

DOWNTOWN COMMUNITY PLAN COMMUNITY BENEFITS PROGRAM

Planning a dynamic future for Downtown Los Angeles

The intent of the Downtown Community Plan is to ensure that Downtown continues to grow in a sustainable, equitable, healthy, and inclusive manner, and capture vital public community benefits that are responsive to neighborhood needs. The Downtown Community Plan proposes to expand and refine the system that links growth and public benefits, through the draft Downtown Community Plan Community Benefits Program (Downtown Community Benefits Program).

The key objectives of the proposed Community Benefits Program are the following:

- Ensure priority community benefits are provided first, namely Affordable Housing
- Offer a more predictable and transparent process for the provision of community benefits
- Encourage the provision of on-site community benefits

The Downtown Plan Community Benefits Program provides a path for development projects to exceed the base development potential, up to the maximum allowable development potential, in exchange for providing community benefits. The Community Benefits Program prioritizes affordable housing, followed by parks and open space, preservation of historic structures, and community facilities.



Introduction

Relationship Between New Development and Public Community Benefits

Citywide Community Benefit Requirements

Under current Los Angeles citywide regulations, new by-right development is required to contribute to community benefits, namely affordable housing, through the Affordable Housing Linkage Fee, and public open space, through Quimby Fees. The amount and type of community benefits required depends on the type and size of the project.

The Affordable Housing Linkage Fee (Linkage Fee), adopted December 13, 2017, places a fee per square foot on certain new market-rate residential and commercial developments to generate local funding for affordable housing production and preservation. The fee varies by the type of use and by geography across the city.

The Parks Dedication and Update Fee (Quimby), adopted September 7, 2016, requires that residential projects pay a fee for the purpose of acquiring new parkland and developing park and recreational facilities.

Elective Downtown Community Plan Community Benefits Program

The Affordable Housing Linkage Fee and Quimby Fee will remain and continue to provide a funding stream for the provision of affordable housing units and open space amenities, as they now exist. However, the Downtown Plan will introduce the Downtown Plan Community Benefits Program within the Plan Area to incentivize the provision of on-site community benefits, in accordance with and to better implement policies of the Downtown Plan.

The Downtown Community Benefits Program prioritizes the provision of on-site community benefits, and in some instances benefits provided under the Downtown Program may be able to be counted towards the project's Linkage Fee or Quimby Fee payments.

New development within the Downtown Plan Area may participate in the Downtown Community Benefits Program, as permitted by the applicable zoning regulations. The zoning will outline a base maximum and bonus maximum development capacity, and in some cases a base and bonus maximum story height. Development projects can elect to exceed the base maximum building size by participating in the Community Benefits Program.

Relationship between new development and public community benefits.

1. Citywide requirements which apply to all development

All new development projects are required to contribute to citywide community benefits, such as affordable housing and new parks that can be developed throughout the city.

Quimby fees used to build new parks

Housing Linkage fees used to build affordable housing



Created by Julia Wilson from Noun Project
Created by Lynn CHange from Noun Project

The fee amount and type of community benefit required depends on the type (residential, commercial, etc.) and size of the development project.



Created by Pablo Rozenberg from Noun Project

2. Elective Downtown Community Plan Community Benefits Program

The Downtown Community Plan Community Benefits Program provides a way for developments to contribute to localized community benefits within the Downtown Plan area.



