

FINDINGS

General Plan Findings

The project site, 4402-4486 East Florizel Street, 4401-4499 East Mercury Avenue, and 3501-3531 North McKenzie Avenue, is located within the Northeast Los Angeles Community Plan, which was last updated by the City Council on June 15, 1999. The site is comprised of six (6) parcels, creating one large rectangular project site, which encompasses an entire block for a total of 5.24 acres, with approximately 4,955 gross square feet of lot area.

I. Finding Requirements for General Plan Amendments and Zoning Ordinances

City Charter Findings

Charter Section 556 and 558 – The project is consistent with Charter Section 556 and 558 in that the General Plan Amendment and zone change are in substantial conformance with the purposes, intent and provisions of the General Plan as follows:

1. General Plan Land Use Designation. The Community Plan designates the site with a land use designation of Low Residential, which lists the RE9, RS, R1, RU, RD6, and RD5 as corresponding zones. The site is currently zoned [Q]R1-1D and is subject to the Qualified “Q” Conditions and Development “D” Limitations contained within Ordinance No. 180,403, also known as the Northeast Los Angeles Hillside Ordinance. The recommended amendment to the land use designation from Low Residential to Medium Residential and the Zone Change from R1 to R3 would be consistent with the historic use of the site as multi-family housing, the previous development on the subject site and the project approved under Case No. CPC-2019-4441-DB-PUB. Based on the site’s history, the R1 zoning designation for the site was inconsistent the long standing use and development in place since 1942. The proposed changes would be consistent with the purpose, intent, and provisions of the General Plan as it is reflected within the Northeast Los Angeles Community Plan.

2. General Plan Text

a. Framework Element.

The Framework Element for the General Plan (Framework Element) was adopted by the City of Los Angeles in December 1996 and re-adopted in August 2001. The Framework Element provides guidance regarding policy issues for the entire City of Los Angeles, including the project site. The Framework Element also sets forth a Citywide comprehensive long-range growth strategy and defines Citywide policies regarding such issues as land use, housing, urban form, neighborhood design, open space, economic development, transportation, infrastructure, and public services. The Framework Element includes the following provisions, objectives and policies relevant to the instant request:

GOAL 3C: *Multi-family neighborhoods that enhance the quality of life for the City's existing and future residents.*

Objective 3.7: Provide for the stability and enhancement of multi-family residential neighborhoods and allow for growth in areas where there is sufficient public infrastructure and services and the residents' quality of life can be maintained or improved.

The proposed zone, [Q]R3-1, would allow for the preservation of a past use and the new multi-family residential uses approved under Case No.CPC-2019-4441-DB-PUB. The neighboring properties with residential zoning in the vicinity to the south of the subject site are developed with multi-family residences, which coincide with a Medium Residential General Plan Land Use and R3-1 zone. The proposed General Plan Amendment and corresponding Zone Change and Height District Change comply with Charter Sections 556 and 558 in that the recommended General Plan Amendment and Zone Change reflect the General Plan Land Use patterns, trends, and uses in the immediate area and further the intent, purposes, and objectives of the City's General Plan, specifically the Framework Element and the Northeast Los Angeles Community Plan.

b. Northeast Los Angeles Community Plan.

The General Plan sets forth goals, objectives, and programs that serve as the foundation for all land use decisions. The City of Los Angeles' General Plan consists of the Framework Element, seven State-mandated Elements, including Land Use, Mobility, Housing, Conservation, Noise, Safety, Open Space, and optional Elements including Plan for a Healthy Los Angeles, Air Quality and Service Systems. The Land Use Element is comprised of 35 community plans that establish parameters for land use decisions within those subareas of the City. The subject property is located within the Northeast Los Angeles Community Plan, which designates the site for Low Residential land uses with corresponding zones of RE9, RS, R1, RU, RD6, and RD5.

However, the Low Residential land use and [Q]R1-1D zoning was inconsistent with the previous use that existed since the 1940s. The Three Digit- 1950's Published ordinance established a R4-1 Zone on the subject site and multi-family uses have been present on the subject site since then. The proposed General Plan Land Use designation, Medium Residential, and R3 Zone are consistent with the past multi-family uses and any new multi-family residential use on the subject properties.

