



## DEPARTMENT OF CITY PLANNING

### RECOMMENDATION REPORT

#### CITY PLANNING COMMISSION

**Date:** July 13, 2017  
**Time:** After 8:30 a.m.  
**Place:** Los Angeles City Hall  
200 N. Spring St., Rm. 350  
Los Angeles, CA 90012

**Case No.:** CPC-2017-2022-CA  
**CEQA No.:** ENV-2017-2023-ND  
**Location:** Citywide  
**Council District:** All

#### PUBLIC HEARING: REQUIRED

**PROPOSED PROJECT:** An ordinance amending Sections 12.24, 14.00, and 14.3.1 of the Los Angeles Municipal Code to clarify existing regulations and align housing affordability requirements across a range of zoning entitlements that allow for increased density or floor area.

**RECOMMENDED ACTIONS:**

1. **Recommend** adoption of the proposed ordinance (Exhibit A).
2. **Adopt** the staff report as the Commission's report on the subject;
3. **Adopt** the attached Findings;
4. **Approve and recommend** that the City Council, based on the whole of the administrative record, determine that the proposed ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) and direct staff to file the Notice of Exemption with the County Clerk's office (see Exhibit B); and, pursuant to CEQA Guidelines Section 15074(b), after consideration of the whole of the administrative record, including Negative Declaration No. ENV-2017-2023-ND ("Negative Declaration"), and all comments received, that there is no substantial evidence that the project will have a significant effect on the environment, FIND the Negative Declaration reflects the independent judgment and analysis of the City; and ADOPT the Negative Declaration.

VINCENT P. BERTONI, AICP  
Director of Planning  
(signed version in the case file)

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**Exhibits:**

- A - Proposed Value Capture Ordinance
- B – Environmental Clearance

## PROJECT ANALYSIS

### I. Project Summary

In 2014, a Council motion was introduced (CF 14-1325 – O’Farrell/Huizar) requesting the Department of City Planning (DCP) and the Housing + Community Investment Department (HCID) to report on the feasibility of the implementation of a “value capture affordable housing” policy. The motion called for an analysis of potential land use policies that would “establish a nexus between certain discretionary land use entitlements and affordable housing.”

Subsequently, the Department reported on the status of the value capture feasibility study as part of a larger joint report with HCID in 2015. The Department detailed specific strategies to increase housing production and reported that, per the Council motion, value capture was undergoing a feasibility study.

On May 27, 2016, the Department submitted its initial “Value Capture Policy” report to the Planning and Land Use Management Committee for consideration. The report analyzed similar policies in other jurisdictions such as Chicago, Boston and New York, and provided three policy options for the Council’s consideration. The three options varied in how affordable housing requirements would relate to the requested increase in density and floor area. One option would create a flat, fixed requirement regardless of project size. Another option presented a mixed-income approach where, regardless of size, a project would be required to provide a fixed number of affordable housing at multiple income levels. The third option required affordable housing based on the amount of density and floor area increase requested by a project.

In response to the Department’s initial report, on November 22, 2016, the City Council directed DCP to draft a “value capture” ordinance to link the approval of certain discretionary land use entitlements, which increase allowable residential density beyond 35%, with standardized affordable housing requirements.

Specifically, the proposed ordinance would:

- Clarify and establish affordable housing requirements on certain existing Conditional Use Permits, Public Benefit Projects, and Eldercare Facility Unified Permits.
- Establish and ensure 55 year affordability covenant requirements on certain Conditional Use Permits, Public Benefit Projects, and Eldercare Facility Unified Permits.
- Include a one-to-one housing replacement policy consistent with AB 2222.

### II. Background

Los Angeles continues to have a housing shortage. Housing affordability, overcrowding, and homelessness rates are ranked at or near the most severe in the country. While there are multiple factors contributing to inadequate housing production, especially affordable housing, incentive programs such as Density Bonus have been able to partially mitigate this shortage by generating affordable housing in exchange for a range of land use incentives. Between 2013 and 2016, approximately 26% of all affordable housing constructed in the City resulted from

land use programs that allow for increased density and/or other incentives.

While the Density Bonus program has contributed to the addition of affordable housing units, developers often pursue other entitlement pathways to achieve additional density, such as Zone Changes, Height District Changes, and General Plan Amendments that until recently did not include affordable housing requirements. The recently adopted Measure JJJ closed this gap in requirements to a large degree in that it established affordable housing requirements, similar to the Density Bonus program, when projects pursue Zone Changes, Height District Changes, and General Plan Amendments.

The proposed ordinance establishes a consistent methodology for the purposes of calculating affordable housing requirements for those few remaining entitlement options that provide additional density but are not covered by Measure JJJ. The ordinance further ensures that these new affordability requirements will be subject to a 55-year covenant agreement, aligning with the requirements of the Density Bonus program and Measure JJJ.

As projects utilizing the entitlement options included in this ordinance are typically requesting density increases beyond 35%, the program establishes proportional relationships between each additional percent increase in density and the affordable housing requirements, as established by the State and the City's Density Bonus Program.

The basic proposed proportional requirements are as follows:

For 35% density increases, projects shall provide:

- 11% Very Low Income Housing; or
- 20% Low Income Housing; or
- 40% Moderate Income Housing

For density increases beyond 35%, projects shall provide, in addition to the above:

- 1% Very Low Income Housing for every additional 2.5% density increase; or
- 1% Low Income Housing for every additional 1.5% density increase; or
- 1% Moderate Income Housing for every additional 1% density increase

With its new requirements for affordable housing, the proposed ordinance will allow the City to exercise greater zoning control on projects that request density increases outside of the Density Bonus program and other affordable housing incentive programs. This would ensure that projects requesting substantial deviations from the maximum density allowed by the existing zoning make a proportional commitment to housing affordability.

The entitlement options included in the proposed ordinance are as follows:

#### **Conditional Use Permit Provisions (LAMC §12.24 F)**

The existing Conditional Use Permit provisions under LAMC §12.24 F allow projects to seek relief from the zone's height and floor area requirements when findings are made relating to the

project's compatibility with and enhancement of the surrounding built environment. However, as currently implemented, any additional height and floor area provided through this pathway is not linked with the provision of affordable housing. LAMC §12.24 F does not require affordable housing in exchange for the increase in height and floor area. To remedy this gap between increased intensity in residential developments and the need for additional affordability, the proposed ordinance would impose consistent affordable housing requirements on projects using the Conditional Use Permit section to increase height and floor area.

#### **Conditional Use Permit Provisions (LAMC §12.24 U.26)**

The Conditional Use Permit provisions under LAMC §12.24 U.26 currently allow an applicant to request a density increase beyond 35%, which is the maximum increase allowed through the Density Bonus program. This subsection utilizes the Density Bonus affordability requirements; however, the methodology to calculate any additional affordable housing requirements on any density increase beyond 35% remains unclear. To clarify the relationship between additional density increases beyond 35% and affordable housing, the proposed ordinance would establish consistent affordable housing provisions that are proportional to the requested density increase.

