

## Communication from Public

**Name:** Laurette Healey  
**Date Submitted:** 11/13/2024 12:22 PM  
**Council File No:** 21-1230-S5  
**Comments for Public Posting:** The Planning Department spent millions of taxpayer dollars on an analysis that determined that there is more than enough land area along boulevards and commercial corridors to utilize for 100% affordable units and within current Zoning regulations. Additionally, 100% affordable units do not require parking, theorizing that most people will opt to take public transportation. It, therefore, makes sense to incentivize greater use of mass transportation by building along commercial corridors with established bus networks connecting to light rail throughout the city. There is a logical land use framework to increase density in the city of LA, and the Planning Department has identified a path that will be the least disruptive to the current zoning and transportation structure. It is a common-sense solution that will likely be well supported by constituents. With this in mind, I urge the PLUM committee to support Draft #3 of CHIP. Thank You,  
Laurette Healey

## Communication from Public

**Name:** Dennis Thomas DiBiase

**Date Submitted:** 11/13/2024 11:49 AM

**Council File No:** 21-1230-S5

**Comments for Public Posting:** I support not including Exhibit D in the approved ordinance. Also, please remove a Faith Based Organization's ability to expand possible development out 528 feet into single family neighborhoods. This is detrimental to neighborhood context and not included in the State requirements.

RE: Comments Regarding the Draft Citywide Incentive Program Ordinance  
Council File No. 21-1230-S5ase Number CPC-2023-7068-CA

November 13, 2024:

To The City Council PLUM Committee:

This letter is my personal response to the latest Draft Citywide Housing Incentive Program (CHIP) Ordinance.

### Single Family Neighborhoods

*There remains a need and a desire for single family home ownership.* Reducing the availability of this housing type only reduces the opportunity to choose and obtain this option. **In addition, reducing the quantity of single family residences, because of demand, may have the unintended consequence that the prices will increase even more, making the affordability of this housing form even more out of reach.**

Furthermore, respecting neighborhood context and homeowners investments needs to be an important part of the managed growth of Los Angeles. The homes directly adjacent to unreasonable increases in density would most likely experience depreciation of their investment.

### Other Housing Types and Woodland Hills

**Providing other options of housing is equally important** and I stand behind the efforts to improve housing affordability by increasing supplies and variety of types in appropriate locations. Within Woodland Hills, there already is a multitude of opportunities to provide for-rent and for-sale multi-family housing types- transitional, affordable, work force, market rate, courtyard, town home, wrap, podium, mixed use, eldercare, active living, continuing care, etc. The recently constructed examples of all of these are all around us in the immediate vicinity. Specifically, as far as affordable housing types, two are currently under construction within Woodland Hills- one on Oxnard Street and the other on Ventura Boulevard.

In 2013, the Warner Center Specific Plan was signed by Mayor Eric Garcetti. This is a Plan that was authored by a Committee of Community members and the L.A. Planning Department over an 8 year period and created an avenue to provide 19000 more living units within Woodland Hills. The residents in the community, many residing in single family residences, heralded this as a step forward in the name of smart growth for the immediate community and the City of Los Angeles-at-large.

This is a community, like many others, where housing prices have dramatically increased in recent years and where single family residences are quite dominant. But **Woodland Hills is not a community that has closed its doors to multi-racial, multi-national, multi-generational populations or multi-faceted housing types. Quite the contrary.** I believe the map shown in the Planning meeting of July 25 ignored the current state of this area of the San Fernando Valley and with all the work that has been done and progress made in our community, the map was disheartening.

### **Current and Future Rational Housing Opportunities in Woodland Hills**

My personal belief is that the goal for **Woodland Hills should be to provide its fair share of the necessary housing in Los Angeles** and perhaps even exceed that somewhat. The opportunities in Warner Center alone far exceed what other communities will be required to provide. Also, selected sites along Ventura Boulevard also provide increased opportunities. As a rule, the sites on the **north** side of Ventura Boulevard that back up to the 101 freeway extend all the way from Corbin Avenue to where the 101 Freeway crosses Ventura Boulevard that are currently designated as Opportunity Zones and **are** appropriate for mixed use housing forms. In addition, west of the 101 freeway crossing of Ventura Boulevard the **south** side also provides housing opportunities. It should be noted that housing on Ventura Boulevard should have pedestrian oriented uses at the street level. Designating about 50% of Ventura Boulevard in Woodland Hills as Opportunity Zones for affordable housing, along with the Warner Center opportunities, fulfils the “our share” goal previously mentioned.

