

## Communication from Public

**Name:** Anthony Dedousis

**Date Submitted:** 06/28/2021 11:18 AM

**Council File No:** 20-1042

**Comments for Public Posting:** Hello, Please see attached for a coalition letter from 13 community organizations, expressing SUPPORT for a housing element update that distributes the citywide 456,000-home RHNA goal to each of Los Angeles' community plan areas in a fair, equitable way. We urge you to quickly act on the recommendations contained in Planning and HCID's report-back, and to incorporate these policies into the housing element update. Thank you, Anthony Dedousis



June 28, 2021

Los Angeles City Council  
200 North Spring Street  
Los Angeles, CA 90012

Dear Councilmembers,

Thank you for the opportunity to comment on the process of updating the housing element of Los Angeles' general plan. We are writing on behalf of a coalition of 13 organizations representing the policy, academic, environmental, business, social justice, and affordable housing communities. We support efforts to expand the availability of housing at all levels of income, and ensure that cities meet their obligations to affirmatively further fair housing.

California's Regional Housing Needs Assessment (RHNA) requires Los Angeles to plan for 456,000 new homes by 2029 through its housing element update, **including 184,000 that are affordable to lower-income households**. This affords us an opportunity to promote greater affordability, equity, and sustainability through housing abundance, as well as a strong economic recovery from the COVID-19 pandemic. This would also finally put us on a path to preventing and ultimately ending homelessness in Los Angeles.

To do this, Los Angeles must reform zoning and land use regulations in a way that increases housing choice and availability, improves access to job centers and transit, and affirmatively furthers fair housing. **This requires high-opportunity neighborhoods to accommodate more housing opportunities**, including those that have historically blocked new housing through exclusionary zoning. Additionally, as Los Angeles plans for housing growth, there must be no conversion of wildlife habitat to housing.

**That's why our organizations have called for a housing element update that distributes the citywide 456,000-home RHNA goal to each of Los Angeles' community plan areas in a fair, equitable way.**

[In January, we wrote to recommend that](#), as part of the housing element update process and RHNA rezoning, the City set housing growth targets for each CPA, based on objective, quantifiable criteria like housing costs, median income, access to transit, proximity to job centers, access to parks and schools, patterns of historical exclusion and segregation, and environmental quality. In February, [we wrote to express our concern](#) that early drafts of the housing element update did not incorporate an equitable distribution approach to promoting housing growth. In April, the California Department of Housing and Community Development (HCD) issued [detailed guidelines](#) that clearly require cities to promote lower-income housing opportunities in high-opportunity neighborhoods, and defines quantitative benchmarks for assessing cities' AFFH compliance. This indicates that HCD intends to set the bar high on AFFH compliance in housing element updates, as required under Assembly Bill 686.

With all this in mind, we are encouraged by two recent reports from the Department of City Planning (DCP) and the Housing and Community Investment Department (HCID) regarding how the City should promote citywide, equitable housing growth in the future. Both the Report Relative to Citywide Equitable Distribution of Affordable Housing (CF 19-0416) and the Report Relative to a City Zoning Code Update (CF 20-1042) make a convincing, data-driven case that the City's affordable housing shortage, particularly in high-opportunity neighborhoods, is closely tied to restrictive zoning and other barriers to housing production. Both reports also chart a bold course for major reforms to housing policy, including:

