

APPENDIX J

Comment Letters

COMMENT LETTER NO. 1



November 13, 2012

VIA EMAIL AND OVERNIGHT DELIVERY

Reuben N. Caldwell, AICP
Los Angeles Department of City Planning
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Re: Comments on West Adams-Baldwin Hills-Leimert New Community Plan Draft
Environmental Impact Report (September 2012); City Case No. ENV-2008-478-EIR;
State Clearinghouse No. 2008021013

Dear Mr. Caldwell:

I. Introduction

The California Restaurant Association ("CRA") submits the following comments on the City of Los Angeles' West Adams-Baldwin Hills-Leimert New Community Plan ("West Adams NCP") Draft Environmental Impact Report (September 2012); City Case No. ENV-2008-478-EIR; State Clearinghouse No. 2008021013 ("DEIR").

II. The DEIR's Impacts Analysis is Inadequate under CEQA.

As discussed below, the DEIR's analyses of transportation and traffic, air quality, greenhouse gas ("GHG"), and noise impacts are inadequate under the California Environmental Quality Act ("CEQA")(Cal. Pub. Res. Code § 21000 *et seq.*). Although technical perfection in the DEIR is not required, CEQA does require adequacy, completeness, and a good-faith effort at full disclosure. (CEQA Guidelines § 15003(i)). The EIR is the "heart of CEQA" and "[i]ts purpose is to inform the public and its responsible officials of the environmental consequences of their

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decisions before they are made." *Laurel Heights Improvement Ass'n. v. Regents of University of California* (1993) 6 Cal. 4th 1112, 1123 (internal citations omitted). In order to satisfy the requirements of CEQA, the City must address the inadequacies in the DEIR's impacts analysis identified below.

A. Transportation and Traffic Impacts

Section 4.15 of the DEIR evaluates transportation and traffic impacts associated with the proposed project. As discussed below, the DEIR improperly establishes the traffic baseline and fails to disclose assumptions underlying trip reductions used to calculate Year 2030 traffic conditions.

1. The DEIR Improperly Establishes Year 2008 Baseline Transportation Conditions

Under CEQA, the significance of a project's impacts cannot be measured unless the EIR first establishes the actual physical conditions on the property. Accordingly, baseline determination is the first step in the environmental review process. *Save Our Peninsula Committee v. Monterey County Bd. of Supervisors* (2001) 87 Cal.App.4th 99, 125. For the reasons explained below, the traffic baseline included in the DEIR is problematic under CEQA.

As a general rule, the baseline reflects existing physical conditions as they exist at the time the NOP is published. (CEQA Guidelines §§ 15125(a); 15126.2(a)). Here, a NOP for the DEIR was published on February 1, 2008. While the NOP date can establish a baseline, the date for establishing a baseline is not rigid. Because environmental conditions vary, it is necessary in certain cases to consider conditions over a range of time periods. In some cases, conditions closer to the project approval date are more relevant to a determination of environmental impacts. Courts have expressly recognized that in the context of traffic impacts, "the EIR might necessarily take into account the normal increase in traffic over time. Since the environmental review process can take a number of years, traffic levels as of the time the project is approved may be a more accurate representation of the existing baseline against which to measure the impact of the project." *Save Our Peninsula Committee*, 87 Cal.App.4th at 125-26, citing *Fairview Neighbors v. County of Ventura* (1999) 70 Cal.App.4th 238, 243 (discussing possible environmental effects of the project based on actual traffic counts would have been misleading and illusory where traffic flow for project at issue fluctuates considerably based on need, capacity and other factors). Commonly, EIRs add a "growth factor" to traffic counts to add an assumed level of growth in any intervening years from the date of the traffic count to the date of the DEIR.

The DEIR's traffic impacts analysis is based on the Draft Transportation Improvement and Mitigation Program included as DEIR Appendix G (Fehr & Peers, August 2012)("TIMP"). Chapter 2 of the TIMP documents existing (i.e., baseline) transportation conditions, including existing AM and PM peak roadway operations for year 2008. The TIMP states that Year 2005 traffic counts were used to represent existing Year 2008 traffic conditions. The TIMP explains that the traffic model was calibrated and validated to Year 2005 traffic conditions when it was first developed, and a comparison of Year 2005 and Year 2008 traffic counts determined that counts collected in 2005 were approximately 4 and 9 percent higher in the AM and PM peak

hours. Therefore, the 2005 model validation was considered to still be valid. (TIMP p. 20, § 3.2). However, the DEIR's baseline determination is improper for two reasons.

First, data used to develop the traffic model was collected in 2005, seven years before the DEIR was released. Even if the data was validated in 2008 when the NOP was published, the 2005 data is nonetheless stale, and the 2008 validation is stale as well. The City is implying that traffic in 2012 is better than it was in 2005. Such an assumption makes no sense and is not the experience of your average driver. The City should not rely on such outdated data to establish baseline traffic conditions in the absence of substantial evidence that a Year 2008 baseline derived from measurably different 2005 data properly describes the existing environmental conditions. *Communities for a Better Environment v. South Coast Air Quality Management District* (2010) 48 Cal.4th 310, 328 ("Neither CEQA nor the CEQA Guidelines mandates a uniform, inflexible rule for determination of the existing conditions baseline. Rather, an agency enjoys the discretion to decide, in the first instance, exactly how the existing physical conditions without the project can most realistically be measured, subject to review, as with all CEQA factual determinations, for support by substantial evidence.") (internal citations omitted). Moreover, the City does not explain why the 2008 verification is still valid. The DEIR should use a 2012 or 2013 existing traffic baseline, or add the least include a growth factor to account for changed conditions since 2005.

Second, even if the City establishes on the basis of substantial evidence that it is appropriate to rely on a 2008 baseline for traffic conditions, the TIMP acknowledges that 2005 data reflects higher AM and PM peak traffic counts than were observed in 2008, when the traffic model was validated. Without confirmation that the differences between Year 2005 and validated Year 2008 AM and PM traffic counts are negligible, it appears that reliance on the higher Year 2005 traffic counts could result in skewed traffic impacts analysis. For example, the analysis could potentially underestimate Year 2030 significant traffic impacts because there may be a smaller increase from Year 2005 (i.e., higher traffic counts) to Year 2030 traffic counts, compared to the increase from Year 2008 (i.e., lower traffic counts) to Year 2030 traffic counts. In turn, the LOS for a given roadway segment may not appear to deteriorate when comparing higher counts obtained in Year 2005 and Year 2030, but could appear to deteriorate when comparing lower Year 2008 traffic counts with Year 2030. Moreover, because the change in traffic baseline for Year 2012 is unknown, it is impossible to know if the 2005 counts are understating project impacts.

Although the Year 2005 traffic counts were 4 and 9 percent higher than Year 2008 counts in the AM and PM peak hours, even a comparatively small difference in the amount of increased traffic could be significant in an already congested area where many intersections are operating at unsatisfactory LOS E or F. *Fairview Neighbors v. County of Ventura*, 70 Cal.App.4th at 243 (discussion of environmental effects was misleading and illusory). At minimum, the TIMP should explain to the general public how reliance on a traffic model based on higher Year 2005 traffic counts, as opposed to Year 2008 data with lower traffic counts and unknown changes in 2012, does not substantially affect the analysis of transportation impacts. *Environmental Planning & Information Council v. County of El Dorado* (1982) 131 Cal.App.3d 350, 358 ("The comparisons utilized in the EIRs can only mislead the public as to the reality of the impacts and subvert full consideration of the actual environmental impacts which would result. There are no

extensive, detailed evaluations of the impacts of the proposed plans on the environment in its current state. Accordingly, the EIRs fail as informative documents.")

2. *The Traffic Impacts Analysis Fails to Sufficiently Inform the Public of the Assumptions Underlying Trip Reductions Applied to Year 2030 Traffic Conditions*

The DEIR and TIMP rely on Year 2030 traffic conditions calculations to analyze the effectiveness of the TIMP and to evaluate impacts related to the circulation system and the Congestion Management Program ("CMP"). (DEIR pp. 4.15-13 - 4.15-27). However, as discussed below, these Year 2030 traffic conditions include trip reductions based on changes in land use without providing any explanation for the assumed trip reductions, as fundamentally required by CEQA. Failure to provide information in an EIR as required under CEQA is a failure to proceed in a manner required by law. Failure to comply with CEQA's information disclosure requirements is a prejudicial abuse of discretion if decision makers or the public are deprived of information necessary to make a meaningful assessment of the environmental impacts. *County of Amador v. El Dorado County Water Agency* (1999) 76 Cal.App.4th 931, 946; *see also* Cal. Pub. Res. Code § 21005.

According to the TIMP, trip reductions are based on the "4Ds" process, which uses an elasticity derived for each of four variables (density, diversity, design, and destination accessibility) to predict vehicle trip reductions between two alternative land use scenarios. (DEIR, p. 4.15-22; TIMP, p. 38, § 6.1). Here, the 4Ds elasticities were reportedly applied to land use differences between existing Year 2008 conditions and Year 2030 land use scenarios, based on concentrations of land use along major corridors and around proposed transit stations and the inclusion of parking reductions. (TIMP, p. 38, § 6.1).

The DEIR and TIMP only describe the Year 2030 TOD Plan land use scenario in general terms ("the proposed community plan updated with land use concentrated along major corridors and around proposed transit stations") and briefly explain the theory behind the 4Ds process. (TIMP, pp. 1, 38). Yet the DEIR and TIMP fail to disclose any information regarding the assumptions underlying trip reductions applied to the Year 2030 (TOD Plan with 4Ds) scenario. For example, the TIMP states that the 4Ds process includes vehicle trip reductions based on density, defined merely as "the residential and non-residential development per acre." (TIMP, p. 38, § 6.1). However, the TIMP does not identify which areas and corresponding changes in density within the West Adams NCP were analyzed to calculate the density-based vehicle trip reduction or the basis for assuming a trip reduction because of the densification. Similarly, the TIMP does not even identify the mix of residential and non-residential development, or the location of such development, underlying diversity-related trip reductions. It is unclear whether the trip reductions accounted for all or only some of the land use changes identified in the draft CPIO subdistricts and Specific Plan change areas where "active" changes will be made, as shown on DEIR Figure 3-5 and detailed in DEIR Appendix B, or alternatively, whether trip reductions accounted for other plan or zoning changes not shown on Figure 3-5.

Although the TIMP includes many pages of numeric calculations, "[a]n adequate EIR requires more than raw data; it requires also an analysis that will provide decision makers with sufficient information to make intelligent decisions." *County of Amador* 76 Cal.App.4th at 955. It should

not be necessary for the reader of an EIR to cobble together information included in and appended to the EIR. *Id.* at 956. Section 4.15 of the DEIR and the TIMP must describe the assumptions incorporated into the 4Ds process used to calculate Year 2030 traffic conditions.

By failing to explain the assumptions underlying the trip reductions applied to determine Year 2030 traffic conditions, the DEIR fails to meet its purpose "to demonstrate to an apprehensive citizenry that the agency has in fact analyzed and considered the ecological implications of its action." *No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal.3d 68, 86 (internal citations omitted).

This data is critical because the proposed project results in significant and unavoidable traffic impacts, taking into account trip reductions. Accordingly, trip reductions applied through the 4Ds process mask even more significant impacts that would occur if those reductions were not applied. It is fundamental for the public to understand how the West Adams NCP alleviates traffic impacts, because without the assumed trip reductions, the traffic impacts would be even more significant. Under CEQA, the DEIR cannot blindly incorporate into the Year 2030 traffic analysis trip reductions based on the 4Ds process without clearly explaining the facts, methodology, and assumptions used to calculate those assumed trip reductions. Moreover, without a plain language explanation of the assumptions about TOD underlying Year 2030 trip calculations, the public cannot meaningfully understand or comment on these assumptions (e.g., whether the assumptions are reasonable or too aggressive). (Cal. Pub. Res. Code § 21003(b)). As such, the DEIR should be revised to provide this basic explanation and recirculated so that the public can comment on the fundamental issue of traffic impacts. (CEQA Guidelines § 15088.5).

In failing to include this information, the City has not upheld its procedural mandate under CEQA and as such it has abused its discretion.

B. Air Quality

Section 4.3 of the DEIR and Appendix C (Air Quality Calculations) evaluate air quality impacts associated with the proposed project. The air quality impacts analysis is inadequate under CEQA for the reasons discussed below.

1. *The Air Quality Impacts Analysis Fails to Sufficiently Inform the Public of Assumptions Underlying Existing Baseline Conditions for Operational Emissions*

Table 4.3-7 in the DEIR shows estimated mobile and area source operational emissions associated with existing Year 2008 conditions and future Year 2030 emissions at project build-out. (DEIR, p. 4.3-17). However, as with traffic impacts, the DEIR and Appendix C (Air Quality Calculations) do not inform the public of the assumptions and methodology underlying calculation of existing Year 2008 conditions. *No Oil, Inc.*, 13 Cal.3d at 86.

The information in Table 4.3-7 is based on Air Quality Calculations included in DEIR Appendix C. The Air Quality Calculations include a table labeled "Estimated Operational Emissions - Existing 2008," which identifies operational emissions associated with residential, commercial, public facility, and industrial land uses. However, the Air Quality Calculations do not include

any explanation of the land use assumptions used to calculate existing (2008) estimated operational emissions. The DEIR's discussion of operational emissions impacts and Appendix C should explain the assumptions used to calculate area source emissions for the existing conditions (2008) scenario. A reader of the DEIR should not be forced to cobble together information included in and appended to the DEIR in order to understand the assumptions used to determine area source emissions. *County of Amador* 76 Cal.App.4th at 955-56.

Additionally, if the calculation of existing area source emissions relied on DEIR Table 3-2 (Existing West Adams CPA Land Uses) or DEIR Table 3-4 (West Adams CPA Existing and Proposed Land Use Comparison), it is noted that these tables appear to be based on 2009 GIS data from the City of Los Angeles. If the Year 2008 existing conditions area source emissions were based on 2009 data, the DEIR must explain why it is appropriate to use 2009 data to describe 2008 conditions. Such information is required in order for the DEIR to be meaningful and useful to the public. (Cal. Pub. Res. Code § 21003(b)). Furthermore, the City should not rely on outdated Year 2008 or 2009 data to establish baseline area source emissions if conditions closer to the date of project approval are more relevant to a determination of air quality impacts. *Save Our Peninsula Committee*, 87 Cal.App.4th at 125-26. Therefore, the DEIR should use a 2012 or 2013 existing area source emissions baseline, rather than a 2008 or 2009 baseline, unless the City can show that conditions have not changed such that reliance on this baseline is appropriate under CEQA.

2. *The Air Quality Impacts Analysis Fails to Sufficiently Inform the Public of Key Assumptions Underlying Mobile Source Emissions Calculations*

The DEIR and Appendix C (Air Quality Calculations) indicate that operational mobile source emissions were calculated according to VMT. The DEIR's discussion of mobile source emissions is problematic for two reasons.

First, Appendix C states that daily VMT was not available, and AM and PM peak hour VMT (obtained from the traffic study) was used to calculate daily VMT. The DEIR states that it was assumed that AM and PM peak hour VMT combine to represent 14 percent of daily VMT. (DEIR, p. 4.3-16). However, the DEIR does not point to any evidence supporting the assumption that AM and PM peak hour VMT represent 14 percent of daily VMT.

Second, the DEIR states that VMT accounts for potential TOD areas in specified locations. (DEIR, p. 4.3-16). Although it is not clearly stated, presumably TOD was only incorporated into Year 2030 VMT calculations. Similar to problems with the DEIR's traffic impacts analysis noted in Section II.A.2 of this letter, DEIR Section 4.3 (Air Quality) and Appendix C (Air Quality Calculations) fail to disclose the assumptions about TOD that were used to calculate Year 2030 VMT, which were then used to calculate Year 2030 mobile source emissions. The DEIR simply states "[t]his VMT accounts for TOD" and generally describes the location of potential TOD areas in the West Adams NCP. (DEIR, p. 4.3-16). It is completely unclear what aspects of TOD development are accounted for in VMT calculations. By failing to explain the assumptions about TOD that were incorporated into VMT calculations, which were in turn used to calculate Year 2030 mobile source emissions, the DEIR fails to meet its basic purpose to

inform the public about the project's environmental impacts. *Laurel Heights Improvement Ass'n.*, 6 Cal. 4th at 1123.

Under CEQA, the DEIR cannot incorporate TOD assumptions into VMT calculations used to calculate operational mobile source emissions -- especially that take credit for reductions in emissions -- without clearly explaining to the public what those TOD assumptions are. Moreover, a reader of the DEIR should not be forced to cobble together information included in and appended to the DEIR in order to understand the TOD assumptions, which even then remain incomprehensible. *County of Amador* 76 Cal.App.4th at 955-56. Section 4.15 of the DEIR and the TIMP must clearly explain all the assumptions incorporated into the 4Ds process and why those assumptions justify a reduction in VMT as the basis for Year 2030 traffic conditions.

Without an explanation of the TOD assumptions underlying VMT calculations, the public cannot meaningfully understand or comment on these assumptions (e.g., whether the assumptions are reasonable or too aggressive) as they relate to air quality impacts. (Cal. Pub. Res. Code § 21003(b)). As with traffic, this explanation should be added to the DEIR and the document should be recirculated for public comment. (CEQA Guidelines § 15088.5).

In failing to include this information, the agency has not upheld its procedural mandate under CEQA and as such has abused its discretion.

C. Greenhouse Gas

Section 4.7 of the DEIR and Appendix G (Greenhouse Gas) evaluate GHG impacts associated with the proposed project. The GHG impacts analysis is inadequate under CEQA for the reasons discussed below.

1. *The GHG Impacts Analysis Fails to Inform the Public of Assumptions Underlying Construction Emissions Calculations and Underestimates Construction Impacts*

Table 4.7-2 in the DEIR provides an estimate of average annual GHG emissions that could be associated with construction under the proposed project. The DEIR states that there is sufficient data available to determine the types of construction that may occur (e.g., residential, commercial, and industrial) and associated square footage, but does not identify those assumptions. Construction emissions are calculated as an average of emissions each year between 2008 and 2030, with individual projects constructed "evenly" during the entire plan horizon. (DEIR, p. 4.7-12). Even if the NOP was issued in 2008, it was unreasonable for the EIR to calculate construction impacts based on construction starting in 2008, because it would take some time for construction to begin under the West Adams NCP. By assuming that construction will occur over a longer time horizon (2008 to 2030) than will actually occur (2013 to 2030), the DEIR improperly underestimates average annual GHG emissions. In this way, the construction impacts discussion is potentially misleading in contravention of CEQA. *Fairview Neighbors*, 70 Cal.App.4th at 243 (discussion of environmental effects was misleading and illusory).

2. *The GHG Impacts Analysis Fails to Sufficiently Inform the Public of Key Assumptions Underlying Operational Emissions Calculations*

The DEIR and Appendix E (Greenhouse Gas) indicate that operational mobile GHG emissions were calculated according to VMT. The DEIR's discussion of mobile GHG emissions is problematic for two reasons that are similar to the problems related to air quality calculations as discussed in Section II.B.2 of this letter. In failing to include the information noted below, the City has not upheld its procedural mandate under CEQA and as such it has abused its discretion.

First, the DEIR states that it was assumed that AM and PM peak hour VMT combine to represent 14 percent of daily VMT. (DEIR, p. 4.7-13). However, the DEIR does not point to any evidence supporting the assumption that AM and PM peak hour VMT represent 14 percent of daily VMT.

Second, the DEIR states that estimated future VMT under the proposed project does include reductions that would result from the TIMP and in particular, an increase in the modal split that will be facilitated through implementation of TOD. (DEIR, p. 4.7-13). The methodology used to incorporate trip reductions is especially important in the context of GHG impacts analysis, because the majority of GHG emissions within the West Adams CPA can be attributed to automobile exhaust. (DEIR, p. 4.7-11). Similar to problems with the DEIR's traffic impacts analysis noted in Section II.A.2 of this letter and with air quality impacts noted in Section II.B.2 of this letter, DEIR Section 4.7 (Greenhouse Gas Emissions) and Appendix E (Greenhouse Gas) fail to disclose the assumptions about the TIMP and TOD that were used to calculate Year 2030 VMT, which were then used to calculate Year 2030 mobile GHG emissions.

Moreover, the TIMP includes measures that do not appear to be mandatory mitigation, including for example TDM strategies that are *recommended* as part of a specific TDM program for the West Adams-Baldwin Hills-Leimert TIMP. (DEIR pp. 4.15-16 - 4.15-19; TIMP Section 5.2.1, pp. 28-30)(emphasis added). Measures that are recommendations only cannot be relied upon as they are not required mitigations. These measures must either be mitigation measures or cannot be relied upon in calculating GHG reductions. Cal. Pub. Res. Code §21081.6(b); CEQA Guidelines §15126.4(a)(2); *Woodward Park Homeowners Ass'n v. City of Fresno* (2007) 150 Cal.App.4th 683, 730 (mitigation must be an enforceable requirement).

As stated elsewhere in this letter, the DEIR is required to explain to the public the TOD assumptions incorporated into VMT calculations. Without this information, the DEIR fails to meet its basic purpose to inform the public about the project's environmental impacts. *Laurel Heights Improvement Ass'n.*, 6 Cal. 4th at 1123. Since this information is necessary for the public to meaningfully comment on the assumptions underlying GHG and other impacts analyses, this section should also be recirculated so that the public can comment on the GHG emissions reductions. (Cal. Pub. Res. Code § 21003(b); CEQA Guidelines § 15088.5).

D. Noise

Section 4.12 of the DEIR and Appendix F (Noise Calculations) analyze whether the proposed project would significantly increase mobile noise levels in the West Adams CPA, comparing existing (2008) and future with project (2030) conditions. Appendix F includes mobile noise

calculations for certain roadway segments, but does not specify the source of vehicle counts used for those calculations. Appendix F should confirm the source of vehicle counts used for noise calculations. A reader of the DEIR should not be forced to search throughout the DEIR in order to understand the basis for mobile noise calculations, and even after searching, we cannot confirm the information. *County of Amador* 76 Cal.App.4th at 955-56.

Additionally, the DEIR and Appendix F are silent regarding whether Future Plus Project (Year 2030) conditions include trip reductions for TOD, as were incorporated into traffic, air quality, and GHG impacts analyses. The methodology used to calculate Future Year 2030 vehicle counts for noise impacts analysis should be consistent with the methodology used elsewhere in the DEIR and must be clearly disclosed and explained. As stated above, the DEIR must clearly explain any trip reductions used to calculate future traffic. As with the impact analyses discussed above, this explanation should be added to the DEIR and this section should be recirculated for public comment. (CEQA Guidelines § 15088.5). By failing to include information about trip reductions in the context of noise impacts analysis, the City has not upheld its procedural mandate under CEQA and as such it has abused its discretion.

III. Other Sections of the DEIR are Inadequate under CEQA.

In addition to the problems identified above relating to the DEIR's traffic, air quality, GHG, and noise impacts, other sections of the DEIR are inadequate under CEQA for various reasons identified below.

A. Cultural Resources

Section 4.5 of the DEIR evaluates cultural resources impacts of the proposed project, and includes mitigation measures for construction related to future capacity within the West Adams CPA. The DEIR identifies five mitigation measures related to archaeological resources, which would be included as conditions of approval for any Discretionary or "Active Change Area Project" as defined in DEIR Section 3.4. (DEIR pp. 4.5-22 - 4.5-23). The mitigation measures are inadequate under CEQA because they fail to acknowledge that feasible preservation in place must be adopted to mitigate impacts to historical resources of an archaeological nature unless the City determines that another form of mitigation is available and provides superior mitigation of the impacts. CEQA Guidelines § 15126.4(b)(3); *Madera Oversight Coalition v. County of Madera* (2011) 199 Cal.App.4th 48, 87.

The DEIR is silent regarding preservation in place and implies that the resources could be removed from the site, without explaining or requiring the City to explain with respect to a particular Discretionary or Active Change Area Project how removal from the site would provide superior mitigation of impacts. Specifically, Mitigation Measure CR8 provides that if any find were determined to be significant by the archaeologist, the City and archaeologist would meet to determine the appropriate course of action. Mitigation Measure CR9 provides that the City shall require that all cultural materials *recovered from the site* would be subject to scientific analysis, professional museum curation, and a report prepared according to current professional standards (Mitigation Measure CR9). (DEIR p. 4.5-23)(emphasis added). These Mitigation Measures should be revised to reflect the preference for preservation in place.

B. Alternatives Analysis

The DEIR must describe a range of reasonable alternatives to the project which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project. (CEQA Guidelines § 15126.6(a)). The DEIR identifies two alternatives: the no project alternative, which is required under CEQA, and the proposed project without TOD (which would not shift development intensity to focused TOD areas, resulting in less intense development and exclusion of TOD-specific regulations). (DEIR, pp. 5-4 - 5-5).

The DEIR concludes that the proposed project would result in significant and unavoidable impacts related to aesthetics (shade and shadow), air quality (construction regional and localized emissions), GHG emissions (operational GHG emissions), noise (construction and vibration), public services (public parks and libraries) and transportation and traffic (circulation system and congestion management plan). (DEIR pp. 2-2 - 2-3). The DEIR is therefore required to consider alternatives that would alleviate these significant impacts. The DEIR acknowledges that accommodating growth closer to the core of a major urban area can shorten commute trips, and reduce traffic, air pollution, and greenhouse gas emissions. (DEIR p. 5-16).

The range of alternatives analyzed in the DEIR is inadequate because it fails to include an increased TOD alternative, which would likely meet all of the project objectives and would potentially lessen significant GHG and traffic and transportation and traffic impacts to a greater degree than the proposed project. *Watsonville Pilots Ass'n v. City of Watsonville* (2010) 183 Cal.App.4th 1059 (City violated CEQA because FEIR failed to analyze an alternative that would have provided decisionmakers with information about how most of the project's objectives could be satisfied without the level of environmental impacts that would flow from the project). The DEIR's alternatives analysis should be revised to include an increased TOD alternative. *Sierra Club v. County of Napa* (2004) 121 Cal.App.4th 1505, fn. 5 ("An EIR, however, is required to make an in-depth discussion of those alternatives identified as at least potentially feasible.") (emphasis in original).

The public must have an opportunity to meaningfully comment on the DEIR's alternatives analysis. Accordingly, this section should also be recirculated. (Cal. Pub. Res. Code § 21003(b); CEQA Guidelines § 15088.5).

C. Later Project-Specific Environmental Review

The DEIR explains that project-specific environmental review would be able to tier from the Program EIR under CEQA Guidelines 15152(d)). (DEIR, p. 3-24). This section of the DEIR omits a discussion of how future projects would be examined in light of the program EIR pursuant to CEQA Guidelines Sections 15168(c)-(e). The discussion must be included in order for the DEIR to be meaningful and useful to decisionmakers and the public in accordance with CEQA Section 21003(b).

IV. Conclusion

For all of the foregoing reasons, CRA suggests that the City address the inadequacies in the DEIR outlined in this letter and recirculate the DEIR for public review and comment in accordance with CEQA Guidelines Section 15088.5 because failing to address these issues would violate CEQA.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jot Condie', with a stylized flourish at the end.

Jot Condie
President + CEO
California Restaurant Association



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COMMENT LETTER NO. 2

November 13, 2012

Case No. ENV-2008-478-EIR
Environmental Analysis Unit
Department of City Planning
200 N. Spring Street, Room 759
Los Angeles, California 90012

Re: Comments on the Draft Environmental Impact Report
Case No. ENV-2008-478-EIR

Dear Department of City Planning Environmental Analysis Unit:

The comments provided in this letter are submitted by Community Health Councils and were developed in collaboration and consultation with West Adams – Baldwin Hills – Leimert Park community plan area stakeholders.

For more than a decade, Community Health Council (CHC) has been at the forefront of work to eliminate health disparities by expanding healthcare coverage, increasing access to quality healthcare, physical activity and improving healthy food options in under-resourced communities. CHC engages, supports, and gives voice to marginalized, low-income and under-served populations through coalition building and community mobilization. Our dynamic network of coalitions comprising the African-Americans Building a Legacy of Health Consortium is composed of neighborhood leaders, consumer advocates, healthcare providers, social services, educational and faith-based organizations serving communities in South Los Angeles. These stakeholders recognize the impact of the built environment on the health of individuals and communities, and identify the community plan update as a powerful mechanism to encourage healthy and sustainable development throughout the community.

California Environmental Quality Act (CEQA) guidelines state that the Draft Environmental Impact Report (DEIR) is an informative document composed to "inform public agency decision makers and the public generally of the significant environmental effects of the project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project."¹ California environmental law further states that the DEIR is intended "to demonstrate to an apprehensive citizenry that the agency has, in fact, analyzed and considered the ecological implications of its action."²

We gratefully acknowledge the City of Los Angeles' intended objective to

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conduct an in-depth analysis of the environmental health implications of the proposed West Adams New Community Plan (NCP). However, the DEIR falls short of meeting the objectives stated above due to: 1) the failure of the agency to acknowledge the many environmental health impacts associated with exempting Council District 10 (CD 10) from fast food density limitations; 2) impacts and implications to affordable housing and displacement; 3) impacts to open space; and 4) impacts to transportation contained in the NCP. This letter details areas in which the DEIR fails to meet required standards as established by CEQA and its enforceable agencies, particularly with respect to its omission of environmental analysis of the aforementioned issues.

According to CEQA guidelines, an agency is required to recirculate an EIR if significant new information is submitted to the EIR that was not contained in the original DEIR analysis. CEQA defines significant new information as:

- 1) "A new significant environmental impact resulting from the project or from a new proposed mitigation measure"
- 2) "Substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance"
- 3) "A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project, but the project's proponents decline to adopt it"
- 4) "The DEIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded."³

This letter contributes new information to the agency that questions the DEIR's analysis and present empirical evidence conveying the environmental effects on the following:

- CD-10 EXEMPTION FROM COMMUNITY'S CURRENT FAST FOOD DENSITY POLICY (Section 1)
- AFFORDABLE HOUSING AND DISPLACEMENT (Section 2)
- OPEN SPACE (Section 3)
- TRANSPORTATION (Section 4)

As a result of these additional findings and CEQA precedent (Section 5), **we respectfully request the revision and recirculation of the DEIR in compliance with CEQA.**

SECTION 1: CD-10 EXEMPTION FROM COMMUNITY'S CURRENT FAST FOOD DENSITY POLICY

Background

In 2008, an Interim Control Ordinance (ICO) placed a moratorium on the by-right issuance of building permits for new stand-alone fast food restaurants in the West Adams, South LA, and Southeast LA Community Plan Areas. According to the Los Angeles Municipal Code, fast food restaurants are defined as:

"Any Establishment which dispenses food for consumption on or off the premises, and which has the following characteristics: a limited menu, items prepared in advance or prepared or heated quickly, no table orders, and food served in disposable wrapping or containers."⁴

However, only fast food restaurants designated as "stand-alone" (or restaurants that do not share a wall with another establishment) were subject to the moratorium. The intentions of the policy were to reduce some of the negative environmental implications associated with South LA's over-concentration of fast food establishments. This disproportionate proliferation is evidenced by the US Census County Business Patterns data, which reveal that limited service, or fast-food, establishments comprise 71.8 % of the establishments in South Los Angeles, compared to 40.8% of West Los Angeles establishments and 47.7% of Los Angeles County establishments.⁵

Despite the numerous nutritional health implications of fast food restaurants, these establishments, and stand-alone establishments in particular, were identified by the planning department as having copious land-use related effects on South LA's environment including: auto-centric design, high volumes of trash/litter, high vehicular trip generation, and reduction of opportunity sites for more community-benefiting uses (such as grocery stores).⁶ The planning department determined that the poor urban design of stand-alone fast food restaurants was "detrimental to the quality

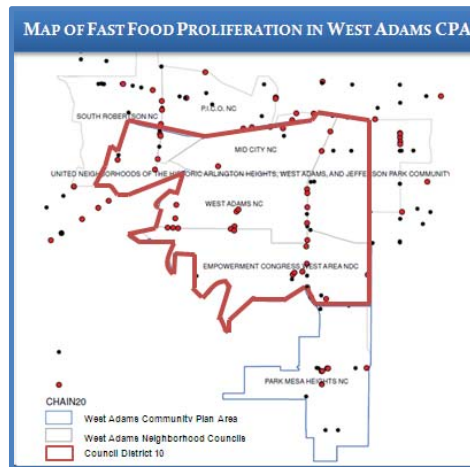


Figure 1

Source: Map made by Community Health Councils utilizing data from the Los Angeles County Department of Public Health's Environmental Health Restaurant Ratings

of life of the residents, which, if unabated, may lead to eroding public welfare and good planning."⁷

New stand-alone fast food restaurants within the Council District 15 (CD 15) portion of the South LA community plan areas (Watts) were exempted from the moratorium.⁸ Justifications for the CD 15 exemption resulted from assertions that the area had a relatively low concentration of fast food restaurant establishments as compared to other South Los Angeles communities.⁹ Furthermore, due to the relatively small geographic area that the CD 15 portion of South Los Angeles encompassed, the exemption was presumed to not have a significant impact on the effectiveness of the fast food limitation.

The temporary "Fast Food Moratorium" was extended twice and expired on September 14, 2010.¹⁰ In lieu of a community plan update, the Los Angeles City Council approved a General Plan footnote in December of 2010 that required new stand-alone fast restaurants to meet six criteria aimed at addressing both fast food overconcentration, and needed improvements in community aesthetics and pedestrian mobility.^{11,12} These criteria include:

1. That the Project is not within a half mile radius, or 2, 640 linear feet, from any existing Fast Food Restaurant.
2. That the Project provides a continuous building wall along the street frontage and along the sidewalk.
3. That the height, bulk, and massing of the Project is compatible with the surrounding area.
4. That parking for the Project is located at the rear or sides of the building, and partially screened from view from any public street by a minimum 36" tall decorative solid wall and/or dense vegetation of the same height.
5. That a minimum of 7% of the total area of the surface parking lot is landscaped with planting materials and the project has a coordinated landscape plan that includes abundant trees and shrubs.
6. That the Project has an adequate trash disposal plan to contra/litter including: sufficient trash receptacles on-site and frequent trash collection and disposal.
7. That trash enclosures should be enclosed by a minimum six-foot high decorative masonry wall and be located to provide minimum negative impact, physical and aesthetic, on pedestrians, traffic flow, or adjacent uses.

The qualifying criteria place design and density guidelines on stand-alone fast food restaurants, and aim to improve the quality of development in the South LA community. However, during the adoption of the General Plan Amendment by City Council, the exempted area was expanded beyond Council District 15 to also encompass the portion of Council District 10 north of the I-10 freeway. This exemption was based on the assumption that fast food proliferation was not present in the portion of Council District 10 north of the I-10 freeway.¹³

The Los Angeles City Planning Department states that the General Plan Amendment is intended to "protect the environment by placing regulations on by-right Fast Food Establishments that are found to have adverse impacts on the built environment due to

their design, site planning, amenities, parking layout, drive-thrus, and minimal landscaping. In addition, the over concentration of Fast Food Establishments is found to be inconsistent with the respective Community Plans.”

These actions were analyzed for consistency with CEQA Guidelines and were determined to be authorized by CEQA Guidelines Article 19, Section 15308, Class 8 which allows for “actions taken by regulatory agencies, as authorized by state or local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment.”¹⁴

The Los Angeles City Planning Department also concluded that the over-concentration of fast food restaurants “has the effect of reducing the opportunities for new grocery stores and full service restaurants in a dense, urbanized neighborhood where land is limited.”¹⁵ Currently, potential restaurants not meeting the footnote criteria that desire to locate within designated South LA areas can apply for an exemption from the regulation through a conditional-use permit (CUP) process.¹ An analysis of South Los Angeles Area Planning Commission Hearings and Los Angeles City Planning Commission Hearings reveals that the General Plan Amendment has been successful in curbing the continued proliferation of new stand-alone fast food restaurant development. Since the 2008 ICO, only 1 new stand-alone fast food restaurant has been exempted from the policy. Meanwhile, since 2008, 6 new grocery stores have developed within the 3 South LA community plan areas.¹⁶ This change in development patterns is consistent with the West Adams community’s desires to support a greater diversity of food retail options within the area.¹⁷

According to the West Adams DEIR, one of the objectives of the West Adams NCP is to “Establish use limitations for such things as alcohol sales, free standing fast food restaurants, automotive uses, swap meets, pawn shops, and gun shops.” The aforementioned fast food limitations include:

- 1) “No more than one (1) establishment permitted within a ¼ mile radius of another free standing establishment” (*CPIO sub-districts*)”
- 2) “Prohibits ... all new free standing fast food establishments seeking to locate directly adjacent, across a street, alley or intersection from a public elementary, middle or high school, including charter and magnet schools” (*CPIO sub-districts*)
- 3) “No more than one (1) establishment permitted within a ½ mile (2640 linear feet) radius of another free standing establishment ... **all corridors and nodes except for those in CD 10**” (*CPIO commercial corridor*)
- 4) “Drive through fast food establishments shall be limited to a maximum of 1 within a 750 foot radius of an existing free standing fast food use” (*Crenshaw Specific Plan Amendment*)

¹ “A CONDITIONAL USE PERMIT (CUP) allows a city or county to consider special uses which may be essential or desirable to a particular community, but which are not allowed as a matter of right within a zoning district, through a public hearing process.”- *State of California Governor’s Office of Planning and Research*.

- 5) “In all sub-areas except for those in CD 10, free standing fast food establishments shall be limited to a maximum of one within a ½ mile (2640 linear feet) radius of another free standing establishment” (*Crenshaw Specific Plan Amendment*)
- 6) “For those TOD areas within Council District 10, Free Standing Fast Food Establishments shall be limited to a maximum of one within a ¼ mile (1320 foot radius) of an existing free standing fast food use” (*Crenshaw Specific Plan Amendment*).

Although the Draft West Adams NCP does in fact incorporate language from the general plan amendment that limits the density of new stand-alone fast food restaurants within the area, the document also includes language that exempts the CD 10 portion of the Community Plan from fast food density regulations, with the exception of small transit-oriented districts contained within the accompanying Community Plan Implementation Overlay (CPIO) document of the plan (see figure 2). Unlike the CD 15 exemption from the General Plan Amendment, there is currently a high concentration of fast food restaurants in the CD 10 area, and the large portion of the West Adams community plan area that CD 10 encompasses (see figure 1).

CEQA Guidelines state that “only through an accurate view of the project” can the “public and interested parties [can] balance the proposed project’s benefits against its environmental costs, consider appropriate mitigation measures, assess the advantages of terminating the proposal and properly weigh other alternatives.”¹⁸ The glaring omission of an assessment of the “ecological implications” of the CD 10 exemption on the community plan area demonstrates the failure of the agency to adequately comply with CEQA requirements. The inconsistencies and omissions in the analysis of aesthetics, air quality, and land use, etc. are as follows.

Aesthetics

Based upon the Los Angeles CEQA Threshold Guide, development that “detracts from the existing valued aesthetic quality of a neighborhood ... by conflicting with important aesthetic elements or the quality of the area” may have the potential to exceed the CEQA significance threshold on community aesthetics.¹⁹ Although the DEIR suggests that the West Adams NCP would result in “no significant impacts” on aesthetics, this determination does not weigh the impact the CD 10 exemption has in perpetuating continued stand-alone fast food restaurant proliferation in a significant portion of the community plan.

The West Adams CPU explicitly identifies free-standing fast food restaurants as a use that is:

“detrimental to the health and welfare of the community due to nuisance, proliferation, or reliance on a standardized development typology often dominated by excessive automobile orientation.”²⁰

The “excessive automobile orientation” of stand-alone fast food restaurants conflicts with the “existing **valued** aesthetic quality of [the] neighborhood” because it contradicts current and pending efforts to preserve and expand the community’s multi-modal accessible urban

design.

According to the Los Angeles CEQA Thresholds Guide, "Visual character can be defined in terms of the overall impression formed by the relationship between perceived visual elements of the built, urban environment existing in the potentially impacted area. Elements contributing to this impression include the following:

- The nature and quality of buildings
- The compatibility between uses and activities with the built environment
- The quality of streetscape, including roadways, sidewalks, plazas, parks, and street furniture
- The nature and quality of landscaping that is visible to the general public."²¹

This section will discuss how continued fast food restaurant development is incompatible with the West Adams community's valued visual character due to its inconsistency with the visual character elements stated above.

Incompatibility of Stand-Alone Restaurants

The Aesthetics section of the Draft Environmental Impact Report contains an analysis of existing land-use documents, highlighting various use and aesthetic principles that convey the West Adams Community's existing valued aesthetic quality. Contained in this analysis are objectives from the Los Angeles General Plan that promote pedestrian orientation as a component of a community's visual aesthetics. These objectives include:

- "Objective 5.8- Reinforce or encourage the establishment of a strong pedestrian orientation in designated neighborhood districts, community centers and pedestrian-oriented subareas within regional centers, so that these districts and centers can serve as a focus of activity for the surrounding community and a focus for investment in the community."²²

However, the LA City Planning Department's analysis of the Fast Food General Plan Amendment states that "the proliferation of standalone fast-food restaurants along corridors and at major intersections in the region may have, if unchecked, negative impacts on the residents' ability to walk and shop within their neighborhoods."²³ The DEIR does not reference the Fast Food General Plan Amendment in its analysis of the current aesthetic-related regulatory framework. This omission is a severe oversight. The amendment contains numerous aesthetics-related land-use justifications that are consistent with the West Adams overall valued aesthetic character. These justifications include the policy's projected improvements on: "design, site planning, amenities, parking layout, [reduced] drive-thrus, and [reduced] minimal landscaping."²⁴

CHC conducted a survey of the fast food environment in South Los Angeles in a soon-to-be published South LA Fast Food Health Impact Assessment (HIA). Preliminary findings from CHC's South LA Fast Food Health Impact Assessment (HIA) reveal specific details about the incompatibility of most stand-alone fast food restaurants with efforts to promote more

pedestrian orientation. Results from the Fast Food HIA's survey of all fast food restaurants within the 90008 zip code reveal that drive-thru windows are only present at free-standing fast food restaurants. Drive-thru windows are only utilized by automobiles and are subsequently considered to have "excessive automobile orientation" by urban planning standards. Additional findings from the South LA Fast Food HIA restaurant survey reveal that all drive-thru lane exits and/or entrances intersect with pedestrian sidewalks throughout the surveyed area.

A 2006 report from the Los Angeles City Department of Transportation states that 13 of every 100,000 deaths in South LA result from pedestrian collisions.²⁵ This is over twice the number of deaths due to pedestrian collisions in West LA, which amount to almost 6 per 100,000. Furthermore, these estimates may be conservative due to the recent resurgence in bicycle usage and other active forms of transit in both South LA and throughout the City. Numerous factors could contribute to the higher rates of pedestrian collisions in South LA including South LA's higher concentration of alcohol outlets, high population density, car biased design, and limited infrastructure for multi-modal transit.²⁶ However, many studies reveal that auto-centric designs and a lack of pedestrian-oriented infrastructure contribute to increased pedestrian injury risk in communities.²⁷

Other transit research concludes that marked crosswalks in uncontrolled intersections, for example those without traffic lights or signs, have been associated with higher rates of pedestrian injuries as well.²⁸ Fast Food HIA survey results reveal that over 44% of the drive-thru windows at fast food restaurants intersect with a marked pedestrian crossing. However, none of the drive-thru windows analyzed contained signs indicating a potential pedestrian crossing. Therefore, these pedestrian pathways

may be more vulnerable to pedestrian injuries and should thus be deemed as "pedestrian un-friendly."²⁹

Based upon this evidence, the typically auto-centric typology of stand-alone

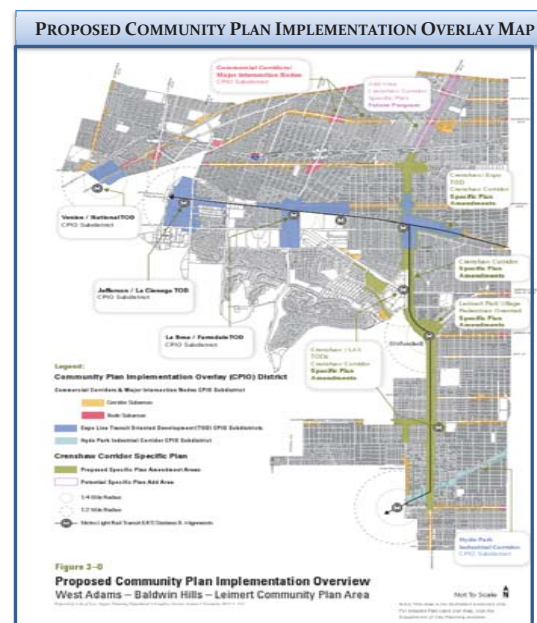


Figure 2

Source: West Adams New Community Plan CPIO. Department of City Planning, City of Los Angeles, Oct. 2012. Web. 10 Oct. 2012. <<http://cityplanning.lacity.org/>>.

fast food restaurants could have negative implications on the pedestrian-friendly design of the community and ultimately the aesthetic characteristics of the area. The effects of continued stand-alone fast food restaurant development within a majority of the West Adams community plan area must be adequately analyzed by the DEIR in order to make informed projections about the impacts of the plan on the pedestrian-friendly aesthetic design components of the West Adams NCP.