### **Tall Buildings Adjacent to Single Family Properties**

It is my understanding that in the draft CHIP Ordinance dated June 27, 2024, housing development in Opportunity Zones can be as tall as 5 to 8 stories. When adjacent to single family residences, there is an option to provide height transitions to mitigate any issues required by the height. The reduction in home values and loss of privacy due to a tall building located next to and dwarfing a single family residence and other residences in the close vicinity is not mitigated by the height transition proposed in the Ordinance.

Given the ample opportunities in Woodland Hills previously mentioned and the vastness of opportunities of equal appropriateness throughout the City of Los Angeles for affordable housing there is no need and it is completely **inappropriate to burden homeowners with adjacent tall buildings that cause a loss of property value, privacy, and even the unfortunate responsibility to take legal action.**

With this in mind the following areas designated in the Draft CHIP Ordinance should be eliminated as being designated as Opportunity Zones so that heights can be appropriately limited and uses carefully considered under the Community Plan effort.

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| <ul style="list-style-type: none"><li>A. Remove the Opportunity Corridor Incentive Area designations from the south side of Ventura Boulevard from Corbin Avenue to where the 101 Freeway crosses Ventura Boulevard including the designation on both sides of Comercio Lane.</li><li>B. Remove the Opportunity Corridor designations from the north side of Ventura Boulevard from where the 101 Freeway crosses Ventura Boulevard (east of Shoup Avenue) to where it is currently shown west of Royer Avenue.</li><li>C. Remove the Opportunity Corridor Incentive Area designation on each side, (east side and west side), of Topanga Canyon Boulevard from Ventura Boulevard south to Mulholland Drive.</li></ul> |
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### **Opportunity Corridor Transitional Incentive Areas**

The limiting of the Opportunity Corridor Transitional Incentive Areas to multi-family zones as reflected in the current Draft Ordinance dated June 25, 2024 should remain as written.

**Excluding R1, RS and RA zones from this category respects and maintains the context and the values of homes in these single family neighborhoods.**

**Faith Based Organization Properties**

Maintaining the requirement for ownership of the Faith Based Organization properties to before January 2024 is important and aligns with state law. Exempting properties within 528 feet of the Faith Based Organization properties from the January 2024 requirement encourages speculative development into single family neighborhoods by private developers who form partnerships with the Faith Based property owners. This is an opportunity for developers to actually initiate and market Faith Based Organizations to partner in increasing their funds even when their intentions would not have included these actions. **This new addition to the Draft Ordinance should be removed as it conflicts with the protection of single family neighborhoods intended in other parts of the draft.**

Personally, I am not affected by the draft Ordinance issues that I mention here, as I live in a Very High Fire Hazard Zone. My only interest is in respecting the goals of the City and State at the same time **minimizing the unnecessary negative effects or unintended consequences that could affect my fellow community members.**

Respectfully,

Dennis T. DiBiase A.I.A. LEED AP

**Disclosure Statement**

Dennis DiBiase is a Licensed Architect and a Principal at the firm of VTBS Architects in Santa Monica. He has been a resident of Woodland Hills for 36 years. He served on the Woodland Hills-Warner Center Neighborhood Council for 10 years (5 years as its Vice President) and the Citizens Advisory Committee for the Warner Center Specific Plan. He currently serves on the Ventura/Cahuenga Boulevard Corridor Specific Plan- Plan Review Board, the Pierce College Bond Oversight Committee, is a Member of the West Valley Warner Center Chamber of Commerce, and is Vice President of the Woodland Hills Homeowner's Organization. The responses and comments of this communication do not reflect that of any organization and as stated previously are his personal observations.

## Communication from Public

**Name:** Lucy V. Lee

**Date Submitted:** 11/13/2024 10:52 AM

**Council File No:** 21-1230-S5

**Comments for Public Posting:** I am a long-time resident of Sherman Oaks and am writing in support of Draft #3 of the CHIP ordinance, but excluding any options from Exhibit D. Thank you for inviting this public comment.

