

# PLANNING DEPARTMENT TRANSMITTAL TO THE CITY CLERK'S OFFICE

<b>CITY PLANNING CASE:</b>	<b>ENVIRONMENTAL DOCUMENT:</b>	<b>COUNCIL DISTRICTS:</b>
CPC-2018-5222-SP	ENV-2018-5223-ND	1- Cedillo 13 – O'Farrell
<b>PROJECT ADDRESS:</b>		
<p>The area consists of the Central City West Specific Plan area. The Central City West Specific Plan area is located immediately west of downtown Los Angeles, comprising of approximately 491 acres bounded generally by the Hollywood Freeway (US-101) on the north, the Harbor Freeway (SR-110) on the east, Olympic Boulevard on the south, and by Glendale Boulevard and Union Avenue on the west.</p>		
<b>APPLICANT</b>	<b>TELEPHONE NUMBER:</b>	<b>EMAIL ADDRESS:</b>
City of Los Angeles  <input type="checkbox"/> New/Changed		
<b>APPLICANT'S REPRESENTATIVE</b>	<b>TELEPHONE NUMBER:</b>	<b>EMAIL ADDRESS:</b>
<b>APPELLANT</b>	<b>TELEPHONE NUMBER:</b>	<b>EMAIL ADDRESS:</b>
<b>APPELLANT'S REPRESENTATIVE</b>	<b>TELEPHONE NUMBER:</b>	<b>EMAIL ADDRESS:</b>
<b>PLANNER CONTACT INFORMATION:</b>	<b>TELEPHONE NUMBER:</b>	<b>EMAIL ADDRESS:</b>
Giselle Corella	(213) 978-1357	<a href="mailto:giselle.corella@lacity.org">giselle.corella@lacity.org</a>
<b>ENTITLEMENTS FOR CITY COUNCIL CONSIDERATION</b>		
<p>Ordinance amending the Central City West Specific Plan</p>		

**FINAL ENTITLEMENTS NOT ADVANCING:**

N/A

**ITEMS APPEALED:**

N/A

**ATTACHMENTS:****REVISED:****ENVIRONMENTAL CLEARANCE:****REVISED:**

- Letter of Determination
- Findings of Fact
- Staff Recommendation Report
- Conditions of Approval
- Ordinance
- Zone Change Map
- GPA Resolution
- Land Use Map
- Exhibit A - Site Plan
- Mailing List
- Land Use
- Other \_\_\_\_\_

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- Categorical Exemption
- Negative Declaration
- Mitigated Negative Declaration
- Environmental Impact Report
- Mitigation Monitoring Program
- Other \_\_\_\_\_

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**NOTES / INSTRUCTION(S):****FISCAL IMPACT STATEMENT:** Yes No

\*If determination states administrative costs are recovered through fees, indicate "Yes".

**PLANNING COMMISSION:**

- City Planning Commission (CPC)
- Cultural Heritage Commission (CHC)
- Central Area Planning Commission
- East LA Area Planning Commission
- Harbor Area Planning Commission

- North Valley Area Planning Commission
- South LA Area Planning Commission
- South Valley Area Planning Commission
- West LA Area Planning Commission

<b>PLANNING COMMISSION HEARING DATE:</b>	<b>COMMISSION VOTE:</b>
November 8, 2018	8 – 0
<b>LAST DAY TO APPEAL:</b>	<b>APPEALED:</b>
N/A	N/A
<b>TRANSMITTED BY:</b>	<b>TRANSMITTAL DATE:</b>
James K. Williams, Commission Executive Assistant II	February 6, 2019



# LOS ANGELES CITY PLANNING COMMISSION

200 North Spring Street, Room 272, Los Angeles, California, 90012-4801, (213) 978-1300  
[www.planning.lacity.org](http://www.planning.lacity.org)

## LETTER OF DETERMINATION

MAILING DATE: FEB 06 2019

Case No. **CPC-2018-5222-SP**  
CEQA No. ENV-2018-5223-ND  
Plan Area: Westlake; Silverlake-Echo Park-Elysian Valley

Council District: 1 – Cedillo  
13 – O’Farrell

**Project Area:** The area consists of the Central City West Specific Plan area. The Central City West Specific Plan area is located immediately west of downtown Los Angeles, comprising of approximately 491 acres bounded generally by the Hollywood Freeway (US-101) on the north, the Harbor Freeway (SR-110) on the east, Olympic Boulevard on the south, and by Glendale Boulevard and Union Avenue on the west.

