

## FINDINGS

(As Amended by the City Planning Commission at its meeting on September 26, 2024)

### **Summary**

The Proposed Plan as modified is consistent with the City Charter, LAMC, and General Plan Findings as recommended by the City Planning Commission on September 26, 2024 and the modifications approved by the City Planning Commission on September 26, 2024 are consistent with and further support the Findings of Fact.

### **Program Findings and Discussion**

Several sets of findings are required to adopt the Program, including consistency with the General Plan and various state housing laws (Housing Element and State Density Bonus).

#### **A. City Charter Findings**

**City Charter Section 556 and 558, and LAMC Section 13B.1.3** - Charter Sections 556 and 558 and LAMC Section 13B.1.3 require the City Planning Commission and the City Council to adopt the following findings when taking any action to amend zoning or other land use regulations concerning permissible uses, height, density, bulk, location or use of buildings or structures, size of yards, open space, setbacks, building line requirements, and other similar requirements (collectively zoning ordinances):

- (1) The zoning ordinance is in substantial conformance with the purposes, intent, and provisions of the General Plan.
- (2) The zoning ordinance is in conformity with public necessity, convenience, general welfare, and good zoning practice.
- (3) Other findings required by law.

Pursuant to City Charter Section 556 and 558, and LAMC Section 13B.1.3, the proposed Citywide Housing Incentive Program (CHIP) Ordinance, Resident Protections (RP) Ordinance, and Housing Element Sites and Minimum Density (HESMD) Ordinance as part of the 2021 - 2029 Housing Element RHNA Re-zoning Program 121 are in substantial conformance with the purpose, intent and provisions of the General Plan. The CHIP, RP, and HESMD ordinances, hereafter referred to as "the Program", are also in conformance with the public necessity, convenience, general welfare and good zoning practice and other laws. In particular, they respond to the City's acute housing crisis, which negatively impacts the general welfare with high rates of homelessness, overcrowding and unaffordable rents. Incentives for new housing with deed restricted affordable units will increase the housing supply in strategically selected areas according to good zoning practice. These areas are characterized as having strong transportation service, existing infrastructure, access to jobs and amenities and existing resources linked to better life outcomes for residents.

## **B. General Plan Consistency Findings**

**General Plan Consistency Requirement** – State law requires that the General Plan have horizontal internal consistency among its elements (California Government Code Section 65300.5). The City Charter and California Government Code Section 65860(d) require zoning ordinances to be vertically consistent with the General Plan. The 2021-2029 Housing Element and the RHNA Re-zoning Program 121 set forth in that document were found to possess internal consistency with the General Plan at the time of The 2021-2029 Housing Element adoption. Those findings are updated to demonstrate the vertical consistency between the proposed zoning ordinances of the Program and the General Plan to comply with City Charter Sections 556 and 558, and LAMC Section 13B.1.3. This consistency discussion is provided for the City Planning Commission’s consideration in approving and recommending the Program and its determination that the Program is consistent with the City’s General Plan.

For all the reasons provided below, the proposed Program is consistent with the City of Los Angeles General Plan, in that it is compatible with the objectives, policies, general land uses, and programs of the General Plan and will not inhibit or obstruct their attainment.

### The Housing Element

The Program is consistent with the goals, objectives, policies, and programs of the 2021-2029 Housing Element, and is required under state Housing Element law (California Government Code Section 65583(c)(1)(A)). The 2021-2029 Housing Element Program 121 RHNA Re-zoning identified a rezoning need of 255,433 units and established an objective to conduct citywide rezoning to meet RHNA Targets by 2024<sup>1</sup>. The program states, “To accommodate the remaining RHNA of 255,433 units, LACP will identify and recommend rezoning for a minimum of 124,880 moderate and above moderate units and a minimum of 130,553 lower income (VLI and LI) units by October 30, 2024.” More than 50% of lower income rezoning will occur on sites with exclusively residential uses or allowing 100% residential uses (non-commercial zones). All lower income sites will have a density allowance of at least 20 units per acre. Rezoned sites will permit owner-occupied and rental multi-family uses by-right pursuant to CA Govt. Code § 65583.2(i) for developments in which 20 percent or more of the units are affordable to lower income households and will be selected from sites identified in the parcel listing (Appendix 4.7). As reflected in Appendix 4.7, each development site has the capacity to accommodate at least 16 units and will be available for development in the planning period where water, sewer, and dry utilities can be provided”<sup>2</sup>. The CHIP, RP, and HESMD Ordinances implement the obligations and vision outlined in Program 121.

As a core implementation program of the 2021-2029 Housing Element, the Program strongly furthers its goals, objectives, policies and programs. The five goals that guide the 2021-2029 Housing Element are listed below, along with the most relevant objectives and policies.

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<sup>1</sup> 2021-2029 Housing Element, Chapter 6, pg 343

<sup>2</sup> 2021-2029 Housing Element, Chapter 6, pg 343

**Goal 1**

A City where housing production results in an ample supply of housing to create more equitable and affordable options that meet existing and projected needs.

**Objective 1.1:** Forecast and plan for existing and projected housing needs over time with the intention of furthering Citywide Housing Priorities.

**Policy 1.1.7:** Incentivize production of mixed-income and 100% Affordable Housing projects by rezoning for more inclusive development at densities that enable their construction in every geography.

**Policy 1.1.8:** Introduce more flexible zoning and incentives for existing lower density residential areas to create opportunities for more “missing middle” low-scale housing typologies, particularly in Higher Opportunity Areas.

**Objective 1.2:** Facilitate the production of housing, especially projects that include Affordable Housing and/or meet Citywide Housing Priorities.

**Policy 1.2.1:** Expand rental and for-sale housing for people of all income levels. Prioritize housing developments that result in a net gain of Affordable Housing and serve those with the greatest needs.

**Policy 1.2.2:** Facilitate the construction of a range of different housing types that addresses the particular needs of the City’s diverse households.

**Policy 1.2.5:** Streamline the housing approval process, particularly for Affordable Housing, throughout City departments.

**Policy 1.2.6:** Create new citywide and local land use incentives and programs that maximize the net gain of affordable housing and produce housing that meets Citywide Housing Priorities. Explore varied affordability ratios, the feasibility of inclusionary zoning requirements, and a greater mix of incomes based on market areas.

**Policy 1.2.8:** Develop and implement new land use and financing tools to promote more housing that is affordable to those with the lowest incomes and for longer periods of time.

**Policy 1.2.9:** Allow for zoning flexibility for Affordable Housing at the project review and planning levels when broader Citywide Priorities are being advanced.

**Policy 1.2.10:** Prioritize the development of Affordable Housing on public land.

**Objective 1.3:** Promote a more equitable distribution of affordable housing opportunities throughout the city, with a focus on increasing Affordable Housing in Higher Opportunity Areas and in ways that further Citywide Housing Priorities.

**Policy 1.3.1:** Prioritize housing capacity, resources, policies and incentives to include Affordable Housing in residential development, particularly near transit, jobs, and in Higher Opportunity Areas.

**Policy 1.3.2:** Prioritize the development of new Affordable Housing in all communities, particularly those that currently have fewer Affordable units.

The proposed Program is based on a detailed assessment of existing and projected housing needs through the Housing Element process. It creates housing opportunities for a larger array of sites than required by state law to meet the scale of housing challenges in Los Angeles. The Program is designed to create a more equitable and affordable city by providing development incentives citywide and tailoring incentives to prioritize areas near transit, jobs, and in Higher Opportunity Areas. Elements of the CHIP Ordinance introduce more flexible zoning incentives for lower density residential development in Corridor Transition Areas to create opportunities for more “missing middle” housing typologies, and tailored incentives for majority affordable housing on sites with lower base densities. Those with the greatest housing needs are being prioritized throughout the CHIP ordinance with the inclusion of an acutely low income Category, family sized unit incentives, senior housing incentives, student housing incentives, and incentives for 100 percent affordable developments. The CHIP ordinance further provides varied affordability ratios based on market areas, new incentives for mixing income categories within developments, and creates both for sale and rental housing incentives for various building scales.

The CHIP’s Affordable Housing Incentive Program (AHIP) also prioritizes the development of affordable housing on public land, Public Facility (PF) zones, Parking (P) zones, and underutilized Faith-Based Organization owned sites by providing unique incentives for these areas. Both the CHIP and HESMD Ordinances establish streamlined review paths for projects providing affordable units, removing barriers to the production of affordable housing. Specifically, the HESMD Ordinance contains minimum density provisions to help ensure that multi-family zoned sites in High or Medium High Residential Market Areas (pursuant to the Affordable Housing Linkage Fee) are redeveloped at densities that support the inclusion of more affordable housing types including restricted affordable units. The Program also streamlines the housing approval process for projects that include affordable housing, ensures the net gain of affordable housing through provisions of the RPO and will produce housing that meets 2021-2029 Citywide Housing Priorities.

## **Goal 2**

A City that preserves and enhances the quality of housing and provides greater housing stability for households of all income levels.

**Objective 2.1:** Strengthen renter protections, prevent displacement and increase the stock of affordable housing.

**Policy 2.1.1:** Incentivize and/or require the preservation and replacement of affordable housing, so demolitions and conversions do not result in the net loss of the City's stock of accessible, safe, healthy and affordable housing.

**Policy 2.1.4:** Strengthen tenant protections by expanding tenants' rights, enforcement, and legal assistance needed to access those rights.

**Policy 2.1.5:** Expand the right of first refusal to ensure displaced households may occupy replacement housing units that are comparable in size, location, cost, and rent control protection.

As mentioned previously, incentives are tailored according to the base densities of existing sites and their proximity to different types of transit service and Higher Opportunity Areas, creating more "missing middle" housing and mid-density multi-family typologies. The RPO codifies important citywide standards that ensure the quality and fairness of available new affordable units, protecting existing occupants and preventing the net loss of affordable housing units. Affected tenants are afforded certain rights such as the right to return to replacement units, the right to remain, the right to relocation and the right to return to the new development. Tenant rights are being strengthened by providing new notification requirements, as well as a right of private action if these rights are not provided. In order to comply with fair housing law and ensure equity in new housing developments, the proposed ordinance would establish the authority of the City to create and enforce requirements regarding the unit mix, unit size, quality and amenities, access to and distribution of affordable housing units (See LAMC 16.61 B). Affordability covenants are being lengthened to 99 years, which will provide for greater housing stability for all housing programs in the City, including those in CHIP. Additional income levels are being incorporated into the Program by including Acutely Low Income and expanding the use of Extremely Low Income.

**Objective 2.2:** Promote more affordable ownership opportunities and ownership retention strategies, with an emphasis on stability and wealth building for underserved communities.

**Policy 2.2.1:** Expand ownership models that increase the ability for households to attain homeownership, including alternative forms of shared- and limited-equity ownership.

