

EXHIBIT E.5:

Council Action Items (Planning and Land Use Management Committee Approved Items and Amending Motion 67A)

Boyle Heights Community Plan Update

CF 23-0861; CPC-2016-2905-CPU-M1; ENV-2016-2906-EIR

Recommended by the City Planning Commission on January 11, 2024

April 2024

DRAFT ENVIRONMENTAL IMPACT REPORT (EIR), ENV-2016-2906-EIR AND STATE CLEARINGHOUSE NO. 2016091010, AND RELATED EIR FINDINGS, STATEMENT OF OVERRIDING CONSIDERATIONS, MITIGATION MONITORING PROGRAM (MMP), RESOLUTION, and PLANNING AND LAND USE MANAGEMENT (PLUM) COMMITTEE REPORT relative to the Boyle Heights Community Plan Update and New Zoning Code.

Recommendations for Council action:

1. FIND that the LACPC has reviewed and considered the Draft Environmental Impact Report (City EIR No. ENV-2016-2906-EIR and State Clearinghouse No. 2016091010) (EIR), as shown in Exhibit C7.
2. INSTRUCT the Los Angeles Planning Commission (LACPC) to update Findings, as necessary.
3. INSTRUCT the DCP to review any modifications made since the final EIR was published, conduct any additional analysis and take any additional procedural steps, if necessary to comply with the California Environmental Quality Act and prepare any modifications, if necessary, to the recommended EIR Findings, the Statement of Overriding Considerations and the MMP.
4. CONSIDER the Resolution in Exhibit C to certify a Final EIR, and ADOPT the EIR Findings and a Statement of Overriding Considerations, and consider an MMP.
5. CONSIDER the Resolution to amend the General Plan Elements, in Exhibit C, dated April 20, 2023, attached to the Council file, to adopt the following:
 - a. Boyle Heights Community Plan Policy document
 - b. General Plan Land Use Map for the Boyle Heights Community Plan
 - c. Amend the Mobility Plan 2035 to reclassify selected streets and enhanced networks
 - d. Amend the Citywide General Plan Framework Element
6. REQUEST the City Attorney to prepare and present the following ordinances:
 - a. Boyle Heights Community Plan Implementation Overlay District Ordinance, as shown in Exhibit D1, dated April 20, 2023, attached to the Council file, with the modifications identified in the November 28, 2023 DCP Director of Planning Technical Memo to PLUM report attached to the Council file, and with the following changes:
 - i. In consultation with the DCP, prepare amendments to increase the requirement that 100 percent affordable housing developments provide a minimum of 30 percent of the total units as units with two-bedroom or more (excluding projects for veterans, seniors, transition age youth and permanent supportive housing) to 60 percent.
 - b. River Improvement Overlay District Amendment
 - c. Clean Up Green Up Overlay District Amendment
 - d. Adelante Eastside Redevelopment Plan Amendment
 - e. Ordinance Amending Chapter 1A of the Los Angeles Municipal Code (LAMC), including the modifications in the November 28, 2023 DCP Director of Planning Technical Memo to PLUM report

attached to the Council file with the additional technical clarification to the qualifying criteria of a “Legacy Small Business” to be more than 20 years in lieu of 10 years, and with the following changes:

- i. In consultation with the DCP, prepare an amendment to the zoning code to change the mandatory inclusionary housing set-aside requirements for Low Income Households from 22 percent to 50 percent in the River-Adjacent Area utilizing Los Angeles Housing Department’s (LAHD) Rent Schedule 6.
 - ii. In consultation with the DCP, prepare an amendment to the zoning code to create an incentive under Article 9’s Community Facilities that allows youth, social services, educational and similar facilities to be an eligible use to qualify for increased density or floor area in new development in the Industrial Mixed Use 6 (IX6) District.
 - iii. In consultation with the DCP, incorporate amendments to LAMC Chapter 1A, Article 5 (Use), Sec. 5C.4.6 Legacy Small Business Special Use Program adding language relative to intent, standards and lease agreements identified in the letter dated December 4, 2023, from the Los Angeles Conservancy.
7. INSTRUCT THE DCP to prepare and transmit an ordinance for Council consideration to amend the City Zoning Map, as provided in the proposed Ordinance dated April 20, 2023, with the modifications identified in the DCP Director of Planning Technical Memo to PLUM report dated November 28, 2023, and attached to the Council file.
8. ADOPT the changes to the General Plan Amendments recommended by the LACPC, as identified in the DCP Director of Planning Technical Memo to PLUM report dated November 28, 2023, and attached to the Council file, and inclusive of any necessary amendments to tables, graphics, and/or maps, including but not limited to, trends and projections figures and tables, including the following changes:
 - a. Amendments to the Community Plan to provide greater specificity to delineate specific parcels applicable to the respective Density Districts on the General Plan Land Use Designation Map, and present those amendments to the LACPC.
9. INSTRUCT the DCP to transmit the proposed changes to the General Plan Amendments in Recommendation No.8, above, as detailed in the DCP Director of Planning Technical Memo to PLUM report dated November 28, 2023, including the following changes:
 - a. Amendments to the Community Plan to provide greater specificity to delineate specific parcels applicable to the respective Density Districts on the General Plan Land Use Designation Map, and present those amendments to the LACPC.
10. ADOPT the following action items submitted by Council District 14, and attached to the Council file:
 - a. Request the City Attorney, in coordination with the Los Angeles Housing Department (LAHD) and DCP to prepare an ordinance that would establish a Local Preference Program for Affordable Housing Units, consistent with the federal Fair Housing Act (FHA), that gives priority for affordable housing units to households in Boyle Heights that have been or will be displaced from their homes within 12 months due to a natural disaster; have had their residence demolished; have been evicted due to Ellis Act provisions; live or work in the City of Los Angeles; have suffered a government ordered eviction; have been affected by the construction of the I-60 freeway, I-5 freeway, I-10 freeway, and 101 freeway, or reside within households that were subject to redlining as delineated in the 1939 Home Owners Loan Corporation map.
 - b. Request the City Attorney, in consultation with the DCP and LAHD, to prepare the necessary ordinances to establish the same codified measures in tenant protections relative to Right-of-

