



ERRATUM NO. 1 TO THE SUSTAINABLE COMMUNITIES PROJECT CEQA EXEMPTION

5600 Hollywood Boulevard Project

Environmental Case: ENV-2020-4297-SCPE

Project Location: 5600 Hollywood Boulevard, Hollywood, CA 90028

Community Plan Area: Hollywood Community Plan

Council District: 13 – Mitch O’Farrell

Approvals:

1. Project Permit Compliance Review with the Vermont – Western Transit Oriented District Specific Plan (Station Neighborhood Area Plan) (SNAP).
2. Density Bonus Compliance Review for a by-state State 50 percent Density Bonus, in exchange for setting aside 15 percent of the base permitted density, or 15 units, for Very Low-Income households, in conjunction with parking permitted under AB 2345, and the following development incentives:
 - a. Off-menu Incentive to permit 100 percent of the required open space to be located above the first habitable level in lieu of the maximum 75 percent (Section 9.D of the Vermont-Western Corridor Specific Plan (SNAP Section 9.D)).
 - b. Off-menu Incentive to permit a 1,707 square-foot publicly accessible plaza in lieu of 5,000 square feet to satisfy the SNAP’s alternative pedestrian throughway requirement (SNAP Section 9.G)
 - c. Off-menu Incentive to permit 22 percent transparent building elements on the eastern ground floor façade along St. Andrews Place in lieu of 50 percent (SNAP Development Standards and Design Guidelines Section V.6)
3. Site Plan Review for the construction of 150 dwelling units.

Revised Project Description: The 5600 Hollywood Project (Project) would replace an existing three-story structure, a two-story structure, associated surface parking, 27 non-protected trees, and a vacant lot, with a 150-unit apartment building on an approximately 37,135 square-foot (0.85 acre) site at 5600 Hollywood Boulevard (Project Site) within the Hollywood Community Plan area in the City of Los Angeles. The Project would develop a 14-story apartment building, including 89 one-bedroom units, 58 two-bedroom units (including 3 two-bedroom townhomes), and 3 three-bedroom units. Of the 150 units, 15 units would be reserved as Very Low Income affordable units. Parking would be provided in the building structure with one subterranean level and three above-ground levels. A total of 91 bicycle parking stalls (76 long-term stalls and 15 short-term stalls) and 208

vehicle parking spaces would be provided as permitted by AB 2345. The proposed building would be approximately 170 feet in height and contain up to 171,125 square feet of floor area, resulting in a proposed floor area ratio (FAR) of 4.6:1.

PREPARED FOR:

The City of Los Angeles
Department of City Planning

PREPARED BY:

Environmental Science Associates (ESA)

APPLICANT:

BWC/St. Andrews, LPI

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5600 HOLLYWOOD BOULEVARD PROJECT ERRATUM NO. 1 TO THE SUSTAINABLE COMMUNITIES PROJECT CEQA EXEMPTION

1.0 Introduction

This Erratum includes clarifications and modifications to the Sustainable Communities Project CEQA Exemption (SCPE) for the 5600 Hollywood Boulevard Project (Previously Proposed Project) approved by the City Council. These modifications clarify and refine the SCPE and provide supplemental information to the City decision-makers and the public. Specifically, subsequent to the completion of the SCPE, dated March 2021, the development plan for the Previously Proposed Project was updated and resulted in an overall reduction in square footage and uses proposed as part of the Previously Proposed Project. The following provides a discussion of the modifications and demonstrates that the Project modifications do not result in any changes to the conclusions of the SCPE.

2.0 Project Description

2.1 Previously Proposed Project Description

As described in the SCPE, BWC/St. Andrews, LP (the Applicant) proposed to replace an existing three-story structure, a two-story structure, associated surface parking, 27 non-protected trees, and a vacant lot with a 200-unit apartment building on an approximately 37,135 square-foot (0.85 acre) site at 5600-5606 W. Hollywood Boulevard, 1655-1681 N. St. Andrews Place, 5607 W. Carlton Way (Project Site) within the Hollywood Community Plan area in the City of Los Angeles. The Previously Proposed Project proposed to develop a 17-story apartment building, including 126 one-bedroom units, 71 two-bedroom units, and 3 two-bedroom townhomes. Project construction required the export of approximately 59,000 cubic yards of soil. The Previously Proposed Project required approval of a Conditional Use Permit to permit a greater than 35% density bonus and Density Bonus Compliance Review for the following three off-menu development incentives (1) incentive to permit greater than 75 percent of the required open space to be located above the first habitable level (Vermont / Western Station Neighborhood Area Plan [SNAP] Section 9.D); (2) incentive to permit 1,707 square feet of publicly accessible plaza in lieu of 5,000 square feet per the SNAP's alternative pedestrian thoroughway requirement (SNAP Section 9.D); incentive to permit 22 percent transparent building elements on the eastern ground floor façade along St. Andrews Place in lieu of 50 percent (SNAP Development Standards and Design Guidelines Section V.6).