Within the CHIP program are tailored incentives to expand home ownership opportunities and equity building for more households and underserved communities. In the MIIP program, the Corridor Transition incentive area offers increased density alongside reduced lot sizes, setbacks, and access requirements when either Very Low Income, Low Income, or Moderate Income units are provided. Minimum density provisions for multi-family zoned sites in High or Medium High Residential Market Areas will facilitate lower density housing typologies that may create ownership opportunities for more households. AHIP incentives in the CHIP Ordinance extend land

use incentives to Shared Equity Projects on land owned by nonprofit community land trusts, limited equity cooperatives, and workforce housing cooperatives. Incentives are intended to encourage a mix of housing types on these lands that includes limited equity for sale projects that can help income qualified individuals build wealth.

### **Goal 3**

A City in which housing creates healthy, livable, sustainable, and resilient communities that improve the lives of all Angelenos.

**Objective 3.1:** Use design to create a sense of place, promote health, foster community belonging, and promote racially and socially inclusive neighborhoods.

**Policy 3.1.1:** Provide incentives and financial support for the preservation of historic residential structures, particularly for lower-income households.

**Policy 3.1.2:** Promote new development that furthers Citywide Housing Priorities in balance with the existing architectural and cultural context.

**Policy 3.1.3:** Develop and implement design standards that promote quality residential development.

**Policy 3.1.4:** Site buildings and orient building features to maximize benefit of nearby amenities and minimize exposure to features that may result in negative health or environmental impacts.

**Policy 3.1.5:** Develop and implement environmentally sustainable urban design standards and pedestrian-centered improvements in development of a project and within the public and private realm such as shade trees, parkways and comfortable sidewalks.

**Policy 3.1.6:** Establish plans and development standards that promote positive health outcomes for the most vulnerable communities and populations.

**Policy 3.1.9:** Encourage “convertible design” of above ground parking structures in transit rich areas so they can later be converted to housing.

**Objective 3.2:** Promote environmentally sustainable buildings and land use patterns that support a mix of uses, housing for various income levels and provide access to jobs, amenities, services and transportation options.

**Policy 3.2.1:** Promote the integration of housing with other compatible land uses at both the building and neighborhood level.

**Policy 3.2.2:** Promote new multi-family housing, particularly Affordable and mixed-income housing, in areas near transit, jobs and Higher Opportunity Areas, in order to facilitate a better jobs-housing balance, help shorten commutes, and reduce greenhouse gas emissions.

**Policy 3.2.8:** Provide incentives and promote flexibility for the conversion of non-residential structures to new housing in order to reduce the carbon footprint resulting from demolition and new construction.

The CHIP Ordinance encourages housing production near transit and in Higher Opportunity Areas through tailored density bonuses and development incentives that will provide relief from FAR, height, and minimum parking regulations. Residential growth in these areas will help shorten commutes and facilitate a better jobs-housing balance while also furthering citywide goals concerning livability, sustainability, and resilience. This will also help spur construction of new affordable and mixed-income housing subject to the current Los Angeles Green Building Code, which is intended to promote environmentally sustainable buildings. The CHIP Ordinance also contains tailored incentives to encourage the preservation of Designated and Eligible historic resources and incentivizes mixed-use buildings with active ground floors. Finally, the Program has been designed to exclude sites and limit incentives in areas with high environmental risk where residential growth would not prioritize the creation of healthy and resilient communities including in Very High Fire Hazard Severity Zones and the Coastal Zone. Furthermore, the CHIP Ordinance contains provisions for mitigation and distancing from Environmental Consideration Areas through requiring compliance with the new Environmental Protection Measures Handbook, which will assist in reducing hazardous risks to human health and negative environmental impacts.

#### **Goal 4**

A City that fosters racially and socially inclusive neighborhoods and corrects the harms of historic racial, ethnic, and social discrimination of the past and present.

**Objective 4.1:** Ensure that housing opportunities are accessible to all residents without discrimination on the basis of race, color, ancestry, sex, national origin, color, religion, sexual orientation, gender identity, marital status, immigration status, family status, age, intellectual, developmental, and physical disability, source of income and student status or other arbitrary reason.

**Policies 4.1.1:** Promote and facilitate equal opportunity practices in the construction, provision, sale and rental of housing.

**Policy 4.1.5:** Eliminate housing accessibility barriers that disproportionately affect populations in protected classes and special needs populations.

**Objective 4.3:** Affirmatively further fair housing in all housing and land use programs by taking proactive measures to promote diverse, inclusive communities that grant all

Angelenos access to housing, particularly in Higher Opportunity Areas, increase place-based strategies to encourage community revitalization and protect existing residents from displacement.

**Policy 4.3.1:** Increase access and transparency in the lease-up process for restricted Affordable Housing units, particularly for those who have experienced or are at-risk of displacement and those who may not be aware of Affordable Housing choices.

**Policy 4.3.2:** Ensure that all neighborhoods have a range of housing typologies to provide housing options for residents to remain in the same community, when and if their needs change.

**Policy 4.3.3:** Examine land use practices that perpetuate racial exclusion and inequities including but not limited to: single-family / low density zoning, minimum lot size requirements, location of noxious uses, and subjective design review standards. Introduce context specific reforms that further Citywide Housing Priorities

**Policy 4.3.4:** Advance place-based strategies that create opportunities and financial strength in areas of disinvestment and with a history of predatory financial practices through asset-building shared equity homeownership that creates stability and mitigates displacement pressures through community control.

The Program will advance mixed-income, 100% affordable housing projects, and shared equity projects that will foster more racially and socially inclusive neighborhoods. The CHIP prioritizes expanding housing options in Higher Opportunity Areas to address historic and present land use patterns that concentrate housing in areas with fewer resources and opportunities. For example, only 14% of the deed restricted affordable units permitted citywide between 2013 and 2021 were located in Higher Opportunity Areas, despite these neighborhoods accounting for 35% of the City's census tracts. Focusing incentives in Higher Opportunity Areas helps to create more equitable and affordable housing options for City residents. The CHIP program further offers incentives for various housing typologies citywide near transit, with incentives scaled to residential and commercial zones in addition to higher and lower intensities. Within CHIP, the AHIP will offer a new incentive model for community land trusts, creating new equity sharing tools to help strengthen housing stability and build generational wealth among income qualified persons. The HESMD Ordinance also establishes minimum density provisions for multi-family zones in High or Medium High Residential Market Areas to ensure that there is more housing production in these areas.

The RPO codifies important fair housing requirements regarding unit mix, unit size, quality and amenities, and access to and distribution of affordable housing units in mixed-income housing development projects, to ensure compliance with fair housing law. In order to increase transparency in the lease up process, the RPO would establish code requirements for affirmative



marketing and outreach requirements based on current LAHD practice, as well as require affordable units be made available for rent on the Affordable and Accessible Housing Registry (or any equivalent registry managed by LAHD) to the extent feasible. LAHD has implemented affirmative marketing requirements for projects that have land use covenanted units, such as projects that have used a density bonus. This means that owners of these projects are required to list their affordable units on LAHD's Affordable and Accessible Housing Registry. This new requirement to list on the Registry is applied to new projects with covenants executed after October 1, 2021. These new projects are expected to receive their Certificates of Occupancy as early as 2024. The RPO also attempts to prioritize Restricted Affordable Units in mixed-income housing development projects for those with identified housing needs. These priority populations include those displaced pursuant to provisions in the Ellis Act and LAMC 151.22 to 151.28, lower income residents impacted by a rent increase due to the termination of affordability restrictions, and residents displaced due to natural disasters and other code enforcement orders issued for uninhabitable units.

## **Goal 5**

*A City that is committed to preventing and ending homelessness.*

**Objective 5.1:** Provide an adequate supply of short-term and permanent housing in addition to supportive services throughout the City that are appropriate for and meet the specific needs of all persons who are homeless or at-risk of homelessness.

**Policy 5.1.5:** Expand housing, shelter, and supportive services for the homeless and special needs populations in all communities, and reduce zoning and other regulatory barriers to their placement and operation.

The Program aims to increase housing supply with a diverse range of typologies through incentives and streamlining, to provide more housing options and greater housing stability to all Los Angeles residents. Within the CHIP Ordinance, new incentives for 100% affordable housing will expand permanent housing options for those who are homeless and at risk of homelessness. Furthermore the incentives will alleviate constraints on land with existing zoning barriers including Parking (P) zones, Public Facility (PF) zones, on publicly owned land, and on land owned by Faith-Based Organizations. In addition, the RPO increases housing preservation, occupant protections and replacement requirements that help ensure the creation of new housing does not result in homelessness.

### *Housing Element Programs*

As mentioned previously, the proposed Program implements RHNA Re-zoning Program 121 and related goals and policies. The CHIP Ordinance also implements the following programs in the 2021-2029 Housing Element: 4, 11, 13, 15, 48, 54, 57, 62, 103, 122, 124, 125. The RPO implements programs 28, 29, 45, 87, 121, 122, and 124. The HESMD Ordinance implements programs 28, 29, 46, 54, 57, 61, 121, and 124. These programs are either wholly implemented by the ordinances or are implemented in collaboration with other lead agencies.

**Program 124**

The Program Affirmatively Furthers Fair Housing (AFFH) is consistent with California Government Code 65583(c)(1)(2)(10)) and Program 124 in the 2021-2029 Housing Element. The Affirmatively Furthering Fair Housing (AFFH) Program (Program 124) of the 2021 - 2029 Housing Element established the following specific strategies and actions to address the primary AFFH issue areas:

<b>Affirmatively Furthering Fair Housing (AFFH) Program 124</b> Applicable Strategies, Actions, and Implementing Program Summaries	
<i>Strategies and Actions</i>	<i>Implementing Program Summaries</i> (see individual Programs for detailed Objectives and Program Descriptions)
A. Prioritize and expand housing choices for those with the greatest housing needs, including those with the lowest incomes, persons with disabilities, seniors, large families, and victims of domestic violence.	48 and 121: Create new incentives for senior and other special needs housing through the update to the City's affordable housing incentive programs by 2024.  81: Create tailored affordability incentives that account for identified local needs such as insufficient senior, large family units, or multigenerational living, as local plans are adopted. Ensure local plans increase the production and availability of Affordable and accessible housing.
D. Promote a more equitable distribution of affordable housing opportunities throughout the city, with a focus on incentivizing or requiring Affordable Housing in Higher Opportunity Areas.	48, 65 and 121: Create a tailored set of streamlining and development incentives to prioritize 100% affordable housing projects. Expand where mixed income projects may be created, with a particular focus in Higher Opportunity Areas, by 2024. Introduce context specific reforms to zoning and land use practices to increase housing choices and affordability, particularly in Higher Opportunity Areas (see figures in Chapter 4, the candidate sites for rezoning in Appendix 4.7 and associated website maps). Target more than half of rezoning efforts in Higher Opportunity Areas.
E. Prioritize local resources, such as funding and public land, in areas of high opportunity,	15: Increase the utilization of public land for affordable housing with particular emphasis in