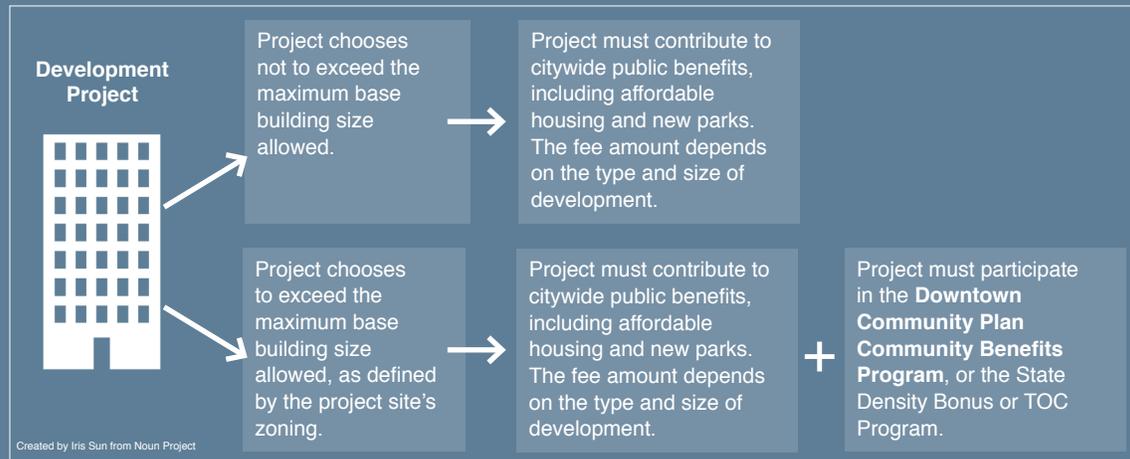
Downtown Community Plan Area

If a project chooses to exceed the base development rights and build up to the maximum building size allowed, the project will still contribute to the citywide community benefits listed above, and will participate in the Downtown Plan Community Benefits Program.



Created by Charlotte Vogel from Noun Project

In summary:



Downtown Community Plan Community Benefits Program Structure

There are several paths a development project may take as part of this elective program. The project pathway and required community benefits will relate to the project type. Residential projects will always be required to provide affordable housing, followed by a selection of community benefits such as publicly accessible open space, community facilities, and preservation of a historic resource. Non-residential projects will be required to provide a selection of community benefits.

Residential Development Projects

The type of benefits provided by a Residential Development Project will be based on the extent of additional development rights requested. The Downtown Plan Community Benefits Program is structured into three separate levels.

Level 1 would allow for 35 percent additional FAR over and above the Base FAR, in exchange for providing the required number of on-site restricted affordable housing units, consistent with State Density Bonus minimum requirements.

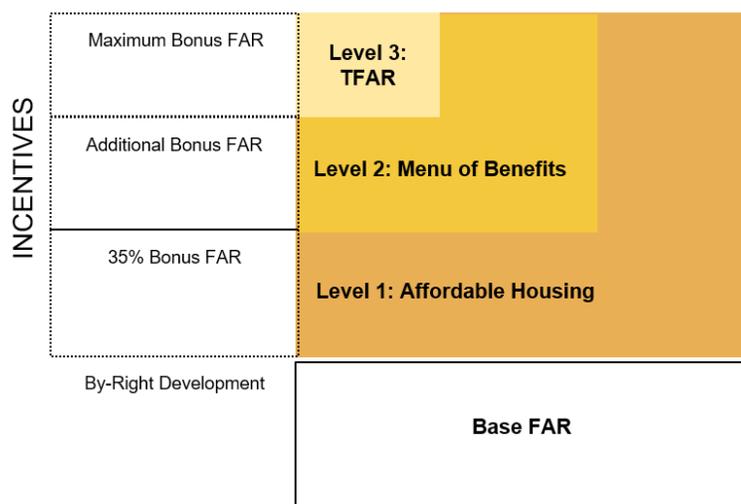
Level 1 would also allow a development to reach its maximum story height in exchange for providing the required number of on-site restricted affordable units.

Level 2 would allow additional FAR or additional stories up to the maximum allowable FAR or story height, in exchange for providing the required number of on-site affordable housing units, open space or community facilities. Under Level 2, in certain limited areas of the Plan Area, projects may also utilize the Transfer of Development Rights option to transfer development potential from an existing historic building to a receiver site, in order to preserve an existing resource.

Only projects located within the existing Transfer of Floor Area Ratio program (TFAR) area have the option to utilize the TFAR program under Level 3.

As described above, projects can reach the maximum bonus development capacity by providing affordable housing. The figure below describes the general structure of incentives offered under each level and the available options for providing the specified public benefits.

