THE SILVERSTEIN LAW FIRM
A Professional Corporation

215 NORTH MARENGO AVENUE, 3RD FLOOR
PASADENA, CALIFORNIA 91101-1504
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June 27, 2017

VIA HAND DELIVERY

Los Angeles City Council
City of Los Angeles
200 N. Spring Street, Room 395
Los Angeles, CA 90012

Re: **Agenda Item 47**; Council File No. 16-1462, California Environmental Quality Act Appeal Against the Alexan Project, located at 850 S. Hill Street, Los Angeles, APN 5144-017-037; Case Numbers: ENV-2006-6302-MND; ENV-2006-6302-MND-REC1; ZA-2006-6350-YV-ZAA-SPR; VTT 65505; DIR 2015-2976-TDR-SPR

CITY CLERK'S OFFICE
2017 JUN 27 AM 9:43
CITY CLERK
BY DEPUTY

Honorable Members of the City Council:

I. INTRODUCTION.

This firm and the undersigned represent Appellant Society for the Preservation of Downtown Los Angeles (hereinafter "Appellant" or "SPDTLA"). SPDTLA urges the City Council to reject the PLUM Committee's recommendation and reverse the CAPC's determination and findings in this case. The project application and requested approvals should be denied on the grounds that approval of the project under these circumstances violates the California Environmental Quality Act ("CEQA")[1], including by failing to refer the application to the CRA/LA as lead agency, and by proceeding under an addendum ("Addendum") to a 2007 mitigated negative declaration ("MND").

II. THE CITY FAILED TO GIVE APPELLANTS PROPER NOTICE OF THE CITY COUNCIL'S HEARING ON THE APPEAL.

SPDTLA has been prejudiced by the lack of proper notice of the City Council's hearing on SPDTLA's appeal.

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[1] Unless otherwise specified, CEQA statutory references are to the Public Resources Code or "CEQA." The CEQA Guidelines will be cited as "Guidelines."

Despite the fact that SPDTLA is an appellant in this case and despite the fact that in all previous objection letters SPDTLA has requested that this office be on the list of interested persons to receive "timely notice of all hearings, votes and determinations" related to the proposed approval of the Project, this matter was set on the City Council's schedule for June 27, 2017 with no particularized or sufficiently advance notice to Appellant. SPDTLA only found out about the matter being calendared in front of the full City Council less than three business days prior to the hearing via a generic auto-generated email notification on the City case file. Although the City Attorney did confirm in writing that "the City of Los Angeles City Council will hear the [CEQA] appeal related to the project" (**Exh. 1**), the failure of the City to provide adequate notice of the date for such hearing violates Appellant's right to due process.[2]

III. CRA/LA RETAINS AUTHORITY AND EXPERTISE AS LEAD AGENCY.

For decades, the City Planning Department deferred to the CRA for "fine grain" preservation planning and a general expertise in terms of land use administration and environmental review in all redevelopment areas. (See, e.g., **Exh. 3** [Hollywood Heritage Letter].) This institutional expertise was applied and still must be applied by law across the various redevelopment plan areas. As such, the CRA/LA is the appropriate lead agency both in terms of the LAMC (which jurisdictionally designates the CRA/LA as lead agency in LAMC Section 16.05G) and in terms of alleged CEQA compliance.

In addition, the CRA/LA is specifically equipped to implement the Downtown Design Guidelines ("DDG"). (See **Exh. 4** [City Reports regarding the adoption of the DDG].) The CRA/LA plays a major role in the DDG's implementation, and as such, is the appropriate lead agency.

IV. THE CITY FAILED TO APPLY THE *FRIENDS OF THE COLLEGE* FAIR ARGUMENT STANDARD, WHICH CLEARLY REQUIRES EIR REVIEW IN THIS CASE.

The Court of Appeal recently issued a ruling on remand from the California Supreme Court's ruling in Friends of the College of San Mateo Gardens v. San Mateo County Community College District (2016) 1 Cal.5th 937, 953 ("Friends of the

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[2] Additionally, we note that the Planning Dept., CAPC and Councilman Huizar's office, among others, have failed to provide complete or adequate responses to SPDTLA's Public Records Act requests, thus further inhibiting SPDTLA's ability to meaningfully and fully appear and object. (**Exh. 2.**)

College"). (**Exh. 5** ["Friends of the College II" opinion].) In so doing, the Court made clear that the standard when the underlying environmental document is an MND is the "fair argument" standard, a much lower bar than applied by the City in this case, requiring subsequent review if a project *may* or *might* have significant impacts that were not addressed in the original MND. Id. at 959.

Appellant has more than met the Friends of the College standard, as recently clarified in Friends of the College of San Mateo Gardens v. San Mateo County Community College District (2017) 11 Cal.App.5th 596. Appellant has demonstrated with argument and exhibits in its prior submissions to the City and additionally here that the Alexan Project poses new and more severe significant unmitigated impacts that were not addressed in the 2007 MND and that must be addressed in an EIR.

V. AN EIR IS REQUIRED TO ADDRESS POTENTIAL HEALTH RISKS FROM CONSTRUCTION AND AIR QUALITY RELATED IMPACTS, AS WELL AS GREENHOUSE GAS IMPACTS, INDIVIDUALLY AND CUMULATIVELY.

As documented in the attached report, supporting data and CVs submitted by SWAPE technical consultants incorporated herein (**Exh. 6**), a fair argument exists that the Project may have significant, unmitigable air quality and greenhouse gas impacts, both individually and cumulatively. The City's analysis has violated CEQA on these additional grounds, requiring an EIR before any further consideration of the Project's applications may occur.

VI. AN EIR IS REQUIRED TO ADDRESS SIGNIFICANT TRAFFIC, CIRCULATION AND CONSTRUCTION-RELATED IMPACTS, INDIVIDUALLY AND CUMULATIVELY.

As documented in the attached report, supporting data and CV submitted by traffic engineer Herman Basmaciyan incorporated herein (**Exh. 7**), a fair argument exists that the Project may have significant, unmitigable traffic, circulation, pedestrian safety and construction-related impacts, both individually and cumulatively. The City's analysis has violated CEQA on these additional grounds, requiring an EIR before any further consideration of the Project's applications may occur.

VII. APPLICATION OF THE DOWNTOWN DESIGN GUIDELINES MUST BE ADDRESSED VIA EIR REVIEW.

The DDG was adopted after the 2007 MND was issued. Thus, it is new information that requires subsequent review under Guidelines Section 15162. The DDG was intended to implement streetscape design standards. (See **Exh. 4**.) To the extent that the application of the DDG to the Project was at the expense of preservation under the HDTLAG, it is unauthorized under the DDG and is new information/new circumstances causing a potentially significant impact to historic resources.

VIII. CONCLUSION.

For all of the foregoing reasons and for those stated in SPDTLA's previous objection letters and those of other Project commenters, the Project's approvals must be overturned. Thank you for your courtesy and attention to these important issues.

Very truly yours,

ROBERT P. SILVERSTEIN
FOR
THE SILVERSTEIN LAW FIRM, APC

Attachments

EXHIBIT 1

MICHAEL N. FEUER
CITY ATTORNEY

May12, 2017

VIA U.S. MAIL AND EMAIL (robert@robertsilversteinlaw.com)

Robert P. Silverstein, Esq.
The Silverstein Law Firm, APC
215 North Marengo Avenue, 3rd Floor
Pasadena, CA 91101-1504

Re: **Response to May 3, 2017 Letter**
Society for the Preservation of Downtown Los Angeles, Inc. v. City of Los Angeles, et al. (Case No. BS169317)

Dear Mr. Silverstein,

This letter serves to confirm, in response to your May 3, 2017 letter in this matter, that the City of Los Angeles City Council will hear the California Environmental Quality Act appeal related to the project at 850 S. Hill Street, known as the Alexan. The appeal was heard by the City Council Planning Land Use Management Committee on March 28, 2017. A date at the full City Council is not known at this time.

Sincerely,

Donna Wong
Deputy City Attorney
Los Angeles City Attorney's Office
City Hall East| 200 North Main St. | Room 701
Los Angeles, California 90012
donna.wong@lacity.org | 213-978-8064 (direct)

DW:

cc: Kenneth Fong (kenneth.fong@lacity.org)

EXHIBIT 2

Veronica Lebron - Re: Follow up Letter - Alexan Project

From: Beatrice Pacheco <beatrice.pacheco@lacity.org>
To: Jillian Reyes <Jillian@robertsilversteinlaw.com>
Date: 2/3/2017 9:53 AM
Subject: Re: Follow up Letter - Alexan Project
CC: Lillian Manzella <Lillian@robertsilversteinlaw.com>, Robert Silverstein ...

Hello, Jillian:

the status of this is that I'm waiting on direction on this request and as soon as we have a response to give your office, we will.

On Thu, Feb 2, 2017 at 3:18 PM, Jillian Reyes <[redacted]> wrote:

Hello Beatrice: Please advise re status of this ASAP. Thank you in advance.

Jillian Reyes
The Silverstein Law Firm, APC
215 North Marengo Avenue, 3rd Floor
Pasadena, CA 91101-1504
Telephone [redacted]
Facsimile [redacted]
Email: Jillian[redacted]
Website [redacted]
==========
The information contained in this electronic mail message is confidential information intended only for the use of the individual or entity named above, and may be privileged. The information herein may also be protected by the Electronic Communications Privacy Act, 18 USC Sections 2510-2521. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone [redacted], and delete the original message. Thank you.

>>> Robert Silverstein 1/31/2017 8:44 AM >>>
Beatrice:
Thank you. Can you please give us an estimated date for responding to this follow up Public Records Act inquiry? Again, this follow up question is quite narrow. This CPRA inquiry (and, we expect, the original of it) should be directed to all APC members, not just the ones who voted. Please confirm. Thanks.

Robert P. Silverstein, Esq.
The Silverstein Law Firm, APC
215 North Marengo Avenue, 3rd Floor
Pasadena, CA 91101-1504
Telephone: [redacted]
Facsimile: [redacted]
Email: [redacted]
Website: www.RobertSilversteinLaw.com
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>>>

From: Beatrice Pacheco <beatrice.pacheco@lacity.org>
To: Lillian Manzella <Lillian@robertsilversteinlaw.com>
CC: Jillian Reyes <Jillian@robertsilversteinlaw.com>, Robert Silverstein <Robert@robertsilversteinlaw.com>
Date: 1/31/2017 7:47 AM
Subject: Re: Follow up Letter - Alexan Project

Yes, we received this and will get back to you when we can.

On Mon, Jan 30, 2017 at 10:59 AM, Lillian Manzella <[illegible]> wrote:

Dear Beatrice:
Please advise re the below.
Thank you.

Lillian Manzella
The Silverstein Law Firm, APC
215 North Marengo Avenue, 3rd Floor
Pasadena, CA 91101-1504
Telephone [illegible]
Facsimile [illegible]
Email: Lillian@robertsilversteinlaw.com
Website www.RobertSilversteinLaw.com
==========
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Hello, Robert:

This has been received. I was out yesterday by the way. Thank you.

On Mon, Jan 23, 2017 at 4:50 PM, Robert Silverstein <[illegible]> wrote:

Dear Beatrice:
Thank you for your attached January 23, 2017 follow up letter in response to my January 12, 2017 letter regarding our original CPRA request dated November 17, 2016. That original request involved documents and communications, including emails and text messages, between the developer or its representatives or attorneys on the one hand, and the Central Area Planning Commissioners ("CAPC") on the other hand.

As a point of clarification regarding your response nos. 4 and 5 in the attached letter, did any of the CAPC purge, delete or destroy, or allow to be purged, deleted or destroyed (for example, by an automatic program), any responsive emails, texts or other written communications? That issue was not addressed in your attached letter. Please direct this question to all of the CAPC.
In the event that responsive documents were purged, deleted or destroyed, or allowed to be purged, deleted or destroyed, please state which Commissioners that pertains to, what documents were so purged, deleted or destroyed, when this occurred, and what efforts, if any, were made to retrieve or restore any and all such responsive documents.
Thank you for your courtesy and prompt attention to this matter. Since this follow up question is quite narrow, please provide a further written response by and on behalf of all of the Central Area Planning Commissioners by no later than Friday, **January 27, 2017**.

Robert P. Silverstein, Esq.
The Silverstein Law Firm, APC
215 North Marengo Avenue, 3rd Floor
Pasadena, CA 91101-1504
Telephone: (626) 449-4200
Facsimile: (626) 449-4205
Email: Robert@RobertSilversteinLaw.com
Website: www.RobertSilversteinLaw.com
==========

>>>

From: Beatrice Pacheco <beatrice.pacheco@lacity.org>
To: "robert@robertsilversteinlaw.com" <robert@robertsilversteinlaw.com>
CC: Lillian Manzella <lillian@robertsilversteinlaw.com>, Jillian Reyes <Jillian@robertsilversteinlaw.com>
Date: 1/23/2017 1:53 PM
Subject: Follow up Letter - Alexan Project

Hello, Mr. Silverstein:

Attached please find a response Department of City Planning, to your follow up letter on the Alexan Project. Thank you.

--

Beatrice Pacheco, Chief Clerk
Department of City Planning
T: [redacted] | **FAX:** [redacted]
200 N. Spring St., Room 575
Los Angeles, CA. 90012

CityScape.png

Beatrice Pacheco, Chief Clerk
Department of City Planning
T: (213) 978-1260 | **FAX:** (213) 978-1263
200 N. Spring St., Room 575
Los Angeles, CA. 90012

Beatrice Pacheco, Chief Clerk
Department of City Planning
T: (213) 978-1260 | **FAX:** (213) 978-1263
200 N. Spring St., Room 575
Los Angeles, CA. 90012

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CityScape.png

Beatrice Pacheco, Chief Clerk
Department of City Planning
T: (213) 978-1260 | **FAX:** (213) 978-1263
200 N. Spring St., Room 575
Los Angeles, CA. 90012

Veronica Lebron - Re: CPRA Requests - Alexan Project

From: Rick Coca <rick.coca@lacity.org>
To: Robert Silverstein <robert@robertsilversteinlaw.com>
Date: 2/24/2017 9:57 AM
Subject: Re: CPRA Requests - Alexan Project
CC: Dan Wright <Dan@robertsilversteinlaw.com>, Lillian Manzella <Lillian@rob...

Dear Sir: we have secured all answerable documents to the best of our ability. If you have any further questions, please contact the City Attorney's Office. You may pick up your request at our City Hall office between 9 a.m. and 5 p.m., Monday thru Friday - along with a check to the City of Los Angeles for $34.50. They are available now.

Los Angeles City Hall (enter on Main Street)
200 N. Spring St., Room 465 (Council District 14 - 4th floor)
L.A. 90012

Best,

Rick

On Thu, Feb 23, 2017 at 6:35 PM, Robert Silverstein <[redacted]> wrote:

Dear Mr. Coca:
Thank you for your email below, although we object to your inexcusable delays of 5 months to respond. We will arrange for a messenger to provide payment and pick up the documents tomorrow morning, Friday. Please confirm where the messenger should go and who he should ask for.
Notwithstanding the above, I note for the record that it is unclear whether your response is complete, including because you have not confirmed that all responsive documents are being produced, whether from official email accounts, alias City email accounts like jose.huizar@lacity.org, personal email and text accounts on which discussions about the Alexan project occurred, and from deleted or purged emails, which as we all know, are recoverable. Were Councilman Huizar and all officials and employees of your office who dealt with the Alexan project and its the project's representatives asked to provide all responsive emails from official, unofficial and personal accounts? If not, they should have been. Please advise.
Further, pursuant to Govt. Code Sections 6253 and 6255, you must provide the alleged legal bases for all withholding or redacting. You have stated that responsive documents are being withheld based on the "deliberative process privilege." Since you have now withheld and segregated those documents, we demand that you preserve all of them intact pending further proceedings, including potentially a writ of mandate action, and not allow any of them to be purged, deleted or otherwise spoliated.
In addition, we ask that you reconsider such withholdings based on the following, and that you produce all of the withheld documents.
As to the claim of exemption based upon "deliberative process," we object to the invocation of this claimed exemption, as well as to the failure to support this exemption as required by law.

There is nothing talismanic about the alleged deliberative process exemption. "Not every disclosure which hampers the deliberative process implicates the deliberative process

privilege. Only if the public interest in nondisclosure clearly outweighs the public interest in disclosure does the deliberative process privilege spring into existence." Marylander v. Superior Court (2000) 81 Cal.App.4th 1119, 1128. "The burden is on the [government] to establish the conditions for creation of the privilege." California First Amendment Coalition v. Superior Court (1998) 67 Cal.App.4th 159, 173.

You have offered no evidentiary support for the claim that these documents were part of a "deliberative" process, or that the public interest in nondisclosure "clearly outweighs" the public interest in disclosure. We believe there is a lack of any legitimate "deliberative process" attaching to these documents, but instead, that the exemption is claimed in an unlawful attempt to shield from public view documents that not only should already have been public, but that the public would have a considerable interest in viewing.

In Times Mirror Co. v. Superior Court (1991) 53 Cal.3d 1325, the California Supreme Court analyzed the deliberative process by a balancing test which assumes that the public agency has provided facts and evidence, not assertion and conclusory statements, to overcome the public's right to documents. Id. at 1339-1347. It must be shown that from the "**facts of the particular case** the public interest served by not disclosing the record **clearly outweighs** the public interest served by disclosure of the record." Govt. Code § 6255(a) (emphasis added). Your office has not even attempted to meet that heavy burden. "A mere assertion of possible endangerment does not 'clearly outweigh' the public interest in access to these records." CBS, Inc. v. Block (1986) 42 Cal.3d 646, 652.

We demand that all documents withheld be promptly provided to us by no later than noon on **February 21, 2017**. Please advise. Thank you.

Robert P. Silverstein, Esq.
The Silverstein Law Firm, APC
215 North Marengo Avenue, 3rd Floor
Pasadena, CA 91101-1504
Telephone: (626) 449-4200
Facsimile: (626) 449-4205
Email: Robert@RobertSilversteinLaw.com
Website: www.RobertSilversteinLaw.com
==========

>>>

From: Rick Coca <rick.coca@lacity.org>

To: Jillian Reyes <[redacted]>
CC: Dan Wright <[redacted]>, Lillian Manzella <[redacted]>, Robert Silverstein <[redacted]>
Date: 2/22/2017 5:01 PM
Subject: Re: CPRA Requests - Alexan Project

Dear Silverstein Law Firm:

We will have for your perusal this Friday, Feb. 24, 2017, 345 pages of answerable documents to your PRA request related to the "Alexan Project ... a proposed project to construct a 27-story, 320 feet in height mixed-use residential and retail/commercial building located at 850 S. Hill Street, Los Angeles, California, as described in Case No. DIR-2015-2976-TDR-SPR and CEQA Case No. ENV-2006-6302-MND." Some of the records in our possession are exempt from release under Government Code section 6255, which protects the Councilmember's deliberative process.

If you would like to review documents on site, please let me know. If you would like a copy of the answerable documents, please make a check out to The City of Los Angeles for $34.50 (10 cents per copy per state law) and come to our offices at City Hall, Room 465, to pick them up. Let me know if you have any questions.

Sincerely,

Rick Coca

On Mon, Sep 12, 2016 at 5:31 PM, Jillian Reyes <Jillian@robertsilversteinlaw.com> wrote:

> Mr. Coca:
> Please see attached. A copy will also follow via facsimile. Thank you.
> Jillian Reyes
> The Silverstein Law Firm, APC
> 215 North Marengo Avenue, 3rd Floor
> Pasadena, CA 91101-1504
> Telephone: [redacted]
> Facsimile: [redacted]
> Email: [redacted]
> Website: [redacted]
> ==========
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immediately notify us by telephone (), and delete the original message. Thank you.

--
Rick Coca
Communications Director Senior Advisor
Office of Jose Huizar
Councilmember, 14th District
(213) 473-7014
rick.coca@lacity.org
josehuizar.com

--
Rick Coca
Communications Director/Senior Advisor
Office of Jose Huizar
Councilmember, 14th District
(213) 473-7014
rick.coca@lacity.org
josehuizar.com

[image: Inline image 2] <https://twitter.com/joseh_huiz> [image: Inline image 3]<
http://www.facebook.com/pages/Jose-Huizar/[illegible]>
[image: Inline image 4] <http://www.youtube.com/user/joseh_huizar>
For more updates and to sign up for our E-Newsletter, please visit our updated Jose Huizar CD 14 website <http://cd14.lacity.org/index.htm>!

Jillian Reyes - SPDTLA: Fwd: Re: CPRA Requests - Alexan Project

>>> Rick Coca <rick.coca@lacity.org> 2/3/2017 11:00 AM >>>
Hello, Jillian. My apologies - we will have responsive documents for your review soon - I'm hoping next week, but definitely no later than Feb. 17, 2017. Thank you. I will let you know when they are ready for review. Thank you.

Rick

On Thu, Feb 2, 2017 at 7:22 PM, Jillian Reyes <Jillian@robertsilversteinlaw.com> wrote:
> Dear Mr. Coca:
>
> We still have received no reply from you or the responsive public records
> called for by our outstanding requests. We renew our request for your
> office's compliance with the Public Records Act. Please ensure that your
> response will include all documents through the date of your compliance with
> our requests. Further, please confirm you will search and produce
> responsive documents from all official (for example,
> councilmember.huizar@lacity.org) and unofficial, secondary, or "alias" email
> accounts (for example, Jose.huizar@lacity.org) as well as from all personal
> emails, email accounts, and text messages on or through which public
> officials and City employees have conducted business about the subject
> Project, as defined. Finally, please ensure that otherwise responsive
> documents from all of the above-referenced types of accounts have not been
> purged, deleted, destroyed, or otherwise "lost." Please see below email
> string for further details. Thank you in advance.
>
>
>
>
>
> Jillian Reyes
> The Silverstein Law Firm, APC
> 215 North Marengo Avenue, 3rd Floor
> Pasadena, CA 91101-1504
> Telephone: (626) 449-4200
> Facsimile: (626) 449-4205
> Email: Jillian@RobertSilversteinLaw.com
> Website: www.RobertSilversteinLaw.com
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> that any dissemination, distribution or copying of this communication is
> strictly prohibited. If you have received this communication in error,
> please
> immediately notify us by telephone (626-449-4200), and delete the original
> message. Thank you.
>>>> Lilian Manzella 10/18/2016 12:24 PM >>>
>
> Pursuant to your email dated September 23, 2016, below, you indicated that
> you would have a response to our Public Records Act Request dated September
> 12, 2016, by October 14, 2016. We have left messages with your office on
> October 5th and 11th, all of which have gone unanswered. Please advise
> today as to the status of the City's production of documents responsive to
> our September 12, 2016 Public Records Act requests.
>
>
>
> According to Government Code Section 6253(a):
>
>
>
> "Each agency, upon a request for a copy of records, shall, within 10 days
> from receipt of the request, determine whether the request, in whole or in
> part, seeks copies of disclosable public records in the possession of the
> agency and shall promptly notify the person making the request of the
> determination and the reasons therefor."
>
>
>
> In unusual circumstances, that date may be extended by up to 14 days for a
> total of 24 days. Id.
>
>
>
> Further, pursuant to Government Code Section 6253(d), "Nothing in this
> chapter shall be construed to permit an agency to delay or obstruct the
> inspection or copying of public records." It is obvious from this sequence
> of actions that the Office of Councilmember Jose Huizar is taking actions
> intended to, and that have resulted in, the delay and obstruction of access
> to disclosable public records. We further note that the records sought are
> limited in scope and type, and should not have required anywhere near the
> amount of time that has already dragged on since the requests were made.
>
>
>
> As of the date of this email, we have received no documents in response to
> the September 12, 2016 requests. This places you in violation of Government
> Code Section 6253, and waives all privileges and exemptions otherwise
> provided for in the California Public Records Act. While we do not wish to
> litigate, we will do so to protect and preserve our rights, including
> seeking attorney fees and costs pursuant to Government Code Section 6259(d),
> if the Office of Councilmember Jose Huizar does not immediately, fully, and
> in good faith comply with its duties under the CPRA.
>
>

>
> As a final effort to avoid litigation, we demand that these requests be
> fully complied with by no later than October 20, 2016. For your convenience,
> we are attaching copies of the requests to this email. Please immediately
> confirm your intended compliance. Thank you.
>
>
>
>
>
> Lillian Manzella
> The Silverstein Law Firm, APC
> 215 North Marengo Avenue, 3rd Floor
> Pasadena, CA 91101-1504
> Telephone: (626) 449-4200
> Facsimile: (626) 449-4205
> Email: Lillian@RobertSilversteinLaw.com
> Website: www.RobertSilversteinLaw.com
> ==========
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> strictly prohibited. If you have received this communication in error,
> please
> immediately notify us by telephone (626-449-4200), and delete the original
> message. Thank you>>> Jillian Reyes 10/11/2016 12:53 PM >>>
> Dear Mr. Coca:
>
> With reference to our emails below, please confirm that you are on track to
> provide us with all responsive documents, including emails, on or before
> this Friday, Oct. 14. Thank you.
>
>
> Jillian Reyes
> The Silverstein Law Firm, APC
> 215 North Marengo Avenue, 3rd Floor
> Pasadena, CA 91101-1504
> Telephone: (626) 449-4200
> Facsimile: (626) 449-4205
> Email: Jillian@RobertSilversteinLaw.com
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> please

Jillian Reyes - CPRA Requests - Alexan Project

From: Lillian Manzella
To: rick.coca@lacity.org
Date: 10/5/2016 11:51 AM
Subject: CPRA Requests - Alexan Project
CC: Jillian Reyes
Attachments: 9-12-16 [Scan] CPRA Requests to Councilmember Huizar.PDF

Dear Mr. Coca -
Please advise re your response to out CPRA request, below and attached. Your response was due on September 22. Please let me know when we can expect your response, including all documents and emails.
Thank you,

Lillian Manzella
The Silverstein Law Firm, APC
[illegible]15 North Marengo Avenue, [illegible] Floor
Pasadena, CA 91101-[illegible]
Telephone: [illegible]
Facsimile: [illegible]
Email: [illegible]
Website: [illegible]

==================================

> immediately notify us by telephone (626-449-4200), and delete the original
> message. Thank you.
> > > > Rick Coca <rick.coca@lacity.org> 9/23/2016 3:27 PM > > >
> Hello, Ms. Reyes: this is communication is to confirm receipt of your
> request. Our office is the process of gathering any answerable
> documents. We anticipate a response by Friday, Oct. 14, 2016, if not
> sooner. Please let me know if you have any questions.
>
> Sincerely,
>
>
> Rick Coca
>
> On Mon, Sep 12, 2016 at 5:31 PM, Jillian Reyes
> <Jillian@robertsilversteinlaw.com> wrote:
>> Mr. Coca:
>>
>> Please see attached. A copy will also follow via facsimile. Thank you.
>>
>>
>> Jillian Reyes
>> The Silverstein Law Firm, APC
>> 215 North Marengo Avenue, 3rd Floor
>> Pasadena, CA 91101-1504
>> Telephone: (626) 449-4200
>> Facsimile: (626) 449-4205
>> Email: Jillian@RobertSilversteinLaw.com
>> Website: www.RobertSilversteinLaw.com
>> ==========
>> The information contained in this electronic mail message is confidential
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>
>
>
> --
> Rick Coca
> Communications Director/Senior Advisor
> Office of Jose Huizar
> Councilmember, 14th District
> (213) 473-7014
> rick.coca@lacity.org
> josehuizar.com
>
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> *For more updates and to sign up for our E-Newsletter, please visit our
> updated Jose Huizar CD 14 website <[illegible]>!*

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Communications Director/Senior Advisor
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*For more updates and to sign up for our E-Newsletter, please visit our
updated Jose Huizar CD 14 website <[illegible]>!*

THE SILVERSTEIN LAW FIRM
A Professional Corporation

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DAN@ROBERTSILVERSTEINLAW.COM
WWW.ROBERTSILVERSTEINLAW.COM

September 12, 2016

VIA FACSIMILE (213) 847-0680
AND EMAIL Rick.Coca@lacity.org

Rick Coca, Communications Director/Sr. Advisor
Office of Councilmember Jose Huizar
Council District 14
City of Los Angeles
200 North Spring Street, Room 465
Los Angeles, California 90012

Re: California Public Records Act Requests

Dear Mr. Coca:

This request is made under the California Public Records Act pursuant to Government Code Section 6250, et seq. Please provide copies of the following from the Office of Councilmember Huizar:

For ease of reference in this document, please refer to the following **defined terms**:

"City" shall refer to the City of Los Angeles, its City Council, all members of the City Council, including Councilmember Jose Huizar and Council District 14, all officials, staff and employees of Council District 14, and all City commissions, boards, offices, departments (including the city attorney's office), officials, employees, consultants, and agents.

"Planning Department" shall refer to all officials, employees, consultants, and agents of the Department of City Planning, City of Los Angeles, including the City Attorney's office and any and all outside counsel retained by the City.

"Alexan Project" shall refer to the proposed project to construct a 27-story, 320 feet in height mixed-use residential and retail/commercial building located at 850 S. Hill Street, Los Angeles, California, as described in Case No. DIR-2015-2976-TDR-SPR and CEQA Case No. ENV-2006-6302-MND.

"Document," as defined in Govt. Code Section 6252(g), shall mean any handwriting, typewriting, printing, photostating, photographing, photocopying, transmitting by electronic mail or facsimile, and every other means of recording upon any tangible thing any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combinations thereof, and any record thereby created, regardless of the manner in which the record has been stored.

"Exchanged between" shall mean the passing of a document from one person to another by any means of transmission or delivery.

The specific records requests are:

(1) All documents from January 1, 2013 through the date of your compliance with this request which refer, relate to, or are any communications exchanged between or including any member of the City and any principal, owner, employee, agent, consultant or attorney representing Maple Multi-Family Land CA, L.P., and/or Coast Prime Investments , LLC (or any entity linked to the Alexan Project), including but not limited to any and all staff reports, *including drafts and documents in Planner "working files,"* studies, photographs, memoranda and internal memoranda, agenda items, agenda statements, correspondence, emails, attachments to emails, notes, photos, and audio and/or video recordings.

(2) All documents from January 1, 2013 through the date of your compliance with this request which refer or relate to the Alexan Project, including but not limited to any and all staff reports, *including drafts and documents in Planner "working files,"* studies, photographs, memoranda and internal memoranda, agenda items, agenda statements, correspondence, emails, attachments to emails, notes, photos, and audio and/or video recordings.

I draw the City's attention to Government Code § 6253.1, which requires a public agency to assist the public in making a focused and effective request by: (1) identifying records and information responsive to the request, (2) describing the information technology and physical location of the records, and (3) providing suggestions for overcoming any practical basis for denying access to the records or information sought.

If the City determines that any information is exempt from disclosure, I ask that the City reconsider that determination in view of Proposition 59 which amended the State Constitution to require that all exemptions be "narrowly construed." Proposition 59 may modify or overturn authorities on which the City has relied in the past.

If the City determines that any requested records are subject to a still-valid exemption, I request that the City exercise its discretion to disclose some or all of the records notwithstanding the exemption and with respect to records containing both exempt and non-exempt content, the City redact the exempt content and disclose the rest.

Should the City deny any part of this request, the City is required to provide a written response describing the legal authority on which the City relies.

Please be advised that Government Code Section 6253(c) states in pertinent part that the agency "shall promptly notify the person making the request of the determination **and the reasons therefore**." (Emphasis added.) Section 6253(d) further states that nothing in this chapter "shall be construed to permit an agency to delay or obstruct the inspection or copying of public records. The **notification of denial** of any request for records required by Section 6255 shall set forth the names and titles or positions of each person responsible for the denial."

Additionally, Government Code Section 6255(a) states that the "agency shall justify withholding any record by demonstrating that the record in question is exempt under expressed provisions of this chapter or that on the facts of the particular case the public interest served by not disclosing the record clearly outweighs the public interest served by disclosure of the record." (Emphasis added.) This provision makes clear that the agency is required to justify withholding any record **with particularity as to "the record in question.**" (Emphasis added.)

Please clearly state in writing pursuant to Section 6255(b): (1) if the City is withholding any documents; (2) if the City is redacting any documents; (3) what documents the City is so withholding and/or redacting; and (4) the alleged legal bases for withholding and/or redacting as to the particular documents.

It should also be noted that to the extent documents are being withheld, should those documents also contain material that is not subject to any applicable exemption to disclosure, then the disclosable portions of the documents must be segregated and produced.

We request that you preserve intact all documents and computer communications and attachments thereto, including but not limited to all emails and computer files, wherever originated, received or copied, regarding the subject matter of the above-referenced cases, including archives thereof preserved on tape, hard drive, disc, or any other archival medium, and including also any printouts, blowbacks, or other reproduction of any such computer communications.

If the copy costs for these requests do not exceed $200, please make the copies and bill this office. If the copy costs exceed $200, please contact me in advance to arrange a time and place where we can arrange inspection of the records and copying. As required by Government Code Section 6253, please respond to this request within ten days. Because I am faxing this request on September 12, 2016, please ensure that your response is provided to me by no later than **September 22, 2016**.

Thank you for your cooperation in this matter.

Very truly yours,

DANIEL WRIGHT
FOR
THE SILVERSTEIN LAW FIRM, APC

DEW:jmr

EXHIBIT 3

HOLLYWOOD HERITAGE, INC.
P.O. Box 2586
Hollywood, CA 90078
(323) 874-4005 • FAX (323) 465-5993

Honorable City Council Member O'Farrell
Department of City Planning Dir. Michael Lo Grande
Attn: David Olivo
City Hall
Los Angeles, CA

April 2, 2014

Re: Ordinance and Resolution to Transfer Land Use Authority from CRA/LA to the Department of City Planning (AB1484); CPC 2013-3169-CA; ENV-2013-3170-CE
Council File: 11-0086

Dear Councilmember and Director:

Hollywood Heritage has a keen interest in the transfer of all land use-related plans and functions of the LA CRA to the LA Department of City Planning, and in seeing that the City Council provides adequate funding to do so at this critical time.

We are writing to emphasize that the elimination of the Community Redevelopment Agency land use functions can undo 25 years of progress for Los Angeles' most famous, visible, important, and rapidly growing historic area. During its tenure, CRA took on **all** of the localized and "fine grain" planning activities below the Community Plan level in Hollywood. Without pro-active, well-funded Planning Department actions now, unintended problems are inevitable.

With the re-opening of the Hollywood Community Plan, we understand that this transfer of CRA authority to City Planning "will incorporate the redevelopment plans' land use controls into legislatively adopted Community Plan Implementation Overlays, or other land use regulations" and will take responsibility for EIRs where the current Plan identified eligible historic resources.

Hollywood Heritage offers our assistance in these endeavors. Although we unfortunately had to take an adversarial role in the courts with CRA, on a day-to-day basis we cooperated

continuously with CRA. We developed and shared files, mapping, and data that can assist City Planning in its follow-through.

City Planning Prior to or Separate from CRA: Before the CRA Hollywood Project Area was adopted, Hollywood Heritage (HHI) and its founders were active in planning for a Hollywood Boulevard Specific Plan, defining the importance of Hollywood Boulevard and guiding its development. HHI authored the Hollywood Boulevard District research, and the nomination and successful listing of the District on the National Register of Historic Places. Hollywood Heritage has actively cooperated in HCM nominations; in post-earthquake surveying; in the survey update; and in actions involving districts and landmarks outside of Hollywood Boulevard proper, and outside of the Redevelopment Area.

Hollywood Heritage Cooperation with CRA Planning: As the voice and conscience of historic preservation, we took an active and constant role in CRA activities. For example, we:

- Authored the Section 511 and other sections in the Redevelopment Plan for building the redeveloped future upon Hollywood's illustrious past, and built the political consensus for inclusion of preservation procedures in the Plan
- Served as elected representative to the CRA's Citizens Advisory Committee;
- Participated in over 25 years of planning activities with CRA as they affected historic buildings.
- Participated actively in Historic Survey development

Preparing for the Transfer: Hollywood Heritage encourages the City Council of Los Angeles to adequately fund the transition to City Planning, specifically for Hollywood :

1. **Immediate mapping and data entry of "protected" historic buildings, and notification of planned demolitions**: There is a currently-adopted list of buildings, with Status Codes 1-4 protected by the Hollywood Redevelopment Plan, including recognition of these buildings in EIRs. These addresses must be transferred, mapped, and protected by City Planning. In addition there is an interim procedure set by judicial action wherein Hollywood Heritage is consulted on planned demolitions for Status Codes 1-6 within the Redevelopment Area. CRA and Planning have indicated their willingness to continue with these programs, and funding is needed to develop the procedures and databases prior to the actual transfer to City Planning, and to continue day-to-day after the transfer.
2. **Transfer of CRA data and planning assets**: CRA assembled databases, maps, draft plans, files, a draft update of the historic survey, etc. Funding should be provided specifically to City Planning to assure that all of this information in CRA's hands is indexed properly and transferred to City Planning . There should be both hard copies and electronic files that are compatible with City Planning databases and software, or funding should be provided to be made compatible.

3. **Retain "Notes" and Development Limitations:** The1986 Hollywood Community Plan in the Redevelopment Area had extensive "Notes" which were specifically intended to deal with the conflicts of the AB 283 zoning conformance program before the "fine grain" urban design plans were completed by CRA. As CRA never completed those plans, the Department of City Planning must now ensure that those "D" limitations and "T" and "Q" conditions remain on properties while the Community Plan revision is worked out.
4. **Interim Control Ordinance immediately**: The Hollywood Boulevard National Register Commercial and Entertainment Historic District will need an ICO to give the Planning Department time to follow up on the court-mandated Urban Design Plan, and to work to conform the zoning categories with current protections.

Longer Term Strategies: Hollywood Heritage encourages adequate funding for longer-term planning:

5. **Integrate Specific Plan or Overlay into re-opened Hollywood Community Plan**: Hollywood deserves its long-awaited Specific Plan, Hollywood Urban Design Plan, CPI Overlay, or whatever tool will serve the intended purpose for Hollywood.
6. **Historic Survey Data/Mapping**: CRA for the last 25 years has been the "go to" agency for information. CRA became the repository of publicly available historic survey data; had almost completed survey revisions to provide an up-to-date, publicly available listing and mapping of historic resources; and had posted the data on their website. This effort needs to be "wrapped up". It is a critical public information function needing funding. Prioritizing as a part of Survey LA's implementation may be one answer.
7. **Historic Cultural Monuments Program**: The Hollywood Community Plan in 1986 required that roughly 100 National Register and other listed historic buildings be forwarded to the Cultural Heritage Commission for listing as HCM's at the City, and for notification in the event of proposed demolitions. The courts renewed that obligation in 2009. The City needs to make a proactive effort to integrate buildings, including the "contributors" and "non-contributors" to the National Register District, into City Planning's system now if CRA cannot follow up on this obligation.
8. **Historic Preservation Overlay Zone Program**: CRA surveys over the years identified specific historic residential districts. These CRA districts should become the basis for an HPOZ program in the future. In the interim, for community planning purposes and for discretionary actions, these districts should be treated as if they are designated; mapped for contributing and non contributing resources; and boundaries defined. The multi-family area north of the Hollywood Blvd. National Register District was identified in 1986 as needing special urban design protections; this area is especially critical. This area should have an ICO placed on it until an appropriate preservation mechanism is identified.

9. **Other CRA Settlement Agreement Obligations:** Hollywood Heritage has recently indicated its willingness to reconsider one or more of the obligations for planning stipulated by the courts in the 2009 Settlement Agreement between Hollywood Heritage and CRA/City. The 2009 Agreement stipulates that urban design planning be completed by March 2013, but it was largely done but never completed. CRA opened up the discussion with a thorough analysis of CRA compliance to date. Hollywood Heritage is willing to "cut through" the issue in CRA cooperation; however, this must be conclusively negotiated prior to the transfer.

10. **National Register District's Updates:** Due to changes in National Register and National Register-eligible districts, caused by restorations and demolitions in Hollywood and by the passage of 25 years, updates are critical in the coming years.

White Paper: Hollywood Heritage will prepare a White Paper for the CRA, the Council Offices, and City Planning to better understand each of these points.

Respectfully Submitted,

Bryan Cooper

Bryan Cooper,
President, Hollywood Heritage Inc.

EXHIBIT 4

CITY OF LOS ANGELES
DEPARTMENT OF CITY PLANNING
ZONING INFORMATION FILE

Effective Date: September 23, 2007

ZI NO. 2385
GREATER DOWNTOWN HOUSING INCENTIVE AREA

COUNCIL DISTRICTS: 8, 9 & 14

COMMENTS:
On September 23, 2007, Ordinance No. 179,076 became effective, establishing the Greater Downtown Housing Incentive Area.

INSTRUCTIONS:
The ordinance modified several code sections for projects within the Greater Downtown, as defined on the attached map, added a requirement for compliance with Design Guidelines, and established a floor area bonus for projects that voluntarily provide a prescribed percentage of units for affordable housing.

The following codes were modified for all projects within the boundaries of the Greater Downtown Housing Incentive Area:

- *The maximum unit per lot area was eliminated; density is unlimited (within the relevant FAR)*
- *All yard requirements were eliminated*
- *Buildable Area is the same as Lot Area*
- *The percentages of private and common open space were eliminated; however the total per unit open space requirement shall still be provided.*
- *Tract and parcel maps may include land set aside for street or alley purposes within the calculation of allowable floor area of a residential or mixed use building (including Apartment Hotels)*

The following requirement was added for all projects in the Greater Downtown Housing Incentive Area:

- *Issue no building permit for a residential or mixed use building (including Apartment Hotels) unless the CRA/LA has determined that the project complies with the Urban Design Standards and Guidelines*

A floor area bonus system was established as follows:

Bonuses:

- *35% increase in total floor area*
- *The definition of "floor area" was modified to exclude public areas accessible to all residents, common areas that serve both residential and commercial uses, and any unenclosed architectural features (i.e halls, lobbies, porte-cocheres, etc.)*
- *Required open space may be reduced by one half, provided a fee is paid in lieu of providing the open space (the fee is the same as the relevant Quimby fee; however it is in ADDITION to the required Quimby fee)*
- *No parking spaces shall be required for dwelling units or guest rooms set aside for households earning less than 50% of the Area Median Income as determined by LAHD*
- *No more than one parking space shall be required for each dwelling unit (including spaces allocated for guest parking)*

The following Affordable Housing Set-Aside shall be provided in order to utilize the Bonuses above:

- *5% of the total number of dwelling units shall be provided for Very Low Income households; and*
- *One of the following shall be provided:*
  - *10% of the total number of units for Low Income households OR*
  - *15% of the total number of units for Moderate Income households OR*
  - *20% of the total number of units for Workforce Income households (150% of Area Median Income)*

Any dwelling unit or guest room occupied by a household earning less than 50% of the Arae Median Income that is demolished shall be replaced on a one-for-one basis within the Community Plan Area

Covenants shall be filed with the LAHD for all affordable units prior to the issuance of a building permit

If you have any questions regarding this matter, please contact the Central City and/or South Los Angeles Community Plan staff or the CRA/LA staff.

ORDINANCE NO. 179076

An ordinance amending Sections 12.03, 12.22, 12.24, 16.05, 17.05, and 17.52 of the Los Angeles Municipal Code.

THE PEOPLE OF THE CITY OF LOS ANGELES DO ORDAIN AS FOLLOWS:

Section 1. Section 12.03 of the Los Angeles Municipal Code is amended by adding a new definition for the term "Greater Downtown Housing Incentive Area" in proper alphabetical order to read:

GREATER DOWNTOWN HOUSING INCENTIVE AREA. Those portions of the Central City and Southeast Community Plan Areas generally bounded by the 101 Freeway on the north, the 110 freeway and Figueroa Street (south of Adams Blvd) on the west, Alameda and Grand Avenue (south of 21st Street) on the east, and Washington Boulevard and Martin Luther King Jr. Blvd (west of Broadway) on the south as shown in the shaded portion of Map A, dated January 23, 2007, attached to Council File No. 05-1173.

Sec. 2. Subsection A of Section 12.22 of the Los Angeles Municipal Code is amended by adding a new Subdivision 29 to read:

29. **Floor Area Bonus for the Greater Downtown Housing Incentive Area.**

(a) **Definitions.**

Area Median Income (AMI) - the median income in the Los Angeles County as determined annually by the United States Department of Housing and Urban Development (HUD), or any successor agency, adjusted for household size.

Floor Area Bonus - an increase in floor area greater than the otherwise maximum allowable floor area, as set forth in Section 12.21.1 of the Code.

Income, Very Low, Low or Moderate - annual income of a household that does not exceed amounts designated for each income category as determined by HUD, or any successor agency.

Income, Workforce - the annual income of a household that does not exceed 150% of the Area Median Income as determined by HUD, or any successor agency.

Restricted Affordable Unit - a residential unit for which rental or mortgage amounts are restricted so as to be affordable to and occupied by Very Low, Low, Moderate or Workforce Income households, as determined by the Los Angeles Housing Department.

(b) **Eligibility for Floor Area Bonus.** A residential (including Apartment Hotel and mixed-use) building in the Greater Downtown Housing Incentive Area containing the requisite number of Restricted Affordable Units as determined by the Department of City Planning and as set forth in Subparagraphs (1), (2) and (3) below shall be granted the following incentives in accordance with Paragraph (c) below:

(1) 5% of the total number of dwelling units shall be provided for Very Low Income households; and

(2) One of the following shall be provided:

(i) 10% of the total number of dwelling units for Low Income households; or

(ii) 15% of the total number of dwelling units for Moderate Income households; or

(iii) 20% of the total number of dwelling units for Workforce Income households.

(3) Any dwelling unit or guest room occupied by a household earning less than 50% of the Area Median Income that is demolished or otherwise eliminated shall be replaced on a one-for-one basis within the Community Plan Area in which it is located.

(4) Fractional Units. In calculating Restricted Affordable Units, any number resulting in a fraction shall be rounded up to the next whole number.

(c) **Incentives.**

(1) A 35% increase in total floor area. In computing the total floor area of a residential building or residential portion of a building, any public area accessible to all residents, including public common areas that serve both residential and commercial uses, and any unenclosed architectural features and areas of a building shall not be considered part of the total floor area of a residential or residential portion of a building. The floor area shall be measured to the center line of partitions separating public and non-public common areas.

(2) The open space required pursuant to Section 12.21 G of this chapter for all dwelling units shall be reduced by one-half, provided that a fee equivalent to the amount of the relevant Quimby park and recreation fee shall be paid for all dwelling units in a project regardless of whether a park and recreation fee is otherwise required. This in-lieu fee shall be placed in a trust fund with the Department of Recreation and Parks for the purpose of acquisition, development and maintenance of open space and/or streetscape amenities within the Greater Downtown Housing Incentive Area, and within the Community Plan Area in which the project is located.

(3) No parking space shall be required for dwelling units or guest rooms dedicated to or set-aside for households that earn less than 50% of the Area Median Income as determined by the Los Angeles Housing Department.

(4) No more than one parking space (including spaces allocated for guest parking) shall be required for each dwelling unit.

(d) **Covenant.** Prior to issuance of a building permit to create a residential or mixed-use building or an Apartment Hotel, the following shall apply:

(1) For any project qualifying for a Floor Area Bonus that contains rental housing for Low, Very Low, Moderate or Workforce Income households, a covenant acceptable to the Los Angeles Housing Department shall be recorded with the Los Angeles County Recorder, guaranteeing that the affordability criteria will be observed for at least 30 years from the issuance of the Certificate of Occupancy or a longer period of time if required by the construction or mortgage financing assistance program, mortgage assistance program, or rental subsidy program.

(2) For any project qualifying for a Floor Area Bonus that contains for-sale housing for Moderate or Workforce Income households, a covenant acceptable to the Los Angeles Housing Department and consistent with the for-sale requirements of California Government Code Section 65915(c)(2) shall be recorded with the Los Angeles County Recorder.

(3) If the duration of affordability covenants provided for in this subdivision conflicts with the duration for any other government requirement, the longest duration shall control.

Sec. 3. Subdivision 3 of Subsection C of Section 12.22 of the Los Angeles Municipal Code is amended to read:

3. Incentives to Produce Housing in the Greater Downtown Housing Incentive Area. Notwithstanding any other provision of this chapter to the contrary, for lots in the R4, RAS4, R5, CR, C2, C4, and C5 zones in the Greater Downtown Housing Incentive Area, the following shall apply:

(a) No yard requirements shall apply except as required by the Urban Design Standards and Guidelines, prepared by the Community Redevelopment Agency and approved by the City Planning Commission. The Director of Planning or his/her designee shall stamp and sign the plans showing the required yards. The applicant shall submit the stamped and signed plans to the Department of Building and Safety along with the plans submitted for a building permit.

(b) For the purpose of calculating the buildable area for residential (including Apartment Hotel or mixed-use) buildings, the buildable area shall be the same as the lot area.

(c) The maximum number of dwelling units or guest rooms permitted shall not be limited by the lot area provisions of this chapter so long as the total floor area utilized by guest rooms does not exceed the total floor area utilized by dwelling units.

(d) Notwithstanding the provisions of Section 12.21 G 2 of this Code to the contrary, there shall be no prescribed percentage of the required open space that must be provided as either common open space or private open space.

Sec. 4. Subsection U of Section 12.24 of the Los Angeles Municipal Code is amended by adding a new Subdivision 27 to read:

27. Floor area bonus for a residential (including Apartment Hotel and mixed-use) building in the Greater Downtown Housing Incentive Area where the floor area bonus exceeds that permitted pursuant to Section 12.22 A 29 of this Code.

(a) In addition to the other findings required by this section, the City Planning Commission shall make the following findings:

(1) That the residential (including Apartment Hotel and mixed-use) building is consistent with and implements the Housing Element of the General Plan, which includes objectives to encourage the availability of affordable dwelling units;

(2) That the residential (including Apartment Hotel and mixed-use) building is consistent with the applicable community plan; and

(3) That a residential (including Apartment Hotel and mixed-use) building in the Central City Community Plan area conforms with Urban Design Standards and Guidelines for the Central City Community Plan Area once those guidelines have been approved by the City Planning Commission.

Sec. 5. Subdivision 1 of Subsection C of Section 16.05 of the Los Angeles Municipal Code is amended by adding a new Paragraph (e) to read:

(e) Any residential (including Apartment Hotel or mixed-use) building located within the Greater Downtown Housing Incentive Area.

Sec. 6. Subdivision 3 of Subsection D of Section 16.05 of the Los Angeles Municipal Code is amended by adding Paragraph (c) to read:

(c) the residential (including Apartment Hotel or mixed-use) building is within the Greater Downtown Housing Incentive Area and has been determined by the Community Redevelopment Agency (CRA) to

comply with the Urban Design Standards and Guidelines, prepared by the CRA and approved by the City Planning Commission when the City Planning Commission finds that the guidelines are consistent with the applicable community plans.

Sec. 7. The third unnumbered paragraph of Subsection C of Section 17.05 of the Los Angeles Municipal Code is amended to read:

Each Tentative Map shall substantially conform to all other elements of the General Plan. In computing the number of dwelling units, only the area being designated for residential use and land that is being dedicated for public uses shall be considered, excepting, however, land set aside for street purposes, or land required to be dedicated for park and recreation purposes pursuant to Ordinance 141,422. However, in the Greater Downtown Housing Incentive Area, the area used for computing the allowable floor area of a residential (including Apartment Hotel or mixed-use) building shall be the lot area including any land to be set aside for street purposes.

Sec. 8. Subsection H of Section 17.05 of the Los Angeles Municipal Code is amended by adding a new Subdivision 10 to read:

10. In calculating the allowable floor area of a subdivision proposed to be developed as a residential (including Apartment Hotel or mixed use) building in the Greater Downtown Housing Incentive Area, any land required to be dedicated for street purposes shall be included as part of the lot area of the subdivision.

Sec. 9. Section 17.52 of the Los Angeles Municipal Code is amended by adding a new Subsection J to read:

J. Greater Downtown Housing Incentive Area. In calculating the allowable floor area of a parcel map proposed to be developed as a residential (including Apartment Hotel or mixed use) building in the Greater Downtown Housing Incentive Area, any land required to be dedicated for street purposes shall be included as part of the lot area of the parcel map.

Sec. 10. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, at its meeting of AUG 07 2007.

FRANK T. MARTINEZ, City Clerk

By _____
Deputy

Approved AUG 13 2007

_____
Mayor

Approved as to Form and Legality

ROCKARD J. DELGADILLO, City Attorney

By _____
SHARON SIEDORF CARDENAS
Assistant City Attorney

Date AUG 07 2007

Pursuant to Charter Section 559, I approve this ordinance on behalf of the City Planning Commission and recommend that it be adopted .....

August 7, 2007

See attached report.

_____
S. Gail Goldberg
Director of Planning

File No(s). CF 05-1173; CPC-2005-1122, CPC-2005-1124, CPC-2005-0361

[M:\Real Prop_Env_Land Use\Land Use\Sharon Cardenas\Ordinances\Greater Dwntwn Housing Ord V3.doc]

DECLARATION OF POSTING ORDINANCE

I, MARIA C. RICO, state as follows: I am, and was at all times hereinafter mentioned, a resident of the State of California, over the age of eighteen years, and a Deputy City Clerk of the City of Los Angeles, California.

Ordinance No. 179076 - Amending Sections 12.03, 12.22, 12.24, 16.05, 17.05 and 17.52 of the Los Angeles Municipal Code - a copy of which is hereto attached, was finally adopted by the Los Angeles City Council on **August 1, 2007**, and under the direction of said City Council and the City Clerk, pursuant to Section 251 of the Charter of the City of Los Angeles and Ordinance No. 172959, on **August 14, 2007** I posted a true copy of said ordinance at each of three public places located in the City of Los Angeles, California, as follows: 1) one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; 2) one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; 3) one copy on the bulletin board located at the Temple Street entrance to the Hall of Records of the County of Los Angeles.

Copies of said ordinance were posted conspicuously beginning on **August 14, 2007** and will be continuously posted for ten or more days.

I declare under penalty of perjury that the foregoing is true and correct.

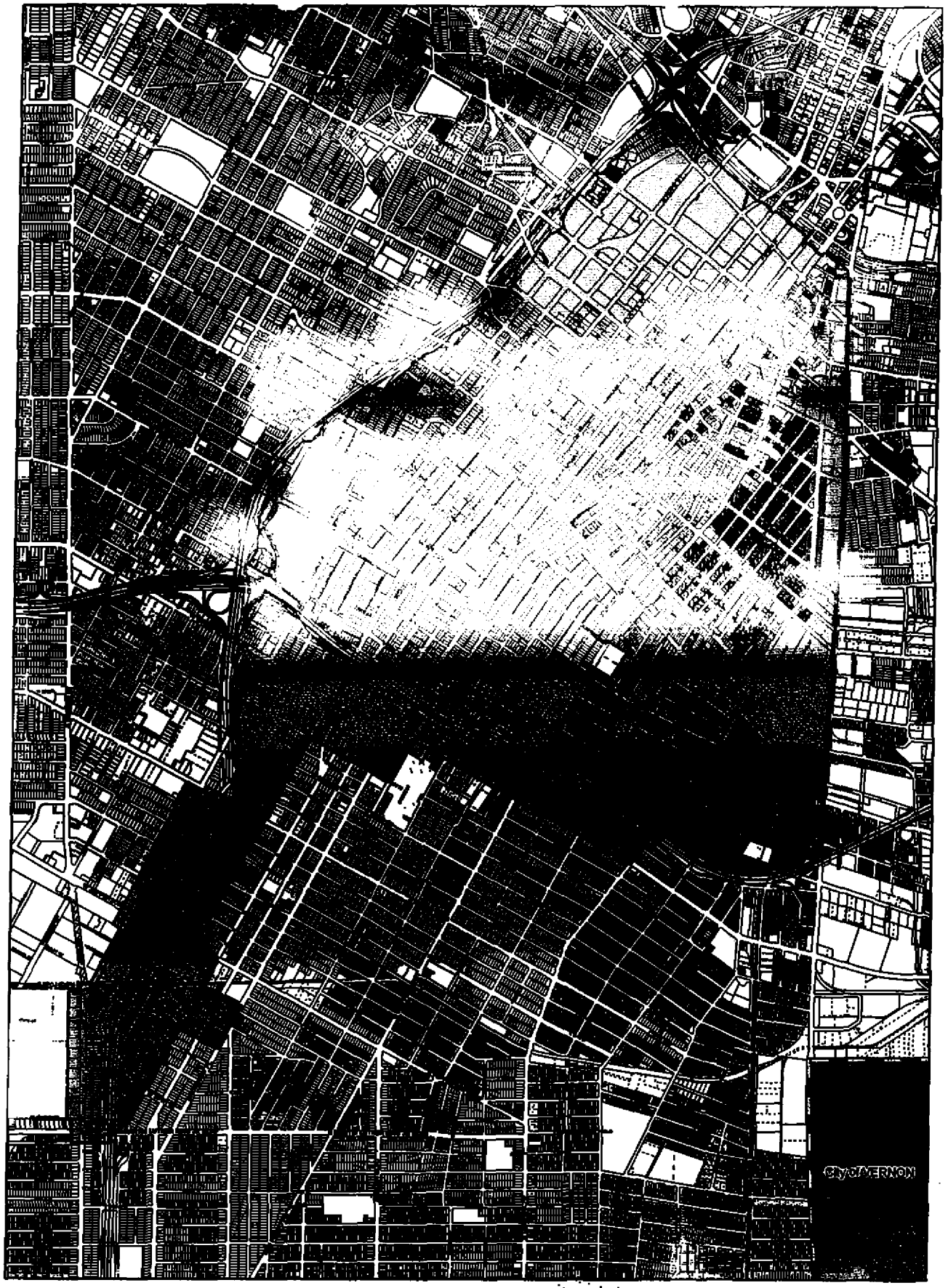
Signed this **14th** day of **August 2007** at Los Angeles, California.

Maria C. Rico

Maria C. Rico, Deputy City Clerk

Ordinance Effective Date: September 23, 2007 **Council File No. 05-1173**

Rev. (2/21/06)



Greater Downtown Housing Incentive Area

CPC-2005-1122, CPC-2005-1124, CPC-2005-0361

NOT TO SCALE

Area Mapped

DEPARTMENT OF CITY PLANNING
RECOMMENDATION REPORT

Citywide Planning Commission

Date: January 8, 2009
Time: After 8:30 a.m.
Place: City Hall, Room 1010

Public Hearing: Required
Appeal Status: Zoning Code Amendment not appealable
Expiration Date: Not Applicable
Multiple Approval: Not Applicable

Case No.: CPC-2008-4503-CA
CEQA No.: ENV-2008-4505-ND
Incidental Cases: Not Applicable
Related Cases: CPC-2008-4504-MSC, CPC-2008-4502-GPA
Council No.: 9, 14
Plan Area: Central City
Specific Plan: Not Applicable
Certified NC: Downtown Neighborhood Council
GPLU: Various
Zone: Various

Applicant: City of Los Angeles
Representative: Not Applicable

PROJECT LOCATION: Subarea of the Central City Community Plan for an area generally bounded by the 101 freeway on the north, the 110 freeway on the west, the 10 freeway on the south, and San Pedro and Alameda Streets on the east.

REQUEST: Amendments to various sections of the Los Angeles Municipal Code

SUMMARY: A proposed ordinance to clarify various sections of the Los Angeles Municipal Code 12.03 (Definitions), 12.21 (General Provisions), 12.22 (Exceptions), 12.37 (Highway Dedication and Improvement), 13.00 (Supplemental Use), 16.05 (Site Plan Review), 17.00 (Subdivisions), 18.00 (Parcel Maps) to streamline implementation of the Downtown Design Guide, Urban Design Standards and Guidelines.

RECOMMENDED ACTIONS:

1. **Adopt** the staff report as its report on the subject.
2. **Adopt** the findings included in Attachment 1.
3. **Approve and recommend** the City Council Adopt the proposed ordinance (Exhibit A).
4. **Approve and recommend** the City Council **Adopt** Negative Declaration No. ENV-2008-4505- ND

S. GAIL GOLDBERG, AICP
Director of Planning

Emily J. Gabel-Luddy, Principal City Planner
Direct Telephone: 213-200-1447

Simon Pastucha, City Planner
Direct Telephone: 213-978-1475

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

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EXECUTIVE SUMMARY

The Citywide Planning Commission is requested to approve the clarifications to the Zoning Code in order to implement the Downtown Design Guide, Urban Design Standards and Guidelines (Downtown Design Guide). These code clarifications will apply only within the Central City Community Plan for the area generally bounded by the 101 freeway on the north, the 110 freeway on the west, the 10 freeway on the south, and San Pedro and Alameda Streets on the east.

The Commission's action on the related cases will put in place the first comprehensive set of Urban Design Guidelines prepared for a Community Plan in the City of Los Angeles. Downtown Design Guide project will integrate the design features of adjacent sidewalks and streets with the design features of buildings and building sites. The approval of the proposed code clarifications allow for implementation of the Downtown Design Guide and new street standards for development within the area. The clarifications are based on the related actions to implement new streets tied to specific design guidelines.

The Downtown Design Guide sets forth qualitative urban design standards and guidelines to be applied for new construction or major renovation. For the Department of City Planning, every discretionary entitlement project will be subject to these urban design standards and guidelines. Because the Project Area includes several Community Redevelopment Agency (CRA/LA) redevelopment project areas, the CRA/LA will also apply these standards and guidelines prior to building permit signoff. No change in density, intensity or land use is proposed by the Project.

STAFF REPORT

REQUEST

On June 3, 2005, Councilmember Jan Perry, 9th Council District, initiated the first of several Council actions calling for a re-examination of potential widening along streets in downtown Los Angeles. This initial motion further requested a report and recommendation to allow the City Council to adopt specific standards that may differ from the official street standard dimensions of the Bureau of Engineering. This motion put into play a re-examination of existing street standards. On August 7, 2007, the City Council adopted the Greater Downtown Housing Incentive Area ordinance (Ord. No. 179,076, eff. 9/7/07). New zoning regulations particularly suitable to dense urban environments were adopted for the Central City Area to enable the production of more affordable housing. Urban Design Standards and Guidelines for the Central City Community Plan area are identified in the ordinance as the basis for findings for projects seeking bonuses under the adopted ordinance. The second action called for completion of the Urban Design Standards and Guidelines.

DISCUSSION

In this joint venture among the Department of City Planning, the Community Redevelopment Agency, Department of Transportation and Bureau of Engineering, the new set of improvement standards for downtown streets – which emphasize the pedestrian – will result in a paradigm shift from an auto-centric environment to one which emphasizes transit, pedestrian and bicycle alternatives.

The Standards and Guidelines are to be implemented during consideration of entitlements for a discretionary project (Department of City Planning) or a building permit sign off (CRA/LA) for an as-of-right project. They address sustainable design, sidewalks and setbacks, ground floor treatment, parking and access, massing and street wall, on-site open space, architectural detail, streetscape improvements, signage (on-site or onsite "campus" signage).

Testing the Standards and Guidelines was critical to arriving at the recommended code changes. From early 2007 through summer 2008, an Ad Hoc Downtown Street Standards Committee[1] comprised of the four departments met on a regular basis to discuss and resolve issues surrounding the street designations; as well, the Urban Design Studio and CRA/LA staff met to review proposed projects and their compliance with the Downtown Design Guide. It is our expectation that the high quality discussions between City staff and architects/developers will continue on projects in downtown.

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[1] Section 17.05, A and B of the Los Angeles Municipal Code establishes the Street Standards Committee, chaired by the Director of Planning and composed of the General Manager of the Department of Transportation and the City Engineer. The Committee has the authority to recommend width and improvement standards for all classes of public and private streets and alleys. The Citywide Planning Commission adopts the recommendations of the Street Standards Committee, an action requested under Case No. CPC-2008-4504-MSC. The Ad Hoc Downtown Street Standards Committee, DSSC, included the CRA/LA as ex officio member, to work on the Downtown Streets.

Because the Standards and Guidelines are not adopted as regulatory imperatives (an ordinance), they afford the flexibility needed for architects/developers to design within a larger framework of clear and consistent objectives for downtown. Sometimes the existing code requirements do not work with the Standards and Guidelines. There are some code changes that are necessary to remove obstacles to implementing the goals of the guidelines. The following Los Angeles Municipal Code (LAMC) changes create flexibility within the dense urban environment downtown Los Angeles:

Clarify LAMC 12.21 A 4 to reflect the existing built environment and create an incentive for commercial and restaurant uses with direct sidewalk access in a rich urban environment.

Clarify LAMC 12.21 C 6 to enable more active uses on the ground floor of buildings and decrease the amount of blank areas at the base of buildings. Some sites are very small and need flexible solutions. Once a loading dock is required there are building code requirements that are required.

Clarify LAMC 12.21 G 2 implement an incentive to create more ground floor common open space for high density buildings.

Clarify LAMC 12.22 C 3 to state the complete the title of the referenced documents.

Clarify LAMC 12.37 to allow the existing exemption for Council adopted specific street standards named alleys.

Clarify 17.05 A that the mission of the Streets Standards Committee to encompass the movement of pedestrian, bicycles, transit and storm water management practices.

The City Planning and Redevelopment Agency staffs will be applying the same set of standards and guidelines, affording developers and community stakeholders consistency in the review of projects.

The Standards and Guidelines emerge from good architectural, urban design and site layout practices, consistent with the context of emerging Downtown Neighborhood Districts. They represent a base line for infill development. The "Standards" are required and identified by "shall," "are required," or "not permitted."[2] The Guidelines are described as

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[2] Directive text typically addresses exemplary commonplace design practices, e.g.:

- "Where there is curbside parking, one walkway for every one or two parking spaces or other means of access shall be provided through the parkway to curbside parking."
- "The primary entrance to each street-level tenant space that has its frontage along a public street shall be provided from that street."
- "Except for the minimum ground-level frontage required for access to parking and loading, no parking or loading shall be visible on the ground floor of any building façade that faces a street."
- "Electrical transformers shall be located to be accessed from an alley where one exists or can be provided. If located adjacent to a sidewalk, they shall be screened and incorporated into the building to read as a storefront or office."

"should" or "consider." Projects will be required to comply with the Standards and are strongly encouraged to comply with the Guidelines. As the Central City Community Plan is revised (schedule: 2009-2012) under the Department's New Community Plan Program, it is likely that greater refinement of the Standards and Guidelines will occur. This is recognized on page 5 of the Guidelines.

The Standards and Guidelines may be amended, should the need arise, by the Citywide Planning Commission and the Redevelopment Agency Board of Commissioners, without amending the Central City Community Plan or the Zoning Code, affording a straightforward and responsive means to change them. The City Team will be working with the urban design consultants to prepare public handouts for use by staff and the public upon City Council adoption of the Community Plan and Code amendments to make the initial implementation phase as easy as possible.

CONCLUSION

Staff recommends the Commission approve the ordinance and recommend adoption to the City Council. The proposed ordinance (Appendix A) implements the Downtown Design Guide. The clarifications allow flexibility for infill development and adaptive reuse projects within downtown Los Angeles to meet the goals of the Standards and Guidelines.

• "Residential units shall not be located on the ground floor adjacent to alleys in order to reduce light, glare, and noise concerns."

ATTACHMENT 1

FINDINGS

The City Planning Department recommends that the City Planning Commission, in accordance with Charter Section 558, find:

1. In accordance with Charter Section 558 (b)(2), the proposed ordinance (Exhibit A) is in substantial conformance with the purposes, intent, and provisions of the city's General Plan Framework. This ordinance implements Framework Objective 5.1 "Translate the Framework Element's intent with respect to citywide urban form and neighborhood design to the community and neighborhood levels through locally prepared plans that build on each neighborhood's attributes, emphasize quality of development, and provide or advocate "proactive" implementation programs"; Framework Policy directive 4.4.1a, by establishing development standards to "reduce discretionary approvals requirements"; and Framework Objective 5.3 "Refine the City's highway nomenclature and standards to distinguish among user priorities" Mobility Element Objective 2 "Mitigate the impacts of traffic growth, reduce congestion, and improve air quality by implementing a comprehensive program of multimodal strategies that encompass physical and operational improvements as well as demand management"; and

2. in accordance with Charter Section 558 (b)(2), the proposed ordinance (Exhibit A) implements Framework Objective 5.1 "Translate the Framework Element's intent with respect to citywide urban form and neighborhood design to the community and neighborhood levels through locally prepared plans that build on each neighborhood's attributes, emphasize quality of development, and provide or advocate "proactive" implementation programs", Framework Policy 5.8.3 "Revise parking requirements in appropriate locations to reduce costs and permit pedestrian-oriented building design" and Framework Policy 5.1.1 "Use the Community Plan Update process and related efforts to define the character of communities and neighborhoods at a finer grain than the Framework Element permits"; and

3. in accordance with Charter Section 558 (b)(2), the proposed ordinance (Exhibit A), is in substantial conformance with the purposes, intent, and provisions of the Economic Development section of the City's General Plan Framework. Specifically, this ordinance implements Framework Objective 7.4, which states that the city must "[i]mprove the provision of governmental services, expedite the administrative processing of development applications, and minimize public and private development application costs"; Framework Policy 7.4.1, by ensuring that the city will "[d]evelop and maintain a streamlined development review process to assure the city's competitiveness within the Southern California region"; Framework Policy 7.8.1, by establishing that the city "[p]lace the highest priority on attracting new development projects to Los Angeles which have the potential to generate a net fiscal surplus for the City"; and

4. in accordance with Charter Section 558 (b)(2), the proposed ordinance (Exhibit A) will have no adverse effect upon the General Plan, specific plans, or any other plans being created by the Department of City Planning because the proposed ordinance is consistent with the General Plan and carries out the General Plan goals, policies and objectives discussed above. There will be no substantive changes to the requirements established in the Los Angeles Municipal Code, consequently there will be no effects on any above-referenced plan; and

5. in accordance with Charter Section 558 (b)(2), the proposed ordinance (Exhibit A) will be in conformity with the public necessity, convenience, general welfare, and good zoning practice. This ordinance will allow individual projects flexibility to meet the requirements of the Downtown Design Guide which address sustainable design, sidewalks and setbacks, ground floor treatment, parking and access, massing and street wall, on-site open space, architectural detail, streetscape improvements. Further, the proposed ordinance (Exhibit B) implements the points of the Planning Department Strategic Plan Point 1 of "Do Real Planning" goal of "Create comprehensive plans and policies to provide clear guidance and assurance" and "Protect and respect the unique character of each of our diverse neighborhoods." It is also in accordance with the City Planning Commission, "Do Real Planning" policies such as "Demand a walkable city, Narrow road widenings, Identify smart parking requirements, Eliminate department bottlenecks, Arrest visual blight and Offer basic design standards."

ENVIRONMENTAL FINDING

In accordance with the California Environmental Quality Act (CEQA), a Negative Declaration (ENV-2008-4505-ND) was prepared for the proposed project. The Negative Declaration (Exhibit C) was published on November 25, 2008. All the ordinance sections will have either no or less than significant effect on the environment. The proposed ordinance (Exhibit A) makes no changes to existing zoning, any specific plans or other land use regulations that significantly affect the physical environment. On the basis of the whole of the record before the lead agency including any comments received, the lead agency finds that there is no substantial evidence that the proposed project will have a significant effect on the environment. The attached Negative Declaration reflects the lead agency's independent judgment and analysis. The records upon which this decision is based are with the Environmental Review Section of the Planning Department in Room 750, 200 North Spring Street. The Citywide Planning Commission certifies that action and recommends that the City Council adopt the Negative Declaration upon adoption of the Community Plan Amendments.

EXHIBIT A

ORDINANCE NO. _____

An ordinance amending Sections 12.21, 12.22, 12.37, 13.00, 16.05 17.00 and 18.00 of the Los Angeles Municipal Code to implement the Downtown Design Guide, Urban Design Standards and Guidelines.

THE PEOPLE OF THE CITY OF LOS ANGELES DO ORDAIN AS FOLLOWS:

Section 1. Subparagraph (3) of Paragraph (i) of Subdivision 4 of Subsection A of Section 12.21 of the Los Angeles Municipal Code is amended to read:

(i) **Exception Downtown Business District.** Notwithstanding any other provisions of this section to the contrary, within that area hereinafter described, the off-street automobile parking spaces required in connection with the following buildings, structures or uses shall be located on the same lot or not more than 1,500 feet there from and said spaces shall be provided in the following ratio:

(1) For auditoriums and other similar places of assembly, one space for each 10 fixed seats or one space for each 100 square feet of floor area (exclusive of stage) where there are no fixed seats;

(2) For hospitals, philanthropic institutions, governmental office buildings, and similar uses, at least one parking space for each 1,000 square feet of floor area.

(3) For business, commercial or industrial buildings, having a gross floor area of 7,500 square feet or more, at least one parking space for each 1,000 square feet of floor area in said building, exclusive of floor areas used for automobile parking space, for basement storage, or for rooms housing mechanical equipment incidental to the operation of buildings; provided that, for a warehouse having a gross floor area of 10,000 square feet or more, in addition to one automobile parking space for each 1,000 square feet of floor area for the first 10,000 square feet, the automobile parking required for that portion of the warehouse in excess of the first 10,000 square feet of floor area shall be one space for each 5,000 square feet.

Notwithstanding the above paragraph, for ground floor and

subterranean commercial uses, with direct sidewalk access in compliance with the Downtown Design Guide, Downtown Urban Design Standards and Guidelines, no parking shall be required for the first 15,000 square feet of ground floor and subterranean commercial retail uses including restaurants.

This exception shall apply only to property located within the area bounded by Pico Boulevard from the Harbor Freeway to Figueroa Street; Figueroa Street from Pico Boulevard to Venice Boulevard; Venice Boulevard from Figueroa Street to Main Street; Sixteenth Street from Main Street to Maple Avenue; Maple Avenue from Sixteenth Street to Olympic Boulevard; Olympic Boulevard from Maple Avenue to San Julian Street; San Julian Street from Olympic Boulevard to Ninth Street; Ninth Street from San Julian Street to Gladys Avenue; Olympic Boulevard from Gladys Avenue to Central Avenue; Central Avenue from Olympic Boulevard to Third Street; Third Street from Central Avenue to Alameda Street; Alameda Street from Third Street to Sunset Boulevard; Sunset Boulevard from Alameda Street to North Broadway; North Broadway from Sunset Boulevard to Temple Street; Temple Street from North Broadway to Hill Street; Hill Street from Temple Street to First Street; First Street from Hill Street to the Harbor Freeway; the Harbor Freeway from First Street to Pico Boulevard.

Section 2. Subdivision 6 of Subsection C of Section 12.21 of the Los Angeles Municipal Code is added to read:

6. **Loading Space.**

(a) A loading space shall be provided and maintained on the same lot with every hospital, hotel, or institution building. A loading space shall be provided and maintained on the same lot with every building in the C or M Zones where the lot on which said building is located abuts an alley, provided that when the lot is occupied by a use, such as a service station or a drive-in business, in which the building covers less than the total buildable area, a suitable loading space must be provided, but it need not comply with all the provisions of this section if its location, size and means of access are approved by the Department of Building and Safety.

EXCEPTION: No loading space shall be required on a

lot that abuts an alley in the C Zone when all the buildings are erected, structurally altered, enlarged or maintained and used solely as dwellings or apartment houses.

No loading space shall be required on a lot that abuts an alley in the C Zone within the boundaries of the Downtown Design Guide, Downtown Urban Design Standards and Guidelines as shown on the Central City Community Plan Map.

(b) Every required loading space shall be so located and arranged that delivery vehicles may be driven upon or into said space from the alley. Such loading space shall have a minimum height of 14 feet and shall be directly accessible through a usable door not less than three feet in width and not less than six feet six inches in height opening from the building it is to serve.

(c) Every required loading space shall have a minimum area of 400 square feet, a minimum width of 20 feet measured along the alley line, and a minimum depth of ten feet measured perpendicularly to the alley line except as hereafter provided in this Subsection. Such loading space may be furnished within a building where said building is designed and arranged to include accessible loading space equivalent to that required by this subdivision.

(d) The required loading space shall have a minimum area of 600 square feet where the gross floor area of all buildings on the lot exceeds 50,000 square feet, but not more than 100,000 square feet, a minimum area of 800 square feet where the gross floor area of all buildings is between 100,000 and 200,000 square feet, and shall be increased by an additional 200 square feet for each additional 200,000 square feet or fraction thereof of gross floor area in the building.

(e) The required loading space, on lots less 40 feet in width, shall extend across the full width of the lot at the alley line, but need not exceed 10 feet in depth.

(f) No loading space shall be required on a lot on which a building, other than a residential building, is to be erected, structurally altered, or enlarged, and on which there is an existing separate building being lawfully maintained adjacent to the alley in such manner as to prevent the establishment of the loading space required by the provisions of this subdivision.

(g) No loading space shall be required on unusually shaped lots, oddly located lots, or on hillside lots, when waived by the

Department of Building and Safety as provided for in Sec. 12.26-B.

(h) Any loading space being maintained in connection with an existing main building shall be maintained so long as the building remains, provided, however, that this regulation shall not require the maintenance of more loading space than is herein required for a new building, nor the maintenance of such space in any other zone or for any other buildings than those specified herein.

Section 3. Paragraph (c) of Subdivision 2 of Subsection G of Section 12.21 of the Los Angeles Municipal Code is added to read:

G. Open Space Requirement for Six or More Residential Units.

1. **Purpose.** It is the purpose of this subsection to establish reasonable and uniform regulations to provide usable open space as a means to fulfill the following objectives: afford occupants of multiple residential dwelling units opportunities for outdoor living and recreation; provide safer play areas for children as an alternative to the surrounding streets, parking areas, and alleys; improve the aesthetic quality of multiple residential dwelling units by providing relief to the massing of buildings through the use of landscape materials and reduced lot coverage; and provide a more desirable living environment for occupants of multiple residential dwelling units by increasing natural light and ventilation, improving pedestrian circulation and providing access to on-site recreation facilities.

2. **Regulations.** New construction (resulting in additional floor area and additional units) of a building or group of buildings containing six or more dwelling units on a lot shall provide at a minimum the following usable open space per dwelling unit: 100 square feet for each unit having less than three habitable rooms; 125 square feet for each unit having three habitable rooms; and 175 square feet for each unit having more than three habitable rooms.

For purposes of this subsection, usable open space shall mean an area which is designed and intended to be used for active or passive recreation. Usable open space may consist of private and/or common area as further defined and regulated herein. Parking areas, including access aisles, driveways, and required front and side yards, open space areas located above the first habitable room level, except as otherwise provided for herein, shall not qualify as usable open space.