<p>and evaluate revisions to funding metrics or policies that may act as a barrier to projects locating in high resource areas. Seek partnerships with other public and private entities to facilitate new potential development sites in these areas for affordable housing</p>	<p>high resource and gentrifying areas; Identify publicly owned housing opportunity sites and issue RFPs to develop the sites by 2023, and annually thereafter; Ensure AFFH is incorporated into the public land selection process. Rezone PF (Public Facility) zoned public to allow affordable housing by-right through rezoning process by 2024; Maintain a publicly accessible citywide inventory of publicly owned sites. Prioritize public land for new models of affordable housing development and control (see Program 16).</p>
<p>F. Develop pathways to homeownership for lower and moderate income households, including targeted down payment assistance and increasing opportunities for community ownership of housing.</p>	<p>3 and 4: Facilitate new types of subdivisions and shared ownership models to encourage more affordable ownership typologies. Prepare an amendment to the zoning code by 2024 to facilitate innovation in more affordable types of for-sale subdivisions. Create accessible online and physical educational resources, and partner with community organizations, especially in gentrifying communities and communities of color, to assist existing or prospective homeowners to better understand options to increase equity and wealth creation by 2023.</p>
<p>K. Require the replacement of affordable housing and the right to return for existing residents, including relocation expenses</p>	<p>28 and 29: Require new housing developments to replace all affordable housing units lost due to new development. Record approximately 200 affordable housing replacement covenants per year. Extend replacement and right to return requirements prior to expiration of Housing Crisis Act in 2030 and evaluate best way to strengthen current requirements in order to make enhancements part of the Density Bonus update by 2024.</p>

The Program implements these strategies and actions by providing greater incentives to projects offering more restricted affordable units, particularly in Higher Opportunity Areas and near transit. Analysis conducted for compliance with state Housing Element Law (see Section C) indicates more than 50% of the Program's added housing capacity is in Higher Opportunity Areas. Of the Program's proposed housing capacity, approximately 56% of the overall capacity is located in Higher Opportunity Areas, with 63% and 50% of capacity located in Lower Income Category and

Moderate Income Category in Higher Opportunity Areas, respectively. Of the proposed housing capacity from the MIIP and AHIP FBO, Parking, and Public Land Projects, approximately 59% of the overall capacity is located in Higher Opportunity Areas, with 64% and 50% of capacity in Lower Income Category and Moderate Income Category in Higher Opportunity Areas, respectively. The CHIP incorporates an acutely low income category to include income levels up to 15% of Area Median Income in the incentive structure, to create housing for those with the greatest need. Additionally, the Density Bonus program codifies incentives for target populations such as seniors and people with disabilities. Public Benefit Options such as child care facilities and multi-bedroom units encourage housing types for large families at lower income levels. The AHIP provides unique incentives for projects on public land to utilize public resources more effectively for housing and introduces a shared equity project type to encourage community land trust and limited equity cooperative housing models that help income qualified households build wealth through equity restricted ownership. The RP ordinance ensures that replacement of affordable units occurs across new development and that existing residents have a right to return, minimizing displacement risk and making the creation of new housing fair for existing residents. The HESMD Ordinance establishes minimum densities on Lower Income Rezoning Sites in high market tiers and requires no net loss findings for parcels included on The Housing Element's Adequate Inventory of Sites.

### **The Framework Element**

The Program is consistent with and carries out the long-range growth goals, objectives, and policies of the Framework Element of the General Plan (adopted in 1996). This section contains a discussion showing the consistency between the Program and Framework Element.

The General Plan Framework Element sets forth a citywide comprehensive long-range growth strategy and defines citywide policies regarding the following categories: growth and capacity, land use, housing, urban form, neighborhood design, open space and conservation, economic development, transportation, infrastructure, and public services. Therefore, the following discussion is organized by the categories found in the Framework Element below:

#### *Growth and Capacity*

With regards to growth and capacity, the State of California requires that cities update the Housing Element of their General Plan every eight years to accommodate a share of their region's projected growth. This process is based on the City's RHNA allocation, which quantifies the need for housing within that jurisdiction over an eight year planning period. In 2020, the Southern California Association of Governments (SCAG) determined that the City must accommodate a RHNA allocation of 456,643 housing units, including 184,721 units at lower income levels. While this number of housing units exceeds the Framework Element's 2010 estimates that corresponded with SCAG's forecast for that year, the current RHNA allocation reflects a 2029 time horizon. The Framework Element is a plan to accommodate future growth – the population and housing estimates noted in the plan do not represent maximum or minimum levels of permitted growth. The Framework Element's estimated population and household figures for 2010

have yet to be reached and remain relevant, as do the Framework policies, even if housing needs anticipated by the RHNA exceed these figures. Therefore, the Program's growth and capacity targets are not inconsistent with the Framework Element goals, policies and objectives. The Program accommodates the City's forecasted growth and existing need for housing and does not induce unplanned growth.

### *Land Use*

The Program is consistent with respect to the General Plan Framework Element's goals, objectives, and policies related to **Land Use**. Since the Program does not alter the underlying land use of parcels to increase housing supply, but rather incentivizes additional housing where already permitted, the land use will remain balanced citywide except where the unbalanced lack of housing in Higher Opportunity Areas will be corrected. With regard to Land Use, the General Plan Framework Element states the following:

#### **Framework Goal 3A**

A physically balanced distribution of land uses that contributes towards and facilitates the City's long-term fiscal and economic viability, revitalization of economically depressed areas, conservation of existing residential neighborhoods, equitable distribution of public resources, conservation of natural resources, provision of adequate infrastructure and public services, reduction of traffic congestion and improvement of air quality, enhancement of recreation and open space opportunities, assurance of environmental justice and a healthful living environment, and achievement of the vision for a more liveable city.

**Objective 3.1** Accommodate a diversity of uses that support the needs of the City's existing and future residents, businesses, and visitors.

**Policy 3.1.4** Accommodate new development in accordance with land use and density provisions of the General Plan Framework Long-Range Land Use Diagram.

**Policy 3.1.6** Allow for the adjustment of General Plan Framework Element land use boundaries to account for changes in the location or introduction of new transit routes and stations (or for withdrawal of funds) and, in such cases, consider the appropriate type and density of use generally within one quarter mile of the corridor and station to reflect the principles of the General Plan Framework Element and the Land Use/Transportation Policy.

**Objective 3.2** Provide for the spatial distribution of development that promotes an improved quality of life by facilitating a reduction of vehicular trips, vehicle miles traveled, and air pollution.

**Policy 3.2.2** Establish, through the Framework Long-Range Land Use Diagram, community plans, and other implementing tools, patterns and types of

development that improve the integration of housing with commercial uses and the integration of public services and various densities of residential development within neighborhoods at appropriate locations.

**Objective 3.3** Accommodate projected population and employment growth within the City and each community plan area and plan for the provision of adequate supporting transportation and utility infrastructure and public services.

**Policy 3.3.1** Accommodate projected population and employment growth in accordance with the Long-Range Land Use Diagram and forecasts in Table 2-2 (see Chapter 2: Growth and Capacity), using these in the formulation of the community plans and as the basis for the planning for and implementation of infrastructure improvements and public services.

**Objective 3.4** Encourage new multi-family residential, retail commercial, and office development in the City's neighborhood districts, community, regional, and downtown centers as well as along primary transit corridors/boulevards, while at the same time conserving existing neighborhoods and related districts.

**Policy 3.4.1** Conserve existing stable residential neighborhoods and lower-intensity commercial districts and encourage the majority of new commercial and mixed-use (integrated commercial and residential) development to be located (a) in a network of neighborhood districts, community, regional, and downtown centers, (b) in proximity to rail and bus transit stations and corridors, and (c) along the City's major boulevards, referred to as districts, centers, and mixed-use boulevards, in accordance with the Framework Long-Range Land Use Diagram (Figure 3-1 and 3-2).

**Policy 3.4.3** Establish incentives for the attraction of growth and development in the districts, centers, and mixed-use boulevards targeted for growth that may include:

- a. Densities greater than surrounding areas,
- d. Streamlined development review processes,
- e. "By-right" entitlements for development projects consistent with the community plans and zoning,
- f. Modified parking requirements in areas in proximity to transit or other standards that reduce the cost of development, and
- g. Pro-active solicitation of development.

The proposed Program supports and is consistent with the Framework Goal 3A and its associated policies and objectives. It will implement the 2021-2029 Housing Element plan for local and citywide housing growth while also conserving existing residential neighborhoods.

The CHIP incentivizes housing production in Higher Opportunity Areas primarily through the MIIP's Opportunity Corridors and Opportunity Corridor Transition Areas. These programs are in line with Goal 3A's first direction to balance land uses as well as more equitably distribute public resources such as affordable housing. The proposed Program acknowledges that a focus on Higher Opportunity Areas needs to be balanced with other growth considerations outlined in the Framework Element including the importance of locating new housing near high-quality transit and jobs while avoiding hazardous and ecologically sensitive areas. For these reasons, the MIIP is not applicable in Very High Fire Severity Zones, Areas Vulnerable to Sea Level Rise or the Coastal Zone unless the project is utilizing State Density Bonus or is a project otherwise eligible for State Density Bonus utilizing the AHIP. The more generous incentives for housing near transit in both the AHIP and MIIP advance Policy 3.1.6 and Objective 3.2 of the Framework Element emphasis on bringing housing closer to job centers. This will help reduce vehicular trips, vehicle miles traveled, and corresponding air pollution. Overall, the Program seeks to support the vision of an equitable, livable, and sustainable city that meets the needs of the population through a thoughtful, balanced distribution of different housing types.

Objectives 3.3 and 3.4 are furthered by the CHIP, which encourages housing at different densities, sizes, and affordability levels citywide to meet the housing needs of a diverse population. The CHIP promotes housing along corridors and boulevards but does not propose changes to the underlying zoning or land use which are used as the basis for new incentives, consistent with Framework Element Policy 3.4.1 and Policy 3.1.4 to accommodate growth in accordance with the designated land use and density of the Framework Element's Long-Range Land Use Diagram. Incentives encourage mixed-use development in commercial zones while also meeting the rezoning requirement in state Housing Element law that over half of lower income sites are parcels zoned exclusively for residential uses (California Government Code Section 665832.2(h)). If the Program did not meet this requirement, the City would have to allow 100 percent residential projects by-right in areas with overlays requiring mixed-use, and dedicate 50 percent of development floor area to residential use in all mixed use projects (see Section C for further discussion). This would compromise The Framework Element's Objective 3.4 to encourage a mix of uses along primary transit corridors.