GOAL 1: *A safe, secure, and attractive residential environment for all economic, age, and ethnic segments of the community.*

Objective 1-1: *To preserve and enhance existing residential neighborhoods.*

Policy 1-1.2: Promote neighborhood preservation, particularly in existing single-family neighborhoods, as well as in areas with existing multiple-family residences.

Objective 1-6: *To promote and ensure the provision of fair and equal housing opportunities for all persons regardless of income and age groups or ethnic, religious, or racial background.*

Policy 1-6.1: Promote individual choice in type, quality, price, and location of housing.

The proposed General Plan Land Use and zoning correction would allow for the continuation of multi-family uses within the subject site. The proposed [Q]R3-1 Zone and Medium Residential land use will be consistent with the approved project under Case No.CPC-2019-4441-DB-PUB and the surrounding residential uses. As such, allowing multi-family will be consistent with the Northeast Los Angeles Community Plan policy to preserve existing residential neighborhoods.

- c. **Housing Element.** The Housing Element of the General Plan contains the following relevant goals, objectives, and policies:

GOAL 1: Housing production and preservation.

Objective 1.1: *Produce an adequate supply of rental and ownership housing in order to meet current and projected needs.*

Policy 1.1.3: Facilitate new construction and preservation of a range of different housing types that address the particular needs of the City's households.

The project is a General Plan Amendment to re-designate the project from Low Residential to Medium Residential land use and a Zone Change and Height District Change from [Q]R1-1D to [Q]R3-1. While the project does not propose any development activity, it is rectifying the underlying designations to better suit the historic use of the site as a multi-family public housing site and the approved HACLA Rose Hill Courts Redevelopment project under Case No.CPC-2019-4441-DB-PUB. The Housing Element objectives with which the project would conform include: encouraging production and preservation of an adequate supply of rental and ownership housing to meet the identified needs of persons of all income levels and special needs; encouraging the location of housing, jobs, and services in mutual proximity; and accommodation of a diversity of uses that support the needs of the City's existing and future residents. As recommended, the recommended Zone Change would be consistent with the above referenced goals, objectives, and policies of the Housing Element.

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 project proposes an amendment to the Northeast Los Angeles Community Plan, which is part of the Land Use Element of the City's General Plan. The project area has significant social, economic, and physical identity as the site is owned by the Housing Authority of the City of Los Angeles and has been identified and operated in the community for many decades as lower density multi-family housing. The site is currently designated in the Northeast Los Angeles Community Plan for Low Residential use, and correspondingly have been zoned [Q]R1-1D. Considering the historical and current ownership of the property by the Housing Authority of the City of Los Angeles (HACLA), a more appropriate designation and zone for the site would be a R3 Zone with a corresponding medium residential land use. A multi-family development is consistent with the uses found under the R3 Zone (Multiple Dwelling Zone), but is not consistent with the current R1 Zone (One-Family Zone). Furthermore, the Northeast Los Angeles Community Plan states that the R3 Zone corresponds with the proposed medium residential land use and not with the existing low residential land use designation with corresponding zones of RE9, RS, R1, RU, RD6, and RD5. Therefore, pursuant to Los Angeles City Charter Section 555, the General Plan Amendment and zone change for the subject properties respective of the development pattern and property ownership status are appropriate.

3. Zone Change and Height District Change Findings.

- a. **Pursuant to Section 12.32 C of the Municipal Code, and based on these findings, the recommended action is deemed consistent with public necessity, convenience, general welfare and good zoning practice.**

Public Necessity, Convenience, and General Welfare

The proposed action, including the amendment to the Northeast Los Angeles Plan and rezoning, will be in conformance with the public necessity, convenience and general welfare. While the subject properties were developed with the original Rose Hill Courts development (constructed in 1942) in the past, a downzoning occurred through the Northeast Los Angeles Community Plan Revision (1999), resulting in the change of zone from a R4-1 to R1-1. As discussed in Finding No. 1 and 2, the recommended amendment to the land use designation from Low Residential to Medium Residential and the Zone Change from R1 to R3 would be consistent with the previous development on the subject site and the Rose Hill Courts Redevelopment project approved under Case No.CPC-2019-4441-DB-PUB.