(a) **Common Open Space:**

(1) Common open space shall meet each of the following requirements:

(i) Be open to the sky and have no structures that project into the common open space area, except as provided in Section 12.22 C.20.(b),

(ii) Be readily accessible to all the residents of the site,

(iii) Have a minimum area of 400 sq. ft. with no horizontal dimension less than 15 feet when measured perpendicular from any point on each of the boundaries of the open space area,

(iv) Constitute at least 50% of the total required usable open space in developments built at an R3, RAS3, R4, RAS4, and/or R5 density regardless of the underlying zone.

(v) Be located at the grade level or first habitable room level, except in developments built at an R3, RAS3, R4, RAS4, and/or R5 density regardless of the underlying zone.

(2) Common open space areas shall incorporate recreational amenities such as swimming pools, spas, picnic tables, benches, children's play areas, ball courts, barbecue areas and sitting areas. Amenities that meet the Department of Recreation and Parks specifications pursuant to Section 17.12 F. of this Code may be credited against fees required under Section 12.33 of this Code.

(3) A minimum of 25 percent of the common open space area shall be planted with ground cover, shrubs or trees. At least one 24-inch box tree for every four dwelling units shall be provided on site and may include street trees in the parkway. For a surface area not located directly on finished grade that is used for common open space, and located at ground level or the first habitable room level, shrubs and/or trees shall be contained within permanent planters at least 30-inches in depth, and lawn or ground cover shall be at least 12-inches in depth. All required landscaped areas shall be equipped with an automatic irrigation system and be properly drained.

The Director of Planning or the Director's designee shall have the authority to review and approve or disapprove all proposed landscape plans submitted in compliance with this paragraph.

(4) Notwithstanding the provisions set forth in this paragraph:

(i) Recreation rooms at least 600 square feet in area for a development of 16 or more dwelling units, or at least 400 square feet in area for a development of fewer than 16 dwelling units, may qualify as common open space, but shall not qualify for more than 25 percent of the total required usable open space.

(ii) Roof decks in developments built at an R3 or an RAS3 density, regardless of the underlying zone, may be used as common open space, excluding that portion of the roof within ten feet from the parapet wall.

(iii) Roof decks in developments built at an R4, RAS4, and/or R5 density, regardless of the underlying zone, may be used in their entirety as common open space.

(b) **Private Open Space.** Private open space is an open space area which is contiguous to and immediately accessible from a single dwelling unit and which meets all of the following requirements of the zones herein specified:

(1) In the RD 1.5 and more restrictive zones:

(i) private open space shall be located at grade level or the first habitable room level and be open to the sky. Structures may project no more than three feet into the private open space area, provided there is a minimum eight foot vertical clearance under the projection, except as provided in Section 12.22 C.20.(b);

(ii) private open space shall be enclosed by a solid fence at least four feet in height; and

(iii) the private open space area shall have no horizontal dimension less than eight feet, when

measured perpendicular from any point on each of the boundaries of the open space area and contain a minimum of 100 square feet of which no more than 100 square feet per dwelling unit shall be attributable to the total required open space.

(2) In developments built at an R3, RAS3, R4, RAS4, and/or R5 density regardless of the underlying zone, private open space may be provided above the first habitable room level. When so provided, it shall:

(i) contain a minimum of 50 square feet of which no more than 50 square feet per dwelling unit shall be attributable to the total required usable open space;

(ii) have no horizontal dimension less than six feet when measured perpendicular from any point on each of the boundaries of the open space area; and

(iii) provide a minimum eight foot vertical clearance under any projection, except as provided in Section 12.22 C.20.(b); and

(iv) that portion of a balcony which extends or projects into a required front yard in compliance with Section 12.22 C.20.(d) may qualify as usable open space provided it meets each of the above specified requirements set forth in this subparagraph.

(c) For new projects within the boundaries of the Downtown Design Guide, Downtown Urban Design Standards and Guidelines as shown on the Central City Community Plan Map, the total amount of private and common open space calculated for the project may be reduced by 50% provided that the open space is placed exclusively for common use, a minimum area of 5,000 square feet, on the ground level, directly accessible from the adjoining sidewalk and open for public use during daylight hours. No private open space will be required. Sidewalk easements granted in compliance with the Downtown Design Guide, Urban Design Standards and Guidelines may be applied towards the 5,000 square foot requirement.

Section 4. Paragraph (a) of Subdivision 3 of Subsection C of Section 12.22 of the Los

Angeles Municipal Code is amended to read:

(a) No yard requirements shall apply except as required by the Downtown Design Guide, Urban Design Standards and Guidelines, prepared by the Community Redevelopment Agency and approved by the City Planning Commission. The Director of Planning or his/her designee shall stamp and sign the plans showing the required yards. The applicant shall submit the stamped and signed plans to the Department of Building and Safety along with the plans submitted for a building permit.

Section 5. Subsection H of Section 12.37 of the Los Angeles Municipal Code is amended to read:

H. Improvement Standards.

1. All major and secondary highways and all collector streets shall be constructed and improved in accordance with the standards adopted by the City Planning Commission pursuant to LAMC 17.05 B. insofar as such is practical and will not create an undue hardship.

Where major or secondary highways are designated by the General Plan as divided highways, the width of the dividing strips shall not be considered a part of the highway for the purpose of calculating either the width of the dedication or the width of the improvement required by this section.

2. All streets not designated major or secondary highways or collector streets, but that intersect said highways, shall be dedicated to a maximum width of sixty (60) feet. Roadway and parkway widths shall conform to those standards adopted by the City Planning Commission in accordance with LAMC 17.05 B., depending upon street classification type. Whenever uncertainty exists as to the application of the provisions of this section, or in instances of streets so classified as requiring less than 60 feet of dedication in order to conform to the minimum width standards as adopted in accordance with Section 17.05 B. of this Code, the City Engineer shall make any necessary determinations.

3. All improvements required to be made by the provisions of this subsection shall be done in accordance with the current applicable provisions of the Standard specifications for Public Works Construction adopted by the City Council.

4. The City Engineer may approve and allow such variations from the aforesaid requirements as he determines are made necessary by the conditions of the terrain and the existing improvements contiguous to the property involved.

5. Said standards shall not, however, be applicable to any street or alley for which the City Council, by ordinance, adopts specific standards.

Section 6. Subsection A of Section 17.05 of the Los Angeles Municipal Code is amended to read:

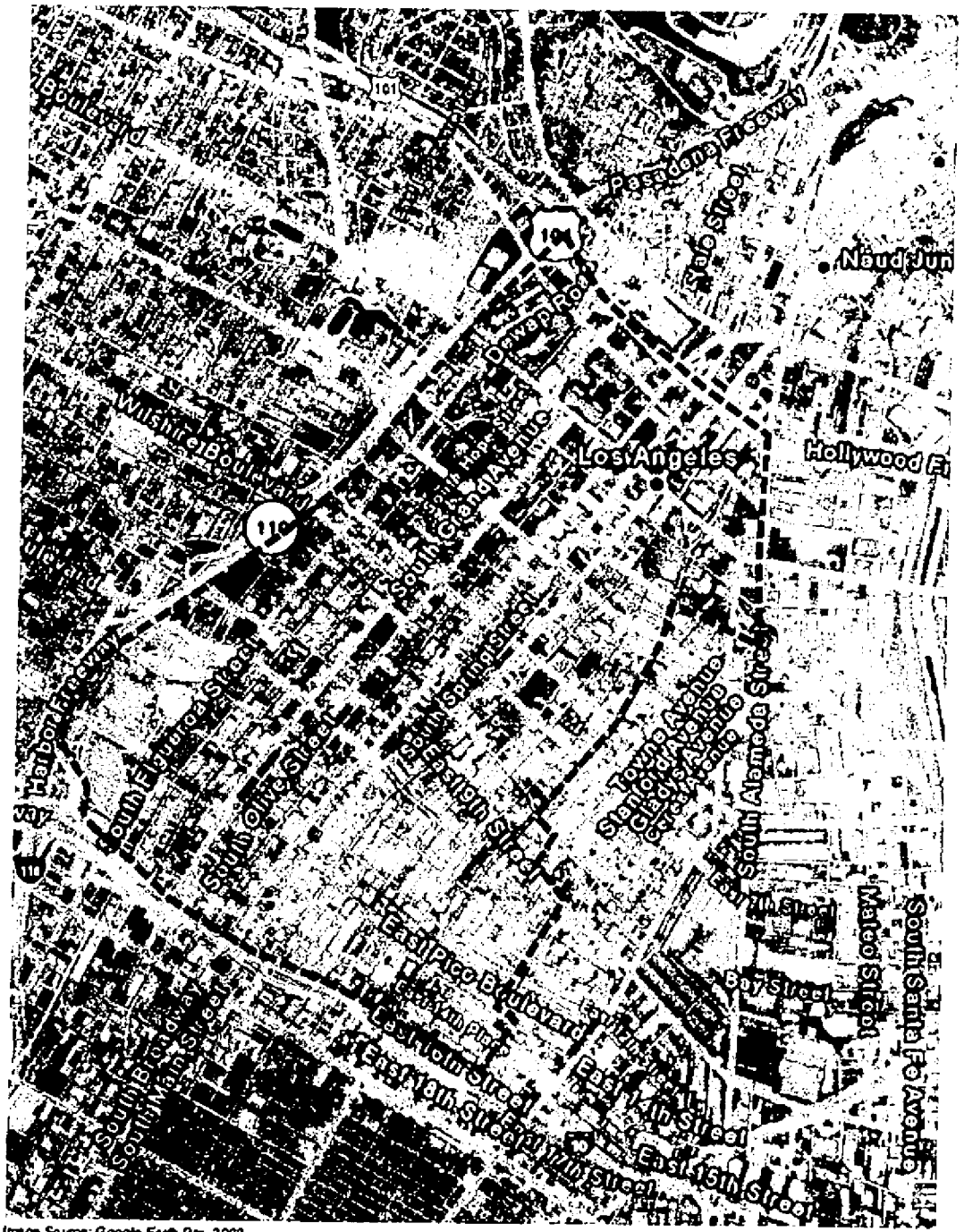
A. Street Standards Committee. There is hereby created a Street Standards Committee to be composed of the Director of Planning, as Chairman, the City Engineer and the General Manager of the Department of Transportation.

It shall be the duty of this committee to recommend to the Commission minimum width and improvement standards for all classes of public and private streets and alleys. The Commission shall adopt such minimum width and improvement standards as it determines are necessary for the safe and adequate movement of pedestrians, bicycles, transit, traffic, installation of necessary utilities, storm water management practices and reasonable and proper access to abutting property.

Said standards shall not, however, be applicable to any street or alley for which the City Council, by ordinance, adopts specific standards.

Section 7. The City Clerk shall certify ...

EXHIBIT B
Project Boundaries Map



Aerial Image of Project and Surrounding Areas

Figure 3

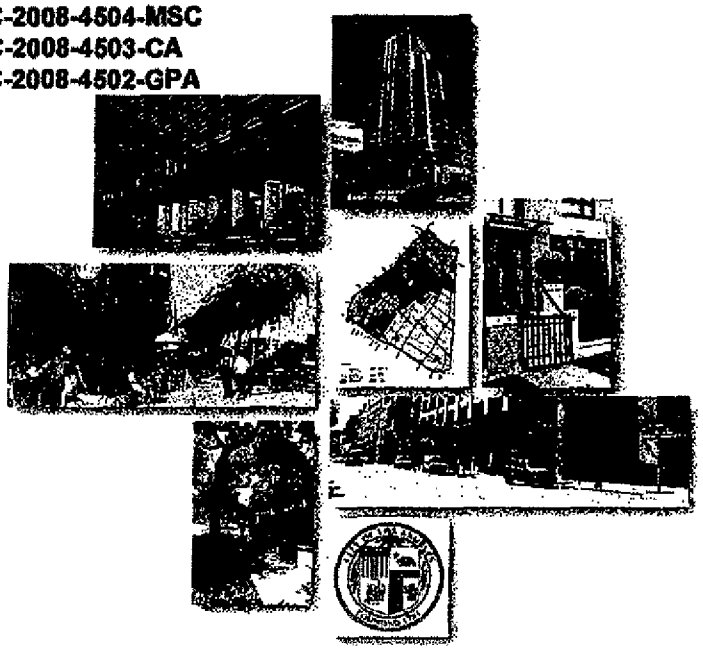
EXHIBIT C
Please See Attached Environmental Clearance

City of Los Angeles

DOWNTOWN STREET STANDARDS AND URBAN DESIGN STANDARDS AND GUIDELINES

DRAFT INITIAL STUDY/NEGATIVE DECLARATION

EXHIBIT C
ENV-2008-4505-ND
Negative Declaration
CPC-2008-4504-MSC
CPC-2008-4503-CA
CPC-2008-4502-GPA



November 2008

MOTION

24A

I MOVE that the matter of CONTINUED CONSIDERATION OF NEGATIVE DECLARATION, COMMUNICATION FROM CHAIR, PLANNING AND LAND USE MANAGEMENT COMMITTEE and RESOLUTION relative to General Plan Amendment to the Central City Community Plan and Transportation Element and proposed amendments to the Downtown Design Guide and Urban Design Standards Guidelines, Item 24 (CF 09-0385; CF 09-0385-S1) on today's Council Agenda, BE AMENDED to revise Exhibit D, "Revised Central City Community Plan Text", as follows:

1. Make the following change to the second clause under the heading "Little Tokyo":

Maintain existing and improve overall pedestrian linkage, including Azusa Street as a Pedestrian Walk, within Little Tokyo, as well as with neighboring districts (e.g., Arts District, industrial areas, Civic Center).

2. ADD the following clause under the heading "Historic Core/Center City":

"Support and implement the Bringing Back Broadway Initiative to revitalize Broadway as a vibrant entertainment and cultural destination for businesses, pedestrians, transit users, shoppers, visitors, residents:

- Develop and adopt a Community Design Overlay Zone.
- Complete a Streetscape Plan to reinforce connections and linkages for businesses/pedestrians/transit users.
- Support implementation of a Streetcar system to serve and connect Broadway, the Historic Core with Downtown destinations.
- Provide incentives for visual vibrancy, commercial re-use/re-activation opportunities, shared/municipal parking opportunities."

I FURTHER MOVE that the Council direct the Planning Department, in coordination with the Department of Transportation (DOT), and the Bureau of Engineering, to prepare and present the necessary documents and Plan Amendments to the "Streets and Highways Designation Map" of the Transportation Element of the General Plan and to the Central City Community Plan, to re-designate and downgrade a segment of Francisco Street between Wilshire Boulevard and 7th Street from its current Collector Street classification to a Local Street; and

I FURTHER MOVE that in anticipation of the approval of this Plan Amendment the DOT be directed to provide input on the current or future traffic volume in this area, and quickly evaluate the need for any additional traffic signals, signage, and other traffic calming measures that may be needed in this area.

PRESENTED BY _____
Jan Perry
Councilwoman, 9th District

_____
Jose Huizar
Councilman, 14th District

SECONDED BY _____

April 24, 2009

RME

ORIGINAL

EXHIBIT D
Draft Revised Community Plan Text (highlight/strikeout version)

Chapter V
URBAN DESIGN

For the last half century the design of buildings in Downtown Los Angeles as in most American urban centers, has been mostly at odds with the process of forming the kinds of streets, squares and parks that are the armature of the pedestrian friendly city. Buildings have been more oriented to their own sites, rather than how they might form amenable urban space along with their neighborhoods.

Downtown Design Guide: Design for A Livable Downtown integrates urban design standards and guidelines with new street and sidewalk standards for Downtown. It supports citywide Urban Design Principles: Usable and Accessible Transit; Walkability and Well Being; Bridge the Past and the Future; Accentuate Visual Interest; Nurture Neighborhood Character; Develop Street Furnishings; Emphasize Implementation and Maintenance; Stimulate Sustainability and Innovation; Improve Equity and Opportunity; Generate Public Open Space and Support Navigation, Connection and Flow.

Tailored for Downtown, *Downtown Design Guide: Design for A Livable Downtown* will focus on Housing and Transportation Choice, Shops and Services with Walking Distance, Safe, Shared Streets, Gathering Places and Active Recreation Areas. It fulfills the following objectives:
~~Urban design guidelines prescribe the orderly development of streets and public open spaces. Urban design guidelines should be developed to ensure the design of an architecturally diverse Downtown where all the buildings would accommodate and represent our society over the next 25 years and would reinforce the character of the sidewalks, plazas and parks that residents, workers and visitors commonly share.~~

~~It is the intent of the Plan that each Downtown neighborhoods and district attain a particular character. Further, that they all be linked together through a pedestrian linkage network.~~

~~OBJECTIVES.~~

- ~~To create~~ Creates ~~a series of~~ Pedestrian Orientation for street types, unique to Downtown.

- ~~To develop~~ Implements streetscape and landscape criteria that reinforce the pedestrian quality of Downtown's streets and public open spaces that takes advantage of the great local climate; and that promotes the use and enjoyment of the outdoors.

- Defines ~~individual building~~ criteria ~~which would address~~ for building massing, street wall, ground floor treatment, parking and access, on-site open space, architectural detail and signage. ~~bulk, profile, placement and street walls.~~

- ~~To develop~~ Implements parking design criteria, whether applied to garages, open air lots or integrally within other buildings, that create places that provide safety, comfort and convenience for the pedestrian.

- Encourages, through design, the Parking District concept (spaces within individual projects are accessible and shared within a District during off-peak user hours and

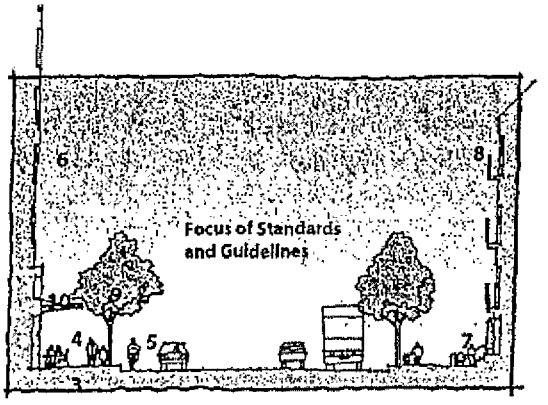
managed within these fluctuating parking demand periods) to maximize parking and minimize the amount of land devoted to parking.

~~• To improve the pedestrian environment.~~

• Respects existing and planned development guidelines for the Historic Core.

• Promotes green streets and green alleys.

Diagram to right shows the zone of development on which the standards and guidelines focus. Numbers correspond to the sections of *Design for a Livable Downtown* in which each topic is addressed:



3. Sidewalks and Setbacks
4. Ground Floor Treatment
5. Parking and Access
6. Massing and Street Wall
7. On-Site Open Space
8. Architectural Detail
9. Streetscape Improvements
10. Signage

BUNKER HILL

• Maintain the highest standards of design and quality of material.

• Maintain existing open, lushly landscaped development and encourage new development to continue the landscape treatment.

• Increase pedestrian friendly streetscapes.

• Improve the pedestrian orientation of the district by requiring 15-foot minimum width sidewalks, throughout, active ground floor uses, and pedestrian-scaled landscaping and improvements on Olive and Hills Streets.

LITTLE TOKYO

• Maintain the integrity of Little Tokyo a Japanese-American cultural and residential-commercial community.

• Maintain existing and improve overall pedestrian linkage, including Azusa Street as a Pedestrian Walk, within Little Tokyo, as well as with neighboring districts (e.g., Arts District, industrial areas, Civic Center).

• Complete the development of the Central Art Park.

- Increase pedestrian-friendly streetscapes, using Japanese-themed plant materials, street furniture and other streetscape elements, wherever practicable.

- Implement the adopted Little Tokyo Planning and Design Guidelines (adopted by the CRA/LA Board in April 2006), and any subsequent amendments.

- Complete the Little Tokyo Community Design Overlay Zone and integrate the Planning and Design Guidelines.

SOUTH PARK

- Provide a major open space focus for this residential neighborhood and established network of well-landscape streets, mini-parks and mid-bock paseos in order to create a garden city environment.

- Complete the Hope Street Promenade as a well-landscaped, mixed-use street detailed for the pedestrian, and linking South Park neighborhoods to the Financial Core.

CONVENTION CENTER/ARENA

- Fully develop all streets and parks to accommodate outdoor activities and to provide pedestrian linkages between this district and other Downtown neighborhoods and districts.

- Implement the Los Angeles Sports and Entertainment District (LASED) Streetscape Plan.

HISTORIC CORE/CENTER CITY

- Establish urban design guidelines and set up preservation priorities that strike a balance between historic preservation and new development.

- Use as a resource the Historic Downtown Los Angeles Design Guidelines to guide rehabilitation and public improvements that maintain and complement the area's historic character.

- Develop Broadway and Spring Streets as the two-signature streets of this district. Develop Main Street and its adjacent east-west streets with residential uses and neighborhood amenities. Develop Hill Street with mixed uses that encourage easy access to and from Bunker Hill.

- ~~Develop Broadway Community Design Overlay Zone in support of Bringing Back Broadway initiative.~~

- Support and implement the Bringing Back Broadway Initiative to revitalize Broadway as a vibrant entertainment and cultural destination for businesses, pedestrians, transit users, shoppers, visitors, residents:

  - Develop and adopt a Community Design Overlay Zone.
  - Complete a Streetscape Plan to reinforce connections and linkages for businesses/pedestrians/transit users.
  - Support implementation of a Streetcar system to serve and connect Broadway, the Historic Core with Downtown destinations.

- Provide incentives for visual vibrancy, commercial re-use/re-activation opportunities, shared/municipal parking opportunities.

- Link east-west mid-block paseo and galleries into a network that provides easy pedestrian access through the area, activated by retail and institutional uses. Use alleys for service and parking access and make them secure at all times.

SOUTH MARKETS

- Develop a set of architecturally distinctive indoor and outdoor markets for the flower, produce and garment industries.

- Establish development standards that promote pedestrian-oriented facilities and small-scale buildings that reinforce the character of the district.

- Develop innovative alley standards to promote retail paseos.

- Create design guidelines for the area including storefront and signage design. Develop new mini-parks and undertake streetscape improvements including trees, signage and street furniture.

- Create a street-oriented retail component of the Flower Market including flower shops, restaurants and shops. Create a street identity for the Flower Market on both Seventh and Eight Streets. Establish streetscaping and façade improvement programs making more areas inviting for retail customers.

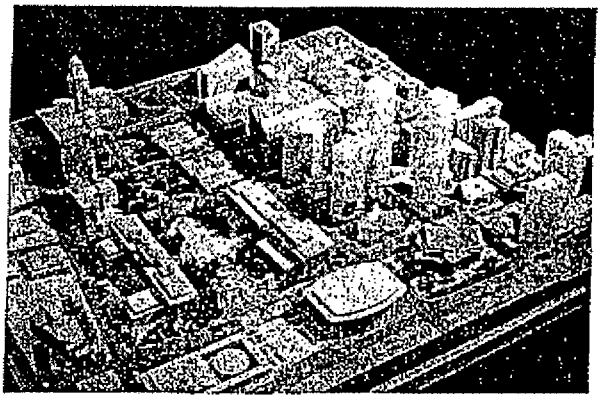
OPEN SPACE

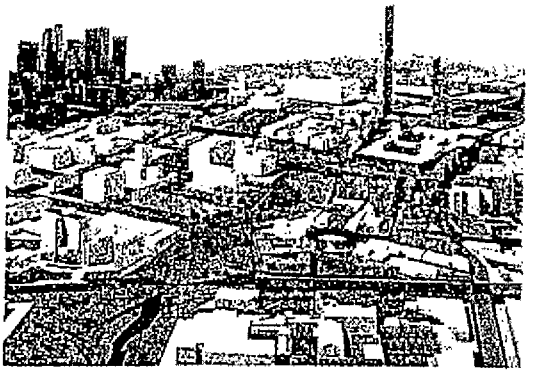
Civic Open Space

Because so little dedicated public open space exists in Downtown, creating a framework of civic open spaces and streets that provide necessary and suitable settings for the public life of the community is of the highest priority. Pershing Square is the first and oldest civic square of Downtown's "new town" expansion designated as a public square in ~~the 1800's~~ 1868. Three more spaces of similar scale should be developed and distributed equally and in a memorable pattern throughout Downtown, to give clarity to the urban form that is the heart of the Los Angeles metropolis.

To be truly civic in scale, these spaces should be the size of a full city block and should be bounded on all sides by public streets. They should be accessible, although hours of use may be controlled. They should be designed for the flexible use of space, accommodating sizeable numbers of people, providing a forum for organized public events as well as for every day casual use. These civic open spaces represent Downtown and the City; therefore, they should boast fine, durable materials, public art, and symbolic information conveying a sense of place. Simply put, these spaces help people know where they are in Downtown and to feel comfortable being there.

Civic Center Park Proposal Park 101 Freeway Park Concept





Opportunities to adaptively re-use publicly-owned land downtown to create significant urban open space should be pursued. The Grand Avenue Civic Park, at 16 acres, affords an opportunity to implement civic open space among the Court, County and City Buildings. The Park 101 Freeway Park, at more than 100 acres, could be placed on a "lid" built over the 101 Freeway, affording new connections to neighborhoods in and near Downtown, Chinatown, Little Tokyo and the urban core.

To unify Downtown and also give focus to its various neighborhood and districts, South Park Square and Market Square should each be designed and programmed with individual character and functions that would be capable of generating activity of both local and regional interest, such as markets, cultural affairs, entertainment and recreational events. Although a full city block park, "San Julian Commons" is also designated as civic open space.

~~Streets improved with planting, paving, lighting, signage and street furnishings should form pedestrian-friendly corridors connecting these civic open spaces and they should be distinguished as the most prominent civic streets of Downtown.~~

Neighborhood Parks

In addition to the civic-scale open spaces, a network of small and well-distributed public and semi-public open space are recommended to serve the needs of individual districts, neighborhoods, developments and institutions. These should be distributed at about 5-minute walking distances (1/4 mile) and should vary in size and character according to land availability and use. Local users should be involved in their design and planning. These may accommodate more active uses such as playgrounds, community gardens, and local group displays and performances. As city life unfolds, and districts and their occupants change, it is quite common and proper for parks to be "recreated" at intervals to accommodate new needs.

STREET HIERARCHY/STANDARDS

Objectives

- To develop a street hierarchy to serve transit, traffic, pedestrian, open space and truck access needs in a coordinated manner.

Policies

- Provide the essential connections and interchanges necessary for a comprehensive transportation system.

- Provide a street hierarchy that would prioritize streets as follows: ~~(1) Mixed Flow Street; (2) Transit Priority Street;~~ (1) Retail, Residential and Other Streets as identified in *Downtown Design Guide: Design for a Livable Downtown;* (2) Transit Priority Streets (3) Truck Route Street; (3) Local Truck Street.

- Transit Priority Streets: Figueroa Street, Flower Street, Broadway, Olympic Boulevard and Pico Boulevard.

- Modify Street Standards to permit wider sidewalks, parkways and stormwater infiltration, more on-street parking, bike lanes and -- curb extensions and medians where feasible.

- Seek funding for implementation of two north-south (Figueroa and Flower Streets) and 3 east-west (2nd and 7th Streets and Venice Boulevard) bicycle lanes accommodated in revised improvement standards for these streets.

- Seek funding to enable implementation of wider sidewalks for whole block faces.

Programs

- The central core of Downtown would receive transit priority while such streets as Figueroa and Flower Streets ~~Los Angeles, 3rd, 4th, 5th and 6th~~; Olympic and Pico Boulevards would be retained as key automobile streets serving Downtown.

- Los Angeles, 3rd, 4th, 5th and 6th make freeway ramp connections for automobiles, but also serve as links between neighborhoods.

- In Central City east and the South Market area, a number of streets have been designated as truck routes to facilitate the movement of goods into and out of the industrial areas.

PEDESTRIAN LINKAGES

Objectives

- To provide an extensive, well-formed and well-maintained pedestrian network.

- To link transit and pedestrian districts of historic Downtown Los Angeles.

Policies

~~- Streets should provide adequate sidewalk space for pedestrian circulation and for use by adjacent retail businesses.~~

- Create an extensive pedestrian network that helps merge the transportation and open space elements of the City.

- Implementation of Angels Walk as it relates to the Central City Community Pan.

THE AVENIDAS

The project would create public open space, which encourage pedestrian activity, interaction and community identity emphasizing the continuity of Downtown as one place rather than a series of isolated and unconnected islands of activity.

- Develop pedestrian oriented streets that connect the Civic Mall, squares and open spaces. This project could create bus lanes, reduce auto lanes, widen sidewalks along one side of each street and add streetscape, trees, furniture and other pedestrian amenities.

ANGELS WALK

- Little Tokyo: Make 2nd Street from Alameda to the west side of Little Tokyo pedestrian-oriented and a link to other portions of the Angels Walk network.

Provide for sidewalk widening, enhancement of streetscape and establishment of public open spaces.

~~To provide "Plum Tree" landscaping along both sides of Third Street to the heart of Little Tokyo and extend landscaping from the Metro Station at Third and Santa Fe Streets.~~

- Bunker Hill and Music Center/Civic Center District. Improve the pedestrian linkages at each of the five Downtown Metrorail portals.

A special focus on the portals at Fourth and Hill Streets. Angel Flights Grand Central Square, Historic Broadway and Spring Street are on the verge of merging into a continuous pedestrian sequence.

Continuous streetscape improvements for pedestrians along the Hill Street corridor itself.

Integration of the proposed regional consolidation of the State of California offices along Fourth Street.

Connections to more distant pedestrian destinations such as Disney Hall, the Museum of Contemporary Art, the Cathedral of Our Lady of the Angels, Chinatown, Union Station and Little Tokyo.

- El Pueblo (Union Station Connection)

Provide a pedestrian bridge that would span the 101 Freeway connecting El Pueblo with Union Station (a landmark gateway) and the Children's Museum and the Historic Core/Center City.

- Street Types: To further enhance the Downtown pedestrian experience, a hierarchy of improved streets should be created.

- Boulevards extending throughout Downtown and leading along important corridors and to important destinations (Broadway, Grand, 1st, 7th, Alameda and Figueroa).

"Paseo" passages that cut through midblocks of the very large-scale City grid to overlay a plaid of more intimately scaled walkways.

Non-through streets of all sizes which discourage vehicular use and there provide special opportunities for local, pedestrian-friendly treatment.

The design criteria should be developed for each of these types of corridors and should focus on the creation of a network of attractive, useable streets designed to emphasize the visual and functional needs to pedestrians as the heart of a public realm in which residents, workers, shoppers and tourists feel comfortable. Particular emphasis should be placed on a landscape palette that distinguishes street-types from each other, and on appropriate minimum width of sidewalks so that they readily accommodate pedestrian activities.

- Grand Avenue Cultural Corridor

Implement street improvement between the Cathedral of Our Lady of the Angels at the Hollywood Freeway and the Central Library at Fifth Street that promotes pedestrian use and provides a unique and striking environment that links together the important civic, cultural, and institutional uses and facilities concentrated there.

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January 29, 2009

City Plan Case No. 2008-4502-GPA
Council District No.s 9 and 14

Honorable City Council
City of Los Angeles
City Hall, Room 305
Los Angeles, CA 90012

Dear Councilmembers:

A PROPOSED GENERAL PLAN AMENDMENT TO THE CENTRAL CITY COMMUNITY PLAN AND TRANSPORTATION ELEMENT TO REVISE THE URBAN DESIGN CHAPTER AND AMEND THE STREET DESIGNATIONS FOR A SUBAREA GENERALLY BOUNDED BY THE 101 FREEWAY ON THE NORTH, THE 110 FREEWAY ON THE WEST, THE 10 FREEWAY ON THE SOUTH AND SAN PEDRO AND ALAMEDA STREETS ON THE EAST

Pursuant to the provisions of Sections 551, 555, 556 and 558 of the City Charter, transmitted herewith is the January 8, 2009 action of the Citywide Planning Commission approving proposed General Plan Amendments to the Central City Community Plan and the Transportation Element. These amendments revise the Urban Design Chapter and change street designations for a subarea within the Plan identified above. Note that two additional cases related to this action were also approved by the Citywide Planning Commission on the same day: CPC-2008-4503-CA (Code Amendment) and CPC-2008-4504-MSC (Approval of new footnote to Standard Plan Form No. S-470-O).

The Citywide Planning Commission, as evidenced by the attached Findings, has determined that the revised text and modified street standards will conform to the City's General Plan. Their action is a step forward in implementing the General Plan at a more detailed level.

The proposed General Plan Amendments were submitted to the Mayor who recommendation will be forwarded to you as specified by Section 11.5.6 of the Los Angeles Municipal Code.

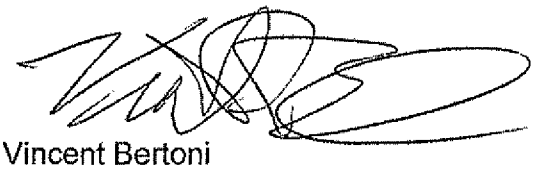
RECOMMENDATION

That the City Council:

1. Concur in the attached action of the Citywide Planning Commission relative to its approval of proposed General Plan Amendments that will revise the Urban Design Chapter and change street designations for a subarea identified above within the Central City Plan; and
2. Adopt the attached Findings of the Citywide Planning Commission as the Findings of the City Council; and
3. Adopt by Resolution, the proposed General Plan Amendments as shown on the attached exhibit; and
4. Certify that it has reviewed and considered the information contained in the Negative Declaration No. ENV-2008-4505-ND; and Adopt the related environmental Findings; and
5. Direct the Planning staff to revise the Community Plan and the Transportation Element in accordance with this action.

Very truly yours,

S. GAIL GOLDBERG, AICP
Director of Planning



Vincent Bertoni
Deputy Director

Attachments:

1. City Plan Case File
2. Resolution Amending the Community Plan and Transportation Element
3. General Plan Amendment: Text
4. General Plan Amendment: Circulation Map
5. City Planning Commission action, including Findings

Council Adoption Resolution

WHEREAS, the city streets in Downtown Los Angeles were widened on an ad hoc basis for several years as various development projects were approved and constructed, and the application of Citywide Street Standards as implemented by the City Engineer has resulted in uneven street character – sometimes wider sidewalks, sometimes narrower sidewalks commensurate with wider and narrower curb-to-curb roadbeds; and

WHEREAS, the Councilmember Jan Perry introduced several Council Motions (CF-05-1514 and CF-06-0547) to re-examine the practice of widening these streets which was unsuitable to maintaining the quality of the character of various neighborhoods in Downtown; and

WHEREAS, the emerging character of Downtown Los Angeles is one of great pedestrian intensity, additional full time residents, emerging retail and business economies, art, entertainment and sports venues – the realization of a long term vision of a 24-hour Downtown: and

WHEREAS, transit and transportation continue to afford Downtown residents and employees significant alternatives to the automobile; and

WHEREAS, in August 2007 the City Council adopted a Greater Downtown Housing Incentives Ordinance (Ordinance No. 179,076, eff. 9/23/07), that calls for the preparation of the Urban Design Standards and Guidelines for new development; and

WHEREAS, the combination of Great Streets, based on a context-sensitive approach, and good urban design form the basis for maintaining an environment that affords alternatives to the automobile, active pedestrian uses, a good living and working environment; and

WHEREAS, new street standards and Urban Design Standards and Guidelines will be used by both the Community Redevelopment Agency of Los Angeles (CRA/LA) and Planning in review and approval of future development projects; and

WHEREAS, new street standards which emphasize wider sidewalks will be eligible for Call for Projects and other capital funding emphasizing pedestrians and connections to transit; and

WHEREAS, on _____, the Mayor recommended approval by the City Council of this ground breaking planning project; and

NOW, THEREFORE BE IT RESOLVED:

THAT THE Central City Community Plan Map text be amended to incorporate context sensitive street standards for the Project area, within the Downtown bounded by An area bounded by Hollywood Freeway (Rte. 101) on the north, Alameda Avenue (east), 3rd Street (south), San Pedro Street (east), 8th Street (south), Crocker Street (east), 9th Street (south), Stanford Street (east), 14th Place (south), Griffith Avenue (east), Santa Monica Freeway (Rte. 10) on the south, and Harbor Freeway (Route 110) on the west
and that the Transportation Element be concurrently amended to maintain consistency; and

THAT THE Central City Community Plan text be amended to incorporate new Urban Design Standards and Guidelines, also know as the Downtown Design Guide: Design for a Liveable Downtown, to apply within the Project area; and

THAT THE City Engineer be directed to update NavigateLA and incorporate the new Street Standards as approved by the Citywide Planning Commission, and to make corrections to limited segments of local streets which are actually alleys; and

THAT relevant clarification language be adopted by separate action, amending the Los Angeles Municipal Code in order to streamline implementation of the Downtown Design Guide; and

THAT further consideration be made for street block improvements eligible for Call for Projects and other funding sources in order to emphasize the pedestrian nature of Downtown LA, including coordination with METRO/LA/DOT for bus stop consolidation/shared bus stops and other design techniques; and

THAT Negative Declaration No. ENV-2008-4505-ND be certified and adopted by the City Council, such environmental study evaluating the effects of the Street Standards and Urban Design Standards and Guidelines on traffic and transportation, historic resources and other key environmental factors and finding no impacts

ATTACHMENT 3:
General Plan Amendment: Text (highlight/strikeout version)

Chapter V
URBAN DESIGN

For the last half century the design of buildings in Downtown Los Angeles as in most American urban centers, has been mostly at odds with the process of forming the kinds of streets, squares and parks that are the armature of the pedestrian friendly city. Buildings have been more oriented to their own sites, rather than how they might form amenable urban space along with their neighborhoods.

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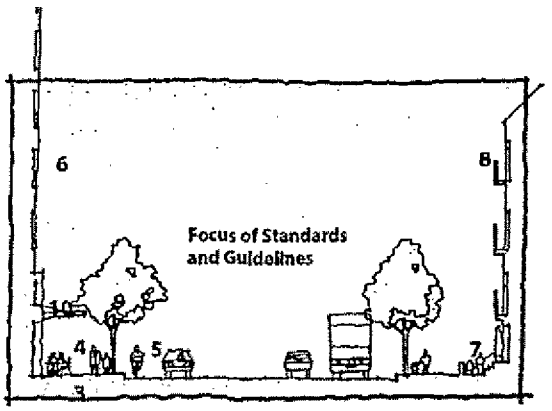

BUNKER HILL

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- Implement the adopted Little Tokyo Planning and Design Guidelines (adopted by the CRA/LA Board in April 2006), and any subsequent amendments.

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SOUTH PARK

- Provide a major open space focus for this residential neighborhood and established network of well-landscape streets, mini-parks and mid-bock paseos in order to create a garden city environment.

- Complete the Hope Street Promenade as a well-landscaped, mixed-use street detailed for the pedestrian, and linking South Park neighborhoods to the Financial Core.

CONVENTION CENTER/ARENA

- Fully develop all streets and parks to accommodate outdoor activities and to provide pedestrian linkages between this district and other Downtown neighborhoods and districts.

- Implement the Los Angeles Sports and Entertainment District (LASED) Streetscape Plan.

HISTORIC CORE/CENTER CITY

- Establish urban design guidelines and set up preservation priorities that strike a balance between historic preservation and new development.

- Use as a resource the Historic Downtown Los Angeles Design Guidelines to guide rehabilitation and public improvements that maintain and complement the area's historic character.

- Develop Broadway and Spring Streets as the two-signature street of this district. Develop Main Street and its adjacent east-west streets with residential uses and neighborhood amenities. Develop Hill Street with mixed uses that encourage easy access to and from Bunker Hill.

● Develop Broadway Community Design Overlay Zone in support of Bringing Back Broadway initiative.

● Link east-west mid-block paseo and galleries into a network that provides easy pedestrian access through the area, activated by retail and institutional uses. Use alleys for service and parking access and make them secure at all times.

SOUTH MARKETS

● Develop a set of architecturally distinctive indoor and outdoor markets for the flower, produce and garment industries.

● Establish development standards that promote pedestrian-oriented facilities and small-scale buildings that reinforce the character of the district.

● Develop innovative alley standards to promote retail paseos.

● Create design guidelines for the area including storefront and signage design. Develop new mini-parks and undertake streetscape improvements including trees, signage and street furniture.

● Create a street-oriented retail component of the Flower Market including flower shops, restaurants and shops. Create a street identity for the Flower Market on both Seventh and Eight Streets. Establish streetscaping and façade improvement programs making more areas inviting for retail customers.

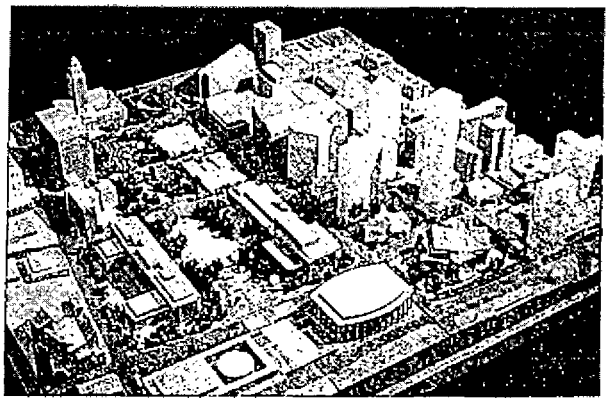
OPEN SPACE

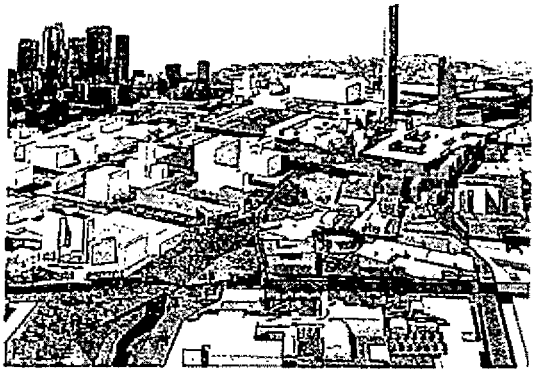
Civic Open Space

Because so little dedicated public open space exists in Downtown, creating a framework of civic open spaces and streets that provide necessary and suitable settings for the public life of the community is of the highest priority. Pershing Square is the first and oldest civic square of Downtown's "new town" expansion designated as a public square in ~~the 1800's~~ 1868. Three more spaces of similar scale should be developed and distributed equally and in a memorable pattern throughout Downtown, to give clarity to the urban form that is the heart of the Los Angeles metropolis.

To be truly civic in scale, these spaces should be the size of a full city block and should be bounded on all sides by public streets. They should be accessible, although hours of use may be controlled. They should be designed for the flexible use of space, accommodating sizeable numbers of people, providing a forum for organized public events as well as for every day casual use. These civic open spaces represent Downtown and the City; therefore, they should boast fine, durable materials, public art, and symbolic information conveying a sense of place. Simply put, these spaces help people know where they are in Downtown and to feel comfortable being there.

Civic Center Park Proposal Park 101 Freeway Park Concept





Opportunities to adaptively re-use publicly-owned land downtown to create significant urban open space should be pursued. The Grand Avenue Civic Park, at 16 acres, affords an opportunity to implement civic open space among the Court, County and City Buildings. The Park 101 Freeway Park, at more than 100 acres, could be placed on a "lid" built over the 101 Freeway, affording new connections to neighborhoods in and near Downtown, Chinatown, Little Tokyo and the urban core.

To unify Downtown and also give focus to its various neighborhood and districts, South Park Square and Market Square should each be designed and programmed with individual character and functions that would be capable of generating activity of both local and regional interest, such as markets, cultural affairs, entertainment and recreational events. Although a full city block park, "San Julian Commons" is also designated as civic open space.

~~Streets improved with planting, paving, lighting, signage and street furnishings should form pedestrian friendly corridors connecting these civic open spaces and they should be distinguished as the most prominent civic streets of Downtown.~~

Neighborhood Parks

In addition to the civic-scale open spaces, a network of small and well-distributed public and semi-public open space are recommended to serve the needs of individual districts, neighborhoods, developments and institutions. These should be distributed at about 5-minute walking distances (1/4 mile) and should vary in size and character according to land availability and use. Local users should be involved in their design and planning. These may accommodate more active uses such as playgrounds, community gardens, and local group displays and performances. As city life unfolds, and districts and their occupants change, it is quite common and proper for parks to be "recreated" at intervals to accommodate new needs.

STREET HIERARCHY/STANDARDS

Objectives

- To develop a street hierarchy to serve transit, traffic, pedestrian, open space and truck access needs in a coordinated manner.

Policies

- Provide the essential connections and interchanges necessary for a comprehensive transportation system.

- Provide a street hierarchy that would prioritize streets as follows: ~~(1) Mixed Flow Street; (2) Transit Priority Street;~~ (1) Retail, Residential and Other Streets as identified in *Downtown Design Guide: Design for a Livable Downtown;* (2) Transit Priority Streets (3) Truck Route Street; (3) Local Truck Street.

- Transit Priority Streets: Figueroa Street, Flower Street, Broadway, Olympic Boulevard and Pico Boulevard.

- Modify Street Standards to permit wider sidewalks, parkways and stormwater infiltration, more on-street parking, bike lanes and -- curb extensions and medians where feasible.

- Seek funding for implementation of two north-south (Figueroa and Flower Streets) and 3 east-west (2nd and 7th Streets and Venice Boulevard) bicycle lanes accommodated in revised improvement standards for these streets.

- Seek funding to enable implementation of wider sidewalks for whole block faces.

Programs

- The central core of Downtown would receive transit priority while such streets as Figueroa and Flower Streets ~~Los Angeles, 3rd, 4th, 5th and 6th~~; Olympic and Pico Boulevards would be retained as key automobile streets serving Downtown.

- Los Angeles, 3rd, 4th, 5th and 6th make freeway ramp connections for automobiles, but also serve as links between neighborhoods.

- In Central City east and the South Market area, a number of streets have been designated as truck routes to facilitate the movement of goods into and out of the industrial areas.

PEDESTRIAN LINKAGES

Objectives

- To provide an extensive, well-formed and well-maintained pedestrian network.

- To link transit and pedestrian districts of historic Downtown Los Angeles.

Policies

~~- Streets should provide adequate sidewalk space for pedestrian circulation and for use by adjacent retail businesses.~~

- Create an extensive pedestrian network that helps merge the transportation and open space elements of the City.

- Implementation of Angels Walk as it relates to the Central City Community Pan.

THE AVENIDAS

The project would create public open space, which encourage pedestrian activity, interaction and community identity emphasizing the continuity of Downtown as one place rather than a series of isolated and unconnected islands of activity.

- Develop pedestrian oriented streets that connect the Civic Mall, squares and open spaces. This project could create bus lanes, reduce auto lanes, widen sidewalks along one side of each street and add streetscape, trees, furniture and other pedestrian amenities.

ANGELS WALK

- Little Tokyo: Make 2nd Street from Alameda to the west side of Little Tokyo pedestrian-oriented and a link to other portions of the Angels Walk network.

Provide for sidewalk widening, enhancement of streetscape and establishment of public open spaces.

~~To provide "Plum Tree" landscaping along both sides of Third Street to the heart of Little Tokyo and extend landscaping from the Metro Station at Third and Santa Fe Streets.~~

- Bunker Hill and Music Center/Civic Center District. Improve the pedestrian linkages at each of the five Downtown Metrorail portals.

A special focus on the portals at Fourth and Hill Streets. Angel Flights Grand Central Square, Historic Broadway and Spring Street are on the verge of merging into a continuous pedestrian sequence.

Continuous streetscape improvements for pedestrians along the Hill Street corridor itself.

Integration of the proposed regional consolidation of the State of California offices along Fourth Street.

Connections to more distant pedestrian destinations such as Disney Hall, the Museum of Contemporary Art, the Cathedral of Our Lady of the Angels, Chinatown, Union Station and Little Tokyo.

- El Pueblo (Union Station Connection)

Provide a pedestrian bridge that would span the 101 Freeway connecting El Pueblo with Union Station (a landmark gateway) and the Children's Museum and the Historic Core/Center City.

● Street Types: To further enhance the Downtown pedestrian experience, a hierarchy of improved streets should be created.

● Boulevards extending throughout Downtown and leading along important corridors and to important destinations (Broadway, Grand, 1st, 7th, Alameda and Figueroa).

"Paseo" passages that cut through midblocks of the very large-scale City grid to overlay a plaid of more intimately scaled walkways.

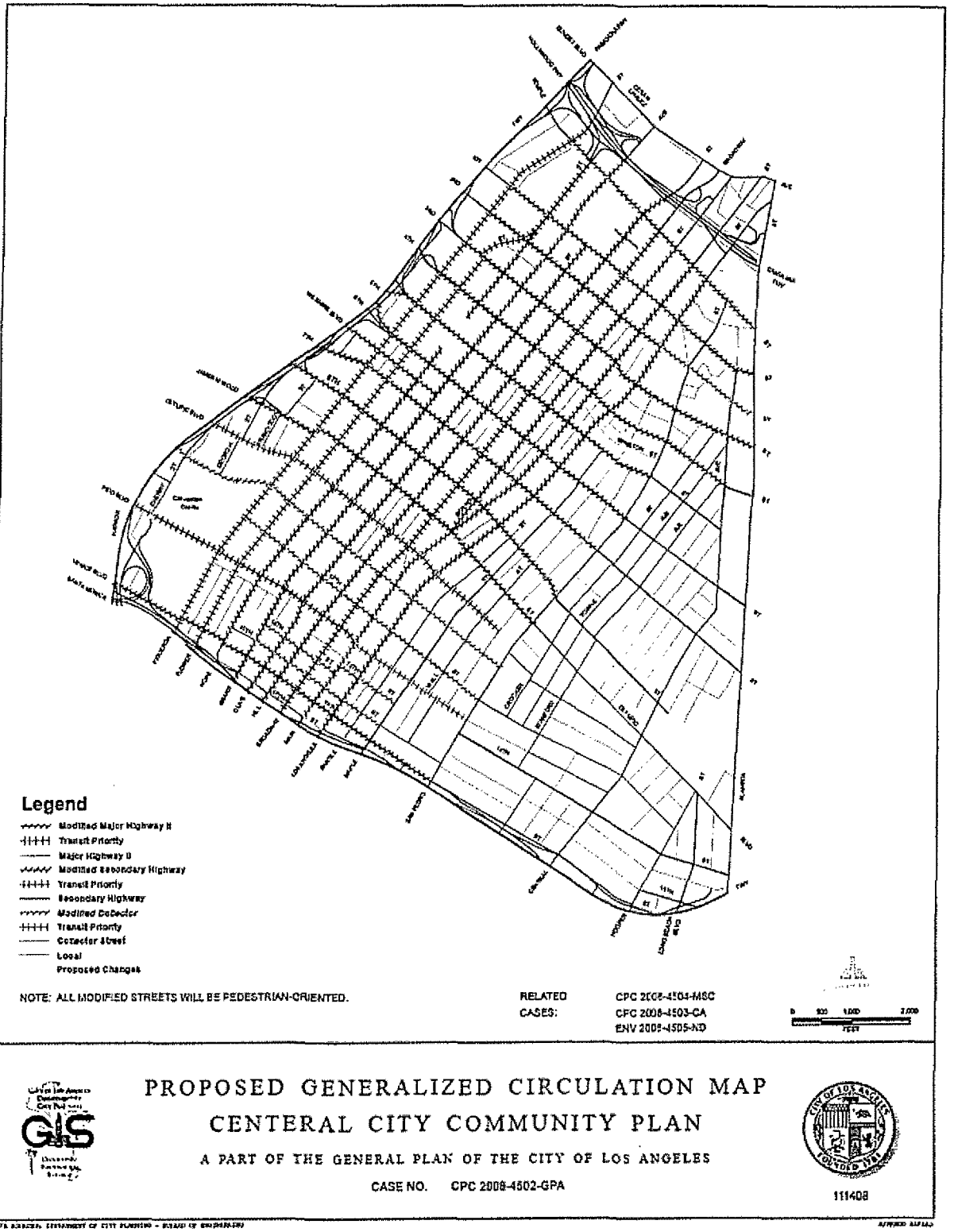
Non-through streets of all sizes which discourage vehicular use and there provide special opportunities for local, pedestrian-friendly treatment.

The design criteria should be developed for each of these types of corridors and should focus on the creation of a network of attractive, useable streets designed to emphasize the visual and functional needs to pedestrians as the heart of a public realm in which residents, workers, shoppers and tourists feel comfortable. Particular emphasis should be placed on a landscape palette that distinguishes street-types from each other, and on appropriate minimum width of sidewalks so that they readily accommodate pedestrian activities.

● Grand Avenue Cultural Corridor

Implement street improvement between the Cathedral of Our Lady of the Angels at the Hollywood Freeway and the Central Library at Fifth Street that promotes pedestrian use and provides a unique and striking environment that links together the important civic, cultural, and institutional uses and facilities concentrated there.

ATTACHMENT 4:
Draft Revised Generalized Circulation Map



TRANSMITTAL TO CITY COUNCIL

Case No.	Planning Staff Name(s) and Contact N	C.D. Nos.
CPC-2008-4502-GPA	SIMON PASTUCHA 213-978-1475	9, 14

Related Case No(s).	Last Day to Appeal
	NA

Location of Project (Include project titles, if any.

VARIOUS

Applicant(s) and Representative(s) Name(s) and Contact Information, if available.

CITY OF LOS ANGELES

Appellant(s) and Representative(s) Name(s) and Contact Information, including phone numbers, if available.
N/A

Final Project Description (Description is for consideration by Committee/Council, and for use on agendas and official public notices. If a General Plan Amendment and/or Zone Change case, include the prior land use designation and zone, as well as the proposed land use designation and zone change (i.e. "from Very Low Density Residential land use designation to Low Density land use designation and concurrent zone change from RA-1-K to (T)(Q)R1-1-K). In addition, for all cases appealed to Council, please include in the description only those items which are appealable to Council.)

At its meeting on January 8, 2009, the City Planning Commission took the following action:

Approved and Recommended that the City Council Adopt the requested General Plan Amendment to the Central City Community Plan: 1) re-designate selected streets from Major and Secondary Highways to Modified Major and Secondary Highways; and 2) revise Chapter V of the Central City Community Plan text to incorporate *Downtown Design Guide*, Urban Design Standards and Guidelines.
Approved and Recommended that the City Council Adopt a concurrent amendment to the Transportation Element consistent with this action.
Approved and Recommended that the City Council Adopt Negative Declaration No. ENV-2008-4505- ND.
Adopted the attached Downtown Design Guide and Findings and authorized Staff to make minor corrections to maintain internal consistency and final City Council action.
Instructed the Director of Planning to make the necessary changes to the Central City Community Plan and Transportation Element upon adoption by City Council.
Advised the applicant that pursuant to State Fish and Game Code Section 711.4, a Fish and Game Fee is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination (NOD) filing.

Items Appealable to Council
N/A

Fiscal Impact Statement *If determination states administrative costs are recovered through fees, indicate "Yes." Yes	ENV. No. ENV-2008-4505-ND	Commission Vote: 6-0

In addition to this transmittal sheet, City Clerk needs:
(1) Original & (1) copy of the Commission, Zoning Administrator or Director of Planning Determination
(2) Staff Recommendation Report (1)
(3) Environmental document used to approve the project, if applicable (1);
(4) Public hearing notice (1);
(5) Commission determination mailing labels (1) note: Condo projects & Appeals only require a copy of the list(s), not the labels.
(6) Condo projects only: (1) copy of Commission Determination mailing list (includes project's tenants; and 500 foot radius mailing lists)

JAMES WILLIAMS, Commission Executive Assistant I City Planning Commission	Date

Los Angeles CITY PLANNING COMMISSION

200 N. Spring Street, Room 272, Los Angeles, California, 90012-4801, (213) 978-1300
www.lacity.org/PLN/index.htm

Determination Mailing Date: JAN 29 2009

CITY COUNCIL
Room 395, City Hall
Los Angeles, California

Applicant: City of Los Angeles

CASE NO.: CPC-2008-4502-GPA
CEQA: ENV-2008-4505-ND
Related Cases: CPC-2008-4503-CA and CPC-2008-4504-MSC
Location: Various
Council District: 9, 14
Plan Area: Central City

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Moved: Montanez
Seconded: Freer
Ayes: Kezios, Lara, Roschen, Woo
Absent: Cardoso, Hughes

Vote: 6-0

James Williams, Commission Executive Assistant I
City Planning Commission

The time in which a party may seek judicial review of this determination is governed by California Code of Civil Procedure Section 1094.6. Under that provision, a petitioner may seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, only if the petition for writ of mandate pursuant to that section is filed no later than the 90th day following the date on which the City's decision becomes final.

Attachments: Findings, Conditions of Approval, Map(s), Ordinance
Principal City Planner: Emily Gabel Luddy
City Planner: Simon Pastucha

FINDINGS

INTRODUCTION

The subject area – Downtown Los Angeles -- is located within the Central City Community Plan area. The Community Plan was last updated by City Council on December 2000 (Council File No. 00-0813-S4) and on August 9, 2002 following adoption of the Los Angeles Sports and Entertainment District Specific Plan (Council File No. 02-2427).

Downtown is the historic, political, social, governmental and economic center of the City of Los Angeles. Its primary land uses are commercial (located throughout downtown, but concentrated in the financial core and along Broadway), institutional (mostly public facilities associated with the Civic Center and Convention Center) and industrial (concentrated mostly east of Main Street and south of Wilshire Boulevard. Residentially designated land is concentrated in Central City East, South Park and Little Tokyo (neighborhood districts within Central City/Downtown), and accounts for a relatively small percentage of planned land uses in the project area.

The proposed project will apply to approximately 1,800 acres or roughly 2.8 square miles. The project area comprises much of Downtown Los Angeles and is roughly triangular in shape, with three sides formed by the Hollywood Freeway (Interstate 101), Santa Monica (Interstate 10), Harbor (Interstate 110) freeways and San Pedro and Alameda Streets. The designated land uses within the project area are Commercial, Multi-family Residential, Industrial, Public Facilities and Open Space. No changes in land use designations are proposed.

Further, the proposed project area encompasses several adopted Redevelopment Project Areas: Bunker Hill, Amended Central Business District, Center City and Little Tokyo. The Central City Community Plan and the adopted Redevelopment Project Area Plans are the primary City documents that direct growth and development within this area of Los Angeles. The Community Redevelopment Agency of Los Angeles (CRA/LA) will be adopting the design standards and guidelines in a separate action by the CRA/LA Agency Board.

The Central City Community Plan Map assigns street designations to the Downtown streets. These designations are derived from City's Citywide Street Classification system prepared by the City Engineer. The designations establish the required public right-of-way for each street. The designations also implement standard improvements for various types of streets required to serve the area. The adopted Redevelopment Plans do not address streets. While the Redevelopment Plans must be consistent with the City's General Plan and Community Plans, no amendment to them is necessary for modernizing the street system. Changes in selected designated street types are proposed.

The General Plan Findings

1. General Plan Framework. The proposed project is consistent with the purpose and intent of the adopted General Plan Framework, Urban Form and Neighborhood Design Chapter:

GOAL 5A A livable City for existing and future residents and one that is attractive to future investment. A City of interconnected, diverse neighborhoods that builds on the strengths of those neighborhoods and functions at both the neighborhood and citywide scales.

Objective 5.1 Translate the Framework Element's intent with respect to citywide urban form and neighborhood design to the community and neighborhood levels through locally prepared plans that build on each neighborhood's attributes, emphasize quality of development, and provide or advocate "proactive" implementation programs.

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

The Urban Design Chapter of the Community Plan will incorporate the Downtown Design Guide which contains standards and guidelines for sustainable design, sidewalks and setbacks, ground floor treatment, parking and access, massing and street wall, on-site open space, architectural detail, streetscape improvements, signage (on-site or onsite "campus" signage) prepared at a finer grain specifically for the Downtown Neighborhood Districts. As such, the Project is consistent with the purpose and intent of the General Plan Framework.

Objective 5.3 Refine the City's highway nomenclature and standards to distinguish among user priorities.

Policy 5.3.1 Establish the following highway segment hierarchy based on function and user priority:

a. Pedestrian-priority segments, where designated in community centers, neighborhood districts, and mixed-use corridor nodes, are places where pedestrians are of paramount importance and where the streets can serve as open space both in daytime and nighttime. Generally these streets shall have the following characteristics (as defined through the Street Standards Committee and designated by amendments to the community plans to address local conditions):

5.3.2 Adopt appropriate standards for each type of highway segment that complement existing highway and development standards.

a. Roadway design standards shall address posted speed limits, minimum sidewalk widths, maximum corner radii, traffic lane width, on-street parking and frequency of curb cuts. These should consider all forms of travel including vehicle (private automobile, truck, transit, and other), bicycle, and pedestrian.

b. Public improvement standards should address street tree form and spacing; street light type, height, and illumination level; and other streetscape elements, particularly in the vicinity of transit stops. Street tree form is dependent on species and available planting space.

c. Building and site development standards for pedestrian-priority streets should address building design and use characteristics that encourage pedestrian access, as well as the following: building height; location and design of parking; location and transparency of front building facade; location and design of pedestrian entrances and other openings; utilities; and signage.

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

Policy 5.5.4 Determine the appropriate urban design elements at the neighborhood level, such as sidewalk width and materials, street lights and trees, bus shelters and benches, and other street furniture.

5.5.6 Identify building and site design elements for commercial or mixed-use streets in centers, that may include: the height above which buildings must step back; the location of the building base horizontal articulation; and other design elements.

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

Policy 5.8.1 Buildings in pedestrian-oriented districts and centers should have the following general characteristics:

a. An exterior building wall high enough to define the street, create a sense of enclosure, and typically located along the sidewalk;

b. A building wall more-or-less continuous along the street frontage;

c. Ground floor building frontage designed to accommodate commercial uses, community facilities, or display cases;

d. Shops with entrances directly accessible from the sidewalk and located at frequent intervals;

e. Well lit exteriors fronting on the sidewalk that provide safety and comfort commensurate with the intended nighttime use, when appropriate;

f. Ground floor building walls devoted to display windows or display cases;

g. Parking located behind the commercial frontage and screened from view and driveways located on side streets where feasible;

h. Inclusion of bicycle parking areas and facilities to reduce the need for vehicular use; and

i. The area within 15 feet of the sidewalk may be an arcade that is substantially open to the sidewalk to accommodate outdoor dining or other activities.

5.8.2 The primary commercial streets within pedestrian-oriented districts and centers should have the following characteristics:

a. Sidewalks: 15-17 feet wide (see illustrative street cross-sections).

b. Mid-block medians (between intersections): landscaped where feasible.

c. Shade trees, pruned above business signs, to provide a continuous canopy along the sidewalk and/or palm trees to provide visibility from a distance.

d. Pedestrian amenities (e.g., benches, pedestrian-scale lighting, special paving, window boxes and planters).

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

a. Modify parking standards and trip generation factors based on proximity to transit and provision of mixed-use and affordable housing.

b. Provide centralized and shared parking facilities as needed by establishing parking districts or business improvement districts and permit in-lieu parking fees in selected locations to further reduce on-site parking and make mixed-use development economically feasible.

The modified street standards identify Transit Priority Streets and identify all streets within the Project area for pedestrian-orientation. With the exception of the Historic Core – where existing sidewalk widths of up to 12 feet on east-west streets are considered desirable to maintain – the minimum sidewalk widths for all other streets will be a minimum of 15 feet up to 24 feet (for street segments along Grand Avenue, for example). Public improvements for these streets also address street trees, parkways, lighting, and storm water infiltration "bio-swales." Taken

together, the new street standards and the Downtown Design Guide's urban design standards and guidelines are consistent with the purpose and intent of the General Plan Framework, advance and implement these citywide goals, policies and objectives. As such, the Project is consistent with the General Plan Framework.

2. **Mobility Element.** The proposed General Plan Amendments comply with the Transportation (Mobility) Element. The Element sets forth a new vision for a Transit and Pedestrian Priority street expressed as a street with a minimum sidewalk width of 15 feet. While all streets within the Project Area are to be considered Pedestrian Oriented, five streets are identified in the Community Plan Text as Transit Priority. Please see Exhibit B. These changes will implement several Transportation Element Goals, Objectives and Policies:

GOAL A — Adequate accessibility to work opportunities and essential services, and acceptable levels of mobility for all those who live, work, travel, or move goods in Los Angeles.

Objective 2 — Mitigate the impacts of traffic growth, reduce congestion, and improve air quality by implementing a comprehensive program of multimodal strategies that encompass physical and operational improvements as well as demand management.

Transportation Demand Management

Policy 2.5 — Provide bicycle access in or near mixed use corridors, neighborhood districts, and community centers that affords easy accessibility to many nonwork purpose destinations.

2.7 — Encourage businesses to implement telecommuting, flexible work schedules, and teleconferencing programs.

2.8 — Continue to integrate transit and environmental planning to enhance environmental preservation.

2.11 — Continue and expand requirements for new development to include bicycle storage and parking facilities, where appropriate.

Transit

2.14 — Promote the increase of bus service along high-demand routes and corridors in order to reduce bus overcrowding.

2.19 — Develop interactive transit information systems that bring customers more timely, accurate, and complete transit information.

2.20 — Promote the multi-modal function of transit centers (bus and rail) through improved station design and management of curb lanes to facilitate transfers between modes (e.g. rail to bus or shuttle or taxi).

2.21 — Identify and develop transit priority streets which serve regional centers, major economic activity areas and rail stations to enhance the speed, quality and safety of transit service.

Transportation Systems Management (TSM) and Parking

2.25 — Coordinate parking management policies with other transportation strategies (such as transit and TDM).

2.27 — Discourage the vacation and/or closure of public alleys which service properties fronting on major or secondary highways.

Highway Infastructure

2.33 — Continue incremental completion of the Highways and Freeways system, as shown in Maps A1 and A2-A6, and as may be periodically modified by the designation of pedestrian priority street segments and transit priority streets.

Advanced Transportation Technology

2.35 — Actively support Intelligent Transportation System technology relating to traveler information and the management of transportation systems, such as

smart highways and smart vehicles; and focus smart corridor implementation on HOV freeway segments.

Objective 4 Preserve the existing character of lower density residential areas and maintain pedestrian-oriented environments where appropriate.

Policy 4.4 Identify pedestrian priority street segments (through amendments to the Community Plans) in which pedestrian circulation takes precedence over vehicle circulation, and implement guidelines to develop, protect, and foster the pedestrian-oriented nature of these areas.

4.5 Consider traffic impacts on pedestrian-priority street segments and find mitigation measures which do not restrict pedestrian circulation in these areas.

GOAL C An integrated system of pedestrian priority street segments, bikeways, and scenic highways which strengthens the City's image while also providing access to employment opportunities, essential services, and open space.

Objective 10 Make the street system accessible, safe, and convenient for bicycle, pedestrian, and school child travel.

Policy 10.1 Implement the updated and revised 1996 City Bicycle Plan, (Chapter IX of this Element).

10.2 Continue completion of the Highways and Freeways system utilizing the cross sections presented in Chapter VI* of this element, which provide for wider sidewalks / parkways along arterial streets, and link implementation of streetscape guidelines to street widening projects.

10.3 Identify pedestrian priority street segments in Community Plans and implement guidelines to develop, protect, and foster the pedestrian oriented nature of these areas.

10.4 Expedite the implementation of the streetscape guidelines and standards set forth in this Transportation Element (Chapter VI-C*) for pedestrian priority and transit priority streets as funding allows.

The new street standards identify streets suitable for bicycle lanes in Downtown Los Angeles within the Project area. These have been further studied in the Traffic Study and determined to be feasible based upon the roadway widths for these streets. Please see Case No. CPC-2008-4504-MSC.

3. **Central City Community Plan.** The Project is consistent with the purpose and intent of the adopted Community Plan. It will have a beneficial effect on the Community Plan because it will provide more detailed urban design guidance that supports the distinctive character of Downtown's neighborhoods.

The objectives of the Urban Design Chapter of the Central City Community Plan, currently read:

Objectives

- To create a series of street types, unique to Downtown. Define individual building criteria which would address bulk, profile, placement and street walls.

- To develop parking design criteria, whether applied to garages, open air lots, or integrally within other buildings, that create places that provide safety, comfort and convenience for the pedestrian.

- To develop streetscape and landscape criteria that reinforce the pedestrian quality of Downtown's streets and public open spaces that takes advantage of the great local climate; and that promotes the use and enjoyment of the outdoors.

- To improve the pedestrian environment.

Approval of the Downtown Guide implements these objectives by providing clear and consistent standards and guidelines easily applied to individual projects which seek either entitlements

(Planning Department staff) or building permits (Community Redevelopment Agency staff).

In addition, approval of the modified street designations for the Central City Community Plan Map will implement "context-sensitive" street improvements, eliminate lot-by-lot guesswork and afford construction of wider sidewalks consistent with the pedestrian orientation of Downtown. The new street standards and the new urban design standards and guidelines are mutually complimentary.

Finally, the proposed project complies with the purpose and intent of several other objectives and policies of the adopted Community Plan for Housing, Pedestrians, Commercial Uses including retail and Open Space:

Housing

Objective 1-3	To foster residential development which can accommodate a full range of incomes.
Policy 1-3.1	Encourage a cluster neighborhood design comprised of housing and services.

Pedestrians

Objective 11-6	To accommodate pedestrian open space and usage in Central City.
Policy 11-6.1	Preserve and enhance Central City's primary pedestrian-oriented streets and sidewalks and create a framework for the provision of additional pedestrian friendly streets and sidewalks which complement the unique qualities and character of the communities in Central City.

Commercial

Objective 2-1	To improve Central City's competitiveness as a location for offices, business, retail, and industry.
Policy 2-1.2	To maintain a safe, clean, attractive, and lively environment.
Objective 2-2	To retain the existing retail base in Central City.
Policy 2-2.2	To encourage pedestrian-oriented and visitor serving uses during the evening hours especially along the Grand Avenue cultural corridor between the Hollywood Freeway (US 101) and Fifth Street, the Figueroa Street corridor between the Santa Monica Freeway (I-10) and Fifth Street and Broadway between Third Street and Ninth Street.

Open Space

Objective 4-4	To encourage traditional and non-traditional sources of open space by recognizing and capitalizing on linkages with transit, parking, historic resources, cultural facilities, and social services programs.
Policy 4-4.1	Improve Downtown's pedestrian environment in recognition of its important role in the efficiency of Downtown's transportation and circulation systems and in the quality of life for its residents, workers, and visitors.

Coordination Opportunities for Public Agencies

Objectives	To establish communication and interaction between the numerous government jurisdictions and the private sector to jointly implement this Plan.
Policy	Encourage the continued coordination among various public-sector regulatory agencies to promote multi-purpose planning.

The Project is jointly prepared by the City Planning Department, Community Redevelopment Agency of Los Angeles, Department of Transportation and Bureau of Engineering. It enabled all agency stakeholders to coordinate across jurisdictional lines during the development and

evaluation of the effects of new improvement standards for the City streets/sidewalks as well as the effects on private development adjacent to these public rights-of-way. All of the above-identified Objectives and Policies will be advanced by the adoption and continuing implementation of the modified street standards and the urban design standards and guidelines.

4. **The Sewerage Facilities Element.** This element of the General Plan will be unaffected by the recommended action because no change in density or intensity is proposed. As individual projects come forward under the Downtown Design Guide and new Street Standards, requirements for construction of sewer facilities to serve the subject project and complete the City sewer system for the health and safety of City inhabitants will assure compliance with the goals of this General Plan Element.

City Charter Findings

City Charter Sections 556 and 558. The proposed General Plan Amendments comply with Charter Sections 556 and 558. The modified street standards proposed in this action will implement a larger vision for the City as expressed in the adopted General Plan Framework, namely to widen sidewalks beyond the current City standard of 10 - 12 feet for Major and Seconday Highways. In population centers such as Downtown Los Angeles this is common sense. The number of pedestrians using the sidewalks is comparatively high and wider sidewalks – up to 24 feet in some blocks – is proposed through the modified street standards. Complimentary to the modified street standards, the urban design standards and guidelines – *Downtown Design Guide* – will reinforce the pedestrian orientation by guiding development at the ground level, fostering aesthetically pleasing architectural façade treatments, minimizing the presence of the automobile and advocating exploitation of the numerous Downtown transit, transportation, bicycle and walking alternatives.

CEQA Findings

Environmental Clearance. A Negative Declaration (ENV-2008-4505-ND) was prepared for the proposed project. On the basis of the whole of the record before the lead agency including any comments received, the lead agency finds that there is no substantial evidence that the proposed project will have a significant effect on the environment. The attached Negative Declaration reflects the lead agency's independent judgment and analysis. The records upon which this decision is based are with the Environmental Review Section of the Planning Department in Room 750, 200 North Spring Street. The Citywide Planning Commission certifies that action and recommends that the City Council adopt the Negative Declaration upon adoption of the Community Plan Amendments.

DEPARTMENT OF CITY PLANNING

RECOMMENDATION REPORT

Citywide Planning Commission

Date: January 8, 2009
Time: After 8:30 a.m.
Place: City Hall, Room 1010

Public Hearing: Required
Appeal Status: General Plan Amendment not appealable
Expiration Date: Not Applicable
Multiple Approval: Not Applicable

Case No.: CPC-2008-4502-GPA
CEQA No.: ENV-2008-4505-ND
Incidental Cases: Not Applicable
Related Cases: CPC-2008-4504-MSC, CPC-2008-4503-CA
Council No.: 9, 14
Plan Area: Central City
Specific Plan: Not Applicable
Certified NC: Downtown Neighborhood Council
GPLU: Various
Zone: Various

Applicant: City of Los Angeles
Representative: Not Applicable

PROJECT LOCATION: Central City Community Plan

PROPOSED PROJECT: The project proposes 1) re-designation of selected streets from Major and Secondary to Modified Major and Modified Secondary Highways; and 2) revisions to Chapter V of the Central City Community Plan text -- Urban Design Chapter – to incorporate Downtown Design Guide, Urban Design Standards and Guidelines.

REQUESTED ACTION: Pursuant to Charter Section 555 and Section 11.5.6 of the Municipal Code, a General Plan Amendment to re-designate selected streets, and revise relevant plan text and map; and recommendation to City Council for adoption

RECOMMENDED ACTIONS:

1. **Approve** and **Recommend** that the City Council **Adopt** the requested **General Plan Amendment** to the Central City Community Plan: 1) re-designate selected streets from Major and Secondary Highways to Modified Major and Secondary Highways; and 2) revise Chapter V of the Central City Community Plan text to incorporate Downtown Design Guide, Urban Design Standards and Guidelines.
2. **Approve** and **Recommend** that the City Council **Adopt** a concurrent amendment to the Transportation Element consistent with this action.
3. **Approve and recommend** that the City Council **Adopt** Negative Declaration No. ENV-2008-4505- ND.
4. **Adopt** the attached Downtown Design Guide and Findings.
5. **Instruct** the Director of Planning to make the necessary changes to the Central City Community Plan and Transportation Element upon adoption by City Council.

S. GAIL GOLDBERG, AICP
Director of Planning

Emily J. Gabel-Luddy, Principal City Planner
Direct Telephone: 213-200-1447

Simon Pastucha, City Planner
Direct Telephone: 213-978-1475

ADVICE TO PUBLIC: *The exact time this report will be considered during the meeting is uncertain since there may be several other items on the agenda. Written communications may be mailed to the *Commission Secretariat, Room 272, City Hall, 200 North Spring Street, Los Angeles, CA 90012* (Phone No. 213-978-1300). While all written communications are given to the Commission for consideration, the initial packets are sent to the Commissioners the week prior to the Commission's meeting date. If you challenge these agenda items in court, you may be limited to raising only those issues you or someone else raised at the public hearing agendized herein, or in written correspondence on these matters delivered to this agency at or prior to the public hearing. As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability, and upon request, will provide reasonable accommodation to ensure equal access to its programs, services and activities. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or other services may be provided upon request. To ensure availability of services, please make your request not later than three working days (72 hours) prior to the meeting by calling the Commission Secretariat at (213) 978-1300.

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PROJECT ANALYSIS

Project Summary

The Citywide Planning Commission's action on the Project will fundamentally re-engineer the streets of Downtown Los Angeles from an auto-centric approach to a pedestrian and transit approach. The Commission's action will also put in place the first comprehensive set of Urban Design Guidelines prepared for a Community Plan in the City of Los Angeles. The Community Redevelopment Agency of Los Angeles, Board of Commissioners, will act on the Downtown Design Guide in February 2009.

Downtown Street Standards/Urban Design Standards and Guidelines Project integrates the design features of adjacent sidewalks and streets in Downtown with the design features of buildings and building sites.

The proposed project will result in modified street classifications on the Central City Community Plan map, revise the City Engineer's street improvement standards and incorporate Urban Design standards and guidelines into the Urban Design Chapter of the Central City Community Plan text.

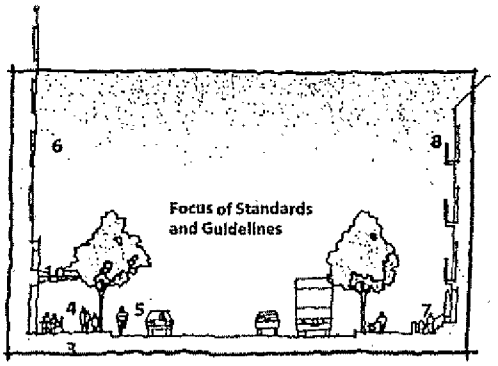
The Project will result in the implementation of Complete Streets – affording the preservation and/or creation of wider sidewalks including potential for curb extensions ("bump outs") and added mid-block pedestrian paseos/crossings, construction of parkways/bio-swales/storm water infiltration systems, provision for additional bike lanes, recognition of direct connections to subway stations and greater transit enhancements, opportunities for significant street tree growth and pedestrian-oriented lighting – in balance with vehicular circulation. These streets are identified by primary function via the Downtown Design Guide: Design for a Livable Downtown and their physical dimensions will be defined by an amendment to Form S-470, Street Standards.

Complimentary to the new street improvement standards, the Downtown Design Guide sets forth qualitative urban design standards and guidelines to be applied for new construction or major renovation. For the Department of City Planning, every entitlement project will be subject to these urban design standards and guidelines. Because the Project Area includes several Community Redevelopment Agency (CRA/LA) redevelopment project areas, the CRA/LA will also apply these standards and guidelines prior to building permit signoff. The Los Angeles Sports and Entertainment District Specific Plan is exempt from the urban design standards and guidelines. No change in density, intensity or land use is proposed by the Project.