Return, Rent Stabilization Ordinance Unit Replacement and Tenant Anti-Harassment protection measures enacted under Council file No. 20-1265-S1 for application to the Boyle Heights Community Plan area.

- c. Instruct the Los Angeles Department of Transportation, in consultation (LADOT) with the DCP, Los Angeles Department of Building and Safety and LAHD, to conduct a parking study of the Boyle Heights Community Plan Area that determines under-parked public streets based upon density, the number of housing units and bedrooms on a given block, street capacity and other factors including but not limited to recommendations on planning tools and modifications to the Boyle Heights Community Plan and zoning ordinance, to provide adequate parking in under-parked areas in the Community Plan Area and new development in the River-Adjacent Area.
- d. Instruct the Economic and Workforce Development Department (EWDD) in consultation with the DCP to conduct a study recommending effective policies, strategies and resources and modifications to the Boyle Heights Community Plan and zoning ordinance to retain local businesses vulnerable to displacement resulting from market pressures in the Boyle Heights Community Plan Area, including but not limited to regulating rent increases on commercial properties, a commercial property vacancy tax, or tax incentives to property owners to encourage business retention.
- e. Instruct the DCP to prepare and present a report with recommendations on amending the Community Plan and zoning ordinance to incorporate “Crime Prevention through Environmental Design” strategies and other security operational conditions in the land development review and approval process focused on the River-Adjacent Area.
- f. Instruct the DCP to conduct a focused study on the interface between the River-Adjacent Area and the residential areas designated for Low-Density and Medium-Density Residential land-uses to the east with an emphasis on promoting compatible building scale, massing, spacing, facade modulation and community benefits, such as usable open space, and to present amendments to the Community Plan and zoning ordinance as appropriate.
- g. Instruct the DCP and EWDD to prepare and present a report with recommendations on options to implement Local Hire for Major Project Conditional Use Projects and P2 Public Facilities Projects in the Boyle Heights Community Plan area.

Fiscal Impact Statement: None submitted by the DCP. Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted

Summary:

At a regular meeting held on December 5, 2023, the PLUM Committee considered a draft EIR, ENV-2016-2906-EIR and State Clearinghouse No. 2016091010, and related EIR Findings, Statement of Overriding Considerations, MMP, Resolution to amend the General Plan, including the Boyle Heights Community Plan, Framework Element and Mobility Plan and proposed Ordinances relative to the Boyle Heights Community Plan Update and New Zoning Code. DCP staff provided an overview of the matter. Councilmember de León provided comments on the matter. After an opportunity for public comment, the Committee considered a resolution to adopt the Boyle Heights Community Plan text and map, approved amendments to the text and map, and requested that the Council direct City Planning staff to present those amendments to the LACPC. The Committee also recommended to request the City Attorney to prepare and present the following ordinances: a) Boyle Heights Community Plan Implementation Overlay District Ordinance, as amended; b) River Improvement Overlay District Amendment; c) Clean Up Green Up Overlay District Amendment; d) Adelante Eastside Redevelopment Plan Amendment, and Ordinance

Amending Chapter 1a of the LAMC, as amended. Amendments by Council District 14 and technical changes read by DCP as to the definition of 'Legacy Small Business.' The Committee also recommended DCP to prepare an ordinance to amend the Zoning Map with modifications and for DCP, EWDD, LADOT to prepare reports back on various related matters. This matter is now submitted to the Council for consideration.

Respectfully Submitted,

PLANNING AND LAND USE MANAGEMENT COMMITTEE

<u>MEMBER</u>	<u>VOTE</u>
HARRIS-DAWSON:	ABSENT
LEE:	YES
YAROSLAVSKY:	ABSENT
PADILLA:	YES
HUTT:	YES

CR
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-NOT OFFICIAL UNTIL COUNCIL ACTS-


MOTION

67A

I MOVE that the matter of Draft Environmental Impact Report (EIR), ENV-2016-2906-EIR and State Clearinghouse No. 2016091010, and related EIR findings, Statement of Overriding Considerations, Mitigation Monitoring Program, Resolution, and Planning and Land Use Management Committee report, relative to the Boyle Heights Community Plan Update and new zoning code, **Item 67** (CF 23-0861) on today's Council Agenda, **BE AMENDED** to adopt the following additional recommendation:

11. REQUEST the City Attorney, with the assistance of the Planning Department, Department of Building and Safety, and Department of Water and Power, to prepare and present the necessary ordinance(s) to amend the appropriate ordinances to require that development projects that are within the adopted 6th Street Viaduct Underground Utility District (CF 17-0724) provide the necessary onsite connections to receive underground power and telecommunications when performing work on or adjacent to their properties.

PRESENTED BY:



KEVIN DE LEON
Councilmember, 14th District

SECONDED BY:



ORIGINAL

December 12, 2023

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PK