Consistent with Framework Element Policy 3.4.1, the RPO will help conserve existing stable residential neighborhoods by requiring replacement of deed-restricted affordable and rent stabilized units on sites of redevelopment projects. Replacement and relocation requirements stabilize the existing housing stock and minimize displacement by ensuring that redevelopment is limited to sites where a significant amount of new housing can be produced.

The Program incentivizes stable growth in areas with transportation and stronger resources typical of Higher Opportunity Areas. These updates utilize the existing General Plan land use and zoning. Since new housing is being incentivized near transit infrastructure and/or in Higher Opportunity Areas, it is anticipated that this new development would be served by sufficient public infrastructure and services in the city.

### *Single-Family Neighborhoods*

The Program is consistent with the goals, objectives, and policies related to single-family neighborhoods. With respect to Single-Family Neighborhoods, the General Plan Framework Element states the following:

**Framework Goal 3B**

Preservation of the City's stable single-family residential neighborhoods.

**Objective 3.5** Ensure that the character and scale of stable single-family residential neighborhoods is maintained, allowing for infill development provided that it is compatible with and maintains the scale and character of existing development.

**Objective 3.6** Allow for the intensification of selected single-family areas that directly abut high-density development as "transitions" between these uses.

**Policy 3.6.1** Ensure that the new development of "duplex" or multi-family units maintains the visual and physical character of adjacent single-family neighborhoods, including the maintenance of front property setbacks, modulation of building volumes and articulation of facade to convey the sense of individual units, and use of building materials that characterize single-family housing.

**Policy 7.9.3** Preserve existing single-family neighborhoods throughout the City to assure a continuing supply of variously priced single-family homes from the existing inventory.

The proposed Program is consistent with the Framework Element single-family preservation goals, objectives and policies in that it does not include areas planned and zoned for single-family uses except in limited circumstances.

*Multi-Family Neighborhoods*

The Program is consistent with the goals, objectives and policies related to Multi-Family Neighborhoods in the General Plan Framework Element. With respect to Multi-Family Neighborhoods, the General Plan Framework Element states the following:

**Framework GOAL 3C**

Multi-family neighborhoods that enhance the quality of life for the City's existing and future residents.

**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.



**Policy 3.7.1** Accommodate the development of multi-family residential units in areas designated in the community plans in accordance with Table 3-1 and Zoning Ordinance densities indicated in Table 3-3, with the density permitted for each parcel to be identified in the community plans.

**Policy 3.7.3** Allow the reconstruction of existing multi-family dwelling units destroyed by fire, earthquakes, flooding, or other natural catastrophes to their pre-existing density in areas wherein the permitted multi-family density has been reduced below the pre-existing level.

The proposed Program is consistent with the Framework Element in that it encourages multi-family housing that enhances quality of life. The CHIP contains programs that promote new multi-family housing, particularly affordable and mixed-income housing, in areas near transit stations, jobs, and in Higher Opportunity Areas. Furthermore, the HESMD Ordinance supports the ability to reconstruct after a disaster, furthering Policy 3.7.3.

#### *Boulevards and Adjacent Residential Neighborhoods*

The Program is consistent with and furthers the General Plan Framework Element's emphasis on the intermix of boulevards with a mix of uses that include housing and economic opportunities alongside residential neighborhoods. With respect to this development pattern, the Framework Element states:

#### **Framework Goal 3I**

A network of boulevards that balance community needs and economic objectives with transportation functions and complement adjacent residential neighborhoods.

**Objective 3.13** Provide opportunities for the development of mixed-use boulevards where existing or planned major transit facilities are located and which are characterized by low-intensity or marginally viable commercial uses with commercial development and structures that integrate commercial, housing, and/or public service uses.

**Policy 3.13.3** Encourage the inclusion of public service uses (e.g., day and elder care, community meeting rooms, and recreational facilities), school classrooms, cultural facilities (museums and libraries), and similar uses in mixed-use structures.

**Policy 3.13.4** Provide adequate transitions where commercial and residential uses are located adjacent to one another.

**Policy 3.13.5** Support the development of recreational and small parks in areas developed with mixed-use structures.

The Program generally does not change underlying zoning or alter use categories, and is therefore consistent with this goal and related policies to develop mixed use boulevards adjacent to residential neighborhoods. Instances where multi-family housing is allowed where otherwise not permitted are largely limited to areas where state law has already made the changes, including land owned by Faith-Based Organizations, Parking (P) zones, on publicly owned land or Public Facility (PF) zones, and on sites with land uses or Specific Plan uses which permit residential. The CHIP's MIIP further supports Framework Goal 3I through the Opportunity Corridors and Opportunity Corridor Transition Area incentive areas. Opportunity Corridors will generally support 3-7 story mixed use or 100% residential projects on major corridors while Opportunity Corridor Transition Areas will enable "Missing Middle" housing typologies within 750 feet of these corridors, further supporting Policy 3.13.4 for providing adequate transitions where commercial and residential uses are adjacent.

All CHIP programs offer Public Benefit Options that provide additional incentives in exchange for child care facilities or privately owned open space, consistent with policies 3.13.3 and 3.13.5. Another Public Benefit Option exempting a portion of active ground floor uses from floor area calculation encourages the inclusion of commercial or social service enterprises in developments where zoning already allows for those uses.

#### *Transit Stations*

The Program's incentive structure is consistent with the intent of the General Plan Framework Element to encourage new development in proximity to rail and bus transportation corridors and stations. This considerable mix of uses should be accommodated to provide population support and enhance activity near the stations.

With respect to transit stations, the General Plan Framework Element states the following:

**Objective 3.15** Focus mixed commercial/residential uses, neighborhood-oriented retail, employment opportunities, and civic and quasi-public uses around urban transit stations, while protecting and preserving surrounding low-density neighborhoods from the encroachment of incompatible land uses.

**Policy 3.15.3** Increase the density generally within one quarter mile of transit stations, determining appropriate locations based on consideration of the surrounding land use characteristics to improve their viability as new transit routes and stations are funded in accordance with Policy 3.1.6.

**Policy 3.15.4** Design and site new development to promote pedestrian activity and provide adequate transitions with adjacent residential uses.

The CHIP Ordinance is consistent with the Framework Element in that it encourages multi-family and mixed-use residential development, particularly affordable housing, in areas of the City that have quality transit stations and a range of employment opportunities supported by commercial

services and amenities through the transit and transit-opportunity incentive package in the MIIP. Throughout the MIIP and AHIP, incentives are tailored to sites where the Maximum Allowable Residential Density is less or greater than five units, thereby balancing the distribution of housing consistent with existing density contexts and Objective 3.15. With regard to Framework Element Policy 3.15.4, all CHIP projects are subject to citywide design standards as well as the proposed the Landscape and Site Design Ordinance, but the MIIP specifically incentivizes development through transit to promote walkability, utilizes Corridor Transition incentives to provide adequate residential transitions, and imposes performance standards such as additional open space and frontage requirements on Corridor Transition projects to promote a more vibrant and walkable streetscape.

### *Historic and Architectural Districts*

The Program includes sufficient historical resource protections to be consistent with the how the General Plan Framework Element seeks to balance the benefits of historic and architectural assets with the need for new development as stated in the following goal and policy:

#### **Framework Goal 3M**

A City where significant historic and architectural districts are valued.

**Policy 3.17.2** Develop other historic preservation tools, including transfer of development rights, adaptive reuse, and community plan historic preservation policies.

The CHIP balances streamlined review processes and tailored incentives with protections for Designated and Eligible Historic Resources. The CHIP offers review processes consistent with State Law. However, where local incentives exceed state law in the MIIP and AHIP, the Ordinance includes additional demolition and review protections for Designated and Surveyed Historic Resources. Furthermore, the CHIP offers new incentives to encourage the retention of eligible historic features by offering Public Benefit incentives for the retention of eligible historic building facades. This incentive was developed based on the public comment of the Los Angeles Conservancy. In addition, the HESMD Ordinance includes provisions to exempt historic resources from minimum density requirements. Similarly, historic resources have been removed from the inventory of Lower Income Sites subject to by-right review and minimum density requirements.

### *Urban Form and Neighborhood Design*

The Program is consistent with the goals, objectives, and policies in respect to **Urban Form and Neighborhood Design** through the use of tailored incentives, Menus of Incentives, Public Benefit Options, and performance standards. The General Plan Framework Element states the following regarding Urban Form and Neighborhood Design:

#### **Framework Goal 5A**

A liveable City for existing and future residents and one that is attractive to future investment. A City of interconnected, diverse neighborhoods that builds on the strengths of those neighborhoods and functions at both the neighborhood and citywide scales.

**Objective 5.2** Encourage future development in centers and in nodes along corridors that are served by transit and are already functioning as centers for the surrounding neighborhoods, the community or the region.

**Policy 5.2.3** Encourage the development of housing surrounding or adjacent to centers and along designated corridors, at sufficient densities to support the centers, corridors, and the transit system. While densities and distances will vary based on local conditions, the following residential density standards, which are based on the City's adopted Land Use/Transportation Policy, should be used as a general guide when updating community plans through a public participation process:

- a. Four-stories over parking (R4) within 1,500 feet of grade-separated (subway or arterial) fixed rail transit stations;
- b. Three-stories over parking (R3) within 1,500 feet of at-grade fixed rail transit stations;
- c. Two-stories over parking (RD1.5) within 750 feet of major bus corridor intersections;
- d. Where appropriate, two units per lot (R2) may be considered within 750 feet of major bus corridors.

**Objective 5.5** Enhance the liveability of all neighborhoods by upgrading the quality of development and improving the quality of the public realm.

**Policy 5.5.1** Plant and/or facilitate the planting of street trees, which provide shade and give scale to residential and commercial streets in all neighborhoods of the City.

**Objective 5.8** Reinforce or encourage the establishment of a strong pedestrian orientation in designated neighborhood districts, community centers, and pedestrian-oriented sub-areas within regional centers, so that these districts and centers can serve as a focus of activity for the surrounding community and a focus for investment in the community.

**Policy 5.8.3** Revise parking requirements in appropriate locations to reduce costs and permit pedestrian-oriented building design:

- a. Modify parking standards and trip generation factors based on proximity to transit and provision of mixed-use and affordable housing.
- b. Provide centralized and shared parking facilities as needed by establishing parking districts or business improvement districts and permit in-lieu parking fees in selected locations to further reduce on-site parking and make mixed-use development economically feasible.

**Objective 5.9** Encourage proper design and effective use of the built environment to help increase personal safety at all times of day.

**Policy 5.9.2** Encourage mixed-use development which provides for activity and natural surveillance after commercial business hours through the development of ground floor retail uses and sidewalk cafes. Mixed-use should also be enhanced by locating community facilities such as libraries, cultural facilities, or police substations, on the ground floor of such building, where feasible.