#### **Conditional Use Permit Provisions (LAMC §12.24 V)**

The Conditional Use Permit described in LAMC §12.24 V allows applicants to request a mixed commercial/residential use development. As in LAMC §12.24 U.26, this Conditional Use Permit allows projects to increase their density beyond 35%. Similarly, this section uses the base affordable housing provisions under the Density Bonus program, but does not offer any clear methodology to require more affordable housing that is proportionate to density increases beyond 35%. Additionally, the affordability requirement in 12.24 V is ensured for only 30 years. Therefore, the proposed ordinance would require affordable housing that is proportional to the density or floor area increase requested, and adjust the requirement from 30 to 55 years.

#### **Public Benefits Project Provisions (LAMC §14.00 A.2)**

Similar to the conditional use permits mentioned above, the public benefits project under LAMC §14.00 A.2 allows applicants to seek a density increase in excess of 35%, based on the standard affordable housing requirements provided in the Density Bonus program. Like the other entitlement options, the methodology to require additional affordable housing that is proportional to any density increases beyond 35% remains unclear. To ensure consistency of the affordable housing requirements, the proposed Value Capture ordinance would align the affordable housing requirements proportionally to the density increase, and ensure that the units remain affordable for 55 years.

#### **By-Right Eldercare Facility Unified Permit Provisions (LAMC §14.3.1)**

The City's Eldercare Facility Unified Permit as prescribed by Section 14.3.1 allows for eldercare facilities to exceed density and floor area provisions of the respective zone. Though several findings similar to that of a Zone Variance – hardship, compatibility, and Housing Element – need to be made, LAMC §14.3.1 allows for a multi-unit structure to be placed within a single-family neighborhood. The proposed ordinance released for initial public comment would have required specific types of Eldercare Facilities to provide affordable housing that is proportional

to density increases for a period of 55 years. Based on several public comments received, this section has been removed from the Department's proposed ordinance (see *Public Comment Summary* on page P-1).

### **III. Conclusion**

The proposed Value Capture ordinance will add affordable housing requirements to entitlement processes that result in substantial density increases. The new provisions on affordable housing will align with the City's currently existing incentive programs, such as Density Bonus, and the recently approved Measure JJJ. In effect, the proposed ordinance will complement Measure JJJ by adding one-to-one affordable housing replacement requirements for those entitlement processes not included in the Measure, while ensuring a standardized methodology is used to calculate affordability requirements across various entitlement processes. This will result in greater predictability for applicants, the City, and the community during project development and remove the need for individual, case-by-case adjustments to affordability requirements. Finally, the proposed ordinance will also preserve existing affordable housing stock by requiring one-to-one replacement of affordable units demolished as part of a proposed project.

## **PUBLIC COMMUNICATIONS**

### **Public Comment Summary**

The proposed Value Capture ordinance was released on May 25, 2017 for a 30-day public comment period, which ended on June 26, 2017. A total of five public comment letters were received. Three expressed concern about the changes proposed to the Eldercare Facilities requirements. One of the comments on Eldercare Facilities also expressed concern regarding the treatment of FAR increases in the Mixed Commercial/Residential Use Conditional Use Permit under LAMC §12.24 V. Lastly, two public comments expressed opposition to the proposed ordinance overall, reasoning that it would increase housing construction costs, homelessness and crime.

### **Eldercare Facilities**

Three of the five comment letters received were specifically concerned with the blanket inclusion of Eldercare Facility Unified Permits under LAMC §14.3.1. Eldercare Facilities, defined in LAMC §12.03, are comprised of two or more of the following housing types: Senior Independent Housing, Assisted Living Care Housing, Skilled Nursing Care Housing, and/or Alzheimer's/Dementia Care Housing. All of these housing types require some type of licensed care or medical services with the exception of Senior Independent Housing, which functions similar to senior rental housing. The comments reasoned that imposing affordable housing requirements on all of these housing types could potentially render them economically infeasible, thereby negatively impacting senior care within the city. Furthermore, these housing types are not considered to be traditional dwelling units as they are integrated with a care-based facility, making it impractical to restrict rent levels based on income of the seniors residing within these facilities.

The intent of the proposed ordinance is not to impact care-based senior housing or to impact senior housing with density increases covered by Density Bonus, but rather to add affordability to senior housing. Affordability requirements may be most appropriate for Senior Independent Housing; however, this housing type is combined with a secondary housing type in Eldercare Facilities. The combination of housing types within Eldercare Facilities render a value capture policy on these facilities impractical. As a result of this feedback, the Department has modified the proposed ordinance to remove Section 14.3.1. The ordinance in Appendix A reflects this change.

### **Mixed Commercial/Residential Use Conditional Use Permit**

One of the comment letters regarding Eldercare Facilities also raised additional concern about the proposed changes to the Conditional Use Permit for Mixed Commercial/Residential Use projects under LAMC §12.24 V. The commenter argued that by including the floor area increase of the entire mixed-use project into the calculations for affordable housing, the project would become economically infeasible with a proportionally greater number of required affordable units. The result would be that few applicants would consider using this conditional use permit.

However, the intent of the proposed ordinance is to only impose affordability requirements on

the residential portion of the project. Additionally, as LAMC §12.24 V states, the bonus floor area granted shall only be used solely for residential development. Therefore, these provisions will impact only the residential portion of a mixed commercial/residential use project under LAMC §12.24 V. As such, no changes have been proposed by the Department.

## FINDINGS

### I. General Plan Findings

#### City Charter Section 556 and 558

In accordance to Charter Sections 556 and 558, the proposed ordinance is in substantial compliance with the purposes, intent, and provisions of the General Plan. It would address the following goals, objectives, and policies of the General Plan outlined below.