The illustration below summarizes the emphasis of the Project:

Diagram to right shows the zone of development on which the standards and guidelines focus. Numbers correspond to the sections of *Design for a Livable Downtown* in which each topic is addressed:

3. **Sidewalks and Setbacks**
4. **Ground Floor Treatment**
5. **Parking and Access**
6. **Massing and Street Wall**
7. **On-Site Open Space**
8. **Architectural Detail**
9. **Streetscape Improvements**
10. **Signage**



Related cases CPC-2008-4504-MSC and CPC-2008-4503-CA implement or clarify the objectives and vision of the new Street Standards and the Design Guide. ENV-2008-4505-ND – with a separate Traffic Study to test the efficacy of the new street standards in 2030 – completes the environmental assessment. A transportation Toolbox, incorporated in the traffic study, will serve to support a shift to pedestrian and transit alternatives and afford the Department of Transportation a range of optional alternatives to the practice of widening the roadway.

In addition to the central technical work, the Team completed outreach and discussion with major stakeholders in the Downtown, including the Central City Association; the Downtown Neighborhood Council; the South Park, Historic, Fashion and Little Tokyo Business Improvement Districts and the Central City East Association. The Team conducted briefings and presentations to the Community Redevelopment Agency Board of Commissioners, Transportation Commissioners and Board of Public Works Commissioners.

On May 31, 2007 staff presented the project at a joint meeting of the Citywide Planning Commission and the Community Redevelopment Board of Commissioners. In July 2007, the Citywide Planning Commission (CPC) gave its assent for the Team to test the urban design guidelines and to form an Ad Hoc Downtown Street Standards Committee to test the emerging street standards; and on August 14, 2008 the CPC received progress updates on the Project. On December 9, 2008, the Central Area Planning Commission gave its input to the proposed Project.

In addition to stakeholder outreach, the Team consulted with key infrastructure agencies and bureaus to assure compatibility of the Street Standards, anticipate future initiatives and set the stage for further detailed implementation that can only be accomplished through Council initiative and inter-agency collaboration. Among the bureaus and agencies consulted – who also had an impact on the final recommendations – were Bureau of Street Services, the Urban Forestry Division, Bureau of Street Lighting and the Metropolitan Transportation Authority for the Regional Connector, potential bus routing and bus stop consolidation. From the Department of Transportation further consultations were held with the Operations Section (who evaluated DOT Street striping plans based on the new street standards), the DASH Section and the Parking Management Section. Within the Bureau of Engineering, coordination was completed with the Bureau's IT staff who maintain NavigateLA! – the principal data source for developers who will

use the new street standards. Consultation was sought with bicycle advocates from the LA County Bicycle Coalition and the City's Bicycle Advisory Committee staff.

Finally, the Project recommendations were coordinated internally with important Planning Department initiatives and included the participation of staff from the Office of Historic Resources, the Central City Community Plan, the Bringing Back Broadway Working Group and the Citywide Division.

The historic opportunity before the Citywide Planning Commission resulted from the committed cooperative efforts of four departments: City Planning, CRA/LA, Department of Transportation and the Bureau of Engineering, whose staff worked as a team with consultants over an 18 month period, from July 2007 through November 2008, to arrive at consensus.

Background

On June 3, 2005, Councilmember Jan Perry, 9th Council District, initiated the first of several Council actions calling for a re-examination of potential widening along streets in Downtown Los Angeles. This initial motion further requested a report and recommendation to allow the City Council to adopt specific standards that may differ from the official street standard dimensions of the Bureau of Engineering. This motion put into play a re-examination of existing street standards. On August 7, 2007, the City Council adopted the Greater Downtown Housing Incentive Area ordinance (Ord. No. 179,076, eff. 9/7/07). New zoning regulations particularly suitable to dense urban environments were adopted for the Central City Area to enable the production of more affordable housing. Urban Design Standards and Guidelines for the Central City Community Plan area are identified in the ordinance as the basis for findings for projects seeking bonuses under the adopted ordinance. The second action called for completion of the Urban Design Standards and Guidelines.

As progress was made on the preparation of urban design guidelines, a key challenge remained unresolved. For any prospective development the task of establishing – in a reliable manner – the extent of street dedication and widening was arduous. The Councilmember's motion was indicative of the ad hoc nature – and therefore unreliability – of the City Engineer's citywide standards when applied to development projects in Downtown. Adopted in 1999, the Citywide Street Standards were neither context sensitive nor suitable in this unique historic and very dense part of the City. The result was streets characterized by "broken teeth": the sporadic street widening bore no relationship to the whole of a neighborhood area. Ironically, widening at separate locations did not contribute to a more beneficial traffic flow. They did, however, result in narrowed sidewalks, to the detriment of heavy pedestrian activity areas in Downtown.

The confluence of these two factors, the street standards and the urban design guidelines, resulted in re-thinking the whole of the relationship of street, street and sidewalk width with the ground plane of adjoining development. Hence, as illustrated in the Project Summary above, the Project evolved into an urban design project combining public realm with private development.

In this joint venture among the Department of City Planning, the Community Redevelopment Agency, Department of Transportation and Bureau of Engineering, the new set of improvement standards for Downtown streets – which emphasize the pedestrian – will result in a paradigm shift from an auto-centric environment to one which emphasizes transit, pedestrian and bicycle alternatives.

From early 2007 through summer 2008, an Ad Hoc Downtown Street Standards Committee[1] comprised of the four departments met on a regular basis to discuss and resolve issues surrounding the street designations; as well, the Urban Design Studio and CRA/LA staff met to review proposed projects and their compliance with the urban design guidelines.

Testing the guidelines was critical to arriving at the recommendations pending before the Commission that are both sensible and visionary. Because the standards and guidelines are not adopted as regulatory imperatives (an ordinance), they afford the flexibility needed for architects/developers to design within a larger framework of clear and consistent objectives for Downtown. It is our expectation that continuing high quality discussions between City staff and architects/developers will occur as more and more innovative high rise development (and adaptive re-use) continues the trend in Downtown.

The Design Guide

The standards are required to be implemented during consideration of entitlements for a discretionary project (Department of City Planning) or a building permit sign off (CRA/LA) for an as-of-right project. They address sustainable design, sidewalks and setbacks, ground floor treatment, parking and access, massing and street wall, on-site open space, architectural detail, streetscape improvements, signage (on-site or onsite "campus" signage).

The City Planning and Redevelopment Agency staffs will be applying the same set of standards and guidelines, affording developers and community stakeholders consistency in the review of projects.

The Standards and Guidelines emerge from good architectural, urban design and site layout practices, consistent with the context of emerging Downtown Neighborhood Districts. They represent a base line for infill development. The "Standards" are required and identified by "shall," "are required," or "not permitted."[2] The Guidelines are described as "should" or "consider." Projects will be required to comply with the Standards and are strongly encouraged to comply with the Guidelines. As the Central City Community Plan is revised (schedule: 2009-2012) under the Department's New Community Plan Program, it is likely that greater refinement of the Standards and Guidelines will occur. This is recognized on page 5 of the Guidelines.

The Standards and Guidelines may be amended, should the need arise, by the Citywide Planning Commission and the Redevelopment Agency Board of Commissioners, without amending the Central City Community Plan itself, affording a straightforward and responsive means to change them.

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[1] Section 17.05, A and B of the Los Angeles Municipal Code establishes the Street Standards Committee, chaired by the Director of Planning and composed of the General Manager of the Department of Transportation and the City Engineer. The Committee has the authority to recommend width and improvement standards for all classes of public and private streets and alleys. The Citywide Planning Commission adopts the recommendations of the Street Standards Committee, an action requested under Case No. CPC-2008-4504-MSC. The Ad Hoc Downtown Street Standards Committee, DSSC, included the CRA/LA as ex officio member, to work on the Downtown Streets.

[2] Directive text typically addresses exemplary commonplace design practices, e.g.:

- "Where there is curbside parking, one walkway for every one or two parking spaces or other means of access shall be provided through the parkway to curbside parking."
- "The primary entrance to each street-level tenant space that has its frontage along a public street shall be provided from that street."
- "Except for the minimum ground-level frontage required for access to parking and loading, no parking or loading shall be visible on the ground floor of any building façade that faces a street."
- "Electrical transformers shall be located to be accessed from an alley where one exists or can be provided. If located adjacent to a sidewalk, they shall be screened and incorporated into the building to read as a storefront or office."
- "Residential units shall not be located on the ground floor adjacent to alleys in order to reduce light, glare, and noise concerns."

The City Team will be working with the urban design consultants to prepare public handouts for use by staff and the public upon City Council adoption of the Community Plan amendments to make the initial implementation phase as easy as possible.

Every discretionary approval considered by the Planning Department requires findings of conformance with the purpose and intent of the general plan. Because the Design Guide will form the basis for the revised Urban Design Chapter of the Central Community Plan, whenever a decision is made on a discretionary project, the findings for that decision will include complete consideration of the compliance of a project with these Standards and Guidelines. The Department Team had no significant adverse experience working with a variety of developers and architects to achieve compliance – some projects took several meetings, some only a few. All but one project resulted in a successful resolution of architectural and urban design issues. The outstanding case was appealed and resolved by both the CRA/LA Board of Commissioners and the Citywide Planning Commission.[3]

The Street Standards

Street dedication and roadway widening have been contentious issues for developers in Downtown, especially as they relate to the desire for wider sidewalks and the impact to development in the historical core, where significant landmarks block the implementation of currently set citywide standards for wider roadways. The new Downtown Street Standards will update the Central City Community Plan street designations based on a more comprehensive street hierarchy that balances traffic flow with other equally important functions of the street, including: pedestrian needs, public transit routes an stops, bicycle routes, historic districts with fixed building walls, the public face and transitional "front yard" of business, pedestrian environments and linear open space considerations. The details of the new standards, as recommended by the Street Standards Committee, as described more fully in the related Case No. CPC 2008-4504-MSC.

Essentially, the new Street Standards will curtail future roadway widening, except for vey limited locations, and implement a system to enable wider sidewalks through a combination of dedications and easements. All of the streets within the Project Area will be pedestrian-oriented: a function of the wider sidewalks and the Urban Design Standards and Guidelines. A limited number of streets will be designated "Transit Priority," consistent with the adopted Mobility Element to distinguish their current and future intents.[4]

Review of the Central Area Planning Commission

On December 9, 2008, the Central Area Planning Commission reviewed the proposed project. While overwhelmingly in support, the Commissioners raised questions about required compliance and implementation.

Will the new Street Standards result in added traffic congestion?

No. The City Team specifically required a Traffic Study to determine the impact of the new street standards on future estimated traffic and no significant impacts were identified. A one-way street system has a higher carrying capacity. Even with the new standards and the estimated

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[3] VTT 68095 (Amarcon Project), which initially took all vehicular access from an alley directly across from existing ground level live-work units at the Flower Street Lofts. The outcome of that appeal case resulted in modification to the Standards and Guidelines to avoid similar situations in the future.

[4] Figueroa Street, Flower Street, Broadway, Olympic Boulevard and Pico Boulevard.

increased population in Downtown in 2030, the street links performed well when modeled by the transportation consultants. One of the added features to the implementation of the Downtown Project will be a Transportation Toolbox specifically for Downtown -- a series of technologically advanced, transit savvy and also routine transportation mitigation measures, which the Department of Transportation staff will consult during individual project evaluations.

Why is the Design Guide not adopted as an ordinance?

Flexibility within a framework was the key objective for the Design Guide: neither too vague nor too prescriptive. As currently drafted, they fit well within a system designed to cultivate good architecture and urban design without tying the hands of the creative community. The Design Guide also and importantly provides for projects which are considered to be truly exceptional in architectural merit but do not meet the Standards and Guidelines. This opens the door for superlative practitioners -- the Frank Gehry's, Thom Mayne's, Zahad Hadid's, Santiago Calatravo's, and other rising stars yet to be discovered – to bring their signature architecture to Los Angeles.[5]

How will wider sidewalks be implemented?

There are 3 principal ways: 1) additional dedication, where needed, 2) and additional easement for pedestrian, landscape and utility purposes; and 3) street narrowing. The first two categories will rely on case-by-case implementation. The latter category will rely on public funds either through capital improvement, grant or bond funds. Of the three approaches, the last one is more significant and will require added Council and Mayoral leadership to secure. The precise locations and street segments for narrowing are identified and mapped through this Project. There may also be limited funds available through the City Engineer's infrastructure accounts for street improvements. *To achieve an overall re-constructed pedestrian environment within the Downtown, certain street segments will require public funds.*

Why is there a limitation placed on the height at which a building can project back over a required easement?

The short answer: to give the street trees room to grow. Some developers sought to project back over their property's required easement above the first floor -- generally at a height of about 20 feet above grade. The key reason for limiting the projections is to maintain a reasonable height for the street trees to achieve optimum growth and canopy spread. Street tree canopies that begin to be limited at a height of 20 feet do not grow into full canopies. They remain confined, crimped and unsuitable as shade and form givers in an urban environment. The 40-foot limitation will afford them room to grow.

What developments are excluded from compliance with the Design Gulde?

As defined, the following kinds of projects will be exempt: demolition; adaptive reuse of an existing building which conforms to the Adaptive Reuse Ordinance; remodeling of designated Historic Resources; Exterior remodeling of any other existing building, unless the aggregate value of the work, in anyone 24-month period, is greater than 50% of the replacement value of the building or structure before the alterations or addition as determined by the Department of Building and Safety. Projects within the Los Angeles Sport and Entertainment District Specific Plan are exempt. Projects within the Historic Downtown must comply with the Historic

[5] "In the spirit of affording maximum creativity, Projects that do not adhere to the letter of every provision in the Design Guide, but none-the-less demonstrate a clear alternative approach which is superior to and achieves all the prominent objectives of the Design Guide, will be recognized as a valid alternative."

Downtown Los Angeles Design Guidelines (2002) sponsored by the Los Angeles Conservancy as well as the Design Guide (where there is a conflict, the Historic Downtown Los Angeles Design Guidelines will take precedence). In the event of future Community Design Overlay Zones, Design for Development, Supplemental Use Districts, Development Agreement or other regulations – these shall take precedence over the Design Guide.

Conclusion

The historic opportunity before the Citywide Planning Commission resulted from the committed cooperative efforts of four departments and the support of the local Council Offices. The staff worked as a team with consultants over an 18-month period, from July 2007 through November 2008, to arrive at consensus. This project is the result of a long-term joint venture team created with staff from the Department of City Planning, the Community Redevelopment Agency, Department of Transportation, Bureau of Engineering, design consultants and the staff from Council Districts Nos. 1, 9 and 14. All participating parties usually deal with some aspect of the creation of the built environment. This comprehensive team approach is unique in the City of Los Angeles. The innovative idea of testing the guidelines was critical to arriving at the recommendations before the Commission that are both sensible and visionary. Because the standards and guidelines are not adopted as regulatory imperatives (an ordinance), they afford the flexibility needed for architects/developers to design within a larger framework of clear and consistent objectives for Downtown. Conformance with the Street Standards and Design Guide will be required by the adoption of the General Plan amendment and the related cases. It is our expectation that high quality discussions between City staff and architects/developers will continue to occur. Team members are looking at expanding this model to different areas of the City.

Finally, the Project recommendations were coordinated internally with important Planning Department initiatives and included the participation of staff from the Office of Historic Resources, the Central City Community Plan, the Bringing Back Broadway Working Group and the Citywide Division. The Commission's approval will put in place the first comprehensive set of Urban Design Guidelines prepared for a Community Plan in the City of Los Angeles. The Citywide Planning Commission's approval of the Project will fundamentally re-engineer the streets and the buildings of Downtown Los Angeles from an auto-centric approach to a pedestrian and transit approach.

FINDINGS

INTRODUCTION

The subject area – Downtown Los Angeles -- is located within the Central City Community Plan area. The Community Plan was last updated by City Council on December 2000 (Council File No. 00-0813-S4) and on August 9, 2002 following adoption of the Los Angeles Sports and Entertainment District Specific Plan (Council File No. 02-2427).

Downtown is the historic, political, social, governmental and economic center of the City of Los Angeles. Its primary land uses are commercial (located throughout downtown, but concentrated in the financial core and along Broadway), institutional (mostly public facilities associated with the Civic Center and Convention Center) and industrial (concentrated mostly east of Main Street and south of Wilshire Boulevard. Residentially designated land is concentrated in Central City East, South Park and Little Tokyo (neighborhood districts within Central City/Downtown), and accounts for a relatively small percentage of planned land uses in the project area.

The proposed project will apply to approximately 1,800 acres or roughly 2.8 square miles. The project area comprises much of Downtown Los Angeles and is roughly triangular in shape, with three sides formed by the Hollywood Freeway (Interstate 101), Santa Monica (Interstate 10), Harbor (Interstate 110) freeways and San Pedro and Alameda Streets. The designated land uses within the project area are Commercial, Multi-family Residential, Industrial, Public Facilities and Open Space. No changes in land use designations are proposed.

Further, the proposed project area encompasses several adopted Redevelopment Project Areas: Bunker Hill, Amended Central Business District, Center City and Little Tokyo. The Central City Community Plan and the adopted Redevelopment Project Area Plans are the primary City documents that direct growth and development within this area of Los Angeles. The Community Redevelopment Agency of Los Angeles (CRA/LA) will be adopting the design standards and guidelines in a separate action by the CRA/LA Agency Board.

The Central City Community Plan Map assigns street designations to the Downtown streets. These designations are derived from City's Citywide Street Classification system prepared by the City Engineer. The designations establish the required public right-of-way for each street. The designations also implement standard improvements for various types of streets required to serve the area. The adopted Redevelopment Plans do not address streets. While the Redevelopment Plans must be consistent with the City's General Plan and Community Plans, no amendment to them is necessary for modernizing the street system. Changes in selected designated street types are proposed.

The General Plan Findings

1. **General Plan Framework.** The proposed project is consistent with the purpose and intent of the adopted General Plan Framework, Urban Form and Neighborhood Design Chapter:

GOAL 5A A livable City for existing and future residents and one that is attractive to future investment. A City of interconnected, diverse neighborhoods that builds on the strengths of those neighborhoods and functions at both the neighborhood and citywide scales.

Objective 5.1 Translate the Framework Element's intent with respect to citywide urban form and neighborhood design to the community and neighborhood levels through locally prepared plans that build on each neighborhood's attributes, emphasize quality of development, and provide or advocate "proactive" implementation programs.

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

The Urban Design Chapter of the Community Plan will incorporate the Downtown Design Guide which contains standards and guidelines for sustainable design, sidewalks and setbacks, ground floor treatment, parking and access, massing and street wall, on-site open space, architectural detail, streetscape improvements, signage (on-site or onsite "campus" signage) prepared at a finer grain specifically for the Downtown Neighborhood Districts. As such, the Project is consistent with the purpose and intent of the General Plan Framework.

Objective 5.3 Refine the City's highway nomenclature and standards to distinguish among user priorities.

Policy 5.3.1 Establish the following highway segment hierarchy based on function and user priority:

a. Pedestrian-priority segments, where designated in community centers, neighborhood districts, and mixed-use corridor nodes, are places where pedestrians are of paramount importance and where the streets can serve as open space both in daytime and nighttime. Generally these streets shall have the following characteristics (as defined through the Street Standards Committee and designated by amendments to the community plans to address local conditions):

5.3.2 Adopt appropriate standards for each type of highway segment that complement existing highway and development standards.

a. Roadway design standards shall address posted speed limits, minimum sidewalk widths, maximum corner radii, traffic lane width, on-street parking and frequency of curb cuts. These should consider all forms of travel including vehicle (private automobile, truck, transit, and other), bicycle, and pedestrian.

b. Public improvement standards should address street tree form and spacing; street light type, height, and illumination level; and other streetscape elements, particularly in the vicinity of transit stops. Street tree form is dependent on species and available planting space.

c. Building and site development standards for pedestrian-priority streets should address building design and use characteristics that encourage pedestrian access, as well as the following: building height; location and design of parking; location and transparency of front building facade; location and design of pedestrian entrances and other openings; utilities; and signage.

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

Policy 5.5.4 Determine the appropriate urban design elements at the neighborhood level, such as sidewalk width and materials, street lights and trees, bus shelters and benches, and other street furniture.

5.5.6 Identify building and site design elements for commercial or mixed-use streets in centers, that may include: the height above which buildings must step back; the location of the building base horizontal articulation; and other design elements.

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

Policy 5.8.1 Buildings in pedestrian-oriented districts and centers should have the following general characteristics:

a. An exterior building wall high enough to define the street, create a sense of enclosure, and typically located along the sidewalk;

b. A building wall more-or-less continuous along the street frontage;

c. Ground floor building frontage designed to accommodate commercial uses, community facilities, or display cases;

d. Shops with entrances directly accessible from the sidewalk and located at frequent intervals;

e. Well lit exteriors fronting on the sidewalk that provide safety and comfort commensurate with the intended nighttime use, when appropriate;

f. Ground floor building walls devoted to display windows or display cases;

g. Parking located behind the commercial frontage and screened from view and driveways located on side streets where feasible;

h. Inclusion of bicycle parking areas and facilities to reduce the need for vehicular use; and

i. The area within 15 feet of the sidewalk may be an arcade that is substantially open to the sidewalk to accommodate outdoor dining or other activities.

5.8.2 The primary commercial streets within pedestrian-oriented districts and centers should have the following characteristics:

a. Sidewalks: 15-17 feet wide (see illustrative street cross-sections).

b. Mid-block medians (between intersections): landscaped where feasible.

c. Shade trees, pruned above business signs, to provide a continuous canopy along the sidewalk and/or palm trees to provide visibility from a distance.

d. Pedestrian amenities (e.g., benches, pedestrian-scale lighting, special paving, window boxes and planters).

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

a. Modify parking standards and trip generation factors based on proximity to transit and provision of mixed-use and affordable housing.

b. Provide centralized and shared parking facilities as needed by establishing parking districts or business improvement districts and permit in-lieu parking fees in selected locations to further reduce on-site parking and make mixed-use development economically feasible.

The modified street standards identify Transit Priority Streets and identify all streets within the Project area for pedestrian-orientation. With the exception of the Historic Core – where existing sidewalk widths of up to 12 feet on east-west streets are considered desirable to maintain – the minimum sidewalk widths for all other streets will be a minimum of 15 feet up to 24 feet (for street segments along Grand Avenue, for example). Public improvements for these streets also address street trees, parkways, lighting, and storm water infiltration "bio-swales." Taken

together, the new street standards and the Downtown Design Guide's urban design standards and guidelines are consistent with the purpose and intent of the General Plan Framework, advance and implement these citywide goals, policies and objectives. As such, the Project is consistent with the General Plan Framework.

2. **Mobility Element.** The proposed General Plan Amendments comply with the Transportation (Mobility) Element. The Element sets forth a new vision for a Transit and Pedestrian Priority street expressed as a street with a minimum sidewalk width of 15 feet. While all streets within the Project Area are to be considered Pedestrian Oriented, five streets are identified in the Community Plan Text as Transit Priority. Please see Exhibit B. These changes will implement several Transportation Element Goals, Objectives and Policies:

GOAL A — Adequate accessibility to work opportunities and essential services, and acceptable levels of mobility for all those who live, work, travel, or move goods in Los Angeles.

Objective 2 — Mitigate the impacts of traffic growth, reduce congestion, and improve air quality by implementing a comprehensive program of multimodal strategies that encompass physical and operational improvements as well as demand management.

Transportation Demand Management

Policy 2.5 — Provide bicycle access in or near mixed use corridors, neighborhood districts, and community centers that affords easy accessibility to many nonwork purpose destinations.

2.7 — Encourage businesses to implement telecommuting, flexible work schedules, and teleconferencing programs.

2.8 — Continue to integrate transit and environmental planning to enhance environmental preservation.

2.11 — Continue and expand requirements for new development to include bicycle storage and parking facilities, where appropriate.

Transit

2.14 — Promote the increase of bus service along high-demand routes and corridors in order to reduce bus overcrowding.

2.19 — Develop interactive transit information systems that bring customers more timely, accurate, and complete transit information.

2.20 — Promote the multi-modal function of transit centers (bus and rail) through improved station design and management of curb lanes to facilitate transfers between modes (e.g. rail to bus or shuttle or taxi).

2.21 — Identify and develop transit priority streets which serve regional centers, major economic activity areas and rail stations to enhance the speed, quality and safety of transit service.

Transportation Systems Management (TSM) and Parking

2.25 — Coordinate parking management policies with other transportation strategies (such as transit and TDM).

2.27 — Discourage the vacation and/or closure of public alleys which service properties fronting on major or secondary highways.

Highway Infastructure

2.33 — Continue incremental completion of the Highways and Freeways system, as shown in Maps A1 and A2-A6, and as may be periodically modified by the designation of pedestrian priority street segments and transit priority streets.

Advanced Transportation Technology

2.35 — Actively support Intelligent Transportation System technology relating to traveler information and the management of transportation systems, such as

smart highways and smart vehicles; and focus smart corridor implementation on HOV freeway segments.

Objective 4		Preserve the existing character of lower density residential areas and maintain pedestrian-oriented environments where appropriate.
Policy 4.4		Identify pedestrian priority street segments (through amendments to the Community Plans) in which pedestrian circulation takes precedence over vehicle circulation, and implement guidelines to develop, protect, and foster the pedestrian-oriented nature of these areas.
	4.5	Consider traffic impacts on pedestrian-priority street segments and find mitigation measures which do not restrict pedestrian circulation in these areas.
GOAL C		An integrated system of pedestrian priority street segments, bikeways, and scenic highways which strengthens the City's image while also providing access to employment opportunities, essential services, and open space.
Objective 10		Make the street system accessible, safe, and convenient for bicycle, pedestrian, and school child travel.
Policy	10.1	Implement the updated and revised 1996 City Bicycle Plan, (Chapter IX of this Element).
	10.2	Continue completion of the Highways and Freeways system utilizing the cross sections presented in Chapter VI* of this element, which provide for wider sidewalks / parkways along arterial streets, and link implementation of streetscape guidelines to street widening projects.
	10.3	Identify pedestrian priority street segments in Community Plans and implement guidelines to develop, protect, and foster the pedestrian oriented nature of these areas.
	10.4	Expedite the implementation of the streetscape guidelines and standards set forth in this Transportation Element (Chapter VI-C*) for pedestrian priority and transit priority streets as funding allows.

The new street standards identify streets suitable for bicycle lanes in Downtown Los Angeles within the Project area. These have been further studied in the Traffic Study and determined to be feasible based upon the roadway widths for these streets. Please see Case No. CPC-2008-4504-MSC.

3. **Central City Community Plan.** The Project is consistent with the purpose and intent of the adopted Community Plan. It will have a beneficial effect on the Community Plan because it will provide more detailed urban design guidance that supports the distinctive character of Downtown's neighborhoods.

The objectives of the Urban Design Chapter of the Central City Community Plan, currently read:

Objectives

- To create a series of street types, unique to Downtown. Define individual building criteria which would address bulk, profile, placement and street walls.

- To develop parking design criteria, whether applied to garages, open air lots, or integrally within other buildings, that create places that provide safety, comfort and convenience for the pedestrian.

- To develop streetscape and landscape criteria that reinforce the pedestrian quality of Downtown's streets and public open spaces that takes advantage of the great local climate; and that promotes the use and enjoyment of the outdoors.

- To improve the pedestrian environment.

Approval of the Downtown Guide implements these objectives by providing clear and consistent standards and guidelines easily applied to individual projects which seek either entitlements

(Planning Department staff) or building permits (Community Redevelopment Agency staff).

In addition, approval of the modified street designations for the Central City Community Plan Map will implement "context-sensitive" street improvements, eliminate lot-by-lot guesswork and afford construction of wider sidewalks consistent with the pedestrian orientation of Downtown. The new street standards and the new urban design standards and guidelines are mutually complimentary.

Finally, the proposed project complies with the purpose and intent of several other objectives and policies of the adopted Community Plan for Housing, Pedestrians, Commercial Uses including retail and Open Space:

Housing

Objective 1-3	To foster residential development which can accommodate a full range of incomes.
Policy 1-3.1	Encourage a cluster neighborhood design comprised of housing and services.

Pedestrians

Objective 11-6	To accommodate pedestrian open space and usage in Central City.
Policy 11-6.1	Preserve and enhance Central City's primary pedestrian-oriented streets and sidewalks and create a framework for the provision of additional pedestrian friendly streets and sidewalks which complement the unique qualities and character of the communities in Central City.

Commercial

Objective 2-1	To improve Central City's competitiveness as a location for offices, business, retail, and industry.
Policy 2-1.2	To maintain a safe, clean, attractive, and lively environment.
Objective 2-2	To retain the existing retail base in Central City.
Policy 2-2.2	To encourage pedestrian-oriented and visitor serving uses during the evening hours especially along the Grand Avenue cultural corridor between the Hollywood Freeway (US 101) and Fifth Street, the Figueroa Street corridor between the Santa Monica Freeway (I-10) and Fifth Street and Broadway between Third Street and Ninth Street.

Open Space

Objective 4-4	To encourage traditional and non-traditional sources of open space by recognizing and capitalizing on linkages with transit, parking, historic resources, cultural facilities, and social services programs.
Policy 4-4.1	Improve Downtown's pedestrian environment in recognition of its important role in the efficiency of Downtown's transportation and circulation systems and in the quality of life for its residents, workers, and visitors.

Coordination Opportunities for Public Agencies

Objectives	To establish communication and interaction between the numerous government jurisdictions and the private sector to jointly implement this Plan.
Policy	Encourage the continued coordination among various public-sector regulatory agencies to promote multi-purpose planning.

The Project is jointly prepared by the City Planning Department, Community Redevelopment Agency of Los Angeles, Department of Transportation and Bureau of Engineering. It enabled all agency stakeholders to coordinate across jurisdictional lines during the development and

evaluation of the effects of new improvement standards for the City streets/sidewalks as well as the effects on private development adjacent to these public rights-of-way. All of the above-identified Objectives and Policies will be advanced by the adoption and continuing implementation of the modified street standards and the urban design standards and guidelines.

4. The Sewerage Facilities Element. This element of the General Plan will be unaffected by the recommended action because no change in density or intensity is proposed. As individual projects come forward under the Downtown Design Guide and new Street Standards, requirements for construction of sewer facilities to serve the subject project and complete the City sewer system for the health and safety of City inhabitants will assure compliance with the goals of this General Plan Element.

City Charter Findings

City Charter Sections 556 and 558. The proposed General Plan Amendments comply with Charter Sections 556 and 558. The modified street standards proposed in this action will implement a larger vision for the City as expressed in the adopted General Plan Framework, namely to widen sidewalks beyond the current City standard of 10 - 12 feet for Major and Seconday Highways. In population centers such as Downtown Los Angeles this is common sense. The number of pedestrians using the sidewalks is comparatively high and wider sidewalks – up to 24 feet in some blocks – is proposed through the modified street standards. Complimentary to the modified street standards, the urban design standards and guidelines – *Downtown Design Guide* – will reinforce the pedestrian orientation by guiding development at the ground level, fostering aesthetically pleasing architectural façade treatments, minimizing the presence of the automobile and advocating exploitation of the numerous Downtown transit, transportation, bicycle and walking alternatives.

CEQA Findings

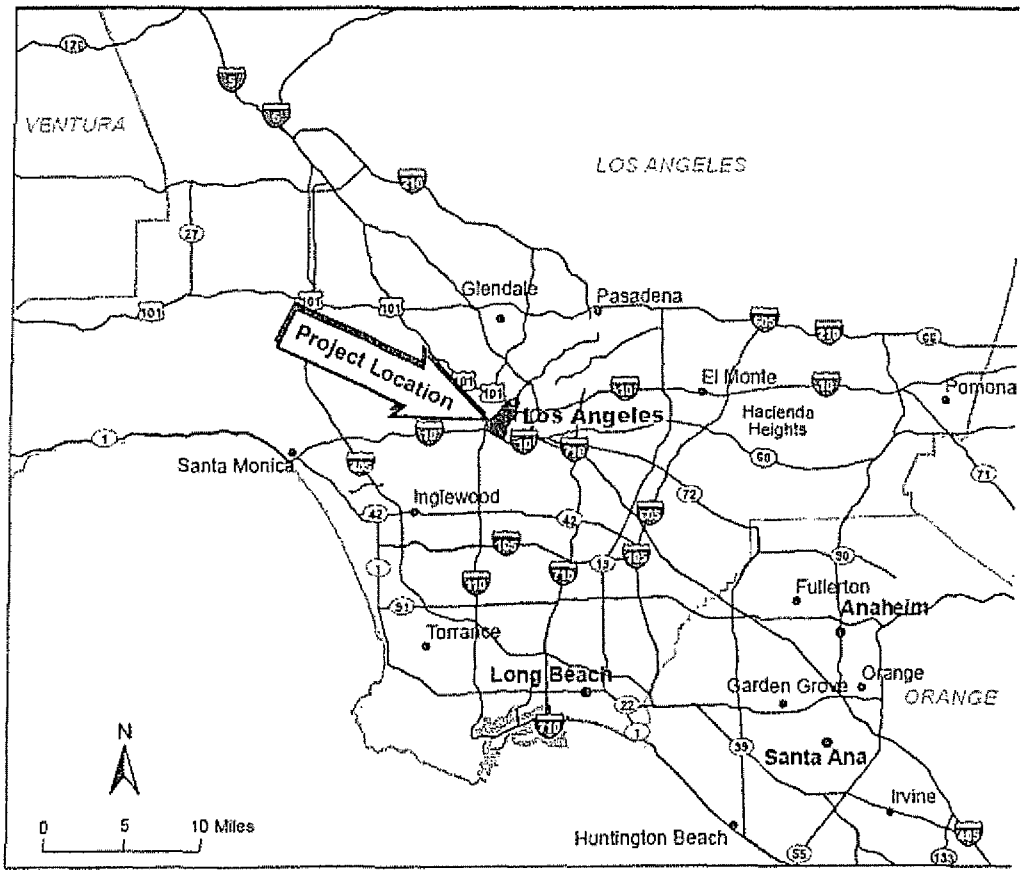
Environmental Clearance. A Negative Declaration (ENV-2008-4505-ND) was prepared for the proposed project. On the basis of the whole of the record before the lead agency including any comments received, the lead agency finds that there is no substantial evidence that the proposed project will have a significant effect on the environment. The attached Negative Declaration reflects the lead agency's independent judgment and analysis. The records upon which this decision is based are with the Environmental Review Section of the Planning Department in Room 750, 200 North Spring Street. The Citywide Planning Commission certifies that action and recommends that the City Council adopt the Negative Declaration upon adoption of the Community Plan Amendments.

PUBLIC HEARING AND COMMUNICATIONS

A Public Hearing is scheduled before the Citywide Planning Commission on January 8, 2009.

On December 9, 2008, the Central Area Planning Commission reviewed and made comments on the proposed Project. The Commissioners raised questions about how development projects will be made to comply with the Design Guide, will the review process be centralized (applicants go to one source for review, instead of four departments). See the discussion of the Commissioner's questions within the background of section of the staff report. The Commissioners were supportive.

EXHIBIT A
Vicinity Map



Regional Location

Figure 1

EXHIBIT B
Project Boundaries Map

Image Source: Google Earth Pro, 2008

Note: The Los Angeles Sports and Entertainment district is excluded from the project boundaries.

Aerial Image of Project and Surrounding Areas Figure 3

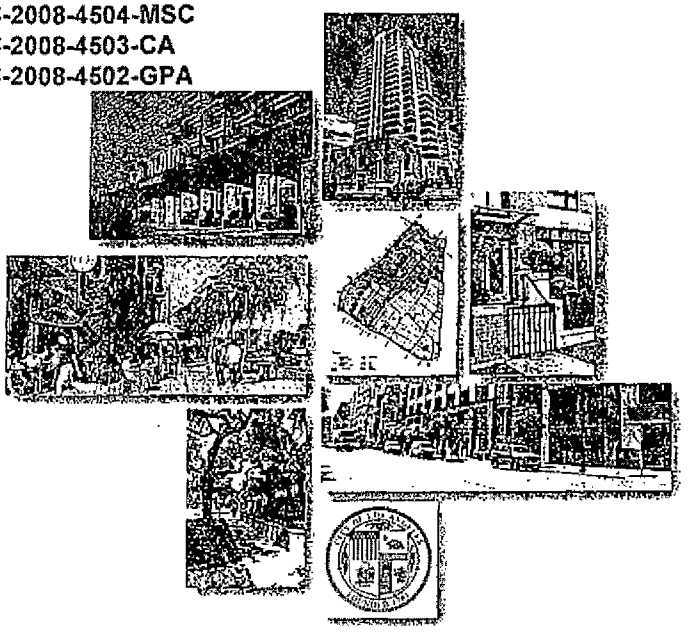
EXHIBIT C
Please See Attached Environmental Clearance

City of Los Angeles

DOWNTOWN STREET STANDARDS AND URBAN DESIGN STANDARDS AND GUIDELINES

DRAFT INITIAL STUDY/NEGATIVE DECLARATION

EXHIBIT C
ENV-2008-4505-ND
Negative Declaration
CPC-2008-4504-MSC
CPC-2008-4503-CA
CPC-2008-4502-GPA



November 2008

EXHIBIT D
Draft Revised Community Plan Text (highlight/strikeout version)

Chapter V
URBAN DESIGN

For the last half century the design of buildings in Downtown Los Angeles as in most American urban centers, has been mostly at odds with the process of forming the kinds of streets, squares and parks that are the armature of the pedestrian friendly city. Buildings have been more oriented to their own sites, rather than how they might form amenable urban space along with their neighborhoods.

Downtown Design Guide: Design for A Livable Downtown integrates urban design standards and guidelines with new street and sidewalk standards for Downtown. It supports citywide Urban Design Principles: Usable and Accessible Transit; Walkability and Well Being; Bridge the Past and the Future; Accentuate Visual Interest; Nurture Neighborhood Character; Develop Street Furnishings; Emphasize Implementation and Maintenance; Stimulate Sustainability and Innovation; Improve Equity and Opportunity; Generate Public Open Space and Support Navigation, Connection and Flow.

Tailored for Downtown, *Downtown Design Guide: Design for A Livable Downtown* will focus on Housing and Transportation Choice, Shops and Services with Walking Distance, Safe, Shared Streets, Gathering Places and Active Recreation Areas. It fulfills the following objectives:
~~Urban design guidelines prescribe the orderly development of streets and public open spaces. Urban design guidelines should be developed to ensure the design of an architecturally diverse Downtown where all the buildings would accommodate and represent our society over the next 25 years and would reinforce the character of the sidewalks, plazas and parks that residents, workers and visitors commonly share.~~

~~It is the intent of the Plan that each Downtown neighborhoods and district attain a particular character. Further, that they all be linked together through a pedestrian linkage network.~~

~~OBJECTIVES.~~

- ~~To create~~ Creates ~~a series of~~ Pedestrian Orientation for street types, unique to Downtown.

- ~~To develop~~ Implements streetscape and landscape criteria that reinforce the pedestrian quality of Downtown's streets and public open spaces that takes advantage of the great local climate; and that promotes the use and enjoyment of the outdoors.

- Defines ~~individual building~~ criteria ~~which would address~~ for building massing, street wall, ground floor treatment, parking and access, on-site open space, architectural detail and signage. ~~bulk, profile, placement and street walls.~~

- ~~To develop~~ Implements parking design criteria, whether applied to garages, open air lots or integrally within other buildings, that create places that provide safety, comfort and convenience for the pedestrian.

- Encourages, through design, the Parking District concept (spaces within individual projects are accessible and shared within a District during off-peak user hours and

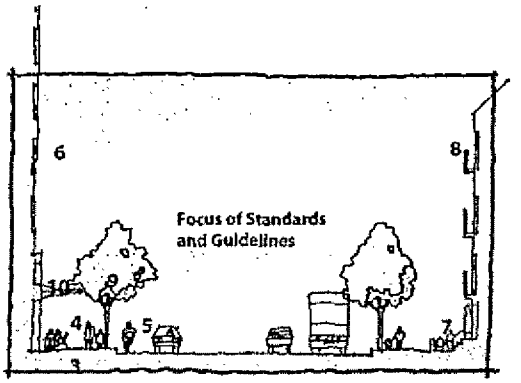
managed within these fluctuating parking demand periods) to maximize parking and minimize the amount of land devoted to parking.

~~● To improve the pedestrian environment.~~

● Respects existing and planned development guidelines for the Historic Core.

● Promotes green streets and green alleys.

Diagram to right shows the zone of development on which the standards and guidelines focus. Numbers correspond to the sections of *Design for a Livable Downtown* in which each topic is addressed:



3. Sidewalks and Setbacks
4. Ground Floor Treatment
5. Parking and Access
6. Massing and Street Wall
7. On-Site Open Space
8. Architectural Detail
9. Streetscape Improvements
10. Signage

BUNKER HILL

● Maintain the highest standards of design and quality of material.

● Maintain existing open, lushly landscaped development and encourage new development to continue the landscape treatment.

● Increase pedestrian friendly streetscapes.

● Improve the pedestrian orientation of the district by requiring 15-foot minimum width sidewalks, throughout, active ground floor uses, and pedestrian-scaled landscaping and improvements on Olive and Hills Streets.

LITTLE TOKYO

● Maintain the integrity of Little Tokyo a Japanese-American cultural and residential-commercial community.

● Maintain existing and improve overall pedestrian linkage within Little Tokyo, as well as with neighboring districts (e.g., Arts District, industrial areas, Civic Center).

● Complete the development of the Central Art Park.

● Increase pedestrian-friendly streetscapes, using Japanese-themed plant materials, street furniture and other streetscape elements, wherever practicable.

- Implement the adopted Little Tokyo Planning and Design Guidelines (adopted by the CRA/LA Board in April 2006), and any subsequent amendments.

- Complete the Little Tokyo Community Design Overlay Zone and integrate the Planning and Design Guidelines.

SOUTH PARK

- Provide a major open space focus for this residential neighborhood and established network of well-landscape streets, mini-parks and mid-bock paseos in order to create a garden city environment.

- Complete the Hope Street Promenade as a well-landscaped, mixed-use street detailed for the pedestrian, and linking South Park neighborhoods to the Financial Core.

CONVENTION CENTER/ARENA

- Fully develop all streets and parks to accommodate outdoor activities and to provide pedestrian linkages between this district and other Downtown neighborhoods and districts.

- Implement the Los Angeles Sports and Entertainment District (LASED) Streetscape Plan.

HISTORIC CORE/CENTER CITY

- Establish urban design guidelines and set up preservation priorities that strike a balance between historic preservation and new development.

- Use as a resource the Historic Downtown Los Angeles Design Guidelines to guide rehabilitation and public improvements that maintain and complement the area's historic character.

- Develop Broadway and Spring Streets as the two-signature street of this district. Develop Main Street and its adjacent east-west streets with residential uses and neighborhood amenities. Develop Hill Street with mixed uses that encourage easy access to and from Bunker Hill.

- Develop Broadway Community Design Overlay Zone in support of Bringing Back Broadway initiative.

- Link east-west mid-block paseo and galleries into a network that provides easy pedestrian access through the area, activated by retail and institutional uses. Use alleys for service and parking access and make them secure at all times.

SOUTH MARKETS

- Develop a set of architecturally distinctive indoor and outdoor markets for the flower, produce and garment industries.

- Establish development standards that promote pedestrian-oriented facilities and small-scale buildings that reinforce the character of the district.

● Develop innovative alley standards to promote retail paseos.

● Create design guidelines for the area including storefront and signage design. Develop new mini-parks and undertake streetscape improvements including trees, signage and street furniture.

● Create a street-oriented retail component of the Flower Market including flower shops, restaurants and shops. Create a street identity for the Flower Market on both Seventh and Eight Streets. Establish streetscaping and façade improvement programs making more areas inviting for retail customers.

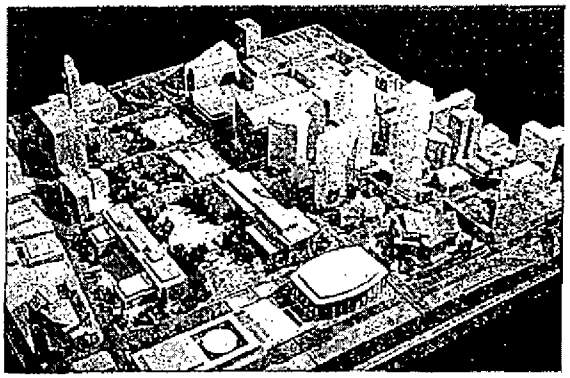
OPEN SPACE

Civic Open Space

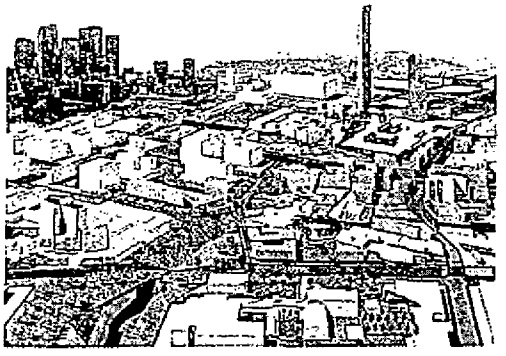
Because so little dedicated public open space exists in Downtown, creating a framework of civic open spaces and streets that provide necessary and suitable settings for the public life of the community is of the highest priority. Pershing Square is the first and oldest civic square of Downtown's "new town" expansion designated as a public square in ~~the 1800's~~ 1868. Three more spaces of similar scale should be developed and distributed equally and in a memorable pattern throughout Downtown, to give clarity to the urban form that is the heart of the Los Angeles metropolis.

To be truly civic in scale, these spaces should be the size of a full city block and should be bounded on all sides by public streets. They should be accessible, although hours of use may be controlled. They should be designed for the flexible use of space, accommodating sizeable numbers of people, providing a forum for organized public events as well as for every day casual use. These civic open spaces represent Downtown and the City; therefore, they should boast fine, durable materials, public art, and symbolic information conveying a sense of place. Simply put, these spaces help people know where they are in Downtown and to feel comfortable being there.

Civic Center Park Proposal



Park 101 Freeway Park Concept



Opportunities to adaptively re-use publicly-owned land downtown to create significant urban open space should be pursued. The Grand Avenue Civic Park, at 16 acres, affords an opportunity to implement civic open space among the Court, County and City Buildings. The Park 101 Freeway Park, at more than 100 acres, could be placed on a "lid"

built over the 101 Freeway, affording new connections to neighborhoods in and near Downtown, Chinatown, Little Tokyo and the urban core.

To unify Downtown and also give focus to its various neighborhood and districts, South Park Square and Market Square should each be designed and programmed with individual character and functions that would be capable of generating activity of both local and regional interest, such as markets, cultural affairs, entertainment and recreational events. Although a full city block park, "San Julian Commons" is also designated as civic open space.

~~Streets improved with planting, paving, lighting, signage and street furnishings should form pedestrian-friendly corridors connecting these civic open spaces and they should be distinguished as the most prominent civic streets of Downtown.~~

Neighborhood Parks

In addition to the civic-scale open spaces, a network of small and well-distributed public and semi-public open space are recommended to serve the needs of individual districts, neighborhoods, developments and institutions. These should be distributed at about 5-minute walking distances (1/4 mile) and should vary in size and character according to land availability and use. Local users should be involved in their design and planning. These may accommodate more active uses such as playgrounds, community gardens, and local group displays and performances. As city life unfolds, and districts and their occupants change, it is quite common and proper for parks to be "recreated" at intervals to accommodate new needs.

STREET HIERARCHY/STANDARDS

Objectives

- To develop a street hierarchy to serve transit, traffic, pedestrian, open space and truck access needs in a coordinated manner.

Policies

- Provide the essential connections and interchanges necessary for a comprehensive transportation system.

- Provide a street hierarchy that would prioritize streets as follows: ~~(1) Mixed Flow Street; (2) Transit Priority Street;~~ (1) Retail, Residential and Other Streets as identified in *Downtown Design Guide: Design for a Livable Downtown;* (2) Transit Priority Streets (3) Truck Route Street; (3) Local Truck Street.

- Transit Priority Streets: Figueroa Street, Flower Street, Broadway, Olympic Boulevard and Pico Boulevard.

- Modify Street Standards to permit wider sidewalks, parkways and stormwater infiltration, more on-street parking, bike lanes and -- curb extensions and medians where feasible.

- Seek funding for implementation of two north-south (Figueroa and Flower Streets) and 3 east-west (2nd and 7th Streets and Venice Boulevard) bicycle lanes accommodated in revised improvement standards for these streets.

- Seek funding to enable implementation of wider sidewalks for whole block faces.

Programs

- The central core of Downtown would receive transit priority while such streets as Figueroa and Flower Streets ~~Los Angeles, 3rd, 4th, 5th and 6th~~; Olympic and Pico Boulevards would be retained as key automobile streets serving Downtown.

- Los Angeles, 3rd, 4th, 5th and 6th make freeway ramp connections for automobiles, but also serve as links between neighborhoods.

- In Central City east and the South Market area, a number of streets have been designated as truck routes to facilitate the movement of goods into and out of the industrial areas.

PEDESTRIAN LINKAGES

Objectives

- To provide an extensive, well-formed and well-maintained pedestrian network.

- To link transit and pedestrian districts of historic Downtown Los Angeles.

Policies

~~- Streets should provide adequate sidewalk space for pedestrian circulation and for use by adjacent retail businesses.~~

- Create an extensive pedestrian network that helps merge the transportation and open space elements of the City.

- Implementation of Angels Walk as it relates to the Central City Community Pan.

THE AVENIDAS

The project would create public open space, which encourage pedestrian activity, interaction and community identity emphasizing the continuity of Downtown as one place rather than a series of isolated and unconnected islands of activity.

- Develop pedestrian oriented streets that connect the Civic Mall, squares and open spaces. This project could create bus lanes, reduce auto lanes, widen sidewalks along one side of each street and add streetscape, trees, furniture and other pedestrian amenities.

ANGELS WALK

- Little Tokyo: Make 2nd Street from Alameda to the west side of Little Tokyo pedestrian-oriented and a link to other portions of the Angels Walk network.

Provide for sidewalk widening, enhancement of streetscape and establishment of public open spaces.

~~To provide "Plum Tree" landscaping along both sides of Third Street to the heart of Little Tokyo and extend landscaping from the Metro Station at Third and Santa Fe Streets.~~

● Bunker Hill and Music Center/Civic Center District. Improve the pedestrian linkages at each of the five Downtown Metrorail portals.

A special focus on the portals at Fourth and Hill Streets. Angel Flights Grand Central Square, Historic Broadway and Spring Street are on the verge of merging into a continuous pedestrian sequence.

Continuous streetscape improvements for pedestrians along the Hill Street corridor itself.

Integration of the proposed regional consolidation of the State of California offices along Fourth Street.

Connections to more distant pedestrian destinations such as Disney Hall, the Museum of Contemporary Art, the Cathedral of Our Lady of the Angels, Chinatown, Union Station and Little Tokyo.

● El Pueblo (Union Station Connection)

Provide a pedestrian bridge that would span the 101 Freeway connecting El Pueblo with Union Station (a landmark gateway) and the Children's Museum and the Historic Core/Center City.

● Street Types: To further enhance the Downtown pedestrian experience, a hierarchy of improved streets should be created.

● Boulevards extending throughout Downtown and leading along important corridors and to important destinations (Broadway, Grand, 1st, 7th, Alameda and Figueroa).

"Paseo" passages that cut through midblocks of the very large-scale City grid to overlay a plaid of more intimately scaled walkways.

Non-through streets of all sizes which discourage vehicular use and there provide special opportunities for local, pedestrian-friendly treatment.

The design criteria should be developed for each of these types of corridors and should focus on the creation of a network of attractive, useable streets designed to emphasize the visual and functional needs to pedestrians as the heart of a public realm in which residents, workers, shoppers and tourists feel comfortable. Particular emphasis should be placed on a landscape palette that distinguishes street-types from each other, and on appropriate minimum width of sidewalks so that they readily accommodate pedestrian activities.

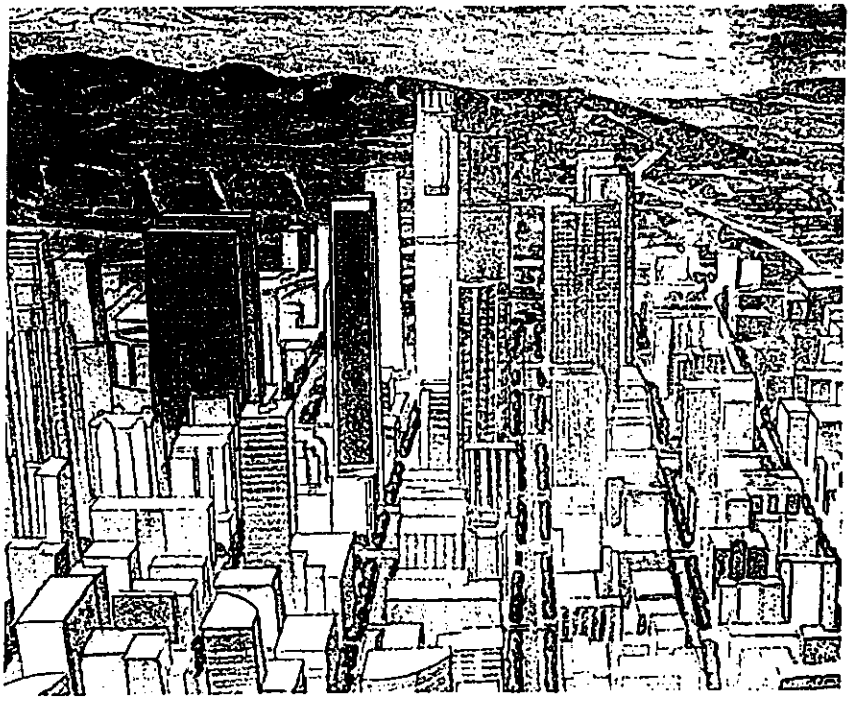
● Grand Avenue Cultural Corridor

Implement street improvement between the Cathedral of Our Lady of the Angels at the Hollywood Freeway and the Central Library at Fifth Street that promotes pedestrian use and provides a unique and striking environment that links together the important civic, cultural, and institutional uses and facilities concentrated there.

EXHIBIT E
Draft Downtown Design Guide: Design for a Liveable Downtown

DOWNTOWN
DESIGN GUIDE

CITY OF LOS ANGELES



ACKNOWLEDGMENTS

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01 INTRODUCTION AND OVERVIEW

Areas to Which the Design Guide Applies/Relationship to Other Regulations

The Design Guide, which supplements Municipal Code provisions, applies to all Projects in the areas shown on Figure I, except that:

- Provisions of an adopted Specific Plan, Community Design Overlay, Streetscape Plan, Design for Development, Supplemental Use District, Development Agreement or other regulations as determined by the Reviewing Agency shall take precedence where there is a conflict.
- Projects in the Historic Downtown must comply with the Historic Downtown Los Angeles Design Guidelines (July 2002) sponsored by the Los Angeles Conservancy as well as with the Design Guide. Where there is a conflict, the Historic Downtown Los Angeles Design Guidelines shall take precedence.

Where the Municipal Code is more restrictive than these Guidelines, and a request has been made to deviate from the Municipal Code to conform to the Design Guide, then the Decision-Making body must find A Project is in conformance with the Design Guide and the Urban Design chapter of the Community Plan in the consideration of affirmative findings.

Application of the Design Guide to Projects/Definition of Project

The Design Guide is intended to provide guidance for creating a livable Downtown. It includes both standards (requirements) and guidelines (suggestions). Standards typically use the word "shall", an active verb (such as, "provide" or "install"), a clear directive ("are not permitted" or "are required"). Guidelines typically use the word "should" or "consider." Projects must comply with standards and are strongly encouraged to comply with guidelines.

In the spirit of affording maximum creativity, Projects that do not adhere to the letter of every provision in the Design Guide, but none-the-less demonstrate a clear alternative approach which is superior to and achieves all the prominent objectives of the Design Guide, will be recognized as valid alternative.

For the purposes of the Design Guide, a Project is the construction, erection, or addition to any building or structure, on a lot located in whole or in part within the areas shown in Figure 1-1, which requires the issuance of a grading permit, foundation permit, building permit, or use of land permit. A Project shall not include the following:

a. Demolition;
b. Adaptive reuse of an existing building, which conforms to the Adaptive Reuse Ordinance;
c. Remodeling of designated Historic Resources;
d. Exterior remodeling of any other existing building, unless the aggregate value of the work, in any one 24-month period, is greater than 50% of the replacement value of the building or structure before the alterations or addition as determined by the Department of Building and Safety;
e. Interior remodeling of any other existing building, or the change of use of a building or land, or the relocation of existing uses.

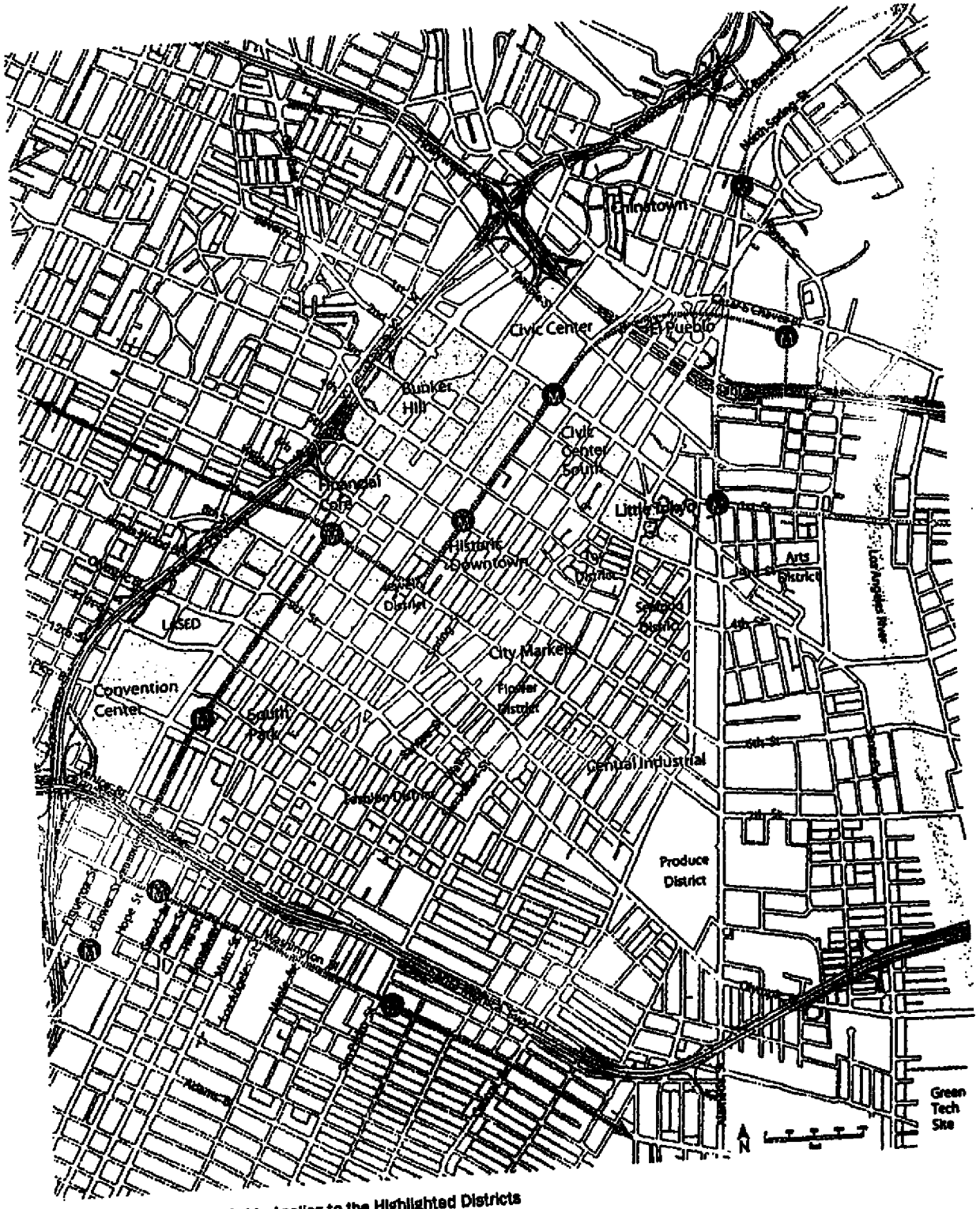


Figure 1-1 The Design Guide Applies to the Highlighted Districts

How to Use The Design Guide

The Design Guide encourages Downtown Los Angeles to develop as a more sustainable community. To achieve this goal, good choices must be made at all levels of planning and design -- from land use and development decisions to building massing and materials choices -- with a emphasis on walkability and the making of great streets, districts and neighborhoods. The focus of the Design Guide is on the relationship of buildings to the street, including sidewalk treatment, the character of the building as it adjoins the sidewalk, and connections to transit, as illustrated in Figure 1-2 below. The successful treatment of these key features, coupled with particular attention to the details of a project in the first 30-40 vertical feet, form the basis for providing high quality development at a human scale.

The first step in using the Design Guide is to determine where your building walls along the street will be located. Start by consulting the Downtown Street Standards on Navigate LA to determine where the curb line and back of sidewalk adjacent to your Project will be in relation to the existing street center line and whether any roadway widening or narrowing will be required. Note that, on many streets, the required sidewalk width will be a combination of public right-of-way dedication and sidewalk easement. Refer to Section 3 of the Design Guide for a more detailed description of the Downtown Street Standards.

Continue reading Section 3 for direction regarding setbacks: are they required/ allowed and, if so, how should they be treated? Setback treatment varies by district and with the adjacent ground floor use. Section 3 will also tell you whether you are on a street on which ground floor space must be designed to accommodate retail or similar uses, that is, a Retail Street.

Section 4 establishes key design characteristics of ground floor street walls, again which vary by type of street (Retail Streets or other streets). Section 5 addresses parking and access, including alleys. Section 6 addresses building massing and street wall treatment, which vary by district and by street type

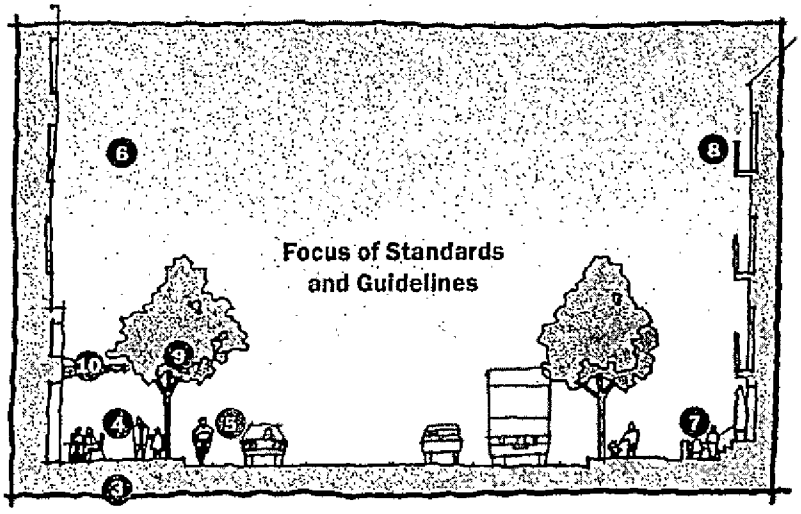


Figure 1-2 Focus of the Design Guide. This diagram shows the zone of development on which the standards and guidelines focus. Numbers correspond to the sections of this document in which each topic is addressed:

3 Sidewalks and Setbacks
4 Ground Floor Treatment
5 Parking and Access
6 Massing and Street Wall
7 On-Site Open Space
8 Architectural Detail
9 Streetscape Improvements
10 Signage

(Retail Streets or other streets). Section 7 addresses on-site open space; Section 8 architectural detail; Section 9 streetscape improvements; Section 10 Signage; and Section 11 public art and culture.

Review Process

Procedures for implementation of the Design Guide are established in this document and incorporated into the Central City Community Plan. A Downtown Implementation Committee comprised of the Department of City Planning (DCP), CRA/LA, Department of Transportation and Bureau of Engineering will continue to provide guidance and technical assistance when needed.

- Building Permit or "as of right" projects will be reviewed and approved by the Community Redevelopment Agency (CRA/LA) staff, in consultation with Downtown Implementation Committee staff where necessary. In the event the Redevelopment Area Plan expires, than the Department of City Planning will assume responsibility for building permit sign-offs.
- Discretionary applications or entitlements for subdivisions, zone changes, site plan review etc., will be reviewed and approved by Department of City Planning staff, in consultation with the Downtown Implementation Committee staff.

Prior to filing, a preliminary joint meeting with CRA/LA and DCP staff is required to consider the proposed project's compliance with the Design Guide. This opportunity to engage in early, innovative and constructive review is intended to avoid unnecessary delays once a Project is filed and deemed complete. The pre-filing review will supplement any other pre-development requirement that may be established by the City under its permit streamlining initiative.

The relevant decision-maker (Advisory Agency, DCP Planning Commission, CRA/LA Agency) will make the final determination of compliance with the Design Guide and will be required to make affirmative general plan findings in so doing.

- Where an environmental assessment is required, the Applicant shall consult the Transportation Toolbox --which affords a variety of techniques that emphasize pedestrian/transit/bicycle over the Single Occupancy Vehicle – and confer with the Department of Transportation on the appropriate tools for the project's environmental clearance.

Further, permanent procedures for implementation will be developed with the adoption of the New Central City Community Plan (NCCCP). A master Community Design Overlay zone may be one technique considered for enactment of permanent procedures.

Amendments to the Design Guide

The Design Guide may be amended as necessary by the Citywide Planning Commission and the Redevelopment Agency Board.

Design Principles for Creating A Livable Downtown

District and Neighborhood Design

- ❑ Employment Opportunities. Maintain and enhance the concentration of jobs, in both the public and private sectors, that provides the foundation of a sustainable Downtown.
- ❑ Housing Choices. Provide a range of housing types and price levels that offer a full range of choices, including home ownership, and bring people of diverse ages, ethnicities, household sizes and incomes into daily interaction.
- ❑ Transportation Choices. Enable people to move around easily on foot, by bicycle, transit, and auto. Accommodate cars but fewer than in the suburbs and allow people to live easily without one.
- ❑ Shops and Services Within Walking Distance. Provide shops and services for everyday needs, including groceries, day care, cafes and restaurants, banks and drug stores, within an easy walk from home.
- ❑ Safe, Shared Streets. Design streets not just for vehicles, but as usable outdoor space for walking, bicycling and visual enjoyment.
- ❑ Gathering Places. Provide places for people to socialize, including parks, sidewalks, courtyards and plazas, that are combined with shops and services. Program places for events and gatherings.
- ❑ Active Recreation Areas. Provide adequate public recreational open space, including joint use open space, within walking distance of residents.
- ❑ A Rich Cultural Environment. Integrate public art and contribute to the civic and cultural life of the City.

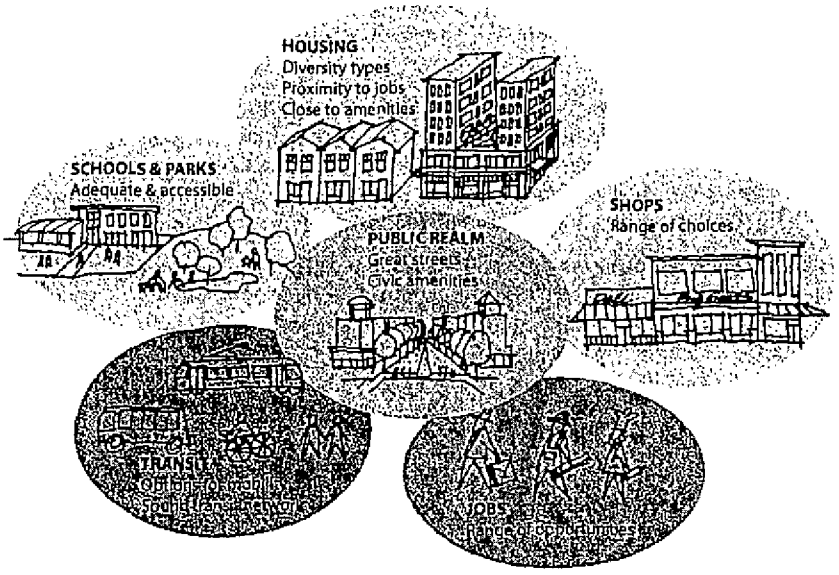


Figure 1-3 Components for a livable downtown at the neighborhood scale.

Building Design

- ❑ Recognize the dwelling as the primary building block of a neighborhood and a key to individual and community pride. Design dwellings that residents can be proud of, with comfortable living spaces, natural light and ventilation, and outdoor open space.
- ❑ Respect historically significant districts and buildings, including massing and scale, and neighborhood context, while at the same time, encouraging innovative architectural design that expresses the identity of contemporary urban Los Angeles.
- ❑ Accommodate vehicular access and parking in a way that respects pedestrians and public spaces and contributes to the quality of the neighborhood.
- ❑ Provide "eyes on the street" to create a safe and stable community and to encourage interaction and identity.
- ❑ Pay particular attention to the way the building meets the sidewalk, providing a transition to pedestrian scale and elements that activate the street.

Sustainability is the overarching goal of the Design Guide and essential to the concept of a livable Downtown.

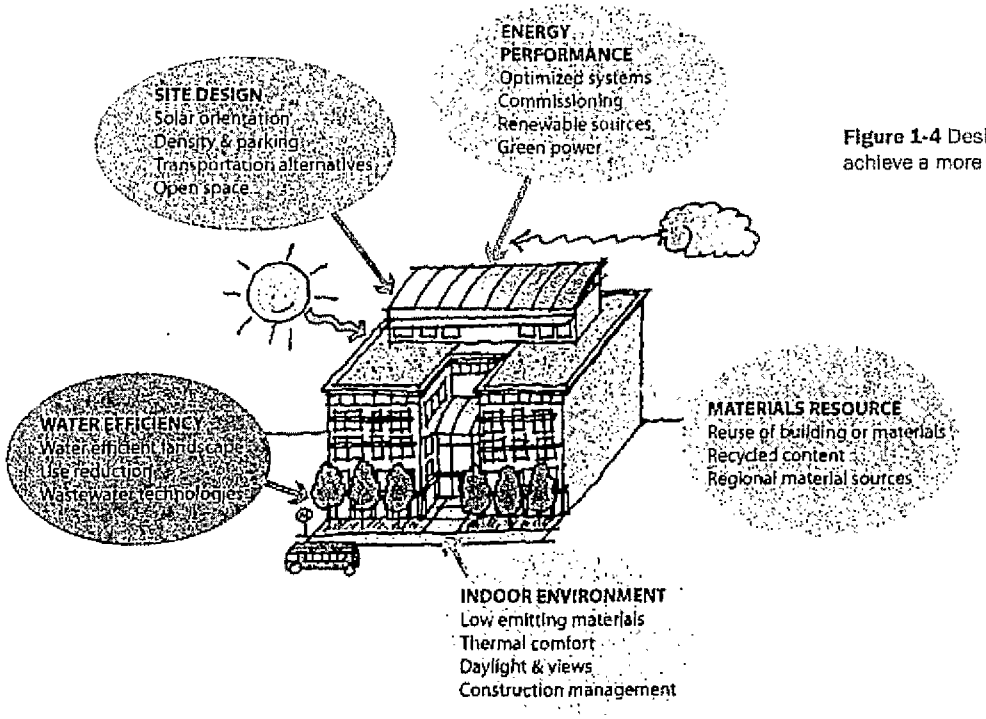
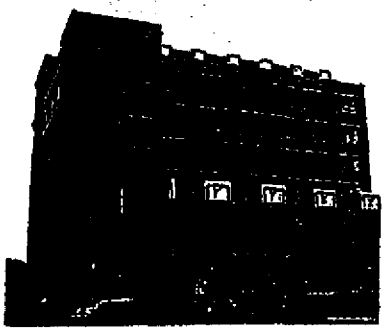
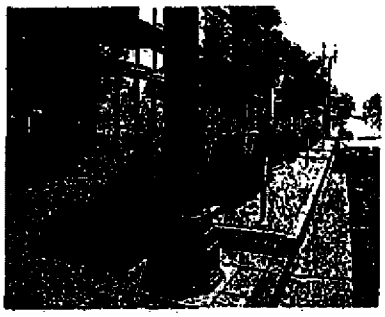


Figure 1-4 Design considerations to achieve a more sustainable building.





Creativity can take many forms: cutting-edge, iconic design like Disney Hall and the Caltrans building (top two images); new life for an historic building like the Biscuit Lofts (third); and a LEED™ and pedestrian friendly project like Eleven/Luma/Evo in South Park (bottom).

Encouraging Creativity and Innovation

The Design Guide provides both specific and broad suggestions, which, if followed, should result in "good buildings" which help create "good streets". While the definition of "good" varies with individual opinion, there are fundamentals of architectural design (both traditional and modern) that, in most cases, contribute to the creation of good architecture. Judgment of what is good and ultimately acceptable will be made by the Planning Commission and CRA/LA Board with input from staff.

As discussed earlier, exceptions to the precise requirements of the Design Guide may be entertained by decision makers, including the DCP and CRA/LA, provided that a Project achieves the overall objectives of the Design Guide. For example, a proposed site may be genuinely unique and requires special consideration, or an innovative architectural design may bring more value to a site and to Downtown than a purely contextual solution.

Typically, buildings are seen as good contextual solutions when they appear similar to other buildings in the neighborhood. But contextual solutions can also reinterpret the existing character and features within a city block, and recompose them in a cleverly modern interpretation. This can result in new projects that are aesthetically unique and represent good building since they too contribute to the overall neighborhood identity.

Most architecture that is considered memorable is ground-breaking in its design approach and sometimes contrasts sharply with its surrounding environment. Such projects usually bring the cache of a well-known or internationally recognized architect whose work is based on a strong theoretical design practice. These projects are often elevated above normal considerations, and exceptions to the Design Guide can be entertained because the design meets or exceeds the objectives of the Design Guide.

Good buildings help sustain a neighborhood and maintain a healthy economic environment. Making good buildings can be achieved using the skills of experienced and talented architects, whose designs routinely incorporate the sustainability and livability objectives of the Design Guide. Using their professional experience, they are often practiced at determining how to integrate these objectives into a project in a manner that results in a contemporary solution that genuinely contributes to the richness of Downtown's built landscape, and in turn, contributes to a great community of good buildings.

SUSTAINABLE DESIGN 02

To promote a more livable Downtown, projects must address sustainability at multiple levels. The design of the street, buildings, and landscape must work in tandem to achieve the most effective results. Subsequent sections of the Design Guide address sustainability at all those levels. This section provides an overview of the intent of the Design Guide with respect to sustainability.

A. Neighborhood Design

- ❑ Support walkability through sensitive design of the site, building and streetscape.
- ❑ Since all of Downtown is within walking distance of transit, design all projects as transit-oriented developments (TODs) that encourage residents, tenants and visitors to use transit.
- ❑ Orient projects to provide convenient access to the nearest transit options (Metro rail or bus, DASH) wherever possible.

B. Street and Alley Design

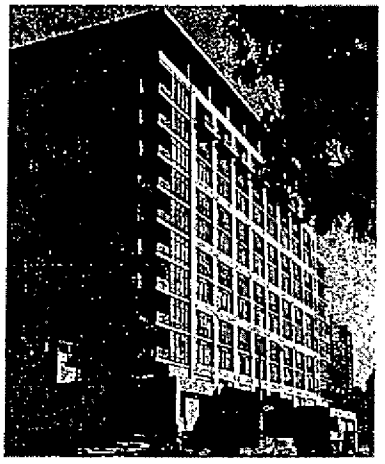
- ❑ Design sidewalks, including street trees, parkways, tree wells and paving, to collect stormwater runoff, thereby contributing to sustainable Green Streets and enhancing the value of the project.
- ❑ Design alleys and paseos to collect stormwater where feasible.

C. Site and Landscape Design

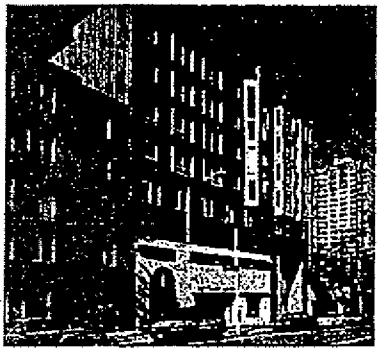
- ❑ Incorporate on-site landscape elements that reduces energy use and enhance livability.
- ❑ Consider providing a green roof to reduce solar gain (which contributes to the urban heat island effect) and to reduce the quantity of water entering the storm drain system.

D. Building Design

- ❑ All Projects are required to comply with the City's Green Building Ordinance. In addition, projects that have an Owner Participation Agreement with CRA/LA are required to achieve LEED™ Silver certification.
- ❑ Projects that include a hotel should participate in the California Green Lodging Program.
- ❑ Wherever possible, existing structures should be re-used and integrated into new projects to retain the architectural fabric of downtown.
- ❑ Projects that preserve and rehabilitate historic structures must comply with the Secretary of the Interior's Standards for Rehabilitation.



LEED™ certified mixed use development in Downtown.



Traugott Terrace in Seattle was the first LEED™ certified affordable housing project in the United States.

Example of a green roof.