Parking was proposed to be provided within the building with two subterranean levels and three above-ground levels. A total of 113 bicycle parking stalls (100 long-term stalls and 13 short-term stalls) were required and provided. A total of 265 vehicle parking spaces were proposed to be provided.

The Previously Proposed Project included the development of an approximately 196-foot tall, 222,234 square-foot building with a resulting FAR of 6.0:1. The Previously Proposed Project met or exceed all City of Los Angeles current building code and Title 24 requirements. Additionally, the Previously Proposed Project provided air filtration that provided a Minimum Efficiency Reporting Value (MERV) of 13.

The Previously Proposed Project requested the following approvals: Conditional Use Permit, Project Permit Compliance Review, Density Bonus Compliance Review, and Site Plan Review.

2.2 Revised Project Description

The Revised Project proposes to develop a similar residential building as proposed under the Previously Proposed Project; however, at a reduced square footage (from 222,234 square feet of floor area to 171,125 square feet of floor area). The reduction in square footage results in a reduced FAR, from an FAR of 6:1 to an FAR of 4.6:1. Other modifications to the Previously Proposed Project include a reduction in building height from 17-stories and 196 feet to 14-stories and 170 feet and an overall reduction in units provided, from 200 units to 150 units. Specifically, the Previously Proposed Project includes the development of 89 one-bedroom units, 58 two-bedroom units (including 3 two-bedroom townhomes), and 3 three-bedroom units. Of the 150 units, 15 units would be reserved as Very Low Income affordable units. Associated parking would be reduced accordingly from 265 vehicle parking spaces provided to 208 vehicle parking spaces. The reduction in vehicle parking spaces eliminate one level of subterranean parking and consequently reduce the amount of soil export required for the proposed development. The total number of bicycle parking stalls would also be reduced from a total of 113 bicycle parking stalls to 91 bicycle parking stalls.

In all, the Revised Project proposes the development of a 170-foot tall, 171,125 square-foot building with a resulting a FAR of 4.6:1. This is a 23 percent reduction in building square footage as compared to the Previously Proposed Project. Similar to the Previously Proposed Project, the Revised Project would meet or exceed all of the City of Los Angeles current building code and Title 24 requirements. In addition, similar to the Previously Proposed Project, the Revised Project would also provide air filtration that provides MERV 13.

The Revised Project requests similar approvals as the Previously Proposed Project; however, the Revised Project is no longer requesting a Conditional Use Permit due to a recent Superior Court decision that prohibits the City from granting a Conditional Use Permit under LAMC Section 12.24 U.26 to allow a density bonus in excess of 35 percent where the density bonus would allow the project to exceed the residential density limits in the Hollywood Redevelopment Plan. Based on this court decision, the Revised Project

is using a by-right 50% density increase permitted under State Density Bonus Law, as amended by AB 2345, in accordance with the November 2, 2022 memorandum from the Department of City Planning.

As demonstrated further below, the Revised Project would not change any of the conclusions that were previously determined in the SCPE.

3.0 Sustainable Communities Strategy Criteria – Revised Project

Similar to the Previously Proposed Project, the Revised Project meets the criteria and is therefore eligible for certain CEQA streamlining benefits by way of preparing a SCPE for purposes of clearance under CEQA as the Revised Project is (a) is consistent with the general use designation, density, building intensity, and applicable policies specified for the project area in a sustainable communities strategy (see California Public Resources Code Section 21155(a)); and (b) is a “transit priority project” (as defined in California Public Resources Code Section 21155(b)). The following table demonstrates how the Revised Project meets the criteria for a SCPE.

