

## **EXHIBIT E.6:**

# **Staff Recommendation Report and Technical Modifications Recommended by the City Planning Commission on April 20, 2023**

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**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



# DEPARTMENT OF CITY PLANNING

## RECOMMENDATION REPORT

### City Planning Commission

**Date:** April 20, 2023  
**Time:** After 8:30 a.m.  
**Place:** John Ferraro Council Chambers  
Room 340, City Hall  
200 N. Spring Street  
Los Angeles, CA 90012

**Public Hearing:** Public Hearing Required  
Initial Public Hearing held on  
October 27, 2022

**Appeal Status:** Not Applicable

**Case No.:** CPC-2016-2905-CPU  
**CEQA No.:** ENV-2016-2906-EIR  
**Incidental Cases:** None  
**Related Cases:** CPC-2014-1582-CA  
**Council No.:** 14-de León  
**Plan Area:** Boyle Heights  
**Specific Plan:** None  
**Certified NC:** Boyle Heights, Lincoln Heights

**GPLU:** Various  
**Zone:** Various  
**Applicant:** City of Los Angeles  
**Representative:** City of Los Angeles

### PROJECT LOCATION:

The Boyle Heights Community Plan Area (CPA) is located immediately east of Downtown Los Angeles and the Los Angeles River and rail corridor and encompasses an area of approximately 4,271 acres (approximately 6.67 square miles). The Boyle Heights CPA is roughly bounded by the San Bernardino Freeway (I-10 Freeway) and Marengo Street to the north, the Union Pacific and Santa Fe Railroad lines to the south, Indiana Street to the east, and the Los Angeles River to the west. The southern and eastern borders of the CPA align with the city limits of Los Angeles adjoining the City of Vernon located to the south and the unincorporated community of East Los Angeles located to the east of the CPA, with a small area of the Southeast corner of the CPA aligning with the City of Commerce. Located to the north are the Los Angeles communities of Lincoln Heights, El Sereno, and Ramona Gardens, and located to the west are the industrial districts and public facilities of Downtown, which includes the Arts District.

### PROPOSED PROJECT:

The Proposed Plan includes amending both the text of the Boyle Heights Community Plan and the General Plan Land Use Map of the Boyle Heights Community Plan. The Proposed Plan would also adopt several zoning ordinances to implement the updates to the Community Plan, including adding new zoning districts and other zoning provisions to Chapter 1A of the New Zoning Code, as well as rezoning all parcels in the CPA to regulate specific uses and apply objective development standards (including height of structures, Floor Area Ratios [FAR], site configuration) using the New Zoning Code. Additional zoning ordinances include a Community Plan Implementation Overlay (CPIO) District, amendments to the River Improvement Overlay (RIO) District and the Clean Up Green Up (CUGU) Overlay, and an amendment to the Adelante Eastside Redevelopment Plan, and related amendments to the General Plan, including the Framework Element and Mobility Plan necessary to implement the Plan.

**RECOMMENDED ACTIONS<sup>1</sup>:**

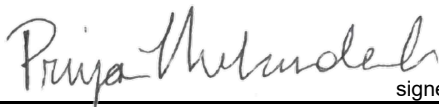
1. **Conduct** a public hearing on the Proposed Plan as described in this Staff Recommendation Report.
2. **Approve** the Staff Recommendation report as the Commission Report.
3. **Approve** and **Recommend** that the City Council adopt the Findings in the Staff Recommendation Report.
4. **Recommend** that the City Council instruct the Director of City Planning to amend the Environmental Protection Measures (EPMs) pursuant to Division 4C.12 (Environmental Protection) of the New Zoning Code as appropriate to implement the MMP.
5. **Find** the City Planning Commission has reviewed and considered the Draft Environmental Impact Report (EIR) (City EIR No. ENV-2016-2906-EIR and State Clearinghouse No. 2016091010), as shown in Exhibit A.7, and direct staff to prepare a Final EIR, EIR findings, a Statement of Overriding Considerations, and a Mitigation Monitoring Program (MMP) for City Council consideration.
6. **Recommend** the City Council **adopt** the Resolution in Exhibit A to certify a Final EIR, adopt EIR findings and a Statement of Overriding Considerations, and adopt a Mitigation Monitoring Program.
7. **Approve** and **Recommend** that the Mayor **approve** and the City Council **adopt**, pursuant to LAMC Section 11.5.6 and City Charter Section 555, the attached Resolution in Exhibit A to Amend the General Plan as follows:
  - a. Amend the General Plan Land Use Element and adopt the Boyle Heights Community Plan as shown in Exhibit A.1; adopt the General Plan Land Use Map for the Boyle Heights Community Plan, inclusive of Symbols, Footnotes, and Corresponding Zone and Land Use Nomenclature as shown in Exhibit A.3, and the General Plan Land Use Maps and Matrices as shown in Exhibit A.4.
  - b. Amend the Mobility Plan 2035 to reclassify selected Street Designations and Enhanced Networks, as shown in Exhibit A.6.
  - c. Amend the Citywide General Plan Framework Element, as shown in Exhibit A.5.
8. **Approve** and **recommend** that pursuant to LAMC Sections 12.04 and 12.32 and City Charter Section 558, the City Council **Adopt** the draft ordinance to amend the Zoning Map, as shown in B.2 (Zone Change Maps and Matrices).
9. **Approve** and **Recommend** that pursuant to LAMC Sections 12.04, 12.32, 13.14.C and City Charter Section 558, the City Council **Adopt** the proposed Boyle Heights Community Plan Implementation Overlay (CPIO) District Ordinance as shown in Exhibit B.1.
10. **Approve** and **Recommend** that the City Council pursuant to LAMC Section 12.32.S and City Charter Section 558 **Adopt** the proposed ordinance to amend the River Improvement Overlay (RIO) District Ordinance and Clean Up Green Up (CUGU) Ordinance as shown in Exhibits B.3 and B.4.
11. **Approve** and **Recommend** that the City Council **Adopt** the proposed ordinance to amend the Adelante Eastside Redevelopment Plan as shown in Exhibit B.5.
12. **Authorize** the Director of Planning to present the resolutions and proposed General Plan amendments (Exhibits A, A.1, A.3, A.4, and A.5, A.6 and A.7) to the Mayor and City Council, in accordance with City Charter Section 555 and LAMC Section 11.5.6, and the proposed zoning ordinances (Exhibit B.1-B.5 and C.1 and C.2) to the City Council, in accordance with City Charter Section 558 and LAMC Section 12.32.

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<sup>1</sup> Note that references to processes in Chapter 1 of the LAMC will be updated once the Processes and Procedures Ordinance (Council File 12-0460-S4) goes into effect on July 22, 2023.

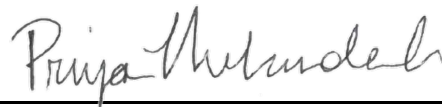
13. **Approve** and **Recommend** that the City Council **adopt** the New Zoning Code Ordinance to amend Chapter 1 and 1A (“New Zoning Code”) of the Los Angeles Municipal Code to add new zoning districts and related regulations to Articles 1-12, and Articles 14 and 15, and Amend the accompanying Zoning Code Maps established in Division 1.4. (Zoning Code Maps) of Article 1 of the New Zoning Code (Exhibit C.2)

VINCENT P. BERTONI, AICP  
Director of Planning



signed for Craig Weber

Craig Weber, Principal City Planner



Priya Mehendale, Senior City Planner



Kiran Rishi, City Planner



Maren Gamboa, City Planning Associate



Ernesto Gonzalez, City Planning Associate

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## PROJECT ANALYSIS

### Project Summary

The Boyle Heights Community Plan (“Proposed Plan”) is an update to the adopted Boyle Heights Community Plan, which was last updated on November 10, 1998. The Proposed Plan includes updates to the Community Plan policy document and changes to general plan land use designations and zones, which, in addition to planning for and accommodating foreseeable growth in the Boyle Heights Community Plan Area (“Boyle Heights Plan Area” or “Plan Area”), are intended to achieve several overarching objectives.

Adoption of the Proposed Plan will also involve several implementing ordinances including additions to the New Zoning Code. Each of the Proposed Plan’s new zoning tools have been developed as part of a comprehensive update to the City of Los Angeles’s Zoning Code.

The Proposed Plan also includes other ordinances to implement the Boyle Heights Community Plan Update, including Zone Changes to apply new zoning districts to the Plan Area, a new Community Plan Implementation Overlay District (CPIO), amendments to the Clean Up Green Up (CUGU) Overlay, amendments to the River Improvement Overlay (RIO), and amendments to the Adelante Eastside Redevelopment Plan (collectively, “Implementing Ordinances”). Another component of the Proposed Plan is additional General Plan Amendments for consistency with Boyle Heights Community Plan Update, which includes reclassifications of streets and enhanced networks in the Mobility Plan 2035, and amendments to the Framework Element to introduce new general plan land use designations of the Boyle Heights Community Plan.

### Objectives and Guiding Principles

The underlying purpose of the Proposed Plan is to plan for and accommodate foreseeable growth in the City, including the Boyle Heights Community Plan Area, consistent with the growth strategies of the City as provided in the Framework Element, as well as the policies of Senate Bill 375, Senate Bill 330, and the Southern California Association of Governments’ (SCAG) Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS).

Since its inception in 2013, the Proposed Plan has evolved in response to a wide range of stakeholder input. The Proposed Plan seeks to address many of the challenges facing Boyle Heights and the larger region, such as climate change, housing demand and affordability, displacement, environmental justice, and a shifting economy, through strategies that guide thoughtful growth. Acknowledging an unjust history and current conditions, the programs and policies proposed aim to begin the process of equitably meeting the needs of various stakeholder communities in the Boyle Heights Community Plan Area and reduce racial disparities, especially those unequally present in low-income communities and communities of color.

By 2040, Boyle Heights is projected to grow by 7,000 new residents, in addition to 9,000 new jobs. The Proposed Plan would accommodate this growth through new equitable and sustainable land use strategies aimed at reinforcing Boyle Heights’s cultural identity while encouraging an increased supply of new housing units and affordable housing units and jobs, while minimizing direct and indirect displacement for both residents and businesses. The Proposed Plan aims to maintain land for jobs-producing uses while minimizing negative environmental effects of noxious uses that have historically been permissible. The New Zoning Code has been developed to implement the Proposed Plan’s policies and goals.

The following Guiding Principles represent the long-term priorities for the Proposed Plan:

**Promote Housing Affordability.** Safeguard existing households against displacement while encouraging residential infill that contributes to the affordable housing supply, with an emphasis on increasing housing opportunities around transit.

**Promote Vibrant Neighborhood and Commercial Districts.** Provide a mix of housing, jobs, and services that embrace and enhance community identity by encouraging high quality design and contextual transitions to residential neighborhoods. Create transit corridors that are accessible to all users and strengthen and support existing businesses in commercial corridors.

**Preserve and Celebrate Boyle Heights' Cultural Heritage.** Ensure that new development enhances the cultural identity of the neighborhood and respects the multi-faceted history of Boyle Heights by preserving sites with identified historic significance and encouraging new and existing business uses that serve the daily needs of residents.

**Foster a Thriving, Healthy, and Sustainable Community.** Mitigate and limit the impacts of air pollution from car traffic and noxious uses that are detrimental to the health and welfare of the community by creating buffers and better transitions between intense uses and sensitive uses, such as residential neighborhoods. Integrate neighborhood serving uses into the neighborhood fabric. Treat the Los Angeles River as a community amenity.

**Preserve Industrial Land for Economic Stability.** Prioritize industrial land for uses that support the regional economy and local jobs while working to prevent health impacts to local communities through the location and design of industrial land uses and improved land use compatibility.

**Create a Network of Safe and Accessible Streets.** Prioritize safety for all users of the street and public realm, expand transit service, and improve bicycle and pedestrian infrastructure.

## Background

### Regional Context

The Boyle Heights Community Plan Area (CPA) is located within the incorporated City of Los Angeles and is approximately 4,271 acres (6.67 square miles) in size. As of the 2020 Census, Boyle Heights has a population of approximately 82,000<sup>2</sup> and a population density of approximately 12,000 people per square mile, making it one of the most densely populated communities in Los Angeles. The Boyle Heights CPA is located immediately east of Downtown Los Angeles and the Los Angeles River. The southern and eastern borders of the CPA align with the city limits of Los Angeles with the City of Vernon located to the south and the unincorporated community of East Los Angeles located to the east of the CPA. Located to the north are the Los Angeles communities of Lincoln Heights, El Sereno, and Ramona Gardens.

Human settlements have been present throughout the Los Angeles region for centuries prior to Spanish colonization, including within the Boyle Heights CPA. The Gabrieleño, also known as the Kizh, Gabrielino, and Tongva people, are believed to have arrived from the Mojave Desert more

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<sup>2</sup> Based on Census 2020 preliminary analysis. Due to several factors that led to undercounting in the 2020 Census and based on other data sources such as American Community Surveys and Southern California Association of Governments (SCAG) data, the population in Boyle Heights is likely higher than indicated by the 2020 Census Results.

than 2,000 years ago. At its peak, an estimated 5,000 to 10,000 Gabrieleño, and up to 31 known villages with as many as 400 to 500 structures, in the form of huts, were established within the region prior to European contact. In addition to Gabrieleños, other tribes such as the Tatavium and Chumash settled in in parts of present-day San Fernando Valley and in the north-western parts of the Los Angeles region. Much of these existing settlements and peoples were decimated during the Spanish colonial period and only vestiges of Los Angeles' indigenous settlements remain. After the incorporation of the City of Los Angeles, a period of development during the late 19<sup>th</sup> century brought forth some of the oldest neighborhoods in present-day Los Angeles, including Boyle Heights.

The neighborhood has traditionally been a landing point for immigrants arriving in the city, and has a rich history of Eastern European, Jewish, Japanese, and Latin American communities. Today, the CPA is 93 percent Latino/a/e<sup>3</sup>. The cultural legacy and history of Boyle Heights is reflected throughout the built environment and public realm, particularly in the Victorian and Arts and Crafts era structures that define the early urbanization of the area, many murals and legacy businesses throughout the neighborhood, the historic Brooklyn Avenue Neighborhood Corridor on Cesar E. Chavez Blvd, and individual historic monuments such as the Sears building and Evergreen Cemetery.

Environmental justice has been an important issue in the CPA. Although the East LA Interchange freeway junction provided regional connectivity through the merging of three freeways, its construction in the 1960s resulted in the demolition of homes and displacement of thousands of families. The constant pollution generated by the traffic congestion and truck routes has had negative environmental and health impacts on residents that live near these truck routes, with 25 percent of residents of Boyle Heights living within 500 feet of a truck route. Additionally, the significant industrial base in the CPA coupled with the bordering industrial City of Vernon has led to noxious uses impacting the well-being of Boyle Heights residents for decades.

The introduction of the L Line (formerly Gold Line) extension through Boyle Heights in 2009 is not reflected in the existing 1998 Community Plan, which envisioned that future rail service would occur along First Street and Cesar E. Chavez Ave. Therefore, the existing land use and zoning along Cesar E. Chavez and First Street do not reflect the actual alignment of the L Line along First Street, leaving opportunities for updated land use patterns to direct more housing growth near the rail stations and reducing development potential along the historically designated Cesar E. Chavez Avenue. With both Metro Rail service and bus service from various agencies, Boyle Heights is well served by transit for a population that relies on it, with nearly one-quarter of Boyle Heights residents relying on non-auto travel modes, higher than the citywide average.

Since 2020, the COVID-19 pandemic has altered daily lives and has greatly impacted health, safety, and jobs for a significant number of Los Angeles residents. Preexisting socioeconomic, racial, and environmental disparities have led to higher incidence of COVID-19 in Black and Latino/a/e communities in Los Angeles and in the nation. Several circumstances have contributed to these disparities including a high percentage of these communities serving essential and

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<sup>3</sup> Los Angeles City Planning strives to develop Community Plans that are inclusive, equitable, and reflective of the communities they intend to serve. This also includes the language, images, and graphics used in the materials we produce internally and for the public. City Planning remains sensitive to issues of labeling and understands that demographic affiliations continue to evolve. After much consideration, an inclusive term "Latina/o/e" will be used in this staff report and accompanying exhibits, when referring to individuals and groups of Latin American descent. The term Latino/a/e is meant to encompass persons of any gender, including those that identify as non-binary and/or gender non-conforming. The "e" in "Latina/o/e" is for "Latine" which is the non-binary term used in many Spanish-speaking countries and communities. Although "Latinx" is another popular gender-inclusive term, adding the "-e" is a neutral way to say all gendered words in Spanish instead of the traditional "-o" for masculine (i.e., Latino) or the feminine "-a" (i.e., Latina), that is easier to conjugate in the Spanish language. City Planning acknowledges and respects that some individuals and groups may also identify as Hispanic, Chicano/Chicana, self-report, or more specifically identify themselves by their nation or region of origin.

frontline jobs, as well as less access to health care and higher rates of underlying health conditions. Other factors include living far from jobs or in overcrowded households due to constrained housing affordability. The average household size in the Boyle Heights CPA is 3.83 people, compared to the City's average of 2.77. Thus, the Proposed Plan's goal of accommodating growth and encouraging housing development are acutely relevant. The housing crisis pre-dated the COVID-19 pandemic, but the need for housing, and affordable housing in particular, has become even more critical. The need is both a short- and long-term challenge that can be addressed through land use planning, and specifically through planning for additional multi-family housing, taking care to safeguard existing multi-family housing, and incentivizing the production of protected affordable housing.

### **Community Plan Updates**

The State of California requires every city to adopt a General Plan that covers various topics in sections called Elements, such as the Land Use Element, the Housing Element, and the Circulation Element. The Land Use Element of the City's General Plan currently consists of 35 Community Plans<sup>4</sup>. The Community Plans function as a guide for future growth and adaptation in neighborhoods, providing specific policies and strategies to achieve each community's vision and the broader objectives of the General Plan and state law requirements. Through the Community Plan update process, the Department of City Planning works with community stakeholders to develop a vision for future growth in each area, based on long standing and emerging conditions related to land use, housing, employment, transportation, climate change, and other factors. The intent of the updates is to underscore the City's commitment to advancing tailored strategies and neighborhood regulations to facilitate future development decisions. To balance the need for jobs and housing with neighborhood preservation, these Plans reflect the priorities of each community and the City as a whole. The City updates the Community Plans regularly to encourage smart growth, identify appropriate locations for new development, minimize lengthy discretionary approvals, and provide certainty and predictability for community members, developers, homeowners, and anyone else concerned with the future development of the City of Los Angeles. Recommended changes to Community Plans and their policies and programs are based on public input as well as collaboration with other City departments and government agencies.

### **Current Community Plan**

The last update of the Boyle Heights Community Plan was completed in 1998 and was written to guide development through the year 2010. This plan encouraged the conservation and improvement of viable housing, while providing a variety of housing opportunities through compatible new housing, improvement of the function, design, and economic vitality of the commercial corridors, maximizing development opportunities along a once proposed rail transit line along Cesar E. Chavez Avenue, and planning the remaining commercial and industrial development opportunity sites for job producing uses. Since the creation of the 1998 Community Plan several important changes have occurred in Boyle Heights:

- The Metro L (Gold) Line Extension along 1st Street was completed in 2009, bringing a major transit investment to Boyle Heights in the form of light rail rather than a subway beneath Cesar E Chavez Boulevard as the 1998 Community Plan anticipated. This same year, the Los Angeles County + USC Medical Center J (Silver) Line Station opened at the El Monte Busway located off Marengo towards the upper northern boundary of the CPA.
- Two comprehensive zoning ordinances that updated zoning and land use regulations in the Boyle Heights CPA were adopted.

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<sup>4</sup> A pending proposal to adopt the Downtown Community Plan would merge two community plans—the Central City Community Plan and the Central City North Community Plan. If adopted, the City will have 34 community plans.

- In 2014 the River Improvement Overlay District (RIO) was adopted, establishing design standards and development regulations for properties located within designated areas around the Los Angeles River.
- In 2016 the Clean-Up Green-Up (CUGU) Supplemental Use District was adopted to address health hazards cause by incompatibilities between land uses by establishing design, distancing and performance standards for potentially hazardous uses and sensitive uses that locate near each other.
- In 2011 the state legislature approved the dissolution of Redevelopment Agencies. Thereafter, implementation of the land use authority over the Adelante Eastside Redevelopment Area Plan, which encompasses all the CPA's industrial land and commercial corridors, transitioned to the Designated Local Authority (DLA). In 2019, pursuant to AB 1484 and City Council resolution, authority of the land use related plans and functions transferred to the City. The Plan is set to expire in 2030.
- In 2014, SurveyLA, which is a citywide project managed by the Department of City Planning's Office of Historic Resources (OHR), completed a historic resources survey of the Boyle Heights CPA.
- In November 2016, voters in the City of Los Angeles City approved Measure JJJ, which led to the adoption of the Transit Oriented Communities (TOC) Guidelines by the City Planning Commission in September 2017. The guidelines provide incentives for projects planned around public transit, within one-half mile of significant public transit stops that include units set aside for affordable housing within the development project. The CPA includes four Metro L (Gold) Line Stations, one Metro J (Silver) Line Station, and a network of Metro buses as well as other routes operated by providers other than Metro (i.e., LADOT, Montebello Transit).
- The Bureau of Engineering (BOE) recently completed the construction of the replacement of the Sixth Street Viaduct. BOE published the DEIR in May 2021 for the creation of the Sixth Street Park, Arts, River & Connectivity Improvements (PARC) Project, which includes a 12-acre public recreational space in areas underneath and adjacent to the Sixth Street Viaduct within Downtown's Arts District and Boyle Heights.

In order to keep the Boyle Heights Community Plan up to date, the existing Community Plan is being revised to guide development through the year 2040. The update process for this Community Plan involves determining anticipated residential and employment growth and where new growth or infill should occur in a manner that improves the quality of life of existing and future residents of Boyle Heights and the City of Los Angeles. Without an update to the Community Plan, many community-based organizations and leaders have led community-driven planning efforts and have borne the burden of advocating for and providing basic needs and services within their community.

### **Plan Development Public Outreach**

Development of the Boyle Heights Community Plan involved extensive public engagement that began in 2013 and was ongoing; involving numerous community stakeholder, advocacy, and constituent groups, as listed in the acknowledgments section located in the beginning of the Community Plan document. Continuous coordination with several City and County agencies also occurred. In total, over 73 community outreach events were conducted, reaching over 1,600 participants in addition to numerous agency and intradepartmental coordination meetings. Beyond formal outreach meetings, the Boyle Heights Community Planning team had an ongoing presence at numerous community events to share information about the Plan Update and hear from the community in an informal setting as well as an extensive four-part video overview of the

plan and planning process hosted on the Plan's website. The continued input generated throughout the ongoing outreach process shaped and refined the plan through its development. While outreach activities were ongoing, the process was formulated into three phases that were each anchored by a series of significant public events.

*Phase I - Listen Phase.* Initial outreach began in 2013 and involved meetings with the Boyle Heights Neighborhood Council, which also included the Neighborhood Council's Planning and Land Use Committee, the Boyle Heights Chamber of Commerce, and other key stakeholder, advocacy, and constituent groups to discuss issues and opportunities affecting the Community Plan Area, as well as ongoing coordination with Department and City staff and the Council Office.

In 2013 five focus groups were convened to continue to develop the Plan's policy priorities and conceptual land use strategy beyond the preliminary research conducted to this point. Each focus group was made up of residents and stakeholders that held a particular interest or expertise in one of the relevant focus group topics. The focus group topics included housing, cultural/historic, mobility, environment/health/river, industrial owners/tenants, local small business, and planning 101 sessions that provided an overview of elements of the City's planning and development process. The focus groups identified a number of issues and opportunities that assisted staff with developing the Plan's priorities. In 2014 a public workshop was held to present the Plan's draft policies and generalized land use strategy for extensive input and feedback.

*Phase II - Share Phase.* After convening the focus groups and holding a workshop on initial draft policies, in 2015 and 2016 City Planning shared zoning concepts and revised policy recommendations to the community. This involved community meetings, and an Environmental Impact Report (EIR Scoping Meeting in Fall 2016), sharing draft land use and zoning maps. In anticipation of the Public Scoping Meeting, packets of fliers and informational materials, as well as the EIR Notice of Preparation, were mailed to many local organizations to help publicize the event in the community, along with social media and email engagement.

*Phase III - Consult Phase.* The third phase of public outreach focused on presenting the Plan for targeted feedback. From Fall 2017 to Winter 2018 three open house meetings were held to present the Plan's comprehensive zoning strategy and a draft version of the Community Plan goals and policies to generate detailed feedback from the community and stakeholders. This feedback was used to further refine the Plan's zoning strategy and policy text. The Winter 2018 Open House solicited specific input on residents' and stakeholders' vision for the future of the industrial land closest to the Los Angeles River.

Following the three open houses, throughout 2018 City Planning attended roundtable discussions with various Committees of the Boyle Heights Neighborhood Council, taking input on policy and plan text language. In 2018 and 2019, City Planning held several workshops in partnership with community organizations, often bilingual or monolingual in Spanish, to share information about the Plan Update process and to hear additional concerns or feedback from residents.

*Phase IV – Refine Phase.* In early 2020, in keeping with the Mayor's "Safer at Home" emergency order and continual public health guidance to slow the spread of the COVID-19 pandemic, City Planning shifted outreach and engagement to online tools and formats to follow proper physical distancing protocols. In Summer 2020, City Planning published drafts of the zoning maps and zoning code for the Boyle Heights Community Plan, along with a refined Policy document, Draft Community Plan Implementation Overlay (CPIO) containing the proposed Community Benefits Program, Draft Land Use Map, bilingual informational handout materials, and interactive zoning maps. City Planning conducted several informational virtual presentations to various community groups and held virtual office hours. Throughout 2020 and 2021, City Planning worked to refine the Draft Environmental Impact Report (EIR) and held a virtual CEQA 101 workshop in partnership with community organizations to help inform stakeholders of the CEQA and EIR

review process. In Spring 2021, City Planning released a four-part bilingual video series, providing an in-depth overview of Community Planning, Zoning, the Boyle Heights Community Plan Update, and the Community Benefits Program. This video series was updated in Fall 2022, and since the release in 2021, the English videos have received nearly 1,400 views and the Spanish videos have received nearly 400 views. In Spring 2022, City Planning held a virtual bilingual Community Planning 101 workshop with community groups.

In July 2022, City Planning published the Draft Environmental Impact Report (DEIR), along with the Public Hearing drafts of the Plan Text, CPIO, General Plan Land Use Map, Zoning Map, and New Zoning Code. City Planning extended the initial DEIR comment period from 60 days to 75 days.

*Phase V – Adopt Phase.* Following the release of the DEIR, City Planning held a Virtual Information Session and Public Hearing on October 27, 2022, and written comments were accepted via email and hardcopy through November 12, 2022. A summary of the public testimony is in the portion of this report titled “Public Hearing and Communications”. A second Public Hearing will be held at the City Planning Commission (CPC) on April 20, 2023, to allow consideration of additional changes to the Proposed Plan that are brought forward in response to input received during the initial Public Hearing in October. Additional steps in the adoption phase include presenting the Proposed Plan to the CPC in April, then to the City Council’s Planning and Land Use Management Committee (PLUM) before being heard by the full City Council.

### **Project Website and Social Media**

The Department created an English-Spanish website for the Boyle Heights Community Plan to enable extensive and ongoing public participation and collaboration with the community, other city departments, and agencies. This website initially took form starting with the 2013 re-launch of the update. In 2017, a new platform was launched, and information was migrated to the new site; and in 2019, previous content was migrated to the newly launched City Planning website. Throughout the update process, the entire website, including handouts, FAQs, and interactive GIS maps have been available in English and Spanish on the project website. Over the years, a lengthy stakeholder email engagement list has been built, currently totaling over 1,300 email addresses, around 60 percent of which were generated from English sign-up forms and 40 percent from Spanish forms. For milestones, project updates, and release of updated materials over the last several years, bilingual “e-blasts” have been sent via email to these interested parties lists.