03 SIDEWALKS AND SETBACKS

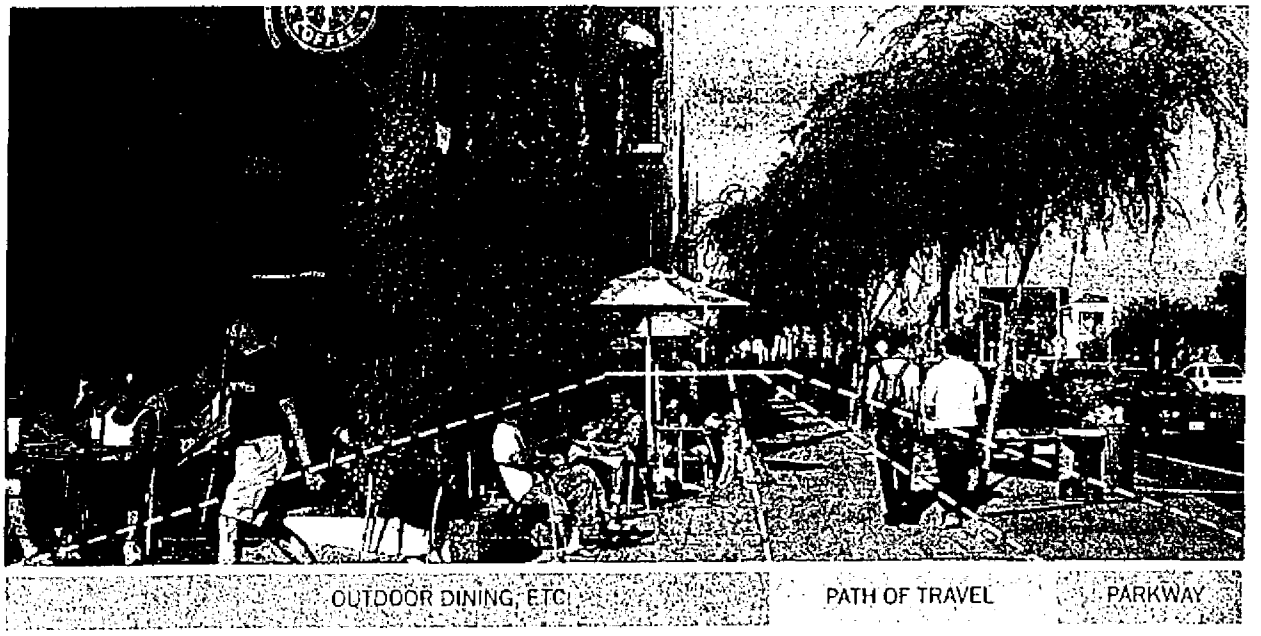
Example of building overhang that does not interfere with street tree growth.

SIDEWALKS

Design sidewalks that are walkable and accommodate a variety of uses.

- ❑ The Downtown Street Standards establish required sidewalk widths for all Downtown streets. On many streets, the required sidewalk width is a combination of public right-of-way (dedication) and easement for sidewalk purposes.
- ❑ On segments of most north-south streets, an average easement for sidewalk purposes is required. The average easement provides flexibility in building design and at the same time provides space for sidewalk activity. A required average easement may range from 0' to 3 times the average, provided that the total area of the easement divided by the length of the property frontage equals the required average.
- ❑ A building may project over the required sidewalk easement above a height of 40' and below a depth of 5' to accommodate street trees. Projections, which are permitted in the public ROW by the Municipal Code, such as signs, canopies and awnings, are permitted over the required easement, subject to the same approvals.
- ❑ Provide a minimum 6' continuous path of travel.

Example showing the parkway along the curb, the clear path of travel and use of the remaining sidewalk for outdoor dining.

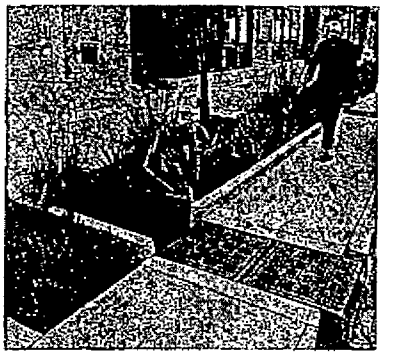


- ❑ Provide an 18-24" wide access zone next to the curb, which includes the 6" curb and 12" wide granite or brick edge band adjacent to the back of curb.
- ❑ Outdoor dining may occur on any portion of the paved sidewalk provided a minimum 6' wide continuous path of travel is maintained.

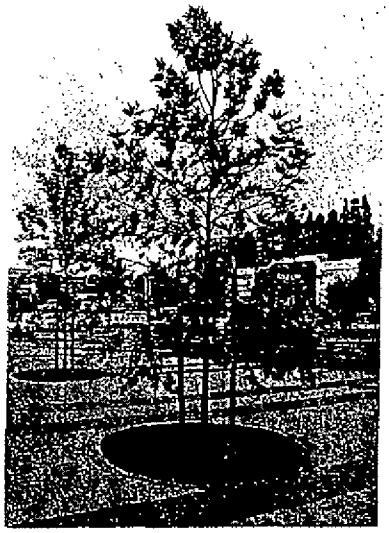
Design sidewalks to accommodate and support large street trees and to collect stormwater, providing continuous parkways where feasible.

- ❑ Provide continuous landscaped parkways, except in the Historic Downtown, adjacent to bus stops, or in other locations determined by staff to be inappropriate for parkways. The continuous landscaped parkways should be designed to collect and retain or treat runoff from, at a minimum, the sidewalk and, if approved by the Bureau of Engineering adjacent on-site, ground level open space during a storm event producing 3/4 inch of rainfall in a 24-hour period.
- ❑ Where there is curbside parking, one walkway for every one or two parking spaces or other means of access shall be provided through the parkway to curbside parking.
- ❑ If a parkway is designed to collect stormwater from the sidewalk only, the parkway shall be directly behind the access zone and a minimum of 7' wide where the required sidewalk width is 15' or more; 6' wide where the required sidewalk width is more than 10' but less than 15'; and 4' wide where the required sidewalk width is 10'.
- ❑ The elevation of the parkways within 2' of the sidewalk pavement shall be within a few inches of the sidewalk elevation. The center 2' or 3' of the parkway should be depressed 3-4" to form a shallow swale to collect sidewalk stormwater or alternative means of storing runoff, such as gravel sumps within the parkway, may be provided.
- ❑ The roots of trees planted in the parkway shall not be restricted by concrete curbs, root barriers or other means, so that roots may extend throughout the parkway and support a large, healthy tree canopy.
- ❑ If parkways are designed to collect stormwater from the street as well as from the sidewalk, they shall be designed according to the Bureau of Engineering Green Streets guidelines or standards. However, if trees are not permitted to be planted in the parkways but in separate tree wells, they shall be planted as described in the following provision.

All continuous landscaped parkways collect stormwater runoff from the sidewalk.



In addition, they can be designed to filter stormwater run-off from street.



Tree with large tree well surrounded by permeable paving with gap graded soil to store and infiltrate stormwater beneath.

Where average 24' wide sidewalks are required, as on Grand Avenue in South Park, a double row of trees is also required.

Where narrow sidewalks or basements prohibit in-ground trees, planters may be used.

Where continuous landscaped parkways are not feasible, provide large street wells with gap-graded soil beneath the sidewalk.

- ❑ If trees are not planted in the center of continuous landscaped parkways with the opportunity for unrestricted root growth, they shall be planted in large trees wells (at least 6' wide by 10' long).
- ❑ In the Historic Downtown and other locations where parkways are inappropriate, provide large tree wells, which shall be at least 10' long and a minimum of 7' wide where the required sidewalk width is 15' or more; 6' wide where the required sidewalk width is more than 10' but less than 15'; and 4' wide where the required sidewalk width is 10'.
- ❑ If tree wells have less than 100 square feet of surface area, gap-graded soil shall be provided under the entire sidewalk as specified in Section 9 and Appendix B.
- ❑ Where average 24' wide sidewalks (through a combination of dedication and easement) are required by the Downtown Street Standards, at least 50% of a Project's frontage shall have sidewalks at least 22' wide and a second row of street trees aligned with those in the parkway zone shall be provided. The interior row of trees should generally be in large tree wells.
- ❑ Where tree wells and parkways would conflict with existing basements, underground vaults, historic paving materials, or other existing features that cannot be easily relocated, the tree well and parkway design shall be modified to eliminate such conflicts. Parking meters and signs are examples of existing features that can be easily relocated. Digital copies of maps showing existing basements in the public ROW are available from BOE, CRA or City Planning Urban Design Studio.
- ❑ Where existing sidewalks are narrow, as on east-west streets in the Historic Downtown, the reviewing agency may determine that street trees not be provided.

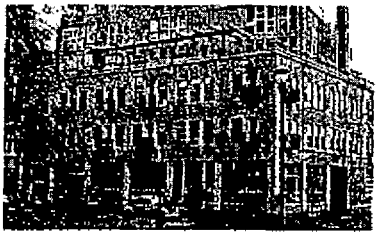
Install and maintain streetscape improvements on all streets adjacent to a Project.

- ❑ Install streetscape improvements as specified in Section 9.
- ❑ All sidewalk improvements shall be installed and maintained by the adjacent property owners. For example, parkways and tree wells shall be planted, irrigated and maintained by the adjacent property owners as described in Section 9.

SETBACKS

Provide setbacks appropriate to the adjacent land use and district.

- ❑ On Retail Streets, as defined in Figure 3-1, and adjacent to ground floor space designed for retail use in other locations, the building street wall (as defined in Table 6-1) shall be located at or within a few feet of the back of the required average sidewalk width.
- ❑ Adjacent to ground floor space designed for other uses, buildings shall be set back from the back of the required sidewalk to provide a buffer between the sidewalk and building as specified in Table 3-1.
- ❑ *Variations in the setback are encouraged to respond to building function* and to create visual interest.
- ❑ Treatment of the setback required in Table 3-1 will vary with the use for which the ground-floor is designed:
  - *Adjacent to retail, the setback, if any, shall be primarily hardscape and* may be used for outdoor dining and other commercial activities.
  - Adjacent to live-work space, the average two-foot setback, shall include a little landscaping, which may be in pots or raised planters.
  - Adjacent to ground-floor residential units with individual entries on the street, the minimum average 5-foot or 6-foot setback shall be primarily landscaped and may include walkways, porches, raised planters, other solid walls up to 3 feet above sidewalk elevation, and transparent fences (e.g., wrought iron, tubular steel, glass) up to a height of 5 feet above sidewalk elevation.
  - If the Reviewing Agency determines that the active ground floor treatment required in Section 4 is not feasible, a minimum average 5-foot setback which is densely landscaped shall be provided.



Zero setback with ground-floor retail.

A small setback with a little landscaping next to professional office or live-work space.

Housing with front yards and secondary entrances along the sidewalk.

Figure 3-1 Retail Streets

Percent of Project's street frontage, excluding access to parking, along which ground floor space must be designed to accommodate retail, professional office, or live work uses:

At least 75%

At least 50%

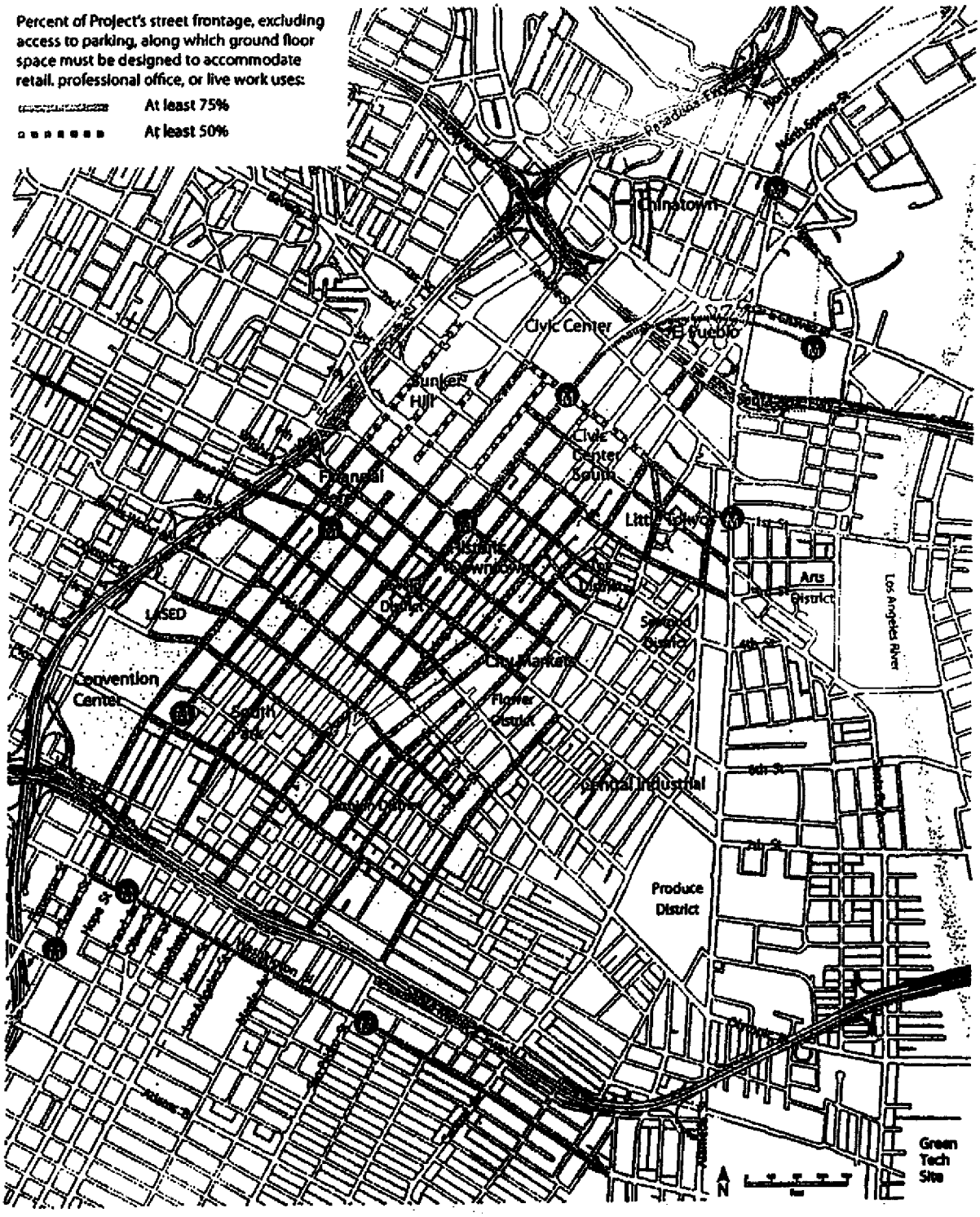


Table 3-1 Permitted Street Wall Setbacks From Back of Required Sidewalk [1]
(Minimum Average/Minimum-Maximum Range)

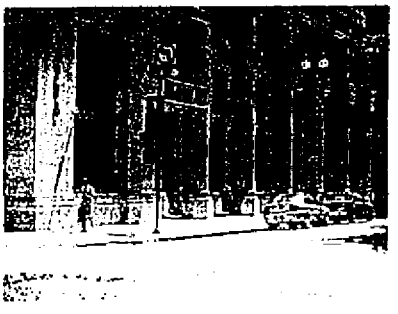
	ADJACENT GROUND FLOOR USE		
DISTRICT / NEIGHBORHOOD	RETAIL [2]	PROFESSIONAL OFFICE / LIVE WORK [3]	RESIDENTIAL WITH INDIVIDUAL ENTRIES ON STREET [4]
Civic Center	0'/0-10'	5'/0-15'	5'/5-20'
Civic Center South	0'/0-5'	3'/0-10'	5'/3-15'
Historic Downtown [5]	0'	0'	0'
Little Tokyo	0'/0-3'	2'/0-5'	5'/3-15'
Bunker Hill	0'/0-5'	3'/0-15'	6'/4-16'
Financial Core	0'/0-3'	2'/0-5'	6'/4-12'
South Park	0'/0-5'	2'/0-5'	6'/4-12'
City Markets	0'/0-3'	2'/0-10'	5'/4-16'

1 Required sidewalk is as defined by the Downtown Street Standards. In some cases, the required sidewalk width is a combination of public right-of-way (dedication) and a sidewalk easement.
2 No setback is required adjacent to ground-floor retail; however, a project may set back within the specified range.
3 Setback should include some landscaping, which may be in pots or planters.
4 Setback should include at least 50% landscaping.
5 Match the prevailing setback where appropriate.

Notes: If at least 50% of the building frontage along a block face is occupied by one or more designated Historic Resources, the average setback of any new building shall match the average setback of the Historic Resources.

The ground floor street wall (primarily entries and display windows) may set back farther than the specified range, provided that structural columns and building walls above the ground floor are located within the specified range, as illustrated below.

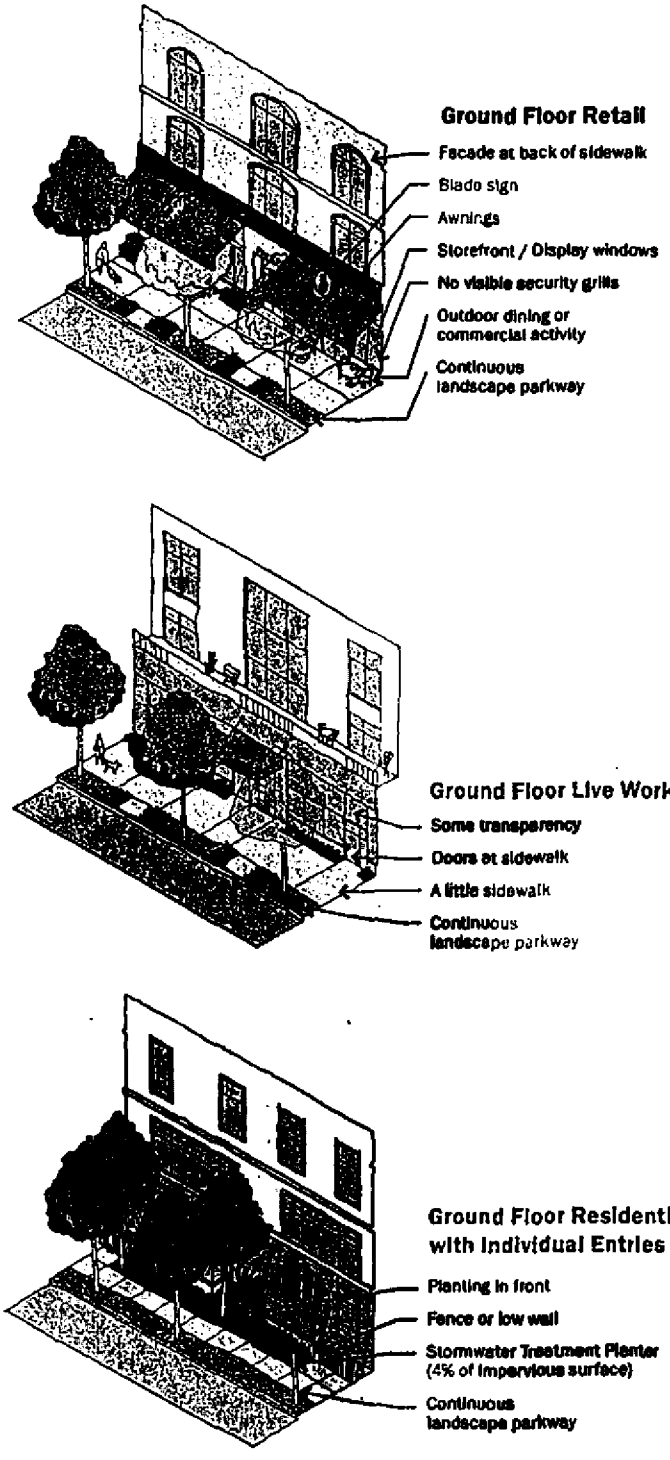
The Bradbury Building's columns and upper story walls are within a foot of the back of the required sidewalk, while entrances and display windows are set back a few feet.



Similarly, columns are at the property line, while the façade is set back a few feet.

Where the ground floor is designed for live-work or office space, a small average setback with landscaping is appropriate.

Figure 3-2 Sidewalk treatment varies with ground floor treatment.

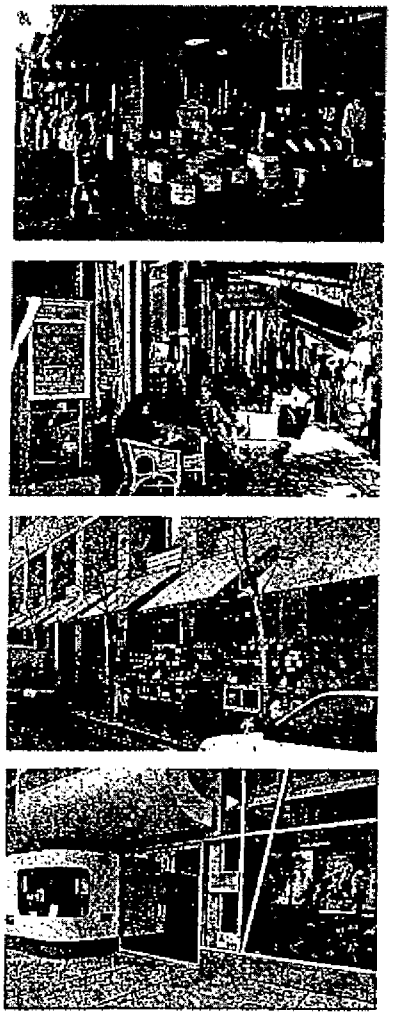


GROUND FLOOR TREATMENT 04

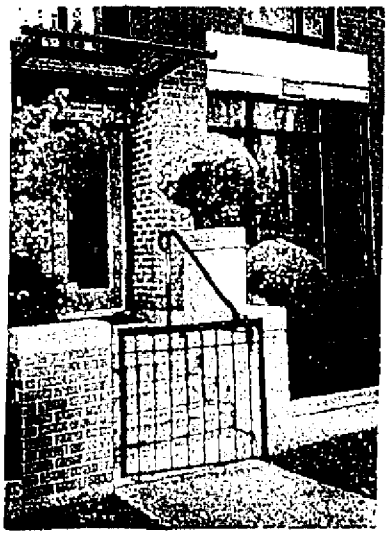
GROUND FLOOR TREATMENT ALONG RETAIL STREETS

Design ground floor space on designated Retail Streets for retail or other active uses, orienting tenant spaces to the street and maximizing storefronts and entries along the sidewalks to sustain street level interest and promote pedestrian traffic.

- ❑ All streets in the Historic Downtown are Retail Streets. Refer to the Historic Downtown Los Angeles Design Guidelines for guidance regarding ground floor treatment in the Historic Downtown.
- ❑ On Retail Streets, ground floor space with a linear frontage equal to at least 50% or 75% of street frontage, as specified in Figure 3-1, shall be designed to accommodate retail, professional office, and live-work uses.
- ❑ The ground floor space within 150' of an intersection shall be designed *specifically for retail uses. Midblock ground floor space may be designed for* retail, professional office, and live-work uses.
- ❑ Where Retail Streets intersect other streets, the ground floor retail space should wrap the corner onto the other streets.
- ❑ Ground floor retail space may be provided on streets that are not designated as Retail Streets in Figure 3-1. If it is, the ground floor retail space should comply with these standards and guidelines.
- ❑ Required ground floor retail space may be located along the required street wall (see Section 6) or along a courtyard or plaza, provided the retail frontage is not more than 60 feet from the back of sidewalk and is visible from the sidewalk.
- ❑ Required ground floor retail space shall be provided to a depth of at least 25 feet from the front façade and shall include an average 14'-0" floor-to-ceiling height. Note that the ground floor retail space may be occupied by other uses initially, but will be available for retail uses in the future when there is demand for such uses.
- ❑ The primary entrance to each street-level tenant space that has its frontage along a public street shall be provided from that street.
- ❑ The primary entrance to each street-level tenant that does not have its frontage along a public street shall be provided from a pedestrian paseo, courtyard or plaza, which is connected to the public street.
- ❑ Wall openings, such as storefront windows and doors, shall comprise at least 75% of a building's street level façade.
- ❑ Clear glass for wall openings, i.e., doors and windows, shall be used along all street-level façades for maximum transparency, especially in conjunction with retail uses. Dark tinted, reflective or opaque glazing is not permitted for any required wall opening along street level façades.
- ❑ During hours of operation, open-wall storefronts are encouraged.

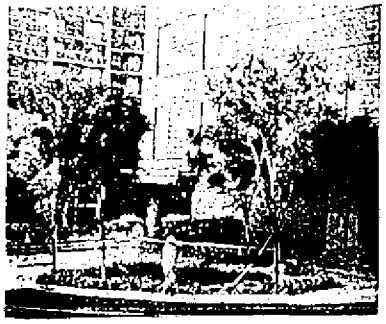


Good examples of ground floor treatments that include retail displays, outdoor dining and awnings for shade.



Good example of individual unit entry several feet above the sidewalk with porch and windows that look onto the street.

Common areas or recreation rooms with transparent windows can also line the ground floor of residential buildings.



Where blank walls are unavoidable, they can be set back with landscaping.

GROUND FLOOR TREATMENT ALONG OTHER STREETS

Design ground floor space facing other streets to accommodate habitable space and to avoid blank walls and visible parking.

- ☐ Along other streets, at least 75% of the ground floor street frontage shall be designed to accommodate the following uses: retail, cultural, professional office, live/work units, residential units with individual entries along the street, and/or other active space such as recreation rooms or common rooms.
- ☐ The ground floor treatment of those uses, except residential units with individual entries, should be similar to that of retail space, except that wall openings shall comprise at least 50% of the street level façade.
- ☐ Residential units with individual entries should include windows on the ground floor that look out onto the street.
- ☐ If a residential unit's individual entry along the street is the unit's primary entry, it must be accessible, that is, at the same elevation as the sidewalk.
- ☐ If a residential unit's individual entry along the street is a secondary entry, the entry and any private outdoor space for the unit may be several (but not more than 4 or 5) steps above the sidewalk elevation. Private outdoor open space for the unit must be directly accessible from the unit, that is, at the same elevation.

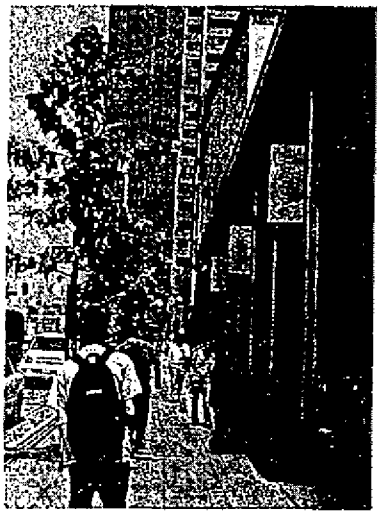
GROUND FLOOR TREATMENT ALONG ALL STREETS

Orient buildings to the street to promote the sidewalk activity.

- ❑ A building's primary entrance, defined as the entrance which provides the most direct access to a building's main lobby and is kept unlocked during business hours, shall be located on a public street or on a courtyard, plaza or paseo that is connected to and visible from a public street.
- ❑ At least one building entrance, which provides access to a building's main lobby and which is kept unlocked during business hours, shall be located on a public street.
- ❑ At least one building entrance, which may be either a building or tenant/resident entrance, shall be provided along each street frontage.
- ❑ More public entrances than the minimum specified, including building and/or tenant/resident entrances, are encouraged.

Incorporate a pedestrian-oriented scale at the street level.

- ❑ Street wall massing, articulation and detail, street level building entrances and storefront windows and doors, as well as the use of quality materials and decorative details, shall be used to promote pedestrian-scaled architecture along the street.
- ❑ Architectural features that reinforce the retail character of the ground street wall and/or help define the pedestrian environment along the sidewalk, such as canopies, awnings, and overhangs, are encouraged and should be integral to the architecture of the building.
- ❑ Awnings and canopies shall be fabricated of woven fabric, glass, metal or other permanent material compatible with the building architecture. Internally illuminated, vinyl awnings are not permitted.



Good examples of buildings that promote sidewalk activity with overhangs, awnings and other transitional elements integrated into the architecture.

Don't waste valuable street frontage on "back of house" uses.

- ❑ Electrical transformers, mechanical equipment and other equipment should not be located along the ground floor street wall.
- ❑ Electrical transformers, mechanical equipment, other equipment, enclosed stairs, storage spaces, blank walls, and other elements that are not pedestrian-oriented shall not be located with 100 feet of the corner on north-south streets and within 50 feet of the corner on east-west streets.

Examples of poor equipment location choices. A primary opening to a courtyard garden is walled off with electric meters (left) and irrigation equipment is in plain view near a building entrance (right).

05 PARKING AND ACCESS

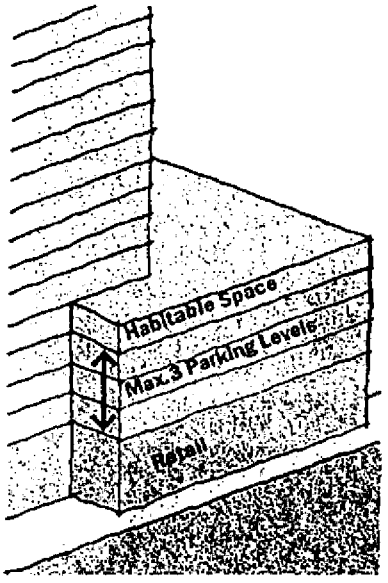


Figure 5-1 Diagram showing a street wall **with ground floor** retail and the **maximum three parking** levels with habitable space above.

Locate parking, loading and vehicular circulation to minimize its visibility.

- Parking required for a Project shall be integrated into the Project it serves. Public parking may be either a freestanding structure or integrated into a Project, provided it is clearly signed as public parking.
- Except for the minimum ground-level frontage required for access to parking and loading, no parking or loading shall be visible on the ground floor of any building façade that faces a street.
- Parking, loading or circulation not located below grade shall be: 1) lined by habitable floor area having a minimum depth of 20 feet along all street frontages or, 2) if the project sponsor demonstrates that it is not feasible to line the parking with habitable space above the ground floor, integrated into the design of the building façade.
- Where parking above the ground floor that is not lined with habitable space is permitted, a maximum of three parking levels fronting on a public street shall be allowed above the ground floor, provided they are integrated into the design of the building façade and at least one habitable floor is provided directly above the visible parking levels.
- Drive-through aisles for fast food or similar use are not permitted.

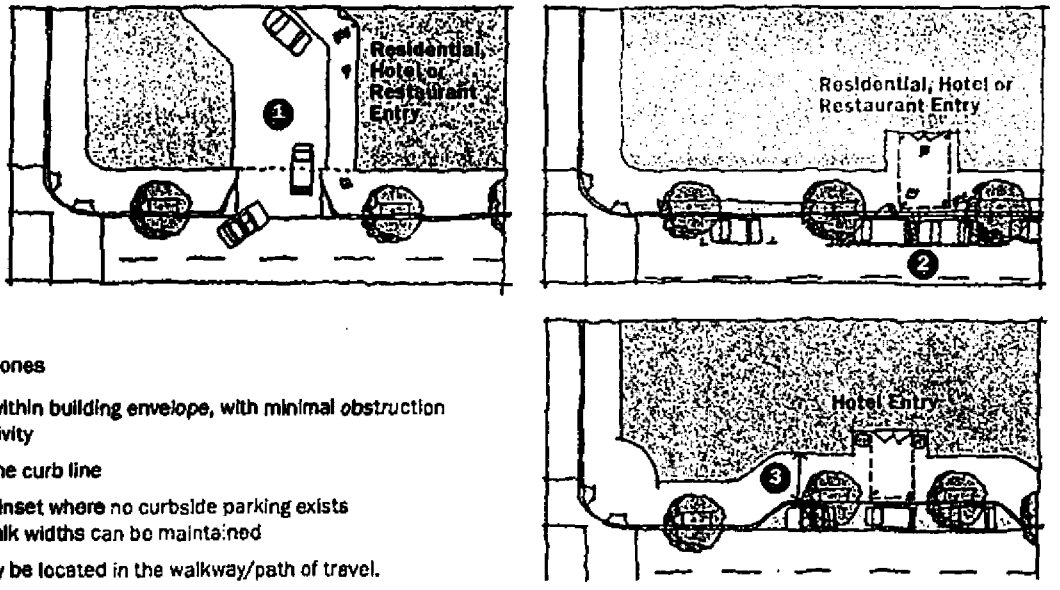


Figure 5-2 Drop-off Zones

1. Drop-offs occur within building envelope, with minimal obstruction to pedestrian activity
2. Drop-offs along the curb line
3. Drop-offs can be inset where no curbside parking exists and where sidewalk widths can be maintained

Note: no columns may be located in the walkway/path of travel.

Locate drop-off zones along the curb or within parking facilities to promote sidewalk/street wall continuity and reduce conflicts with pedestrians.

- ❑ Drop-off, including residential, hotel and restaurant drop-off, shall be provided either: 1) within the off-street parking facilities using the parking access or 2) along the required curb line where there is a full-time curbside parking lane, with no sidewalk narrowing. Exception: 3) where there is no curbside parking lane and off-street drop-off is not feasible, a hotel may have a drop-off lane up to 80 feet long provided the required sidewalk width is maintained.

Encourage the use of alternate modes of transportation by providing incentives for reduced automobile use.

- ❑ No more than the minimum required parking may be provided unless provided for adjacent buildings that lack adequate parking.
- ❑ Parking shall be sold or rented separately from residential units and commercial spaces ("unbundled") in perpetuity. Parking that is required for residential use but is unused and all commercial parking should be made available as public parking during daytime and evenings.
- ❑ At least one secure bicycle parking space shall be provided for every two units in a clearly designated, secure location.

Limit the number and width of curb cuts and vehicular entries to promote street wall continuity and reduce conflicts with pedestrians.

- ❑ Vehicular access shall be from an alley or midblock on an east-west street where feasible.
- ❑ Curb cuts and parking/loading entries into buildings shall be limited to the minimum number required and the minimum width permitted.
- ❑ Parking and loading access shall be shared where feasible.
- ❑ Parking and loading access shall be located a minimum of 25 feet from a primary building entrance, pedestrian paseo, or public outdoor gathering area. This guideline shall not apply to a hotel porte cocheres.
- ❑ Where a vehicular exit from a parking structure is located within 5 feet of the back of sidewalk, a visual/audible alarm shall be installed to warn pedestrians and cyclists of exiting vehicles. exiting vehicles.

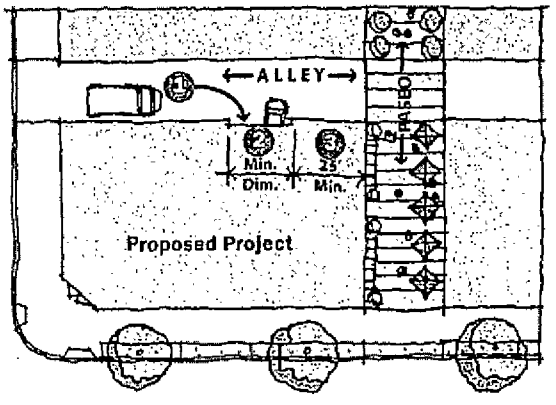
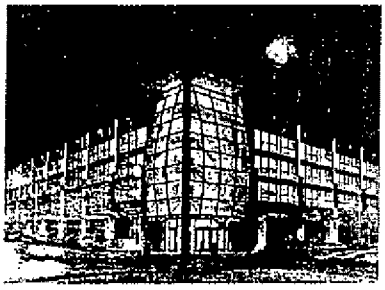
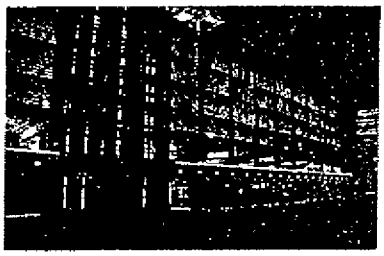


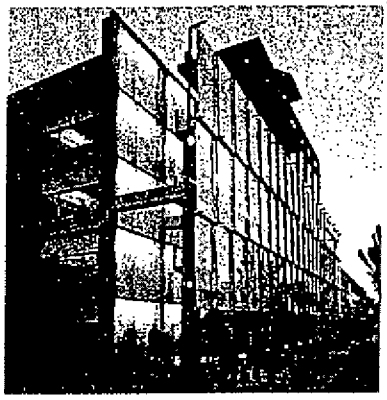
Figure 5-3 Vehicular Entries and Curb Cuts

1. Access to parking/service/loading shall be from the alley, and shared wherever feasible
2. Curb cuts and parking/loading access into buildings shall be minimum width requirement by LADOT
3. Parking and loading access shall be a minimum of 25' from entrances, paseos, or outdoor gathering areas



Precast panel and glass louver screening, plus photovoltaic panels on top deck (upper), and metal screen with tower element marking the entry corner and vertical circulation (lower).





Example of a parking garage with a glass facade and backlighting that transcends function to provide an interesting architectural facade.

STAND-ALONE PARKING STRUCTURES

A. Architectural Treatment

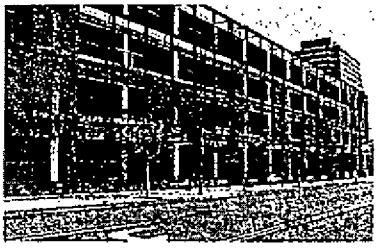
Parking structures should exhibit the same principles as good building design noted in previous sections. Providing an exterior screen comprised of high quality materials that screen the underlying concrete structure can elevate the building's stature and contribute to the overall quality of Downtown's built landscape.

- ❑ Parking structures shall have an external skin designed to improve the building's appearance over the basic concrete structure of ramps, walls and columns. This can include heavy-gage metal screen, pre-cast concrete panels, laminated glass or photovoltaic panels.
- ❑ Parking structures should integrate sustainable design features such as photovoltaic panels (especially on the top parking deck), renewable materials with proven longevity, and stormwater treatment wherever possible.
- ❑ Vertical circulation cores (elevator and stairs) shall be located on the primary pedestrian corners and be highlighted architecturally so visitors can easily find and access these entry points.
- ❑ Treat the ground floor along public streets as specified in Section 4: on Retail Streets provide active ground floor uses along the street frontage of the garage: on all other streets, the ground floor treatment should provide a low screening element that blocks views of parked vehicle bumpers and headlights from pedestrians using the adjacent sidewalk.
- ❑ Signage and wayfinding should be integrated with the architecture of the parking structure.
- ❑ Integrate the design of public art and lighting with the architecture of the structure to reinforce its unique identity. This is especially important for public parking structures to aid in visitors finding them upon arrival and getting oriented to downtown.
- ❑ Interior garage lighting should not produce glaring sources towards adjacent residential units while providing safe and adequate lighting levels per code.

B. Landscape Treatment

- ❑ In most circumstances, streetscape and landscaping should complement the building design. If a parking structure is well-designed, it does not need to be screened by dense landscaping in an urban setting.
- ❑ However, where the Reviewing Agency determines that conformance with the architectural design standards and guidelines in 5.A. are not feasible, an unattractive parking structure may be screened with landscaping.
- ❑ A "green screen" that is coordinated with the building design may be provided, along with the required streetscape improvements.
- ❑ Alternatively, an additional row of evergreen columnar trees may be provided in a minimum 8-foot wide setback and staggered with the street trees. In combination, the setback and street trees should screen the parking structure from view.

Streetscape can complement a well-designed parking structure.



In limited circumstances, a green screen (above) or dense tree planting (below) can screen an unimproved concrete structure.

A typical downtown alley is primarily for vehicular access and loading.

Santee Alley is a pedestrian-priority alley.

Shared alley: primarily pedestrian with resident/delivery vehicular access.

ALLEYS AND BUILDING WALLS FACING ALLEYS

Maintain and enhance alleys.

- ❑ No existing alley shall be vacated unless 1) vehicular access to the Project is provided only at the former intersection of the alley with the street; 2) vacating the alley will not result in the need for additional curb cuts for other parcels on the same block; and 3) an east-west pedestrian paseo at least 20 feet wide will be provided in the middle third of the block as part of the Project.
- ❑ As a general rule, Downtown alleys shall not be gated. Existing gates shall be removed where feasible.

Use alleys primarily for vehicular access, loading and service.

- ❑ The primary purpose of most Downtown alleys is vehicular access and loading. The exceptions are "pedestrian-priority" alleys as designated as "pedestrian-priority" alleys by the Reviewing Agency. Pedestrian-priority alleys typically are located in the City Markets district.
- ❑ Access to parking shall be from an alley where one exists or can be provided.
- ❑ Where there is no alley and the project includes frontage on an east-west street, parking access shall be located midblock on the east-west street.

Provide access to utilities and mechanical equipment from alleys.

- ❑ Electrical transformers shall be located to be accessed from an alley where one exists or can be provided. If located adjacent to a sidewalk, they shall be screened and incorporated into the building to read as a storefront or office.

Design building walls that face alleys to be attractive those who see them.

- ❑ While they can be more simply designed than street-facing façades, building walls that face alleys nonetheless should be visually attractive.
- ❑ Parking levels may be visible but should be should be designed to alleviate the horizontally and lack of articulation and to screen lighting from the public rights-of-way and surrounding residential units, as described in the prior discussion of free-standing parking structures.

Ensure that residents are not adversely affected by the use of alleys for parking access, service and loading.

Urban downtown environments typically experience higher ambient sound levels than, for example, suburban residential neighborhoods due to traffic on streets and alleys, street activity and commercial ground-floor uses.

- ❑ Each home buyer and renter in the Downtown shall sign a statement acknowledging that:
  - Sound levels may be higher than in other locations due to traffic on streets and alleys, street activity, ground floor uses, vehicular loading, and trash collection;
  - There will be additional development all around them;
  - Alleys will be used as the primary access to all parking in the downtown; and for loading, utilities and trash collection.
- ❑ Residential units shall not be located on the ground floor adjacent to alleys in order to reduce light, glare, and noise concerns.
- ❑ Residential units shall be designed to maintain interior sound levels, when windows are closed, at below 45 dB. Because the exterior sound level may exceed 60 dB, measures in addition to conventional construction are suggested to meet the interior standard, including:
  - Use of 1/4" laminated or double glazing in windows
  - Installation of rubberized asphalt in the alleys.

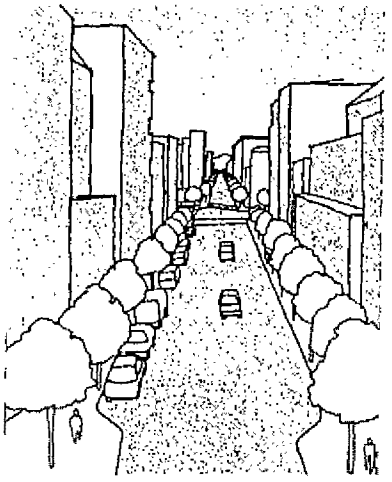
Incorporate green elements in alleys.

- ❑ Subject to approval by BOE, install permeable paving to infiltrate storm water and eliminate standing water.

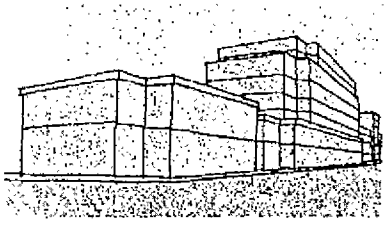
Residential units are not permitted on the ground floor adjacent to non-pedestrian priority alleys as shown here.

Typical alley with standing water (upper); alley with permeable paving along the center flowline to infiltrate runoff and eliminate standing water (lower).

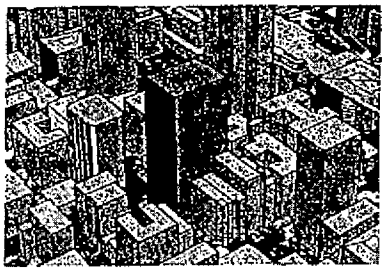
06 MASSING AND STREET WALL



The street wall is largely defined by individual building massing.



Large half- to full-block projects should be massed to form a collection of appropriately scaled buildings that provide cohesion on a block.



All projects shall submit a 3-D model like the downtown model shown above.

MASSING

The street is often described by urban designers as "a large outdoor room". The ability to shape this room exists on every street, and its walls are defined by the primary façades of its buildings, which create a street wall. How building mass is distributed on a site usually has the greatest impact on a project's overall appearance and on the strength of the street wall.

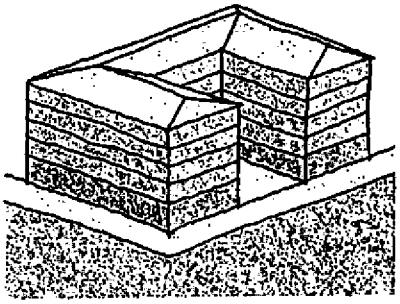
Breaking down large floor plates and varying a building's height through the creation of smaller structures or façades is a valuable concept when designing large projects that consume half a block or more. Sculpting a building's massing can also help avoid big bulky structures, which provide more visual monotony than variety. It is the well-balanced variety of building massing and textures of shadow, light and materials that in total adds to the richness of downtown's built environment.

Buildings generally fall within three types of massing as shown in Figure 6-1. Low-rise massing is generally less than 6-story structures. Mid-rise massing is generally 12-20 stories, and high-rise pertains to towers that are more than 20 stories. Any portion of a building that is above 150', the pre-1957 height limit Downtown, is subject to the tower standards and guidelines in this section.

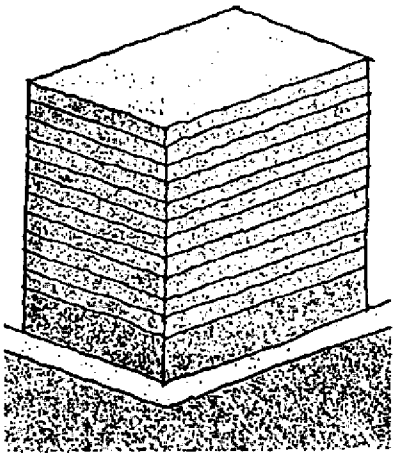
Design building massing to reinforce the street wall with well-scaled elements or structures that are sensitive to the neighborhood context.

- ❑ *Break large projects into a series of appropriately scaled buildings so that* no building shall be more than 300 feet in length. A passageway at least 20 feet wide shall be provided between buildings.
- ❑ Generally, buildings should maintain a consistent street wall along their street frontages. While variety in massing can occur through step-backs as a building ascends upward, it is not required.
- ❑ Monolithic slab-like structures that wall off views and overshadow the surrounding neighborhood are discouraged.
- ❑ To assist staff in understanding the proposed massing of a project, all projects shall provide a 3-D digital model in Google Earth SketchUp format.

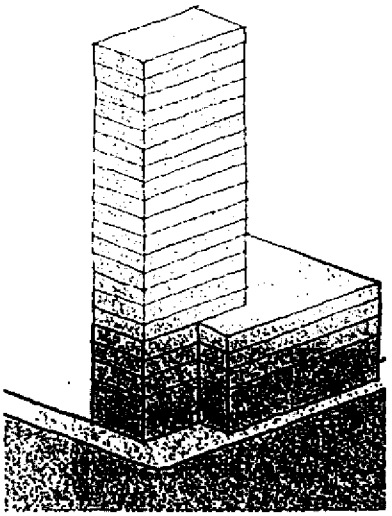
Figure 6-1 Examples of Three Massing Types.



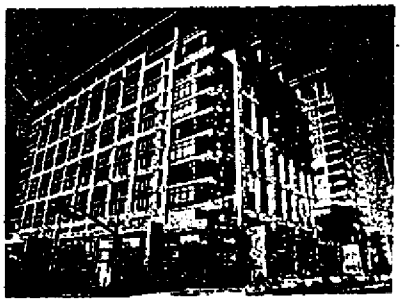
Low-rise. Generally courtyard housing up to 6 stories.



Mid-rise. Generally block structures 12-20 stories.

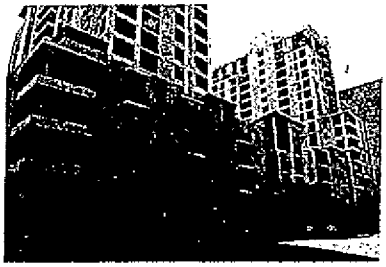


High-rise. Generally towers that are more than 20 stories.



Street Wall. Examples showing various street wall heights.

3-story street wall



4-story street wall

6- and 7-story street wall

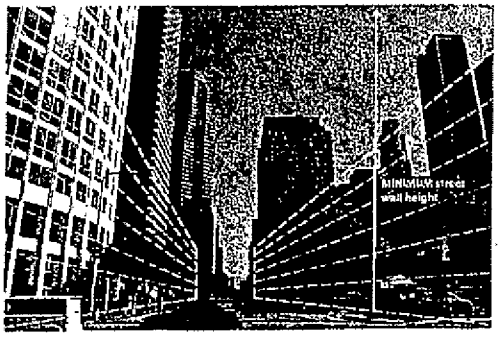
STREET WALL

On Retail Streets, design building walls along the sidewalk (Street Walls) to define the street and to provide a comfortable scale for pedestrians.

- ☐ Street walls shall be located in relationship to the back of sidewalk as specified in Table 3-2.
- ☐ 90% of a building's street walls shall have the minimum number of stories specified Table 6-2. Walls above the ground floor that step back less than 15 feet from the ground floor street wall are considered to be part of the street wall.
- ☐ Buildings may, but are not required to, step back above the minimum height required along the street. Step backs should be judiciously applied to minimize disruption of the overall street wall.
- ☐ Breaks in the street wall should be limited to those necessary to accommodate pedestrian pass-throughs, public plazas, entry forecourts, permitted vehicular access driveways, and hotel drop-offs.
- ☐ An identifiable break should be provided between a building's retail floors (ground level and, in some cases, second and third floors) and upper floors. This break may consist of a change in material, change in fenestration, or similar means.

See Section 5 for the treatment of parking along street walls.

Bunker Hill. Minimum 3-story street wall.



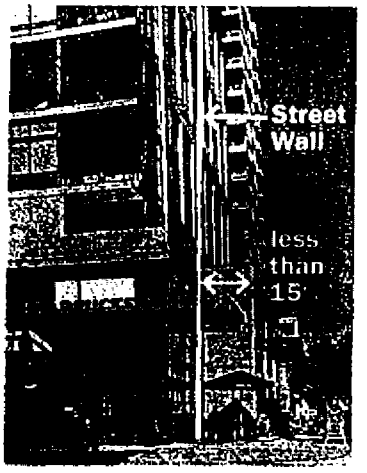
Financial Core. Minimum 6-story street wall.

Table 6-1 Building Street Wall Characteristics

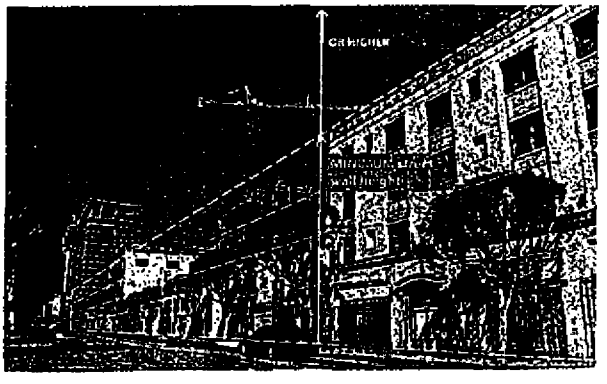
DISTRICT / NEIGHBORHOOD	MINIMUM PERCENT OF BUILDING STREET WALL AT SETBACK [1]		MINIMUM STREET WALL HEIGHT
	RETAIL STREETS	OTHER STREETS	(STORIES)
Civic Center [2]	NA	NA	NA
Civic Center South	80%	70%	75' (6)
Historic Downtown	95%	95%	75' (6) [4]
Little Tokyo	90%	80%	35' (3)
Bunker Hill	75%	65%	35' (3)
Financial Core	80%	70%	75' (6)
South Park north of Pico Blvd.	80%	70%	45' (4)
South Park south of Pico Blvd.	80%	70%	35' (3)
City Markets	75%	65%	25' (2)

1 Setback from back of sidewalk is as specified in Table 3-1.
2 Minimum street wall is not applicable in the Civic Center due to the unique nature of city, state, county and federal project requirements.
3 The minimum street wall height along Broadway and Spring Street is 150' (3).

Note: Subject to approval of the Reviewing Agency, the frontage along courtyards lined with ground-floor uses may be counted as street wall.



Walls above the ground floor that step back less than 15' from the ground floor street wall are part of the street wall, as *illustrated above.*



South Park north. Minimum 4-story street wall.

City Markets. Minimum 2-story street wall.

Example of well spaced towers that allow for adequate light, air and views to each residential unit.

SPACING

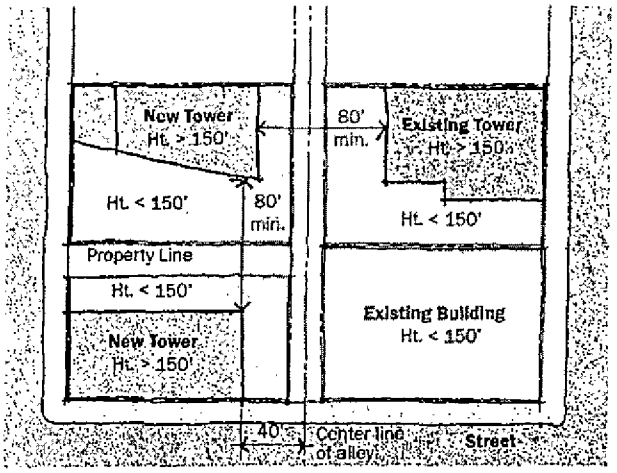
A. Tower Spacing

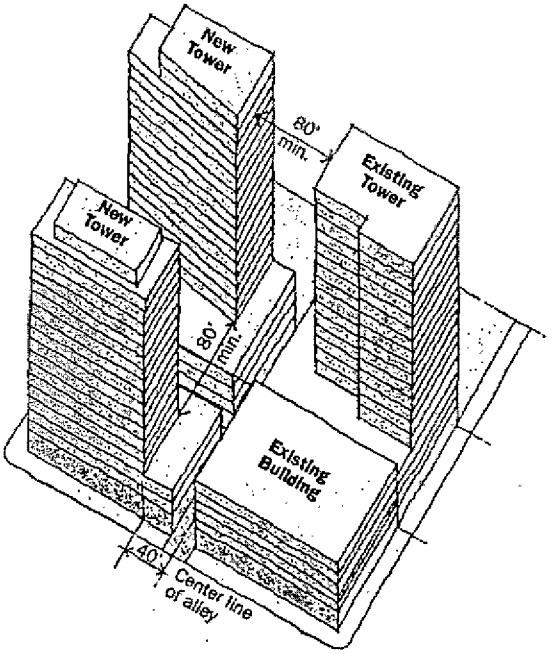
Towers should be spaced to provide privacy, natural light and air, as well as to contribute to an attractive skyline.

- ☐ The portion of a tower above 150 feet shall be spaced at least 80 feet from all existing or possible future towers, both on the same block and across the street, except where the towers are offset (staggered) so that no wall with windows faces another wall, the diagonal distance between towers must meed the minimum per code.

  Where there is an existing adjacent tower, the distance should be measured from the wall of the existing adjacent tower to the proposed tower. Where there is no existing adjacent tower, but one could be constructed in the future, the proposed tower must be 40 feet from an interior property line and 40 feet from the alley center line shared with the potential new tower as shown in Figure 6-2.

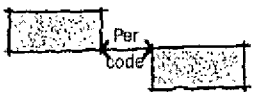
Figure 6-2 Plan and axonometric diagram showing minimum tower spacing to existing and future adjacent towers, and where exceptions are allowed.



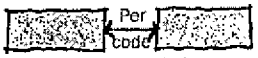


Exceptions. Towers over 150' in height may waver from the minimums shown in the plan diagram above in the following conditions:

Offset Towers

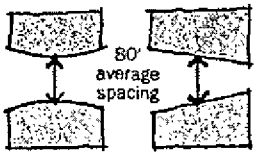


Adjacent Towers



If no primary windows (as defined in Table 6-2)

Curved or Angled Towers



B. Residential Unit Spacing

Provide privacy and natural light and air for all residential units.

- ☐ The shortest horizontal distance between the specified window of one residential unit and the specified window or wall of another residential unit in the same project shall have, at a minimum, the "line-of-sight" distances from the middle of the windows specified in Table 6-2 below.

Table 6-2 Minimum Line-of-Sight Distances Between Units

	PRIMARY ROOM - LARGEST WINDOW	SECONDARY ROOMS - LARGEST WINDOW	BLANK WALL
Primary room - Largest window	40'	-	-
Secondary rooms - Largest window	30'	15'	-
Blank Wall	20'	15'	10'
Public corridor	8'	0'	0'
Side property lines	20'	setback	setback

Primary room is a living, dining, combined living/dining or family room.

Secondary rooms are all rooms not defined as the primary room. If there are more than one large windows, any may be selected as the largest.

Blank walls include garden walls 4' or more in height, frosted glass or other translucent but nontransparent material, and windows with a lower sill not less than 5'-6" above finished floor.

Public Corridors are corridors used for circulation. They may be located within window-to-window or window-to-wall spacing distances. However, such corridors shall also have a minimum privacy spacing distance from primary and secondary windows as established above.

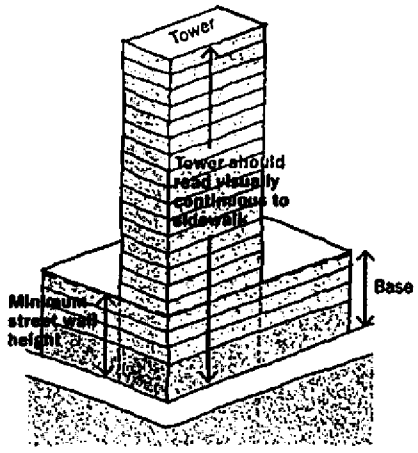
- ☐ In dwelling units, operable windows shall be installed in all units to provide natural ventilation.

Lofts can feature natural light and views when designed with adequate floor-to-floor heights and extensive glazing on the exterior.

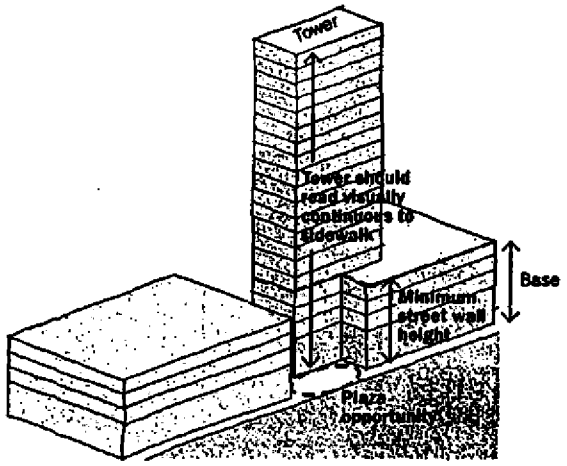
TOWERS

These diagrams illustrate several common types of tower forms and how the street wall minimum is measured for each. The base/tower consisting of ground floor retail and parking or habitable space above.

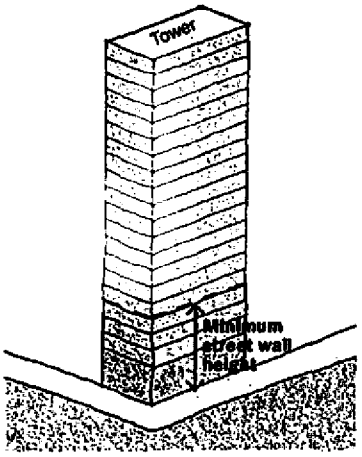
Figure 6-3 Common Tower Forms



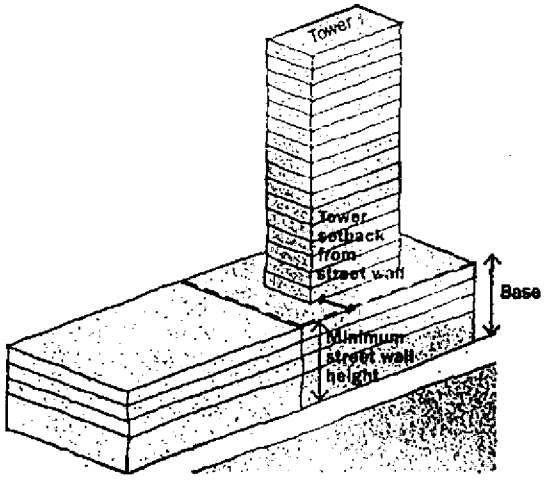
Tower at Street Corner. Base (or podium) with the tower set flush to a street corner. The tower massing and detail reads visually continuous to the sidewalk. The minimum street wall height must be met by the base and the tower.



Tower Engaged with Base. Base and tower forms are engaged. The tower massing and detail shall read visually continuous to the sidewalk. The minimum street wall height must be met by the base and the tower.



Tower Only. *Tower form without a base.* The minimum street wall must be met at the tower.



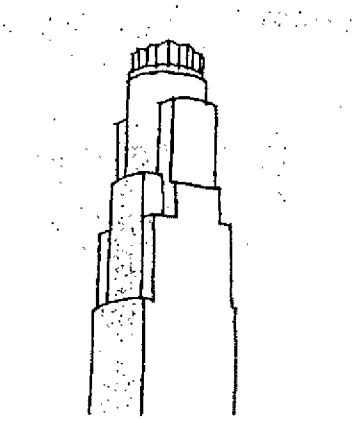
Tower Set onto a Base. Usually the tower rises above the base and steps back from the street wall 20' or more. The minimum street wall must be met by the base. This form is not generally preferred.

A. Tower Massing

Towers in Downtown greatly affect the appearance of the overall skyline. Evaluations in other cities suggest that towers are most attractive when they have a ratio of height to width of about 3.5:1, for example, 100 feet wide and 350 feet tall. Reducing the bulk of the top of a tower ("sculpting" the tower) can make it more attractive.

Towers should have slender massing and sound proportions.

- ❑ Towers should have their massing designed to reduce overall bulk and to appear slender.
- ❑ Tower may extend directly up from the property line at the street and are not required to be setback.
- ❑ Tower siting and massing should maintain key views to important natural and man-made features.

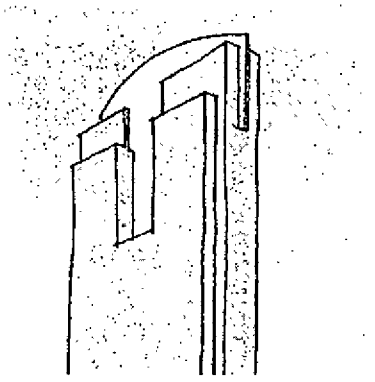


Tapered. Tower tapers gracefully towards the sky to appear thinnest at top.

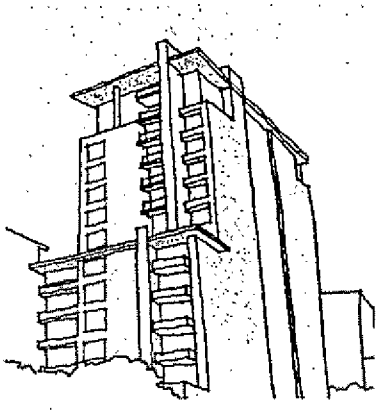
B. Tower Form

Tower forms should appear simple yet elegant, and add an endearing sculptural form to the skyline.

- ❑ Towers should be designed to achieve a simple faceted geometry (employing varied floor plans), and exhibit big, simple moves. They should not appear overwrought or to have over manipulated elements.
- ❑ Towers that emulate a more streamline modern (such as a Mies van der Rohe tower employing a single floor plan) should provide variety through subtle details in the curtain wall, and the articulation of a human-scaled base at the street level.
- ❑ If a project has more than one tower, they should be complementary to each other and employ the same architectural design approach.
- ❑ Buildings over 150' tall (the historic datum for downtown) should not be historicized. They are contemporary interventions in the skyline and should appear as such.
- ❑ A tower's primary building entrances should be designed at a scale appropriate to the overall size and design of the tower and be clearly marked.
- ❑ A building's top should be delineated with a change of detail and meet the sky with a thinner form, or tapered overhang.



Engaged. Tower as a set of engaged masses that form a sculptural top.



Pavilion. Tower retains its box form towards the sky and culminates in a pavilion-like top.

07 ON-SITE OPEN SPACE

Biddy Mason Park is a paseo connecting Broadway and Spring Street.

On-site open space should be designed to serve a building's residents.

Projects that provide publicly accessible open space at-grade may receive a reduction in the on-site open space requirement.

Provide publicly accessible open spaces that may be shared and that provide pedestrian linkages throughout Downtown.

- ☐ Where blocks are longer than 400 feet (the north-south dimension of most Downtown blocks exceeds 400 feet), one midblock pedestrian pathway or Paseo, which is open to the public, should be provided by a Project that includes more than 300 feet of frontage or is located in the middle of the block.
- ☐ A paseo shall:
  - Be at least 15' wide at a minimum and 20' wide average;
  - Have a clear line of sight to the back of the paseo, gathering place, or focal element;
  - Be at least 50% open to the sky or covered with a transparent material;
  - Be lined with ground floor spaces designed for retail, especially restaurants, and/or cultural uses along at least 50% of its frontage; and
  - Include at least one gathering place with a fountain or other focal element;
- ☐ A portion of a Project's required residential open space should be provided as public open space at street level or other levels accessible to the public.

Provide adequate open space to serve residents.

- ☐ Site landscaping and residential open space shall be provided as required by Section 12.21.G. of the Zoning Code, except as follows:
- ☐ At least 50% of the required trees shall be canopy trees that shade open spaces, sidewalks and buildings.
- ☐ Variances from the required number of trees shall not be permitted; however, required trees may be planted off-site if the Reviewing Agency determines that they cannot be accommodated on site. Off-site trees may be planted, in the following locations in order of preference: nearby streets,

Subject to approval of the Planning Director.

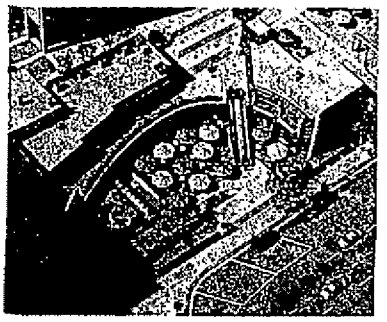
- ☐ A 50% reduction in required open space my be granted if the open space is:
  - Located at the ground level;
  - Open to the public during daylight hours;
  - At least 5,000 square feet in size;
  - Lined with ground floor spaces designed for retail, especially restaurants, and/or cultural uses, includes space for outdoor dining along at least 20% of its frontage;
  - At least 40% landscaped, including usable lawn or lawn alternative;

  And includes at least one gathering place with fountain or other focal element.

Establish a clear hierarchy of common open spaces distinguished by design and function to create an connected pedestrian realm conducive to both active and passive uses.

Downtown's common open spaces are comprised of the following:

- Streets. Streets are the most public of all open spaces. Streets communicate the quality of the public environment and the care a City has for its residents.
- Residential Setbacks. Building setbacks adjacent to residential buildings provide a transition between the public and private realm, allowing residents to have private spaces with visual access to the public realm.
- Paseos. Paseos are extensions of the street grid located on private property. As outdoor passages devoted exclusively to pedestrians, they establish clear connections between streets, plazas and courtyards, building entrances, parking and transit facilities.
- Entry forecourts. Entry forecourts announce the function and importance of primary building entrances. They should provide a clear, comfortable transition between exterior and interior space.
- Courtyards. Courtyards are common open space areas of a scale and enclosure that is conducive to social interaction at a smaller scale.
- Plazas. Plazas are common open space areas typically amenable to larger public gatherings. They are readily accessible from the street, as well as active building uses.
- Corner Plazas. Corner plazas should be an appropriate in scale (intimate for residential, larger for commercial), be programmed with specific uses (to provide outdoor dining for an adjacent restaurant, or small neighborhood gathering place featuring a public amenity). Un-programmed or over-scaled corner plazas are discouraged.
- Roof Terrace. Roof terraces and gardens can augment open space and are especially encouraged in conjunction with hotels or residential uses.



Good example of a commercial corner plaza.

Good example of a roof terrace.

☐ On-site open space types shall be sited in relation to the street and permit public access during normal business hours as follows.

Table 7-1 Open Space-to-Street Relationship and Public Access Requirement

OPEN SPACE TYPE	LOCATION	CONNECTION TO STREET	PUBLIC ACCESS
Residential Setbacks	street level	private with visual access	not required
Paseos	street level *	direct connection required	required
Entry Forecourts	street level *	direct connection required	required
Courtyards	street level or above grade	direct connection not required	not required
Plazas	street level *	direct connection required	required
Roof Terraces	above grade or rooftop	direct connection not required	not required

* minor deviations of up to 2 vertical feet from sidewalk level are permitted

Seating is an essential element in most open spaces.

Incorporate amenities that facilitate outdoor activities such as standing, sitting, strolling, conversing, window-shopping and dining, including seating for comfort and landscaping for shade and aesthetics.

- ☐ Each open space type shall provide amenities in the form of a minimum planted area and number of seats as follows. Planters, planter boxes and similar planting containers may count toward this requirement.

Table 7-2 Landscaping and Seating

OPEN SPACE TYPE	MINIMUM PLANTED AREA	MINIMUM SEATING*
Paseos	10%	1 seat per 2,000 SF
Courtyards	25%	1 seat per 500 SF
Plazas	25%	1 seat per 500 SF
Roof Terraces	25%	None specified

* seats may be permanent or movable, accessible during normal business hours 2 linear feet of bench or seat wall equals one seat

- ☐ Plazas and courtyards are encouraged to incorporate amenities beyond the minimum required, including permanent and/or temporary seating, to facilitate their enjoyment and use. Seating should be placed with consideration to noontime sun and shade; deciduous trees should be planted as the most effective means of providing comfortable access to sun and shade.

Use landscape elements to provide shade and other functional and aesthetic objectives.

- ☐ Roof terraces shall incorporate trees and other plantings in permanent and temporary planters that will shade, reduce reflective glare, and add interest to the space. These spaces shall also include permanent and temporary seating that is placed with consideration to sun and shade, and other factors contributing to human comfort.
- ☐ Landscape elements should support an easy transition between indoors and outdoors through such means as well-sited and comfortable steps, shading devices and/or planters that mark building entrances, etc.
- ☐ Landscape elements should establish scale and reinforce continuity between indoors and outdoors space. Mature canopy trees shall be provided within open spaces, especially along streets and required setbacks.

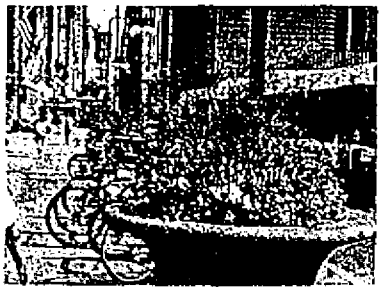
- ❑ Landscape elements should provide scale, texture and color. A rich, coordinated palette of landscape elements that enhances the Development Site's identity is encouraged.
- ❑ Landscaping should be used to screen or break up the mass of blank walls. For example, trees and shrubs may be planted in front of a blank wall where there is room or vines may be trained on the wall where space is limited.

Design open space areas so as to lend them the character of outdoor rooms contained by buildings.

- ❑ Open space shall generally be contained along a minimum percentage of its perimeter by building and/or architectural features as follows.

Table 7-3 Containment of Open Space

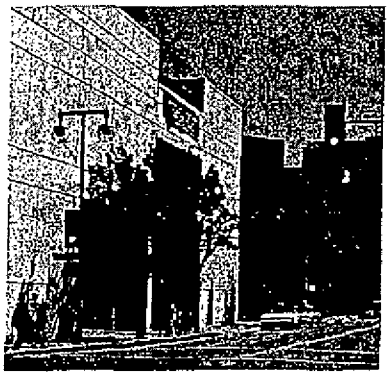
OPEN SPACE TYPE	MINIMUM CONTAINMENT
Paseos	**2 sides**
Entry Forecourts	2 sides
Courtyards	3 sides
Plazas	1 side
Roof Terraces	**none**



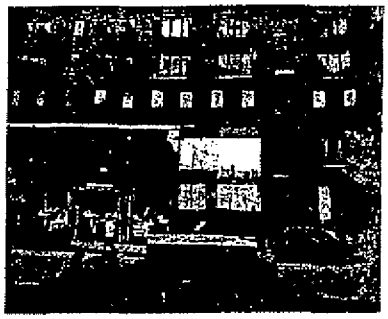
Landscaping can take a variety of forms.

Open space and streets should be designed to accommodate a variety of activities and events.

08 ARCHITECTURAL DETAIL



Bad example of building façades that provides little to no visual relief and too much blank surface.



Good example of a break in the street wall to provide pedestrian access to an open space.

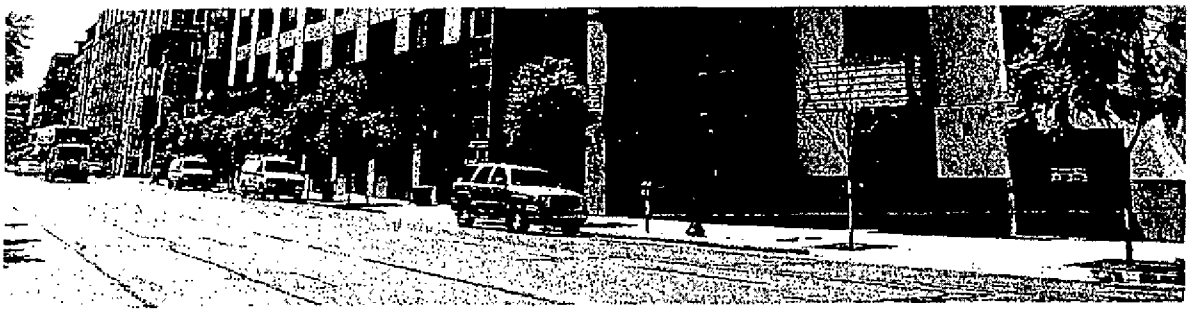
Once a building's massing and street wall have been defined, architectural details, including façade variation, materials and window treatment, shape a building's visual identity. Buildings should be well-detailed with long-lived materials that can be appreciated when viewed as a part of the distant skyline, or at the most intimate level by the pedestrian.

A. Horizontal Variation

Vary the horizontal plane of a building to provide visual interest and enrich the pedestrian experience, while contributing to the quality and definition of the street wall.

- ❑ Avoid extensive blank walls that would detract from the experience and appearance of an active streetscape.
- ❑ Horizontal variation should be of an appropriate scale and reflect changes in the building uses or structure.
- ❑ Vary details and materials horizontally to provide scale and three-dimensional qualities to the building.
- ❑ While blank street wall façades are prohibited, an exception may be made for integration of public art or a graphic-based façade if it adds scale and interest to an otherwise bland frontage. In these cases, the façade should be a maximum of four floors high, and should have horizontal variation in its surface plane (using cut outs, insets or pop-outs). It should employ different scales of elements as viewed when seeing the entire building massing and as seen by pedestrians at a more intimate scale near the street.
- ❑ Provide well-marked entrances to cue access and use. Enhance all public entrances to a building or use through compatible architectural or graphic treatment. Main building entrances should read differently from a retail storefront, restaurants, and commercial entrances.

Good example of horizontal variation along a façade.

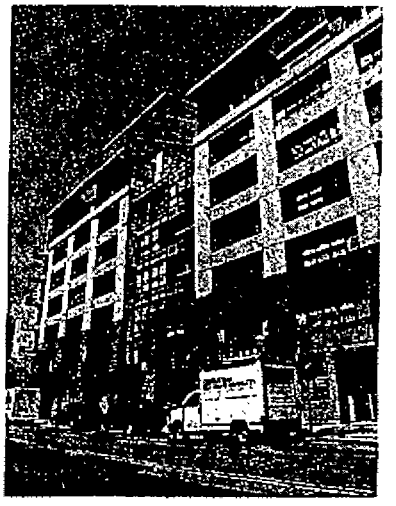


B. Vertical Variation

Both classical and modern buildings can exhibit basic principles of visual order in the vertical plane -- often with a distinct base (street and pedestrian lower levels), a middle (core mid-section, and often consistent for multiple floors of a mid- to high-rise building), and a top (the upper level that distinguishes a building and defines how it "meets the sky"). Modern or contemporary building designs often layer this principle with more variation and syncopation to create interesting architectural compositions.

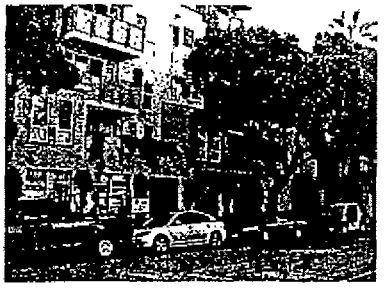
Variation in the vertical plane of buildings shall clarify building uses and visually differentiate ground floor uses, from core functions, and how the building "meets the sky."

- ❑ Ground floors of buildings shall have a different architectural treatment than the upper floors, and feature high quality materials that add scale, texture and variety at the pedestrian level.
- ❑ The street wall façade should be vertically articulated (establishing different treatment for building's base, middle and top) and using balconies, fenestration, or other elements to create an interesting pattern of projections and recesses.
- ❑ An identifiable break shall be provided between the building's ground floors and upper floors designed for office or other use. This break may include a change in material, change in fenestration pattern or similar means.
- ❑ In order to respect existing historic datums, the cornice or roof line of historic structures should be reflected with a demarcation on new adjacent structures.
- ❑ Where appropriate, employ shade and shadow created by reveals, surface changes, overhangs and sunshades to provide sustainable benefits and visual interest on façades exposed to the sun.



Good examples of vertical variation from the street level base of lofts, to the middle, and at the top where the building meets the sky with a thin overhang.

Good example street wall with balconies, varied windows that create a pattern of projections and recesses.



Good examples of an identifiable break between ground level retail and the upper floors.

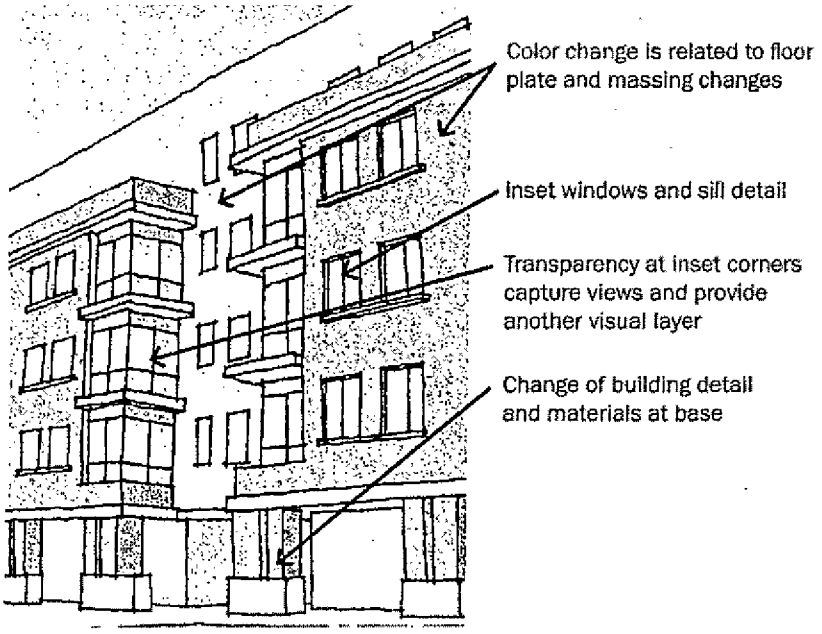
C. Materials

After establishing a building's overall massing and vertical and horizontal variation, it is important to develop a building's visual character at the level of material choices and detailing. The interplay of materials, windows and other elements should support the larger design objectives as articulated by the architect.

