

Attachment 2: Findings

Summary

The Proposed Plan as modified is consistent with the City Charter, LAMC, and General Plan Findings as recommended by the City Planning Commission on October 14, 2021, and the modifications approved by the City Planning Commission on October 14, 2021 are consistent with and further support the Findings of Fact.

Project Location

The Los Angeles Citywide Housing Element 2021-2029 Update, Safety Element Update, and Health Element Amendments (the Proposed Plans) will apply to the entire geographic area located within the boundaries of the City of Los Angeles, which encompasses 467 square miles.

Finding Requirements for General Plan Amendments

City Charter Requirements

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 significant social, economic, or physical identity. No legislative findings are required to amend the General Plan. The Proposed Plans propose amendments to three elements of the General Plan: (1) updating the Housing Element of the General Plan, including a new policy document and related Rezoning Program, (2) amendments to the Safety Element of the General Plan, and (3) amendments to the Health Element (Plan for a Healthy Los Angeles) of the General Plan. All the amendments to subject elements of the City's General Plan apply citywide.

State General Plan Consistency Requirement

State law requires that the General Plan have internal consistency among its elements (Government Code Section 65300.5). The updated Housing Element, Safety Element and the Health Element must be consistent with the other elements and components of the General Plan. Those elements are the 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 includes a Framework Element, an Infrastructure Systems Element, a Public Facilities and Services Element, and an Air Quality Element. State Housing law does provide an exception to consistency where the Housing Element includes a program to bring the other elements into consistency with the Housing Element where necessary to make adequate provision for the housing needs of all economic segments of the community (Gov. Code Section 65583(c)(8).)

Neither state law nor local law (City Charter and Code) requires the City to adopt consistency findings or any other findings to amend a general plan element. The consistency discussion is provided for the City Planning Commission's consideration in approving and recommending the Proposed Plans and its determination that the Proposed Plans are consistent with the City's General Plan.

State Housing Element Findings

See separate Council File for Housing Element specific findings.

Housing Element Consistency Discussion and Findings

See separate Council File for Housing Element specific findings.

Safety and Health Element Findings

A. General Plan Consistency Discussion

For all the reasons provided below, the update to the Safety Element and Health Element (Plan for a Healthy Los Angeles) Amendments contain goals, objectives, policies, and programs that are consistent with the General Plan.

Safety Element

See separate Council File for Safety Element specific findings.

Plan for a Healthy Los Angeles (Health Element) Targeted Amendment Consistency Discussion

Targeted amendments to the Health Element are proposed to clarify that the Health Element meets state requirements that pertain to environmental justice. The amendments are limited to revised background text, updates to Health Atlas maps, and two new racial justice related Programs. The Goals, Policies, Objectives, and existing Programs within the document are not proposed to be altered, so the findings made at the time of adoption remain applicable. Complete findings for the Plan for a Healthy Los Angeles are available in the original staff report from its adoption in 2015, associated with Council File 15-0103. Below are findings specific to the amendments proposed in Exhibit J.

With respect to environmental justice and equity, the Health Element amendments are consistent with the General Plan **Framework Element**, which includes policies to assure fair treatment with respect to environmental and development laws and protections, affirmative efforts to inform and

involve environmental justice stakeholders and community groups, and bring the environmental benefits of parks and open space to underserved communities.

The General Plan Framework Element states the following:

Framework Policy 3.1.9. *Assure that fair treatment of people of all races, cultures, incomes and education levels with respect to the development, implementation and enforcement of environmental laws, regulations, and policies, including affirmative efforts to inform and involve environmental groups, especially environmental justice groups, in early planning stages through notification and two-way communication. (P1, P18)*

Policy 4.1.9. *Whenever possible, assure adequate health-based buffer zones between new residential and emitting industries.*

Policy 6.4.2. *Encourage increases in parks and other open space lands where deficiencies exist, such as South East and South Central Los Angeles and neighborhoods developed prior to the adoption of the State Quimby Act in 1965 (As amended in 1972). (P1, P2, P54)*

Policy 9.23.2. *Prioritize the implementation of recreation and park projects in areas of the City with the greatest existing deficiencies. (P14)*

With respect to environmental justice and equity, the Health Element amendments are consistent with Mobility Plan 2035 (General Plan **Circulation Element**) which emphasizes sustainable, active mobility and transit infrastructure, especially for communities which have been heavily impacted by existing and past transportation plans, policies, and projects.

The Mobility Plan states the following:

Mobility Plan Objective 6. *Increase pedestrian safety improvements in the design and implementation of complete streets projects within the top 25% SB535 disadvantaged communities located in the City of Los Angeles or as subsequently identified through tools utilized by the City.*

Policy 4.3. Fair and Equitable Treatment: *Ensure the fair and equal treatment of people of all races, cultures, incomes and education levels with respect to the development and implementation of citywide transportation policies and programs.*

Policy 4.6. Data-Driven Prioritization of Projects: *Make the most of limited financial resources by utilizing data to prioritize transportation projects based upon equity in safety, public health, access, social benefits, and/or economic benefits.*

Policy 5.1. Sustainable Transportation: *Encourage the development of a sustainable transportation system that promotes environmental and public health.*

With respect to environmental justice and equity, the Health Element amendments are consistent with the General Plan **Open Space** Element which states the following:

***Health Element Policy 2.37.** Impacted areas should receive priority of funding for open space purposes, particularly in respect to providing recreational facilities.*

With respect to environmental justice and equity, the Health Element amendments are consistent with the General Plan **Public Facilities and Services** Element which states the following:

***Public Facilities and Services Element Policy 5.** Park and recreation sites shall be acquired and developed first in those areas of the City found to be most deficient in terms of the recreation standards.*

With respect to environmental justice and equity, the Health Element amendments are consistent with the General Plan **2021-2029 Housing Element** which promotes healthy neighborhoods and environments through community engagement, building standards and designs, and policies to correct for past discrimination and harms.