#### A. General Plan Framework Element

The proposed Value Capture ordinance will meet the intent and purposes of the General Plan Framework Element to encourage the creation of housing opportunities for households of all types and incomes, while at the same time promoting livable neighborhoods. In particular, the proposed Value Capture ordinance would further the intent and purpose of the following relevant goals, objectives, and policies of the Framework Element:

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

*Goal 4A - An equitable distribution of housing opportunities by type and cost accessible to all residents of the City.*

*Objective 4.1 - Plan the capacity for and develop incentives to encourage production of an adequate supply of housing units of various types within each City subregion to meet the projected housing needs by income level of the future population to the year 2010.*

*Policy 4.1.2 - Minimize the overconcentration of very low- and low-income housing developments in City subregions by providing incentives for scattered site development citywide.*

*Policy 4.1.6 - Create incentives and give priorities in permit processing for low- and very-low income housing developments throughout the City.*

*Goal 7G - A range of housing opportunities in the City.*

#### B. Housing Element

The proposed TOC Guidelines are in substantial conformance with the purpose, intent and provisions of the General Plan in that they would further accomplish the goals, objectives and policies of the Housing Element outlined below:

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

*Policy 1.1.2 - Expand affordable rental housing for all income groups that need assistance.*

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

*Policy 1.1.7 - Strengthen the capacity of the development community to develop affordable housing.*

*Objective 1.2 - Preserve quality rental and ownership housing for households of all income levels and special needs.*

*Policy 1.2.2 - Encourage and incentivize the preservation of affordable housing, including non-subsidized affordable units, to ensure that demolitions and conversions do not result in the net loss of the City's stock of decent, safe, healthy or affordable housing.*

*Policy 1.2.7 - Strengthen the capacity of the development community to preserve and manage affordable housing.*

*Policy 1.2.8 - Preserve the existing stock of affordable housing near transit stations and transit corridors. Encourage one-to-one replacement of demolished units.*

*Objective 2.2. - Promote sustainable neighborhoods that have mixed-income housing, jobs, amenities, services and transit.*

*Policy 2.2.3 - Promote and facilitate a jobs/housing balance at a citywide level.*

*Objective 2.5 - Promote a more equitable distribution of affordable housing opportunities throughout the City.*

*Policy 2.5.2 - Foster the development of new affordable housing units citywide and within each Community Plan Area.*

The proposed ordinance is in conformance with the range of General Plan goals related to affordable housing production and preservation, as described in the above list of goals, objectives, and policies. The City's General Plan recognizes the need for affordable housing which benefit the public good. Imposing standardized affordable housing production and preservation requirements on entitlement pathways that allow for substantial density increases will greatly assist the City in meeting its growing affordable housing needs.

Furthermore, the proposed ordinance is the implementation of Housing Element's Program 8 – Land Use Program to Increase the Production of Affordable Housing and Program 9 – Facilitate Housing for Senior and Disabled Persons. Additionally, it is in conformance with or related to the

following implementation program of the Housing Element: Program 6 – New Production of Affordable Housing, Program 16 – New Programs to Increase the Production of Affordable Housing, Program 27 – Preservation of the Rental Housing Stock – Condominium Conversions and Demolitions, and Program 41 – Preservation of Affordable Housing. The proposed Value Capture ordinance would achieve the implementation of these programs by introducing standardized affordability requirements and requiring affordable housing replacement for certain conditional use permits, public benefit projects, and eldercare facilities.

## **II. CEQA Findings**

The proposed ordinance qualifies under the “common sense” CEQA exemption pursuant to CEQA Guidelines Section 15061(b)(3), which provides that, where it can be seen with certainty that there is no possibility that a project may have a significant effect on the environment, the project is not subject to CEQA. CEQA only applies to projects that have the potential to cause a significant effect on the environment – either through a direct impact or reasonably foreseeable indirect impact. The proposed ordinance does not have that possibility

The regulations in the proposed ordinance are intended to clarify existing regulations and align affordability requirements across the range of planning entitlements that allow for increased density or FAR. A percentage of affordable housing will be required based upon the percent of density increase, across the range of City policies, as the proposed ordinance would extend existing Density Bonus affordable housing requirements proportionally to any additional density beyond 35%.

The ordinance has no foreseeable chance of directly or indirectly creating any development that would not otherwise occur. Further, any potential indirect impact of the ordinance on the environment will be minor as the proposed ordinance is not anticipated to alter existing development patterns. The City reasonably expects that implementation of the ordinance will not affect the number, type, size or location of development projects built in the City, due to the fact that the ordinance largely clarifies existing city policy. In the one Section where new affordability requirements will be introduced (LAMC Section 12.24 F) the changes are not expected to alter development patterns.

Though the proposed ordinance may result in an increase of affordable housing units produced within new development projects, any increase is expected to be modest and shall not be considered new units added, as the affordable housing units would have been built as market rate. Furthermore, it is expected that projects subject to the new requirements would not be negatively impacted, as they all would receive significant density increases from their allowable zoning. The affordable housing requirements are designed to be consistent with a proportional formula that has proven to be economical and financially feasible under the density bonus program. The limited change included in the proposed ordinance is supported by market conditions and developer expectations throughout the City. As such, the City reasonably expects that development patterns will not be substantially altered from the baseline as a result of this ordinance.

As a result of this analysis, it can reasonably be concluded that the imposition of the affordable housing requirements recommended in the proposed ordinance will have no discernable impact on existing development patterns. This analysis is based largely on the fact that the amount of residential development currently occurring under these entitlements is minimal. Because the proposed ordinance is not anticipated to significantly alter development patterns throughout the City, it thus can be seen with certainty that there is no possibility that it may have a significant direct or indirect effect on the environment, and therefore it is not subject to CEQA pursuant to CEQA Guidelines Section 15061(b)(3).

**EXHIBIT A:**  
Proposed Value Capture Ordinance

CPC-2017-2022-CA  
July 13, 2017

ORDINANCE NO. \_\_\_\_\_

An ordinance amending Sections 12.24, ~~and 14.00, and 14.3.1~~ of the Los Angeles Municipal Code to clarify existing regulations and align affordability requirements across the range of zoning entitlements that allow for increased density or floor area ratio beyond what is allowed by zoning. The ordinance will ensure the creation of affordable housing through certain conditional use permits and public benefit projects.

**THE PEOPLE OF THE CITY OF LOS ANGELES  
DO ORDAIN AS FOLLOWS:**

Section 1. Subsection F of Section 12.24 of the Los Angeles Municipal Code is amended to read:

**F. Conditions of Approval.** In approving a project, the decision-maker may impose conditions related to the interests addressed in the findings set forth in Subsection E. The decision may state that the height and area regulations required by other provisions of this Chapter shall not apply to the conditional use approved. If the Density Bonus is increased beyond the maximum allowed as defined in LAMC 12.22 A.25 density limits are increased, the development project must also contain the requisite number of Restricted Affordable Units as set forth in Section 12.24 U.26(a)(1) through (5) of the Los Angeles Municipal Code.

