the Community Benefits Program.**

Best,

Alnea Farrabella, Founder, Designer, Manufacturer
Toit Volant and Nana Atelier

² Otis College of Art and Design 2020 Creative Economy Report. Accessed Sept. 21, 2021.

<<https://www.otis.edu/creative-economy/2020/fashion>>

³ Hsu, Tiffany. "Los Angeles Is Largest Manufacturing Center in U.S., Government Says - Los Angeles Times," September 1, 2014. Accessed June 5, 2021. <https://www.latimes.com/business/la-fi-los-angeles-manufacturing-20140829-story.html>



September 23, 2021

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City Planning Commission
City of Los Angeles
200 North Spring Street
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Best,

Adam Taubenfligel, Creative Director
Triarchy Jeans

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UNITED COALITION EAST
PREVENTION PROJECT

September 22, 2021

Members, Los Angeles City Planning Commission

Re: DTLA 2040

Dear Commissioners:

During the Equity Listening Session on January 21, 2021, the City Planning Commission began discussion on a topic that has devastated communities of color for many decades. Addressing institutional racism and the co-morbidity of related threats is literally a matter of life and death for so many. Since 1996, our program, United Coalition East, has worked with residents in the Skid Row Community to address many of the equity concerns voiced on January 21st with an emphasis on addressing community issues related to alcohol and other drugs. In 1998, we began a nuisance abatement campaign, which involved 17 local businesses including bars, liquor stores, and hotels. Despite brave community testimony, substantial documentation, and positive determinations identifying these sites as a nuisance, it still took decades for the city to take action and implement measures to gain improvement. To date we are confronted by another community threat related to the encroachment of downtown development - explosive requests for the sale of alcohol. While a total of 27 alcohol licenses are permitted by state regulation in the census tracts in and adjacent to Skid Row, more than 10 times that amount currently exists! Additionally, we are alarmed by escalating rates of homelessness as upscale development has eliminated housing for low-income people and affordable housing becomes even more scarce.

Intentional planning by the city that is responsive to community need and addresses disparities confronting Black, Indigenous and People of Color (BIPOC) is the best way to avoid these negative outcomes. As Commissioners, you have a responsibility to identify and address the existing policies and systems which continue to create, perpetuate, and exacerbate inequity.

I have worked in Skid Row with United Coalition East (a program of Social Model Recovery Systems) since 1999. During this time, we participated in numerous community battles for self-determination, dignity, representation, and land use diversity in the face of rampant gentrification and inequitable development. This has included nuisance abatement cases to clean up bars and liquor stores that lasted decades, and two unsuccessful campaigns to create a Skid Row Neighborhood Council. I have also been a part of advocacy successes including park improvements and the Skid Row Community ReFresh Spot. I am also a member of the Skid Row Now and 2040 Coalition. I urge you to include our recommendations for the downtown community plan to help support, protect, and improve Skid Row. Specifically, we urge you to utilize the actual Skid Row boundaries of 3rd Street to north, 7th Street to the south, Main Street to the west, and Alameda Street to the east (with extended buffer zone considerations). The two letters submitted by LA City Council District #14 provide support for using the traditional boundaries of Skid Row (noted above), as well as implementing an Ix1 Zone, restricting alcohol and marijuana uses, and supporting self-determination in Skid Row. I also support the Central City United recommendations, as well as efforts by CD#14 to expand affordable housing throughout the community plan area by utilizing inclusionary zoning.

To advance equitable, healthy, responsive community development, we urge the City Planning Commission and other city officials to incorporate and implement the following:

No additional alcohol or marijuana uses in Skid Row

Based on our advocacy experience trying to address land use requests on a case-by-case basis, we stress the importance of taking a holistic view of the entire neighborhood and prohibiting new alcohol permits (on-sale and off-sale) and marijuana permits in Skid Row to protect the health and safety of our neighborhood, prevent overconcentration of alcohol uses, and stem gentrification. Skid Row is a long-established Recovery Community with a tapestry of supportive services and resources which are widely available and operating within the above-mentioned boundaries, providing care to our most vulnerable residents. Yet they must contend with the fact that there are currently 274 active alcohol licenses in the five census tracts connected to Skid Row, despite the state limits which only allow 27! This situation is appalling and threatens current and future community health. It is compounded by the pandemic which has spurred an increase in consumption of alcohol and other drugs and exacerbated pre-existing social inequities confronting BIPOC. Rather than continuously expanding the supply of alcohol, the focus must be placed on addressing documented food insecurity in Skid Row by expanding and incentivizing healthy food access in a manner that addresses the needs of the community in a culturally appropriate way.