The proposed Program is consistent with the Framework Element because it promotes and encourages livable buildings and neighborhoods with a range of housing types for diverse communities that builds on their strengths while also meeting citywide needs. The CHIP Ordinance encourages a wide range of different densities and scales with incentives that balance the need for more housing and quality urban form. As previously discussed, the CHIP Ordinance incentivizes housing near transit with density, FAR, and height incentives which scale based on proximity to transit service and base density.

Regarding livability, the Framework Element contains policy 5.5.1 to plant or facilitate the planting of street trees. The MIIP and AHIP offer the preservation of significant trees as a public benefit option to help maintain the City's existing canopy as more trees are planted. The Framework Element also includes Objective 5.8 and Policy 5.8.3 to create pedestrian oriented areas and reduce parking. There are no parking requirements in the entire MIIP, and the AHIP only requires parking in very limited circumstances. In accordance with Objective 5.9 and Policy 5.9.2, the CHIP Ordinance supports mixed-use development by incentivizing greater residential intensity at sites already allowing mixed uses, which will encourage more street activation and neighborhood presence.

With respect to open space as an integral part of neighborhood form and design, The Framework Element includes these policies:

**Policy 6.4.4** Consider open space as an integral ingredient of neighborhood character, especially in targeted growth areas, in order that open space resources contribute positively to the City's neighborhoods and urban centers as highly desirable places to live.

**Policy 6.5.5** Establish incentives for the provision of publicly accessible open space in conjunction with private development projects.

The CHIP implements Policies 6.4.4. And 6.5.5 of The Framework Element by maintaining open space requirements for projects in targeted growth areas and establishing incentives to either offset reductions in open space or add open space to projects. Access to incentives for reducing open space requires a higher score on the Landscape and Site Design Ordinance checklist, to require a higher quality of open space in exchange for less. A Public Benefit Option in the MIIP

and AHIP offer a reduction in rear yard setback in exchange for setting aside additional lot area beyond the required common outdoor space as Privately Owned Open Space.

### *Economic Development*

The Program is consistent with respect to the Policies and Objectives related to **Economic Development** in the General Plan Framework Element by providing incentives for projects on public land, incentivizing and streamlining affordable housing without the use of public subsidy, and encouraging mixed-use projects where the underlying zoning allows. Regarding Economic Development, the Framework Element states the following:

***Policy 7.2.1** Identify the characteristics of any surplus City-owned land and determine the appropriateness of designating this land for public, commercial, industrial, or residential uses.*

***Policy 7.8.3** Encourage mixed-use development projects, which include revenue generating retail, to offset the fiscal costs associated with residential development*

**Objective 7.4** Improve the provision of governmental services, expedite the administrative processing of development applications, and minimize public and private development application costs.

**Policy 7.4.1** Develop and maintain a streamlined development review process to assure the City's competitiveness within the Southern California region.

**Policy 7.4.2** Maximize opportunities for "by-right" development.

### **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 workforce 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.

**Policy 7.9.2** Concentrate future residential development along mixed-use corridors, transit corridors and other development nodes identified in the General Plan Framework Element, to optimize the impact of City capital expenditures on infrastructure improvements.

**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.

**Policy 7.10.2** Support efforts to provide all residents with reasonable access to transit infrastructure, employment, and educational and job training opportunities.

The Framework Element recognizes the critical link between economic development and housing, particularly between jobs and housing. The proposed Program is consistent with the Framework Element Objectives 7.9, 7.10 and related policies in that it aims to enable the City's workforce to both live and work in the City, by encouraging an ample supply of housing for residents and workers and promoting an array of housing types at different costs, including affordable and mixed income housing in areas with transit stations, a range of employment opportunities, and commercial services and amenities. The Program aims to boost affordable housing without relying upon subsidies, in line with its position as an implementation of State Density Bonus and Policy 7.9.1. Incentives in Higher Opportunity Areas throughout the MIIP and the AHIP will alleviate housing concentration by promoting an emphasis on those portions of the City which historically have not received a proportional share of housing opportunities, and will Affirmatively Further Fair Housing near employment and educational resources.

The CHIP Ordinance also provides incentives for developing publicly owned land and sites zoned Public Facility (PF) for affordable housing under the AHIP, which contains a provision under which any public agency, if authorized by a resolution of City Council, may develop land for 100% affordable housing regardless of a site's development standards. This supports Policies 7.2.1 and 7.8.3 of the Framework Element by providing a pathway to a streamlined mixed-use development of public land and public facilities regardless of underlying zoning, and advances both a public commitment to construct affordable housing while balancing the fiscal constraints of residential development where public dollars are being spent.

Framework Element Objective 7.4 and related Policies 7.4.1 and 7.4.2 encourage streamlined development procedures for a better business and economic environment citywide. The CHIP and HESMD Ordinance both provide by-right and streamlined processes for projects providing the public benefit of affordable housing, and will facilitate a more stable development process. Better streamlining is available to projects offering more affordability in an effort to lower costs linked to the development process overall, while also closing the financial gap specific to affordable housing development.

### *Housing*

The Program is consistent with the policies and objectives of The Framework Element **Housing** section, which provides much of its overall policy direction. The Framework Element acknowledges that housing production has not kept pace with the demand for housing leading to

increased overcrowding and states that the “City must strive to meet the housing needs of the population in a manner that contributes to stable, safe, and livable neighborhoods, reduces conditions of overcrowding, and improves access to jobs and neighborhood services, particularly by encouraging future housing development near transit corridors and stations.”

With respect to **Housing**, the General Plan Framework includes the following overall Housing goals and objectives:

#### **Framework 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 (Per Table 2-1, the Framework Plan 2010 population is 4,306,500 persons).

**Policy 4.1.1** Provide sufficient land use and density to accommodate an adequate supply of housing units by type and cost within each City subregion to meet the twenty-year projections of housing needs (see Figure 4-1).

**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 4.1.3** Minimize the over concentration of public housing projects in a City subregion.

**Policy 4.1.4** Reduce overcrowded housing conditions by providing incentives to encourage development of family-size units.

**Policy 4.1.5** Monitor the growth of housing developments and the forecast of housing needs to achieve a distribution of housing resources to all portions of the City and all income segments of the City's residents.

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

**Policy 4.1.7** Establish incentives for the development of housing units appropriate for families with children and larger families.

**Policy 4.1.8** Create incentives and reduce regulatory barriers in appropriate locations in order to promote the adaptive re-use of structures for housing and rehabilitation of existing units.



**Policy 4.1.9** Whenever possible, assure adequate health-based buffer zones between new residential and emitting industries.

**Objective 4.2** Encourage the location of new multi-family housing development to occur in proximity to transit stations, along some transit corridors, and within some high activity areas with adequate transitions and buffers between higher-density developments and surrounding lower-density residential neighborhoods.

**Policy 4.2.1** Offer incentives to include housing for very low- and low-income households in mixed-use developments.

**Objective 4.3** Conserve scale and character of residential neighborhoods.

**Objective 4.4** Reduce regulatory and procedural barriers to increase housing production and capacity in appropriate locations.

**Policy 4.4.1** Take the following actions in order to increase housing production and capacity:

- a. Establish development standards that are sufficiently detailed and tailored to community and neighborhood needs to reduce discretionary approvals requirements.
- b. Streamline procedures for securing building permits, inspections, and other clearances needed to construct housing.
- c. Consider raising thresholds for categorical exemptions for CEQA clearances for projects conforming to the City's development standards, particularly when housing is combined with commercial uses in targeted growth areas.
- d. Consider establishing City service which assists applicants in processing applications for housing projects.

The proposed Program supports and is consistent with the Framework Element housing goal 4A as it strongly promotes a more equitable distribution of housing opportunities, with higher incentives offered in Higher Opportunity Areas throughout the CHIP. As identified in the 2021-2029 Housing Element, and shown on [Figure 1](#) on page A-4 of this staff report, affordable housing unit production has been heavily concentrated in lower opportunity areas of the city. As such the CHIP program offers larger incentives in Higher Opportunity Areas, expands access to affordable housing, and provides for a more equitable distribution of mixed-income and one hundred percent affordable housing developments. The Program aligns with the Framework's Objective 4.1 and associated policies with its focus on planning to provide a supply of housing available at affordable types and costs while alleviating overconcentration of affordable housing and overcrowding.

The CHIP establishes incentives to encourage a wider variety of housing types by providing tailored incentives for missing middle, mid-scale, and higher intensity developments, alongside options to encourage multi-bedroom units to house large families. Within the CHIP Ordinance, the MIIP and AHIP offer limited FAR and height incentives for both lower density sites and for Designated Historic Resources. The Corridor Transition incentives are crafted to integrate into existing neighborhood contexts, by offering height and FAR maximums in exchange for incentives which are often below the existing allowances on a site.

Within the CHIP Ordinance, the MIIP incentive affordability requirements are calibrated to market tiers identified by the Linkage Fee Ordinance in Section 19.18 of the Los Angeles Municipal Code. With higher affordability set asides in higher market tiers, affordable housing will be more evenly distributed throughout the City. Set aside options in the MIIP are of an even greater variety of income levels than the Framework Element calls for, and include moderate income (80-120% AMI), low income (80% AMI), very low income (60% AMI), extremely low income (30% AMI), and acutely low income (15% AMI) levels. The popularity of the extremely low income affordability set-aside in the City's Transit Oriented Communities Program indicates that this is an effective and proven way to spur production of these units citywide. As stated in previous findings, the MIIP emphasizes transit as a key location for growth in alignment with Objective 4.2.

Streamlining and reducing development barriers is a key component of the CHIP and The HESMD Ordinance, in alignment with Objective 4.4 and associated policies of the Framework Element. Streamlining is provided in exchange for the public benefit of more affordable housing and does not apply where the value of cultural or environmental assets exceeds that of the proposed project. Consistent with Framework Element Policy 4.1.9, environmental justice is a key consideration of the CHIP Ordinance. Parcels zoned for heavy manufacturing, or hybrid industrial zones with an overlay restricting residential uses, cannot qualify for more than the minimum incentives available under State Density Bonus. Sites within 1,000 feet of certain contaminated areas would be required to complete Phase I and/or II assessment and remediation in compliance with the proposed Environmental Protection Measures, if warranted, or they are not eligible until complying with Environmental Protection Measures once adopted. Furthermore, the Lower Income Rezoning Housing Element Sites List, where by-right streamlining is facilitated by the HESMD, excludes sites with potentially harmful environmental concerns. For additional details, refer to Section C.

It is the ultimate goal of the Program to provide sufficient land use and density to accommodate an adequate supply of housing units by type and cost to meet projections of housing needs. The Program will also decrease the overconcentration of very low- and low-income housing developments in City subregions by preventing development on sites presenting risk to human health or negative externalities and providing greater incentives for scattered site development citywide, particularly in Higher Opportunity Areas where affordable housing production has been underproduced.

