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CALIFORNIA



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November 7, 2022

**Re: Community Impact Statement on CF 22-0617: Downtown Los Angeles Community Plan Update / 2040**

To Whom It May Concern:

At our special public meeting on November 7, 2022 the Board of Directors of the Downtown Los Angeles Neighborhood Council (“DLANC”) voted to provide the following comments below:

The Downtown Los Angeles Neighborhood Council submits this Community Impact Statement **in support if amended** of Council File 22-0617: Downtown Los Angeles Community Plan Update / 2040.

DLANC appreciates the collaborative effort undertaken by staff from the Department of City Planning and the City Planning Commission to engage and develop a cohesive community plan that addresses the diverse stakeholders, neighborhoods, and needs of the Downtown Los Angeles community. The draft, as presented to the City Council, illustrates a community plan that is responsive to the evolving landscape of Downtown and addresses concerns that will transform our community to become more walkable, equitable, sustainable, and habitable to all.

Although DLANC overwhelmingly supports the DTLA 2040 Community Plan, we recommend the following changes be addressed to further codify issues of equity and inclusion but also ensure that our community can continue to grow, adapt and evolve as the civic, cultural, and business hub for the City of Los Angeles.

**1) Zoning for Skid Row:**

Skid Row is one of the most sensitive neighborhoods in the greater Downtown community due to the diversity of population groups experiencing or recovering from homelessness and other alignments. Additionally, Skid Row maintains extreme sensitivities towards evolving gentrification as one of the few neighborhoods that

maintain housing for individuals who otherwise would not be able to afford to live in other areas in our community.

However, DLANC **strongly expresses concerns** regarding the expansion of the IX1 zoning in addition to almost fully zoning Skid Row and Central City East as IX1.

We recognize this approach is meant to protect existing affordable housing stock, and prevent gentrification and tenant displacement. However, concentrating affordable housing in a singular neighborhood does an injustice to the area's residents. It does not adequately provide enough affordable housing long-term or address inherent vulnerabilities as outlined in the DCP staff recommendation report.

In addition, DLANC is opposed to the exclusion of market-rate housing and rejects the requirement of 100% affordable housing in any one specific area or land use designation in Downtown. Affordable housing should be distributed across the entirety of the community plan area as a means to promote increased equity and to encourage more mixed-income communities in Downtown.

**Recommendation:** DLANC requests that Council **approve and adopt** the *alternate proposal in Exhibit A* of the DCP staff recommendation report that will continue the prohibition of liquor stores and noxious uses in the Skid Row community but will amend the IX1 zoning to allow for market-rate housing, restricted affordable housing, and permanent supportive housing.

## 2) Inclusionary Housing:

As previously stated, DLANC has maintained the principle that Downtown's diversity should also be reflected in its zoning and housing policy with the belief that affordable housing should be distributed equitably in all neighborhoods within our community and should be equally integrated with mixed-income housing.

We believe implementing an Inclusionary Housing program will not only aid in increasing the affordable housing stock in the City but also ensure that on-site affordable housing is built and incentivized rather than being influenced by market-driven pressures.

**Recommendation:** DLANC requests that City Council **approve and adopt with modifications** an Inclusionary Housing component as identified in *Exhibit F.1* for projects that are setting aside on-site inclusionary Housing as identified in the consultant report. In addition, DLANC recommends Council adopt a **Graduated Inclusionary Housing** component rather than a mandatory program.

## 3) Adaptive Reuse & Historic Preservation:

Ever since the creation of the Adaptive Reuse Ordinance (ARO), Downtown has seen unparalleled revitalization and a burgeoning residential community that has since transformed DTLA into a 24-hr community.

In addition, Adaptive Reuse of existing structures is a proven measure in sustainability practices while also helping preserve and save buildings that architecturally contribute to Downtown's history and community character.

