



CITY HALL
LOS ANGELES, CALIFORNIA 90012

August 13, 2021

Mr. Vince Bertoni, Director
Los Angeles City Planning
200 North Spring Street
Los Angeles, CA 90012

RE: Draft Housing Element and CF: 20-1042

Dear Mr. Bertoni,

For decades, the City of Los Angeles, the surrounding region, and the State as a whole have critically underbuilt housing. This shortage has led to some of the highest rents and home prices in the nation. The biggest impact is on working class families of all backgrounds, rendering the American Dream of homeownership and upward mobility out of reach. A direct consequence of this lack of housing is evident through the increasing numbers of families and individuals experiencing displacement, gentrification, and, for our most vulnerable, homelessness.

Systemic inequity in our planning and land use policies has fostered our current housing crisis, with Los Angeles, like cities across the country, still reeling from the racist practice of redlining. This federal policy segregated urban areas into zones based on their demographic and physical characteristics. The result was generational and systematic disinvestment in many neighborhoods which continues to deny generations of black and brown families the ability to build wealth through homeownership.

While redlining has officially been abolished, its impact is still evident in the scope, quality and production of housing, public transit access, open space, and jobs-production throughout the City. Affluent neighborhoods have been largely insulated from the demands for growth while communities of color have become dumping grounds for facilities not wanted anywhere else, such as freeways, airports and landfills. However, the biggest ramification of redlining is on housing. A majority of the land in the City is today subject to overlapping restrictions created piece by piece, over time that work together to constrain housing supply, particularly affordable housing.

The housing crisis is Los Angeles' number one issue. It compromises our economic strength when a company's employees cannot afford to live here. It limits our ability to address our

climate and sustainability goals if we cannot create areas that support transit. It threatens families with displacement and homelessness.

However, with the new Housing Element, and the reforms called for in CF: 20-1042 (Martinez), we have an opportunity to assist in solving these issues by fixing our broken land use system. The City can become more affordable and equitable by creating vibrant and walkable communities near jobs and transit while respecting the character of our single-family neighborhoods. This will allow Los Angeles to go from redlining to green and prosperous neighborhoods.

The City has made great strides in trying to tackle the affordable housing crisis through recent policies. This includes making it easier to build Accessory Dwelling Units (ADUs), affordable housing incentive programs, and Measure HHH, among others. It also should be noted that the City's housing crisis is partially the result of State policies. This includes environmental reviews that make housing more expensive, Costa Hawkins and the Ellis Act, which make it difficult to protect tenants, and the dissolution of Redevelopment Agencies, which resulted in a dramatic cut in funding for affordable housing.

Los Angeles City Planning (Planning) should be applauded for the incredible undertaking on the Housing Element up to this point. Planning has conducted a rigorous analysis of the City's existing capacity and outlined important programs for achieving our Regional Housing Needs Assessment (RHNA) target. It is a progressive first step and has been cited as being one of the best Draft Housing Elements in the State. However, the crisis facing Los Angeles requires bold action and this document can be further strengthened so that we can make Los Angeles a home for all.

Incentive Program

Los Angeles has an abundance of land on commercial corridors where much of the City's new housing can be accommodated without disrupting existing single-family neighborhoods. These streets are often served by rapid transit yet are composed of single story buildings or large parking lots, with severe height, density and Floor Area restrictions. In these areas it's not enough to simply add base incentives on existing zoning. The Housing Element must identify these constrained zones and ensure that they have underlying capacity to support the mid-rise, mixed-use corridors the City needs to create walkable and vibrant neighborhoods.

Program 48 in the Draft Housing Element calls for expanding the City's existing incentive programs such as Density Bonus and Transit Oriented Communities (TOC). These programs have resulted in many market rate and affordable housing units being built. The report on CF: 19-0416 (Cedillo) states that nearly 80% of all affordable units in high-income areas were produced through these incentive programs.

However, the incentive programs have not had an equal impact on all neighborhoods. These programs should be modified so that they are tailored to the demographics and market conditions of the communities it is expanded in. In certain areas, affordable housing requirements should exceed the current TOC program standards. The type of affordable housing should also reflect the need in that area. For example, in certain areas developments utilizing TOC has resulted in a net loss of affordable and larger size units.

The City also has a critical shortage of housing for families, seniors and the disabled population; new incentives should be included to build housing for these populations. The incentive concept

should be further expanded to include upgrading infrastructure in neighborhoods where projects are built. This should include funding for first-last mile improvements, streetscape infrastructure, transit demand management programs, open space, and overall mobility improvements.

The rezoning program should expand these incentive programs in the high and highest opportunity areas as defined by the California Tax Credit Allocation Committee (TCAC). This is an index and opportunity-mapping tool to identify areas of high opportunity (labeled “Highest Resource” and “High Resource”) as well as areas of high segregation and poverty (labeled “High Segregation and Poverty areas”). It should also be expanded in other areas of the City, particularly along commercial corridors and areas that do not pose a displacement risk for existing tenants.

Rezoning Program

Program 121 in the Draft Housing Element calls for a 219,732 unit-rezoning program to accommodate our RHNA allocation of 456,643 units by 2029. However, Los Angeles’s housing deficit, particularly for affordable units, is estimated to be much higher than this number. The Draft Housing Element is also based on a rate of ADU production and completion of private development projects the City has not historically achieved. In order to ensure that Program 121 actually results in enough new construction to meet our RHNA allocation, we encourage Planning to adopt a rezoning target of 300,000 homes by 2029.