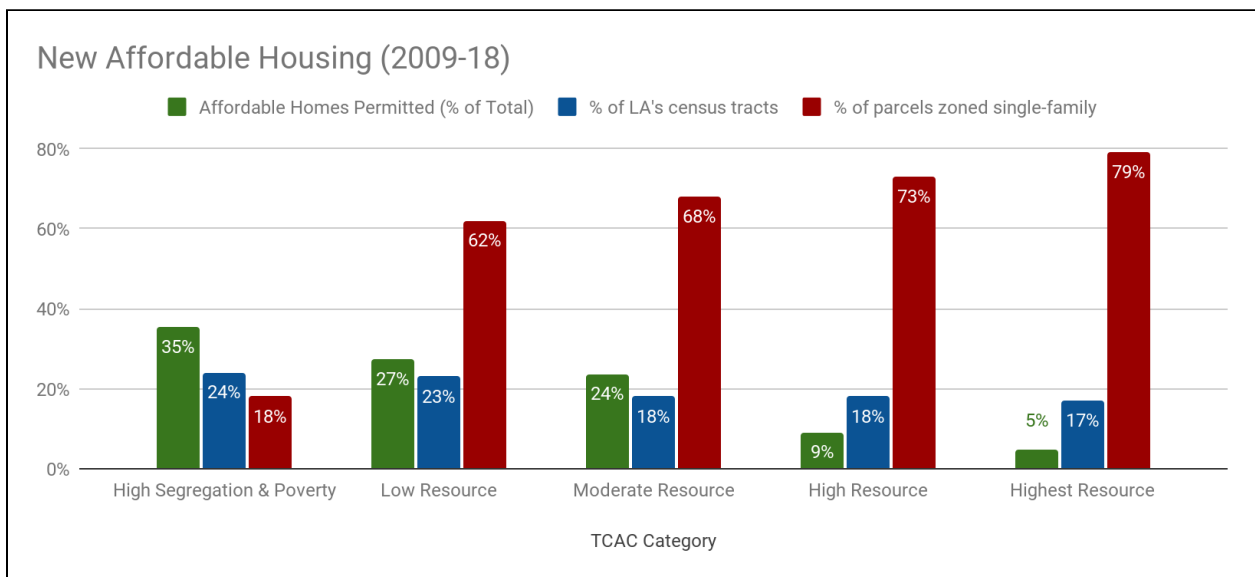
- An equitable distribution approach to the housing element's rezoning program, where the bulk of new housing opportunities, including affordable housing opportunities, would be promoted in high- and moderate-resource areas.
- An expansion and possible merger of the City's Transit-Oriented Communities (TOC) and Density Bonus programs.
- A Citywide Housing Needs Allocation Process/Targeted Fair Share Zoning Allocation formula that would guide a future Framework Element update and community plan updates.

**We thank Councilmember Gil Cedillo and Council President Nury Martinez for shining a light on this critical issue, and we thank the hardworking staff at Planning and HCID for designing long-awaited solutions to Los Angeles' housing shortage.**

With the final housing element update due to HCD in October, the City Council must quickly act on Planning and HCID's recommendations, and incorporate these policies into the housing element update. **We urge you to enact the following measures:**

- **Implementation of a comprehensive Fair Share approach to the RHNA rezoning program, which would define "opportunity" holistically.** CPA and/or neighborhood-level RHNA targets, including affordable housing growth RHNA targets, should be based on a formula that includes the following objective, numerical criteria:
  - Housing costs
  - Median income
  - Access to transit
  - Proximity to job centers
  - Access to public resources (e.g. parks, schools)
  - Patterns of historical exclusion and segregation
  - Environmental quality
- This would essentially merge the proposed Equitable RHNA Rezoning Program and Citywide Housing Needs Allocation Process/Targeted Fair Share Zoning Allocations methodologies, ensuring that a consistent set of standards would guide RHNA rezoning, a Framework Element update, expansion of TOC and the city Density Bonus program, and all future community plan updates. This would also ensure that a majority of new lower-income housing opportunities are accommodated in moderate-, high-, and highest-resource census tracts.

- **Increase affordable housing opportunities in high-opportunity neighborhoods.** In order to meet HCD's AFFH standards, the City's housing element must reverse historic patterns of socioeconomic segregation by dismantling the barriers to housing opportunities for low- and moderate-income households in high-income neighborhoods.
  - **Between 2009 and 2018, just 14% of new affordable homes were permitted in high- and highest-resource census tracts**, even though these areas make up 35% of the City's total census tracts. This is because apartments are banned on 76% of the residential parcels in these well-resourced areas, a function of exclusionary zoning. **By contrast, 35% of new affordable homes that were permitted during that time were located in census tracts with high segregation and poverty.** These areas allow apartments on 82% of their residential parcels.