## Communication from Public

**Name:** T Cunningham

**Date Submitted:** 11/13/2024 08:55 AM

**Council File No:** 21-1230-S5

**Comments for Public Posting:** file number 21-1230-S5. I support the Draft #3 of the Housing Element/CHIP Ordinance, as presented by the Planning Department, without regard to the Exhibit D “options” that would open up single-family neighborhoods to rezoning. The Planning Department in its report clearly states that they have found enough zoning in other areas to meet the State’s mandate for housing without the need to rezone our single-family areas. My home is in an historic area with narrow streets that cannot accommodate parked cars on both sides without narrowing traffic down to one lane only. Cars reasonably travel through our area to get from Point A to B and increasing the population in the surrounding areas will further create dangerous car and foot traffic conditions, especially with the speeds that cars now travel despite posted speed limits. Some parents walk their children to the nearby grade school and other families walk their dogs on these narrow streets without the benefit of sidewalks. Increased population from higher density zoning will result in significant pedestrian safety issues from additional cars driving through this area.

## Communication from Public

**Name:** Andrea

**Date Submitted:** 11/13/2024 08:57 AM

**Council File No:** 21-1230-S5

**Comments for Public Posting:** I support the Draft #3 of the Housing Element/CHIP Ordinance, as presented by the Planning Department, without regard to the Exhibit D “options” that would open up single-family neighborhoods to rezoning. The Planning Department in its report clearly states that they have found enough zoning in other areas to meet the State’s mandate for housing without the need to rezone our single-family areas.

## Communication from Public

**Name:** CHIP Coalition  
**Date Submitted:** 11/13/2024 05:21 PM  
**Council File No:** 21-1230-S5  
**Comments for Public Posting:** Please see attached letter.



November 13, 2024

Los Angeles City Councilmembers

200 North Spring Street  
Los Angeles, CA 90012

**Re: Citywide Housing Incentive Program**

Dear Councilmembers,

This coalition of the undersigned organizations represents thousands of individual and organizational members in Los Angeles who collectively advocate for greater housing production to address our region’s severe housing affordability crisis, which is rooted in decades-long failure to build enough homes to meet the substantial need for housing. As a result of the housing shortage, Los Angeles has extremely unfavorable conditions for renters and aspiring homeowners. Among large cities in the United States, Los Angeles consistently has the highest levels of homelessness, rent burdened tenants, and overcrowding and the lowest rates of homeownership. As summarized in the City’s Housing Element adopted in 2021:

“Angelenos pay more of their income on housing, live in more overcrowded conditions, and have the highest rates of unsheltered homelessness of any city in the country. Almost half of all households struggle to pay their rent and mortgage, with more than a third of renters spending half their paycheck on rent. . . . This shortage has developed primarily since the 1980s, as the population in Los Angeles grew much faster than the creation of new housing. Downzonings during this period limited the land area and intensities at which housing could be built.”

Los Angeles needs to act with urgency and resolve to produce more housing at all income levels. United with this goal in mind, our coalition is focused on ensuring that the proposed Citywide Housing Incentive Program (CHIP) maximizes the potential for creating new housing in Los Angeles.

Our coalition submitted a letter in July 2024 to the Department of City Planning to offer recommendations on the prior version of the CHIP, based on technical guidance provided in partnership by Urban Land Institute Los Angeles’ (ULI-LA) members who have unparalleled expertise and experience with planning, land use and development in LA. Our recommendations in that letter focused on key areas the CHIP could be amended to support the financial feasibility of projects and depoliticization of planning decisions in our city, ultimately with the goal of realizing the full potential of the CHIP to yield substantial new affordable and mixed-income housing across all of the city’s neighborhoods, particularly in high-resource areas. Several of our most important recommendations were incorporated in the current version of the CHIP that has been presented to you.