Although the West Adams NCP DEIR recognizes that fast food restaurant density promotes "adjacent incompatible uses" with the community's pedestrian-friendly design elements, the Aesthetics section contains an extremely sparse analysis of the impacts of the NCP's policies towards fast food restaurant development on the community's visual character. In fact, findings from the DEIR only acknowledge fast food establishments' incompatibility with the design elements of limited areas within the CPIO and Crenshaw Specific Plan sections of the Community Plan Area (CPA). The DEIR states that changes made within the New Community Plan:

*"would help maintain the existing character of these land uses with the West Adams CPA. ...changes are proposed in the CPIO sub-districts and Specific Plan Amendments that would limit adjacent incompatible uses. Examples include limitations of off-site alcohol sales, **fast food establishments**, storage buildings for household goods, swap meets, and gun and pawn shops²." (4.10-26)*

Although the CPIO sub-districts and Specific Plan Amendments' limitations on fast food establishments can be potentially impactful, the DEIR's recognition of fast food restaurants design incompatibility with multi-modal development is incomplete because it fails to recognize that pedestrian accessibility is an aesthetic value that extends beyond the limited geographic scope of the CPIO and Specific Plan. The aforementioned policies only regulate new free standing fast food development in significantly limited portions of the larger community plan area (see figure 2). However, contrary to the assertions made in the DEIR's Aesthetics chapter, efforts to promote greater pedestrian orientation and multi-modal accessibility extend throughout the West Adams CPA.

Initiatives to support more multi-modal accessible design are evidenced by recent improvements to the area's Bus Rapid Transit system (BRT) and pending sidewalk improvements to increase the area's walkability³⁰. Further support for the community's existing values of encouraging "smart growth³¹" urban design principles is demonstrated through the plethora of comments conveyed during the West Adams Community Plan's 2008 scoping meetings that address the community's desires for:

- 1) "Increase[d] walkability"
- 2) "Enhance[d] character of retail by providing a better mix of neighborhood amenities including healthy food options"

² <http://cityplanning.lacity.org/eir/WestAdams/DEIR/4.10%20Land%20Use%20and%20Planning.pdf>

³ Smart growth is an urban planning and transportation theory that concentrates growth in compact walkable urban centers to avoid sprawl. It also advocates compact, transit-oriented, walkable, bicycle-friendly land use, including neighborhood schools, complete streets, and mixed-use development with a range of housing choices

- 3) "Promot[ing] pedestrian friendly parking standards along commercial corridors
- 4) "Eliminat[ing] urban blight through enhanced streetscape and implementation of *Main Street Concepts*"
- 5) "Enhance[d] walkability by creating pedestrian friendly environments."

As a result of the DEIR's incomplete analysis of the valued visual character of the West Adams CPA, it fails to acknowledge the aesthetic degradation resulting from the significant portion of the West Adams CPA that would be vulnerable to continued fast food restaurant proliferation due to the CD 10 exemption (see figure 1).

Cumulative Impacts

In accordance with CEQA guidelines, to determine a project or program's potential exceedance of significance thresholds for aesthetics, the agency must incorporate an analysis of the project's "cumulative impacts". Based on the City of Los Angeles CEQA Thresholds Guide, determining cumulative impacts requires the agency to:

Year	Limited-Serve Restaurants in South LA APC	SF of Retail Development in South LA APC
2001	242	N/A
2002	256	N/A
2003	263	172,607
2004	290	337,390
2005	285	99,690
2006	288	63,528
2007	293	140,114
2008	293	109,268

"review the list of related projects and identify those projects that would result in the removal, alteration, or destruction of similar aesthetic features as the proposed project, and/or would add structural or other features that would contrast conspicuously with the valued aesthetic character of the same area as the project³¹."

The DEIR improperly determines that there will be no cumulative impacts on aesthetics in the community, due to its negation of continued fast food proliferation as an impact on the area's aesthetic quality. However, these findings are inaccurate due to the DEIR's lack of consideration of cumulative impacts related to future/pending economic development investments on fast food restaurant development trends within the area.

Findings from the South LA Fast Food Health Impact Assessment reveal that increases in fast food restaurant development parallel with increases in overall retail development trends within the area. To determine South LA's retail development patterns, the South LA Fast Food HIA study utilized data from the Los Angeles City Planning Department's Demographic Research Unit on retail floor space and compared it with US Census County Business Patterns data on the number of limited service restaurants within the South Los Angeles Area Planning Commission (South LA APC) Region³². The developments contained in the City Planning

Figure 3

Source: United States Department of Commerce, Bureau of the Census, County Business Patterns, 2009 [United States]: U.S. Zip Code Data. Available at: <http://www.census.gov/econ/cbp/index.html>

Unit on retail floor space and compared it with US Census County Business Patterns data on the number of limited service restaurants within the South Los Angeles Area Planning Commission (South LA APC) Region³². The developments contained in the City Planning

Retail Development analysis include all new commercial retail developments- including both stand-alone and non stand-alone fast food establishments.

Results from the analysis reveal that from 2003 to 2004, the square footage of retail developed in the South LA APC almost doubled- the largest rate of increase in retail development between 2003 and 2008. When compared with U.S Census County Business Patterns data on limited service restaurants (see figure 3), between 2003 and 2004 there was a 10% increase in limited-service (or fast food) restaurants. This growth of limited-service restaurants was also the highest rate of growth during the analyzed time period. Therefore, this data suggests that the rapid increase in fast food restaurants during 2004 may partially result from the significant growth in overall retail development in South LA during that same time interval. This is notable because it supports the presumption that as retail development overall increases in the area, so does the establishment of fast food restaurants. For this reason, investments in the community resulting in potential increases in development throughout the area must safeguard against the community's greater vulnerability to additional growth in fast food proliferation.

Although the NCP protects specific TODs from fast food restaurant proliferation through the CPIO and Crenshaw Specific Plan, the aesthetics section does not recognize the impacts of future light rail investment on fast food restaurant development throughout the entire West Adams community. The pending Crenshaw Light Rail project (see figure 2) is expected to result in a total public investment of between \$1.6-\$1.8 billion into South LA's transportation infrastructure. This project is dated to break ground in 2018, and is considered to be the single largest economic development investment in South LA's history³³. Although the proposed transit nodes along the upcoming Crenshaw line are incorporated into the designated TOD areas in the Crenshaw Specific Plan Amendment, and will be subject to limitations on new fast food restaurants development, light rail investments have catalytic effects on economic development that can extend well beyond the official ¼ mile radius of a TOD boundary.

An empirical analysis of transportation development trends nationwide reveals that light rail is rapidly gaining popularity throughout the Country not only as a transportation alternative, but as a supporting tool for economic development³⁴. Each light rail stop is a potential node for more dense development, greater investment, and increased patronage for nearby businesses³⁵. Furthermore, these significant investments have the potential to spur development throughout the community plan area, which can be beneficial from an economic development standpoint, but can also subject the community to greater fast food proliferation vulnerability.

Mitigation Recommendation

Although the DEIR concludes that the New Community Plan would not result in any significant impacts on the aesthetics of the community, the omission of the implications of the CD 10 exemption from the analysis invalidates these findings. Based upon the aesthetic qualities of the West Adams community as defined by principles contained in the Los Angeles General Plan, Draft West Adams Community Plan, and West Adams Community

Plan Scoping meeting comments- the continued over-concentration of auto-centric free standing fast food restaurants is incompatible with the community's aesthetic values.

CEQA Guidelines require that: "Each public agency shall mitigate or avoid the significant effects on the environment of projects that it carries out or approves whenever it is feasible to do so³⁶." Based upon these guidelines, CHC recommends that the agency alleviate inconsistencies in the visual character of the West Adams Community Plan Area by eliminating Council District 10's unfounded exemption from fast food density limits contained in the West Adams New Community Plan.

Air Quality

The West Adams New Community Plan DEIR finds that the operations of the CPU would not have implications on air quality that would result in any exceedances of city and/or state air quality thresholds. However, this analysis is incomplete because it does not contain a disaggregated analysis of the air quality implications associated with commercial development by use or type. The South Coast Air Quality Management District's (SCAQMD) CEQA Air Quality Handbook identifies the square footage thresholds for various commercial uses based upon the potential implications of their operations on air quality limits. This CEQA analysis includes the size thresholds for drive-thru fast food restaurants as compared to other food retail outlets (see figure 4).

Findings from this analysis reveal that drive-thru restaurants generate more vehicular trips than other commercial establishments of the same square footage, and therefore may have more negative implications on air quality. As demonstrated in figure 4, drive-thru fast food restaurants larger than 2,800 square feet may generate enough vehicular trips to potentially exceed daily air quality thresholds³⁷. The typical drive-thru fast food restaurant in Los Angeles is close to 5,000 square feet large. Therefore, by these standards most drive-thru fast food restaurants within the West Adams Community Plan Area can potentially generate enough vehicular trips to exceed CEQA thresholds. Moreover, fast food restaurants without drive-thru windows above 3,500 square feet may generate enough vehicular trips to potentially exceed daily air quality thresholds as well. This size limitation is significantly smaller than the threshold for sit-down restaurants, which is at 23,000 square feet. Based upon these statistics, drive-thru restaurants generate an estimated 20% more vehicular trips than fast food restaurants without drive-

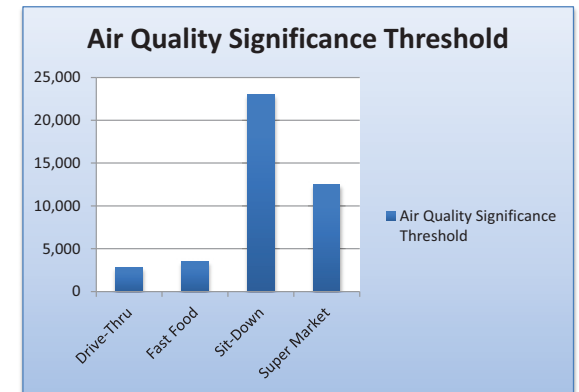


Figure 4

Source: City of Los Angeles, Los Angeles CEQA Threshold Guide, EnvironmentLA, City of Los Angeles, n.d. Web. 22 Oct. 2011.
<http://www.ci.la.ca.us/eal/programs/table_of_contents.htm>.

thrus and over 7 times more vehicular trips than sit-down restaurants.

The Draft Environmental Impact Report for the West Adams/Baldwin Hills/Leimert Park Community Plan reveals that in the community plan area, motor vehicles are the primary culprits for poor air quality³⁸. In fact, the DEIR explains that in the Los Angeles Basin where the West Adams CPA is located, Carbon Monoxide exposure (CO) is almost solely due to motor vehicles. Areas with higher motor vehicular traffic often times have higher concentrations of CO and other harmful air pollution chemicals. Copious health conditions including: respiratory diseases, cancer, and cardiovascular disease can be attributed to poor air quality³⁹. Although a number of environmental factors contribute to air quality, transportation-related air pollution is the most dominant impact on the quality of air in a community⁴⁰. In fact, the estimated costs of transportation-related air pollution in Los Angeles County were \$1,807,866,900 in 2001⁴¹.

In addition to CO, exhaust from auto-mobiles produces a number of other harmful chemicals including O3 (Ozone) PM2.5 (fine particulate matter) and PM10 (course particulate matter). Some of these chemicals contribute to increases in greenhouse gases, which lead to harmful environmental impacts, as well as increases in negative health externalities⁴². Research contained in the DEIR reveals that state standards for the pollutants CO, NO2 (Nitrate Dioxide) and SO2 (Sulfate Dioxide) were not exceeded in the West Adams Community Plan area between 2008 and 2010. However, state standards for O3, fine particulate matter and course particulate matter in the West Adams area were minimally exceeded at points during the same 2 year interval. These chemicals are most often derived from motor vehicle exhaust as well, but can also result from industrial activities⁴³.

As previously mentioned, findings from the South LA fast food restaurant analysis reveal that all drive-thru restaurants are stand-alone restaurants. Therefore, increases in the development of stand-alone restaurants will most likely result an in the increase in the development of drive-thrus as well. Empirical research suggests that car idle time contributes to significant increases in pollutant car emission exposure as well. Considering the assumption that total drive-thru window waiting time is averaged at 4 minutes, then based upon empirical study calculations, cars waiting in drive-thru windows can generate, on average, car exhaust emission levels equivalent to driving 2 miles⁴⁴.

Therefore, the aforementioned findings suggest that the CD 10 exemption will allow for continued fast food restaurant development that can result in numerous implications on air quality. Although the DEIR does contain an analysis of the air quality implications of increased commercial development, SQAMD findings reveal that fast food restaurants generate significantly more vehicular trips than other retail establishments of the same size. The air quality implications mentioned above must be adequately assessed in order to determine accurate assumptions about the West Adams NCP's impact on air quality. For these reasons, we assert that the DEIR's analysis of the West Adams NCP's impacts on air quality is incomplete and must be both reanalyzed and recirculated with a disaggregated assessment of additional commercial development's impacts on air quality.

According to CEQA Thresholds guidelines, a project that exposes "sensitive receptors to substantial pollutant concentrations" may contribute to a CEQA threshold exceedance. The DEIR states that sensitive receptors to poor air quality include: young children, the elderly and pregnant women. Although the DEIR acknowledges the West Adams area's high concentration of children/youth, a disaggregated demographic analysis of the area's population reveals that the community also contains a high percentage of women of child-bearing age. The exposure of pregnant women to chemicals such as SO2 and PM 2.5 is associated with premature births and low birth weights⁴⁵. These factors were not taken into account during the DEIR's analysis of sensitive receptors and must be appropriately considered.

Furthermore, the DEIR fails to recognize the changes in future demographic trends and its implications on the presence of sensitive receptors in the area. A report composed by the Southern California Association of Governments (SCAG) reveals potential changes in the population composition of the Los Angeles region by 2015(see figure 5)⁴⁶. These changes may result in an increase in populations most vulnerable to high concentrations of air pollutants. SCAG's projections suggest that the most profound changes in age demographics within the next few years will actually occur in the senior citizen population group. Figure 5 illustrates that the senior population is expected to grow from encompassing 7% of Los Angeles's total population share to 11.2% of the population share. This increase in sensitive receptors was also not analyzed and should be taken into consideration in order to accurately determine the West Adams CPA's air quality impacts.

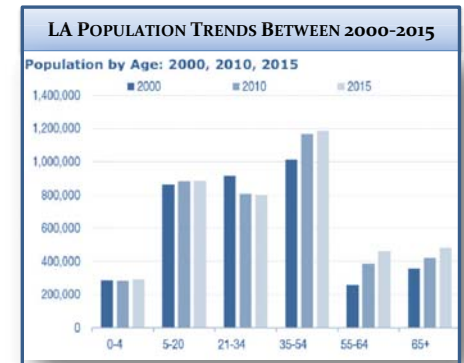


Figure 5
Source: SCAG Economic Development Strategic Plan 2010-2015

Mitigation Recommendations

More safeguards are needed to reduce the exposure of sensitive receptors to air quality pollution. These mitigation strategies should include efforts to reduce the concentration of establishments that have disproportionately higher amounts of vehicular trip generation than other establishments of the same square footage. Stand-alone fast food restaurants, particularly those with drive-thru windows, are amongst this group. For this reason, the community plan should ensure safe guards that restrict stand-alone fast food restaurant development also encapsulate areas within the CD 10 boundaries.

Land-Use

Based upon CEQA Guidelines, a project that would “conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect” may be considered to have significant effects on the environment⁴⁷. Although the DEIR determines that the West Adams New Community Plan does not result in any significant impacts on the Land-Use consistency of the area, the DEIR’s analysis does not assess the inconsistency of the CD 10 exemption with the West Adams Community’s existing policies.

As stated by the City Planning Department, the fast food “general plan amendment is in substantial conformance with the purposes, intent and provisions of the General Plan and is in conformity with public necessity, convenience, general welfare and good zoning practice in that it provides protections to the South Los Angeles community by regulating the issuance of permits related to the establishment of new Fast-Food Establishments, and creates a relief mechanism for projects that do not meet initial findings.”⁴⁸

Furthermore, the City Planning Department asserts that South Los Angeles’s current “over concentration of Fast Food Establishments is found to be inconsistent with the respective Community Plans.”⁴⁹ The Planning Department finds that the Fast Food General Plan Amendment is consistent with the following Commercial Objectives of the West Adams-Baldwin Hills-Leimert, South Los Angeles and Southeast Los Angeles Community Plans, as shown in the following table:

EXISTING GENERAL PLAN FRAMEWORK			
Commercial Objective	Community Plan		
	West Adams-Baldwin Hills-Leimert	South Los Angeles	Southeast Los Angeles
To identify and address the over concentration of those uses commercial which have resulted in the encouragement of activities detrimental to the health and welfare of the people of the Community.	Objective 1-3	N/A	N/A
To attract uses which strengthen the economic base and expand market opportunities for existing and new businesses.	Objective 1-4	Objective 2-3	Objective 2-3
To enhance the appearance of commercial districts.	Objective 1-6	Objective 2-5	Objective 2-5

Figure 6

Source: Los Angeles City Planning Department. Recommendation Report to the City Planning Commission, Case No. CPC-2010-2268-GPA, October 14, 2010.

Based upon these objectives, the CD 10 exemption will significantly undermine the impacts of the Fast Food General Plan Amendment on promoting greater consistency with the goals of the existing South LA General Plan Framework. The continued fast food restaurant development concentration perpetuated by the CD 10 exemption conflicts with the General Plan Frameworks objectives to promote the health and welfare of the community and encourage greater commercial diversity in the area.

Findings from the South LA Fast Food Health Impact Assessment reveal that Fast food is growing as a dominant component of the average American’s diet. Consumption of food prepared away from home almost doubled from 18% in the period between 1977 and 1978 to 32 % in the period between 1994 and 1996⁵⁰. Unfortunately, the growth of the fast food industry parallels with the increased rates of nutrition-related chronic diseases such as diabetes and obesity⁵¹. Fast food restaurants typically have menus inundated with items that are nutritionally deficient, high in caloric content, energy dense, and overridden with sugar⁵². A study conducted by the Harvard School of Public Health reveals that the high percentage of unhealthy fats and other non-nutritious substances contained in processed foods typically served at fast food restaurants creates a greater risk for coronary heart diseases than unprocessed foods⁵³. Consumption of these unhealthy fats is also linked to weight gain, which can lead to obesity⁵⁴. Children are most vulnerable to the negative health impacts of fast food consumption⁵⁵. In the U.S, the percentage of obese children between the ages of 2 and 5 tripled between the past 30 years and quadrupled for children between the ages of 6 and 11⁵⁶.

Although fast food restaurant patrons often have a choice to purchase lower-calorie meals, these meals are often more expensive and less extensively advertised and promoted⁵⁷. Additionally, many fast food restaurants have exclusive contracts with soft-drink manufacturers and as a result, heavily promote and discount sugar-laden sugar-sweetened beverages as well⁵⁸. Targeted marketing strategies are also utilized to attract specific demographics to purchase fast food- particularly African-Americans and children⁵⁹. The World Health Organization emphasizes that the targets of the fast food industry’s strategic marketing can experience “serious consequences” due to the findings of growing research concluding that targeted marketing to children is exploitation⁶⁰. The American Academy of Pediatrics states that advertising targeting children under the age of eight is “inherently deceptive” and “exploitation” due to advertisement’s ability to manipulate the preference and choices of young children⁶¹.

In South LA⁴, youth represent an average of 32% of the population. Based on 2009 California Health Interview Survey data, fast food consumption in South LA is highest amongst teens between the age of 11-17⁶². Only 10.9% of teens surveyed did not consume fast food within the week (see figure 7). The fast food consumption rate for South LA

⁴ In this context, “South LA” is defined by Service Planning Area 6 or SPA 6. This area is determined by the Los Angeles County Department of Public Health and includes all South LA areas within the City limits in addition to other surrounding communities including: Compton, Inglewood, Gardena, and Hawthorne.

children under 5 is also high. According to the California Health Interview Survey (CHIS), over 50% of South Los Angeles children ages 2 to 5 eat fast food at least once a week. Furthermore, as previously mentioned according to U.S Census County Business Patterns data, in 2008, 71.8% of South LA restaurants were limited-service fast food restaurants in 2008, while West LA only had 40.8% and LA County had 47.7%⁶³ (see figure 8).

A number of studies have revealed that proximity to fast food restaurants can be associated with poor health outcomes^{64,65}. A study conducted by Purdue University finds that individuals living within a ½ mile of fast food restaurants experienced an average increase in BMI by 0.15⁶⁶. The closer the individuals lived to the fast food restaurants, the higher the BMI.

Children are also impacted by the geographic proximity of fast food restaurants to their environments⁶⁷. One California study examined the potential relationship between obesity rates amongst ninth graders in California and the distance between their school and fast food and full-service restaurants. The results from the study indicate that schools located within 0.10 of a mile experienced an increase in obesity rates by 5.2%⁶⁸.

Based on the average population density per square mile in South LA, there are approximately 10,949 people in every ½ mile radius of the area⁶⁹. Therefore, according to the findings of the Purdue study, nearly 11,000 South LA residents on average could be vulnerable to BMI increases with the development of just 1 new fast food restaurant in the community.

A study of LA County adults reveals that in most circumstances, individuals without access to private automobiles typically have lower BMIs than individuals living in the same community with cars⁷⁰. However, the same study reveals that individuals without cars that

FAST FOOD CONSUMPTION PER WEEK IN SOUTH LA					
AGE	No Times	Once	2 Times	3 Times	4 or More Times
2-10	44.7%	29.8%	18.8%	3%	3.7%
11-17	10.9%	32.3%	30.6%	9.7%	16.5%
18+	27.5%	27.6%	19.3%	10.4%	15.2%
SPA 6 TOTAL	27.6%	28.7%	20.9%	9.2%	13.7%

Figure 7
Source: California Health Interview Survey 2009

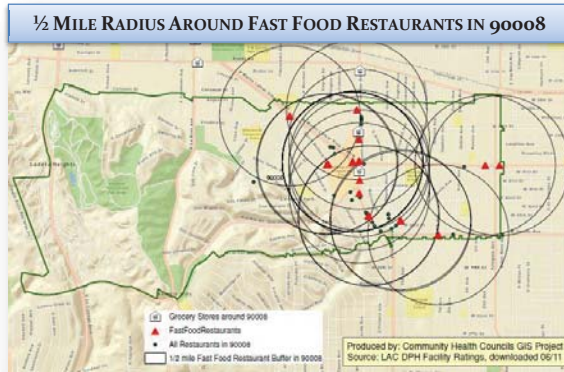


Figure 8

live in close proximity to fast food restaurants weighed approximately 2 BMI units more than those living in the same areas that owned cars. Research from the ESRI's Business Analyst Online indicates that 25.9% of South Los Angeles residents do not have cars, while only 7.9% of West LA residents do not have cars⁷¹. This disparity is even higher in specific communities within South Los Angeles.

These findings emphasize the strong nutrition-related health implications of even a limited reduction in potential fast food restaurants within the South LA community. Therefore, if the CD 10 exemption allows for the most conservative estimate of 1 additional fast food restaurant being developed in the West Adams CPA, this may have substantial implications on the nutritional health of a significant portion of the area's population.

As previously mentioned, the General Plan Amendment has been effective in reducing the continued proliferation of stand-alone fast food restaurants from the South Los Angeles area. The CD 10 exemption will significantly undermine the positive impacts that the General Plan Amendment has made on the health and wellness of the West Adams community- and is therefore inconsistent with the existing General Plan Framework's goals of ensuring greater health and wellness in the area.

According to the City Planning Department, "the Existing General Framework and the community plans for South Los Angeles region call for land use policies that encourage and promote diverse retail and commercial establishments along the corridors, thereby giving residents more opportunities to access a variety of retail and office uses." This value is also evidenced by the West Adams community's scoping concern to "Enhance the character of retail by providing a better mix of neighborhood amenities including healthy food options"⁷².

The LA City Planning Department has determined that fast food restaurants' "over-concentration has the effect of reducing the opportunities for new grocery stores and full service restaurants in a dense, urbanized neighborhood where land is limited⁷³." Therefore, the continued perpetuation of the West Adams Community's disproportionate proliferation of fast food restaurants contributes to the areas lack of commercial diversity. A lack of diversity of uses is not only an aesthetic deterrent for economic development, but it is also inconsistent with principles contained in both the General Plan and within the scoping concerns of the West Adams community. For these reasons, the failure of the DEIR to assess the impacts of the CD 10 exemption on the land-use consistency of the West Adams New Community Plan has resulted in an oversight of the exemption's inconsistency with existing land-use guidelines around commercial diversity as well.

Mitigation Recommendations

To alleviate inconsistencies with the existing General Plan Framework around promoting health and wellness and greater commercial diversity in the community, we suggest the elimination of the CD 10 exemption from the West Adams CPA in an effort to preserve the community's limited land for the development of healthier food retail alternatives.

SECTION 2: IMPACT of TODs on AFFORDABLE HOUSING AND DISPLACEMENT

Background

As stated in the DEIR, 21,577 of the affordable units within the City of Los Angeles are at risk of losing their affordability covenants between July 1, 2008 and June 30, 2018 (page 4.13-9). In addition, the cost of housing is high compared to other areas within the state (page 4.13-7). The preservation and provision of affordable housing was also outlined as an important factor to the community during the community planning process. However, the DEIR determines that the West Adams NCP would result in less-than-significant impacts on displacement in the community. This conclusion is incomplete because it does not take into account the impacts that the plan's lack of affordable housing provisions can have on gentrification and displacement. These impacts can result in potentially significant effects on population and housing as well as air quality.

As part of the Federal American Recovery and Reinvestment Act (ARRA), the County of Los Angeles received a 2 year grant from the federal Centers for Disease Control and Prevention (CDC) to sponsor the **Renew Environments for Nutrition, Exercise, and Wellness** in Los Angeles County (RENEW) projects. (RENEW Los Angeles (CPC-2008-1553-CPU/ ENV-2008-1780-EIR))

Project RENEW consisted of 10 health-based initiatives throughout Los Angeles County. The Los Angeles County Department of Public Health contracted with several municipal agencies and community-based organizations, including LA City Planning, Public Health Foundation Enterprise (PHFE) and Community Health Councils to accomplish the goals of the CDC through the RENEW programs.

One initiative was to reduce the incidence of obesity, diabetes and other chronic diseases by overcoming barriers to exercise and promoting physical activity. This goal was intended to be accomplished through the design of 9 Transit Oriented Design Plan (TOD's) in the City of Los Angeles. The TOD Plans included:

- Land use, urban design standards and streetscape design that improve pedestrian and bicycle access to the transit stations and major neighborhoods destinations such as parks, grocery stores, libraries and other community facilities.
- Alternative mobility options at each of the stations areas to improve access to and from stations and decrease the use of vehicles and parking demand.
- Policies and implementation measures that will be adopted in the South/Southeast Los Angeles Community plans

Los Angeles City Planning and its lead contractor, PHFE, spearheaded creating each of the 9 TOD Plans. These plans were located in four sub-districts near Downtown Los Angeles, a portion of South Los Angeles near the Alameda Corridor, the Watts community of Los Angeles, and the South West region of South Los Angeles. Community Healthy Councils worked with City Planning on community engagement throughout the process. This process included cultivating transportation goals and objectives from community and formulating recommendations for development in areas adjacent to transit stations that addresses community needs and incorporates alternative transit strategies and funding models.

The policy recommendations derived from the community engagement process were collected and compiled into a report made by the Los Angeles City Planning Department on March 8, 2012. These recommendations were submitted to the City Planning Commission for review, and a hearing to consider the advancement of the policies' adoption is currently pending. The proposed policies include specific strategies to:

- Create perceptibly safe transit neighborhoods that have daytime and nighttime commercial activity
- Improve walkability near transit stations by enhancing pedestrian environments
- Complement the existing character of transit neighborhoods while maximizing the housing and retail potential of nearby stations
- Use health, recreation and retail amenities to improve local quality of life in transit neighborhoods
- Promote environmental sustainability through multi-modal transportation and resource-efficient design
- Create mixed-income communities as an alternative to displacement
- Streamline the Environmental review process for development projects near transit stations that meet basic design requirements

Although the policies contained in the RENEW staff report are not legislated, they represent the priorities of the community around transit-oriented development and multi-modal accessibility. Therefore, it is important to consider these policy recommendations within the analysis to insure the West Adams NCPs consistency with the values of the greater community.

Population and Housing

According to CEQA threshold guidelines, significance for population and housing can be assessed by determining whether a project or program would "result in the net loss of any existing housing units affordable to very low- or low-income households (as defined by federal and/or City standards), through demolition, conversion, or other means". Furthermore, CEQA law requires that the agency consider "the forecasted economic or social effects of a proposed project." (Bakersfield Citizens for Local Control v. City of Bakersfield (1994) 124 Cal. App. 4th 1184, 1205 (citing Friends of Davis v. City of Davis (2000) 83 Cal.App.4th 1004, 1019 (Friends of Davis); Citizens for Quality Growth v. City of Mt. Shasta (1988) 198 Cal.App.3d 433, 445-446 (Mt. Shasta).)

The West Adams New Community Plan incorporates Transit-Oriented Development (TOD) within the land-use policy contents. Although this form of development is beneficial for promoting healthy, active transportation that can benefit a community, without the proper safeguards it can also result in negative impacts on the displacement of a population. According to a recent study, “newly transit rich neighborhoods” often experience “unintended consequences in which core transit users—such as renters and low income households—are priced out in favor of higher-income [households]”⁷⁴. The West Adams NCP does contain language that promotes affordable housing development, however, several of the Community Plan Implementation Overlay Zones (CPIOs) (including the Venice / National Transit Oriented Development Subdistrict and Commercial Corridors and Major Intersection Nodes Subdistrict) do not include any mention of strategies to preserve affordable housing. These CPIOs also do not include incentives to build new affordable housing units.

According to the City of Los Angeles, “many of the City’s fair housing issues, particularly those faced by renters, stem from a lack of affordable housing choice for lower income households. The shortage of affordable housing is not a fair housing concern in itself; however this situation created a market condition that is conducive to discriminatory practices. With an abundance of willing takers and short housing supply, landlords are more likely to discriminate and screen out ‘undesirable’ tenants”⁷⁵. Section 4.13 Population, Housing & Employment of the DEIR does not adequately analyze the West Adams NCP’s effects on housing and displacement because it omits any consideration of the implications associated with the plan’s lack of substantive affordable housing preservation measures. Therefore, this oversight has resulted in an inaccurate assessment of the impacts of the NCP on the health and welfare of the existing community.

For these reasons, it is imperative that policies are implemented within the West Adams NCP that support the establishment and preservation of affordable housing within the community. Therefore, we request that the DEIR is recirculated with an accurate evaluation of:

- The number of affordable housing units lost within the West Adams CPA, including how the Plan and CPIOs will support or discourage the protection of units
- A more complete analysis of anticipated number of new affordable housing units built given the current floor area ratios, parking requirements, heights, setbacks, fees etc., in each CPIO, including justification and evidence for how these values will provide adequate affordable housing; and
- A more accurate assessment of possible housing displacement (including substantiation with values of rents, net affordable housing units, and unit-type diversity) to substantiate the statement that the “adoption and implementation of the proposed project would not lead to the displacement of substantial numbers of existing housing”.

Air Quality

The inability of the agency to adequately analyze the impacts of the NCP on displacement has also resulted in an inaccurate assessment of the impacts of the plan on air quality. The

DEIR bases its air quality assessment on the assumption that TOD will automatically result in a reduction in automobile usage. The DEIR states that the West Adams NCP “TODs would allow for an increase in both jobs and housing. Locating jobs near housing can help reduce commutes, increase walking and biking rates, thereby creating a benefit for public health”⁷⁶. This statement is based upon the presumption that the jobs provided near the housing meet the skill sets and needs of the individuals living in those households. According to the Bureau of Labor and Statistics, the dominant industries within the West Adams Community Plan Area are related to clothing retail and food retail services⁷⁷. These industries predominantly serve the job needs and skill sets of working class families. However, as previously mentioned, TODs often promote the displacement of these typically lower-income households. Therefore, although the plan promotes “locating jobs near housing”, without the appropriate mechanisms aimed at combatting displacement this may not result in a net reduction in commutes.

Furthermore, additional research demonstrates that when gentrification occurs, often times “vehicle ownership becomes more common” due to the wealthier incomes of the communities residents⁷⁸. This means that without effective gentrification mitigation measures, TODs may not only contribute to a potential net increase in work-to-home commutes, but they may also contribute to a net increase in motor vehicular trips as well. This may have significant implications on vehicular emissions, which could invalidate the original findings of the DEIR⁷⁹. For this reason, the “less-than-significant” impacts on air quality findings from the DEIR are based upon incomplete evidence and necessitate a reanalysis.

As stated in Community Health Council’s DEIR Comment Letter on the Council District 10 exemption from fast food regulations, the DEIR also provides an inadequate assessment of sensitive receptors to air quality impacts (see CHC DEIR Fast Food Comment Letter). In addition to children, expectant mothers and seniors, individuals with pre-existing chronic diseases are also vulnerable to the negative health impacts associated with air pollution exposure. Residents within the West Adams New Community Plan area currently have disproportionately high levels of chronic disease such as asthma, diabetes and heart disease which can be exacerbated by mobile source air pollution⁸⁰. As a result of these findings, we also recommend that the DEIR analysis include a more in-depth assessment of the implications of the added vehicular emissions resulting from gentrification on sensitive receptors in order to accurately determine the air quality impacts of the West Adams New Community Plan⁸¹.

Mitigation Recommendations

To mitigate the potential negative impacts of the NCP’s TOD provisions on displacement in the community, we recommend that the New Community Plan expand upon its affordable housing provisions by adopting the policy recommendations contained in the RENEW Los Angeles report around promoting mixed-income communities. In the LA City Planning Department’s RENEW Los Angeles Report to the Planning Commission, it acknowledges displacement is “not a required outcome of TOD. Policies that encourage, and sometimes require, the development of affordable housing can preserve the place of a neighborhood’s

existing residents, even as new residents move in⁸². Therefore, pursuant to the RENEW Los Angeles Report, we recommend that the city:

“Incorporate incentives into TOD overlay zones that encourage mixed-income housing development.

- Offer floor-area ratio (FAR) bonuses for development projects that provide a minimum portion of income-restricted units (based on percentage of area median income).
- Offer minimum parking reductions for development projects that provide a minimum portion of income-restricted units (based on percentage of area median income).

Preserve the existing stock of income-restricted units near transit stations.

- Require new development projects to replace all of the site’s preexisting income-restricted units (either on-site or in another location).
- Allow affordable housing developers and tenant cooperatives first right-of-refusal upon the sale of any residentially or commercially zoned properties within TOD overlay zones (under agreement that existing income-restricted units will remain so at the same percentage of area median income).
- Exact linkage fees from development projects that do not include a minimum portion of income-restricted units (based on percentage of area median income). Require that proceeds from linkage fees be used to subsidize affordable housing development within the same TOD sub-district.

SECTION 3: OPEN SPACE

Background

Study after study has highlighted the important role that open space plays in mitigating the effects of environmental and health impacts in dense urban communities^{83,84,85,86}. However, the DEIR lacks an examination of the “whole record”⁸⁷ in regards to the presentation of substantial evidence about impacts to open space and the development of feasible mitigation measures. Given the reliance on open and green space as a principal tool for promoting healthy, vibrant, and green neighborhoods in the NCP, the DEIR is insufficient in disclosing the full extent of impacts to open space and omits a thoughtful discussion of measures to mitigate said impacts.

Furthermore, in 2009 the City of Los Angeles Department of Recreation and Parks, as a first step in preparing a citywide park master/strategic plan, developed a Community Needs

Assessment (Needs Assessment) “to help identify, quantify, and preliminarily prioritize the tremendous need for recreation and open space” in areas of high need. Some findings from the needs assessment reveal that:

- The City lacks the appropriate levels of neighborhood and community parks that are close to home and parks are not equitably distributed
- The amount of park land available in the City is low for the level of density in the City and people would like more land for mini-parks, neighborhood parks, community parks and downtown parks. More parks are needed in redevelopment areas and we should look to use brownfields that could be restored for public parks
- Concern that some parks are unsafe and controlled by gangs and lack significant security, keeping people from using the park in a productive manner
- Parks are in need of infrastructure improvements such as: restrooms, parking areas, playgrounds, picnic facilities, sports courts, security lighting, irrigation systems, sports fields and general site conditions which encourages vandalism and keeps the community from using the parks in a positive manner
- Sports fields are a needed amenity. This is a desire that the community felt the Department had not adequately addressed. The needs are great for sports facilities for both youth and adults
- Sustainable landscapes in parks are an important design element that the Department should incorporate into design standards
- Some existing parks are outdated in design. The Department needs to develop new design standards for parks in the future and customize the parks to the people living in the area that will be using the park
- Walkability of the City and the ability to walk in City parks. Loop and park perimeter trails are an amenity the community feels needs to be addressed by the Department in order to fight obesity and promote health and wellness. Recreation programs can be added to promote health and fitness, such as nutrition, cooking and physical activity classes
- The Department must create a balance of park types and manage by park and amenity standards that promote equal access

In South Los Angeles in particular, the needs assessment determined that:

- More parks are needed
- Safety and security are key issues
- Access to existing parks difficult
- Need more diversity of programs

The findings from the Parks Needs Assessment in respect to South Los Angeles are consistent with other open space resource studies that demonstrate that South Los Angeles is “park poor”. In fact, one analysis reveals that in South Los Angeles, there are only 1.2 acres of open space per 1,000 people as compared to 100 acres in West LA and 40 acres throughout LA County⁸⁸.

To address some of the disparities mentioned above, the Parks Needs Assessment recommended both policy level and programmatic solutions/strategies including:

- Remove amenities that are not well used or are in disrepair and replace with amenities the community desires
- Develop land acquisition strategies to include:
 - Outright purchases
 - Partnerships with other agencies
 - Land leases from other government or not for profit agencies, or others
 - Developer impact agreements based on the standards for open space desired
- Develop integrated planning and design criteria and processes so that park planning becomes a highly valued and integral part of the City's General Plan and Community Plan updates.

Although some of the recommendations above are not within the purview of the West Adams New Community Plan's scope, other components may be more easily facilitated through alignment and consistency with community plan provisions. For this reason, the West Adams New Community Plan provides the city with an opportunity to address some of the stark disparities in park and open space access in the West Adams portion of South LA through its support of some of the Recreation and Parks Department's recommendations stated above.

Public Services

By relying on park and recreation facility standards that are more than thirty years old⁸⁹ and generally considered as deficient⁹⁰, the DEIR fails to adequately assess the impacts to open space facilities under the proposed NCP for current and future park users. Since 1980 park service standards have been altered markedly by reliable experts and must be examined in light of the proposed community plan. In fact, the National Parks and Recreation Association developed new guidelines that take into consideration supply, usage, demand, and population characteristics when determining level of service guidelines. Using a uniform guideline across community plan areas is insufficient and inappropriate. In 2008, CHC found that more South Los Angeles residents depend on public open space and recreational facilities for physical activity than compared to other areas in Los Angeles.⁹¹ Finally, according to a report published by the City Project, council districts that make up the West Adams CPA and South Los Angeles Planning Area have a significantly lower number of acres of parkland per 1,000 residents than compared to all other council districts in Los Angeles.⁹² Under CEQA, "when adopting thresholds of significance, a lead agency may consider thresholds of significance previously adopted or recommended by other public agencies or recommended by experts..."⁹³ Under these nationally accepted guidelines, the DEIR fails to adequately analyze the unmet demand of open space. Furthermore, no analysis exists in the DEIR to support other open space facilities such as basketball courts, swimming pools, and community gardens. In fact, even though the Community Plan contains 5 policies specific to the promotion and implementation of community gardens⁹⁴ – no analysis exists in the DEIR to guide policy implementation.

Finally, the technical assessment of park access and quality is considerably flawed under the DEIR's current analysis. Significantly, 68.9% of the open space in the West Adams CPA can

be classified as a regional park serving the entire Los Angeles region. This disproportionate amount of green space abuts the western edge of the CPA and cannot be determined to be centrally accessible to all residents. Moreover, access to open space is highly disparate for neighborhoods in the plan area—access to parks within .5 miles of residences ranges from 0 acres per 1,000 people to 240 acres per 1,000.⁹⁵ It cannot be assumed that parks are equally accessible to all users just because they are within a quarter mile of the West Adams CPA given the high variability of public safety concerns, car ownership, public transit access, and hillside grade (especially for access to Kenneth Hahn State Recreation Area). The DEIR also fails to study the impact of demand on current park facilities by assuming that the "majority of the population visiting the regional park would come from a 2-mile radius." The DEIR provides no substantial evidence how this conclusion was made. Impacts from region-wide increases in population and density on the park cannot be ignored in this analysis. A more accurate analysis of park access would rely on parks within walking distance of residents within the CPA. Finally, the report acreage of park and recreational facilities within a quarter-mile of the CPA seems to be inconsistent with other measures reported by California Department of Parks and Recreation. For example, the DEIR lists Leimert Park as 2.66 acres while CADPR lists it as 1 acre.

Mitigation Recommendations

Open Space and green space serves as a viable and feasible mitigation measure to address impacts to the aesthetic, air quality, biologic resource, cultural resource, geology and soils, greenhouse gas emissions, hydrology and water quality, noise, and transportation environments. The DEIR omits a discussion of measures to mitigate significant impacts as a result from increased population and density in the CPA which belies the intention and spirit of CEQA⁹⁶. The City must discuss and develop mitigation measures in a process that is open and accessible to the public and, in particular, the affected community. In fact, "the development of mitigation measures, as envisioned by CEQA, is not meant to be a bilateral negotiation between a project proponent and the lead agency after project approval; but rather, an open process that also involves other interested agencies and the public."⁹⁷ Furthermore, given the severe and pressing shortage of open space in the West Adams CPA the DEIR must discuss mitigation measures to expand access to open space and if infeasible, must provide substantial evidence for their infeasibility.

SECTION 4: TRANSPORTATION

Background

The West Adams Community Plan strives to support active transportation infrastructure by increasing the access to and quality of multi-modal facilities– including pedestrian and bike infrastructure. However, the DEIR relies on an outmoded metric to evaluate impacts on transportation and traffic in the CPA. The DEIR should restudy the transportation and traffic impacts to support multi-modal level of service as evidenced by a review of case law and

existing policies in California and the City of Los Angeles conducted by the Los Angeles County Bicycle Coalition and Akin Gump Struass Hauer & Feld, LLP⁹⁸ reveals the following:

- Cities across the United State are incorporating less auto-centric metrics into their environmental review process.
- CEQA affords agencies great deference in choosing environmental review and methodologies and thresholds of significance.
- The Los Angeles CEQA Threshold Guide requires the City to evaluate environmental impacts using “the best information and evaluation methods available.”
- The use of less auto-centric metrics is supported by case law, expert opinion, an state and local policy imperatives.