**Applicant:** City of Los Angeles

At its meeting of **November 8, 2018**, the Los Angeles City Planning Commission took the actions below in conjunction with the approval of the following:

An ordinance to amend the Central City West Specific Plan’s affordable housing requirements.

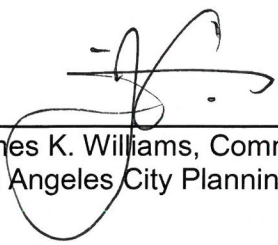
1. **Found**, pursuant to CEQA Guidelines Section 1507 4(b), after consideration of the whole of the administrative record, including the Negative Declaration, No. ENV-2018-5223-ND ("Negative Declaration"), and all comments received, that there is no substantial evidence that the Project will have a significant effect on the environment; **found** the Negative Declaration reflects the independent judgment and analysis of the City; and recommend that the City Council **adopt** the Negative Declaration;
2. **Recommended** that the City Council **adopt**, pursuant to Section 11.5.7 G of the Los Angeles Municipal Code, the Ordinance amending the Central City West Specific Plan, subject to review by the City Attorney as to form and legality;
3. **Adopted** the staff report as the Commission’s report on the subject, including staff’s Technical Modification dated November 5, 2018; and
4. **Adopted** the attached Findings.

The vote proceeded as follows:

Moved: Ambroz  
Second: Millman  
Ayes: Choe, Khorsand, Mack, Mitchell, Padilla-Campos, Dake Wilson  
Absent: Perlman

**Vote: 8 – 0**





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James K. Williams, Commission Executive Assistant II  
Los Angeles City Planning Commission

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

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

Attachments: Amended Ordinance; Findings

cc: Craig Weber, Principal City Planner  
Patricia Diefenderfer, Senior City Planner  
Giselle Corella, City Planner

ORDINANCE NO. \_\_\_\_\_

An ordinance amending Ordinance 180,983, the Central City West Specific Plan and Section 19.18 of the Los Angeles Municipal Code referencing the Central City West Specific Plan.

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

**Section. 1.** Section 4 of Ordinance No.180,983 is amended by revising or adding the following definitions in the proper alphabetical order to read:

Dwelling Unit, Extremely Low Income. A dwelling unit which is rented or sold to and occupied by “Extremely Low Income Households” as defined in Section 50106 of the Health and Safety Code.

Dwelling Unit, Low or Lower Income. A dwelling unit which is rented or sold to and occupied by ~~persons or families whose annual income does not exceed 80% of the median annual income for persons or families residing in the Los Angeles Standard Metropolitan Statistical Area. Median annual income shall be as determined and published periodically by the Federal Department of Housing and Urban Development.~~ “Lower Income Households” as defined in Section 50079.5 of the Health and Safety Code.

Dwelling Unit, Very Low Income. A dwelling unit which is rented or sold to and occupied by ~~persons or families whose annual income does not exceed 50% of the median annual income for persons or families residing in the Los Angeles Standard Metropolitan Statistical Area. Median annual income shall be as determined and published periodically by the Federal Department of Housing and Urban Development.~~ “Very Low Income Households” as defined in Section 50105 of the Health and Safety Code.

**Sec. 2.** Subsections A, B, and C of Section 11 of Ordinance No.180,983 is amended to read:

A. **Required Housing in Mixed Use Overlay Areas.** Within the areas bounded by the heavy dashed lines shown on Map Nos. 2 and 3 of this Specific Plan, for every 1,800 square feet of non-residential floor area constructed, including a hotel use, there shall be one dwelling unit constructed. The dwelling units required to be constructed pursuant to Subsection ~~CB~~ of this Section may be included to satisfy the requirements of this Subsection.