For several years, staff also managed a Facebook page for the Boyle Heights Community Plan Update, sharing information about outreach and engagement opportunities and more widely sharing community events. In the past few years, social media has been consolidated under the Department’s External Affairs Unit to create a unified voice for disseminating planning information to interested parties. This includes coordinated campaigns on Facebook, Instagram, and Twitter as well as video hosting on the department’s YouTube channel. The latter featuring a four-part video series overview of the plan and planning process, generating a combined 1,800 views between the English and Spanish videos. All of these communications have been delivered in English and Spanish.

### **Key Issues**

#### Housing

The City of Los Angeles continues to grow, and with that growth comes the need for more housing. Without the increase in housing supply, the increased demand on the existing housing stock has detrimental effects including over-crowding, upward pressure on rent levels, displacement of low-

income residents, and increased prices of for-sale housing. The provision of affordable housing and housing in general is a pressing concern Citywide and in Boyle Heights as the cost of housing continues to rise. Throughout the Proposed Plan's public outreach process, residents and community members have commented on the need for more housing options that reflect the diverse living arrangements and income levels of the community, which is near transit, to facilitate positive health outcomes, while discouraging the displacement of existing residents. Community members have also voiced the need to protect rent-stabilized housing units and maintain older housing stock at affordable levels. In response to this, the Plan introduces several strategies that are detailed below.

*Direct Future Housing Growth to Transit Served Corridors.* The Proposed Plan directs the majority of new housing growth and development towards mixed-use corridors around existing and future transit accessible areas, including the Metro L Line stations and Metro bus lines. Directing growth towards transit-served corridors works to slow the impacts of climate change by bringing new housing development closer to commercial amenities, allowing residents to rely less on automobiles and increasing multi-modal transit options. This strategy expands opportunities for housing, affordable housing around major stations at densities that facilitate accessible streets for all users, lively public spaces, a diversity of small businesses, and increased transit ridership. This strategy also helps alleviate development pressures on, and encourages the preservation of, existing residential neighborhoods.

*Production of New Affordable Housing.* A key component of the Boyle Heights Community Plan is the creation of a Community Benefits Program that establishes incentives for the construction of affordable housing that are tailored to the needs of the community. The incentives in the Community Benefits Program are proposed to apply throughout Boyle Heights and are focused around areas that are served by transit. Working in concert with proposed zoning tools and Plan policies, the Community Benefits Program focuses on providing affordable housing where it is most needed, while also reflecting the existing physical and economic characteristics of Boyle Heights. The proposed Community Benefits Program incentivizes the development of Restricted Income Affordable Housing Units on-site, as part of new housing projects. Under this program, housing projects can achieve higher development rights by setting aside a certain number of their housing units as affordable. The system is designed to encourage the development of mixed-income and 100 percent affordable housing projects, including affordable housing and larger multi-family units that can accommodate multi-generational households. This system also serves to streamline the production of affordable housing units, offering ministerial approvals for most housing development projects that participate in the process, and negating the need for case-by-case environmental studies. Projects that provide affordable housing units under the Program are required to sign a legally binding covenant to keep these rents affordable to households at that income level for 99 years. The Community Benefits Program is established to replace the Citywide TOC Guidelines that went into effect in 2017, and functions in tandem with California's State Density Bonus Law.

*Minimizes Displacement.* The Plan includes goals, policies, programs and zoning strategies that offer protections to existing neighborhoods, while accommodating infill housing that expands opportunities to new residents and growing families in residential areas. The Plan prioritizes the maintenance and preservation of existing naturally occurring affordable housing stock, includes incentives for more new restricted affordable units to be built in the community, and fosters collaboration and coordination with City departments and organizations to effectively respond to eviction threats and expand on tenant protection programs. The proposed zoning requires a 1:1 ratio of replacing demolished RSO units with Lower Income units in new developments, covenanted for a term of 99 years when a project uses the proposed Community Benefits Program or another incentive program such as Density Bonus. This ensures that in cases where RSO units may be lost, affordable units are included as part of the new development. The Proposed Plan's Community Benefits Program introduces a requirement that mixed-income projects include 30

percent of units in a new development as 2-bedroom units or greater to accommodate multi-generational households and introduces a new income category for Acutely Low Restricted Affordable Units, for households making 0-15 percent of the Area Median Income (AMI). With nearly 23% of persons in Boyle Heights estimated to have incomes below the poverty level, compared to 16% citywide (ACS, 2021), this introduces affordable housing that is more affordable and accessible to households in Boyle Heights.

*Protects Existing Neighborhoods and Infill Housing Opportunities.* The Proposed Plan seeks to accommodate new housing opportunities along transit-served corridors, while providing greater stability for the existing lower-scale multi-unit residential neighborhoods that predominate within the CPA. These lower-scale neighborhoods contain a variety of housing forms, from smaller apartment buildings to modestly scaled homes, duplexes and four-plexes, as well as an array of accessory structure living quarters. Here two new zoning strategies are proposed to better protect existing housing units, and thus existing households:

- Right-sizing FAR: under present-day zoning, new housing development can utilize up to 3:1 FAR. However, the number of residential units that can be built ranges from two to approximately five units per lot. This zoning condition makes present-day residential lots susceptible to redevelopment with larger, less affordable residential units, without a net increase in the number of overall residential units. The Proposed Plan sets forth zoning that is designed to accommodate a range of multi-unit buildings while maintaining a height and density of today's zoning, but the Proposed Plan decreases Floor Area Ratio (FAR) from 3:1 to 0.6:1 or 1.0:1, depending on the Form District, to reflect the existing development patterns found in residential areas today, and to encourage more sensitive infill development.
- Re-thinking rear-yard in-fill: the Proposed Plan reduces the rear yard setback requirement from 15 feet to 3 feet in most residential zones, which allows existing non-conforming structures to be more easily converted to residential units and facilitates the construction of new units. This strategy allows additional infill development to occur throughout the residential neighborhoods while preserving the existing housing stock. This also enables existing residential properties to become multi-unit or continue to be multi-unit, including those built before 1978, which are subject to the Rent Stabilization Ordinance (RSO).

*Supports the Diverse Housing Needs of the Boyle Heights Community.* The Plan incentivizes multi-unit developments that offer a diverse range of housing unit types and sizes to accommodate varying family sizes, multigenerational households, single room occupants, and independent seniors. Mixed-income projects utilizing the Community Benefits Program for Boyle Heights are required to set aside 30 percent of the units in a project with two or more bedrooms to accommodate various household sizes. Plan policies also encourage new housing developments to provide amenities for their tenants, such as outdoor play areas and recreational facilities, and promote the development of new housing for seniors within short walking distance to local amenities and public transportation.

#### Gentrification, Displacement, and Neighborhood Stability

Boyle Heights is a neighborhood with a rich cultural identity and history of activism that define the neighborhood today. In addition to the overall rise in regional housing costs, lack of housing supply, and statewide housing crisis, the revitalization of Downtown Los Angeles has led to growing concerns over gentrification and displacement in the adjacent Boyle Heights. With a median household income that is approximately 50 percent less than that of the Citywide median income, and with about 75 percent of units occupied by renters, Boyle Heights is home to some

of the most vulnerable low-income households that are more likely to experience displacement pressures. Boyle Heights also includes numerous small-scale legacy businesses that face displacement pressures from rising rents, property values, and development pressures. The Proposed Plan introduces zoning, policies and programs that address many of the concerns regarding safeguarding households against displacement, small businesses protection and the preservation of industrial land for jobs.

*Safeguarding Households Against Displacement.* The Proposed Plan outlines goals and policies, zoning, and future implementation programs that promote the development of housing that is accessible, affordable, and secure to households of all income levels. The Plan also supports residential developments that support the diverse housing needs of both the existing and future residents of Boyle Heights, as well as the preservation of existing affordable units. The Community Benefits Program provides incentives that prioritize mixed-income and 100 percent affordable housing. Incentives include greater height, floor area, and density, particularly around fixed rail transit stations and bus corridors. In addition to these policies, zoning tools and Community Benefits Program, the Plan proposes future implementation programs, in collaboration with the Los Angeles Housing Department (LAHD) to explore the creation of a right to return program to ensure tenants of any residential unit subject to the Rent Stabilization Ordinance (RSO) or an On-Site Restricted Affordable Unit that is demolished or vacated for purposes of a proposed development project shall be granted First Right to Return for the replacement units; as well as a “No Net Loss” of affordable rental housing, covenanted or not, including affordable rent-stabilized units.

*Maintain and Create Spaces for Small Businesses.* The local economy is in large part driven by small businesses in the form of retail and services for residents. The Plan identifies the need to protect existing locally owned businesses from displacement, and better facilitate new locally owned businesses. To achieve this, the Community Plan proposes policies and zoning that aim to maximize opportunities for small and local businesses by limiting the sizes of new commercial tenant spaces to help maintain affordability, avoid displacement, and promote diversity, while encouraging mixed-use and commercial developments to provide commercial tenant spaces that are appropriately scaled for neighborhood-serving small businesses. Cesar E. Chavez Avenue, portions of First Street, Lorena Street and Wabash Avenue, will be zoned with the “Commercial-Mixed 5 (CX5)” Use District which limits new ground story commercial establishments to 5,000 square feet to preserve and promote small businesses. Stretches of streets along Soto Street and Whittier Boulevard will be zoned with the “Commercial-Mixed 2 (CX2)” Use District, which limits new ground story commercial establishments to 50,000 square feet to accommodate businesses, such as grocery stores, but would preclude large-scale “big box” retail establishments. In both the CX2 and CX5 Use Districts, larger commercial uses may be permitted through a Conditional Use process.

*Neighborhood Corner Stores, or Tienditas.* Corner stores, or *tienditas* have existed in the Boyle Heights community going back to the early 1900s. These small local stores in residential neighborhoods provide access to food and household convenience items and provide opportunities for employment and local business ownership. Under current residential zoning regulations, many of these commercial uses are not allowed. The Plan proposes that most residential neighborhoods throughout Boyle Heights be zoned to the “Residential-Mixed 2 (RX2)” Use District to allow a limited introduction of commercial uses within these neighborhoods. These uses are subject to a maximum size limitation of 1,500 square feet, limited hours of operation, and can only be located on a corner property. Through Article 7 (Alternative Typologies) of the New Zoning Code, these uses have the option to build to different development regulations and are intended to act as an amenity to surrounding residents. This strategy helps protect existing small businesses by legalizing non-conforming buildings and facilitating their preservation and maintenance.

*Preserving Existing and Naturally Occurring Affordable Housing Stock.* Housing units are kept affordable through the longevity of tenants and property owners and the City's Rent Stabilization Ordinance (RSO), which limits the year-to-year rent increase allowed on multi-unit properties built before 1978. As one of the oldest neighborhoods in Los Angeles, the majority of multi-family housing units, approximately 71 percent, were built before 1978 and are therefore subject to the RSO. As previously mentioned, the Proposed Plan prioritizes the preservation and maintenance of existing multi-unit housing stock as naturally occurring affordable housing. In addition, under the proposed zoning, the VN1 and VN2 Form Districts are applied throughout the residential neighborhoods in Boyle Heights to reduce the rear yard setback to 3 feet, from the current 15-foot requirement. This allows for infill development, such as new rear structures, including housing units to be built or converted, while preserving existing housing stock. The VN1 and VN2 Form Districts also introduce a reduced Floor Area Ratio (FAR) that reflect the existing development patterns found throughout the neighborhood, while discouraging redevelopment of existing properties into larger only market-rate units.

### Neighborhood Identity and Historic Resources

Boyle Heights is one of Los Angeles' earliest residential suburbs and is a community with deep roots and a rich post-colonial history. With many of its existing buildings built between the late 1800's and 1930, it is a neighborhood whose history remains highly visible and is reinforced by a community that has enriched the built environment of Boyle Heights with cultural expression and meaning. Over the course of the 20<sup>th</sup> century, Boyle Heights became a landing spot for immigrants coming to Los Angeles. This history of Japanese, Jewish, and Latino/a/e communities can be experienced through many of the institutions and business that operate to this day. Boyle Heights was also the epicenter of the Chicano/a/e Movement, and the legacy of murals, activism, and vibrant community culture remains. The Plan seeks to protect and embrace the character of many of Boyle Heights' significant historic places by encouraging the preservation and restoration of identified historic resources, while providing design guidance for new development without creating financial hardship for homeowners or small businesses.

*Preservation and Restoration of Historic Resources.* The Proposed Plan includes policies to preserve and restore historic resources identified through the Los Angeles Historic Resources Survey (Survey LA) and the Adelante Eastside Redevelopment Plan Historic Resource Survey. The Plan includes safeguards to protect individually significant resources and districts from demolition and adverse alteration. The Plan policies also promote the restoration and reuse of vacant and or deteriorating historic buildings for new uses that will benefit the community while reinforcing the site's historic and cultural legacy.

Los Angeles is known for its iconic murals, with hundreds of pieces of street art covering the mosaic of buildings, walls and structures that make up the city landscape. The historical and cultural heritage of Boyle Heights is reflected in the many murals found throughout the CPA. This iconic feature of the Boyle Heights CPA serves as an homage to the stories of struggle and perseverance of the many generations of immigrants that have settled in the community throughout the years. They also serve as a lively way to activate the public realm and create a sense of place, through art that expresses and celebrates the unique cultural, historical, spiritual, and social identity of this historic neighborhood. Some of the most notable murals in the CPA are found at the Estrada Courts public housing complex, off the southern border of the CPA along Olympic Boulevard. The murals painted on the side elevations of the Estrada Courts buildings, are attributed to prominent Chicano artists depicting culturally significant representations of the history and people of the neighborhood.

Boyle Heights is also known for its landmarks that commemorate the neighborhood's history and culture. Mariachi Plaza, located on the northeast corner of Boyle Avenue and 1st Street, has been the center of mariachi music in Los Angeles as early as the 1930s. For decades it has served as

an informal gathering place for mariachi musicians seeking work. Today, the plaza continues this legacy, but now is home to one of the L line stations, and a redesigned plaza, complete with an authentic kiosk and wrought-iron benches from the Mexican State of Jalisco. Founded in 1877, Evergreen Cemetery is the oldest non-denominational cemetery in Los Angeles, and it reveals the multi-ethnic history of Boyle Heights. It serves as a reminder of the generations including early residents of African American and Chinese, Japanese, Mexican and Armenian descent, as well as members of the Jewish faith, that shaped Boyle Heights and the rest of the City of Los Angeles. Other historical and cultural assets found in Boyle Heights include Otomisan, the oldest continuously operating Japanese restaurant in the city; El Mercado, a traditional Latin American marketplace, the Japanese Hospital, and the Breed Street Shul which served the local Jewish community for most of the twentieth century. It is important to preserve and celebrate Boyle Heights' built environment that encompass its rich history and culture, as these buildings and structures are symbolic of the diversity of the people that have shaped, and that continue to shape Los Angeles.

*Additional Design Regulations in Identified Historic Neighborhoods.* The Proposed Plan uses zoning Frontage Districts to ensure new development is reflective of the existing built character in areas of the community identified as potentially historic. A special Character Frontage will be applied to certain areas such as the historic commercial corridor on Cesar E. Chavez Avenue, between Mott Street and Cummings Street (also known as Brooklyn Corridor). The Character Commercial 1 Frontage District, which requires facade elements found in today's historic commercial buildings, is applied along this stretch. In addition, a new LM3 Form District applies a two-story height limit to new buildings, with an option to reach four stories if the project provides the required amount of affordable housing. The Proposed Plan also includes new zoning regulations that require design features for new residential buildings in neighborhoods of Boyle Heights identified as historic or potentially historic in the City's historic resources survey (SurveyLA). These zoning regulations are applied through a unique Character Residential 1 Frontage District and would require that new infill development respond to pervading neighborhood characteristics by including objective and measurable features such as front porches, pitched roofs, recessed fenestration, and other features commonly found throughout the neighborhood.

*Community Plan Implementation Overlay (CPIO) Subarea B.* While both SurveyLA and the Adelante-Eastside Redevelopment Plan have identified several eligible historic districts and individual historic sites throughout Boyle Heights, these resources remain susceptible to degradation or redevelopment. The Proposed Plan includes a CPIO Subarea that requires additional planning review in consultation with the Office of Historic Resources for projects that involve select eligible or surveyed historic resources within parts of the CPA. This additional review, paired with additional zoning regulations in the Characters Frontages, helps to maintain the rich cultural identity and history of buildings and development in Boyle Heights.

*Safeguard Legacy Businesses, Cultural Institutions and Support Street Vending.* Local entrepreneurs and small businesses contribute to and reflect the rich identity, history, and character of Boyle Heights. The Plan recognizes the importance of safeguarding legacy businesses and cultural institutions, as many serve the unique cultural needs of local residents and provide opportunity and essential services. Plan policies, programs, and zoning tools work to limit the size of tenant spaces and the scale of commercial developments along several corridors, permit corner stores within residential areas, and encourage efforts to safeguard these businesses and institutions from displacement. The Proposed Plan also acknowledges the role that street vending has in defining the cultural experience and vibrancy of the public realm. Land use policies support current street vending efforts, as well as policies that encourage cleaning, preparation, and disposal facilities as part of future projects in the community.

### Environmental Justice and Public Health

Approximately 20 percent of Boyle Heights has historically been zoned to allow industrial and manufacturing uses, which has generated employment opportunities but has also created complex land use patterns where industrial land uses and sensitive uses, such as residential uses and schools, are in close proximity. The mix of industrial uses near or adjacent to residential areas and other sensitive uses, coupled with the East LA Interchange, have made Boyle Heights residents bear the burden of pollution and air quality health impacts stemming from freeways, truck traffic, and industry. Senate Bill 1000 (SB 1000) requires cities to identify environmental justice communities, referred to as “disadvantaged communities” and address them in their general plans. Given the current and historical environmental conditions in Boyle Heights, environmental justice and community health are of prime importance to the Boyle Heights community. This has propelled residents and community groups to mobilize around these issues for decades, including advocating for the closure of the Exide battery recycling plant in Vernon, which contaminated the area for over 30 years. The Proposed Plan works to respond to these issues by limiting new heavy manufacturing and industrial uses near residential and other sensitive uses, incorporating “Clean Up Green Up” (CUGU) as permanent regulations in the new zoning, supporting mobility improvements, and introducing a CPIO Subarea for soil sampling.

*Improve Compatibility Between Industrial Land and Residential Neighborhoods.* Given the importance of Boyle Heights’ industrial and manufacturing uses as a local and regional employment hub, the Proposed Plan seeks to maintain much of its industrial land for future employment. While this is the continued strategy, the Plan proposes numerous policies and zoning changes to better address compatibility with the surrounding residential community, and better protect the health and well-being of Boyle Heights residents. Land use policies ensure that industrial land uses do not adversely impact human health and the environment through the mitigation of potential contaminants, and the phasing out and relocating of facilities that handle hazardous materials near homes and schools. There are also policies that discourage potentially disruptive or hazardous uses along streets that border residential uses, and that rehabilitated industrial facilities permitted near residential uses incorporate appropriate buffering standards to prevent potentially harmful impacts.

The Proposed Plan includes zone changes for industrial areas that are located near residential neighborhoods such as along Olympic Boulevard and in the area near the Los Angeles River. The proposed zone changes limit future uses to light manufacturing, storage and distribution, and office space. Under this proposal future heavy industrial uses will not be allowed, and existing uses would be phased out over time. Specifically, the Proposed Plan changes the zoning from today’s M2 and M3 zones, which allow a range of commercial, light industrial, and heavy industrial uses, to the IX5 Use District. Zone changes are also proposed along the major corridors in Boyle Heights, such as First Street, Wabash Avenue, and Whittier Boulevard, which will not allow new auto-related uses such as auto repair, auto body shops, and gas stations. Specifically, the Proposed Plan changes the zoning from today’s C1.5 and C2 zones (which allow auto-related uses either by-right, or through a Conditional Use process), to the CX2 and CX5 Use Districts. Heavier manufacturing uses would continue to be allowed within the I2 Use District, located at the southern end of the CPA, adjacent to various rail rights of way.

*Embed “Clean Up Green Up” Regulations as Permanent Zoning Regulations.* The “Clean Up Green Up” (CUGU) Ordinance No. 184,246, adopted on June 4, 2016, was a community driven effort to establish “green zones,” or standards and regulations for heavy, noxious uses close to sensitive or residential uses. This ordinance was adopted as an overlay to add additional restrictions in communities impacted by heavy industrial uses, which includes Boyle Heights, as well as the communities of Wilmington and Sun Valley-Pacoima, and it was initially adopted as a pilot program. CUGU regulations are incorporated into the proposed zoning code by including buffering and landscape standards to better separate noxious uses from sensitive uses, locational

standards such as requiring mechanical equipment or loading areas to be oriented away from sensitive uses and use limitations for certain noxious uses if other similar uses exist within a defined radius. These standards are broadly applied to all Industrial, and Industrial-Mixed Use Districts as part of the New Zoning Code initially established in Downtown Los Angeles. All Industrial and Industrial-Mixed Use Districts proposed in Boyle Heights continue to embed these standards. In addition, the CUGU program resulted in changes to the Building Code that required specified air filtration methods for residential projects adjacent to freeways. This standard remains in effect citywide.

*Emissions Reduction by Directing New Housing and Commercial Development Around Transit and Other Non-Automobile Mobility Options.* The Proposed Plan promotes a built environment that prioritizes people over cars and reduces the negative health and environmental impacts of driving, while increasing physical activity and equitable access to goods and services. The integration of multimodal mobility options into land use planning helps reduce greenhouse gas (GHG) emissions, reduce vehicle miles traveled (VMT), and improve overall air quality and access to commercial uses, fresh foods, jobs, and schools without a car. The Plan includes policies and zoning that concentrate new higher density mixed use developments near transit and commercial corridors and design standards for commercial developments to encourage multimodal options that deprioritize accommodations for single occupancy vehicles.

*Soil Sampling for Certain Projects Within the CPIO.* Throughout the years there has been many concerns raised over the issues of soil contamination, in particular the decades of lead contamination from the Exide battery recycling plant, which is in the adjacent City of Vernon. To better address contaminated soils and minimize public health risks, the CPIO includes new requirements for soil sampling for projects that include ground disturbance and require a grading permit, which means that projects must complete a soil test before getting a permit to see if there are elevated levels of lead or arsenic on site. This requirement applies to all properties within the Boyle Heights CPA, where applicants must either prove there are not elevated levels or comply with City requirements to remediate the site before proceeding with their project.

### Mobility and Connectivity

The Proposed Plan recognizes the crucial relationship between land use and mobility. Investments to improve mobility and connectivity in the Boyle Heights CPA would support the Proposed Plan's land use strategies and, as such, the Proposed Plan identifies priority improvements. Stakeholder comments have highlighted the need for improved access and connectivity across Boyle Heights and to the rest of the city.

*Enhanced Safety.* The Proposed Plan supports community initiatives, such as Vision Zero, Great Streets, and Safe Routes to School to bring further attention to pedestrian and bicycle safety improvements. Traffic crashes are the leading cause of death for school-age children in Los Angeles. Streets that are safe for children are safer for everyone, including older adults who are also disproportionately impacted by severe and fatal traffic crashes in Los Angeles. Vision Zero, the citywide initiative to eliminate deaths from traffic crashes by 2025, has identified streets throughout the city with the highest rates of severe and fatal crashes involving people walking and bicycling. Streets such as Lorena Street, Olympic Boulevard, Soto Street, and Cesar Chavez Avenue are identified on the High Injury Network (HIN). The Proposed Plan includes programs that prioritize engineering and street design improvements, such as protected bicycle lanes, to improve the function and safety of streets like Soto Street and achieve high-impact reductions in crash-related injuries and fatalities.

One of the Proposed Plan's Implementation Programs (P28) calls for a pedestrian priority district in Boyle Heights where enhanced pedestrian safety improvements and innovative treatments are

implemented. These treatments include scramble crosswalks, raised crosswalks, and right turn on red light prohibitions to reinforce pedestrian safety and comfort.

*Increase Transit Options.* Boyle Heights has high levels of transit ridership, making transit options a high priority to create better connectivity throughout the community, as well as to neighboring communities. The Plan supports transportation improvements identified through the Mobility Plan 2035, such as options for dedicated bus lanes on Soto Street and Whittier Boulevard, and protected bicycle lanes to provide safe connections throughout the neighborhood. Another Implementation Program of the plan is to study the feasibility of upgrading bus routes on Soto Street and Whittier Boulevard to Bus Rapid Transit (BRT).

*Concentrating Growth Near Transit.* The Proposed Plan concentrates growth around transit and promotes a mix of uses to support walkable communities. The regional transportation network extends through Boyle Heights with four L (Gold) Line stations and one J (Silver) Line station. The Proposed Plan's land use strategy is focused on increasing access to housing and jobs – especially affordable housing and jobs for a range of educational and skill levels – while reducing reliance on single occupancy vehicles. Under the Proposed Plan, Boyle Heights would see reductions in vehicle miles traveled (VMT) and an increase in the mode share of walking, bicycling, and transit.

### Racial Justice and Equity

City Planning is committed to taking steps towards embedding equity and anti-racist planning in all aspects of community planning, and in the work of the Department as a whole. There is a close correlation with Black, Indigenous, and people of color communities and lower-income levels in the City of Los Angeles. The Boyle Heights Community Plan Update is reflective of the years of intentional partnership and relationship building with many dedicated stakeholders including community-based and advocacy organizations that represent the people and interests of the Boyle Heights community. This collaborative effort has deeply informed and shaped the policy direction of the Community Plan, and it seeks to uplift Boyle Heights residents that have been harmed by past planning practices that have created barriers to jobs, housing, and a healthy environment.

The Proposed Boyle Heights Community Plan addresses previous harmful racist policies by safeguarding existing and facilitating new affordable housing opportunities, supporting local employment and entrepreneurship opportunities, reducing the impacts of existing and future polluting sources, such as heavy industrial uses near residential uses, and encouraging the development of accessible residential and commercial uses through other non-vehicular options.

Recent developments, primarily the COVID-19 pandemic and the ongoing conversation around racial justice and restorative planning, have highlighted and placed increased importance on issues that are not new but are the result of long-standing, systemic conditions. These events:

- Underscore the need for housing that is affordable, especially for lower-income groups, and have shown that a lack of affordable housing can have far-reaching consequences including health risks to individuals and limited access to resources in times of need;
- Demonstrate the impact of overcrowding on community health;
- Highlight the need for flexibility to allow businesses to quickly adapt to changing needs;
- Emphasize the need for open space to serve a variety of purposes including spaces to meet and socialize, spaces to play and entertain, and spaces for businesses to extend services outdoors, and;
- Show the need for engagement strategies and activities that are safe and inclusive.

The Proposed Plan seeks to foster continued investment in Boyle Heights, while supporting strategies to minimize displacement and uplift communities that have often been overlooked or marginalized. Insufficient affordable housing stock compounded by environmental injustice have resulted in inequities, poverty, and public health issues and that are an ongoing concern for the Boyle Heights community. The Proposed Plan creates increased opportunities for mixed-income and 100 percent affordable housing at or near major transit stops in order to serve all income levels, and seeks to reduce the impacts of current and future polluting sources within the community.

