



**CURREN D. PRICE, Jr.**

The Honorable Marqueece Harris-Dawson, Chair  
Planning and Land Use Management Committee  
City of Los Angeles  
200 N. Spring Street  
Los Angeles, CA 90012

April 21, 2023

**RE: Downtown Los Angeles 2040 Community Plan Update (Council File No. 22-0617)**

Honorable PLUM Committee Members:

On behalf of the Office of Councilmember Curren Price of the Ninth City Council District (CD9), he would like to express his ongoing support of the work of our Los Angeles Department of City Planning (DCP) and their commitment to updating the Downtown Los Angeles 2040 Community Plan & Community Plan Implementation Overlay (CPIO) (“the Plan”). This plan will pave the way towards a better Los Angeles, one that is inclusive of affordable housing, prioritizes equity and will bring about the revitalization that Downtown Los Angeles so urgently needs. We are eager to implement the core principles of the plan which include inclusionary zoning to establish a base for affordable housing, the utilization of the New Zoning Code (Re Code) which allows us to build more efficiently while taking into consideration the needs of specific communities and districts. The Plan also creates more opportunities for community members to utilize transit, cycling and pedestrian friendly amenities, but most importantly the Plan seeks to find long-term solutions to preserving our existing employment base, while creating more opportunities for job development throughout Downtown Los Angeles.

As Chair of the Economic Development and Jobs Committee, I am committed to protecting our employment industries and creating more opportunities for emerging industries to flourish throughout the City of Los Angeles. CD9 is one of the leading Council Districts throughout the City in building the highest number of affordable housing units for homeless, low-income individuals and families. We greatly understand the need of prioritizing more affordable housing development. However, without a well-rounded balance of housing, employment, and community amenities our planning efforts will be short-sighted and will not fulfill the intended goals of the Plan. The recommendations presented in this letter will help us achieve the goals set forth in the Plan and the recently adopted Housing Element, so that we can enjoy a revitalized, forward-thinking Downtown Los Angeles that will set a new standard for community planning for generations to come.



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We are particularly supportive of the Plan's Land Use Goal 31 which seeks to create new and adaptive reuse structures that accommodate a range of hybrid industrial and job productive activity incentives in the Hybrid Industrial areas. More specifically, the Public Benefits Incentive Program of the CPIO, Subarea A.2 establishes well received Employment Incentives for projects in which a minimum of 50% of the total Floor Area contains non-residential uses, may obtain additional floor area above the base FAR and up to 4.0:1 FAR pursuant to the Employment Incentive Area, LAMC Chapter 1A Section 9.3.4.C.4.

There are, however, some issues we have noted with the current draft plan in which we would like to address in this letter. Our first concern is the non-restrictive promotion of hotel development throughout the regional subareas of the Plan. Although we seek to encourage the development of hotels and/or lodging facilities throughout the Downtown area, especially those nearest to the Los Angeles Convention Center, which resides in our District, we will not do so at the expense of community concerns for traffic demand management, and a fair public hearing process that allows for valuable community input.

Our office would like to make a few amendments to the Plan to reflect the terms that are in closer alignment with existing and future plans for Downtown Los Angeles.

### **Hotel Uses**

We request that PLUM modify the provision of Article 5, to require a C3-level Conditional Use (CUP) for lodging uses (i.e. hotels) in all Use Districts where lodging is a permitted use. This can be done by amending the Plan, Re-Code, and/or CPIO so that all zoning categories in which lodging is allowed (CX1, CX2, CX3) are treated as a "Class 3" CUP.

We would also like to request that in addition to the findings required by Section 13B.2.3 of Chapter 1A of the Zoning Code, the City Planning Commission or City Council on appeal shall consider and make express findings on each of the following: that there is sufficient market demand for the Lodging project proposed; that the Lodging Project will not unduly and negatively impact demand in the City for affordable housing, public transit, child-care, and other social services, taking into consideration the impact of the part-time or seasonal nature of work at the Lodging project and of the Lodging Project employees' expected compensation.



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## **Fashion District**

### **IX3 Productive Space Requirement**

We request that PLUM remove a portion of the Optional Recommendation F.1 of the Director of Planning's Memo to PLUM (Memo to PLUM), dated September 27, 2022 that would change the required productive space within a residential mixed-use building from 0.5 FAR requirement to 1 FAR for light manufacturing job productive uses in all new, residential developments (i.e. office, commercial) within the IX3 use strategies of the Fashion District.

The Western proposed IX2 use strategy within the Fashion District includes South of 7th St, West of Central to Olympic and West of Stanford to the 10, North of the 10, and East of San Pedro to 12th St and East of Crocker St to 7<sup>th</sup> St.