~~B. **Housing Linkage Fee.** All commercial, industrial and the nonresidential portion of Mixed Use Project Applicants within the Specific Plan area shall pay a fee for the purpose of funding Low and Very Low Income Dwelling Units, to be known as the Central City West Housing Linkage Fee (Linkage Fee). This Linkage Fee shall be in lieu of any citywide housing linkage fee adopted by the City. The Linkage Fee shall be charged on a per square foot of floor area basis.~~

~~1. **Linkage Fee Amount.** The Linkage Fee shall be \$5.51 per square foot of non-residential floor area (adjusted to reflect the January 1, 2001 Engineering News-Record Construction Cost Index).~~

2. ~~Annual Indexing.~~ The Linkage Fee shall be revised on January 1 of each year by the Department of City Planning according to the annual percentage change to the Engineering News-Record Construction Cost Index, published monthly by McGraw Hill, Inc. The revised Linkage Fee shall be published by the Department of City Planning in a newspaper of citywide circulation before January 31 of each year.
3. ~~Cash Deposit~~
  - a. ~~The Project Applicant(s) shall pay a cash deposit equivalent to 10% of the total Linkage Fee, as determined by the Department of City Planning, at the time of Project Permit Compliance Review application. The Department of City Planning shall collect and remit the deposited amount to the City Treasurer for deposit into the Central City West Housing Fund (Housing Fund), as established by Article 23, Section 5.115.6 of the Los Angeles Administrative Code.~~
  - b. ~~The cash deposit shall only be refunded to the Project Applicant(s) if Project Permit Compliance Review is denied or becomes null and void pursuant to Section 17 C of this Specific Plan.~~
4. ~~Balance of Linkage Fee.~~ The balance of the Linkage Fee, as calculated by the Department of City Planning at the time of payment, shall be due and payable and collected by the Department of City Planning at the time of issuance of a building permit, and shall be remitted to the City Treasurer for deposit into the Housing Fund.
5. ~~In Lieu Credits.~~ In lieu of the requirements of this Subsection, a commercial, industrial or Mixed Use Project Applicant may construct all or a portion of the number of dwelling units which would have been produced by the Linkage Fee, as determined by the Housing Department (formerly Housing Preservation and Production Department).
6. ~~Exceptions~~
  - a. ~~The floor area devoted to Neighborhood Retail or Neighborhood Service uses, as determined by the Director of Planning, up to a maximum of 40,000 square feet per Project, shall be exempt from the requirements of this Subsection.~~
  - b. ~~The floor area devoted to non-profit hospital space shall be exempt from the requirements of this Subsection.~~
  - c. ~~The floor area devoted to child care facilities shall be exempt from the requirements of this Subsection.~~

## **BC. Replacement Dwelling Units and Inclusionary Housing Requirements**

### **1. Commercial and Industrial Projects**

The following provisions apply when Replacement Housing is required:



- a. All commercial and industrial Project Applicant(s) shall document and replace, on a one-for-one basis in the form of new dwelling unit construction, ~~Low, and Very Low, and Extremely~~ Income Dwelling Units and/or guest rooms demolished on the Project lot or lots on or after February 24, 1984.
- b. Documentation on demolished ~~Low, and~~ Very Low, ~~and Extremely Low~~ Income Dwelling Units and/or guest rooms may consist of Department of Building and Safety demolition permit records, records from the Rent Stabilization Division of the Housing ~~and Community Investment~~ Department, or other documentation acceptable to the Housing ~~and Community Investment~~ Department, or its successor or assignee.
- c. The rehabilitation of existing dwelling units shall not be used by a Project Applicant to satisfy the requirements of this Subsection. However, dwelling units for which no certificate of occupancy has been issued may be used to satisfy these requirements, provided the dwelling units comply with all the provisions of this Specific Plan which are applicable to a residential Project.
- d. If documentation on the income category of the demolished dwelling units is not known, Ddwelling units constructed to replace units and/or guest rooms demolished between February 24, 1984 and the effective date of this Specific Plan shall be provided at a ratio of 60% Very Low Income Dwelling Units and 40% Low Income Dwelling Units.

Replacement obligations of applicable State law or City regulations, including, but not limited to State Density Bonus law and the City's Rent Stabilization Ordinance shall also apply. Conformance with the applicable State law, City ordinance or City program shall not result in less dwelling units than one-for-one replacement.

- e. Any ~~Very Low Income Dwelling Unit and affordable dwelling unit~~ or guest room demolished shall be replaced with a Very Low Income Dwelling Unit, and any Low Income Dwelling Unit and/or guest room demolished shall be replaced with a Low Income Dwelling Unit an affordable dwelling unit at the same income level.
- f. No certificate of occupancy for a commercial or industrial Project which is subject to the requirement to provide replacement dwelling units shall be issued prior to the issuance of the certificate(s) of occupancy for the ~~Low and/or Very Low Income-affordable replacement D~~dwelling ~~U~~units required pursuant to this Subsection.
- g. All net new nonresidential square footage shall be subject to the Citywide Affordable Housing Linkage Fee (LAMC 19.18).