### Jobs, Economic Development, and Small Business

The Plan Area features a diverse economy ranging from heavy industrial and manufacturing uses to corner stores and street vendors. In more recent years traditional manufacturing jobs have generally declined, while others such as media, office, and technology have emerged. State and local laws have helped boost street vending, but economic pressures and lasting effects from the COVID-19 pandemic have created direct and indirect displacement and hardship for small businesses. Given Boyle Heights' proximity to Downtown and the Arts District, creative uses have been expanding. The housing crisis has put pressure on many of these uses, so the Proposed Plan includes policies and zoning to help ensure space for all sizes of business and entrepreneurs to thrive.

*Industrial.* Approximately 26 percent of the land area in Boyle Heights is designated for industrial uses, while only 8 percent of the land area within the City is designated for industrial uses. Historically industrial land in Boyle Heights and elsewhere has provided a range of local employment opportunities, including vocational and trade-related professions that can provide opportunities for advancement and stability, especially when compared to more service-sector jobs that predominate within more conventional commercial areas in the City. While the nature of industrial uses continues to evolve, and while the Proposed Plan makes significant efforts to address environmental justice concerns related to some industrial uses, the concentration of land in Boyle Heights that is dedicated toward employment uses alone is a critical asset. The Plan proposes to maintain industrial land for industrial uses. This is consistent with City policy to ensure availability of jobs producing uses. However, the Plan would change certain areas of heavy industrial uses to light industrial to provide better compatibility to the neighboring residential communities.

*Small Business.* Small, neighborhood-serving business are the predominate uses on the commercial corridors of Boyle Heights. Housing pressures and rising housing costs create pressure on commercial space, leading to commercial displacement. This has been a major concern among the community, second only to housing stability and affordability. According to the economic study conducted for the Plan Area, 86% of businesses currently operating in Boyle Heights are estimated to be occupying spaces less than 5,000 square feet. In addition to several proposed policies to help support existing and future small businesses, the proposed CX2 and CX5 Use Districts feature a maximum size limit to ground story commercial establishment spaces on certain corridors. On the smaller scale corridors, such as Cesar E. Chavez Avenue, and sections of 1<sup>st</sup> Street, 4<sup>th</sup> Street, Wabash Avenue, and Lorena Street, the size is limited to 5,000 square feet. This is to help ensure smaller spaces are available for smaller businesses and deter consolidation of existing small spaces. While a development project or commercial building may house multiple business spaces totaling over 5,000 square feet, each individual business space must be a maximum of 5,000 square feet. On larger corridors, such as Soto Street, Whittier Boulevard, and around transit hubs, the maximum size limit is 50,000 square feet. This will allow for needed neighborhood uses, like a grocery store, while deterring more suburban big box retailers.

*Tienditas.* Neighborhood corner stores known commonly as *tienditas* are located throughout the residential neighborhoods of the Plan Area. These stores provide the community with food items and household goods within walking distance of homes. Many *tienditas* currently exist in areas zoned for residential uses only, meaning that they are non-conforming. This also prevents new ones from opening in residential areas. New zoning regulations allow limited introduction of non-residential uses such as new corner stores in the residential neighborhoods, providing opportunities for small businesses and providing residents access to food and necessities. These uses are subject to the following limitations: a maximum of 1,500 square feet in size, limited hours of operation, no sales of alcohol, and they can only be located on a corner property.

*Street Vending.* The Proposed Plan also acknowledges the role that street vending has in defining the cultural experience and vibrancy of the public realm. Over the years of outreach many community members have been vocal in their support of street vending and the importance it plays in both the identity of Boyle Heights as well as the local economy. Not only does street vending provide an opportunity for entrepreneurship in the community, but it is also a source of fresh and prepared foods in an area that is underserved by major grocery chains. Street vending is also a means to activate the public realm and create the vibrancy that is part of the cultural identity of the Plan Area.

Limitations on street vending have historically come about to limit the growth of marginalized communities, beginning in the late 19<sup>th</sup> century with regulations on tamal carts and Chinese street food vendors. The passage of SB 946 in 2018 decriminalized street vending, but onerous permitting requirements made it difficult for street vendors to obtain valid permits. Additionally, “no vending” zones limit where vendors may operate, and while there are currently no zones prohibiting vending in Boyle Heights, such zones have a ripple effect on the street vendor community. Land use policies support current efforts to increase accessibility for street vending, such as SB 972’s reforms to modernize the California Retail Food Code, and local efforts to educate and facilitate street vendor compliance with current regulations. Policies also encourage cleaning, preparation, and disposal facilities as part of future projects in the community to help facilitate safe operations for food vendors.

### Wellness, Sustainability, and Open Space

A sustainable land use approach is fundamental to the Proposed Plan. The Plan seeks to address climate change both in terms of mitigating the Plan Area’s effect on climate change and planning for the outcomes of climate change on the community. Boyle Heights has been disproportionately affected by noxious uses and it has been a common theme heard from community members throughout the years of outreach. Twenty-five percent of Boyle Heights residents live within 500 feet of a truck route and thirteen percent live within 500 feet of manufacturing land. These figures are among the highest in the city and Boyle Heights consistently ranks among the most affected in metrics such as Pollution Burden, Environmental Effects, and Pollution Exposure and is one of the lowest ranked CPAs on the Community Health and Equity Index. The pollution resulting from land use planning and freeway construction during the second half of the 20th century has led to multiple negative health outcomes. CalEnviroScreen 4.0 data shows these areas of Boyle Heights are in the top quarter percentile for asthma, cardiovascular disease, and low birth weight. These public health inequities have been exacerbated in Boyle Heights during the COVID-19 pandemic, where studies have shown that long-term exposure to ambient air pollutants increases the risk of COVID-19 mortality. The Plan reinforces ongoing efforts to redress past practices and encourages development that is flexible and adaptable to the health and wellness needs of the community.

*Thoughtful Growth.* By directing new housing and commercial development around transit the Proposed Plan will enable more residents to access commercial uses, fresh food, jobs, and

schools as pedestrians and transit riders. This will also help reduce vehicle miles traveled and the resulting emissions, positively affecting overall air quality in Boyle Heights and the greater region.

*Preservation and Anti-Displacement.* When people are forced to leave their community, it affects the stable factors of their lives from shelter and employment to determinants of their social and health environment. As discussed elsewhere within this staff report, the Proposed Plan prioritizes housing preservation in the lower density neighborhoods, which have a high percentage of units that are subject to the Rent Stabilization Ordinance (RSO), with provisions to permit additional units by reducing rear yard setbacks. This goal speaks to preserving naturally occurring affordable housing, while allowing for additional infill at the rear of a property. These proposed regulations provide flexibility and space for additional family members to live, or supplemental income as a rental unit.

*Tree Canopy and Open Space.* The New Zoning Code allows for additional sustainability measures. Lot Amenity Space requirements are located in the Form District regulations, which means that they apply to all development and uses, whereas the current Zoning Code's common open space requirements apply only to residential projects. The lot amenity space calculation provides a bonus to amenity spaces that are open to the public, incentivizing property owners to provide green space for the benefit of the surrounding community. Similarly, Development Standards require tree planting for all uses based on FAR, as opposed to the existing dwelling unit-based tree planting requirements of the current zoning code. The Plan also calls for more planting of shade trees in the public right-of-way to mitigate urban heat island effects and contribute to the health of the community's urban forest. The Proposed Plan also adds a requirement for certain filtration plants and trees to be planted on properties that are zoned for industrial uses, as well as properties within 500 feet of a freeway.

*Mobility.* The Proposed Plan aims to prioritize infrastructure for pedestrians, bicyclists, and other active transportation modes to reduce dependency on private vehicles, which are the largest contributor to greenhouse gas emissions in the state. The Proposed Plan is tailored to encourage developments that contribute to active streets, include pedestrian access on large sites, and provide public open spaces. Beyond providing infrastructure, the public realm serves as a space for civic engagement, demonstrations, protest, and public participation, and serves as a gathering space that has proven essential during the COVID-19 pandemic.

*LA River.* The Los Angeles River is located outside of the Boyle Heights CPA and within the Downtown CPA, but it serves as a natural and recreational public amenity, and a public viewshed that is well-connected to surrounding neighborhoods. When possible, the Proposed Plan calls for buildings on private parcels to engage with the river through special Frontage District rules that also include landscaping requirements. Additionally, the Proposed Plan includes goals to add connectivity to the river by creating a network of linked public spaces along the rail-River corridor that provides safe and attractive public access to the Los Angeles River through gateways, plazas, paseos, and pedestrian paths by repurposing underutilized alleys and decommissioned rail spurs.

## **Discussion of Additional Policy Approaches Explored**

### Land Use Mix Alternative

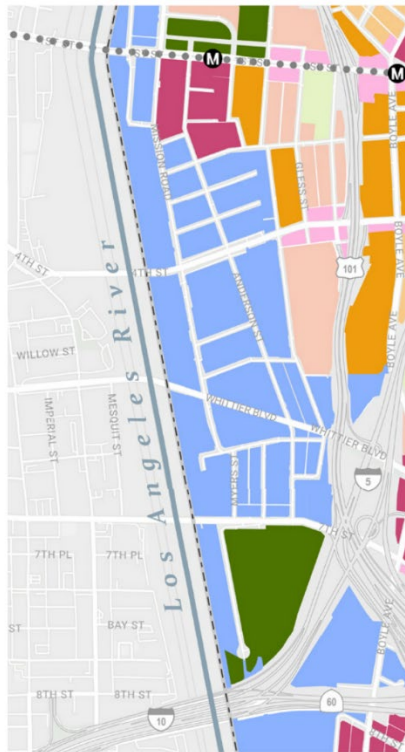
Throughout the community planning process, a wide range of input has been given on the area adjacent to the Los Angeles River and existing railroad tracks. The area is currently designated for Light and Heavy Industrial uses and is developed predominantly with lower-scale warehouse-type buildings with uses such as offices, textile manufacturing, and food processing. This area has received increased attention during the planning and construction phases of the new Sixth

Street Viaduct, and as efforts to complete a park beneath the viaduct continue. Over the past several years of outreach, feedback on the future vision for this area has been mixed. Some have affirmed the area's role in providing opportunities for future employment, while others have hoped to see housing, including affordable housing developed in the future. Currently, City Planning has proposed the continuation of light industrial activities within this area, and this is reflected in the Draft EIR that was published in July 2022. The Draft EIR also analyzes a scenario, called "Alternative 3", where housing and more conventional commercial uses are permitted in the zoning for this area of the CPA.

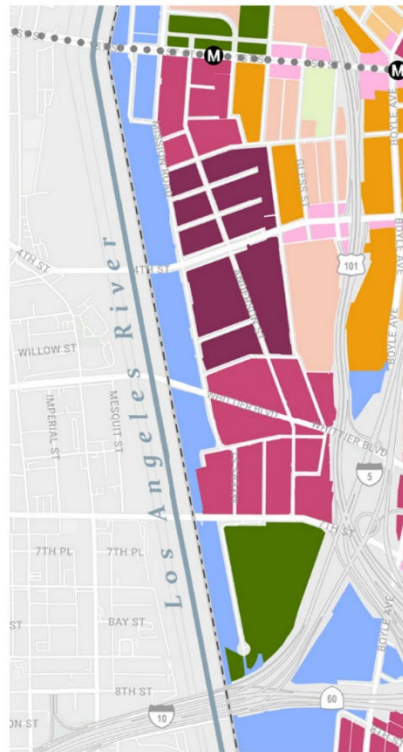
Under Alternative 3 in the Draft EIR, the existing industrial area near the Los Angeles River would be changed to a combination of "Hybrid Industrial" and "Commercial-Mixed Use" zoning, both of which would allow for residential uses. This scenario reflects the need for additional housing throughout all parts of the CPA and recognizes the proximity to existing residential uses to the east as well as the major employment center of Downtown LA across the river. The "mixed-use" area is proposed for the area immediately adjacent to the in-progress 6th Street PARC Project, bounded by 6th Street to 7th Street, and Mission Street to Clarence Street. This area would allow traditional mixed-use buildings with uses such as office, retail, restaurants, and housing of all types. The "hybrid industrial" area, which would span between 3rd Street and 6th Street, from Mission Street to Clarence Street, would allow uses such as light industrial, office, limited commercial, as well as market rate and affordable housing in buildings that also have employment-focused spaces.

Because of the varied feedback received throughout the Plan Update process, in early 2018 City Planning held an Open House with a facilitated activity to solicit input on the community vision for this part of the CPA. Feedback received was wide ranging, including calls for exclusively affordable housing, new community centers and grocery stores, or allowing all market rate housing. Since that Open House, City Planning has continued to hear varied feedback, particularly as the new 6<sup>th</sup> Street Viaduct has opened and the plans for the 6<sup>th</sup> Street PARC Project move forward. At the Public Hearing held in October 2022, and during the comment period following, stakeholders voiced support for the Proposed Plan instead of Alternative 3. Accordingly, and in effort to safeguard land for a range of needed employment opportunities, City Planning has recommended light industrial uses for this area. For more information, please see "Open House & Public Hearing Summary" section below. The maps and table below provide a comparison between the land use as well as some examples of specific types of uses that would be permitted in the Proposed Plan versus in Project Alternative 3.

**Proposed Plan**



**Project Alternative**



Proposed Land Use Designation

- Community Center
- Neighborhood Center
- Medium Neighborhood Center
- Medium Residential
- Low Neighborhood Residential
- Low Medium Residential
- Low Residential
- Light Industrial
- Industrial
- Hybrid Industrial
- Open Space
- Public Facility
- Freeway

**At a Glance Comparison**

**Proposed Plan:**  
Light Industrial

**Project Alternative:**  
Mixed-Use and Hybrid Industrial

	<b>Proposed Plan:</b> Light Industrial	<b>Project Alternative:</b> Mixed-Use and Hybrid Industrial
<b>Allows Light Industrial Uses</b> (ex. Warehousing, storage, distribution)	✓	✓
<b>Allows Office Uses</b>	✓	✓
<b>Allows Commercial Uses</b> (including restaurants, retail, hotels, grocery stores)	✓	✓
<b>Allows Adaptive Reuse of Existing Buildings to Live/Work Units</b>	✓	✓
<b>Allows Construction of New Housing</b>	No	✓
<b>Offers incentives for Affordable Housing</b>	No	✓
<b>Requires Open Space in Development Projects</b>	✓	✓

### Inclusionary Zoning

Housing that is affordable and accessible to Boyle Heights residents is one of the most pressing issues heard throughout the community plan process. Affordable housing can be permitted through different processes, including incentive programs such as the proposed Community Benefits Program, where non-profit and private housing developers include all or some affordable housing units in exchange for the incentives, such as additional density and buildable area. Another approach is inclusionary zoning, which requires developers to include affordable units in market-rate housing projects, regardless of whether development incentives are offered. In comparison, incentive zoning offers developers an option to include affordable units in exchange for incentives, such as additional residential density, building floor area, and building height, and enables the City to add certain requirements to use the program, such as the requirement that 30% of units have two or more bedrooms, or additional tenant protections. In addition to these approaches, the City currently has an Affordable Housing Linkage Fee, which requires projects to pay into an Affordable Housing fund, with an exception to the fee if affordable housing units are provided on site, which is sometimes viewed as a de facto inclusionary requirement.

The Boyle Heights Community Plan Update proposes a Community Benefits Program, which is an incentive zoning program that was developed through years of community input and shaped in response to passage of Measure JJJ and the start of the Transit Oriented Communities (TOC) Program in 2017.

Over the years, stakeholders and elected officials have urged for a more straight-forward mandate for new development projects to provide affordable housing units directly onsite through an inclusionary zoning approach. In response to this, City Planning conducted an economic study to analyze the feasibility of an inclusionary zoning requirement within the Boyle Heights Community Plan Area. This study examined the feasibility of both mandatory inclusionary zoning, as well as the feasibility of the incentive zoning program proposed within the Boyle Heights Community Benefits Program and found that inclusionary zoning with the proposed base FAR, height, and density requirements is not feasible in current market conditions. For the required affordable unit set asides to become feasible under current and near-term market conditions, additional FAR and density, as well as parking reductions, would be necessary, which is adequately reflected through the Community Benefits Program approach. Therefore, the Plan proposes to increase affordable housing units through the Community Benefits Program incentive zoning strategy in lieu of inclusionary zoning.

### Findings from the Economic Study on Inclusionary Zoning and the Proposed Plan's Community Benefits Program

City Planning contracted with AECOM to conduct an Economic Study to test the feasibility of the Proposed Plan's Community Benefits Program, including deeper affordability levels, as well as test for inclusionary housing options. In addition to the analysis, the Study included best practices for inclusionary zoning. These are summarized below:

- Tailor to local markets. Feasibility varies from market to market and submarket to submarket. What works in one part of the city may not work in other parts because the market rents may not be sufficient to subsidize the affordable units and may hamper development activity, producing minimal or no affordable units.
- Flexible compliance options. A menu of options such as a range of affordability set asides, in-lieu fees, land dedication, and off-site development can improve project feasibility.
- Provide incentives. Voluntary programs that offer incentives that help offset the costs of providing affordable housing are effective in producing mixed-income housing.

- Alternative and complementary programs. Jurisdictions that offer a range of tools to support affordable housing production typically have more effective inclusionary programs.
- Reductions in regulatory barriers. Regulations like height limits, parking, and lengthy discretionary review processes can negate any incentives offered or render an otherwise feasible project infeasible.

The Study found that under current market conditions, multi-unit housing is not feasible under the proposed base zoning, which is evident through the lack of market rate housing development currently seen in Boyle Heights. Because solely market rate housing under the base zoning regulations would likely be financially infeasible, the introduction of any level of mandatory inclusionary would exacerbate the infeasibility. Therefore, increased development potential such as additional floor area and higher densities would have to be permitted to produce affordable units.

In contrast, the Economic Study concluded that with the proposed affordability set asides, larger projects become feasible in the bonus scenarios. This incentive-based system is in effect a mandatory system because only projects providing the affordable housing set asides will be able to be developed under current market conditions. This is evident in Boyle Heights currently as most recent multi-unit developments have been mixed-income or 100% affordable housing projects utilizing State Density Bonus or TOC incentives.

Further, the Citywide Affordable Housing Linkage fee is a form of inclusionary zoning that has been in effect since 2018. City Planning is also exploring other citywide approaches to inclusionary housing and affordable housing production. By utilizing a “wait-and-see” approach, the Proposed Plan can offer a contextual Community Benefits program that can meet the needs of the Plan Area while broader options are developed. This also aligns with best practices of offering alternative and complimentary programs.

The Study also tested for the feasibility of an Acutely Low-Income category. Acutely Low-Income households are households making between 0-15% of the Area Median Income. The Study’s development prototype analysis found that providing 10% Acutely Low-Income maintained feasibility in the same bonus scenarios. This 10% threshold aligns with the current progression of affordable housing requirements cascading down, from 25% Low Income, 15% Very Low Income, and 11% Extremely Low Income. Considering the likely feasibility at 10% Acutely Low-Income, any percentage lower would increase possible feasibility.

## **Proposed Plan Components**

### Community Plan Policy Document

The Community Plan Document, often referred to as the “Plan Text” serves as a foundation for the remaining components of the Community Plan. Here is where the City formally articulates its values, goals, and more specific policies and future implementing programs, the totality of which serve to guide future discretionary decision-making, City initiatives, and the prioritization of public resources and investment through 2040, the horizon year of the Plan. The Plan Policy Document is composed of the following:

**Chapter 1, Introduction & Community Profile** offers an overview of the document’s structure and intent, states the proposed Plan’s overall vision and guiding principles, explores the Proposed Plan’s background and relationship to other plans, discusses the

Boyle Heights Plan Area's historic and modern-day context, and summarizes the land use designations applied in the Boyle Heights Plan Area;

**Chapter 2, Land Use & Urban Form** expresses the community's vision for the future, outlining specific goals and policies that address the range of land uses in the Proposed Plan, including residential, commercial and industrial land uses;

**Chapter 3, Mobility & Connectivity** sets goals and policies for the community's circulation system, focused on enhancing mobility and safe access for all users, as well as addressing goods movement and parking;

**Chapter 4, Public Realm & Open Space** sets goals and policies to improve the public realm, access to parks and open space;

**Chapter 5, Implementation**, describes the process for implementing the Proposed Plan's policies through a variety of implementation programs. Programs are divided into two phases of implementation: 1) established programs, and 2) proposed (long-range) implementation programs. The proposed long-range implementation programs of the Community Plan seek to link Plan policies to ongoing Department Programs and promote collaboration with other agencies.

**Appendix, Relationship to Other Plans**, explains the relationship of the Proposed Plan to the General Plan, City's General Framework Element, specific plans and overlay zones, and plans of other non-City agencies and organizations.

### General Plan Land Use Designations

The proposed General Plan Land Use Map includes the proposed general plan land use designations in the CPA, as well as a corresponding zone table to identify the zoning districts that are allowed for each land use designation. The Proposed Plan also includes amendments to the General Plan Framework Element to introduce new general plan land use designations of the Boyle Heights Community Plan. These designations are designed to reflect the intent of the Plan's land use strategy as informed by the Community Plan Policy Document's Goals and Policies, and the proposed amendments will allow for their applicability specifically to the Boyle Heights CPA. General plan land use designations help guide land uses and development by establishing the general location and intensity of different uses of land, in addition to the allowable scale of development. Each land use designation expresses a variety of goals and policies and corresponds to a set of implementing zones that regulate development, including uses, floor area ratios, densities, and height. The proposed General Plan Land Use Map shows the locations of the proposed land use designations in the CPA. The proposed land use designations, along with implementing zoning actions, will reinforce a pattern of development that directs future growth to already urbanized and transit-served areas.

The proposed General Plan Land Use Map (proposed land use map for the Boyle Heights Community Plan) includes the proposed general plan land use designations in the Plan Area, as well as a corresponding zone table to identify the zoning types that are allowed for each type of land use designation (Exhibit A.3) The Proposed Plan also includes amendments to the General Plan Framework Element to introduce new general plan land use designations of the Boyle Heights Community Plan. These designations are designed to reflect the intent of the Plan's land use strategy and the proposed amendments will allow for their limited applicability to the Boyle Heights CPA. General plan land use designations help guide development by establishing the general location and intensity of different uses of land, in addition to the allowable scale of development. Each land use designation expresses a variety of goals and policies and corresponds to a set of implementing zones that regulate development, including uses, floor area

ratios, densities, and height. The Plan Map shows the locations of the proposed land use designations in the CPA. The proposed land use designations, along with implementing zoning actions, would reinforce a pattern of development that directs future growth to already urbanized and transit-served areas.

In the Boyle Heights Community Plan Area, the following general plan land use designations are applied with the generally listed uses and development ranges. For more details information and zoning correspondence please see the General Plan Land Use Map (Exhibit A.3).

### *Community Center*

Per the Community Plan Policy Document: “Community Centers are vibrant places of activity typically located along commercial corridors, in concentrated nodes, or adjacent to major transit hubs. The building form is Low Rise. The use range is broad and may include commercial, residential, institutional facilities, cultural and entertainment facilities, and neighborhood-serving uses. The residential density allowed is 1 unit per 400 square feet of lot area.”

The Community Center designation is applied along major mixed-use and commercial corridors throughout Boyle Heights, and in some cases, blocks surrounding fixed-rail transit stations. The Community Center designation is intended to capture the most dense and diverse range of land uses within Boyle Heights. Accordingly, the corresponding zoning districts aim to accommodate the types and intensities of development that are anticipated:

- Form Districts allowed within Community Centers represent the greatest range of max FAR, with a Maximum Bonus Floor Area Ratio (FAR) of 4:1 allowed near fixed-rail transit stations—this is an increase over what is allowed today, though the majority of Community Center designated corridors represent more of a status quo.
- Use Districts also allow for a broad range of commercial and residential uses, though in most circumstances auto-related uses are no longer permitted, and size restrictions are established to limit more suburban scale big-box retail establishments. In most Community Center areas, the maximum commercial establishment size is limited to 50,000 square feet, to ensure new grocery stores and other retailers can still open within the community.
- Density Districts work in concert with the other zoning districts to realize the Community Plan’s goal of maximizing housing development in Community Centers. Here the Density Districts allow a residential density of “4”, or 1 unit per 400 square feet of lot area. For example, this density can accommodate approximately 38 units on a hypothetical 15,000 square-foot lot, more where density bonuses are involved.
- This table demonstrates the corresponding districts within the Community Center designation in Boyle Heights:

<b>General Plan Land Use Designation</b>	<b>Form Districts</b>	<b>Use Districts</b>	<b>Densities</b>
Community Center	Low-Rise Medium 4 Low-Rise Medium 5 Low-Rise Medium 6	Commercial-Mixed 2 Commercial-Mixed 3	4

### *Neighborhood Center*

Per the Community Plan Policy Document: “Neighborhood Center areas are focal points for surrounding residential neighborhoods and include uses that serve the needs of residents and employees. The building form is Low Rise and is characterized by pedestrian-scale commercial development. Uses generally include a mix of residential and commercial uses, such as local businesses and services. The residential density generally ranges from 1 unit per 800 square feet of lot area to 1 unit per 400 square feet of lot area.”

The Neighborhood Center designation is applied to places such as Cesar E. Chavez Avenue, portions of First Street, Fourth Street, Lorena, and Wabash Avenue, and serves to accommodate a diversity of uses at a scale that is more compatible with surrounding residential neighborhoods. In Boyle Heights, Neighborhood Centers can be isolated commercial pockets such as Wabash Avenue, or beloved cultural institutions such as the Brooklyn Corridor on Cesar E. Chavez Avenue. Accordingly, the corresponding zoning districts aim to accommodate the types and intensities of development that are anticipated:

- Form Districts allowed within Neighborhood Centers represent FAR ranges that are aligned with current mixed-use development regulations with Boyle Heights, with a Maximum Bonus Floor Area Ratio (FAR) of 2.5:1 to 3:1 allowed along primary east-west and north-south corridors throughout Boyle Heights—this is similar to what is permitted today through incentive programs such as Density Bonus and the Transit Oriented Communities (TOC) program. Certain Neighborhood Center designated areas, including Cesar E. Chavez Avenue from Mott Street to Cummings Street, Wabash Avenue, and Cesar Chavez, First Street, and Fourth Street east of Evergreen, have a 2-story height limit with an option to build to 4 stories through provision of restricted affordable housing.
- Use Districts also allow for a broad range of commercial and residential uses, though in most circumstances auto-related uses are no longer permitted, and size restrictions are established to limit new establishments to smaller sizes. In most Neighborhood Center areas, the maximum commercial establishment size is limited to 5,000 square feet, to ensure new developments provide smaller, more affordable commercial spaces for small businesses.
- Density Districts work in concert with the other zoning districts to realize the Community Plan’s goal of allowing compatible housing development in Neighborhood Centers. Here the Density Districts allow a residential density of “4” and “8”. For example, these densities can accommodate approximately 19-38 units on a hypothetical 15,000 square-foot lot, more where density bonuses are involved.
- This table demonstrates the corresponding districts within the Neighborhood Center designation in Boyle Heights:

<b>General Plan Land Use Designation</b>	<b>Form Districts</b>	<b>Use Districts</b>	<b>Densities</b>
Neighborhood Center	Low-Rise Medium 3 Low-Rise Medium 4	Commercial-Mixed 2 Commercial-Mixed 3 Commercial-Mixed 5	4, 8

### *Medium Neighborhood Residential*

Per the Community Plan Policy Document: “Medium Neighborhood Residential areas are primarily residential and may integrate limited local-serving commercial uses; these neighborhoods are adjacent and connected to commercial and employment areas. The building form ranges from Very-Low Rise to Low Rise, and buildings are typically oriented toward the street. The residential density ranges from 1 unit per 800 square feet of lot area to 1 unit per 600 square feet of lot area.”