### **Other General Plan Elements**

The proposed Program is consistent with the purpose, intent, and provisions of the General Plan in that it implements policies contained in a number of other General Plan Elements in addition to the Housing and Framework Element discussed above, including the:

- Circulation Element (Mobility Plan 2035)
- Health Element (Plan for a Healthy Los Angeles)
- Air Quality Element
- Conservation Element
- Safety Element

*Mobility Plan 2035 (Circulation Element)*

The City's Mobility Plan 2035 (Circulation Element) provides the policy foundation for achieving a transportation system that balances the needs of all road users and incorporates "complete streets" principles and lays the policy foundation for how future generations of Angelenos interact with their streets. This includes the strong link between residential land uses to transportation.

The City's Mobility Plan 2035 contains a number of important policies supported by and consistent with the proposed Program, including:

**Objective 3.1** Ensure that 90% of households have access within one mile to the Transit Enhanced Network by 2035.

**Objective 3.2** Ensure that 90% of all households have access within one-half mile to high quality bicycling\* facilities by 2035. (\*protected bicycle lanes, paths, and neighborhood enhanced streets)

**Objective 5.2** Vehicle Miles Traveled (VMT): Support ways to reduce vehicle miles traveled (VMT) per capita

The Program supports the strong link between residential land uses and transportation, particularly public transit stations in the CHIP's MIIP. Incentivizing housing, particularly affordable housing, near transit stations ensures that transit-dependent residents have access to housing and employment opportunities, education, quality healthcare, and other amenities while reducing Vehicle Miles Traveled per capita, which aligns with Mobility Objective 5.2. Additionally consistent with AB 2097 and AB 2334, most projects proposed under the MIIP and AHIP will not require parking, thereby increasing the public transit user base. These policies and programs acknowledge the ample opportunities for transit-oriented development that can support new housing (particularly affordable housing) as a result of significant transit infrastructure investments occurring in multiple neighborhoods of the City.

*Plan for a Healthy Los Angeles (Health Element)*

The Plan for a Healthy Los Angeles (Health Element) lays the foundation to create healthier communities for all Angelenos. As an Element of the General Plan, it provides high-level policy vision, along with measurable objectives and implementation programs, to elevate health and environmental justice as a priority for the City's future growth and development. It acknowledges that access to safe, affordable, accessible, and healthy housing is of paramount importance to living a healthy life.

The proposed Program is consistent with the Health Element and furthers the following goals, objectives, and policies:

**Policy 1.5** Improve Angelenos' health and well-being by incorporating a health perspective into land use, design, policy, and zoning decisions through existing tools, practices, and programs.

**Policy 1.6** Reduce the debilitating impact that poverty has on individual, familial, and community health and well-being by: promoting cross-cutting efforts and partnerships to increase access to income; safe, healthy, and stable affordable housing options; and attainable opportunities for social mobility.

**Policy 1.7** Reduce the harmful health impacts of displacement on individuals, families, and communities by pursuing strategies to create opportunities for existing residents to benefit from local revitalization efforts by: creating local employment and economic opportunities for low-income residents and local small businesses; expanding and preserving existing housing opportunities available to low-income residents; preserving cultural and social resources; and creating and implementing tools to evaluate and mitigate the potential displacement caused by large-scale investment and development.

### ***Health Element Goal 2***

A city that is built for health uses design, construction, and public services to promote the physical, mental, and social well-being of its residents. A healthy city has neighborhoods where health-promoting goods and services are abundant and accessible, so that the healthy choice is the easy choice for all residents. Health is further supported by safe multi-modal corridors that offer active transportation alternatives, access to a diverse housing stock that offers options for all ages and incomes, ample opportunities for recreation, healthy food options, and a vibrant economy that offers quality employment opportunities.

**Policy 2.2** Promote a healthy built environment by encouraging the design and rehabilitation of buildings and sites for healthy living and working conditions, including promoting enhanced pedestrian-oriented circulation, lighting, attractive and open stairs, healthy building materials and universal accessibility using existing tools, practices, and programs.

**Policy 5.1** Reduce air pollution from stationary and mobile sources; protect human health and welfare and promote improved respiratory health.

**Policy 5.4** Protect communities' health and well-being from exposure to noxious activities (for example, oil and gas extraction) that emit odors, noise, toxic, hazardous, or contaminant substances, materials, vapors, and others.

**Policy 5.7** Promote land use policies that reduce per capita greenhouse gas emissions, result in improved air quality and decreased air pollution, especially for children, seniors and others susceptible to respiratory diseases.

The proposed Program is consistent with the Health Element goals, objectives, and policies related to housing in the City in that it prioritizes affordable housing with anti-displacement measures and orientates housing development around health, economic stability, and well-being. Carefully designed incentives that work synergistically with the proposed amendments to the City's proposed Landscape and Sites Design Ordinance, as well as Public Benefit Options, are intended to improve health and well being and are consistent with Health Element Policy 1.5 and Goal 2. The RPO alleviates displacement pressure so that existing residents can benefit from increasing housing opportunities as stated in Policy 1.7. As previously stated, incentives in the MIIP promote housing near transit to promote decreased per capita greenhouse gas emissions. The CHIP Ordinance provides higher incentives in Higher Opportunity Areas to Affirmatively Further Fair Housing and works to reduce the debilitating effects of poverty on welfare by providing more affordable housing options in areas with stronger life outcomes that have underproduced it, thereby implementing Health Element Policy 1.6.

### *Air Quality Element*

The Air Quality Element sets forth the goals, objectives, and policies which guide the City in its implementation of its air quality improvement programs and strategies. A number of these goals, objectives, and policies are relevant to land use development, and relate to traffic mobility, discouraging single-occupancy vehicle trips, and increasing energy efficiency in City facilities and private developments.

The proposed Program is consistent with the City's Air Quality Element and furthers the following goals, objectives, and policies:

#### **Air Quality Element Goal 2**

Less reliance on single-occupant vehicles with fewer commute and non-work trips

**Objective 2.1** Reduce work trips as a step towards attaining trip reduction objectives necessary to achieve regional air quality goals.

#### **Air Quality Element Goal 3**

Efficient management of transportation facilities and systems infrastructure using cost-effective system management and innovative demand-management techniques. ‘

**Objective 3.1** Increase the portion of work trips made by transit to levels that are consistent with the goals of the Air Quality Management Plan and the Congestion Management Plan.

**Objective 3.2** Reduce vehicular traffic during peak periods.

#### **Air Quality Element Goal 4**

Minimal impact of existing land use patterns and future land use development on air quality by addressing the relationship between land use, transportation, and air quality.

**Objective 4.2** Reduce vehicle trips and vehicle miles traveled associated with land use patterns

**Policy 4.2.3** Ensure that new development is compatible with pedestrians, bicycles, transit, and alternative fuel vehicles.

#### **Air Quality Element Goal 5**

Energy Efficiency through land use and transportation planning, the use of renewable resources, and the implementation of conservation measures such as site orientation and tree planting.

The proposed Program is consistent with the Air Quality Element’s goals, objectives, and policies related to housing development and reducing vehicle trips in the City in that it encourages housing locations near jobs and transit, particularly through the CHIP Ordinance’s MIIP incentives. This program facilitates high quality, healthy housing in neighborhoods that improves accessibility to jobs and services, deploying a transportation demand management strategy to reduce vehicle miles traveled (VMT) and therefore improve air quality. These programs and policies are also aligned with the regional and state mandates of improving air quality. Transportation incentives are scaled according to distance from major transit stops, which for the purposes of the CHIP includes stations and bus stops included in the most recent Southern California Association of Governments Regional Transportation Plan.

#### *Conservation Element*

The proposed Program furthers the objectives and policies of the conservation element, specifically related to cultural and historical sites. The Conservation Element states that the City has a primary responsibility for identifying and protecting its cultural and historical structures, natural features or sites of historic, architectural, cultural or aesthetic significance.

**Conservation Element Objective 4** Protect important cultural and historical sites and resources for historical, cultural, research, and community educational purposes.

**Policy 4.1** Continue to protect historic and cultural sites and/or resources potentially affected by proposed land development, demolition or property modification activities.

The proposed Program is consistent with the Conservation Element in that it seeks to maintain and protect important cultural and historic resources while allowing for the development and preservation of housing in the City. The CHIP Ordinance utilizes the Secretary of the Interior's Standards for the Treatment of Historic Properties (Standards) for review of projects proposing alterations to Designated Historic Resources. Furthermore, projects are ineligible for the ordinance incentives if demolition of a Designated Historic Resource is proposed. The MIIP and AHIP incentives also offer protections to eligible or surveyed historic resources, requiring any surveyed, eligible or architectural historic resource identified for any protection or special consideration or review by an applicable Overlay or Specific Plan to be compliant with the Standards. As institutions of faith often contain both eligible architectural and cultural resources, the AHIP incentives require eligible buildings using Faith-Based Organization Project incentives to conform with the Standards. Throughout the CHIP Ordinance sites with Designated Historic Resources and Non-Contributing Elements to Historic Preservation Overlay Zones have limited access to FAR and height incentives, to further ensure new development is integrated appropriately into historic sites. In addition, the HESMD Ordinance includes provisions to exempt historic resources from minimum density requirements. Similarly, historic resources have been removed from the inventory of Lower Income Sites subject to by-right review and minimum density requirements.

### *Safety Element*

The Program is consistent with the goals and policies of the Safety Element regarding environmentally sensitive and hazardous sites, and sites that may be especially sensitive to climate change. The Safety Element details a policy direction to prevent, respond to, and recover from disaster events. Policies of the Safety Element include:

#### **Safety Element Goal 1: Hazard Mitigations**

A city where potential injury, loss of life, property damage and disruption of the social and economic life of the city due to hazards is minimized.

**Policy 1.1.5 Risk Reduction.** Reduce potential risk hazards due to disaster with a focus on protecting the most vulnerable people, places and systems.

**Policy 1.1.8 Land Use.** Consider hazard information and available mitigations when making decisions about future land use. Maintain existing low density and open space designations in Very High Fire Hazard Severity Zones. Ensure mitigations are incorporated for new development in hazard areas such as VHFHSZs, landslide areas, flood zones and in other areas with limited adaptive capacity.

The proposed Program is consistent with the updated policies above in that it contains special provisions for projects proposed in Very High Fire Hazard Severity Zones, the Coastal Zone, Sea Level Rise Areas, or sites that may pose a hazardous risk to human health. Sites in Very High Fire Hazard Severity Zones, areas vulnerable to Sea Level Rise, and the Coastal Zone are excluded from the MIIP. A site in a Very High Fire Hazard Severity Zone would only be included in instances where a project site is abutting, across the street or alley, or sharing a common corner with a subject property that is not in such a zone on an Opportunity Corridor. Projects otherwise eligible for State Density Bonus in Very High Fire Severity Zones, Sea Level Rise areas, and the Coastal Zone are eligible only for limited state incentives. Inclusion of these limited sites is consistent with Policy 1.1.5, as parcels are located on transit served corridors on the periphery of impacted areas, and have higher mobility in a hazard event. Sites in Environmental Consideration Areas will be eligible for program incentives so long as the project complies with the requirements set forth in the Environmental Protection Measures Handbook. These measures are consistent with the hazard mitigation and risk reduction measures proposed in Safety Element Goal 1 and Policies 1.1.5 and 1.1.8.

