



Los Angeles City Planning Commission
 200 N. Spring Street
 Los Angeles, CA 90012
Delivered via electronic mail.

June 15, 2021

RE: CPC-2017-432-CPU – Downtown LA Community Plan

Dear Honorable Commissioners,

The undersigned organizations respectfully submit the following comments and recommendations concerning the Downtown LA Community Plan update. We stand with the Central City United Coalition (CCU) in advocating for a Plan that maximizes equity and racial justice in the growth of Downtown. This Plan must center and prioritize the needs of low-income tenants, unhoused residents, immigrants, low-wage workers, low-income entrepreneurs, and other vulnerable residents.

Downtown Los Angeles is home to the City’s oldest neighborhoods and has seen over a century’s worth of transformation, with more changes yet to come. However, historically Downtown has been the site of racist and discriminatory land use practices. For example, Chinatown, Little Tokyo, and Skid Row were originally created to specifically segregate low-income immigrant and houseless residents from the rest of the City. In more recent years, much has been made of the “revitalization” or “resurgence” of Downtown. But in too many instances, the policies and practices driving this

“*resurgence*” have caused more harm than benefit to low-income Downtown residents, including increased criminalization of unhoused residents and gentrification-fueled displacement and destabilization of low-income and immigrant communities.

As the City now grapples with its history of institutional racism and structural injustice, we applaud the Department of City Planning for acknowledging the deep harms that past land use policies have inflicted on low-income communities and communities of color. As the City commits to repairing these harms, the Community Plans are a tool to do just that. As the framework for growth, development and investment in Downtown for years to come, the Downtown Community Plan is one of the most important and timely opportunities for the City to put its stated commitment to racial justice into practice.

We support CCU’s recommendations for the plan and ask the Commission to take the following actions to advance a more inclusive and equitable Community Plan.

1. Adopt the Planning Department’s careful calibration of Base and Bonus floor area ratios in order to maximize value capture and promote inclusive affordable housing growth in Chinatown and Little Tokyo.

The Department has created a comprehensive community benefits program that utilizes a carefully calibrated Base-Bonus Floor Area Ratio (FAR) incentive. The proposed incentive structure builds on the TOC Program and prioritizes mixed income affordable housing in Downtown neighborhoods like Chinatown and Little Tokyo, which desperately need more affordable housing. We urge the Commission to approve this structure.

Any increase in the Base FAR in these areas (as some will certainly ask the Commission to do) would be counterproductive to the Plan’s numerous stated goals of increasing affordable housing opportunities. Maintaining the Base FAR at its current setting in the Draft Plan is critical to an effective value capture program. Even a small compromise in the Base FAR will undo the incentive structure and will result in projects foregoing the Bonus FAR and building at the Base instead, creating fewer housing units overall, no affordable housing, and the elimination of no-net-loss protections (which currently only attach to projects that use the Bonus). As currently structured, projects in Chinatown and Little Tokyo are actually incentivized to build at the higher Bonus FAR, creating more housing and much-needed affordable housing - a win-win. We implore the Commission to approve the Base and Bonus FARs as proposed by the Planning Department for Chinatown and Little Tokyo.

2. Adopt policies and programs to advance equitable access to parks and open space.

This most recent draft of the Plan, CPIO and Zoning Code include numerous new programs and policies that enhance equitable access to and enjoyment of public space. These important additions include: providing 24-hour restroom access and maintenance in Skid Row parks; encouraging new open space and streetscape improvements to include design features for seniors; preventing hostile architecture and exclusionary design; recognizing important community parks; creating a program to

assess park and open space needs; and defining publicly accessible open space to include requirements for public restrooms, drinking water, shade, and phone charging stations. We appreciate the Department's engagement and responsiveness to community-driven recommendations, and we urge the Commission to adopt these important policies and programs.

3. Adopt strong protections and opportunities for community-serving small businesses and micro-entrepreneurs.

This most recent draft of the Plan, CPIO and Zoning Code include numerous new programs and policies that significantly increase protections and opportunities for Downtown's vital community serving small businesses. These important additions include: supporting the development of space and opportunities for community-serving small businesses; encouraging the development of new commissaries and commercial kitchens to support low-income street vendors; supporting existing neighborhood stores that support local residents; facilitating the protection of existing markets and swap meets; and including community-serving small businesses, micro-entrepreneurs, and street vendors in the Community Benefits Fund.

4. Include residents with lived experience in the oversight and implementation of the Community Benefits Fund.

We strongly support the Planning Department's bold and important proposal to eliminate the existing TFAR Program and replace it with a Community Benefits Fund. As a replacement, the Draft Community Benefits Fee Ordinance makes funding available for vital housing and economic justice programs. The Draft Community Benefits Fee Ordinance also establishes an Oversight Committee to make recommendations for disbursement of funds. In order to make this oversight process more transparent and equitable, the Oversight Committee should be required to include downtown residents affected by the affordable housing and eviction crisis, including at least 50% current or former houseless residents, with representatives from multiple downtown neighborhoods including Skid Row, Chinatown, and Little Tokyo ("lived experience appointees"). The Oversight Committee should be empowered and appropriately staffed to produce and present an annual report to the City Council with an assessment of the program's impact on advancing housing and economic justice and recommendations for improvements.