Transportation and Traffic

The DEIR currently uses vehicle-level-of-service (LOS) to study transportation and traffic impacts in the CPA. However, because LOS only considers the impacts to vehicle traffic—vehicle miles travelled (VMT) or vehicle hours travelled (VHT)—plans and policies that favor increasing vehicle capacity will perform better than those that encourage biking and walking. By not evaluating the plan’s effect on bicyclists and pedestrians, the DEIR fails to provide substantial evidence of the “whole record”⁹⁹ regarding environmental impacts. To facilitate an accurate analysis and account of environmental impacts, the DEIR must reflect policies contained within SB 375, the Sustainable Communities Act; AB 1358, the Complete Streets Act; Regional Transportation Guidelines. Furthermore, the DEIR fails to address AB 2245 which exempts bicycle infrastructure improvement under the CEQA process. Furthermore, as stated previously, the City of Los Angeles has great leverage in selecting environmental review methodology in the presence of alternative arguments provided by reliable experts. One such approach is taken by the California Natural Resources Agency which advises that LOS is not always the best way to analyze environmental impacts. According to the LA County Bicycle Coalition, “The Agency explained that ‘an increase in traffic, by itself, is not necessarily an indicator of a potentially significant environmental impact,’ and that in some cases the use of LOS can lead to traffic mitigation that may actually lead to greater environmental impacts.”¹⁰⁰

Transit Access to Community Services

Furthermore, residents of low-income communities must rely on public transportation to navigate the city since many do not own personal vehicles. The infrastructure to support light rail and buses must be designed to ensure that residents can access essential services, such as: healthcare, employment, and other community resources. Residents with multiple chronic conditions such as, diabetes or heart disease, who require frequent medical attention, may be unable to access clinics and hospitals quickly due to unavailable or unreliable public transportation options. The DEIR states that “specific land use designations” are determined by the community plan and will be used to “encourage and accommodate growth” of “mixed-use districts, centers and boulevards...in proximity to transportation corridors and transit stations (DEIR 4.10-3). These land use designations

and transportation plans should take into account the location of clinics and hospitals to ensure that the population most likely to rely on public transportation can access the care that they need. This provision will also support greater consistency between the NCP and the General Plan’s overall objectives around preserving and improving the health and wellness of the local population.

SECTION 5: CONCLUSION

The EIR requirement is a foundational element of CEQA.¹⁰¹ However, as demonstrated throughout this letter, the DEIR fails to sufficiently disclose potential significant impacts related to over-concentration of stand-alone fast food restaurants in the Tenth Council District area, displacement, open space, and multi-modal accessibility. These potential significant impacts evaluated alongside substantial evidence may conclude that there are direct and indirect consequences to the environment. In this regard, the DEIR represents an incomplete and unsubstantiated analysis of potential impacts inconsistent with CEQA guidelines:

“Direct and indirect significant effects of the project on the environment shall be clearly identified and described, giving due consideration to both the short-term and long-term effects. The discussion should include relevant specifics of the area, the resources involved, physical changes, alterations to ecological systems, and changes induced in population distribution, population concentration, the human use of the land (including commercial and residential development), health and safety problems caused by the physical changes, and other aspects of the resource base such as water, historical resources, scenic quality, and public services.”¹⁰²

Furthermore, the DEIR’s failure to employ “...enough relevant information and reasonable inferences [so] that a fair argument can be made to support a conclusion [using] facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts”¹⁰³ results in a glaring omission of analysis of impacts that could “cause substantial adverse effects on human-beings, either directly or indirectly.”¹⁰⁴ By not offering a sufficient and complete account of the effects from the plan’s CD-10 exemption, transit-oriented development provisions, open space objectives, lack of adequate program alternatives, the DEIR fails to meet the CEQA standard of “consider[ing] the whole of an action, not simply its constituent parts, when determining whether it will have a significant environmental impact.”¹⁰⁵

To inform other governmental agencies and the public generally of the environmental impact of the proposed plan¹⁰⁶ and to demonstrate to the public that it is being protected¹⁰⁷ a well-reasoned and substantial demonstration is needed to explain both why the assertions made around transit-oriented development and open space are valid without justifiable evidence and why the potential impacts emanating from these areas were not sufficiently studied in the DEIR. There is no clear, identifiable justification why impacts from the CD-10

exemption would not be studied. No statutory exemptions (Article 18, Sections 15260-15285) or Categorical Exemptions (Article 19, Sections 15300-15332) exist within CEQA to excuse the lead agency from studying potential impacts. Furthermore, no reason was provided in the Community Plan, Implementation Plan, Community Plan Implementation Overlay districts (CPIO), or administrative record to support the justification to exempt CD-10 from the fast food density regulations. In fact, Ordinance No. 181412, the enabling ordinance for the establishment of "CPIO" explicitly states that the Area Planning Commission may not permit an exemption from a CPIO regulation if the granting of exemption is "...detrimental to the public welfare..."¹⁰⁸ To inform other governmental agencies and the public generally of the environmental impact of the proposed plan¹⁰⁹ and to demonstrate to the public that it is being protected¹¹⁰ a well-reasoned and substantial demonstration is needed to explain both why the exemption is valid without justifiable evidence and why the potential impacts emanating from the exemption were not studied in the DEIR.

According to court opinions in Laurel Heights Improvement Association v. Regions of UC (1993)¹¹¹ and Citizens of Goleta Valley v. Board of Supervisors (1990)¹¹² CEQA requires that decisions be informed and balanced. It must not be subverted into an instrument for the oppression and delay of social, economic, or recreational development or advancement. To undermine a democratic process that has taken place over the course of 5 years with an unsubstantiated and unstudied exemption is an affront to a democratic planning process and threatens the implementation of all CPIO elements.

In addition, the lack of appropriate time to review the DEIR for a program that will dictate the West Adams community development for the next 2 decades undermines the intentions of the DEIR to facilitate inclusive and comprehensive community input. The California State Supreme Court recently stated that: "The EIR's function is to ensure that government officials who decide to build or approve a project do so with a full understanding of the environmental consequences and, equally important, that the public is assured those consequences have been taken into account. For the EIR to serve these goals it must present information in such a manner that the foreseeable impacts of pursuing the project can actually be understood and weighed, and the public must be given an adequate opportunity to comment on that presentation before the decision to go forward is made."¹¹³ State law requires that a minimum of 45 days be granted to the public through a formal comment period to review and respond to the contents of a DEIR. However, due to the extreme technicality of the West Adams DEIR and the more than 2,000 pages encompassing the DEIR and subsequent documents, Community Health Council submitted a letter of request for a 45-day extension of the public comment period on behalf of CHC and its community partners (see appendix). Although a 15-day extension (30 days less than the requested time period) was granted, this extension still proves inadequate as evidenced by the 90-day comment period and additional 30-day extension granted to the Hollywood community to review the Hollywood New Community Plan.

Therefore, we request that additional time be provided for the public to review the re-circulated DEIR in an effort to insure better compliance with CEQA standards and give impacted stakeholders adequate time to digest and respond to the new document's provisions.

Respectfully submitted,



Lark Galloway-Gilliam, MPA
Executive Director

¹ See 14 Cal. Code. Regs. § 15121, subd. (a).

² CEQA Guidelines § 15003, subd. (d).

³ CEQA Guidelines § 15088.5.

⁴ LAMC Section 16.05 B.3

⁵ United States Department of Commerce. Bureau of the Census. County Business Patterns, 2009 [United States]: U.S. Zip Code Data. 90001, 90002, 90003, 90007, 90008. 90011, 90016, 90018, 90037, 90043, 90044, 90047, 90059, 90061, and 90062. Accessed: December, 2011. Available at: <http://www.census.gov/econ/cbp/index.html>

⁶ Los Angeles City Planning Department. Recommendation Report to the City Planning Commission, Case No. CPC-2010-2268-GPA. October 14, 2010.

⁷ *ibid*

⁸ Los Angeles, Cal., Council File 07-1658-S1 (2009) and 07-1658-S2 (2010)

⁹ Los Angeles City Planning Department. Recommendation Report to the City Planning Commission, Case No. CPC-2010-2268-GPA. October 14, 2010.

¹⁰ *ibid*

¹¹ Los Angeles City Planning Department. Recommendation Report to the City Planning Commission, Case No. CPC-2010-2268-GPA. October 14, 2010.

¹² Los Angeles, Cal., Council File 10-1843 (2010)

¹³ *ibid*

¹⁴ CEQA Guidelines Article 19, Section 15308, Class 8

¹⁵ Los Angeles City Planning Department. Recommendation Report to the City Planning Commission, Case No. CPC-2010-2268-GPA. October 14, 2010.

¹⁶ U.S Business Database." Reference USA Database. Reference USA, Aug. 2012. Web. 11 Oct. 2011.

<<http://referenceusa.com/UsBusiness/Result/ff69a73779e4409e9dab573849fb8b18>>.

¹⁷ Los Angeles City Planning Department. Recommendation Report to the City Planning Commission, Case No. CPC-2010-2268-GPA. October 14, 2010.

¹⁸ San Joaquin Raptor, *supra*, 149 Cal.App.4th at p. 655 [citations omitted, emphasis supplied.

¹⁹ City of Los Angeles, Los Angeles CEQA Threshold Guide. EnvironmentLA, City of Los Angeles, n.d. Web. 22 Oct. 2011. <http://www.ci.la.ca.us/ead/programs/table_of_contents.htm>.

²⁰ West Adams New Community Plan Draft Environmental Impact Report. Department of City Planning. City of Los Angeles, Sept. 2012. Web. 10 Oct. 2012. <<http://cityplanning.lacity.org/>>.

²¹ City of Los Angeles, Los Angeles CEQA Threshold Guide. EnvironmentLA, City of Los Angeles, n.d. Web. 22 Oct. 2011. <http://www.ci.la.ca.us/ead/programs/table_of_contents.htm>.

²² *ibid*

²³ Los Angeles City Planning Department. Recommendation Report to the City Planning Commission, Case No. CPC-2010-2268-GPA. October 14, 2010.

²⁴ *ibid*

²⁵ Jeff, Gloria. Pedestrian Collisions in Los Angeles 1994-2000. Rep. Los Angeles Department of Transportation, Mar. 2006. Web. 11 Mar. 2011. <<http://ladot.lacity.org/pdf/PDF221.pdf>>.

²⁶ California Department of Alcoholic Beverage Control, State of California.

<http://www.abc.ca.gov/datport/LQSMENU.htm> accessed 30 January 2008.

- ²⁷ Agran PF, Winn DG, Anderson CL, Tran C, Del Valle CP. 1996. The role of physical and traffic environment in child pedestrian injuries. *Pediatrics* 98(6 pt 1):1096-1103
- ²⁸ Federal Highway Administration (US Department of Transportation), 2002. Safety effects of marked vs. unmarked crosswalks at uncontrolled locations – Executive summary and recommended guidelines. Report no. FHWA-RD-01-075. Washington, D.C
- ²⁹ *ibid*
- ³⁰ South Los Angeles Transportation Master Plan. Los Angeles Department of Transportation (LADOT). City of Los Angeles, Apr. 2009. Web. 10 Oct. 2011. <<http://ladot.lacity.org/pdf/PDF246.pdf>>.
- ³¹ City of Los Angeles, Los Angeles CEQA Threshold Guide. EnvironmentLA, City of Los Angeles, n.d. Web. 22 Oct. 2011. <http://www.ci.la.ca.us/ead/programs/table_of_contents.htm>.
- ³² Demographics Research Group Building Summaries. Los Angeles Department of City Planning, City of Los Angeles, 13 Jan. 2010. Web. 08 Oct. 2012. <<http://cityplanning.lacity.org/DRU/HomeBldg.cfm>>.
- ³³ Crenshaw/LAX Transit Corridor | Final Environmental Impact Statement/Final Environmental Impact Report (FEIS/FEIR). Crenshaw/LAX Transit Corridor. Los Angeles Metropolitan Transit Authority, 7 Nov. 2011. Web. 16 Oct. 2012. <http://www.metro.net/projects/crenshaw_corridor/crenshaw-feis-feir/>.
- ³⁴ Light Rail Spurs Economic Development and Success in Phoenix." An Urban Sustainability, Green Building, and Alternative Transportation Community. Sustainable Cities Collective, 28 Sept. 2009. Web. 16 Oct. 2012. <<http://sustainablecitiescollective.com/Home/23082>>.
- ³⁵ *ibid*
- ³⁶ Pub. Res. Code § 21002.1, subd. (b)
- ³⁷ City of Los Angeles, Los Angeles CEQA Threshold Guide. EnvironmentLA, City of Los Angeles, n.d. Web. 22 Oct. 2011. <http://www.ci.la.ca.us/ead/programs/table_of_contents.htm>.
- ³⁸ West Adams New Community Plan Draft Environmental Impact Report. Department of City Planning. City of Los Angeles, Sept. 2012. Web. 10 Oct. 2012. <<http://cityplanning.lacity.org/>>.
- ³⁹ Health Effects of Air Pollution. Health Effects of Air Pollution. California Environmental Protection Agency: Air Resources Board, n.d. Web. 02 Oct. 2011. <<http://www.arb.ca.gov/research/health/health.htm>>.
- ⁴⁰ Friedman MS, Powell KE, Hutwagner L, et al. Impact of changes in transportation and commuting behaviors during the 1996 Summer Olympic games in Atlanta on air quality and childhood asthma. *JAMA* 2001;285:897-905
- ⁴¹ Clearing The Air: Public Health Threats from Cars and Heavy Duty Vehicles- Why We Need to Protect Federal Clean Air Laws. STPP: Reports. Surface Transportation Policy Partnership, 18 Aug. 2003. Accessed: Web. 02 Oct. 2011. Available at: <<http://www.transact.org/report.asp?id=227>>.
- ⁴² *ibid*
- ⁴³ *ibid*
- ⁴⁴ QSR Drive-Thru Performance Study. Top Fast Food Drive Through Performers Share Tips. Quick Service Restaurants Magazine, Oct. 2011. Web. 09 Oct. 2012. <<http://www.qsrmagazine.com/reports/qsr-drive-thru-performance-study>>.
- ⁴⁵ Air pollution and birth outcomes: a systematic review. Shah PS, Balkhair T; Knowledge Synthesis Group on Determinants of Preterm/LBW births. *Environ Int.* 2011 Feb;37(2):498-516. Epub 2010 Nov 26. Review.
- ⁴⁶ SCAG Strategic Plan for Economic Development." SCAG Strategic Plan. Southern California Association of Governments, 2008. Web. 16 Oct. 2012. <<http://www.scag.ca.gov/strategicplan/index.htm>>.
- ⁴⁷ City of Los Angeles, Los Angeles CEQA Threshold Guide. EnvironmentLA, City of Los Angeles, n.d. Web. 22 Oct. 2011. <http://www.ci.la.ca.us/ead/programs/table_of_contents.htm>.
- ⁴⁸ Los Angeles City Planning Department. Recommendation Report to the City Planning Commission, Case No. CPC-2010-2268-GPA. October 14, 2010.
- ⁴⁹ *ibid*
- ⁵⁰ Guthrie JF, Lin BHH, Frazao E. Role of food prepared away from home in the American diet, 1977 to 78 versus 1994 to 96: changes and consequences. *J Nutr Educ Behav.* 2002;34(3):140-150
- ⁵¹ The National Academies Press, "Food Marketing to Children and Youth: Threat or Opportunity?" Institute of Medicine of the National Academies, 2006.
- ⁵² Bowman SA, Vinyard BT. Fast food consumption of U.S adults: impact on energy and nutrient intake and overweight status. *Journal of the American College of Nutrition.* 2004; 2:163 to 168
- ⁵³ Frank Hu, M.D., Ph.D., associate professor, nutrition and epidemiology, Harvard School of Public Health, Boston, Mass.; Nieca Goldberg, M.D., medical director, Women's Health Program, New York University Medical Center, and author, *The Women's Healthy Heart Program: Lifesaving Strategies for Preventing and Healing Heart Disease in Women*; April 10, 2007.
- ⁵⁴ Bowman SA, Vinyard BT. Fast food consumption of U.S. adults: impact on energy and nutrient intakes and overweight status. *Journal of the American College of Nutrition.* 2004;23:163-168. <http://www.jacn.org/content/23/2/163.full.pdf+html>

- ⁵⁵ Bowman SA, Gortmaker SL, Ebeling CB, Pereira MA, Ludwig DS. Effects of Fast-Food Consumption on Energy Intake and Diet Quality among Children in a National Household Survey. *Pediatrics.* 2004;113:112-118. <http://www.commercialalert.org/FastFoodLudwig.pdf>
- ⁵⁶ America's Children in Brief: Key National Indicators of Well-Being, 2012. *Childstats.gov.* N.p., 2012. Web. 01 May. 2012. <<http://www.childstats.gov/americaschildren/glance.asp>>.
- ⁵⁷ Chandon P, Wansink B. The biasing health halos of fast-food restaurant health claims: lower calorie estimates and higher side-dish consumption intentions. *Journal of Consumer Research.* 2007;34:301-314. Available at: http://foodpsychology.cornell.edu/pdf/permission/2007/health_halos-JCR_2007.pdf
- ⁵⁸ Establishing Supply Chain Partnerships. GEMI-Forging New Links. N.p., 2004. Web. 03 Apr. 2012. <<http://www.gemi.org/supplychain/E1C.htm>>.
- ⁵⁹ Grier SA, Mensinger J, Huang SH, Kumanyika SK, Stettler N. Fast-food marketing and children's fast-food consumption: exploring parents' influences in an ethnically diverse sample. *Journal of Public Policy & Marketing.* 2007;26:221-235. Available at: <http://www.aacorn.org/uploads/files/GrierJPubPolicyMarket07.pdf>
- ⁶⁰ Hawkes, Corrina. Marketing Food to Children : The Global Regulatory Environment. Issue brief. Geneva, Switzerland: World Health Organization, 2004. Available at: <http://whqlibdoc.who.int/publications/2004/9241591579.pdf>
- ⁶¹ Children, Adolescents, Obesity, and the Media. Council on Communications and Media. *Pediatrics* 2011;128;201; originally published online June 27, 2011; DOI: 10.1542/peds.2011-1066
- ⁶² Key Indicators of Health by Service Planning Area. Los Angeles County Department of Public Health, Office of Health Assessment and Epidemiology. 2009.
- ⁶³ United States Department of Commerce. Bureau of the Census. County Business Patterns, 2009 [United States]: U.S. Zip Code Data. 90001, 90002, 90003, 90007, 90008. 90011, 90016, 90018, 90037, 90043, 90044, 90047, 90059, 90061, and 90062. Accessed: December, 2011. Available at: <http://www.census.gov/econ/cbp/index.html>
- ⁶⁴ Vallianatos M. Food justice and food retail in Los Angeles. *Ecology Law Currents.* 2009;36:186-194. Available at: <http://elq.typepad.com/currents/2009/06/currents36-05-vallianatos-2009-0625.html>
- ⁶⁵ Moore LV, Diez Roux AV, Nettleton JA, Jacobs DR, Franco M. Fast-food consumption, diet quality, and neighborhood exposure to fast food: the multi-ethnic study of atherosclerosis. *American Journal of Epidemiology.* 2009;170:29-39. Available at: <http://www.ncbi.nlm.nih.gov/pubmed/19429879>
- ⁶⁶ Chen, S.E., R.J.G.M. Florax, and S.D. Snyder, (2009). "Obesity, Fast Food, and Grocery Stores: Evidence from Geo-referenced Micro Data," National Poverty Center Working Paper, <http://www.npc.umich.edu/news/events/food-access/index.php>
- ⁶⁷ Sturm R. Disparities in the food environment surround US middle and high schools. *Public Health.* 2009; 14:8111
- ⁶⁸ Davis B, Carpenter C. Proximity of fast-food restaurants to schools and adolescent obesity. *American Journal of Public Health.* 2009;99:505-510. Available at: <http://ajph.apublications.org/cgi/reprint/99/3/505>
- ⁶⁹ Demographics Research Group, Population, Housing, and Construction Report Selector. Los Angeles Department of City Planning. City of Los Angeles, 02 Oct. 2010. Web. 10 Oct. 2011. <<http://cityplanning.lacity.org/DRU/Loc/LocRpt.cfm?geo=CP>>.
- ⁷⁰ Inagami S, Cohen DA, Brown AF, Asch SM. Body mass index, neighborhood fast food and restaurant concentration, and car ownership. *Journal of Urban Health: Bulletin of the New York Academy of Medicine.* 2009; 87:783-794
- ⁷¹ ESRI Business Analysis Online. Available at: <http://ba.esri.com/>. Accessed November 16, 2011.
- ⁷² Los Angeles City Planning Department. Recommendation Report to the City Planning Commission, Case No. CPC-2010-2268-GPA. October 14, 2010.
- ⁷³ *ibid*
- ⁷⁴ Maintaining Diversity in America's Transit-Rich Neighborhoods, Dukakis Center for Urban and Regional Policy <http://www.dukakiscenter.org/storage/TRNEquityFull.pdf>
- ⁷⁵ (City of Los Angeles Analysis of Impediments to Fair Housing Choice. City of Los Angeles, November 2005.)
- ⁷⁶ City of Los Angeles, Los Angeles CEQA Threshold Guide. EnvironmentLA, City of Los Angeles, n.d. Web. 22 Oct. 2011. <http://www.ci.la.ca.us/ead/programs/table_of_contents.htm>.
- ⁷⁷ U.S Economic Census Bureau of Labor Statistics. Zip Code Analysis.
- ⁷⁸ Maintaining Diversity in America's Transit-Rich Neighborhoods, Dukakis Center for Urban and Regional Policy <http://www.dukakiscenter.org/storage/TRNEquityFull.pdf>
- ⁷⁹ Clearing The Air: Public Health Threats from Cars and Heavy Duty Vehicles- Why We Need to Protect Federal Clean Air Laws. STPP: Reports. Surface Transportation Policy Partnership, 18 Aug. 2003. Accessed: Web. 02 Oct. 2011. Available at: <<http://www.transact.org/report.asp?id=227>>.
- ⁸⁰ Dannenberg, A. Frumkin, D. Jackson, R. Making Healthy Places: Designing and Building for Health Well-being, and Sustainability. (2011)

- ⁸¹ Clearing The Air: Public Health Threats from Cars and Heavy Duty Vehicles- Why We Need to Protect Federal Clean Air Laws. STPP: Reports. Surface Transportation Policy Partnership, 18 Aug. 2003. Accessed: Web. 02 Oct. 2011. Available at: <<http://www.transact.org/report.asp?id=227>>.
- ⁸² Los Angeles City Planning Department. RENEW Los Angeles, Transit-Oriented Districts in South Los Angeles. Staff Report To the City Planning Commission. March 8, 2012.
- ⁸³ "Parks and Park Funding In Los Angeles: An Equity Mapping Analysis" issued in May 2002 by the Sustainable Cities Program at the University of Southern California (page 15). Accessible via: <http://www.lanlt.org/library/Parks%20and%20Park%20Funding%20in%20Los%20Angeles.pdf>
- ⁸⁴ "Children In Los Angeles Parks; A Study Of Equity, Quality, and Children's Satisfaction With Neighborhood Parks" by Anastasia Loukaitou-Sideris and Orit Stieglitz of the Department of Urban Planning at the University of California at Los Angeles, issued in 2002.
- ⁸⁵ Performance Audit of Recreation and Community Services in the Department of Recreation and Parks. Los Angeles City Controller's Office. January 5, 2006. Accessible via: http://controller.lacity.org/stellent/groups/electedofficials/@ctr_contributor/documents/contributor_web_content/lacityp_008194.pdf
- ⁸⁶ 2009 Citywide Community Needs Assessment. City of Los Angeles Department of Recreation and Parks. Final Report. Accessible via: <http://www.laparks.org/planning/pdf/finalReport.pdf>
- ⁸⁷ Authority cited: Section 21083, Public Resources Code; References: Sections 21080, 21082.2, 21168, and 21168.5, Public Resources Code; *No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal.3d 68; *Running Fence Corp. v. Superior Court* (1975) 51 Cal.App.3d 400; *Friends of B Street v. City of Hayward* (1980) 106 Cal.App.3d 988.
- ⁸⁸ Community Health Councils. Health Equity Scorecard.
- ⁸⁹ City of Los Angeles Department of City Planning, General Plan Public Recreation Plan, 1980.
- ⁹⁰ Williams, RL, Dyke PT. In with the new and out with the old notion of 10 acres of park land for every 1,000 people. IPO. March/April 1997/19. Accessible via: <http://www.lib.niu.edu/1997/ip970317.html>
- ⁹¹ Community Health Councils. Health Equity Scorecard. Accessible via: <http://www.chc-inc.org/downloads/South%20LA%20Scorecard.pdf>
- ⁹² The City Project. Healthy Parks, School, and Communities. 2006.
- ⁹³ Authority cited: Section 21083, Public Resources Code. Reference: Sections 21000, 21082 and 21083, Public Resources Code.
- ⁹⁴ West Adams Community Plan. CF15-1, CF15-2, LU39-1, LU47-1, LU58-1.
- ⁹⁵ Community Fact Finder. <http://www.parkinfo.org/factfinder2011/grantee>
- ⁹⁶ *Communities for a Better Environment v. City of Richmond* (2010) 184 Cal.App.4th 70, 93.
- ⁹⁷ *Communities for a Better Environment v. City of Richmond* (2010) 184 Cal.App.4th 70, 93.
- ⁹⁸ *Ibid.*
- ⁹⁹ *Ibid.*
- ¹⁰⁰ Oelz, A. Policy Considerations & Legal Guidance to Support Changing Current Auto-Centric Transportation Analysis in the City of Los Angeles. 2012.
- ¹⁰¹ *County of Inyo v. Yorty*, 32 Cal. App. 3d 795.
- ¹⁰² Authority cited: Sections 21083, 21083.05, Public Resources Code. Reference: Sections 21002, 21003, and 21100, Public Resources Code; *Citizens of Goleta Valley v. Board of Supervisors*, (1990) 52 Cal.3d 553; *Laurel Heights Improvement Association v. Regents of the University of California*, (1988) 47 Cal.3d 376; *Gentry v. City of Murrieta* (1995) 36 Cal.App.4th 1359; and *Laurel Heights Improvement Association v. Regents of the University of California* (1993) 6 Cal.4th 1112; *Goleta Union School Dist. v. Regents of the Univ. of Calif* (1995) 37 Cal. App.4th 1025.
- ¹⁰³ Authority cited: Section 21083, Public Resources Code; References: Sections 21080, 21082.2, 21168, and 21168.5, Public Resources Code; *No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal.3d 68; *Running Fence Corp. v. Superior Court* (1975) 51 Cal.App.3d 400; *Friends of B Street v. City of Hayward* (1980) 106 Cal.App.3d 988.
- ¹⁰⁴ Authority cited: Section 21083, Public Resources Code. Reference: Sections 21001(c), 21082.2, and 21083, Public Resources Code; *San Joaquin Raptor/Wildlife Center v. County of Stanislaus* (1996) 42 Cal.App.4th 608; *Los Angeles Unified School District v. City of Los Angeles* (1997) 58 Cal.App.4th 1019, 1024; and *Communities for a Better Environment v. California Resources Agency* (2002) 103 Cal.App.4th 98.

- ¹⁰⁵ *Citizens Association for Sensible Development of Bishop Area v. County of Inyo* (1985) 172 Cal.App.3d 151
- ¹⁰⁶ *No Oil, Inc v. City of Los Angeles*, 13 Cal. 3d 68.
- ¹⁰⁷ *County of Inyo v. Yorty*, 32 Cal. App. 3d 795.
- ¹⁰⁸ Accessible via: [http://cityplanning.lacity.org/Code_Studies/CommunityPlan\(CPIO\)/CPIO_Final_Ordinance_181412.pdf](http://cityplanning.lacity.org/Code_Studies/CommunityPlan(CPIO)/CPIO_Final_Ordinance_181412.pdf)
- ¹⁰⁹ *No Oil, Inc v. City of Los Angeles*, 13 Cal. 3d 68.
- ¹¹⁰ *County of Inyo v. Yorty*, 32 Cal. App. 3d 795.
- ¹¹¹ *Laurel Heights Improvement Association v. Regents of UC* (1993) 6 Cal. 4th 1112
- ¹¹² *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal 3d 553).
- ¹¹³ *Communities for a Better Environment v. City of Richmond* (2010) 184 Cal. App. 4th 70, 79 & 80 *Communities for a Better Environment* (citing *Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Cal. 4th 412, 449 & 450

COMMENT LETTER NO. 3



November 13, 2012

Case No. ENV-2008-478-EIR
Environmental Analysis Unit
Department of City Planning
200 N. Spring Street, Room 759
Los Angeles, California 90012

Re: Comments on the Draft Environmental Impact Report,
Case No. ENV-2008-478-EIR

Dear Environmental Analysis Unit, Department of City Planning:

We, the undersigned individuals and organizations, appreciate being afforded the opportunity to comment on the Draft Environmental Impact Report for the proposed West Adams-Baldwin Hills-Leimert Park (West Adams) New Community Plan. The comments provided in this letter are written on behalf of each organization as stakeholders of the West Adams and Greater South Los Angeles communities.

The organizations signed onto this letter represent a dynamic network of coalitions composed of neighborhood leaders, advocates, providers, social services, educational and faith-based organizations serving communities throughout Los Angeles. These stakeholders recognize the impact of the built environment on the health of individuals and communities, and identify the community plan update as a powerful mechanism to encourage healthy and sustainable development throughout the community.

While we gratefully acknowledge the City of Los Angeles' intended objective to conduct an in-depth analysis of the environmental health implications of the proposed West Adams New Community Plan

(NCP), the Draft Environmental Impact Report (DEIR) falls short of holistically meeting CEQA requirements[1]. This is evidenced by the profound oversight of the lead agency to acknowledge the myriad of environmental health impacts associated with the exemption of the Council District 10 (CD 10) area from specific fast food density limitations, incomplete assessments of the implications of the plan on displacement, and inaccurate assertions about the impacts of the plan on open space and active transportation. This letter briefly overviews these areas in which the DEIR fails to meet required standards as established by CEQA and its enforceable agencies[2].

Omission of Environmental Assessment on CD 10 Exemption

The DEIR's failure to assess any environmental impacts associated with the exemption of Council District 10 from specific fast food limitations contained within the West Adams NCP has contributed to the agency's oversight of potentially significant health and environmental effects on aesthetics, air quality and land-use consistency.

- **AESTHETICS-** Based upon the aesthetic qualities of the West Adams community as defined by principles contained in the Los Angeles General Plan, Draft West Adams Community Plan, and West Adams Community Plan Scoping meeting comments- the continued over-concentration of auto-centric free standing fast food restaurants (perpetuated by the CD 10 exemption) is incompatible with the community's aesthetic values around pedestrian orientation[3].
- **AIR QUALITY-** South Coast AQMD findings reveal that fast food restaurants generate significantly more vehicular trips than most other retail establishments of the same size[4]. This greater quantity of vehicular trips, which was not analyzed in the DEIR, can have significant impacts on the respiratory health of the West Adams community- particularly children, pregnant mothers and seniors[5]. For these reasons, we assert that the DEIR's analysis of the West Adams NCP's impacts on air quality is incomplete and must be both reanalyzed and recirculated with a disaggregated assessment of additional commercial development's impacts on air quality.
- **LAND-USE CONSISTENCY-** The LA City Planning Department asserts that South LA's current "over concentration of Fast Food Establishments is found to be inconsistent with the respective Community Plans[6]." The CD-10 exemption from fast food limitations allows for the continued proliferation of fast food development in a significant portion of the West Adams community (see appendix). The unregulated growth of fast food establishment in the West Adams community will only worsen the high incidence of obesity, heart disease, diabetes and hypertension associated with unhealthy food options [7]. To alleviate inconsistencies with the existing General Plan Framework around promoting health and wellness and greater commercial diversity in the community, we suggest the elimination of the CD 10 exemption from the West Adams CPA.

Incomplete Environmental Impacts Analysis on Displacement

The Los Angeles City Planning Department states in its RENEW Los Angeles report to the Planning Commission that "displacement is not a required outcome of Transit-Oriented Development. Policies that encourage, and sometimes require, the development of affordable housing can preserve the place of a neighborhood's existing residents, even as new residents move in". The DEIR determines that the West Adams NCP would result in less-than-significant impacts on displacement in the community. This

conclusion is incomplete because it does not take into account the possible impacts that the plan's lack of affordable housing provisions can have on gentrification and displacement. These impacts can result in potentially significant effects on population and housing as well as air quality.

- **POPULATION & HOUSING-** According to a recent study, “newly transit rich neighborhoods” can experience “unintended consequences in which core transit users—such as renters and low income households—are priced out in favor of higher-income [households]”[8]. Although the NCP does contain language that promotes affordable housing development, several of the Community Plan Implementation Overlay Zones (CPIOs) around transit-oriented districts do not include any mention of strategies to preserve and/or promote affordable housing. Furthermore, the land-use policies within the New Community Plan's TODs omit many of the affordable housing policy recommendations that were derived from the Planning Department's Project RENEW TOD Plan for South Los Angeles[9].
- **AIR QUALITY-** The inability of the agency to adequately assess the impacts of the NCP on displacement has also resulted in an inaccurate assessment of the impacts of the plan on air quality as well. The DEIR bases its air quality assessment on the assumption that TOD will automatically result in a reduction in automobile usage. Research demonstrates that VMT is highly correlated to income, so analysis of vehicle-related emissions must take the income levels of future residents into account [10]. This may have significant implications on vehicular emissions, and must be taken into consideration in order to accurately determine the air quality impacts of the West Adams New Community Plan[11]. Residents within the West Adams New Community Plan area currently have disproportionately high levels of chronic disease such as asthma, diabetes and heart disease which can be exacerbated by mobile source air pollution [12].
- **MITIGATION RECOMMENDATIONS-** We recognize that TOD can be an effective tool for economic development and health equity, however, to mitigate the potential negative impacts of the NCP's TOD provisions on displacement in the community, we recommend, pursuant to the RENEW Los Angeles Transit-Oriented Districts Plan, that the NCP allow for more policies that preserve the existing stock of income-restricted units near transit stations, and that more incentives are incorporated into the TOD overlay zones to encourage mixed-income housing development. Additional research indicates that a vast majority of units occupied by low-income households are in the private market; therefore, focusing exclusively on the construction and preservation of deed restricted affordable housing actually only addresses a small percentage of units. For this reason, we also recommend targeted outreach to tenants in units that are covered by the rent stabilization ordinance to ensure that the units remain in compliance with just cause eviction control laws. Moreover, we propose that the planning department consider additional policies that extend rent stabilization efforts beyond their limited scope, which currently only impacts units developed prior to 1978. Renters are not the only victims of gentrification and displacement, however. Small business owners and homeowners can also be negatively impacted by changing community dynamics that do not recognize the unique historic vulnerabilities of a specific area. As a result, we suggest that the New Community Plan's implementation section incorporate multi-lingual homeowner and small business counseling and education programs that promote the preservation of the existing community residents and

that protect and extend opportunities for participation to historically marginalized business owners.

Lack of Substantial Evidence and Mitigation for Open Space Impacts

The DEIR determines that the West Adams NCP will have significant impacts on open space due to projected increases in population and housing growth. Despite the ideological reliance of the NCP on open and green space as a principal tool for promoting healthy, vibrant, and green neighborhoods, the DEIR is insufficient in disclosing the full extent of the plan's actual impacts on open space and omits a thoughtful discussion of feasible mitigation measures.

- **PUBLIC SERVICES-** The DEIR's analysis of the NCP's open space provisions is significantly inaccurate because it utilizes park and recreation facility standards that are more than thirty years old[13] and generally considered deficient[14]. Furthermore, the technical assessment of park access and quality is considerably flawed under the DEIR's current analysis. Specifically, the DEIR's inflated calculations of open space within the West Adams CPA are based on the presumption that a “majority of the population visiting the regional park would come from a 2-mile radius.” This unsubstantiated claim is miscalculated because parks are not equally accessible to all users given the high variability of public safety concerns, car ownership, public transit access, and hillside grade impacts (especially for access to Kenneth Hahn State Recreation Area). Finally, the reported acreage of park and recreational facilities within ¼ mile of the CPA is inconsistent with other measures reported by California Department of Parks and Recreation (CADPR). For example, the DEIR lists Leimert Park as 2.66 acres large while CADPR lists it as only 1 acre.
- **MITIGATION RECOMMENDATIONS-** As a result of the DEIR's unsubstantiated underestimation of open space within the West Adams CPA, the document's mitigation measures must be reevaluated and revised. Currently, due to resource limitations, the DEIR omits a discussion of measures to mitigate the plan's open space impacts despite its findings that the impacts will be “significant”. This inadequate response to the community's overwhelming disparities in open space access completely belies the intention and spirit of CEQA[15]. The City must discuss and develop viable and impactful mitigation measures in a process that is open and accessible to impacted community stakeholders. These measures should include, but not be limited to, innovative strategies around interim-use agreements for the area's underutilized surplus property for pocket parks and/or urban agriculture sites; the modification of parkway gardening guidelines to allow for food production; and the greater promotion of joint-use policies.

Over-Reliance on Auto-Centric Transportation Analysis

The West Adams Community Plan strives to support active transportation infrastructure by increasing the access to and quality of multi-modal facilities— including pedestrian and bike infrastructure. However, the DEIR relies on an outmoded metric to evaluate impacts on transportation and traffic in the CPA.

- **TRANSPORTATION AND TRAFFIC-** The DEIR currently uses vehicle-level-of-service (LOS) to study transportation and traffic impacts in the CPA. However, because LOS only considers the impacts to vehicle traffic—vehicle miles travelled (VMT) or vehicle hours travelled (VHT)—plans and

policies that favor increasing vehicle capacity will perform better than those that encourage biking and walking. By not evaluating the plan's effect on bicyclists and pedestrians, the DEIR fails to provide substantial evidence of the "whole record"[16] regarding environmental impacts. Based upon CEQA standards, the City of Los Angeles has great leverage in selecting environmental review methodology in the presence of alternative arguments provided by reliable experts. The California Natural Resources Agency advises that LOS is not always the best way to analyze environmental impacts, and "in some cases the use of LOS can lead to traffic mitigation that may actually lead to greater environmental impacts." [17] The Los Angeles CEQA Thresholds Guide requires the City to evaluate environmental impacts using "the best information and evaluation methods available." Therefore, the DEIR should restudy the transportation and traffic impacts to support multi-modal level of service as supported by case law, expert opinion, and state and local policy imperatives [18].

Conclusion

For the aforementioned deficiencies, CHC respectfully asks for the City of Los Angeles to recirculate a DEIR that includes a thorough, adequate, and substantiated analysis of the proposed plan's CD-10 fast food exemption, gentrification impacts, effects on open space access, and implications for multi-modal accessibility. In response to our comments, we respectfully ask for reasoned analysis in good faith[19],[20]. Furthermore, as previously mentioned, we request that the City provide ample time for the public to review the recirculated DEIR in an effort to insure better compliance with CEQA standards and that impacted stakeholders are afforded with the adequate time to digest and respond to the new document's provisions.

Respectfully,

Lark Galloway-Gilliam Executive Director Community Health Councils	A Project of Community Partners	Loretta Jones Chief Executive Officer Healthy African American Families
Asian Pacific Health Care Venture, Inc.	The LA Trust for Children's Health	Edna Bonacich, PhD African-Americans Building a Legacy of Health Consortium
Hunger Action Los Angeles	T.R.U.S.T. South LA	Jessica Meaney Southern California Policy Director
Legal Aid Foundation of Los Angeles	Women Organizing Resources, Knowledge, and Skills (WORKS- USA)	Safe Routes to School National Partnership
Park Mesa Heights Community Council	Eric Bruins Planning and Policy Director Los Angeles County Bicycle Coalition (LACBC)	
Public Counsel		
RootDown LA		

Madeline Brozen
Complete Streets Initiative
Lewis Center for Regional
Policy Studies
UCLA Luskin School of Public
Affairs

Pete White and Becky
Dennison
Co-Directors
Los Angeles Community Action
Network

Rae Jones
Executive Director
Great Beginnings for Black
Babies

Richard Allen Williams, MD,
FACC, FAHA
Clinical Professor of Medicine,
UCLA
Minority Health Institute, Inc.

Richard Parks
President
Redeemer Community
Partnership

Damon Nagami
Senior Attorney
Natural Resources Defense
Council (NRDC)

Ron Finley
South LA Stakeholder
LAGreenGrounds.org

Bertha Wellington
Neighborhood Stakeholder

Florence Lowe
South LA Stakeholder

Tanishia Harris
South LA Stakeholder

APPENDIX

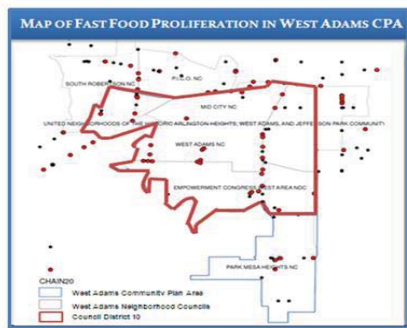


Figure 1

Source: Map made by Community Health Councils utilizing Data from the Los Angeles County Department of Public Health's Environmental Health Restaurant Ratings.

- 1 [1] CEQA Guidelines § 15003, subd. (d).
- 2 [2] *Communities for a Better Environment v. City of Richmond* (2010) 184 Cal. App. 4th 70, 79 & 80 *Communities for a Better Environment* (citing *Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Cal. 4th 412, 449 & 450
- 3 [3] Los Angeles City Planning Department. Recommendation Report to the City Planning Commission, Case No. CPC-2010-2268-GPA. October 14, 2010.
- 4 [4] City of Los Angeles, Los Angeles CEQA Threshold Guide. EnvironmentLA, City of Los Angeles, n.d. Web. 22 Oct. 2011. <http://www.ci.la.ca.us/ead/programs/table_of_contents.htm>.
- 5 [5] Health Effects of Air Pollution. Health Effects of Air Pollution. California Environmental Protection Agency: Air Resources Board, n.d. Web. 02 Oct. 2011. <<http://www.arb.ca.gov/research/health/health.htm>>.
- 6 [6] *Ibid*
- 7 [7] Moore LV, Diez Roux AV, Nettleton JA, Jacobs DR, Franco M. Fast-food consumption, diet quality, and neighborhood exposure to fast food: the multi-ethnic study of atherosclerosis. *American Journal of Epidemiology*. 2009;170:29-39. Available at: <http://www.ncbi.nlm.nih.gov/pubmed/19429879>
- 8 [8] Maintaining Diversity in America's Transit-Rich Neighborhoods, Dukakis Center for Urban and Regional Policy: <http://www.dukakiscenter.org/storage/TRNEquityFull.pdf>
- 9 [9] Los Angeles City Planning Department. RENEW Los Angeles, Transit-Oriented Districts in South Los Angeles. Staff Report To the City Planning Commission. March 8, 2012.
- 10 [10] Maintaining Diversity in America's Transit-Rich Neighborhoods, Dukakis Center for Urban and Regional Policy: <http://www.dukakiscenter.org/storage/TRNEquityFull.pdf>
- 11 [11] Clearing The Air: Public Health Threats from Cars and Heavy Duty Vehicles- Why We Need to Protect Federal Clean Air Laws. STPP: Reports. Surface Transportation Policy

Partnership, 18 Aug. 2003. Accessed: Web. 02 Oct. 2011. Available at: <<http://www.transact.org/report.asp?id=227>>.

- 12 [12] Dannenberg, A. Frumkin, D. Jackson, R. Making Healthy Places: Designing and Building for Health Well-being, and Sustainability. (2011)
- 13 [13] City of Los Angeles Department of City Planning, General Plan Public Recreation Plan, 1980.
- 14 [14] Williams, RL, Dyke PT. In with the new and out with the old notion of 10 acres of park land for every 1,000 people. IPO. March/April 1997/19. Accessible via: <http://www.lib.niu.edu/1997/ip970317.html>
- 15 [15] *Communities for a Better Environment v. City of Richmond* (2010) 184 Cal.App.4th 70, 93.
- 16 [16] *Ibid*.
- 17 [17] Oelz, A. Policy Considerations & Legal Guidance to Support Changing Current Auto-Centric Transportation Analysis in the City of Los Angeles. 2012.
- 18 [18] *Ibid*.
- 19 [19] *Silva v Lynn*, US Court of Appeals, 1973
- 20 [20] *The People v. The County of Kern*

COMMENT LETTER NO. 4



Neighbors United, Faircrest Heights Community
P. O. Box 35103
Los Angeles, CA 90035

October 29, 2012

Reuben N. Caldwell, AICP
City of Los Angeles Department of Planning
200 North Spring Street, Room 667
Los Angeles, CA 90012

Re: West Adams-Baldwin Hills-Leimert New Community Plan

Draft Environmental Impact Report

Dear Mr. Caldwell:

Neighbors United is a neighborhood association representing over 700 households in the Faircrest Heights Community. It is bordered by Pico Boulevard on the north, Fairfax Avenue on the east, Guthrie Street (or the Kaiser Permanente Hospital wall) on the south, and Crescent Heights Boulevard on the west. This community consists primarily of single family residential homes built during the 1930's and 1940's. Some of the original owners still live here. Our newer residents have moved to this neighborhood because of its stability, beauty, convenient location and sense of community.