Medium Neighborhood Residential designated areas are primarily in residential blocks around the Soto Street L Line station located at First/Soto, on Soto Street from Fourth Street to Inez, blocks near the Indiana Street Station, and blocks between Soto Street and Mott Street north of Cesar E. Chavez Avenue. Accordingly, the corresponding zoning districts aim to accommodate the types and intensities of development that are anticipated:

- Form Districts allowed within Medium Neighborhood Residential represent a similar scale of development as is permitted under today’s Medium Residential regulations, with a Maximum Bonus Floor Area Ratio (FAR) of 1.5:1 to 3:1 allowed. This FAR is similar to the base FAR permitted under existing zoning regulations in these areas. Medium Neighborhood Residential areas around the Soto Street Station allow buildings up to 6 stories in height, with provision of affordable housing, while Medium Residential Neighborhoods in other areas of the neighborhood permit buildings up to 45 feet in height.
- Use Districts also allow for a range of residential uses as well as limited commercial uses, including stores and in some instances, eating establishments. In Medium Neighborhood Residential areas, the maximum commercial establishment size is limited to 1,500 square feet, to ensure commercial uses located within the primarily residential neighborhoods are compatible.
- Density Districts work in concert with the other zoning districts to realize the Community Plan’s goal of maximizing housing development near transit stations. Here the Density Districts allow a residential density of “6” and “8”. For example, these densities allow approximately 13-17 units on a 10,000 square foot lot, with additional density available through provision of affordable housing units.
- This table demonstrates the corresponding districts within the Medium Neighborhood Residential designation in Boyle Heights:

<b>General Plan Land Use Designation</b>	<b>Form Districts</b>	<b>Use Districts</b>	<b>Densities</b>
Medium Neighborhood Residential	Low-Rise Narrow 1 Very-Low Rise Narrow 2	Residential-Mixed 1 Residential-Mixed 2	6, 8

### *Medium Residential*

Per the Community Plan Policy Document: “Medium Residential areas provide a concentration of multi-unit housing and are typically located near commercial or employment centers. The building form is Very Low Rise. Supportive institutional uses may also be provided in certain Residential Use Districts. The residential density allowed is 1 unit per 800 square feet of lot area.”

The Medium Residential designation is applied primarily in the western portion of the CPA, along parts of Boyle Avenue and areas west of the 101 Freeway. The designation serves to accommodate primarily residential uses in the form of small to mid-scaled apartment buildings. Accordingly, the corresponding zoning districts aim to accommodate the types and intensities of development that are anticipated:

- Form Districts allowed within Medium Residential have a Maximum Bonus Floor Area Ratio (FAR) of 1.5:1, which is less than what is permitted under today’s zoning regulations but helps to right-size the allowable floor area with the permitted density. Medium Residential areas allow buildings up to 45 feet in height, in line with today’s similar R3-1 zoning.
- The Use District allows for a range of residential uses, with a primary focus on residential dwelling units.
- In Medium Residential areas, the residential density is “8”, which would permit approximately 6 units on a typical 5,000 square foot residential lot, with additional density available through provision of affordable housing units.
- This table demonstrates the corresponding districts within the Medium Residential designation in Boyle Heights:

General Plan Land Use Designation	Form Districts	Use Districts	Densities
Medium Residential	Very-Low Rise Narrow 2	Residential 2	8

### *Low Neighborhood Residential*

Per the Community Plan Policy Document: “Low Neighborhood Residential areas are primarily residential and may integrate limited local-serving commercial uses; these neighborhoods are adjacent and connected to commercial and employment areas. The building form is Very Low Rise and buildings are typically oriented towards the street. The residential density generally ranges from 2 units per lot to 1 unit per 1,500 square feet of lot area.”

The Low Neighborhood Residential designation is applied throughout the majority of the lower-scale residential neighborhoods in Boyle Heights. The designation serves to accommodate primarily residential uses ranging from duplexes to small apartment buildings, and introduces limited commercial uses such as corner stores, or *tienditas*. Accordingly, the corresponding zoning districts aim to accommodate the types and intensities of development that are anticipated:

- Form Districts allowed within Low Neighborhood Residential areas have a Maximum Bonus Floor Area Ratio (FAR) of 0.6:1 or 1.5:1, which is less than is permitted under today’s zoning regulations but helps to right-size the allowable floor area with the permitted density. Buildings are permitted up to 33 feet or 45 feet depending on the Form District.
- Use Districts also allow for a range of residential uses as well as limited commercial uses, including stores and in some instances, eating establishments. In Low Neighborhood Residential areas, the maximum commercial establishment size is limited to 1,500 square feet, to ensure commercial uses located within the primarily residential neighborhoods are compatible.
- In Low Neighborhood Residential areas, the residential density ranges from “2L” to “15”, which would permit approximately 2-3 units on a typical 5,000 square foot residential lot, with additional density available through provision of affordable housing units for some projects. The 2L Density District allows two dwelling units on a lot, regardless of size (though ADUs would also be allowed), while the 15 Density District allows one dwelling unit for every 1,500 square feet of lot area.
- This table demonstrates the corresponding districts within the Low Neighborhood Residential designation in Boyle Heights:

<b>General Plan Land Use Designation</b>	<b>Form Districts</b>	<b>Use Districts</b>	<b>Densities</b>
Low Neighborhood Residential	Very-Low Rise Narrow 1 Very-Low Rise Narrow 2	Residential-Mixed 1 Residential-Mixed 2	15, 2L

### *Low Medium Residential*

Per the Community Plan Policy Document: “Low Medium Residential areas provide multi-unit housing, ranging from duplexes to small scale apartments, generally near neighborhood-serving uses. The building form is Very Low Rise. The residential density generally ranges from 2 units per lot to 1 unit per 1,500 square feet of lot area”. The fundamental difference between the Low Medium Residential designation, and the Low Neighborhood Residential designation described above is that Low Neighborhood Residential allows for some neighborhood-serving commercial uses, and Low Medium Residential allows for only residential uses.

The Low Medium Residential designation is applied to lower scale residential places and serves to accommodate primarily residential development at a scale that is consistent with existing residential neighborhoods. These areas typically do not allow limited commercial uses and are primarily applied in areas that also have the Residential Character Frontages. Accordingly, the corresponding zoning districts aim to accommodate the types and intensities of development that are anticipated:

- Form Districts allowed within Low Medium Residential have a Maximum Bonus Floor Area Ratio (FAR) of 0.6:1 or 1.5:1, which is less than what is permitted under today’s zoning regulations but helps to right-size the allowable floor area with the permitted density. Buildings are permitted up to 33 feet or 45 feet depending on the Form District.
- The Use Districts allows for a range of residential uses, with a primary focus on residential dwelling units.
- In Low Medium Residential areas, the residential density ranges from “2L” to “15”, which would permit approximately 2-3 units on a typical 5,000 square foot residential lot, with additional density available through provision of affordable housing units for some projects.
- This table demonstrates the corresponding districts within the Low Medium Residential designation in Boyle Heights:

<b>General Plan Land Use Designation</b>	<b>Form Districts</b>	<b>Use Districts</b>	<b>Densities</b>
Low Medium Residential	Very-Low Rise Narrow 1 Very-Low Rise Narrow 2	Residential 2	15, 2L

### *Low Residential*

Per the Community Plan Policy Document: “Low Residential areas provide single unit housing, typically set away from centers of activity. The building form is Very Low Rise. The minimum size of each lot is 5,000 square feet and residential density is limited to one unit per lot.”

The Low Residential designation is applied to the lowest scale residential areas and serves to accommodate primarily single-unit residential development. These areas typically do not allow limited commercial uses and are primarily applied in areas that are zoned R1-1 today. Accordingly, the corresponding zoning districts aim to accommodate the types and intensities of development that are anticipated:

- The Form District allowed within Low Residential areas have a Maximum Bonus Floor Area Ratio (FAR) of 0.6:1 and buildings are permitted up to 33 feet.
- The Use Districts allow for a range of residential uses, with a primary focus on residential dwelling units.
- In Low Residential areas, the residential density is “1L”, which would permit 1 unit on a typical 5,000 square foot residential lot, with additional density available through other existing state and local laws and regulations.
- This table demonstrates the corresponding districts within the Low Residential designation in Boyle Heights:

<b>General Plan Land Use Designation</b>	<b>Form Districts</b>	<b>Use Districts</b>	<b>Densities</b>
Low Residential	Very-Low Rise Narrow 1	Residential 2	1L

### *Light Industrial*

Per the Community Plan Policy Document: “Light Industrial areas preserve and sustain industrial activity while serving as a jobs base. The building form is Very-Low Rise and the site layout typically varies to accommodate a range of industries. Uses include manufacturing, warehouse and distribution, research and development, office, and limited commercial. Housing is generally not permitted in Light Industrial areas, but limited residential uses may be allowed, for example, through adaptive reuse of existing buildings.”

The Light Industrial designation is applied to places such as the western portion of the CPA, between the 101 Freeway and the Los Angeles River, and along the south side of Olympic Boulevard. The Light Industrial designation allows a range of commercial, office, industrial, creative, and warehousing uses that are typically seen in these areas today. The Light Industrial designation is applied in industrial areas that are closest to residential or other sensitive uses, acting as a buffer between those uses and heavier industrial uses. Accordingly, the corresponding zoning districts aim to accommodate the types and intensities of development that are anticipated:

- Form Districts allowed within Light Industrial areas represent the status quo of today’s industrial regulations, with a Maximum Floor Area Ratio (FAR) of 1.5:1 allowed. While certain Form Districts do not limit height, others establish new height limits of 45 feet or 65 feet. These are typically applied along Olympic Blvd and along the Los Angeles River and forthcoming 6<sup>th</sup> Street PARC, to maintain views to the 6<sup>th</sup> Street Viaduct and the Downtown Los Angeles skyline.
- Use Districts allow for light industrial, manufacturing, warehousing, office, and some commercial uses, and in some instances, housing through adaptive reuse of an existing building to Joint Living and Working Quarters (JLWQ).
- Density Districts work in concert with the other zoning districts. In Light Industrial areas, Density Districts applied are “N”, which does not permit any density for areas where housing is not permitted; and “FA”, for areas where adaptive reuse of an existing building is permitted, because through the adaptive reuse process, the number of new dwelling units in a project is limited by the floor area (FA) of the existing building.
- This table demonstrates the corresponding districts within the Light Industrial designation in Boyle Heights:

<b>General Plan Land Use Designation</b>	<b>Form Districts</b>	<b>Use Districts</b>	<b>Densities</b>
Light Industrial	Very-Low Rise Medium 1 Very-Low Rise Medium 2 Very-Low Rise Full 2	Industrial-Mixed 5 Industrial 3	FA, N

### *Industrial*

Per the Community Plan Policy Document: “Industrial areas are centers of industrial activity while serving as a regional jobs base. The building form is Very-Low Rise. Site layout and development in these areas are flexible to accommodate a range of vehicles, equipment, and industries. Uses include office, warehouse, distribution, heavy manufacturing, recycling and waste transfer, utilities, and mining. The Industrial designation does not allow residential uses.”

The Industrial designation is applied to the northwestern most portion of Boyle Heights, “Piggyback Yard”, and the industrial areas south of Olympic Boulevard. In Boyle Heights, the Industrial designation is applied to areas that are used for a wide range of industrial and manufacturing uses and is primarily applied adjacent to the City of Vernon, contributing to the regional jobs, transportation, and warehousing base centered around the railroads and rail yards of central Los Angeles. Accordingly, the corresponding zoning districts aim to accommodate the types and intensities of development that are anticipated:

- Form Districts allowed within Industrial designated areas are low-scale, with a Maximum Floor Area Ratio (FAR) of 1.5:1.
- Use Districts allow for a range of industrial and manufacturing uses, with some commercial uses such as office permitted. No housing is permitted in the Industrial designation Use Districts.
- Density Districts work in concert with the other zoning districts. Here the Density is “N”, indicating that there is no residential density, because residential uses are not permitted.
- This table demonstrates the corresponding districts within the Industrial designation in Boyle Heights:

<b>General Plan Land Use Designation</b>	<b>Form Districts</b>	<b>Use Districts</b>	<b>Densities</b>
Industrial	Very-Low Rise Full 2	Industrial 2 Industrial 3	N

### *Open Space*

Per the Community Plan Policy Document: “Open Space areas primarily serve as public recreational sites or parks but can include reservoirs and nature reserves. These largely open areas are intended for passive and active outdoor recreation, public gathering, and education. The building form, if there are accessory structures or buildings on site, typically facilitates recreational and/or communal activities, such as playground equipment, restrooms, and community centers. The Open Space designation does not allow residential uses.”

The Open Space designation is applied to public recreation facilities and open spaces throughout the Plan Area. Accordingly, the corresponding zoning districts aim to accommodate the types and intensities of development that are anticipated:

- Form Districts allowed within the Open Space designation are low scale and flexible, with a maximum Floor Area Ratio (FAR) of 1.5:1 and no height limit.

- The Open Space Use District allows for open spaces, recreational facilities, and accessory uses.
- Density Districts work in concert with the other zoning districts, and Open Space designations have a Density District “N”, that does not allow residential development.
- This table demonstrates the corresponding districts within the Open Space designation in Boyle Heights:

<b>General Plan Land Use Designation</b>	<b>Form Districts</b>	<b>Use Districts</b>	<b>Densities</b>
Open Space	Very-Low Rise Full 2	Open Space 1	N

### *Public Facilities*

Per the Community Plan Policy Document: “Public Facilities areas serve as centers of life, promoting governmental, institutional, and cultural functions. These areas provide for the use and development of land typically owned by government agencies. The building form is Very-Low to Low Rise, with a variety of site layouts and flexible building designs that support civic activity and an active public realm. Uses may include government offices, libraries, schools, service systems and housing. In areas where housing is permitted, the density is limited by floor area.”

The Public Facilities designation is applied to publicly owned properties across Boyle Heights. These uses range from civic facilities such as schools, libraries, and fire stations, to truck maintenance lots and office buildings. Accordingly, the corresponding zoning districts aim to accommodate the types and intensities of development that are anticipated:

- Form Districts allowed within Public Facilities have a Maximum Bonus Floor Area Ratio (FAR) of 1.5:1 or 3:1, allowing flexibility for the range of civic and institutional uses.
- Use Districts also allow for a broad range of uses, primarily focusing on civic and institutional uses, but permitting uses based on what adjacent zoning permits. In limited cases, the Use District permits housing to be built through public private partnerships.
- Density Districts work in concert with the other zoning districts to realize the Community Plan’s goals, particularly to allow for development of housing on publicly owned land. Here the Density District applied is “FA”, which limits density only based on allowable Floor Area, allowing for flexibility or housing density.
- This table demonstrates the corresponding districts within the Public Facilities designation in Boyle Heights:

<b>General Plan Land Use Designation</b>	<b>Form Districts</b>	<b>Use Districts</b>	<b>Densities</b>
Public Facilities	Low-Rise Medium 4 Very-Low Rise Full 2	Public 1 Public 2	FA

### *Public Facilities – Freeways*

Per the Community Plan Policy Document: “Public Facilities-Freeways comprises land dedicated to freeways that exist within the Plan Area, including storage and parking uses, that is owned by the California Department of Transportation (Caltrans).”

The Public Facilities – Freeways designation is applied to parcels used for freeway purposes throughout Boyle Heights, as well as on-ramps and some abutting and landscaped Caltrans owned parcels. This designation does not have corresponding Form, Use, and Density districts applied, instead the “FWY” Special District is applied to all parcels with this designation.

### Zoning Changes

In addition to the general plan land use designations and associated districts discussed above, the following zoning districts and other zoning regulations are proposed for the Plan Area. The associated Zone Changes are part of implementing the New Zoning Code in the Plan Area and will include updated zones and general plan land use designations for every parcel within the CPA. Zone Changes are described in more detail below. In general, the New Zoning Code aims to make development regulations on any given parcel clearer through a modular zone string including Form, Frontage, Use, Standards, and Density Districts. These districts allow tailored zoning to any given area without using Q Conditions and D Limitations. Many current zoning regulations are carried over into the zoning string tailored to the needs of the Boyle Heights Community. Additionally, new zoning tools such as the Frontage District allows for better standards to reflect the neighborhood.

The Zone Change process also allows the Proposed Plan to reflect the current conditions in Boyle Heights with consideration for future development. Zone Changes resulting in increased development rights such as height, floor area ratio or density are proposed near the Pico/Aliso, Soto, and Indiana Metro Stations, and along major corridors such as Soto Street, Whittier Boulevard, First Street, and Fourth Street. The goal for these areas is to allow for pedestrian oriented, mixed-use, and residential development with multi-unit housing in proximity to transit.

The Proposed Plan also proposes to remove Footnote #1 from the current Community Plan Map. While Footnote #1 under the current Boyle Heights Community Plan restricts all properties to Height District 1, limited Height District 2 zoned properties exist in Boyle Heights today. These properties will be downzoned from a currently permitted 6:1 FAR for consistency.

While Zone Changes and General Plan Amendments will occur throughout the CPA, conservation of the existing residential density is proposed for most of the CPA’s current Low Density and Multiple Family designated areas, and zoning regulations are aimed at safeguarding existing residential uses and allowing for sensitive infill development. Conservation of industrial zoned land for jobs-focused uses is also proposed to protect industrial areas from conversion to residential use. In addition to changes to building form regulations, uses will be revised to create more comprehensive, healthy neighborhoods throughout the CPA by introducing limited neighborhood serving commercial amenities into residential neighborhoods, and distancing noxious uses from sensitive uses along commercial corridors and in industrial areas.

Existing height limits in current residential zoning standards will be included as part of the Form District applied through the proposed zoning in Boyle Heights, and new height limits will be introduced along neighborhood-serving corridors that are developed with primarily 1-2 story buildings today.

In addition to the zoning districts previously outlined within each general plan land use designation, the Proposed Plan includes Frontage Districts, Development Standards Districts, and Alternate Typologies to further implement the goals of the Plan.

Frontage Districts (Chapter 1A, Article 3) regulate building facades and design and help achieve the goals of the Proposed Plan to create more pedestrian friendly streets and developments. The Proposed Plan uses 7 Frontage Districts – Multi-Unit 3, General 2, Shopfront 3, Warehouse 1, Greenway 1, Character Residential 1, and Character Commercial 1. These Frontage Districts

regulate how buildings are oriented towards the street and generally establish objective standards for better urban design. The two Character Frontages meet the Proposed Plan's objectives of recognizing the cultural legacy of Boyle Heights through requirements that new buildings use building design elements and features that reflect the development styles of the era. For the Character Residential 1 areas, this includes requirements for a front porch and a pitched roof, and for the Character Commercial 1 area this includes large ground story windows, a prominent entrance feature, and use of certain materials such as brick or concrete.

Development Standards Districts (Chapter 1A, Article 4) regulate features of development such as parking requirements, landscaping requirements, and signs. The Proposed Plan uses Development Standard Districts 3 and 4. District 3 reduces the amount of required automobile parking from today's requirements, while District 4 eliminates parking minimums. District 4 is applied in areas within ½ mile of fixed-rail transit stations and helps to implement the newly in-effect State Assembly Bill (AB) 2097. Both District 3 and 4 require pedestrian oriented signage and include new requirements for above grade parking design. This includes requirements for certain above grade parking to be wrapped with active uses or entirely screened from public view. For more details, please view Exhibit C.1 – "Article 4: Development Standards".

Article 7 of the new zoning code includes Alternate Typologies, which are pre-packaged sets of exceptions from zoning districts for specified uses or development typologies. This includes the Corner Store 1 Alternate Typology, Civic Institution 2 Alternate Typology, and Small Lot 1 Alternate Typology. The Corner Store 1 Alternate Typology helps realize the vision of new *tienditas* throughout the residential neighborhoods, allowing for a more transparent frontage with a building built closer to the street to accommodate this small commercial use. The Civic 2 Alternate Typology allows building placement and design flexibility for Civic & Institutional uses; and the Small Lot 1 Alternate Typology carries forward existing small lot subdivision design guidelines. It is important to note that any subdivision process is still subject to the subdivision map act and other subdivision regulations and procedures.

Article 9 of the New Zoning Code further implements the goals and policies of the Proposed Plan. While Article 9 of the new zoning is pending adoption with the Downtown Community Plan (CPC-2017-432-CPU), the Community Benefits Programs established in Article 9 are part of the Proposed Plan and help meet the Plan objectives to provide more affordable housing. This is done through the Community Plan Implementation Overlay (CPIO) District brought forward as part of the Proposed Plan.

### Boyle Heights Community Plan Implementation Overlay (CPIO) District

The Proposed Boyle Heights CPIO District is a zoning tool that is intended for adoption along with the Proposed Plan and provided in Exhibit B.1. The CPIO contains supplemental regulations to implement the goals and policies of the Proposed Plan. The CPIO serves to:

- Create development incentives that facilitate the production of affordable housing and are tailored to the neighborhood context.
- Encourage mixed-income and affordable housing development and minimize potential residential displacement.
- Create approval processes, including a ministerial administrative clearance process, which enables mixed-income housing infill development that will positively impact communities in conformance with these regulations.
- Preserve and protect neighborhood identity, including protecting cultural and historic resources and distinctive character defining elements of existing urban form.
- Ensure safe ground disturbance practices in areas where soil contaminants may exist.

The CPIO District Subareas consist of four geographic subareas that provide topically distinctive regulations.

### **Community Benefits Program Subarea A**

This subarea serves to implement the Community Plan's affordable housing regulations. Here, Subarea A CPIO regulations work in concert with the Community Benefit Program regulations established under Article 9 of the New Zoning Code, as well as the zoning Form Districts and Density Districts. The CPIO serves to define the geographies in which affordable housing regulations are applied, the amounts and types of affordable housing units that must be provided, and the amount and type of development incentive that will be available for projects with affordable housing units.

The CPIO requires levels of affordability that are tailored to the socio-economic makeup and median income levels of Boyle Heights. Of note, the CPIO would establish an Acutely-Low Income category, which is intended to create new affordable housing units for households that earn 0-15 percent of Area Median Income. This category is intended to respond to the needs of residents and households of Boyle Heights. The Area Median Income (AMI) is set at the county level and continues to rise, and since lower income ceilings are based on a percentage of the AMI, they continue to rise as well. In 2020, the median income in Boyle Heights was \$47,079, compared to \$65,290 for the city as a whole. An Acutely-Low category can help families afford housing when even the Extremely Low rents are still too high in Boyle Heights. In addition, the affordability requirements specified within the CPIO are established with the benefit of contemporary economic analysis to best achieve the Community Plan's housing goals.

Subarea A also points to the types of incentives that are available to participating projects. Through the Proposed Plan, FAR and occasional height increases are allowed, and work in concert with zoning Form District Base and Maximum Bonus FARs and Height Limits. Density increases are outlined in Article 9, and parking incentives are outlined in the CPIO. Remaining development incentives offered include averaging of FAR or density, lot width reduction, and building coverage increases, as listed in Article 9. Of note, reductions in open space (i.e., Lot Amenity Space in the new Zoning Code) are not offered as development incentives to better achieve the Community Plan's goals of advancing public health efforts.

The CPIO further implements housing goals of the Proposed Plan through eligibility requirements to use the incentive system. In Boyle Heights, a mixed-income project seeking incentives through the Boyle Heights Community Benefits Program must include at least 30 percent of total units in the development project with 2 or more bedrooms, to meet the needs of the existing larger household sizes in Boyle Heights, with an exception for 100 percent deed restricted affordable housing developments.

The CPIO's Community Benefits Program is developed to be consistent with Measure JJJ and is intended to serve as a replacement for the currently effective TOC Guidelines that have been in effect since 2017.

### **Historic Preservation Subarea B**

The purpose of this subarea, which includes neighborhoods that have an abundance of historically and architecturally significant buildings, is to maintain the eligibility of individual historic resources and historic districts and guide the ongoing maintenance and rehabilitation of these structures. The CPIO includes a review process for projects that involve certain potentially eligible and designated historic resources, as well as regulatory protections from demolitions and alterations for certain potentially eligible historic resources that have been identified in surveys prepared or accepted by the City.

CPIO Subarea B is proposed to consist of four potential historic residential districts and one residential planning district identified in the City's SurveyLA, two potential historic industrial planning districts identified in the Adelante Eastside Redevelopment Plan historic resources survey, an expansion of a SurveyLA potential district south of the designated Santa Fe Hospital to cover several potentially eligible identified resources, and the "Brooklyn Avenue Neighborhood Corridor", which is a designated Los Angeles Historic Cultural Monument (HCM). The following potential districts are included in Subarea B:

- Mount Pleasant Residential Historic District
- Boyle Avenue Residential Historic District
- St. Louis-Chicago Residential Historic District
- 2nd Street Residential Historic District
- Brooklyn Heights Residential Planning District
- Hostetter Industrial District
- South Anderson Street Industrial District
- Brooklyn Avenue Neighborhood Corridor

These areas noted above represent the earliest development in Boyle Heights, from the late 19th century. These early streetcar suburban developments have historical significance and have been found to be potentially eligible for historic designation at the local level (i.e., Historic Preservation Overlay Zone or HPOZ). Subarea B in the CPIO is proposed to minimize disruption to remaining potentially historic resources in these districts by requiring future projects located within this CPIO Subarea to undergo review and permit clearance in consultation with the Office of Historic Resources.

Within Subarea B an "Eligible Historic Resource" includes potential individual resources as well as potential contributors to identified potentially eligible districts. This additional review, paired with additional zoning regulations in the Character Frontages, will help to maintain the rich cultural identity and history of buildings and development in Boyle Heights. Designated resources within, or outside of this CPIO Subarea will maintain their existing regulatory protections from alterations and demolitions.

### **Soil Sampling Subarea C**

The purpose of Subarea C is to facilitate clean-up of contaminated soils and minimize public health risk by requiring soil sampling for projects that include ground disturbance and require a grading permit. Any project within this Subarea is subject to soil sampling prior to ground disturbance to reduce health impacts to Boyle Heights residents.

The CPA has 26 percent of parcels designated for industrial use and borders the industrial City of Vernon. Proximity to noxious uses have created environmental hazards in the Plan Area throughout the decades. Of note is the former Exide Facility located at 2700 South Indiana Street in the City of Vernon. The facility specialized in recycling lead since 1922, but in March 2014, Exide shut down its operations because it could not meet new rules enacted by the South Coast Air Quality Management District (SCAQMD) and has not operated since that date. Activities conducted at the former Exide Facility that contributed to contamination of surrounding properties (including those within the CPA) include battery breaking, smelting, refining lead, and storage, handling, and transportation of batteries, finished lead product, and other materials associated with lead recycling operations. These activities, which occurred for decades before environmental statutes or regulations existed and therefore were carried out without proper environmental control measures, have been identified as contributing to

releases of lead within the CPA resulting in lead contamination beyond acceptable safety levels.

As such, Subarea C covers all parcels in the CPA and requires that projects that require a building permit for ground or soil disturbance complete a soil test to determine if elevated levels of lead or arsenic are present. If elevated levels of lead or arsenic are present, the project must comply with any requirements from LADBS and coordinate with other agencies as necessary. No permit will be issued until a project can demonstrate that elevated levels of lead and arsenic are not present. Through the adoption process, this Subarea may instead become an Environmental Protection Measure (EPM) in the New Zoning Code.

### **Public Facilities Subarea D**

Subarea D applies to certain publicly owned properties across the CPA. The purpose of Subarea D is to regulate development on publicly owned lands and allow for floor area to be transferred between publicly-owned properties in the Community Plan Area, to support and facilitate public serving uses and affordable housing on public land. Total floor area in the Public Lands Subarea D shall not exceed 3.0:1 FAR and no individual site shall exceed 4.0:1 FAR through a transfer of floor area.