5. Expand the IX1 District to create new housing and prevent displacement in Skid Row.

The affordable housing prioritization of the IX1 zoning use district should be expanded to **cover all of the Skid Row neighborhood - the area bounded by Main Street, 3rd Street, Alameda Street, and 8th Street**. Additionally, the use district should be modified to require all Restricted Affordable Units be set at housing costs affordable to Low-Income households and lower (i.e., no Moderate-Income units). The Permanent Supportive Housing incentive should continue to apply in this use district.

6. **Eliminate in-lieu fees and Moderate and Above-Moderate Income incentives in order to ensure that new development includes on-site affordable housing available to lower income households.**

The draft CPIO allows developers to satisfy affordable housing obligations by paying an in-lieu fee, which has the effect of separating the residents of new market-rate construction from the residents of affordable housing, and exacerbates segregated development patterns and exclusively luxury enclaves to the detriment of a diverse and dynamic community. The draft CPIO also appears to provide valuable incentives to projects that include Moderate Income *rental* units and so-called “Above Moderate Income” units. This diverts incentives away from much-needed deeply affordable housing and is inconsistent with the state density bonus and TOC framework. Additionally, in some parts of the plan area, moderate and above moderate rents are close to current market rate units. We urge the Commission to focus valuable incentives where the need is greatest: on-site housing affordable to lower-income households.

7. **Require affordable housing in the Downtown Adaptive Reuse Program, consistent with the Citywide Adaptive Reuse Program**

Inexplicably, the proposed modifications to the Downtown Adaptive Reuse Program, which would significantly expand the use of the program, do not include any affordable housing standards. In contrast, the Citywide Adaptive Reuse Program includes on-site affordable housing requirements. There is no reason that adaptive reuse projects in Downtown LA, the epicenter of the City’s homelessness and affordable housing crisis, should be exempt from affordable housing standards that apply to adaptive reuse projects in the rest of the City.

8. **Incorporate stronger affordable housing preservation and anti-displacement measures.**

The CPIO should also be amended to better protect tenants, preserve the affordable housing stock, and maximize inclusive development without displacement. We urge the Commission to:

- ***Adopt a Community Plan-wide universal replacement requirement*** to close a loophole and ensure consistent and predictable application of baseline protections across all projects.
- ***Strengthen Replacement Requirements*** by clarifying that any RSO units must be replaced with covenanted affordable housing units occupied by lower income households and making RSO replacement units additive to the CPIO set-asides.
- ***Require enhanced relocation assistance and a guaranteed right of return for projects using CPIO incentives*** so that tenants are compensated for moving and are able to remain in their neighborhood before returning at an affordable rent once the project is completed.
- ***Include new Policies and Programs to regulate demolitions and condo conversions*** by imposing an annual allowance of demolitions and conversions in the Community Plan Area.

The Downtown Community Plan presents an important and timely opportunity to establish a framework for equitable growth and a just recovery. If done right, this Plan can protect current low-income and houseless Downtown residents, create new opportunities for safe and affordable housing, open the economy to low-income entrepreneurs, and establish a model for equitable community planning. Thank you for considering these recommendations

Sincerely,

Southeast Asian Community Alliance

Little Tokyo Service Center

LA CAN

Public Counsel

Alliance for Community Transit - Los Angeles

Asian Pacific Islander Forward Movement

Center for the Pacific Asian Family

Community Power Collective

East LA Community Corporation

Eastside LEADS

Esperanza Community Housing Corporation

Inclusive Action for the City

J-TOWN Action and Solidarity

Japanese American Cultural and Community Center

Koreatown Immigrant Workers' Alliance

Koreatown Youth and Community Center

Kounkey Design Initiative

Little Tokyo Historical Society

Los Angeles Alliance for a New Economy

Los Angeles Neighborhood Land Trust

Los Angeles Poverty Department

Los Angeles River State Park Partners

National Resources Defense Council

Nikkei Progressives

Service Employees International Union (SEIU) —United Service Workers West

Strategic Actions for a Just Economy

Southern California Association of Non Profit Housers

Sustainable Little Tokyo

Thai Community Development Center

United Way of Greater Los Angeles

Visual Communications

We the Unhoused

Jon Christensen

Adjunct Assistant Professor, UCLA Luskin Center for Innovation and Institute of the Environment and Sustainability

Sara Daleiden

Resident and Creative Small Business Owner, Fashion District
Skid Row Now and 2040 Coalition Member

Joan Ling

Lecturer, UCLA Urban Planning Department
Former Commissioner and Treasurer, Community Redevelopment Agency of the City of Los Angeles, 2005-2012
Former Executive Director, Community Corporation of Santa Monica, 1991-2011

Pauletta Pierce, Resident, Chinatown