Our community is divided at 18th Street between the West Adams-Baldwin Hills-Leimert and Wilshire General Plan areas. We are further divided by zip code—Fairfax Avenue is the boundary for 90019; one block from 18th Street to Sawyer Avenue is 90035; and Sawyer Avenue south to Venice Boulevard is 90034. We are at the western boundary of LAPD's Wilshire Division—La Cienega Boulevard. LAPD's West L.A. Division covers the west side of La Cienega Boulevard. This portion of Faircrest Heights is like a postage stamp on a rather large parcel.

After reading the New Community Plan Draft EIR, our neighbors have serious concerns about losing our quality of life to tall commercial buildings, increased traffic and over-building for the area.

In particular, we are concerned that the proposed zoning changes will leave allow for much greater density in our small enclave. Changing the R-1 designation to Low II Residential or Low III

Residential would lead to the destruction of our single family homes in favor of much larger multi-family units.

The CPIO Overlay Districts and Subdistrict drive home this point by allowing for minor adjustments to standards and permitting discretionary approval for projects that exceed the adopted standards for the area. Figure 3-5 illustrates such a concern at Fairfax Avenue and Venice Boulevard where height and density could threaten our ability to traverse the City.

Adding to our concerns is the fact that our community is in a liquefaction zone. We are mere blocks away from the site of the collapse of the Santa Monica Freeway during the Northridge earthquake. Could greater density and height have an impact on potential damage and threats to life during future seismic activity?

Traffic patterns surrounding our community are at maximum capacity. Fairfax Avenue, Venice and La Cienega Boulevards are a complete gridlock at nearly any time of the day. Increasing heights and density in this area would make it virtually impossible for residents to leave the community to go to work, run errands or otherwise traverse the city. In addition, this traffic density is already posing a serious threat to emergency vehicles attempting to get through traffic to homes or to Kaiser Permanente or other nearby hospitals along designated emergency routes as described in Figure 4.15.2.

Noise is a significant factor in this community due to our proximity to the Santa Monica Freeway and because of heavy traffic along Venice and La Cienega Boulevards and Fairfax Avenue, which is used as a secondary highway. Mitigation of noise levels would be another concern to our community.

We strongly support changes to any plan that limits the number of Conditional Use Permits for the sale of Alcohol, and for the establishment of Marijuana clinics in our overall community. Also, we strongly support any changes to limit the number of automotive businesses in a general area.

Of environmental significance to us is the need for more trees and green space in our general area. We would seek to protect the trees in the community and encourage any new businesses or construction projects to include trees and landscaping to enhance the air quality and visual aspects of our community.

Thank you for the opportunity to submit comments. We would like to receive any updates and decisions that are part of this project.

Sincerely,

Mary Ann Yurkonis, President

Neighbors United

cc: Elizabeth Carlin, L. A. City Council, 10th District



COMMENT LETTER NO. 5

November 13, 2012

Submitted by email

Mr. Reuben N. Caldwell, AICP
Los Angeles Department of City Planning
200 North Spring Street, Room 667
Los Angeles, CA 90012
Email: Reuben.Caldwell@lacity.org

RE: West Adams-Baldwin Hills-Leimert New Community Plan Draft EIR, ENV-2008-478-EIR

Dear Mr. Caldwell:

On behalf of the Los Angeles Conservancy, thank you for the opportunity to comment on the Draft Environmental Impact Report (Draft EIR) for the West Adams-Baldwin Hills-Leimert New Community Plan (the Community Plan). The Los Angeles Conservancy is the largest local preservation organization in the United States, with over 6,500 members throughout the Los Angeles area. Established in 1978, the Conservancy works to preserve and revitalize the significant architectural and cultural heritage of Los Angeles County through advocacy and education.

We commend the City for a thoughtful and innovative plan that fosters growth while respecting and protecting historically sensitive properties and existing neighborhood character. The plan area contains some of Los Angeles' most outstanding examples of urban design in Leimert Park and Village Green, as well as early twentieth-century and postwar residential neighborhoods, commercial streetcar corridors, and the built heritage of African-American and Japanese-American communities. The integration of preservation tools such as rehabilitation, adaptive reuse, architectural compatibility, and neighborhood conservation throughout the Community Plan demonstrates a nuanced approach that values a community's sense of place and its layers of history along side new development.

While the Conservancy applauds the intent of the Community Plan, we submit the following comments to further ensure its effectiveness and avoid impacts to historic resources.

I. Downzone areas outside of the implementation overlays to protect historic resource and encourage development in the intended areas

The Conservancy appreciates the inclusion of five Community Plan Implementation Overlay Districts (CPIOs) as well as amendments to the Crenshaw Corridor Specific Plan

to implement the Community Plan's policies. The CPIOs generally outline zoning and other development standards that together with the proposed review processes and meaningful incentives encourage reuse and rehabilitation of historic buildings as well as compatible infill. Unfortunately, the areas outside of the CPIOs fail to benefit from such protections or incentives and remain at risk of development pressure incompatible with the Community Plan.

The Community Plan attempts to address this gap through zoning adjustments, such as a height district change for Crenshaw Village and proposed Planning Districts, though with unspecified guidelines. Until more substantial protections are in place, we urge the City to review the areas outside the CPIOs, and downzone as necessary, to ensure zoning and height district designations are consistent with the existing neighborhoods. The multi-family residential zones may be most vulnerable, particularly if they currently contain single-family residential, duplex units or low-scale apartment complexes that contribute to a cohesive neighborhood character. Such areas include the two-story apartments along Leimert Blvd and in Leimert Park, the neighborhoods adjacent to CPIO boundaries, and other large-scale garden apartment communities near Village Green. Appropriate zoning further encourage development at the CPIO areas and away from stable neighborhoods.

II. Amend mitigation measures in the Draft EIR to avoid significant impacts

As the mitigation measures in the Draft EIR acknowledges, industrial properties in the plan area have yet to be surveyed for eligibility as historic resources. While the proposed review process for industrial sites in mitigation measure CR3 is appropriate, we suggest that the Office of Historic Resources should concur with the recommendation of the qualified architectural historian and not merely accept the reports for documentation. In addition, the language in mitigation measure CR4 should be amended to include subsequent updates to SurveyLA, as additional resources may be identified in future surveys or research.

III. Ensure the approach and policies toward historic and cultural resources are consistent among community plans

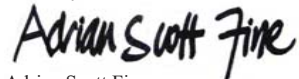
The Conservancy previously recommended establishing a set of baseline policies toward historic and cultural resources in all community plans to ensure a consistent approach across plan areas. The West Adams-Baldwin Hills-Leimert Plan is a good model, and we urge that its goals, policies, and incentives be adopted for subsequent community plans. This is especially important for the areas immediately adjacent, as the Commercial Corridors CPIO applies to streets that extend beyond the plan's borders. Extending the provisions of this plan to similar portions of Robertson, Pico, Washington, Venice, Jefferson, and Adams boulevards outside of the plan area will ensure a seamless transition among plan areas and maintain a cohesive planning approach.

IV. Clarify CPIO definitions and applicability to historic resources

The five CPIOs and the Crenshaw Corridor Specific Plan amendments include definitions for “Character Defining Elements,” “Rehabilitation,” and “Restoration.” If these terms apply specifically to historic resources, we recommend that they align with the definitions associated with the *Secretary of the Interior’s Standards for the Treatment of Historic Properties* (the Standards) as found at the National Park Service website www.nps.gov/hps/tps/standguide. This, or the most recent print publication from the National Park Service, should be the reference document for the Standards in the Community Plan and in the CPIOs, as the Standards may be redefined from time to time. In addition, the definition for “Designated Historic Resource” should remove the clause “as of the (*the effective date of this ordinance*),” as new resources will be identified and designated beyond the effective date of the ordinance and should be subject to the same processes.

Thank you for the opportunity to comment on the Draft EIR for the West Adams-Baldwin Hills-Leimert New Community Plan. Please feel free to contact me at 213-430-4203 or afine@laconservancy.org should you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Adrian Scott Fine". The signature is written in a cursive, slightly slanted style.

Adrian Scott Fine
Director of Advocacy

cc: West Adams Heritage Association
Office of Historic Resources, City of Los Angeles
Council President Herb Wesson, Council District 10
Councilmember Bernard Parks, Council District 8
Councilmember Paul Koretz, Council District 5

COMMENT LETTER NO. 6

Laura Meyers

1818 South Gramercy Place * Los Angeles, CA 90019 * 323-737-6146 *planning@unnc.org

November 13, 2012

Reuben N. Caldwell, AICP
City of Los Angeles Department of City Planning
200 North Spring Street, Room 667
Los Angeles, CA 90012

RE: Draft Environmental Impact Report, West Adams-Baldwin Hills-Leimert Park New Community Plan

Dear Mr. Caldwell and Planning Department Administrators:

Thank you for the opportunity to comment on the Draft Environmental Impact Report for the West Adams-Baldwin Hills-Leimert Park New Community Plan, a revision and update of the existing Plan. This letter comprises several components.

First: this letter presents a list of issues, concerns and questions identified by the United Neighborhoods of the Historic Arlington Heights, West Adams and Jefferson Park Communities Neighborhood Council (UNNC). This list was voted upon and approved by the UNNC Governing Board at its regularly scheduled meeting on Thursday, November 1, 2012.

Second: this letter also presents detailed commentary prepared by Laura Meyers (UNNC Planning & Zoning Chair, title for information only), Norman Gilmore (UNNC Secretary, title for information only), and Jim Lancaster, a UNNC stakeholder. The UNNC Executive Committee has not yet had an opportunity to schedule a meeting to review and approve the detailed commentary below. It is possible that the UNNC Executive Committee may in the near future approve this letter in whole, in part or not at all; if it does act it will forward another letter to you confirming its actions.

UNNC ACTION

The following section comprises the voted upon and approved list of UNNC concerns, issues and questions:

UNNC has begun (but not completed) the process of evaluating the proposed New Plan and its associated Draft Environmental Impact Report. UNNC is concerned that the New Plan and DEIR are inconsistent with certain citywide policies already in place, among them:

- The mandate to “conserve” stable, character residential neighborhoods (Framework Element)
- The mandate to handle additional housing unit capacity primarily (or entirely) on the City’s commercial corridors and in its Regional Centers (Downtown, Hollywood, Century City, Warner Center)
- The concept of “Fair Share” for Affordable Housing to be spread among all 35 Community Plans and not concentrated in South Los Angeles

- The implied requirement to align the actual, technical Plan with the policy statements.

So, UNNC has identified about a dozen broad questions and concerns (so far):

1). The Housing Capacity number (20,000 additional housing units) identified in the draft Plan does not appear realistic, appropriate or representing a fair share of the City’s total housing capacity mandate – without risking changing the character of our residential neighborhoods and going against goals stated in the Plan. (*By way of comparison, the Hollywood Community Plan adds 15,000 units; the combined Sylmar and Granada Hills Plans subtract 10,000 units.*)

2). How did the Plan authors get the number 20,000? Is this number based on the use of transit and/or affordable housing density bonuses?

3). If there are these increases (perhaps dramatic housing unit capacity increases) why are there not some corresponding decreases in zoning designations within character residential neighborhoods?

4). What is the reasoning behind the transit-oriented “nodes” along Arlington Avenue? (*UNNC previously raised an objection to this, at a scoping meeting.*)

5). Historic Preservation issues:

- * Arlington Heights HPOZ recommendation in the Survey L.A. appendix
- * Why is Survey L.A. an appendix? There are other issues related to this.

6). Parks – there are currently 414 acres of parks and open space, but of that 285 acres (70%) is Kenneth Hahn Park in the Baldwin Hills. There are 11 pocket parks, 2 neighborhood parks and 5 community parks in the entire Community Plan area.

* The Plan does not seem to identify any other potential parks, and the Draft EIR does not address this lack of parks and recreational opportunities by offering any mitigations.

7). Pedestrian/Walkability – the Mobility section (section 4) skipped Jefferson, Washington and Pico boulevards.

8). Bicycle Policy – How is the Community Plan going to implement citywide bicycle policies?

9). Washington Boulevard Specific Plan: UNNC voted (2004-2005) to propose the adoption of a Specific Plan for Washington Boulevard, from Normandie to Crenshaw. Although staff assured us over the years that its “elements” would be a part of the Community Plan revisions, that does not appear to entirely be the case. (*At the November 1 meeting, the UNNC Governing Board ratified its previous support for a Specific Plan on Washington Boulevard, as previously written and approved.*)

10). Libraries – How was the number of people served evaluated?

11). We would like a clarification of the word “projected” versus the word “potential.”

DEIR EVALUATION/COMMENTS

Land Use

1). It appears as if the residential neighborhoods in the northeast section of the New West Adams-Baldwin Hills-Leimert Park Community Plan (UNNC's area, which includes Arlington Heights and Jefferson Park) have been barely evaluated. For a once-in-a-quarter-century Community Plan revision, there ought to have been more than a "windshield survey" of only "targeted change areas." How did staff determine what would be targeted change areas without first conducting a full-fledged survey of the entire Plan area? It is perhaps due to the failure to conduct a full survey that flaws have emerged.

For example, the pocket neighborhood best described today as "West Jefferson Park" (generally bounded by Mont Clair, Edgehill, Jefferson and Crenshaw) is comprised primarily of small, one-story single-family Spanish and Classical bungalows (in form), and SFR and duplex (in use) units, with some two-story Spanish/Mediterranean duplex and fourplex buildings (all on single lots) on a few of the blocks. It has a later period of significance than the adjacent Jefferson Park HPOZ, but it appears historically intact. It is obvious from one quick drive through this neighborhood that the zoning should be R2 if there would be any slight effort at all to "conserve" a stable residential enclave. But staff did not even conduct a windshield survey here. It is clear that any "RD" intrusion of new construction of a multi-family building spanning multiple combined lots would completely change the character of this neighborhood.

2). In accordance with local and state CEQA Guidelines, the New West Adams Community Plan would have a significant impact relative to land use if it was: A). In conflict with any applicable land use plan, [or] policy; or B). If the Plan is inconsistent with policies contained in other applicable plans. Although the DEIR authors state that there are no significant conflicts or impacts that require mitigation, we disagree.

Two primary land use policies adopted in the City of Los Angeles are not fully implemented in this Community Plan revision. The **General Plan Framework**, adopted in 1996, establishes as policy (3.3.1) citywide that "existing stable residential neighborhoods" (described elsewhere in the Framework as "stable character neighborhoods") shall be conserved. The **Housing Element**, adopted in 2009, specifically adopted a policy that all new housing capacity (in the current RHNA cycle) in the City be directed to the commercial corridors, citywide. Although that may not be possible through the year 2030, that directive has not even been addressed in this Community Plan revision.

Yes, the new CPIOs provide standards for residential mixed-use development on the commercial corridors, but there is no evaluation of the number of increased housing units capacity that this will result in, no requirement that that is where new housing development shall be located, and no further calculation of the impact of potential density bonuses (transit and/or affordable housing bonuses) on that capacity number. To be clear, 100% of all housing developments on the City's commercial corridors are eligible for a 20% density bonus based on proximity to transit (busses and trains). In the West Adams District of this Community Plan (northeast section of the Plan), all recent housing development proposals on the corridors have included affordable housing

components (affordable housing may qualify a project for a 35% bonus, depending upon the scope of the project.) What are the housing unit numbers that may result from these activities (e.g., how many acres are now devoted to the CPIO areas and how many units are calculated for the new housing capacity?)

In any case, there is no effort within the draft Plan to transfer any of the zoning density (housing capacity) away from stable, character residential neighborhoods – notably such as Arlington Heights and/or West Jefferson Park – and onto those commercial corridors. The policy of conserving stable, character neighborhoods requires a disincentive to development. Therefore the Plan is inconsistent with these land use policies.

3). Please review page 4.10-22: The chart on this page purports to evaluate and compare the CPIO for the Corridors to land use consistency – But the design standards had not been revealed/released prior to the DEIR comment deadline, so how could the comparison be made either by the DEIR authors or by commentators such as ourselves?

4). It appears that the DEIR authors have been less than careful in their descriptions. Example: page 4.10-26 -- The Community Plan is to be compatible with a variety of land use policies and elements, including the General Plan Framework Element, which states that the City Policy is to "conserve stable" and "character" neighborhoods, not zoning. There is no policy to, quote, "maintain the existing character of these land uses." We were also unaware that any Community Plan revision goal would be to NOT make changes and revisions. In contrast, one would think this is the once-in-25-years opportunity to make dramatic changes if that would benefit the community while upholding citywide policies.

On the same page, the DEIR authors reference a "Table 3-5," which does not exist (most likely they meant to direct readers to Table 3-4, which compares existing and proposed land uses.)

5). There are no actual specific calculations related to land use and housing capacity in the Land Use Chapter. The New West Adams-Baldwin Hills-Leimert Park Community Plan converts "X" number of acres from Q-CM (the Q Qualified Condition currently in place forbids residential uses) to C1-CPIO zones that encourage mixed use residential/commercial. How many acres does this comprise? How many units then can one calculate for the housing unit capacity figures in the year 2030?

The Chapter does include tables showing percentages of single family and duplex uses within Low Medium I areas (73% of the total acres designated LM1) and Low Medium II areas (64% of the LM2 total acres), but does not convert these figures into housing capacity units. One edict is that a Community Plan not reduce population/housing unit capacity when some subareas are down-zoned but others are up-zoned. How would we or anyone else calculate this if the underlying mathematics is not documented?

It also would seem that if two-thirds (64%) of the Low Medium II acres are in fact populated by single family homes and duplexes, then the zoning is too dense for the present condition in those (unidentified) pocket neighborhoods. Staff should re-examine all of these neighborhoods and consider a GP to reduce pocket neighborhoods, as appropriate, to Low Medium I and the equivalent zone of R2. We have already identified West Jefferson Park as one of those neighborhoods to target for a GP and down-zoning.

6). In this same regard, the TOD proposed for Crenshaw and Jefferson/Exposition would potentially have severe negative impacts to the low-density adjacent neighborhoods (referring here to the current built form and current uses, not the proposed zoning) if it is not carefully managed and limited to the commercial corridors. If it is not limited, then high-density, transit-oriented housing will have a significant impact on the adjacent “conservation” neighborhoods that should be protected under policies already adopted in the General Plan Framework.

7). The Crenshaw Vision Plan was adopted by the City Council in 2009. It is not referenced at all in the DEIR as a land use policy, but of course it is one. (It had previously been adopted by the Community Redevelopment Agency Board.)

Housing and Population

There are many inconsistencies in the numbers, and, in particular, they are not internally consistent. Moreover, the utilization of out-dated data appears to have led to faulty conclusions.

1). The DEIR presents a population increase of 19.7% from 2008 to 2030 (from 182,600 to 218,741, an increase of 36,141 individuals), purportedly based on SCAG projections. (*More on this below.*) It presents an average household size within the West Adams-Baldwin Hills-Leimert Park Community Plan boundaries of 2.92 (compared with a similar 2.83 citywide). But the DEIR and the New Community Plan assigns a unit increase (capacity) of 20,000 units, a 29% increase in the capacity within the New West Adams-Baldwin Hills-Leimert Park Community Plan. That would yield, based on the population figures, an average household size in the new units of 1.8 individuals.

If we were to accept the projected population numbers as accurate, then the related increase of housing unit capacity would be 12,338, unless projected household size is also adjusted (which would seem inappropriate).

2). Apparently the City Planning Department opted to utilize Year 2000 Census figures (based on footnotes throughout the DEIR), rather than the Year 2010 Census figures, which have been available for quite some time. The problem is that the previous SCAG figures were based upon a regional (six-county) 2030 population projection that proved to be inaccurate when the Census figures were calculated. The actual six-county figure in 2010 was one million below previous projections, according to the former deputy director of SCAG. If Southern California wound up with one million fewer people than previously expected/projected, then the numbers we are looking at in this DEIR are also out of date and the projection of 218,741 becomes a much higher percentage increase.

3). In addition, the DEIR makes it clear that SCAG’s actual projection for the West Adams-Baldwin Hills-Leimert Community Plan area was 201,220. It is permissible for the City Planning Department to determine that with the addition of TOD areas that it makes sense to adjust population estimates upward. But can the several TODs actually absorb 17,521 people? Have calculations been done that would indicate that the TODs alone would absorb circa 5,800 units? This seems to be an inordinately high number adjusted upwards just to account for the light rail (Expo and Crenshaw) TODs. Have these calculations actually been completed?

4). Per above, if the SCAG calculations were adjusted downward to reflect the actual Year 2010 Census, then it is completely inappropriate to dismiss those projections, as the City appears to have done. We cannot tell from this document where/how the various numbers were derived.

5). In any case, the total housing unit capacity increase citywide is projected (from which Census?) at circa 250,000 units for the year 2030. The Department has assigned 20,000 of those units to the New West Adams-Baldwin Hills-Leimert Park Community Plan area, and an additional 40,000 units to the adjacent New South Los Angeles Community Plan area --- 60,000 total – while subtracting 10,000 units (at this writing) from Granada Hills and Sylmar. So the 60,000 units figure represents approximately a quarter of the total units citywide. Really? What happened to “fair share” of affordable housing (Housing Element policy) and the concentration of new housing in Regional Centers (Housing Element and Framework policies)? The DEIR does not identify this as a significant impact and proposes no mitigations.

6). This placement of units is also in direct contravention to the City’s Cultural Heritage and Historic Preservation policies, given that the majority of the new units appear to be concentrated within neighborhoods and districts in these two Community Plan areas that are also identified as historic and/or character/special planning areas. You cannot prepare a Community Plan that governs zoning for the next 25 years that guarantees ongoing neighborhood disputes over proposed new housing projects plunked into the middle of both designated historical districts and stable/character residential neighborhoods that are to be conserved. Even with tools (not currently identified) and the transfer of density to corridors (not currently implemented in the New West Adams-Baldwin Hills-Leimert Park Community Plan), these two Community Plan areas will not be able to absorb 25% of the City’s population and housing capacity increase – and should not have to. The DEIR does not identify this as a significant impact and proposes no mitigations.

The addition of housing units capacity also appears to be unfairly not applied to Granada Hills and Sylmar. Even though these two communities are more rural, perhaps, there are commercial corridors within both of these Community Plan areas that should be targeted for housing and/or mixed use development. No part of the city should be dismissed from the “fair share” of affordable housing (no matter how politically unpalatable the concept may be). It is simply offensive to relegate the plurality of new housing – and by inference, the majority of affordable housing – to the South Los Angeles region. Beyond the distaste of the idea, the practical reality is that this would not help create the economic engine that could finally result in the reduction of blight along the commercial corridors in the region (businesses do not invest in communities with low-low average income, and with the demise of the Community Redevelopment Agency the likelihood of such investment is greatly diminished.) This region needs a mixed of market-rate and affordable housing, and the conservation of its beautiful and distinctive residential neighborhoods, in order to attract long-term business/economic investment. There is no such discussion in the DEIR, and no solutions (mitigations) proposed.

7). The numbers (again) are inconsistent. On page 2-2, the DEIR indicates that the housing unit capacity increase is actually from 81,307 to 86,118 – 4,800 units. That appears to be a more feasible number that would allow the transfer of density from certain stable, character neighborhoods that should be conserved to the commercial corridors generally and the TODs specifically.

8). Earlier this year, UNNC had temporary access to the ESRI Community Analyst product, which easily enables the mapping of arbitrary geographic areas and the retrieval of extensive statistics about those areas, including US Census and housing data. (Sample reports generated for UNNC boundaries are attached by way of example). The city should use these accessible commercial sources of data like ESRI Community Analyst to cross-check data from other sources and to rapidly acquire updated and more accurate population and housing data.

Public Services: Libraries, Parks and Schools

Once again, the projected population numbers seem inconsistent with elements in this Chapter.

1). **Schools:** If the population is proposed/projected as increasing by circa 36,000 individuals, why are the school-age children projections limited to 6,261? (Or, one in six residents.) Is there a basis for that calculation? The DEIR also indicates that the majority of the schools serving the residents of the New West Adams-Baldwin Hills-Leimert Park Community Plan are “not overcrowded.” This would seem to fly in the face of previous LAUSD studies utilized to justify eminent domain throughout the West Adams District to build new schools. Moreover, at least in the northeast section of this Community Plan area, the children attend schools outside the arbitrary boundary of Arlington on the East (including Pio Pico school at Arlington and Pico, West Adams Preparatory High School at Washington and Vermont, which has become a principle resource for this community, along with Los Angeles High School.) Schools that “serve” a population may not be located within the Community Plan boundary.

In any case, the analysis is incomplete or inaccurate. It is not possible to increase the housing capacity by 20,000 units (or 36,000 people) without planning for additional school seats. There is no mitigation proposed in the DEIR for this significant impact.

2). **Libraries:** the DEIR specifically says that “no feasible mitigation measures were identified to reduce the significant impacts related to public libraries,” of which there are too few to serve the growing population. However, one would think there may be adaptive reuse possibilities of existing buildings (including the historical original Washington Irving Library) to make smaller, focused libraries, or the inclusion of small, neighborhood public libraries into other community facilities (including schools), or other creative potential solutions that ought to be explored, rather than assuming that the current financial crisis in public funding would still continue for the next quarter century, leading to an inability to build or staff public libraries.

3). **Parks and Recreational Opportunities:** the DEIR also says that “no feasible mitigation measures were identified to reduce the significant impacts related to public parks.” There are far too few acres devoted to parks and recreational uses in the New West Adams-Baldwin Hills-Leimert Park Community Plan. It references “open space” requirements for the new construction of mixed use and other large housing developments on the corridors; however, we have learned with each new such actual development proposal that these open space uses tend to be on second- or third-story podiums, and thus the recreational uses/open space impacts the adjacent low density residential neighborhoods (noise impacts as well as lack of privacy.) This may be an unavoidable impact of mixed-use projects on commercial corridors, but there should at least be a discussion of it in the DEIR.

UNNC is working to identify potential added green space and possibly park space within the northeast portion of the New West Adams-Baldwin Hills-Leimert Park Community Plan. But neither the Plan nor the DEIR explore such concepts as recently-proposed pocket “parking space” parks. Furthermore, the Planning Department team designing the public realm spaces near the Crenshaw – Jefferson/Exposition TOD is exploring creating park/green space on Crenshaw Boulevard; this initiative is not explored in the DEIR. All of this should be incorporated into the same environmental analysis.

Historic Preservation

In general, the mitigations for the Historic Preservation component of the DEIR and the Plan itself seem well-conceived. However, there are some issues.

1). Section 4.5-8 sets out CHR Status Codes. However, those Status Codes are not utilized (or not demonstrably utilized) in the appended Survey LA document. In fact, it appears as if the Survey LA evaluators simply skipped over dozens (or hundreds) of structures in Arlington Heights in particular, not recording the evaluations (according to the methodology described in its introduction.) Without recording or making public these evaluations, it is not possible for us or staff to determine how accurate – or not – the evaluations were. There is no correlation in the published document.

2). On page 3-109 of the Plan itself, the Neighborhood Conservation Techniques do not appear to have been adopted/implemented anywhere within the boundaries of the New West Adams-Baldwin Hills-Leimert Park Community Plan. The DEIR does not evaluate the lack of the adoption of these guidelines or regulations (we do not know which they would be) and thus neither evaluates the impact of their absence nor does it offer any mitigations.

3). Although it is true that the list of designated Historic Cultural Monuments is a moving target as the City adds additional HCMs to its list, Figure 4.5-1 is missing several notable designated HCMs, including the Starr Dairy Farmhouse (2801 Arlington, within the Plan boundaries) and the Lukens/Soriano (corner 27th and 5th Avenue), as well as two HCMs on 5th Avenue in Arlington Heights. None of these are recent additions. A more careful review is required.

Biology

In the Biology chapter, there is extensive work on plants/animals that are presumed extinct in the area. Badgers and voles are “native” but we have never seen either. We see opossums, raccoons and skunks, but I do not know if these are native to adjacent districts, or entirely invasive. For the plant summary, no mention is made of the pioneering work of Theodore Payne, though perhaps that was an underlying source - something that makes me dubious about the findings. Then, under the recommendations, there is frequently the decision “No mitigation” without any apparent explanation how this decision not to mitigate impact upon something was derived. If there is a correlation, it requires an expertise unavailable to the lay reader.

Traffic

In discussing Traffic conditions, there appears to be an underlying assumption that mass transit is efficient and underutilized; this may be a reason why 20,000 added units are seen as a true “potential” outcome.

The DEIR authors do not seem to recognize that busses get stuck in traffic, and trains stop for stoplights that are not coordinated to their approach. Busses and trains run with no regard to the actual schedule. In fact, traffic will not abate until mass transit is timely and efficient, but mass transit cannot become timely and efficient until traffic abates. Drivers pass through residential neighborhoods to bypass gridlock; the stated goal of minimizing residential pass-throughs with traffic barriers of one sort or another will only increase main and secondary artery congestion, and keep busses and trains behind schedule.

For instance, it takes a Jefferson Park resident 10 minutes to drive to USC. It takes 45 minutes if that resident walks casually with the dogs (stopping frequently). It takes 45 minutes each way by train, departing from Western and Exposition - two stops total - because of the time it takes to walk to and from the depot, and then wait for the schedule-disregarding train to arrive. Also, it takes that same resident a 1/2 hour to drive to or from work in Century City (8 miles), while mass transit would take at least 1 hour, not counting or walking to the train. It's a no brainer that a car is faster, easier and more dependable.

The statistics and charts note "traffic conditions" but not the underlying reasons or circumstances behind them. It's all theory - there does not appear to be any sense that ground conditions were analyzed with an eye to causation. Statistics will not tell you that every 4-way stop requires a negotiation of the right-of-way because too many drivers do not know the rules. It does not take into account that many low-paying jobs, like yard care, require a vehicle and cannot be performed using mass transit, and gardening, along with roving scrap collection or the numerous ice cream trucks in the neighborhood, are ways to stay self-employed when there is high unemployment or a large number of unskilled (or skilled but not certified in the U.S.) workers in an area.

Similarly, the street lighting recommendations appear to be based on classifications and not actual needs. The biggest threat appears to be light-pollution, not (a) ugly sodium-vapor lighting or (b) darkness.




CONCLUSION

In conclusion, there is so much missing data and/or outdated data that it is difficult to properly evaluate many aspects of the New West Adams-Baldwin Hills-Leimert Park Community Plan. Our hands have also been tied by the relatively-short comment period on the DEIR when the documents associated with the Plan itself have not all been released, or were released after the UNNC Governing Board last met. We respectfully request that UNNC and other stakeholders in the Plan area be permitted to continue to comment on the DEIR until, at least, the next series of presentations to the community by Planning Department staff are completed, and some review of issues that we and others have brought up have also been completed (which may cause a change to the DEIR.)

Thank you very much,

Laura Meyers
Norman Gilmore
Jim Lancaster



	Atlington Heights Angelus Vista Region 1 0.83	Harvard Heights W A H Avenues Region 2 0.34	West Adams Avenues Region 3 0.19	Western and Kinney Heights Region 4 0.24	Jeff Park West Region 5 0.9	Jeff Park East Region 6 0.24	
	2000 Total Population	19,096	7,650	2,651	2,468	15,050	4,923
	2000 Group Quarters	299	208	54	199	81	311
	2010 Total Population	20,073	7,799	2,725	2,502	15,793	5,144
	2015 Total Population	20,392	7,826	2,741	2,506	16,018	5,163
	2010 - 2015 Annual Rate	0.32%	0.07%	0.12%	0.03%	0.28%	0.07%
	2000 Households	5,816	2,147	932	896	5,045	1,545
	2000 Average Household Size	3.23	3.47	2.79	2.53	2.97	2.99
	2010 Households	6,006	2,152	938	889	5,164	1,535
	2010 Average Household Size	3.29	3.53	2.85	2.58	3.04	3.14
	2015 Households	6,073	2,151	938	885	5,202	1,529
	2015 Average Household Size	3.31	3.54	2.86	2.60	3.06	3.17
	2010 - 2015 Annual Rate	0.22%	-0.01%	0.00%	-0.09%	0.15%	-0.08%
	2000 Families	4,139	1,525	564	508	3,400	930
	2000 Average Family Size	3.74	3.99	3.58	3.33	3.62	3.90
	2010 Families	4,271	1,526	566	505	3,480	924
	2010 Average Family Size	3.81	4.06	3.67	3.40	3.72	4.13
	2015 Families	4,287	1,516	563	499	3,488	915
	2015 Average Family Size	3.84	4.10	3.71	3.43	3.76	4.17
	2010 - 2015 Annual Rate	0.12%	-0.13%	-0.11%	-0.24%	0.05%	-0.20%
	2000 Housing Units	6,124	2,276	994	932	5,434	1,655
	Owner Occupied Housing Units	15.4%	17.7%	22.1%	21.0%	29.3%	30.1%
	Renter Occupied Housing Units	79.5%	76.7%	71.0%	73.9%	63.7%	64.0%
	Vacant Housing Units	5.0%	5.6%	7.0%	5.1%	6.0%	6.0%
	2010 Housing Units	6,388	2,325	1,016	943	5,639	1,674
	Owner Occupied Housing Units	15.4%	17.7%	22.1%	21.1%	28.9%	29.2%
	Renter Occupied Housing Units	78.6%	74.9%	70.2%	73.2%	62.7%	62.5%
	Vacant Housing Units	6.0%	7.4%	7.7%	5.7%	8.4%	8.3%
	2015 Housing Units	6,512	2,353	1,031	951	5,746	1,688
	Owner Occupied Housing Units	15.2%	17.5%	21.7%	20.8%	28.6%	28.9%
	Renter Occupied Housing Units	78.0%	73.9%	69.3%	72.3%	62.0%	61.6%
	Vacant Housing Units	6.7%	8.6%	9.0%	6.9%	9.5%	9.4%

Square Miles:

Median Household Income						
2000	\$22,886	\$22,225	\$23,881	\$21,333	\$24,555	\$21,659
2010	\$28,312	\$32,009	\$33,084	\$34,367	\$31,226	\$31,247
2015	\$33,477	\$40,986	\$42,854	\$42,749	\$38,549	\$38,991
Median Home Value						
2000	\$240,705	\$196,536	\$213,725	\$252,419	\$157,722	\$159,360
2010	\$423,624	\$352,155	\$379,032	\$434,483	\$269,688	\$275,000
2015	\$488,596	\$395,513	\$390,845	\$478,571	\$350,580	\$354,348
Per Capita Income						
2000	\$12,799	\$9,818	\$12,265	\$11,232	\$12,045	\$10,628
2010	\$14,272	\$13,141	\$16,577	\$16,199	\$14,369	\$13,728
2015	\$17,508	\$15,362	\$19,461	\$18,647	\$16,894	\$15,581
Median Age						
2000	29.5	30.7	31.9	34.6	29.4	33.8
2010	28.9	30.6	32.2	34.8	30.0	34.1
2015	29.1	30.5	32.1	33.8	29.9	34.1

Data Note: Household population includes persons not residing in group quarters. Average Household Size is the household population divided by total households. Persons in families include the householder and persons related to the householder by birth, marriage, or adoption. Per Capita Income represents the income received by all persons aged 15 years and over

Source: [ESRI forecasts for 2010 and 2015](#); U.S. Bureau of the Census, [2000 Census of](#)



2000 Households by Income

Household Income Base	Arlington Heights Angelus Vista Region 1	Harvard Heights W A H Avenues Region 2	West Adams Region 3	Western and Kinney Heights Region 4	Jeff Park West Region 5	Jeff Park East Region 6
< \$15,000	5,917	2,044	922	878	5,062	1,643
\$15,000 - \$24,999	33.3%	35.5%	31.8%	39.6%	31.8%	39.2%
\$25,000 - \$34,999	19.9%	17.6%	19.8%	14.6%	18.8%	15.5%
\$35,000 - \$49,999	16.8%	11.5%	13.4%	11.4%	13.1%	12.1%
\$50,000 - \$74,999	11.6%	13.3%	12.0%	14.9%	13.7%	14.7%
\$75,000 - \$99,999	9.4%	8.1%	13.3%	10.1%	14.0%	11.1%
\$100,000 - \$149,999	3.0%	7.2%	2.9%	5.6%	4.2%	5.7%
\$150,000 - \$199,999	3.2%	5.8%	5.5%	3.3%	2.9%	1.5%
\$200,000 +	1.1%	0.7%	0.0%	0.5%	0.3%	0.1%
Average Household Income	\$39,167	\$34,847	\$34,123	\$31,016	\$35,323	\$29,590

2010 Households by Income

Household Income Base	Arlington Heights Angelus Vista Region 1	Harvard Heights W A H Avenues Region 2	West Adams Region 3	Western and Kinney Heights Region 4	Jeff Park West Region 5	Jeff Park East Region 6
< \$15,000	6,007	2,152	940	888	5,166	1,536
\$15,000 - \$24,999	26.1%	27.8%	23.7%	29.5%	24.5%	28.3%
\$25,000 - \$34,999	17.3%	14.9%	14.7%	12.0%	14.9%	12.6%
\$35,000 - \$49,999	12.0%	10.5%	13.5%	8.8%	15.1%	13.5%
\$50,000 - \$74,999	13.8%	14.1%	13.8%	17.1%	13.4%	13.2%
\$75,000 - \$99,999	4.8%	8.6%	7.3%	6.0%	7.1%	11.5%
\$100,000 - \$149,999	1.5%	4.5%	3.3%	5.9%	4.3%	3.5%
\$150,000 - \$199,999	1.5%	1.3%	1.1%	1.2%	0.7%	1.4%
\$200,000 +	2.8%	0.8%	0.9%	0.3%	1.5%	0.1%
Average Household Income	\$46,735	\$45,044	\$45,206	\$41,955	\$43,808	\$40,859

2015 Households by Income

Household Income Base	Arlington Heights Angelus Vista Region 1	Harvard Heights W A H Avenues Region 2	West Adams Region 3	Western and Kinney Heights Region 4	Jeff Park West Region 5	Jeff Park East Region 6
< \$15,000	6,073	2,153	938	883	5,203	1,531
\$15,000 - \$24,999	21.7%	24.0%	19.9%	25.6%	20.5%	25.3%
\$25,000 - \$34,999	15.4%	13.6%	13.5%	10.2%	13.2%	10.8%
\$35,000 - \$49,999	14.6%	7.5%	11.2%	7.5%	12.5%	11.2%
\$50,000 - \$74,999	11.7%	12.9%	11.6%	15.3%	13.7%	11.6%
\$75,000 - \$99,999	16.2%	16.7%	23.5%	23.3%	21.4%	19.9%
\$100,000 - \$149,999	5.2%	10.0%	8.0%	6.9%	8.2%	13.3%

\$ 100,000 - \$149,999	7.7%	11.9%	9.2%	8.7%	6.6%	5.7%
\$ 150,000 - \$199,999	3.8%	2.0%	1.5%	2.0%	1.7%	2.2%
\$ 200,000 +	3.6%	1.3%	1.6%	0.5%	2.3%	0.2%
Average Household Income	\$57,718	\$52,879	\$53,539	\$48,742	\$51,888	\$46,687

2000 Owner Occupied Housing Units by Value

Total	980	413	220	205	1,603	474
< \$50,000	1.9%	4.6%	3.2%	0.0%	0.0%	0.0%
\$50,000 - \$99,999	0.8%	1.5%	0.0%	4.4%	7.9%	5.3%
\$100,000 - \$149,999	10.9%	15.7%	13.6%	7.8%	35.1%	28.7%
\$150,000 - \$199,999	23.4%	31.0%	26.8%	24.4%	41.5%	53.0%
\$200,000 - \$299,999	40.9%	34.6%	40.0%	27.8%	12.5%	12.0%
\$300,000 - \$499,999	19.8%	12.6%	11.8%	35.6%	2.7%	1.1%
\$500,000 - \$999,999	2.2%	0.0%	2.3%	0.0%	0.2%	0.0%
\$1,000,000+	0.0%	0.0%	2.3%	0.0%	0.0%	0.0%
Average Home Value	\$252,198	\$207,481	\$257,171	\$260,063	\$167,081	\$165,251

2000 Specified Renter Occ. Housing Units by Contract Rent

Total	4,861	1,671	688	683	3,418	1,091
With Cash Rent	99.1%	99.3%	98.4%	96.9%	98.1%	96.4%
No Cash Rent	0.9%	0.7%	1.6%	3.1%	1.9%	3.6%
Median Rent	\$526	\$510	\$546	\$509	\$509	\$477
Average Rent	\$516	\$466	\$534	\$500	\$506	\$492

Data Note: Income represents the preceding year, expressed in current dollars. Household income includes wage and salary earnings, interest, dividends, net rents, pensions, SSI and welfare payments, child support and alimony. Specified Renter Occupied Housing Units

Source: ESRI, [Trends in 2010 and 2015](#), U.S. Bureau of the Census, [2000 Census of Population and Housing](#)



Arlington Heights
 Angelus Vista
Region 1

Harvard Heights
 W A H
Region 2

West Adams
 Avenues
Region 3

Western and Kinney Heights
Region 4

Jeff Park West
Region 5

Jeff Park East
Region 6

2000 Population by Age

Total	19,095	7,650	2,652	2,468	15,050	4,923
Age 0 - 4	8.7%	8.1%	8.9%	7.6%	9.0%	7.8%
Age 5 - 9	9.6%	9.4%	8.4%	7.4%	9.7%	8.0%
Age 10 - 14	8.4%	7.3%	7.2%	7.1%	8.8%	7.7%
Age 15 - 19	7.7%	7.1%	6.7%	6.3%	7.5%	7.6%
Age 20 - 24	7.6%	8.0%	7.4%	6.3%	7.9%	6.8%
Age 25 - 34	17.6%	17.7%	16.7%	16.0%	16.2%	14.0%
Age 35 - 44	15.5%	15.8%	16.4%	15.1%	14.8%	14.7%
Age 45 - 54	11.1%	11.4%	11.5%	10.3%	10.6%	10.2%
Age 55 - 64	6.1%	6.4%	6.9%	7.6%	6.1%	7.3%
Age 65 - 74	4.1%	5.1%	5.1%	6.6%	4.6%	6.1%
Age 75 - 84	2.7%	2.6%	3.2%	5.6%	3.5%	5.7%
Age 85+	0.9%	1.2%	1.6%	4.3%	1.3%	4.3%
Age 18+	68.7%	71.0%	71.6%	74.1%	68.1%	72.0%

2010 Population by Age

Total	20,076	7,800	2,726	2,500	15,794	5,146
Age 0 - 4	8.9%	8.2%	8.5%	7.6%	8.9%	7.8%
Age 5 - 9	8.3%	7.9%	8.2%	6.9%	9.1%	7.6%
Age 10 - 14	6.9%	6.4%	7.6%	5.8%	8.3%	6.6%
Age 15 - 19	8.5%	8.4%	7.6%	6.7%	8.2%	7.4%
Age 20 - 24	9.9%	9.2%	7.0%	8.9%	7.9%	7.8%
Age 25 - 34	16.8%	16.7%	15.7%	14.4%	14.8%	13.8%
Age 35 - 44	13.2%	14.0%	14.6%	12.6%	13.5%	12.1%
Age 45 - 54	11.8%	11.7%	12.9%	12.8%	11.9%	12.8%
Age 55 - 64	8.2%	8.9%	9.2%	9.0%	8.4%	9.2%
Age 65 - 74	4.2%	4.7%	4.7%	6.0%	4.5%	5.9%
Age 75 - 84	2.3%	2.8%	2.7%	5.2%	3.0%	4.9%
Age 85+	1.1%	1.3%	1.4%	4.0%	1.5%	4.0%
Age 18+	70.8%	72.7%	71.3%	75.5%	68.8%	73.5%

2015 Population by Age

Total	20,394	7,823	2,741	2,507	16,017	5,162
Age 0 - 4	9.1%	8.5%	8.6%	7.7%	8.9%	8.0%
Age 5 - 9	8.3%	7.9%	8.0%	6.9%	9.0%	7.5%
Age 10 - 14	7.1%	6.5%	7.6%	6.1%	8.6%	6.9%
Age 15 - 19	6.6%	6.2%	6.7%	5.5%	7.3%	6.3%
Age 20 - 24	9.9%	10.0%	8.1%	8.2%	8.5%	7.8%
Age 25 - 34	19.5%	18.3%	15.8%	17.3%	14.9%	14.7%
Age 35 - 44	11.9%	12.7%	13.9%	11.0%	12.7%	11.0%
Age 45 - 54	10.6%	10.6%	11.7%	11.1%	11.1%	11.2%
Age 55 - 64	8.7%	9.4%	10.3%	10.3%	9.3%	11.1%
Age 65 - 74	5.0%	5.6%	5.4%	7.0%	5.4%	6.8%
Age 75 - 84	2.2%	2.8%	2.6%	4.9%	2.8%	4.8%
Age 85+	1.0%	1.3%	1.4%	3.9%	1.4%	3.9%
Age 18+	71.6%	73.4%	71.9%	75.9%	69.2%	73.8%

2000 Population by Sex

Males	49.2%	50.2%	47.3%	46.8%	47.1%	46.8%
Females	50.8%	49.8%	52.7%	53.2%	52.9%	53.2%

2010 Population by Sex

Males	49.8%	50.9%	48.0%	47.6%	47.5%	47.2%
Females	50.2%	49.1%	52.0%	52.4%	52.5%	52.8%

2015 Population by Sex

Males	50.1%	51.2%	48.4%	48.1%	47.7%	47.3%
Females	49.9%	48.8%	51.6%	51.9%	52.3%	52.7%

Source: ESRI forecasts for 2010 and 2015; U.S. Bureau of the Census, 2000 Census of Population and Housing



2000 Population by Race/Ethnicity

Total	19,095	7,650	2,652	2,468	15,049	4,923
White Alone	23.2%	27.2%	13.0%	23.1%	13.3%	18.8%
Black Alone	28.3%	17.5%	52.9%	51.3%	44.9%	47.5%
American Indian Alone	0.9%	1.5%	0.6%	0.8%	0.6%	0.7%
Asian or Pacific Islander Alone	7.7%	7.6%	2.6%	2.2%	4.0%	1.7%
Some Other Race Alone	34.9%	40.6%	24.5%	19.0%	32.0%	27.2%
Two or More Races	5.0%	5.6%	6.4%	3.6%	5.2%	4.1%
Hispanic Origin	60.1%	70.0%	38.0%	36.4%	48.0%	44.2%
Diversity Index	92.7	93.6	84.3	83.0	89.0	86.7

2010 Population by Race/Ethnicity

Total	20,072	7,799	2,725	2,502	15,792	5,144
White Alone	24.2%	27.4%	13.7%	24.2%	14.5%	19.9%
Black Alone	23.7%	14.6%	47.2%	45.8%	38.3%	41.5%
American Indian Alone	0.8%	1.3%	0.6%	0.7%	0.6%	0.6%
Asian or Pacific Islander Alone	8.1%	8.1%	2.8%	2.5%	4.5%	1.9%
Some Other Race Alone	38.1%	43.0%	28.8%	22.8%	36.6%	31.7%
Two or More Races	5.1%	5.7%	6.9%	4.0%	5.5%	4.4%
Hispanic Origin	65.5%	73.6%	44.4%	43.3%	54.7%	51.6%
Diversity Index	93.4	93.7	87.7	86.3	91.4	89.4

2015 Population by Race/Ethnicity

Total	20,391	7,826	2,741	2,505	16,018	5,164
White Alone	24.7%	27.5%	14.0%	24.8%	15.1%	20.5%
Black Alone	21.7%	13.3%	44.4%	43.1%	35.3%	38.7%
American Indian Alone	0.7%	1.2%	0.6%	0.7%	0.6%	0.6%
Asian or Pacific Islander Alone	8.3%	8.3%	3.0%	2.6%	4.7%	2.0%
Some Other Race Alone	39.5%	44.0%	30.8%	24.7%	36.8%	33.7%
Two or More Races	5.1%	5.7%	7.2%	4.1%	5.6%	4.5%
Hispanic Origin	67.8%	75.1%	47.5%	46.7%	57.9%	54.9%
Diversity Index	93.5	93.7	89.1	87.6	92.3	90.3



2000 Population 3+ by School Enrollment

Total	18,164	7,347	2,574	2,361	14,203	4,786
Enrolled in Nursery/Preschool	1.9%	1.5%	1.9%	2.2%	2.4%	2.2%
Enrolled in Kindergarten	2.4%	2.3%	1.2%	2.0%	1.9%	1.5%
Enrolled in Grade 1-8	16.0%	15.1%	16.2%	11.7%	16.5%	12.9%
Enrolled in Grade 9-12	8.0%	9.9%	8.5%	7.2%	8.0%	6.2%
Enrolled in College	4.6%	4.9%	7.7%	7.4%	5.7%	7.4%
Enrolled in Grad/Prof School	0.7%	1.1%	0.5%	0.4%	1.2%	0.8%
Not Enrolled in School	66.5%	65.2%	64.1%	69.0%	64.3%	68.9%

2010 Population 25+ by Educational Attainment

Total	11,531	4,683	1,666	1,605	9,091	3,227
Less than 9th Grade	24.7%	30.1%	15.8%	14.1%	19.2%	17.2%
9th - 12th Grade, No Diploma	19.6%	22.6%	15.7%	18.6%	16.5%	12.6%
High School Graduate	21.0%	19.9%	20.9%	20.1%	25.9%	25.8%
Some College, No Degree	14.8%	13.8%	22.8%	22.7%	19.9%	22.2%
Associate Degree	5.9%	3.5%	6.7%	6.1%	5.1%	5.9%
Bachelor's Degree	10.6%	7.0%	12.4%	12.5%	9.3%	12.0%
Graduate/Professional Degree	3.3%	3.0%	5.8%	5.9%	3.9%	4.3%

Data Note: Persons of Hispanic Origin may be of any race. The Diversity Index measures the probability that two people from the same area will be from different race/ethnic groups.