Section 2. Subdivision 26 of Subsection U of Section 12.24 of the Los Angeles Municipal Code is amended to read:

**26. Density Bonus for a Housing Development Project in which the density increase is greater than the maximum permitted in Section 12.22 A.25.**

(a) In addition to the findings set forth in 12.24 E., the City Planning Commission shall find:

- (1) that the project is consistent with and implements the affordable housing provisions of the Housing Element of the General Plan;
- (2) that the project contains the requisite number of ~~affordable units~~ Restricted Affordable Units, based on the number of units permitted by the maximum allowable density on the date of application, as follows and/or senior citizen units as set forth in California Government Code Section 65915(b):
  - a. 11% Very Low Income Units for a 35% density increase; or

- b. 20% Low Income Units for a 35% density increase; or
- c. 40% Moderate Income Units for a 35% density increase in for-sale projects

The project may then be granted additional density increases beyond 35% by providing additional affordable housing units in the following manner:

- d. For every additional 1% set aside of Very Low Income Units, the project is granted an additional 2.5% density increase; or
- e. For every additional 1% set aside of Low Income Units, the project is granted an additional 1.5% density increase; or
- f. For every additional 1% set aside of Moderate Income Units in for-sale projects, the project is granted an additional 1% density increase.
- g. In calculating the density increase and Restricted Affordable Units, any number resulting in a fraction shall be rounded up to the next whole number;

(3) that the project meets any applicable dwelling unit replacement requirements of California Government Code Section 65915(c)(3);

(4) that the project's Restricted Affordable Units are subject to a recorded affordability restriction of 55 years from the issuance of the Certificate of Occupancy, recorded in a covenant acceptable to the Housing and Community Investment Department, and subject to fees as set forth in Section 19.14 of the Los Angeles Municipal Code; and

(5) that the project addresses the policies and standards contained in the City Planning Commission's Affordable Housing Incentives Guidelines.

~~(b) The payment of filing fees may be deferred pursuant to the provisions of Sections 19.01 O., 19.05 A.1. and 5. of this Code.~~

Section 3. Subsection V of Section 12.24 of the Los Angeles Municipal Code is amended to read:

**V. Conditional Use Permit – Area Planning Commission With Appeals to the City Council.** (Amended by Ord. No. 182,095, Eff. 5/7/12.) The following uses and activities may be permitted in any zone, unless restricted to certain zones or locations, if approved by the Area Planning Commission as the initial decision-maker or the City Council as the appellate body. In addition

to the requirements set forth below, the decision-maker shall follow the procedures set forth in Subsections B. through Q.

### **Mixed Commercial/Residential Use Developments**

1. **Findings.** In addition to the findings set forth in Section 12.24 E., the Area Planning Commission shall find:
  - (a) that the project is consistent with and implements the affordable housing provisions of the General Plan's Housing Element;
  - (b) that the project will further the City's goal of achieving an improved jobs-housing relationship, which is needed to improve air quality in the City;
  - (c) that pursuant to an agreement entered into under Government Code Sections 65915-65918, the project will include the number of Restricted Affordable Units as set forth in Section 12.24 U.26(a)(1) through (5) of the Los Angeles Municipal Code, with any percentage increase in floor area treated the same as a percentage increase in density for purposes of calculating the number of Restricted Affordable Units. sufficient to qualify for a 35% Density Bonus pursuant to Section 12.22 A.25. of this Code;
  - (d) that the affordability of all reserved lower income dwelling units will continue for a minimum of ~~30~~55 years;
  - (e) that the construction and amenities provided for the reserved lower income dwelling units will be comparable to those provided for the market rate dwelling units in the development, including the average number of bedrooms and bathrooms per dwelling unit;
  - (f) that the approval of a mixed use development pursuant to this section will constitute an incentive under Government Code Section 65915 and the Transit Oriented Communities program in LAMC 12.22 A.31; and
  - (g) that the approval of a mixed use development on the site will ~~reduce the cost per unit of the~~ provide for affordable housing costs in the housing development.

Section 4. Subdivision 2 of Subsection A of Section 14.00 of the Los Angeles Municipal Code is amended to read:

**2. Density increase for a Housing Development Project to provide for additional density in excess of that permitted in Section 12.22 A.25. (Subdivision Title Amended by Ord. No. 179,681, Eff. 4/15/08.)**

(a) Performance Standards:

- (1) The development project contains the requisite number of affordable Restricted Affordable Units and/or ~~senior citizen units~~ as set forth in Section 12.24 U.26(a)(1) through (5) of the Los Angeles Municipal Code California Government Code Section 65915(b);

~~Section 5. Section 14.3.1 of the Los Angeles Municipal Code is amended to read:~~

~~**A. Purpose Statement.** The purpose of this article is to provide development and affordability standards for Alzheimer's/ Dementia Care Housing, Assisted Living Care Housing, Senior Independent Housing and Skilled Nursing Care Housing, create a single process for approvals and facilitate the processing of applications of Eldercare Facilities. These facilities provide much needed services and affordable housing for the growing senior population of the City of Los Angeles.~~

~~**B. Eldercare Facility Unified Permit.** The Zoning Administrator, as the initial decision maker, may, upon application, permit an Eldercare Facility to be located on a lot or lots in the A1 through R3 Zones, or in the RAS3, R4, RAS4, R5, and all C Zones, when an Eldercare Facility does not meet the use, area, or height provisions of the respective zone contained in this chapter, or the requirements of any specific plan, supplemental use district, "T" classification, "Q" condition, "D" limitation, or Citywide regulation adopted or imposed by City action. In order to approve the project, the Zoning Administrator shall ensure that it is in conformance with the provisions of this section.~~

~~In addition, if the proposed Eldercare Facility is located within the boundaries of an adopted specific plan, notwithstanding the provisions of Section 11.5.7 C. of this Code, the Zoning Administrator shall have the initial decision making authority to decide whether the proposed Eldercare Facility is in conformance with the applicable regulations of the specific plan. In making this determination, the Zoning Administrator shall make each of the findings set forth in Section 11.5.7 C.2. of this Code, following the provisions set forth in this section. Further, if the proposed Eldercare Facility is subject to site plan review, notwithstanding the provisions of Section 16.05 of this Code, the Zoning Administrator shall have the initial decision making authority relating to site plan approval. In making this determination, the Zoning Administrator shall make each of the findings set forth in Section 16.05 F. of this Code, following the provisions set forth in this section.~~

~~**C. Application for Permit.** To apply for an Eldercare Facility Unified Permit approval, an applicant shall file an application and development plans with the Department of City Planning, on a form provided by the Department, and include all information required by the instructions on the application and the guidelines adopted by the Director of Planning. The Director of Planning shall adopt guidelines which shall be used to determine when an application is~~

~~deemed complete. The application shall include a description of how the proposed Eldercare Facility meets the findings set forth in this section. In addition, the applicant shall file a recorded covenant acceptable to the Housing and Community Investment Department ensuring affordability restriction of 55 years from the issuance of the Certificate of Occupancy.~~

~~**D. Procedures.** An application for an Eldercare Facility Unified Permit shall follow the procedures set forth in Sections 14.00 B.4., 14.00 B.7. through B.11. and Section 19.00 and pay covenant fees set forth in Section 19.14 of this Code. If the Zoning Administrator fails to act on an application within the time provided, the applicant may file a request for a transfer of jurisdiction to the Area Planning Commission for decision, pursuant to the procedures set forth in Section 14.00 B.8. An applicant or any other person aggrieved by a decision of the Zoning Administrator may appeal the decision to the Area Planning Commission pursuant to the procedures set forth in Section 14.00 B.9. and Section 19.00.~~