- **Expand and merge TOC and the city Density Bonus program.** TOC has led to the production or proposal of [over 30,000 housing units](#), of which 21% are affordable to lower-income households. Expanding it to cover transit-rich locations and locations with access to high-quality resources, jobs, and amenities, including locations where apartments are currently banned, would create even more affordable housing units in high-income neighborhoods.
- **Update the Framework Element by 2024, in parallel with the RHNA rezoning.** The Framework Element is decades out of date, and acts as a significant barrier to an equitable distribution of new housing opportunities citywide. Updating the Framework Element by 2024 is a necessary step towards implementation of a high-quality, comprehensive Fair Share approach to the RHNA rezoning program.
- **Exclude parcels that contain RSO housing units from rezoning, in order to prevent lower-income renter displacement.** Reliance on parcels that contain RSO housing units for new housing growth could accelerate the displacement of lower-income households from many neighborhoods.

- **Implement stronger tenant protection policies**, such as expanded affordable unit replacement requirements (“no net loss”) for redevelopment of existing rental properties, a “right of return” after redevelopment at the same rent as before, and rental assistance during redevelopment.

Finally, it’s worth pointing out that pro-housing reforms are popular. Last year, Planning [polled a representative sample](#) of Los Angeles residents, and found that:

- 79% agreed that “the City’s housing strategy should ensure all areas of the City plan for and build their fair share of affordable housing, including my neighborhood.”
- 61% agreed that “Property owners should be able to add up to four additional housing units on their own property.”
- 52% agreed that “Property owners should be able to tear down a single-family home and replace it with a small apartment building.”
- 58% believe that “Reducing regulations to help housing get built faster and at a lower cost” should be a high priority.
- 53% believe that “Allowing small-scale duplexes, triplexes and fourplexes in areas currently set-aside for single-family homes” should be a high priority.

A clear majority of Angelenos reject NIMBYism and support more housing opportunities, including in locations where apartments are currently banned. **We urge you to listen to them.**

The housing element update is our opportunity to build a Los Angeles with:

- Lower housing costs
- Less tenant displacement
- Less income and racial segregation
- A growing regional economy
- Greater access to jobs, transit, and economic opportunity
- Lower climate emissions and better environmental quality (passenger vehicle emissions are the largest source of California emissions)

Let’s not miss this chance to create a Los Angeles where everyone is welcome. We respectfully urge you to instruct the Department of City Planning to incorporate the above policies into the housing element update. Thank you for your consideration.

Sincerely,

Leonora Camner  
Executive Director  
Abundant Housing LA

Anthony Dedousis  
Director of Policy and Research  
Abundant Housing LA

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## Communication from Public

**Name:** Miki Jackson

**Date Submitted:** 06/29/2021 11:19 AM

**Council File No:** 20-1042

**Comments for Public Posting:** AHF/HHR opposes CF 20-1042, the creation of a measure to be placed on the ballot to revise the City's Zoning Code (Martinez - Harris-Dawson). This proposed ballot measure would harm our most vulnerable residents. It will result in rampant up zoning which has been proven to cause displacement by fueling a cycle of destroying existing affordable units to build unaffordable luxury units and driving up rents. This measure will cause more people to be unhoused because of high rents and a lack of genuinely affordable housing and results in great suffering. This measure seeks to use the flawed RHNA numbers as an excuse for up zoning and spreading the already failed TOCs. These twin menaces will fuel our affordable housing crisis. This is a gift to developer profits at the expense of our low income residents. It perpetuates racial inequity since low income residents are disproportionately people of color.