The rezoning program should focus on commercial cores and boulevards to ensure it does not impact existing neighborhoods and low-income tenants in particular. The current rezoning analysis includes parcels that are currently occupied with housing covered under the Rent Stabilization Ordinance (RSO). Los Angeles desperately needs to create more housing, but this should not be done at the expense of low-income Angelenos. We encourage Planning to incorporate the recommendations in CF: 21-0035 (Martinez) to ensure that if RSO buildings are redeveloped, each unit is replaced and the tenants are given the right to return. The Housing and Community Investment Department (HCID) and the Housing Authority of the City of Los Angeles (HACLA) should also seek to acquire RSO housing to bring it off the speculative market and ensure it stays affordable as called for in CF: 21-0046 (Martinez).

Removing Barriers to Housing Production

Program 54 of the Draft Housing Element recommends modifying site plan review for 100% affordable projects. This could be further expanded to offer additional ministerial review processes for projects that include a minimum percentage of affordable units or ownership opportunities for low- to moderate-income households.

Another major barrier to building housing are P, or Parking Zones. These zones have been declared antiquated by Planning, yet they are still abundant along commercial corridors where new growth should be focused. Many of these streets have good transit access and are otherwise primed for appropriate redevelopment, such as Van Nuys Boulevard, which will soon have a new light rail line. However, in many places the P-Zones enshrine existing low-density land uses composed of single-story shopping centers surrounded by a sea of surface parking. Program 48 calls for allowing housing in P-Zones through a new incentive program. P-Zones should also be eliminated through Program 121 and have those zones permit uses consistent with the multi-family or commercial zone in proximity to the lot, while still ensuring an appropriate buffer between abutting sensitive uses such as single family homes.

Expediting Affordable Housing

We strongly support expediting affordable and permanent supportive housing. One of the largest barriers for these projects is navigating between multiple City departments to gain approvals. The City must strengthen the communication and coordination between these departments and create an internal Citywide system to expedite affordable and permanent supportive housing projects, such as those approved under CF: 21-0054 (de León).

Program 54 calls for expediting affordable housing projects. This program should also look at prioritizing the production of affordable housing on publicly owned land, particularly in high opportunity neighborhoods. It should also consider an affordable housing zoning overlay that would provide incentives for the creation of housing with a high level of affordability. This program should incorporate the goals of CF: 21-0658 (Raman). It should also incorporate the goals of CF: 21-0054 (Price) to create a tiered structure of processing, and expedite processing overall, for projects that create the largest amount of affordable or permanent supportive housing.

Missing Middle

Missing Middle housing is referenced in several work programs listed in the Draft Housing Element including Programs 59 and 64. This term does not refer to specific affordability requirements, but modest three- to eight-unit buildings. This type of housing is an important tool in building naturally affordable housing due to the fact that they are built on the same sized lot as a single family home allowing land costs to be distributed efficiently across multiple units. Historically, Missing Middle housing types, such as bungalow courts, provided affordable accommodations in neighborhoods across the City. Today, these structures are cherished for their charming architecture and human scale.

Missing Middle housing should become its own work program in the Housing Element. It should be a critical tool in the program to provide more housing in a way that is sensitive to neighborhood character. Since it is difficult to include onsite affordable housing in small-scale developments, Planning should incorporate CF: 21-0037 (Martinez) to create an incentive program where these buildings pay into a rental assistance program on an annual basis through a covenant. The program should also create pre-approved standard ADU, small-scale “Missing Middle” multifamily and small lot subdivision housing plans, allowing more family-owned and small builders to receive a permit quickly if they use a pre-approved design which was called for by CF: 21-0061 (Blumenfeld/de León). This program should also explore strategies for incentivizing homeownership for low- and moderate-income families in these buildings.

Community Plan Updates

In the 20th century, land use policies were introduced across the nation to facilitate the dispersal of households from crowded cities and encourage more property ownership. Underlying many of these laws, however, was a concerted effort to segregate households by race and ethnicity. Historically redlined neighborhoods and the contours of segregation in our country remain as entrenched today as they were a hundred years ago. It is essential that Planning explore a new methodology as part of the Housing Element update that ensures equity is at the core of future land use considerations, including the Citywide Community Plan Update Program, to counter past injustices created by planning practices.

One way this new methodology can ensure that our land use planning creates opportunities for all Angelenos is by ensuring that a diverse array of housing types and affordability levels are built in each neighborhood. Programs 49, 50, and 60 seek to create Citywide growth targets and

distribute them by Community Plan Areas. We are in strong support of Program 50, which calls for updating the Citywide Growth Strategy as part of an update to the Land Use Element to ensure that the growth and land use distribution strategy aligns with Citywide goals around equity and sustainability.

These programs should enforce the Measure JJJ requirement that community plan updates do not reduce the capacity for creation and preservation of affordable housing or undermine California Government Code Section 65915 or any other affordable housing incentive program by requiring that all increases in allowable density and FAR be aligned with on-site affordable housing standards that meet or exceed TOC. The Community Housing Needs Assessment Process should be based upon Citywide housing production goals and utilize a methodology that balances traditional factors, such as job and transit access, with a new prioritization for high opportunity areas, anti-displacement, healthy and affordable housing, and achieving housing opportunities at the deepest affordability levels.

We commend the work Los Angeles City Planning has done so far on the Draft Housing Element. We strongly recommend including these recommendations to create an even stronger plan for housing all Angelenos.

Sincerely,


NURY MARTINEZ
Council President, 6th District

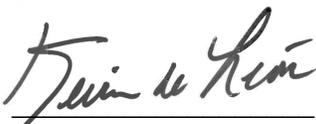

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CC: Ann Sewill, General Manager HCIDLA