Source: [ESRI forecasts for 2010 and 2015](#); [U.S. Bureau of the Census, 2000 Census of](#)



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2010 Population 15+ by Marital Status

Total	15,221	6,054	2,063	1,994	11,628	4,010
Never Married	43.9%	42.0%	44.8%	50.8%	42.4%	44.8%
Married	43.0%	45.4%	40.8%	34.8%	42.4%	39.0%
Widowed	5.8%	5.5%	4.5%	6.3%	5.3%	8.3%
Divorced	7.4%	7.1%	9.8%	8.1%	9.9%	8.0%



2000 Population 16+ by Employment Status

Total	13,734	5,670	1,985	1,901	10,684	3,847
In Labor Force	53.8%	56.8%	54.6%	49.6%	53.2%	49.5%
Civilian Employed	46.4%	49.4%	46.4%	36.2%	46.3%	38.7%
Civilian Unemployed	7.4%	7.4%	8.1%	13.4%	6.8%	10.8%
In Armed Forces	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Not in Labor Force	46.2%	43.2%	45.4%	50.4%	46.8%	50.5%

2010 Civilian Population 16+ in Labor Force

Civilian Employed	78.8%	79.7%	77.0%	64.5%	79.9%	70.0%
Civilian Unemployed	21.2%	20.3%	23.0%	35.5%	20.1%	30.0%

2015 Civilian Population 16+ in Labor Force

Civilian Employed	82.0%	82.8%	80.4%	69.1%	83.1%	74.1%
Civilian Unemployed	18.0%	17.2%	19.6%	30.9%	16.9%	25.9%

2000 Females 16+ by Employment Status and Age of Children

Total	7,136	2,745	1,054	1,045	5,936	2,064
Own Children < 6 Only	9.2%	9.7%	10.8%	4.5%	9.0%	7.3%
Employed/in Armed Forces	4.0%	4.4%	4.3%	3.1%	4.0%	2.1%

Unemployed	0.9%	0.8%	1.1%	0.6%	0.9%	1.1%
Not in Labor Force	4.3%	4.4%	5.4%	0.9%	4.1%	4.2%
Own Children <6 and 6-17	11.4%	7.5%	7.7%	3.1%	10.3%	7.9%
Employed/in Armed Forces	4.9%	2.1%	3.1%	1.1%	4.5%	2.8%
Unemployed	1.1%	0.9%	0.9%	0.0%	0.9%	0.0%
Not in Labor Force	5.4%	4.4%	3.6%	2.0%	4.9%	5.1%
Own Children 6-17 Only	18.1%	19.0%	18.5%	16.3%	17.0%	12.7%
Employed/in Armed Forces	9.1%	9.8%	9.5%	7.8%	10.2%	8.2%
Unemployed	1.1%	0.5%	1.5%	0.7%	0.8%	1.2%
Not in Labor Force	7.9%	8.7%	7.5%	7.8%	6.0%	3.4%
No Own Children <18	61.4%	63.8%	63.0%	76.2%	63.7%	72.0%
Employed/in Armed Forces	22.8%	26.8%	26.8%	20.8%	24.5%	19.4%
Unemployed	4.2%	2.8%	4.5%	10.0%	3.6%	7.7%
Not in Labor Force	34.4%	34.2%	31.8%	45.5%	35.6%	45.0%

Source: ESRI forecasts for 2010 and 2015; U.S. Bureau of the Census, 2000 Census of Population and Housing



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2010 Employed Population 16+ by Industry

Total	6,280	2,668	842	634	4,791	1,365
Agriculture/Mining	0.2%	0.0%	0.1%	0.0%	0.1%	0.0%
Construction	7.2%	4.6%	5.5%	4.4%	4.5%	6.2%
Manufacturing	7.9%	9.8%	5.7%	6.9%	7.6%	6.4%
Wholesale Trade	3.4%	3.7%	3.8%	2.4%	1.6%	2.3%
Retail Trade	9.8%	10.6%	10.6%	7.9%	9.9%	12.2%
Transportation/Utilities	4.5%	5.4%	6.2%	6.0%	5.8%	6.4%
Information	3.0%	1.5%	2.9%	5.5%	2.6%	3.6%
Finance/Insurance/Real Estate	5.1%	5.5%	5.3%	4.3%	7.2%	2.6%
Services	56.8%	56.5%	55.2%	56.3%	56.9%	57.7%
Public Administration	2.1%	2.5%	4.8%	6.3%	3.8%	2.5%

2010 Employed Population 16+ by Occupation

Total	6,280	2,664	842	637	4,792	1,362
White Collar	44.8%	39.9%	55.0%	58.1%	51.0%	54.5%
Management/Business/Financial	6.2%	5.3%	5.7%	3.5%	4.9%	8.7%
Professional	14.9%	10.8%	20.7%	27.9%	16.7%	20.9%
Sales	11.9%	9.1%	10.2%	10.4%	10.9%	8.6%
Administrative Support	11.8%	14.6%	18.4%	16.3%	18.6%	16.3%
Services	31.7%	35.0%	23.6%	22.4%	29.1%	28.5%
Blue Collar	23.5%	25.1%	21.4%	19.5%	19.9%	17.0%
Farming/Forestry/Fishing	0.1%	0.9%	0.0%	0.0%	0.0%	0.0%
Construction/Extraction	6.4%	3.8%	5.1%	3.5%	3.8%	5.3%
Installation/Maintenance/Repair	3.5%	3.8%	2.7%	3.8%	4.0%	2.6%
Production	6.4%	8.9%	4.0%	5.8%	5.8%	4.6%
Transportation/Material Moving	7.1%	7.8%	9.5%	6.4%	6.3%	4.6%

2000 Workers 16+ by Means of Transportation to Work

Total	6,177	2,739	883	672	4,788	1,443
Drove Alone - Car, Truck, or Van	53.2%	48.0%	62.7%	63.7%	61.9%	60.0%
Carpooled - Car, Truck, or Van	19.2%	21.9%	19.0%	10.9%	19.6%	13.9%
Public Transportation	21.9%	25.3%	15.9%	19.8%	13.3%	20.8%
Walked	2.5%	2.8%	0.6%	2.2%	2.6%	3.5%
Other Means	1.1%	1.2%	0.3%	0.0%	0.9%	0.6%
Worked at Home	2.0%	0.8%	1.5%	3.4%	1.7%	1.2%

2000 Workers 16+ by Travel Time to Work

Total	6,177	2,740	885	673	4,788	1,442
Did not Work at Home	98.0%	99.2%	98.5%	96.6%	98.3%	98.8%
Less than 5 minutes	0.4%	0.5%	0.0%	1.3%	0.4%	0.0%
5 to 9 minutes	3.3%	3.0%	6.3%	5.3%	3.2%	5.8%
10 to 19 minutes	18.0%	22.3%	25.6%	16.0%	23.5%	17.8%
20 to 24 minutes	14.6%	11.9%	17.7%	20.1%	13.0%	21.1%
25 to 34 minutes	35.0%	29.6%	26.2%	29.1%	30.5%	23.7%
35 to 44 minutes	5.7%	4.8%	6.6%	7.0%	7.4%	7.7%
45 to 59 minutes	8.4%	9.3%	9.3%	9.5%	10.3%	9.6%
60 to 89 minutes	7.9%	9.5%	4.7%	4.0%	6.7%	7.7%
90 or more minutes	4.7%	8.2%	2.0%	4.2%	3.4%	5.4%
Worked at Home	2.0%	0.8%	1.5%	3.4%	1.7%	1.2%
Average Travel Time to Work (in min)	32.9	36.7	27.1	30.0	31.3	31.9

2000 Households by Vehicles Available

Total	5,852	2,085	921	888	5,042	1,573
None	27.7%	30.4%	22.0%	33.8%	24.0%	26.8%
1	45.5%	41.5%	42.3%	42.1%	43.2%	42.1%
2	19.3%	17.2%	20.6%	14.1%	21.9%	20.0%
3	4.9%	7.7%	11.1%	5.2%	6.9%	5.7%
4	1.6%	2.3%	2.6%	2.6%	2.8%	3.2%
5+	1.1%	1.0%	1.3%	2.3%	1.2%	2.2%
Average Number of Vehicles Available	1.1	1.2	1.3	1.1	1.3	1.2

Source: [ESRI forecasts for 2010; U.S. Bureau of the Census, 2000 Census of Population and Housing](#)



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2000 Households by Type

Total	5,816	2,149	932	897	5,044	1,544
Family Households	71.2%	71.0%	60.5%	56.6%	67.4%	60.2%
Married-couple Family With Related Children	37.4%	42.3%	26.9%	26.6%	33.8%	31.5%
Other Family (No Spouse) With Related Children	25.8%	28.2%	17.2%	17.2%	22.6%	20.5%
Nonfamily Households	33.8%	28.7%	33.6%	30.0%	33.6%	28.8%
Householder Living Alone	23.2%	20.1%	22.7%	20.0%	23.0%	18.8%
Householder Not Living Alone	28.8%	29.0%	39.5%	43.4%	32.6%	39.8%
Households with Related Children	22.7%	22.7%	33.7%	36.2%	28.2%	34.6%
Households with Persons 65+	6.2%	6.3%	5.8%	7.1%	4.4%	5.2%
Households with Related Children	49.0%	48.3%	39.9%	37.2%	45.6%	39.3%
Households with Persons 65+	18.8%	21.4%	22.7%	26.6%	23.4%	30.8%

2000 Households by Size

Total	5,816	2,147	932	896	5,045	1,545
1 Person Household	22.7%	22.7%	33.7%	36.2%	28.2%	34.6%
2 Person Household	20.8%	19.2%	21.3%	23.4%	21.5%	21.7%
3 Person Household	17.0%	16.2%	17.5%	14.5%	16.6%	13.1%
4 Person Household	16.4%	15.8%	12.3%	12.0%	13.8%	11.4%
5 Person Household	10.9%	11.3%	7.7%	6.2%	9.1%	7.5%
6 Person Household	5.8%	6.5%	4.0%	3.6%	5.5%	4.3%
7+ Person Household	6.5%	8.2%	3.5%	4.1%	5.2%	7.5%

2000 Households by Year Householder Moved In

Total	5,852	2,083	920	888	5,041	1,573
Moved in 1999 to March 2000	22.5%	26.1%	25.9%	25.8%	22.8%	24.3%
Moved in 1995 to 1998	34.9%	32.1%	30.5%	36.6%	30.2%	29.8%
Moved in 1990 to 1994	13.9%	20.0%	16.7%	11.4%	16.0%	16.1%
Moved in 1980 to 1989	14.2%	9.8%	7.1%	14.8%	13.3%	11.8%
Moved in 1970 to 1979	8.7%	9.6%	9.0%	4.5%	8.2%	9.5%
Moved in 1969 or Earlier	5.7%	2.3%	10.8%	7.0%	9.5%	8.5%

Median Year Homeowner Moved In 1996 1996 1996 1996 1996



2000 Housing Units by Units in Structure

Total	6,171	2,239	990	939	1,664
1, Detached	16.6%	17.9%	23.9%	27.1%	36.8%
1, Attached	7.2%	5.2%	7.6%	3.7%	11.6%
2	7.1%	9.6%	4.2%	2.6%	6.8%
3 or 4	21.0%	23.1%	14.5%	14.3%	14.0%
5 to 9	16.0%	11.2%	14.3%	13.7%	8.6%
10 to 19	19.3%	17.2%	16.3%	10.5%	8.6%
20+	12.6%	15.6%	19.1%	28.1%	25.5%
Mobile Home	0.1%	0.0%	0.0%	0.1%	0.0%
Other	0.1%	0.2%	0.0%	0.0%	0.0%

2000 Housing Units by Year Structure Built

Total	6,172	2,239	981	928	5,446	1,675
1999 to March 2000	0.5%	0.0%	0.0%	0.0%	0.8%	0.0%
1995 to 1998	2.3%	1.7%	3.2%	2.5%	3.7%	2.5%
1990 to 1994	1.2%	0.9%	1.6%	6.4%	2.0%	4.4%
1980 to 1989	8.1%	7.5%	3.4%	3.4%	4.0%	3.5%
1970 to 1979	11.5%	11.2%	8.9%	11.7%	7.4%	11.2%
1969 or Earlier	76.5%	78.7%	83.0%	76.0%	82.2%	78.4%
Median Year Structure Built	1956	1953	1950	1950	1949	1950

Source: U.S. Bureau of the Census, 2000 Census of Population and Housing



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Region 6

Top 3 Tapestry Segments

1. International Marketplace
NeWest Residents
High Rise Renters
International Renters
City Strivers
Urban International
Melting Pot Marketplace
2. NeWest Residents
Urban International
Melting Pot Marketplace
City Strivers
Urban International
Melting Pot Marketplace
3. International Marketplace
High Rise Renters
International Renters
Social Security Set
High Rise Renters
City Strivers
Urban International
Melting Pot Marketplace



2010 Consumer Spending shows the amount spent on a variety of goods and services by households that reside in the market area. Expenditures are shown by broad budget categories that are not mutually exclusive.

Apparel & Services: Total \$	\$7,528,929	\$2,601,752	\$1,169,285	\$979,110	\$6,122,527	\$1,602,815
Average Spent	\$1,253.57	\$1,208.99	\$1,246.57	\$1,101.36	\$1,185.62	\$1,044.18
Spending Potential Index	52	50	52	46	50	44
Computers & Accessories: Total \$	\$981,565	\$334,536	\$131,749	\$124,627	\$747,818	\$205,435
Average Spent	\$163.43	\$155.45	\$140.46	\$140.19	\$144.81	\$133.83
Spending Potential Index	74	71	64	64	66	61
Education: Total \$	\$4,735,928	\$1,646,941	\$805,327	\$679,785	\$4,016,305	\$1,105,827
Average Spent	\$788.53	\$765.31	\$858.56	\$764.66	\$777.75	\$720.41
Spending Potential Index	65	63	70	63	64	59
Entertainment/Recreation: Total \$	\$12,505,814	\$4,310,611	\$1,896,666	\$1,684,121	\$10,221,358	\$2,858,261
Average Spent	\$2,082.22	\$2,003.07	\$2,022.03	\$1,894.40	\$1,979.35	\$1,862.06
Spending Potential Index	65	62	63	59	61	58
Food at Home: Total \$	\$20,114,056	\$6,958,644	\$3,025,099	\$2,646,945	\$16,114,369	\$4,346,681
Average Spent	\$3,348.99	\$3,233.57	\$3,225.05	\$2,977.44	\$3,120.52	\$2,831.71
Spending Potential Index	75	72	72	67	70	63
Food Away from Home: Total \$	\$14,067,310	\$4,846,476	\$2,091,243	\$1,830,522	\$11,150,094	\$3,004,687
Average Spent	\$2,342.21	\$2,252.08	\$2,229.47	\$2,059.08	\$2,159.20	\$1,957.45
Spending Potential Index	73	70	69	64	67	61
Health Care: Total \$	\$12,518,590	\$4,370,852	\$1,985,262	\$1,896,800	\$10,461,479	\$3,246,373
Average Spent	\$2,084.35	\$2,031.07	\$2,116.48	\$2,133.63	\$2,025.85	\$2,114.90
Spending Potential Index	65	64	66	66	65	64

Spending Potential Index	56	55	57	57	54	57
Household Furnishings & Equip: Total \$	\$7,091,984	\$2,437,199	\$1,035,799	\$923,049	\$5,656,484	\$1,568,803
Average Spent	\$1,180.82	\$1,132.53	\$1,104.26	\$1,038.30	\$1,095.37	\$1,022.02
Spending Potential Index	57	55	54	50	53	50
Investments: Total \$	\$5,666,355	\$1,992,175	\$942,197	\$781,726	\$4,839,413	\$1,469,508
Average Spent	\$943.45	\$925.73	\$1,004.47	\$879.33	\$937.14	\$957.33
Spending Potential Index	54	53	58	51	54	55
Retail Goods: Total \$	\$93,960,072	\$32,319,872	\$13,634,450	\$12,393,354	\$74,249,846	\$20,795,194
Average Spent	\$15,644.37	\$15,018.53	\$14,535.66	\$13,940.78	\$14,378.36	\$13,547.36
Spending Potential Index	63	60	58	56	58	54
Shelter: Total \$	\$71,808,108	\$24,903,943	\$11,031,217	\$9,293,239	\$58,199,736	\$15,719,865
Average Spent	\$11,956.06	\$11,572.46	\$11,760.36	\$10,453.59	\$11,270.28	\$10,240.95
Spending Potential Index	76	73	74	66	71	65
TV/Video/Audio: Total \$	\$5,086,251	\$1,752,522	\$801,228	\$699,173	\$4,195,621	\$1,154,306
Average Spent	\$843.53	\$814.37	\$854.19	\$786.47	\$812.48	\$751.99
Spending Potential Index	68	66	69	63	65	61
Travel: Total \$	\$7,333,218	\$2,539,161	\$1,111,822	\$953,545	\$5,992,810	\$1,668,139
Average Spent	\$1,220.98	\$1,179.91	\$1,185.31	\$1,072.60	\$1,160.50	\$1,086.74
Spending Potential Index	65	62	63	57	61	57
Vehicle Maintenance & Repairs: Total \$	\$3,804,341	\$1,305,767	\$548,569	\$503,501	\$2,998,967	\$843,410
Average Spent	\$633.42	\$606.77	\$584.83	\$566.37	\$580.74	\$549.45
Spending Potential Index	67	64	62	60	62	58

Data Note: The Spending Potential Index represents the amount spent in the area relative to a national average of 100.
Source: Consumer Spending data are derived from the 2005 and 2006 Consumer Expenditure Surveys, Bureau of Labor Statistics. ESRI



Housing Profile

UNNC
Area: 2.77 Square miles

2000 Total Population	51,838	2000 Median HH Income	\$23,218
2010 Total Population	54,036	2010 Median HH Income	\$30,206
2015 Total Population	54,646	2015 Median HH Income	\$37,597
2010-2015 Annual Rate	0.22%	2010-2015 Annual Rate	4.47%

Housing Units by Occupancy Status and Tenure

	Census 2000		2010		2015	
	Number	Percent	Number	Percent	Number	Percent
Total Housing Units	17,412	100.0%	17,986	100.0%	18,282	100.0%
Occupied	16,381	94.1%	16,685	92.8%	16,777	91.8%
Owner	3,850	22.1%	3,937	21.9%	3,955	21.6%
Renter	12,531	72.0%	12,748	70.9%	12,822	70.1%
Vacant	1,031	5.9%	1,301	7.2%	1,505	8.2%

Owner Occupied Housing Units by Value

	Census 2000		2010		2015	
	Number	Percent	Number	Percent	Number	Percent
Total	3,896	100.0%	3,935	100.0%	3,955	100.0%
< \$10,000	7	0.2%	5	0.1%	5	0.1%
\$10,000 - \$14,999	5	0.1%	2	0.1%	2	0.1%
\$15,000 - \$19,999	18	0.5%	5	0.1%	5	0.1%
\$20,000 - \$24,999	0	0.0%	4	0.1%	4	0.1%
\$25,000 - \$29,999	7	0.2%	9	0.2%	2	0.1%
\$30,000 - \$34,999	0	0.0%	9	0.2%	2	0.1%
\$35,000 - \$39,999	0	0.0%	2	0.1%	5	0.1%
\$40,000 - \$49,999	8	0.2%	5	0.1%	14	0.4%
\$50,000 - \$59,999	12	0.3%	3	0.1%	4	0.1%
\$60,000 - \$69,999	8	0.2%	0	0.0%	1	0.0%
\$70,000 - \$79,999	18	0.5%	2	0.1%	0	0.0%
\$80,000 - \$89,999	47	1.2%	4	0.1%	0	0.0%
\$90,000 - \$99,999	90	2.3%	7	0.2%	1	0.0%
\$100,000 - \$124,999	242	6.2%	11	0.3%	5	0.1%
\$125,000 - \$149,999	675	17.3%	42	1.1%	16	0.4%
\$150,000 - \$174,999	779	20.0%	115	2.9%	28	0.7%
\$175,000 - \$199,999	604	15.5%	167	4.2%	34	0.9%
\$200,000 - \$249,999	470	12.1%	703	17.9%	201	5.1%
\$250,000 - \$299,999	477	12.2%	808	20.5%	552	14.0%
\$300,000 - \$399,999	277	7.1%	901	22.9%	1,339	33.9%
\$400,000 - \$499,999	117	3.0%	498	12.7%	753	19.0%
\$500,000 - \$749,999	24	0.6%	487	12.4%	698	17.6%
\$750,000 - \$999,999	6	0.2%	129	3.3%	221	5.6%
\$1,000,000 +	5	0.1%	17	0.4%	63	1.6%
Median Value	\$176,325		\$307,159		\$381,889	
Average Value	\$202,489		\$360,286		\$436,949	

Data Note: Detail may not sum to totals due to rounding.

[Source: ESRI forecasts for 2010 and 2015, U.S. Bureau of the Census, 2000 Census of Population and Housing](#)



Housing Profile

UNNC

Area: 2.77 Square miles

Census 2000 Vacant Housing Units by Status

	Number	Percent
Total	1,032	100.0%
For Rent	557	54.0%
For Sale Only	79	7.7%
Rented/Sold, Unoccupied	66	6.4%
Seasonal/Recreational/Occasional Use	22	2.1%
For Migrant Workers	0	0.0%
Other Vacant	308	29.8%

Census 2000 Occupied Housing Units by Age of Householder and Home Ownership

	Occupied Units		Owner Occupied Units	
	Number	Percent	Number	% of Occupied
Total	16,380		3,848	23.5%
15 - 24	898		67	7.5%
25 - 34	3,479		374	10.8%
35 - 44	4,023		810	20.1%
45 - 54	3,108		865	27.8%
55 - 64	1,922		641	33.4%
65 - 74	1,462		499	34.1%
75 - 84	1,078		414	38.4%
85+	410		178	43.4%

Census 2000 Occupied Housing Units by Race/Ethnicity of Householder and Home Ownership

	Occupied Units		Owner Occupied Units	
	Number	Percent	Number	% of Occupied
Total	16,381		3,849	23.5%
White Alone	2,624		634	24.2%
Black Alone	7,630		1,781	23.3%
American Indian Alone	131		29	22.1%
Asian Alone	1,206		376	31.2%
Pacific Islander Alone	15		3	20.0%
Some Other Race Alone	3,974		857	21.6%
Two or More Races	801		169	21.1%
Hispanic Origin	6,673		1,366	20.5%

Census 2000 Housing Units by Units in Structure and Occupancy

	Housing Units		Occupied Units	
	Number	Percent	Number	Percent
Total	17,438	100.0%	16,356	100.0%
1, Detached	4,559	26.1%	4,276	26.1%
1, Attached	1,461	8.4%	1,383	8.5%
2	1,162	6.7%	1,124	6.9%
3 to 4	3,011	17.3%	2,755	16.8%
5 to 9	2,085	12.0%	1,906	11.7%
10 to 19	2,404	13.8%	2,293	14.0%
20 to 49	1,747	10.0%	1,635	10.0%
50 or More	982	5.6%	957	5.9%
Mobile Home	14	0.1%	14	0.1%
Other	13	0.1%	13	0.1%

Data Note: Persons of Hispanic Origin may be of any race.

Source: U.S. Bureau of the Census, 2000 Census of Population and Housing.



Housing Profile

UNNC

Area: 2.77 Square miles

Census 2000 Specified Owner Occupied Housing Units by Selected Monthly Owner Costs

	Number	Percent
Total	3,228	100.0%
With Mortgage	2,589	80.2%
< \$200	0	0.0%
\$200 - \$299	15	0.5%
\$300 - \$399	37	1.1%
\$400 - \$499	16	0.5%
\$500 - \$599	56	1.7%
\$600 - \$699	123	3.8%
\$700 - \$799	112	3.5%
\$800 - \$899	103	3.2%
\$900 - \$999	169	5.2%
\$1000 - \$1249	387	12.0%
\$1250 - \$1499	516	16.0%
\$1500 - \$1999	739	22.9%
\$2000 - \$2499	208	6.4%
\$2500 - \$2999	65	2.0%
\$3000+	43	1.3%
With No Mortgage	639	19.8%
Median Monthly Owner Costs for Units with Mortgage	\$1,384	
Average Monthly Owner Costs for Units with Mortgage	\$1,416	

Census 2000 Specified Renter Occupied Housing Units by Contract Rent

	Number	Percent
Total	12,427	100.0%
Paying Cash Rent	12,236	98.5%
< \$100	239	1.9%
\$100 - \$149	333	2.7%
\$150 - \$199	439	3.5%
\$200 - \$249	398	3.2%
\$250 - \$299	286	2.3%
\$300 - \$349	500	4.0%
\$350 - \$399	891	7.2%
\$400 - \$449	1,316	10.6%
\$450 - \$499	1,181	9.5%
\$500 - \$549	1,613	13.0%
\$550 - \$599	1,257	10.1%
\$600 - \$649	1,148	9.2%
\$650 - \$699	922	7.4%
\$700 - \$749	471	3.8%
\$750 - \$799	404	3.3%
\$800 - \$899	481	3.9%
\$900 - \$999	135	1.1%
\$1000 - \$1249	113	0.9%
\$1250 - \$1499	53	0.4%
\$1500 - \$1999	37	0.3%
\$2000 +	19	0.2%
No Cash Rent	191	1.5%
Median Rent	\$517	
Average Rent	\$504	
Average Gross Rent (with Utilities)	\$581	

Data Note: Specified Owner Occupied Housing Units exclude houses on 10+ acres, mobile homes, units in multiunit buildings, and houses with a business or medical office. Specified Renter Occupied Housing Units exclude houses on 10+ acres. Average Contract Rent and Average Gross Rent exclude units paying no cash rent.

Source: U.S. Bureau of the Census, 2000 Census of Population and Housing.



COMMENT LETTER NO. 7

Reuben Caldwell <reuben.caldwell@lacity.org>

Fwd: comment from a UNNC stakeholder

1 message

Laura Meyers <lauramink@aol.com>

Thu, Oct 11, 2012 at 4:27 PM

To: arthi.varma@lacity.org, Reuben.Caldwell@lacity.org

fyi

-----Original Message-----

From: editor5thavetimes <editor5thavetimes@att.net>

To: lauramink <lauramink@aol.com>

Sent: Thu, Oct 11, 2012 4:17 pm

Subject: comment from a UNNC stakeholder

Comment from Luis South:

"It's important to include the projections for improving medical service facilities. Due to Obamacare there will be major changes to improve how services are designed and integrated into the community."

Luis South

South of L.A. Child Development
and Supplemental Educational Services

Craig Lawson & Co., LLC COMMENT LETTER NO. 8
Land Use Consultants

November 13, 2012

Los Angeles Department of City Planning
200 N. Spring Street, Room 667
Los Angeles, CA 90012
Reuben.Caldwell@lacity.org (e-mail)

Attn: Reuben N. Caldwell, AICP

Re: West Adams – Baldwin Hills – Leimert New
Community Plan Draft Environmental Impact
Report ("Draft EIR")
City of Los Angeles Case No. ENV-2008-478-EIR
State Clearinghouse No. 2008021013

VIA EMAIL AND HAND DELIVERY

Dear Mr. Caldwell,

On behalf of our client, Kaiser Foundation Health Plan, Inc. ("Kaiser"), we are writing to request that certain items found in the West Adams – Baldwin Hills – Leimert New Community Plan Draft Environmental Impact Report ("Draft EIR") and the Draft Crenshaw Corridor Specific Plan ("Draft Specific Plan") be considered for revision or deletion. Kaiser owns the property located south of Martin Luther King Jr. Boulevard that is bounded by the southerly portion of Marlon Avenue to the east, Santa Rosalia Drive to the south, and the southerly portion of Buckingham Road to the west ("Kaiser Project Site"). Kaiser proposes to develop a medical office building which is currently in the preliminary stages of design.

As a stakeholder of the West Adams – Baldwin Hills – Leimert Community Plan area, Kaiser would like to make some comments regarding the Draft EIR and the Draft Specific Plan. Please see the comments on the following pages.

SECTION I: Draft EIR Comments

a) Figures 3-4 and 4.10-1 Existing Land Use Map

Figures 3-4 and 4.10-1 on pages 3-7 and 4.10-11 respectively depict the existing land use designation of each property within the West Adams – Baldwin Hills – Leimert Community Plan area. The "Regional Center Commercial" land use designation is incorrectly labeled as "Regional Center" and should be revised.

The proposed changes include the following:

The "Regional Center" land use designation should be corrected to "Regional Center Commercial."

b) Table 4.1-4 CPIO Subdistrict and Specific Plan Amendment Standards and Guidelines Regarding Aesthetics

Table 4.1-4 beginning on page 4.1-18 illustrates CPIO Subdistrict and Specific Plan Amendment Standards and Guidelines Regarding Aesthetics. Under the Crenshaw Corridor Specific Plan Amendments section found on page 4.1-18 in the Views and Vistas column, the words "Mixed Use" should be deleted. The Draft EIR includes tables which should be consistent with the Draft Specific Plan information. Maps 6, 7 and 8 included in the Draft Specific Plan reference the new 75 foot maximum building height allowed on the portions of Subareas A, B, C and F that are shaded in a dark red color. The new 75 foot maximum building height limit applies to all projects and not Mixed Use Projects exclusively. Furthermore, Section 10 Floor Area Ratio and Height includes a maximum 75 foot building height limit for Subareas A, B, C and F for projects that are not Mixed Use Projects.

The proposed changes include the following (deleted text is shown with a strikethrough line/bolded text):

48 foot Maximum Height (portions of subareas B, D, and F)

60 foot Maximum Height (portions of subareas A, B, C, and F)

75 foot Maximum Height (~~Mixed Use~~ Projects in portions of Subarea A, B, C and F)

Setback Transition to Residential Neighborhoods

c) **Table 4.10-5 CPIO Subdistrict and Specific Plan Amendment Standards and Guidelines Regarding Land Use**

Table 4.10-5 beginning on page 4.10-22 illustrates CPIO Subdistrict and Specific Plan Amendment Standards and Guidelines Regarding Land Use. Under the Crenshaw Corridor Specific Plan Amendments section found on page 4.10-22 in the Land Use Compatibility column, the words "Mixed Use" should be deleted. The Draft EIR includes tables which should be consistent with the Draft Specific Plan information. Maps 6, 7 and 8 included in the Draft Specific Plan reference the new 75 foot maximum building height allowed on the portions of Subareas A, B, C and F that are shaded in a dark red color. The new 75 foot maximum building height limit applies to all projects and not Mixed Use Projects exclusively. Furthermore, Section 10 Floor Area Ratio and Height includes a maximum 75 foot building height limit for Subareas A, B, C and F for projects that are not Mixed Use Projects.

The proposed change includes the following (deleted text is shown with a strikethrough line/bolded text):

Ministerial sign-off procedure for signs, minor façade repair/storefront rehabilitation, paint and Leimert Park Village neighborhood serving uses.

1.5:1 Maximum FAR (Portions of all subareas)

2:1 Maximum FAR (Portions of all subareas, except E)

3:1 Maximum FAR (Mixed Use Projects in portions of Subarea A, B, C, F)

Increased street frontage setbacks for projects with outdoor amenities (Subareas D, E)

Maximum FAR may be increased by up to 1.0 when allowed by height district, through introducing one square foot of floor area for each square foot of podium or surface parking area relocated to subterranean levels

48 foot Maximum Height (portions of subareas B, D, F)

60 foot Maximum Height (portions of subareas A, B, C, F)

75 foot Maximum Height (~~Mixed Use~~ Projects in portions of Subarea A, B, C, F)

Setback transition to Residential Neighborhoods

Discretionary projects involving an Eligible Historic Resource may require compliance with the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings as mitigation pursuant to CEQA.

d) **Appendix B – Maximum Discretionary Height**

The Appendix B Table shows the existing and proposed zoning for each subarea. The Conditions of Maximum Height column for Subarea 1270 on page 12 of the Appendix B Table includes a 10% possible discretionary building height increase instead of the 20% increase referenced in the Draft EIR

Mitigation Measure AE1 achieved through an Exception. A 20% discretionary building height increase would allow up to 72 feet for the by-right 60 foot maximum height portion of Subarea 1270 and up to 90 feet for the by-right 75 foot maximum height portion of Subarea 1270. The Maximum Discretionary Height Column currently includes an 82.5 feet maximum height which should be revised to match the maximum 20% maximum discretionary height increase of 90 feet. The maximum discretionary height should be consistent with Mitigation Measure AE1.

The proposed change includes the following (added text is shown with underlined/bolded text):

Request changes to the Conditions of Maximum Height column to allow a 72 foot maximum discretionary building height which represents up to a 10% increase above the maximum 60 foot building height allowed by-right and to allow a 90 foot maximum discretionary building height which represents up to a 20% increase above the maximum 75 foot building height allowed by-right, both through an Exception entitlement procedure as follows:

Conditions of Maximum Height

60 ft., 66 ft. with adjustment, and 72 ft. with exception, 75 ft. MU, 82.5 ft. MU w/ adjustment, and 90 ft. with exception

The proposed change includes the following (deleted text is shown with a strikethrough line/bolded text & added text is shown with underlined/bolded text):

Request changes to the Maximum Discretionary Height column to allow a maximum discretionary height of 90 feet which represents a 20% increase above the maximum 75 foot maximum building height instead of the maximum 82.5 feet which is a 10% increase as follows:

Maximum Discretionary Height

82.5 90

e) **Appendix B – Conditions of Maximum Height**

The Appendix B Table shows the existing and proposed zoning for each subarea. The Conditions of Maximum Height column of Subarea 1270 on page 12 of the Appendix B Table includes a mixed use notation ("MU") following the 75 ft. and 82.5 ft. height limit. The Draft EIR includes tables which should be

consistent with the Draft Specific Plan information. Maps 6, 7 and 8 included in the Draft Specific Plan reference the new 75 foot maximum building height allowed on the portions of Subareas A, B, C and F that are shaded in a dark red color. The new 75 foot maximum building height limit applies to all projects and not Mixed Use Projects exclusively. Furthermore, Section 10 Floor Area Ratio and Height includes a maximum 75 foot building height limit for Subareas A, B, C and F for projects that are not Mixed Use Projects.

The proposed change includes the following (deleted text is shown with a strikethrough line/bolded text & added text is shown with underlined/bolded text):

Request that City Planning Staff strike out the "MU" notation as follows:

Conditions of Maximum Height

60 ft., 66 ft. with adjustment, **and 72 ft. with exception**, 75 ft. ~~MU~~, 82.5 ft. ~~MU~~ w/ adjustment, **and 90 ft. with exception**

f) Appendix G – Parking Policies

Within Appendix G, The New Community Plan Program West Adams – Baldwin Hills – Leimert Community Plan Area Draft Transportation Improvement and Mitigation Program (TIMP) includes Section 5.9 Parking Policies (page 35) which are intended to help encourage transit use and mixed-use/transit-oriented development. The second parking policy reads as follows:

- Establish maximum parking requirement for individual projects. For example, consider existing LAMC parking requirements to be the maximum number of parking spaces allowed for projects.

Parking maximums negatively affect operations for medical uses serving the community. Transit use is challenging for patrons of medical uses, many of whom are ill, elderly, or include young children.

The proposed change includes the following:

Request the elimination of the aforementioned parking policy from Appendix G.

If, however, the City chooses to include a parking maximum, we suggest that the New Community Plan Update include an exemption to this parking maximum for medical uses.

g) General Plan Footnote No. 1

Although not included in the Draft EIR, the current General Plan Land Use Map of the West Adams – Baldwin Hills – Leimert Community Plan requires updating to be consistent with the West Adams – Baldwin Hills – Leimert New Community Plan. General Plan Footnote No. 1, listed next to the Commercial land use designation, states: "Height District 1" which allows for a maximum FAR of 1.5 to 1 on a commercially zoned lot. The notation of Footnote No. 1 should be deleted.

The proposed change includes the following:

The Footnote No. 1 notation next to the Commercial land use designation on the General Plan Land Use Map of the West Adams – Baldwin Hills – Leimert Community Plan should be deleted as it is not consistent with the proposed zone change and height district changes to the Community Plan.

SECTION II: Draft Crenshaw Corridor Specific Plan Comments

a) Section 11.H Campus Signage

The campus signage section beginning on page 27 of the Draft Specific Plan provides the signage regulations for corporate or institutional campus Projects 50,000 square feet or greater and located within the Regional Center Commercial designated portions of subarea C of the Draft Specific Plan. However, it is unclear if the 50,000 square-foot threshold is referring to floor area or lot area. The Draft Specific Plan text should be revised to clearly note that the 50,000 square-foot figure references the project's floor area and not the lot area. Additional clarifying language is proposed as follows:

The proposed changes include the following (deleted text is shown with a strikethrough line/bolded text & added text is shown with underlined/bolded text):

H. Campus Signage

Corporate or institutional campus projects 50,000 square feet or greater **of floor area**, ~~and~~ located within the Regional Center Commercial designated portions of subarea C₁ shall not be subject to the sign standards enumerated in subsections 11.A through 11.G above. Instead, such major campus Projects shall comply with the sign regulations of Section 14 of the LAMC.

Additionally, in order to ensure that signage on institutional or corporate campus signage Projects adequately reinforces the unique identity of the Specific Plan Area as well as the corporate or institutional identity of the campus, the following shall apply: signage on institutional or corporate campus Projects shall be subject to the following approvals:

1. A sign program fully delineating the size, number, location, color, material finish and copy of all exterior signage (e.g. including identity, retail, parking, etc.) shall be submitted and reviewed by the Design Review Board in accordance with Section 14 of the LAMC prior to the Director of Planning issuing an approval.
2. The DRB shall recommend approval of, and the Director of Planning shall approve, all projects whose sign programs that comply with Design Standards 14f – h of the Crenshaw Corridor Specific Plan Design Guidelines and Standards Manual.

b) **Section 14.B.3 Design Review Organization
(pages 29 & 30 Draft Specific Plan)**

Section 14 of the Draft Specific Plan provides Design Review regulations for review and approval of Projects by the Director of Planning, pursuant to LAMC Section 16.50 within Subareas C, D, E and F and the portions of Subarea B which are either south of Vernon Avenue or are located on the west side of Crenshaw Boulevard between Coliseum Street and 39th Street. Section 14.B.3: Organization makes reference to the Community Redevelopment Agency and the Community Redevelopment Agency Project Area Committee.

The text states that a Design Review Application will be deemed complete only upon initial review by the Community Redevelopment Agency ("CRA") within 30 days of filing the application, in addition to the requirements by the Director of Planning. Since the text referencing the CRA's Crenshaw Project Action Committee (PAC) was deleted from the previous section (Section 14.B.2), the reference to the CRA and the CRA Crenshaw PAC should also be deleted as the CRA/LA, A Designated Local Authority (Successor to the Community Redevelopment Agency of the City of Los Angeles, ("CRA/DLA"), currently does not have sufficient staff to review signage applications to deem them complete on such a short time frame. It is also important to note that while the Crenshaw

Redevelopment Project Area is still active, the proposed text to be deleted does not refer to the Plan itself, but refers to the CRA Crenshaw PAC.