~~**E. Findings for Approval.** The Zoning Administrator shall not grant the approval unless he or she finds that the strict application of the land use regulations on the subject property would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the zoning regulations. The Zoning Administrator must also find:~~

- ~~1. that the property's location, size, height, operations and other significant features shall be compatible with and shall not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety;~~
- ~~2. that the project shall provide services to the elderly such as housing, medical services, social services, or long term care to meet citywide demand;~~
- ~~3. that the project shall not create an adverse impact on street access or circulation in the surrounding neighborhood;~~
- ~~4. that the project provides for an arrangement of uses, buildings, structures, open spaces and other improvements that are compatible with the scale and character of the adjacent properties and surrounding neighborhood; and~~
- ~~5. that the project is in substantial conformance with the purposes, intent and provisions of the General Plan, applicable community plan, and with any applicable specific plan;~~
- ~~6. that the project contains the requisite number of Restricted Affordable Units as set forth in Section 12.24 U.26(a)(1) through (5) of the Los Angeles Municipal Code, unless the project results in a density increase of over 100%, in which case the following provision shall apply; and~~
- ~~7. for a project resulting in a density increases of 100% or more over existing zoning, it shall provide Restricted Affordable Units as a percent of the number of total units in the~~

project of at least:

a. 19% Very Low Income Units; or

b. 30% Low Income Units; or

c. 44% Moderate Income Units in for-sale projects.

In calculating the density bonus and Restricted Affordable Units, any number resulting in a fraction shall be rounded up to the next whole number.

**EXHIBIT B:**  
Environmental Clearance

CPC-2017-2022-CA  
ENV-2017-2023-ND  
July 13, 2017

## **CEQA Compliance – Statutory Exemption**

### **Value Capture Ordinance**

**CPC-2017-2022-CA**

#### **Project Description**

An ordinance amending Sections 12.24, 14.00, and 14.3.1 of the Los Angeles Municipal Code to clarify existing regulations and align affordability requirements across the range of zoning entitlements that allow for increased density or floor area ratio beyond what is allowed by zoning. The ordinance will ensure the creation of affordable housing through certain conditional use permits and public benefit projects.

#### **Summary**

The proposed ordinance qualifies under the “common sense” CEQA exemption pursuant to CEQA Guidelines Section 15061(b)(3), which provides that, where it can be seen with certainty that there is no possibility that a project may have a significant effect on the environment, the project is not subject to CEQA. CEQA only applies to projects that have the potential to cause a significant effect on the environment – either through a direct impact or reasonably foreseeable indirect impact. The proposed ordinance does not have that possibility

The ordinance has no foreseeable chance of directly or indirectly creating any development that would not otherwise occur. Further, any potential indirect impact of the ordinance on the environment will be minor as the proposed ordinance is not anticipated to alter existing development patterns. The City reasonably expects that implementation of the ordinance will not affect the number, type, size or location of development projects built in the City, due to the fact that the ordinance largely clarifies existing city policy. In the two Sections where new affordability requirements will be introduced (LAMC Sections 12.24 F and 14.3.1) the changes are not expected to alter development patterns or lead to any new development which would not otherwise occur. As such, the ordinance is unlikely to create any foreseeable direct or indirect physical impact on the environment.

#### **Proposed Ordinance**

The proposed ordinance introduces new regulations to establish a clear and consistent policy with regards to affordable housing requirements for development projects that seek density increases either beyond the current Density Bonus program or through other entitlements that grant additional floor area (FAR), height, or density.

The following entitlements would be subject to new affordable housing requirements:

1. LAMC Section 12.24 F - Conditional Use Permit Allowing Height and Area Changes
2. LAMC Section 12.24 U.26 - Conditional Use Permit for a Density Bonus for a Housing Development Project in which the density increase is greater than the maximum permitted in Section 12.22 A.25.

3. LAMC Section 12.24 V - Conditional Use Permit for Mixed Commercial/Residential Use Developments (to obtain additional Floor Area Ratio)
4. LAMC Section 14.00 A.2 - Public Benefits Project for Density increase for a Housing Development Project to provide for additional density in excess of that permitted in Section 12.22 A.25
5. LAMC 14.3.1 - Eldercare Facilities that do not meet the use, area, or height provisions of the respective zone

All projects seeking the entitlements described above would be required to provide the requisite number of affordable units, based on the project's base density, as follows:

- A. 11% Very Low Income Units for a 35% density increase; or
- B. 20% Low Income Units for a 35% density increase; or
- C. 40% Moderate Income Units for a 35% density increase in for-sale projects.

For projects seeking additional density increases beyond 35%, the following would additionally apply:

- D. For every additional 1% set aside of Very Low Income Units, the project is granted an additional 2.5% density increase; or
- E. For every additional 1% set aside of Low Income Units, the project is granted an additional 1.5% density increase; or
- F. For every additional 1% set aside of Moderate Income Units in for-sale projects, the project is granted an additional 1% density increase;

Some additional requirements would also apply to these projects under the proposed ordinance, including a requirement that the project provides replacement units consistent with California Government Code Section 65915(c), records a 55-year affordability covenant for the restricted units, and complies with all policies and standards in the City's Affordable Housing Incentives Guidelines.

The proposed ordinance would establish an affordable housing requirement for these programs which would better align them with established regulations such as the density bonus program, Measure JJJ and the TOC program (as established in LAMC 12.22 A.25, 11.5.11 and 12.22 A.30 respectively).

## **Analysis**

### *Current Environment*

For the purpose of CEQA, the analysis of potential environmental impacts from a "project" is based upon a comparison of the potential impacts of a project within the baseline. The baseline is generally the existing conditions at the time the City commences the environmental review of the project (CEQA Guidelines, Section 15125(a)).

The regulations in the proposed ordinance are intended to clarify existing regulations and align affordability requirements across the range of planning entitlements that allow for increased

density or FAR. A percentage of affordable housing will be required based upon the percent of density increase, across the range of City policies. Currently, entitlements under LAMC Sections 12.24 U.26, 12.24 V and 14.00 A.2 require the provision of on-site affordable housing units in exchange for increased density and floor area, consistent with the affordability levels that would be required under a Density Bonus increase of 35% pursuant to LAMC Section 12.22 A.25 (and equivalent to the proposed base affordability requirement described above in items A through C). The proposed ordinance would extend these requirements proportionally to any additional density beyond 35%. No affordable housing is currently required for additional height and floor area entitled under LAMC Section 12.24 F. Entitlements under LAMC Section 14.3.1 allow for unlimited density increases for Eldercare Facilities, but do not currently require the provision of any affordable housing units.