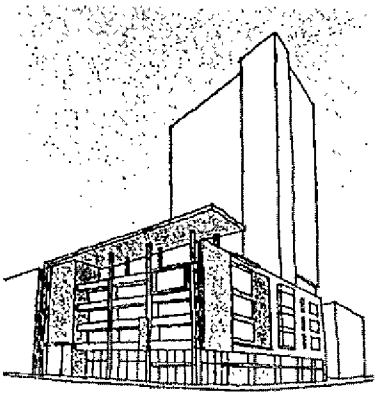
Buildings shall aim for a "timeless design" and employ sustainable materials and careful detailing that have proven longevity.

- ☐ Feature long-lived and sustainable materials. The material palette should provide variety, reinforce massing and changes in the horizontal or vertical plane.
- ☐ Use especially durable materials on ground floor façades.
- ☐ Generally, stucco is not permitted.
- ☐ Detail buildings with rigor and clarity to reinforce the architect's design intentions and to help set a standard of quality to guide the built results.

Layering. A building's skin should be layered and bear a direct relationship to the building's structural elements.

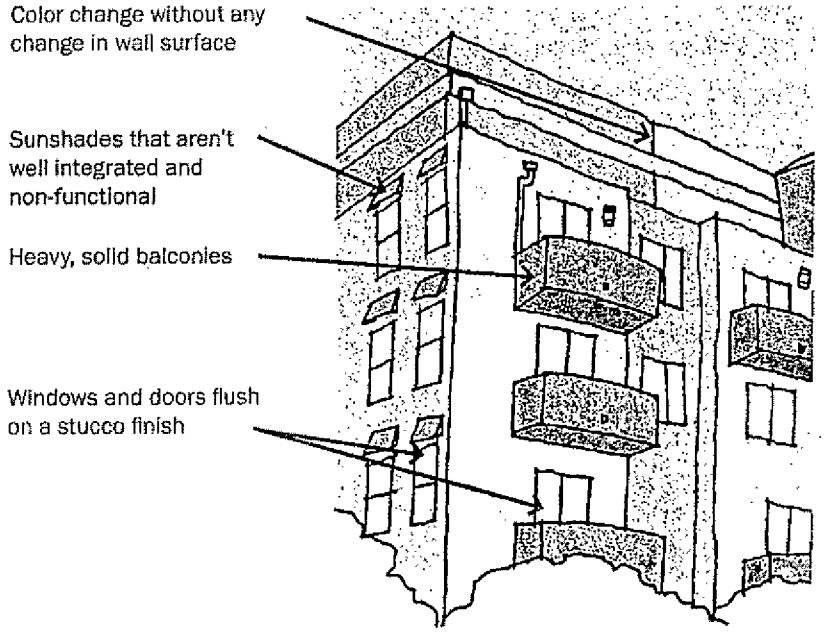


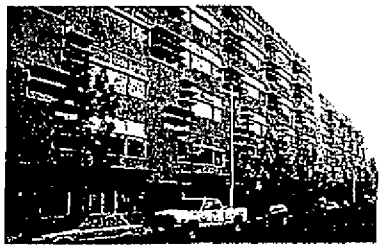
- ❑ To provide visual variety and depth, layer the building skin and provide a variety of textures that bear a direct relationship to the building's massing and structural elements. The skin should reinforce the integrity of the design concept and the building's structural elements, and not appear as surface pastiche.
- ❑ Layering can also be achieved through extension of two adjacent building planes that are extended from the primary façade to provide a modern sculptural composition.
- ❑ The building's skin, especially for towers, should be primarily transparent.
- ❑ Cut outs (often used to create sky gardens) should be an appropriate scale and provide a comfortable, usable outdoor space.
- ❑ Design curtain walls with detail and texture, while employing the highest quality materials.
- ❑ Design the color palette for a building to reinforce building identity and complement changes in the horizontal or vertical plane.



Layering with two adjacent planes that extend from the primary façade forming a modern composition.

Bad example of a building with poor variation, materials and detail choices.





Windows should be well-detailed have a recessed depth.

D. Windows and Doors

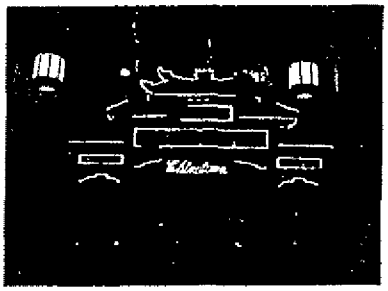
Provide high-performance, well-detailed windows and doors that add to the depth and scale of the building's façade.

- ❑ Window placement, size, material and style should help define a building's architectural style and integrity.
- ❑ In buildings other than curtain wall buildings, windows shall be recessed (set back) from the exterior building wall, except where inappropriate to the building's architectural style. Generally, the required recess may not be accomplished by the use of plant-ons around the window.
- ❑ Windows and doors shall be well-detailed where they meet the exterior wall to provide adequate weather protection and to create a shadow line.

E. Glazing

Incorporate glazing that contributes to a warm, inviting environment.

- ❑ Ground-floor window and door glazing shall be transparent and non-reflective.
- ❑ Above the ground floor, both curtain wall and window/door glazing shall have the minimum reflectivity needed to achieve energy efficiency standards. Non-reflective coating or tints are preferred.
- ❑ A limited amount of translucent glazing may be used to provide privacy.



Lighting should be designed to enhance the identity of a project with appropriate character and scale.

F. Lighting

Provide well-designed architectural and landscape lighting.

- ❑ All exterior lighting (building and landscape) shall be integrated with the building design and promote public safety to support Downtown's vital nightlife.
- ❑ Architectural lighting should relate to the pedestrian and accentuate major architectural features.
- ❑ Landscape lighting should be of a character and scale that relates to the pedestrian and highlights special landscape features.
- ❑ Exterior lighting shall be shielded to reduce glare and eliminate light being cast into the night sky.

Landscape lighting, combined with facade lighting, can enhance the pedestrian environment.

Security lighting

- ❑ Security lighting shall be integrated into the architectural and landscape lighting system and shall not be distinguishable from it.
- ❑ Illuminate alleys for both vehicles and pedestrians.

G. Security Grills and Roll-down Doors and Windows

Balance the need for security doors and windows with the need to create an attractive, inviting environment.

- ❑ Exterior roll-down doors and security grills are not permitted except as noted below.
- ❑ Subject to approval of the Reviewing Agency, interior roll-down doors and security grilles may be permitted, provided they are at least 75% transparent (open), retractable and designed to be fully screened from view during business hours.
- ❑ Subject to approval of the Reviewing Agency, exterior security grilles and roll-down doors may be permitted in the City Markets, provided they are designed to be fully screened from view during business hours.

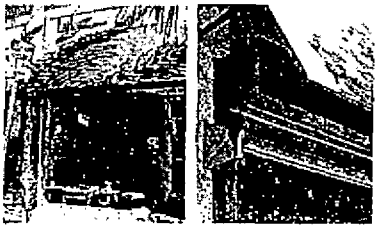
Interior grills that are more than 75% open are less visible during non-business hours and easier to screen from view during business hours.

H. Minimizing Impacts on Neighbors

In downtown, many projects are viewed directly from adjacent properties where tenants and residents have clear sight lines to roofs and back-of-house functions. It is important that new projects respect neighboring properties, and that the major mechanical systems, penthouses and lighting are designed to limit adverse impacts.

Architecturally incorporate or arrange roof top elements to screen equipment such as mechanical units, antennas, or satellite dishes.

- ❑ Mechanical equipment shall be either screened from public view or the equipment itself shall be integrated with the architectural design of the building.
- ❑ Penthouses should be integrated with the buildings architecture, and not appear as foreign structures unrelated to the building they serve.
- ❑ Ventilation intakes/exhausts shall be located to minimize adverse effects on pedestrian comfort along the sidewalk. Typically locating vents more than 20' vertically and horizontally from a sidewalk and directing the air flow away from the public realm will accomplish this objective.
- ❑ Antennas or satellite dishes shall be screened.



Awnings can be used to conceal existing exterior roll-down doors during business hours. Left: overall view of the storefront. Right: detail of the grill housing.

Minimize glare upon adjacent properties and roadways.

- ❑ Lighting (exterior building and landscape) shall be directed away from adjacent properties and roadways, and shielded as necessary. In particular, no light shall be directed at the window of a residential unit either within or adjacent to a project.
- ❑ Reflective materials or other sources of glare (like polished metal surfaces) shall be designed or screened to not impact views nor result in measurable heat gain upon surrounding windows either within or adjacent to a project.
- ❑ Other sources of glare, such as polished metal surfaces, shall be designed or screened to not impact views from surrounding windows.

There are always exceptions: this security grill is not retractable, but could be approved given its aesthetic contribution.

09 STREETSCAPE IMPROVEMENTS

Corner curb extension at Grand Avenue and 11th Street.

A. Responsibilities of the City and Other Public Agencies

- ❑ Recognize the shared use of streets not just for moving traffic, but equally as 1) the front door to businesses that are the economic and fiscal foundation of the City and 2) outdoor open space for residents and workers in a City that is severely lacking in pubic open space. That is, recognize that all streets on which residential or commercial development is located are "pedestrian-oriented streets" and design and improve them accordingly.
- ❑ Implement the standards and guidelines in this document that pertain to improvements within street rights-of-way, including sidewalk configuration and streetscape improvements.
- ❑ For improvement projects undertaken by public agencies, comply with the Downtown Street Standards and all standards and guidelines in this document, including sidewalk width, sidewalk configuration and streetscape improvements. In the case of sidewalk width, acquisition of rights-of-way or easements from adjacent property may be required.
- ❑ Do not unreasonably burden property owners, developers and business owners with complicated regulations and protracted processes.

B. Responsibilities of the Developer or Lead Public Agency

- ❑ Provide sidewalks, parkways and walkways as specified in Section 3.
- ❑ Install and maintain the improvements specified in this section.
- ❑ Execute a Maintenance Agreement with the City by which the developer or Lead Public Agency agrees to maintain the streetscape improvements and accepts liability for them.
- ❑ Install the ornamental street lighting specified in sub-section G. and agree to an on-going assessment by the City to maintain and operate the lights.

C. Sidewalk Improvement Where Future Roadway Widening May Occur

- ❑ Where 1) a street dedication has been made in the past or is required at the time of development and 2) the roadway has not been widened, that portion of the sidewalk located in the potential future widening shall be the Temporary Sidewalk Zone.
- ❑ The Temporary Sidewalk Zone may not be included in the required sidewalk width.
- ❑ Street trees may not be planted in the Temporary Sidewalk Zone.

- ❑ On streets where continuous landscaped parkways are required, develop the Temporary Sidewalk Zone as a landscaped parkway. Design the irrigation so that the portion in the Temporary Sidewalk Zone can be removed without damaging the irrigation in the remaining parkway.
- ❑ On streets where tree wells are required, pave the Temporary Sidewalk Zone as an extension of the permanent sidewalk with an expansion joint at the future back of curb.

Midblock crosswalks on north-south streets improve pedestrian access.

D. Curb Extensions and Crosswalks

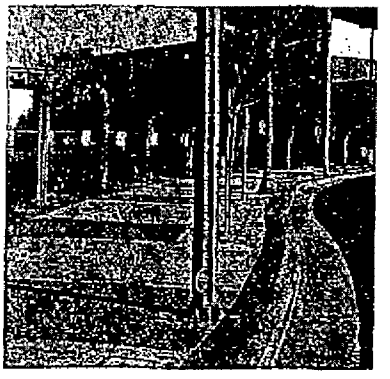
- ❑ Midblock crosswalks shall be provided on all blocks 550' or longer, subject to approval by LADOT.
- ❑ Curb extensions shall be provided at all corners and midblock crossings, except at the intersection of two arterial streets (Major or Secondary Highways) and on streets where the curb lanes is used as a peak-hour traffic lane.

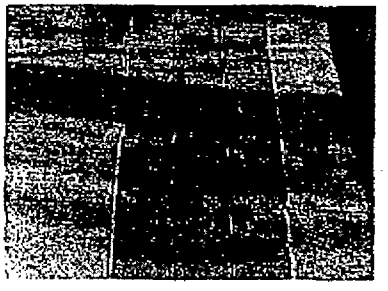
E. Paving Pattern

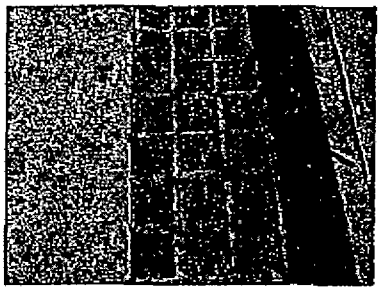
- ❑ In the LASED Streetscape Plan area, the paving pattern specified in the adopted Streetscape Plan shall be installed.
- ❑ On Hope Street the paving pattern used between Olympic Boulevard and 9th Street shall be installed.
- ❑ In all other locations north of the 10 Freeway, the standard CRA/LA edge band shall be installed. The edge band detail is included in Appendix A.

Table 9-1 Building Street Wall Characteristics

DISTRICT / NEIGHBORHOOD	EDGE BAND MATERIAL
Civic Center	NA
Civic Center South	TBD
Little Tokyo	TBD
Bunker Hill	Red granite, flame finish
Financial Core	Black granite, flame finish
LASED / Figueroa Corridor South	Black granite sawcut, bush hammered, flush joint
South Park	Endicott Brick medium
City Markets	TBD







Examples of district paving pattern and the standard CRA/LA edge band: without grout joints (upper two) and with grout joints (lower).

Streetscape improvements will vary by district and proect.

F. Street Trees

- ☐ Tree Species and Spacing. Street trees shall be planted in conjunction with each project. In-lieu fees are not permitted.
  - The spacing between trees shall be as specified by Agency staff, but not more than an average of 25 feet on center to provide a more-or-less continuous canopy along the sidewalk.
  - Spacing from other elements shall be as specified by Urban Forestry, except trees may be 6' from pedestrian lights. The Applicant shall agree to maintain the trees so that the pedestrian lights are accessible for maintenance purposes.
  - Trees shall be of a species that will achieve a mature height, given site conditions, of at least 40' on Major Highways Class II and Secondary Highways and 30' on other streets with a mature canopy that can be pruned up to a height of 14 feet. Typically street trees will achieve about two-thirds of the mature height specified in Sunset Garden Book.
  - Species shall be as shown in the Master Tree List in Appendix C unless otherwise approved by the Reviewing Agency and Urban Forestry.
  - Required street trees shall be shade trees. However, if approved by the Reviewing Agency and Urban Forestry, palms may be planted between or in addition to required shade trees.

Planting Standards. Tree planting standards for all street trees are as follows:

- ☐ Plant minimum 36" box trees.
- ☐ Parkways shall be planted with: 1) turf or turf substitute that is level with the adjacent walkway and walkable or 2) groundcover or perennials at least 18 inches but not more than 3 feet tall, except within 2 feet of tree trunks.
- ☐ Where tree wells are installed as permitted/specified in Section 3, tree wells may be: 1) planted as described above; 2) covered with a 3-inch thick layer of stabilized decomposed granite, installed per manufacturer's specifications, and level with the adjacent walkway; or 3) covered by a tree grate.
- ☐ Where gap-graded (structural) soil is required by Section 3, it shall be install to a depth of at least 30 inches below the required miscellaneous base material under the concrete sidewalk for the entire length and width of the sidewalk adjacent to the Project, except: 1) gap-graded soil is not required under driveways and 2) adjacent to existing buildings, the existing soil should be excavated at a 2:1 slope away from the building wall or as required by Building and Safety to avoid shoring of the building footing.
- ☐ Irrigate the trees and landscaped parkways with an automatic irrigation system. In-line drip irrigation (Netafim or equal) is preferred. Spray heads or bubblers may also be used provided they adequately irrigate trees (minimum of 20 gallon per week dispersed over the root zone) and do not directly spray the tree trunks.

Appendix A describes the basis for these street tree standards, as well as providing details and specifications for planting, irrigation and the use of gap-graded (structural) soil.

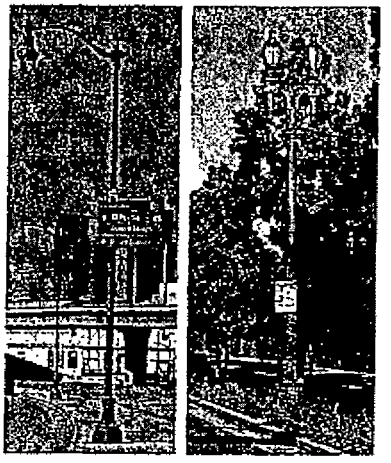
G. Street Lights

Fixtures and Poles. There are two types of street lights in the Downtown: roadway lights ("street lights") and pedestrian-scale lights ("pedestrian lights"). Street lights provide illumination of both the roadways and sidewalks to the levels required by the Bureau of Street Lighting (BSL) for safety and security. Pedestrian lights are ornamental and do not contribute to the required illumination level, but they may supplement it. Pedestrian lights contribute to the pedestrian scale of the street and add a warm glow of yellow light on the sidewalk.

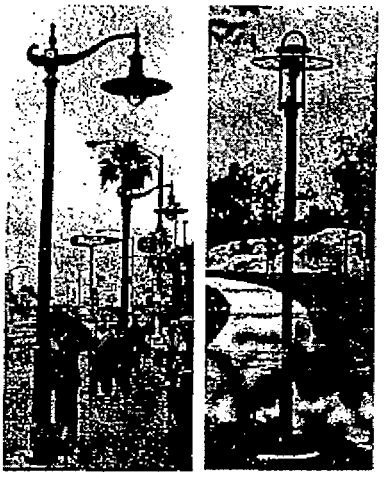
- ❑ On streets having an established historic street light, continue the predominant street light pattern, modified as required by BSL to meet current illumination standards, using replicas of the historic street lights as specified by BSL. If a Project includes roadway widening, refurbish and relocate the historic street lights with supplemental replicas as required by BSL.
- ❑ In other locations, pedestrian street lights, as specified by the Reviewing Agency and approved by BSL shall be attached to each existing roadway light and a matching pedestrian light on a pole specified by the Reviewing Agency and approved by the BSL shall be installed approximately equidistant between the roadway lights. Pedestrian light spacing must be carefully coordinated with street tree planting in order to meet BSL spacing requirements and maintain the required tree spacing. An alternative street lighting pattern may be approved by the Reviewing Agency and BSL.

Pedestrian street light may be setback from the curb on wide sidewalks installed on private property as follows:

- ❑ Where sidewalks are at least 24 feet wide, the pedestrian lights may be set back between the clear path of travel and the commercial activity zone adjacent to the building.
- ❑ Where the building is set back from the sidewalk, the pedestrian street lights may be installed on poles directly adjacent to the back of sidewalk.
- ❑ All light sources shall be 3,000 (or lower) Kv to provide a warm (yellow, not blue) light if metal halide or high-pressure sodium or, preferably, LED lights that produce a similar quality of light.
- ❑ All optic systems shall be cut-off.



Street lights.



Pedestrian lights.

Streetscape improvements should support activity during both day time and evenings.

H. Streetscape Project Approval and Permits

Streetscape project approval results in the issuance of a permit by the Department of Public Works. Three different types of permits are issued for streetscape projects, each with varying levels of review. Projects are reviewed for consistency with general City standards and specifications for projects in the public right-of-way. The following is a description of the types of permits required for Streetscape projects.

- A-permit. The A-Permit is the first level of street improvement permits and is issued over the counter with no project plans. Items typically permitted through this type of review are new or improved driveways and sidewalks. A nominal fee may be charged for plan check, filing, and inspection.
- Revocable Permit. Revocable Permits are the second or mid-level of street improvement permits. Revocable permit applications require the submittal of professionally prepared drawings on standard City (Bureau of Engineering) drawing sheets and are reviewed by the various Bureaus within the Department of Public Works for safety and liability issues. Improvements approved through the Revocable Permit process are maintained by the permittee. Failure by the permittee to keep the improvement in a safe and maintained condition allows the City to revoke the permitting rights at which point a permittee is requested to restore the street to its original condition. Projects requiring approval through the Revocable Permit process include improvements within the public right-of-way that do not change the configuration of the street. A moderate fee is assessed for plan check, administrative filing, and inspection and the applicant is typically required to provide proof of liability insurance.
- B-Permit. The B-Permit is reserved for streetscape projects requiring the highest level of review. Approval through the B-Permit process is required for projects that are permanent in nature and developed to a level that allows the City to maintain the improvement permanently. A B-Permit is usually issued for improvements that change the configuration of the street, traffic patterns, or other substantial permanent changes to the streetscape. Projects subject to the B-Permit review process require professionally prepared drawings submitted on standard City (Bureau of Engineering) drawing sheets and are reviewed by all public agencies affected by the improvements. A fee commensurate with development is assessed for plan check, administration, and inspection. Construction bonding is required to ensure that the improvements are installed, and various levels of insurance are required.

SIGNAGE 10

The provisions in this section supplement the Zoning Code.

Applicants with limited experience in signage design and implementation are encouraged to review Appendix A. Basic Principles of Signage Design.

A. Master Sign Plan

All projects over 50,000 square feet, or that have more than 50 residential units, shall submit a master sign plan for the entire project during the design development phase. The master sign plan shall identify all sign types that can be viewed from the street, sidewalk or public right-of-way.

The plan shall be designed and prepared by a single graphic design firm or signage design company to assure a cohesive, integrated approach to the variety of signs required for building identification, wayfinding and regulatory needs.

The master signage plan shall include:

- ❑ A site plan identifying location of all sign types and that identifies each proposed sign by number, showing its location in relation to structures, walkways and landscaped areas
- ❑ A matrix describing general characteristics of each sign type (type, sign name or number, illumination, dimensions, quantity)
- ❑ A scaled elevation of each sign type showing overall dimensions, sign copy, typeface, materials, colors and form of illumination

B. Signage Guidelines by Type

The following guidelines do not supersede regulations in the Central City Signage Supplemental Use District, but are intended to provide design guidance to achieve visually effective and attractive signage throughout Downtown. These design recommendations and visual examples are meant to help Applicant's understand what is generally considered good signage design for a corporate campus, residential or retail project.

Campus Identity Sign. Example of a corporate campus identity sign that is integrated with the architecture and landscaping.

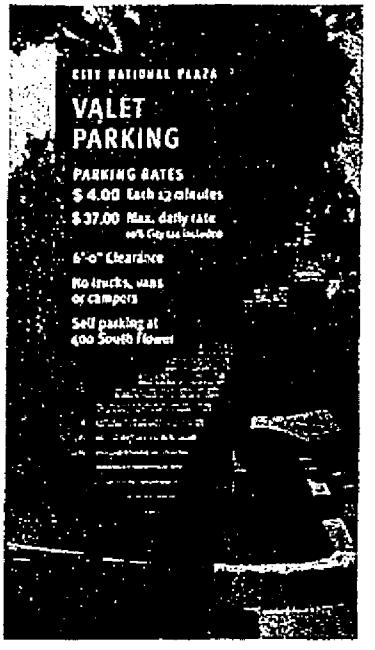
Corporate Campus

A corporate campus refers to a commercial property that may include multiple buildings with commercial or institutional tenants, often with ground floor commercial and retail spaces, open space, parking garage and loading dock. In the Financial Core or Bunker Hill, they are typically exemplified by high-rise towers.

- ☐ Signage should reinforce the corporate or campus identity.
- ☐ All signs should be integrated with the architecture, landscaping and lighting, be related in their design approach, and convey a clear hierarchy of information.
- ☐ Signs that hold multiple tenant information should be designed so individual tenant information is organized and clear within the visual identity of the larger campus or building.
- ☐ For buildings over 120 feet tall, see requirements for high-rise signs.

Corporate Identity and Retail Signs. Campus identity can be derived from prominent public art, as shown here (top). Signs for retail or public amenities should be related to the overall campus identity (below).

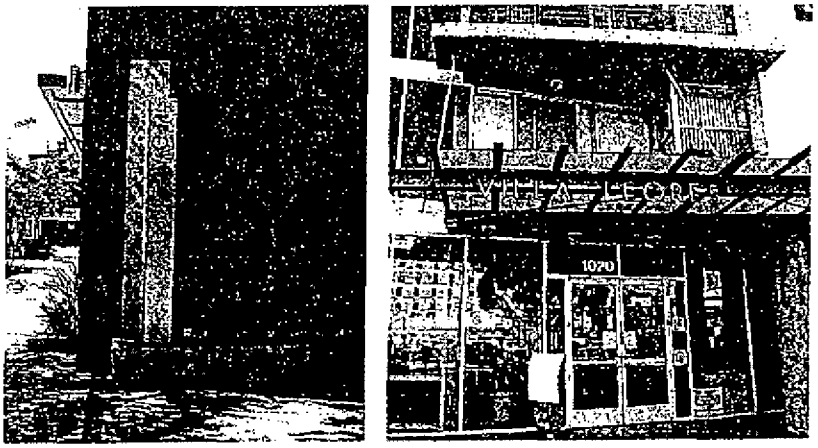
Campus Identity Sign. *The corporate* campus name and graphic identity should be established at the most prominent public corners.



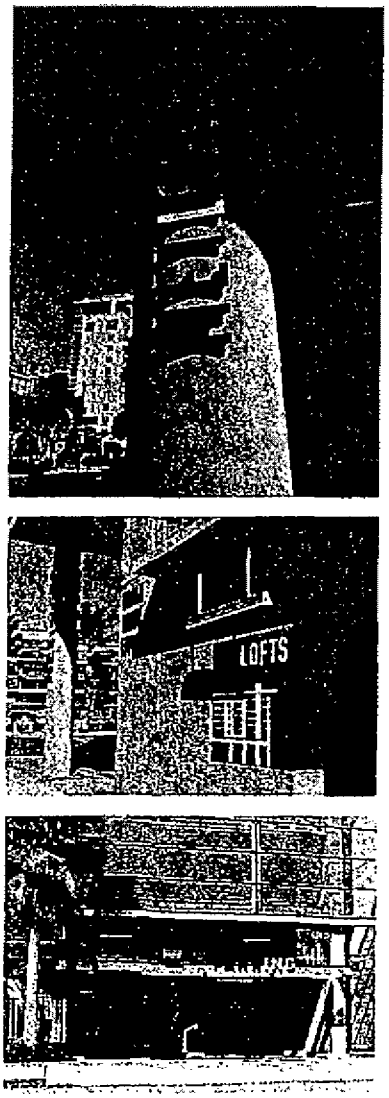
Campus Parking Sign. Secondary information for valet parking or a loading dock should be related in its design to the campus identity sign.

Residential Projects

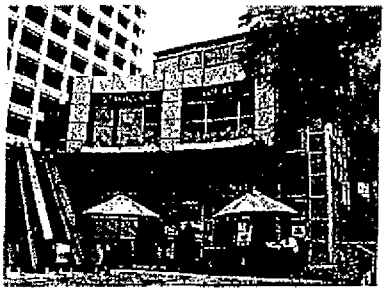
- ❑ Signage should reinforce the identity of the residential complex and be visible from the most prominent public corner or frontage.
- ❑ All signs shall be integrated with the design of the project's architecture and landscaping. As a family of elements, signs should be related in their design approach and convey a clear hierarchy of information.
- ❑ Signage should identify the main/visitor entrance or lobby, resident or visitor parking, community facilities, major amenities and commercial uses. These signs should be related in style and material while appropriately scaled for the intended audience.
- ❑ Residents soon learn the project entries and facilities so signs should not be too large or duplicative.
- ❑ Signs for community facilities should be prominent and easily read by first time visitors.
- ❑ No flat letter signs on stucco walls shall be allowed.
- ❑ Mixed-use projects with commercial or retail tenants shall comply with the retail section below.

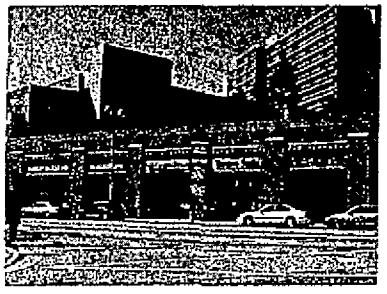


Integrated Design. Examples of residential identity signage integrated into a sculptural seating and lighting element at the main entry (left) and into an entrance canopy (right).



Hierarchy of Signs. Example of residential identity signage present at the most prominent corner. A related family of signs ranging from overall project identity to the parking garage are shown here (above).





Multi-Tenant Retail Signs. Examples of multi-tenant retail where individual signs are treated in a consistent manner and integrated with the architecture (above).

Retail

- ☐ For projects that have multiple storefront tenants of similar size, all signage shall be of the same type (i.e., cut out, blade sign, painted panel), the same relative size and source of illumination. Retail tenants will appear different by their store name, font, color and type of retail displays.
- ☐ Retail signs shall be appropriately scaled from the primary viewing audience (pedestrian-oriented districts requires smaller signage than fast moving automobile-oriented districts).
- ☐ No duplicate signs shall be allowed on storefronts and building façades. For example along a street frontage, they should all be awning signs, or panel signs, but not both.
- ☐ Historic buildings with ground floor retail shall have signs that do not obscure the architecture, but are integrated into the original or restored storefront elements.

Ground Floor Retail Signs at Historic Structures. Examples of new retail signage that is integrated with the architecture of the historic structure (above).

No Duplicative Signs. Example of retail signage that is not allowed because it duplicates information on panels and on the awning (above).

Appropriately Scaled Signs. Example of retail sign appropriately scaled to the storefront in a pedestrian-oriented environment.

C. Basic Principles of Signage Design

Signage can contribute to creating strong building identity when it is well-integrated with the design of the architecture. Projects should consider developing their building and site signage programs during design development, to better assure integration with the architecture. Projects should strive to provide clear and attractive identity and wayfinding signage on the street and within the project.

Sign Character

- ❑ Signs should contribute to a lively, colorful, and exciting pedestrian atmosphere with signs and graphics that are compatible with residential uses.
- ❑ Signage should respect residential uses within and adjacent to a project. The intent is to promote a more peaceful living environment without undue impacts upon residential uses. Small signs, no animation, limited lighting and shorter operating hours are appropriate where signs are visible from residences.

Individual Sign Character

- ❑ Signs should be conceived as an integral part of the project design so as not to appear as an afterthought application.
- ❑ The location, size, and appearance of building identification signs should complement the building and should be in character with the Downtown districts.
- ❑ Tenant identification signs should fit comfortably into the storefront architecture; at the same time, they should be bold and dynamic in image, color, materials, and design.
- ❑ The location, size, and appearance of tenant identification signs should contribute to street activity and enhance the street-level experience that is appropriate to each Downtown district or neighborhood.

Sign Visibility and Legibility

- ❑ Signs shall face the center line of the street, except tenant blade signs, entertainment marquee signs, and temporary displays.
- ❑ Tenant identification wall signs shall be located directly behind or above clear, untinted storefront glazing.
- ❑ No sign shall be located above the second story, except that High Rise Signs may be permitted on buildings at least 120 feet tall, if they meet the following criteria:
  - High Rise Sign Location. On a flat topped building, High Rise Signs must be located between the top of the windows on the topmost floor and the top of the roof parapet or within an area 16 feet below the top of the roof parapet. On buildings with stepped or otherwise articulated tops, High Rise Signs may be located within an area 16 feet below the top of the building or within an area 16 feet below the top of the parapet of the main portion of the building below the stepped or articulated top. High Rise Signs must be located on a wall and may not be located on a roof, including a sloping roof, and may not block any windows.
  - Maximum Sign Area. A High Rise Sign may not occupy more than 50% of the area in which the sign may be located on a single building face or 800 square feet, whichever is less and may include only a single line of text.
  - Number of High Rise Signs. A building may have no more than two High Rise Signs on any two sides of the building. In the case of a cylindrical or elliptical building, the building should be considered to have four quadrants, which will in no case exceed 25% of the perimeter of the building. Both High Rise Signs on a building must be identical.
  - Materials. High Rise Signs must be constructed of high quality, durable materials that are compatible with the building materials. Cut-out letters that are individually pin-mounted and backlit are encouraged. Box signs are prohibited.
  - Orientation. To the extent feasible, High Rise Signs shall not be oriented toward nearby residential neighborhoods.
  - Flexibility. High Rise Signs shall be designed to be changed over time.
  - Other Guidelines. High Rise Signs are encouraged to meet the following guidelines:
    a. The use of symbols, rather than names or words, is encouraged.
    b. High Rise Signs should be integrated into the architectural design of the building.

c. Nighttime lighting of High Rise Signs, as well as of distinctive building tops, is encouraged and the two should be integrated. Lighting of High Rise signs should include backlighting that creates a "halo" around the skylight sign. Backlighting may be combined with other types of lighting.

- ❑ A building or tenant identification wall sign should be legible to the pedestrian from the opposite sidewalk.

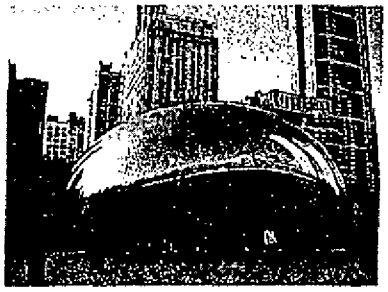
Sign Illumination and Animation

- ❑ Illuminated signs that reflects the individual character of the Downtown districts are encouraged.
- ❑ Signs shall use appropriate means of illumination. These include: neon tubes; fiber optics, incandescent lamps, cathode ray tubes, shielded spotlights and wall wash fixtures.
- ❑ Signs may be illuminated during the hours of operation of a business, but not later than 2 a.m. or earlier than 7 a.m.

Prohibited Signs

- ❑ The following signs are prohibited:
  1. Internally illuminated awnings
  2. Conventional plastic faced box or cabinet signs
  3. Formed plastic faced box or injection molded plastic signs
  4. Luminous vacuum formed letters
  5. Animated or flashing signs
  6. Wall murals covering windows.

11 PUBLIC ART



Icons and emblems. Large-scale signature sculptural statements and gateway markers can create a dramatic first impression of a neighborhood.

Civic Buildings. Public facilities require public art that can embody the agency's mission while providing a more human and welcoming face to visitors.

Plazas. Plazas should be activated with more prominent, enigmatic artwork such as large sculptures, arbors, lighting or water features which include adequate space for people to gather and amenities to make it inviting.

Historically, cities embrace the arts of their time, and the character, personality and spirit of the city is often conveyed most vividly through its arts and culture. Downtown stakeholders have a proven commitment to the arts, for they play a significant role in cultivating livable neighborhoods. As a result, Downtown is a popular destination to experience public art, art galleries, museums, theater and to celebrate cultural traditions in enhanced urban settings. For these reasons, public art in Downtown should aspire to meet the following goals and guidelines:

A. Goals

Integrate public art in the overall vision of the project's architecture, landscape and open space design by incorporating the artist into the design team early in the process. The goals are as follows:

Artistic excellence. Aim for the highest aesthetic standards by enabling artists to create original and sustainable artwork, with attention to design, materials, construction, and location, and in keeping with the best practices in maintenance and conservation.

Image. Generate visual interest by creating focal points, meeting places, modifiers or definers that will enhance Downtown's image locally, regionally, nationally and internationally.

Authentic sense of place. Enliven and enhance the unique quality of Downtown's diverse visual and cultural environments. Provide meaningful opportunities for communities to participate in cultural planning, and a means for citizens identify with each other through arts and culture in common areas.

Cultural literacy. Foster common currency for social and economic exchange between residents, and attract visitors by ensuring that they have access to visual 'clues' that will help them navigate and embrace a potentially unfamiliar environment. This can be achieved through promotional materials and tours as well as artwork.

Style. Artworks must demonstrate curatorial rigor in terms of building the city's collection of public art and shall illustrate themes and levels of sophistication that are appropriate for their location.

Responsiveness. Without formally injecting art into the early stages of the planning process for each new development, it will either be left out, or appear out of sync with the overall growth of the built environment.

B. General Guidelines

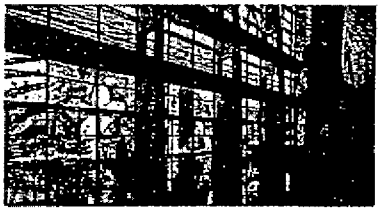
- ❑ All artwork erected in or placed upon City property must be approved by the Department of Cultural Affairs, and in some cases may require a special maintenance agreement with the appropriate BID or similar community organization.
- ❑ Artwork in privately owned developments should be fully integrated in the development's design, in the most accessible and visible locations. Enclosed lobbies and roof top gardens are considered appropriate locations.
- ❑ Artwork in retail streets and developments will need to be viewed in relation to existing signage and shop frontage.
- ❑ Attention must be paid to how the artwork will appear amidst mature landscape.
- ❑ Special care should be made to avoid locations where artworks may be damaged, such as the vehicular right of way.

Parks, Paseos and Courtyards. These spaces allow for closer, quieter contemplation of art, and can provide playful sequential elements.

C. Contributing to an Urban Trail

Ideally, each Downtown neighborhood would develop an aesthetic "heart" with unique characteristics. It could be represented by a neighborhood boundary, main boulevard, business core or cultural corridor. The art that defines the heart can also branch out to offer connections that form an "Urban Trail." This trail could provide physical and visible connections, a path of discovery using elements like:

- Icons and emblems
- Civic Buildings
- Street Furnishings
- Plazas
- Parks, Paseos and Courtyards
- Façades
- Transit Hubs



Façades. An artist's sculpted or surface treatment can become a visual showcase that complements the architecture.

Transit Hubs. Strategically located artworks can serve as beacons to attract people to transit, and to make a commuter's wait more interesting.

12 CIVIC AND CULTURAL LIFE

Legend

1 Music Center Plaza
Festivals, outdoor dining, tourism, concert outdoor lobby

2 Civic Park (future)
Outdoor dining, festivals, proposed small-scale event site, outdoor screenings

3 Cathedral Plaza
Events, Shakespeare Festival/LA, cafe, church lobby

4 City Hall South Lawn
Farmers market, small demos, speeches

5 City Hall West Lawn and Courtyard
Political events

6 Grand Avenue Festival
Annual October ~ 25,000 attendees

7 MOCA
Street level - public art, nighttime openings
Below street level - cafe

8 Spiral Court, California Plaza
Outdoor dining

9 Watercourt
Summer lunch and evening programming
50 programs June - October

10 Colburn
Plaza and Cafe, gathering spot for students

11 Wet Fountain

12 Paseo - Wells Fargo Court
Interior

13 Angel's Flight (future)

14 Grand Central Market
Paseo - Outdoor seating

15 Biddy Mason Park

16 CRT Parking Garage Paseo

17 Broadway Pedestrian Activity

18 Arcade Building
Paseo

19 Old Bank District
Outdoor cafes and street life

20 Monthly Art Walk - 2nd Thursday

21 Walt Disney Outdoor Site
Garden and Amphitheater (not connecting)

22 Arts High School
Theater entry on Grand and New outdoor Lobby

23 HS Grand Entry (future)

24 OWP Fountain Circuit (potential)

25 Bamboo Lane (future)

26 Art Walk/West Plaza

27 Central Plaza
Informal games, people sitting, some events (under utilized)

28 Blossom Plaza (future)
Event site, outdoor dining, paseo - connect Gold Line to Broadway

29 Network of Chinatown Alleys (new)

30 Future bridge to State Historic Park

31 SRP
Event site, concerts, circus, etc.

32 Farmlab and Under Spring
Events, openings, music

33 Chinatown Pedestrian Overpass (should be gateway)

34 Solano Canyon
Pedestrian enclave

35 Bridge to Chinatown West

Everything in the Design Guide is intended provide a framework for and support an increasingly active civic and cultural environment for residents, workers and visitors in the Downtown. Figure 12-1 maps many of the current events, activities, cultural facilities street activity and other aspects of life in the Downtown public realm.

A. Goal

Every Project should contribute to the civic and cultural life of the Downtown, building on and connecting to existing elements.

B. Guideline

☐ Describe how your Project will:

- Contribute to the civic and cultural life of the Downtown.
- Connect to existing elements illustrated on the map in Figure 12-1.

36 Alpine Recreation Center
Tai Chi, basketball, sports etc.

37 Future Ord Street Stairs

38 Castelar School Playground
Festival and event space, carnivals, moon festival

39 Chinatown Street Activity

40 New Main Street Triangle (poorly landscaped)

41 CA Endowment Entry Plaza
Annual Event Site, Healthy Neighborhood test and man street closure

42 Phillipes

43 Homegirl Cafe

44 El Pueblo
Events, festivals, music on weekends, church events, outdoor dining and shopping

45 Redesigned Plaza (not used)

46 Union Station and Gateway Plaza
Some private events

47 Chinatown Library
destination, classes, lectures, community meetings

48 Dragon Gateway (no pedestrian place)

49 Plaza de Cultura y Artes
New cultural center 2010

50 Gloria Molina Parkway (future)

51 Triforium
Plaza with no current uses

52 Vibiana's
Concerts, possible event site

53 Little Tokyo Walk Streets

54 JACCC
800 seat theater
Festival plaza (Noguchi)

55 JANM
Event Plaza, outdoor music, chado tea room

56 New Gold Line Station

57 Temp Contemporary

58 Arts Park (unbuilt)

59 Go For Broke Monument
Magnet for JA tourists

60 East West Players
Outdoor Lobby

61 Irvine Japanese Garden
Traditional - new site for weddings and events

62 Sol-Arc

63 Arts District
Walk streets, some outdoor dining, some street closures on traction for events

64 Skid Row and The Nickel
very dense

65 Toy District
Streets

66 Flower Mart

67 Fashion District
Walking streets

68 "St Vincent" Court
Outdoor dining

69 Jewelry District

70 Pershing Square
Outdoor Concerts, events, and ice skating

71 Library West Lawn
(nice place)

72 Library Steps

73 Financial District
Walking streets

74 Nokia Plaza
Possible events

75 LA Live

76 Ralph's
New destination

77 FIDM and Grand Hope Place

78 South Park

79 Pico Metro
Demo street, point, walk north to city hall

80 Broadway to City Hall
Historic Parade Route

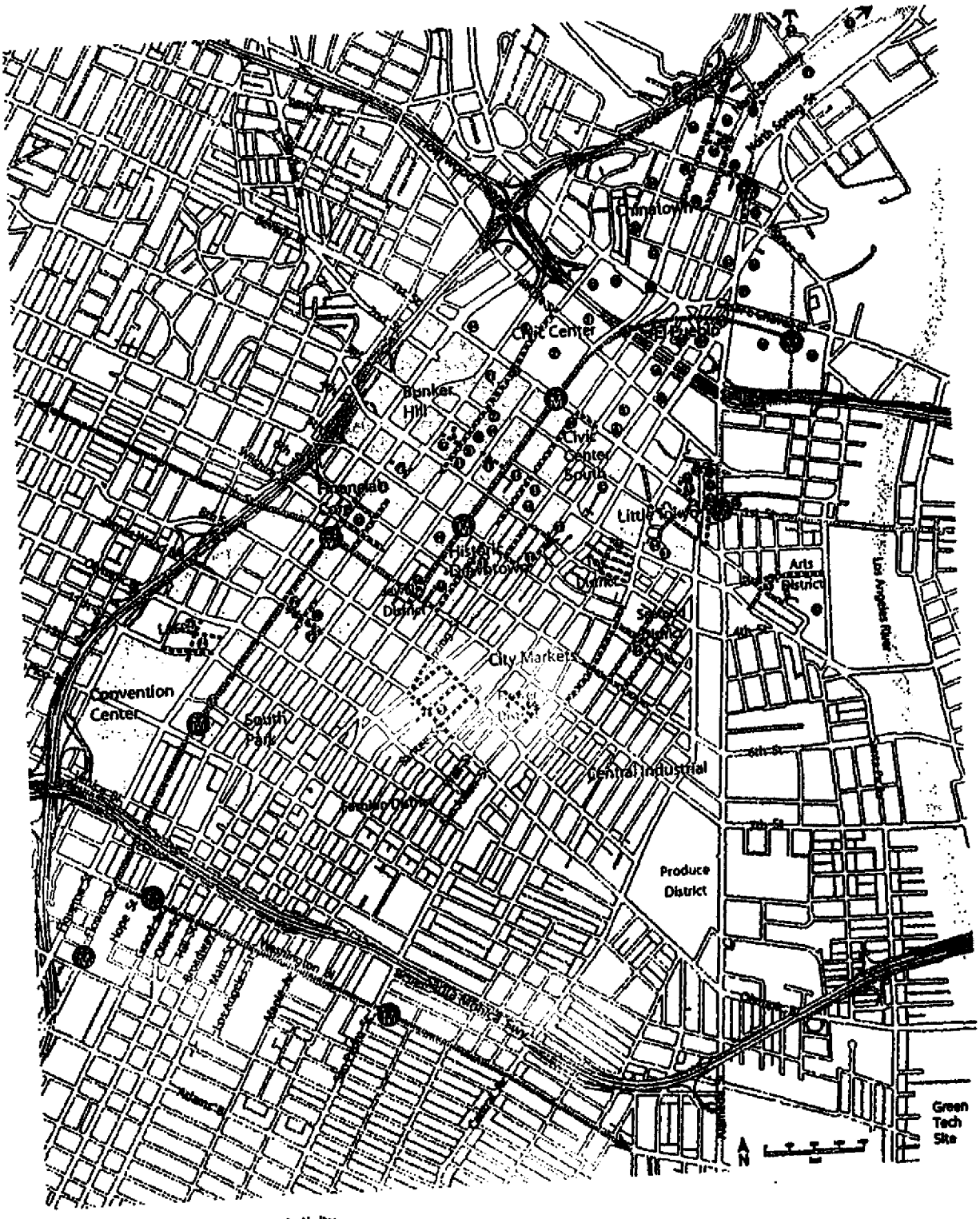


Figure 12-1 Existing Downtown Activity

DEFINITIONS

Whenever the following terms are used in the Design Guidelines, they shall be construed as follows.

Floor Area. As defined by the Zoning Code. Floor Area does not include outdoor eating areas located in terraces, courtyards, private setback areas, public sidewalks, or other outdoor spaces.

Generally, structures exceeding 240' or over 20 stories tall.

LEED®. The Leadership in Energy and Environmental Design (LEED) Green Building Rating System™ is the nationally accepted benchmark for the design, construction, and operation of high performance green buildings. See the official website www.usgbc.org for more information.

Low-Rise. Generally structures that are up to 6 stories tall, most often seen in courtyard housing or small commercial structures.

Mid-Rise. Generally block structures that are 12-20 stories tall, most often seen in residential housing or commercial structures.

Parkway Zone. Sidewalk zone reserved for streets, other landscaping and access to parked cars.

Reviewing Agency. Department of City Planning and/or the Community Redevelopment Agency of the City of Los Angeles. The review process is outlined in Section 1.

Street Wall. The building wall along the back of sidewalk.

Towers. Generally high-rise structures, or portions more slender than, and rising above a building's street level base.

Zoning Code. The planning and zoning provisions of the Los Angeles Municipal Code (LAMC), Chapter 1 as amended.

APPENDICES

APPENDIX A

Guide to Tenant Signs

APPENDIX B

Downtown Street Tree Details and Specifications (to be added)

APPENDIX C

Master Tree List (to be added)

APPENDIX D

Master Street Light and Pedestrian Light List (to be added)

DRAFT

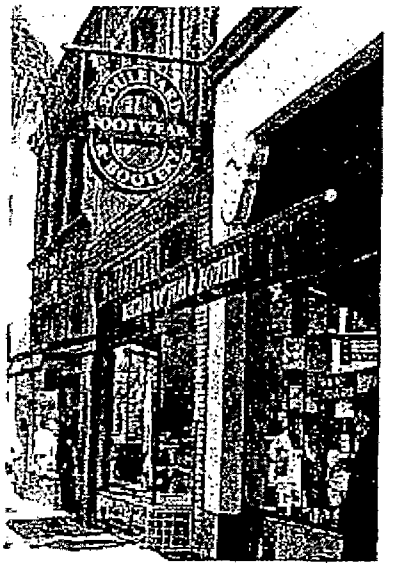
GUIDE TO TENANT SIGNS

A

A. Overview

Signs can have a dramatic effect, either good or bad, on potential customers' or clients' perception of a business. They provide an initial introduction to the character and quality of the business. A consistent approach to signage provides continuity within a shopping district and improves the readability of individual signs.

Zoning regulations establish the basic standards that signs must follow and are supplemented by the Downtown Signage Design for Development In Redevelopment Area and by Sign Supplement Use Districts. These guidelines are not intended to supersede those standards, but rather to provide more detailed guidance, including descriptions and examples of effective sign design for individual businesses and districts.



Awning and bade signs are located and sized to be viewed by both pedestrians and motorists.

B. Sign Types

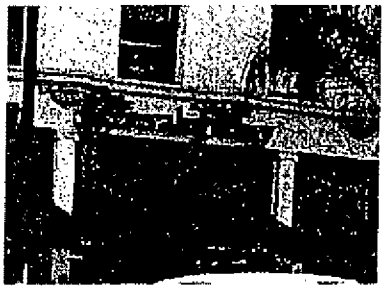
Different Signs for Different Districts

Pedestrian-oriented districts should have signage oriented in location, size and scale to pedestrians as well as motorists driving at relatively slow speeds: wall signs, window signs, awning signs, blade signs (small projecting signs), outdoor dining menu boards. The following signs should be designed to be viewed primarily by pedestrians on the sidewalk or in the parking lot adjacent to the building:

- Window Signs, which should cover no more than 10% of the window.
- Pedestrian-Oriented Blade Signs, which are projecting signs and should be no more than 5 square feet in size. Signs that project over the Public ROW will need approval by the City Engineer.
- Directory Signs, which list the tenants on an upper floor or with access from a single entry and should be no more than 18 square feet in size.
- Backdrop Wall Signs, which are located on the rear or the side of an open display and should not exceed 5% of the area of the wall on which they are located.

There are no auto-oriented districts in the areas to which the Downtown Design Guide applies; however, this description of sign types in auto-oriented districts is included for reference. In Auto-oriented districts, buildings may be set back from the sidewalk, often behind parking lots. Freestanding monument signs may be appropriate. In many cases, auto-oriented uses are located in shopping centers with multiple tenants. The freestanding sign is encouraged to provide only the name of the center, with the names of individual businesses listed on individual façades, and should be attractive and consistent with building architecture. For a single business or shopping center, only one of the following types of primary signs, providing the name of the business and one or two principal products and services, should be completely visible from a single location:

A primary monument sign provides the name of the business.



Sign is appropriately scaled to building, and located to be viewed by motorists. Works well with pedestrian-oriented awning.

- Primary Wall Sign
- Primary Awning Sign
- Major Projecting Sign, which should be non-rectangular and have its own internal or external light source
- Monument Sign, which should be mounted to a base whose material and/or color and finish is used on the building with its own internal or external light source

Other Sign Types in Both Districts

A business is encouraged to show its address in 4 to 6-inch letters within 4 feet of an entry on each façade that has an entry.

The primary sign on the rear façade should be smaller than the primary sign on the front façade, and is encouraged to be less than 20 square feet.

In addition to the primary sign(s) and address, a business may have the following secondary signs describing the business and/or listing 1 or 2 products or services provided:

- Secondary Wall Signs
- Secondary Awning Signs, in which the information should be confined to a single horizontal line positioned within 3 inches of the bottom edge of the awning and the maximum letter size is 6 inches
- Menu Boards, permitted only for drive-through fast-food restaurants (1 wall and 1 freestanding menu board for each auto service window), each of which is less than 40 square feet in area, less than 7 feet in height, oriented to customers on site, and lists only the business name and price of each item in maximum 3 inch letters, as noted in the Zoning Code.

C. Sign Design

Design Compatibility

Quality Signs and Creative Design. Like buildings, signs should make a positive contribution to the general appearance of the commercial district in which they are located. High quality, imaginative and innovative signs are encouraged.

Integration with Building Design. Signs should not obstruct architectural features. The design of signs should be integrated with the design of the building.

Proportion and Scale. The size of a sign should be proportionate to the building

on which it is placed and the area in which it is located. Signage should be designed with the pedestrian viewer in mind, even in auto-oriented districts.

Relationship to Residential Neighbors. Where residential and commercial uses exist in close proximity, signs should be designed and located to minimize visibility from adjacent residential neighborhoods.

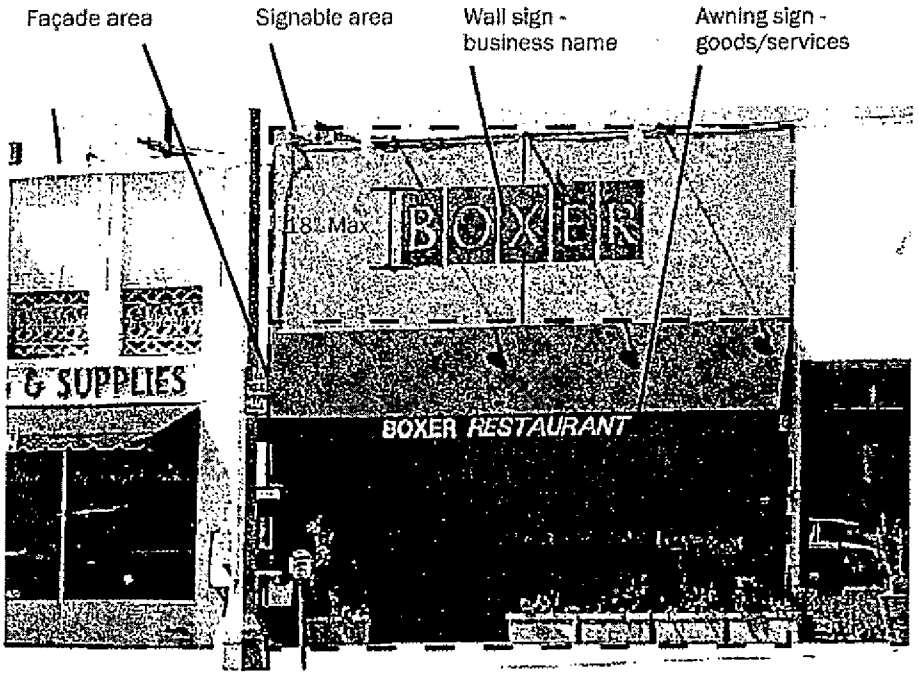
Information Hierarchy

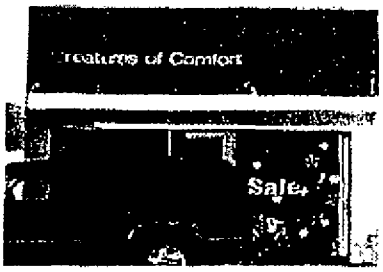
A key to successful signage is to reduce, focus and prioritize the information being communicated. A retail business may have several messages to convey to its potential customers, including:

- Business name
- Address
- Type of goods and services
- Specific products and/or name brands carried
- Credit cards honored
- Telephone number
- Parking directions
- Business hours

Directory sign located on exterior wall along sidewalk lists upper level tenants.

Suggested sign types to provide a legible information hierarchy:





Sign is integrated in facade design: size, placement, color, material and typeface.

Sign and logo are simple and integrated in the building design with placement and color and material.

A Sign Program allows for consistency of signage for multi-tenant building, while providing sufficient individual identity signage for each tenant.

Some information - primarily the name and address of the business or shopping center and one or two key products or services - needs to be legible to motorists or bus riders, while other information can be on smaller signs legible to customers entering the establishment.

Sign "blight" occurs when a business has so many signs that a potential customer, whether driving or walking by, cannot easily sort through the information. The information should be organized and presented so it can be understood in order of importance and without repetition. The name of the business is the most important piece of information and should be presented on the largest sign, legible to motorists and bus riders. That sign may be a wall sign, awning sign, projecting sign or monument sign and is considered to be the "primary" sign. A business should usually have only one primary sign visible along each building frontage or parking lot that it faces.

Sign Program

Coordination of Signs on Multi-Tenant Buildings. When a building has multiple ground floor tenants, whether in a storefront building along a sidewalk or in a strip mall behind a parking lot, a sign program is required. The intent of the sign program is to provide overall standards so that each individual tenant's signs should share some common design elements to make them more legible to potential customers, specifically: placement on the façade and size. A palette of colors and materials should be included to ensure compatibility with building design and materials. Letter style and color may vary to reinforce the individual identity of each tenant. By complying with an approved sign program, a new tenant can easily receive approval for their signage.

When multiple tenants share a single entry, they are encouraged to adopt a collective name and sign program to avoid creating a jumble of competing signs.

Sign Legibility

A sign's message is most often conveyed by words with symbols or icons sometimes in a supporting role. Thus, the legibility of lettering is the key to an effective sign.

Brief Message. The fewer the words the more effective the sign. A sign with a brief, succinct message is easier to read and looks more attractive. Evaluate each word. If a word does not contribute directly to the basic message of the sign, it will detract from the sign and probably should be deleted.

Symbols and Logos. Symbols and logos can be used in place of words. Visual images often register more quickly than a written message. If they relate to the product sold or the business name, they will reinforce the business identity. Logo signs should be compatible in color, material, placement and overall design with building design, materials and color.

Letter Size. Lettering should be of an appropriate size to be read by the intended audience. Signs to be read by pedestrians should be smaller than those to be read by motorists and bus riders.

Letter Spacing. Letters and words spaced too close together or too far apart reduce a sign's legibility.

The closer the sign's viewing distance, the smaller the lettering needs to be, as illustrated in the following table:

LETTER SIZE	IS READABLE AT
1 inch	10 feet
2 inches	30 feet
3 inches	50 feet
4 inches	70 feet
6 inches	100 feet

Where lettering is placed on a sign panel, some blank space around the lettering should be provided. As a general rule, lettering should not cover more than 75% of the panel area.

Letter Style and Capitalization. Only a few lettering styles should be used on a single sign to enhance legibility. As a general rule, not more than 2 styles should be used on a single sign. Intricate typefaces and symbols that are difficult to read reduce the effectiveness of a sign and should be avoided. Letter thickness and capitalization affect the legibility and visual impact of a sign.

Effect of Letter Style and Capitalization on Sign Size.

Thin initial capitals with lower case letters:

Downtown Coffee Shop

Thin all capital letters should be smaller than thin initial capitals *with* lower case letters:

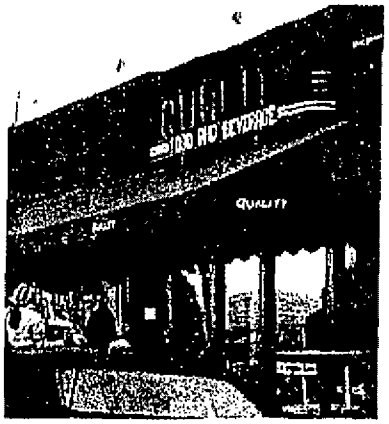
DOWNTOWN COFFEE SHOP

Thick letters should be smaller than thin letters:

Downtown Coffee Shop

Thick all-capital letters should be even smaller:

DOWNTOWN COFFEE SHOP



This original "Google" sign was designed to be an integral part of the building. The typeface is evocative of the era. Simple message is to the point.

Sign Color

Sign color should contribute to the legibility and effectiveness of the sign.

Contrasting Colors. A substantial contrast between the background and letters or symbols will make the sign easier to read.

Number of Colors. To maintain legibility, a sign typically should not include more than 3 colors. As a general rule, large areas of many different colors decrease legibility. On the other hand, small accents of several colors can make a sign unique and eye-catching.

Complementary Colors. Sign colors should relate to those of the building. A sign may include some or all of the colors used on the building exterior.

Sign Materials and Construction

Individual Letters. Signs composed of individual letters and/or symbols are encouraged. Cut-out letters, which are either external illumination by ambient lighting or lights attached to the façade or illuminated by exposed neon on top of or inside open 3-dimensional letters (reverse channel letters) are especially appropriate for pedestrian-oriented districts. The letters may be individually pin-mounted or mounted on a raceway to facilitate changes. Dimensional metal letters convey durability and longevity and are preferred over plastic letters.

Three-dimensional plastic letters with an internal neon light source (channel letters) can appear cartoonlike or impermanent if blocky typefaces and all capital letters are used. If channel letters are used, they should be integrated into the design of the building as in the adjacent Coffee Shop example.

Panel Sign Materials. Appropriate materials for panel signs include:

- Wood - carved, sandblasted or etched and properly sealed, primed and painted or stained.
- Metal - formed, etched, cast and/or engraved and powder-coated or otherwise protected.
- High density pre-formed foam or similar materials. Other new materials may be appropriate if designed to complement the building design and fabricated to be durable and low maintenance.

Rectangular sign cabinets are strongly discouraged, although sign cabinets with a distinct curvilinear form may be acceptable.

Neon. Exposed neon has been used traditionally to illuminate a variety of sign types, including individual letters, projecting signs and panel signs. The use of exposed neon eliminates the need for a separate source of illumination and is encouraged.

Compatible Materials. Sign materials should be compatible with the design of the façade and should contribute to the legibility of the sign. For example, glossy finishes may be difficult to read due to glare.

Durable Materials. Signs should be constructed of durable materials with low maintenance requirements. Paper and cloth signs (other than awnings) are not appropriate as they deteriorate quickly.

Sign Illumination

Provide additional illumination when street lights or display window lights do not provide adequate illumination.

Direct Light Source. Lighted signs shall use focused, low-intensity illumination. *A direct light source, e.g., spotlight, is often best as it focuses attention on* the sign and, at the same time, illuminates the building façade. For example, several gooseneck lamps mounted above the sign provide even illuminate of either cut-out letter or panel signs. The fixtures should be in scale with the sign and other building façade elements.

Internal Illumination. Individually illuminated letters (channel letters), either internally illuminated or back-lighted solid letters, are preferable to internally illuminated plastic cabinet signs, which are discouraged.

Raceway and Conduit. All raceway should be concealed from view. If a raceway cannot be mounted internally, it should be finished to match the background wall. Similarly, all exposed conduit should be concealed from view.

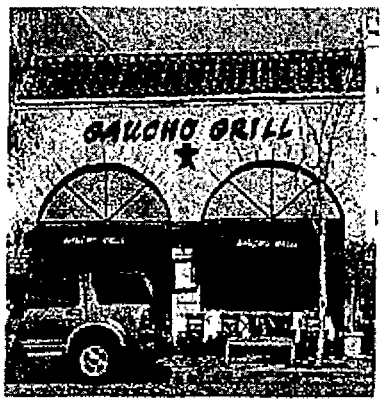
Sign Mounting

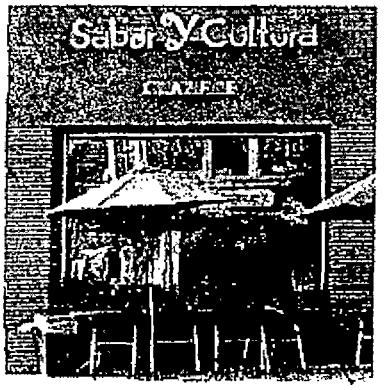
Signs should be mounted to respect the building design, especially an historic building. If new bolt holes or brackets are necessary, care should be taken to ensure that installation does not damage the building materials, particularly if the building is historic. To minimize irreversible damage to masonry, all mountings and supports drilled into masonry (including terra cotta) should be into mortar joints and not into the face of the masonry.

Sign Maintenance

All exterior signs should be kept clean and properly maintained. All supports, braces, anchors and electrical components should be kept safe, presentable and in good structural condition. Defective lighting components should be replaced promptly. Weathered and/or faded painted surfaces should be repainted promptly.

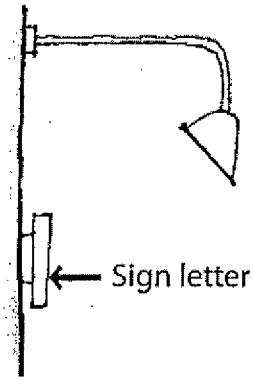
Letter style helps give distinct business identity while creating compatible design with buildings:

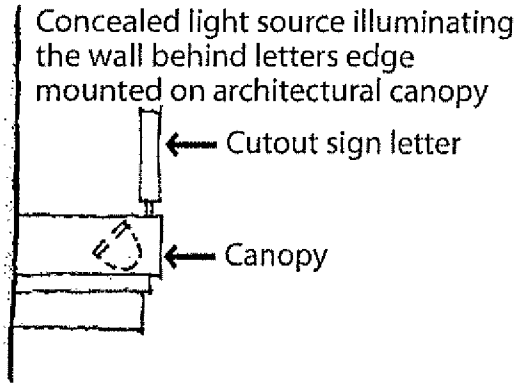


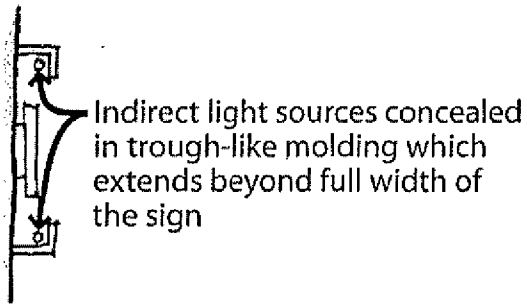


D. Sign Lighting Techniques

Examples of Externally Lighting Sign

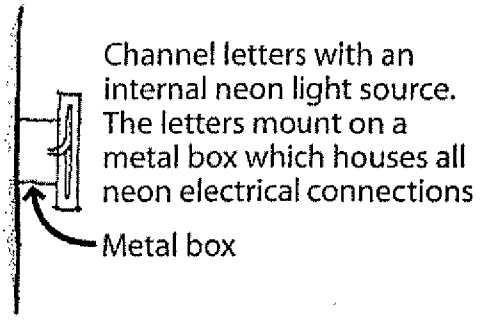


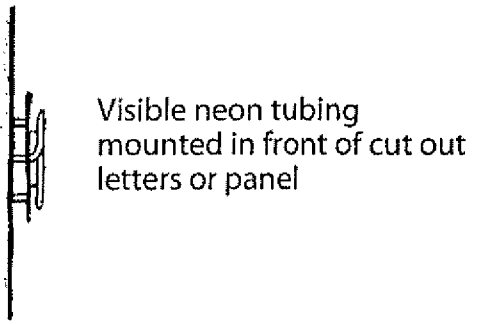




* Light sources indicated by yellow fill

Examples of Lighting Sign with Neon Tube





E. Good Examples of Sign Types

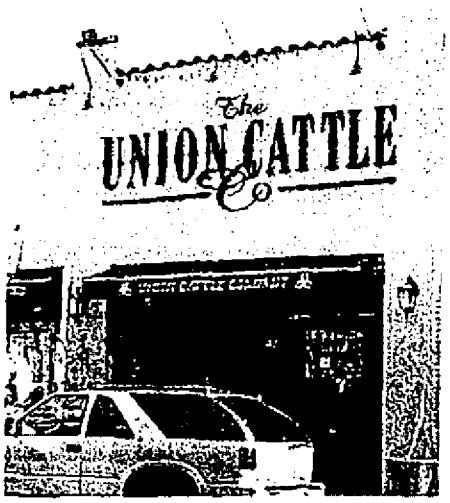
Blade sign used at alley entry, providing an amenity facing the alley.

Logo laser cut out of metal panel, held **off from building and halo lit creative use of design and material for distinctive business identification.**

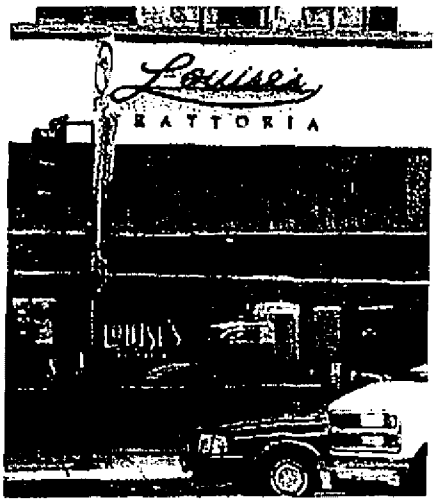
Individual channel letters halo lit from **behind for a simple** and distinctive look.

Awning signs as primary business signage.

Cut-out letters with external illumination

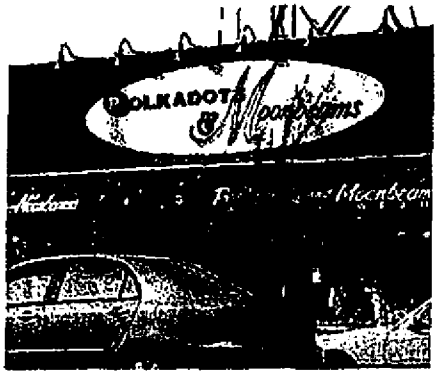


Elegant signage compatible with historic structure.



Signage designed to complement building facade. Different typeface for wall sign and window sign can be compatible.

Creative sign enhances building facade.

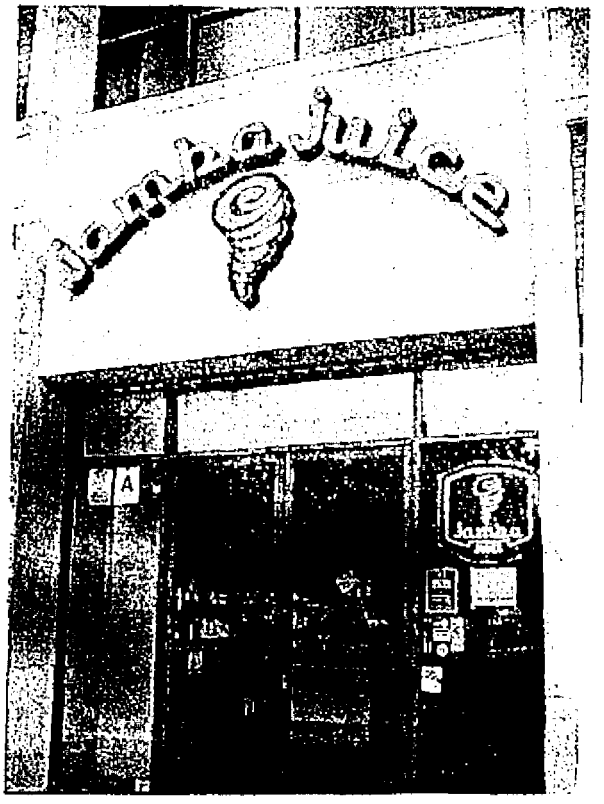


Use of contrasting color scheme for wall signage and awning creates a distinctive business identity.

Horizontal sign element reinforces building design and pedestrian orientation.

Plastic channel letters with internal illumination

Signage well placed on building.



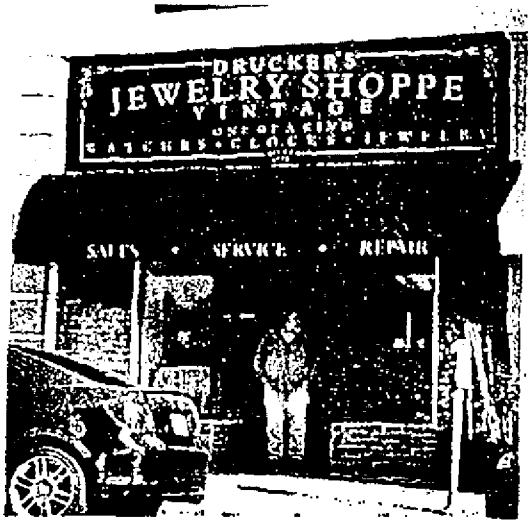
Signage as design feature.

Creative use of cut-out letters

Signage color enhances building design. Wall signage and window signage work together as ensemble.

Whimsical use of color and material.

Panel Signs



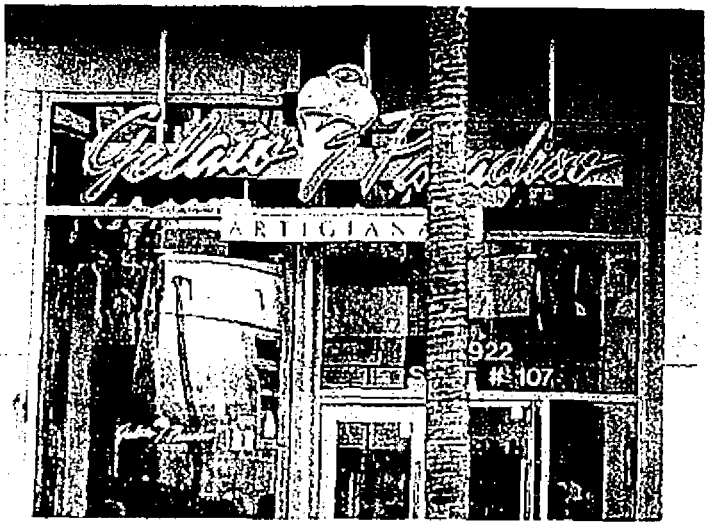
Good example of sign with historic quality enhancing building identity.

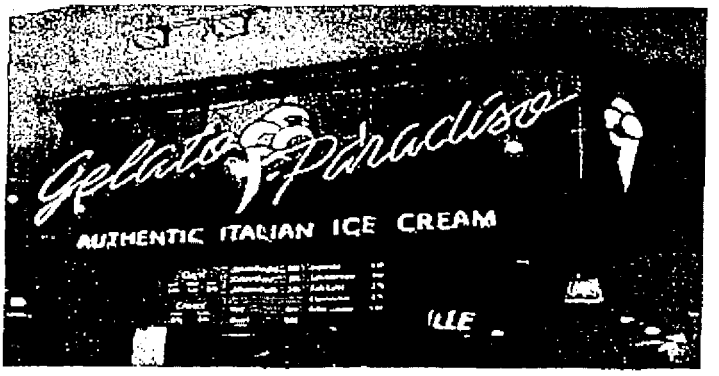
Creative use of panel sign type.

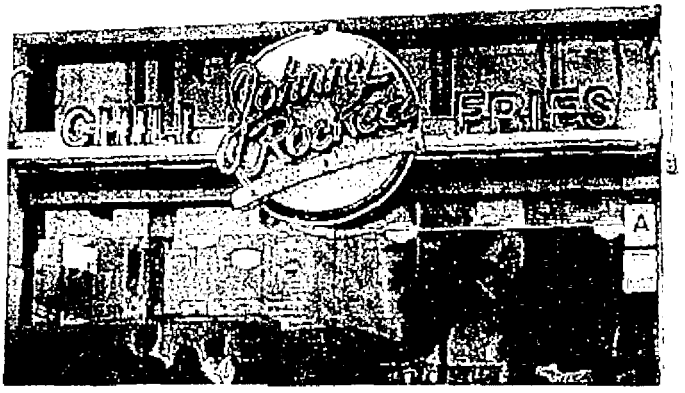
Awing Signs

Awning also provides spatial definition for outdoor dining (above). Series of awnings enhances building design concept (left).

Exposed Neon







Three examples of historic signs (above) originally designed to fully integrate and enhance detailed historic facades.

Text and logo are customized for distinctive signage in these three examples (above).

Window Signs

Window signs include name, open/closed, major products provided, and address.

Window signs do not interfere with displays in the window.

Pole Signs

Free standing pole signs are generally not permitted downtown. However, where they are permitted they should be designed, like the El Cholo sign at left, to be small, consistent with the architecture and attractive. Large unattractive freestanding poles like the orange sign in the background are not acceptable.

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1; "Cloud Gate" by Anish Kapoor, Chicago, IL
2: www.arts.qld.gov.au, "Confluence" by Daniel Templeman, Brisbane Australia
3: Electroland, "Enteractive" by Electroland, Met Lofts, Downtown Los Angeles.

Page 57
1: www.fostateminor.com, "Stadlounge" by Pipilotti Rist with Carlos Martinez Architects, St. Gallen, Switzerland
2; www.mayer-of-munich.com, Glass wall by Brian Clarke, Al Faisaliah Center, Riyadh, Saudi Arabia
3; "Astride Aside" by Michael Stutz, Metro Gold Line, South Pasadena, Los Angeles.