Level of Incentives and Community Benefits for Residential Development



COMMUNITY BENEFITS

Level 3:

TFAR Optional within existing TFAR area only or Continuation of Level 2 within and outside of existing TFAR area

Level 2:

Additional Affordable Housing or Provision of Public Open Space, Community Facilities, or TDR for Historic Preservation

Level 1:

Provision of Affordable Housing - mandatory for residential projects seeking bonus development potential

Non-Residential Development Projects

The type of community benefits required to be provided for a Non-Residential Project will be based on the extent of additional development rights requested. For non-residential projects, Level 1 will not be required

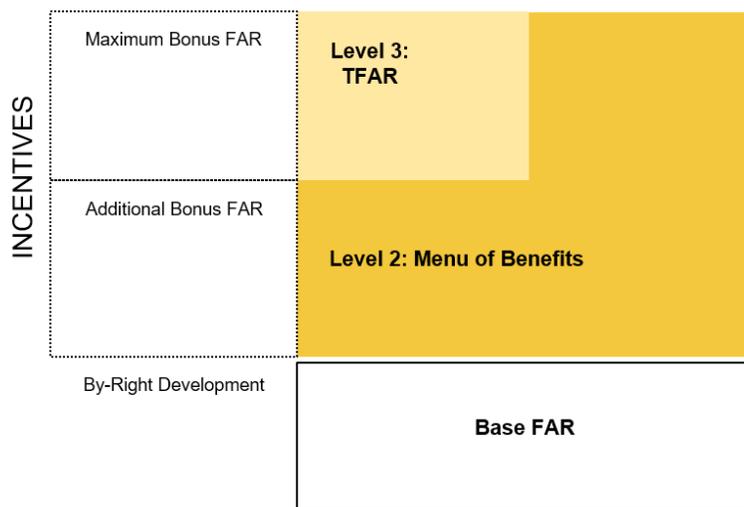
Level 2 would allow for a specified amount of additional FAR over and above the Base development potential in exchange for providing the required amount of publicly accessible open space, or community facilities.

Level 2 would also allow for a development to reach its maximum permitted story height in exchange for providing the required amount of publicly accessible open space, or community facilities.

Under Level 2, in certain limited areas of the Plan Area, projects may also utilize the Transfer of Development Rights option to transfer development potential from an existing historic building to a receiver site, in order to preserve an existing resource.

Only projects located within the existing Transfer of Floor Area Ratio program (TFAR) area will have the option to utilize the TFAR program under Level 3.

Level of Incentives and Community Benefits for Non-Residential Development



COMMUNITY BENEFITS

- Level 3:**
TFAR Optional within existing TFAR area only
or
Continuation of Level 2 within and outside of existing TFAR area
- Level 2:**
Additional Affordable Housing
or
Provision of Public Open Space, Community Facilities, or TDR for Historic Preservation
- Level 1:**
Does not apply