#### *Public Facilities and Services Element*

The Public Facilities and Services Element contains several Master Plans for facilities and services of public interest in the City. It includes the Cultural and Historical Monuments Plan to guide the preservation of significant, beautiful, or interesting cultural and historic sites in The City of Los Angeles. The Program furthers the first objective in the Cultural and Historical Monuments Plan is:

**Objective 1.1** To encourage the preservation and restoration of designated monuments.  
Objective To make available a full range of public educational

See Conservation Element findings above for a discussion of consistency of Objective 1.1 with the proposed Program.

The Program is also consistent with and furthers the following objectives in the Public Schools Plan:

**Objective 4.1:** To make available a full range of public educational facilities from the elementary grades through the junior college level within the Los Angeles City area.

**Objective 4.4:** To provide safe, direct access to school sites for the maximum number of attending students

The Program provides higher incentives for projects located in Higher Opportunity Areas, which includes areas of the City that have more access to public facilities such as schools. By encouraging housing in these areas, the Program furthers the objectives to make public educational facilities more available in the City of Los Angeles, and provides more direct access to schools for a majority of students through added housing supply in these areas.



### *Land Use Element*

The Community Plans establish neighborhood-specific goals and implementation strategies to achieve the broad objectives laid out in the City's General Plan. Together, the 35 Community Plans make up the General Plan's Land Use Element, which plays an important role in bolstering housing and job opportunities, conserving open space and natural resources, and balancing different neighborhoods' needs. The Program is consistent with the Land Use Element because it will not change the underlying zoning or land use of any parcels, but functions as a local implementation of State Density Bonus (see Section D).

Uses are only altered where they otherwise prevent residential density increases in line with citywide policies and/or state law. These developments (in P or PF Zones, or on land owned by Faith-Based Organizations or publicly owned land) may only occur on or adjacent to land that otherwise permits residential uses in the General Plan, Zoning Ordinance, or Specific plan, or by City Council resolution. Assembly Bill (AB) 2334 (Wicks) amended California Government Code Section 65915's definition of "Maximum Allowable Residential Density" so that under state law, the City is legally required to afford the applicant the highest base density among the General Plan, Zoning Ordinance, or Specific Plan for purposes of the application of a density bonus. Therefore, there may be instances where a proposed project is not consistent with the Land Use Element of the General Plan or the requirement of a Specific Plan, but the City is legally required to allow the applicant to develop at the highest permitted density among the General Plan, Zoning Ordinance, or Specific Plan (California Government Code Section 65915(o)(6)). In addition, the City has determined that the shortage of affordable housing is an ongoing crisis in Los Angeles. The increased intensity and density of proposed development from the Program will be offset by the increase in affordable units required by the City's local implementation of State Density Bonus. The ordinances provide a service that is essential and beneficial to the community, city and region and conforms to the purpose of the Land Use Element by providing much needed housing near job centers and transit, and by providing housing which fulfills the needs for market rate and affordable housing.

### **C. State Housing Element Discussion (California State Government Code Section 65580 – 65589.11)**

#### **State Housing Element Law**

Statutory requirements for the Housing Element and RHNA Re-zoning programs are delineated in California State Government Code Sections 65580 – 65589.11. The California Department of Housing and Community Development approved The City of Los Angeles 2021-2029 Housing Element on June 29, 2022, which outlined Program 121 RHNA Re-zoning. The 2021-2029 Housing Element includes a list of 'Candidate Sites Identified to be Rezoned to Accommodate Housing Shortfall Need' in Appendix 4.7, compiled after identifying a shortfall of 255,433 units, of which 130,553 are a shortfall of lower income units. Pursuant to California Government Code Section 65583(c)(1) and 65583.4(a), rezoning to accommodate the City's RHNA deficit must

occur by February 12, 2025, or meet the narrow criteria for a one year extension. Additional requirements for the state mandated rezoning are:

1. Sites shall be made available during the planning period with appropriate zoning and development standards, including the adoption of minimum densities, and with services and facilities to accommodate that portion of the City's or County's share of the regional housing need that could not be accommodated on sites identified in The 2021-2029 Housing Element Candidate Sites inventory (California Government Code 65583(c)(1)).
2. Sites shall be identified to Affirmatively Further Fair Housing and to facilitate and encourage the development of a variety of types of housing for all income levels (including but not exclusive to extremely low, very low, low and moderate) (California Government Code 65583(c)(1)(2)(10)).
3. Pursuant to California Government Code 65583.2(h), Lower Income Sites identified for rezoning must be:
  - (a) On sites that shall permit owner-occupied and rental multi-family residential use by-right for developments in which 20 percent of units are affordable to lower income households during the planning period. Sites must be zoned with a minimum density and development standards permitting at least 20 units per acre and 16 units per site in Los Angeles.
  - (b) At least 50 percent sites designated for residential uses where nonresidential or mixed-uses are not permitted (if a jurisdiction elects not to meet this requirement it must impose mandatory housing requirements in non-residential zones).
4. Per Housing Element Law, sites previously listed in The Housing Element Inventory of Adequate Sites over two consecutive planning periods must permit by-right development streamlining if 20 percent of proposed project's units are set aside for lower income households. Eligible projects that meet objective zoning standards will be subject to a by-right review procedure (California Government Code 65583.2(c)). Sites listed on the current Inventory of Sites (Appendix 4.1 of The 2021-2029 Housing Element) are subject to no net loss and housing replacement requirements.
5. Notwithstanding other requirements of the rezoning, a jurisdiction must adopt a replacement requirement policy for sites that currently or within the past five years had residential uses subject to a recorded covenant, ordinance or law restricting rent to lower incomes, consistent with replacement requirements set forth in California Government Code Section 65915(c)(3) (California Government Code 65583.2(g)(3)).

The Program makes sites with more than 255,433 units of capacity available to accommodate the portion of the City's share of the regional housing need that could not be accommodated through the identification of sites in the 2021-2029 Housing Element. The sites have appropriate zoning and development standards and are more than adequate to meet the need for 255,433 units, of which 130,553 are a shortfall of lower income units, as identified by The 2021-2029 Housing Element.

Of these sites, at least 130,553 units of capacity are identified as Lower Income Sites, which meet the requirements in California Government Code 65583.2(h). The sites have appropriate zoning

and development standards and are in excess of the 130,553 unit shortfall of lower income units identified by The 2021-2029 Housing Element. More than 50 percent of the rezoned sites and associated capacity are located on residentially zoned sites (i.e. sites designated for residential uses) where nonresidential or mixed-uses are not permitted. Lower Income Sites permit owner-occupied and rental multi-family residential use by-right for developments in which 20 percent of units are affordable to lower income households during the planning period. Sites are zoned with a minimum density and development standards permitting at least 20 units per acre and 16 units per site in Los Angeles.

It is important to note that the additional rezoning efforts include other efforts that may be adopted within the state required deadline of February 12, 2025. This includes the Downtown Los Angeles Community Plan Update, as well as the Adaptive Reuse Ordinance, with an adoption status that is currently unknown. Rezoned sites through other work programs will also be established by City Council Resolution, submitted to the state each year as part of the Housing Element Annual Progress Report and identified in the public Zoning Information Mapping and Access System (ZIMAS). Approximately 56% of the rezoning efforts of the CHIP Ordinance and the Downtown Los Angeles Community Plan Update are located in Higher Opportunity Areas of the City, with 63% and 50% of capacity located in Lower Income Category Capacity and Moderate Income Category Capacity in Higher Opportunity Areas, respectively. Of the proposed housing capacity from the MIIP and AHIP FBO, Parking, and Public Land Projects, approximately 59% of the overall capacity is located in Higher Opportunity Areas, with 64% and 50% of capacity in Lower Income Category and Moderate Income Category in Higher Opportunity Areas, respectively.

Shortfall sites have adequate services and facilities to ensure that sites are developable to meet the housing needs. The sites are generally already developed with other uses and connected to reliable energy, water and gas as part of the urbanized area. Streets and highways are available to all sites in the inventory, and in most cases, transit is within close proximity. The methodology used to select the Program sites considers the suitability and availability of each site for residential development during the planning period. Finally, each housing development will be granted a permit on a site-by-site basis, at which time it is possible that some projects may be required to improve the existing infrastructure. A project proposed on any site in the inventory would be allowed where consistent with the zoning provisions for that site, and would be issued a permit by the Department of Building and Safety (provided no extraordinary site-specific health and safety circumstances were found to exist).

The Program's sites Affirmatively Further Fair Housing (AFFH) consistent with Government Code 65583(c)(1)(2)(10) and Program 124 in the 2021-2029 Housing Element. The sites facilitate and encourage the development of a variety of types of housing for all income levels (including but not exclusive to extremely low, very low, low and moderate). The detailed AFFH discussion earlier in the staff report (under Housing Element Programs) is incorporated here by reference. In summary, the Program focuses new incentive programs in Higher Opportunity Areas, expands affordable housing set asides that account for identified local needs, creates new home ownership and equity building opportunities, expands senior housing incentives, incentivizes use of public land, provides new incentives for 100 percent affordable housing, and ensures a replacement of

existing housing units. This results in the majority of new housing opportunities created through the proposed ordinance to be located in Higher Opportunity Areas. The Program therefore achieves the fundamental AFFH metrics set forth for the program in the adopted 2021-2029 Housing Element.

Housing Element Rezoning Sites are drawn primarily from the MIIP, as well as portions of the AHIP. Sites were selected based on whether they facilitate housing development at higher densities than otherwise allowed under state Density Bonus law (100%) and are consistent with the statutory requirements. These sites will also have incentives that provide flexibility for other important development standards (height, floor area, parking, etc.), along with added procedural certainty compared to what is currently allowed. They include sites eligible for incentives under the following strategies: Opportunity Corridors, Corridor Transition Areas, Transit Oriented Incentive Areas, as well as sites identified as being eligible for AHIP incentives on Faith-Based Organization owned land, publicly owned land, Public Facility (PF) zones, and Parking (P) zones.

The sites and capacity figures have been identified through a detailed exercise to ensure compliance with state law, building upon the model used for the Candidate Sites for Rezoning Appendix 4.7. The system was designed to identify rezoned sites that meet the various requirements, particularly those for Lower Income Rezoning Sites. This includes criteria for accommodating state requirements, where a minimum density of 20 units per acre and an allowance of 16 units per site is needed to qualify as a Lower Income Site, as well as ensuring that bonuses are calculated appropriately utilizing “base units” (number of units allowed prior to any bonus). Additional criteria was also added to screen out sites that may be less suitable for by-right development (see below).

