

## FINDINGS

### **CHARTER AND GENERAL PLAN**

#### **City Charter Section 556 and 558**

Pursuant to City Charter Sections 556 and 558, as described below, the proposed ordinance is in substantial conformance with the purpose, intent and provisions of the General Plan, as well as in conformance with the public necessity, convenience, general welfare and good zoning practice. Specifically, the action addresses each of the following goals, objectives and policies of the General Plan as outlined below.

#### **General Plan Findings**

The proposed ordinance will add a section to the Los Angeles Municipal Code to comply with the Mello Act and replace the process and project review requirements of the Interim Administrative Procedures that are currently in place. The ordinance will also establish the Coastal Zone Affordable Housing Trust Fund which will collect fees that will be utilized to produce additional affordable housing in Coastal Zone communities.

#### **General Plan Framework Element**

The Framework Element for the General Plan (Framework Element) was adopted by the City of Los Angeles in December 1996 and re-adopted in August 2001. The Framework Element also sets forth a Citywide comprehensive long-range growth strategy and broadly defines Citywide policies regarding such issues as land use, housing, urban form, neighborhood design, open space, economic development, transportation, infrastructure, and public services. The Framework Element includes guiding principles that support equitable housing opportunities applicable to the entire city. The proposed ordinance is consistent with the following Framework Element policies:

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

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.

The proposed ordinance allows for equitable distribution of housing opportunities accessible to all residents in Coastal communities. It will continue to require one for one replacement of affordable housing with the same Coastal Zone community and continue to uphold inclusionary requirements for new developments.

#### **Housing Element**

The 2013-2021 Housing Element of the General Plan defines goals, objectives, and policies relating to housing production and preservation. The proposed ordinances will be in substantial conformance with the following goals, objectives and policies:

Goal 1: A City where housing production and preservation result in an adequate supply of ownership and rental housing that is safe, healthy and affordable to people of all income levels, races, ages, and suitable for their various 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 1.1.5: Develop financial resources for new construction of affordable housing.

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 1.2.3: Rehabilitate and/or replace substandard housing with housing that is decent, safe, healthy and affordable and of appropriate size to meet the City's current and future household needs.

Policy 1.2.4: Develop financial resources for the long-term affordability of publicly assisted rental and ownership housing.

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

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.

Goal 3: A City where there are housing opportunities for all without discrimination.

The proposed ordinance is consistent with the goals, objectives, and policies of the City's General Plan Housing Element. The ordinance limits the loss of both affordable and market rate housing units to non-residential uses in the Coastal Zone areas, which effectively preserves existing housing stock in Coastal communities. The creation of a Coastal Zone Affordable Housing Trust Fund will provide a local funding source used for a variety of uses related to the construction or preservation of affordable housing within Coastal Zone communities located in parts of the Brentwood-Pacific Palisades, Venice, Palms-Mar Vista-Del Rey, Westchester-Playa Del Rey, San Pedro and Wilmington-Harbor City Community Plan areas.

Consistent with the list of General Plan goals, objectives and policies above, the proposed ordinance is in conformance with a range of General Plan goals related to the provision of housing including affordable housing. The proposed ordinance requires projects of five or more units to provide inclusionary units. Inclusionary units must be located on-site or within a mile of the site (while remaining in the Coastal Zone), unless deemed infeasible. In addition, projects are mandated to pay a fractional in lieu fee for fractional units less than 0.5 that would contribute to the Coastal Zone Affordable Housing Trust Fund.

The City's General Plan recognizes the need for preserving and incentivizing affordable housing to allow an adequate supply of housing that is safe, healthy and affordable to people of all income levels, races, ages, and suitable for their various needs. The adoption of this ordinance will replace the existing Interim Administrative Procedures and thus ensure permanent local regulations to oversee the process and project review requirements for housing in the Coastal Zone.

The ordinance meets the purpose, intent, and provisions of the General Plan's Framework and Housing Elements by supporting increased housing opportunities particularly affordable housing in Coastal Zone neighborhoods.

### **LEGISLATIVE ACTION FINDING**

#### **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 is in conformity with the aforementioned as follows:

The proposed ordinance is in conformity with public necessity because it: (1) complies with the Mello Act (Government Code Section 65590-65590.1); (2) complies with the Housing Element of the General Plan; (3) ensures the preservation and maintenance of existing market rate and affordable residential units; (4) applies inclusionary requirements for developments of five or more units to include affordable units "on-site"; and (5) establishes an in-lieu fee option for qualified affordable replacement units and fractional inclusionary units. The proposed ordinance also serves public necessity given the City's citywide housing shortage and issues of affordability. The proposed ordinance allows for the continued preservation and construction of affordable residential units in the Coastal Zone, where there is generally a higher cost of housing than the rest of the City.

The proposed ordinance is in conformity with the convenience and general welfare because it: (1) complies with the Mello Act (Government Code Section 65590-65590.1); (2) complies with the Housing Element of the General Plan; (3) ensures the preservation and maintenance of existing market rate and affordable residential units; and (4) Standardizes the methodology for financial feasibility studies. The ordinance establishes permanent measures that ensure equitable distribution of housing opportunities in Coastal Zone areas which comply with the State Mello Act. In past instances, developers have utilized the allowance of feasibility studies to evade building required replacement of affordable units resulting in a loss of affordable housing in Coastal communities.