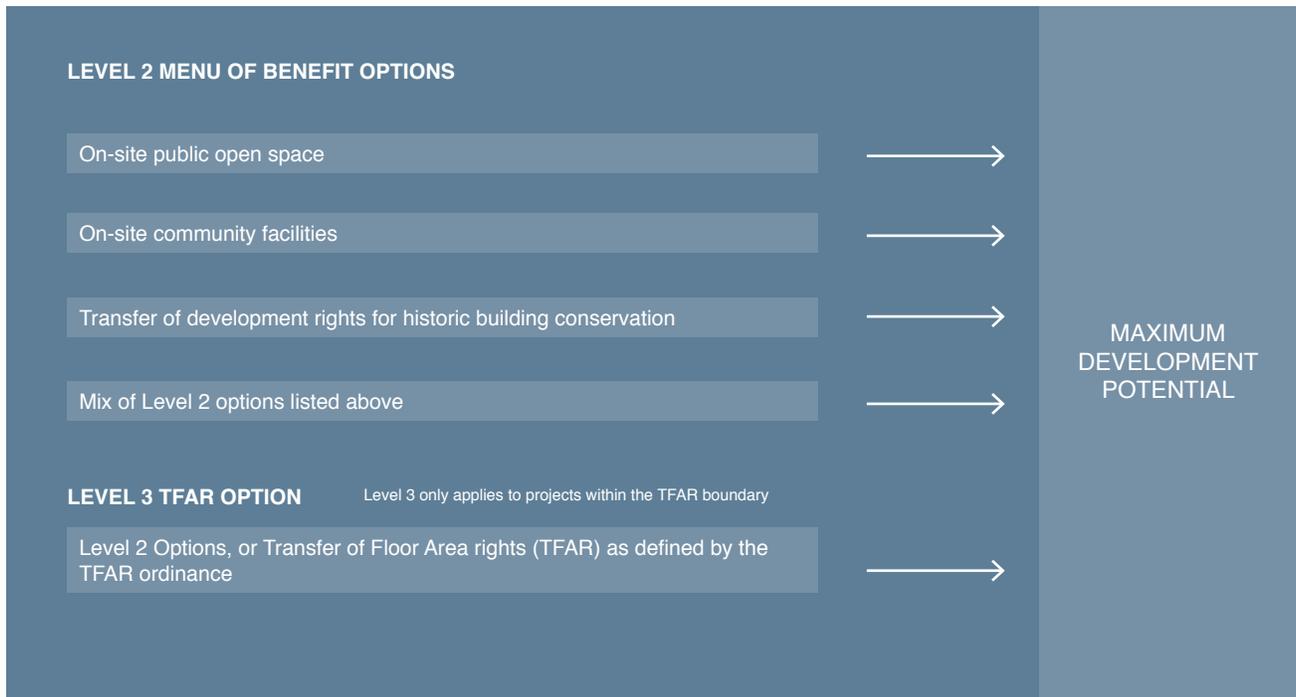
Summary of Development Project Scenarios

The graphic below outlines the pathways a development may elect to achieve the maximum bonus development capacity defined in the zoning.

Residential Development Project Scenarios



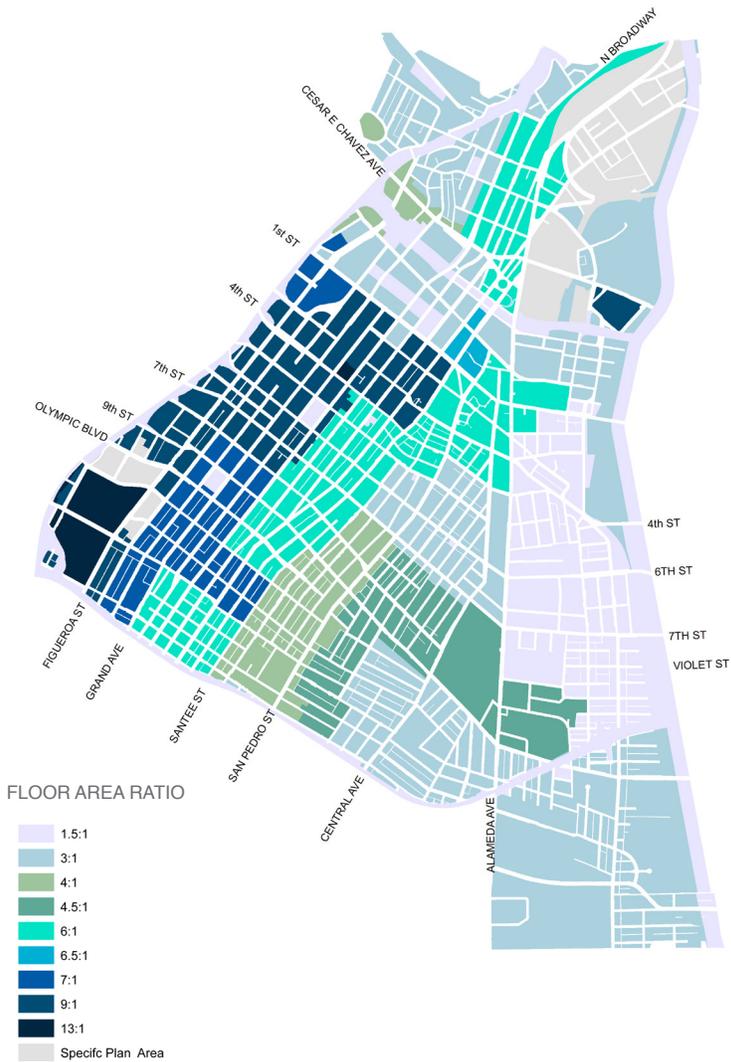
Non-Residential Development Project Scenarios