**Recommendation:** DLANC requests that City Council **approve and adopt** modifications to the ARO via the DTLA 2040 community plan to allow for adaptive reuse in all parts of the community plan area, allow conversion of parking structures to other uses, remove unit size minimum requirements, allow for the conversion of other building typologies to other uses as permitted by zoning and the conversion of buildings built after 1974 to other uses.

**Recommendation:** DLANC requests that Council **approve and adopt** potential affordable units requirements for commercial buildings that are converted to multi-family residential housing as identified in [Exhibit F.4](#). In addition, DLANC recommends an *en-lieu fee* and/or exemption status program similar to the AHLF be created specifically for Adaptive Reuse projects that otherwise cannot construct affordable units due to complexities associated with existing and historic building conversions.

**Recommendation:** DLANC requests that the Council **approve and adopt** [recommendation M.2 and M.3](#) from the [Cultural Heritage Commissions May 24, 2022 letter](#) as identified in [Council Modification M](#).

#### **4) Fashion District & Garment Manufacturing:**

As one of the primary manufacturing and commercial centers for Downtown Los Angeles, issues surrounding the future of industry and retail in the Fashion District will heavily impact the growth of this neighborhood in DTLA.

Currently, the Fashion District east of Los Angeles Street is overwhelmingly industrial or retail in nature, thus rendering the neighborhood void of activity outside normal business hours. As industry trends and manufacturing shift due to market-driven demands and pressures, there are significant concerns from the Fashion District business community regarding the future variability of non-mixed-use zoning for light-industrial and retail areas.

Recognizing concerns regarding the potential displacement of garment-related uses in the Fashion District, DLANC echoes calls for an equitable solution to protect this employment and industry sector in our community. As such, it is equally important to ensure the Fashion District can grow, evolve, and accommodate future uses as time progresses.

**Recommendation:** DLANC requests that Council **not adopt** any limitations to adaptive reuse in the Fashion District that is otherwise not surrounded by non-compatible or noxious zoning/building typologies, in contrary to the recommendation identified in [Exhibit F.2](#).

**Recommendation:** DLANC requests that Council **approve and adopt** the elimination or reduction of manufacturing set-aside requirements for new residential construction as identified in [Exhibit F.2](#).

**Recommendation:** DLANC requests that Council **approve and adopt** the relaxation of the restriction on garment manufacturing in CX2 zoning as identified in [Exhibit F.2](#).

#### 5) **Restaurant Beverage Program Integration:**

The creation of the Restaurant Beverage Program (RBP) for communities in surrounding Council Districts have aided economic and business recovery for restaurant and hospitality-based businesses suffering from the COVID-19 pandemic. The potential codification of the RBP in the DTLA 2040 community plan will engrain equitable processes for small businesses that struggle with a financial burden when applying for CUB from the City in the existing process.

**Recommendation:** DLANC requests that Council **approve and adopt** the Restaurant, Bar, and Nightlife Area and Restaurant Beverage Area as identified in [Council Modification G](#). In addition, DLANC requests that these zones be **modified and expanded** to include all of Downtown Central District west of Los Angeles Street to the 110 FWY.

**Recommendation:** DLANC requests that Council **approve and adopt** the creation of a Restricted Alcohol Sales Area for the Skid Row neighborhood and zones identified as IX1.

#### 6) **Civic Center Affordable Housing:**

[Council File 21-1079](#) outlined a development intent to better align the Los Angeles Civic Master Plan (CCMDP) with a more robust affordable housing component. However, [Council Modification I](#) proposes a maximization of affordable housing development on publicly owned sites in the Civic Center District through the transfer of unused development rights in the district.

DLANC is not opposed to the ability to increase affordable housing stock, especially within the Civic Center. However, such measures should strive to align with goals and measures established in the CCMDP to create a more diverse and inclusive Civic Center District that allows for mixed incomes and mixed housing typologies.