The proposed ordinance is in conformity with good zoning practice because it: (1) complies with the Mello Act (Government Code Section 65590-65590.1); (2) complies with the Housing Element of the General Plan; (3) ensures the preservation and maintenance of existing market rate and affordable residential units; (4) applies requirements for developments of five or more units to include affordable units "on-site"; (5) Eliminates the consideration to provide required affordable replacement units at an "off-site" location or within three miles of the development; (6) applies Change of Use from residential to non-residential use and Condominium Conversions that convert one or more existing residential units to a Condominium, cooperative, or similar form of ownership; and (7) Applies to all existing affordable units that are rent restricted. Moreover, the proposed ordinance will make no changes to existing zoning, any specific plans or any other land use regulations that affect the physical environment. All projects subject to the ordinance will be required to process separate environmental clearance, as applicable.

Good zoning practice requires the permanent local ordinance in order to ensure that there is a mix of housing available for all income levels in neighborhoods that are becoming more

unaffordable to many. The proposed ordinance substantially conforms with public necessity, convenience, general welfare, and good zoning practice

### **General Plan - Community Plans**

The proposed ordinance is consistent with the following Goals, Objectives, and Policies of the Brentwood-Pacific Palisades, Venice, Palms-Mar Vista-Del Rey, Westchester-Playa Del Rey, San Pedro and Wilmington-Harbor City Community Plans in the City of Los Angeles:

#### Venice Community Plan

The proposed ordinance is in conformance with the following Policies and Objectives of the Venice Community Plan:

Goal 1 - A safe, secure, and high quality residential environment for all community residents

Objective 1-5 - To promote the adequacy and affordability of multiple-family housing and increase its accessibility to more segments of the population.

Policy 1.4-1 - Promote greater individual choice in type, quality, price and location of housing.

Policy 1-4.2 - Ensure that new housing opportunities minimize displacement of residents.

#### Brentwood - Pacific Palisades Community Plan

The proposed ordinance is in conformance with the following Policies and Objectives of the Brentwood - Pacific Palisades Community Plan:

Goal 1 - A safe, secure, and high quality residential environment for all community residents

Objective 1-5 - To promote and insure the provision of adequate housing for all persons regardless of income, age or ethnic background.

Policy 1.5-4 - Provide the development and maintenance of rental units to insure housing for a variety of income groups.

#### San Pedro Community Plan

The proposed ordinance is in conformance with the following Policies and Objectives of the San Pedro Community Plan:

Goal LU1: Complete, livable and quality residential neighborhoods throughout San Pedro that provide a variety of housing types, densities, forms and designs and a mix of uses and services that support the needs of residents.

Policy LU1.2 - Adequate housing and services. Provide housing that accommodates households of all sizes, as well as integrates safe and convenient access to schools, parks, and other amenities and services. (P12)

Goal LU3: Multi-family residential neighborhoods with a mix of ownership and rental units that are well-designed, safe, provide amenities for residents, and exhibit the architectural characteristics and qualities that distinguish San Pedro

Policy LU3.1 Neighborhood stability. Stabilize and improve existing multi-family residential neighborhoods, allowing for growth in areas where there are sufficient public infrastructure and services and where quality of life can be maintained or improved. (P7, P8).

Policy LU3.3 Equitable housing distribution. Provide an equitable distribution of housing types for all income groups throughout San Pedro's multi-family neighborhoods and promote mixed-income developments rather than creating concentrations of below-market-rate housing. (P7, P9, P10).

#### Wilmington - Harbor City Community Plan

The proposed ordinance is in conformance with the following Policies and Objectives of the Wilmington - Harbor City - Community Plan:

Goal 1 - A safe, secure, and high quality residential environment for all community residents

Objective 1-5 - To promote and insure the provision of adequate housing for all persons regardless of income, age, or ethnic background.

Policy 1-5.1 - Promote greater individual choice in type, quality, price, and location of housing.

Objective 1-7 - To minimize housing displacement whenever possible, and, in those cases where displacement is unavoidable, to provide housing relocation assistance and services for persons displaced as a result of public or private actions.

Policy 1-7.1 - Ensure that new housing opportunities minimize displacement of the residents.

#### Westchester - Playa Del Rey Community Plan

The proposed ordinance is in conformance with the following Policies and Objectives of the Westchester Community Plan:

Goal 1 - Provide a safe, secure, and high quality residential environment for all economic, age, and ethnic segments of the Westchester - Playa Del Rey Community.

Policy 1-1.3 - Provide for adequate Multiple Family residential development.

Policy 1-4.1 - Promote greater individual choice in type, quality, price and location of housing.

Policy 1-4.2 - Promote the development of housing for persons of low to moderate income within the community.

Policy 1-4.3 - Ensure that new housing opportunities minimize displacement of residents.

Palms - Mar Vista - Del Rey Community Plan

The proposed ordinance is in conformance with the following Policies and Objectives of the Palms - Mar Vista - Del Rey Community Plan:

Goal 1 - Provide a safe, secure, and high quality residential environment for all community residents.

Policy 1-1.1 - Provide for adequate multi-family residential development.

Policy 1-1.4 - Promote neighborhood preservation, particularly in multi-family neighborhoods.

Objective 1-4 - To promote the adequacy and affordability of multiple-family housing and increase its accessibility to more segments of the population.

Policy 1-4.1 - Promote greater individual choice in type, quality, price, and location of housing.

Policy 1-4.2 - Ensure that new housing opportunities minimize displacement of residents.

**CEQA FINDINGS**

Pursuant to CEQA Guidelines Section 15074(b), after consideration of the whole of the administrative record, including the Negative Declaration, No. ENV-2019-7394-ND ("Negative Declaration"), and all comments received, there is no substantial evidence that the project will have a significant effect on the environment; FIND the Negative Declaration reflects the independent judgment and analysis of the City; and ADOPT Negative Declaration. (Exhibit C).