The proposed changes include the following (deleted text is shown with a strikethrough line/bolded text & added text is shown with underlined/bolded text):

Organization. When a Project that is subject to design review ~~is under the jurisdiction of both a Community Redevelopment Agency Project Area Committee and the Design Review Boards~~, the Design Review Application shall be deemed complete only upon an initial review by the Director of Planning the Los Angeles Community Redevelopment Agency within 30 days of the date of filing the Application, ~~in addition to the requirements for a completed application by the Director of Planning.~~

Thank you for your time and consideration in reviewing these comments. Please provide confirmation of the proposed changes included in this letter that you plan to incorporate into the Draft EIR and Draft Specific Plan. I would also like to request notification of any further changes that affect the zoning, land use designation, etc. of the Kaiser Project Site.

Please feel free to contact me with any questions or concerns.

Sincerely,



Andie Adame
Senior Project Manager
Craig Lawson & Co., LLC
8758 Venice Boulevard, Suite 200
Los Angeles, CA 90034
(310) 838-2400 ext. 106
FAX (310) 838-2424

cc: via email
Nancy Burke, Kaiser Foundation Health Plan, Inc.

COMMENT LETTER NO. 9

Comments on the West Adams Area Community Plan EIR

- Page 15 says that the 2010 Bike plan for the City of Los Angeles has not been adopted. The plan has been adopted according to the City's website: <http://www.bicyclela.org/>
- Please insert language describing the outreach process used to get feedback on the scenarios and the extent to which the scenarios were modified in response to the outreach.
- Rather than "consider developing and adopting a pedestrian master plan," language should be added to the Community Plan stressing the need for such a plan (citywide) and paying attention to sidewalk needs in TOD and in non-TOD corridors. The city has a tremendous backlog of sidewalk repair and maintenance needs. It would be counterproductive to ignore these needs while investing billions of dollars in transit and transit oriented development.
- The assessment of mid-block pedestrian safety should be included or coordinated with the development of a pedestrian master plan, including any measures that address and reduce conflicts between pedestrians and motorized transportation.
- The TIMP, especially as related to parking and zone changes, should consider and support the needs of local small businesses and should minimize detrimental impacts on the same.
- For the commercial corridors, include objectives that require the consideration of local goods movement, delivery truck traffic, and loading docks and zones. New/proposed/future developments should be required to incorporate these elements in order to be granted permits.

4-15-20

- The TDF model was modified from the 2005 model and calibrated to 2008 traffic conditions. The 2005 model underestimated 2008 conditions with an error range of -3 percent to -9 percent. How does the underestimating of the traffic relate to the Great Recession which began in 2008? Was the model calibrated with actual 2008 data (e.g., unemployment) on the effects of the downturn? The 2008 model should be based on the most accurate and up-to-date data in order to be reliable in projecting 2030 conditions.
- In the section marked Estimation of Trip Reduction, please show data on the trips by bus, rail and non-motorized transportation.

Page 8

- Paratransit services are not considered in the Community Plan. Please identify the rationale for not documenting paratransit services.
- Table 2.2 page 33 – These numbers are for motorized vehicles only. Please discuss bus, rail and non-motorized transportation indicators. And please put the metrics in context. How does the system operate system-wide as well as in the Plan Area?
- Please develop a map which shows the current certified neighborhood council boundaries overlaid over any geographic, TIMP and other area of interest. The NCs were enabled through city charter and should be recognized officially as a part of the framework of planning.
- 5.3.2 – Outreach to Chambers of Commerce and business groups along the corridor is essential especially regarding strategies that involve parking and travel lane removal.

1 D. Varnado, Comments on the West Adams Community Plan EIR, November 13, 2012

- The Community Plan and TIMP can serve as a document to engage and inform affected communities. Please insert a table with selected strategies appropriate for reducing cut-through traffic and unwanted parking in affected neighborhoods. Before TODs are established, steps should be taken to prevent cut through traffic and unwanted parking impacts.
- Traffic conditions on collector streets should not be denigrated through the implementation of the TIMP, e.g., removal of lanes on major streets. Impacts are likely to be felt in adjacent neighborhoods.
- Please ensure that the Specific Plans for Crenshaw and Washington Boulevards have been integrated into the New West Adams Community Plan.
- Please ensure that any new land use designations and geographic analysis areas in the 2012 Community Plan can be compared to the land use designations and geographic areas of the 1998 Community Plan. Table of equivalencies and maps (as appropriate) should be created to facilitate the comparisons.
- Table 4.1 – In the notes and clarifications, please show the proposed bicycle, parking and other physical changes/ improvements on this table so that the reader can see how they are coordinated, the tradeoffs and any un-intended consequences.
- Some of the ROWs and roadbeds are being increased with the objectives to prioritize enhancement of the pedestrian realm. Please be more explicit. How does increasing the row and roadbed enhance the pedestrian realm? Also, there is no mention of Historic Preservation Overlay Zones in the objectives. The Plan should explicitly address and avoid impacts on HPOZs. It should ensure that the Community Plan's components are consistent with the HPOZ goals and objectives.

4.13 Population, housing and employment

- Figure 4.10-2. Residential Distribution. Please include a map that shows current (2008) population, employment and housing and a map that shows projected changes to 2030.
- Please develop a composite map identifying the 55 acres of vacant and undeveloped land, the commercial corridors, and the TOD areas where growth and development are planned. This will help readers visualize the impact of a 29.6 percent growth in housing, a 19.7 percent increase in population and a 18.6 percent increase in jobs between 2008 and 2030, all of which are higher than in the City overall.
- Please overlay the TIMP on this composite map. Please describe the performance of the system in the context of the new growth, and the impacts on neighborhoods, including cut-through traffic.
- The retail and service sector employment will see major growth between 2008 and 2030. How can the Community Plan, zoning, land use and General Plan amendments be used as tools to encourage job growth in a broader cross-section of the economy. Please discuss issues related to accomplishing this objective.
- Please create a map showing the distribution of affordable housing that is at risk and its relationship to existing transit and TOD locations.
- Of the affordable housing units needed in the city overall by 2030, the Plan should identify the number and percent that the West Adams Community Plan area is expected to absorb and relative

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totals and percentages for the other community plan areas in the City. Please discuss the rationale for the distribution.

- Page 12 – The West Adams Area already has higher densities than the city and county overall. With the increase in population designated for the Plan area, the jobs per house figure of .67 declines to .62 by 2030, resulting in fewer jobs per house overall--more people, but fewer jobs to go around. Already the persons per household figure is 2.92 in the West Adams Area. Does the City project that the workers per house will decrease? Please discuss.
- Projected population growth (and other changes) along the corridors must not be detrimental to the corridor or adjacent neighborhoods. It is highly desirable and essential that the character of existing stable neighborhoods be conserved and that neighborhood character be preserved.
- The Community Plan should be cognizant of the historic preservation overlay zones in Plan areas and should respect the tenets of these zones and associated specific plans.

TIMP - Appendix G Table 4.1 Street Reclassifications - Page 164

- **Washington Blvd. – Arlington to Crenshaw Blvd.** The West Adams Community should be coordinated with plans for economic development on Washington Boulevard. The street should become a thriving pedestrian and bike -oriented destination with attractive neighborhood stores, shops, restaurants, and amenities. Please discuss how land use/zoning code changes in combination with the Washington Boulevard Specific Plan and the Community Plan can support successful economic development in the corridor.

Page 173 - Adams Blvd.

- Why does the segment of Adams stop at 13th Avenue rather than continuing to the Bronson, the next block to the west? The residential neighborhood in question is the Avenues of West Adams; it includes Bronson Avenue.
- There is a Senior Citizen complex located on Bronson and 25th Street. Pedestrian safety is a concern in the Bronson/25th Street curve in front of the Senior Citizen Housing.
- Suggest that objectives specifically address safety and operational improvements, especially at Bronson and 25th Street, and at 6th and 10th Avenues. (Red light running is very common at 6th Avenue. Drivers are uncertain as to the legal vehicle movements at the 6th Avenue dogleg intersection. They frequently make right turns despite the "No right turn on red on 7th at Adams." Bus/car collisions occur at this intersection because of illegal turns.)
- Mid-block safety is a major concern in this residential area even with the crosswalk at 4th Avenue and West Adams. There is a bus stop at this location (4th Avenue). Several schools with hundreds of students are located on West Adams immediately to the east and west of Arlington. Turning movements from the Avenues onto West Adams is dangerous. Drivers on West Adams drive too fast. Drivers frequently ignore the time of day turn restrictions at Arlington and West Adams.
- Enhancing the pedestrian realm should explicitly address school zones, senior complexes, intersections and midblock safety.
- The Plan should discourage through-traffic on neighborhood streets, and the use of neighborhood streets to avoid signalized intersections and/or as an alternative to West Adams Blvd.

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COMMENT LETTER NO. 10

Reuben Caldwell <reuben.caldwell@lacity.org>

Comments to West Adams-Baldwin Hills-Leimert New Community Plan due 11.13.2012

1 message

Joyce Dillard <dillardjoyce@yahoo.com>

Tue, Nov 13, 2012 at 3:57 PM

Reply-To: Joyce Dillard <dillardjoyce@yahoo.com>

To: Reuben Caldwell <Reuben.Caldwell@lacity.org>

Alternative 1—No Project Alternative and Alternative 2—Proposed Project without Transit-Oriented Development (TOD) should not be listed as the Consolidated Plan is now tied to Transportation around TODs. If alternatives were chosen, you would eliminate any federal funding through most of the Consolidated Plan. This is false representation here.

Understated are the problems in Methane Zones. You state:

*When structures are built on or near landfills or naturally occurring natural gas fields, methane gas can penetrate the buildings' interiors and expose occupants to significant levels of methane. Methane Zones and Methane Buffer Zones in the West Adams CPA are shown in **Figure 4.8-2**. As shown, the largest concentration of methane is located in the northeast portion of the West Adams CPA, primarily north of the I-10 Freeway and east of La Brea Avenue. Another concentration of methane occurs in the Baldwin Hills area in the west/central portion of the West Adams CPA. There are also several smaller pockets of methane dispersed throughout the central portion of the West Adams CPA.*

This problem is more than landfill. It is unregulated fracking and out gassing. You have no testing of out gassing nor do you question fracking fluid and its impacts. Fault zones need to be laid over methane zones. Infrastructure needs to be analyzed for its age and condition. Any underground pipeline system needs to be analyzed for its safety. PHMSA has released information on Pipeline Safety Systems. May we refer you to Docket No. PHMSA-2011-0023-0001 Pipeline Safety: Safety of Gas Transmission Pipelines.

Consequently Air Quality and Water Quality are affected. Will the area comply with the Air Quality State Implementation Plan for the South Coast Basin. What is the impact on TMDL Total Daily Maximum Loads and the pollutants into the Receiving Waters? How are Soils analyzed to show benefit by use of LID Low Impact Development.

What is the Watershed Management approach to other than stormwater. Will Beneficial Uses be affected in the Coastal Los Angeles Basin Plan.

Your population figures do not reflect USC expansion plans including increase in student population and the related impacts of density.

Joyce Dillard

P.O. Box 31377

Los Angeles, CA 90031

COMMENT LETTER NO. 11



November 12, 2012

Mr. Reuben N. Caldwell, AICP
City of Los Angeles Department of City Planning
200 North Spring Street, Room 667
Los Angeles, CA 90012

VIA ELECTRONIC MAIL (Reuben.Caldwell@lacity.org) and FEDERAL EXPRESS

RE: West Adams-Baldwin Hills-Leimert New Community Plan Draft Environmental Impact Report (DEIR) dated September 2012

Dear Mr. Caldwell:

PXP has reviewed the West Adams-Baldwin Hills-Leimert New Community Plan (Plan) and the associated DEIR and respectfully submit the enclosed comments for the Department's consideration. With respect to our Inglewood Oil Field (IOF), PXP encourages the City to pay close attention to ensuring that the proposed Community Plan Update is consistent with the County of Los Angeles Baldwin Hills Community Standards District (CSD), and the associated Settlement Agreement which govern operations at the IOF. Additionally, the Plan boundaries include PXP's Las Cienegas production facility located at 3304 W. Washington Boulevard. PXP does not believe that the revised land use designation proposed in the draft plan for this facility is appropriate. As noted in our formal comments, we request that an appropriate land use designation and policies be applied to this property to ensure the future economic benefit of the land and existing and future operational feasibility.

PXP operates the IOF, the majority of which is located in the Baldwin Hills unincorporated area of Los Angeles County (a small portion of the field is within the jurisdiction of the City of Culver City). The IOF has played an integral role in the history of oil production in the Los Angeles Basin and continues to be a steady source of domestic oil and natural gas. The IOF is the 2nd most productive oil field in the entire Los Angeles Basin.

With technological advancements in the oil and gas industry, PXP's professional engineers estimate that as much as 50% of the field's oil resources remain in place in producing zones and can be readily accessed through drilling and production activities. These resources will continue to ensure the IOF supplies Southern California's refineries with oil for decades to come, offsetting their need to import supplies from Venezuela and the Middle East.

As you know, the IOF is subject to the requirements of the county's CSD and associated Settlement Agreement, which together provide the most comprehensive, local regulations ever implemented for an oil field in California. The guidelines put forth in the CSD and Settlement Agreement are unique to the IOF and regulate nearly every aspect of the oil field's daily operations through 2028. The County of Los Angeles completed a comprehensive Environmental Impact Report on the CSD and then worked diligently with the community, other stakeholders and PXP to ensure its successful implementation. PXP has successfully operated

Plains Exploration & Production Company

5640 South Fairfax Avenue ■ Los Angeles, CA 90056 ■ 323.298.2200 ■ Fax: 323.293.2941

Mr. Reuben N. Caldwell, AICP
City of Los Angeles Department of City Planning
November 12, 2012
Page 2

under the terms of the CSD since its adoption in 2008 without incurring a single violation of the ordinance.

Through its adoption and eventual settlement of the litigation surrounding the ordinance, the CSD recognized and validated PXP's existing and future operational and development needs. The CSD established a rigid framework that regulates, yet allows new oil field development to occur. Given the extraordinary amount of effort that went in to establishing this long term regulatory framework, we believe it is essential and in the City's best interests to ensure the Community Plan Update is consistent with the CSD and Settlement Agreement. As noted in our formal comments, we would also urge the City's Plan to recognize the significant number of studies that have been conducted as a requirement of the CSD and the ongoing monitoring that the ordinance requires on an annual basis.

Finally, the draft Plan makes multiple references to future use of the IOF as a park. As noted in our formal comments, PXP believes any such reference or formal statements as to whether or not the oil field will be turned into a park are premature. There are a number of different families with ownership interests that comprise the IOF. Discussions about the future use of the land for anything other than oil production has a direct bearing on the property rights of these landowners and we urge the City to ensure that this fact is recognized in the Plan.

PXP is also the operator for the Las Cienegas facility within the jurisdiction of the City of Los Angeles and the boundaries of this Plan. The Plan re-designates this property from "commercial manufacturing" to "neighborhood commercial." Re-designating the land as "neighborhood commercial" is inconsistent with the existing use and operations and could negatively impact future operations if imposed. Accordingly, we request that this property retain its current designation or be re-designated with a more appropriate "industrial" designation.

Thank you in advance for your consideration of our comments. Please feel free to contact me should you have any questions.

Sincerely,

A handwritten signature in blue ink that reads "Candace Salway".

Candace Salway
Manager, Environmental, Health & Safety

Enclosure

cc: Steve Rusch, Vice President EH&S and Government Affairs
Stephen Burke, Manager Land
John Martini, Manager EH&S
Laura Vlk, Sr. Specialist EH&S
Jennifer Cox, Landman
Rae Connet, Contract, Land

**PXP Comments to the
West Adams-Baldwin Hills-Leimert Community Plan
and Associated DEIR dated September, 2012**

DEIR COMMENTS

1. Figure 4.4-1 and 4.4-2: The IOF is not within the City's jurisdiction; hence, the Biological Resource Area designation of the IOF is inappropriate and should be removed.
2. Figure 4.6-2: The IOF is not within the City's jurisdiction; hence, the inclusion of liquefaction areas on the IOF is inappropriate and should be removed.
3. Figure 4.6-3: The IOF is not within the City's jurisdiction; hence, the landslide zone designations on the IOF are inappropriate and should be removed.
4. Figure 4.8-2: The IOF is not within the City's jurisdiction; hence, the methane zone designations on the IOF are inappropriate and should be removed.
5. Page 4.8-20: The IOF is not within the City's jurisdiction; hence, the reference to Baldwin Hills in the text under "Methane Gas" should be deleted.
6. Page 4.11-3: This text should be updated so it is consistent with the CSD and associated Settlement Agreement.
7. Figure 4.14-3: Move the #3 box out of the boundaries of the IOF and into Kenneth Hahn State Recreation Area. The IOF is not a part of the park nor is it scheduled to be.
8. Page 4.14-26, Table 4.14-13: The Kenneth Hahn State Recreation Area is listed as only 285.9 acres. In 1965, the Baldwin Hills Regional Park Plan was adopted, which identifies a future Baldwin Hills Regional Park of 230 acres. Note that the Kenneth Hahn State Recreation Area has already exceeded its planned size of 230 acres. Today it makes up approximately 380 acres including the ball and soccer fields area which are located at 5401 S. Fairfax Ave. Excluding the ball and soccer fields, the State Recreation Area currently encompasses 308 acres. Please update this table and associated analysis accordingly.

PLAN COMMENTS

9. Page 2-9: The Mia Lehrer drawing is inappropriate for inclusion into the Plan as it depicts the IOF as a park. The IOF is not a park, is not designated to be a park, and there are no plans in the foreseeable future to convert it into a park. A significant portion of the land within the boundaries of the IOF is privately owned by a number of different families. The various land owners have publicly and consistently stated their intention to protect their legal private property rights against any forced effort to convert their land in to a park. Given the private property rights at stake with this topic, we recommend that the drawing be removed from the Plan.

10. Figure 3-1: The Proposed General Plan Land Use Map designates PXP's Las Cienegas facility located at 3304 W. Washington Blvd. as "public facilities." Figure 5-5 further designates this site as "neighborhood commercial." In accordance with Figure 3-4 of the DEIR, the existing land use designation of this property is "commercial manufacturing." Re-designating the land as "neighborhood commercial" is inconsistent with the nature of the operation, and could negatively impact future operations if an incompatible designation is imposed by the City. Accordingly, we request that this property retain its current designation, or be designated into a more appropriate "industrial" land use designation.
11. Page 3-113: We urge the City to incorporate text to the Plan that identifies how successful the CSD has been in limiting impacts from operations at the IOF on the surrounding neighborhood. The L.A. County Department of Regional Planning can be a resource in this regard.
12. Policy LU 74-1: The draft plan contains language advocating that additional studies be done for the IOF operations. The language ignores the fact that multiple studies have been conducted, and are done on an annual basis, as a result of the CSD and subsequent settlement agreement. We recommend the language be deleted or at a minimum refer explicitly to the corresponding provisions in the CSD and settlement agreement to avoid any redundancy or regulatory confusion.
13. LU 74-2: The draft policy does not take into account the terms of the CSD Settlement Agreement PXP, L.A. County and a number of community stakeholder groups entered in to on July 15, 2011. A copy of the settlement agreement is attached for the City's reference. The Settlement Agreement includes measures that further restrict the number of wells that may be drilled per year (thereby satisfying sub policy A), augments DOGGR requirements on well plugs (wells abandoned at the IOF utilize a 150' well plug above and beyond the DOGGR required 25-foot surface plug), requires that a study be done of the electrical distribution facilities within the IOF boundaries (which satisfies sub-policy D), and accelerated implementation of the Landscape Plans (satisfying sub-policy E). Furthermore, the CSD itself requires compliance with a site specific Habitat Restoration and Revegetation plan (providing compliance with sub-policy F). Finally, it should be noted that the CSD contains provisions that require the county to conduct a review of existing oil field operations when production falls below a designated threshold. The CSD also establishes a "Multiple Agency Coordination Committee" (MACC) which provides a forum for all the various regulatory agencies with jurisdiction over the IOF to coordinate regulatory activities and share observations. Since the CSD covers these provisions, language in the City's draft plan is redundant and could potentially create conflicting standards. We recommend the language in the draft plan that relates to "end date for drilling" and establishment of additional coordinating committees be deleted or, at a minimum, refer explicitly to the corresponding provisions in the CSD.

SETTLEMENT AGREEMENT AND MUTUAL RELEASE

This Settlement Agreement and Mutual General Release (hereinafter "Agreement") is entered into as of July 15, 2011 by and between Community Health Councils, Inc., Natural Resources Defense Council, Mark Salkin, the City of Culver City ("City"), Citizens Coalition for a Safe Community and Concerned Citizens of South Central Los Angeles (hereinafter collectively "Petitioners"), the County of Los Angeles (hereinafter "County") and Plains Exploration & Production Company (hereinafter "PXP"). All parties may be referred to herein as Parties or Party.

RECITALS

- A. This Agreement is entered into with respect to the following four consolidated cases (hereinafter collectively the "Consolidated Cases"), each of which was filed in the Superior Court of the State of California, County of Los Angeles:
- i. Lead case *Community Health Councils, Inc., Natural Resources Defense Council and Mark Salkin, petitioners, v. County of Los Angeles, respondents, and Plains Exploration and Production Company, et al., real parties in interest* (Case No. BS118018);
 - ii. *City of Culver City, petitioner and plaintiff, v. County of Los Angeles, Los Angeles County Board of Supervisors, respondents, and Plains Exploration and Production Company, et al., real parties in interest* (Case No. BS118023);
 - iii. *Concerned Citizens of South Central Los Angeles, petitioner, v. County of Los Angeles, respondents, and Plains Exploration and Production Company, et al., real parties in interest* (Case No. BS118039); and
 - iv. *Citizen's Coalition for a Safe Community, petitioner, v. County of Los Angeles, Board of Supervisors of the County of Los Angeles, respondents, and Plains Exploration and Production Company, et al., real parties in interest* (Case No. BS118056).
- B. On October 28, 2008, the County, by and through its Board of Supervisors (hereinafter "Board"), approved the Baldwin Hills Community Standards District ("CSD"), an amendment to its zoning code establishing development standards and operating procedures for oil and gas production operations for the unincorporated portion of the Inglewood oil field ("Oil Field") located in the Baldwin Hills Zoned District, which took effect on or about December 1, 2008 and remains in effect. The Board certified the Final Environmental Impact Report ("EIR") for the proposed CSD on October 21, 2008. PXP

had filed an application for establishment of the CSD pursuant to Title 22 of the Los Angeles County Code ("County Code").

- C. Petitioners filed the petitions for writs of mandate identified in paragraph A above under the California Environmental Quality Act ("CEQA") challenging, among other things, the adequacy of the EIR and the Board's approval of the CSD, naming the County or the County and the Board as Respondents and PXP as Real Party in Interest. Thereafter, certain property owners were named as Real Parties in Interest ("Landowners").
- D. The Parties desire to resolve certain matters, including any and all claims raised in the Consolidated Cases and/or arising out of, or related to, or connected with the matters referred to in paragraph B above, by way of compromise.
- E. This Agreement relates to all claims and disputes presented in the Consolidated Cases that may exist as of the date of this Agreement and any and all other claims and disputes that exist between, in any combination, the County, PXP, and Petitioners that concern or in any way relate to the Board's approval of the Baldwin Hills CSD and certifications of its EIR referred to in paragraph B above.

TERMS OF SETTLEMENT

NOW, THEREFORE, in consideration of the facts recited above and the covenants, conditions, and promises contained herein, the Parties agree as follows:

1. *Slant Drilling.*
 - a. *Deep Zone Wells.* Pursuant to the CSD, PXP is required to develop and submit to the County an annual drilling, redrilling, well abandonment and well pad restoration plan (hereinafter "Annual Drilling Plan"). For any and each well that PXP proposes to drill where the Top Hole (as defined in paragraph 1.e below) is closer than 800 feet to a Sensitive Developed Area (as defined in paragraph 1.e below) and the Bottom Hole (as defined in Paragraph 1.e below) is located in any deep zone (presently identified as the Nodular Shale and Sentous zones and any other zones approximately 8,000 feet or deeper), as a supplement to its Annual Drilling Plan ("Deep Zone Supplement"), PXP will provide a study of the technical feasibility and commercial reasonability of Slant Drilling (as defined in paragraph 1.e below) each of the new deep zone wells in order to locate the Top Hole of any such well away from any Sensitive Developed Area in order to further mitigate potential impacts to such Areas. The Deep Zone Supplement will be reviewed by the County and County-retained expert or experts as part of the County's review of the Annual Drilling Plan. This study will provide a narrative to justify the proposed surface location and shall provide sufficient detail to allow the County to review the extent to which it may be technically feasible and commercially reasonable to locate the Top Hole away from Sensitive Developed Areas in order to further mitigate potential impacts to such Areas and still reach the targeted Bottom Hole location. PXP shall provide to the County any additional information as may be reasonably requested by the County or its expert which is necessary to complete its review. If such information is considered proprietary, the County and its expert will enter into a confidentiality agreement with PXP to protect such information. The narrative will be reviewed by the Director of Regional Planning prior to the approval of the Deep Zone Supplement. If approved by the Director, PXP will Slant Drill in order to locate the Top Hole away from Sensitive Developed Areas consistent with the narrative prepared by PXP that justifies the surface location.

- b. *Mid-Zone Wells.* For wells where the Top Hole is closer than 800 feet to a Sensitive Developed Area and the Bottom Hole is located in a mid-zone (approximately 3,500 to 7,999 feet deep, presently identified as the Rubel, Moynier, Bradna and City of Inglewood zones), PXP shall document such locations in a supplement to the Annual Drilling Plan ("Mid-Zone Supplement"). PXP shall use commercially reasonable efforts to locate new mid-zone wells and well pads away from Sensitive Developed Areas in order to further mitigate impacts to such Areas. The Mid-Zone Supplement shall explain why it is not technically feasible and commercially reasonable to locate the Top Hole away from Sensitive Developed Areas in order to further mitigate impacts to such Areas. The referenced mid-zone well pad assessment will be reviewed by County-retained experts and the County. PXP shall provide to the County any additional information as may be reasonably requested by the County or its expert which is necessary to complete its review. If such information is considered proprietary, the County and its expert will enter into a confidentiality agreement with PXP to protect such information. The County shall approve the mid-zone well locations as part of its review of the Mid-Zone Supplement if consistent with this paragraph.
- c. *Shallow Wells.* Drilling of wells where the Bottom Hole is less than approximately 3,500 feet deep (hereinafter "Shallow Wells") and above the zones identified in 1(b) as mid-zones, shall be located away from Developed Areas (as defined in the CSD) and shall be identified in the Annual Drilling Plan. Drilling of Shallow Wells may proceed pursuant to said drilling plan after the County approves the portion of the Annual Drilling Plan related to Shallow Wells as set forth in the CSD.
- d. *Supplement Review.* Upon receipt, the County shall promptly forward the Drilling Plan Supplements ("Supplements" defined to be a Deep Zone Supplement, a Mid-Zone Supplement, or both) filed by PXP to the Community Advisory Panel ("CAP") established pursuant to the CSD for its review and comment. The County will allow the CAP or CAP members two weeks from the date the County provided Supplements to the CAP to provide their written comments on the Supplement to the County. The County may review and approve the Annual Drilling Plan and related Supplements in phases consistent with the terms herein, but shall conduct its review of the Annual Drilling Plan and Mid-Zone Supplement within 45 calendar days after their submission to the County and either approve the Supplement or provide PXP with a list of deficiencies within that 45-day timeframe as set forth in the CSD. The Drilling Plan Supplements will only include the study referenced in 1(a) and other relevant or required information related to the location of proposed wells. The County

shall conduct its review of the Deep Zone Supplement within 45 calendar days after its submission and either approve the Supplement or provide PXP with a list of deficiencies within that 45-day timeframe after considering any timely CAP comments concerning the Deep Zone Supplement. The County will not delay its review of the Annual Drilling Plan or any supplements thereto. PXP may drill any wells approved under the Annual Drilling Plan regardless of the status of the County's review of the Supplements. Similarly, PXP may drill any wells approved under a Supplement regardless of the status of the Annual Drilling Plan review and approval. Changes to well pad locations that result from review of the Supplements will not require resubmittal of the Annual Plan or delay any drilling under the Annual Plan, beyond the time necessary to implement such changes.

- e. *Definitions.* "Top Hole" shall mean the surface location from which drilling is commenced. "Bottom Hole" shall mean the underground location at which drilling terminates. "Slant Drilling" shall mean non-vertical drilling, directional drilling, or drilling at a relatively significant angle. "Sensitive Developed Area" shall mean a lot or parcel that contains a single or multi-family residence, existing park, school or health care facility.
- f. *Environmental Consideration.* The County shall lessen or disapprove any otherwise required Slant Drilling if more remote drilling would result in more significant adverse environmental impacts on balance and the County shall consider any timely comments by the CAP assessing this balance.
- g. *Non-interference.* This paragraph 1 of the Agreement shall be construed in connection with the entire CSD. Except as expressly set forth above, this paragraph shall not be construed to interfere with PXP's business in the Oil Field.

2. *Noise.*

- a. The CSD currently provides that hourly, A-weighted equivalent noise levels associated with drilling, redrilling and reworking wells shall not elevate baseline levels (which shall not include drilling, redrilling or reworking operations) by more than five A-weighted decibels ("dBA") at the Oil Field boundary of any Developed Area. Instead of the referenced five dBA provision, PXP shall limit the night time (10 p.m. to 7 a.m.) noise levels at Developed Areas to no more than three dBA above a one-hour baseline average for the defined nighttime period, but at no time will PXP be required to maintain noise levels below the baseline nighttime noise levels. Furthermore, PXP and the County determined the baseline noise levels at four additional Oil Field boundary locations near Developed Areas,

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selected by PXP and the County, in addition to the seven utilized in the EIR for a total of 11 locations. If PXP violates the above noise requirements, no new drilling or redrilling permits shall be issued by the County until PXP, in

consultation with the County, identifies the source of the noise and PXP takes steps necessary to assure compliance with the above-specified threshold.

- b. If drilling, redrilling or reworking operations elevate nighttime baseline noise levels by more than 10dBA for more than 15 minutes in any one hour as independently verified and determined by the County, PXP, in consultation with the County, shall identify the cause and source of the noise and take steps to avoid such extended periods of noise elevation in the future. This provision does not negate the CSD noise limits between 7 a.m. to 10 p.m.
- 3. *Number of Drill Rigs.* Notwithstanding the CSD's allowance for operation of a maximum of three drill rigs at any one time on the Oil Field, PXP shall limit to two the number of drill rigs in use at any one time.
 - 4. *Number of wells.* Notwithstanding the aggregate and annual well-drilling limits in the CSD, PXP shall comply with the following limits:
 - a. Notwithstanding Section 22.44.142.H of the CSD, no more than 500 new wells (inclusive of Bonus Wells and wells drilled since approval of CSD) shall be drilled pursuant to the CSD (hereinafter "Director's Review") through October 1, 2028, or during the remaining life of the CSD, whichever is later.
 - b. Until such time as PXP has drilled or redrilled 50 wells since the adoption of the CSD, or 24 months from the date of this Agreement, whichever is sooner ("Time Period One"), no more than 30 wells may be drilled or re-drilled in any calendar year pursuant to a Director's Review as set forth in the CSD (hereinafter Director's Review). At the end of Time Period One, and if the County determines, pursuant to its review of the CSD by the Director of Regional Planning, that the CSD has been effective in protecting the health, safety, and general welfare of the public, thereafter (the "Full Operational Period") no more than 35 wells may be drilled or re-drilled in the calendar year pursuant to Director's Review.
 - c. In Time Period One, for each well abandoned within 800 feet of any Developed Area (the "800-foot zone") by PXP since adoption of the CSD and in full compliance with the California Department of Conservation's Division of Oil, Gas

HOA.745073.2

and Geothermal Resources ("DOGGR") standards for abandonment at the time of abandonment, PXP may drill two additional new wells outside of the 800-foot zone (hereinafter "Bonus Wells"), up to a maximum of 45 drilled and re-drilled wells (30 wells plus 15 Bonus Wells) in any calendar year within Time Period One pursuant to Director's Review and subject to review and approval in the Annual Drilling Plan. Subject to the annual and aggregate limits on number of wells, Bonus Wells earned by abandonment may be drilled at any time during the life of the CSD.

- d. In the Full Operational Period, for each well abandoned within the 800-foot zone, PXP may drill two additional new wells outside the 800-foot zone up to a maximum of 53 drilled and re-drilled wells (35 wells plus 18 Bonus Wells) in that year pursuant to Director's Review and subject to review and approval in the Annual Drilling Plan. Subject to the aggregate and annual limits on number of wells, Bonus Wells earned by abandonment may be drilled at any time during the life of the CSD.
 - e. The Developed Area as used in the CSD with respect to the 400-foot buffer zone (Section 22.44.142.E.) shall remain unchanged (static or fixed) from what it was determined to be on the effective date of the CSD.
5. *Health Assessment and Environmental Justice Study.* The County shall complete a Community Health Assessment of the communities surrounding the Oil Field which shall include an Environmental Justice component by June 2012 and ensure additional assessments are completed every five to seven years throughout the life of the CSD. In future Community Health Assessments, the County Department of Public Health ("Public Health") shall review other agencies' reports regarding air quality, water quality and seismic data, where feasible, in its assessment. Public Health will analyze the information by socio-economic and demographic data to accommodate and reflect an Environmental Justice component. The Community Health Assessment shall include, but not be limited to, an analysis of cancer rates, mortality rates, birth outcomes and a survey of other pertinent health indicators. The County will consult with the CAP and the Health Working Group regarding the Community Health Assessment and consider reasonable comments by the CAP and the Health Working Group. Public Health will comply with all applicable state and federal requirements including Title VI of the Civil Rights Act of 1964 and corresponding regulations, and California Government Code Section 11135 and corresponding regulations.
6. *Clean Technology Assessment.* The CSD requires PXP to consider proven reasonable and feasible technological improvements which are capable of reducing the

environmental impacts of drilling and re-drilling. (County Code section 22.44.142.E.26.f) The CSD also requires that the Annual Drilling Plan include a discussion of the latest equipment and techniques that are proposed for use as part of its drilling and re-drilling program to reduce environmental impacts. (County Code section 22.44.142.E.26.c.ix) Pursuant thereto, PXP shall address in each Annual Drilling Plan the availability and feasibility of the use of natural gas-powered drill rigs or other technology capable of reducing environmental impacts, for the drilling of wells proposed in the Annual Drilling Plan (collectively "Clean Technology"). During the Periodic Review provided in 22.44.142 G.7, the County will evaluate such technology for brand new equipment that PXP intends to lease, acquire or otherwise use and require PXP to implement such technology to the extent the technology is feasible and available on a commercially reasonable basis.

7. *Electrical Distribution Study.* The County will propose to Southern California Edison ("SCE") and the Los Angeles Department of Water and Power ("DWP") that a study be conducted in cooperation with SCE, DWP, the County and PXP regarding opportunities to streamline and consolidate electrical lines distributed throughout the Oil Field and that SCE and DWP each fund one-fourth of the cost of such study. PXP will fund one-fourth of the cost of any such study. The County will fund one-fourth of the cost of any such study.
8. *Air Quality Monitoring.* Supplemental to the air monitoring required by the CSD, the County will develop and implement an air quality monitoring plan that takes into consideration review and comments from Petitioners, interested stakeholders and the public. Such air monitoring shall be designed to assess the risk of both acute and chronic exposure to air contaminants from Oil Field operations, and endeavor to determine and distinguish the source of emissions, to the extent feasible, using available and affordable monitoring technology. Such air monitoring may be performed by SCAQMD, or an independent qualified consultant selected by County, and shall be commenced within 12 months of the date of this Agreement. The protocol for the air monitoring plan shall be peer reviewed prior to commencement. The plan shall be completed, and a peer reviewed report issued, within 12 to 24 months after commencement. The County commits to spending up to \$250,000 of its own funds toward implementing the plan and shall use reasonable efforts to seek additional funding sources, if necessary, to implement the plan. PXP shall reasonably cooperate with SCAQMD, the County and/or the independent consultant regarding any and all air monitoring related to the Oil Field.
9. *Back-Up Flare.* The CSD (County Code section 22.44.142.L.5.b) allows PXP to maintain its existing gas plant flare as back-up equipment at the facility's gas plant after

a new flare is permitted and installed. PXP and the County agree that this provision of the CSD allows only one gas plant flare to be operated at one time at the Oil Field. PXP shall comply with said limitation of only one gas plant flare operating at one time at the Oil Field. PXP shall install and have operational the new flare within 180 days of receiving the SCAQMD permit or at such later date as approved by the Director of Regional Planning for good cause shown.

10. *Well Plugs.* DOGGR requires oil field operators to utilize a minimum 25-foot cement surface plug at the top of a well when abandoning any such well pursuant to Title 14 of the California Code of Regulations section 1723.5. To augment this requirement, for all wells abandoned at the Oil Field from the date of this Agreement, PXP shall utilize a total of 150-foot cement surface plug.
11. *Landscaping.* PXP agrees to prepare and implement a series of landscape plans ("Landscape Plans") that enhance the Mia Lehrer Landscape Improvements Concepts plan dated November 4, 2008 to include, but not be limited to, landscaping along or near the border of the Oil Field in consultation with the County and subject to the County's approval. PXP's Landscape Plans shall be forwarded to the CAP for review. PXP will use best efforts to complete installation of the first two phases of the Landscape Plans along La Brea, between Stocker and Slauson, and Ladera Crest, within nine (9) months of County's final approvals of each of those first two Landscaping Plans using best landscaping practices. PXP agrees that it will complete the entire landscaping required by the County-approved Landscape Plans within three years after approval by the County of the final phase.
12. *Clean-Up Plan.* The CSD requires PXP to decommission and remove facilities that have reached the end of their useful economic life (County Code section 22.44.142.E.21.a) and submit to the County for its approval an unused or abandoned equipment removal plan (County Code section 22.44.142.L.14). PXP has submitted such a plan in 2009 and shall periodically update the plan should additional equipment, not identified in PXP's original removal plan, become unused or abandoned. Equipment and materials not necessary to oil field operations as identified by the Director of Planning shall be promptly removed from view of Sensitive Developed Areas as addressed in the plan.
13. *Fraccing Study.* PXP shall pay for an independent consultant to conduct a study of the feasibility and potential impacts (including impacts to groundwater and subsidence) of the types of fracturing operations PXP may conduct in the Oil Field. The study will also consider PXP's historic and current use of gravel packing. Such study will be completed within twelve (12) months of the date of this Agreement. Such study and all

the back-up information for such study shall be provided to a qualified peer reviewer selected by the County and PXP, who shall review the study, back-up materials, and conclusions for completeness and accuracy. PXP must provide the independent expert with all materials requested and reasonably necessary for an accurate and verifiable study. The peer reviewer will be provided with access to all the data and materials provided to the independent expert. The peer reviewer shall agree to keep all proprietary information confidential. If the peer reviewer determines that the study is materially inadequate, incomplete or inaccurate, it shall so advise PXP's consultant who will complete the study as reasonably recommended by the peer reviewer and provide the revised study to the peer reviewer within 90 days. Upon acceptance by the peer reviewer, the study and all supporting material, including comments by the peer reviewer, shall be forwarded to the County, DOGGR, the Regional Water Quality Control Board ("RWQCB"), CAP and Petitioners and be available to the public, with any proprietary information redacted.

14. *CSD Review Based On Reduced Production.* When production drops to three percent of the estimated peak production to date of 21,000 barrels of oil per day, the County will review the CSD to consider whether modifications or closure of the Oil Field is necessary or appropriate or at such earlier date as the County determines is appropriate.
15. *CSD Provisions.* The CSD and all of its standards and requirements remain in full force and effect except to the extent that PXP has agreed to be limited by stricter or more rigorous controls or standards as reflected in this Agreement. Nothing herein shall limit or abrogate the County's discretion in amending the CSD, or other action pursuant to the County's legislative or police powers, to impose more restrictive requirements. This Agreement neither establishes nor abrogates any vested rights to drill new wells in the Oil Field. The County will provide written guidance on the additional limits and controls regarding operation of the Oil Field which are required by this Agreement to County staff and departments responsible for implementing the CSD and enforcing the CSD, and any other personnel the County deems necessary. The County shall recirculate this written guidance on an annual basis.
16. *General Releases between Petitioners and County.* In consideration of the terms and provisions of this Agreement, the County and Petitioners on behalf of themselves and their respective predecessors, successors, heirs, assigns, owners, attorneys, affiliates, parent corporation(s), divisions, officers, directors, employees, agents, representatives, partners, servants, executors, administrators, shareholders, board, councils, commissions, department, members, and each of them, in any and all capacities, do hereby mutually relieve, release and forever discharge the others and their respective predecessors, successors, heirs, assigns, owners, attorneys, affiliates, parent

corporation(s), divisions, officers, directors, employees, agents, representatives, partners, servants, executors, administrators, shareholders, board, councils, commissions, departments, members, and each of them, in any and all capacities, of and from all claims, rights, debts, liabilities, demand, obligations, liens, promises, acts, agreements, costs and expenses (including, but not limited to, attorneys' fees, costs and interest), damages, actions and cause of action, of whatever kind or nature (including without limitation, any statutory, civil or administrative claim, or any claim, arising out of acts or omissions occurring before the execution of this agreement), whether now known or unknown, suspected or unsuspected, fixed or contingent, apparent or concealed, relating to the Board's certification of the EIR and approval of the CSD; PROVIDED, HOWEVER, that this mutual release is not intended to and shall not constitute a release of the Parties' rights, obligations or warranties under this Agreement nor the rights and obligations of the County under the provisions of, or as set forth in, the CSD subject to the terms of paragraph 15. This release shall become final and take effect as to all Parties at the time upon which dismissals are to be filed pursuant to paragraph 28. Nothing herein shall release any claim for personal injury property damage or other claims, including any claim for nuisance, arising out of or related to acts or omissions in the operation of the Oil Field. Nothing herein shall release any claim or limit any right to challenge any future approval or action by the County, or other agency, relating to the CSD or the Oil Field.

17. *General Releases between Petitioners and PXP.* In consideration of the terms and provisions of this Agreement, PXP and Petitioners on behalf of themselves and their respective predecessors, successors, heirs, assigns, owners, attorneys, affiliates, parent corporation(s), divisions, officers, directors, employees, agents, representatives, partners, servants, executors, administrators, shareholders, board, councils, commissions, department, members, and each of them, in any and all capacities, do hereby mutually relieve, release and forever discharge the others and their respective predecessors, successors, heirs, assigns, owners, attorneys, affiliates, parent corporation(s), divisions, officers, directors, employees, agents, representatives, partners, servants, executors, administrators, shareholders, board, councils, commissions, departments, members, and each of them, in any and all capacities, of and from all claims, rights, debts, liabilities, demand, obligations, liens, promises, acts, agreements, costs and expenses (including, but not limited to, attorneys' fees, costs and interest), damages, actions and cause of action, of whatever kind or nature (including without limitation, any statutory, civil or administrative claim, or any claim, arising out of acts or omissions occurring before the execution of this agreement), whether now known or unknown, suspected or unsuspected, fixed or contingent, apparent or concealed, relating to the Board's certification of the EIR and approval of the CSD; PROVIDED, HOWEVER, that this mutual release is not intended to and shall not

constitute a release of the Parties' rights, obligations or warranties under this Agreement nor the rights and obligations of PXP under the provisions of, or as set forth in, the CSD subject to the terms of paragraph 15. Notwithstanding anything herein to the contrary, no person or entity that has or acquires an interest in the Oil Field, but contends or is adjudicated to not be bound by this Agreement, notwithstanding the intent of the Parties that such persons or entities are so bound, shall not be entitled to the benefits of the releases herein. This release shall become final and take effect as to all Parties at the time upon which dismissals are to be filed pursuant to paragraph 28. Nothing herein shall release any claim for personal injury, property damage or other claims, including any claim for nuisance, arising out of or related to acts or omissions in the operation of the Oil Field. Nothing herein shall release any claim or limit any right to challenge any future approval or action by the County, or other agency, relating to the CSD or the Oil Field. Nothing in this Agreement shall affect the City's rights, police powers or authority to regulate that portion of the Inglewood oil field within Culver City, nor shall this Agreement affect PXP's rights and operations, of that portion of the Inglewood oil field within Culver City.