## 7) Facilitating Growth and Value Capture

The Proposed Plan is introducing a new Community Benefits Program, across a larger share of DTLA that is, “tailored to garner benefits that are most needed in Downtown”. The City’s legacy TFAR program will also be replaced, while the Park Mitigation Fee (commonly known as the "Quimby fee") and Affordable Housing Linkage Fee programs will continue to apply in the Downtown Plan Area. Given the desperate need for community spaces such as non-profit health and counseling clinics, small business resource centers, job training centers, commissary kitchens for food vendors, cultural centers, and libraries in the Downtown area:

**Recommendation:** DLANC requests that the Council **approve and adopt** the Proposed Plan’s developer incentive to, “set aside a minimum of 5,000 square feet and provide an additional 2.5% of Floor Area towards a Community Facility,” as identified in [Exhibit A: Staff Recommendation Report](#).

## 8) Community Benefits Fund

The Downtown Community Plan proposes to expand and refine City's Community Benefits Program (CBP). One of the bedrock benefits of the CBP allows projects that have satisfied minimum on-site benefits of Level 1 and Level 2 of the CBP to achieve maximum floor area by continuing to provide on-site benefits such as affordable housing, publicly accessible open space, or community facilities, or by, paying a fee towards the Community Benefits Fund at \$50 per square foot of requested bonus FAR. Currently, City Council oversees the fund. The CPC proposed to shift oversight of incentive funds from Council to the Department of City Planning.

As proposed, the oversight committee will be comprised of 12 members including

- one member from each of the following City groups: the Mayor’s Office; the City Administrative Officer; Office of the Chief Legislative Analyst; Department of City Planning; and the Housing and Community Investment Department (HCID); and
- a total of seven public members: one public member appointed by each Council District within the Downtown Community Plan Area (Council Districts 1, 9, and 14); one public member appointed by the Mayor’s Office; and three public members who apply to be selected to serve as representatives from inside or within 1.5 miles of the Downtown Community Plan Area boundary.

**Recommendation:** DLANC requests that the Council **modify and adopt** modifications to the *Community Benefits Fee Ordinance, SECTION. X.6. DOWNTOWN COMMUNITY BENEFIT TRUST FUND* to require that three of the seven public members that serve on the Oversight Committee shall come from each of the three Neighborhood Councils that serve the plan area as identified in [Exhibit D.3: Community Benefits Fee Ordinance](#)

## 9) Additional Recommendations:

DLANC recommends the following modifications or adoptions to the DTLA 2040 plan:

- a) **Approve and Adopt** zoning modification to the River Setback Zone to allow for additional open space adjacent to the Los Angeles River as identified in [Council Modification K](#).
- b) **Modify** the HB5 and HM2 form district for the South Park community to eliminate the restriction on podium projects to allow for greater design and development flexibility for projects while also increasing market-rate and affordable housing units in South Park. This request is mirrored in the consultant recommendation in [Exhibit F.1](#) for inclusionary housing projects.
- c) **Modify and Adopt** Land Use Goals (LU) as outlined in Goal 42 "VILLAGES NEIGHBORHOOD POLICIES" identified in [Exhibit C.1](#) to include the Historic Broadway Theater District. The Broadway Theater District, part of the National Register Historic Places, is the heart of this City's Historic Core, and provides a unique asset to the City and its film industry.
- d) **Create** a LU that addresses urban design elements such as the placement of street furniture, street lighting, trees, etc., that do not burden the historic signages and building frontages for the Historic Broadway Theater District to be included in Goal 42 "VILLAGES NEIGHBORHOOD POLICIES" identified in [Exhibit C.1](#).

**\* SUBJECT TO APPROVAL BY DLANC BOARD OF DIRECTORS ON NOVEMBER 7, 2022\***

Sincerely,

Claudia Oliveira  
President,  
DLANC

Ryan Afari,  
Chair,  
DLANC Planning & Land Use Committee

Cc: Mayor's Office (via email)  
Council District 14 (via email)  
Council District 9 (via email)  
Council District 1 (via email)  
Department of City Planning (via email)  
Arts District Little Tokyo Neighborhood Council (via email)  
Historic Cultural North Neighborhood Council (via email)