Since 2012, only nine conditional use applications have been submitted under the provisions of LAMC Section 12.24 U.26. Of those, only three applications have been approved to-date, while the remaining cases are currently pending approval. In that same period, there were zero applications for a density increase under LAMC Sections 14.00 A.2, 12.24 V and 12.24 F.

From the date the Eldercare Facilities ordinance was adopted in 2006 to June 6, 2017, a total of 15 Eldercare Facilities projects were approved under LAMC Section 14.3.1, resulting in a total of 1,236 new units or an average of approximately 117 units entitled per year. Only 10 of these projects were approved since 2012. An additional 5 applications are currently pending, which if approved would result in a total of 531 new units. However, no affordable senior units have been generated in Eldercare Facilities to-date. Based on public comments received, and as discussed in the Staff Recommendation Report, this entitlement pathway has been removed from the proposed ordinance.

All combined, an average of fewer than three projects per year have been approved under the five entitlement pathways included in the proposed ordinance. With the potential removal of Eldercare Facilities from the proposed ordinance, this would reduce the average annual number of projects that would have been subject to the proposed ordinance to fewer than one project per year. As the data indicate, the proposed ordinance would impact a very small number of projects, and is intended largely as an administrative cleanup to ensure consistency and predictability among the various entitlements which provide additional residential density.

*“Common Sense” Exemption - CEQA Guidelines Section 15061(b)(3)*

A reasonable argument could be made that the imposition of the affordable housing requirements on projects using these entitlement pathways may have the potential to indirectly impact the physical environment by affecting development patterns. Placing new requirements on new projects may indirectly influence development and investment decisions, leading to some perceivable change in how development occurs. This would be possible if the requirements were high enough to impact overall financial feasibility of a given development project. If such an argument were shown to be valid, it is possible that the ordinance would potentially require analysis under CEQA. However, it is clear that the proposed ordinance is not anticipated to significantly alter development patterns, and thus has no discernable direct or indirect environmental impact.

The proposed ordinance may result in an increase of affordable housing units produced within new development projects, but any increase is expected to be modest because these entitlements are currently very infrequently utilized. Furthermore, it is expected that projects subject to the new requirements would not be negatively impacted, as they all would receive significant density increases from their allowable zoning. The affordable housing requirements are designed to be consistent with a proportional formula that has proven to be economical and financially feasible under the density bonus program. The limited change included in the proposed ordinance is supported by market conditions and developer expectations throughout the City. As such, the City reasonably expects that development patterns will not be substantially altered from the baseline as a result of this ordinance.

As a result of this analysis, it can reasonably be concluded that the imposition of the affordable housing requirements recommended in the proposed ordinance will have no discernable impact on existing development patterns. This analysis is based largely on the fact that the amount of residential development currently occurring under these entitlements is minimal. Because the proposed ordinance is not anticipated to significantly alter development patterns throughout the City, it thus can be seen with certainty that there is no possibility that it may have a significant direct or indirect effect on the environment, and therefore it is not subject to CEQA pursuant to CEQA Guidelines Section 15061(b)(3).

### **Subsequent Environmental Review**

All future development projects that receive the entitlements described in the proposed ordinance will be subject to environmental review at such time as approvals for those projects are considered. The Value Capture ordinance does not provide a means for exempting any future development projects of any sort from the requirements of CEQA, simply by satisfying affordable housing requirements. Instead, all future development projects will undergo CEQA review as appropriate and applicable to their unique characteristics. Individual projects may, or may not be found to be individually exempt from CEQA on the basis of their unique characteristics. That decision can only be made at a later date, when the specific details of each project are known. The exemptions from CEQA that apply to the establishment of the Value Capture ordinance do not apply to the individual projects that are constructed as a result of the ordinance.

## **CEQA Compliance – Negative Declaration**

### **Value Capture Ordinance**

**CPC-2017-2022-CA**

**ENV-2017-2023-ND**

### **Project Description**

An ordinance amending Sections 12.24, 14.00, and 14.3.1 of the Los Angeles Municipal Code to clarify existing regulations and align affordability requirements across the range of zoning entitlements that allow for increased density or floor area ratio beyond what is allowed by zoning. The ordinance will ensure the creation of affordable housing through certain conditional use permits and public benefit projects.

### **Project Location**

Citywide.

## **EVALUATION**

### **Summary**

Below is a discussion of the potential impacts in each environmental topic area. In most cases, topic areas are not impacted at all, or only tangentially. In cases where there may be a potential effect, the net result would be minor. As a result, the preliminary study finds no potential impacts.

This evaluation is a review of the impact of the proposed Value Capture Ordinance on development patterns and behavior throughout the City of Los Angeles.

### **Aesthetics**

The Value Capture ordinance would have no impact on the physical size, shape or aesthetics of new residential and mixed-use development. The new affordable housing requirements are designed to be consistent with similar requirements and are anticipated to be feasible given current construction costs and development conditions, and as such should have no impact on the aesthetics of future projects. Furthermore, as no new construction is specifically proposed in this ordinance, there will be no impact to scenic vistas, scenic resources, visual character or quality, or light quality. Any future development and resulting structures would be subject to the same building and environmental review process that currently exists and impacts to aesthetics would be subject to subsequent environmental review and analyzed during the application process.

Mitigation Measures: None.

Conclusion: No impact to aesthetics.

**Agriculture and Forestry Resources**

It is not reasonably foreseeable that subsequent development would impact agriculture and forestry resources as they are so limited in the City. Because it does not propose any new construction, and any subsequent development that receives the entitlements described in the proposed ordinance would be subject to environmental review at the time that the application is considered, the amendment will not directly or indirectly result in the loss or conversion of any Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. No loss of forest land or conversion of forest land to non-forest land will occur.

Mitigation Measures: None.

Conclusion: No impact to agricultural resources.

**Air Quality**

The proposed amendment will not obstruct the implementation of South Coast Air Quality Management District plans, nor will it violate any air quality standard or contribute substantially to an existing or projected air quality violation. As no construction is proposed, it will not directly result in the cumulative net increase of any criteria pollutant for which the project is non-attainment, expose sensitive receptors to pollutants, or create objectionable odors. Any future development and resulting structures would be subject to the same building and environmental review process that currently exists and impacts to sensitive receptors and the creation of objectionable odors would be speculative at this time. Subsequent development will be subject to subsequent environmental review and analyzed during the application process.

Mitigation Measures: None.

Conclusion: No impact to air quality.

**Biological Resources**

As no construction is proposed, it will not directly impact state or federally listed species, riparian habitat, wetlands, sensitive natural communities, migratory fish or wildlife species, adopted Habitat Conservation Plan, Natural Community Plan, trees, or marine animals. Additionally, based on the number of projects expected and the types of projects expected, indirect impacts to sensitive species or habitats would be speculative at this time. Future development projects will be subject to subsequent environmental review and will be evaluated for potential impacts to biological resources.