The City updated the Appendix 4.7 model with several new assumptions to better reflect realistic development potential based on information gained by the Appendix 4.1 regression model and recent economic analysis of the CHIP performed by AECOM (see Appendix 3). The methodology takes into consideration the suitability of the parcel’s size as part of the evaluation of whether a site is likely to be redeveloped, including many suitability factors such as the allowable density and realistic capacity of the site, the existing use, age of existing structure, and the current utilization of existing buildings. For a detailed summary of the model and assumptions see Appendix 5.

Sites listed on the Inventory of Lower Income Rezoning Housing Element Sites (Exhibit E.2) must permit multi-family development as a use-by-right when projects propose 20% affordability to lower income households by state law. The sites identified as Lower Income Rezoning Housing Element Sites utilized additional filtering criteria to ensure that only sites most suitable for by-right development were included. This includes properties subject to the Rent Stabilization Ordinance (RSO), designated historic resources, and environmentally sensitive sites and others listed above in the Key Provisions subsection of the Housing Element Sites and Minimum Density Ordinance section of this report.

The proposed HESMD Ordinance ensures compliance with state law for designated Lower Income Sites and other Housing Element Sites. The ordinance includes provisions for by-right review for developments in which 20 percent of units are affordable to lower income households during the planning period, as well as regulations to enforce the minimum density standards requiring new housing developments to be developed with at least 20 units per acre. Pursuant to state Housing Element law, the proposed ordinance also includes by-right development review for non vacant sites that were identified in the prior Housing Element and vacant sites that were identified in the prior two Housing Elements, including sites identified in Column O of Appendix 4.1 of the current 2021-2029 Housing Element. These Sites are called Prior Housing Element Sites. Finally, the ordinance adopts existing no net loss and housing replacement requirements for existing Housing Element Sites identified in the 2021-2029 Housing Element. Housing replacement is required for sites that currently or within the past five years had residential uses subject to a recorded covenant, ordinance or law restricting rent to lower incomes, consistent with replacement requirements set forth in California Government Code Section 65915(c)(3) and as additionally codified in the RPO.

In summary, the Program meets the requirements of state Housing Element law.

#### **D. State Density Bonus Law Discussion (California Government Code Sections 65915 - 65918)**

As a local implementation of State Density Bonus Law, the CHIP calibrates incentives so that local programs offer greater bonuses and incentives to projects meeting the requirements of California Government Code Sections 65915 - 65918, pursuant to California Government Code Section 65915(n). The density bonuses and incentives offered in all programs match or exceed the bonuses and incentives provided by state law for Housing Developments. Within CHIP, the local state density bonus incentives offer a unique menu of incentives available to all eligible projects for streamlined review. The AHIP provides a FAR incentive and additional menu of incentives to projects located outside of certain environmentally or culturally sensitive sites, and also creates additional project types that qualify for those incentives. The MIIP incentives offer FAR and height as base incentives and provide up to four additional incentives for TOIA and Corridor projects. As the MIIP incentives offer greater bonuses than State Density Bonus Law offers, the MIIP calculates affordability set asides based on a project's proposed units rather than off of a parcel's Maximum Allowable Residential Density, as is done in State Density Bonus. The MIIP also allows for a mixing of incomes in some cases, when the percentage of affordable units in an affordability set-aside for any project otherwise eligible for State Density Bonus also meets the affordability requirements of State Density Bonus (see the affordability footnotes related to Transit Oriented Incentive Areas and Opportunity Corridors). This ensures that the CHIP does not offer greater bonuses to mixed income projects that do not meet the state's affordability requirements.

As an implementation of the state Density Bonus program, the CHIP Ordinance also uses the same definitions as State Density Bonus Law for terms including but not limited to Housing Development, Maximum Allowable Residential Density, Development Standard, One Hundred

Percent Affordable Housing Project, and Incentive. The City's local program also aligns with the rent schedule requirements of State Density Bonus. Replacement housing unit and demolition protections align with or exceed State Density Bonus as set forth in California Government Code Section 65915(c)(3) and as additionally mandated by the proposed RPO.

### **Summary of CEQA Findings**

Adoption of the proposed Citywide Housing Incentive Program Ordinance, Housing Element Sites and Minimum Density Ordinance, and Resident Protections Ordinance are called for by the programs in the Housing Element of the City of Los Angeles. The provisions of the proposed ordinances were called for specifically by Program 121 (RHNA Re-zoning Program) of the Housing Element, which provides the structure for the Program in order to meet the City's RHNA target. The ordinances are further called for and supported by several other Housing Element programs including Program 61 (Provide Adequate Sites for Lower Income Households on Nonvacant and vacant Sites Previously Identified), Program 46 (Housing Element Sites Inventory Update) Program 122 (Anti-Displacement Strategies), and Program 124 (Affirmatively Furthering Fair Housing). The adoption of the proposed ordinances will implement the identified programs set forth in the Housing Element.

An Environmental Impact Report (EIR) (ENV-2020-6762-EIR, SCH No. 2021010130) that analyzed the environmental effects of the 2021-2029 General Plan Housing Element and Safety Element, and a Program for the creation of additional housing was certified by the Los Angeles City Council on November 24, 2021. An Addendum to the EIR (ENV-2020-6762-EIR-ADD1) was subsequently certified by the Los Angeles City Council on June 14, 2022. A second Addendum to the EIR (EIR-2020-6762-ADD2) dated July 2024 has also been prepared. For the purposes of this report, the EIR and Addendums will be referred to as the Housing Element EIR.

The Housing Element EIR was prepared to examine the potential environmental effects of the 2021-2029 Housing Element, including build out of the Regional Housing Needs Assessment (RHNA) Allocation, as well as the programs and policies that have the potential to result in physical environmental effects, and the Inventory of Sites and RHNA Re-zoning Program needed to demonstrate zoned capacity needed to accommodate the City's RHNA Allocation. Additionally, the EIR analyzed the potential effect from the construction and operation of 420,327 housing units (full RHNA build out of 456,643 units minus the 36,316 housing units that have been approved but not built). The Housing Element EIR found that the environmental impacts of several of the issue areas were significant and unavoidable, even with imposition of mitigation measures. Based on the analysis in the Housing Element EIR, the EIR concluded the implementation of the 2021-2029 Housing Element Update would result in unavoidable significant environmental impacts with regard to:

- Air Quality (Exceedance of Criteria Pollutants—Construction and Operations)
- Biological Resources (Special Status Species, Sensitive Habitats, Wildlife Corridors)
- Cultural Resources (Historical Resources and Archaeological Resources)

- Geology and Soils (Paleontological Resources)
- Hazards and Hazardous Materials (Hazardous Materials Near Schools and Hazardous Materials Sites)
- Noise (Construction Noise, Operation Noise, and Construction Vibration)
- Public Services (Fire Protection, Police Protection, and School Facilities)
- Recreation (Deterioration of Recreational Facilities and Construction of Recreational Facilities)
- Transportation (Freeway Queuing)
- Tribal Cultural Resources (Construction: Ground Disturbance during Construction)
- Wildfire (Impair Emergency Response Plan, Exacerbate Wildfire Risks in State Responsibility Area or VHFHSZ, Require Infrastructure that may Exacerbate Fire Risk, Expose People or Structures to Significant Risks in State Responsibility Area or VHFHSZ, and Expose People or Structures to Significant Risks Involving Wildland Fires)

The Housing Element EIR also identified the following significant impacts that were anticipated to be reduced to less than significant with identified mitigation measures:

- Air Quality: Construction-related emissions of toxic air contaminants
- Hydrology: Impeding or Redirect Flood Flows
- Transportation: Circulation Plan Consistency, Hazardous Design, Emergency Access

The proposed Citywide Housing Incentive Program Ordinance, Resident Protections Ordinance, and Housing Element Sites and Minimum Density Ordinance are needed to facilitate the production of affordable housing in the City and to accommodate build out of the City's RHNA Allocation which was analyzed by the Housing Element EIR. Adoption of the proposed ordinances is also needed to implement the City's Housing Element. The City's 2021-2029 Housing Element implements State housing law mandates for the City to adopt zoning ordinances to accommodate RHNA targets which the City cannot accommodate through the existing inventory of sites. To meet the State law mandates, the Housing Element requires the City, through zoning and other actions, to make it possible to build almost 185,000 affordable units for lower-income households in eight years.

The Housing Element EIR fully analyzed the environmental impacts that could occur as a result of the implementation of the 2021-2029 Housing Element, including the construction and operation of up to 420,327 housing units (including 185,000 affordable units and 75,091 moderate income units), and rezoning programs to facilitate the construction and operation of those housing units. Any and all types of potential housing development (including mixed-use development ranging in size and scale from neighborhood commercial mixed-use with smaller non-residential uses, to high-rise mixed-use with larger non-residential uses) were analyzed in the Housing

Element EIR. The Housing Element EIR anticipated and fully analyzed that the construction and operation of these housing units would require action to streamline approvals of these housing units, including making more projects subject to by-right or administrative review and eliminating discretion in the approval of affordable housing developments.<sup>3</sup> The second Addendum found there is no change to the project, change to circumstances, or new information as described in PRC Section 21166 or CEQA Guidelines Section 15162(a) that would cause the need for a subsequent or supplemental EIR.

The Housing Element EIR is available for review at the City of Los Angeles, Department of City Planning Records Management, 221 N. Figueroa Street, Room 1450 Los Angeles, and online at the following weblinks:

- Draft EIR: [https://planning.lacity.org/development-services/eir/Housing-Element\\_2021-2029\\_Update\\_Safety-Element\\_Update\\_deir](https://planning.lacity.org/development-services/eir/Housing-Element_2021-2029_Update_Safety-Element_Update_deir)
- Final EIR: <https://planning.lacity.org/development-services/eir/housing-element-2021-2029-update-safety-element-update-0>
- EIR Administrative Record: Los Angeles City Council File 21-1230 - <https://cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=21-1230>
- Addendum 1 to the EIR: [https://clkrep.lacity.org/online/docs/2021/21-1230-S1\\_misc\\_7\\_5-24-22.pdf](https://clkrep.lacity.org/online/docs/2021/21-1230-S1_misc_7_5-24-22.pdf)
- Addendum Administrative Record: Los Angeles City Council File 21-1230-S1 - <https://cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=21-1230-S1>

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<sup>3</sup> Housing Element Draft EIR Environmental Analysis can be found here: [https://planning.lacity.org/eir/HEU\\_2021-2029\\_SEU/deir/files/04\\_Environmental%20Analysis.pdf](https://planning.lacity.org/eir/HEU_2021-2029_SEU/deir/files/04_Environmental%20Analysis.pdf)