**We appreciate the Department of City Planning incorporating many of our most important recommendations. We are writing to ask that you preserve these provisions as you consider and vote on the CHIP. Additionally, we suggest three additional areas that we believe the CHIP can further be refined to maximize the potential for the CHIP to produce new housing, ensuring its provisions yield financially feasible projects and that its approval pathways are clear, predictable and streamlined and protect against potential politicization of development.**

We recognize that the CHIP is a complex program that includes multiple incentive programs within it. It will serve as the successor to the most important housing production tools that currently exist in the city: the Density Bonus (DB) and the Transit Oriented Communities (TOC) programs. It will impact the entire city, and beyond this, there is a tight deadline for the CHIP to be enacted and useable by early next year or else the city will face significant consequences due to state law. We commend City Planning staff for the extensive outreach, genuine engagement and hard work they have done and continue to do to see through the adoption and implementation of the CHIP.

The CHIP contains many strong features to support mixed-income and affordable growth in our city. For example, it (i) creates an incentive program for mixed-income development in commercial corridors, (ii) increases density bonuses in the Mixed-Income Incentive Program (MIIP), (iii) established pathways for streamlined ministerial approvals for mixed-income and 100% affordable projects, (iv) enables development in P zones in some instances, and (v) incentivizes multi-bedroom units. Additionally, staff has modified the CHIP in the most recent version before you to further strengthen its potential. **As such, we recommend preserving the following provisions:**

- **Not counting above-ground parking count as floor area;**
- **MIIP affordable set aside requirements in alignment with existing TOC requirements for lower market tiers;**
- **Affordable Housing Linkage Fee exemption for projects that provide MIIP-level affordability set asides;**
- **Project Review exemption for projects that provide MIIP-level affordability set asides;**
- **More nuanced Environmental Protection Measures rather than the previously blunt approach to Environmental Consideration Areas;**
- **Expanded Administrative Review as no longer appealable and with an optional hearing;**
- **Allowing one waiver under the Affordable Housing Incentive Program (AHIP) through Expanded Administrative Review rather than discretionary review;**
- **Eliminating the potential for appeals for discretionary waiver cases at City Planning Commission; and**
- **Enabling FAR and story incentives for projects with 10% of total units set aside for multi-bedroom units (instead of 20% proposed in prior versions).**

Our coalition called for many of these provisions and we are grateful for their inclusion. They are crucial to creating the best framework for financially viable development to occur under the CHIP and to realize the outcomes envisioned by the CHIP.

**Relatedly, we also agree with the Department's findings that a 2-to-1 replacement requirement under the Resident Protections Ordinance (RPO) for units subject to the Rent Stabilization Ordinance (RSO) would not be economically feasible and would be a considerable barrier to the creation of the new housing at all income levels.** We note that the RPO includes extensive resident protections for tenants in RSO buildings and that the 2:1 replacement requirement, in addition to impeding needed housing production, will not provide additional protection to those tenants.

Beyond preserving the provisions outlined above, we offer three additional areas the CHIP can be further strengthened:

**1. Provide the DB Program with the Same Level of Benefits as the MIIP and AHIP Programs.**

The DB program is one of our most effective tools for mixed-income housing production yet, under the CHIP, it is at a great disadvantage compared to the MIIP and AHIP. As proposed, DB projects requesting a single waiver are precluded from using the Expanded Administrative Review procedure. In addition, MIIP and AHIP receive more incentives than a typical DB project. The on-menu FAR bonus is substantially less than that of the MIIP and AHIP.

For DB projects in the CHIP, the on-menu FAR incentive for projects in C zones has been retained as the greater of (i) the density bonus percentage (not to exceed 35%), or (ii) 3.0, but only if the project is within one-half mile of a Major Transit Stop. (See *proposed* LAMC 12.22.A.37(f)(2)(ii).) This requirement to be within one-half mile of a Major Transit Stop is redundant with the Transit Oriented Incentive program and will force many projects to seek off-menu incentives for FAR, especially considering that projects can now receive up to 100% density bonus under state law. Without adequate available FAR, the additional density cannot be achieved under the on-menu alternative. The density bonus law has proven to one of the City's most important tools for producing mixed-income housing and, due to our housing crisis, it should be expanded substantially.

Finally, the DB program allows 3 Public Benefit Options (childcare facility, commercial project providing off-site affordable units, and multi-bedroom unit). In contrast, the MIIP and AHIP provide 7 different Public Benefit Options. The severity of the housing crisis requires an "all hands on deck" approach and the DB program should not be restricted.