Accountability

To truly achieve equity there must also be accountability measures in place to make sure the principles of the plan are implemented. This should include neighborhood advisory bodies composed of BIPOC community members with lived experience with homelessness and/or substance abuse, and who have historically been impacted by systemic racism. There should also be an annual report generated by the planning department documenting approved land uses relative to desired uses detailed in the Community Plan. This report can be the benchmark for reaching desired goals and serve as a basis for remedial action to halt development in impacted communities/zones.

Voice/Agency

Designated communal cultural spaces that celebrate diversity, promote local identity and heritage, and create local jobs are also critical supports for enhancing voice and agency. This helps to ensure that neighborhoods such as Skid Row are acknowledged, protected, and supported in the context encroaching gentrification. Community members impacted by local issues and systemic failures are the best guides for informing the process of creating an equitable, healthy, sustainable neighborhood. Skid Row community members including BIPOC with lived experience have helped to inform and shape the plan as it currently exists and must continue to be included in each step as the plan moves forward to implementation and oversight. Planning zones such as Skid Row must include community advisory groups composed of stakeholders, particularly impacted BIPOC. To acknowledge and support historically ignored neighborhoods such as Skid Row, there must be zero tolerance for displacement of low income, BIPOC and people experiencing homelessness. Development should be limited to projects that aid the population with the greatest need for shelter, services, and permanent housing. Further, the current crisis caused by the pandemic justifies emergency action. Resources to address existing disparities and needs, and to empower our neighborhood should be prioritized and have their own funding streams that incorporate funds from but are not solely dependent on market rate development. To reduce disparities, dedicated, independent funding streams are essential. Skid Row is one of the poorest communities in the nation and therefore we support expanding the Ix1 zone to cover all of the area within the traditional boundaries of Skid Row, allowing only affordable housing with an emphasis on housing for residents with very low incomes.

Support for Skid Row Parks

As a member of the Skid Row Park Advisory Board and witness to long-standing community park advocacy, I also request that access to green space and resources to support improvements and programming at our highly utilized local parks be prioritized, including expanded hours, staffing, and access to intersecting amenities (i.e. restrooms, hand washing, drinking water, charging, and Wi-Fi).

It is imperative that you incorporate the thoughtfully developed recommendations shaped by community input and lived experience to help develop a responsive, equitable plan that truly considers the sustainable health of Downtown Los Angeles, including our most vulnerable residents and those who have historically been excluded and marginalized by public policy and private practices. Thank you for your consideration.

Respectfully,

Charles Porter

Charles Porter

UNITEHERE! Local 11

464 Lucas Ave., Suite 201 • Los Angeles, California 90017 • (213) 481-8530 • FAX (213) 481-0352

September 20th, 2021

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

Dear City Planning Commission President Millman,

On behalf of over 30,000 workers in the hospitality industry, we are writing to urge the adoption of a community plan for Downtown Los Angeles that prioritizes affordable housing and considers the voices of working people in commercial development. Accordingly, we write to support Councilmember De Leon in studying inclusionary zoning in the proposed Downtown Community Plan. We encourage the study to incorporate the Central City United Coalition's longstanding advocacy for deep affordability and strong community benefits as well as the inclusion of strong tenant protections and other measures that will make the Downtown Community Plan a plan that truly serves the need of working people and all Angelenos long neglected by the planning process. We believe this plan must focus on Los Angeles' most pressing issue, that of affordable housing, rather than inadvertently encouraging more commercial development like hotels. We offer the following policy suggestions to ensure that housing remains the focus:

A Conditional Use Process for Hotels

Hotels and other lodging uses present a myriad of issues that need careful discretionary consideration. The development/redevelopment of a site for hotel use would remove the opportunity to use the site for permanent housing (e.g., market or affordable housing). Hotels can bring occupational, transit, noise, and public safety impacts that need mitigation. Additionally, this proposal could disrupt or exacerbate jobs/housing imbalance in the area (e.g., adding more hotel use in areas already adequately served by hotel uses and lacking adequate permanent housing). Furthermore, some vacant properties formerly used for residential uses could be redeveloped without considering the loss of housing that once occupied the site.