Mitigation Measures: None.

Conclusion: No impact to biological resources.

**Cultural Resources**

No construction is proposed as part of this code amendment, and as such it will not bear any direct impact on historical, archaeological, paleontological, or other cultural resources.

Additionally, based on the number of projects expected and the types of projects expected, indirect impacts cultural resources would be speculative at this time. Future development projects will be subject to subsequent environmental review and will be evaluated for potential impacts to cultural resources at that time.

Mitigation Measures: None.

Conclusion: No impact to cultural resources.

### **Geology and Soils**

The proposed ordinance would not increase the potential to expose more people to strong seismic ground shaking, ground failure, soil erosion or landslides than under baseline conditions in the current environment. All future development would have required soils reports and foundation plans that respond to the regional soils and potential for ground shaking and comply with all other Building Code requirements that address these conditions.

Mitigation Measures: None.

Conclusion: No impact to geology and soils.

### **Greenhouse Gas Emissions**

Based on the expected number of developments and types, including infill development that is consistent with SCAG's RTP/SCS that encourages increased density in urban environments such as the City, the amendment will not cause an increase in cumulative greenhouse gas emissions nor will it conflict with an applicable plan, policy, or regulation adopted for the purposes of reducing greenhouse gases. Any future structures and uses would be subject to environmental review and potential impacts to greenhouse gas emissions would be analyzed at that time.

Mitigation Measures: None.

Conclusion: No impact to greenhouse gas emissions.

### **Hazards and Hazardous Materials**

No physical construction is proposed as part of this code amendment, and as such it will not have any direct impact on the routine transport, use or disposal of hazardous materials. The ordinance will not create any significant hazards through the release of hazardous materials nor interfere with any adopted emergency response or emergency evacuation plans. Any future structures and uses would be subject to the comprehensive and extensive federal, state and local regulations that address hazardous materials. Indirect impacts related to hazards and hazardous materials are not foreseeable at this time from the project.

Mitigation Measures: None.

Conclusion: No impact to hazards or hazardous materials.

### **Hydrology and Water Quality**

No physical construction is proposed as part of this code amendment, and as such it will not bear any direct impact on run-off, surface water body, groundwater supplies, hydrology, or water quality. Future development projects will be subject to all regulatory compliance measures related to run-off and drainage and flood hazards. Based on the number and type of projects there are no indirect impacts to hydrology and water quality that are foreseeable at this time. When development projects are proposed subsequent environmental review and will be evaluated for potential impacts to hydrology and water quality at that time.

Mitigation Measures: None.

Conclusion: No impact to hydrology and water quality.

### **Land Use and Planning**

The Value Capture ordinance does not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project. The ordinance is consistent with policies in our Housing Element to increase affordable housing. The ordinance would not foreseeably induce growth or divide an established community. Any subsequent development projects will be subject to environmental review and will be evaluated for potential impacts to land use and planning at that time.

Mitigation Measures: None.

Conclusion: No impact to land use and planning.

### **Mineral Resources**

The Value Capture ordinance will have no effect on mineral resources locally or regionally, either in availability or future value. No loss or use of known mineral resources will occur. Any future development projects will be subject to environmental review and will be evaluated for any potential impacts to mineral resources at that time.

Mitigation Measures: None.

Conclusion: No impact to mineral resources.

### **Noise**

The Value Capture ordinance does not directly expose additional persons to, or generate, excess noise levels, as it does not directly generate new development. As discussed in this report, the ordinance is not expected to have any impact on development patterns and as such it can reasonably be concluded that the ordinance will not result in any impacts to noise. Any indirect impacts related to temporary or permanent noise impacts would be speculative at this time based on the number and type of projects expected. Any future development projects will

be subject to environmental review and will be evaluated for any potential impacts to noise at that time.

Mitigation Measures: None.

Conclusion: No impact to noise.

### **Population and Housing**

The Value Capture ordinance is designed to respond to existing demand for affordable housing, and will not induce substantial population growth in an area, either directly or indirectly. As explained in this report, the ordinance will not directly result in any impacts to baseline development patterns. Additionally, the ordinance will not result in indirect significant impacts. The City's analysis shows that the ordinance is not likely to slow or reduce the development of housing or result in a net loss of 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.

Mitigation Measures: None.

Conclusion: No impact to population or housing.

### **Public Services**

The Value Capture ordinance would not directly impact response time or service ratios for fire protection, police protection, schools, parks, or other public facilities. No new construction is being considered at this time, and as such any indirect impacts related to public services would be speculative. As discussed above, the number of projects that would foreseeably use this ordinance is very small, especially in relation to the scope of the ordinance being citywide. Any future development projects will be subject to environmental review and will be evaluated for any potential impacts to public services at that time.

Mitigation Measures: None.

Conclusion: No impact to public services.

### **Recreation**

As no new construction is being considered at this time, the proposed ordinance would not directly increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. Any indirect impacts from future development under the ordinance to parks and recreational facilities would be speculative at this time. Any future development project would be subject to environmental review and would be evaluated for any potential impacts to recreation at that time.

Mitigation Measures: None.

Conclusion: No impact to recreation.

### **Transportation and Traffic**

The proposed ordinance, which does not propose construction, would not directly impact circulation, congestion, or traffic patterns, nor would it increase hazards, result in incompatible uses, or impact emergency access. Additionally, any indirect impacts from the project would be speculative. The project is not anticipated to alter baseline development patterns. Additionally, based on historical development discussed above under the zoning provisions being amended, the traffic trips that would be created from any project under the ordinance would be minimal and likely to fall below the City's screening criteria for conducting traffic studies at any project level. Any future development project would be subject to environmental review and would be evaluated for any potential impacts to transportation and traffic at that time.

Mitigation Measures: None.

Conclusion: No impact to Transportation and Traffic.

### **Utilities and Service Systems**

The proposed ordinance will not violate any water or wastewater treatment requirements or contribute substantially to wastewater generation. As no construction is proposed, the ordinance will not result in a direct need for new water or wastewater treatment facilities. Any future development and resulting structures would be subject to the same building and environmental review process that currently exists and therefore would not foreseeably result in any impact. Any potential impacts to utilities and service systems would be analyzed at that time.

Mitigation Measures: None.

Conclusion: No impact to utilities and service systems.

### **CONCLUSION**

Based upon the information set forth above, in the staff report related to this ordinance and the substantial evidence contained in the whole of the record of proceedings, the City has determined that the adoption of this ordinance could not have a significant effect on the environment and a negative declaration may be adopted.