## **Other Amendments**

### **River Improvement Overlay (RIO) District**

The Proposed Plan will amend the River Improvement Overlay (RIO) District maps (Exhibit B.3) to remove the Boyle Heights Community Plan Area. The RIO District is a special use district that requires new development projects to meet requirements and guidelines along the Los Angeles River. Applicable development regulations and measures to protect sensitive biological resources in the existing Los Angeles River Implementation Overlay (RIO) will be incorporated into the proposed zoning's Frontage Districts and General Development Standards

### **Clean Up Green Up (CUGU)**

The Proposed Plan will amend the CUGU Ordinance maps (Exhibit B.4) to remove the Boyle Heights Community Plan Area. The CUGU District is a special use district that requires new development projects to meet buffering, landscaping, and locational requirements within industrial areas. These regulations will be incorporated into the proposed zoning's Use District and General Development Standards.

### **Framework Element**

The Proposed Plan also includes amendments to Chapters 1 and 3 of the General Plan Framework Element and amendments to Framework Appendix A (Exhibit A.5), a supplemental table outlining the general plan land use designations and corresponding zones being applied in the Boyle Heights CPA. Framework Appendix A, proposed to be adopted with the Downtown Community Plan Update, provides guidance on zoning correspondence for projects using Chapter 1A of the Municipal Code (i.e., the New Zoning Code) and builds upon the zoning correspondence established through the Downtown Community Plan Update.

The Proposed Plan will amend the General Plan Framework Element maps to remove the Regional Center designations from the CPA. The General Plan Framework Maps identify the intersection of Soto Street and Olympic Boulevard as the only Regional Center in the Plan Area, including the Sears site and surrounding blocks. The Framework Element describes Regional Centers as:

*A focal point of regional commerce, identity and activity and containing a diversity of uses such as corporate and professional offices, residential, retail commercial malls, government buildings, major health facilities, major entertainment and cultural facilities and supporting services. Generally, different types of Regional Centers will fall within the range of floor area ratios from 1.5:1 to 6.0:1. Some will only be commercially oriented; others will contain a mix of residential and commercial uses. Generally, Regional Centers are characterized by 6- to 20-stories (or higher). Regional Centers are usually major transportation hubs.*

Framework Appendix A (to be adopted through the Downtown Community Plan Update, Case No. CPC-2017-432-CPU) establishes Regional Centers as:

*Regional Center areas function as hubs of regional commerce and activity and are usually located near major transportation hubs or along major transportation corridors. The building form ranges from Mid Rise to High Rise, with active shopfronts and active streets. Regional Centers typically provide a significant number of jobs, in addition to residential, retail, government, entertainment and cultural facilities, and health facilities on a regional scale. The residential density generally ranges from 1 unit per 400 square feet of lot area to 1 unit per 200 square feet of lot area; residential density may also be limited by floor area.*

The scale of development, including the range of Form Districts, and regional serving uses that are part of a Regional Center land use designation do not adequately align with the scale and intensity of use and development in Boyle Heights, and therefore this intersection will be redesignated as Community Center.

Though not identified on the General Plan Framework Maps, Cesar E. Chavez Avenue between Cummings Street and Soto Street is the other part of the CPA that is currently designated as Regional Center within the Community Plan, along a stretch of Cesar E. Chavez Avenue that is designated as a Historic Cultural Monument (#590). This designation was adopted at a time when the B (Red) Line subway was anticipated to continue through to Boyle Heights along this alignment. Based on the current level of transit infrastructure and the needs of the community, as well as goals to preserve existing historic and cultural resources, the Regional Center designation is no longer appropriate, and those areas will be reclassified as Neighborhood Center.

### **Circulation Element (Mobility Plan 2035)**

The City's streets are organized by official standard street designations or classifications, established in the General Plan Circulation Element, called Mobility Plan 2035 (MP 2035), and standard street dimensions shown in the Department of Public Works Standard Street Plan. Actual street dimensions vary from standards due to historic development patterns where streets were built to different standards, often with narrower roadways. In many of these circumstances, older streets are incrementally widened through street dedications from new development. Existing non-standard street dimensions, land uses, lot depths, and volume of vehicular, pedestrian, and bicycle activity may all indicate the need for a different street dimension than the citywide adopted standards. In these cases, classifications of streets and street alignments can be modified to meet the specific needs of the community.

The Proposed Plan would amend street designations and modify the enhanced network designations to identify priority corridors for transit and bicycles that are consistent with the intent of Mobility Plan 2035. The Proposed Plan redesignates several segments of streets currently designated as a Collector Street to a Modified Collector Street and redesignates other segments of streets currently designated as a Collector Street to a Modified Local Street. The proposed amendments to the street designations are to reflect existing street dimensions.

The enhanced network treatments envisioned through MP 2035 were reviewed and refined to complement the anticipated growth areas as well as the Proposed Plan's goals and policies. Since MP 2035 does not prescribe or mandate how the enhanced network treatments are implemented within each community plan, the refinements to the enhanced network treatments primarily consisted of developing potential implementation options based on community input and analysis of the mobility options available throughout the CPA.

The Neighborhood Enhanced Network (NEN) is a selection of streets that provide comfortable and safe routes for localized travel of slower-moving modes such as walking, bicycling, or other slow speed motorized means of travel. The Bicycle Enhanced Network (BEN) seeks to provide safe, convenient, and comfortable local and regional facilities for people of all abilities to ride a bicycle or other micro mobility options. The Transit Enhanced Network (TEN) aims to improve the performance and reliability of existing and future bus service. The proposed modifications to the Mobility Plan's enhanced networks refine application of the TEN and BEN to reflect existing and planned land uses, infrastructure projects, and transit service, and prioritizes Bicycle or Transit Enhanced Networks on corridors where both cannot be implemented within the existing right of way. Below is a summary of the proposed changes to enhanced networks. The full list of proposed street reclassifications and the updated enhanced network maps are included in Exhibit A.6.

*Transit Enhanced Network (TEN) Modifications:*

- Change Soto Street from a Moderate TEN to a Comprehensive TEN to prioritize bus transportation
- Extend the Soto Street TEN designation south to connect with Olympic Boulevard
- Change Cesar E. Chavez Avenue from a Moderate Plus TEN to a Moderate TEN due to the existing roadway width and modified street designation

*Bicycle Enhanced Network (BEN) Modifications:*

- Tier 1 Cycle Tracks:
  - Extend Mission Road Tier 1 BEN south to 1<sup>st</sup> Street to meet 1<sup>st</sup> Street Tier 1 BEN
  - Add 4<sup>th</sup> Street from the Los Angeles River (CPA Boundary) to Velasco Street to the BEN
  - Add 3<sup>rd</sup> Place from Velasco Street to Indiana Street (City Boundary) to the BEN, an extension of 4<sup>th</sup> Street Tier 1
  - Remove Soto Street from the Tier 1 BEN to accommodate the Comprehensive TEN improvements
- Tier 2 and Tier 3 Bicycle Lanes
  - Extend the Boyle Avenue BEN north from Whittier Boulevard to connect to Mariachi Plaza at 1<sup>st</sup> Street
  - Make all of Soto Street a Tier 2 BEN

*Neighborhood Enhanced Network (NEN) Modifications:*

- Add Anderson Street from 1<sup>st</sup> Street through 7<sup>th</sup> Street to the NEN

**Adelante Eastside Redevelopment Plan**

The Adelante Eastside Redevelopment Plan is one of 17 redevelopment plans within the City, established by the former Community Redevelopment Agency (CRA/LA) prior to the dissolution of redevelopment agencies by the State in 2011. Prior to 2012, the Community Redevelopment Agency of Los Angeles (CRA/LA) was the agency in charge of developing, implementing, and overseeing CRA projects in the City, which included implementing the land use provision of the redevelopment plans, as well as exercising the CRA/LA's economic and financing tools. The passage of AB1x-26 and the California Supreme Court's decision in California Redevelopment Association v. Matosantos in 2012 effectively abolished redevelopment agencies in the State. Following the dissolution of the CRA/LA, activities in the redevelopment project areas had been administered through the Designated Local Authority (CRA/LA-DLA). In December 2019, the City

of Los Angeles established the authority to implement the land use plans and functions of all redevelopment plans in the City.

Boyle Heights contains one redevelopment project area (the Adelante Eastside Redevelopment Project Area), which expires in 2031. The Adelante Eastside Redevelopment Project Area is located immediately east of downtown Los Angeles along the eastern side of the Los Angeles River. The Redevelopment Project Area, comprising approximately 2,164 acres, is an irregularly shaped area zoned predominately for commercial and industrial uses in portions of Boyle Heights Community Plan, and the Northeast LA Community Plan (consisting of the El Sereno and Lincoln Heights neighborhoods), as well as portions of unincorporated Los Angeles County (i.e., East Los Angeles). The Redevelopment Project Area boundaries include the industrial areas located south of Olympic Boulevard to the Los Angeles City boundary; east of the Los Angeles River to Soto Street; the Golden State and Santa Ana Freeways and Mission Road, north to the San Bernardino Freeway to Main Street; and along Alhambra Road and Valley Boulevard from Soto Street on the west to the City of Los Angeles/City of Alhambra boundary. The Redevelopment Project Area also includes commercial and mixed-use frontages along the major east-west thoroughfares within the Boyle Heights CPA. The main intent of the Adelante Eastside Redevelopment Plan is to preserve industrial and commercial uses to promote a stable industrial base to provide jobs for the community and enhance the existing commercial areas.

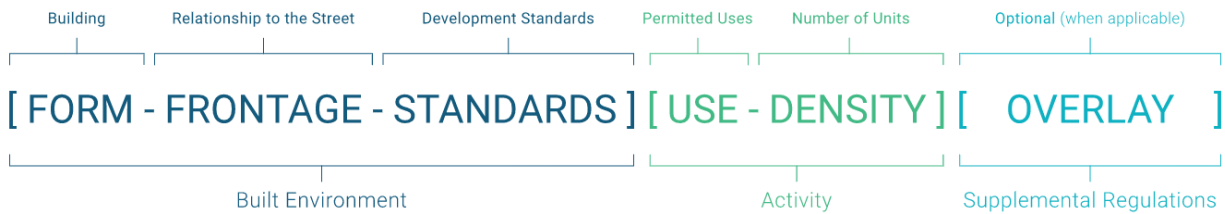
Section 1100 of the Adelante Eastside Redevelopment Plan states that if an applicable Community Plan is amended to change the land uses permitted within the Project Area, the land uses specified for the Project Area in the applicable Community plan shall supersede the land use designations in the Redevelopment Plan.

The Boyle Heights Community Plan, with its implementing ordinances, provides a complete vision and regulatory scheme for the land uses in the Project Area. The provisions of the Redevelopment Plan intended to regulate, control, or shape the use and development of land in the Redevelopment Plan area, including without limitation, Sections 400 through 410, 500 through 522, and 700 as well as related implementing plans are in conflict with the Boyle Heights Community Plan and its implementing ordinances because they, (1) prohibit what is allowed under the Boyle Heights Community Plan and its implementing ordinances; or (2) allow what is prohibited under the Boyle Heights Community Plan or its implementing zoning ordinances; or (3) add undesirable additional regulations, processes, costs, and burdens on the City, property owners, and developers that impede or prevent beneficial and urgently needed housing and other desirable uses in the Redevelopment Plan area. As such, any provision in the Redevelopment Plan that purports to regulate, control, or shape the development of land in the Project Area, is in conflict with, and does not conform to, the allowed land uses in the Boyle Heights Community Plan. Accordingly, the provisions of the Redevelopment Plan are being amended to clarify that they will no longer apply within the Boyle Heights Community Plan area (Exhibit B.5). The provisions of the redevelopment plan will remain in effect within the Northeast Los Angeles and unincorporated Los Angeles County areas.

### **New Zoning Code**

The New Zoning Code (LAMC Chapter 1A) is a comprehensive update to the Los Angeles Zoning Code, and the framework and the structure is being adopted through the Downtown Community Plan Update and New Zoning Code Project, with case numbers CPC-2017-432-CPU and CPC-2014-1582-CA (recommended for approval by the CPC in September 2021). The Boyle Heights Community Plan Update is the second Community Plan Update program to adopt and implement new zoning districts. As part of the Boyle Heights Community Plan Update, new zoning districts will be adopted to implement the community vision, as well as any necessary revisions or additions to rules, regulations, or standards to implement the districts. The following discussion provides an overview of the format and structure of the new zoning code components and articles, for informational purposes. Using the New Zoning Code, each parcel in Boyle Heights will be

rezoned with new zoning districts. The image below demonstrates what the new “zoning string” will be comprised of.



## Components of the New Zoning Code

### Article 1 – Introductory Provisions

Article 1 provides an overview of the New Zoning Code, including its intent and applicability. The intent of the New Zoning Code is to provide a comprehensive regulatory system that implements the goals, objectives, and policies of the City’s adopted General Plan and land use plans, in addition to meeting various other policy goals specified in Article 1.

### Article 2 – Form Districts

Article 2 establishes Form Districts, the first component of the zone string. Form Districts generally govern the scale and intensity of development, as well as the placement of a building on a lot.

#### *Organization and Nomenclature*

Form Districts are grouped and named according to their maximum floor area ratio (FAR) and building width. The FAR categories are Very Low-Rise, Low-Rise, Mid-Rise, Moderate-Rise, and High-Rise. The building width categories are Narrow, Medium, Broad, and Full. Within these groupings, Form Districts are distinguished by a variation number, which may reflect differences in base FAR, setbacks, and/or other metrics compared to other Form Districts in the same grouping. For example, the Low Rise Medium 1 (LM1) Form District allows low-rise development (up to 3.0 FAR with bonus), medium building width (maximum 160 feet), and is the first Form District in a larger grouping.

### Article 3 – Frontage

Article 3 establishes Frontage Districts, the second component of the zone string. The Frontage District governs how a site or building addresses abutting streets, parks, pedestrian amenity spaces, waterways, or other public spaces. Frontage Districts are intended to help achieve many of the urban design objectives that the current Zoning Code addresses through overlays, reducing the need to create a new overlay district in each instance where a particular design outcome is desired.

### Article 4 – Development Standards

Article 4 establishes Development Standards Districts, the third component of the zone string. Development Standards regulate site design, including the location and characteristics of access, parking, landscaping, and other features of a site. Each Development Standards District provides regulations that are appropriate to a particular context, acknowledging that development outcomes considered desirable in one part of the City may not be as desirable in other areas.

## Article 5 – Use

Article 5 establishes standards for Use Districts, the fourth component of the zone string. Use Districts determine which uses are allowed on a property, as well as the level of permission associated with each use (permitted, permitted with limitations, conditionally permitted, or not allowed).

The two most important features of the New Zoning Code's regulation of use are a) the creation of groupings of uses with clear definitions, making the Code more easily adaptable to new uses that emerge over time; and b) the visual presentation of permitted uses in a table format, making the regulations for a particular use easier to find and understand.

### *Organization and Nomenclature*

The New Zoning Code organizes Use Districts into nine categories: Open Space (OS), Agricultural (A), Residential (RG), Residential-Mixed (RX), Commercial-Mixed (CX), Commercial (C), Industrial-Mixed (IX), Industrial (I), and Public (P). Within each category, a variation number distinguishes individual Use Districts and indicates differences in the precise mix of uses, permission levels, and/or supplemental standards for specific uses or Use Groups. For example, the Commercial-Mixed 1 (CX1) Use District is the first district in the Commercial-Mixed type, which is intended to allow a mix of commercial and residential uses.

## Article 6 – Density

Article 6 contains provisions pertaining to Density, the fifth component of the zone string. Density Districts determine the maximum number of household dwelling units or efficiency dwelling units (the new terms for what the current Zoning Code refers to as “dwelling units” and “guest rooms”) allowed on a lot in any Use District that identifies “dwelling” as a permitted use.

### *Organization and Nomenclature*

Part 6B of Article 6 sets forth two types of Density Districts that regulate the maximum density allowed on a lot. **Lot-Based Districts** specify the maximum number of units per lot without regard to lot area. The number of units permitted ranges from one to four, with the districts numbered 1L through 4L. **Lot Area-Based Districts** specify the minimum lot area per household dwelling unit and efficiency dwelling unit in square feet and are numbered by dividing the minimum number of square feet per unit by 100. For example, Density District 4 requires a minimum of 400 square feet per household dwelling unit, while Density District 20 requires a minimum of 2,000 square feet per household dwelling unit.

In addition, Density District FA indicates that the number of dwelling units is limited only by the maximum floor area for the Lot and other practical requirements of the New Zoning Code, with no density limit specified. Density District N indicates that dwellings are not a permitted use.

## Article 7 – Alternate Typologies

Alternate Typologies are pre-packaged exceptions to Zoning Districts that may be applied on an optional basis and are intended to produce specific built outcomes for certain types of uses or activities. Each Alternate Typology will specify the range of Zoning Districts and other specified criteria by which it is eligible to be used and will contain specially tailored regulations that supersede the requirements of the applicable Form, Frontage, Development Standards, Use, and/or Density Districts, as needed to achieve the intent of the Alternate Typology.

## **Article 8 – Specific Plans & Supplemental/Special Districts**

Article 8 regulates the adoption and amendment of Specific Plans, Supplemental Districts, and Special Districts. The New Zoning Code carries forward Specific Plans and several types of “Supplemental Use Districts” from the current zoning code, including Specific Plans, Community Plan Implementation Overlays, Historic Preservation Districts, Community Design Overlays, Oil Drilling Districts, and Sign Districts. When there is a policy need for regulations not covered in a Zoning District, Supplemental Districts implemented through Article 8 may be appropriate.

## **Article 9 – Public Benefit Systems**

Article 9 establishes a range of Public Benefit Systems, including incentive programs that offer concessions on density, floor area, and other regulations in exchange for the provision of affordable housing, community benefits, and other desired project attributes. The intents of these programs are described within Divisions 9.2, 9.3, and 9.4 of Article 9.

The Form Districts described in Article 2 include maximum base FAR and bonus FAR. A project may be built to the maximum base FAR by right, but in order to access the maximum bonus FAR, an applicant must provide public benefits according to a menu of options from the Public Benefit Systems.

### *Changes to Adaptive Reuse Programs*

In addition to the changes identified in earlier sections of this report, the New Zoning Code expands the Downtown and Citywide Adaptive Reuse Programs to allow for the conversion of any Use to any other Use permitted or conditionally permitted by the Use District of the property, as opposed to only commercial-to-residential conversions under the current Zoning Code. While the current Zoning Code allows Adaptive Reuse only in buildings constructed prior to July 1, 1974, the New Zoning Code determines eligibility on a rolling basis, with any building at least 25 years old eligible for conversion. Additionally, the New Zoning Code makes the Citywide Adaptive Reuse Program available by-right for projects with a minimum number of affordable housing units. These proposed changes will apply only in areas where the applicable Community Plan has been updated to use the New Zoning Code.

## **Article 10 – Streets and Parks**

Article 10 carries forward current zoning code regulations governing street dedication and improvements; private streets; and park fees and dedications for new residential projects.

## **Article 11 – Division of Land**

Article 11 carries forward current zoning code regulations for subdividing land pursuant to the Subdivision Map Act, with nominal modifications to ensure consistency with the new zoning system.

## **Article 12 – Nonconformities**

Article 12 regulates nonconforming properties—those that are developed or used in a manner inconsistent with regulations that were adopted after the building was constructed or the use began operating. To the extent possible, the New Zoning Code retains nonconforming regulations from the current Zoning Code and translates them into the new system; however, Article 12 also contains nonconforming provisions for new regulations that are introduced in the New Zoning Code, such as those governing minimum height and upper-story bulk. In general, nonconforming structures may continue to exist and be repaired or altered as long as the alterations do not

increase the size of the nonconforming portion or decrease the structure's compliance with the applicable regulation.

### **Article 13 – Administration**

Article 13 pertains to the administrative and procedural elements of the land use entitlement process, covering legislative, quasi-judicial, and administrative actions. City Council recently adopted the Process and Procedures Ordinance (CPC-2016-3182-CA) which is anticipated to be operative in Summer 2023, to simplify the existing administrative provisions and update them to work within the New Zoning Code. One of the objectives of this effort is to consolidate multiple similar entitlement processes, making project review more transparent and accessible and reducing confusion and delays. In some cases, this may result in changes to the decision-making body, appeal body, notification requirements, time limits, or other aspects of specific processes.

### **Article 14 – General Rules**

Article 14 sets forth definitions and rules of measurement for terms used throughout the New Zoning Code.

One notable defined term that has changed in the New Zoning Code is floor area, which is modified to exclude unenclosed covered spaces from the total floor area calculation. This change also allows for covered outdoor amenity space to be exempt from the floor area calculation.

### **Article 15 – Fees**

Article 15 will govern fees charged to applicants for the processing of entitlement and clearance requests. Fees are an on-going, regularly updated portion of the current Zoning Code and will continue to be updated regularly through a separate process. Article 15 is not included in the New Zoning Code at this time.

## **Environmental Analysis/California Environmental Quality Act (CEQA)**

Pursuant to CEQA Guideline Section 15082, a Notice of Preparation (NOP) for the Draft EIR was issued on September 2, 2016, by the City for a 30-day public review period. A total of 17 comment letters were received regarding the Boyle Heights Draft EIR. A scoping meeting was held on September 13, 2016, at the Boyle Heights City Hall. The purpose of the scoping meeting was to provide early consultation for the public to express their concerns about the potential environmental impacts of the proposed project and acquire information and make recommendations on issues to be addressed in the Draft EIR. The Draft EIR analyzed potential impacts with respect to the following environmental impact areas.

- Aesthetics
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Noise and Vibration

- Population, Housing, and Employment
- Public Services and Recreation
- Transportation and Traffic
- Tribal Cultural Resources
- Utilities and Service Systems

The Draft EIR was circulated for a 75-day review period (30 days more than required by law). The review period began on July 28, 2022, with a closing date of October 11, 2022. As the lead agency, the City of Los Angeles received 13 written comments on the Draft EIR from public agencies, community groups, and individuals.

Responses to all comments on the Draft EIR received during the comment period are included in the Final EIR. The Final EIR will be made available prior to City Council's consideration and adoption of the recommended Boyle Heights Community Plan Update and certification of the EIR pursuant to CEQA Section 15090.

## **Recommended Revisions to the Proposed Plan**

Several appendices were published with the Draft EIR, including the Summer 2022 draft Policy Document, CPIO District, and zoning. Review of written comments and verbal testimony received during the Draft EIR comment period and the Public Hearing identified several revisions that were requested by community members and stakeholders. In response to the public testimony, written comments, and additional staff analysis, revisions are included as part of the Proposed Plan presented in this report. Revisions to the Summer 2022 drafts were made to the Policy Document, CPIO District, and zoning.

### **Policy Document (Plan Text)**

Revisions to the Boyle Heights Community Plan Policy Document (Plan Text) include revisions, noted in underlined text, to the following policies to address broader accessibility:

Policy MC 1.3: Ensure that major destinations, including public facilities and open spaces, within the community are sufficiently equipped with, bus shelters, safe pedestrian crossings, bicycle parking, and wayfinding signage.

Policy PO 1.3: Improve the safety, visibility and accessibility of parks and open spaces through enhanced wayfinding, handrails, pedestrian ramps, lighting at night, mobility network connections, and by ensuring that perimeters are free of obstructions like overgrown landscaping and fencing.

Remove Program 18: "Housing Market Study: Conduct a housing market study to evaluate value capture strategies, local and state incentive programs, and/or inclusionary zoning strategies with the objective of increasing the stock of affordable housing for low-income households in Boyle Heights." since City Planning is actively completing a housing market study.

### **CPIO District**

Revisions to the CPIO District include:

- Clarification for Community Benefits Program Subarea A exempting 100 percent Affordable Housing projects from the requirement to provide a minimum of 30 percent of the dwelling units to be two bedrooms or larger.
- Expansion of Historic Preservation Subarea B to include additional potentially eligible historic resources identified as potential historic districts in SurveyLA or the Intensive

Historic Resources Survey for the Adelante Eastside Redevelopment Area. These include properties within the Cesar E. Chavez Business District, Anderson Industrial District, the Hostetter Industrial District, and blocks south and east of Hollenbeck Park bounded generally by St. Louis, 4<sup>th</sup> Street, Soto Street, and Whittier Boulevard.

### **Zoning Code & Zoning Map Changes**

- Article 1:
  - Introduction of “Major Transit Stop Areas” zoning code map showing all properties within ½ mile of a major transit stop, to help implement AB 2097.
  - Amendment to Planting Areas Zoning Code Map and Special Lot Line Zoning Code Map to include areas within the Boyle Heights Community Plan Area.
- Form Districts:
  - Updated the proposed zoning for properties on the south side of Olympic Boulevard from LM4 to VM2. The LM4 Form District allows a bonus FAR for residential projects, but the IX5 Use District does not allow ground up residential uses. The proposed VM2 Form District does not allow a bonus FAR, so it better aligned with the IX5 Use District.
  - Removal of “Maximum Bonus FAR” for VN1, since the Form District is only paired with densities that allow under 5 units to be built in a lot; therefore, no project would meet the 5 unit minimum to use the Community Benefits Program and access the Bonus FAR.
- Frontage Districts:
  - Change Shopfront 3 to allow A2 fence type, with fences up to 3.5 feet, to avoid possible conflict with California State Department of Alcoholic Beverage Control (ABC) regulations.
- Development Standards Districts:
  - Application of Development Standard District 4 to all areas within ½ mile of a fixed-transit station (four L Line Stations and one J Line Station), to incorporate newly implemented AB 2097.
  - Change of Development Standard District 4 to use Parking Set A instead of Parking Set B, to further implement AB 2097.
  - New parking exemption for all properties within ½ mile of a major transit stop to have no required parking, further implementing AB 2097.
- Use Districts:
  - Updated the Use District from RX2 to RX1 to allow restaurant uses for the block on the east side of Evergreen Avenue between Blanchard Street and Winter Street. The site is currently zoned for commercial uses and is developed with El Tepeyac restaurant.
- Density Districts:
  - Change of parcels on south side of one block of 2<sup>nd</sup> Street between Chicago Street and Breed Street from Density District 8 to 6, for consistency with surrounding proposed zoning.
  - Change to Article 6 regarding “Efficiency Dwelling Unit” lot size requirement to better reflect housing policy intent of incentivizing affordable housing.

### Existing and Proposed Land Use Designations

Existing (1998 Plan) Land Use Designations	Acres	Percentage of Plan Area
<b>Residential</b>	<b>1,278</b>	<b>42%</b>
Low Residential	27	0.9%
Low Medium I Residential	616	20%
Low Medium II Residential	518	17%
Medium Residential	117	4%
<b>Commercial</b>	<b>242</b>	<b>8%</b>
Neighborhood Office Commercial	31	1%
Highway Oriented and Limited Commercial	155	5%
Highway Oriented Commercial	3	0.1%
Community Commercial	16	0.5%
Regional Center Commercial	36	1.2%
<b>Industrial</b>	<b>785</b>	<b>26%</b>
Commercial Manufacturing	2	0.1%
Limited Manufacturing	92	3%
Light Manufacturing	186	6%
Heavy Manufacturing	505	17%
<b>Open Space</b>	<b>149</b>	<b>5%</b>
Open Space	149	5%
<b>Public Facilities</b>	<b>554</b>	<b>18%</b>
Public Facilities	332	11%
Public Facilities – Freeways	222	7%
<b>Total</b>	<b>3,009 /a/</b>	

Proposed Plan Land Use Designations	Acres	Percentage of Plan Area
<b>Residential</b>	<b>1,182</b>	<b>39%</b>
Low Residential	22	0.7%
Low Medium Residential	71	2%
Low Neighborhood Residential	935	31%
Medium Residential	46	2%
Medium Neighborhood Residential	108	4%
<b>Commercial</b>	<b>357</b>	<b>12%</b>
Neighborhood Center	139	5%
Community Center	218	7%
<b>Industrial</b>	<b>731</b>	<b>24%</b>
Light Industrial	274	9%
Industrial	456	15%
<b>Open Space</b>	<b>136</b>	<b>5%</b>
Open Space	136	5%
<b>Public Facilities</b>	<b>605</b>	<b>20%</b>
Public Facilities	211	7%
Public Facilities – Freeways	393 /b/	13%
<b>Total</b>	<b>3,010 /a/</b>	

/a/ Total acreage for each land use designation and proposed designation reflects rounding to the nearest whole number, which results in a slight difference in existing and proposed land use acreage totals.