## Communication from Public

**Name:** Miki Jackson

**Date Submitted:** 06/28/2021 10:00 PM

**Council File No:** 20-1042

**Comments for Public Posting:** Miki Jackson for AIDS HEALTHCARE FOUNDATION/HOUSING IS A HUMAN RIGHT. AHF/HHR opposes CF 20-1042, the creation of a measure to be placed on the ballot to revise the City's Zoning Code, as initiated by Motion (Martinez - Harris-Dawson) The proposed measure is driven by, and seeks to implement, the current Regional Housing Needs Assessment (RHNA). The RHNA is based on a fatally flawed formula, incorrect assumptions and questionable data. Anything based on it, responding to it or seeking to implement it is thereby fatally flawed. Such factors as COVID, outmigration, high cost of living and remote working have resulted in falling population in Ca. Ignoring this up to date data, the current RHNA total for the six-county Southern California Association of Governments (SCAG) region is about four times higher than the prior cycle - about 1.34 million units. An article titled "SCAG Update | South Pasadena Appeal of Housing Allocation Denied" in the South Pasadena News published the following "Joanna Hankamer, South Pasadena's director of Planning and Community Development said, "While we are disappointed in the result and the mischaracterization of how they used local input (they didn't), we are optimistic about the RHNA Appeal Board's responsiveness to the argument made by the City of South Pasadena and numerous other cities that the State has miscalculated the southern region's housing need. In appeal after appeal," she noted, "the Board apologized for having to vote in favor of denial and said their hands were tied by State law." "One such comment came from Board member Margaret Finlay, a Duarte City Council member. "It is disturbing because there are so many compelling reasons to uphold these appeals." The city appellants "are trying to make determinations about the future of their cities and yet their hands are tied by the state, as our hands are tied. I am very distraught that we keep on having to [deny appeals], but we just aren't given many choices." The highly respected Embarcadero Institute published a report on the RHNA, here is an excerpt. "Senate Bill 828, co-sponsored by the Bay Area Council and Silicon Valley Leadership Group, and authored by state Sen. Scott Wiener in 2018, has inadvertently doubled the "Regional Housing Needs Assessment" in California. Use of an incorrect vacancy rate and double counting, inspired by SB-828,

caused the state's Department of Housing and Community Development (HCD) to exaggerate by more than 900,000 the units needed in SoCal, the Bay Area, and the Sacramento area." The Planning Report published an article on these findings stating that: "TPR shares the latest research from Embarcadero Institute finding that California's most recent housing needs assessment was calculated using incorrect vacancy rates and double counting resulting in inflated numbers that obscure the state's true need: funding for affordable housing. Arguing that the state's approach to determining housing need must be defensible and reproducible if cities are to be held accountable for them, the report asserts that these inaccuracies (resulting in a 940,000 unit discrepancy) mask the fact that cities and counties are surpassing the state's market-rate housing targets, but falling far short in meeting affordable housing targets." The City Council requested report from the Department of City Planning (DCP), in coordination with the Chief Legislative Analyst (CLA) and the Housing and Community Investment Department (HCIDLA) state that proposed measure "be modeled after the Transit Oriented Communities (TOC) Affordable Housing Incentive program." To implement the flawed RHNA it would extend TOC and TOC like measures over most of the City. The TOC should not be the model because it has failed to meet its goals, if not materially hindered or reversed the creation of genuinely affordable low income, very low income and extremely low income housing. The report from DCP, CLA and HCIDLA explicitly says "the range of topics discussed in the Council Motion may be too complex to craft into a coherent ballot measure." The report expresses concern that "extensive public outreach and decision-maker input" may not be possible "in a city the size of Los Angeles". Many Neighborhood Councils and community groups are opposed, such as: Greater Cypress Park Neighborhood Council, Mar Vista Community Council, Greater Valley Glen Neighborhood Council, Mid City West Community Council, North Westwood Neighborhood Council, Central Hollywood Neighborhood Council and Westside Neighborhood Council. We incorporate all testimony, comments, evidence and objections to this item and related matters. This is a costly and dubious way to implement something, the RHNA, that is so fatally flawed it should not be implemented, by a using a model that already failed to work and harmed our city - the TOC program. For the sake of the residents of our city, do not go any father with this.