SUSTAINABLE COMMUNITIES STRATEGY CRITERIA – Public Resources Code (PRC) Section 21155		
PRC § 21155(a). Consistency with the general use designation, density, building intensity, and applicable policies specified for the project area in a sustainable communities strategy.	Consistent?	
	Yes	No
Given that the Revised Project would develop the Project Site with a similar residential infill development in proximity to transit as proposed under the Previously Proposed Project, but at a reduced scale, the Revised Project would be consistent with the general use designation, density, and building intensity outlined in the 2016 RTP/SCS, as well as the 2020 RTP/SCS. The Revised Project would also be consistent with the goals and policies in the 2016 RTP/SCS and 2020 RTP/SCS. As such, the Project is consistent with this criterion.	X	
PRC § 21155(b). To be considered a Transit Priority Project (TPP), as defined by § 21155(b), the project must meet all of the following criteria. A TPP shall:	Consistent?	
	Yes	No
(1) Contain at least 50 percent residential use, based on total building square footage and, if the project contains between 26 percent and 50 percent nonresidential uses, a floor area ratio of not less than 0.75; The Revised Project would construct a 14-story apartment building with a total floor area of 171,125 square feet. No other uses would be present onsite besides the residential uses. Therefore, based on total building square footage, the Project would contain 100 percent residential uses. Since the Project would contain no non-residential uses, the Project would	X	

not be subject to the floor area ratio requirements outlined in this criterion. Nevertheless, the Project would have a FAR of 4.6:1, which is greater than 0.75. As such, the Project is consistent with this criterion.		
<p>(2) Provide a minimum net density of at least 20 dwelling units per acre; and</p> <p>The Project would develop the approximately 37,135 square feet (0.85 acres) Project Site, which is currently improved with a three-story structure, a two-story structure, associated surface parking, 27 non-protected trees, and a vacant lot. The net housing density for the Project is approximately 150 units per 0.85 acres (over 176 units per acre), which is greater than the required minimum of 20 units per acre. As such, the Project is consistent with this criterion.</p>	X	
<p>(3) Be within one-half mile of a major transit stop or high-quality transit corridor included in a regional transportation plan. A major transit stop is as defined in PRC Section 21064.3, except that, for purposes of this section, it also includes major transit stops that are included in the applicable regional transportation plan. For purposes of this section, a high quality transit corridor means a corridor with fixed route bus service with service intervals no longer than 15 minutes during peak commute hours. A project shall be considered to be within one-half mile of a major transit stop or high-quality transit corridor if all parcels within the project have no more than 25 percent of their area farther than one-half mile from the stop or corridor and if not more than 10 percent of the residential units or 100 units, whichever is less, in the project are farther than one half mile from the stop or corridor.</p> <p>As with the Previously Proposed Project, the entirety of the Project Site is located within approximately 700 feet of the existing Los Angeles County Metro B (Red) Line Hollywood/Western Station, near the intersection of Hollywood Boulevard and Western Avenue. The Metro B (Red) line is an existing rail subway system that runs between Downtown Los Angeles and North Hollywood. This portion of Hollywood Boulevard has been designated as a high-quality transit corridor by Metro and SCAG. The Project Site is therefore located within one-half mile of a high-quality transit corridor. In addition to rail, other regular bus routes in the area include Metro Routes 2/302, 180, 181, 207, 217, 757, 780, and the DASH Hollywood Counterclockwise and Clockwise.</p> <p>Furthermore, SCAG has identified the Project location as a High Quality Transit Area (HQTa) and TPA based on the site's proximity to a major transit stop. In addition, the City of Los Angeles ZIMAS system identifies the Project Site as being located within a TPA, defined as an area within one-half mile of a major transit stop that is existing or planned.¹</p> <p>As such, the Project is consistent with this criterion.</p>	X	

¹ City of Los Angeles, ZIMAS, 2020. Parcel information for 5600 Hollywood Boulevard. Available at: <http://zimas.lacity.org/>, accessed July 2, 2020.