/b/ The increase in "Public Facilities – Freeways" acreage is not due to new Freeway construction, but instead a result of reclassification of "Public Facilities" properties owned by Caltrans and used as Freeways.

## Measure JJJ Assessment

**Section 11.5.8** – In November 2016 Measure JJJ passed and it was certified by the County Clerk on December 13, 2016. Measure JJJ requires, in accordance with Charter Section 555, that the Planning Department complete a comprehensive assessment for any amendment to a Community Plan to ensure that proposed changes do not:

1. Reduce the capacity for creation and preservation of affordable housing and access to local jobs; or
2. Undermine California Government Code Section 65915 or any other affordable housing incentive program.

**The Proposed Plan does not reduce the capacity for creation and preservation of affordable housing.**

The Proposed Plan includes land use policies that support the preservation and creation of affordable housing through equitable housing distribution, including the following:

*LU 1.1 Support residential infill developments that increase the supply of affordable housing on-site that is for rent or for sale.*

*LU 1.2 Incentivize new development to contribute towards the community's extremely-low, very-low, and low-income housing needs.*

*LU 1.3 Ensure that each recently occupied housing unit demolished as a result of new development is replaced on-site, and offered back to former residents at rent levels previously paid.*

*LU 1.4 Discourage permits from being issued for the demolition of multi-unit buildings until a project providing an equivalent or greater number of units is approved.*

*LU 1.5 Utilize public land and funding for the development of supportive housing projects and affordable housing for extremely-low, very-low, and low-income households.*

*LU 2.1 Discourage projects or renovations that decrease the number of existing residential units on site.*

*LU 2.2 Limit the conversion of existing affordable and rent stabilized units into for-sale units in order to avoid reducing the supply of affordable rental units locally.*

*LU 2.4 Prioritize preservation and maintenance of the existing multi-unit housing stock as the foundation of the community's affordable housing supply.*

*LU 2.5 Support property owners in their efforts to operate and maintain affordable housing units in good and safe condition.*

*LU 2.6 Support well-designed projects that modify, reconfigure, or add-on to existing residential buildings to accommodate additional housing units to alleviate overcrowding and avoid displacement.*

The Proposed Plan applies land use designation and zoning districts that continue to allow multi-unit residential development and introduces zoning districts and incentive tools that prioritize

affordable housing. The Proposed Plan increases maximum development capacity in several areas, allowing for more housing to be built. For reference, the Proposed Plan is estimated to reasonably accommodate approximately 115,000 residents, 33,000 housing units, and 39,000 jobs by 2040, compared to the Current (1998) Plan, which is expected to reasonably accommodate 98,000 residents, 28,000 housing units, and 32,000 jobs. As discussed above, the Proposed Plan also includes a Community Benefits Program that introduces a mechanism to incentivize the inclusion of affordable units in development projects, and offers additional density, height, and FAR and does not necessitate a discretionary review process, providing additional opportunity for increased housing development that include affordable units.

Further, the Plan prioritizes the maintenance and preservation of existing naturally occurring affordable housing stock, including RSO units and multi-unit housing with long-term tenants, and fosters collaboration and coordination with City departments and tenant organizations to effectively respond to eviction threats and expand on tenant protection programs. The proposed zoning requires a 1:1 ratio of replacing demolished RSO units with Lower Income units in a new development, covenanted for a term of 99 years when a project uses the proposed Community Benefits Program or another incentive program such as Density Bonus. This ensures that in cases where RSO units may be lost, affordable units are included as part of the new development.

The Proposed Plan also takes two zoning approaches to minimize displacement and disincentivize redevelopment of existing multi-unit properties throughout the residential neighborhoods of the Plan Area. The first approach is right-sizing the Floor Area Ratio (FAR). Under present-day zoning, new housing development can utilize up to 3:1 FAR. However, the number of residential units that can be built generally ranges from two to approximately five units per lot. This zoning condition makes present-day residential lots susceptible to redevelopment with larger, less affordable residential units, without a net increase in the number of overall residential units. The Proposed Plan proposes zoning that is designed to accommodate a range of multi-unit buildings while maintaining a height and density of today's zoning, but the Proposed Plan decreases the Floor Area Ratio (FAR) from 3:1 to 0.6:1 or 1.0:1, depending on the Form District, to reflect the existing development patterns found in residential areas today, and to encourage more context-sensitive infill development. Additional FAR and density are available for properties that can build 5 or more units but would require the inclusion of affordable housing units to access the additional FAR and density.

The second approach is reducing the rear-yard setback for multi-unit residential zones from the current requirement of 15 feet down to 3 feet, which allows existing non-conforming structures to be more easily converted to residential units and facilitates the construction of new units. This strategy allows additional infill development to occur throughout the residential neighborhoods while preserving the existing housing stock on a property. This also enables existing residential properties to become multi-unit or continue to be multi-unit, including those built before 1978, which are subject to the Rent Stabilization Ordinance (RSO).

### **The Proposed Plan does not reduce access to local jobs.**

The Proposed Plan seeks to create flexibility to respond to changing economic conditions, retain affordable commercial spaces for small businesses, and encourage partnerships and job training for local residents as new industries emerge:

*LU 10.1 Maximize opportunities for small and local businesses along corridors by limiting the size of new commercial tenant spaces to help maintain affordability and promote diversity.*

*LU 10.3 Promote efforts to safeguard legacy businesses and cultural institutions that reflect the history and character of Boyle Heights.*

*LU 10.4 Develop programs and strategies that provide support to established commercial tenants facing closure due to rent increases.*

*LU 10.5 Encourage the retention of existing small businesses that strengthen the local economic base of the Community Plan Area to avoid displacement of small businesses.*

*LU 10.6 Projects that involve the demolition or disruption of occupied commercial tenant spaces are encouraged to accommodate displaced businesses at their former locations at rent levels previously paid.*

*LU 10.7 Develop programs that increase resident participation in the local economy through strategies to assist local entrepreneurs and minority owned businesses in need of capital funding to establish or expand small businesses in the community.*

*LU 12.1 Maintain existing industrial land for both traditional and emerging industries that provide sources of employment for the local workforce as well as opportunities for small business creation and expansion.*

*LU 12.2 Maintain industrial land, facilities, and infrastructure necessary for warehousing and distribution centers to serve the region expeditiously and reliably.*

*LU 12.6 Ensure that industrial districts provide a balance of large facilities and small workplaces in order to accommodate a diverse set of industries and support businesses at all stages of growth.*

*LU 12.7 Discourage uses that detract from the productive function of industrial districts, such as single-use residential development and large, free-standing retail establishments.*

*LU 13.2 Develop programs and strategies that provide support with establishing small businesses involved in clean and green technology and environmental sciences in Boyle Heights*

*LU 14.1 Encourage new industries locating in Boyle Heights to engage and partner with the local workforce when looking for skilled employees*

*LU 14.4 Maintain and increase the commercial employment base for community residents through local hiring requirements, living wage requirements, job resource centers, and job training.*

The Proposed Project applies land use designations and zoning districts that reinforce the existing pattern of small businesses in Boyle Heights, both through plan policies that encourage small business spaces in new development and through zoning regulations that require it. The Proposed Plan also maintains most of the existing industrial land as part of the local jobs base, recognizing the importance of the industrial land in proximity to Downtown. As a regional jobs center by increasing the geographic area where a variety of employment uses may occur and increasing the development capacity in many areas, especially near transit and other infrastructure. The Proposed Project increases access to jobs by facilitating the co-location of a variety of employment opportunities near housing, institutions, and services and by focusing the largest increases in development capacity in areas that are walkable and well-served by transit. The proposed zoning districts would allow for a flexible mix of uses, reducing prescriptive

regulations in mixed-use areas and allowing for flexibility to adapt to a changing economy over time.

The Proposed Project includes new zoning tools for transitioning industrial areas that support a dynamic economy by facilitating a broad range of industries, ensuring a focus on employment uses while allowing for the careful introduction of compatible residential uses and amenities, and encouraging flexible and durable building design. Additionally, the Proposed Project protects industrial uses through tools that limit residential and commercial uses in appropriate areas, safeguarding land for heavy industrial use and buffering sensitive uses from heavy industry.

**The Proposed Plan does not undermine California Government Code Section 65915 or any other affordable housing program.**

The Proposed Plan introduces a Community Benefits Program that aligns with other affordable housing programs. The Proposed Community Benefits Program prioritizes the provision of affordable housing, requiring that housing development projects participate in the Local Affordable Housing Incentive Program, which requires affordable housing units consistent with California Government Code Section 65915, before offering incentives for other public benefits. Furthermore, the Local Affordable Housing Incentive Program requires the provision of a higher amount of affordable housing units than is currently required under 65915, in exchange for greater incentives, while the provisions and incentives of 65915 would remain available.

## FINDINGS

### Project Location

The Boyle Heights CPA is bordered by the Central City North CPA<sup>5</sup> to the west and the Northeast Los Angeles CPA to the north. Major east-west corridors include (from north to south) Marengo Street, Wabash Avenue, Cesar E Chavez Avenue, 1st Street, 4th Street, Whittier Boulevard, and Olympic Boulevard. Major north-south corridors include (from west to east) Mission Road, Soto Street, Lorena Street, and Indiana Street. Four freeways traverse the Boyle Heights CPA, with the San Bernardino Freeway (I-10 Freeway) and Hollywood Freeway (US 101) traversing through the northern portion of the Boyle Heights CPA and Interstate 5 (I-5) and the Pomona Freeway (SR-60) traversing through the southern portion of the CPA. All four freeways converge over much of the western portion of the Boyle Heights CPA to form the East Los Angeles Interchange.

The Boyle Heights CPA is located immediately east of Downtown Los Angeles and the Los Angeles River and rail corridor and encompasses an area of approximately 4,271 acres (approximately 6.67 square miles). The Boyle Heights CPA is roughly bounded by the San Bernardino Freeway (I-10 Freeway) and Marengo Street to the north, the Union Pacific and Santa Fe Railroad lines to the south, Indiana Street to the east, and the Los Angeles River to the west. The southern and eastern borders of the CPA align with the city limits of Los Angeles with the City of Vernon located to the south and the unincorporated community of East Los Angeles located to the east of the CPA, with a small area of the Southeast corner of the CPA aligning with the City of Commerce. Located to the north are the Los Angeles communities of Lincoln Heights, El Sereno, and Ramona Gardens, and located to the west are the industrial districts and public facilities of Downtown, which includes the Arts District.

### **I. Finding Requirements for General Plan Amendments and Zoning Ordinances**

#### City Charter Findings

**Charter Section 555** – Charter Section 555 provides that the City Council may amend the General Plan in its entirety, by subject elements or parts of subject elements, or by geographic areas, provided that the part or area involved has a significant social, economic, or physical identity. No legislative findings are required to amend the General Plan. The Proposed Project proposes amendments to three elements of the General Plan: (1) adopting the Boyle Heights Community Plan, including a new policy document or Plan Text and amendments to the General Plan Land Use Map for the Boyle Heights CPA (2) amendments to the Mobility Element 2035, and (3) amendments to the Framework Element. All the amendments to the City's General Plan are related to areas of the City within the Boyle Heights CPA boundaries, an area which has a significant social, economic, and physical identity as reflected in this report and the Attachments and the whole of the record on the Proposed Plan.

**Charter Section 556 and 558** – Charter Section 556 and 558 require the City Planning Commission and the City Council to adopt the following findings when taking any action to (i) create or change a zone or zoning district created for the purpose of regulating the use of land, or (ii) zoning the 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, including specific plan ordinances (collectively zoning ordinances):

- (1) The zoning ordinance is in substantial conformance with the purposes, intent, and provisions of the General Plan.

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<sup>5</sup> Proposed to be combined with the Central City Community Plan and renamed the Downtown Community Plan.

- (2) The zoning ordinance is in conformity with public necessity, convenience, general welfare, and good zoning practice.

Based upon this, the above findings are required for all of the following ordinances which are part of the Proposed Plan: adoption of the New Zoning Code, the amendments to the City's Zoning Map for the zone changes, the adoption of the Boyle Heights CPIO District, and amendments to the River Improvement Overlay (RIO), Clean Up Green Up (CUGU) District, and the Adelante Eastside Redevelopment Plan (collectively, "Implementing Zoning Ordinances").

### **LAMC Section 12.32 C Findings**

All the Implementing Zoning Ordinances must also comply with the procedures in LAMC Section 12.32 C, which provides procedures for zoning ordinances. Section 12.32 C incorporates the Charter findings in Section 556 and 558. It requires the CPC to adopt a finding that a proposed zoning ordinance is in conformity with public necessity, convenience, general welfare, and good zoning practice. The City Council is required to make the same finding before adopting the zoning ordinance, as well as a finding that the zoning ordinance is consistent with the General Plan.

### **State General Plan Consistency Requirements**

In addition to the requirement for zoning ordinances to be consistent with the General Plan (vertical consistency), state law also requires that the General Plan must have internal consistency among its elements (horizontal consistency). The City of Los Angeles has the responsibility to maintain and implement the City's General Plan. Community Plans comprise the Land Use Element of the City's General Plan and are the final determination of land use categories, zoning, development requirements, and consistency findings. The updated Community Plan(s) and amended Mobility Plan and Framework Element must be consistent with the other elements and components of the General Plan. Those elements are Land Use, Circulation (Mobility), Housing, Conservation, Open Space, Noise, Safety, and Health Element. In addition to the eight mandated elements, the City's General Plan include a Framework Element, an Infrastructure Systems Element, a Public Facilities and Services Element, and an Air Quality Element. State law does not require the City to adopt consistency findings or any other findings to amend a Land Use element. The findings below for Section 556 and 558 and LAMC Section 12.32, also discuss internal consistency of the Proposed Plan, the amended Mobility Plan, and the amended Framework Element with each other and with the rest of the City's General Plan. This consistency discussion is provided for the City Planning Commissions consideration in approving and recommending the Proposed Plan and its implementing zoning ordinances and its determination that the Proposed Plan is consistent with the City's General Plan.

## **II. Findings for the Implementing Zoning Ordinances Under Charter Section 556 and 558 and LAMC Section 12.32**

For all of the reasons provided below and based on the whole of the record of proceedings, the adoption of the amendments to the City's Zoning Map for the zone changes, the adoption of the proposed Boyle Heights CPIO District, amendments to the River Improvement Overlay (RIO), Clean Up and Green Up (CUGU) District, and amendments to the Adelante Eastside Redevelopment Plan (collectively, "Implementing Zoning Ordinances") are:

- (1) in substantial conformance with the purposes, intent, and provisions of the General Plan.
- (2) in conformity with public necessity, convenience, general welfare, and good zoning practice.

The findings for the amendments to the City's Zoning Map for the zone changes and adoption of New Zones, and the findings for the adoption of the CPIO District are discussed together in one

section. The findings for each of the other remaining ordinances mentioned above are discussed in individual sections.

### **A. Findings for Adoption of the New Zones, Zone Changes, and the Adoption of the CPIO District**

Proposed Plan as used in this Section A refers to the Community Plan text and land use map amendments and Zoning Ordinances to amend the Zoning Map to implement the plan amendments, unless otherwise specified.

### **Charter and Code Findings**

#### **Framework Element**

The following “findings” are listed under categories similar to the categories found in the Framework Element, which although it does not mandate any particular policy or program be included in a Community Plan, is intended to guide Community Plan updates:

With respect to ***distribution of land use***, the General Plan Framework Element states the following:

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

*Policy 3.1.1: Identify areas on the Long-Range Land Use Diagram and in the Community Plans sufficient for the development of a diversity of uses that serve the needs of existing and future residents (housing, employment, retail, entertainment, cultural/institutional, educational, health, services, recreation, and similar uses), provide job opportunities, and support visitors and tourism.*

*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.*

The Proposed Plan provides for a variety of land uses to meet the diverse needs of the community, including housing that accommodates varying household sizes, and commercial and industrial businesses that contribute to the local and regional economy. The Southern California Association of Governments (SCAG) projects an increase in population, employment, and housing in Boyle Heights through the year 2040. The Proposed Plan includes a recommended pattern of land use that directs future growth to areas of Boyle Heights best served by existing transportation infrastructure and facilitates mixed-use development along corridors and near transportation nodes. Permitting new small businesses, known as *tienditas*, throughout the residential neighborhoods further allows current and future residents of Boyle Heights to access household goods and grocery items within walking or biking distance of their homes, reducing reliance on vehicle travel. The Proposed Plan directs new housing growth in blocks closest to fixed rail transit stations and in proximity to schools and jobs, which reduces the number and length of vehicle trips, thus reducing greenhouse gas emissions associated with local trip generation in accordance with recent legislation (Senate Bill 375).

With respect to ***population and employment growth***, the General Plan Framework Element states the following:

*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.*

The State of California requires that cities plan for changes in population, housing demand and employment. If growth is anticipated, each city must accommodate a share of the region's projected growth. These projections are developed by the Southern California Association of Governments (SCAG), the Metropolitan Planning Organization for the six-county region. SCAG is mandated by federal and state governments to prepare the Regional Transportation Plan (RTP), a long-range regional transportation plan that addresses regional growth, air quality and other issues, based on an analysis of past and future regional trends. The RTP informs SCAG's projection of growth for the region. State and federal regulations require that local plans be consistent with the Regional Air Quality Plan and the Regional Mobility Plan.

Consistent with the above objective contained in the Framework Element, the Proposed Plan accommodates projected population and employment growth within the Boyle Heights Plan Area and includes policies and programs that are aimed at providing adequate infrastructure, services, and balance of land uses for the project population and employment growth. The Proposed Plan is estimated to reasonably accommodate approximately 115,000 residents and 33,000 housing units by 2040, providing enough capacity to accommodate the SCAG 2040 forecasts of 93,000 residents and 28,000 housing units for the Boyle Heights Plan Area. The Proposed Plan accommodates 39,000 jobs which meets the SCAG forecast of 26,000 jobs. The Framework Element includes a 2010 population plan forecast of 122,090 for Boyle Heights. The Framework forecasts best estimates since the adoption of the Framework in 1996 and 2001, and as implementation proceeds, the "population forecasts may be revised based upon specific land use actions adopted through the Community Plan update process." The Framework Element expressly does not provide caps on development based on its population forecast. Consistent with the Framework strategy, the Proposed Plan accommodates projected growth that reflects forecasts from SCAG and the Community Plan update process.

In addition, the Proposed Plan meets the requirements of the Sustainable Communities Strategy adopted by SCAG as part of the latest update to the Regional Transportation Plan (RTP) in accordance with Assembly Bill 32, the California Global Warming Solutions Act of 2006, and Senate Bill 375. These legislative acts require that California cities lay out a vision for regional growth that considers the relationship of land use to transportation in reducing vehicle trips to achieve greenhouse gas emission reduction targets. Since SCAG anticipates this level of growth in Boyle Heights, along with other transit-served communities in the City and adjacent to Downtown Los Angeles, the Proposed Plan's increases in development potential are growth-accommodating rather than growth-inducing, consistent with policies in the General Plan Framework. The Proposed Plan accommodates population and employment growth primarily in areas served by transit and along major mixed-use transit corridors, consistent with the Framework Element's policies.

With respect to ***economic development***, the Framework Element states the following:

*Policy 7.2.3: Encourage new commercial development in proximity to rail and bus transit corridors and stations.*

*Policy 7.2.8: Retain the current manufacturing and industrial land use designations, consistent with other Framework Element policies, to provide adequate quantities of land for emerging industrial sectors.*

*Policy 7.2.9: Limit the redesignation of existing industrial land to other land uses except in cases where such redesignation serves to mitigate existing land use conflicts, and where it meets the criteria spelled out in Policy 3.14.6 of Chapter 3: Land Use.*

*Policy 7.2.11: Ensure that the City has sufficient quantities of land suitable to accommodate existing, new and relocating industrial firms, whose operations are appropriate to a specific location in Los Angeles.*

*Policy 7.3.2: Retain existing neighborhood commercial activities within walking distance of residential areas.*

*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.*

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

Consistent with the above policies, the Proposed Plan directs new housing, commercial, and mixed-use development towards transit served areas and corridors. The Plan supports sustainable development principles to promote economic development throughout Boyle Heights. The goals and policies of the Proposed Plan seek to promote access to local jobs, and place housing and neighborhood serving commercial uses in close proximity through zoning to allow for *tienditas* on corner lots in residential neighborhoods, and by zoning for small business spaces along neighborhood focused corridors. Boyle Heights is currently home to several thriving commercial districts, such as Cesar E. Chavez Avenue, and the Proposed Plan uses multiple zoning and policy approaches to maintain those districts for commercial and mixed-use development.

The Proposed Plan supports a strong economic employment base by preserving viable existing industrial uses. The Proposed Plan delineates areas within the CPA reserved for industrial use in the Light Industrial and Industrial land use designations, as well as industrial mixed-use areas in certain Light Industrial land use designations to preserve the land for productive uses and generate jobs. While the Proposed Plan would reduce the amount of land designated for heavy industrial uses to address long standing issues of environmental injustice, it would continue to allow lighter industrial uses such as warehousing, distribution, and light manufacturing uses as well as complementary commercial uses in the Light Industrial land use designations, and as discussed below meets the criteria in Policy 3.14.6.

The Proposed Plan is consistent with the Framework Element in that it concentrates future growth around transit stations and encourages the development of complete communities with a range of employment and housing opportunities supported by services and amenities. The Proposed Plan directs new housing and jobs growth along major commercial transit corridors and close to transit, consistent with the Framework Element's policies.

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

*Goal 3K: Transit stations to function as a primary focal point of the City's development.*

*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.*

*P18: Amend the Zoning Ordinance to implement the policies and standards of the General Plan Framework Element. The revisions provide tools needed to which are described below and are representative of the actions that may be taken.*

*b. Establish incentives to stimulate the types of use desired (e.g., mixed-use, community facilities in centers, districts, and boulevards, and other) and development in appropriate selected targeted growth areas as defined in the community plans, such as density bonuses for mixed-use development, parking in proximity to transit stations and transit corridors, "by-right" entitlements with administrative review and approval for traffic or other necessary studies and mitigation, and other.*

The Proposed Plan includes policies and implementation tools that concentrate the highest development potential near transit stations and promote a mix of uses that are accessible to transit. The Plan directs commercial and neighborhood serving uses towards walkable and accessible corridors. The Proposed Plan primarily increases development potential around fixed-rail transit stations, primarily increasing floor area and density regulations in areas within ¼ mile of the L Line stations, such as the area surrounding the Soto Station. This growth is balanced by preserving existing surrounding lower-density multi-family residential areas of the community from redevelopment, using zoning tools and plan policies to reduce the development impact on residential neighborhoods. In addition, the Proposed Plan includes development incentives through the Proposed CPIO District's Community Benefits Program subarea, such as density bonuses for mixed-income and 100 percent affordable housing developments, with a greater bonus available near transit stations, to achieve the goal of more affordable housing development within Boyle Heights.

With respect to **historic resources**, the General Plan Framework Element states the following:

*Goal 3M: A City where significant historic and architectural districts are valued.*

*Objective 3.17: Maintain significant historic and architectural districts while allowing for the development of economically viable uses.*

The Proposed Plan seeks to maintain and protect important cultural and historic resources while balancing the need for new housing and affordable housing. The Proposed Plan introduces policies and zoning tools that apply standards for contextual and sensitive infill development, primarily through the Character Residential 1 and Character Commercial 1 Frontage Districts. Additionally, the Proposed CPIO creates a new review process for identified eligible resources in certain parts of the Plan Area. New form and frontage districts would introduce development standards to limit the scale and mass of new development in historic districts such as "Brooklyn Avenue Neighborhood Corridor" and frontage standards that regulate elements of the building façade and entrance design for compatible development.

With respect to **industrial lands**, the General Plan Framework Element states the following:

*Goal 3J: Industrial growth that provides job opportunities for the City's residents and maintains the City's fiscal viability.*

*Objective 3.14: Provide land and supporting services for the retention of existing and attraction of new industries.*

*Policy 3.14.3: Promote the re-use of industrial corridors for small scale incubator industries.*

*Policy 3.14.6: Consider the potential re-designation of marginal industrial lands for alternative uses by amending the community plans based on the following criteria:*

*e. Where the conversion of industrial lands to an alternative use will not create a fragmented pattern of development and reduce the integrity and viability of existing industrial areas;*

*f. Where the conversion of industrial lands to an alternative use will not result in an adverse impact on adjacent residential neighborhoods, commercial districts, or other land uses;*

*g. Where it can be demonstrated that the reduction of industrial lands will not adversely impact the City's ability to accommodate sufficient industrial uses to provide jobs for the City's residents or incur adverse fiscal impacts; and/or*

The Proposed Plan introduces land use designations and zoning districts that support job opportunities by establishing land use regulations that allow the City to prioritize and retain industrial land for jobs in the Light Industrial and Industrial areas of the Plan Area. The Industrial areas of the Plan allow for retention of existing industrial land and viable industrial uses, including warehousing and distribution facilities that are part of a regional distribution network. Zoning districts applied within the Industrial areas would prohibit residential uses and limit commercial uses to activities that are compatible with and support industrial uses. Proposed Light Industrial areas would allow limited housing uses through adaptive reuse of existing buildings but would not permit new ground up housing construction. Limited commercial uses may be introduced in Light Industrial areas that are compatible with and support industrial uses. The Proposed Plan contains Goals and Policies to facilitate local training for industrial and cluster industry jobs, including the following:

*LU Goal 13: Industrial land located adjacent to the Los Angeles River Rail areas provides a dynamic concentration of "career ladder" and local jobs and small businesses.*

*LU Goal 14: The local workforce is equipped with the education and training to contribute to and benefit from economic development in Boyle Heights.*

*LU 14.1: Encourage new industries locating in Boyle Heights to engage and partner with the local workforce when looking for skilled employees.*

Within ¼ mile of the Pico/Aliso L Line station, the Plan proposes to convert approximately 10 acres of existing light industrial land to mixed-use zoning and land uses. This conversion will not create a fragmented pattern of land uses, as it is along a major east-west corridor and bordered on several sides by public facilities and housing. The L Line construction happened after the current General Plan Land Use Map was adopted, and while this will result in a loss of several acres of industrially zoned land, the conversion meets several other General Plan Framework objectives, such as promoting more housing and mixed-income housing in close proximity to fixed-rail transit.