## 2. Residential and Mixed Use Projects

- a. All multiple-family residential or Mixed Use Projects are subject to either the Replacement Dwelling Unit or Inclusionary Housing requirement as follows, whichever results in the greater number of affordable dwelling units:

- 1) One-for-one Replacement. Document and replace, on a one-for-one basis in the form of new dwelling unit construction, Low, ~~and~~ Very Low, or Extremely Income Dwelling Units and/or guest rooms demolished on the lot or lots on or after February 14, 1988; or
- 2) Inclusionary Housing
  - i. Low Income Dwelling Units, 15 Percent Set-aside. If no dwelling units were demolished on the lot or lots on or after February 14, 1988, a Project Applicant shall designate the reserve set-aside 15% of the dwelling unites of the Base Permitted Residential Density within the Project as Low Income Dwelling Units, or
  - ii. Very Low Income Dwelling Units, 8 Percent Set-aside. If no dwelling units were demolished on the lot or lots on or after February 14, 1988, a Project Applicant shall set-aside 8% of the Base Permitted Residential Density within the Project as Very Low Income Dwelling Units.
- b. Replacement Dwelling Units. Documentation on demolished Low, ~~and~~ Very Low, ~~and Extremely Low~~ Income Dwelling Units and/or guest rooms may consist of Department of Building and Safety demolition permit records, records from the Rent Stabilization Division of the Housing and Community Investment Department, or other documentation acceptable to the Housing and Community Investment Department, or its successor or assignee.
- c. No certificate of occupancy for a multiple-family residential or Mixed Use Project which is subject to applicable housing provisions of this Specific Plan shall be issued prior to the issuance of the certificate(s) of occupancy for the Low and/or Very Low and/or Extremely Low Income Dwelling Units required pursuant to this Subsection.
- d. In Lieu Credits. In lieu of the requirements of this Subdivision, a multiple-family residential Project Applicant may pay a fee.
  - 1) The in lieu fee for a required Very Low Income Dwelling Unit shall be ~~\$100,576.14~~ \$175,081.13 per unit.
  - 2) The in lieu fee for a required Low Income Dwelling Unit shall be ~~\$78,883.44~~ \$137,318.81 per unit.
  - 3) The in lieu fees shall be revised on January 1 of each year by the Department of City Planning according to the annual percentage change in the Engineering News-Record Construction Cost Index, published monthly by McGraw Hill, Inc. The revised in lieu fees shall be published by the Department of City Planning in a newspaper of citywide circulation before January 31 of each year.



- e. Exemptions. Multiple-family residential Projects consisting of 10 dwelling units or fewer shall be exempt from the requirements of this Subdivision.
- f. Density Bonus and other Affordable Housing Regulations
  - 1) A Project Applicant for a multiple-family residential or Mixed Use Project subject to the requirements of Subsection 2 a (2) of this Section shall be eligible for a density bonus. Projects that comply with the affordable housing requirements of the Specific Plan are also eligible for incentives offered by other affordable housing incentive programs.
  - 2) Low, ~~and~~ Very Low, and Extremely Low Income Dwelling Units constructed pursuant to this Subsection shall be counted as reserved units in any application for a State-mandated density bonus or other City ordinance or incentive program for the same Project.
- g. Applicability. The regulations, requirements and provisions of Specific Plan Section 11.B shall apply to all Projects.
  - 1) Phased Implementation. Projects will be subject to the Inclusionary Housing requirements in Section 11 B.2(a)(2) in the following manner:
    - a) Projects that have filed for a Project Permit Compliance Review and whose planning case applications have been deemed complete prior to 90 days from the effective date of this ordinance and which have not received any Building Permit from the Department of Building and Safety, shall not be subject to the Inclusionary Housing requirements in Section 11 B.
    - b) Projects that have filed for a Project Permit Compliance Review and whose planning case applications have been deemed complete 91 days following the effective date of this ordinance shall be required to provide one-third of the total Inclusionary Housing requirement or the applicable portion of the in lieu fee as required by Specific Plan Section 11 B.
    - c) Projects that have filed for a Project Permit Compliance Review and whose planning case applications have been deemed complete 182 days following the effective date of this ordinance shall be required to provide two-thirds of the total Inclusionary Housing requirement or the applicable portion of the in lieu fee, as required by Specific Plan Section 11 B.
    - d) Projects that have filed for a Project Permit Compliance Review and whose planning case applications have been deemed complete 273 days following the effective date of this ordinance shall be required to provide the total Inclusionary Housing requirement or the applicable in lieu fee, as required by Specific Plan Section 11 B.

