

FINDINGS

I. General Plan Findings

City Charter Section 556 and 558

In accordance to Charter Sections 556 and 558, the proposed ordinance is in substantial compliance with the purposes, intent, and provisions of the General Plan. It would address the following goals, objectives, and policies of the General Plan outlined below.

A. General Plan Framework Element

The proposed Value Capture ordinance will meet the intent and purposes of the General Plan Framework Element to encourage the creation of housing opportunities for households of all types and incomes, while at the same time promoting livable neighborhoods. In particular, the proposed Value Capture ordinance would further the intent and purpose of the following relevant goals, objectives, and policies of the Framework Element:

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

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

Objective 4.1 - Plan the capacity for and develop incentives to encourage production of an adequate supply of housing units of various types within each City subregion to meet the projected housing needs by income level of the future population to the year 2010.

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

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

Goal 7G - A range of housing opportunities in the City.

B. Housing Element

The proposed TOC Guidelines are in substantial conformance with the purpose, intent and provisions of the General Plan in that they would further accomplish the goals, objectives and policies of the Housing Element outlined below:

Objective 1.1 - Produce an adequate supply of rental and ownership housing in order to meet current and projected needs.

Policy 1.1.2 - Expand affordable rental housing for all income groups that need assistance.

Policy 1.1.3 - Facilitate new construction and preservation of a range of different housing types that address the particular needs of the city's households.

Policy 1.1.7 - Strengthen the capacity of the development community to develop affordable housing.

Objective 1.2 - Preserve quality rental and ownership housing for households of all income levels and special needs.

Policy 1.2.2 - Encourage and incentivize the preservation of affordable housing, including non-subsidized affordable units, to ensure that demolitions and conversions do not result in the net loss of the City's stock of decent, safe, healthy or affordable housing.

Policy 1.2.7 - Strengthen the capacity of the development community to preserve and manage affordable housing.

Policy 1.2.8 - Preserve the existing stock of affordable housing near transit stations and transit corridors. Encourage one-to-one replacement of demolished units.

Objective 2.2. - Promote sustainable neighborhoods that have mixed-income housing, jobs, amenities, services and transit.

Policy 2.2.3 - Promote and facilitate a jobs/housing balance at a citywide level.

Objective 2.5 - Promote a more equitable distribution of affordable housing opportunities throughout the City.

Policy 2.5.2 - Foster the development of new affordable housing units citywide and within each Community Plan Area.

The proposed ordinance is in conformance with the range of General Plan goals related to affordable housing production and preservation, as described in the above list of goals, objectives, and policies. The City's General Plan recognizes the need for affordable housing which benefit the public good. Imposing standardized affordable housing production and preservation requirements on entitlement pathways that allow for substantial density increases will greatly assist the City in meeting its growing affordable housing needs.

Furthermore, the proposed ordinance is the implementation of Housing Element's Program 8 – Land Use Program to Increase the Production of Affordable Housing and Program 9 – Facilitate Housing for Senior and Disabled Persons. Additionally, it is in conformance with or related to the following implementation program of the Housing Element: Program 6 – New Production of Affordable Housing, Program 16 – New Programs to Increase the Production of Affordable Housing, Program 27 – Preservation of the Rental Housing Stock – Condominium Conversions and Demolitions, and Program 41 – Preservation of Affordable Housing. The proposed Value Capture ordinance would achieve the implementation of these programs by introducing standardized affordability requirements and requiring affordable housing replacement for certain conditional use permits, public benefit projects, and eldercare facilities.

II. CEQA Findings

The proposed ordinance qualifies under the “common sense” CEQA exemption pursuant to CEQA Guidelines Section 15061(b)(3), which provides that, where it can be seen with certainty that there is no possibility that a project may have a significant effect on the environment, the project is not subject to CEQA. CEQA only applies to projects that have the potential to cause a significant effect on the environment – either through a direct impact or reasonably foreseeable indirect impact. The proposed ordinance does not have that possibility

The regulations in the proposed ordinance are intended to clarify existing regulations and align affordability requirements across the range of planning entitlements that allow for increased density or FAR. A percentage of affordable housing will be required based upon the percent of density increase, across the range of City policies, as the proposed ordinance would extend existing Density Bonus affordable housing requirements proportionally to any additional density beyond 35%.

The ordinance has no foreseeable chance of directly or indirectly creating any development that would not otherwise occur. Further, any potential indirect impact of the ordinance on the environment will be minor as the proposed ordinance is not anticipated to alter existing development patterns. The City reasonably expects that implementation of the ordinance will not affect the number, type, size or location of development projects built in the City, due to the fact that the ordinance largely clarifies existing city policy. In the one Section where new affordability requirements will be introduced (LAMC Section 12.24 F) the changes are not expected to alter development patterns.

Though the proposed ordinance may result in an increase of affordable housing units produced within new development projects, any increase is expected to be modest and shall not be considered new units added, as the affordable housing units would have been built as market rate. Furthermore, it is expected that projects subject to the new requirements would not be negatively impacted, as they all would receive significant density increases from their allowable zoning. The affordable housing requirements are designed to be consistent with a proportional

formula that has proven to be economical and financially feasible under the density bonus program. The limited change included in the proposed ordinance is supported by market conditions and developer expectations throughout the City. As such, the City reasonably expects that development patterns will not be substantially altered from the baseline as a result of this ordinance.

As a result of this analysis, it can reasonably be concluded that the imposition of the affordable housing requirements recommended in the proposed ordinance will have no discernable impact on existing development patterns. This analysis is based largely on the fact that the amount of residential development currently occurring under these entitlements is minimal. Because the proposed ordinance is not anticipated to significantly alter development patterns throughout the City, it thus can be seen with certainty that there is no possibility that it may have a significant direct or indirect effect on the environment, and therefore it is not subject to CEQA pursuant to CEQA Guidelines Section 15061(b)(3).