PRC § 21155.1(a). The TPP complies with all of the following environmental criteria:	Consistent?	
	Yes	No
<p>(1) The TPP and other projects approved prior to the approval of the TPP but not yet built can be adequately served by existing utilities, and the TPP applicant has paid, or has committed to pay, all applicable in-lieu or development fees.</p> <p>As with the Previously Proposed Project, a considerable increase in demand for services or utilities would not be anticipated with the implementation of the Revised Project since it is located in an existing heavily urbanized location served by existing public utilities and services. In addition, given that the Revised Project reflects a 23 percent reduction in development as compared to the Previously Proposed Project, the Revised Project would generate a reduced demand in water, electric power, natural gas, and wastewater generation. As such, it is anticipated that Los Angeles Department of Water and Power (LADWP), Southern California Gas Company (SoCalGas), and Los Angeles Bureau of Sanitation (LASAN) would have sufficient capacity to provide services to the Project Site. In addition, in terms of stormwater runoff, as the Revised Project would continue to develop within the same footprint as the Previously Proposed Project, the Project would not create or contribute runoff water which would exceed the capacity of the existing or planned stormwater drainage system.</p> <p>In addition, the Revised Project would be required to pay all applicable permit and development fees pursuant to code requirements and conditions of the Project. The applicable fees include but are not limited to the Los Angeles Unified School District fee in compliance with Senate Bill 50 and parks and recreation fees pursuant to LAMC Section 21.10.3(a)(1). Thus, the Project meets this criterion.</p>	X	
<p>(2) The site of the TPP does not contain wetlands or riparian areas, does not have significant value as a wildlife habitat, and implementation of the project would not harm protected species.</p> <p>The Revised Project is situated in an established, fully developed mixed-use corridor, adjacent to a large boulevard, and nearby multiple employment centers. The Project Site is currently developed with an existing three-story structure, a two-story structure, associated surface parking, and a vacant lot. As with Previously Proposed Project, the Revised Project would not have a substantial adverse effect on wetlands, riparian habitat, or other sensitive natural communities identified in federal, state, or local plans, policies, and regulations. In addition, the Revised Project would not harm any species protected by the Federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), the Native Plant Protection Act [Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code], or the California Endangered Species Act [Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code]. Therefore, this Revised Project meets this criterion.</p>	X	

<p>(3) The site of the TPP site is not included on any list of facilities and sites compiled pursuant to Section 65962.5 of the Government Code.</p> <p>As with the Previously Proposed Project, under the Revised Project, the Project Site is not located on any list of hazardous waste sites pursuant to Section 65962.5 of the Government Code and would not result in a significant hazard to the public or environment.</p>	X	
<p>(4) The site of the TPP is subject to a preliminary endangerment assessment prepared by a registered environmental assessor to determine the existence of any release of a hazardous substance on the site and to determine the potential for exposure of future occupants to significant health hazards from any nearby property or activity.</p> <p>(a) If a release of a hazardous substance is found to exist on the site, the release shall be removed or any significant effects of the release shall be mitigated to a level of insignificance in compliance with state and federal requirements;</p> <p>(b) If a potential for exposure to significant hazards from surrounding properties or activities is found to exist, the effects of the potential exposure shall be mitigated to a level of insignificance in compliance with state and federal requirements.</p> <p>As with the Previously Proposed Project, under the Revised Project, the Project Site itself was not identified in any of the regulatory databases reviewed. Based upon the review of all pertinent regulatory documents, the Phase I Environmental Site Assessments (ESAs) and Preliminary Endangerment Assessment (PEA) prepared for the Project concluded that there is only a low potential for any toxic or hazardous contamination to the Project Site from any of these off-site listed sources. With compliance with applicable SCAG mitigation measures and regulatory requirements, implementation of the Revised Project would not result in impacts pertaining to the release of or exposure to hazardous substances, including contaminants of potential concern (COPCs). Furthermore, the analysis and conclusions of the Phase I ESAs fully address and resolve the hazards-related analysis required by this criterion: namely, the existence of any release of a hazardous substance on the site and to determine the potential for exposure of future occupants to significant health hazards from any nearby property or activity. Therefore, the Project meets this criterion.</p>	X	
<p>(5) The TPP does not have a significant effect on historical resources pursuant to Section 21084.1.</p> <p>As with the Previously Proposed Project, the Revised Project would comply with regulatory requirements relating to vibration impacts, to monitor vibration levels to ensure they remain below the impact threshold of 0.2 in/sec PPV for protection of the adjacent historical resource, 5611 Carlton Way and 0.12 in/sec PPV for the other historical resources within the 0.25-mile radius. Therefore, with compliance with regulatory</p>	X	