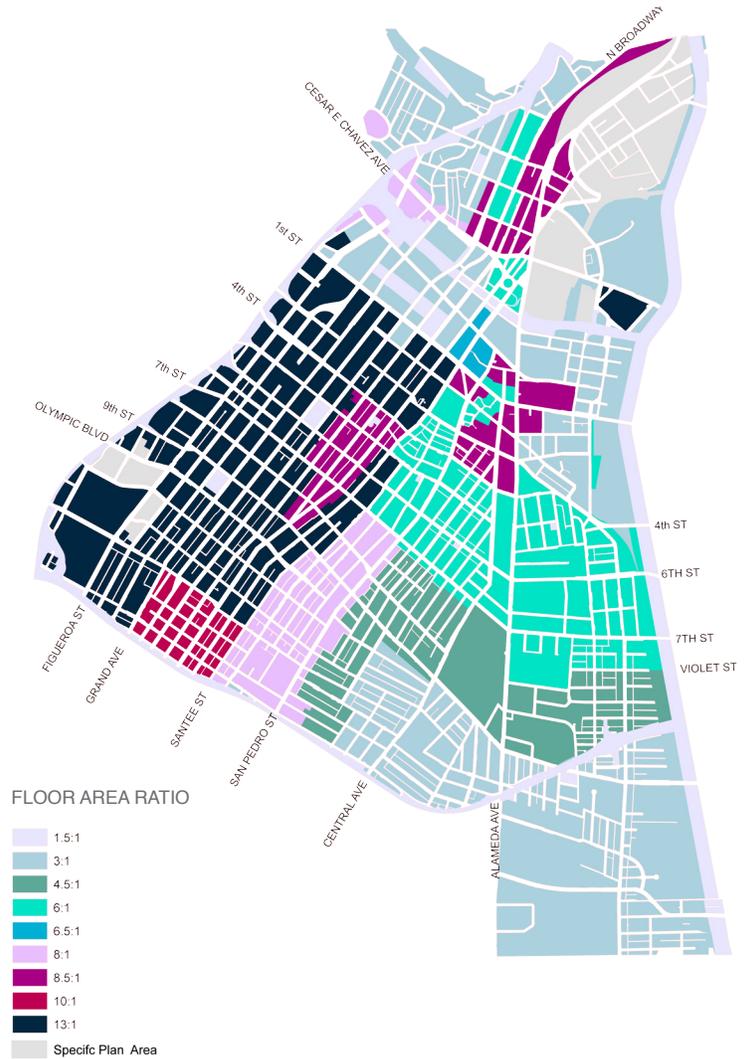
Eligibility

A development shall be eligible for the Downtown Community Plan Community Benefits Program when there is a Maximum Floor Area Ratio or Story Height available beyond the base within the project site's zoning.