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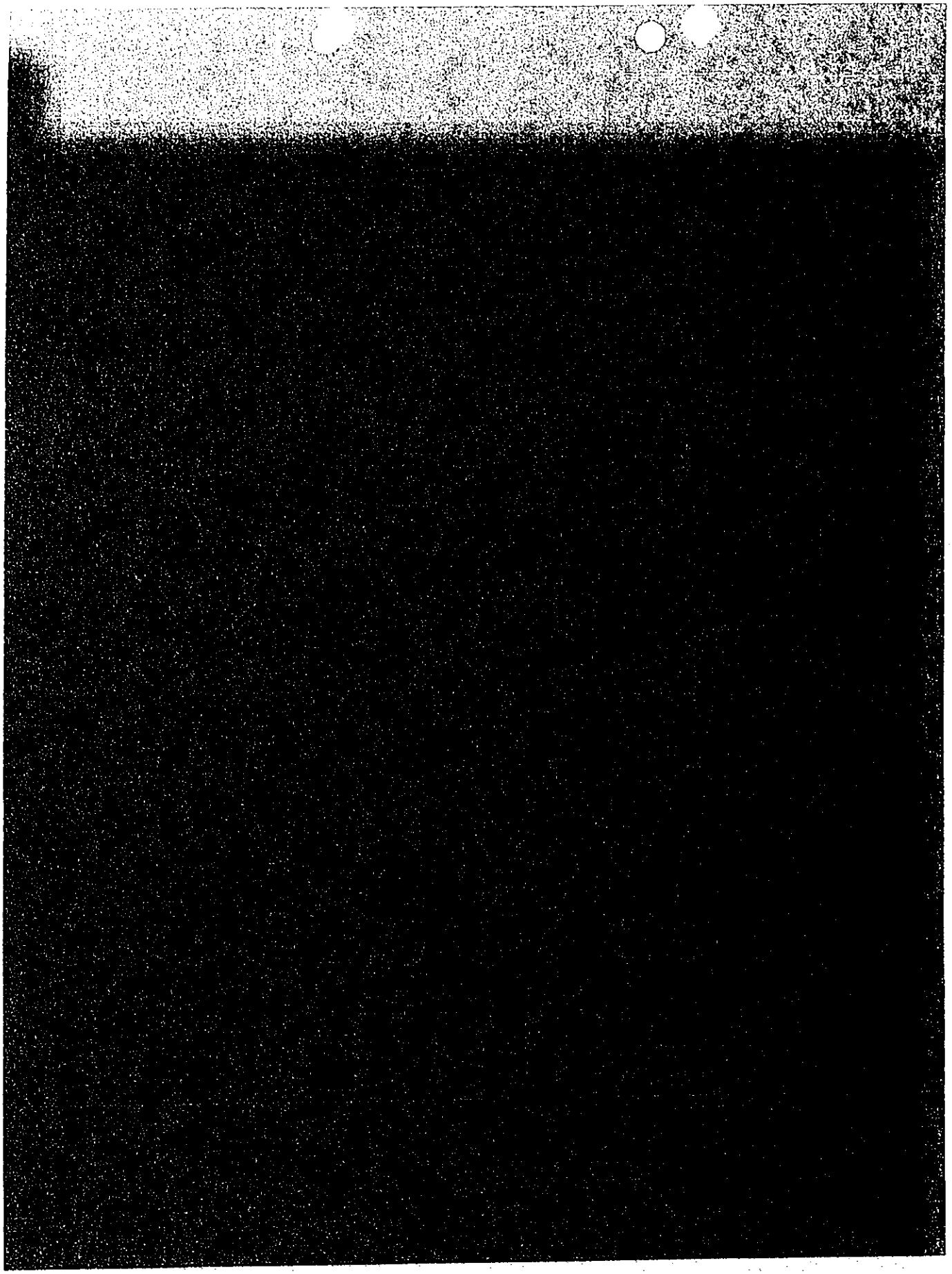


EXHIBIT F
Draft Revised Generalized Circulation Map

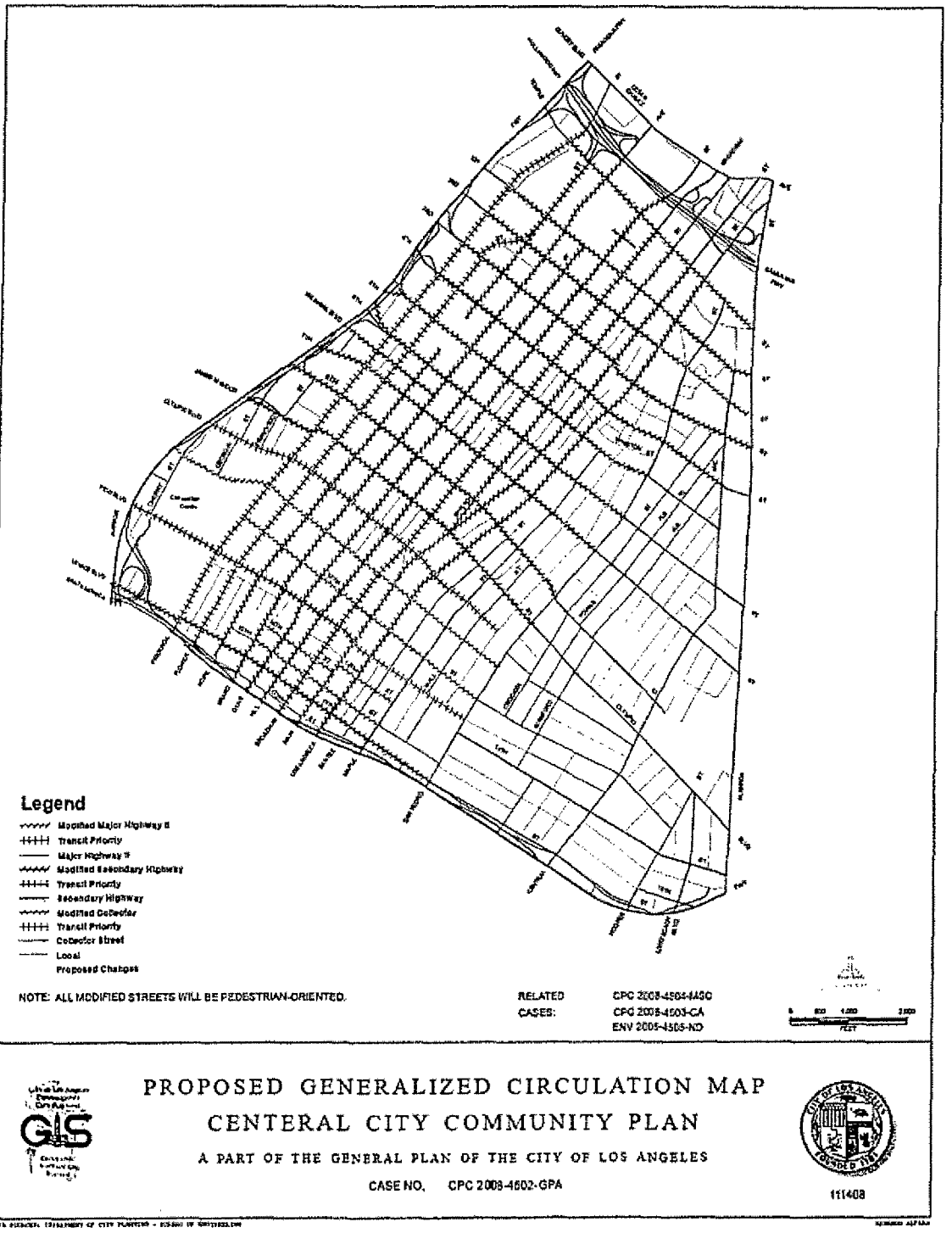


EXHIBIT G
Resolutions

Initiating Resolution

WHEREAS, the city streets in Downtown Los Angeles were widened on an ad hoc basis for several years as various development projects were approved and constructed, and the application of Citywide Street Standards as implemented by the City Engineer has resulted in uneven street character – sometimes wider sidewalks, sometimes narrower sidewalks commensurate with wider and narrower curb-to-curb roadbeds; and

WHEREAS, the Councilmember Jan Perry introduced several Council Motions to re-examine the practice of widening these streets which was unsuitable to maintaining the quality of the character of various neighborhoods in Downtown; and

WHEREAS, the emerging character of Downtown Los Angeles is one of great pedestrian intensity, additional full time residents, emerging retail and business economies, art, entertainment and sports venues – the realization of a long term vision of a 24-hour Downtown: and

WHEREAS, transit and transportation continue to afford Downtown residents and employees significant alternatives to the automobile; and

WHEREAS, in August 2007 the City Council adopted a Greater Downtown Housing Incentives Ordinance, that calls for the preparation of the Urban Design Standards and Guidelines for new development; and

WHEREAS, the combination of Great Streets, based on a context-sensitive approach, and good urban design form the basis for maintaining an environment that affords alternatives to the automobile, active pedestrian uses, a good living and working environment; and

WHEREAS, new street standards and Urban Design Standards and Guidelines will be used by both the Community Redevelopment Agency of Los Angeles (CRA/LA) and Planning in review and approval of future development projects; and

WHEREAS, new street standards which emphasize wider sidewalks will be eligible for Call for Projects and other capital funding emphasizing pedestrians and connections to transit;

NOW, THEREFORE BE IT RESOLVED:

THAT THE Central City Community Plan be amended to incorporate context sensitive street design and new Urban Design Standards and Guidelines and the City Planning Department with the Community Redevelopment Agency of Los Angeles, the Department of Transportation and the Bureau of Engineering work together develop these changes; and

THAT THE relevant additional changes be made to the Citywide Street Standards Form S-470-O; and Code clarifications to assure that these new policies can be effectively implemented, clear to the public and development stakeholders.

Initiated by:

S. Gail Goldberg, AICP
Director of Planning
November 7, 2008

Council Adoption Resolution

WHEREAS, the city streets in Downtown Los Angeles were widened on an ad hoc basis for several years as various development projects were approved and constructed, and the application of Citywide Street Standards as implemented by the City Engineer has resulted in uneven street character – sometimes wider sidewalks, sometimes narrower sidewalks commensurate with wider and narrower curb-to-curb roadbeds; and

WHEREAS, the Councilmember Jan Perry introduced several Council Motions (CF-05-1514 and CF-06-0547) to re-examine the practice of widening these streets which was unsuitable to maintaining the quality of the character of various neighborhoods in Downtown; and

WHEREAS, the emerging character of Downtown Los Angeles is one of great pedestrian intensity, additional full time residents, emerging retail and business economies, art, entertainment and sports venues – the realization of a long term vision of a 24-hour Downtown: and

WHEREAS, transit and transportation continue to afford Downtown residents and employees significant alternatives to the automobile; and

WHEREAS, in August 2007 the City Council adopted a Greater Downtown Housing Incentives Ordinance (Ordinance No. 179,076, eff. 9/23/07), that calls for the preparation of the Urban Design Standards and Guidelines for new development; and

WHEREAS, the combination of Great Streets, based on a context-sensitive approach, and good urban design form the basis for maintaining an environment that affords alternatives to the automobile, active pedestrian uses, a good living and working environment; and

WHEREAS, new street standards and Urban Design Standards and Guidelines will be used by both the Community Redevelopment Agency of Los Angeles (CRA/LA) and Planning in review and approval of future development projects; and

WHEREAS, new street standards which emphasize wider sidewalks will be eligible for Call for Projects and other capital funding emphasizing pedestrians and connections to transit; and

WHEREAS, on _____, the Mayor recommended approval by the City Council of this ground breaking planning project; and

NOW, THEREFORE BE IT RESOLVED:

THAT THE Central City Community Plan Map text be amended to incorporate context sensitive street standards for the Project area, within the Downtown bounded by An area bounded by Hollywood Freeway (Rte. 101) on the north, Alameda Avenue (east), 3rd Street (south), San Pedro Street (east), 8th Street (south), Crocker Street (east), 9th Street (south), Stanford Street (east), 14th Place (south), Griffith Avenue (east), Santa Monica Freeway (Rte. 10) on the south, and Harbor Freeway (Route 110) on the west
and that the Transportation Element be concurrently amended to maintain consistency; and

THAT THE Central City Community Plan text be amended to incorporate new Urban Design Standards and Guidelines, also know as the Downtown Design Guide: Design for a Liveable Downtown, to apply within the Project area; and

THAT THE City Engineer be directed to update NavigateLA and incorporate the new Street Standards as approved by the Citywide Planning Commission, and to make corrections to limited segments of local streets which are actually alleys; and

THAT relevant clarification language be adopted by separate action, amending the Los Angeles Municipal in order to streamline implementation of the Downtown Design Guide; and

THAT further consideration be made for street block improvements eligible for Call for Projects and other funding sources in order to emphasize the pedestrian nature of Downtown LA, including coordination with METRO/LA/DOT for bus stop consolidation/shared bus stops and other design techniques; and

THAT Negative Declaration No. ENV-2008-4505-ND be certified and adopted by the City Council, such environmental study evaluating the effects of the Street Standards and Urban Design Standards and Guidelines on traffic and transportation, historic resources and other key environmental factors and finding no impacts

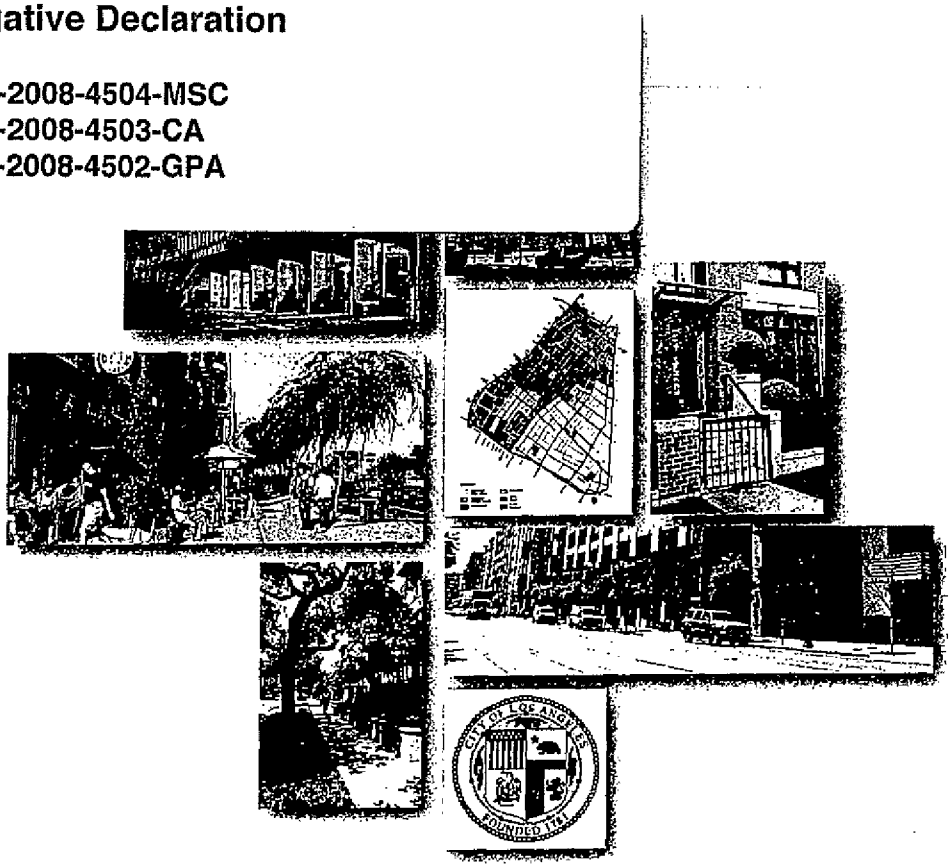
City of Los Angeles

DOWNTOWN STREET STANDARDS AND URBAN DESIGN STANDARDS AND GUIDELINES

DRAFT INITIAL STUDY/NEGATIVE DECLARATION

EXHIBIT C
ENV-2008-4505-ND
Negative Declaration

CPC-2008-4504-MSC
CPC-2008-4503-CA
CPC-2008-4502-GPA



November 2008

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CITY OF LOS ANGELES
DOWNTOWN STREET STANDARDS AND URBAN DESIGN STANDARDS AND GUIDELINES

INITIAL STUDY

1. **Project title:** Downtown Street Standards and Urban Design Standards and Guidelines. Case Nos. CPC-2008-4504-MSC (Street Standards, New Footnote, x-Sections), CPC-2008-4503-CA (Code clarifications), CPC-2008-4502-GPA (Community Plan Amendments) and ENV-2008-4504-ND (CEQA).

2. **Lead Agency name and address:**

   City of Los Angeles
   Department Of City Planning
   Urban Design Studio
   200 N. Spring Street, Room 705
   Los Angeles, CA 90012

3. **Contact person and phone number**: Emily Gabel Luddy, FASLA, (213) 978-0016

4. **Project location:**

   The Street Standards and Urban Design Standards and Guidelines "project" area comprises much of Downtown Los Angeles and is roughly triangular in shape, with two sides formed by the Santa Monica (Interstate 10) and Harbor (Interstate 110) freeways, as shown in Figure 2. The project area is within the City's adopted Central City Community Plan.

5. **Project sponsor's name and address:**

   Same as project applicant.

6. **General Plan designations**:

   The Central City Community Plan land use designations for the area covered by the project include commercial, multi-family residential, industrial, public facilities and open space. The City's General Plan Framework designates the majority of the project area as "Downtown Center". The project area also includes Bunker Hill; Amended Central Business District; City Center and Little Tokyo Redevelopment Project Areas; portions of the City Center and Central Business District Redevelopment Areas; the Convention Center/Arena Sphere of Influence and the Angel's Walk Pedestrian Master Plan. While the Los Angeles Sports and Entertainment District Specific Plan is within the boundaries of the Project, LASED – because it contains its own requirements – is excluded from the Project.

7. ***Zoning:***

   Corresponding zoning designations for the land use designations within the area covered by the project include Commercial (CR, C1.5, C2, C4, C5), Residential (R3, RAS3, RAS4, R4, R5), Industrial (MR, MR2, MR3) Open Space (OS, A1) and Public Facilities (PF).

8. **Description of project:**

   The proposed Downtown Street Standards and Urban Design Standards and Guidelines consists of two principal components: 1) new sidewalk and street improvement standards and 2) Urban Design Standards and Guidelines (currently titled "Design for a Livable Downtown"). The former establishes, via cross-sections, sidewalk width and width of the roadbed. The latter will provide both specific standards and broad suggestions to improve the streetscape and urban design of downtown Los Angeles, including sidewalks, public amenities, and the relationship between buildings and the street. The Standards and Guidelines address sidewalks and setbacks, massing and street walls, ground floor treatments, project parking and access, on-site open space, architectural detail, streetscape improvements and signage. Clarification of certain sections in the Zoning Code are also required to streamline implementation of the Urban Design Standards and Guidelines. Please see Section 2.0 *Project Description* for further information on the proposed project.

9. **Surrounding land uses and setting:**

   Existing land uses within the general area include a mixture of commercial, industrial, offices, public, and residential uses typical of a highly urbanized metropolitan downtown area. The City's Westlake Community Plan area, which borders the project area to the west, includes a greater proportion of residential uses than the Central City area, in addition to commercial uses. The Central City North Community Plan area, which borders the project area to the north and east, is dominated by industrial land uses. The Southeast Los Angeles Community Plan area, to the south, supports a mix of industrial and residential land use designations. Please see Section 3.0 *Environmental Setting* of this document for more information on the physical characteristics of the project area.

10. **Public agencies whose approval is required:**

    - City Planning Commission of the City of Los Angeles
    - City Council of the City of Los Angeles

    The proposed Downtown Street Standards will also require approval by the Street Standards Committee (which makes its recommendation to the City Planning Commission), and the proposed Urban Design Standards and Guidelines will also require approval by the Community Redevelopment Agency of the City of Los Angeles (CRA/LA).

1.0 INTRODUCTION

The City of Los Angeles (City) has prepared this initial study/proposed negative declaration (IS/ND) to evaluate the potential environmental consequences associated with adoption and implementation of the proposed Downtown Street Standards and Urban Design Standards and Guidelines project. As part of the City's process for considering the proposed program, it is required to undergo an environmental review pursuant to the California Environmental Quality Act (CEQA). One of the main objectives of CEQA is to disclose the potential environmental effects of proposed activities to the public and to decision makers. CEQA requires that the lead agency prepare an initial study to determine whether an environmental impact report (EIR), a negative declaration (ND), or a mitigated negative declaration (MND) is needed. The City of Los Angeles is the lead agency for the proposed project.

The project is a joint project by the CRA/LA, City Planning Department, Department of Transportation and the Department of Public Works' Bureau of Engineering with urban design and transportation consultants. The goal is to develop context-sensitive street standards and urban design standards and guidelines for Downtown neighborhoods. Based on existing and future constraints, the presence of transit alternatives and an increase in residential and commercial uses in Downtown, the project will clarify the Citywide Street classifications and their cross-sections to match the local mobility needs of Downtown.

The Central City Community Plan and the redevelopment plans for the Bunker Hills; Amended Central Business District; Center City and Little Tokyo redevelopment project areas are the primary adopted City documents that direct growth and development within the Central City area of Los Angeles. Last updated in December of 2000, the Central City Community Plan also incorporates the City's Citywide Street Classification system on the Plan Map, indicating the various types of streets required to serve the area. The adopted Redevelopment Plans do not address streets, and while they must be consistent with the City's General Plan and Community Plans, no amendment to this adopted City document is necessary for the proposed Downtown Street Standards. Downtown is primarily served by Major Class II and Secondary Highways. These designated street types appear on the Central City Community Plan Map. As private projects are approved through discretionary actions, the streets are then constructed – or improved – to match the Bureau of Engineering cross- section requirements of the street type. Similarly, for public projects, the City is guided by the Classification cross-section for any public-initiated improvements.

The result for downtown Los Angeles has been a piecemeal and uncertain implementation process with uneven results: some street segments are widened or partially widened while others are not – creating a "broken tooth" configuration that serves neither auto nor pedestrian flow. The current process does not take into consideration transit investments and improvements, bicyclists, nor the presence of significant numbers of designated historic structures and streetscape features within the City's historic core. In many cases, the sidewalks are narrowed, but no increase in capacity occurs along the roadbed of the street.

A secondary component of the project is further refinement and implementation of the Urban Design Chapter of the adopted Central City Community Plan through more detailed urban

design standards and guidelines. These refined standards and guidelines will enhance context-sensitive streets. The basis for the more detailed urban design standards and guidelines are found in the CRA/LA's Redevelopment Plans and the Urban Design Chapter of the adopted Central City Community Plan. The Proposed Standards and Guidelines will foster a distinct identity for each of Downtown Los Angeles' neighborhood districts. The proposed Standards and Guidelines will implement the objectives of the Urban Design Chapter of the community plan and address issues related to building design (massing, relationship to sidewalk, landscape and sustainability), the public realm and site planning.

The proposed project would result in the adoption of:

1. context-sensitive street/sidewalk cross sections to implement "complete streets" in downtown;
2. amendments to the Central City Community Plan street classifications;
3. amendments to the Central City Community Plan Urban Design Chapter and implementation of urban design standards and guidelines, including procedures for review and approval; and
4. clarification of applicable sections of the Los Angeles Municipal Code to incentivize urban design standards and guidelines. The affected Code sections include: 12.01 (Definitions), 12.21 (General Provisions), 12.22 (Exceptions), 13.00 (Supplemental Use District), 16.03 (Site Plan Review), 17.00 (subdivisions) and 18.00 (parcel maps).

No development is proposed as part of the Downtown Street Standards and Urban Design Standards and Guidelines. As such, their adoption would not directly result in any physical changes. Instead, they represent standards for design and implementation of development projects or future capital improvement projects. Development and capital improvement projects that would implement these standards and guidelines must go through the City's Budget and development review process and are subject to CEQA environmental review as part of that process. This document analyzes the broad environmental impacts associated with the adoption of the proposed Downtown Street Standards and Urban Design Standards and Guidelines at a program-level of analysis, with the acknowledgement that site-specific environmental review will likely be required when individual projects are proposed.

2.0 PROJECT DESCRIPTION

The project description summarizes the proposed Downtown Street Standards and Urban Design Standards and Guidelines, focusing on the provisions that have the potential to result in the environmental impacts discussed in the environmental checklist. The proposed program in its entirety may be reviewed at Los Angeles City Hall, Department Of City Planning Urban Design Studio, 200 N. Spring Street, Room 705, in Los Angeles or on the web at http://urbandesignla.com/downtown_guidelines.htm.

2.1 Urban Design Standards and Guidelines

The Urban Design Standards and Guidelines would be used as a supplement to the Municipal Code and would apply to all new development projects in the colored areas shown in Figure 2. The program includes standards (requirements) and guidelines (suggestions). Standards are distinguished by the use of the word "shall" versus "should". Projects would be required to comply with standards ("shall") and encouraged to comply with guidelines ("should"). Some flexibility would be allowed from the strict application of both standards and guidelines if project applicants demonstrate that their proposal would achieve the intent of the guidelines.

The Standards and Guidelines document (the *Design for a Livable Downtown*) is organized into nine main sections. Each section provides guidelines and standards toward achieving a stated goal. The nine sections are summarized below. Figure 4 illustrates the urban design focus of the standards and guidelines.

2.1.1 Sustainable Design

Design Intent:

> *Incorporate sustainable practices at all scales of design on private land and in the public right-of-way.*

The following guidelines and standards are proposed to help achieve this goal:

A. Neighborhood Design

- Projects should support walkability through sensitive design of the site, building and streetscape.
- All of Downtown is within walking distance of transit, so all projects should be designed as transit-oriented developments (TODs) that encourage residents, tenants and visitors to use transit.
- Projects should be oriented to provide convenient access to the nearest transit options (Metro rail or bus, DASH) wherever possible.

B. Building Design

- All Projects are required to comply with the City's Green Building Ordinance. In addition, projects that have an Owner Participation Agreement with CRA/LA are required to achieve LEED™ Silver certification.
- Projects that include a hotel should participate in the California Green Lodging Program.
- Wherever possible, existing structures should be re-used and integrated into new projects to retain the architectural fabric of downtown.
- Projects that preserve and rehabilitate historic structures must comply with the Secretary of the Interior's Standards for Rehabilitation.

D. Site and Landscape Design

- Projects should include streetscape elements, including street trees and parkways that collect stormwater runoff, that contribute to sustainable Green Streets and that enhance the value of the project.
- Projects should incorporate on-site landscape elements that reduce energy use and enhance livability.
- Projects should consider providing a green roof to reduce solar gain (which contributes to the urban heat island effect) and to reduce the quantity of water entering the storm drain system.

2.1.2 Sidewalks and Setbacks

Design Intent:

Design sidewalks that are walkable and accommodate a variety of uses.

Design sidewalks to accommodate and support large street trees and to collect stormwater, providing continuous parkways where feasible.

Where continuous landscaped parkways are not feasible, provide large street wells with gap-graded soil beneath the sidewalk.

Install and maintain streetscape improvements on all streets adjacent to a Project.

Provide setbacks appropriate to the adjacent land use and district.

The Sidewalks and Setbacks section of the Guidelines and Standards includes provisions for sidewalk widths and uses and street wall[1] setbacks to achieve the stated goal of providing "sidewalk widths that contribute to comfortable use of the sidewalk and support sidewalk activity." This section also includes a number of standards addressing parkway landscaping, sidewalk uses, landscape maintenance and other aspects of this portion of the streetscape, as well as street wall setbacks.

[1] The minimum height of structure required at the back of sidewalk per the Design Standards and Guidelines.

This section also regulates the use and setbacks of street walls, and prescribes the percentage of a project's street frontage, excluding access to parking, along which ground floor space must be designed to accommodate retail or cultural uses. In addition, it provides a number of guidelines and standards addressing how the setbacks should be designed, interpreted and implemented.

2.1.3 Ground Floor Treatment

Design Intent:

Design ground floor space facing designated Retail Streets for retail, cultural or live-work uses, orienting tenant spaces to the street and maximizing storefronts and entrances along the sidewalks to sustain street-level interest and promote pedestrian traffic.

Design ground floor space facing other streets to accommodate habitable space and to avoid blank walls and visible parking.

Orient buildings to the street to promote the sidewalk activity.

Incorporate a pedestrian-oriented scale at the street level.

Text

Don't waste valuable street frontage on "back of house" uses.

The guidelines and standards in this section are primarily concerned with designing and programming street-level uses appropriate to the type of street the project fronts, in order to properly serve, engage with and relate to the primary use of the street.

2.1.4 Parking and Access

Design Intent:

Locate parking, loading and vehicular circulation to minimize its visibility.

Locate drop-off zones along the curb or within parking facilities to promote sidewalk/street wall continuity and reduce conflicts with pedestrians.

Encourage the use of alternate modes of transportation by providing incentives for reduced automobile use.

Limit the number and width of curb cuts and vehicular entries to promote street wall continuity and reduce conflicts with pedestrians.

Alleys - Maintain and enhance alleys

- *Use alleys primarily for vehicular access, loading and service.*

- *Provide access to utilities and mechanical equipment from alleys*

- *Ensure that residents are not adversely affected by the use of alleys for parking access, service and loading.*

- *Design building walls that face alleys to be attractive to those who see them.*

The Parking Location section includes standards and guidelines to disguise parking structures by lining them with habitable space, minimizing driveways, integrating the parking into the design of the building façade, limiting above-grade structures to 3 levels and prohibiting drive-through aisles.

The Parking Location section also addresses drop-off locations.

To encourage transit alternatives, the standards and guidelines suggests a cap on parking, de-coupling parking from units, making excess parking spaces available for sharing with other projects and providing at least one secure bicycle parking space for every two units.

The standards and guidelines provide that vehicular access shall be from an alley or mid-block on an east-west street where feasible; curb cuts and parking/loading entries into buildings shall be limited to the minimum number required and the minimum width permitted; parking and loading access shall be shared where feasible; parking and loading access must be located a minimum of 25 feet from a primary building entrance, pedestrian paseo, or public outdoor gathering area. (This guideline shall not apply to a hotel porte cocheres.)

Where a vehicular exit from a parking structure is located within 5 feet of the back of sidewalk, a visual/audible alarm shall be installed to warn pedestrians and cyclists of exiting vehicles.

The standards and Guidelines address "no net loss" of alleys unless used for project access or a paseo is created as part of the project or a vacation will not result in an additional curb cut. Furthermore, project access must either be taken from an existing alley, or if not available, from a point along an east-west street. Finally, the standards and guidelines put a priority on locating electrical transformers off of an alley where one exists, and that no residential units be permitted on the ground floor adjacent to alleys.

2.1.5 Massing and Street Wall

Design Intent:

Design building massing to reinforce the street wall with well-scaled elements or structures that are sensitive to the neighborhood context.

Towers should be spaced to provide privacy, natural light and air, as well as to contribute to an attractive skyline.

Provide privacy and natural light and air for all residential units.

On Retail Streets, design building walls along the sidewalk (Street Walls) to define the street and to provide a comfortable scale for pedestrians.

Towers should have slender massing and sound proportions.

Tower forms should appear simple yet elegant, and add an endearing sculptural form to the skyline.

The Massing and Street Wall section includes guidelines and standards for building mass, street wall design and high-rise tower design and placement to achieve the section's goal that building massing should "reinforce the street wall with well-scaled elements or structures that are sensitive to the neighborhood context." The provisions primarily address the way new structures are designed in relation to the public street, but also include standards such as residential unit spacing minimum distances to provide privacy and natural light and air for units in residential buildings.

2.1.6 On-Site Open Space

Design Intent:

Provide publicly accessible open spaces that may be shared and that provide pedestrian linkages throughout Downtown.

Provide adequate open space to serve residents.

Establish a clear hierarchy of common open spaces distinguished by design and function to create an open, connective pedestrian realm conducive to both active and passive uses.

Incorporate amenities that facilitate outdoor activities such as standing, sitting, strolling, conversing, window-shopping and dining, including seating for comfort and landscaping for shade and aesthetics.

Use landscape elements to provide shade and other functional and aesthetic objectives.

Design open space areas so as to lend them the character of outdoor rooms contained by buildings.

The standards and guidelines under these goals regulate common (public) open spaces such as setbacks, paseos, courtyards and plazas, as well as private open spaces such as recreation rooms. The provisions encourage shared open spaces with connections between a project's open space and the public realm where appropriate. Guidelines for open space design, configuration, access, amenities and landscaping are included, including such details as "containment" of open areas, shade trees and outdoor seating.

2.1.7 Architectural Detail

Design Intent:

Variation in the horizontal plane of buildings shall provide visual interest and enrich the pedestrian experience, while adding to the quality and definition of the street wall.

Variation in the vertical plane of buildings shall clarify building uses and visually differentiate ground floor uses from core functions, and how the building "meets the sky".

Buildings shall aim for a "timeless design" and employ sustainable materials and careful detailing that have proven longevity.

Provide high-performance, well-detailed windows and doors that add to the depth and scale of the building's façade

Incorporate glazing that contributes to a warm, inviting environment.

Provide well-designed architectural and landscape lighting.

Balance the need for security doors and windows with the need to create an attractive, inviting environment.

Architecturally incorporate or arrange rooftop elements to screen equipment such as mechanical units, antennas, or satellite dishes.

Minimize glare upon adjacent properties and roadways.

These guidelines and standards address the design, materials and architectural details of buildings. They provide aesthetic guidance as well as functional. For example, there are provisions to help design integrate buildings with the streetscape, and to minimize impacts to neighboring uses, such as lighting, glare and exposed mechanical equipment.

2.1.8 Streetscape Improvements

This section identifies the responsibilities of public agencies, property owners and of developers in implementing the streetscape standards called for in the program, and the permit processes involved. It also provides several important guidelines and standards. For example, it encourages mid-block crosswalks on all blocks 550′ or longer (subject to approval by the Department of Transportation), and curb extensions at all corners and mid-block crossings, except on streets where the curb lanes is used as a peak-hour traffic lane.

The Streetscape Improvements section also regulates pavement patterns in specified areas, and provides standards for how street trees are installed, and street light design and placement.

2.1.9 Signage

This section regulates the look, placement and lighting of signs in the project area. The provisions supplement the citywide sign regulations in the Municipal Code and the Redevelopment Project Areas Downtown Signage Design for Development.

2.2 Downtown Street Standards

The Downtown Street Standards would update the Central City Community Plan street classifications based on a more comprehensive street hierarchy. The Downtown Street Standards consist of a series of street/sidewalk cross-sections, which are specific to each street or street segment, including one-way pair standards, rather than a single cross-section for all Major Highways, a single cross-section for all Secondary Highways, and a single cross-section for all Collectors, as currently exists. This work effort is consistent with the current practice among transportation planners to design for "complete streets" that are "context sensitive" and promote sustainable development for a revitalized Downtown.

The overarching purpose of the proposed Street Standards is to balance traffic flow with other equally important functions of the street, including pedestrian needs, public transit routes and stops, bicycle routes, historic districts with fixed building street walls, the public face and transitional "front yard" of businesses, pedestrian environments and linear open space considerations.

2.2.1 Criteria for Proposed Street Standards

These are general rules; it is anticipated that exceptions may be granted under appropriate circumstances ("Major" means Major Highway as used below).

1. Consistent roadway width / striping by street segment (typically by district), i.e., Civic Center / Bunker Hill / Historic Core-Financial District (south of First Street except Bunker Hill) / South Park (south of Olympic Boulevard), unless there is an overriding need, e.g, on Figueroa Street to provide freeway access.
2. Intersection flares only at Major to Major intersections.
3. Striping to preserve on-street parking with left turns at the intersections, except where a continuous turn lane is needed due to significant mid-block turn movements.
4. Accept slower speed (35 mph or less) lane widths as appropriate for most Downtown streets.

	35 mph or less	More than 35 mph	Existing Minimums
Curb Lanes	12'	13'	10'
Traffic Lanes	10'	11'	9-10'

Sidewalk widths vary based on street width and traffic adjacency as well as land use. Where additional width is required for a Retail Street, setbacks will be required (established by surface

easements for sidewalk/utility purposes and directed by the Downtown Design Guidelines). Where raised medians are provided on a Major, narrower sidewalks may be acceptable.

5. Standards works both ways, e.g., if new street standard is one-way secondary and roadway is currently wider than the standard, roadway narrowing should be triggered by the same actions that trigger roadway widening, e.g., discretionary approvals, or roadway should be narrowed by a capital improvement project.
6. Curb extensions at all mid-block crossings where there are parking-only curb lanes.
7. Curb extensions at all corners on streets with parking-only curb lanes where 1) no turn is permitted, e.g., against flow on one-way streets, or 2) turn volumes are low.
8. Curb radii: 25' standard.
9. Maximize curb-side parking: convert red curb to parking where appropriate.
10. Allow peak-period curbside parking where curb lane is at least 18' wide.
11. Bus stop curb extensions on far-side, transit-priority streets with parking-only curb lanes.
12. No bus pull-outs.
13. Preserve adequate lot depths to accommodate quality development. (In some locations dedications have resulted in parcels that are too shallow to accommodate well-designed development projects.)

2.2.2 Recommended Standards as Illustrated by Proposed Cross-Sections

The recommended Downtown Street Standards are modifications of the existing street designations (also known as classifications) and apply to the Downtown street segments illustrated in the proposed cross-sections. The primary distinction among the three street designations that occur Downtown is in a number of traffic lanes:

Major Class II:	Four full-time traffic lanes (2 in each direction for a two-way street; 4 in one direction for a one-way street) and 2 additional peak-period traffic lanes that displace off-peak parking.
Secondary:	Four full-time traffic lanes (2 in each direction for a two-way street; 4 in one direction for a one-way street) and full-time parking lanes.
Collector:	Two full-time traffic lanes (1 in each direction for a two-way street; 2 in one direction for a one-way street) and full-time parking lanes.

The draft Downtown Street Standards are illustrated by a series of cross-sections. The cross sections show the typical mid-block conditions and reflect the most constrained right-of-way within the block segment. Intersections are not shown. The cross-sections define the following:

- Width of right-of-way (ROW)
- Width of roadway (curb to curb)
- Width of sidewalk within ROW (The sidewalk width cannot be reduced, that is, the roadway cannot be widened at the expense of the sidewalk)
- Average width of sidewalk easement. In addition to the sidewalk in the ROW, on most street segments an additional sidewalk easement would be required. This easement would be treated as a physical extension of the sidewalk.

The cross-sections used for analysis purposes also note the location of "existing fixed buildings," i.e. historic structures or buildings over 4:1 floor-to-area ratio, and bicycle lanes/routes where proposed. The final cross sections will be illustrated with right-of-way, width of roadbed, width of sidewalk and average easement where required.

On most street segments the proposed standards would result in wider or redefined rights-of-way and wider sidewalks. Roadways (the portion of the right-of-way devoted to vehicle travel and parking) would be narrowed in some cases and widened in very limited segments; in a small subset of those instances, lanes and/or parking areas would be added, deleted or modified. Flow direction would generally remain the same, with one exception (Grand Avenue between Fifth Street and Interstate 10). In addition to existing and identified future bike routes within the study area (including First Street, Pico Boulevard, Olympic Boulevard, Hill Street, Sunset Boulevard and Broadway), the street standards propose up to two north-south and three east-west bike routes on Venice Boulevard, Second Street, Flower Street and potentially on Seventh and Third streets.

The proposed street standards would be accompanied by sidewalk improvement standards including:

- Granite or brick edge band.
- Pedestrian-scale street lights.
- Continuous landscaped parkway, where feasible.
- Large tree well (minimum 100 square feet).
- Small tree well (40 to 100 square feet) with structural soil under entire sidewalk.
- Tree planting in parkway or large tree well[2].
- Tree planting in small tree.
- Irrigation of parkways and tree wells.

2.2.3 Mitigation Tool Box for Private Developments

As an alternative to street widening and ordinary onsite parking requirements, individual projects that could result in a potentially significant traffic impact in The Next Downtown project area would be required to implement transportation demand management (TDM) mitigations from a list of measures addressing the following broad categories of transportation demand management:

[2] Note: Some sidewalks in downtown have basements underneath them making it infeasible to install parkways and large tree wells.

- TDM Monitoring.
- General Building Features, including measures to enhance access to pedestrian circulation and transit networks.
- On- and Off-Site Physical Streetscape Improvements, such as measures to enhance pedestrian circulation, public spaces and transit facilities as well as access to and between those components.
- TDM Measures Specific For Project Type (Commercial/Retail, Mixed Use, Residential etc.), including information, incentives and facilities designed to increase transit ridership, walking/biking, vehicle sharing and other forms of alternative transportation.

When evaluating potential mitigation measures, projects would be required to evaluate the implementation of TDM measures as the first priority. The list in the Toolbox is not intended to be exhaustive and applicants would be encouraged to suggest similar measures in order to achieve the desired trip reduction to the satisfaction of the Los Angeles Department of Transportation (LADOT). The Toolbox is contained in Section IV of the Transportation Analysis, Appendix B to this document.

3.0 PROJECT LOCATION AND ENVIRONMENTAL SETTING

The Downtown Street Standards and Urban Design Standards and Guidelines project would apply to approximately 1,800 acres or roughly 2.8 square miles. The project area comprises much of Downtown Los Angeles and is roughly triangular in shape, with three sides formed by the Hollywood Freeway (Interstate 101), Santa Monica (Interstate 10), Harbor (Interstate 110) freeways and San Pedro and Alameda Streets. The project area is within the General Plan's Central City Community Plan Area. Figure 1 shows the location of the City within the Southern California region and Figure 2 shows the project area boundaries.

The project area and surroundings are completely urbanized with infill opportunities. The area is mostly flat, rising gradually towards the north to a more abrupt rise into the southern edge of the Elysian Park Hills; Bunker Hill and much of the Civic Center are located on the southern edge of these hills. There are no significant watercourses or bodies of water in the project area, nor identified biological resources, habitat areas or extensive areas of native vegetation. The Los Angeles River runs in a north-south direction approximately one mile east of the project area. Figure 3 provides an aerial photograph of the project area and immediate surroundings.

The downtown area is the historic, political, social, governmental and economic center of the City of Los Angeles. The primary land uses in the project area are commercial (located throughout downtown, but concentrated in the financial core and along Broadway), institutional (mostly public facilities associated with the Civic Center and Convention Center) and industrial (concentrated mostly east of Main Street and south of Seventh Street. Residentially designated land is concentrated in Central City East, South Park and Little Tokyo, and accounts for a relatively small percentage of planned land uses in the project area. The generalized land uses as depicted in the Community Plan are shown in Figure 5.

The Central City Community Plan Area, where the Downtown Street and Urban Design Standards and Guidelines apply, is intensely urban in its quality. This is in contrast to much of the remainder of the City that has a more suburban quality to its development or neighborhoods. Since the 1950s, new development in the Central City has, until recent times, generally been dominated by commercial projects, including the high rise structures that have given the Central City an urban skyline. In the last several years, there has been a resurgence of residential development in Downtown. Much of this new development has taken the form of the conversion of existing, older commercial buildings into largely residential uses, pursuant to the City's "Adaptive Reuse Ordinance," adopted in 1999. A large number of adaptive reuse projects have been constructed with many more being planned.

The project area contains some of the most architecturally significant buildings in Southern California, including Disney Hall, Caltrans Headquarters, Library Tower, Nokia Theater, Staples Arena, City Hall and DWP, along with those found in the Broadway Historic Theater District and the former Spring Street Financial District. The downtown and its immediate surroundings also contain historic resources central to three main cultures, integral to the development of the city. Little Tokyo, Chinatown, and the Plaza/Olvera Street all have historic structures, which are regionally significant cultural landmarks.

Central City is the hub of the public transportation systems in Los Angeles County. The Los Angeles County Metropolitan Transit Authority (Metro), the largest provider of bus service and the operator of the Metro Rail system, operates an extensive system of bus and rail lines to and from downtown Los Angeles to other areas of Southern California. Other public transit agencies offer regional commuter bus service from Santa Monica, Orange County and numerous other outlying locations. In addition to buses, the Metro's subway and light rails cross the Central City to the hub at Union Station. Finally, the Southern California Regional Rail Authority operates Metrolink, which runs trains from Union Station to and from outlying regions of Southern California.

Central City is generally encircled by a "freeway ring" formed by the Harbor Freeway (Interstate 110) to the west, the Hollywood Freeway (US Highway 101) to the north, the Santa Ana Freeway (Interstate 5) to the east, and the Santa Monica Freeway (Interstate 10) to the south. The Downtown roadway system is basically a grid network of streets, which has remained virtually unchanged for decades. The majority of the changes that have occurred on these streets have been to convert some segments into one-way operations. Several streets also serve a regional function by providing direct access to the adjacent freeway system. These include Hope Street, Grand Avenue, Broadway, and Spring Street in the north-south direction and Third Street, Fourth Street, Fifth Street, Sixth Street, Eighth Street, and Ninth Street in the east-west direction.

The purpose of the current one-way street configuration is to provide a gateway to freeway ramp entrances. Streets that have an east-west orientation were designated as one-way in order to provide entry and exit terminus from the Harbor Freeway (State Route 110). Although that was the original intent of one-way streets exiting the Harbor Freeway, the termination points of

these east-west streets differ at various points in Downtown, resulting in a lack of uniformity. In the north-south direction, there is even less consistency.

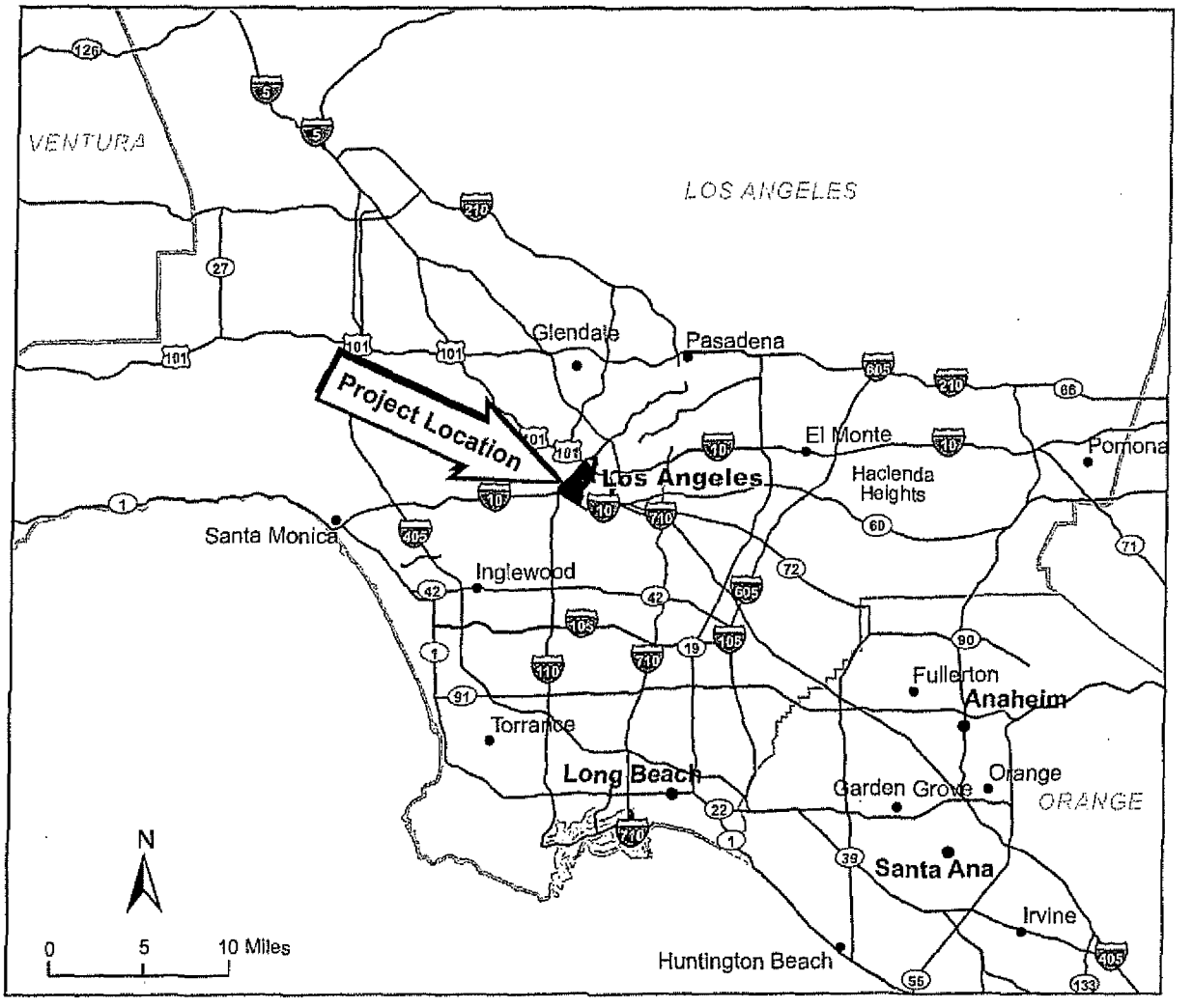
Virtually every downtown intersection is signalized. There are also many mid-block pedestrian crossing areas on the north-south streets, where the blocks are longer. These signals are coordinated as part of the City's Automated Traffic Surveillance and Control system known as ATSAC. A centralized management center controls traffic by responding to altered traffic conditions and major events.

On-street parking in the downtown area is highly regulated. Many blocks are restricted and do not allow parking at any time. Most curbside parking spaces are metered and parking restrictions vary from block to block.

Pedestrian circulation in downtown Los Angeles takes place for the most part during the weekday business hours with the heaviest volumes during the lunch hours. Most of the pedestrian movement occurs between Bunker Hill, the Financial Core, and the Historic Core, where daytime employment centers are located. The areas bounded by Broadway on the east, Figueroa Street on the west, Fourth Street on the north and Seventh Street to the south are the most active at this time.

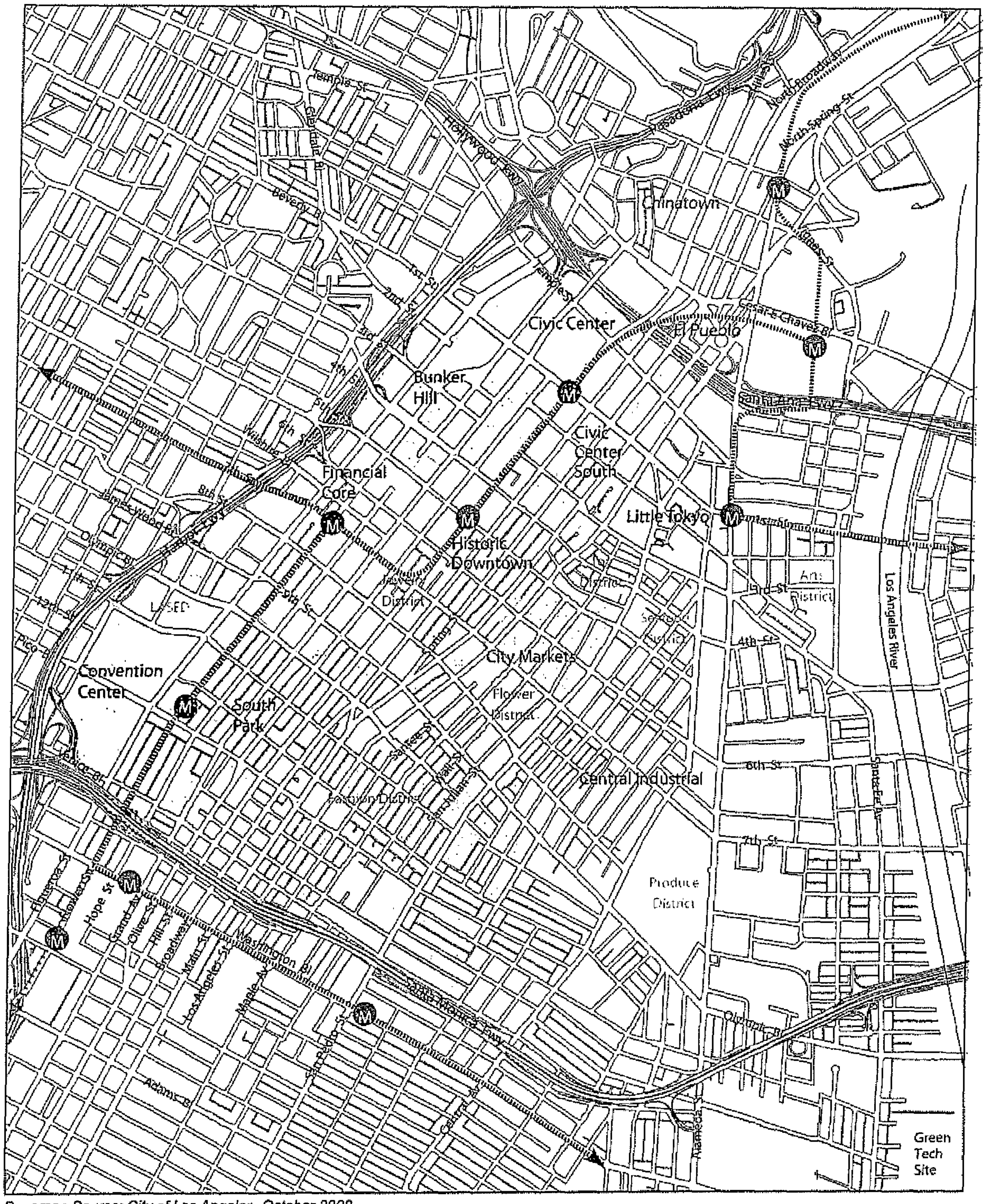
Surrounding Community Plans

The City's Westlake Community Plan area, which borders the project area to the west, includes a greater proportion of planned residential uses than the Central City area, in addition to planned commercial uses. The Central City North Community Plan area, which is dominated by planned industrial land uses, borders the project area to the north and east. To the south, the Southeast Los Angeles Community Plan area supports a mix of industrial and residential land use designations.



Regional Location

Figure 1



Basemap Source: City of Los Angeles, October 2008.

Note: The Design Guide Applies to the Highlighted Districts

0 1200 2400 N
Scale in Feet

Project Boundaries

Figure 2

4.0 POTENTIALLY SIGNIFICANT EFFECTS CHECKLIST

EVALUATION OF ENVIRONMENTAL IMPACTS:

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources, a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained, where it is based on project-specific factors, as well as general standards (e.g., the project will not expose sensitive receptors to pollutants based on a project-specific screening analysis).

2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate, if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of a mitigation measure has reduced an effect from "Potentially Significant Impact" to "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how it reduces the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analysis," cross referenced).

5) Earlier analysis must be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR, or negative declaration. Section 15063 (c)(3)(D). In this case, a brief discussion should identify the following:

    a) Earlier Analysis Used. Identify and state where they are available for review.
    b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
    c) Mitigation Measures. For effects that are "Less Than Significant With Mitigation Measures Incorporated," describe the mitigation measures. which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated

7) Supporting Information Sources: A sources list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whichever format is selected.

9) The explanation of each issue should identify:

   a) The significance criteria or threshold, if any, used to evaluate each question; and
   b) The mitigation measure identified, if any, to reduce the impact to less than significant.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

☐ Aesthetics	☐ Agriculture Resources	☐ Air Quality
☐ Biological Resources	☐ Cultural Resources	☐ Geology/Soils
☐ Hazards & Hazardous Materials	☐ Hydrology/Water Quality	☐ Land Use/Planning
☐ Mineral Resources	☐ Noise	☐ Population/Housing
☐ Public Services	☐ Recreation	☐ Transportation/Traffic
☐ Utilities/Service Systems	☐ Mandatory Findings of Significance	

DETERMINATION:

On the basis of this initial evaluation:

☐ I find that the proposed project CAN BE SEEN WITH CERTAINTY THAT THERE IS NO POSSIBILITY that the project may have a significant effect on the environment, and a GENERAL EXEMPTION will be prepared.

☒ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Emily Gabel-Luddy

Emily Gabel-Luddy, FASLA
Urban Design Studio
Los Angeles Department of City Planning

11/18/08
Date

I. **AESTHETICS.** Would the project:	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
a. Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☒	☐
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☐	☒
d. Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

Documentation:

a. Neither the Transportation Element of the City's General Plan (Map E) nor the Central City identify any roads within the project area as scenic highways. The Community Plans do not discuss or identify specific scenic resources. Nevertheless, some views of the San Gabriel Mountains or City skyline features may be visible within the downtown area from specific viewpoints.

The proposed project would establish design guidelines and street standards to be applied to future projects carried out within Downtown Los Angeles. The project itself does not include any specific physical development. The proposed standards and guidelines would not change existing City regulations governing building heights, nor would it change allowed land uses or development intensity within the downtown area. It should also be noted that many of the future projects to which the proposed standards and guidelines would apply would require CEQA review, which would include an assessment of the projects' visual impacts. Furthermore, it could be the case that streetscape improvements would provide better framing of scenic vistas through provision of better foreground aesthetic conditions. Implementation of the standards and guidelines through future development projects would not represent a significant change in how future development would affect scenic vistas. Impacts would be less than significant.

b. Scenic resources including trees (mostly street trees and other landscape trees) and historic buildings are found throughout the Downtown area. However, the proposed project itself does not include any physical development that would affect these resources, and the standards and guidelines would not encourage tree removal, damage to historic structures or any increase in development intensity or distribution in the project area (please see Item V below for a discussion of project impacts to cultural resources including historic structures). In fact, the project is expected to result in the planting of additional street and landscape trees over time, and would implement

improved specifications for tree well design and hence tree longevity and viability. Impacts would be less than significant.

c. The proposed project would establish street standards and design standards and guidelines to be applied to future projects carried out within Downtown Los Angeles. The project itself does not include any specific physical development. The proposed standards and guidelines are intended to improve the urban environment of Downtown Los Angeles in an aesthetic, as well as a functional way. The primary expected changes to the visual quality of Downtown are improved urban design and architecture and more pleasant and visually appealing streetscapes. Project impacts would be beneficial. No adverse impact would result.

d. Future development approved within the Downtown area has the potential to create new sources of substantial light or glare that could adversely affect day or nighttime views. However, the proposed standards and guidelines themselves do not include any specific development, and do not encourage more lighting or glare-generating architectural features than are allowed under existing regulations. In fact, the proposed Design Guidelines include the following provisions to reduce lighting and glare impacts:

From Section 8.E: Exterior lighting shall be shielded to reduce glare and eliminate light being cast into the night sky.

From Section 8.F: Minimize glare upon adjacent properties and roadways:

- *Lighting (exterior building and landscape) shall be directed away from adjacent properties and roadways, and shielded as necessary. In particular, no light shall be directed at the window of a residential unit either within or adjacent to a project.*
- *Reflective materials or other sources of glare (like polished metal surfaces) shall be designed or screened to not impact views nor result in measurable heat gain upon surrounding windows either within or adjacent to a project.*
- *Other sources of glare, such as polished metal surfaces, shall be designed or screened to not impact views from surrounding windows.*

Impacts would be less than significant.

Further Study Required:

No further analysis is required regarding aesthetics.

II. **AGRICULTURE RESOURCES.** In determining whether *impacts to agricultural resources are significant* environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. *Would the project:*	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c. Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	☐	☐	☐	☒

Documentation:

a. - c. The project site is within the highly urbanized downtown area of the City of Los Angeles. Downtown Los Angeles does not contain any agricultural land, agriculturally zoned land, or land under Williamson Act contract. No impacts to agricultural resources would occur.

Further Study Required:

No further analysis is required regarding agriculture resources.

III. **AIR QUALITY.** Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. *Would the project:*	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
a. Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☒	☐
c. Result in a cumulatively considerable net increase of any criteria pollutant, for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for	☐	☐	☒	☐

ozone precursors)?

d.	Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
e.	Create objectionable odors affecting a substantial number of people?	☐	☐	☐	☒

Documentation:

a. Implementation of the project would not increase population levels or density in the Downtown area. As the project would not contribute to population growth in excess of that forecasted in the AQMP, no impact would occur.

b,c. No development is proposed as part of or would be facilitated by the project, and no increases in land use density, intensity or distribution are proposed. Thus, no impact is anticipated from new stationary sources of pollutants, such as generators or household uses (stoves, heaters, fireplaces etc). As no construction is proposed – streets and streetscapes would generally be improved project by project as they are currently, albeit to different specifications – impacts from construction emissions would not be increased.

As discussed in Section XV *Transportation/Traffic* below, traffic circulation would be somewhat altered by the implementation over time of the proposed street standards. Overall, implementation would result in a slight improvement in traffic congestion Downtown, while the volume of traffic entering or exiting Downtown Los Angeles would remain basically unchanged. Thus, overall air quality would be unaffected by project implementation. As further discussed in Section XV *Transportation/Traffic*, traffic congestion would be unchanged or improved at most roadway links in the project area, although some roadway links would experience a decrease in service levels.

The proposed project would establish street standards to be applied to future projects carried out within Downtown Los Angeles. The project itself does not include any specific physical development.

Finally, as truck routes would not change under the proposed new street standards, no air quality impacts related to diesel particulate emissions would be expected to occur.

d,e. Commercial and industrial uses of the type that would result in substantial pollutant concentrations or objectionable odors would not be facilitated by the proposed standards and guidelines. No changes in land use designations or allowed uses are proposed, and no development would be directly facilitated by the project. Impacts would be less than significant.

Further Study Required:

No further analysis is required regarding air quality.

IV. **BIOLOGICAL RESOURCES.** *Would the project:*	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☐	☒
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

Documentation:

a. - f. The proposed project is located in a highly urbanized area with no significant biological resources. In addition, no new development is proposed or would be facilitated under the proposed standards and guidelines; rather they would affect how street dedications and sidewalks would be constructed and the urban and architectural design features of new development. The project may have a slight beneficial impact for common native bird species that nest and roost in landscape trees, as the design guidelines may result in the planting of more and more robust street and landscape trees over time. No adverse impacts to biological resources are anticipated.

Further Study Required:

No further analysis is required regarding biological resources.

V. CULTURAL RESOURCES. *Would the project:*	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
a. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	☐	☐	☒	☐
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☐	☒	☐
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☒	☐
d. Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☒	☐

Documentation:

a. The highly urban project setting consists of a wide variety of land uses and building types, representing the historical development of the city from the 1880s through the 1950s. On the basis of identification efforts undertaken to date, a substantial number of properties within the plan area are known to be historically significant. The distribution of these properties is summarized in Table 1.

Table 1
Eligible Properties in the Central City Project Area

Area	Eligible Properties
City Center	1,983
CBD Amended	318
Bunker Hill	1
Little Tokyo	49

Source: Community Redevelopment Agency of Los Angeles, 2008.

Figures 6 through 9 illustrate the general location of these properties within the project area. These properties have been determined to be individually eligible or are presently listed on the National Register of Historic Places (NRHP), are eligible or listed as City of Los Angeles Historic-Cultural Landmarks, or are listed as contributors to the Downtown Historic Core or Little Tokyo historic districts. The largest concentration of resources is located within the City Center,

and in particular in the NRHP-listed district located primarily along Broadway and Spring Street, between Third Street and Olympic Boulevard.

Properties currently listed or determined eligible for listing should be presumed to be historic resources for purposes of CEQA. However, these lists of eligible properties should not by themselves be seen as establishing a comprehensive baseline of existing conditions for historic resources. Additional properties located within the area covered by the Design Guide, which are 50 years old or older and are not currently identified, may be eligible. Others which are not presently eligible may become eligible with the passage of time. Furthermore, properties less than 50 years old may be eligible for listing on the NRHP, if they can be regarded as "exceptional," as defined by the NRHP procedures, or in terms of the California Register of Historic Resources (Chapter 11, Title 14, §4842.d.2), "if it can be demonstrated that sufficient time has passed to understand its historical importance."

The proposed project involves regulatory and design changes and does not include any specific physical development. Nevertheless, some physical changes could be facilitated, as projects are built out under the proposed design guidelines for new construction and signage, and by the proposed streetscape improvements and public amenities. It should also be noted that the changes would be the result of incremental build out, as generally discretionary projects are processed, conditioned and built under the proposed standards and guidelines over time. The proposed standards would not facilitate nor encourage these projects, but would affect how street dedications and sidewalks would be constructed and the urban and architectural design features of new development. Projects that could affect historic resources would typically be subject to individual environmental review and would be subject to the City's existing policies and procedures, designed to evaluate and protect such resources. In addition, the proposed standards and guidelines include one policy statement that directly relates to the issue of construction projects involving historic resources:

> *Projects that preserve and rehabilitate historic structures must comply with the* Secretary of the Interior's Standards for Rehabilitation. *(p. 9)*

Projects in the Historic Downtown, where the highest concentration of listed and potentially eligible properties is located, must comply with the *Historic Downtown Los Angeles Design Guidelines* (July 2002) sponsored by the Los Angeles Conservancy as well as with the Design Guide. Where there is a conflict, the *Historic Downtown Los Angeles Design Guidelines* would take precedence (design guidelines Page 3). Thus the highest concentration of historic properties would be covered by this adopted plan which is primarily concerned with protection and enhancement of historic resources.

Among the design principals of the Urban Design Standards and Guidelines is the following (found on Page 7): "Respect historically significant districts and buildings, including massing and scale, and neighborhood context, while at the same time, encouraging innovative architectural design that expresses the identity of contemporary urban Los Angeles."

Finally, the Guidelines have numerous provisions to ensure that the requirements and standards do not come into conflict with the City's ongoing goals to protect and enhance historic resources. For example, the Sidewalks and Setbacks provisions include the stipulation that "Where tree wells and parkways would conflict with existing basements, underground vaults, historic paving materials, or other existing features that cannot be easily relocated, the tree well and parkway design shall be modified to eliminate such conflicts." The Retail Signage provisions require that "Historic buildings with ground floor retail shall have signs that do not obscure the architecture, but are integrated into the original or restored storefront elements." Similar provisions are included for signage, architectural treatments and other standards.

Because no construction or physical changes to existing buildings is proposed as part of the project; because of the strong protections and safeguards included in the proposed standards and guidelines; and because of the existing regulations and protections in place, including required CEQA review for projects with potential impacts to historic resources, adoption of the proposed Downtown Street Standards and Urban Design Standards and Guidelines would have a less than significant impact on historic resources.

b – d. Downtown Los Angeles is almost entirely urbanized. However, it is possible that archaeological resources, including prehistoric as well as 18th to 20th Century artifacts, survived the disturbance resulting from intensive urban development. All projects with the potential to affect archaeological resources would be subject to existing regulations and safeguards, including CEQA review. In addition, California Health and Safety Code Section 7050.5 et seq. require that if human remains are discovered the Coroner shall be contacted and an investigation undertaken. If the coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native American, he or she must contact the Native American Heritage Commission. Potential impacts to archaeological or paleontological resources associated with implementation of the proposed standards and guidelines would be less than significant.

Further Study Required:

No further analysis is required regarding cultural resources.

VI. **GEOLOGY AND SOILS.** *Would the project:*	Potentially Significant	Potentially Significant	Less than Significant	No Impact

	Impact	Unless Mitigated	Impact	
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	☐	☐	☐	☒
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map, issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☒
ii. Strong seismic ground shaking?	☐	☐	☐	☒
iii. Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒
iv. Landslides?	☐	☐	☐	☒
b. Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	☒
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☐	☒
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☐	☒
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems, where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒

Documentation:

a. i,ii,iii; and c. Los Angeles County, like most of Southern California, is a region of high seismic activity and is therefore subject to risk and hazards associated with earthquakes. Several active faults within the region are considered capable of affecting property within Downtown Los Angeles. There are no known major faults within the project area, but the Elysian Park Fault lies just north of downtown adjacent to the Los Angeles River.

The proposed standards and guidelines include regulatory changes that would guide how future projects are designed, the size and use of future required right-of-way dedications, and the width and design of future sidewalk and roadway improvements. No increases in land use density, intensity or distribution are proposed. No specific development is proposed and no development would be specifically facilitated by adoption of the project. Individual future development

projects, to which the proposed standards and guidelines would be applicable, would be subject to the requirements of the International Building Code and the California Building Code, which would ensure that the design and construction of new structures are engineered to withstand the expected ground acceleration, liquefaction or other hazards that may occur on-site. Because no new development is proposed or would be facilitated by the project, and due to required compliance with applicable building codes, no impacts related to seismic hazards are anticipated.

a) iv. Landslides are often triggered by earthquakes or torrential rainstorms. However, the potential for landslides within the project area are considered very low due to the built environment and the lack of sufficient slope throughout the vast majority of the project area. In addition, as noted throughout this document, no specific development is proposed as part of or would be facilitated by the project, and no increases in land use density, intensity or distribution are proposed. No landslide impacts are anticipated.

b. Erosion potential from site preparation for larger projects would be largely addressed through standard erosion control BMPs that are typically required during project construction; for example, projects with greater than one acre of ground disturbance require State Water Resources Control Board Storm Water Pollution Prevention Plans. In addition, no specific development is proposed as part of or would be facilitated by the project, and no increases in land use density, intensity or distribution are proposed. No impacts resulting from soil erosion or loss of topsoil are anticipated.

d. No specific development is proposed as part of or would be facilitated by the project, and no increases in land use density, intensity or distribution are proposed. In addition, compliance with California Building Code standards for safe construction generally ensures that no impacts related to expansive soils would occur.

e. All development in the project area is served by existing sewer systems, and future development is required to use the sewer systems for wastewater disposal. No impacts would occur related to septic capability.

Further Study Required:

No further analysis is required regarding geology and soils.

VII. **HAZARDS.** *Would the project:*	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
a. Create a significant hazard to the public or the environment through the routine transport, use, or	☐	☐	☐	☒

	disposal of hazardous materials?				
b.	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☐	☒
c.	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d.	Be located on a site, which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e.	For a project located within an airport land use plan or, where such plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
f.	For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
g.	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
h.	Expose people or structures to a significant risk of loss, injury or death involving wild land fires, including where wild lands are adjacent to urbanized areas or where residences are intermixed with wild lands?	☐	☐	☐	☒

Documentation:

a. – d. Individual future development projects to which the proposed standards and guidelines would be applicable may be located on or near sites that could raise concerns regarding hazardous materials use, contamination or other hazards. However, no increases in land use density, intensity or distribution are proposed as part of the standards and guidelines programs. No specific development is proposed and no development would be facilitated by adoption of the program. In addition, a number of existing state and federal laws and programs apply to hazards and hazardous materials and would apply to subsequent future individual development projects. These include the Resource Conservation and Recovery Act, California Fire Codes, Senate Bill 1082 (Facilities Subject to Corrective Action), Department of Heath Services regulations and Department of Housing regulations. Finally, Municipal Code Section 54.05 requires that a hazardous substance clearance report, including provisions for site remediation if warranted, be approved by the

County Health Department and recorded with the County for sale or transfer of any property, upon which there has been an unauthorized disposal or release of a hazardous substance.

e., f. The project area (Downtown Los Angeles) is approximately 18 miles northeast of the Los Angeles International (LAX), and approximately 16 miles south of Bob Hope Airport in Burbank. No safety hazard impacts would occur due to the distance from the airport, and the fact that no development or increases in land use density, intensity or distribution are proposed as part of the standards and guidelines.

g. The circulation network would remain essentially unchanged under the proposed street standards and urban design standards and guidelines. Access to and from existing structures and to and through the project area would remain essentially unchanged. Existing requirements for fire and other emergency access would continue to be applied to development, as it is proposed and reviewed. The minor changes to roadway widths and circulation (see Item XV, *Transportation/Traffic*, below, for more details) would not impede emergency access or evacuation.

h. The project area is highly urbanized and surrounded by similarly urban development, and is not near any wildlands or an urban/rural interface. No impacts would occur.

Further Study Required:

No further analysis is required regarding hazards and hazardous materials.

VIII. **HYDROLOGY AND WATER QUALITY.** *Would the project:*	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
a. Violate any water quality standards or waste discharge requirements?	☐	☐	☒	☐
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge, such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level, which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☒	☐
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner, which would result in substantial erosion or siltation, on- or off-site?	☐	☐	☒	☐
d. Substantially, alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially	☐	☐	☒	☐

	increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site?				
e.	Create or contribute runoff water, which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☒	☐
f.	Otherwise substantially degrade water quality?	☐	☐	☒	☐
g.	Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☒	☐
h.	Place within a 100-year flood hazard area structures, which would impede or redirect flood flows?	☐	☐	☒	☐
i.	Expose people or structures to a significant risk of loss, injury or death, involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☒	☐
j.	Inundation by seiche, tsunami, or mudflow?	☐	☐	☒	☐

Documentation:

a,c-f. As virtually the entire downtown area that would be affected by the proposed Street Standards and Design Guidelines is built out or paved, new development does not typically add substantial new areas of impervious surfaces. New development built subject to the proposed standards and guidelines would likely improve the quality and decrease the quantity of stormwater runoff, due to proposed requirements for enhanced landscaping and surface treatments, including the following from the Design Guidelines:

From Chapter 2, Section C:

- *Projects should include streetscape elements, including street trees and parkways that collect stormwater runoff, that contribute to sustainable Green Streets and enhance the value of the project.*
- *Projects should incorporate on-site landscape elements that reduce energy use and enhance livability.*
- *Projects should consider providing a green roof to reduce solar gain (which contributes to the urban heat island effect) and to reduce the quantity of water entering the storm drain system.*

From Chapter 3 sidewalk standards:

- *Provide continuous landscaped parkways, except in the Historic Downtown, adjacent to bus stops, or in other locations determined by staff to be inappropriate for parkways. The continuous landscaped parkways should be designed to collect*

and retain or treat runoff from, at a minimum, the sidewalk and, if approved by the Bureau of Engineering adjacent on-site, ground level open space during a storm event producing 3/4 inch of rainfall in a 24-hour period.

In addition, regulations under the federal Clean Water Act require that a NPDES general construction storm water permit be obtained for projects that would disturb greater than one acre during construction. Acquisition of a NPDES permit is dependent on the preparation of a Storm Water Pollution Prevention Plan (SWPPP) that contains BMPs to control the discharge of pollutants, including sediment, into the local surface water drainages. For project operation, the City's Stormwater and Urban Runoff Pollution Control regulations (Municipal Code Chapter VI Article 4.4) require measures to control stormwater pollutants, including implementation of practices from the "Development Best Management Practices Handbook" adopted by the Board of Public Works. The City's NPDES Permit requires new development and redevelopment projects to incorporate water quality measures. Depending on the type of project, either a Standard Urban Stormwater Mitigation Plan (SUSMP) or a Site Specific Mitigation Plan is required to reduce the quantity and improve the quality of rainfall runoff that leaves the site. Finally, it should be noted that much of the downtown area was developed in the absence of newer and more effective water quality and stormwater regulations that are now in effect; thus new development under the new design guidelines would likely improve water quality and drainage. Impacts would be less than significant.

b. No development is proposed as part of or would be facilitated by the project, and no increases in land use density, intensity or distribution are proposed. The project would not result in a measurable increase in the demand for water. Impacts would be less than significant.

g-i. No development is proposed as part of or would be facilitated by the project, and no increases in land use density, intensity or distribution are proposed. In addition, the entire project area is outside of the 100-year flood hazard zone and is designated as Zone C (minimal flooding). Impacts specific to the 100-year flood hazard would be less than significant.

j. No development is proposed as part of or would be facilitated by the project, and no increases in land use density, intensity or distribution are proposed. In addition, Downtown Los Angeles is located approximately 16 miles away from the Pacific Ocean (Santa Monica Pier) and is not located near bodies of water large enough for the potential for tsunami or seiche. Mudflow potential is unlikely due to the urban environment and the relatively flat slopes that exist in the project vicinity. Impacts would be less than significant.

Further Study Required:

No further analysis is required regarding hydrology and water quality.

IX. **LAND USE AND PLANNING.** *Would the project:*	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
a. Physically divide an established community?	☐	☐	☐	☒
b. Conflict with applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒

Documentation:

a. The proposed standards and guidelines include regulatory changes that would guide how future projects are designed, the size and use of future required right-of-way dedications, and the width and design of future sidewalk and roadway improvements in the downtown area. No changes in land use designations are proposed, and no major infrastructure or other projects or changes that would divide the downtown area are proposed or would be facilitated. No impact would occur.

b. The Downtown Street Standards and Urban Design Standards and Guidelines would refine and implement the Urban Design Chapter of the adopted Central City Community Plan through more detailed urban design standards and guidelines. Adoption of the proposed project would require amendments to the Urban Design Chapter and Street Classifications of the Central City Community Plan. Adoption of these amendments by the City Council would resolve any potential inconsistencies with these documents. The project would clarify, but not conflict with, applicable sections of the Los Angeles Municipal Code including sections 12.01 (Definitions), 12.21 (General Provisions), 12.22 (Exceptions), 12.37, 13.00 (Supplemental Use District), 16.03 (Site Plan Review), 17.00 (subdivisions) and 18.00 (parcel maps).

The proposed standards and guidelines include regulatory changes that would guide how future projects are designed, the size and use of future required right-of-way dedications, and the width and design of future sidewalk and roadway improvements. No increases in land use density, intensity or distribution are proposed. No specific development is proposed and no development would be specifically facilitated by adoption of the program. Implementation of the guidelines and standards through future buildout within the project area would be consistent

with the General Plan, Community Plan and Zoning Ordinance as amended by the program.

c. No habitat conservation plans or natural community conservation plans apply within the project area. No impact would occur.

Further Study Required:

No further analysis is required regarding land use and planning.

X. **MINERAL RESOURCES.** *Would the project:*	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

Documentation:

a. - b. There are no current or planned mineral resource extraction activities within the project area. No specific development is proposed as part, of or would be facilitated by, the project, and no increases in land use density, intensity or distribution are proposed. Therefore, no impacts to mineral resources would occur.

Further Study Required:

No further analysis is required regarding mineral resources.

XI. **NOISE.** *Would the project result in:*	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐
b. Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?	☐	☐	☒	☐
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐

e.	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒
f.	For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

Documentation:

Overview of Noise Measurement. Noise level (or volume) is typically measured in decibels (dB) using the A-weighted sound pressure level (dBA). The A-weighting scale is consistent with that of human hearing response, which is most sensitive to frequencies around 4,000 Hertz (about the highest note on a piano) and less sensitive to low frequencies (below 100 Hertz). In addition to the actual instantaneous measurement of sound levels, the duration of sound is important, since sounds that occur over a long period of time are more likely to be an annoyance or cause direct physical damage or environmental stress. One of the most frequently used noise metrics that considers duration as well as sound power level is the equivalent noise level (Leq). The Leq is defined as the steady A-weighted level that is equivalent to the same amount of energy as that contained in the actual time-varying levels over a period of time.

The time period in which noise occurs is also important, since noise that occurs at night tends to be more disturbing than that which occurs during the daytime. The Community Noise Equivalent Level (CNEL) was adopted by the State of California, and many communities use it as a means to measure daytime and nighttime noise exposure levels. The CNEL is equivalent to the weighted average of the hourly Leqs over a 24-hour period. The weighting includes an addition of 10 dB to nighttime (10 pm to 7 am) noise levels and 5 dB to evening (7 pm to 10 pm) noise levels to account for the greater amount of disturbance associated with noise during these time periods.

a-c) The proposed project would establish design guidelines and street standards to be applied to future projects carried out within the proposed Street Standards and Urban Design Standards and Guidelines project area. The project itself does not include any specific physical development.

Sensitive noise receptors within and adjacent to the proposed Street Standards and Urban Standards and Guidelines project area include residences, hospitals, schools, guest lodging, and libraries. Because commercial, manufacturing and industrial uses are not subject to impacts, such as sleep disturbance, these land uses have higher allowable noise standards. Noise sources within the project area include roadway traffic, rail activity and industrial activity. Major roadways in the area include, but are not limited to: Interstate 10; US Routes 101 and 110; Alameda Street, Grand Avenue, Olympic Boulevard, Cesar Chavez Avenue and Figueroa Street.

No development is proposed as part of or would be facilitated by the project, and no increases in land use density, intensity or distribution are proposed. As discussed in Section XV *Transportation/Traffic* below, traffic circulation would be somewhat altered by the implementation over time of the proposed street standards. Overall, implementation would result in a slight improvement in traffic congestion Downtown, while the volume of traffic entering or exiting Downtown Los Angeles would remain basically unchanged. Traffic congestion would be unchanged or improved at most roadway links in the project area, although some roadway links would experience a decrease in service levels. Localized impacts from traffic noise would be incrementally reduced at those roadway links, where service levels would be improved by the project. Where service levels would decrease, an incremental increase in traffic noise exposure would occur. However, traffic volumes would need to be nearly doubled, or speeds substantially increased, to result in a perceptible increase in traffic noise. As further discussed in Section XV *Transportation/Traffic*, traffic volumes would not increase on any roadway links enough to result in an audible increase in noise. As truck routes would not change under the proposed new street standards, no noise impacts related to truck traffic would be expected to occur.