**Recommendation:** As noted below, the DB program should be afforded (i) up to 3 waivers before Expanded Administrative Review is not available, and (ii) up to five Additional Incentives or one off-menu incentive. The on-menu FAR should be increased to at least 4.5 for both C and multi-family R zones, and without a requirement for proximity to a Major Transit Stop. In addition, the DB program should include the same 7 Public Benefit Options as the other CHIP programs and have the same on-menu FAR incentive.

**2. Increase the FAR Incentives and Waivers for Transit Oriented and Opportunity Corridor Projects.**

The CHIP presents an excellent opportunity to expand the existing TOC program to maximize its potential for producing mixed-income housing. However, the FAR incentives are too low to be effective in optimizing the construction of projects using Type IIIA (i.e., wood frame construction with fire rated improvements on a reinforced concrete podium also known as "5 over 2") over Type I construction mid-rise buildings.

For Transit Oriented Incentive projects, the maximum FAR in C zones ranges between 3.25 in Tier 1 to 4.65 in Tier 3 and in multifamily R zones the FAR increases between 40% and 45%. For projects in the Opportunity Corridor Incentive areas, the FAR in the C zones ranges between 4.5 and 4.8 and in R zones the FAR increases are between 45% and 60%. These FARs are too low, particularly in light of the density bonuses ranging between 100% and 120% in the Transit Oriented Incentive areas and the unlimited density in the Opportunity Corridors, and will limit the feasibility of some projects. In addition, the CHIP reconfigures the geography of the four tiers in the TOC, eliminating Tier 4 and expanding Tier 1 and constricting Tiers 2 and 3. (*Proposed* LAMC, Tables 12.22.A.38(e)(2) and 12.22.A.38(f)(2).)

In addition, for Transit Oriented and Opportunity Corridor projects, the use of more than one waiver precludes ministerial review and instead requires City Planning Commission (CPC) review. In most cases, due to the Housing Accountability Act and state density bonus law, the CPC will not have the discretion to disapprove the projects. Besides, waivers of development standards are ministerial in nature and are routinely handled administratively.

**Recommendation:** For Transit Oriented Incentive projects, the FARs in Tiers 1 through 3 should be increased further. The FAR in C and R zones should be increased to at least 4.5 in Tier 1, 5.0 in Tier 2 and 5.5 in Tier 3. In the Opportunity

Corridor program, the FAR in the C and R zones should be increased to at least 4.5 in OC-1 and to at least 5.5 in OC-2 and OC-3. Any project under the Transit Oriented or Opportunity Corridor program should be able to use up to 3 waivers and be eligible for Expanded Administrative Review.

**3. Eliminate the Increases in the MIIP’s Affordability Requirements in the High Medium and High Market Tiers.**

The CHIP creates a two-tiered structure for affordability requirements in the MIIP programs. For the projects in the High Medium and High Market Tiers under the Linkage Fee ordinance, the CHIP increases the set asides for the Transit Oriented Incentive and Opportunity Corridor Incentives by at least 30%. For example, the CHIP increases the ELI set aside to 11% in Tier 1 (from 8%), 12% in Tier 2 (from 9%), and 13% in Tier 3 (from 10%). (*proposed* LAMC, Tables 12.38.A(c)(3)(iii)). These increases will pose significant financial feasibility challenges for projects, prevent some projects from being developed and may inadvertently push development into lower-income neighborhoods.

**Recommendation:** Revise the Transit Oriented Incentive and Opportunity Corridor programs to a single tier system by eliminating the increased affordability requirements for the High Medium and High Market Tiers in their entirety.

We believe these additional recommendations would build upon the most recent version of the CHIP and provide the robust tool that is needed to make significant progress on housing production. Again, we reiterate our gratitude to the Department of City Planning for heeding our prior recommendations. We welcome the opportunity to further discuss these concerns and recommendations.

Sincerely,



Nella McOsker  
President & CEO  
Central City Association



Corey Smith  
Executive Director  
Housing Action Coalition



Maria S. Salinas  
President & CEO  
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