The additional recommendations within F.1 of the Memo to PLUM should be carried forward, and should not be set aside. These include:

- A. Removal of office space as a qualifying use for the "in-conjunction with" requirement for dwelling and live/work units;
- B. The addition of manufacturing, Light: Garment & Accessory as an qualifying use for the "in-conjunction with" requirement for dwelling and live/work units;
- C. Removal of office space as a qualifying use in the workspace uses for live/work units;
- D. Addition of manufacturing, Light: Garment & Accessory as a qualifying use for the workspace uses for live/work units;
- E. Removal of the adaptive reuse exception for dwelling and live/work "in-conjunction with" standards
- F. New prohibition on change of use (from non-residential to residential and lodging);

### **CPIO Employment Incentive**

We request that PLUM expand the Downtown Community Benefits Subarea A.5 Map, as set forth under the Memo to PLUM, Option F.12 to include the portion of the Fashion District zoned CX3 in the Memo to PLUM. This includes parcels generally bounded by 7th street to the north, Santee street to the east, the 10 freeway to the south and Broadway and Main Street to the east. We further request that the provisions of the Downtown CPIO, as modified by the Memo to PLUM F.11 and F.12, be further modified such that only Light Manufacturing Uses,



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Manufacturing, Light- Garment & Accessories, Manufacturing, Light- General, Manufacturing, Light-Artistic & Artisanal, Light Industrial, Wholesale Trade & Warehousing qualify for the floor area incentives described therein.

We further recommend the prohibition of hotels in IX2, IX3, I1, & I2 use strategies within the boundaries of the Fashion District.

### **JLWQ in IX2**

We request that PLUM modify the provisions of Article 5, Section 5B.7.2 (IX2 Use District) to provide stronger Conditional Use findings to be made by the Zoning Administrator whenever a Joint Living/Working Quarters application is requested that could displace or impact industrial uses such as garment production: Require documentation of efforts to replace nonresidential tenants for at least five years from nonresidential vacancy date. Applicants should be required to provide contact information for most recent commercial tenants to allow administrator to confirm that the tenant wasn't offered money to break their lease, unjustly evicted or locked out, not offered lease renewal, subject to threats or intimidation, repeated interruptions of essential services such as heat, water, and electricity, or subject to other disruptions which caused them to leave their commercial space including failure on behalf of the landlord to repair damages or deliberate construction-related disruptions like blocked entrances, excessive dust or debris. This also should include failure to provide suitable commercial space by not ensuring consistent & effective pest control.

### **Wireless Uses in Commercial Zones**

The DTLA2040 Community Plan is proposed alongside the new Zoning Code (Chapter 1A of the LAMC), which generally carries forth the regulations on wireless uses from today's Zoning Code (Chapter 1 of the LAMC). This office is aware that there is an interest from the industry to:

- 1) ensure wireless standards reflect the latest Federal Communications Commission (FCC) regulations,
- 2) gain clarity on how modern wireless uses such as data centers are regulated, and
- 3) update many of the wireless standards in the Zoning Code.

This office recommends addressing compliance with FCC regulations through the Form & Legality process. Offering clarity on modern wireless uses would best be addressed through an update to City Planning's Use List for the current Zoning Code (Chapter 1 of the LAMC) and through the establishment of a Use List for the new Zoning Code (Chapter 1A) to address such uses in a consistent way across the City.



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A substantive update of wireless standards should be thought of comprehensively across both Chapter 1 and 1A of the LAMC to ensure an opportunity for robust public input and a consistent regulatory approach to wireless uses across the City, and would therefore entail a separate code amendment across both Zoning Codes.

Therefore, we are recommending the below referenced directives, which are not intended to be amendments of the General Plan, but policy directives to enhance wireless infrastructure/access in the Downtown community; and instruct as follows:

1. Instruct the Planning Department, in consultation with the City Attorney, to prepare a report with recommendations within 60 days, to ensure consistency between Federal Communications Commission regulations and the wireless standards in Chapter 1A of the Municipal Code.
2. Instruct the Planning Department, in consultation with the City Attorney, to prepare and present an ordinance and environmental review to (A) update its Use List for Chapter 1 and 1A of the Municipal Code to permit wireless uses in commercial zones such as, but not limited to: wireline and network telecommunications services facilities, including switching and exchange facilities, data centers, cloud storage and internet-supporting facilities; (B) initiate a code amendment updating Chapter 1 and 1A of the LAMC in order to utilize best practices for wireless uses and meet the City's goals for upgrading infrastructure; and (C) conduct the necessary public hearings whereby telecommunication/internet service providers and members of the public can provide their input when a proposed ordinance is ready to be vetted.

Based on the foregoing, we respectfully request that PLUM adopt the above referenced provisions.

If you have any questions or concerns please contact my Director of Planning and Economic Development, Sherilyn Correa via email [Sherilyn.Correa@lacity.org](mailto:Sherilyn.Correa@lacity.org) or by phone (213) 473-7009.

Sincerely,

A handwritten signature in black ink that reads "Curren D. Price, Jr." in a cursive script.

**CURREN D. PRICE, JR.**

Councilmember, 9<sup>th</sup> District