requirements, the Revised Project would not materially alter in an adverse manner the known historical resources per Section 15064.5(b) of the CEQA Guidelines. Therefore, the Project meets this criterion.		
<p>(6) The TPP site is not subject to any of the following:</p> <p>(a) A wildland fire hazard, as determined by the Department of Forestry and Fire Protection, unless the applicable general plan or zoning ordinance contains provisions to mitigate the risk of a wildland fire hazard.</p> <p>As with the Previously Proposed Project, under the Revised Project, the Project Site would not be subject to a wildland fire hazard as the Project Site is not located within a Very High Fire Hazard Severity Zone pursuant to the City's ZIMAS system, nor is it located within a designated Fire Buffer Zone or Mountain Fire District by the 1996 City General Plan's Safety Element. Therefore, the Revised Project meets this criterion.</p> <p>(b) An unusually high risk of fire or explosion from materials stored or used on nearby properties;</p> <p>As concluded in the Previously Proposed Project, under the Revised Project, the Project Site is not subject to an unusually high risk of fire or explosion from materials stored or used on nearby properties or a risk of public health hazard in excess of federal or state standards. Therefore, the Revised Project meets this criterion.</p> <p>(c) Risk of a public health exposure at a level that would exceed the standards established by any state or federal agency.</p> <p>As with the Previously Proposed Project, the Revised Project would not result in public health exposure at a level that would exceed the standards established by any state or federal agency as the Project Site is not included in any federal, State, or local environmental list that identifies the use, generation, storage, treatment or disposal of hazardous materials and chemicals, or release incidents of such materials which may impact the Project Site. In addition, the Project Site is not located within the City's Methane or Methane Buffer Zones. Therefore, the Revised Project meets this criterion.</p> <p>(d) Seismic risk as a result of being within a delineated earthquake fault zone, as determined pursuant to Section 2622, or a seismic hazard zone, as determined pursuant to Section 2696, unless the applicable general plan or zoning ordinance contains provisions to mitigate the risk of an earthquake fault or seismic hazard zone.</p> <p>As with the Previously Proposed Project, under the Revised Project, because the Project Site is not located within a designated earthquake fault or seismic hazard zone, the Project would not result in seismic risk as a result of being within a delineated earthquake fault zone or a seismic hazard zone, and the Project meets this criterion.</p> <p>(e) Landslide hazard, flood plain, flood way, or restriction zone unless the applicable general plan or zoning ordinance</p>	X	

<p>contains provisions to mitigate the risk of a landslide or flood.</p> <p>As analyzed for the Previously Proposed Project, the Project Site is not within a City-designated Hillside Area, a landslide zone, a liquefaction zone, a fault rupture study area, or a tsunami inundation zone. The Project Site is also not located in a 100-year flood hazard area. Additionally, the Project Site is located outside of any Special Flood Hazard Areas (SFHAs) and is identified as being within Zone X, which are areas determined to be outside of the 0.2 percent annual change floodplain. Furthermore, no wetlands were identified at the Project Site or adjoining/immediately surrounding properties and therefore, the risk of flooding from a seismically induced seiche is remote. As such, the Revised Project would not result in landslide hazard, flood plain, flood way, or restriction zone impacts. Therefore, the Revised Project meets this criterion.</p>		
<p>(7) The TPP site is not located on developed open space.</p> <p>(a) For the purposes of this paragraph, “developed open space” means land that meets all of the following criteria:</p> <ul style="list-style-type: none"> i. Is publicly owned, or financed in whole or in part by public funds. ii. Is generally open to, and available for use by, the public. iii. Is predominantly lacking in structural development other than structures associated with open spaces, including, but not limited to, playgrounds, swimming pools, ballfields, enclosed play areas, and picnic facilities. <p>As with the Previously Proposed Project, under the Revised Project, the Project Site would not meet all of the "developed open space" criteria above, as it is entirely privately owned, and not open to or available for use by the public. The Project Site is also designated and zoned for High Density Residential uses, and is not designated or zoned for open space purposes. While there is minimal landscaping, it is provided for the private use of the adjacent residential and commercial uses and does not contain active or passive recreational facilities that are open to the public. Surrounding properties share the same land use and zoning designations as the Project Site, and are built out with residential and commercial uses. As such, the Project Site is not located on developed open space. Therefore, the Revised Project meets this criterion.</p>	X	
<p>(8) The buildings in the TPP are 15 percent more energy efficient than required by Chapter 6 of Title 24 of the California Code of Regulations, and the buildings and landscaping are designed to achieve 25 percent less water usage than the average household use in the region.</p> <p>As the Revised Project would result in the reduction of 23 percent in the proposed residential building as compared to the Previously Proposed Project, the energy and water consumption required under the Revised</p>	X	