Because the proposed project does not include any development proposals or entitlements, the establishment of the Street Standards and Urban Design Standards and Guidelines would not place sensitive receptors in areas, subject to noise that exceeds noise standards. However, as discussed in Section 2.1.4 of the *Project Description*, the proposed design guidelines specify that *"access to parking shall be from an alley where one exists or can be provided."* The potential increase in vehicular traffic in alleys could cause noise levels at residences facing alleys to exceed the City's noise thresholds.

Noise has different effects on alleys than it does on typical streets, due to the distance between building walls on either side of alleys. On a typical street, sidewalks, parallel parking spaces and 12 to 16 foot lanes place receptors fronting the roadway up 30 to 40 feet from the centerline of the street. Conversely, because roadways in alleys are typically 10 to 20 feet wide and usually do not have parallel parking or sidewalks, receptors fronting alleys could be as close as 10 linear feet from the centerline of the alley roadway. Furthermore, noise generated by traffic in an alley may be exacerbated by the "canyon effect" that occurs as a result of noise reflecting off of the buildings on either side of the alley. A project would normally have a significant impact on noise levels from project operations if the project causes the ambient noise level measured at the property line of affected uses to increase by 3 dBA in Community Noise Exposure Level (CNEL) to or within the "normally unacceptable" or "clearly unacceptable" category, or any 5 dBA or greater noise increase (see Table 2 below).

Table 2
Community Noise Exposure[a] Thresholds

Land Use	Normally Acceptable	Conditionally Acceptable	Normally Unacceptable	Clearly Unacceptable
Single Family, Duplex, Mobile Home	50-60	55-70	70-75	Above 75
Multi-Family Homes	50-65	60-70	70-75	Above 75

Notes:

[a] *Measured in dB, CNEL*

Normally Acceptable: Specified land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction without any special noise insulation requirements.

Conditionally Acceptable: New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features included in the design. Conventional construction, but with closed windows and fresh air supply systems or air conditioning will normally suffice.

Normally Unacceptable: New construction or development should generally be discouraged. If new construction or development does proceed, a detailed analysis of the noise reduction requirements must be made and needed noise insulation features included in the design.

Clearly Unacceptable: New construction or development should generally not be undertaken.

Source: City of Los Angeles, CEQA Thresholds Guide, 2006. Available online at http://www.lacity.org/ead/eadweb-aqd/thresholdsguide.htm

Traffic-generated noise is based on the number of average daily vehicle trips (ADT) in the vicinity of a receptor. Because city blocks throughout the project area comprise varying uses (some have more commercial or industrial uses, while others have more residential uses), the potential for increased traffic noise on sensitive receptors fronting alleys as a result of the proposed project would differ for each alley.

The Federal Highway Administration Traffic Noise Model (TNM®) version 2.5 was used to estimate the potential increase in traffic noise in alleys, as a result of the proposed design guideline encouraging the use of alleys to access parking. For the purpose of the TNM® analysis, it was assumed that, with implementation of the proposed design guidelines, there would be 240 ADT (approximately four trips per minute) in alleys within the project area during the daily peak hour of traffic. Of the 240 ADT, it was assumed that approximately 94% of the trips would be made by typical cars and pick-up trucks, 3% of the trips would be made by medium-duty trucks and 3% would be made by heavy-duty trucks. (It is assumed that the 240 ADT used in this analysis is a conservative approach, and that the ADT in most alleys would be less.) Most residential uses in the project area are located on the second floors of buildings or on higher floors. The proposed design guidelines specify that *"residential units are not permitted on the ground floor adjacent to alleys."* However, although ground floor residential uses in the project area are

considered uncommon and would not be permitted under the proposed guidelines, there may be existing residential uses within the project area that are located on the ground floor; for that reason, the TNM® analysis included receptors on the ground floors fronting alleys. Table 3 shows the results of the TNM® analysis.

Table 3
Estimated Exterior Peak Hour Noise Levels in Buildings Fronting Alleys*

Receptor Height	Peak Hour Noise Level (dBA)
Ground Floor	65.7
2nd Floor	64.7
3rd Floor	64.7
4th Floor	64.9
5th Floor	64.9

**For complete modeling results and assumptions, see TNM® tables in Appendix A.*

Source: Federal Highway Administration Traffic Noise Model (TNM®) version 2.5

As shown in Table 3, because the noise levels incrementally decrease as the distance from the alley increases, the estimated exterior noise levels for the second through fifth floors are within the upper range of the "normally acceptable" noise levels for multi-family housing, while the estimated noise levels for a receptor at ground-level is in the lower range of the "conditionally acceptable" noise levels for multi-family housing. In reality, however, noise levels could be higher or lower depending on the design of the alley, the number of traffic trips and other noise sources in the area. It should be noted that the majority of the project area is already built out, and the establishment of the proposed design guidelines would not cause all existing ingresses and egresses of parking areas to be relocated. Instead, the design guidelines would require new development (including redevelopment projects) to provide access to parking from alleys. Therefore, in areas where access to parking areas would remain the same, no substantial change in traffic noise would occur as a result of the proposed design guidelines. Again, however, because new development would be required to provide access to parking from alleys, the potential increase in traffic could cause noise levels at sensitive receptors fronting alleys to exceed the City's noise thresholds. This potential exposure is addressed in the guidelines on Page 23 as follows:

> *Ensure that residents are not adversely affected by the use of alleys for parking access, service and loading.*

Urban downtown environments typically experience higher ambient sound levels than, for example, suburban residential neighborhoods due to traffic on streets and alleys, street activity and commercial ground-floor uses.

- *Each home buyer in the Downtown shall sign a statement acknowledging that:*
  - *sound levels may be higher than in other locations due to traffic on streets and alleys, street activity and ground floor uses;*
  - *there will be additional development all around them, and*
  - *alleys will be used as the primary access to all parking in the downtown.*
- *Residential units shall not be located on the ground floor adjacent to alleys in order to reduce light, glare, and noise concerns.*
- *Residential units shall be designed to maintain interior sound levels, when windows are closed, at below 45 dB. Because the exterior sound level may exceed 60 dB, measures in addition to conventional construction are suggested to meet the interior standard, including:*
  - *Use of 1/4" laminated or double glazing in windows*
  - *Installation of rubberized asphalt in the alleys.*

These standards would ensure that acceptable noise levels would be achieved in residential units adjacent to alleys. Impacts would be less than significant.

d) The proposed Street Standards and Urban Design Standards and Guidelines project does not involve any development proposals or entitlements. Therefore, no impact related to temporary construction noise would occur.

e, f) The project area (Downtown Los Angeles) is approximately 18 miles northeast of the Los Angeles International (LAX), and approximately 16 miles south of Bob Hope Airport in Burbank. The project involves the establishment of Street and Urban Design Guidelines and Standards and does not include the development of housing or any other structures. Therefore, the project would not expose people to excessive noise levels associated with airport operations.

Further Study Required:

No further analysis is required regarding noise impacts.

XII. **POPULATION AND HOUSING.** *Would the project:*	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☒
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

Documentation:

a. – c. No specific development is proposed as part of or would be facilitated by the project, and no increases in land use density, intensity or distribution are proposed. No housing is proposed for construction or removal, and no population-inducing development or regulations are proposed. Therefore, no population and housing impacts would occur.

Further Study Required:

No further analysis is required regarding population and housing.

XIII. PUBLIC SERVICES.	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
a. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	☐	☐	☐	☒
Fire protection?	☐	☐	☐	☒
Police protection?	☐	☐	☐	☒
Schools?	☐	☐	☐	☒
Parks?	☐	☐	☐	☒
Other public facilities?	☐	☐	☐	☒

Documentation:

a. Because no development is proposed as part of or would be facilitated by the project, and no increases in land use density, intensity or distribution are proposed, the Design Guidelines and Street Standards would not increase the demand for fire or police protection services; schools; parks or other public services. No new facilities would be required and no alterations to existing facilities would result from adoption of the proposed program. In fact, implementation of the policies and standards contained in Chapter 4 of the proposed Design Guidelines (and their implementing measures) may result in a

beneficial impact to public safety, which could decrease the demand for police protection services:

- *Design ground floor space on designated Retail Streets for retail or other active uses, orienting tenant spaces to the street and maximizing storefronts and entries along the sidewalks to sustain street level interest and promote pedestrian traffic.*
- *Design ground floor space facing other streets to accommodate habitable space and to avoid blank walls and visible parking.*
- *Orient buildings to the street to promote the sidewalk activity.*
- *Incorporate a pedestrian-oriented scale at the street level.*

These goals, which would be implemented over time as projects are built pursuant to the guidelines, would increase "eyes on the street" and street activity. These urban design factors may have a positive influence on social behaviors, and could result in a decrease in some forms of crime or vandalism.

No adverse impacts related to public services or public services facilities would occur.

Further Study Required:

No further analysis is required regarding public services.

XIV. RECREATION.	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities, such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	☐	☐	☐	☒

Documentation:

a. - b. No specific development is proposed as part of or would be facilitated by the project, and no increases in land use density, intensity or distribution are proposed. No housing or other uses are proposed or would be facilitated that would result in increased demand for recreational facilities, and no population-inducing development or regulations are proposed. The proposed street standards

include an increase in the number of bicycle lanes, and the proposed design guidelines include enhanced requirements for open space for development projects; these provisions may have an incrementally beneficial impact on recreational opportunities in the Downtown area. No adverse impacts related to recreation would occur.

Further Study Required:

No further analysis is required regarding recreation.

XV. **TRANSPORTATION/TRAFFIC.** *Would the project:*	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
a. Cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	☐	☐	☒	☐
b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	☐	☐	☒	☐
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☒
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
e. Result in inadequate emergency access?	☐	☐	☒	☐
f. Result in inadequate parking capacity?	☐	☐	☒	☐
g. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	☐	☐	☐	☒

Documentation:

a,b This subsection is based partially on information provided in a Transportation Analysis conducted for the project by Iteris, Inc. (September, 2008), included in Appendix B to this Initial Study. This discussion analyzes the potential traffic and circulation impacts of the proposed new Street Standards. (Implementation of the proposed Urban Design Guidelines, which would not change the land use designations or facilitate additional development or density in the project area, would not be expected to affect traffic or circulation.)

The area studied in the Transportation Analysis is bounded by US-101 (northern boundary), I-10 (southern boundary), I-110 (western boundary) and Los Angeles Street (eastern boundary). The Transportation Analysis assessed how the modifications to street standards would affect traffic operations within this defined area. The new street standards would not result in changes to traffic conditions outside of this area.

The study Transportation Analysis studied existing (2008) conditions, 2030 conditions with and without the new street standards, and also, for informational purposes only, 2030 with additional transit expansion and 2030 with additional rail transit expansion and travel demand management scenarios. The purpose of choosing these particular study years was to measure the current traffic volumes and conditions and anticipate how future growth would affect future conditions.

The City of Los Angeles maintains a cordon count technique to measure traffic flows entering and exiting a ring, which surrounds the Downtown core area. The cordon count provides data on the number of persons and vehicles entering and leaving downtown Los Angeles. The downtown Los Angeles cordon is bounded by Temple Street, Los Angeles Street, Pico Boulevard, and Figueroa Street. As discussed in detail in the Transportation Analysis, there is a projected decrease in overall volume when comparing the 2030 With New Street Standards conditions to the 2030 Without New Street Standards scenario. The net change in volume would be negative 1.9 percent. This small projected decrease in total cordon volume between 2030 Without New Street Standards and 2030 With New Street Standards indicates that the changes in the street system due to the new street standards would not significantly change the volume of traffic entering or exiting Downtown Los Angeles. Therefore, and because no development, changes in land use or increases in allowed land use intensity are proposed as part of the new street standards, project implementation would not increase traffic volumes within or outside of the project area.

Future conditions with and without the new standards were analyzed to determine the effect of the change in six different traffic indicators: cordon traffic volumes, link level of service, vehicle miles traveled, vehicle hours traveled, average speed, and weighted volume to capacity ratio. The threshold of significance established to determine significant impacts due to the proposed New Streets Standards followed the procedures established in DOT's Traffic Impact Study Guidelines and in Metro's Congestion Management Program. A level of service (LOS) analysis was completed that compared the weighted system-wide traffic volume to traffic capacity (V/C) ratio between 2030 without new street standards and 2030 with new street standards. Since the new street standards would result in changes to roadway capacity and traffic patterns, the weighted V/C ratio for all links in the study area was used to indicate if the new street standards cause significant impacts on future roadway conditions.

Notwithstanding the fact that no new traffic would be generated by the project, the proposed new Street Standards would result in an increased or decreased capacity on certain street links. Changes in the traffic volume on a particular link may indicate a redistribution of traffic due to a change in street standards, for example those standards that would result in an alteration in the number of travel lanes as the program is implemented over time.

The proposed new Street Standards include the following changes to roadway configurations (number and type of lanes) relative to existing conditions, which are also shown in Figure 8 of the Transportation Analysis (Appendix B):

North/South Streets

San Pedro Street: With the addition of a bicycle lane, one peak-period lane in each direction is eliminated relative to existing conditions. Under existing conditions, the roadway link has two full-time and one peak-period lane in each direction. Under proposed New Street Standards, the roadway would have two full-time lanes in each direction with no peak-period lane.

Broadway: A continuous left-turn lane is proposed to be added from Pico Boulevard to the I-10 Freeway. Existing lane configurations would remain.

Grand Avenue: Conversion of the link between Fourth Street and Seventh Street from one-way to two-way operations with two through lanes in each direction.

Hope Street: A continuous left-turn lane is proposed to be added from Olympic Boulevard to Pico Boulevard.

Figueroa Street: Addition of one lane from Sixth Street to Olympic Boulevard, creating six northbound lanes.

East/West Streets

Second Street: Includes the addition of a bicycle lane and the elimination of one lane in each direction. From Figueroa Street to Alameda Street, the cross section will be one full-time lane in each direction with a continuous left-turn lane. It should be noted that the Metro study of the Downtown Regional Connector is considering an alternative that would operate LRT trains at-grade on Second Street displacing auto traffic. The lanes on Second Street have not been evaluated in this report, since it is not part of the proposed New Street Standards

Sixth Street: One additional full-time eastbound through lane from Maple Street to San Pedro Street.

Seventh Street: Option Two includes elimination of one eastbound lane from Figueroa Street to San Pedro Street.

Ninth Street: One additional full-time eastbound through lane from Main Street to Santee Street.

Pico Boulevard: Eliminate of one full-time through lane in each direction and the addition of a continuous left-turn lane from Figueroa Street to Flower Street. Conversion of the peak-period through lanes to full-time lanes in each direction and the addition of a continuous left-turn lane from Flower Street to Main Street.

Traffic volume-to-capacity (V/C) ratios are indicators of the street's ability to handle traffic demand. An overall V/C ratio for the study area, weighted by roadway link volume, was calculated in the Transportation Analysis for each scenario studied. The results of this analysis, as discussed in detail in the Transportation Analysis, reveal that some roadway links may experience a decrease in the V/C ratio, while some would experience an increase, but that in the 2030 with New Street Standards scenario fewer roadway links would operate at LOS E or worse than in the 2030 Without Project scenario. In addition, the overall weighted V/C ratio would decrease from 0.81 to 0.80, indicating that as a result of the new street standards Downtown street capacity would be about one percent less utilized in comparison to 2030 Without New Street Standards, which would be an improvement over existing conditions. It should also be noted that future development projects would be subject to individual review for potential traffic impacts and those impacts would be addressed on a case-by-case basis.

Finally, a "Mitigation Toolbox" for future development is proposed as part of the overall Downtown Street Standards and Urban Design Standards and Guidelines project. The Toolbox appears in Section IV of the Transportation Analysis. The toolbox would provide that Transportation Demand Management measures be applied to future projects in addition to or, where possible, instead of street widening. The Toolbox would improve the overall suite of options available to the City to mitigate the traffic and parking impacts of future projects.

In summary, implementation of the proposed Street Standards would not result in increased traffic volumes; would result in an overall improvement in traffic volume to traffic capacity ratios; and would result in a reduction in the number of roadway links operating at LOS E or worse. Impacts related to traffic generation and congestion would therefore be less than significant.

c. No development is proposed or would be facilitated under the street standards and design guidelines that would result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks. Building heights would not be increased, nor would

buildout under the standards and guidelines increase airport traffic levels. Impacts would be less than significant.

d. No sharp curves, dangerous intersections or other hazardous traffic or intersection configurations are proposed or would be facilitated by implementation of the project. Major changes in road engineering, alignment or intersection controls that could affect traffic safety are not proposed. Although some changes to roadway widths and travel lane configurations are proposed, they would not result in dangerous conditions. Farm equipment and other incompatible vehicular or transportation uses are not common in the project area and would not be introduced or facilitated by the project. Impacts would be less than significant

e. Implementation of the proposed project would improve overall circulation in the Downtown area, which could improve emergency access to some parts of the project area. No existing access would be eliminated or impeded. Impacts would be less than significant.

f. The following streets would be altered under the new street standards: First Street, Second Street, Third Street, Fourth Street, Fifth Street, Sixth Street, Wilshire Boulevard, Seventh Street, Eighth Street, Ninth Street, Olympic Boulevard, 11th Street, 12th Street, Pico Boulevard, 14th Street, Los Angeles Street, Main Street, Spring Street, Broadway, Hill Street, Olive Street, Grand Avenue, Hope Street, Flower Street, Figueroa Street, Temple Street, and Venice Boulevard.

Table 11 displays the additional parking spaces that will result from the new Downtown Street Standards. Table 4 displays the parking spaces that will be removed as a result of the new Downtown Street Standards.

Table 4: Parking Spaces Added

Street Name/Direction	Number of Spaces Added
Main Street	69
Broadway	11
Grand Avenue	15
Hope Street	36
Flower Street (without bicycle lanes)	22
Flower Street (with Bicycle lanes–preferred)	84
Figueroa Street (without bicycle lanes)	21
Third Street	20
Fifth Street	41
Wilshire Boulevard	5
Seventh Street (without bicycle lanes)	15

Seventh Street (with bicycle lanes)	25
Eighth Street	14
11th Street	6
Pico Boulevard	3
Venice Boulevard	107
Total Number of Spaces Added	**494**

Table 5: Parking Spaces Removed

Street Name/Direction	Number of Spaces Removed
Figueroa Street (proposed)	47
Figueroa Street (with bicycle lanes–preferred alternative)	48
Second Street (with bicycle lanes)	46
Sixth Street	3
Eighth Street	4
Olympic Boulevard	7
Total Number of Spaces Removed	**155**

As illustrated in tables 4 and 5, implementation of the proposed project would not result in an adverse impact on the availability of parking in the downtown area. Table 4 indicates an addition of 494 parking spaces. Table 5 indicates a removal of 155 curbside parking spaces. The result of the implementation of the proposed downtown street standards is actually a net gain of 339 parking spaces. Impacts would be less than significant.

g. The proposed new street standards and urban design guidelines are intended to facilitate alternative transportation in the Downtown area and citywide by extension. For example, new bike lanes are proposed as part of the street standards, and a more walkable urban environment would be gradually achieved through implementation of the street standards and design guidelines. The project would not conflict with adopted policies, plans, or programs supporting alternative transportation.

Further Study Required:

No further analysis is required regarding transportation and traffic.

XVI. **UTILITIES AND SERVICE SYSTEMS.** *Would the project:*	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☒	☐

b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒	☐
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒	☐
d. Have sufficient water supplies, available to serve the project from existing entitlements and resources, or are new and expanded entitlements needed?	☐	☐	☐	☒
e. Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☒	☐
g. Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☒	☐

Documentation:

a,b,d,e. No development is proposed as part of or would be facilitated by the project, and no increases in land use density, intensity or distribution are proposed. The project would not result in a measurable increase in the demand for water, nor in an increase in wastewater generation. No new or expanded facilities are proposed or would be required in order to implement the proposed Street Standards and Design Guidelines. Impacts would be less than significant.

c. As virtually the entire downtown area that would be affected by the proposed Street Standards and Design Guidelines is built out or paved, new development does not typically add substantial new areas of impervious surfaces. No new development or increases in potential development are proposed, and no wastewater facilities are proposed for alteration or expansion. New development built subject to the proposed standards and guidelines would likely decrease the quantity of stormwater runoff, due to proposed requirements for enhanced landscaping and surface treatments. Impacts would be less than significant.

f,g. No development is proposed as part of or would be facilitated by the project, and no increases in land use density or intensity are proposed. The project would not result in a measurable increase in solid waste generation. Impacts would be less than significant.

Further Study Required:

No further analysis is required regarding utilities and service systems.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE.	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☒	☐
b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	☐	☐	☒	☐
c. Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

Documentation:

a. As discussed in Section IV, Biological Resources, the proposed project does not have the potential to substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, eliminate a plant or animal community or reduce the number or restrict the range of a rare or endangered plant or animal. As discussed in Section V, Cultural Resources, impacts to the cultural resources within the project area would be less than significant with the proposed mitigation measures. Thus, the adoption of the proposed Street Standards and Design Guidelines would have no impact on biological resources and less than significant impacts to cultural resources.

b. Adoption of the proposed Street Standards and Design Guidelines would not entitle any projects or include any development proposals. CEQA environmental review would be required for individual future projects within the downtown area that have the potential to result in significant impacts. In addition, the impacts analyzed in this document would result from cumulative development in the downtown area under the proposed program, thus taking cumulative effects into account. Cumulative impacts would be less than significant with incorporation of the proposed mitigation measures.

c. As discussed in Section III, Air Quality; Section VI, Geology and Soils; Section VII, Hazards and Hazardous Materials; Section VIII, Hydrology and Water Quality; Section XL, Noise; and Section XV, Transportation and Traffic, the proposed project would create environmental effects that are considered to be less than significant to human beings with the incorporation of the proposed mitigation measures. Impacts would be less than significant.

References

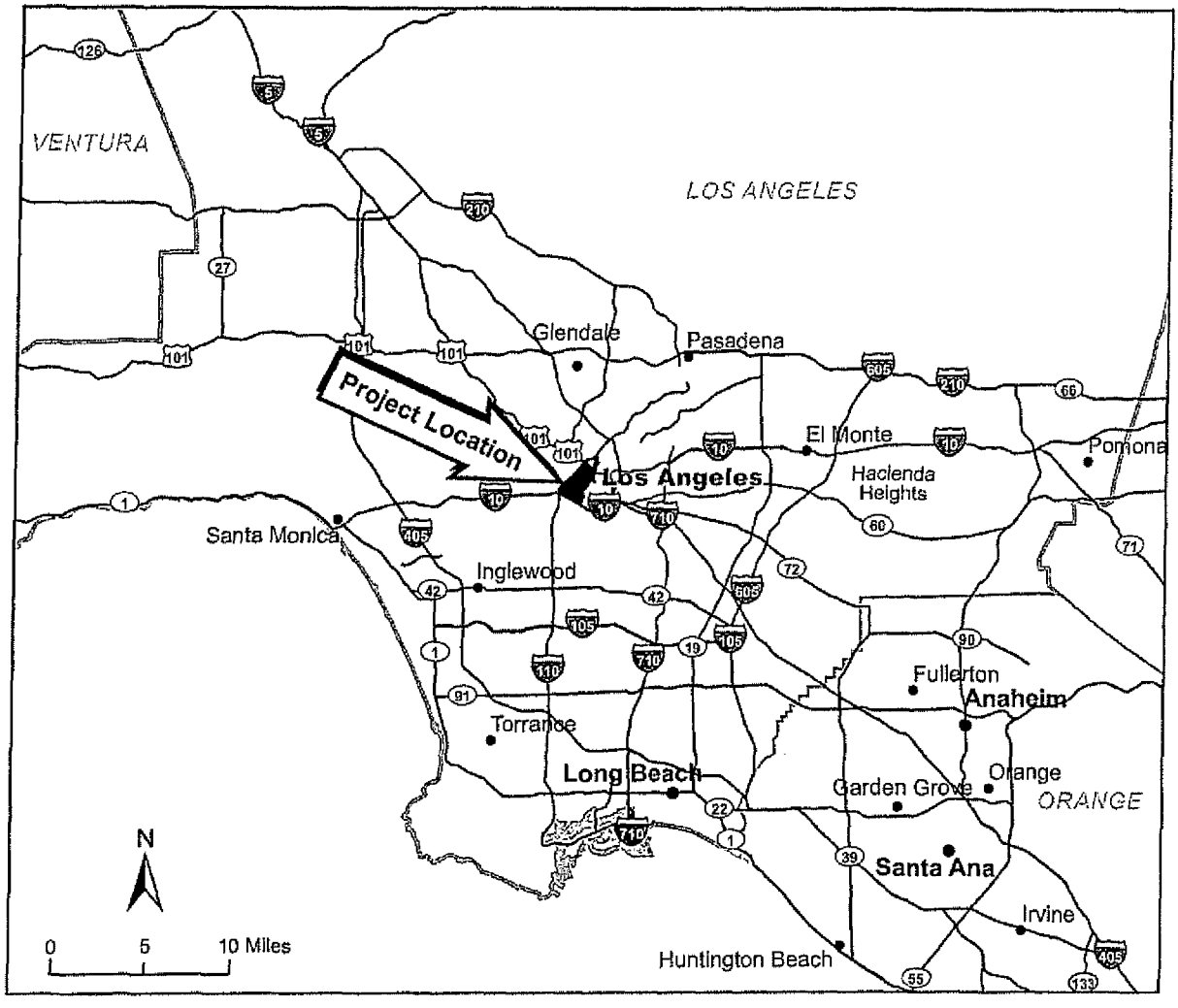
Los Angeles, City of. *Central City Community General Plan/Zoning Consistency Program Draft Environmental Impact Report*, April 1987.

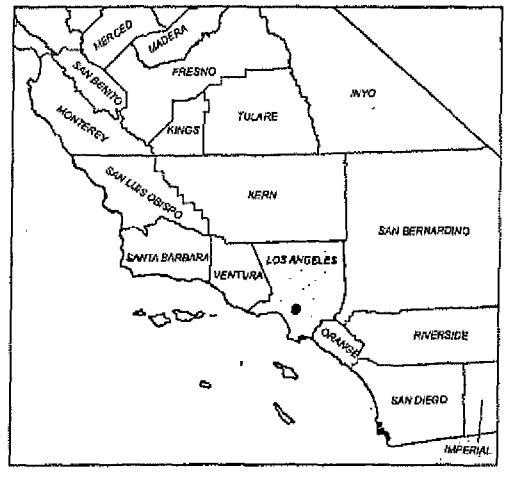
Los Angeles, City of. *Central City Community Plan.*

Los Angeles, City of. *Central City North Community Plan*, updated December 2000.

Los Angeles, City of. *LA Lofts Chinatown Project Draft Environmental Impact Report*, June 2006.

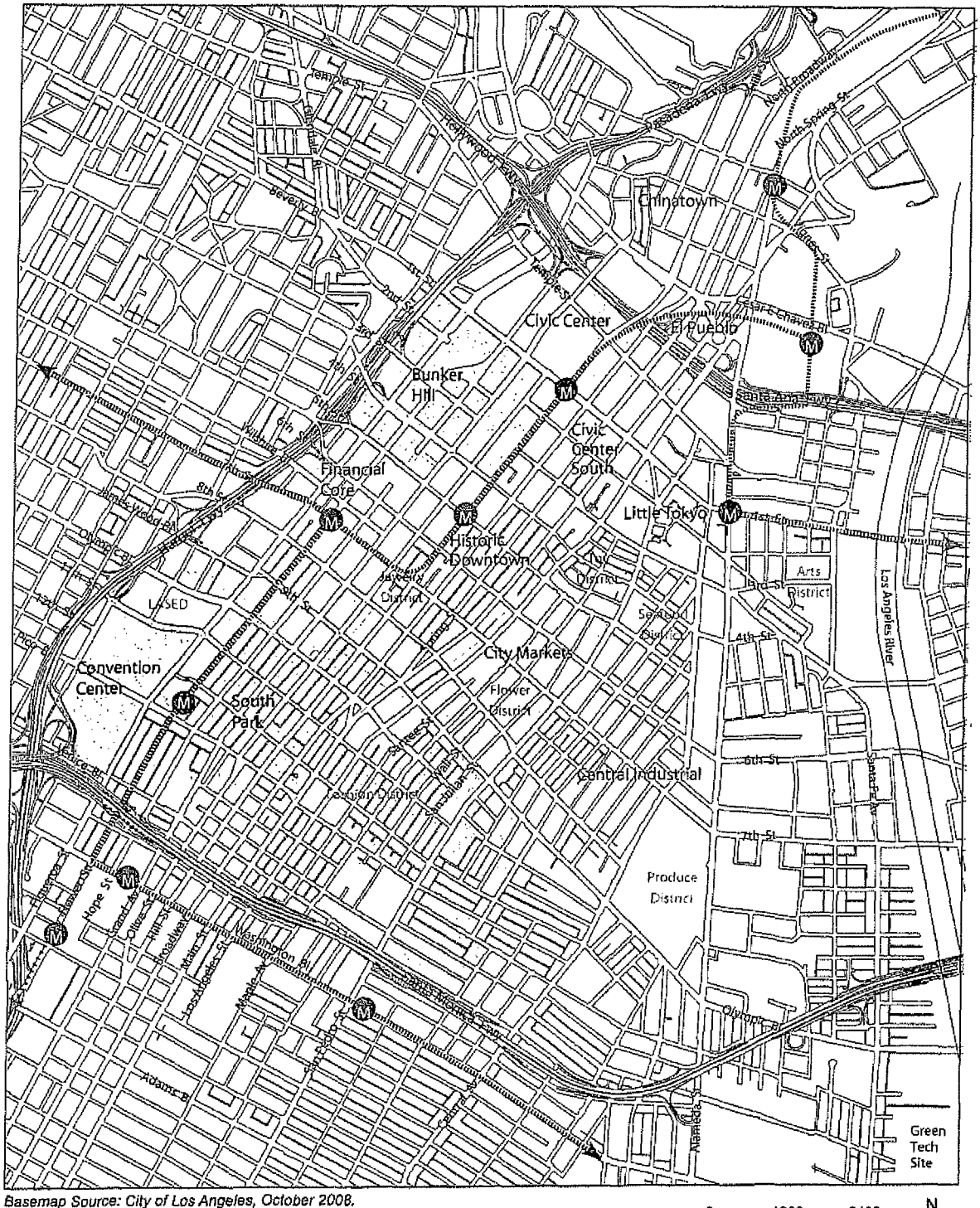
Los Angeles, City of. Navigate LA Website (http://navigatela.lacity.org/index.cfm). Accessed March and April, 2008.





Regional Location

Figure 1



Basemap Source: City of Los Angeles, October 2008.

Note: The Design Guide Applies to the Highlighted Districts

Project Boundaries

Figure 2

Image Source: Google Earth Pro, 2008

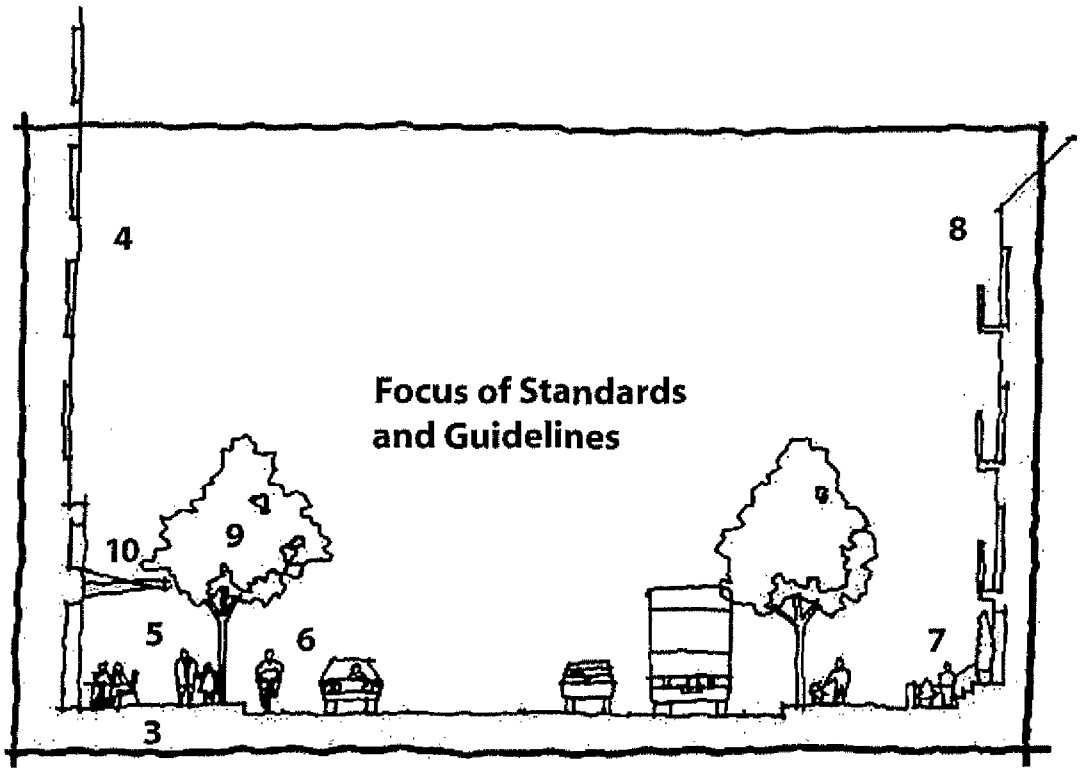
Note: The Los Angeles Sports and Entertainment district is excluded from the project boundaries.

N

0 1100 2200

Scale in Feet

Aerial Image of Project and Surrounding Areas **Figure 3**



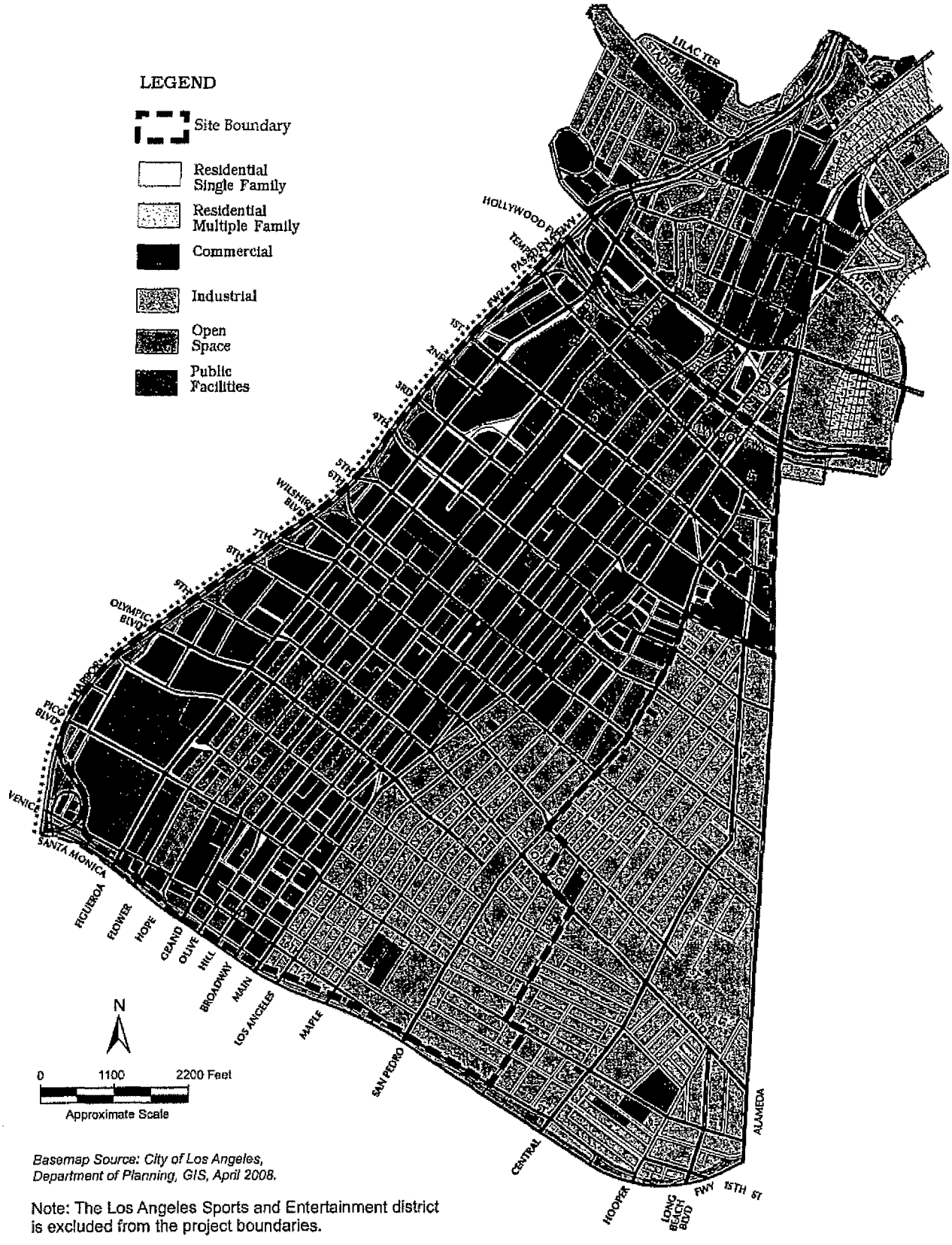
Drawing Source: City of Los Angeles, October 2007.

LEGEND

3	Sidewalks & Setbacks
4	Massing & Street Wall
5	Ground Floor Treatment
6	Parking & Access
7	On-Site Open Space
8	Architectural Detail
9	Streetscape Improvements
10	Signage

Focus of Proposed Urban Design Guidelines

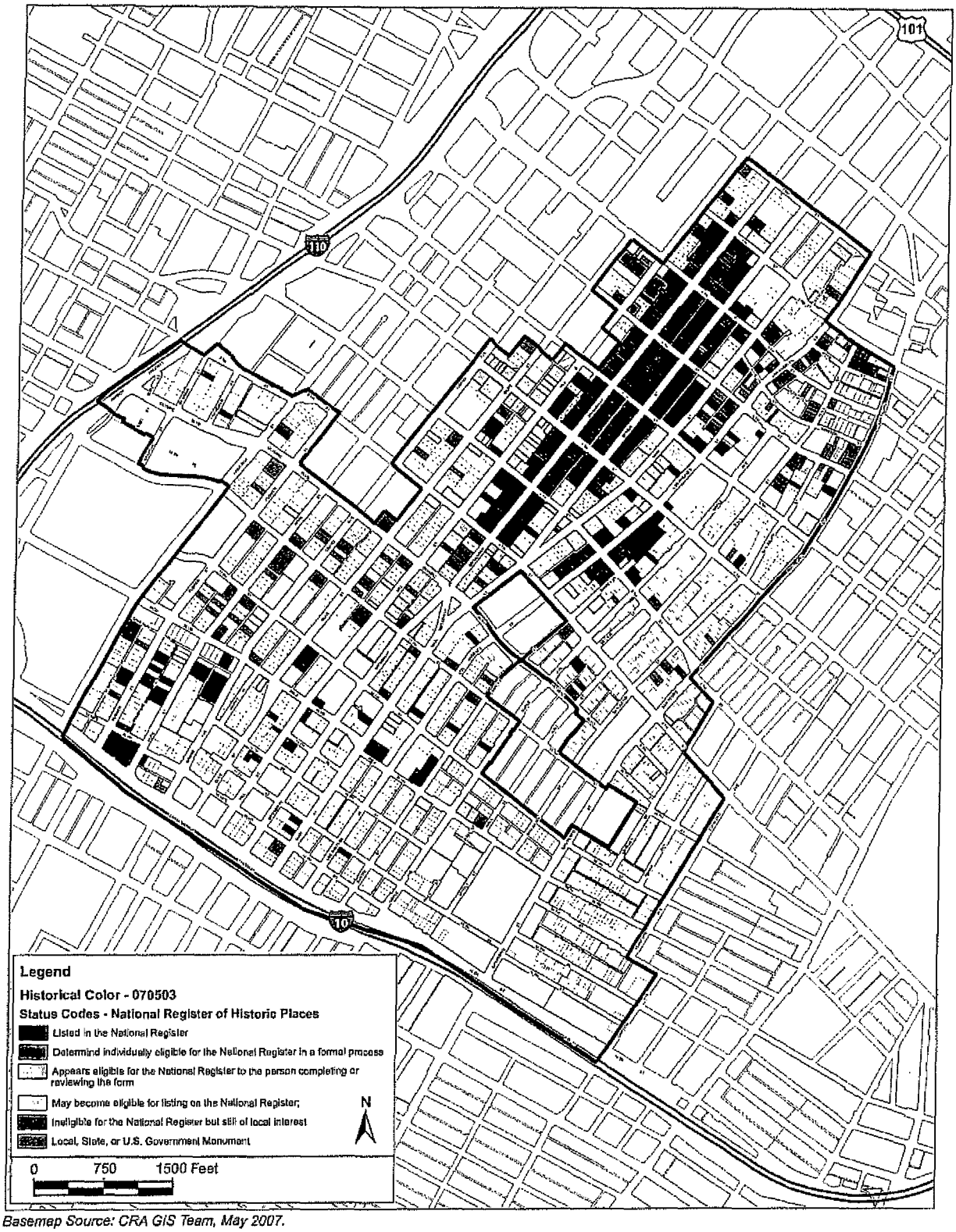
Figure 4



Basemap Source: City of Los Angeles, Department of Planning, GIS, April 2008.

Note: The Los Angeles Sports and Entertainment district is excluded from the project boundaries.

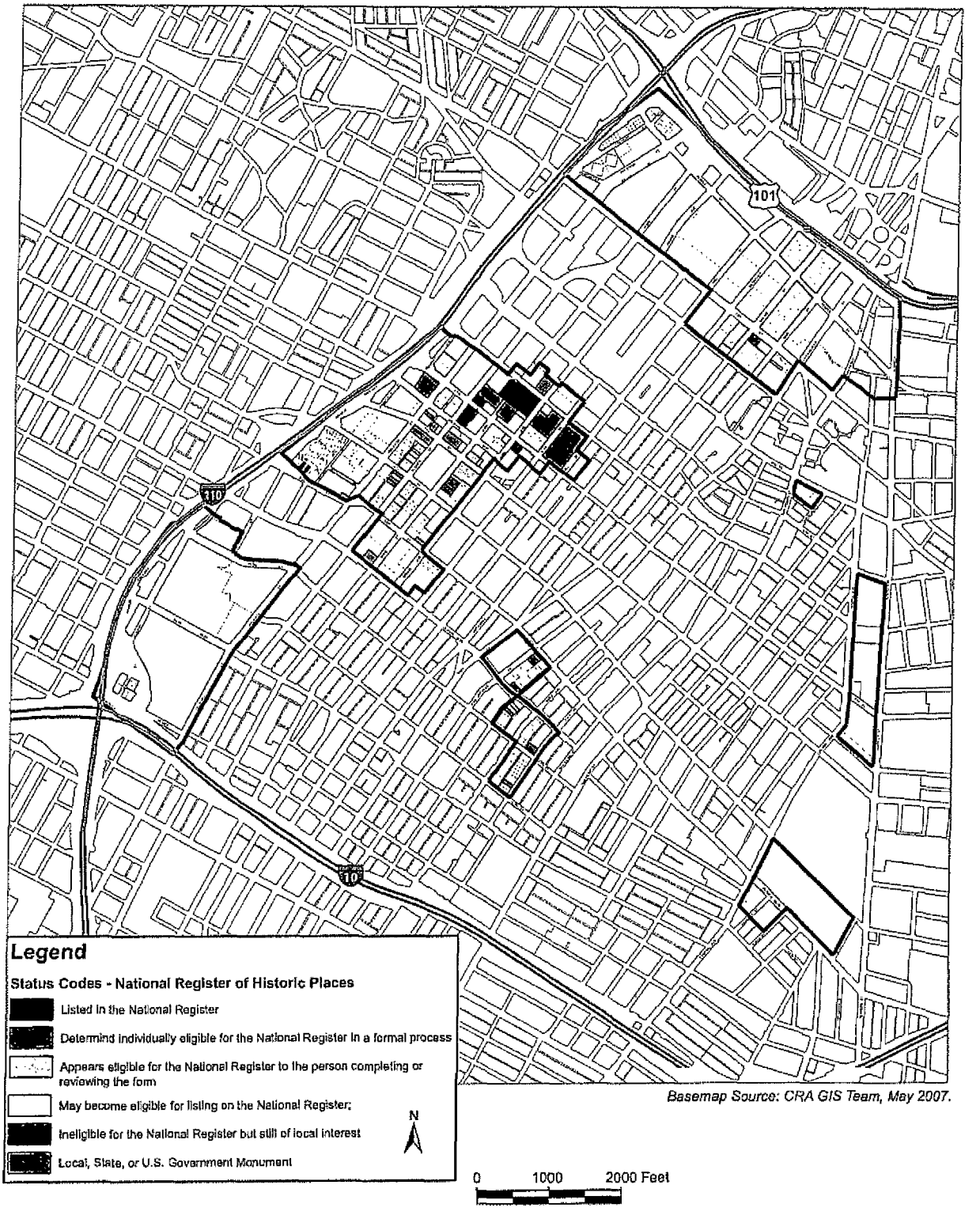
Generalized Land Uses Within the Project Boundary Figure 5



Basemap Source: CRA GIS Team, May 2007.

Historical and Cultural Sites: City Center

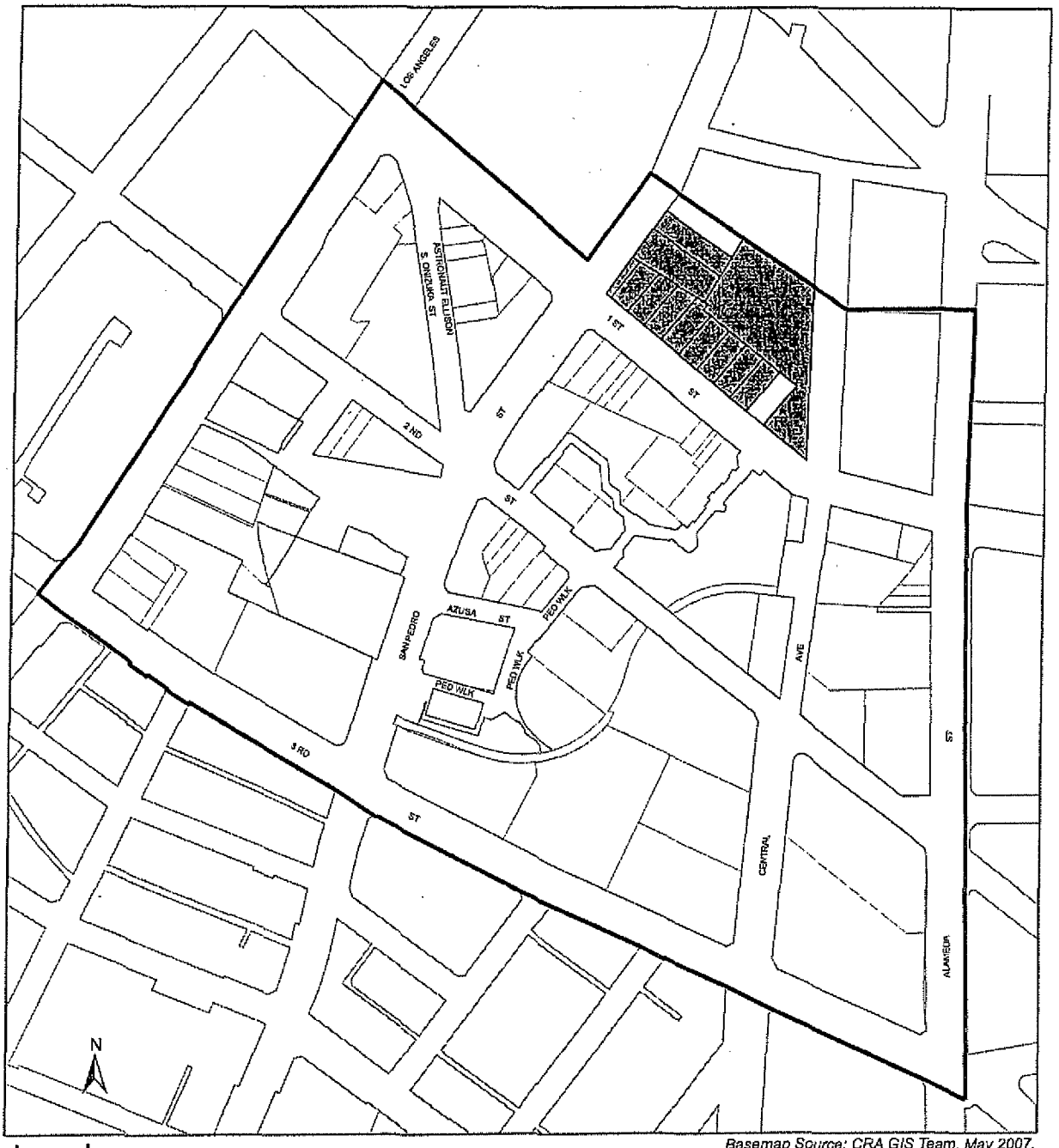
Figure 6



Basemap Source: CRA GIS Team, May 2007.

Historical and Cultural Sites:
Central Business District, Amended

Figure 7



Basemap Source: CRA GIS Team, May 2007.

Legend

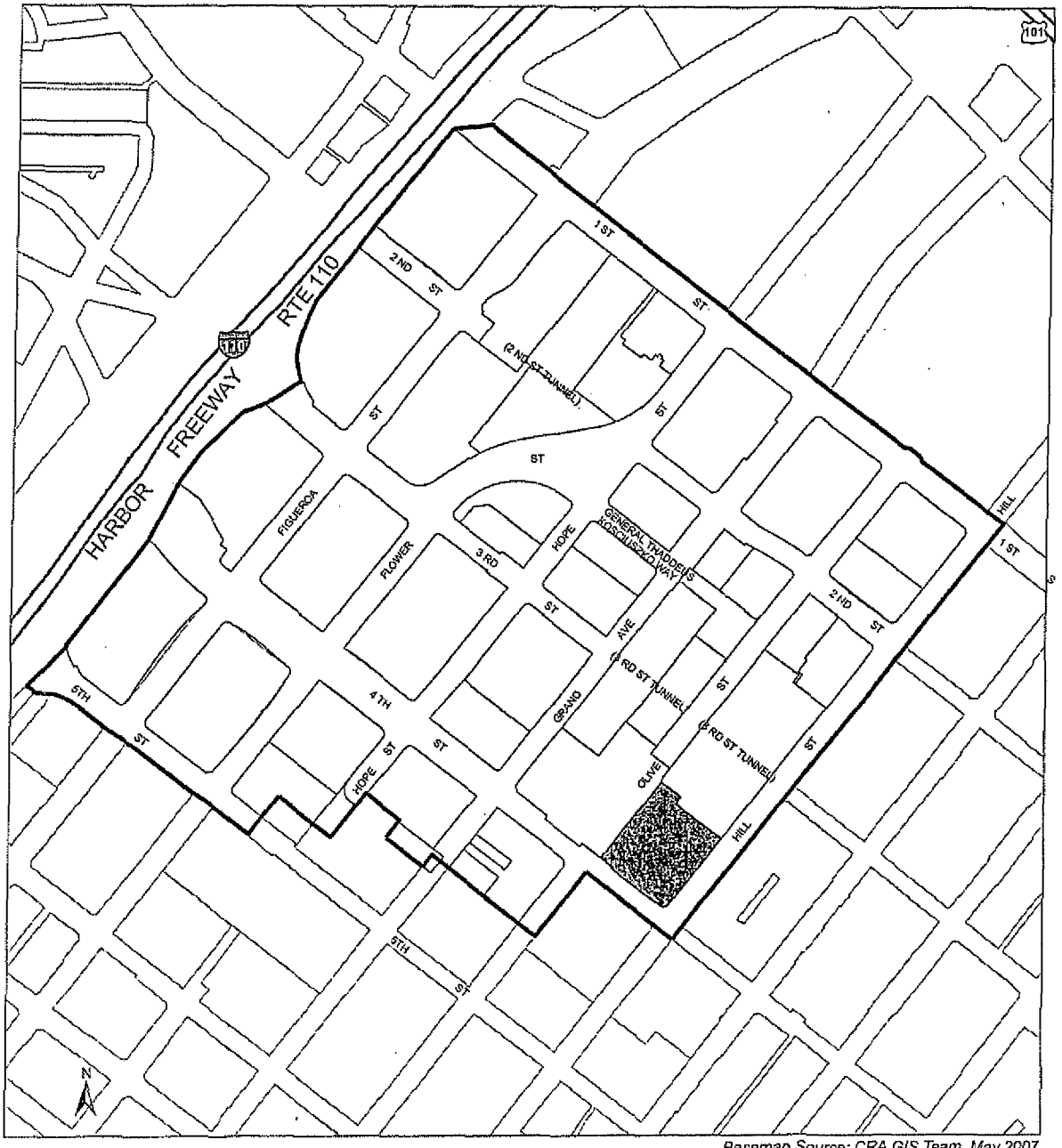
Status Codes - National Register of Historic Places

Listed in the National Register

0 180 360 Feet

Historical and Cultural Sites: Little Tokyo

Figure 8



Basemap Source: CRA GIS Team, May 2007.

Legend

Status Codes - National Register of Historic Places

Listed in the National Register

Historical and Cultural Sites: Bunker Hill

Figure 9

EXHIBIT 5

11 Cal.App.5th 596
Court of Appeal,
First District, Division 1, California.

FRIENDS OF THE COLLEGE OF SAN MATEO GARDENS, Plaintiff and Respondent,
v.
SAN MATEO COUNTY COMMUNITY COLLEGE DISTRICT et al., Defendants and Appellants.

A135892
|
Filed 5/5/2017

Synopsis

Background: Objector petitioned for writ of mandate under California Environmental Quality Act (CEQA), challenging community college district's negative declaration addendum approving a proposal to demolish a building and garden complex that previously was slated for renovation. The Superior Court, San Mateo County, No. CIV 508656, granted objector's petition for a writ of mandate. District appealed, and the Court of Appeal affirmed. District petitioned for review. The Supreme Court granted review, superseding the opinion of the Court of Appeal. The Supreme Court reversed and remanded, 1 Cal.5th 937, 378 P.3d 687, 207 Cal.Rptr.3d 314.

[Holding:] The Court of Appeal, Humes, P.J., held that substantial evidence supported fair argument that demolition of building and garden complex would have a significant aesthetic environmental impact precluding negative declaration.

Affirmed.

Dondero, J., filed concurring opinion.

****94** Trial Court: San Mateo County Superior Court, Trial Judge: Hon. Clifford v. Cretan (Super. Ct. No. CIV 508656)

Attorneys and Law Firms

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Susan Brandt-Hawley, Brandt-Hawley Law Group, Glen Ellen, for Plaintiff and Respondent

Opinion

Humes, P.J.

***600** This is a case brought under the California Environmental Quality Act (CEQA) (Pub. Resources Code, [1] § 21000 et seq.) that is before us for a second time. In the first appeal, we affirmed the trial court's ruling that defendant San Mateo County Community College District violated CEQA when it responded to changes in a campus renovation project by issuing an addendum to a mitigated negative declaration. We held that the proposed changes constituted a "new" project not subject to an addendum. (*Friends of College of San Mateo Gardens v. San Mateo County Community College Dist.* (Sept. 26, 2013, A135892 [nonpub. opn.]), 2013 WL 5377849.) Our state Supreme Court reversed after concluding that we should not have assessed whether the changes constituted a new project, but should have instead assessed whether CEQA's subsequent review provisions were applicable and, if so, whether the addendum was permissible under them. (*Friends of College of San Mateo Gardens v. San Mateo County Community College Dist.* (2016) 1 Cal.5th 937, 953, 207 Cal.Rptr.3d 314, 378 P.3d 687 (*San Mateo Gardens*).)

Evaluating the project changes as directed, we now conclude that they amounted to a modified project, meaning CEQA's subsequent review provisions apply. We also conclude that defendants' use of an addendum violated these provisions because there is substantial evidence to support a fair argument that the project changes might have a significant effect on the environment. Accordingly, we again affirm the judgment.

I.

FACTUAL AND PROCEDURAL BACKGROUND

A. The Facilities Master Plan, the Mitigated Negative Declaration, and the Addendum.

The following factual background is taken from the Supreme Court's opinion in *San Mateo Gardens*. Unless otherwise noted, we will use the same defined terms used in that opinion.

"In 2006, [defendants] the San Mateo [County] Community College District and its Board of Trustees (collectively, District) adopted a facilities ***601** master plan (Plan) proposing nearly $1 billion in new construction and facilities renovations at the District's three college campuses. At the College of San Mateo (College), the District's Plan included a proposal to demolish ****95** certain buildings and renovate others. The buildings slated for renovation included the College's 'Building 20 complex,' which includes a small cast-in-place concrete classroom and lab structure, greenhouse, lath house, surrounding garden space, and an interior courtyard.

"In 2006, the District published an initial study and mitigated negative declaration [(MND)] analyzing the physical environmental effects of implementing the Plan's proposed improvements at the College, including the proposed rehabilitation of the Building 20 complex. The MND stated that, with the implementation of certain mitigation measures, the Plan would not have a significant effect on the environment. In 2007, the District certified its initial study and adopted the 2006 MND.

"When the District later failed to obtain funding for the planned Building 20 complex renovations, it re-evaluated the proposed renovation. In May 2011, the District issued a notice of determination, indicating that it would instead demolish, rather than renovate, the 'complex and replace it with parking lot, accessibility, and landscaping improvements.' The District also proposed to renovate two other buildings, buildings 15 and 17, that had previously been slated for demolition.

"The District concluded a subsequent or supplemental [environmental impact report (EIR)] was not required. It instead addressed the change through an addendum to its 2006 initial study and MND, concluding that 'the project changes would not result in a new or substantially more severe impact than disclosed in the 2006 [MND]. Therefore, an addendum ... is the appropriate CEQA documentation.'

"The newly proposed demolition of the Building 20 complex, and particularly the demolition of the complex's associated gardens, proved controversial. Certain members of the public, as well as a number of College students and faculty, vocally criticized the demolition proposal at public hearings. The District nevertheless approved demolition of the Building 20 complex in accordance with the addendum.

"Plaintiff Friends of the College of San Mateo Gardens [(Friends)] filed suit challenging the approval. The District thereafter rescinded its original addendum and issued a revised addendum in August 2011. The revised addendum reiterated the original addendum's conclusion but bolstered its analysis. On August 24, 2011, after public comment and discussion, the revised addendum was ***602** adopted and demolition of the Building 20 complex was reapproved." (*San Mateo Gardens, supra*, 1 Cal.5th at pp. 946–947, 207 Cal.Rptr.3d 314, 378 P.3d 687.)

B. This Action.

Friends voluntarily dismissed its initial suit and filed the present action in September 2011 challenging the revised addendum. Friends sought a peremptory writ of mandate ordering the District to set aside its approval of the Building 20 demolition project and to fully comply with CEQA by preparing an EIR and adopting feasible alternatives and mitigation measures. The trial court found that the demolition project was inconsistent with the original plan and that its impacts were not addressed in the 2006 MND. The court granted Friends' petition for a writ of mandate, ordering the District to refrain from taking "further actions adversely affecting the physical environment at the Building 20 Complex pending its full compliance with requirements of CEQA."

The District appealed, and we affirmed. (*Friends of College of San Mateo Gardens v. San Mateo County Community College Dist., supra*, 2013 WL 5377849, at p. *6.) We concluded as a matter of law that the ****96** District's proposal was a new project, subject to CEQA's initial review standards under section 21151, rather than a modified project subject to the subsequent review provisions of section 21166 and section 15162

of the CEQA Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.). (2013 WL 5377849, at pp. *4–5.) Because we concluded that the initial review provisions applied, we held that the addendum was improper and that the District was required to conduct an initial study of the project to determine whether an EIR was required. (2013 WL 5377849, at p. *6.)

The District sought review in the Supreme Court, which reversed. (*San Mateo Gardens, supra*, 1 Cal.5th at p. 961, 207 Cal.Rptr.3d 314, 378 P.3d 687.) The Supreme Court explained that our approach in assessing whether the proposal amounted to a new project was incorrect and "would inevitably invite arbitrary results" because neither CEQA nor the cases interpreting it contain any standards for determining whether a project qualifies as "new." (*Id.* at pp. 950–951, 207 Cal.Rptr.3d 314, 378 P.3d 687.) Instead of resting on whether a project is new "in an abstract sense," the "decision to proceed under CEQA's subsequent review provisions must ... necessarily rest on a determination—whether implicit or explicit—that the original environmental document retains some informational value." (*Id.* at p. 951, 207 Cal.Rptr.3d 314, 378 P.3d 687.) Such an inquiry "is a predominantly factual question ... for ***603** the agency to answer in the first instance, drawing on its particular expertise." (*Id.* at p. 953, 207 Cal.Rptr.3d 314, 378 P.3d 687.) "A court's task on review is then to decide whether the agency's determination is supported by substantial evidence; the court's job ' " 'is not to weigh conflicting evidence and determine who has the better argument.' " ' " (*Ibid.*) The Court emphasized that "occasions when a court finds no substantial evidence to support an agency's decision to proceed under CEQA's subsequent review provisions will be rare, and rightly so; 'a court should tread with extraordinary care' before reversing an agency's determination, whether implicit or explicit, that its initial environmental document retains some relevance to the decisionmaking process." (*Ibid.*)

[1] The Supreme Court also explained that our review of an agency's decision that the subsequent review provisions apply "is only the first step. Once a court determines that substantial evidence supports [that] decision ..., the next—and critical—step is to determine whether the agency has properly determined *how* to comply with its obligations under those provisions. In particular, where, as here, the agency has determined that project changes will not require 'major revisions' to its initial environmental document, such that no subsequent or supplemental EIR is required, the reviewing court must then proceed to ask whether substantial evidence supports that determination." (*San Mateo Gardens, supra*, 1 Cal.5th at p. 953, 207 Cal.Rptr.3d 314, 378 P.3d 687.) Whether there is substantial evidence in this context involves a "judicial review [that] must reflect the exacting standard that an agency must apply when changes are made to a project that has been approved via a negative declaration." (*Ibid.*) Accordingly, the Supreme Court remanded the case to us for further proceedings. (*Id.* at p. 961, 207 Cal.Rptr.3d 314, 378 P.3d 687.) After the Court issued its remittitur, we permitted the parties to file supplemental briefs, which they have done. [2]

****97** II.

DISCUSSION

A. The General Legal Framework.

"In CEQA, the Legislature sought to protect the environment by the establishment of administrative procedures drafted to '[e]nsure that the ***604** long-term protection of the environment shall be the guiding criterion in public decisions.' " (*No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal.3d 68, 74, 118 Cal.Rptr. 34, 529 P.2d 66.) Under CEQA, a public agency generally conducts an initial study to determine if a project "may have a significant effect on the environment." (CEQA Guidelines, § 15063, subd. (a).) Usually, when an agency proposes a project, it must prepare an EIR if the project may have a significant effect on the environment. (§§ 21080, subd. (a), 21100, subd. (a), 21151, subd. (a).) But if the initial study shows that there is no substantial evidence that the project may have a significant effect on the environment, CEQA requires the agency to prepare a negative declaration. (CEQA Guidelines, § 15070, subd. (a).) "[I]f the project has potentially significant environmental effects but these effects will be reduced to insignificance by mitigation measures that the project's proponent has agreed to undertake, CEQA requires the ... agency to prepare a mitigated negative declaration." (*Moss v. County of Humboldt* (2008) 162 Cal.App.4th 1041, 1048, 76 Cal.Rptr.3d 428.)

CEQA's subsequent review provisions apply when an agency modifies a project after it has certified an

EIR or has adopted a negative or mitigated negative declaration.[3] As we explain in more detail below, these provisions require the agency to prepare a subsequent EIR or negative declaration under certain circumstances. (CEQA Guidelines, § 15162, subds. (a)(1) & (b).) They also allow the agency to prepare an addendum, rather than a subsequent EIR or negative declaration, if only "minor technical changes or additions are necessary or none of the conditions described in [CEQA Guidelines] Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred." (CEQA Guidelines, § 15164, subd. (b).)

B. CEQA's Subsequent Review Provisions Apply to the Project Changes.

Our first task is to determine whether the Building 20 project is subject to CEQA's initial review provisions, which do not allow for an addendum, or CEQA's subsequent review provisions, which do. *San Mateo Gardens* teaches that this determination depends on whether "the original environmental document"—in this case the 2006 MND—"retains some informational value." (*San Mateo Gardens, supra*, 1 Cal.5th at p. 952, 207 Cal.Rptr.3d 314, 378 P.3d 687.) As already stated, this is a "predominantly factual question" that is "for the agency to answer in the first instance, drawing on its particular expertise." (*Id.* at p. 953, 207 Cal.Rptr.3d 314, 378 P.3d 687.) By preparing an addendum to the MND, ***605** the District determined that the MND retained informational value. Our role is to decide whether substantial evidence supports the District's determination. (See *ibid.*)

****98** We conclude that it does. The Plan as described in the MND called for the demolition of up to 16 buildings on the College campus and the renovation of several others. It also listed several mitigation measures intended to negate the demolition's impact, such as reducing construction noise, preventing groundwater contamination, and protecting people from exposure to lead and asbestos. The revised plan as described in the addendum added one Building complex to the demolition list (Building 20) and removed two others (Buildings 15 and 17). But the addendum did not affect the plans to demolish the 14 other buildings or remove the measures adopted to mitigate those plans' environmental effects. These circumstances constitute substantial evidence that the MND remained relevant, thus allowing the District to proceed under CEQA's subsequent review provisions.

C. The District's Use of an Addendum Contravened CEQA's Subsequent Review Provisions.

1. The standard of review that applies to an agency's determination that major revisions to a negative declaration are not required.

As we have mentioned, our conclusion that substantial evidence supports the District's decision to proceed under CEQA's subsequent review provisions "is only the first step." (*San Mateo Gardens, supra*, 1 Cal.5th at p. 953, 207 Cal.Rptr.3d 314, 378 P.3d 687.) "Once a court determines that substantial evidence supports an agency's decision to proceed under CEQA's subsequent review provisions (see § 21166; CEQA Guidelines, § 15162), the next—and critical—step is to determine whether the agency has properly determined *how* to comply with its obligations under those provisions." (*San Mateo Gardens*, at p. 953, 207 Cal.Rptr.3d 314, 378 P.3d 687.)

Under CEQA's subsequent review provisions, "no subsequent EIR shall be prepared for [a] project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record" that "[s]ubstantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects." (CEQA Guidelines, § 15162, subds. (a), (a)(1).) "If changes to a project or its circumstances occur or new information becomes available after adoption of a negative declaration," and ***606** if no subsequent EIR is required, the agency "shall determine whether to prepare a subsequent negative declaration, an addendum, or no further documentation." (CEQA Guidelines, § 15162, subd. (b).) "An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in [CEQA Guidelines] Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred." (CEQA Guidelines, § 15164, subd. (b).) CEQA Guidelines section 15162 does not clearly specify when the agency must prepare a subsequent negative declaration instead of issuing an addendum or providing no further documentation. But as we discuss further below, a subsequent mitigated

negative declaration is at least appropriate where a subsequent EIR would otherwise be required under CEQA Guidelines section 15162 but the project's new significant environmental effects may be avoided through mitigation measures.

[2] [3] The Supreme Court in *San Mateo Gardens* provided guidance for how to apply the subsequent review provisions. It explained that whether "major revisions" **99 will be required as a result of project changes "necessarily depends on the nature of the original environmental document," i.e., whether it was an EIR or a negative declaration. (*San Mateo Gardens, supra*, 1 Cal.5th at p. 958, 207 Cal.Rptr.3d 314, 378 P.3d 687.) It further explained that the appropriate standard of review also depends on the nature of the original environmental document. Although an agency's determination of whether major revisions are required is reviewed for substantial evidence, "judicial review must reflect the exacting standard that an agency must apply when changes are made to a project that has been approved via a negative declaration," as opposed to the deferential standard that applies when the project was originally approved by an EIR. (*Id.* at p. 953, 207 Cal.Rptr.3d 314, 378 P.3d 687; see *Committee for Re-Evaluation of T-Line Loop v. San Francisco Municipal Transportation Agency* (2016) 6 Cal.App.5th 1237, 1247, 1251–1252, 211 Cal.Rptr.3d 902 [applying *San Mateo Gardens* in case where project originally approved by EIR]; *Latinos Unidos de Napa v. City of Napa* (2013) 221 Cal.App.4th 192, 200, 164 Cal.Rptr.3d 274.) In the words of the Court, "A negative declaration is permitted when 'there is no substantial evidence that the project or any of its aspects *may* cause a significant effect on the environment' [citations], whereas an EIR is required when a project and project alternatives may have significant effects [citation]. When there is a proposal to modify a project originally approved through [an] EIR, no 'major revision' to the initial EIR is required if the initial EIR already adequately addresses any additional environmental effects that may be caused by the proposed modification. *In contrast, when a project is initially approved by negative declaration, a 'major revision' to the initial negative declaration will necessarily be required if the proposed modification may produce a significant environmental effect that had not previously been studied.* [Citation.] Indeed, if the project modification introduces previously unstudied and *607 potentially significant environmental effects that cannot be avoided or mitigated through further revisions to the project plans, then the appropriate environmental document would no longer be a negative declaration at all, but an EIR." (*San Mateo Gardens*, at p. 958, 207 Cal.Rptr.3d 314, 378 P.3d 687, some italics added.) In sum, "an agency [must] prepare an EIR whenever there is substantial evidence that the changes to a project for which a negative declaration was previously approved might have a significant environmental impact not previously considered in connection with the project as originally approved, and courts must enforce that standard." (*Id.* at p. 959, 207 Cal.Rptr.3d 314, 378 P.3d 687.)

[4] Thus, the standard of review we use in evaluating an agency's initial determination of the applicability of the subsequent review provisions to project changes is analytically different from the standard of review we use, after it has been determined that those provisions apply, in then evaluating an agency's determination of whether major revisions are required to a negative declaration. When we apply the first standard, we ask whether "substantial evidence supports an agency's decision to proceed under CEQA's subsequent review provisions." (*San Mateo Gardens, supra*, 1 Cal.5th at p. 953, 207 Cal.Rptr.3d 314, 378 P.3d 687.) The standard requires us to approve the agency's determination when it is supported by substantial evidence, even if other evidence undermines the determination. Similarly, if a project was originally approved by an EIR, we affirm the agency's determination whether a subsequent or supplemental EIR is required when the determination is supported by **100 substantial evidence, even if there is other evidence to the contrary. (*Committee for Re-Evaluation of T-Line Loop v. San Francisco Municipal Transportation Agency, supra*, 6 Cal.App.5th at pp. 1251–1252, 211 Cal.Rptr.3d 902; *Latinos Unidos de Napa v. City of Napa, supra*, 221 Cal.App.4th at p. 200, 164 Cal.Rptr.3d 274.)

[5] But once we have determined that the subsequent review provisions apply to a project approved through a negative declaration, our application of the standard of review changes and is less deferential to the agency. It is less deferential because a negative declaration requires a major revision—i.e., a subsequent EIR or mitigated negative declaration—whenever there is substantial evidence to support a fair argument that proposed changes "might have a significant environmental impact not previously considered in connection with the project as originally approved." (*San Mateo Gardens, supra*, 1

Cal.5th at p. 959, 207 Cal.Rptr.3d 314, 378 P.3d 687, citing *Friends of "B" Street v. City of Hayward* (1980) 106 Cal.App.3d 988, 1002, 165 Cal.Rptr. 514.) Proposed changes might have a significant environmental impact when there is some competent evidence to suggest such an impact, even if other evidence suggests otherwise. (See *Friends of "B" Street*, at p. 1002, 165 Cal.Rptr. 514.) This means that an agency's determination that a major revision to a negative declaration is not required will necessarily ***608** lack substantial evidence when a fair argument exists that the project might have a previously unstudied significant environmental impact. [4]

The District argues that the standard of review is "much more subtle and complex." According to the District, *San Mateo Gardens* requires courts to apply the fair argument standard "only in limited subsequent review circumstances that are not present in this case. These limited subsequent review situations exist only where an agency first determines that a previously-adopted negative declaration or MND for an approved project is no longer wholly relevant to proposed project changes, and then secondly identifies one or more entirely new, previously unstudied potentially significant environmental impacts that might result from such changes." (Italics omitted.)

[6] We disagree with the District. There is only one reasonable interpretation of *San Mateo Gardens*: where, as here, an agency originally prepares a negative declaration, we must assess whether there is "substantial evidence that the changes to a project for which a negative declaration was previously approved *might have* a significant environmental impact not previously considered in connection with the project as originally approved." (*San Mateo Gardens, supra*, 1 Cal.5th at p. 959, 207 Cal.Rptr.3d 314, 378 P.3d 687, italics added.) If there is such evidence, we cannot uphold the agency's determination that no major revisions were required. It is of no consequence whether the District believed that the prior MND remained "wholly relevant" or whether the District ****101** independently identified a new potentially significant environmental impact. *San Mateo Gardens* held that where a project is originally approved through a negative declaration, "agencies [cannot] evade their obligation to prepare an EIR based on the more demanding 'fair argument' standard, so long as the potential environmental effects of the project are caused by changes in the project after a negative declaration has been approved." (*Id.* at p. 958, 207 Cal.Rptr.3d 314, 378 P.3d 687.) Were we to accept the District's argument, it would create just the sort of "loophole" for agencies that the Supreme Court emphasized does not exist. (*Id.* at p. 957, 207 Cal.Rptr.3d 314, 378 P.3d 687.)

2. Application of the standard of review in this case.

[7] Having settled on the appropriate standard of review, we turn to assess whether substantial evidence shows that the Building 20 demolition project ***609** might have a significant effect on the environment. If substantial evidence shows that it might, there is substantial evidence of a possible significant environmental effect and the District's adoption of the addendum was not permitted under CEQA. (CEQA Guidelines, §§ 15164, subd. (b), 15384, subd. (a).) For CEQA purposes, the types of evidence that constitute substantial evidence include "fact, a reasonable assumption predicated upon fact, or expert opinion supported by fact." (§ 21080, subd. (e)(1); CEQA Guidelines, § 15384, subd. (b).) In our review, we do not " 'revisit environmental concerns laid to rest in the original analysis. Only changed circumstances ... are at issue.' " (*San Mateo Gardens, supra*, 1 Cal.5th at p. 949, 207 Cal.Rptr.3d 314, 378 P.3d 687.)

[8] **[9]** **[10]** A project's negative effect on the aesthetic, natural, scenic, or historical environmental qualities in its vicinity may constitute a significant environmental impact under CEQA. (*Pocket Protectors v. City of Sacramento* (2004) 124 Cal.App.4th 903, 936–937, 21 Cal.Rptr.3d 791; § 21001, subd. (b).) The question whether a project might have an aesthetic impact "by its very nature is subjective." (*Ocean View Estates Homeowners Assn., Inc. v. Montecito Water Dist.* (2004) 116 Cal.App.4th 396, 402, 10 Cal.Rptr.3d 451.) "As on other CEQA topics, the opinions of area residents, if based on direct observation, may be relevant as to aesthetic impact and may constitute substantial evidence in support of a fair argument; no special expertise is required on this topic." (*Pocket Protectors*, at p. 928, 21 Cal.Rptr.3d 791.)

[11] Here, the record contains substantial evidence that the planned removal of a portion of the gardens surrounding Building 20 might have a significant aesthetic impact on the College campus. A long-time professor explained that beginning in the 1960's, the College campus had been developed in a way that gave it "the sterile aspect of an industrial park." The gardens around Building 20

were the "single surviving semi-natural asylum" on the campus. As another professor put it, the gardens were "the only place left on campus where students, faculty, and staff can go to get away from the concrete and rigid plots of monoculture plantings that have taken over the campus[.]" A number of students similarly believed that removal of the gardens would have a severe impact on the aesthetic appeal of the campus, as the gardens provide a "sanctuary" and "sense of calm" for the student body. Of particular concern in the garden south of Building 20 was the fate of a Dawn Redwood tree, a tree species once thought to be extinct. Students described the tree as "tall and majestic" and "irreplaceable." The revised addendum stated that the tree would be preserved as part of the Building 20 demolition. ****102** But an assessment prepared by the District explained that construction associated with the demolition "may cause future health or structural problems" to the tree and that "steps must be taken to protect the tree to reduce future problems."

[12] ***610** The District tries to discount many of the student and faculty comments because they were provided after the original addendum was adopted in May 2011 but before the revised addendum was adopted that August. But the comments remained relevant after the revised addendum. Although the revised addendum provided additional analysis regarding measures to retain portions of the gardens, the impact on the gardens remained significant: about 20 percent of the garden north of Building 20 would be removed, while over half of the garden south of the building would be removed. Each of the 11 plant and tree species slated for removal or relocation under the original addendum remained subject to removal or relocation under the revised addendum. And, as suggested above, the potential impact to the Dawn Redwood tree remained significant after the revised addendum.

[13] The District also argues that its plan to remove a portion of the gardens around Building 20 was insignificant because the planned removal would result in a loss of less than one-third of one percent of the total landscaped and open space on campus. We are not persuaded. The significance of an environmental impact is not based on its size but is instead " 'measured in light of the context where it occurs.' " (*San Francisco Beautiful v. City and County of San Francisco* (2014) 226 Cal.App.4th 1012, 1026, 172 Cal.Rptr.3d 134; see also CEQA Guidelines, § 15064, subd. (b) ["An ironclad definition of significant effect is not always possible because the significance of an activity may vary with the setting"].) Here, substantial evidence shows that the gardens around Building 20 were unique in the campus setting. They were "the only place left on campus where students, faculty, and staff [could] go to get away from the concrete and rigid plots of monoculture plantings that have taken over the campus[.]" As such, while the gardens may not have taken up much space, there is substantial evidence to support a fair argument that removing a significant portion of them might have a significant aesthetic impact.

The District's reliance on *Preserve Poway v. City of Poway* (2016) 245 Cal.App.4th 560, 199 Cal.Rptr.3d 600 to support the claimed lack of an aesthetic impact is misplaced. There, the plaintiffs challenged the City of Poway's decision to adopt an MND instead of an EIR for a plan to turn a horse boarding facility into 12 homes. (*Id.* at p. 565, 199 Cal.Rptr.3d 600.) The trial court granted the plaintiffs' petition because there was substantial evidence creating a fair argument that the project would have a significant effect on Poway's "community character." (*Id.* at p. 573, 199 Cal.Rptr.3d 600.) The appellate court reversed. It explained that the impacts described by Poway citizens were "not aesthetic impacts; rather, they [were] impacts to the collective psyche of Poway residents related to living in the 'City in the Country' and *social* impacts caused by the loss of the [boarding facility]." (*Id.* at p. 578, 199 Cal.Rptr.3d 600.) No one contended that the project was an "eyesore." (*Id.* at p. 565, 199 Cal.Rptr.3d 600.) Instead, citizens complained about ***611** things such as children's not being able to ride horses any longer and worried that Poway would lose its " 'City in the Country' " feel. (*Id.* at p. 579, 199 Cal.Rptr.3d 600.)