**Sec. 3.** Subsection D of Section 11 of Ordinance No.180,983 is amended to read:

**CD. Dwelling Unit Mix and Size**

1. **Required Replacement Dwelling Units**
  - a. Non-Residential Projects. A minimum of 30% of the required replacement dwelling units for a commercial, industrial or Mixed Use Project shall be two bedrooms or larger.
  - b. Residential Projects. A minimum of 50% of the required replacement dwelling units for a residential Project shall be two bedrooms or larger.
2. **Linkage Fee Dwelling Units.** A minimum of 50% of the dwelling units constructed through the use of Linkage Fee funds by the Housing and Community Investment Department, or its successor or assignee, shall be two bedrooms or larger.
3. **Required Inclusionary Low and Very Low Income Dwelling Units In Residential Projects.** A minimum of 30% of the Low or Very Low Income Dwelling Units required to be reserved in residential Projects pursuant to Subsection CB 2 a (2) of this Section shall be two bedrooms or larger.

**Sec. 4.** Subsection E of Section 11 of Ordinance No.180,983 is amended to read:

**DE. Dwelling Unit Rent Levels**

1. Very Low Income Dwelling Unit. The monthly rent level for a Very Low Income Dwelling Unit required pursuant to this Section shall not exceed 30% of 50% of the median monthly income for persons or families residing in the Los Angeles Standard Metropolitan Statistical Area. The median monthly income shall be as determined and published periodically by the Federal Housing and Urban Development Department.
- ~~2.~~ Low Income Dwelling Unit. The monthly rent level for a Low Income Dwelling Unit required pursuant to this Section shall not exceed 30% of 80% of the median monthly income for persons or families residing in the Los Angeles Standard Metropolitan Statistical Area. The median monthly income shall be as determined and published periodically by the Federal Housing and Urban Development Department.  
  
The rent schedule used for a Low, Very Low, or Extremely Low Income Dwelling Unit required pursuant to this Section, shall be determined by the Housing and Community Investment Department.
- ~~23.~~ Occupancy. Low, ~~Income Dwelling Units and~~ Very Low, and Extremely Low Income Dwelling Units shall be occupied by persons at qualifying income levels, as determined by the Housing and Community Investment Department, or its successor or assignee.
- ~~34.~~ Deed Restriction. Low, ~~and~~ Very Low, and Extremely Income Dwelling Units shall be evidenced by a deed restriction which reserves and maintains the affordability of the required dwelling units for the life of the dwelling units or for 3055 years,

whichever is greater. The deed restriction shall also state that rent levels cannot exceed those specified in this Subsection.

**Sec. 5.** Subsection F of Section 11 of Ordinance No.180,983 is amended to renumber the Subsection as Subsection “E”:

**EF. Dwelling Unit Priority**

**Sec. 6.** Subdivision 1 of Subsection E of Section 11 of Ordinance No.180,983 is amended to read:

1. **Priority Eligibility.** ~~Low\_ and Very Low\_ and Extremely Low~~ Income Dwelling Units required pursuant to this Section shall be made available to eligible persons or households in the following order of priority: first, to those who have been or will be displaced by the demolition of ~~Low\_ and Very Low\_ and Extremely Low~~ Income Dwelling Units or guest rooms within the Specific Plan area; second, to persons employed within the Specific Plan area who qualify as Extremely Low, Very Low or Low Income households; third, to others who qualify as Extremely Low, Very Low or Low Income households.

**Sec. 7.** Subdivision 3 of Subsection E of Section 11 of Ordinance No.180,983 is amended to read:

3. **Notice Requirements.** A notice of the availability of Low or Very Low or Extremely Low Income Dwelling Units required pursuant to this Section shall be caused to be published by the Project Applicant(s) in at least two (2) local newspapers, at least one of which shall be a Spanish language newspaper, and one newspaper of citywide circulation, for a period of no less than 30 days prior to the occupancy of any of the Project's units. The Project Applicant(s) shall also post a notice of availability, in English and Spanish, on the Project lot or lots for a period of no less than 30 days prior to the occupancy of any of the Project's units.