BASE MAXIMUM DEVELOPMENT POTENTIAL

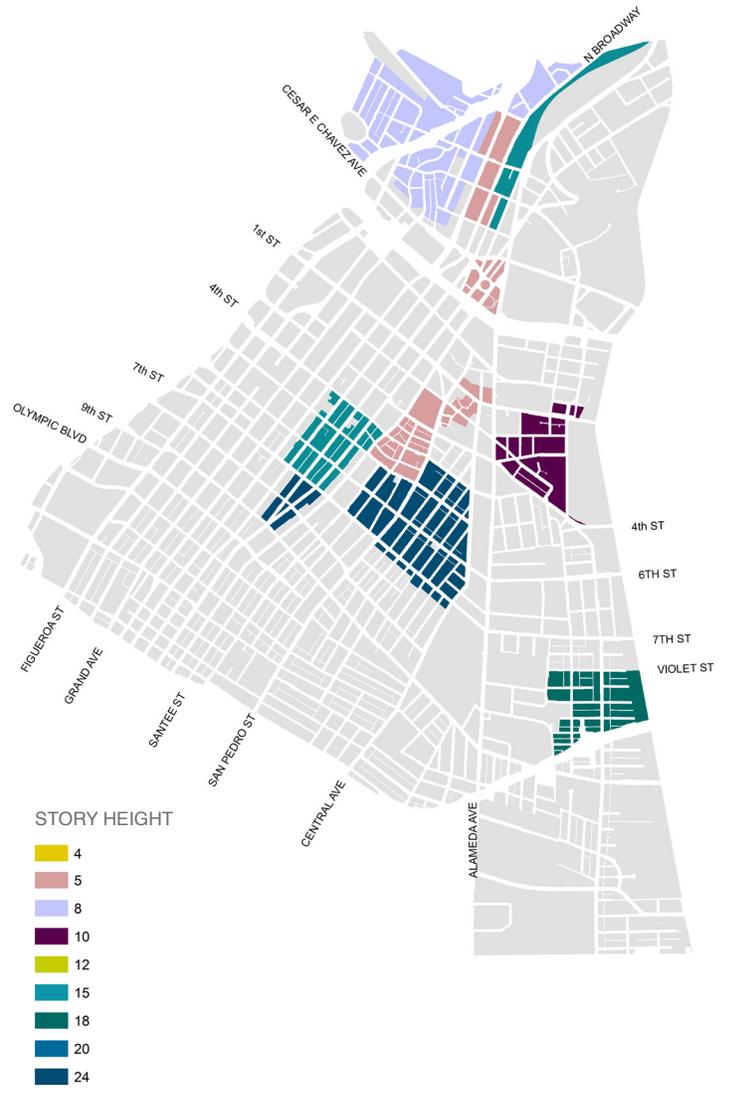
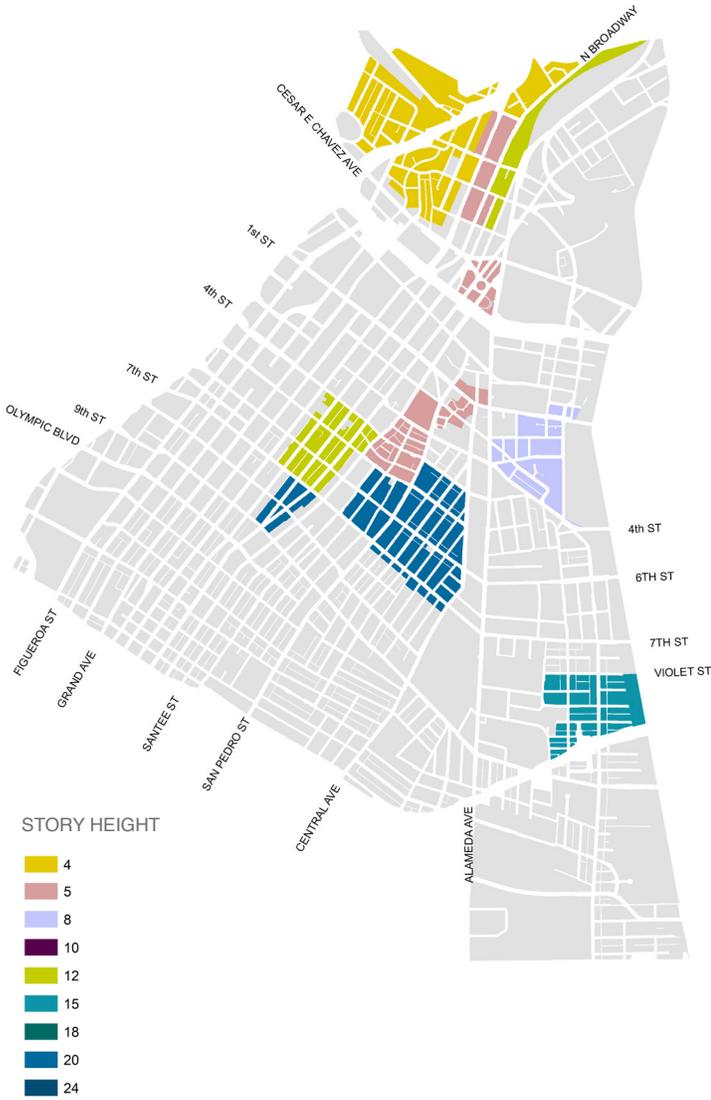