Project is anticipated to be reduced as compared to the Previously Proposed Project. The Revised Project would achieve its energy and water efficiency through the implementation of similar measures as the Previously Proposed Project. Thus, the Revised Project meets this criterion.		
PRC § 21155.1(b). The TPP complies with all of the following land use criteria:	Consistent?	
	Yes	No
(1) The site of the TPP is not more than eight acres in total area. The Revised Project would develop a 150-unit apartment building on a 37,135 square foot lot (0.85 acre). Therefore, the Project Site is less than eight acres in total area, and the Revised Project meets this criterion.	X	
(2) The TPP does not contain more than 200 residential units. The Revised Project would develop 150 residential units. Therefore, the Project would not contain more than 200 residential units, and meets this criterion.	X	
(3) The TPP does not result in any net loss in the number of affordable housing within the project area. The Project Site is currently improved with an existing three-story structure that contains 14 vacant apartments units, a two-story structure that formerly contained 6 residential units on the second level, associated surface parking, and a vacant lot. None of the exiting units are covenanted deed-restricted affordable units. The Revised Project would provide 15 affordable housing units for Very Low Income households, resulting in a net increase in the number of affordable housing units in the Project area. Therefore, the Revised Project meets this criterion.	X	
(4) The TPP does not include any single level building exceeding 75,000 square feet. The Revised Project would include 171,125 square feet in the new 14-story building. The largest level would be approximately 30,652 square feet. Therefore, the Revised Project does not include any single-level building exceeding 75,000 square feet, and meets this criterion.	X	
(5) Any applicable mitigation measures or performance standards or criteria set forth in the prior environmental impacts, and adopted in findings, have been or will be incorporated into the TPP. As with the Previously Proposed Project, there are no prior EIRs or other environmental documents prepared specifically for the Project Site. The most relevant prior EIRs for the Project are the SCAG 2016 RTP/SCS EIR and the SCAG 2020 RTP/SCS EIR, which both include a list of mitigation measures within the Mitigation, Monitoring, and Reporting Programs (MMRP) SCAG determined a lead agency can and should consider, as applicable and feasible. Similar to the Previously Proposed Project, many of the mitigation measures identified by SCAG would not apply to the Revised Project and, therefore, would not be incorporated. The Revised	X	

Project will already substantially comply with a number of the MMRP's mitigation measures through its required compliance with various State, regional, and local regulatory requirements, as well as its implementation of various conditions of approval.		
(6) The TPP is determined not to conflict with nearby operating industrial uses. As with the Previously Proposed Project, given the nearby uses to the Project Site, under the Revised Project, there is no significant potential for a land use or operational conflict occurring between the Revised Project and nearby operating industrial uses. Accordingly, the Revised Project would not conflict with any nearby operating industrial uses, and meets this criterion.	X	
(7) The TPP is located within one-half mile of a rail transit station or a ferry terminal included in a RTP or within one-quarter mile of a high-quality transit corridor included in a RTP. The existing Metro B (Red) Line Hollywood/Western Station is located 700 feet east of the Project Site. Additionally, the Project Site is designated as being within a High Quality Transit Area within the SCAG 2016 RTP/SCS and the 2020 RTP/SCS. As such, and as described above, the Project Site is within one-half mile of a major transit stop. Therefore, the Project Site satisfies this criterion.	X	
PRC § 21155.1(c). The TPP complies meets at least one of the following three criteria:	Consistent?	
	Yes	No
(1) The TPP meets both of the following: (a) At least 20 percent of the housing would be sold to families of moderate income, or not less than 10 percent of the housing would be rented to families of low income, or not less than 5 percent of the housing is rented to families of very low income. (b) The TPP developer provides sufficient legal commitments to the appropriate local agency to ensure the continued availability and use of the housing units for very low, low-, and moderate-income households at monthly housing costs with an affordable housing cost or affordable rent, as defined in Section 50052.5 or 50053 of the Health and Safety Code, respectively, for the period required by the applicable financing. Rental units shall be affordable for at least 55 years. Ownership units shall be subject to resale restrictions or equity sharing requirements for at least 30 years. (2) The transit priority project developer has paid or will pay in-lieu fees pursuant to a local ordinance in an amount sufficient to result in the development of an equivalent number of units that would otherwise be required pursuant to paragraph (1).	X	

(3) The transit priority project provides public open space equal to or greater than five acres per 1,000 residents of the project.

In accordance with criterion 1, the Revised Project would provide 10 percent of its total units (15 affordable units of 150 total units) to families of Very Low Income for at least 55 years. Pursuant to SB 1818 (Government Code Section 65915), LAMC Section 12.22.A.25 and the Project's conditions of approval, the Applicant shall record a covenant against the Project Site ensuring the continued availability and use of the Revised Project's 15 Very Low Income units for a 55-year period. Therefore, the Project meets this criterion.