**Sec. 8.** Subsection G of Section 11 of Ordinance No.180,983 is amended to renumber the Subsection as Subsection “F”:

**FG. Location of Dwelling Units**

**Sec. 9.** Subparagraph 2 of Paragraph a of Subdivision 2 of Subsection F of Section 11 of Ordinance No.180,983 is amended to read:

- 2) Any Extremely Low Income Dwelling Unit or guest room demolished will be replaced with an Extremely Low Income Dwelling Unit, and Very Low Income Dwelling Unit or guest room demolished will be replaced with a Very Low Income Dwelling Unit, and any Low Income Dwelling Unit or guest room demolished will be replaced with a Low Income Dwelling Unit; and

**Sec. 10.** Subsection H of Section 11 of Ordinance No.180,983 is amended to read:

**GH. Enforcement**



1. Authority. The Housing and Community Investment Department, or its successor or assignee, shall be responsible for the monitoring and enforcement of the requirements of this Section.
2. Approval of Dwelling Units. Dwelling units required pursuant to this Section shall be reviewed and approved by the Housing and Community Investment Department, or its successor or assignee. The approval shall consider:
  - a. the qualifications of the developer of the dwelling units;
  - b. the ownership/management plan for the dwelling units;
  - c. the requirements of this Section; and
  - d. the Open Space requirements of this Specific Plan.
3. Annual Fee. The Housing and Community Investment Department may charge an annual fee on dwelling units required pursuant to this Section, not to exceed \$50.00 per required dwelling unit, if the City Council, after notice, hearing and recommendation of the Affordable Housing Commission, adopts such a fee.

**Sec. 11.** Subsection A of Section 17 of of Ordinance No.180,983 is amended to read:

- A. Director's Authority. The Director shall not approve or conditionally approve a Project Permit Compliance Review application unless ~~he/she does one fo the following, an appropriate environmental clearance has been prepared,~~ in accordance with the requirements of the California Environmental Quality Act (CEQA), ~~and the State and City CEQA Guidelines;~~ Applicants shall file a Traffic Study Initial Assessment form with the Department of Transportation and prepare a Traffic Study, in accordance with the findings of that assessment; any transportation improvements resulting from the Traffic Study shall be incorporated into a Project's conditions of approval or environmental clearance, as appropriate.

- ~~1. Approves a Negative Declaration or Mitigated Negative Declaration; or~~
- ~~2. Certifies completion of an Environmental Impact Report (EIR).~~

~~**Exception.** The requirements of this Subdivision shall not apply to Project plan review for a sign permit.~~

~~**Exception.** The requirements of this subsection shall not apply to Project permit Compliance Review applications for a sign permit.~~

**Sec. 12.** Paragraph (h) of Subdivision 2 of Subsection B of Section 19.18 of the Los Angeles Municipal Code is amended to read:

- h. Any residential floor area of a project located within the boundaries of the Central City West Specific Plan Area, as defined in Ordinance No. 163,094, if the Applicant agrees by covenant and agreement with the City or by development agreement to abide by the ~~linkage fee and~~ replacement and inclusionary housing obligations set forth in the Specific Plan for the Central City West Area.

# FINDINGS

## General Plan/Charter Findings

In accordance with Charter Section 556, the proposed ordinance amending the Central City West Specific Plan is in substantial conformance with the purposes, intent and provisions of the City's General Plan, and all applicable provisions of the Los Angeles Municipal Code (LAMC).

## General Plan Framework/Community Plan Consistency

The proposed ordinance is consistent with the following goals, objectives, and policies of the General Plan Framework, in addition to several goals, objectives, and policies echoed in the applicable community plan which is part of the Land Use Element of the General Plan.

### **General Plan Framework**

The proposed ordinance (Exhibit A) amending the Central City West Specific Plan is consistent with the following goals, objectives, and policies of the General Plan Framework:

- Goal 7G** A range of housing opportunities in the City.
- Objective 7.9** Ensure that the available range of housing opportunities is sufficient, in terms of location, concentration, type, size, price/rent range, access to local services and access to transportation, to accommodate future population growth and to enable a reasonable portion of the City's work force to both live and work in the City.
- Policy 7.9.1** Promote the provision of affordable housing through means which require minimal subsidy levels and which, therefore, are less detrimental to the City's fiscal structure.
- Objective 7.10** Program resources in a manner that encourages appropriate development, housing opportunities, transit service and employment generation in all areas of the City, with particular emphasis on those portions of the City which historically have not received a proportional share of such opportunities, consistent with the City's overall economic policies.