18. *Settlement of Claims for Attorneys' Fees and Costs.* In settlement of each of Petitioners' claims for attorneys fees and costs, PXP shall pay \$1,250,000 and County shall pay \$350,000 ("Payments"). Before the time provided in Paragraph 28 below for dismissal of the Consolidated Cases expires, Petitioners may elect to provide written notice to PXP and County that it intends to dismiss the Consolidated Cases and, if so, shall provide counsel for PXP executed requests for dismissal of the Consolidated Cases ("Requests"). PXP and County will make their respective Payments to the Greenberg Glusker Fields Claman and Machtinger LLP Client Trust Account by check or wire transfer (with instructions to be provided) within twenty (20) days after receipt of the notice and Requests unless that would result in payment sooner than 45 days after the County Board of Supervisors approves the settlement, in which case Payment will be delivered no later than the 45th day after Board approval. If the above-referenced notice is not provided, the Payments will be made at the expiration of the time provided in Paragraph 28 below with PXP and the County making their respective Payments to the Greenberg Glusker Fields Claman and Machtinger LLP Client Trust Account by check or wire transfer (with instructions to be provided) after the Requests have been delivered to counsel for PXP. In either case, counsel for PXP shall hold the Requests in trust until the Payments by PXP and County have been delivered to Greenberg Glusker Fields Claman and Machtinger and shall thereafter file the Requests with the Court.
19. *Parties Bound.* This Agreement shall inure to the benefit of and shall be binding upon the successors and assigns of the Parties to this Agreement, including any successors to

any rights of PXP to operate in the Oil Field, and each of them. This Agreement may be enforced by any Party to the Agreement.

20. *Integration.* The Agreement constitutes a single, integrated written contract expressing the entire agreement of the Parties relative to the subject matter hereof and, with the sole and exclusive exception of any contemporaneous or subsequent written agreement between the Parties hereto subscribed by them or their duly authorized officers or agents, all prior and contemporaneous discussions and negotiations have been and are merged and integrated into, and are superseded by, this Agreement. Thus, no covenants, agreements, representations, or warranties of any kind whatsoever, whether express or implied in law or fact, have been made by any Party, except as specifically set forth in this Agreement or any contemporaneous or subsequent written agreement between the Parties subscribed by them or their duly authorized officers or agents.
21. *Non-Assignment of Claims.* Each of the Parties represents and warrants that it has not assigned or transferred any portions of any claim or interest arising out of, related to, or connected with the matters referred to in paragraphs A, B and C of the Recitals in this Agreement to any other individual, firm, corporation or other entity and that no such individual, firm, corporation or other entity has any lien, claim or interest in any of such claims. Each Party shall indemnify each other Party, defend, and hold it harmless from and against any claims, rights, debts, liabilities, demands, obligations, liens, promises, acts, agreements, costs and expenses (including, without limitation, attorneys' fees and costs), damages, actions and causes of action, of whatever kind or nature (including, without limitation, any statutory, civil or administrative claim, or any claim, arising out of acts or omissions occurring before the execution of this Agreement) of whatever kind or nature, whether now known or unknown, suspected or unsuspected, fixed or contingent, apparent or concealed, arising out of, related to or connected with any such prior assignment or transfer, or any such purported assignment or transfer.
22. *Settlement of Disputed Claims.* The Parties explicitly acknowledge and covenant that this Agreement represents a settlement of disputed rights and claims and that, by entering into this Agreement, no Party hereto admits or acknowledges the existence of any liability or wrongdoing, all such liability being expressly denied. No provisions hereof, or of any related documents, shall be construed as any admission or concession of liability, or any wrongdoing or of any preexisting liability.
23. *Additional terms.* Each of the Parties represents, warrants and agrees as follows:
- a. Each of the Parties has received prior independent legal advice from legal counsel of its choice with respect to the advisability of making the settlement provided for

herein and with respect to the advisability of executing this Agreement. Each Party's attorney has reviewed the Agreement at length, made any desired changes, and signed the Agreement to indicate the attorney approved the Agreement as to form.

- b. Except for statements expressly set forth in this Agreement, no Party has made any statement or representation to any other Party regarding a fact relied upon by the other Party in entering into this Agreement and no Party has relied upon any statement, representation, or promise of any other Party, or of any representative or attorney for any other Party, in executing this Agreement or in making the settlement provided for herein.
- c. Each of the Parties has read the Agreement carefully, knows and understands the contents thereof, and has made such investigation of the facts pertaining to the settlement and this Agreement and of all matters pertaining hereto as it deems necessary and desirable.
- d. The terms of the Agreement are contractual, not a mere recital, and are the result of negotiations between the Parties.
- e. Each of the Parties to the Agreement agrees that such Party will not take any action which would interfere with the performance of this Agreement by any of the other Parties or which would adversely affect the rights provided for herein.
- f. This Agreement is intended to be final and binding between the Parties and further intended to be effective as a full and final accord and satisfaction between them as to any issue or claim arising out of, related to, or connected with the matters referred to in paragraphs A, B and C of the Recitals in this Agreement. Each Party relies on the finality of this Agreement as a material factor inducing that Party's execution of this Agreement.
- g. The failure by any Party to insist on performance of any of the terms or conditions of this Agreement shall not void any of the terms or conditions hereto, or constitute a waiver or modification of any of the terms or conditions hereto, nor be construed as a waiver or relinquishment by such Party of the performance of any such terms or conditions.
24. *Modifications.* No modification, amendment or waiver of any of the provisions contained in this Agreement, or any future representation, promise or condition in connection with the subject matter of this Agreement, shall be binding upon any Party

unless made in writing and signed by such Party or by a duly authorized officer or agent of Party, and except, that the County, as required by law, retains the right to amend the CSD, so long as done pursuant to the requirements of law.

25. *Execution.* This Agreement may be executed and delivered in any number of counterparts or copies ("Counterparts") by the Parties. Signatures may be provided via telefacsimile or electronically in PDF format. When each Party has signed and delivered at least one counterpart to the other Parties, each counterpart shall be deemed an original and, taken together, shall constitute one and the same Agreement, which shall be binding and effective as to the Parties.
26. *Authority to Execute.* Each Party executing this Agreement further represents and warrants that each has the full right and authority to enter into and perform this Agreement on behalf of the Party for whom each has signed and the full right and authority to bind fully said party to the terms and obligations (including, without limitation, the representations and warranties set forth herein) of this Agreement. The execution and delivery of this Agreement and the performance of the Parties' obligations have been or will be duly authorized by all necessary actions on the part of each of the Parties. This Agreement constitutes the legal, valid and binding obligations on, and of, the Parties.
27. *Covenant Not to Sue.* Each Party covenants not to assert any claim, right or defense that the Agreement is illegal, invalid, void or unenforceable and irrevocably waives any such claim, right or defense.
28. *Dismissal of Consolidated Cases.* Unless Petitioners elect to dismiss the Consolidated Cases sooner in accordance with Paragraph 18 above, within 180 days after execution of this Agreement by all Parties, Petitioners, and each of them, shall cause to be delivered to counsel for PXP the Requests; provided, however, that if a petition or other challenge to this Agreement has been timely filed, or is alleged to be, such Requests shall be delivered to counsel for PXP only if the petition or other challenge is unsuccessful and all avenues of appeal have been exhausted or the time has run to do so. PXP shall file the Requests after the Payments have been delivered as provided in Paragraph 18 above. After such time, the Parties shall take any other steps necessary to dismiss the Consolidated Cases. The Parties, through their counsel of record, shall sign the Stipulation and Proposed Order attached hereto as Exhibit B to be filed with the Court upon execution of this Agreement.
29. *Public Notice.* Following the execution of this Agreement, the Parties shall make an individual and/or joint public statement that shall include each of the elements of

Exhibit A. On an annual basis, the County shall schedule a public discussion at the CAP concerning this Agreement and the status of compliance with its terms. Additionally, the County shall post a copy of this Agreement on the County's Baldwin Hills Community Standards District webpage.

30. *Remedies for Breach.* The County will monitor and enforce PXP's compliance with the terms of the Agreement in the same manner and to the same extent as the County monitors and enforces the terms of the CSD.
 - a. The County shall not approve any Annual Drilling Plan nor any application for any new permits on the Oil Field, including any permit to drill or redrill any wells, if PXP is in violation of any of the material terms of paragraphs 1 – 4 and 11.
 - b. The terms of this Agreement may be enforced by bringing a breach of contract claim, or any other appropriate claim, in a court of competent jurisdiction.
 - c. Nothing herein shall be construed to limit any Parties' claims for damages or other relief, arising out of the breach of the terms of paragraphs 1 through 12 of this Agreement.
31. *Governing Law.* This Agreement shall be construed and enforced in accordance with the laws of the State of California where it is deemed to have been executed and delivered.
32. *Captions and Headings.* Captions and paragraph headings used herein are for convenience only. They are not a part of this Agreement and shall not be used in construing it.
33. *Survival.* Each and all of the covenants, representations and warranties of the Parties set forth in this Agreement shall survive the execution and delivery of this Agreement and the execution and delivery of any other document provided for herein.
34. *Good Faith Provision.* The Parties agree to cooperate fully, reasonably, and in good faith in the implementation of this Agreement. The Parties also agree to execute any and all supplemental documents, and to take all additional lawful and reasonable actions which may be necessary or appropriate to give full force and effect to the basic terms and to fully implement the goals and intent of this Agreement.

IN WITNESS WHEREOF, the Parties and their respective attorneys of record have approved and executed this Agreement on the dates specified below:

RESPONDENTS

COUNTY OF LOS ANGELES,
CALIFORNIA

Date: July 14, 2011

By: *Elaine M. Lemke* (for)
ELAINE M. LEMKE,
Principal Deputy County Counsel
Property Division

PETITIONERS

MARK SALKIN

Date: _____, 2011

MARK SALKIN, as an individual

COMMUNITY HEALTH COUNCILS, INC.

Date: _____, 2011

By: _____

NATURAL RESOURCES DEFENSE
COUNCIL

Date: _____, 2011

By: _____

[SIGNATURES CONTINUED ON NEXT PAGE]

IN WITNESS WHEREOF, the Parties and their respective attorneys of record have approved and executed this Agreement on the dates specified below:

RESPONDENTS

COUNTY OF LOS ANGELES,
CALIFORNIA

Date: _____, 2011

By: _____
ELAINE M. LEMKE,
Principal Deputy County Counsel
Property Division

PETITIONERS

MARK SALKIN

Date: July 14, 2011

Mark Salkin
MARK SALKIN, as an individual

COMMUNITY HEALTH COUNCILS, INC.

Date: _____, 2011

By: _____

NATURAL RESOURCES DEFENSE
COUNCIL

Date: _____, 2011

By: _____

[SIGNATURES CONTINUED ON NEXT PAGE]

IN WITNESS WHEREOF, the Parties and their respective attorneys of record have approved and executed this Agreement on the dates specified below:

RESPONDENTS

**COUNTY OF LOS ANGELES,
CALIFORNIA**

Date: _____, 2011

By: _____
ELAINE M. LEMKE,
Principal Deputy County Counsel
Property Division

PETITIONERS

MARK SALKIN

Date: _____, 2011

MARK SALKIN, as an individual

COMMUNITY HEALTH COUNCILS, INC.

Date: 7/13/2011, 2011

By: _____
[Signature]

**NATURAL RESOURCES DEFENSE
COUNCIL**

Date: _____, 2011

By: _____

[SIGNATURES CONTINUED ON NEXT PAGE]

IN WITNESS WHEREOF, the Parties and their respective attorneys of record have approved and executed this Agreement on the dates specified below:

RESPONDENTS

**COUNTY OF LOS ANGELES,
CALIFORNIA**

Date: _____, 2011

By: _____
ELAINE M. LEMKE,
Principal Deputy County Counsel
Property Division

PETITIONERS

MARK SALKIN

Date: _____, 2011

MARK SALKIN, as an individual

COMMUNITY HEALTH COUNCILS, INC.

Date: _____, 2011

By: _____

**NATURAL RESOURCES DEFENSE
COUNCIL**

Date: July 11, 2011

By: _____
[Signature]

[SIGNATURES CONTINUED ON NEXT PAGE]

Date: _____, 2011

CITY OF CULVER CITY

By: Michael O'Leary
MICHEAL O'LEARY, Mayor
**CONCERNED CITIZENS OF SOUTH
CENTRAL LOS ANGELES**

Date: _____, 2011

By: _____

**CITIZEN'S COALITION FOR A SAFE
COMMUNITY**

Date: _____, 2011

By: _____

REAL PARTY IN INTEREST

**PLAINS EXPLORATION & PRODUCTION
COMPANY**

Date: _____, 2011

By: _____

APPROVED AS TO FORM

**COUNTY OF LOS ANGELES OFFICE OF
THE COUNTY COUNSEL**

Date: _____, 2011

By: _____
ELAINE M. LEMKE
Attorneys for Respondents COUNTY OF
LOS ANGELES AND LOS ANGELES
COUNTY BOARD OF SUPERVISORS

[SIGNATURES CONTINUED ON NEXT PAGE]

Date: _____, 2011

CITY OF CULVER CITY

By: _____

**CONCERNED CITIZENS OF SOUTH
CENTRAL LOS ANGELES**

Date: 7/12, 2011

By: Maureen E. [Signature]

**CITIZEN'S COALITION FOR A SAFE
COMMUNITY**

Date: _____, 2011

By: _____

REAL PARTY IN INTEREST

**PLAINS EXPLORATION & PRODUCTION
COMPANY**

Date: _____, 2011

By: _____

APPROVED AS TO FORM

**COUNTY OF LOS ANGELES OFFICE OF
THE COUNTY COUNSEL**

Date: _____, 2011

By: _____
ELAINE M. LEMKE
Attorneys for Respondents COUNTY OF
LOS ANGELES AND LOS ANGELES
COUNTY BOARD OF SUPERVISORS

[SIGNATURES CONTINUED ON NEXT PAGE]

Date: _____, 2011

CITY OF CULVER CITY

By: _____

**CONCERNED CITIZENS OF SOUTH
CENTRAL LOS ANGELES**

Date: _____, 2011

By: _____

**CITIZEN'S COALITION FOR A SAFE
COMMUNITY**

Date: July 12, 2011

By: David J. Glass

REAL PARTY IN INTEREST

**PLAINS EXPLORATION & PRODUCTION
COMPANY**

Date: _____, 2011

By: _____

APPROVED AS TO FORM

**COUNTY OF LOS ANGELES OFFICE OF
THE COUNTY COUNSEL**

Date: _____, 2011

By: _____

ELAINE M. LEMKE
Attorneys for Respondents COUNTY OF
LOS ANGELES AND LOS ANGELES
COUNTY BOARD OF SUPERVISORS

[SIGNATURES CONTINUED ON NEXT PAGE]

CITY OF CULVER CITY

Date: _____, 2011

By: _____

**CONCERNED CITIZENS OF SOUTH
CENTRAL LOS ANGELES**

Date: _____, 2011

By: _____

**CITIZEN'S COALITION FOR A SAFE
COMMUNITY**

Date: _____, 2011

By: _____

REAL PARTY IN INTEREST

**PLAINS EXPLORATION & PRODUCTION
COMPANY**

Date: _____, 2011

By: Doss R. Bourgeois

DOSS R. BOURGEOIS, EXEC. VP E&P

APPROVED AS TO FORM

**COUNTY OF LOS ANGELES OFFICE OF
THE COUNTY COUNSEL**

Date: _____, 2011

By: _____

ELAINE M. LEMKE
Attorneys for Respondents COUNTY OF
LOS ANGELES AND LOS ANGELES
COUNTY BOARD OF SUPERVISORS

[SIGNATURES CONTINUED ON NEXT PAGE]

Date: _____, 2011

CITY OF CULVER CITY

By: _____

**CONCERNED CITIZENS OF SOUTH
CENTRAL LOS ANGELES**

Date: _____, 2011

By: _____

**CITIZEN'S COALITION FOR A SAFE
COMMUNITY**

Date: _____, 2011

By: _____

REAL PARTY IN INTEREST

**PLAINS EXPLORATION & PRODUCTION
COMPANY**

Date: _____, 2011

By: _____

APPROVED AS TO FORM

**COUNTY OF LOS ANGELES OFFICE OF
THE COUNTY COUNSEL**

Date: July 11, 2011

By: Elaine M. Lemke for

ELAINE M. LEMKE
Attorneys for Respondents COUNTY OF
LOS ANGELES AND LOS ANGELES
COUNTY BOARD OF SUPERVISORS

[SIGNATURES CONTINUED ON NEXT PAGE]

**HARDING LARMORE KUTCHER &
KOZAL LLP**

Date: July 14, 2011

By: Kenneth L. Kutcher

KENNETH L. KUTCHER
Attorneys for Petitioners COMMUNITY
HEALTH COUNCILS; NATURAL
RESOURCES DEFENSE COUNCIL &
MARK SALKIN

**NATURAL RESOURCES DEFENSE
COUNCIL**

Date: _____, 2011

By: _____

DAMON NAGAMI
Attorneys for Petitioners COMMUNITY
HEALTH COUNCILS; NATURAL
RESOURCES DEFENSE COUNCIL &
MARK SALKIN

**GREENBERG GLUSKER FIELDS
CLAMAN & MACHTINGER LLP**

Date: July 14, 2011

By: David E. Cranston

DAVID E. CRANSTON
Attorney for Petitioner CITY OF CULVER
CITY

[SIGNATURES CONTINUED ON NEXT PAGE]

**HARDING LARMORE KUTCHER &
KOZAL LLP**

Date: _____, 2011

By: _____
KENNETH L. KUTCHER
Attorneys for Petitioners **COMMUNITY
HEALTH COUNCILS; NATURAL
RESOURCES DEFENSE COUNCIL &
MARK SALKIN**

**NATURAL RESOURCES DEFENSE
COUNCIL**

Date: July 11, 2011

By: Damon K. Nagami
DAMON NAGAMI
Attorneys for Petitioners **COMMUNITY
HEALTH COUNCILS; NATURAL
RESOURCES DEFENSE COUNCIL &
MARK SALKIN**

**GREENBERG GLUSKER FIELDS
CLAMAN & MACHTINGER LLP**

Date: _____, 2011

By: _____
DAVID E. CRANSTON
Attorney for Petitioner **CITY OF CULVER
CITY**

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JUL-11 JUL 11, 2011 F 5:07PM Sterling Hotel, Sacramento To: 916 448 8610 P. 6/18

Date: July 12, 2011

THE CITY PROJECT
A 501(c)(3) Public Benefit Corporation

By: Robert Garcia
ROBERT GARCIA
Attorneys for Petitioners **CONCERNED
CITIZENS OF SOUTH CENTRAL LOS
ANGELES**

LAW OFFICES OF TODD T. CARDIFF

Date: _____, 2011

By: _____
TODD T. CARDIFF
Attorneys for Petitioners **CITIZENS
COALITIONS FOR A SAFE
COMMUNITY**

GIBSON DUNN & CRUTCHER LLP

Date: _____, 2011

By: _____
JEFFREY D. DINTZER
Attorneys for Real Parties in Interest
**PLAINS EXPLORATION AND
PRODUCTION COMPANY**

HOA.745073.2

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14314-00017/1783819.9

THE CITY PROJECT
A 501(c)(3) Public Benefit Corporation

Date: _____, 2011

By: _____
ROBERT GARCIA
Attorneys for Petitioners CONCERNED
CITIZENS OF SOUTH CENTRAL LOS
ANGELES

LAW OFFICES OF TODD T. CARDIFF

Date: July 13, 2011

By: Todd T. Cardiff
TODD T. CARDIFF
Attorneys for Petitioners CITIZENS
COALITIONS FOR A SAFE
COMMUNITY

GIBSON DUNN & CRUTCHER LLP

Date: _____, 2011

By: _____
JEFFREY D. DINTZER
Attorneys for Real Parties in Interest
PLAINS EXPLORATION AND
PRODUCTION COMPANY

THE CITY PROJECT
A 501(c)(3) Public Benefit Corporation

Date: _____, 2011

By: _____
ROBERT GARCIA
Attorneys for Petitioners CONCERNED
CITIZENS OF SOUTH CENTRAL LOS
ANGELES

LAW OFFICES OF TODD T. CARDIFF

Date: _____, 2011

By: _____
TODD T. CARDIFF
Attorneys for Petitioners CITIZENS
COALITIONS FOR A SAFE
COMMUNITY

GIBSON DUNN & CRUTCHER LLP

Date: July 14, 2011

By: Jeffrey Dintzer
JEFFREY D. DINTZER
Attorneys for Real Parties in Interest
PLAINS EXPLORATION AND
PRODUCTION COMPANY

EXHIBIT A - Public Statement - Paragraph 29 (Public Notice)

i. The parties have negotiated in good faith a settlement containing important improvements to the Baldwin Hills Community Standards District ("CSD") that could not have been compelled by a court order resulting from the current litigation challenging the County's Environmental Impact Report and the CSD.

ii. The terms of the settlement adequately augment the protections contained in the CSD and, when combined with the existing provisions of the CSD, provide a satisfactory framework for safeguarding community health, safety and security.

iii. The settlement expedites the resolution of significant community concerns and allows the focus of this process to shift to constructive dialogue, implementation, monitoring and establishment of a more effective working relationship between the parties.

EXHIBIT B

1 CAROL A. SCHWAB (SBN 120183)
City Attorney
2 HEATHER S. BAKER (SBN 193058)
Assistant City Attorney
3 CITY OF CULVER CITY
9770 Culver Blvd
4 Culver City, California 90232
Telephone: 310.253.5660
5 Fax: 310.253.5664

6 DAVID E. CRANSTON (SBN 122558)
DCranston@GreenbergGlusker.com
7 GARRETT L. HANKEN (SBN 057213)
GHanken@GreenbergGlusker.com
8 SEDINA L. BANKS (SBN 229193)
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9 GREENBERG GLUSKER FIELDS CLAMAN &
MACHTINGER LLP
10 1900 Avenue of the Stars, 21st Floor
Los Angeles, California 90067-4590
11 Telephone: 310.553.3610
Fax: 310.553.0687

12 Attorneys for Petitioner
13 CITY OF CULVER CITY

14 SUPERIOR COURT OF THE STATE OF CALIFORNIA
15 COUNTY OF LOS ANGELES

17 COMMUNITY HEALTH COUNCILS,
18 INC. et al.

19 Petitioner,

20 v.

21 COUNTY OF LOS ANGELES, and DOES
22 1 - 30, Inclusive,

23 Respondents,

24 PLAINS EXPLORATION AND
25 PRODUCTION COMPANY, a Delaware
corporation et al.,

26 Real Parties in Interest.

27 AND CONSOLIDATED CASES

Lead Case No. BS118018
(Consolidated with BS118023, BS118039,
BS118056)

Assigned To: Hon. James C. Chalfant

**STIPULATION TO STAY ACTION AND
[PROPOSED] ORDER**

Action filing dates: Nov. 25, Nov. 26 &
Dec. 1, 2008
Trial date: July 15, 2011

EXHIBIT B

1 **IT IS HEREBY STIPULATED AND AGREED** by and among Petitioners, the City of
2 Culver City, Community Health Councils, Inc., Natural Resources Defense Council, Mark Salkin,
3 Concerned Citizens of South Central Los Angeles, and Citizens Coalitions for a Safe Community
4 (collectively "Petitioners"), Respondent, County of Los Angeles ("County") and Real Party-in-
5 Interest, Plains Exploration and Production Company ("PXP")(referred to herein collectively as
6 the "Settling Parties"), through the undersigned, their respective counsel of record, in reference to
7 the following facts:

8 WHEREAS, the following four consolidated cases (hereinafter collectively the
9 "Consolidated Cases"), were each filed in the Superior Court of the State of California, County of
10 Los Angeles:

- 11 a. Lead case *Community Health Councils, Inc., Natural Resources Defense Council*
12 *and Mark Salkin, petitioners, v. County of Los Angeles, respondents, and Plains*
13 *Exploration and Production Company, et al., real parties in interest* (Case No.
14 BS118018);
- 15 b. *City of Culver City, petitioner and plaintiff, v. County of Los Angeles, Los Angeles*
16 *County Board of Supervisors, respondents, and Plains Exploration and*
17 *Production Company, et al., real parties in interest* (Case No. BS118023);
- 18 c. *Concerned Citizens of South Central Los Angeles, petitioner, v. County of*
19 *Los Angeles, respondents, and Plains Exploration and Production Company, et*
20 *al., real parties in interest* (Case No. BS118039); and
- 21 d. *Citizen's Coalition for a Safe Community, petitioner, v. County of Los Angeles,*
22 *Board of Supervisors of the County of Los Angeles, respondents, and Plains*
23 *Exploration and Production Company, et al., real parties in interest* (Case No.
24 BS118056).

25 WHEREAS, the Settling Parties have been engaged in settlement negotiations of the
26 Consolidated Cases and have reached a settlement of the Consolidated Cases, and have entered
27 into a written settlement agreement (the "Settlement Agreement");

28 WHEREAS, the Settling Parties believe that all necessary and appropriate approvals have
been obtained and that the Settlement Agreement is procedurally proper, and enforceable; but to

14314-00017/1783304.3

STIPULATION TO STAY ACTION

EXHIBIT B

1 preserve the Settling Parties' rights in the event a challenge is brought against the County's
2 approval of the Settlement Agreement, the Settling Parties have agreed that the dismissal of the
3 Consolidated Cases should not be filed until the time has run for any challenge to be asserted
4 against the County's approval;

5
6 WHEREAS, in consideration of the obligations and promises as set forth in the Settlement
7 Agreement, Petitioners have agreed to file requests for dismissal of the Consolidated Cases and
8 take any other necessary steps to dismiss the Consolidated Cases (the "Dismissal Request")
9 within 180 days after execution of the Settlement Agreement by all Settling Parties, unless the
10 County's approval of the Settlement Agreement is timely challenged, or alleged to be, in which
11 case, Petitioners will file the Dismissal Request only if the challenge is unsuccessful and all
12 avenues of appeal have been exhausted or the time has run to do so (collectively the "Challenge
13 Period");

14
15 WHEREAS, the Settling Parties desire a stay of the action until the Challenge Period has
16 expired and thereafter dismissal of the Consolidated Cases are effected or, in the alternative, in
17 the unlikely event that any challenge is brought and it succeeds in setting the County approval
18 aside, voiding the Settlement Agreement or otherwise rendering it unenforceable, then the
19 Settling Parties desire that the stay then be lifted and a trial date set;

20
21 WHEREAS, the Settling Parties each consent to the proposed stay; and

22
23 **IT IS THEREFORE HEREBY STIPULATED AND AGREED** by and between
24 Petitioners, the County and PXP as follows:

- 25 1. The action before the Court shall be stayed in its entirety until the later of (1) 180
26 days after execution of the Settlement Agreement, January ____, 2012 or (2) if
27 the Settlement Agreement is timely challenged, or alleged to be, until the
28 Challenge Period has expired.

14314-00017/1783304.3

2

STIPULATION TO STAY ACTION

EXHIBIT B

- 2. Petitioners will file requests for dismissal of the Consolidated Cases and take any other necessary steps to dismiss the Consolidated Cases immediately following the end of the Challenge Period.
- 3. Alternatively, if the County's approval is set aside, the Settlement Agreement is determined to be unenforceable or void, and all avenues of appeal have been exhausted or waived, then Petitioners shall promptly give notice of same to the Court, the stay shall be lifted and will request that a trial date shall be set.

IT IS SO STIPULATED.

DATED: July __, 2011 COUNTY OF LOS ANGELES

By: ELAINE M. LEMKE
Attorneys for Respondent
COUNTY OF LOS ANGELES

DATED: July __, 2011 GIBSON DUNN & CRUTCHER LLP

By: JEFFREY D. DINTZER
Attorneys for Real Parties in Interest
PLAINS EXPLORATION AND
PRODUCTION COMPANY, PLAINS
RESOURCES, INC. AND THE LLOYD
CORPORATION

DATED: July __, 2011 GREENBERG GLUSKER FIELDS CLAMAN
& MACHTINGER LLP

By: DAVID E. CRANSTON
Attorneys for Petitioner CITY OF CULVER
CITY

EXHIBIT B

DATED: July __, 2011 HARDING LARMORE KUTCHER & KOZAL
LLP

By: KENNETH L. KUTCHER
Attorneys for Petitioners COMMUNITY
HEALTH COUNCILS, INC., NATURAL
RESOURCES DEFENSE COUNCIL &
MARK SALKIN

DATED: July __, 2011 NATURAL RESOURCES DEFENSE
COUNCIL

By: DAMON NAGAMI
Attorneys for Petitioners COMMUNITY
HEALTH COUNCILS; NATURAL
RESOURCES DEFENSE COUNCIL &
MARK SALKIN

DATED: July __, 2011 LAW OFFICES OF TODD T. CARDIFF

By: TODD T. CARDIFF
Attorneys for Petitioner CITIZEN'S
COALITION FOR A SAFE COMMUNITY

DATED: July __, 2011 THE CITY PROJECT

By: ROBERT GARCIA
Attorneys for Petitioner CONCERNED
CITIZENS OF SOUTH CENTRAL LOS
ANGELES

ORDER

The Court having considered the foregoing Stipulation of the Settling Parties, and good cause appearing therefore,

EXHIBIT B

1 IT IS HEREBY ORDERED:

2 (1) All terms of the foregoing Stipulation are hereby adopted as an Order of this
3 Court;

4 (2) The action before the Court shall be stayed in its entirety until the later of (1) 180
5 days after execution of the Settlement Agreement, January _____, 2012 or (2) if the Settlement
6 Agreement is timely challenged, or alleged to be, until such time the challenge is determined to
7 be unsuccessful and all avenues of appeal have been exhausted or the time has run to do so
8 (collectively the "Challenge Period").

9 (3) Petitioners will either:

10 a. file requests for dismissal of the Consolidated Cases and take any other
11 necessary steps to dismiss the Consolidated Cases immediately following the end of the
12 Challenge Period; or,

13 b. if the Settlement Agreement is set aside, or determined to be unenforceable or
14 void, and all avenues of appeal challenging such a decision have been exhausted or waived, then
15 Petitioners shall promptly give notice of same to the Court, the stay shall be lifted and a trial date
16 shall be set.

17
18 **IT IS SO ORDERED.**

19
20 DATED: _____

21 HON. JAMES C. CHALFANT
22 JUDGE OF THE SUPERIOR COURT

COMMENT LETTER NO. 12



**South Coast
Air Quality Management District**

21865 Copley Drive, Diamond Bar, CA 91765-4182
(909) 396-2000 • www.aqmd.gov

E-mailed: November 13, 2012
Reuben.Caldwell@lacity.org

November 13, 2012

Mr. Reuben N. Caldwell, AICP
Los Angeles Department of City Planning
200 North Spring Street, Room 667
Los Angeles, CA 90012

**Review of the Draft Environmental Impact Report (Draft EIR)
for the West Adans-Baldwin Hills Leimert New Community Plan**

The South Coast Air Quality Management District (AQMD) appreciates the opportunity to comment on the above-mentioned document. The following comment is intended to provide guidance to the lead agency and should be incorporated into the Final Environmental Impact Report (Draft or Final EIR) as appropriate.

The AQMD appreciates that the lead agency reviewed the California Air Resources Board's (CARB's) Air Quality Land Use Handbook: A Community Perspective (Handbook), and that the lead agency has utilized some of the guidance offered by the CARB Handbook on siting incompatible land uses and "sensitive land uses" (e.g., residences, parks, schools and medical facilities) to mitigate the project's significant air quality impacts. Specifically, the lead agency incorporated mitigation measure (MM) AQ-2 to minimize potentially significant health risk impacts to new sensitive land uses placed within 500 feet of the I-10 Freeway. However, the AQMD staff is concerned that MM AQ-2 does not provide sufficient measures to avoid potentially significant air quality impacts resulting from industrial land uses in the plan area. Specifically, MM AQ-2 does not address potentially significant air quality impacts that may result from the placement of sensitive receptors next to industrial land uses that could emit elevated levels of TAC's. Therefore, the AQMD staff recommends that the lead agency provide additional mitigation that precludes the establishment of sensitive land uses within the CARB recommended buffers to avoid significant air quality impacts. Further, the lead agency should consider additional mitigation measures to minimize the project's significant construction-related air quality impacts and greenhouse gas (GHG) impacts pursuant to Section 15126.4 of the California Environmental Quality Act (CEQA) Guidelines. Details regarding these comments are attached to this letter.

Mr. Reuben N. Caldwell, AICP

2

November 13, 2012

Pursuant to Public Resources Code Section 21092.5, please provide the SCAQMD with written responses to all comments contained herein prior to the adoption of the Final EIR. Further, staff is available to work with the lead agency to address these issues and any other questions that may arise. Please contact Dan Garcia, Air Quality Specialist CEQA Section, at (909) 396-3304, if you have any questions regarding the enclosed comments.

Sincerely,

A handwritten signature in black ink that reads "Ian V. MacMillan".

Ian MacMillan
Program Supervisor, CEQA Inter-Governmental Review
Planning, Rule Development & Area Sources

Attachment

IM:DG

LAC120918-01
Control Number

Siting Criteria and Future Project Planning

1. The AQMD staff recognizes the proposed project potentially provides regional air quality benefits by increasing residential densities near employment and transportation centers. However, the proposed project is a mixed use overlay zone that also includes zone changes for select areas that will result in the placement of residential uses in close proximity to industrial zones: This future juxtaposition may expose local residents to potentially significant sources of emissions.

The AQMD staff appreciates that the lead agency has reviewed the CARB Air Quality and Land Use Handbook¹ and that the lead agency has utilized the guidance offered by the handbook on siting incompatible land uses and “sensitive land uses” near high traffic freeways (e.g., the I-10 Freeway) to develop MM AQ-2. However, the AQMD staff is concerned that MM AQ-2 does not provide sufficient measures to avoid potential significant air quality impacts from toxic air contaminants (TAC’s) resulting from industrial land uses such as local chrome platers. Specifically, MM AQ-2 does not address potentially significant air quality impacts that may result from the placement of sensitive receptors next to industrial land uses that could emit elevated levels of TAC’s. Therefore, the AQMD staff recommends that the lead agency provide additional mitigation that precludes the establishment of sensitive land uses within all applicable CARB recommended buffers to avoid additional significant air quality impacts.

Further, the AQMD staff recommends that the lead agency provide additional discussion in the Final EIR that addresses potential proximity issues such as odor impacts to future sensitive land uses from industrial activity in the plan area. The AQMD staff recognizes that the lead agency has determined that the project will not emit significant odors as discussed on page 4.3-18 of the Draft EIR; however, the AQMD staff recommends that the lead agency expand this discussion to include potential inward impacts to future sensitive land uses from industrial activity in the plan area.

Construction Equipment Mitigation Measures

2. Given that the lead agency’s regional construction and operational air quality analysis demonstrates that the criteria pollutant emissions exceed the AQMD’s daily significance thresholds for NOX, VOC, PM10 and PM2.5, the AQMD recommends that the lead agency consider adding the following mitigation measure to further reduce air quality impacts from the project, if feasible:
 - Require the use of 2010 and newer diesel haul trucks (e.g., material delivery trucks and soil import/export) and if the lead agency determines that 2010 model year or newer diesel trucks cannot be obtained the lead agency shall use trucks that meet EPA 2007 model year NOx emissions requirements.

¹ California Air Resources Board recommended buffer zones can be found in the “Air Quality and Land Use Handbook: A Community Health Perspective.” Accessed at: <http://www.arb.ca.gov/ch/landuse.htm>

- Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.
 - Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site.
 - Reroute construction trucks away from congested streets or sensitive receptor areas.
 - Appoint a construction relations officer to act as a community liaison concerning on-site construction activity including resolution of issues related to PM10 generation.
 - Improve traffic flow by signal synchronization, and ensure that all vehicles and equipment will be properly tuned and maintained according to manufacturers’ specifications.
3. The Draft EIR demonstrates that the proposed project will exceed the lead agency’s GHG significance threshold; therefore, the AQMD staff recommends that the lead agency provide the following additional mitigation measures pursuant to CEQA Guidelines Section 15126.4.

Additional Operational Mitigation Measures - Energy Efficiency

- Maximize use of solar energy including solar panels; installing the maximum possible number of solar energy arrays on the building roofs and/or on the Project site to generate solar energy for the facility.
- Require all lighting fixtures, including signage, to be state-of-the art and energy efficient, and require that new traffic signals have light-emitting diode (LED) bulbs and require that light fixtures be energy efficient compact fluorescent and/or LED light bulbs. Where feasible use solar powered lighting.
- Use light colored paving and roofing materials.
- Use passive heating, natural cooling, solar hot water systems, and reduced pavement.
- Limit the hours of operation of outdoor lighting.
- Utilizing only Energy Star heating, cooling, and lighting devices, and appliances.
- Install light colored “cool” roofs and cool pavements.
- Use electric appliances (e.g. stoves) and gardening equipment.

Additional Operational Mitigation Measures - Transportation

- Provide electric car charging stations for tenants beyond the requirements of the Los Angeles Green Building Code Ordinance. Also, provide designated areas for parking of zero emission vehicles (ZEVs) for car-sharing programs.
- Provide incentives to encourage public transportation and carpooling at commercial locations.
- Implement a rideshare program for employees at commercial site.
- Construct bicycle facility improvements, such as bicycle trails linking the facility to designated bicycle commuting routes or on-site improvements such as bicycle paths, bicycle parking facilities, etc.
- Require the use of 2010 diesel trucks, or alternatively fueled, delivery trucks (e.g., food, retail and vendor supply delivery trucks) at commercial sites.
- Provide an alternative fueling station for delivery trucks (e.g., natural gas or electric).

- Create local “light vehicle” networks, such as neighborhood electric vehicle (NEV) systems.
- Require the use of electric or alternative fueled maintenance vehicles at commercial facilities and multifamily residences.

Additional Operational Mitigation Measures - Other

- Provide outlets for electric and propane barbecues in multi-family residential and recreational areas.
- Require use of electric lawn mowers and leaf blowers.
- Require use of electric or alternatively fueled sweepers with HEPA filters.
- Require use of water-based or low VOC cleaning products at commercial sites.

COMMENT LETTER NO. 13

West Adams Community Plan EIR - Comments to Crenshaw Corridor Specific Plan AMENDMENTS.

[Forward all](#)

[Collapse all](#)

[Print all](#)

Inbox x

 **Scott A. Ginsburg**

Nov 10 (4 days ago) ★

to me, lakisha.hull

As provided for in the proposed West Adams-Baldwin Hills-Leimert Community Plan, I would like to comment on the proposed amendments to the Crenshaw Corridor Specific Plan. Specifically, as it pertains to the area between Coliseum Street and 39th Street on Crenshaw Boulevard in Los Angeles, CA. This area is designated as Community Commercial. The area is improved as commercial and is a mix of uses. The area directly east of the property is designated as "Low Medium II" Multi-family density.

The proposed zoning for the properties identified as 1310 and 1320 on the map in the West Adams-Baldwin Hills-Leimert New Community Plan Draft EIR, Appendix B should be revised. The area is located within walking distance of the existing Exposition Light-Rail station at Crenshaw Blvd & Exposition Blvd and will be located within walking distance of the Crenshaw/LAX Transit Corridor station at Crenshaw Blvd and Martin Luther King Jr. Blvd. This means that the property will be within walking distance of two light-rail stations and two light-rail lines providing direct access to Downtown Los Angeles, LAX, Santa Monica, USC and beyond. It is currently the home to many jobs and community serving businesses. The area will also be home to many new businesses as the transit corridors are completed. The proposed zoning is not consistent with a property on a major commercial corridor that benefits from so many direct transit lines.

I would like for you to consider the following revisions to the proposed plan:

1. The existing zoning is [Q] C2-1 and [Q]P-1 providing for densities of 1.5:1 and 3:1. The proposed zoning provides for a 45' height limit and 1.5:1 FAR on the entire area effectively "down zoning" the properties. I request that a zoning designation providing for a 48' height limit and 1.5:1, 2:1 FAR (Mixed Use) or greater be considered for the properties designated as 1310 and 1320.

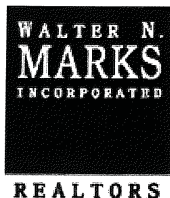
2. Properties designated at 1310 and 1320 are included in Sub-Area B but are within walking distance of Metro stops in Sub-Area B and Sub-Area A. I would like to see the property included in the Transit Oriented Development Area for either Sub-Area.

Please consider the comments and proposed revisions to the plan. If necessary, I can provide additional comment or meet in person to discuss the importance of considering these revisions.

Thank you.

Scott A. Ginsburg

COMMENT LETTER NO. 14



Helms Hall of Fame
8758 Venice Boulevard
Los Angeles, CA 90034
Telephone: 310.204.1865
Facsimile: 310.836.220

Walter N. Marks (1903-1997)
Founder
Walter N. Marks, Jr. (1930-2009)
Walter N. Marks III

November 13, 2012

Mr. Reuben Caldwell
City of Los Angeles
Planning Department

Re: CPIO - Venice/National TOD

Dear Mr. Caldwell:

I am a commercial property owner within the CPIO district and have read the October 12, 2012 draft document. I believe most all of the provisions set forth in the CPIO are well crafted and thorough. I believe this overlay plan is precisely what it needed for current and future property owners and businesses to use as their compass in the years to come for a transit district around the existing Expo Light Rail station.

As the owner of the Helms Bakery Building, I offer my suggestions as modifications to the document, and not in order of priority.

1. Subarea C, frontage along the north side of Venice Boulevard, I suggest that the C Subarea extend 90 feet into the current residential Subarea. I believe the development of commercial lots with 100 feet of depth are difficult, if not impossible, to enhance simply due to the shallow lot depth. There are 5 blocks along the north side of Venice Boulevard that make up the C Subarea. We own 2 of them. In one block we already own the 'next' 90 feet, two residential lots, and with an approved CUP its use is for commercial parking for the Bakery. We are in the process of ownership of the same 90 feet on another block. When complete, we would represent 40% of the C Subarea.
 - a. Since one of the goals of the draft document is to build predictability with the overlay, streamlining the otherwise lengthy CUP and other type zoning administration process, this larger C Subarea achieves the objective.
 - b. A 'right sized' future mixed use or commercial development in 190' of depth will create the proper scale and proportion for the neighborhood, without being inappropriate in mass to the adjacent residential.
 - c. Parking will remain a constant neighborhood concern, focused on ingress and egress avoiding impacts on the residential community. This adjustment in lot size will ensure better traffic flow and circulation away from the residential area and thus make a better commercial project.
2. Subarea B, designated for the Helms Bakery, has the seemingly fair proposed FAR number, 2:1. However, I suggest Subarea B should have the permitted height of 55-75ft and Section 7.1.2 (Tower Building Height) adjustment matching Subarea A. There

remains a possibility that a tower like structure could be constructed in the future while maintaining the historic presence and facade of the Bakery. The limiting factor of the stated FAR will ensure the proper scale and setback from the street edge.

3. The language in Section 7.3.3 (Pedestrian Oriented Ground Floor) should include text mandating the all ground floor uses must be retail in nature. Currently stated as, "commercial uses", would include office uses. All too often, I have seen office placed on the ground floor resulting in a detriment for the rhythm of the street. It's like having a few missing teeth in a smile.
 - a. Please add text stating only retail uses shall be permitted on the ground floor of any new development and consider language to phase in future turnover from existing office use to retail use in all existing structures, say 5 years.
4. I believe the proposed area of the Subarea C should include the frontage on both sides of Venice Boulevard, east of Hutchison to Cattaraugus Avenue. I understand these two extra blocks of Venice Boulevard, east of the proposed CPIO, may be a bit further from the TOD, but there is a cadence and natural segmenting with Venice. Cattaraugus Avenue, with a traffic signal, completes a natural length or phase of Venice Boulevard and this extension would feel right with the aesthetic flow for future development.
5. The transfer of area rights (7.2.1 (c)) is forward thinking device for this CPIO. However, the potential properties in this one district are limited in number. Though not something that can be mandated in this document, if language was included to suggest future adjoining Community Plans, namely Palms-Mar Vista and West Los Angeles, would be encouraged to promote and permit the sharing of transfer of area rights between adjoining Community Plans within a 1/4 mile of the TOD.

I am in appreciation of your consideration. Thank you kindly.

Very truly yours,

WALTER N. MARKS, INC.

A handwritten signature in black ink, appearing to read "Walter N. Marks III". The signature is written in a cursive style and is positioned above a horizontal line.