**CITY OF LOS ANGELES**

OFFICE OF THE CITY CLERK  
 ROOM 360, CITY HALL  
 LOS ANGELES, CALIFORNIA 90012

**CALIFORNIA ENVIRONMENTAL QUALITY ACT**

**INITIAL STUDY  
 AND CHECKLIST**  
 (Article IV B City CEQA Guidelines)

<b>LEAD CITY AGENCY</b> City of Los Angeles Department of City Planning	<b>COUNCIL DISTRICT</b> All	<b>DATE</b> June 21, 2017
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**RESPONSIBLE AGENCIES**

<b>PROJECT TITLE/NO.</b> Value Capture Ordinance CPC-2016-3431-CA	<b>CASE NO.</b> ENV-2017-2023-ND
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<b>PREVIOUS ACTIONS CASE NO.</b> N/A	<input type="checkbox"/> DOES have significant changes from previous actions. <input checked="" type="checkbox"/> DOES NOT have significant changes from previous actions.
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**PROJECT DESCRIPTION:**

An ordinance amending Sections 12.24, 14.00, and 14.3.1 of the Los Angeles Municipal Code to clarify existing regulations and align affordability requirements across the range of zoning entitlements that allow for increased density or floor area ratio beyond what is allowed by zoning. The ordinance will ensure the creation of affordable housing through certain conditional use permits and public benefit projects.

**ENVIRONMENTAL SETTING:**

City of Los Angeles

**PROJECT LOCATION**

City of Los Angeles

<b>PLANNING DISTRICT</b> All	<b>STATUS:</b> <input type="checkbox"/> PRELIMINARY <input checked="" type="checkbox"/> PROPOSED <u>June 2017</u> <input type="checkbox"/> ADOPTED
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<b>EXISTING ZONING</b> N/A	<b>MAX. DENSITY ZONING</b> N/A	<input checked="" type="checkbox"/> DOES CONFORM TO PLAN  <input type="checkbox"/> DOES NOT CONFORM TO PLAN  <input type="checkbox"/> NO DISTRICT PLAN
<b>PLANNED LAND USE &amp; ZONE</b> N/A	<b>MAX. DENSITY PLAN</b> N/A	
<b>SURROUNDING LAND USES</b> N/A	<b>PROJECT DENSITY</b> N/A	

  **DETERMINATION (To be completed by Lead Agency)**

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**On the basis of this initial evaluation:**

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I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

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I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions on the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

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I find the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

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I find the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

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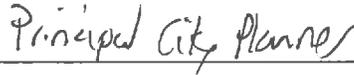
I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

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SIGNATURE



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TITLE

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**EVALUATION OF ENVIRONMENTAL IMPACTS:**

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

- 4) “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of a mitigation measure has reduced an effect from “Potentially Significant Impact” to “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, “Earlier Analysis,” cross referenced).
- 5) Earlier analysis must be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR, or negative declaration. Section 15063 (c)(3)(D). In this case, a brief discussion should identify the following:
  - a) Earlier Analysis Used. Identify and state where they are available for review.
  - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c) Mitigation Measures. For effects that are “Less Than Significant With Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated
- 7) Supporting Information Sources: A sources list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project’s environmental effects in whichever format is selected.
- 9) The explanation of each issue should identify:
  - a. The significance criteria or threshold, if any, used to evaluate each question; and
  - b. The mitigation measure identified, if any, to reduce the impact to less than significance.

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**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact” as indicated by the checklist on the following pages.

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> Aesthetics               | <input type="checkbox"/> Agricultural and Forestry Resources | <input type="checkbox"/> Air Quality                        |
| <input type="checkbox"/> Biological Resources     | <input type="checkbox"/> Cultural Resources                  | <input type="checkbox"/> Geology/Soils                      |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials       | <input type="checkbox"/> Hydrology/Water Quality            |
| <input type="checkbox"/> Land Use/Planning        | <input type="checkbox"/> Mineral Resources                   | <input type="checkbox"/> Noise                              |
| <input type="checkbox"/> Population/Housing       | <input type="checkbox"/> Public Services                     | <input type="checkbox"/> Recreation                         |
| <input type="checkbox"/> Transportation/Traffic   | <input type="checkbox"/> Utilities/Service Systems           | <input type="checkbox"/> Mandatory Findings of Significance |

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**INITIAL STUDY CHECKLIST (To be completed by the Lead City Agency)**

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**BACKGROUND**

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**PROPONENT NAME**

City of Los Angeles Department of City Planning

**PROPONENT ADDRESS**

200 N. Spring St. Los Angeles, CA 90012

**AGENCY REQUIRING CHECKLIST**

City of Los Angeles Department of City Planning

**PROPOSAL NAME (If Applicable)**

Value Capture Ordinance

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**PHONE NUMBER**

(213) 978-2666

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**DATE SUBMITTED**

July 13, 2017

 ENVIRONMENTAL IMPACTS

(Explanations of all potentially and less than significant impacts are required to be attached on separate sheets)

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>I. AESTHETICS.</b> Would the project:				
a. Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>II. AGRICULTURE AND FOREST RESOURCES.</b> In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:				
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>III. AIR QUALITY.</b> Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a. Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>IV. BIOLOGICAL RESOURCES.</b> Would the project:				
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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corridors, or impede the use of native wildlife nursery sites?				
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**V. CULTURAL RESOURCES:** Would the project:

a. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Disturb any human remains, including those interred outside of dedicated cemeteries (see Public Resources Code, Ch. 1.75, §5097.98, and Health and Safety Code §7050.5(b))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Cause a substantial adverse change in the significance of a site, feature, place, cultural landscape, sacred place, or object with cultural value to a California Native American Tribe that is listed or determined eligible for listing on the California register of historical resources, listed on a local historical register, or otherwise determined by the lead agency to be a tribal cultural resource?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**VI. GEOLOGY AND SOILS.** Would the project:

a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii. Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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b. Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**VII. GREENHOUSE GAS EMISSIONS.** Would the project:

a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**VIII. HAZARDS AND HAZARDOUS MATERIALS.** Would the project:

a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**IX. HYDROLOGY AND WATER QUALITY.** Would the project:

a. Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j. Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>X. LAND USE AND PLANNING.</b> Would the project:				
a. Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>XI. MINERAL RESOURCES.</b> Would the project:				
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>XII. NOISE.</b> Would the project result in:				
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**XIII. POPULATION AND HOUSING.** Would the project:

a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**XIV. PUBLIC SERVICES.** Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

a. Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**XV. RECREATION.**

a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**XVI. TRANSPORTATION/TRAFFIC.** Would the project:

a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?				
b. Conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**XVII. UTILITIES AND SERVICE SYSTEMS.** Would the project:

a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**XVIII. MANDATORY FINDINGS OF SIGNIFICANCE.**

a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>



**DISCUSSION OF THE ENVIRONMENTAL EVALUATION** (Attach additional sheets if necessary)

<b>PREPARED BY</b>	<b>TITLE</b>	<b>TELEPHONE #</b>	<b>DATE</b>
Cally Hardy	Planning Assistant	(213) 978-1643	June 21, 2017