The proposed amendment is consistent with the General Plan Framework's goals, objectives, and policies of providing and promoting a range of housing opportunities in the City. The Specific Plan area is located adjacent to downtown Los Angeles and is one of the densest areas in the City. A majority of lots are zoned multiple-family residential, commercial and mixed use allowing for up to R5 density (200 sq.ft. per dwelling unit) with allowable heights that range from 75 feet or 1,268 feet above mean sea level and floor area ratios (FAR) up to 7.5 to 1. With existing permissive zoning, the Specific Plan area was intended to be a high density area and new development was intended to include and generate funds to pay for affordable housing in the area, either through a payment of the Specific Plan's Linkage Fee on nonresidential development, or through the inclusionary housing provisions, either as affordable units constructed on-site or



through payment of an in lieu fee. The proposed amendments will continue to mandate that a portion of any multiple-family residential or mixed use projects consisting of 11 dwelling units or more, provide for affordable housing either through a set-aside of dwelling units at expanded affordability levels or through the payment of a fee. With the proposed amendment, the Specific Plan will allow the inclusionary requirement to be satisfied with the provision of Very Low. Given the Specific Plan area's close proximity to downtown Los Angeles where there is access to employment, transit, and services, expanding affordable dwelling units to lower income households further promotes the General Plan Framework's goal of providing for a range of housing opportunities in the City.

### **Westlake Community Plan**

The proposed ordinance will promote the objectives, policies and goals of the Westlake Community Plan by continuing to protect the existing affordable housing stock and facilitate the production of new affordable housing in the Westlake Community Plan area. By aligning the Specific Plan's provisions with existing affordable housing policies, the Specific Plan's modified affordable housing requirements will facilitate the production of affordable housing units. The proposed ordinance is consistent with applicable objectives and policies of the Westlake Community Plan, including the following:

#### **Residential**

- Objective 1*** To designate a supply of residential land adequate to provide housing of the types, sizes, and densities required to satisfy the varying needs and desires of all segments of the community's population.
- Objective 2*** To conserve and improve existing viable housing for persons desiring to live in Westlake, especially low and moderate income families.
- Policy 5*** That the City shall discourage the demolition of affordable housing unless there is adequate assurance that suitable equivalent replacement units will be made available.

The objectives and policies listed above will be accomplished through the implementation of the proposed ordinance. The proposed ordinance will continue to conserve and improve housing opportunities for existing and future residents of the Westlake and Specific Plan area. The proposed ordinance retains the Specific Plan's affordable housing provisions. The proposed ordinance ensures that there is no demolition without replacement and further facilitates the production of affordable housing. By including additional income categories of Extremely Low as it pertains to replacement and Very Low as it pertains to inclusionary housing, the Specific Plan is further ensuring that housing is provided for the varying income levels of area's population. Additionally, fees collected will continue to be deposited into the Central City West Housing Fund maintaining the intent of the Specific Plan to utilize fees collected from development projects within the Specific Plan to fund additional affordable housing in the area. Much of the Specific Plan area is zoned for multiple-family residential, commercial and mixed use development with permissive allowable densities, FAR and height limitations which continue to attract development in the area. With the proposed amendments, the fees collected and/or affordable housing units

constructed will continue to ensure the conservation and improvement of housing opportunities for all segments of the community's population.

### **Silver Lake-Echo Park-Elysian Valley Community Plan**

The proposed ordinance will promote the goals, objectives, and policies of the Silver Lake-Echo Park-Elysian Valley Community Plan by continuing to protect and facilitate the production of affordable housing. The Specific Plan's modified affordable housing requirements facilitate the production of affordable housing units by aligning the modified provisions with existing affordable housing regulations and policies. The proposed ordinance is consistent with applicable goals, objectives, and policies of the Silver Lake-Echo Park-Elysian Valley Community Plan, including the following:

#### **Residential**

- Goal 1** A safe, secure and high quality residential environment for all economic, age and ethnic segments of the Plan Area.
- Objective 1-1** Achieve and maintain a housing supply sufficient to meet the diverse economic and socioeconomic needs of current and projected population to the year 2010.
- Policy 1-1.1** Maintain an adequate supply and distribution of multiple family, low income and special needs housing opportunities in the Community Plan Area.