The Housing Element states the following:

***Housing Element Objective 3.1.** Use design to create a sense of place, promote health, foster community belonging, and promote racially and socially inclusive neighborhoods.*

***Policy 3.1.4.** Site buildings and orient building features to maximize benefit of nearby amenities and minimize exposure to features that may result in negative health or environmental impacts.*

***Policy 3.1.6.** Establish plans and development standards that promote positive health outcomes for the most vulnerable communities and populations.*

***Housing Element Goal 4.** A City that fosters racially and socially inclusive neighborhoods and corrects the harms of historic racial, ethnic, and social discrimination of the past and present.*

B. State Planning Requirements – Safety Element

See separate Council File for Safety Element specific findings.

Summary of CEQA Findings

The EIR analyzed the approval of the Proposed Plans. In regard to the Housing Element, the EIR analyzed the potential effect from the construction and operation of 420,327 housing units (full RHNA build out of 456,643 units minus the 36,316 housing units that have been approved but not

built). The Draft EIR found that the environmental impacts of several of the issue areas were significant and unavoidable, even with imposition of mitigation measures. Based on the analysis in the Draft EIR, the EIR concluded the Proposed Project could result in unavoidable significant environmental impacts with regard to:

- Air Quality – Threshold 4.2-2 (Construction and Operational Air Criteria Air Pollutant Emissions: Project and Cumulative)
- Biological Resources – Threshold 4.3-1 (Special-Status Species: Project and Cumulative); Threshold 4.3-2 (Sensitive Habitats: Project and Cumulative); Threshold 4.3-3 (Wildlife Corridors: Project and Cumulative)
- Cultural Resources – Threshold 4.4-1 (Historic Resources: Project and Cumulative); Threshold 4.4-2 (Archaeological Resources: Project and Cumulative)
- Geology and Soils – Threshold 4.5-1 (Paleontological Resources: Project and Cumulative)
- Hazards and Hazardous Materials – Threshold 4.7-2 (Hazardous Materials Near Schools: Project and Cumulative); Threshold 4.7-3 (Hazardous Materials Sites: Project and Cumulative)
- Noise – Threshold 4.10-1 (Construction Noise: Project and Cumulative); Threshold 4.10-2 (Operation Noise: Project and Cumulative); Threshold 4.10-3 (Construction Vibration: Project and Cumulative)
- Public Services – Threshold 4.12-1 (Fire Protection: Project); Threshold 4.12-2 (Police Protection: Project); Threshold 4.12-3 (School Facilities: Project)
- Recreation – Threshold 4.13-1 (Deterioration of Recreational Facilities: Project and Cumulative); Threshold 4.13-2 and Threshold 4.13-3 (Construction of Recreational Facilities: Project and Cumulative)
- Transportation (Freeway Queuing: Project and Cumulative)
- Tribal Cultural Resources – Threshold 4.15-1 (Construction: Ground Disturbance during Construction: Project and Cumulative)
- Wildfire – Threshold 4.17-1 (Impair Emergency Response Plan: Project and Cumulative), Threshold 4.17-2 (Exacerbate Wildfire Risks in State Responsibility Area or VHFHSZ: Project and Cumulative), Threshold 4.17-3 (Require Infrastructure that may Exacerbate Fire Risk: Project and Cumulative), Threshold 4.17-4 (Expose People or Structures to Significant Risks in State Responsibility Area or VHFHSZ: Project and Cumulative), Threshold 4.17-5 (Expose People or Structures to Significant Risks Involving Wildland Fires: Project and Cumulative)

The Draft EIR has also identified the following significant impacts that are anticipated to be reduced to less than significant with identified mitigation measures: Air Quality (Construction TACs); Hydrology (Impeding or Redirect Flood Flows); and Transportation (Conflict with Circulation Plan, Policy, Ordinance; Hazard due to Geometric Design; Emergency Access).

Recommended Project

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. None of the changes affect the analysis or conclusions in the Draft EIR. In particular, while the Proposed Project has been revised to include a higher overall required rezoning need (increased to 255,415 units from 220,000 units), this changed number does not affect the analysis presented in the Draft EIR as the rezoning need is determined to be needed in order to accommodate build-out of the RHNA. The Draft EIR analyzed build-out of the RHNA, and therefore this and other changes do not result in new significant impacts or an increase in the severity of the significant impacts identified in the Draft EIR. As such, that change and the others to be described in the Final EIR do not result in significant new information as defined in CEQA Guidelines Section 15088.5 requiring recirculation.

FINAL EIR

Section 15088 of the CEQA Guidelines requires the lead agency, Department of City Planning (DCP), to evaluate comments on environmental issues received from public agencies and interested parties who review Draft EIR and provide written responses. The City 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.

CPC RECOMMENDATION

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 will be completed after the City Planning Commission meeting, and the Final EIR and associated CEQA Finding and Statement of Overriding Considerations will be considered by the City Council prior to adoption of the Proposed Project and certification of the EIR.