With respect to **residential neighborhoods**, the General Plan Framework Element states the following:

*Goal 3C: Multifamily 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 multifamily 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.*

The Proposed Plan encourages and directs new housing development in areas closest to fixed-rail transit and bus lines, as well as near jobs. The proposed zoning addresses existing concerns of overcrowding and retention of existing RSO and affordable housing units by reducing the rear-yard setback requirement, allowing for infill development and additional housing units to be built on properties with units subject to the RSO. In addition, reducing the FAR allowance in the residential neighborhoods of Boyle Heights so it is more consistent with the area's existing built character will reduce redevelopment pressure and potential, which could otherwise lead to a loss of the existing RSO stock. The proposed zoning also requires a 1:1 ratio of replacing demolished RSO units with Lower Income units in a new development, covenanted for a term of 99 years when a project uses the proposed Community Benefits Program or another incentive program such as Density Bonus. This ensures that in cases where RSO units may be lost, affordable units are included as part of the new development. The Proposed CPIO District's Community Benefits Program subarea introduces a requirement that mixed-income projects include 30 percent of units in a new development as 2 -bedroom units or greater and introduces a new income category for Acutely Low Restricted Affordable Units, for households making 0-15 percent of the Area Median Income (AMI). This introduces affordable housing that is affordable to households in Boyle Heights and requires new mixed-income developments utilizing the program to include units that can accommodate multi-generational and other larger household sizes.

With respect to **Regional Centers**, the Framework Element states the following:

*GOAL 3.F: Mixed-use centers that provide jobs, entertainment, culture, and serve the region.*

*Objective 3.10: Reinforce existing and encourage the development of new regional centers that accommodate a broad range of uses that serve, provide job opportunities, and are accessible to the region, are compatible with adjacent land uses, and are developed to enhance urban lifestyles.*

A Regional Center is a hub of regional commerce and activity that serves a large area and contains a diversity of uses such as retail, commercial, government buildings, major entertainment and cultural facilities, and professional offices. The Framework Element identifies the intersection of Soto Street and Olympic Boulevard as the one Regional Center within the Boyle Heights CPA, which is the area that includes a former Sears distribution facility and department store (Sears site) and surrounding blocks. The Proposed Plan will amend the Framework Element to remove the Regional Center designation from the CPA and redesignate this area as a Community Center. The scale of development, including the range of Form Districts, and regional serving uses that are part of a Regional Center land use designation do not align with the scale and intensity of use and development in Boyle Heights, and therefore this intersection will be redesignated as Community Center.

With respect to **Community Centers**, the Framework Element states the following:

*Goal 3E: Pedestrian-oriented, high activity, multi- and mixed-use centers that support and provide identity for Los Angeles' communities.*

*Objective 3.9: Reinforce existing and encourage new community centers, which accommodate a broad range of uses that serve the needs of adjacent residents, promote neighborhood and community activity, are compatible with adjacent neighborhoods, and are developed to be desirable places in which to live, work and visit, both in daytime and nighttime.*

A Community Center is a focal point for surrounding residential neighborhoods and includes a diversity of uses such as small offices and overnight accommodations, cultural and entertainment facilities, schools, and libraries, in addition to neighborhood-oriented services. The Framework Element identifies Community Centers along Soto Street generally around Cesar Chavez Avenue and 1<sup>st</sup> Street, near White Memorial Hospital, and near the Indiana Street L Line station. The Framework Element identifies Community Centers as areas that are served by transit. The Proposed Plan introduces land use designations and zoning districts the support a mix of commercial and housing, including provisions for affordable housing, to promote a diverse mix of uses that contribute to pedestrian-oriented, high activity areas.

With respect to **Mixed-Use Boulevards**, the Framework Element states the following:

*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.*

Similar to Community Centers, Mixed-Use Boulevards are intended to accommodate greater densities and scales while promoting pedestrian-oriented developments that serve the surrounding community. The Framework Element identifies Mixed-Use Boulevards along portions of Cesar E. Chavez Boulevard, generally between State Street and Chicago Street, and between Matthews Street and Mott Street; along portions of 1<sup>st</sup> Street between Cummings Street and Chicago Street; Soto Street between Terrace Heights Avenue and 7<sup>th</sup> Street; and Whittier Boulevard between Boyle Avenue and Euclid Avenue and between Lorena Street and Indiana Street. Consistent with the above-referenced goals and objectives, the Proposed Plan designates these areas as Community Center, which supports a mix of commercial and housing, including provisions for affordable housing, to promote a diverse mix of uses that contribute to pedestrian-oriented, high activity areas.

## **Other General Plan Elements**

The Proposed Plan is in substantial conformance with the purpose, intent, and provisions of the General Plan in that they help to implement policies in a number of other General Plan Elements in addition to the Framework Element discussed above, including the Conservation Element, the Housing Element, the Circulation Element (Mobility Plan 2035), and the Plan for a Healthy Los Angeles.

## Conservation Element

With respect to cultural and historic resources, the Conservation Element states the following:

*Conservation Element Objective (Chapter II, Section 5): protect important cultural and historical sites and resources for historical, cultural, research, and community educational purposes.*

*Conservation Element Policy (Chapter II, Section 5): continue to protect historic and cultural sites and/or resources potentially affected by proposed land development, demolition or property modification activities.*

The Proposed Plan seeks to tailor citywide preservation policies established through the General Plan, by creating goals, policies, and programs to further promote neighborhood conservation and historic preservation. In conformance with the Conservation Element, the proposed zoning districts and CPIO include standards for preservation of historic cultural neighborhoods and historic resources. CPIO Subarea B requires additional planning review for certain areas of the CPA that contain clusters of eligible resources identified through the City's Survey LA as well as the Adelante Eastside Redevelopment Plan Survey. The Proposed Plan introduces development standards for compatible infill development through Character Frontages applied to areas surveyed in the City's Survey LA and the "Brooklyn Avenue Neighborhood Corridor" (HCM #590) portion of Cesar E. Chavez Avenue.

## Housing Element (2021-2029)

With respect to housing, the Housing Element states the following:

*Policy 1.1.1: Collect, report, and analyze existing housing needs (such as overcrowding, cost burden and vacancy rates) and use this information to project and plan for housing needs at a local and citywide level balancing other factors such as job and transit access.*

*Policy 1.1.9: Develop and integrate anti-displacement strategies that further Citywide Housing Priorities into land use and planning strategies.*

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

*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 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 3.1.7: Promote complete neighborhoods by planning for housing that includes open space, and other amenities.*

*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 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.*

The Proposed Plan is in substantial conformance with the policies and objectives of the Housing Element of the General Plan. The Proposed Plan addresses housing needs through a multi-pronged approach, encouraging and directing new housing development in areas closest to fixed-rail transit and bus lines, as well as near jobs. The proposed zoning addresses existing concerns of overcrowding and retention of existing RSO and affordable housing units by reducing the rear-yard setback requirement, allowing for infill development and additional housing units to be built on properties with units subject to the RSO. In addition, right-sizing the FAR allowance in the residential neighborhoods of Boyle Heights reduces redevelopment pressure and potential, which could otherwise lead to a loss of the existing RSO stock. The proposed zoning also requires a 1:1 ratio of replacing demolished RSO units with Lower Income units in a new development, covenanted for a term of 99 years. This ensures that in cases where RSO units may be lost, affordable units are included as part of the new development. The Proposed Plan and zoning increase the development potential of a pocket of single-family zoning adjacent to a regional serving jobs center, conforming with Housing Element policies to direct new housing close to jobs, and by addressing exclusionary zoning practices.

The Proposed Plan prioritizes housing and neighborhoods that promote wellness, longevity, and sustainability, by requiring Lot Amenity Space and Residential Amenity Space as part of projects with residential uses, through zoning requirements for landscaping, and through policies encouraging street trees and improvements to the public realm. The Proposed CPIO includes Subarea D, which facilitates Transfer of Development Rights (TDR) for certain publicly owned properties within the CPA, allowing for more housing to be built on public lands. Finally, the Proposed Plan Community Benefits Program introduces a requirement that projects include 30 percent of units in a new development as 2-bedroom units or greater and introduces a new income category for Acutely Low Restricted Affordable Units, for households making 0-15 percent of the Area Median Income (AMI). This introduces affordable housing that is affordable to households in Boyle Heights and requires new mixed-income developments utilizing the program to include units that can accommodate multi-generational and other larger household sizes.

## **Safety Element**

With respect to community health and wellbeing, the Safety Element states the following:

*Policy 1.2.1 Environmental Justice: In keeping with the Plan for a Healthy LA, build a fair, just and prosperous city where everyone experiences the benefits of a sustainable future by correcting the long running disproportionate impact of environmental burdens faced by low-income families and communities of color.*

*Policy 1.2.5 Housing and Development: In keeping with the Housing Element, create housing opportunities that enhance affordability, equity, livability, sustainability and resilience.*

*Policy 1.2.8 Industrial Emissions and Air Quality Monitoring: In keeping with the Air Quality Element, ensure that every Angeleno can breathe clean, healthy air by addressing air pollution from all sources, with a particular emphasis on prioritizing the health and wellbeing of overburdened families and delivering environmental justice.*

*Policy 1.2.10 Food Systems: In keeping with the Plan for a Healthy LA, ensure access to healthy, sustainable food in a changing climate, especially in communities already facing food access disparities.*

The Proposed Plan is consistent with the Safety Element. The Proposed Plan addresses long-standing issues of environmental injustice in Boyle Heights by addressing zoning incompatibility, limiting where new auto-related uses such as auto repair and gas stations can open to properties away from residential uses, improving housing affordability, and encouraging greater access to fresh and healthy foods.

### **Circulation Element (Mobility Plan 2035)**

The City's Circulation Element (Mobility Plan 2035) contains a number of important policies related to the Proposed Plan, including:

*Policy 1.2 Complete Streets: Implement a balanced transportation system on all streets, tunnels and bridges using complete streets principles to ensure the safety and mobility of all users.*

*Policy 2.3 Pedestrian Infrastructure: Recognize walking as a component of every trip, and ensure high quality pedestrian access in all site planning and public right-of-way modifications to provide a safe and comfortable walking environment.*

*Policy 2.14 Street Design: Designate a street's functional classification based upon its current dimensions, land use context, and role.*

*Policy 3.1 Access for All: Recognize all modes of travel, including pedestrian, bicycle, transit, and vehicular modes - including goods movement – as integral components of the City's transportation system.*

*Policy 3.3 Land Use Access and Mix: Promote equitable land use decisions that result in fewer vehicle trips by providing greater proximity and access to jobs, destinations, and other neighborhood services.*

*Policy 4.13 Parking and Land Use Management: Balance on-street and off-street parking supply with other transportation and land use objectives.*

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

The Proposed Plan, which includes proposed amendments to the Mobility Plan's street designations and networks, are consistent with the Mobility Plan. The Proposed Plan improves mobility and access by directing future employment and housing near transit stations and frequent bus transit and promoting the development of mixed-use neighborhoods, thereby helping to reduce vehicle trip generation and improve air quality. The Proposed Plan includes policies and implementation programs that would reduce VMT and increase the mode share of transit, walking, and bicycling in Boyle Heights. The Proposed Plan includes policies and implementation programs that support increased investment in bicycle, pedestrian, and transit infrastructure to improve accessibility and connectivity throughout Boyle Heights, including infrastructure to

improve connections to existing transit stations. The Proposed Plan would amend the classification of several collector streets to modified collector streets to reflect existing conditions and support a more pedestrian friendly environment by maintaining existing narrower roadways.

The Proposed Plan would amend the Mobility Plan's enhanced networks to identify priority corridors for transit and bicycles that support the Mobility Plan's vision of a system of complete streets. The Proposed modifications to the Mobility Plan's enhanced networks refine application of the Transit Enhanced Network and Bicycle Enhanced Network to reflect existing and planned land uses, infrastructure projects, and transit service, and prioritizes Bicycle or Transit Enhanced Networks on corridors where both cannot be implemented within the existing right of way. The Proposed Plan supports land uses that promote a pedestrian-oriented environment and utilize the public right-of-way for pedestrian-oriented uses as well as projects that expand the public realm. The Proposed Plan introduces new zoning tools that require pedestrian friendly building design, reduces or eliminates minimum parking requirements in different areas of the Plan Area, and incentivizes inclusion of publicly accessible open spaces within new development.

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

With respect to livable neighborhoods, the Health Element (Plan for a Healthy Los Angeles) states the following:

Policy 1.5 Plan for Health: 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 Poverty and Health: 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 2.1 Access to Goods and Services: Enhance opportunities for improved health and well-being for all Angelenos by increasing the availability of and access to affordable goods and services that promote health and healthy environments, with a priority on low-income neighborhoods.

Policy 2.7 Access to Health Services: Encourage the equitable distribution of health service providers: including federally qualified health centers, hospitals, pharmacies, urgent care, and mental health services, to ensure that every Angeleno has access to preventive care and medical treatment.

Policy 4.4 Equitable Access to Healthy Food Outlets: Pursue funding, public, private, and nonprofit partnerships, and develop financial, land use and similar incentives and programs to encourage the equitable availability of healthy, affordable food outlets within close proximity of all residences.

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

Policy 5.2 Reduce negative health impacts for people who live and work in close proximity to industrial uses and freeways through health promoting land uses and design solutions.

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.

The Proposed Plan includes policies such as:

*Land Use Policy 5.3: Support the establishment of corner stores that provide fresh groceries and basic household goods within comfortable walking and rolling distance for all users of the surrounding neighborhood.*

*Land Use Policy 5.4: Ensure that small businesses located within residential neighborhoods are providing a positive service to the community by enhancing the health and well-being of residents and operating as good neighbors.*

*Land Use Policy 5.7: Improve resident's access to basic needs and amenities, such as food, household goods, open space, and health and wellness facilities.*

*Land Use Policy 8.5: Discourage the introduction of new uses on corridors that detract from a healthy and active pedestrian street life, particularly vehicle repair and servicing, businesses featuring drive-throughs, fueling stations, and storage facilities.*

*Land Use Policy 23.1: Ensure that industrial land uses are safe for human health and the environment through proper containment of pollutants and mitigation of potential health risks.*

*Land Use Policy 23.2: Promote the phasing out or relocation of facilities used for the handling of potentially hazardous chemicals or toxic substances near residential uses and schools, and discourage any further expansion of existing facilities.*

*Land Use Policy 23.5: Discourage potentially disruptive or hazardous industrial uses along streets that serve as boundaries between industrial areas and residential neighborhoods.*

*Land Use Policy 23.6: Ensure that all new or rehabilitated industrial facilities permitted near a residential use incorporate the appropriate screening, landscaping, and enclosure provisions necessary for preventing exposure to activities that generate odor, noise, dust, smoke, gas, fumes, cinder, or refuse matter.*

*Land Use Policy 25.1: Promote the siting and design of commercial development in a manner that encourages users to access and engage with each building as a pedestrian, while deprioritizing accommodations for single occupancy vehicles.*

*Land Use Policy 25.3: Expand opportunities for small, locally serving businesses to properly locate within neighborhoods in order to place the daily needs of residents within comfortable walking distance of their homes and schools.*

*Land Use Policy 27.1: Encourage neighborhood corner shops and grocery stores to maintain a well-stocked selection of fresh produce and nutritious foods, and stock and display nutritious products in a visible location.*

*Land Use Policy 27.4: Expand opportunities for farmers' markets in public plazas, surface parking lots, and through temporary street closures in order to provide neighborhoods with access to fresh and nutritious foods on a regular basis.*

*Land Use Policy 27.5: Pursue opportunities to provide permanent community gardens, in collaboration with community residents and community-based organizations, by considering sites on vacant or underutilized land, surface parking lots, parkways, and alleyways.*

*Land Use Policy 27.6: Encourage new developments to provide community gardens.*

*Land Use Policy 27.7: Promote the use of front yards, parkways and open space for urban agriculture.*

*Land Use Policy 27.8: Support sidewalk vendors that provide fresh food in convenient locations for residents, employees, and students.*

The Proposed Plan's policies and zoning address longstanding impacts of environmental injustice in Boyle Heights. A community bisected by four freeways and bordered by industrial land, Boyle Heights residents experience higher rates of health effects related to emissions and noxious uses, such as asthma. In addition, Boyle Heights is greatly impacted by high heat days, with the lack of tree canopy and open space contributing to a great heat island effect. The Proposed Plan accommodates and directs future growth near transit to promote a better jobs-housing balance as well as support walkability and transit ridership to reduce greenhouse gas emissions and improve overall air quality. The Plan includes policies that address improved air quality and reductions to the urban heat island effect by planting, preserving, and protecting trees for optimum canopy cover. The Proposed Plan incorporates existing regulations from the Clean Up Green Up Ordinance to reduce the impact of heavy industrial uses on nearby residents and schools and implements new planting requirements for industrial uses and properties within 1000 feet of freeways. New land use designations and zoning districts promote the development of complete communities, where residents and workers have access to healthy, fresh food and health services. The Proposed Plan introduces new residential zoning districts that allow for *tienditas* to open on corner lots in residential neighborhoods, allowing more opportunities for access to affordable household goods, grocery items, and fresh foods. The Plan contains policies encouraging these businesses to include fresh produce and prepared food items. In addition, the Plan supports street vending as a means for fresh produce and prepared food items to be more widely accessible across the community.

Further, the Proposed Plan includes land use and mobility strategies that encourage a transportation system that provides safe, accessible, and convenient mobility options for users of all ages and abilities and promotes the development of public spaces that provide opportunities for rest and recreation. Recognizing the impact of access to housing on community and individual health, the Proposed Plan introduces tailored incentives that facilitate the production of mixed income and 100 Percent Affordable Housing and requirements to maintain rent stabilized units and existing affordable housing stock.

In summary, the Proposed Plan is in substantial conformance with purpose, intent, and provisions of the General Plan in that they would implement significant goals and policies relating to the concentration of growth in areas near transit stations and along transit corridors. The Proposed Plan supports a sustainable land use pattern consistent with the objectives of the General Plan and would expand opportunities for employment and housing. The Proposed Plan is in conformity with public necessity, convenience, general welfare and good zoning practice for all of the reasons previously described. The Proposed Plan includes goals and policies that promote sustainability, health, and wellness goals by planning for population growth around sustainable transportation infrastructure; encouraging accessible open spaces as part of new developments; encouraging affordable housing under a community benefits program; preserving industrial areas for jobs while implementing regulations to reduce negative effects on residents; and supporting strategies to minimize residential and commercial displacement.

### **Conformity with Public Necessity, General Welfare and Good Zoning Practice**

The Proposed Plan is in conformity with public necessity, convenience, general welfare and good zoning practice in implementing such the policies of the Proposed Plan in that they include development restrictions such as height limitations in low-scale neighborhoods and historic districts; restrictions on incompatible uses; and focusing development potential in strategic areas around transit accessible infrastructure, including rail stations and bus-served corridors. The CPIO District implements the policies of the Proposed Plan by establishing a permanent affordable housing incentive system, a clear review procedure for many eligible historical resources, and creating additional soil testing process to reduce possible hazardous impacts on community health.

#### **B. Findings for Amendments to the River Implementation Overlay (RIO) Amendment**

The Proposed Plan will amend the River Improvement Overlay (RIO) maps to remove the Boyle Heights Community Plan Area. The RIO is a special use district that requires new development projects to achieve requirements and guidelines along the Los Angeles River. Applicable development regulations and measures to protect sensitive biological resources in the existing Los Angeles River Implementation Overlay (RIO) are incorporated into the proposed Frontage Districts and General Development Standards and will be applied through the proposed zoning districts. Additional standards outlined in the RIO Ordinance are incorporated into the proposed zoning districts to avoid redundancy.

#### **Charter and Code Findings**

With respect to the conservation of habitat, the Conservation Element of the General Plan states:

*Objective: preserve, protect, restore, and enhance natural plant and wildlife diversity, habitats, corridors, and linkages so as to enable the healthy propagation and survival of native species, especially those species that are endangered, sensitive, threatened or species of special concern.*

The River Implementation Overlay Amendment is in substantial conformance with the purpose, intent, and provisions of the General Plan because it continues to support the General Plan's objective of protecting the Los Angeles River habitat. The Proposed Plan incorporates existing RIO provisions from a Supplemental Use District, into the Zoning Districts. Thus, the RIO provisions, which aim to preserve and restore the riparian habitat, remain in effect, continuing existing policy.

The River Implementation Overlay Amendment is in conformity with public necessity, convenience, general welfare, and good zoning practice because it incorporates existing conservation measures intended to support the City's riparian habitat into the regulatory system of the new zones.

#### **C. Findings for Amendments to the Clean Up Green Up (CUGU) Overlay**

The Proposed Plan will amend the Clean Up Green Up (CUGU) Overlay maps to remove the Boyle Heights CPA. The CUGU Overlay, which was adopted in 2016, established standards and regulations for heavy, noxious uses close to sensitive or residential uses. This ordinance was adopted as an overlay for the communities of Boyle Heights, Wilmington, and Pacoima/Sun Valley. As part of the Proposed Project, the regulations from CUGU will be incorporated into the new zoning being applied to the Boyle Heights CPA instead of its current status as a Supplemental Use District "pilot program." The Proposed Plan embeds CUGU's regulations into the proposed Development Standards and Use Districts, including use limitations for noxious uses. In addition

to the Plan's permanent zoning regulations, it also proposes new policies to address compatibility between industrial and residential neighborhoods as noted below:

LU 23.4: Promote efforts that ensure businesses in Boyle Heights have access to the City's Clean-Up Green-Up implementation programs, such as financial incentives and technical support programs.

LU GOAL 24 (LU Policies 24.1 through 24.5): Goals that address improved site planning, building design, and landscape buffering along freeways and arterial roads with high traffic help reduce negative health impacts of vulnerable residents.

### **Charter and Code Findings**

With respect to creating healthier communities in Los Angeles, the Health, Wellness, and Equity Element of the General Plan (Health Element) states:

*Objective: Reduce the disparity in communities that are impacted by a high Pollution Exposure Score (exposure to six exposures indicators, including ozone, and PM2.5 concentrations, diesel, PM concentrations, pesticide use, toxic releases from facilities, and traffic density) so that every zip code has a score less than 1.7.*

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

Policy 5.2 Reduce negative health impacts for people who live and work in close proximity to industrial uses and freeways through health promoting land uses and design solutions.

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.

The Clean Up Green Up Amendment, as described more in full above, is in substantial conformance with the purpose, intent, and provisions of the General Plan. By incorporating CUGU regulations into the Proposed Plan's zoning, the Amendment continues to support the General Plan's objective of reducing health disparities and exposure to pollutants. The Proposed Plan incorporates existing CUGU provisions that aim to improve residents' health, continuing existing policy. Additionally, a part of the Health Element's implementation program was to evaluate the Clean Up Green Up pilot program to assess how it can be replicated in other parts of the city and/or develop standards and policies to incorporate into the zoning code and Community Plans, respectively, which is consistent with the Amendment.

The Clean Up Green Amendment is in conformity with public necessity, convenience, general welfare, and good zoning practice because it incorporates existing public health measures intended to address health disparities and address residents' overall health and safety through site planning that address setback, landscaping, and distancing requirement standards, and buffer zones between new residential and industries with emitting sources.

### **D. Findings for Amendments to Adelante Eastside Redevelopment Plan**

The Proposed Plan includes an ordinance to amend the Adelante Eastside Redevelopment Plan to remove the area that is within the Boyle Heights CPA. The Adelante Eastside Redevelopment Project Area includes commercial and industrial uses in portions of Boyle Heights Community Plan, and the Northeast Los Angeles Community Plan. The main intent of the Adelante Eastside

Redevelopment Plan is to preserve industrial and commercial uses to promote a stable industrial base to provide jobs for the community and enhance the existing commercial areas.

Section 1100 of the Adelante Eastside Redevelopment Plan states that if an applicable Community Plan is amended to change the land uses permitted within the Project Area, the land uses specified for the Project Area in the applicable Community plan shall supersede the land use designations in the Redevelopment Plan. The Boyle Heights Community Plan, with its implementing zoning ordinances, includes contemporary land use and zoning strategies to address economic development and a broad range of employment opportunities, promote the rehabilitation and preservation of historic structures, facilitate a built environment founded in strong urban design principles, provide for various housing needs, and promote the provision of public and social services. The Boyle Heights Community Plan, with its implementing ordinances, provides a complete vision and regulatory scheme for the land uses in the Project Area. The provisions of the Redevelopment Plan intended to regulate, control, or shape the use and development of land in the Redevelopment Plan area, including without limitation, Sections 400 through 410, 500 through 522, and 700 as well as related implementing plans are in conflict with the Boyle Heights Community Plan and its implementing ordinances because they, (1) prohibit what is allowed under the Boyle Heights Community Plan and its implementing ordinances; or (2) allow what is prohibited under the Boyle Heights Community Plan or its implementing zoning ordinances; or (3) add undesirable additional regulations, processes, costs, and burdens on the City, property owners, and developers that impede or prevent beneficial and urgently needed housing and other desirable uses in the Redevelopment Plan area. As such, any provision in the Redevelopment Plan that purports to regulate, control, or shape the development of land in the Project Area, is in conflict with, and does not conform to, the allowed land uses in the Boyle Heights Community Plan.

Section 500 of the Redevelopment Plan includes policies for land uses permitted in the Project Area. These include policies for commercial, residential, and industrial uses; commercial uses within residential and industrial areas; residential uses within commercial areas; and open space and other public uses. The Proposed Plan seeks to preserve industrial land for jobs, while also improving the compatibility between industrial land and residential neighborhoods. The Proposed Plan also includes policies to preserve existing housing stock while providing opportunities for infill, directing future housing growth to transit served areas, and provides tools to create more affordable housing. Therefore, the Proposed Plan would be consistent with the Adelante Eastside Redevelopment Plan in its broad goals and policies related to land use. While the Redevelopment Plan does not include regulations or numerical caps for floor area ratio, height, or residential density, it does include design standards for new signs and billboards, and for new wireless telecommunication facilities. The Proposed Plan does not include specific design standards for signs, billboards, or wireless telecommunication facilities because it would defer to the regulations in Article 4 (Development Standards) in the New Zoning Code. The Proposed Plan does not support carrying forward the Redevelopment Plan's design standards because they would already be regulated by the zoning code. This may result in the Proposed Plan conflicting with the Redevelopment Plan since the Proposed Plan would not be incorporating the Redevelopment Plan's design standards and the standards included in the zoning code may be different from those in the Redevelopment Plan. However, under the terms of the Redevelopment Plan, the City's plans are intended to control any conflict between the two, and as such, as a legal matter, there cannot be a conflict between the CRA plan and the Proposed Plan in relation to land use plans as noted in Section 1100 of the Adelante Eastside Redevelopment Plan.

Amending the Adelante Eastside Redevelopment Plan is consistent with the General Plan based on all of the findings herein, because it allows the Proposed Plan to control development in the CPA. Additionally, it is consistent with Objective 7.4 of the Framework Element (*Improve the provision of governmental services, expedite the administrative processing of development*

*applications, and minimize public and private development application costs.) as it reduces burdens on development by streamlining the project review process.*

The proposed ordinance to amend the Redevelopment Plan is also in conformity with public necessity, convenience, general welfare, and good zoning practice because while the Adelante Eastside Redevelopment Plan does not include regulations or numerical caps for floor area ratio, height, or residential density, it does include design standards for new signs and billboards, and for new wireless telecommunication facilities. The Proposed Plan does not include specific design standards for signs, billboards, or wireless telecommunication facilities because it would defer to set regulations in Article 4 (Development Standards) in the New Zoning Code. The Proposed Plan does support carrying forward the Redevelopment Plan's design standards because they would already be regulated by the zoning code. Currently, projects within the CPA, which usually include affordable housing units, require a separate review process for compliance with the Redevelopment Plan. The proposed amending ordinance would allow a more streamlined review process for projects, particularly for projects that direct future housing, including affordable housing units, to transit served areas.

### **E. Other Findings** **LAMC 13.14 C.5**

In addition to the findings in 12.32 C, the adoption of a CPIO District also requires a finding that the supplemental development regulations of the CPIO District are consistent with, and necessary to implement the programs, policies, or urban design guidelines of the Community Plan for that area.