The objectives and policies listed above will be accomplished through the implementation of the proposed ordinance. The proposed ordinance maintains the mandate that there is no demolition without replacement and that inclusionary affordable units be constructed in the area or projects will be required to pay the existing in lieu fee to the Central City West Housing Fund to be used for the future construction of affordable housing in the area. The Specific Plan area is in close proximity to downtown Los Angeles and is zoned for multiple-family residential, commercial and mixed uses with permissive allowable densities, FAR and height limitations that continue to attract development in the area. As the older housing stock is improved or replaced, the Specific Plan regulations will continue to ensure that all development is contributing to the stock of affordable housing. The proposed amendments align the Specific Plan's affordable housing regulations with current affordable housing regulations in order ensure that the Specific Plan is not discouraging affordable housing production in the area as a result of inequitable application of fees or confusing regulations that do not clarify how voluntary incentive programs satisfies requirements of the Specific Plan. The proposed amendments ultimately align the Specific Plan's affordable housing regulations with those applicable Citywide.

### **Public Necessity, Convenience, General Welfare, and Good Zoning**

Los Angeles City Charter Section 558 and LAMC Section 12.32(C)(7) require that prior to adopting a land use ordinance, the City Council make findings that the ordinance conforms with public necessity, convenience, general welfare, and good zoning practice. The proposed ordinance conforms to public necessity, convenience, general welfare, and good zoning practice because the intent of the proposed amendments is to align the Specific Plan's affordable housing

regulations with current affordable housing laws in order to facilitate the production of affordable housing. The City of Los Angeles in particular is experiencing a shortage of affordable housing. Several State Housing Bills have recently passed in efforts to streamline housing development by removing legislative barriers to the development of housing. Consistent with the City Council Motion and the trend of recent State housing legislation, the proposed ordinance removes confusion and brings conformity in the Specific Plan area to the application of the affordable housing provisions. By clarifying the method for calculating affordable dwelling units, including additional income categories to increase conformance and eligibility for other State and City affordable housing incentive programs, and ensuring fees are applied in the Specific Plan area consistently with the rest of the City, the proposed ordinance will ensure the Specific Plan area is not at a competitive disadvantage in terms of housing production.

### **CEQA Findings**

Pursuant to Section 210821(c)(3) of the California Public Resource Code, the Department of City Planning prepared a Negative Declaration (ENV-2018-5223-ND), concluding that the proposed Ordinance amending the Central City West Specific Plan ("Project") will result in less than significant impacts and/or that there will be no impacts. The Negative Declaration (Exhibit D) was published November 8, 2018 with a comment period ending November 28, 2018.

The Final Negative Declaration (ND) for the Project concluded less than significant impacts for the mandatory findings of significance. The Project did not propose or authorize any development by itself. As discussed in the Final ND, a majority of the multiple-family and mixed use zones in the project area are built out, therefore, the Project would not impact any endangered flora or fauna, or modify any special status species habitat. Further, it would not impact habitat or population levels of fish or wildlife species, nor would it threaten a plant or animal community or a rare endangered plant or animal.

The Final ND disclosed that no significant impacts were identified for the 17 environmental factors as a result of the Project. The Project would not result in any unmitigated significant impacts thus no cumulative impacts would occur. The Final ND determined that there would be no substantial adverse effects on human beings directly or indirectly.

Consistent with the Final ND, the proposed Ordinance does not propose or authorize any project by itself. The approval of the Ordinance will apply the modified affordable housing regulations to lots zoned for multiple-family residential, commercial and mixed uses within the Central City West Specific Plan neighborhood, an established urbanized area that is mostly built out. Thus, new proposed multiple-family residential and mixed use developments approved under the proposed Ordinance will not endanger any fauna or flora or modify any special status species or habitat. Additionally, the Ordinance does not authorize any project in any identified Biological Resource Area. No fish, wildlife species, endangered plant or animals will be impacted by the adoption of the Ordinance amending the Central City West Specific Plan.

All environmental factors were analyzed in the Negative Declaration and no significant impacts were identified. The proposed Ordinance will not have any substantial environmental effects on humans directly or indirectly.