Walter N. Marks III

COMMENT LETTER NO. 15



West Adams Heritage Association, 2263 Harvard Boulevard, Historic West Adams, Los Angeles, CA 90018

November 13, 2012

Reuben Caldwell, AICP
City of Los Angeles Department of City Planning
200 North Spring Street, Room 667
Los Angeles, CA 90012

*RE: Draft Environmental Impact Report,
West Adams-Baldwin Hills-Leimert Park New Community Plan*

Dear Mr. Caldwell and Planning Administrators:

The West Adams Heritage Association (WAHA) is comprised of over 350 households in the West Adams District, which is partially contained within this Community Plan boundary. We routinely comment on land use applications and environmental documents on behalf of the Association members. We offer the following comments on the DEIR referenced above, focused most specifically on its Historic Preservation Chapter and the related sections in the proposed New Community Plan for the West Adams-Baldwin Hills-Leimert planning area.

First of all, we agree with many of the assessments contained in a letter submitted by the local neighborhood council, United Neighborhoods of the Historic Arlington Heights, West Adams and Jefferson Park Communities Neighborhood Council (UNNC). WAHA is a stakeholder organization to UNNC. In particular, we agree with UNNC's evaluations related to population and housing data, and we join UNNC in protesting the sheer volume of additional housing unit capacity being promoted for this Community Plan area. Adding 20,000 housing units capacity will lead to endless debate, and protests over proposed developments when they impact historical and period character neighborhoods – which essentially make up the entire West Adams District portion of this Community Plan area.

WAHA is pleased with the majority of the Historic Preservation elements contained in the Plan itself and the DEIR. Thank you for including significant mitigations for designated and identified historic resources.

We would make a quick note, on page 3-110 of the Plan, LU72-1 "Partner with Preservation Organizations," that presumably you meant to reference West Adams Heritage Association rather than (or in addition to) "West Adams Avenues," a local neighborhood group.

On the same page, LU72-2, "Promote Incentive Programs," WAHA would urge you to consider adding the phrase "Identify and" Promote Incentive Programs. One of the key

1

issues in historic preservation is providing benefits to the owners of historical properties; at every step the City should be cognizant that we all need to identify and/or create new incentives to benefit these owners.

Regarding Survey LA, WAHA is generally pleased at the extent of the historic resources surveyed and the positive evaluations/identifications of literally hundreds of previously (officially) unidentified historic resources within the West Adams District. Of course, we had previously identified many of these, through our tours and our members' efforts, but Survey LA has revealed surprises throughout our community. Thank you.

Our primary concern, however, after reviewing the Plan, the DEIR, and the Survey LA document that is appended to the DEIR, is a disconnect (versus a nexus) between the Survey LA recommendations for Arlington Heights and the Plan's recommendations for the same specific community (bounded by Pico on the north, Arlington on the east, the 10 Freeway on the south and Crenshaw on the north.) This is the historical Arlington Heights Township, established in 1887 (its original boundaries extended to Adams Boulevard before the freeway was constructed.) It is a discrete neighborhood.

The Survey LA evaluators have identified ten individual historic districts comprised of 593 total residential (and a few commercial) buildings within Arlington Heights, out of a total of 1,065 evaluated buildings (in other words, well over half the buildings in Arlington Heights are contained within the boundaries of historic districts; of those, 450 have been identified as "Contributors," although what a Contributor is in this instance has not been defined within this document.). In addition, some 37 individual structures have also been identified as being individually eligible for designation within Arlington Heights' boundaries. And, there are an additional handful of actual designated buildings within the same boundaries. There may be a few more (such as the Bekins/Public Storage Building on the corner of Pico and Crenshaw) that are identified as historical in the Community Redevelopment Agency's MidCity Corridors Project Area in Arlington Heights – which was surveyed for historical structures but which appears not to have been included within Survey LA.

So it would seem on its face that the neighborhood as a whole should be identified as an HPOZ, and indeed the New Community Plan has identified it thusly (page 3-108.) Unfortunately, Survey LA has stated that Arlington Heights should be a "Planning Area" rather than an HPOZ. WAHA respectfully disagrees with this assessment as:

* Not being borne out in facts (no numbers have been presented; the calculations above were done by us.)

* Based on incorrect evaluations (on 4th Avenue alone, between Washington and Pico, which was not identified as one of the ten pocket historic districts, WAHA has identified 63 Contributors and Contributors-Altered utilizing HPOZ criteria, exclusive of

2

properties identified in Survey LA as individual resources. WAHA’s members include Qualified Historians with professional expertise.)

* Assertive remarks (e.g. this recommendation) are not based on factual (revealed) documentation; in fact, the methodology description indicates that the “missing” structures were not even “recorded.”

* If they were recorded, the data has not been presented and we respectfully request copies of each of the evaluation sheets in order to determine whether or not the evaluations are based on HPOZ criteria (versus somewhat stricter California Register criteria, which reject most alterations).

In general, the assessment of Arlington Heights does not appear to take into consideration Contributor-Altered structures as required by standard HPOZ criteria. Arlington Heights should not be singled out for different treatment than every other HPOZ within the Historic West Adams District. These criteria – without having an extensive discussion within the arena of a DEIR comment letter – include a review of reversibility; historical context on an individual case-by-case basis; and specifically whether or not the individual building’s original fenestrations (window openings), window and door trim, fascia boards, eaves and roof lines, and porch elements (among other elements) are still present and sufficiently intact to convey “integrity.”

Unfortunately, the Survey LA evaluators may have used “window change-outs” (based on the comment on page 728) as a singular reason to exclude certain residential structures from inclusion as Contributors. With all due respect, that is a misapplication of criteria. In an HPOZ, these properties (if that is the only change) would fall into the category of Contributor-Altered, and hence would indeed contribute to the locally-designated district (albeit perhaps not a California Register or National Register District.)

Specifically, Survey LA states that Arlington Heights has “few visual intrusions” and that “Arlington Heights is a significant concentration of residential development related to the location of historic streetcar routes.” This statement, positive as it is, was made in the absence of an evaluation of Washington Boulevard, which unfortunately was not conducted due to the CM zoning on the corridor. Had Survey LA actually also evaluated Washington Boulevard, the team would have realized that the portion of Washington Boulevard that stretches from Arlington to 7th Avenue was one of the City’s premier shopping districts in the 1920s through World War II, spurred by the development of the streetcar. This added layer of history would help elevate Arlington Heights to a recommendation from Survey LA to be an HPOZ.

In any case, WAHA believes that a sufficient number of historic residences are retained in Arlington Heights to properly identify this neighborhood as a whole as an HPOZ. We ask that the recommendation be changed.

If it is not, then the DEIR does not provide mitigations to the significant impacts that may result from over-dense development in a community that has no zoning protections. What is the point of having more than half of a neighborhood’s residential structures within the boundaries of identified historic districts while not providing any overlay protections (height, setbacks, massing, roof lines, restrictions on stucco and window changes, sheer size of infill structures, and so on)? As presented, the New Community Plan shows Low Medium II for Arlington Heights and the RD1.5 and RD2 zones primarily, which permit the consolidation of lots and very large new structures potentially intruding into a neighborhood which thus far – according to Survey LA – does not currently have many such intrusions. RD zoning also permits lesser front yard setbacks than would be required in an HPOZ, which defines “prevailing setback” on a street-by-street basis.

There is certainly adequate basis in our review that calls in question the entire analysis of Survey LA as it relates to Arlington Heights. When experts disagree, CEQA demands that the decision makers err on the side of significance. We request that you do so.

Sincerely,

John Patterson
President, West Adams Heritage Association



Community Health Councils, Inc.



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COMMENT LETTER NO. 16

January 15, 2013

Department of City Planning
200 N. Spring Street, Room 759
Los Angeles, California 90012

Re: Comments on the West Adams-Baldwin Hills-Leimert Park New Community Plan

Dear Department of City Planning:

Community Health Councils (CHC) gratefully recognizes that the West Adams-Baldwin Hills-Leimert Park New Community Plan (NCP) is a product of the hard work of a team of outstanding planners at the City and input from hundreds of residents. While the new plan includes many provisions that will enhance the quality of life for South LA residents, it falls short in addressing the overconcentration of fast food restaurants, prioritizing the development of new park space, enforcing efforts to make the community more pedestrian, transit and bike-friendly, and establishing safeguards to protect the character of our communities. As a result, CHC strongly recommends the adoption of land-use policies that address the aforementioned concerns and better ensure that the NCP effectively achieves its stated vision of making the West Adams-Baldwin Hills-Leimert Park community "a model of health and sustainability through careful enhancement of the natural and built environment."

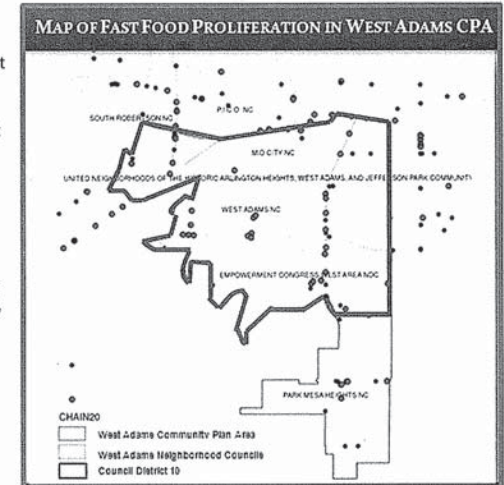
For more than a decade, Community Health Council (CHC) has been at the forefront of work to eliminate health disparities by expanding healthcare coverage, increasing access to quality healthcare, physical activity and improving healthy food options in under-resourced communities. CHC engages, supports, and gives voice to marginalized, low-income and under-served populations through coalition building and community mobilization. Our dynamic network of coalitions is composed of neighborhood leaders, consumer advocates, healthcare providers, social services, educational and faith-based organizations serving communities in South Los Angeles. These stakeholders recognize the impact of the built environment on the health of individuals and communities, and identify the community plan update as a powerful mechanism to encourage healthy and sustainable development throughout the community.

While we gratefully recognize the City of Los Angeles' commendable work in updating the area's significantly outdated Community Plan, the following improvements must be made to truly mitigate disparities in the health, economic viability, safety and general welfare of the community:

CHC West Adams New Community Plan Comment Letter
January 15, 2013

HEALTHY FOOD ACCESS

More than 71% of restaurants in South LA are fast food in comparison to 40% in West Los Angeles and 47.7% of LA County restaurants¹. The LA Department of City Planning has determined that South LA's disproportionate fast food restaurant over-concentration "has the effect of reducing the opportunities for new grocery stores and full service restaurants in a dense, urbanized neighborhood where land is limited²." In 2008, the City responded to community concerns by adopting an Interim Control Ordinance (ICO) that placed a moratorium on the development of new "free-standing" fast food restaurants within 1/4 mile of an existing fast food restaurant. The temporary ICO was incorporated into a General Plan Amendment in 2010 that was intended to preserve the limited land available for development in South LA for healthier alternatives. Since the 2008 Interim Control Ordinance on fast food development, 6 new grocery stores have developed in the area while only 1 new stand-alone fast food restaurant has developed.



Despite the success of the policy, the West Adams New Community Plan excludes the CD 10 portion of the Plan Area and allows for the continued proliferation of fast food restaurants. This exempted region not only encompasses well over half of the West Adams Community Plan's geographic area, but it also contains some of the highest density areas within the community plan region³. In fact, 2008 population estimates reveal that the CD 10 portion of the West Adams Community Plan area contains approximately 143,750 people⁴. This includes close to 80% of the community plan area's total population which would become more vulnerable to the negative health, aesthetic, and air quality impacts associated with continued fast food restaurant development⁵. Therefore, it is clear that the CD 10 exemption will significantly undermine the positive impacts of current regulations on curbing fast food restaurant development in the region. The exemption once again subjects a significant portion of the area's limited land to the potential development of auto-centrally designed fast food restaurants.

Based upon the aesthetic qualities of the West Adams community as defined by principles contained in the Los Angeles General Plan, Draft West Adams Community Plan, and West Adams Community Plan 2008 Scoping meeting comments- the continued over-concentration of auto-centric free standing fast food restaurants (perpetuated by the CD 10 exemption) is incompatible with the community's aesthetic values around pedestrian orientation and smart growth-oriented design⁶. Furthermore, South Coast AQMD findings reveal that fast food restaurants generate significantly more vehicular trips than most other retail establishments of the same size⁷. This greater quantity of vehicular trips can have significant impacts on the respiratory health of the West Adams community- particularly children, pregnant mothers and seniors⁸.

Findings from CHC's soon-to-be published South LA Fast Food Health Impact Assessment (HIA) reveal specific details about the incompatibility of most stand-alone fast food restaurants with efforts to promote more pedestrian orientation. Results from the Fast Food HIA's survey of all fast food restaurants within the 90008 zip code reveal that drive-thru windows are only present at free-standing fast food restaurants. Drive-thru windows are only utilized by automobiles and are subsequently considered to have "excessive automobile orientation" by urban planning standards. Additional findings from the South LA Fast Food HIA restaurant survey reveal that all drive-thru lane exits and/or entrances intersect with pedestrian sidewalks throughout the surveyed area.

A 2006 report from the Los Angeles City Department of Transportation states that 13 of every 100,000 deaths in South LA result from pedestrian collisions⁹. This is over twice the amount of deaths due to pedestrian collisions in West LA, which amount to almost 6 per 100,000. Furthermore, these estimates may be conservative due to the recent resurgence in bicycle usage and other active forms of transit in both South LA and throughout the City. Numerous factors could contribute to the higher rates of pedestrian collisions in South LA including South LA's higher concentration of alcohol outlets, high population density, car biased design, and limited infrastructure for multi-modal transit¹⁰. However, myriad studies reveal that auto-centric designs and a lack of pedestrian-oriented infrastructure contribute to increased pedestrian injury risk in communities¹¹.

Other transit research concludes that marked crosswalks in uncontrolled intersections, for example those without traffic lights or signs, have been associated with higher rates of pedestrian injuries as well¹². Fast Food HIA survey results reveal that over 44% of the drive-thru windows at fast food restaurants intersect with a marked pedestrian crossing. However, none of the drive-thru windows analyzed contained signs indicating a potential pedestrian crossing. Therefore, these pedestrian pathways may be more vulnerable to pedestrian injuries and should thus be deemed as "pedestrian unfriendly"¹³. Based upon the aforementioned evidence, the typically auto-centric typology of stand-alone fast food restaurants could have negative implications on the pedestrian-friendly design of the community and ultimately the aesthetic characteristics of the area.

The LA Department of City Planning also asserts that South LA's current "over concentration of Fast Food Establishments is found to be inconsistent with the respective Community Plans"¹⁴. The CD-10 exemption from fast food limitations allows for the continued proliferation of fast food development in a significant portion of the West Adams community.

Recommendations: To alleviate inconsistencies with the existing General Plan Framework around promoting health and wellness and greater commercial diversity in the community, we suggest the elimination of the CD 10 exemption from the West Adams New Community Plan. Specifically, eliminate geographic exemptions for the Council District 10 area of the West Adams Community Plan Area from fast food density regulations as provided in:

- Commercial Corridor and Nodes CPIO Table 6.1, row 9; and
- The Crenshaw Specific Plan "Limited Uses" section c subsection ii (a).

Furthermore, ¼ mile density boundaries within the Community Plan Implementation Overlay's Transit Oriented Districts (including Farmdale/LaBrea, Jefferson/LaCienega and Venice/National CPIO sub-districts) should be extended to a ½ mile to ensure greater consistency throughout the plan and with existing fast food density regulations as provided in the 2010 General Plan Amendment.

RESIDENTIAL, CULTURAL AND COMMERCIAL CHARACTER

The West Adams New Community Plan incorporates Transit-Oriented Development (TOD). Although this form of development is beneficial for promoting healthy, active transportation that can benefit a community, without the proper safeguards it can also result in the displacement of historical populations. According to a recent study, "newly transit rich neighborhoods "often experience —unintended consequences in which core transit users—such as renters and low income households—are priced out in favor of higher-income [households]."¹⁵ Both small business owners and homeowners can fall victim to displacement. More safeguards that protect the community from residential and commercial displacement should be integrated within the plan.

Recommendations: Preserve the existing cultural character of the West Adams, Leimert Park, Baldwin Hills and Hyde Park communities by establishing safeguards against both residential and commercial displacement. In addition to proposing inclusionary housing requirements (P158) and small business loans (P246), the plan should propose other targeted policy programs addressing displacement, including:

- Establishment of a housing linkage fee (e.g. Central City West Specific Plan, Los Angeles Housing Element policy 1.1.5) for the New Community Plan area (equal to or greater than any future citywide linkage fee).
- Requirement that any new development will not result in the net loss of affordable housing units (based on current HCD standards for Los Angeles County) within the New Community Plan area.
- Requirement that current tenants, housing co-operatives and affordable housing developers are given first right-of-refusal on the sale of any multi-family housing properties in the New Community Plan area (e.g. Tennant Opportunity to Purchase Act- Washington, DC, Los Angeles Housing Element policy 1.2.5).
- Making a portion of the proposed zoning envelope conditional upon the provision of a percentage of affordable units (based on current HCD standards for Los Angeles County) in perpetuity (e.g. Cornfield Arroyo Seco Specific Plan).

TRANSPORTATION ACCESS

The communities in South Los Angeles such as those within the West Adams/Baldwin Hills/Leimert Park CPA are experiencing a resurgence of public investment in light rail yet continue to suffer from decades of neglect and divestment to support other active modes of transit. A well designed network of light rail, bus and bicycle facilities, and pedestrian amenities provides better access to essential services, supports those dependent on public transportation, and increases the frequency of physical activity and economic vitality of local businesses. Walkable and bikeable neighborhoods encourage residents to shop at locally owned business and create a more vibrant livable community.

The West Adams New Community Plan establishes a number of policies and programs in the Mobility Chapter of the plan that support increased access to all modes of transportation for community residents. However, a disconnect exists between the strategies outlined in the Community Plan and the policies contained in the plan's implementation mechanisms.

Although the establishment of Integrated Mobility Hubs is recommended at several TOD areas within the West Adams CPA, there is no reference as to how these Mobility Hubs will be created. Additionally, new development projects will be required to provide pedestrian amenity areas as part of their project review within the individual CPIO sub-districts as well as the amended Crenshaw Corridor Specific Plan. However, in the CPIO, pedestrian amenities areas are only referenced when it comes to the amount of required setback and does not require specific pedestrian amenities. To ensure improved connectivity to vital public services for the community's most vulnerable populations, stronger and more enforceable mobility-related policies should be included in the plan.

Recommendations: Ensure that the policies and programs addressing bicycle facilities, pedestrian amenities, complete streets, mobility hubs, access to transit and pedestrian/bicycle safety set forth in the Mobility Chapter of the New Community Plan are adequately implemented through: (1) greater coordination amongst the policies' responsible agencies (as identified in the Plan's Implementation Program Table); (2) more enforceable mobility policies in the Plan's Implementation Program Table provisions; and (3) more enforceable policies in the plan's CPIO provisions. These goals can be enforced through the adoption of the following strategies:

- Incorporate language that calls forth goals, deadlines and the creation of a LADOT, Metro, DCP coordination committee that will institute the Mobility Hubs (see Program number 41: *Integrated Mobility Hubs* (Mobility Chapter, Policy Section reference M5-2 page 4-16).
- Ensure that maps detailing bicycle priority streets (see Mobility Chapter Figure 4-4 pg. 4-15), and pedestrian priority streets (Mobility Chapter Figure 4-3 pg. 4-11) are publically vetted and adopted along with the community plan.
- Incorporate specific pedestrian amenity area requirements within the CPIOs (see Program number 64: *Private Investment for Off-site Facilities/ Amenities* (Mobility Chapter, Policy Section reference M1-4 page 4-9 and Program 193: *Pedestrian Amenities CPIO Areas* (Mobility Chapter, Policy Section reference M3-3 page 4-10).

OPEN-SPACE RESOURCES

Numerous studies have documented the inequity in open/recreational space in communities of color in Los Angeles. A 2009 Department of Recreation and Parks Needs Assessment concluded that the City lacks the appropriate levels of neighborhood and community parks that are close to homes and that *parks are not equitably distributed*. Strikingly, residents in the West Adams Plan Area have access to only 0.48 acres of parkland per 1,000 residents while city residents outside of the plan area have access to 5.62 acres of parkland per 1,000 residents. Additionally, residents countywide have access to 75.2 acres of parkland per 1,000 residents; much of which either exists far outside of the West Adams Plan Area or is only available to Plan Area residents by vehicle or transit. Lack of access to open space and parks limits opportunities to be physically active and contributes to the current health crisis in South Los Angeles. Sadly, the current generation of children is the first that will not live longer than their parents due to obesity, diabetes, and preventable chronic disease.

Aside from the health benefits that open space provides, it provides essential environmental, social, and aesthetic benefits to communities. As evidenced by other areas in Los Angeles, open space enhances property values, increases local revenue, and can be a strong driver of local economic development.

Additionally, open space can serve as central walking, resting, and meeting places that can revive failing or threatened commercial areas. Finally, providing open space is one of the quickest and most effective ways to build a sense of community and improve quality of life.

Realizing these diverse opportunities, the New Community Plan does provide recommendations to provide policies and programs to address the stark disparities in open space access; however, the implementation of these programs and policies leaves many pressing issues unresolved. Furthermore as previously commented, the Draft Environmental Impact Report for the West Adams Community Plan determines that the new plan will have significant negative impacts on access to open space due to projected increases in population and housing growth yet provides no mitigation recommendations. Despite these unsubstantiated findings, efforts must be made to address the West Adams community's inequitable access to parks and open space must be components of more comprehensive initiatives to improve connectivity between open space resources throughout the City including the creation of a Park and Tree Master Plan and strict incorporation of new open space into future development.

Recommendations: To alleviate significant park service shortages in the Community Plan Area and prioritize the allocation of new park space in areas of high need, the need for greening, creation of open space, and recreational opportunities the Plan's Implementation Program should integrate commitments pursuant to the Mayor's Memorandum of Understanding for the Space Shuttle Endeavor Move Project to create a Park Master Plan for the Plan Area by December 31, 2014 shall be included in the following implementation programs: P46 (CF8-1), P57(CF12-2), P163 (CF6-1, CF6-2, CF9-5), P164 (CF10-1), P183 (CF8-2, CF8-3, CF9-1, CF9-2, CF9-7, CF10-2, CF11-1, CF11-2, CF11-3, CF11-4, CF12-2, CF13-3), P218 (CF12-3). Additionally, CF15-2, a policy to inventory potential community garden sites should be added to Needs Assessment Strategies identified in P183.

In addition, the following recommendations will strengthen the plan's aim to provide increased quality open space consistent with the Open Space Element of the General Plan and Public Recreation Plan:

- *Policy LU18-3* recommends design standards for over-concentrated uses; however, these design standards do not differ from standards applied to accepted uses in the CPIO and Crenshaw Corridor Specific Plan. In granting requests to modify, expand, or continue the use of existing prohibited or limited uses, the minimum requirements for landscaping, pedestrian orientation, and open space must be raised to 1) encourage the development of acceptable uses in place of limited uses; 2) provide enhanced community design standards in exchange for limited use approval.
- *Policy LU29-2* encourages or requires all new building construction to incorporate green roofs and encourage conversions of existing roof space to green roofs. However, the policy's implementation through the Program Implementation Table (P36) and CPIO fails to identify criteria for cases in which green roofs are encouraged or required. As of now, the CPIO implementation of the policy only allows for increasing building height in cases where a green roof is installed. No language requiring green roofs is present in the current implementation scheme and must be clarified.
- *Policy LU30-1* responds to community concerns around blight, vacancy, and blight by allowing neighborhood serving uses to cluster and adaptively reuse existing structures within neighborhood. It is unclear how these structures and properties are to comply with open space and lot coverage requirements set forth in the CPIO and Crenshaw Specific Plan.

CHC recommends applying requirements consistent with proposed CPIO and Crenshaw Specific Plan provisions.

- *Policy LU31-1* aims to ensure that a mix of uses that serve the daily needs of adjacent areas occur within neighborhood commercial districts in order to encourage walkability. As of the date of this letter, Design Standards for the Crenshaw Specific Plan have not been released. As such, it is difficult to comment on community access to “daily needs,” of which includes the access to quality open and green space and other opportunities for physical activity.
- *Policies M3-5, M4-5, and CF12-4* aim to increase physical activity opportunities for the community by the provision of more bike and pedestrian networks. However, the policies fail to address pedestrian accessibility and are implemented through programs and policies only related to bicycle facility improvements. Expand definition and implementation to effect pedestrian and open space through the modification and or addition to the following implementation programs: *P123, P221, P222, P223, P224*.
- *Policy CF8-1* aims to preserve, maintain, and enhance existing recreational facilities and park space. However, the Implementation Program (*P46*) does little to actively accomplish the spirit of the policy. The implementation of the policy should reflect effort to expand park space as the DEIR has noted that population growth will further strain existing facilities.
- Joint-use agreements can rapidly scale up open space service shortages in the West Adams Plan Area. Consistent with the goals and policies of the Plan, amend the following policies to reflect tangible opportunity for providing increased access to green space in the area:
 - *Policy CF10-1*: Aside from LAUSD and RAP facilities, encourage the development of joint-use agreements with other City of Los Angeles Departments including the General Services Department, Department of Water and Power, and the Department of Transportation as per Public Recreation Plan Policy.
 - *Goal M11-1*: Encourage interim-use agreements and joint-use agreements to form with city-owned parking lots to allow to increased opportunities for recreation and physical activity.
 - *Policy CF15-1*: Encourage joint-use agreements with currently vacant city-owned property for the development of community gardens.
- *Policy CF12-3* requires development at major opportunity sites to provide public open space per the Quimby Act. However, it is unclear what the plan refers to as a “major opportunity site” and if requirements for developments at these sites would be enhanced above current Quimby Act provisions.
- *Policy CF16-3* encourages urban greening through the implementation of Million Trees LA. However, programs, policies, and guidelines exist to further green the West Adams Plan Area including those in the LA County Design Manual for Living Streets and Downtown Design Guidelines. The plan should leverage existing best practices to implement urban greening policies.
- No Implementation Programs are associated with the following policies: *CF9-4, CF9-8, CF12-5*. Assign policies to implementation program to fully realize the plan’s intention of increasing accessibility to open space.
- CPIO Recommendation: To fully realize the purpose outline in Section 3 of the CPIO to provide access to open space for the health and welfare of the community, the plan must define what constitutes publically accessible open space. Publicly accessible open space must be accessible to all community members regardless of ability and must be clearly indicated as public space. The definition also must establish criteria for minimum standards to promote not only access to open space, but green space as well per

the Open Space Element. Finally, edible gardens in-line with the plan policies should be regarded as publicly accessible open space.

- *Corridors & Nodes CPIO Sub-district*- Currently, there is no open space coverage requirement along corridors and nodes in the CPIO. Furthermore, no exemptions or incentives for public space are granted in lot coverage requirements. These omissions run counter to the CPIO’s purpose outlined in Section 3, sub-sections 3.2, 3.3, 3.6, 3.7, 3.9 and by results gathered in the scoping phase of the New Community Plan. The Corridors & Nodes CPIO should address this inconsistency similar to provisions found in other CPIOs that 1) allow the lot coverage requirement to be further decreased to a maximum of 20% through adjustment by introducing one square foot of open space for each square foot decrease in lot coverage in excess of 10% and 2) requiring projects on a lot size equal or greater than 15,000 square feet to be developed to maintain at least 20% open space areas as publicly accessible open space.
- *Jefferson/La Cienega CPIO Sub-district- Policy B.2.1.F*. in the Streetscape, Mobility, and Open Space Provision Chapter calls for open space to be generally located internal to sites and accessible from corridors via mid-block passages or paseos. Locating open space internal to sites may give the impression that the “publicly-accessible open space” is in fact, not publicly accessible. Furthermore, locating open space internal to sites runs counter to complete street design standards and pedestrian orientation. CHC recommends adding language to encourage discretionary review of the placement of required open space to better provide accessible open space to the community.
- *La Brea/Farmdale CPIO Sub-district- Policy 7.3.1.D*. allows for adjustment of lot coverage through the introduction of open space. However, this adjustment is only allowed in subarea “A” which is a small proportion of the greater Sub-district. Expanding the adjustment to other appropriate sub-areas allows the CPIO Sub-district to better realize the purpose identified in Section 3, sub-section 3.3, 3.4, 3.6, 3.7.
 - *Policy B.1.1.A* aims to require project on a lot size equal or greater than 15,000 square feet should be developed to maintain at least 20% open space areas as publicly accessible open space. To enable this requirement, remove the word, “should” and replace with “will” or “shall.”
 - *Policy B.1.1.F*: Consistent with recommendation provided for Jefferson/La Cienega CPIO Sub-district *Policy B.2.1.F*, encourage discretionary guidance to be provided when evaluating open-space internal or external to sites.
- *Hyde Park CPIO Sub-district*- To make consistent with purposes outlined in Section 3, sub-section 3.2, 3.3., 3.5, 3.6, and 3.7, the Hyde Park CPIO Sub-district shall integrate lot coverage and publically accessible open space requirements on developments in appropriate sub-areas.
- *Crenshaw Specific Plan*- At this time, no recommendations can be offered as the requisite design standards and use-limitations have not yet been released. As such, CHC calls on the Department to offer another opportunity for public understanding and comment after an appropriate amount of time has passed after the release of the Design Guidelines and Standards Manual and List of Additional Uses Permitted in Leimert Park.

CONCLUSION

Health and economic equity are too important to be left to market forces. The public sector has a responsibility to ensure fair access to healthy foods, equitable housing/ business opportunities, multi-modal accessibility, and physical activity resources in underserved communities. Policymakers must lay the groundwork to increase opportunities for improving these resources in our City's most vulnerable communities. We encourage the city to adopt policies that incorporate each of the aforementioned strategies into the future vision for development in the neighborhoods of the West Adams-Baldwin Hills-Leimert Park region, and ultimately the entire South Los Angeles community.

If you have any questions or comments regarding this letter, and/or our proposed policy recommendations please feel free to contact Policy Analysts Breanna Morrison or Mark Glasscock at 323.295.9372.

Thank you for your consideration and interest in this important matter.

Sincerely,


Lark Galloway-Giriam, MPA
Executive Director

¹ Ibid

² Ibid

³ South Los Angeles Transportation Master Plan. Los Angeles Department of Transportation (LADOT). City of Los Angeles, Apr. 2009. Web. 10 Oct. 2011. <<http://ladot.lacity.org/pdf/PDF246.pdf>>

⁴ Demographics Research Group, Population, Housing, and Construction Report Selector. Los Angeles Department of City Planning. City of Los Angeles, 02 Oct. 2010. Web. 10 Oct. 2011. <<http://cityplanning.lacity.org/DRU/Loc/LocRpt.cfm?geo=CP>>

⁵ Ibid

⁶ Los Angeles City Planning Department. Recommendation Report to the City Planning Commission, Case No. CPC-2010-2268-GPA. October 14, 2010.

⁷ City of Los Angeles, Los Angeles CEQA Threshold Guide. EnvironmentLA, City of Los Angeles, n.d. Web. 22 Oct. 2011. <http://www.ci.la.ca.us/ead/programs/table_of_contents.htm>

⁸ Health Effects of Air Pollution. Health Effects of Air Pollution. California Environmental Protection Agency: Air Resources Board, n.d. Web. 02 Oct. 2011. <<http://www.arb.ca.gov/research/health/health.htm>>

⁹ Jeff, Gloria. Pedestrian Collisions in Los Angeles 1994-2000. Rep. Los Angeles Department of Transportation, Mar. 2006. Web. 11 Mar. 2011. <<http://ladot.lacity.org/pdf/PDF221.pdf>>

¹⁰ California Department of Alcoholic Beverage Control, State of California. <http://www.abc.ca.gov/datport/LQSMenu.html> accessed 30 January 2008.

¹¹ Agran PF, Winn DG, Anderson CL, Tran C, Del Valle CP. 1996. The role of physical and traffic environment in child pedestrian injuries. Pediatrics 98(6 pt 1):1096-1103

¹² Federal Highway Administration (US Department of Transportation), 2002. Safety effects of marked vs. unmarked crosswalks at uncontrolled locations – Executive summary and recommended guidelines. Report no. FHWA-RD-01-075. Washington, D.C

¹³ Ibid

¹⁴ Ibid

¹⁵ Maintaining Diversity in America's Transit-Rich Neighborhoods, Dukakis Center for Urban and Regional Policy <http://www.dukakiscenter.org/storage/TRNEquityFull.pdf>



COMMENT LETTER NO. 17

United Neighborhoods of the Historic Arlington Heights,
West Adams and Jefferson Park Communities Neighborhood Council

P.O. Box 19219 · Los Angeles, CA 90019
phone: 323-731-8686 · email: info@unnc.org · website: www.unnc.org

January 15, 2013

Reuben Caldwell
Arthi Varma
Department of City Planning
200 N. Spring Street, Room 667,
Los Angeles, CA 90012

RE: Proposed New West Adams-Baldwin Hills-Leimert Community Plan,
CPC-2006-5567-CPU, ENV-2008-478-EIR

Dear Mr. Caldwell and Ms. Varma:

The United Neighborhoods of the Historic Arlington Heights, West Adams and Jefferson Park Communities Neighborhood Council (UNNC) has voted to express its concerns and present to you nearly a dozen initiatives regarding the proposed West Adams-Baldwin Hills-Leimert Community Plan. Although there are some very positive elements in the proposed Plan, as currently presented UNNC does not fully support it.

UNNC considered this matter at a regularly scheduled and publicly-noticed Governing Board meeting held on Thursday, January 3, 2013. UNNC's Planning and Zoning Committee, with many community stakeholders present, had met previously several times with Planning Department representatives, and UNNC Board representatives also participated in meetings with the Planning Department at least six years ago specifically to address the future of Washington Boulevard and UNNC's own initiatives to create a Specific Plan.

UNNC's Governing Board first had a discussion about some broad issues, in particular what appears to be a failure to "conserve character neighborhoods," and as well the conflicting population numbers utilized in the Draft EIR, in the proposed Community Plan, and the 2010 Census versus the 2000 Census and its projections in 2004 and 2008.

After the discussion immediately below, we will present UNNC's specific motions.

Regarding Population Figures: The West Adams-Baldwin Hills-Leimert Community Plan and the corresponding Draft EIR use population projections that we can't reconcile with SCAG provided information or 2010 Census results. The actual pace of growth in California was 2.6% from 2000 to 2010, which was slower than projected. However, the Department of City Planning

is using 2008 numbers (projected from the Year 2000 Census) that do not reflect 2010 Census results that show the previous population forecast was too high by 277,000. As a result, it seems possible that capacity and/or density in excess what is required by actual and forecast population projections is being incorporated in the plan.

A December 2008 Planning Department memo by then-Deputy Director John Dugan specified that the West Adams-Baldwin Hills-Leimert Community Plan would be allocated 5% of the overall population growth assigned to the City of Los Angeles by SCAG. In addition, the current West Adams-Baldwin Hills-Leimert Community Plan draft forecasts a population increase of 19.8% by 2030. (n.b. Table 2-3 shows a 2008 population of 182,600 and a 2030 forecast of 218,741 for West Adams-Baldwin Hills-Leimert.)

If one takes the 2030 forecast of 218,741 and subtracts the 2008 population of 182,600, the result is a forecast population increase of 36,141 for this Community Plan area. If one then takes the recommended John Dugan figure that 5% is the maximum fair share of city wide growth for this Community Plan area to absorb, that would imply a city wide population increase forecast of 722,820. (calculation: $36,141 / 0.05$). We would like assurances about whether allocation of city wide growth assigned to this Community Plan is in fact at 5% or under of current forecast growth as recommended by the John Dugan memo.

*** Regarding Character Neighborhoods:** One of the city's policies (Framework Element) is to conserve character neighborhoods. An equally important adopted policy (Housing Element) is that all new housing capacity is to be on our commercial corridors. In order to "conserve" character neighborhoods in the general West Adams District (this Community Plan area as well as the adjacent South Los Angeles Community Plan area), the Department of City Planning has said for MANY years that it would *transfer* density to the corridors (adopted Figueroa Corridor GPA; adopted Neighborhood Stabilization Ordinance; adopted Housing Element; etc.)

The West Adams-Baldwin Hills-Leimert Community Plan does add a lot of housing capacity on the corridors in the form of mixed use. However, it does not downzone existing character neighborhoods, particularly those that have zoning intensity higher than the actual use.

In the December 22, 2008 memo from John Dugan, with the subject "Final Community Plan Population Projections for 2030," page two states that "Staff is encouraged to maintain existing capacity and to shift capacity when necessary (e.g., downzone a residential area, make up the capacity by allowing mixed use on a major corridor)."

The West Adams-Baldwin Hills-Leimert Community Plan goal is to add capacity for at least 19,703 dwellings. (n.b., Table 2-3 shows 66,415 units as built in 2008, with this plan accommodating growth to **at least** capacity of 86,118 by 2030. The phrase "at least" is appropriate because the city reportedly uses a "mid-point method" and not maximum possible zoning capacity as the target, per the John Dugan memo establishing the criteria for this project.)

*** Further Comment on Residential Neighborhoods:** UNNC discussed the fact that the Department also did not evaluate most of the residential pocket neighborhoods. Reportedly this was because there was not enough budget to fully examine the current uses in the context of the

current zoning and/or Community Plan designations. However, given that this Plan is to be the governing document for all land use decisions for the next two decades, it seems inappropriate to isolate residential neighborhoods, within UNNC's boundaries and indeed through the Community Plan, and not include them in the evaluations or recommendations – particularly since at least some of the current Plan designations and zoning designations appear to have been amended since the last public community-wide Plan Revision process in the late 1980s and early 1990s. Numerous of our UNNC stakeholders have commented that they were not aware of, and had not been notified about, any update process a decade later, in the early 2000s.

Furthermore, concerns were stated that the RD zoning, in and of itself, is problematic in certain character neighborhoods since it allows for the joining of lots/parcels, and thus massing of new structures that are often over-bulked in comparison to the neighborhood and its surrounding residential structures. This discussion was also previously had with Department staff.

UNNC RECOMMENDATIONS/MOTIONS

1). Transfer of density

A. Community Plans need to evaluate existing residential neighborhoods to identify those that are zoned for higher capacity than currently built, and residential neighborhoods that are zoned with excess capacity should be downzoned to a capacity that accurately reflects existing use and/or a zoning that conserves the character of the existing neighborhood.

B. Whereas the West Adams-Baldwin Hills-Leimert Community Plan adds extensive mixed use to the Corridors and Transit Oriented Districts, sufficient new capacity has been added to meet growth projections after downzoning residential neighborhoods. UNNC notes that this is in accordance with advice given to staff in the December 22, 2008 memo from John Dugan, Deputy Director of City Planning.

2). The area bounded by Montclair on the north and Jefferson Blvd on the south; and Crenshaw on the west and Edgehill on the east (aka west Jefferson Park), should be substantially downzoned to R2 to match the predominant existing single-family and duplex use (and built form). Where higher density already exists, we recommend the lowest feasible density RD zone.

3). Whereas substantial portions of Arlington Heights have eligible historic resources, UNNC adopts the position that the Planning Department should address zoning in Arlington Heights by (i) creating numbered subareas; (ii) creating the subareas in units of half-blocks split on the rear property lines, when appropriate, so that both sides of the same street can have the same zoning; and (iii) evaluating each subarea for appropriate zoning (but not spot zoning). Appropriate zoning should be as low as possible based on current use and building form, with no more than 1/3rd of parcels out of line with the adjusted zoning.

4). Community Plans (i) should use the latest available Census results where Census results are used for estimating population and dwelling baselines and projections and (ii) should disclose in detailed footnotes or appendices how population and dwelling forecasts are derived, as well as how existing population and dwelling capacity numbers are derived, including data sources and calculation methodology. UNNC further adopts the position that the *West Adams-Baldwin Hills-Leimert Community Plan* should have no

more than 5% of projected city wide growth allocated to that plan area, per the December 22, 2008 memo by John Dugan, Deputy Director of City Planning.

5). Community Plans should mitigate cut-through traffic resulting from ingress and egress of mixed use and commercial parking by requiring that traffic entering or exiting alleys or side streets adjacent to residential areas shall be guided by requiring such exits to have signage and traffic management features such as bump-outs that encourage traffic to flow to and from the nearest major boulevard, and thereby discourage traffic from cutting through residential neighborhoods. An appropriate goal should be added to Chapter 4.2 Mobility: Parking Management as well as a corresponding Implementation in the Commercial Corridors and Nodes CPIO.

DISCUSSION: Without such a requirement in the Plan itself, it may not be technically or legally possible to require such mitigations on new developments proposed for the commercial corridors, based on instructions the City Attorney has given to the Department of City Planning relative to such proposed mitigations on prior projects. UNNC wishes to avoid such problems in the future by simply making this initiative a part of the Community Plan.

6). Community Plans for the UNNC area should be reviewed to include zoning that stimulates creation of quality jobs in the appropriate commercial and industrial corridors, in order to create a better housing and job balance. DISCUSSION: It was brought to our attention by stakeholders that the Community Plan adds housing but doesn't seem to offer appropriate incentives that would create new employment locations commensurate with the projected population increase.

7). UNNC supports a second Public Hearing for West Adams-Baldwin Hills-Leimert Park Community Plan Update. UNNC wishes to emphasize that not all documents for the Community Plan Update were timely released for review.

8). The limitation against closely spaced Free Standing Fast Food restaurants should apply to Council District 10, by striking the exception for CD10 in the Commercial Corridor and Nodes CPIO Table 6.1, row 9 as shown here "All corridors and nodes ~~except for those located in CD-10.~~"

DISCUSSION: According to studies, standalone fast food restaurants take away scarce land that can be used for higher and better purposes. For example, grocery store developers have said that a barrier to grocery store development in South LA is a lack of available land. A ban has been passed since 2007 on closely spaced standalone fast food restaurants in South LA. Seven new grocery stores have been developed since 2007, which while not a provable result of the ban, is a positive correlation. For reasons not made clear, the new West Adams-Baldwin Hills-Leimert Community Plan exempts Council District 10 from these regulations. UNNC voted to eliminate the exemption.

9). The Planning Department should ensure that the West Adams-Baldwin Hills-Leimert Community Plan policies and programs addressing (i) bicycle facilities, (ii) pedestrian amenities, (iii) complete streets, (iv) mobility hubs, (v) access to transit; and (vi) pedestrian/bicycle safety that are set forth in the Mobility Chapter of the West Adams-Baldwin Hills-Leimert Community Plan are more strongly enforced by (i) responsible agencies, (ii) the Plan's Implementation Program Table; and (iii) CPIOs. UNNC also recommends that Community Plans adopt sensible bicycle priority streets, pedestrian priority streets and pedestrian amenity plans.

10). Whereas there is a need to alleviate significant park service shortages in the Adams-Baldwin Hills-Leimert region, as well as the need for greening, creation of open space, and recreational opportunities, UNNC recommends that the Adams-Baldwin Hills-Leimert Community Plan prioritize the allocation of new open space in areas of high need by incorporating within the Adams-Baldwin Hills-Leimert

Community Plan the commitment under the Mayor's Memorandum of Understanding for the Space Shuttle Endeavour Move Project to create a Park Master Plan for the Plan Area by December 31, 2014.

DISCUSSION: Open space and people-to-park ratios in South L.A. are much lower than elsewhere in the county, at 0.48 acres per 1,000 records, vs. 75.2 acres per resident throughout the county. Moreover, the majority of the park space in the West Adams-Baldwin Hills-Leimert Community Plan is in the Kenneth Hahn Park in Baldwin Hills.

11). Whereas as of January 3, 2013, Appendix B: Washington Boulevard Design Guidelines of the *Commercial Corridors and Major Intersection Nodes Subdistrict CPIO* has not yet been made available to the public, UNNC reiterates to the Planning Department that UNNC has previously developed and endorsed a Washington Boulevard Specific Plan proposal that UNNC would like to have substantively implemented by the Community Plans (both West Adams and South Los Angeles).

12). The Community Plan should support libraries by exploring adaptive re-use of existing buildings, including the original and vacant Washington Irving Library at 1803 S. Arlington, and exploring creative solutions to create places for the community to access and share knowledge, including public access to libraries in schools and placing libraries in other community spaces.

Respectfully submitted,



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cc: City Council President Herb Wesson, CD 10