The supplemental development regulations of the proposed Boyle Heights CPIO District are consistent with and necessary to implement the programs, policies, and goals of the Proposed Plan. The CPIO regulations set forth affordable housing incentives to encourage mixed-income affordable housing and 100 percent affordable housing projects; soil sampling requirements to ensure that soil contaminants are identified and mitigated prior to ground disturbance; a transfer of floor area process for public lands to support the development of community serving uses and affordable housing on publicly owned land; and historic review procedures to protect historic resources. These development regulations are consistent with the following goals and policies of the proposed Boyle Heights Community Plan:

#### Affordable Housing Land Use Policies

*LU 1.1: Support residential infill developments that increase the supply of affordable housing on-site that is for rent or for sale.*

*LU 1.5: Utilize public land and funding for the development of supportive housing projects and affordable housing for extremely-low, very-low, and low-income households.*

*LU 3.1: Promote the development of residential units with three or more bedrooms to support larger households and multigenerational living.*

*LU 3.2: Encourage multi-unit housing developments to provide a diverse range of unit types and unit sizes including those suitable for larger households, single room occupants, independent seniors, and affordable fee simple ownership.*

*LU 3.7: Develop strategies to assist community land trusts and affordable housing developers with property acquisitions.*

*LU 4.1: Permit greater development scale and density around transit if a project provides high quality housing that is affordable and accessible to the surrounding community.*

*LU 4.2: Ensure that a significant portion of new housing around transit is affordable to low-income households in order to accommodate the City's core transit riders.*

*LU 6.1: Promote developments around transit stations that add value to the community by providing a mix of multi-unit housing, neighborhood-serving commercial uses, and community amenities.*

*LU 25.2: Concentrate new housing around transit where residents can benefit from greater access to commercial uses, jobs, and schools without the need for an automobile.*

#### Historic Resources Land Use Policies

*LU 18.1: Prioritize the preservation and restoration of historic resources identified through the Los Angeles Historic Resources Survey (SurveyLA).*

*LU 18.2: Protect individually significant historic resources and districts in Boyle Heights from demolition or adverse alteration.*

*LU 18.3: Provide design standards that guide infill development in areas with an identified historic character to ensure that new buildings reinforce the historic scale and key architectural features of the area.*

*LU 18.4: Food organizations to advance preservation efforts in the community and document oral histories through educational and informational programs.*

*LU 18.5: Promote the restoration and reuse of vacant and/ or deteriorating historic buildings for new uses that benefit the community and reinforce the site's historic and cultural legacy.*

*LU 18.6: Promote the preservation of remaining examples of bungalow courtyard and garden apartment architecture.*

The CPIO implements the programs, policies, and goals of the Proposed Plan. The CPIO regulations set forth affordable housing incentives to encourage mixed-income and affordable housing, historic review procedures to protect historic resources, and soil testing requirements to ensure safe ground disturbance practices in areas where soil contaminants may exist.

#### **State Law Restrictions on Zoning Actions under Housing Crisis Act SB 330**

On October 9, 2019, Governor Newsom signed into law SB 330, the Housing Crisis Act of 2019. The act amends existing state laws and creates new regulations around the production, preservation and planning of housing. The bill has been in effect since January 1, 2020, and sunsets on January 1, 2025. SB 8 extends key provisions of SB 330 until January 1, 2030. The goal of SB 330 is to create certainty in the development of housing projects, speeding up the review of these projects. The bill requires that the historic status or designation of any site be determined at the time an application for a discretionary action is deemed complete. Non-objective design review standards established after January 1, 2020, cannot be imposed or enforced. SB 330 also prevents zoning actions that reduce the capacity of housing. Plans that result in a net downzoning or otherwise reduce housing and population (except for specified reasons involving health and safety, affordable housing and voter initiatives) are prohibited. Moratoriums on housing development, or limits on approval, permits, or housing units cannot not be imposed by local jurisdictions. This does not apply to zoning efforts that reduce intensity for

certain parcels as long as density is increased on other parcels and therefore results in no net loss in zoned housing capacity or intensity. The Proposed Plan allows for the net increase of 11,000 housing units and therefore the Plan complies with this requirement.

Increasing housing, and particularly affordable housing, is a primary objective of the Boyle Heights Community Plan Update. The CPA is currently zoned primarily for mixed-use and multi-unit housing development along corridors and throughout residential neighborhoods, and the Proposed Plan identifies additional areas where more housing growth is appropriate and reduces barriers to housing development through several zoning strategies.

In Boyle Heights today multifamily zoning typically allows for a 3:1 Floor Area Ratio, with a permitted density that does not practically allow developers to maximize floor area. For example, on a typical lot the zoning would permit 4 units to be built, with up to 18,000 square feet of floor area, yielding units that are up to 6,000 square feet each. Existing height and yard requirements would preclude most lots from maximizing this floor area. The Proposed Plan reduces the Floor Area Ratio down from 3:1, while maintaining the allowable residential density (number of units) that can be built in the lower density residential neighborhoods. This approach is taken to reduce turnover, demolition, and loss of existing naturally occurring affordable housing units, in a community that is primarily renters and vulnerable to a changing housing market and displacement pressures. While the Proposed Plan reduces FAR regulations and maintains existing height limits in these zones, the Proposed Plan counters this by reducing the rear and side yard setback requirements, increasing the areas of the lot on which housing can be developed, and more easily permitting the addition or conversion of rear yard structures to housing units.

Further reductions to housing development potential could potentially occur along Cesar E. Chavez Avenue, currently zoned for mixed-use development with a permitted density of 1 unit per 400 square feet of lot area and unlimited height. This corridor is designated under the current Community Plan as a Regional Center and Commercial Center but is designated as a Historic Cultural Monument (HCM). In order to achieve its historic preservation objectives, the Proposed Plan proposes a new height limit of 2 stories, with an option to bonus to 4 stories with the provision of affordable housing and reduces the residential density to 1 unit per 800 square feet of lot area. The Proposed Plan also introduces a 2-story height limit along lower-scaled mixed-use neighborhood corridors, such as Wabash Avenue, Lorena Street, and 1<sup>st</sup> and 4<sup>th</sup> Streets, east of Evergreen Avenue. These streets are currently zoned a combination of R2-1, RD1.5-1, C2-1, and [Q]C2-1, with a [Q] condition that limits future development to the provisions of the RD1.5 zone. The R2-1 zone currently has a height limit of 33 feet; RD1.5-1 has a limit of 45 feet; and C2-1 does not have a height limit. The Proposed Plan introduces a 2 story-height limit with a Maximum Bonus Height of 4 stories for projects that provide affordable housing. These blocks will be zoned for a residential density of 1 unit per 800 square feet of lot area, increasing the number of units that can be built compared to the existing R2, RD1.5, and [Q]C2 zoning.

Any reduction in housing development potential in these areas resulting from the reduction in FAR or new height limits is offset by increases to housing development potential across other areas of the Community Plan.

Four primary areas are proposed to increase housing development potential:

1. Existing single-family residential zones bounded generally by Marengo Street, Pomeroy Street, Lord Street, and State Street are proposed to become low-density residential, permitting 2 units per lot instead of the existing zoning that permits 1 unit per lot.
2. Existing industrially zoned parcels by the Metro L Line Pico/Aliso Station, bounded by 1st Street, 3rd Street, Utah Street, and Mission Road are proposed as mixed-use zoning, whereas today's industrial zoning does not permit ground up housing development on

these parcels. The proposed zoning would permit 1 unit per 400 square feet of lot area, with a Base Maximum FAR Regulation of 1.5:1 and a Bonus Maximum FAR of 4:1 with provision of affordable housing.

3. Blocks surrounding Soto Station, generally bounded by Cesar E. Chavez Ave, 4th Street, St. Louis Street, and Mott Street, have increased housing development potential from the proposed residential density allowing 1 unit per 600 square feet of lot area. Current residential density in these blocks ranges from 2 units per lot, 1 unit per 2000 square feet of lot area, to 1 unit per 800 square feet of lot area.
4. Blocks surrounding the Indiana Station bounded by Lorena Street, 1st Street, 4th Street, and Indiana Street are currently zoned to allow only 2 units per lot. Blocks between Indiana Street and Velasco Street will be increased to allow 1 unit per 400 square feet of lot area and will be able to achieve a Maximum Bonus FAR of 4:1 through provision of affordable housing, and between Velasco Street and Lorena Street the residential density will be increased to allow 1 unit per 800 square feet of lot area.

In addition to increases to development potential through individual zoning districts, built into the Proposed Plan are a number of new regulations that help streamline the approval process and facilitate a simpler and faster implementation for housing projects. These new regulations pertain to parking and open space. With respect to parking, the Plan removes all minimum parking requirements for projects within ½ mile of transit, which is consistent with the recently passed Assembly Bill (AB) 2097, and further, the Plan reduces parking from today's requirements in the remaining areas of the Plan Area where AB 2097 does not currently apply. This offers greater flexibility in providing the number of housing units that could range in size. Reduction in parking requirements also allows developers more building area to provide housing units; where height limits restrict how many floors a building can be, if a ground floor or second floor is utilized to provide required parking spaces, under the Proposed Plan, those floors could instead be used for residential units. In addition, open space requirements, which are based on the total number of units in a building under current zoning regulations, have tended to limit the total number of units that a project can yield. Under the Proposed Plan open space requirements have been restructured to be based as a percentage of lot area rather than on a per unit basis, which offers flexibility for housing projects to achieve desired unit types and sizes and increase the number of units that can be built on a lot as compared to current regulations.

Overall, zoning regulations such as height, density, and floor area ratio, as well as open space, minimum setback, minimum frontage and maximum lot coverage limitations, which shape the built form and determine the intensity of any use, including housing, are thoughtfully formulated to cumulatively increase the Plan Area's housing development capacity. As a result, the Boyle Heights Community Plan increases the capacity for up to 11,000 new housing units by the year 2040, compared to existing regulations which can only accommodate 6,000 more housing units over existing conditions within the same timeframe.

The Plan also introduces a Community Benefits Program to incentivize the production of affordable housing in exchange for higher development potential. The program offers additional density, height, and FAR and does not necessitate a discretionary process, providing additional opportunity for increased housing development. The Community Benefits Program expands where larger FAR and density increases are available, compared to today's Transit Oriented Communities (TOC) program. Many areas of Boyle Heights today are within TOC Tier 1 or Tier 2, which would permit up to a 50% or 60% increase in residential density, respectively. The Proposed Plan's Community Benefits Program would permit any property zoned with a "6" or "8" Density District up to a 70% increase in residential density and any property zoned with a "4" Density District up to an 80% increase in residential density, regardless of proximity to transit. The Community Benefits Program applies these density increases through the zoning on each parcel,

whereas today's TOC program allows the density increases to change over time if and when bus and transit schedules change frequency.

Plans that result in a net downzoning or otherwise reduce housing and population (except for specified reasons involving health and safety, affordable housing and voter initiatives) are prohibited under SB 330. However, this does not apply to zoning efforts that reduce intensity for certain parcels as long as increased capacity on other parcels results in no net loss in zoned housing capacity or intensity. As described above, the Zoning Actions allow for the net increase of 11,000 housing units compared to 6,000 that could be built under current regulations, and therefore the Plan complies with this requirement.

## Summary of CEQA Findings

### CEQA Findings

The Proposed Plan is designed to provide guidance and regulations regarding the future development of the Boyle Heights Community Plan Area over an approximately 20-year period and its adoption would not constitute a commitment to any specific project or development. Therefore, the EIR considered issues at a broader Community Plan-level. Any future discretionary projects would need to be approved individually in compliance with CEQA. The Draft EIR found that the environmental impacts of most of the issue areas were either less than significant without mitigation measures or less than significant with mitigation. Based on the analysis contained in the Draft EIR, the Proposed Plan would result in unavoidable significant environmental impacts with regard to: Air Quality (Exceedance of Criteria Pollutants—Construction and Operations, and Exposure of Sensitive Receptors to Toxic Air Contaminants—Operations), Cultural Resources (historical resources), Noise – Temporary Noise and Groundborne Vibration, Recreation and Transportation.

### Recommended Plan

The Proposed Project was analyzed in the Draft EIR. As discussed above, some changes have been made to the Proposed Project since the Draft EIR was published. However, these changes have been determined to not result in new significant impacts and do not add significant new information to the EIR. As such, the changes do not require recirculation.

### Final EIR

Section 15088 of the CEQA Guidelines requires the lead agency, Department of City Planning, to evaluate comments on environmental issues received from public agencies and interested parties who review the Draft EIR and provide written responses. The lead agency received written comments on the Draft EIR from public agencies, groups and individuals. Responses to all comments received during the comment period will be included in the Final EIR. Pursuant to Section 15025(c) of the CEQA Guidelines, the City Planning Commission as a recommending body on the Proposed Project, is required to consider the Draft EIR and make a recommendation to the City Council. The Final EIR and associated CEQA Findings and Statement of Overriding Consideration will be provided to, and considered by, the City Council prior to adoption of the Proposed Plan and certification of the EIR.

## **PUBLIC HEARING AND COMMUNICATIONS**

### **Outreach Leading up to the Public Hearing**

As previously described, since the Plan Update began, Los Angeles City Planning has held, participated in, and attended numerous community events to share information and hear feedback on the Proposed Plan. The extensive, multi-year public engagement has involved many different community stakeholder, advocacy, and constituent groups, resulting in over 1,600 engagements at over 73 events.

Throughout 2020 City Planning worked to incorporate the feedback heard throughout the years of outreach since an initial draft of the Policy Document was shared in 2017. Following public health guidance in early 2020, public outreach leading up to the public hearing was conducted online or by telephone as it was not possible to hold in person meetings because of physical distancing measures necessary due to the COVID-19 pandemic. In Fall 2020, City Planning released an updated draft Policy Document, draft land use map, and released the first comprehensive draft of the new zoning districts and Community Plan Implementation Overlay (CPIO) District. City Planning also shared bilingual informational handout materials and an interactive zoning map on the project website. Soon after releasing these draft documents, staff held virtual office hours on December 14-16, 2020, to meet with community members and stakeholders, and presented to the neighborhood council, attended meetings of community-based organizations, and meetings at the request of stakeholders. In Spring 2021, City Planning released a four-part video series in English and Spanish that provided a detailed overview of the Proposed Plan. This video series was updated in Fall 2022, and as previously noted the English videos have received nearly 1,400 views and the Spanish videos have received nearly 400 views since the original 2021 release. Throughout 2021 and 2022 City Planning met virtually with individual stakeholders and community groups, including presentations at community workshops hosted by organizations, at the request of the organizations. October 18-19 and November 1-3, 2022, City Planning held Office Hours to answer questions and walk stakeholders through the Draft Plan and materials, both the week ahead of and the week following the Open House and Public Hearing held on October 27, 2022. City Planning also hosted an information booth at Mariachi Plaza at the October 9, 2022 “Heart of LA” Ciclaviva event, distributing materials including a postcard advertising the upcoming Open House and Public Hearing.

Community members and stakeholders who signed up to receive email notifications about the Proposed Plan received eblasts about the release and availability of the updated drafts, video series, and virtual meetings, and it these updates have been publicized on the department’s social media platforms and the department’s project website.

### **Website/Interactive Storymap**

In addition to providing updated drafts of the Policy Document, CPIO, and zoning for public information and review on the project website, City Planning has maintained an interactive GIS Storymap online to provide more information on the proposed zoning regulations. The interactive map allows users to search a specific address and location on the map and find details about existing and proposed zoning regulations. The Storymap has been available since 2017 with regular maintenance as updates became available.

### **Open House and Public Hearing**

In conformity with the Governor’s Executive Order N-20-20 (March 17, 2020) regarding the COVID-19 pandemic, City Planning held a virtual and telephonic Open House and Public Hearing using Zoom [<https://zoom.us/>] on October 27, 2022. The Open House was from 4:00 p.m. to 4:45 p.m. and included an overview presentation to help explain the Plan Update, including the proposed land use, zoning, and the Community Benefits Program. The Public Hearing was held from 5:00 p.m. to 7:00 pm. and offered participants a formal opportunity to provide public comment

on the Proposed Plan. Simultaneous interpretation was provided in Spanish for both the Open House and Public Hearing.

City Planning mailed Public Hearing notices to approximately 40,000 addresses within the Plan Area and 500-foot radius surrounding the CPA boundary. A public notice was also included on the department's Boyle Heights Community Plan project website, [planning.lacity.org/bhplan](http://planning.lacity.org/bhplan), and a newspaper advertisement was published in the Daily Journal on September 30, 2022. The public notice that was mailed and posted on the website was in both English and Spanish and was also emailed to the Plan's interested parties list. The Public Hearing Officer kept the public comment period open for two weeks following the public hearing. Additional comments were received through November 10, 2022. Below is a summary of the public testimony received and the total written correspondence received by City Planning by the end of the public comment period.

### **Summary of Public Hearing Testimony and Written Communications**

Throughout the community engagement process, numerous comments were received via mail, email, and verbally during outreach events. At the virtual Public Hearing on October 27, 2022, 21 testimony (verbal comment) comments were received on a range of topics addressed by the Proposed Plan. After the Public Hearing, additional comments, including 101 written comments were received via email.

Many of the comments received during the Public Hearing testimony and written public comment are consistent with the comments received throughout the phases of the Proposed Plan update process. Public hearing comments and written comments were very similar in that they expressed concerns related to affordable housing production and preservation, fears of displacement of residents and small businesses, climate change concerns, GHG/VMT reduction, incompatible land uses issues, neighborhood identity, need for open and public space opportunities, more mobility options near housing and amenities, and Los Angeles River access. There were also a few general comments. The comments on the Proposed Plans include topics of:

#### **Housing**

- Ensure larger units with 2 or more bedrooms are placed equitably within new housing developments
- Protect and preserve existing naturally occurring affordable housing and RSO units
- Provide protections that regulate and prevent the demolition of rent-stabilized and covenanted affordable housing units
- Provide policies that support tenant protections such as “first right of refusal” and “no net loss.”
- Protect the ability for residents to be able to live near work
- Maintain densities and bonuses that maximize the number of affordable housing units produced

#### **Open and Public Space**

- Provide greater access to high quality and safe parks and open spaces, including connectivity to the parks, streets, plazas, paseos and the Los Angeles River
- Provide access to safe and reliable mobility options coupled with transit infrastructure and amenities

#### **Mobility and connectivity**

- Complete a comprehensive bicycle lane network and bicycle safety infrastructure
- Support the development of dedicated bus lanes on streets such as Soto Street and Whittier Boulevard

**Climate Change and Environmental Justice**

- Promote the maintenance and conservation of the urban forest and increase tree canopy to adapt to climate change, reduce the urban heat island effect, and improve air quality.
- Create buffer zones between industrial uses, areas adjacent to freeways and alongside high traffic streets.
- Reduce in Greenhouse Gasses (GHG) emission and vehicle miles traveled (VMT)
- Support transit-oriented development to reduce VMT and GHG emissions
- Support native and drought tolerant plants
- Achieve climate change adaptability by directing new housing and commercial developments near transit corridors
- Build climate resilience through incorporating infrastructure and amenities in development projects, such as hydration stations near transit stations, shade and awnings, cool pavement to reduce heat island effects.

**Neighborhood Identity**

- Support and protect community-serving small and legacy businesses
- Preserve the existing cultural identity of the neighborhood
- Protect existing buildings with historical or cultural significance from demolition or major alterations
- Expand the CPIO's Subarea B historic preservation procedures to include the Brooklyn Corridor on Cesar E. Chavez Avenue and other eligible historic resources.

**Employment and Economic Development**

- Ensure that industrial areas will serve as employment centers for local residents

**Affordable Housing (Community Benefits Program)**

- Introduce the Acutely Low-Income income category for families earning 0-15 percent of the AMI into the Community Benefits Program for affordable housing
- A more localized approach to affordable housing with a Community Benefits Program with income limits for Extremely Low, Very Low- and Low- Income households that is reflective of the needs of Boyle Heights versus the City of Los Angeles as a whole.

**General Comments/Other**

- Concerns on how zoning changes will impact individual property and homeowners
- Concerns about the separate developer-initiated proposed project to turn the Sears site into a large-scale supportive housing project
- Addressing existing and potential parking issues with increasing housing developments
- Concerns about the Community Plan's EIR Land Use Mix Project Alternative, which studies an alternative land use mix that would allow housing in the Los Angeles River-facing industrial area, in lieu of the Proposed Plan's proposal to continue light industrial uses in this employment-focused area. Commenters expressed concerns about the loss of accessible employment opportunities, future displacement pressures in surrounding neighborhoods, and potential hazards related to the surrounding century-year-old industrial context.

**Summary of Cultural Heritage Commission Comments**

An informational presentation was given to the Cultural Heritage Commission on December 1, 2022, at the request of that commission. The presentation highlighted the primary overarching goals of the Proposed Plan, with a particular focus on the Community Plan's approach to preserving cultural and historically significant resources in Boyle Heights. Staff highlighted the Character Residential Frontage and Character Commercial Frontage Zoning Districts, which provide objective zoning standards for eligible historic residential neighborhoods, and for the

Brooklyn Corridor on Cesar E Chavez Ave, respectively. Staff also highlighted the proposed review procedures for certain eligible resources within the Plan Area through the Boyle Heights CPIO District, Subarea B. Following the presentation, staff answered questions from the Commissioners, who also provided their comments on the Proposed Plan. The Commission then heard public comments on the Proposed Plan.

The comments from Commissioners and the public were favorable of the proposed preservation planning tools. Commissioners recommended that the boundaries of CPIO Subarea B be expanded to include the historic "Brooklyn Avenue Neighborhood Corridor". That stretch of Cesar E. Chavez Blvd is a Historic Cultural Monument (#590) and is identified as a historic district in the Intensive Historic Resource Survey of the Adelante Eastside Redevelopment Plan.

The Commission also recommended that staff explore the viability of a Transfer of Development Rights (TDR) process, whereby unused floor area at a historic site could be transferred to a nearby donor development site. A TDR program has been established within the new Zoning Code and has been recommended for use within the Downtown Community Plan by the CPC. There are two fundamental issues that make use of the TDR program within the Boyle Heights context. First, for a TDR program to be viable, there needs to be substantial floor area that can be monetized and transferred, and whereas the zoning Downtown provides substantial transferrable floor area, the zoning proposed in Boyle Heights is far less. In addition, most projects (i.e., residential, or commercial/residential) will be required to achieve bonus FAR by providing affordable housing units first, and the use of a TDR program can only occur secondarily. The Boyle Heights Community Plan Update prioritizes affordable housing development, and the FARs proposed would not support both affordable housing incentives and a viable TDR program.



## Department of City Planning

City Hall, 200 N. Spring Street, Room 272, Los Angeles, CA 90012

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April 19, 2023

TO: City Planning Commission

FROM: Craig Weber, Principal City Planner

**TECHNICAL MODIFICATION/CORRECTION TO THE AGENDA FOR THE APRIL 20, 2023 CITY PLANNING COMMISSION SPECIAL MEETING; STAFF RECOMMENDATION REPORT; AND EXHIBITS A.1, A.3, B.1, B.2 FOR CASE NO. CPC-2016-2905-CPU; ENV-2016-2906-EIR**

The following technical modifications/corrections are to be incorporated into the special meeting agenda, the staff recommendation report, and Exhibits A.1, A.3, B.1, and B.2 to be considered at the City Planning Commission meeting of Thursday April 20, 2023, related to Item No. 8 on the meeting agenda.

Deleted text is shown in strikethrough and added text is shown in underline.

1. **Modification to the CPC Special Meeting Agenda** for April 20, 2023 to reflect a corrected time to act date, from ~~7-19-2023~~ to 6-28-2023.
2. **Modification to Chapter II of the Boyle Heights Community Plan Implementation Overlay (CPIO) District (Exhibit B.1)**, to include the following under II-2. Eligibility:
  3. Dwelling Units. All units in an Eligible Housing Development shall meet the definition of a "Household Dwelling Unit" as defined in LAMC Ch. 1A Div. 14.2.
3. **Modification to Chapter V of the Boyle Heights Community Plan Implementation Overlay (CPIO) District (Exhibit B.1)**, to include the following:
  - a. Add parcels with Assessor Parcel Number 5172015900 to the Subarea D map.
  - b. Add parcels with Assessor Parcel Numbers 5410009901 and 5410009907 to the Subarea D map.
  - c. Add parcels with Assessor Parcel Numbers 5171015906 and 5171015905 to the Subarea D Map.

4. **Revisions to the Zoning Map (Exhibit B.2):**

- a. Change parcels with Assessor Parcel Number 5410009901 and 5410009907 from the zone [VF2-WH1-4][P1-FA][CPIO] to the zone [LM4-WH1-4][P2-FA][CPIO].
- b. Change the parcels with Assessor Parcel Number 5172015900 (361 S. Anderson Street) from the zone [VM2-WH1-4][IX5-FA][CPIO] to the zone [LM4-WH1-4][P2-FA][CPIO].
- c. Change parcels with Assessor Parcel Number 5171015906 and 5171015905 from the zone [VM1-GW1-3][IX5-FA][CPIO] to the zone [LM4-WH1-4][P2-FA][CPIO].
- d. Change parcels with Assessor Parcel Number 5180008908 (318 N. Mathews Street) from the zone [LN1-MU3-4][RX2-6][CPIO] to the zone [VF2-WH1-4][OS1-N][CPIO].

**5. Revisions to the Proposed General Plan Land Use Map (Exhibit A.3):**

- a. Change the Land Use Designation of the parcels with Assessor Parcel Number 5172015900 (361 S. Anderson Street) from Light Industrial to Public Facilities
- b. Change the Land Use Designation of the parcels with Assessor Parcel Number 5171015906 and 5171015905 from Light Industrial to Public Facilities.
- c. Change the Land Use Designation of the parcels with Assessor Parcel Number 5180008908 (318 N. Mathews Street) from Medium Neighborhood Residential to Open Space

6. Where revisions to the General Plan Land Use Designation Map (Exhibit A.3) are made as noted in (5) above, revise the related inset maps, acreages, and percentages in the General Plan Land Use Descriptions section of Chapter 1 of the **Community Plan Text (Exhibit A.1)**.

**7. Staff Report Corrections:**

- a. Amend the Staff Recommendation Report dated 4/20/2023 to read as follows:
  - i. Page A-10: "...and ~~introduces~~ presents for Commission consideration a new income category for Acutely Low Restricted Affordable Units, for households making 0-15 percent of the Area Median Income (AMI). With nearly 23% of persons in Boyle Heights estimated to have incomes below the poverty level, compared to 16% citywide (ACS, 2021), this would ~~introduces~~ affordable housing that is more affordable and accessible to households in Boyle Heights."
  - ii. Page A-35: "Of note, the Plan presents for Commission consideration ~~CPIO would establish~~ an Acutely-Low Income category, which is intended to create new affordable housing units for households that earn 0-15 percent of Area Median Income."
  - iii. Page F-8: "The Proposed CPIO District's Community Benefits Program subarea introduces a requirement that mixed-income projects include 30 percent of units in a new development as 2 -bedroom units or greater and

presents for Commission Consideration introduces a new income category for Acutely Low Restricted Affordable Units, for households making 0-15 percent of the Area Median Income (AMI). This would introduces affordable housing that is affordable to households in Boyle Heights and requires new mixed-income developments utilizing the program to include units that can accommodate multi-generational and other larger household sizes.”

- iv. Page F-11: “Finally, the Proposed Plan Community Benefits Program introduces a requirement that projects include 30 percent of units in a new development as 2-bedroom units or greater and presents for Commission consideration introduces a new income category for Acutely Low Restricted Affordable Units, for households making 0-15 percent of the Area Median Income (AMI). This would introduces affordable housing that is affordable to households in Boyle Heights and requires new mixed-income developments utilizing the program to include units that can accommodate multi-generational and other larger household sizes.”