Granting the requested legislative action, as recommended, will be deemed consistent with public necessity. The requested Zone Change would allow for the continuation of multi-family dwellings on the subject site, similar to when the Three Digit- 1950's Published ordinance established the R4-1 Zone on the subject site. Furthermore, the multi-family designation would allow for the multi-family units to be designated as affordable housing on the subject site. This would coincide with Policy 1.1.3 of the Housing Element, which advocates for "new construction and preservation of a range of different housing types that address the particular needs of the City's households."

Granting the requested legislative action, as recommended, will be deemed consistent with public convenience. The proposed Zone Change will contribute to the preservation of neighborhood character and the stability of an existing residential neighborhood. Furthermore, it will be deemed consistent with the general welfare, in that the proposed Zone Change would preserve high density multi-family residential uses on the subject site. This would allow for the subject site and future projects to adhere to Objective 1.1 of the Housing Element, which supports the production of "an adequate supply of rental and ownership housing..."

There has been no opposition to the Zone Change and Height District change from the public. As such, the recommended actions will be in conformance with public necessity, convenience, and general welfare.

Good Zoning Practice

The site is currently zoned [Q]R1-1D and has a General Plan Land Use Designation of Low Residential. The project is a City Initiated Zone Change to alter the zoning and land use designation to be in conformance with the long-standing multi-family use and public ownership of the site.

The subject property is currently approved for the Rose Hill Courts Redevelopment project under Case No.CPC-2019-4441-DB-PUB. Prior to the downzoning that occurred through the Northeast Los Angeles Community Plan Revision on June 15, 1999, the project site was zoned R4-1, with a designated land use of High Medium Residential (1979 - Northeast Los Angeles Community Plan). This R4 zoning and land use designation coincided with

the original Rose Hill Courts development constructed in 1942 under a multi-family use. As part of the Northeast Los Angeles Community Plan Revision, the property's zone and land use designation were changed to R1-1 and Low Residential. This meant that the HACLA owned Rose Hill Courts complex was now a legal non-conforming use on the subject site. Furthermore, in January 2009, the property was rezoned once again as part of the Northeast Los Angeles Hillside Zone Change Ordinance No. 180,403. The new ordinance added a permanent "Q" Qualified Classification and a "D" Development Limitation to the existing R1-1 zoning, resulting in a designation of [Q]R1-1D.

Although the new Rose Hill Courts Redevelopment was approved under such zone and land use, it is good practice to rezone the subject properties to a zone that is appropriate for the existing multi-family uses; as such, the subject properties are proposed to be rezoned to [Q]R3-1 with a land use designation of Medium Residential.

The existing [Q]R1-1D Zone was designated without the consideration of the established use the property. The existing zone and designation would prohibit the development of the project site for future uses beyond single-family, drastically reducing the amount of residential dwelling units the large site would otherwise allow. The existing zoning and land use, therefore, would hinder the City's initiative to provide more housing. The project would redesignate the property to the [Q]R3-1 Zone, consistent with the intent and purpose of the subject site, bringing the site into conformance with its current use.

As recommended, the project will alter the zoning and land use designation, creating consistency with the property's current use and surrounding developments, while ensuring the zoning is compatible and consistent with the objectives and policies of the General Plan and the Community Plan. As such, the project reflects good zoning practice.

b. Pursuant to Section 12.32 G and Q of the Municipal Code "Q" Classification Findings.

The current action, as recommended, has been made contingent upon compliance with a new "Q" condition of approval imposed herein for the proposed project. The "Q" Condition recommended herein has incorporated a use provision to allow public housing developments, only, which reflects the site's development history. This will ensure that the affordable housing component that has existed on the subject site since the 1940's will continue and secure an appropriate development in harmony with the objectives of the General Plan. The "Q" Condition that limits the use of the site to public housing is necessary to protect the best interests of and to assure a development more compatible with the surrounding properties and to prevent or mitigate the potential adverse environmental effects of the subject recommended action.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS

Project Background

Pursuant to the California Environmental Quality Act, Public Resources Code Sections 21000 et seq. (CEQA) and the State CEQA Guidelines, Title 14, California Code of Regulations, Sections 15000 et seq. (CEQA Guidelines), on November 26, 2019, the Environmental Impact Report (EIR) for the Rose Hill Courts Redevelopment Project (State Clearinghouse No. 20180910359) was certified by the Housing Authority of the City of Los Angeles (HACLA), to allow for the redevelopment of the existing 5.24-acre (228,255 square foot) Rose Hill Courts (RHC) public housing site (Approved Project). The Approved Project would demolish 15 one- and two-story buildings, which consist of one administration building and 14 buildings containing 100 restricted affordable multi-family residential units; and redevelop the site with 183 restricted affordable multi-

family residential dwelling units and two market-rate managers' units, and a 6,366-square-foot Management Office/Community Building. The City of Los Angeles found that the Certified EIR was completed in compliance with CEQA and State and City CEQA Guidelines, and adopted findings and a Mitigation Monitoring and Reporting Program. Subsequent to the certification of the EIR and approved entitlements for the Approved Project, an Addendum was published in August 2021 which solely analyzes the potential impacts of additional entitlements and land use designation and zoning changes, including a General Plan Amendment, Zone Change, and Height District Change (Modified Project) on the subject property. No physical changes to the Approved Project are proposed as part of the Modified Project.

CEQA Authority for an Addendum

CEQA establishes the type of environmental documentation required when changes to a project occur after an EIR is certified. Specifically, Section 15164(a) of the CEQA Guidelines states that: "The lead agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred."

Section 15162 of the CEQA Guidelines requires a subsequent EIR to a certified EIR or subsequent Negative Declaration to an adopted MND when one or more of the following circumstances exist:

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken, which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:
 - a. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
 - b. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Likewise, California Public Resources Code Section 21166 states that no subsequent or supplemental environmental impact report shall be required by the lead agency or by any responsible agency, unless one or more of the following events occur:

1. Substantial changes are proposed in the project which will require major revisions of the environmental impact report;
2. Substantial changes occur with respect to the circumstances under which the project is being undertaken which will require major revisions in the environmental impact report; or
3. New information, which was not known and could not have been known at the time the environmental impact report was certified as complete, becomes available.

CEQA Addendum Findings

The City of Los Angeles, prepared an Addendum to the Certified EIR, dated August 2021, pursuant to Section 15164 of the State CEQA Guidelines, for the Rose Hill Courts Redevelopment Project. The August 2021 Addendum analyzes the potential impacts of the Modified Project, modifications which solely include changes to the land use and zoning consisting of a General Plan Amendment, Zone Change, and Height District Change on the subject property. These are following, and in addition to, the entitlement of the Rose Hill Courts Redevelopment Project in November 2019. The Addendum demonstrates that all of the potential environmental impacts associated with the proposed modifications would be within the envelope of impacts as already evaluated in the Certified EIR. The August 2021 Addendum proposes no physical changes to the Approved Project.

In accordance with the CEQA, this Addendum analyzed the proposed modifications to the Approved Project to determine whether such modifications would result in any new significant environmental impacts that were not identified in the Certified EIR or a substantial increase in the severity of impacts set forth in the Certified EIR or otherwise require preparation of a supplemental or subsequent EIR; and concluded that the anticipated environmental impacts of the Modified Project are consistent with the analysis contained in the Certified EIR, and the Modified Project would not generate significant impacts not previously analyzed or require additional mitigation measures.

As demonstrated by the analysis in the Addendum, the Modified Project would not result in any new significant impacts, nor would it substantially increase the severity of previously identified significant impacts. Rather, all of the impacts associated with the Modified Project are within the envelope of impacts addressed in the Certified EIR and do not constitute a new or substantially increased significant impact. Therefore, the modifications resulting from the Modified Project do not meet the criteria for a Supplemental or Subsequent EIR pursuant to Public Resources Code, Section 21166 and CEQA Guidelines Section 15162 and 15163.

RECORD OF PROCEEDINGS

The record of proceedings for the decision includes the Record of Proceedings for the original CEQA Findings, including all items included in the amendment file, as well as all written and oral information submitted at the hearing on this matter. The documents and other materials that constitute the record of proceedings on which the City of Los Angeles' CEQA Findings are based are located at the Department of City Planning, 221 N. Figueroa Street, Suite 1350, Los Angeles, CA 90021. This information is provided in compliance with CEQA Section 21081.6(a)(2).