Here, by contrast, the College community expressed concerns about the aesthetic value of the gardens around Building 20, not just the gardens' social value. The ****103** gardens were described as "beautiful" and as having a "positive aesthetic effect on the campus, especially in view of all the concrete that has been laid as part of the new landscaping of the campus." There was widespread concern that replacing the gardens with a parking lot would remove one of the last green spaces on campus.

In sum, there is substantial evidence that the Building 20 demolition project might have a significant environmental effect due to its aesthetic impact on the College campus. [5]

We will not, however, order the District to prepare an EIR on remand, as Friends requests. The District can choose to prepare a subsequent MND if it determines that the possibly significant environmental effects will "be reduced to insignificance" through the implementation of mitigation measures. (*Moss v. County of Humboldt, supra*, 162 Cal.App.4th at p. 1048, 76 Cal.Rptr.3d 428.) What is clear is that the decision to adopt an addendum was improper under CEQA's subsequent review provisions, since an addendum may be prepared only if there are "minor technical changes or additions" or if none of the circumstances calling for a subsequent EIR or negative declaration have occurred. [6] (CEQA Guidelines, § 15164, subd. (b).)

III.

DISPOSITION

The judgment is affirmed. Respondent is awarded its costs on appeal.

We concur:

Margulies, J.

Dondero, J.

Dondero, J., Concurring

I concur in the result of this case. I seek to emphasize that the District incorrectly relied on the addendum process to deal with the modifications of the project approved under the original negative declaration, as detailed in the lead opinion. I do not believe the addendum process was the appropriate method to address the changes contemplated by the District. While the addendum process is limited to instances concerning "minor technical ***612** changes or alterations" (Cal. Code Reg., tit. 14, § 15164), the proposal reviewed in this case involved demolishing a major building and transforming into a parking lot an important garden space with unique trees and vegetation. Neither of these changes were discussed in the original negative declaration. These revisions exposed "new, potentially significant environmental effects that had not previously been considered in connection with the earlier environmental study." (See *Friends of College of San Mateo Gardens v. San Mateo Community College District* (2016) 1 Cal.5th 937, 958, fn. 6, 207 Cal.Rptr.3d 314, 378 P.3d 687.) Clearly the employment of the addendum process in a subsequent review study under the facts of this case did not satisfy the exacting standard called for when the original review involved no environmental impact report (EIR).

As indicated in the lead opinion, an agency may conduct a subsequent review of the environmental impact in several ****104** ways, including the preparation of an EIR or mitigated negative declaration (MND). Courts will assess the propriety of the subsequent review document by focusing on whether there is substantial evidence the changes to the project previously approved by a negative declaration "might" have new or increased significant environmental effects "not previously considered in connection with the project as originally approved." (*Friends of College of San Mateo Gardens v. San Mateo Community College District, supra*, 1 Cal.5th at p. 959, 207 Cal.Rptr.3d 314, 378 P.3d 687.) This means a negative declaration or MND may be appropriate for a subsequent review, especially where the original negative declaration considered the particular subject matter evaluated in the subsequent study. In a subsequent review evaluated by an MND, as opposed to an EIR, the reviewing court will need to examine the details of the new MND, as well as its assessment of what was originally considered in the initial negative declaration. (See *Abatti v. Imperial Irrigation Dist.* (2012) 205 Cal.App.4th 650, 674, 140 Cal.Rptr.3d 647; *Snarled Traffic Obstructs Progress v. City and County of San Francisco* (1999) 74 Cal.App.4th 793, 801, 88 Cal.Rptr.2d 455.)

All Citations

11 Cal.App.5th 596, 218 Cal.Rptr.3d 91, 17 Cal. Daily Op. Serv. 4311, 2019 Daily Journal D.A.R. 4318

Footnotes

1 All further undesignated statutory references are to the Public Resources Code.

2 Friends filed a request for judicial notice of a November 22, 2016 Supreme Court order granting review, transferring for reconsideration in light of *San Mateo Gardens*, and depublishing our decision in *Coastal Hills Rural Preservation v. County of Sonoma* (Aug. 31, 2016, A145573, 2016 WL 4538384 [nonpub. opn.]). The order is unnecessary to our decision, and we therefore deny the request. (See *JRS Products, Inc. v. Matsushita Electric Corp. of America* (2004) 115 Cal.App.4th 168, 174 & fn. 4, 8 Cal.Rptr.3d 840.)

3 All further references to "negative declarations" include mitigated negative declarations unless otherwise noted.

4 This is also made clear by the Supreme Court's disapproval of *Benton v. Board of Supervisors* (1991) 226 Cal.App.3d 1467, 277 Cal.Rptr. 481. (*San Mateo Gardens, supra*, 1 Cal.5th at p. 958, fn. 6, 207 Cal.Rptr.3d 314, 378 P.3d 687.) *Benton* considered whether a proposal to relocate a winery previously approved via negative declaration required the preparation of an EIR. The Court of Appeal concluded that no EIR was required because, among other things, substantial evidence supported the agency's conclusion that "[t]he environmental impacts of the modification were not significant." (*Benton*, at p. 1483, 277 Cal.Rptr. 481.) This standard is effectively the reverse of the standard announced by *San Mateo Gardens*.

5 In reaching this conclusion, we express no opinion on whether the demolition of the Building 20 complex might have other significant environmental effects.

6 Because we conclude that the District must prepare either an EIR or a subsequent MND, we need not address Friends' alternative argument that the provision in CEQA Guidelines section 15164 allowing for the use of an addendum is without statutory authority.

End of Document

EXHIBIT 6

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Subject: Comments on the Alexan Project (ENV-2006-6302-MND-REC 1)

Dear Mr. Silverstein:

We have reviewed the April 22, 2016 Initial Study and Mitigated Negative Declaration Addendum ("Addendum"), an August 2006 Initial Study and Mitigated Negative Declaration (IS/MND), and associated appendices for the Alexan Project ("Project") located in the City of Los Angeles. In 2007, a mixed-use, high rise Project ("Original Project") containing 167 residential condominium units and 7,107 square feet of lobby/retail space within 190,902 square feet of floor area was analyzed in the IS/MND (ENV-2006-6302-MND) and approved. The Project granted entitlements for 158 residential condominium units and 5,780 square feet of ground floor commercial uses ("Approved Project"). The Approved Project would provide two subterranean parking levels with a total of 245 parking spaces, no bicycle parking, and a total of 17,625 square feet of open space. A new Applicant now proposes to construct a 27-story, mixed-use building comprised of approximately 257,569 square feet of floor area, with up to 305 residential dwelling units, 3,500 square feet of restaurant uses, and 2,671 square feet of retail uses ("Proposed Project"). The Proposed Project would provide a total of 336 vehicle parking spaces, 308 long-term and 34 short-term bicycle parking spaces on-site, and would provide approximately 32,225 square feet of open space and amenity areas.

In an effort to determine the significance of the Proposed Project's environmental impacts when compared to the Approved Project, the Applicant prepared an Addendum. According to the Applicant, the analyses conducted in the Addendum provide "substantial evidence to demonstrate that any potential environmental impacts associated with the Proposed Project would not cause new significant environmental impacts or an increase in the severity of previously significant impacts" that were not previously identified in the adopted IS/MND (Addendum, p. I-6, pp. 42). The Applicant then concludes that "based on the findings presented in the environmental analysis contained herein, there are no significant environmental impacts or an increase in the severity of previously identified significant impacts," and therefore, a Project specific Environmental Impact Report (EIR) would not need to be

prepared (Addendum, p. I-6, pp. 42). We take issue with this conclusion, however, as our review of the 2007 IS/MND, 2017 Addendum, and associated attachments indicates that the Addendum fails to adequately evaluate the Proposed Project's Air Quality and Greenhouse Gas impacts, and as a result, the increased severity of previously identified significant impacts are misrepresented, and emissions and health impacts associated with construction and operation of the Proposed Project are underestimated and inadequately addressed. Our analysis, as described herein, indicates that there is substantial evidence demonstrating that potential environmental impacts associated with the Proposed Project would cause new significant environmental impacts and/or increase the severity of previously identified significant impacts, contrary to what is stated in the Addendum. Therefore, pursuant to Section 15162 (2) of the State CEQA Guidelines, a Project-specific EIR should be prepared to adequately assess and mitigate the air quality, health, and greenhouse gas impacts the Proposed Project may have on the surrounding environment.

Air Quality & Greenhouse Gas

According the Addendum, pursuant to Section 15162 (2) of the State CEQA Guidelines, no subsequent EIR shall be prepared when a Negative Declaration has been adopted for a project, unless on the basis of substantial evidence, among other things, where substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects (Addendum, p. I-5, pp. 41). In an ostensible effort to comply with Section 15162 (2) of the State CEQA Guidelines, the Project Applicant prepared an updated analysis for the Proposed Project, as presented in the Addendum, that "evaluates the environmental impacts associated with the modifications to the Project as analyzed in the 2007 IS/MND" (p. I-1). According to the Addendum,

> "The analysis presented in this Addendum evaluates the environmental impacts associated with the Modified Project and provides substantial evidence to demonstrate that any potential environmental impacts associated with the Modified Project would not cause new significant environmental impacts or an increase in the severity of previously significant impacts that were identified in the Adopted MND. Based on the findings presented in the environmental analysis contained herein, there are no significant environmental impacts or an increase in the severity of previously identified significant impacts" (Addendum, p. I-6, pp. 42).

We find issue with this assertion, however, as there is substantial evidence demonstrating that potential air quality and greenhouse gas (GHG) impacts associated with the Proposed Project could cause new significant environmental impacts and/or increase the severity of significant impacts previously identified in the approved IS/MND. Specifically, our analysis, as described herein, demonstrates that: (1) contrary to what is stated in the Addendum, the Proposed Project would expose sensitive receptors to substantial pollutant concentrations, generating a potentially significant health risk impact that was not previously identified in the approved IS/MND; and (2) with respect to the circumstances under which the previously Approved Project was undertaken, approximately ten years ago, substantial changes have

occurred to the amount of development being proposed within Downtown Los Angeles that, when combined with the Proposed Project's individual emissions, could result in a cumulatively considerable net increase in pollutant and GHG emissions for which the air basin is in non-attainment under applicable federal and/or state ambient air quality standards. As a result, we find the Addendum's air quality analysis to be insufficient at adequately evaluating the Proposed Project's local and regional air quality and greenhouse gas impacts, and maintain that a Project-specific EIR must be prepared to properly assess and mitigate the Proposed Project's potentially significant impacts.

Health Risk Impact from Construction of Proposed Project Potentially Significant

According to the Addendum, neither the Original Project analyzed in 2007, nor the Proposed Project currently being considered, would expose sensitive receptors to substantial pollutant concentrations during Project construction, nor would either Project result in a significant construction-related health risk impact (p. III-60). The Addendum provides justification for how this conclusion was made for the Original Project back in 2007, stating that "based on the relatively short-term construction schedule of 32 months for the Original Project, the 2007 IS/MND concluded that the Original Project would not result in a long-term (i.e., 70 years) substantial source of TAC emissions..." and "as such, project-related TAC emission impacts during construction were concluded to be less than significant" (p. III-60). Similarly, the Addendum provides justification for how this same conclusion was made for the Proposed Project, stating that because the Project's construction-related, local "peak daily emissions generated within the Project Site during construction activities for each phase would not exceed the applicable construction [Localized Significance Thresholds] (LSTs)," as developed by the South Coast Air Quality Management District (SCAQMD), "localized air quality impacts from construction activities on the off-site sensitive receptors would be less than significant" (p. III-61, III-62).

Regardless of the version of Project being evaluated (Original vs. Proposed), we find the justifications and resultant conclusions provided in both the IS/MND and Addendum to be incorrect and entirely inadequate. As you can see from the excerpts above, while the Applicant concludes that the Original Project, as well as the Proposed Project, would have a less than significant health risk impact during construction, neither the 2007 IS/MND nor the 2016 Addendum actually prepare a quantified construction-related health risk assessment and compare the results to applicable thresholds. Furthermore, while the LST method relied upon in the 2016 Addendum assesses the impacts of pollutants at a local level, it only evaluates impacts from criteria air pollutants. As a result, health impacts from exposure to toxic air contaminants (TACs), such as diesel particulate matter (DPM), were not analyzed, thus leaving a gap within the Addendum's analysis.

According to the Final Localized Significance Threshold Methodology document prepared by the SCAQMD, the LST analysis is only applicable to NO_x, CO, PM10, and PM2.5 emissions, which are collectively referred to as criteria air pollutants.[1] Because the LST method can only be applied to criteria

[1] "Final Localized Significance Threshold Methodology." SCAQMD, Revised July 2008, *available at:* http://www.aqmd.gov/docs/default-source/ceqa/handbook/localized-significance-thresholds/final-lst-

air pollutants, this method cannot be used to determine whether emissions from DPM will result in a significant health risk impact to nearby sensitive receptors. By failing to prepare a health risk assessment in addition to the LST analysis, the Addendum fails to provide a comprehensive analysis of the sensitive receptor impacts that may occur as a result of exposure to substantial air pollutants. Furthermore, the SCAQMD provides a specific numerical threshold of 10 in one million for determining a project's health risk impact, which supports the requirement of a health risk assessment in addition to the LST analysis. Therefore, in order to determine the Proposed Project's health risk impact, the Addendum should have conducted an assessment that compares the Project's construction-related health risk to the SCAQMD specific numeric threshold of 10 in one million.

According to the Addendum, there are numerous sensitive receptors located within the vicinity of the Project site, approximately 25 meters away from the Project fence line. The Addendum states,

> "The nearest sensitive receptors that could potentially be subject to localized air quality impacts associated with construction of the Modified Project include multi-family residences within the Eastern Columbia Bldg. (849 S. Broadway), the Blackstone Apartments across 9th Street (200 W. 9th Street, and the anticipated future residents of the Onni Development currently under construction at 321 W. 9th Street" (p. III-61).

As you can see in the excerpt above, there are numerous sensitive receptors located near the Project site, some of which did not exist at the time the 2007 IS/MND was prepared. Therefore, the preparation of a proper construction-related health risk assessment for the Proposed Project is even more crucial now than it was when the Original Project was being proposed in 2007, as additional sensitive communities have since moved in. As stated in the Addendum, construction of the proposed Project will require the use of off-road equipment and heavy-duty on-road hauling trucks, which both emit DPM emissions, a known human carcinogen. Therefore, the Addendum should have evaluated the health risk impact that exposure to these emissions would generate, as "emissions from construction activities have the potential to generate localized emissions that may expose sensitive receptors to harmful pollutant concentrations" (p. III-62).

With reference to the 2007 IS/MND, it is still important to note that the IS/MND's justification for the omission of a construction-related health risk assessment for the Approved Project is also inadequate and inconsistent with applicable SCAQMD guidance, and should therefore, not be relied upon as a way to dismiss the preparation of a construction-related assessment for the Proposed Project. According to the SCAQMD's June 5, 2015 *Risk Assessment Procedures for Rules 1401, 1401.1, and 212*, it is recommended that health risk impacts from short-term projects also be assessed. The Guidance document states,

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methodology-document.pdf, incorporated herein by this reference. All citations in the following footnotes are also incorporated herein by reference.

"Since these short-term calculations are only meant for projects with limits on the operating duration, these short-term cancer risk assessments can be thought of as being the equivalent to a 30-year cancer risk estimate and the appropriate thresholds would still apply (i.e. for a 5-year project, the maximum emissions during the 5-year period would be assessed on the more sensitive population, from the third trimester to age 5, after which the project's emissions would drop to 0 for the remaining 25 years to get the 30-year equivalent cancer risk estimate)."[2]

As you can see in the excerpt above, a health risk assessment is required by the SCAQMD to determine whether or not Project construction would expose sensitive receptors to substantial air pollutants, contrary to what is stated in the IS/MND and Addendum, and as such, a proper health risk assessment should have been prepared. Based on the data provided and on our additional modeling (see attached), a fair argument exists that the Proposed Project may have significant, unmitigable air quality and health risk impacts.

Not only is the omission of a health risk assessment inconsistent with guidance set forth by the SCAQMD, but it is also inconsistent with requirements set forth by the Office of Environmental Health Hazard Assessment (OEHHA), the organization responsible for providing recommendations for health risk assessments in California. In February of 2015, OEHHA released its most recent *Risk Assessment Guidelines: Guidance Manual for Preparation of Health Risk Assessments*, which was formally adopted in March of 2015.[3] This guidance document describes the types of projects that warrant the preparation of a health risk assessment. Construction of the proposed Project will produce emissions of DPM through the exhaust stacks of construction equipment and on-road heavy duty trucks over a construction period of approximately 24 months (p. III-170). The OEHHA document recommends that all short-term projects lasting at least two months be evaluated for cancer risks to nearby sensitive receptors.[4] Therefore, per OEHHA guidelines, health risk impacts from Project construction should have been evaluated by the 2007 IS/MND and 2016 Addendum. These recommendations reflect the most recent health risk policy, and as such, an updated assessment of health risks to nearby sensitive receptors from construction should be included in an updated CEQA Analysis, i.e., an EIR, for the Proposed Project.

In an effort to demonstrate the potential risk posed by construction of the proposed Project to nearby sensitive receptors, we prepared a simple screening-level health risk assessment. The results of our assessment, as described below, provide substantial evidence demonstrating that potential health risk impacts associated with construction of the Proposed Project could cause a new significant air quality impact not previously identified in the approved IS/MND, contrary to what is stated in the Addendum. As such, pursuant to Section 15162 (2) of the State CEQA Guidelines, an EIR should be prepared to

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[2] Risk Assessment Procedures for Rules 1401, 1401.1 and 212, SCAQMD, June 2015, *available at:* http://www.aqmd.gov/docs/default-source/planning/risk-assessment/riskassprocjune15.pdf?sfvrsn=2, p. IX-2

[3] "Risk Assessment Guidelines Guidance Manual for Preparation of Health Risk Assessments." OEHHA, February 2015, *available at:* http://oehha.ca.gov/air/hot_spots/hotspots2015.html

[4] "Risk Assessment Guidelines Guidance Manual for Preparation of Health Risk Assessments." OEHHA, February 2015, *available at:* http://oehha.ca.gov/air/hot_spots/2015/2015GuidanceManual.pdf, p. 8-18

adequately evaluate the Proposed Project's health risk impacts during construction, and additional mitigation measures should be identified and incorporated into the Proposed Project design, where necessary.

As of 2011, the Environmental Protection Agency (EPA) recommends AERSCREEN as the leading air dispersion model, due to improvements in simulating local meteorological conditions based on simple input parameters.[5] The model replaced SCREEN3, and AERSCREEN is included in the OEHHA[6] and the California Air Pollution Control Officers Associated (CAPCOA)[7] guidance as the appropriate air dispersion model for Level 2 health risk screening assessments ("HRSAs"). A Level 2 HRSA utilizes a limited amount of site-specific information to generate maximum reasonable downwind concentrations of air contaminants to which nearby sensitive receptors may be exposed. If an unacceptable air quality hazard is determined to be possible using AERSCREEN, a more refined modeling approach is required prior to approval of the Project.

We prepared a preliminary health risk screening assessment of the Project's construction-related impact to sensitive receptors using the annual PM_{10} exhaust estimates provided in Appendix C of the Addendum (Appendix C, pp. 189). As stated above, the Addendum states that the closest sensitive receptors to the Project site are located approximately 25 meters away from the Project site. The CalEEMod model's annual emissions indicate that construction activities will generate approximately 413 pounds of DPM over the 742-day (approximately 24 months) construction period (Appendix C, pp. 189, 192). The AERSCREEN model relies on a continuous average emission rate to simulate maximum downward concentrations from point, area, and volume emission sources. To account for the variability in equipment usage and truck trips over Project construction, we calculated an average DPM emission rate by the following equation.

$$Emission\ Rate\ \left(\frac{grams}{second}\right) = \frac{413\ lbs}{742\ days} \times \frac{453.6\ grams}{lb} \times \frac{1\ day}{24\ hours} \times \frac{1\ hour}{3{,}600\ seconds} = \mathbf{0.00292\ g/s}$$

Using this equation, we estimated a construction emission rate of 0.00292 grams per second (g/s). Construction activity was simulated as a 0.79-acre rectangular area source in AERSCREEN, with dimensions of 65 meters by 50 meters (Addendum, p. 2 of 26). A release height of three meters was selected to represent the height of exhaust stacks on off-road construction equipment and other heavy-duty vehicles, and an initial vertical dimension of one and a half meters was used to simulate instantaneous plume dispersion upon release. An urban meteorological setting was selected with model-default inputs for wind speed and direction distribution.

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[5] "AERSCREEN Released as the EPA Recommended Screening Model," USEPA, April 11, 2011, *available at:* http://www.epa.gov/ttn/scram/guidance/clarification/20110411_AERSCREEN_Release_Memo.pdf

[6] "Risk Assessment Guidelines Guidance Manual for Preparation of Health Risk Assessments." OEHHA, February 2015, *available at:* http://oehha.ca.gov/air/hot_spots/2015/2015GuidanceManual.pdf

[7] "Health Risk Assessments for Proposed Land Use Projects," CAPCOA, July 2009, *available at:* http://www.capcoa.org/wp-content/uploads/2012/03/CAPCOA_HRA_LU_Guidelines_8-6-09.pdf

The AERSCREEN model generated maximum reasonable estimates of single hour DPM concentrations from the Project site. EPA guidance suggests that in screening procedures, the annualized average concentration of an air pollutant be estimated by multiplying the single-hour concentration by 10%.[8] There are residences located approximately 25 meters away from the Project boundary. The single-hour concentration estimated by AERSCREEN for Project construction is approximately 14.77 $\mu g/m^3$ DPM at approximately 25 meters downwind.[9] Multiplying this single-hour concentration by 10%, we get an annualized average concentration of 1.477 $\mu g/m^3$ for construction.

We calculated the excess cancer risk for infant receptors using applicable health risk methodologies prescribed by OEHHA and the SCAQMD. Consistent with OEHHA and SCAQMD guidance, we used Age Sensitivity Factors (ASFs) to account for the heightened susceptibility of young children to the carcinogenic toxicity of air pollution.[10] According to the updated guidance, quantified cancer risk should be multiplied by a factor of ten during the first two years of life, which represents the infantile stage of life. Furthermore, in accordance with guidance set forth by OEHHA and the SCAQMD, we used 95th percentile breathing rates for infants.[11] We used a cancer potency factor of 1.1 $(mg/kg\text{-}day)^{-1}$ and an averaging time of 25,550 days. The results of our calculations are shown below.

Parameter	Description	Units	Infant
C_{air}	Concentration	$\mu g/m^3$	1.477
DBR	Daily breathing rate	L/kg-day	1090
EF	Exposure Frequency	days/year	350
ED	Exposure Duration	years	2
AT	Averaging Time	days	25550
	Inhaled Dose	(mg/kg-day)	4.4E-05
CPF	Cancer Potency Factor	1/(mg/kg-day)	1.1
ASF	Age Sensitivity Factor	-	10
FAH	Fraction of Time at Home	-	1
	Cancer Risk		**4.85E-04**

The excess cancer risk to infants during construction of the proposed Project for the sensitive receptors located 25 meters away is approximately 485.32 in one million. As demonstrated above, the infantile exposure for the sensitive receptor exceeds the SCAQMD threshold of 10 in one million. As a result, a

[8] http://www.epa.gov/ttn/scram/guidance/guide/EPA-454R-92-019_OCR.pdf
[9] See Concord Village AERSCREEN Output Files Combined, pp. 10
[10] "Risk Assessment Guidelines Guidance Manual for Preparation of Health Risk Assessments." OEHHA, February 2015, *available at:* http://oehha.ca.gov/air/hot_spots/2015/2015GuidanceManual.pdf
[11] "Supplemental Guidelines for Preparing Risk Assessments for the Air Toxics 'Hot Spots' Information and Assessment Act," June 5, 2015, *available at:* http://www.aqmd.gov/docs/default-source/planning/risk-assessment/ab2588-risk-assessment-guidelines.pdf?sfvrsn=6, p. 19
"Risk Assessment Guidelines Guidance Manual for Preparation of Health Risk Assessments." OEHHA, February 2015, *available at:* http://oehha.ca.gov/air/hot_spots/2015/2015GuidanceManual.pdf

refined health risk assessment must be prepared to examine air quality impacts generated by construction of the Proposed Project using site-specific meteorology and specific equipment usage schedules. It should be noted that our analysis represents a screening-level health risk assessment, which is known to be more conservative, and tends to err on the side of health protection.[12] The purpose of a screening-level health risk assessment, however, is to determine if a more refined health risk assessment needs to be conducted. If the results of a screening-level health risk are above applicable thresholds, then the Proposed Project needs to conduct a more refined health risk assessment that is more representative of site specific concentrations. Our screening-level health risk assessment demonstrates that construction of the Proposed Project could result in a potentially significant health risk impact, something that was not previously identified or addressed in the 2007 IS/MND. As a result, a refined health risk assessment must be prepared in a Project-specific EIR to examine the air quality impacts generated by Project construction using site-specific meteorology and specific equipment usage schedules. An EIR must be prepared to adequately evaluate the Project's health risk impacts, and should include additional mitigation measures to reduce these impacts to a less-than-significant level. Without a refined health risk assessment and mitigation addressing the findings of such an assessment, substantial evidence supports a fair argument that the Proposed Project may lead to significant public health impacts due to DPM emissions.

Cumulative Air Quality & GHG Impacts from Project Potentially Significant

Not only does the Addendum incorrectly conclude that the Proposed Project would not expose sensitive receptors to substantial pollutant concentrations during Project construction, but it also failed to adequately evaluate the Proposed Project's cumulative GHG and air quality impacts, which are likely to be much more severe than the Approved Project's impacts, given the current amount of development occurring within Downtown Los Angeles. (See also The Silverstein Law Firm's Feb.28, 2017 letter regarding related projects in Downtown Los Angeles, cumulative impacts, and associated exhibits, incorporated herein by this reference.) Therefore, contrary to what is stated in the Addendum, with respect to the circumstances under which the previously Approved Project was undertaken, our analysis, as described below, demonstrates that substantial changes have occurred to the amount of development being proposed and constructed within Downtown Los Angeles within the past ten years that, when combined with the Proposed Project's individual emissions, could result in a cumulatively considerable net increase in pollutant and/or GHG emissions for which the air basin is in non-attainment under applicable federal and/or state ambient air quality standards. As a result, we find the Addendum's air quality analysis to be insufficient at adequately evaluating the Proposed Project's cumulative air quality impacts, and maintain that a Project-specific EIR must be prepared to properly assess and mitigate the Proposed Project's potentially significant and more severe impacts.

The Addendum identifies a total of 84 related projects within the affected Project area that are or will be under construction or in operation (and thus will produce pollutant emissions) around the same time as the Proposed Project (Table II-5, p. II-43 – II-48). However, the Addendum fails to actually evaluate the cumulative air quality impacts that the Project, in combination with these 84 related projects, would

[12] http://oehha.ca.gov/air/hot_spots/2015/2015GuidanceManual.pdf p. 1-5

result in, nor with other related projects previously identified in the Feb. 28, 2017 letter. Without conducting an actual analysis, the Addendum still concludes that because "the Project would not generate construction or operational emissions that exceed the SCAQMD's recommended regional thresholds of significance," that "the Modified Project would not generate a cumulatively considerable increase in emissions of the pollutants for which the Basin is in nonattainment, and impacts would be less than significant" (p. III-60). We find this conclusion, however, to be inadequate.

According to CEQA Guidelines Section 15355, "'Cumulative impacts'" refers to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts".[13] Therefore, the Addendum's assertion that the Project would not have a cumulatively significant impact on air quality simply because the Project's construction-related emissions were found not to be significant is completely unsubstantiated, as the Addendum fails to consider the combined emissions resulting from the Proposed Project and the other proposed Projects within the area. Furthermore, according to Section 15064(h)(1) of the CEQA Guidelines,

> "The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time".[14]

Thus, simply because a Project's individual emissions do not exceed thresholds does not mean that the Project will inherently have a less-than-significant cumulative air quality impact. The fact that the Addendum found the Project's individual construction emissions to not exceed SCAQMD thresholds does not mean that the Project, in combination with the 84 surrounding and other identified projects, will not have a cumulatively considerable impact on both local and regional air quality. As such, the cumulative impact from the 84 identified projects, in conjunction with the proposed Project, should have been evaluated in order to determine the cumulative air quality impact that construction and operation of the Project may have on the surrounding environment.

Conducting a proper evaluation of the Proposed Project's cumulative air quality impacts is especially crucial now, given the sudden spike in development occurring within Downtown Los Angeles currently. According to a January 2017 article published by the Los Angeles Times, "Downtown Los Angeles is undergoing its largest construction boom in modern times — an explosion juiced by foreign investment that's adding thousands of residences, construction jobs and a multitude of shops and restaurants."[15] According to this article,

> "Since 2010, according to real estate data firm CoStar, 42 developments of at least 50,000 square feet have been built — a figure that includes large adaptive reuse projects such as

[13] "CEQA Guidelines for Cumulative and Indirect Impacts." *California Department of Transportation*, March, 2016, *available at:* http://www.dot.ca.gov/ser/cumulative_guidance/ceqa_guidelines.htm

[14] "CEQA Guidelines for Cumulative and Indirect Impacts." California Department of Transportation, March, 2014, *available at*: http://www.dot.ca.gov/ser/cumulative_guidance/ceqa_guidelines.htm

[15] "Downtown Los Angeles hasn't seen this much construction since the 1920s," Los Angeles Times, January 8, 2017, *available at:* http://www.latimes.com/business/la-fi-downtown-boom-20161130-story.html

converting an aging warehouse into new offices. An additional 37 large projects are under construction."

Similarly, according to another recent article, "the pace of housing development quickened in 2016, with more than 13,000 units added across the city. Not surprisingly, nearly a third of those units are located in the Downtown area."[16]

These articles, and many others just like it, demonstrate the massive boom in development that has occurred in Downtown Los Angeles since 2010, long after the Approved Project was evaluated and approved. While the related projects table provided in the Addendum does not give a fully comprehensive list of all past, present, and foreseeable future projects, it does give the public a good indication of how congested the Project area is currently, with approximately 84 projects within an 8-block area surrounding the site (Figure II-29, pp. 93). To provide a rough comparison, the 2007 IS/MND identified approximately 70 projects within this same 8-block radius (IS/MND, Figure I-13, pp. 28). Thus, while most likely still underestimated, the area surrounding the Project has experienced a growth of approximately 20%, minimum, since the preparation of the 2007 IS/MND, something that the Addendum fails to acknowledge or even address. As a result, we find the Addendum's cumulative impact assessment and subsequent significance determination to be inadequate and entirely incorrect, as they are not supported by substantial evidence.

Our analysis demonstrates that the Addendum fails to adequately evaluate this potentially significant cumulative impact prior to making a significance determination, and as a result, the proposed Project's air quality impacts are not sufficiently addressed. A correct cumulative air quality assessment should be conducted in a Project-specific EIR that properly assesses the potential cumulative impacts that the combination of all these projects poses to the surrounding communities.

Sincerely,

Matt Hagemann, P.G., C.Hg.

Jessie Jaeger

[16] Downtown LA construction boom is largest in nearly a century, Curbed Los Angeles, January, 2017, *available at:* https://la.curbed.com/2017/1/8/14207418/downtown-la-construction-boom-pace-1920-los-angeles

hillstreetresidential

Start date and time 06/26/17 15:00:42
AERSCREEN 14147

HillStreetResidential

HillStreetResidential

---------- DATA ENTRY VALIDATION ----------

** AREADATA **	METRIC	ENGLISH
Emission Rate:	0.292E-02 g/s	0.232E-01 lb/hr
Area Height:	3.00 meters	9.84 feet
Area Source Length:	65.00 meters	213.25 feet
Area Source Width:	50.00 meters	164.04 feet
Vertical Dimension:	1.50 meters	4.92 feet
Model Mode:	URBAN	
Population:	3900000	
Dist to Ambient Air:	1.0 meters	3. feet

** BUILDING DATA **

No Building Downwash Parameters

** TERRAIN DATA **

No Terrain Elevations
Source Base Elevation: 0.0 meters 0.0 feet

Probe distance: 5000. meters 16404. feet

No flagpole receptors

No discrete receptors used

** METEOROLOGY DATA **

Min/Max Temperature: 250.0 / 310.0 K -9.7 / 98.3 Deg F

Minimum Wind Speed: 0.5 m/s

Anemometer Height: 10.000 meters

hillstreetresidential
Dominant Surface Profile: Urban
Dominant Climate Type: Average Moisture

AERSCREEN output file:
hillstreetresidential.out

*** AERSCREEN Run is Ready to Begin

No terrain used, AERMAP will not be run
****

SURFACE CHARACTERISTICS & MAKEMET
Obtaining surface characteristics...

Using AERMET seasonal surface characteristics for Urban with Average Moisture

Season	Albedo	Bo	zo
Winter	0.35	1.50	1.000
Spring	0.14	1.00	1.000
Summer	0.16	2.00	1.000
Autumn	0.18	2.00	1.000

Creating met files aerscreen_01_01.sfc & aerscreen_01_01.pfl

Creating met files aerscreen_02_01.sfc & aerscreen_02_01.pfl

Creating met files aerscreen_03_01.sfc & aerscreen_03_01.pfl

Creating met files aerscreen_04_01.sfc & aerscreen_04_01.pfl

Buildings and/or terrain present or rectangular area source, skipping probe

FLOWSECTOR started 06/26/17 15:02:05
****

Running AERMOD
Processing Winter

Processing surface roughness sector 1

****
Processing wind flow sector 1

AERMOD Finishes Successfully for FLOWSECTOR stage 2 Winter sector 0

******** WARNING MESSAGES ********

*** NONE ***

****

Processing wind flow sector 2

AERMOD Finishes Successfully for FLOWSECTOR stage 2 Winter sector 5

******** WARNING MESSAGES ********

*** NONE ***

****

Processing wind flow sector 3

AERMOD Finishes Successfully for FLOWSECTOR stage 2 Winter sector 10

******** WARNING MESSAGES ********

*** NONE ***

****

Processing wind flow sector 4

AERMOD Finishes Successfully for FLOWSECTOR stage 2 Winter sector 15

******** WARNING MESSAGES ********

*** NONE ***

****

Processing wind flow sector 5

AERMOD Finishes Successfully for FLOWSECTOR stage 2 Winter sector 20

******** WARNING MESSAGES ********

*** NONE ***

****

Processing wind flow sector 6

AERMOD Finishes Successfully for FLOWSECTOR stage 2 Winter sector 25

******** WARNING MESSAGES ********

*** NONE ***

****

Processing wind flow sector 7

AERMOD Finishes Successfully for FLOWSECTOR stage 2 Winter sector 30

******** WARNING MESSAGES ********

*** NONE ***

****

Processing wind flow sector 8

AERMOD Finishes Successfully for FLOWSECTOR stage 2 Winter sector 35

******** WARNING MESSAGES ********

*** NONE ***

****

Processing wind flow sector 9

AERMOD Finishes Successfully for FLOWSECTOR stage 2 Winter sector 40

******** WARNING MESSAGES ********

*** NONE ***

****

Running AERMOD
Processing Spring

Processing surface roughness sector 1

****

Processing wind flow sector 1

AERMOD Finishes Successfully for FLOWSECTOR stage 2 Spring sector 0

******** WARNING MESSAGES ********

*** NONE ***

****
Processing wind flow sector 2

AERMOD Finishes Successfully for FLOWSECTOR stage 2 Spring sector 5

******** WARNING MESSAGES ********

*** NONE ***

****
Processing wind flow sector 3

AERMOD Finishes Successfully for FLOWSECTOR stage 2 Spring sector 10

******** WARNING MESSAGES ********

*** NONE ***

****
Processing wind flow sector 4

AERMOD Finishes Successfully for FLOWSECTOR stage 2 Spring sector 15

******** WARNING MESSAGES ********

*** NONE ***

****
Processing wind flow sector 5

AERMOD Finishes Successfully for FLOWSECTOR stage 2 Spring sector 20

******** WARNING MESSAGES ********

*** NONE ***

****
Processing wind flow sector 6

```
 AERMOD Finishes Successfully for FLOWSECTOR stage 2 Spring sector  25

    ********   WARNING MESSAGES    ********

                ***  NONE  ***

 ***************************************************
 Processing wind flow sector   7

  AERMOD Finishes Successfully for FLOWSECTOR stage 2 Spring sector  30

    ********   WARNING MESSAGES    ********

                ***  NONE  ***

 ***************************************************
 Processing wind flow sector   8

  AERMOD Finishes Successfully for FLOWSECTOR stage 2 Spring sector  35

    ********   WARNING MESSAGES    ********

                ***  NONE  ***

 ***************************************************
 Processing wind flow sector   9

  AERMOD Finishes Successfully for FLOWSECTOR stage 2 Spring sector  40

    ********   WARNING MESSAGES    ********

                ***  NONE  ***

 *******************************************

  Running AERMOD
 Processing Summer

Processing surface roughness sector  1

***************************************************
Processing wind flow sector   1

 AERMOD Finishes Successfully for FLOWSECTOR stage 2 Summer sector   0
```

******** WARNING MESSAGES ********

*** NONE ***

****

Processing wind flow sector 2

AERMOD Finishes Successfully for FLOWSECTOR stage 2 Summer sector 5

******** WARNING MESSAGES ********

*** NONE ***

****

Processing wind flow sector 3

AERMOD Finishes Successfully for FLOWSECTOR stage 2 Summer sector 10

******** WARNING MESSAGES ********

*** NONE ***

****

Processing wind flow sector 4

AERMOD Finishes Successfully for FLOWSECTOR stage 2 Summer sector 15

******** WARNING MESSAGES ********

*** NONE ***

****

Processing wind flow sector 5

AERMOD Finishes Successfully for FLOWSECTOR stage 2 Summer sector 20

******** WARNING MESSAGES ********

*** NONE ***

****

Processing wind flow sector 6

AERMOD Finishes Successfully for FLOWSECTOR stage 2 Summer sector 25

******** WARNING MESSAGES ********

*** NONE ***

****

Processing wind flow sector 7

AERMOD Finishes Successfully for FLOWSECTOR stage 2 Summer sector 30

******** WARNING MESSAGES ********

*** NONE ***

****

Processing wind flow sector 8

AERMOD Finishes Successfully for FLOWSECTOR stage 2 Summer sector 35

******** WARNING MESSAGES ********

*** NONE ***

****

Processing wind flow sector 9

AERMOD Finishes Successfully for FLOWSECTOR stage 2 Summer sector 40

******** WARNING MESSAGES ********

*** NONE ***

****

Running AERMOD
Processing Autumn

Processing surface roughness sector 1

****

Processing wind flow sector 1

AERMOD Finishes Successfully for FLOWSECTOR stage 2 Autumn sector 0

******** WARNING MESSAGES ********

*** NONE ***

****

Processing wind flow sector 2

AERMOD Finishes Successfully for FLOWSECTOR stage 2 Autumn sector 5

******** WARNING MESSAGES ********

*** NONE ***

****

Processing wind flow sector 3

AERMOD Finishes Successfully for FLOWSECTOR stage 2 Autumn sector 10

******** WARNING MESSAGES ********

*** NONE ***

****

Processing wind flow sector 4

AERMOD Finishes Successfully for FLOWSECTOR stage 2 Autumn sector 15

******** WARNING MESSAGES ********

*** NONE ***

****

Processing wind flow sector 5

AERMOD Finishes Successfully for FLOWSECTOR stage 2 Autumn sector 20

******** WARNING MESSAGES ********

*** NONE ***

****

Processing wind flow sector 6

AERMOD Finishes Successfully for FLOWSECTOR stage 2 Autumn sector 25

******** WARNING MESSAGES ********

*** NONE ***

****

Processing wind flow sector 7

AERMOD Finishes Successfully for FLOWSECTOR stage 2 Autumn sector 30

******** WARNING MESSAGES ********

*** NONE ***

****

Processing wind flow sector 8

AERMOD Finishes Successfully for FLOWSECTOR stage 2 Autumn sector 35

******** WARNING MESSAGES ********

*** NONE ***

****

Processing wind flow sector 9

AERMOD Finishes Successfully for FLOWSECTOR stage 2 Autumn sector 40

******** WARNING MESSAGES ********

*** NONE ***

FLOWSECTOR ended 06/26/17 15:02:23

REFINE started 06/26/17 15:02:23

AERMOD Finishes Successfully for REFINE stage 3 Winter sector 0

******** WARNING MESSAGES ********

*** NONE ***

```
REFINE       ended 06/26/17 15:02:25

*********************************************
AERSCREEN Finished Successfully
With no errors or warnings
Check log file for details
*********************************************

Ending date and time  06/26/17 15:02:25
```

hillstreetresidential_max_conc_distance

Concentration	Distance	Elevation	Season/Month	Zo sector	Date	H0
U* W* DT/DZ ZICNV ZIMCH M-O LEN Z0 BOWEN ALBEDO REF WS HT REF TA HT						
0.11347E+02	1.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21. 6.0 1.000 1.50 0.35 0.50 10.0 310.0 2.0						
0.14774E+02	25.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21. 6.0 1.000 1.50 0.35 0.50 10.0 310.0 2.0						
* 0.15552E+02	33.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21. 6.0 1.000 1.50 0.35 0.50 10.0 310.0 2.0						
0.10506E+02	50.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21. 6.0 1.000 1.50 0.35 0.50 10.0 310.0 2.0						
0.54016E+01	75.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21. 6.0 1.000 1.50 0.35 0.50 10.0 310.0 2.0						
0.35739E+01	100.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21. 6.0 1.000 1.50 0.35 0.50 10.0 310.0 2.0						
0.26105E+01	125.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21. 6.0 1.000 1.50 0.35 0.50 10.0 310.0 2.0						
0.20236E+01	150.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21. 6.0 1.000 1.50 0.35 0.50 10.0 310.0 2.0						
0.16338E+01	175.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21. 6.0 1.000 1.50 0.35 0.50 10.0 310.0 2.0						
0.13574E+01	200.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21. 6.0 1.000 1.50 0.35 0.50 10.0 310.0 2.0						
0.11532E+01	225.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21. 6.0 1.000 1.50 0.35 0.50 10.0 310.0 2.0						
0.99679E+00	250.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21. 6.0 1.000 1.50 0.35 0.50 10.0 310.0 2.0						
0.87375E+00	275.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21. 6.0 1.000 1.50 0.35 0.50 10.0 310.0 2.0						
0.77506E+00	300.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21. 6.0 1.000 1.50 0.35 0.50 10.0 310.0 2.0						
0.69419E+00	325.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21. 6.0 1.000 1.50 0.35 0.50 10.0 310.0 2.0						

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   0.62684E+00       350.00       0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.56993E+00       375.00       0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.52153E+00       400.00       0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.47982E+00       425.00       0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.44357E+00       450.00       0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.41180E+00       475.00       0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.38385E+00       500.00       0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.35904E+00       525.00       0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.33693E+00       550.00       0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.31704E+00       575.00       0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.29906E+00       600.00       0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.28269E+00       625.00       0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.26782E+00       650.00       0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.25426E+00       675.00       0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.24185E+00       700.00       0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.23046E+00       725.00       0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
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   0.21997E+00       750.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.21029E+00       775.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.20131E+00       800.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.19298E+00       825.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.18523E+00       850.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.17870E+00       875.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.17191E+00       900.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.16556E+00       925.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.15960E+00       950.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.15400E+00       975.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.14874E+00      1000.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.14378E+00      1025.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.13909E+00      1050.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.13467E+00      1075.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.13049E+00      1100.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.12652E+00      1125.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
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   0.12276E+00      1150.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.11919E+00      1175.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.11579E+00      1200.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.11256E+00      1225.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.10948E+00      1249.99      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.10655E+00      1275.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.10374E+00      1300.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.10107E+00      1325.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.98510E-01      1350.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.96061E-01      1375.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.93715E-01      1400.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.91467E-01      1425.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.89311E-01      1450.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.87241E-01      1475.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.85253E-01      1500.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.83342E-01      1525.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
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   0.81504E-01      1550.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.79736E-01      1574.99      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.78032E-01      1600.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.76391E-01      1625.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.74808E-01      1650.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.73282E-01      1675.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.71808E-01      1700.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.70386E-01      1725.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.69011E-01      1750.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.67682E-01      1775.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.66397E-01      1800.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.65153E-01      1824.99      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.63950E-01      1850.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.62784E-01      1875.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.61655E-01      1899.99      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.60560E-01      1924.99      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
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   0.59499E-01      1950.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.58469E-01      1975.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.57470E-01      2000.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.56500E-01      2025.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.55558E-01      2050.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.54644E-01      2075.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.53754E-01      2100.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.52890E-01      2124.99      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.52050E-01      2150.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.51232E-01      2175.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.50437E-01      2200.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.49662E-01      2225.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.48908E-01      2250.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.48174E-01      2275.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.47459E-01      2300.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.46762E-01      2325.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
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   0.46083E-01      2350.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.45420E-01      2375.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.44774E-01      2399.99      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.44144E-01      2425.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.43529E-01      2449.99      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.42930E-01      2475.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.42344E-01      2500.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.41772E-01      2525.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.41214E-01      2550.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.40668E-01      2575.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.40135E-01      2600.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.39615E-01      2625.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.39106E-01      2650.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.38608E-01      2675.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.38122E-01      2700.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.37646E-01      2725.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
```

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   0.37181E-01      2750.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.36726E-01      2775.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.36281E-01      2800.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.35845E-01      2825.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.35418E-01      2850.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.35001E-01      2875.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.34592E-01      2900.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.34192E-01      2925.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.33799E-01      2950.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.33415E-01      2975.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.33039E-01      2999.99      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.32671E-01      3025.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.32309E-01      3050.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.31956E-01      3075.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.31609E-01      3100.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.31269E-01      3125.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
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   0.30935E-01      3150.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.30608E-01      3174.99      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.30288E-01      3200.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.29973E-01      3225.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.29665E-01      3250.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.29362E-01      3275.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.29066E-01      3300.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.28775E-01      3325.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.28489E-01      3350.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.28208E-01      3375.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.27933E-01      3400.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.27663E-01      3425.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.27398E-01      3450.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.27138E-01      3475.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.26882E-01      3500.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.26631E-01      3525.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
```

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   0.26385E-01      3550.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.26143E-01      3575.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.25905E-01      3600.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.25672E-01      3625.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.25442E-01      3650.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.25217E-01      3674.99      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.24996E-01      3700.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.24779E-01      3724.99      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.24565E-01      3750.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.24355E-01      3775.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.24148E-01      3800.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.23945E-01      3825.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.23746E-01      3849.99      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.23550E-01      3875.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.23357E-01      3900.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.23168E-01      3925.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
```

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   0.22982E-01      3950.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.22799E-01      3975.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.22619E-01      4000.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.22442E-01      4025.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.22267E-01      4050.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.22096E-01      4074.99      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.21928E-01      4100.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.21762E-01      4125.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.21599E-01      4150.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.21438E-01      4175.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.21281E-01      4200.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.21125E-01      4225.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.20973E-01      4250.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.20822E-01      4275.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.20674E-01      4300.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.20529E-01      4325.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
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   0.20385E-01      4350.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.20244E-01      4375.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.20105E-01      4400.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.19969E-01      4425.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.19834E-01      4449.99      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.19702E-01      4475.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.19571E-01      4500.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.19443E-01      4525.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.19316E-01      4550.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.19192E-01      4575.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.19069E-01      4600.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.18948E-01      4625.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.18829E-01      4650.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.18712E-01      4675.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.18596E-01      4700.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.18483E-01      4725.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
```

hillstreetresidential_max_conc_distance

```
   0.18370E-01      4750.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.18260E-01      4775.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.18151E-01      4800.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.18044E-01      4825.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.17938E-01      4850.00      0.00        Winter       0-360   10011001   -1.30
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   2.0
   0.17834E-01      4875.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
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   0.17731E-01      4900.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.17630E-01      4925.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.17530E-01      4950.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.17432E-01      4975.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
   0.17335E-01      5000.00      0.00        Winter       0-360   10011001   -1.30
0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50   10.0   310.0
   2.0
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SWAPE Technical Consultation, Data Analysis and Litigation Support for the Environment

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Matthew F. Hagemann, P.G., C.Hg., QSD, QSP

Geologic and Hydrogeologic Characterization
Industrial Stormwater Compliance
Investigation and Remediation Strategies
Litigation Support and Testifying Expert
CEQA Review

Education:

M.S. Degree, Geology, California State University Los Angeles, Los Angeles, CA, 1984.
B.A. Degree, Geology, Humboldt State University, Arcata, CA, 1982.

Professional Certifications:

California Professional Geologist
California Certified Hydrogeologist
Qualified SWPPP Developer and Practitioner

Professional Experience:

Matt has 25 years of experience in environmental policy, assessment and remediation. He spent nine years with the U.S. EPA in the RCRA and Superfund programs and served as EPA's Senior Science Policy Advisor in the Western Regional Office where he identified emerging threats to groundwater from perchlorate and MTBE. While with EPA, Matt also served as a Senior Hydrogeologist in the oversight of the assessment of seven major military facilities undergoing base closure. He led numerous enforcement actions under provisions of the Resource Conservation and Recovery Act (RCRA) while also working with permit holders to improve hydrogeologic characterization and water quality monitoring.

Matt has worked closely with U.S. EPA legal counsel and the technical staff of several states in the application and enforcement of RCRA, Safe Drinking Water Act and Clean Water Act regulations. Matt has trained the technical staff in the States of California, Hawaii, Nevada, Arizona and the Territory of Guam in the conduct of investigations, groundwater fundamentals, and sampling techniques.

Positions Matt has held include:

- Founding Partner, Soil/Water/Air Protection Enterprise (SWAPE) (2003 – present);
- Geology Instructor, Golden West College, 2010 – 2014;
- Senior Environmental Analyst, Komex H2O Science, Inc. (2000 -- 2003);

- Executive Director, Orange Coast Watch (2001 – 2004);
- Senior Science Policy Advisor and Hydrogeologist, U.S. Environmental Protection Agency (1989–1998);
- Hydrogeologist, National Park Service, Water Resources Division (1998 – 2000);
- Adjunct Faculty Member, San Francisco State University, Department of Geosciences (1993 – 1998);
- Instructor, College of Marin, Department of Science (1990 – 1995);
- Geologist, U.S. Forest Service (1986 – 1998); and
- Geologist, Dames & Moore (1984 – 1986).

Senior Regulatory and Litigation Support Analyst:

With SWAPE, Matt's responsibilities have included:

- Lead analyst and testifying expert in the review of over 100 environmental impact reports since 2003 under CEQA that identify significant issues with regard to hazardous waste, water resources, water quality, air quality, Valley Fever, greenhouse gas emissions, and geologic hazards. Make recommendations for additional mitigation measures to lead agencies at the local and county level to include additional characterization of health risks and implementation of protective measures to reduce worker exposure to hazards from toxins and Valley Fever.
- Stormwater analysis, sampling and best management practice evaluation at industrial facilities.
- Manager of a project to provide technical assistance to a community adjacent to a former Naval shipyard under a grant from the U.S. EPA.
- Technical assistance and litigation support for vapor intrusion concerns.
- Lead analyst and testifying expert in the review of environmental issues in license applications for large solar power plants before the California Energy Commission.
- Manager of a project to evaluate numerous formerly used military sites in the western U.S.
- Manager of a comprehensive evaluation of potential sources of perchlorate contamination in Southern California drinking water wells.
- Manager and designated expert for litigation support under provisions of Proposition 65 in the review of releases of gasoline to sources drinking water at major refineries and hundreds of gas stations throughout California.
- Expert witness on two cases involving MTBE litigation.
- Expert witness and litigation support on the impact of air toxins and hazards at a school.
- Expert witness in litigation at a former plywood plant.

With Komex H2O Science Inc., Matt's duties included the following:

- Senior author of a report on the extent of perchlorate contamination that was used in testimony by the former U.S. EPA Administrator and General Counsel.
- Senior researcher in the development of a comprehensive, electronically interactive chronology of MTBE use, research, and regulation.
- Senior researcher in the development of a comprehensive, electronically interactive chronology of perchlorate use, research, and regulation.
- Senior researcher in a study that estimates nationwide costs for MTBE remediation and drinking water treatment, results of which were published in newspapers nationwide and in testimony against provisions of an energy bill that would limit liability for oil companies.
- Research to support litigation to restore drinking water supplies that have been contaminated by MTBE in California and New York.

- Expert witness testimony in a case of oil production-related contamination in Mississippi.
- Lead author for a multi-volume remedial investigation report for an operating school in Los Angeles that met strict regulatory requirements and rigorous deadlines.

- Development of strategic approaches for cleanup of contaminated sites in consultation with clients and regulators.

Executive Director:

As Executive Director with Orange Coast Watch, Matt led efforts to restore water quality at Orange County beaches from multiple sources of contamination including urban runoff and the discharge of wastewater. In reporting to a Board of Directors that included representatives from leading Orange County universities and businesses, Matt prepared issue papers in the areas of treatment and disinfection of wastewater and control of the discharge of grease to sewer systems. Matt actively participated in the development of countywide water quality permits for the control of urban runoff and permits for the discharge of wastewater. Matt worked with other nonprofits to protect and restore water quality, including Surfrider, Natural Resources Defense Council and Orange County CoastKeeper as well as with business institutions including the Orange County Business Council.

Hydrogeology:

As a Senior Hydrogeologist with the U.S. Environmental Protection Agency, Matt led investigations to characterize and cleanup closing military bases, including Mare Island Naval Shipyard, Hunters Point Naval Shipyard, Treasure Island Naval Station, Alameda Naval Station, Moffett Field, Mather Army Airfield, and Sacramento Army Depot. Specific activities were as follows:

- Led efforts to model groundwater flow and contaminant transport, ensured adequacy of monitoring networks, and assessed cleanup alternatives for contaminated sediment, soil, and groundwater.
- Initiated a regional program for evaluation of groundwater sampling practices and laboratory analysis at military bases.
- Identified emerging issues, wrote technical guidance, and assisted in policy and regulation development through work on four national U.S. EPA workgroups, including the Superfund Groundwater Technical Forum and the Federal Facilities Forum.

At the request of the State of Hawaii, Matt developed a methodology to determine the vulnerability of groundwater to contamination on the islands of Maui and Oahu. He used analytical models and a GIS to show zones of vulnerability, and the results were adopted and published by the State of Hawaii and County of Maui.

As a hydrogeologist with the EPA Groundwater Protection Section, Matt worked with provisions of the Safe Drinking Water Act and NEPA to prevent drinking water contamination. Specific activities included the following:

- Received an EPA Bronze Medal for his contribution to the development of national guidance for the protection of drinking water.
- Managed the Sole Source Aquifer Program and protected the drinking water of two communities through designation under the Safe Drinking Water Act. He prepared geologic reports, conducted public hearings, and responded to public comments from residents who were very concerned about the impact of designation.

- Reviewed a number of Environmental Impact Statements for planned major developments, including large hazardous and solid waste disposal facilities, mine reclamation, and water transfer.

Matt served as a hydrogeologist with the RCRA Hazardous Waste program. Duties were as follows:

- Supervised the hydrogeologic investigation of hazardous waste sites to determine compliance with Subtitle C requirements.
- Reviewed and wrote "part B" permits for the disposal of hazardous waste.
- Conducted RCRA Corrective Action investigations of waste sites and led inspections that formed the basis for significant enforcement actions that were developed in close coordination with U.S. EPA legal counsel.
- Wrote contract specifications and supervised contractor's investigations of waste sites.

With the National Park Service, Matt directed service-wide investigations of contaminant sources to prevent degradation of water quality, including the following tasks:

- Applied pertinent laws and regulations including CERCLA, RCRA, NEPA, NRDA, and the Clean Water Act to control military, mining, and landfill contaminants.
- Conducted watershed-scale investigations of contaminants at parks, including Yellowstone and Olympic National Park.
- Identified high-levels of perchlorate in soil adjacent to a national park in New Mexico and advised park superintendent on appropriate response actions under CERCLA.
- Served as a Park Service representative on the Interagency Perchlorate Steering Committee, a national workgroup.
- Developed a program to conduct environmental compliance audits of all National Parks while serving on a national workgroup.
- Co-authored two papers on the potential for water contamination from the operation of personal watercraft and snowmobiles, these papers serving as the basis for the development of nation-wide policy on the use of these vehicles in National Parks.
- Contributed to the Federal Multi-Agency Source Water Agreement under the Clean Water Action Plan.

Policy:

Served senior management as the Senior Science Policy Advisor with the U.S. Environmental Protection Agency, Region 9. Activities included the following:

- Advised the Regional Administrator and senior management on emerging issues such as the potential for the gasoline additive MTBE and ammonium perchlorate to contaminate drinking water supplies.
- Shaped EPA's national response to these threats by serving on workgroups and by contributing to guidance, including the Office of Research and Development publication, Oxygenates in Water: Critical Information and Research Needs.
- Improved the technical training of EPA's scientific and engineering staff.
- Earned an EPA Bronze Medal for representing the region's 300 scientists and engineers in negotiations with the Administrator and senior management to better integrate scientific principles into the policy-making process.
- Established national protocol for the peer review of scientific documents.

Geology:

With the U.S. Forest Service, Matt led investigations to determine hillslope stability of areas proposed for timber harvest in the central Oregon Coast Range. Specific activities were as follows:

- Mapped geology in the field, and used aerial photographic interpretation and mathematical models to determine slope stability.
- Coordinated his research with community members who were concerned with natural resource protection.
- Characterized the geology of an aquifer that serves as the sole source of drinking water for the city of Medford, Oregon.

As a consultant with Dames and Moore, Matt led geologic investigations of two contaminated sites (later listed on the Superfund NPL) in the Portland, Oregon, area and a large hazardous waste site in eastern Oregon. Duties included the following:

- Supervised year-long effort for soil and groundwater sampling.
- Conducted aquifer tests.
- Investigated active faults beneath sites proposed for hazardous waste disposal.

Teaching:

From 1990 to 1998, Matt taught at least one course per semester at the community college and university levels:

- At San Francisco State University, held an adjunct faculty position and taught courses in environmental geology, oceanography (lab and lecture), hydrogeology, and groundwater contamination.
- Served as a committee member for graduate and undergraduate students.
- Taught courses in environmental geology and oceanography at the College of Marin.

Matt taught physical geology (lecture and lab and introductory geology at Golden West College in Huntington Beach, California from 2010 to 2014.

Invited Testimony, Reports, Papers and Presentations:

Hagemann, M.F., 2008. Disclosure of Hazardous Waste Issues under CEQA. Presentation to the Public Environmental Law Conference, Eugene, Oregon.

Hagemann, M.F., 2008. Disclosure of Hazardous Waste Issues under CEQA. Invited presentation to U.S. EPA Region 9, San Francisco, California.

Hagemann, M.F., 2005. Use of Electronic Databases in Environmental Regulation, Policy Making and Public Participation. Brownfields 2005, Denver, Coloradao.

Hagemann, M.F., 2004. Perchlorate Contamination of the Colorado River and Impacts to Drinking Water in Nevada and the Southwestern U.S. Presentation to a meeting of the American Groundwater Trust, Las Vegas, NV (served on conference organizing committee).

Hagemann, M.F., 2004. Invited testimony to a California Senate committee hearing on air toxins at schools in Southern California, Los Angeles.

Brown, A., Farrow, J., Gray, A. and **Hagemann, M.**, 2004. An Estimate of Costs to Address MTBE Releases from Underground Storage Tanks and the Resulting Impact to Drinking Water Wells. Presentation to the Ground Water and Environmental Law Conference, National Groundwater Association.

Hagemann, M.F., 2004. Perchlorate Contamination of the Colorado River and Impacts to Drinking Water in Arizona and the Southwestern U.S. Presentation to a meeting of the American Groundwater Trust, Phoenix, AZ (served on conference organizing committee).

Hagemann, M.F., 2003. Perchlorate Contamination of the Colorado River and Impacts to Drinking Water in the Southwestern U.S. Invited presentation to a special committee meeting of the National Academy of Sciences, Irvine, CA.

Hagemann, M.F., 2003. Perchlorate Contamination of the Colorado River. Invited presentation to a tribal EPA meeting, Pechanga, CA.

Hagemann, M.F., 2003. Perchlorate Contamination of the Colorado River. Invited presentation to a meeting of tribal repesentatives, Parker, AZ.

Hagemann, M.F., 2003. Impact of Perchlorate on the Colorado River and Associated Drinking Water Supplies. Invited presentation to the Inter-Tribal Meeting, Torres Martinez Tribe.

Hagemann, M.F., 2003. The Emergence of Perchlorate as a Widespread Drinking Water Contaminant. Invited presentation to the U.S. EPA Region 9.

Hagemann, M.F., 2003. A Deductive Approach to the Assessment of Perchlorate Contamination. Invited presentation to the California Assembly Natural Resources Committee.

Hagemann, M.F., 2003. Perchlorate: A Cold War Legacy in Drinking Water. Presentation to a meeting of the National Groundwater Association.

Hagemann, M.F., 2002. From Tank to Tap: A Chronology of MTBE in Groundwater. Presentation to a meeting of the National Groundwater Association.

Hagemann, M.F., 2002. A Chronology of MTBE in Groundwater and an Estimate of Costs to Address Impacts to Groundwater. Presentation to the annual meeting of the Society of Environmental Journalists.

Hagemann, M.F., 2002. An Estimate of the Cost to Address MTBE Contamination in Groundwater (and Who Will Pay). Presentation to a meeting of the National Groundwater Association.

Hagemann, M.F., 2002. An Estimate of Costs to Address MTBE Releases from Underground Storage Tanks and the Resulting Impact to Drinking Water Wells. Presentation to a meeting of the U.S. EPA and State Underground Storage Tank Program managers.

Hagemann, M.F., 2001. From Tank to Tap: A Chronology of MTBE in Groundwater. Unpublished report.

Hagemann, M.F., 2001. Estimated Cleanup Cost for MTBE in Groundwater Used as Drinking Water. Unpublished report.

Hagemann, M.F., 2001. Estimated Costs to Address MTBE Releases from Leaking Underground Storage Tanks. Unpublished report.

Hagemann, M.F., and VanMouwerik, M., 1999. Potential Water Quality Concerns Related to Snowmobile Usage. Water Resources Division, National Park Service, Technical Report.

VanMouwerik, M. and **Hagemann, M.F.** 1999, Water Quality Concerns Related to Personal Watercraft Usage. Water Resources Division, National Park Service, Technical Report.

Hagemann, M.F., 1999, Is Dilution the Solution to Pollution in National Parks? The George Wright Society Biannual Meeting, Asheville, North Carolina.

Hagemann, M.F., 1997, The Potential for MTBE to Contaminate Groundwater. U.S. EPA Superfund Groundwater Technical Forum Annual Meeting, Las Vegas, Nevada.

Hagemann, M.F., and Gill, M., 1996, Impediments to Intrinsic Remediation, Moffett Field Naval Air Station, Conference on Intrinsic Remediation of Chlorinated Hydrocarbons, Salt Lake City.

Hagemann, M.F., Fukunaga, G.L., 1996, The Vulnerability of Groundwater to Anthropogenic Contaminants on the Island of Maui, Hawaii. Hawaii Water Works Association Annual Meeting, Maui, October 1996.

Hagemann, M. F., Fukanaga, G. L., 1996, Ranking Groundwater Vulnerability in Central Oahu, Hawaii. Proceedings, Geographic Information Systems in Environmental Resources Management, Air and Waste Management Association Publication VIP-61.

Hagemann, M.F., 1994. Groundwater Characterization and Cleanup at Closing Military Bases in California. Proceedings, California Groundwater Resources Association Meeting.

Hagemann, M.F. and Sabol, M.A., 1993. Role of the U.S. EPA in the High Plains States Groundwater Recharge Demonstration Program. Proceedings, Sixth Biennial Symposium on the Artificial Recharge of Groundwater.

Hagemann, M.F., 1993. U.S. EPA Policy on the Technical Impracticability of the Cleanup of DNAPL-contaminated Groundwater. California Groundwater Resources Association Meeting.

Hagemann, M.F., 1992. Dense Nonaqueous Phase Liquid Contamination of Groundwater: An Ounce of Prevention... Proceedings, Association of Engineering Geologists Annual Meeting, v. 35.

Other Experience:

Selected as subject matter expert for the California Professional Geologist licensing examination, 2009-2011.

JESSIE MARIE JAEGER

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Santa Monica, California 90405
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SWAPE *Technical Consultation, Data Analysis and Litigation Support for the Environment*

EDUCATION

UNIVERSITY OF CALIFORNIA, LOS ANGELES **B.S. CONSERVATION BIOLOGY & ENVIRONMENTAL SCIENCES** *JUNE 2014*

PROJECT EXPERIENCE

SOIL WATER AIR PROTECTION ENTERPRISE ***SANTA MONICA, CA***

AIR QUALITY SPECIALIST

SENIOR ANALYST: CEQA ANALYSIS & MODELING

- Calculated roadway, stationary source, and cumulative impacts for risk and hazard analyses at proposed land use projects.
- Quantified criteria air pollutant and greenhouse gas emissions released during construction and operational activities of proposed land use projects using CalEEMod and EMFAC2011 emission factors.
- Utilized AERSCREEN, a screening dispersion model, to determine the ambient air concentrations at sensitive receptor locations.
- Organized presentations containing figures and tables comparing results of particulate matter analyses to CEQA thresholds.
- Prepared reports that discuss results of the health risk analyses conducted for several land use redevelopment projects.

SENIOR ANALYST: GREENHOUSE GAS MODELING AND DETERMINATION OF SIGNIFICANCE

- Quantified greenhouse gas (GHG) emissions of a "business as usual" scenario for proposed land use projects using CalEEMod.
- Determined compliance of proposed projects with AB 32 GHG reduction targets, with measures described in CARB's Scoping Plan for each land use sector, and with GHG significance thresholds recommended by various Air Quality Management Districts in California.
- Produced tables and figures that compare the results of the GHG analyses to applicable CEQA thresholds and reduction targets.

PROJECT MANAGER: OFF-GASSING OF FORMALDEHYDE FROM FLOORING PRODUCTS

- Determined the appropriate standard test methods to effectively measure formaldehyde emissions from flooring products.
- Compiled and analyzed laboratory testing data. Produced tables, charts, and graphs to exhibit emission levels.
- Compared finalized testing data to Proposition 65 No Significant Risk Level (NSRL) and to CARB's Phase 2 Standard.
- Prepared a final analytical report and organized supporting data for use as Expert testimony in environmental litigation.
- Participated in meetings with clients to discuss project strategy and identify solutions to achieve short and long term goals.

PROJECT ANALYST: EXPOSURE ASSESSMENT OF CONTAMINANTS EMITTED BY INCINERATOR

- Reviewed and organized sampling data, and determined the maximum levels of arsenic, dioxin, and lead in soil samples.
- Determined cumulative and hourly particulate deposition of incinerator and modeled particle dispersion locations using GIS and AERMOD.
- Conducted risk assessment using guidance set forth by the Office of Environmental Health Hazard Assessment (OEHHA).
- Utilized LeadSpread8 to evaluate exposure, and the potential adverse health effects from exposure, to lead in the environment.
- Compared final results of assessment to the Environmental Protection Agency's (EPA) Regional Screening Levels (RSLs).

ACCOMPLISHMENTS

- **Recipient**, Bruins Advantage Scholarship, University of California, Los Angeles *SEPT 2010 – JUNE 2014*
- **Academic Honoree**, Dean's List, University of California, Los Angeles *SEPT 2013 – JUNE 2014*
- **Academic Wellness Director**, UCLA Undergraduate Students Associated Council *SEPT 2013 – JUNE 2014*
- **Student Groups Support Committee Member**, UCLA Undergraduate Students Associated Council *SEPT 2012 – JUNE 2013*

EXHIBIT 7

HERMAN BASMACIYAN, P.E.
Traffic, Transportation, Parking
Expert Witness and Consulting Services
701 Marguerite Avenue
Corona del Mar, CA 92625
Tel: 949-903-5738
herman.b@roadrunner.com

June 26, 2017

Mr. Robert Silverstein
The Silverstein Law Firm, APC
215 North Marengo Avenue, 3rd Floor
Pasadena, CA 91101-1504

Project No. 1730601

Subject: Proposed Alexan Development Project

Dear Mr. Silverstein

Per your request, I have prepared this letter pertaining to the proposed development, called the Alexan Project, to be located at 840-856 S. Hill Street; and 217-225 W. 9th Street, Los Angeles 90014, ENV-2006-6302-MND-REC1 (Case No. ZA-2006-6350-YV-ZAA-SPR and VTT-66505). In preparing this letter, I have reviewed or referred to environmental documents pertaining to traffic, circulation and parking. These documents consist of:

1. Initial Study/Mitigated Negative Declaration Addendum Dated April 22, 2016, focusing on the Environmental Impact Analysis Chapter, Section III.XVI, TRANSPORTATION/CIRCULATION.
2. Appendices F-1, F-2, and F-3 of the Amended IS/MND
3. August 2006 Initial Study and Mitigated Negative Declaration
4. I have also reviewed and am incorporating by reference the Objection Letter submitted to the City of Los Angeles by the Silverstein Law Firm, dated February 28, 2017, including exhibits 21, 24, 34, 35, 40, 41, 42, and 43 attached thereto.

I am a Registered Civil and Traffic Engineer in the State of California (Registration Numbers 20137 and 525, respectively) and a Registered Engineer (in retired status) in the States of Washington, Arizona, and Florida. I have over 50 years of experience in traffic and transportation engineering, traffic modeling and forecasting, parking studies, and the preparation of traffic impact studies. I have personally prepared or had a key role in the preparation of over 400 reports in various jurisdictions in California, Washington, Oregon, Arizona, Nevada, and Ohio, as well as several multi-State projects sponsored by the U.S. Department of Transportation. My curriculum vitae (cv.) is presented as Exhibit 1, attached.

Based on my review of the documents cited above and my education, professional knowledge and many years of experience, I have noted several deficiencies and/or omissions in the environmental documentation for the Alexan Project. These deficiencies and/or omissions, discussed below and in the following pages of this letter, have led me to conclude that the preparation of an Environmental Impact Report would be appropriate for a project of the magnitude of the Alexan Project.

1. **Cumulative impacts are not addressed adequately** – The procedure used for the analysis of cumulative impacts of the proposed project is faulty because:

- First, the impacts of the proposed project are assessed as though it would be overlain on existing traffic conditions. Based on this process, the analysis in this step concludes that the Alexan Project would have no significant traffic impacts.
- Then, the impacts of the proposed project are assessed as an increment of the combined effect of all related projects. Based on this process, the analysis in this step again concludes that the Alexan Project would have no significant traffic impacts.

With this procedure, true "cumulative traffic" can never be assessed because the impacts of individual projects would be considered less and less severe over time because each successive project would be judged against a larger base amount. As an example, if a project were to add 15 daily vehicles to a street with a traffic count of 1,500 vehicles per day, it would result in a 1% increase to the base traffic of 1,500 vehicles per day. If the impacts of this project were to be ignored because the added amount is minimal, and more projects were to be approved, the traffic count on the street would rise over time (for purposes of this hypothetical example) to 3,000 vehicles per day. The next project under consideration, again for purposes of the example, would also add 15 vehicles per day to the then existing traffic count on the street. But the percentage increase would be 0.5%, even more minimal than the same project that was approved earlier, and any potential impacts would be easier to dismiss. Thus, the true need for infrastructure improvements resulting from all related projects combined would not be known, and it would become increasingly unlikely that any future project would be judged to have significant impacts.

As documented in the Objection Letter Exhibit 21, a large number of related projects in the Central City Area are under construction or are in various stages of the planning process. Cumulatively, these developments would generate over 90,000 trips per day. To compound matters, the construction of contemporaneous development projects disrupts the movement of pedestrians, buses, and other motor vehicles. To further compound matters, current or future major infrastructure projects, such as the current Regional Connector Transit Project, also can cause disruptions.

The following types of potential cumulative traffic impacts could occur within the Central City Area:

- Level of Service (LOS) impacts at signalized intersections,
- LOS impacts on Caltrans facilities,
- Traffic operational and safety considerations at un-signalized intersections,
- LOS impacts at Congestion Management Program (CMP) monitoring intersections and/or on CMP facilities,
- Increased potential conflicts between vehicular and pedestrian/bicycle traffic.

Before the City approves additional individual projects, a true cumulative analysis should be conducted for the Central City Area that takes into consideration all related projects and all modes of transportation. The lack of a proper cumulative impacts analysis by the City for the Alexan Project enlarges the fair argument that can be made, and is made, for the Project having and contributing to significant unmitigable cumulative traffic and circulation impacts, as well as the additional impact areas noted below.

2. **Cumulative construction impacts are not addressed** – The environmental documentation for the Alexan Project concludes that the Proposed Project would not have a significant impact during the construction period. However, the cumulative effect of all construction that may be underway at the same time is not even mentioned. In other cases in the City, it has been concluded that construction impacts, while not significant for individual projects, they may be significant when all related projects are considered cumulatively.

3. **Potential traffic operational and pedestrian/bicycle safety matters at and near the intersection of project driveways with the street system are not addressed** – In the *past, the City has required an assessment of traffic operational matters at driveway intersections with the street system. The environmental documents do not address this matter at all. In an environment, such as the Central City Area where there are many pedestrians, ensuring pedestrian safety is of great importance. Also, in view of the fact* that the City encourages the use of bicycles and has the goal of minimizing collisions between bicycles and other motor vehicles, it does not seem appropriate to ignore this important matter.

4. **Truck access to the site is not analyzed, and the process of accommodating loading/unloading is not described** - This is a significant omission of information necessary for informed decision-making and disclosure and for mitigation of potential significant impacts. It is acknowledged that for purposes of intersection capacity and Level of Service, truck traffic is not an issue. Nevertheless, truck traffic in the immediate vicinity of the Project and within the Project may present traffic operational problems depending on the location and configuration of truck loading/unloading

areas, hours of delivery, the location and configuration of entry/exit points, and the size of trucks. This matter is not discussed at all in the environmental documents, except general statements to the effect that these matters will be handled later in discussions between the developer and City staff. That amounts to deferred study and/or mitigation, which is independently improper.

5. **Intersection Level of Service (LOS) computation cannot be verified** – The environmental documentation does not contain the worksheets for the LOS computations. Therefore, it is not possible to ascertain if the effect of pedestrian traffic on intersection capacity is taken into consideration. In a high pedestrian activity area such as the Central City Area, pedestrians may cause substantial delay to vehicular traffic, especially vehicles turning left or right. If pedestrian traffic is not addressed in the computations, there may be distortion in the conclusions, making them invalid indicators of actual conditions and impacts that can be expected to be experienced. Based upon the nature and volume of pedestrian traffic in and around the proposed Project, a fair argument exists that the Project may cause and contribute to significant traffic impacts that were not properly analyzed because of the inadequate disclosure of the effect of pedestrian traffic.

6. **There is uncertainty about allowable construction hours** – The City of Los Angeles Department of Transportation recommends that construction-related traffic be restricted to off peak periods (please refer to Appendix F-3 to the IS/NMD for the Amended Project, Page 2 in the Inter-Departmental Correspondence dated October 19, 2015 from Tomas Carranza to Karen Hoo). However, the DOT's recommendation is presented as a Project Design Feature, so it is not possible to verify whether the City impose this restriction as a Condition of Approval or allow the construction day to begin at 7:00 AM.

In view of the considerations I have set forth, it is my professional opinion that an Environmental Impact Report should be prepared to alleviate these deficiencies before the proposed Alexan Project is approved.

Please contact me if I can provide further details or clarification about any matters covered in this letter.

Sincerely,

Herman Basmaciyan

Herman Basmaciyan. P.E.

HERMAN BASMACIYAN, P.E.

EXHIBIT B 1

Herman Basmaciyan, P.E.

Profile

- Over 50 years of transportation planning and traffic engineering experience, including consulting services to legal professionals
- Expert witness services in San Diego, Orange, Los Angeles, Riverside, and San Mateo Counties in eminent domain, traffic engineering, transportation engineering/planning, and parking matters
- Experience in numerous traffic impact studies, transportation planning projects, parking studies, public transportation system planning and operations, analysis of land use/transportation system interrelationships, and other traffic/transportation engineering projects
- Management of, or key role in, a wide variety of transportation, transit, and traffic engineering projects in California, Oregon, Washington, Arizona, Nevada, Colorado, Montana, New Mexico, Ohio, and Louisiana

Education

- Master of Science in Civil Engineering, University of Virginia, 1962
- Bachelor of Science in Civil Engineering, Robert College,1960
- Numerous Short Courses in Transportation and Traffic Engineering

Registration

Professional Engineer:

- California, Civil
- California, Traffic
- Arizona (retired status)
- Florida (retired status)
- Washington (retired status)

Professional Organizations

- Institute of Transportation Engineers
- American Society of Civil Engineers
- Orange County Traffic Engineering Council

Employment History

- **Individual** Providing Expert Witness and Consultant Services, Corona del Mar, CA, since January 2005
- **Transportation Consultant,** County of Riverside, Riverside, CA, 2005-2011
- **Vice President**, Kimley-Horn and Associates, Inc, Orange, CA 1992-2004
- **Principal**, Basmaciyan-Darnell, Inc., Irvine, CA 1978-1992
- **Principal**, Herman Basmaciyan and Associates, Newport Beach, CA 1976-1978
- **Senior Associate**, VTN Corporation, Irvine, CA, and Bellevue, WA 1971-1976
- **Senior Transportation Planning Engineer**, DeLeuw, Cather and Company, San Francisco, CA 1970-1971
- **Advisory Analyst**, Service Bureau Corporation (then a subsidiary of IBM), Palo Alto, CA 1967-1970
- **Director**, Puget Sound Regional Transportation Study, Seattle, WA 1962-1967
- **Research Assistant**, Virginia Council of Highway Research, Charlottesville, VA 1960-1962