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January 24, 2020

Los Angeles City Council
c/o Office of the City Clerk
City Hall, Room 395
Los Angeles, California 90012

Attention: PLUM Committee

Dear Honorable Members:

SUSTAINABLE COMMUNITIES PROJECT EXEMPTION REQUEST FOR A PROPOSED PROJECT AT 623 - 671 SOUTH LA BREA AVENUE; CASE NOS. ZA-2019-1744-CU-MCUP-SPR-TOC, VTT-82618-CN & ENV-2019-1736-SCPE; COUNCIL FILE NO. 19-1533

On November 26, 2019, the Director of Planning submitted the justification (and supporting documents) for a Sustainable Communities Project California Environmental Quality Act (CEQA) Exemption (SCPE) for a proposed project located at 623 - 671 South La Brea Avenue. Subsequent to that submission, multiple comment letters have been submitted to the Council File (C.F. No. 19-1533) regarding the appropriateness of the use of the SCPE for the proposed project. The following is a response, in part, to those comments.

In 2008, Senate Bill (SB) 375 was enacted to coordinate land use and transportation planning to reduce greenhouse gas emissions. SB 375 requires Metropolitan Planning Organizations (MPOs), such as the Southern California Association of Governments (SCAG), to create a new component in their Regional Transportation Plan (RTP) to include a Sustainable Communities Strategy (SCS) with the purpose of setting forth a forecasted development pattern for the region that integrates transportation policies to reduce greenhouse gas emissions and achieve the reduction targets approved by the California Air Resources Board¹. SB 375 also includes environmental clearances for projects that qualify as Transit Priority Projects (TPPs) under Public Resources Code (PRC) Section 21155. The SB 375 environmental clearances are intended to meet the goals of the SCS to encourage higher density, infill development located near transit.

One of these environmental clearances is the Sustainable Communities Project CEQA Exemption. If a project qualifies as a TPP and is declared by the City Council to be a Sustainable Communities Project (SCP), it is statutorily exempt from CEQA.

¹ In 2016, SCAG adopted the 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). The RTP/SCS details how the region will integrate its transportation and land use strategies in order to achieve federal regional air quality emissions standards and state greenhouse gas reduction targets.

To be a TPP, the project must:

- Be consistent with the general land use designation, density, building intensity, and applicable policies in the SCAG RTP/SCS; and
- Meet the criteria in Public Resources Code (PRC) Section 21155(b) related to minimum density, residential uses, and distance from a major transit stop or high-quality transit corridor included in a regional transportation plan.

A TPP may be declared an SCP by the City Council, if it meets all of the following:

- It complies with all environmental criteria identified in PRC Section 21155.1(a);
- It meets all the land use criteria identified in PRC Section 21155.1(b); and
- It meets at least one public benefit criteria in PRC Section 21155.1(c).

The evaluation of a SCP differs from standard environmental review in that it relies on consistency analysis with the SCAG RTP/SCS and showing compliance with land use and the environmental criteria, rather than preparing impact analyses caused by the proposed project.

Therefore, if the City Council determines that the proposed project qualifies for the SCPE, the concerns raised in the comment letters regarding the inadequacy of the analysis provided for the project's environmental clearance are without merit.

Specifically, none of the criteria to qualify as a SCPE require a detailed analysis of a project's potential impacts to Greenhouse Gas Emissions (GHG). Instead, in consideration of a project's potential impacts to GHG, the SCPE environmental clearance primarily relies on three (3) criteria:

1. That any applicable mitigation measures or performance standards or criteria set forth in the prior environmental impact reports, and adopted in findings, have been or will be incorporated into the transit priority project;
2. The transit priority project is located within one-half mile of a rail transit station or a ferry terminal included in a regional transportation plan or within one-quarter mile of a high-quality transit corridor included in a regional transportation plan; and
3. The buildings in the transit priority project are 15 percent more energy efficient than required by Chapter 6 of Title 24 of the California Code of Regulations and the buildings and landscaping are designed to achieve 25 percent less water usage than the average household use in the region.

The analysis provided in Case No. ENV-2019-1736-SCPE (Section 4.0 Project Consistency with SCAG 2016-2040 RTP/SCS Mitigation Measures) demonstrates that the proposed project will incorporate applicable performance standards or criteria set forth in SCAG's 2016-2040 RTP/SCS environmental impact report through the implementation of various Regulatory Compliance Measures set forth by the California Air Resources Board, the South California Air Quality District, and other local, state and federal regulations. The project is within ¼-mile of major transit stops at the intersection of La Brea Avenue/6th Street and Wilshire Boulevard/La Brea Avenue. La Brea Avenue, Wilshire Boulevard, and 6th Street are served by several bus lines operated by the Los Angeles County Metropolitan Transportation Authority (Metro) with headways of 15 minutes or less, which include Metro lines: 20, 212, and 720. Additionally, a Metro Purple Line railway station

is currently under construction immediately adjacent to the south of the project site at the intersection of Wilshire Boulevard and La Brea Avenue. Therefore, the proposed project is located within ¼-mile of a high-quality transit corridor and the future Wilshire Boulevard and La Brea Avenue Metro Purple Line station. Finally, based on a Title 24 Energy Performance Report prepared by Optimum Energy Design (OED) dated April 2019 (Case No. ENV-2019-1736-SCPE; Attachment F.1), the proposed project will be 15 percent more energy efficient than required by Title 24, Part 6, the California Energy Code; and based a Total Water Use Reduction Report prepared by OED, dated April 2019 (Case No. ENV-2019-1736-SCPE; Attachment F.2), the proposed project will use 25 percent less water than the average household in the region.

Therefore, as the proposed project satisfies the three (3) criteria above related to GHG, as well as all of the other criteria found in PRC Sections 21155 and 21155.1, the State has mandated that such a project is exempt from CEQA and requires no further environmental analysis. The analysis provided in Case No. ENV-2019-1736-SCPE demonstrates that the proposed project satisfies the two (2) criteria to be a TPP and the three (3) criteria to be declared a SCP.

Sincerely,

VINCENT P. BERTONI, AICP
Director of Planning



Oliver Netburn
City Planner

VPB:ON:MC