BONUS MAXIMUM DEVELOPMENT POTENTIAL



BASE MAXIMUM STORY HEIGHT POTENTIAL

BONUS MAXIMUM STORY HEIGHT POTENTIAL



Definitions and Resources

Density Bonus:

Eligible Residential Development Projects may continue to access the existing Density Bonus Program per the State Density Bonus Law, Government Code Section 65915, or elect to participate in the draft Community Benefits Program for the Downtown Plan.

Transit Oriented Communities Affordable Housing Incentive Program (TOC Program):

Housing Development Projects within the TOC Area may access the existing citywide TOC Program per Los Angeles Municipal Code (LAMC) Section 12.22 A. 31, or elect to participate in the draft Community Benefits Program for the Downtown Plan.

Residential Development Project:

Defined as the construction of five or more new residential dwelling units; the addition of five or more residential dwelling units to an existing building or buildings; or the remodeling of a building or buildings containing five or more residential dwelling units, including a mixed use development containing residential dwelling units.

Non-Residential Project:

Projects not defined as a Residential Development Project will be considered a Non-Residential Project.

On-Site Restricted Affordable Unit:

On-site restricted Affordable unit shall mean a residential unit for which rental or mortgage amounts are restricted so as to be affordable to and occupied by households with Deeply Low, Extremely Low, Very Low, Low, or Moderate income households, as determined by the Los Angeles Housing + Community Investment Department (HCIDLA).

The minimum required percentage of on-site restricted affordable units shall be calculated based upon the base number of units in the final project.

In exchange for providing the minimum required percentage of affordable units, developments shall be permitted an additional 35% FAR increase. This percent increase is consistent with California State Density Bonus Law. The FAR increase shall continue to scale upward as additional affordable units are provided.

Affordable Housing Qualifying Income Levels are calculated as a percentage of the Area Median Income (AMI) and are defined by the Los Angeles Housing + Community Investment Department (HCIDLA):

- Deeply Low Income: 0-15% of AMI
- Extremely Low Income: 15-30% of AMI
- Very Low Income: 31-50% AMI
- Low Income: 50-80% AMI
- Moderate Income: 80-120% AMI

Publicly Accessible Open Space:

Publicly accessible open space provided to meet the Level 2 benefit option must be located on the ground floor of the building, or be designed as a contiguous space that is clearly visible from the abutting sidewalk. It must be accessible to the public between minimum hours of operation.

Open spaces shall have design requirements relating to seating, amenities such as public restrooms, landscape design, shade, and signage identifying it as publicly accessible.

When an applicant elects to provide a publicly accessible open space through the Downtown Community Benefits Program, the open space shall count toward the Site Amenity Space required by the zoning.

Community Facilities:

Community Facilities provided to meet the Level 2 benefit option may include:

- Public libraries
- Space reserved for a Community Land Trust
- Childcare facilities
- Schools

Community Facilities spaces should be placed at the ground level. If the space cannot be placed at ground level, the location and path of access to the facility shall be made clearly visible, through appropriate signage and wayfinding on the ground level of the building.

The project applicant shall identify the community facility tenant or operator at the time of application. The project applicant shall submit proof of compliance by demonstrating build-out of the shell and core of the facility prior to issuance of a certificate of occupancy for the development.