These issues are fact-specific and require careful consideration on a project-by-project basis that can only be ensured via a discretionary approval process. Hence, Local 11 urges the City to require a CUP requirement (appealable to Council) for all hotel and similar lodging-use, subject to the following Code-required findings:

- The impact of the project and future employees of the hotel or motel on the demand in the plan area for housing, public transit, child-care, and other social services.
- The measures that will be taken by the project sponsor to employ residents of Downtown in order to minimize increased demand for transportation. The measures that will be taken by the project sponsor, including a transportation demand management plan, to encourage hotel workers and visitors alike to use public transportation, cycling and other non-auto means of transportation.
- The effect of the project on local small businesses, including, if applicable, any potential displacement of local small businesses, and any measures by the project sponsor to increase demand for local goods and services.
- There is sufficient market demand for lodging structures of the type proposed.
- The project will not negatively impact the housing affordable to Angelenos within the plan area and will not demolish or convert existing residential uses.

The above-mentioned CUP findings are based mainly on similar CUP requirements adopted by other large cities and would ensure that City decision-makers have the necessary discretion to consider these vital issues as hotel projects are presented.

Preserving our Manufacturing Zones

The proposed Community Plan changes the zoning in Downtown areas currently zoned for manufacturing (where hotels are not allowed) to new zoning categories that allow hotels. For example, 4th & Alameda is zoned heavy manufacturing where hotels are not allowed and FAR is limited to 1.5:1. In order to change the zoning under the current system, the Mayor’s Planning Director, the City Planning Commission, and/or the City Council must approve a General Plan Amendment to allow hotel uses and change the zone to increase allowable building size. Under the new plan, the plan designation changes to Hybrid Industrial, which allows hotels (assuming a CUP is approved) and FAR is allowed up to 6:1 with a bonus. This conversion of industrial/manufacturing zoned land is in conflict with the City’s General Plan Framework intended to “preserve” industrial planned lands. Additionally, the conversion of industrial land for hotel and other non-manufacturing/industrial uses can lead to future incompatibility issues related to e-commerce warehouse uses. As e-commerce and same-day delivery have exploded in recent years—even more so during the COVID pandemic—the need for warehouses near customers has also exploded. With warehouse vacancy rates extremely low, developers have sought locations near and around large urban areas—particularly smaller warehouses less than 250,000 square feet in size. These warehouses are precisely the type of manufacturing/industrial uses that are intended to be served by the City’s industrial-zoned areas where there is adequate street infrastructure to serve large tractor-trailers hauling consumer goods. However, if the City converts industrial zoned properties for hotels and other non-industrial uses, these warehouses will be sited in less compatible areas— often near residential-zoned areas with streets/infrastructure never intended for such intense industrial uses. Hence, conversion of industrial land should not be allowed and, to the extent conversion of industrial/manufacturing zoned land for non-industrial uses is deemed proper, it should be limited to permanent housing opportunities (e.g., market or affordable) and not for commercial uses like hotel/lodging uses.

Additionally, the current proposal allows for an “Employment Center” bonus to an FAR of 4:1 in the A.2 subarea (largely the arts district) for projects that are 50% non-residential. The bonus is not allowed for bars, retail, and personal service but hotels are not specifically excluded even though they are very similar to those uses. While allowing new housing opportunities, we should maintain the industrial nature of the Arts District and our industrial areas Downtown and must clarify that hotels do not receive that employment center bonus which detracts from, rather than preserves the industrial character of the area.

Expansions of Adaptive Reuse Should Encourage Housing

The proposed Downtown Community Plan and associated Zoning Ordinance also greatly expands the adaptive reuse ordinance, most notably applying it to properties that were built as little as 25 years ago by-right and 10 years with Zoning Administrator approval. Given the scale of the housing crisis, we urge that buildings newly eligible for adaptive reuse be limited to conversions to housing, rather than allow for conversions to hotels or conversion of apartments to offices.

Thank you very much for your consideration.

Regards,
Charlie Carnow
Research Analyst, UNITE HERE Local 11