

NoHo Home Alliance and ReImagine District NoHo  
11031 Camarillo Street  
North Hollywood, CA 91602  
May 12, 2022

Jason McCrea  
City of Los Angeles  
Department of City Planning  
Sent to: [Jason.McCrea@lacity.org](mailto:Jason.McCrea@lacity.org)  
221 N. Figueroa Street, Suite 1350  
Los Angeles, CA 90012

Re: Comments on Draft EIR (District NoHo Project, Case No. ENV-2019-7241-EIR)

Dear Mr. McCrea:

On behalf of NoHo Home Alliance and ReImagine District NoHo, we are filing these comments to the draft EIR for the District NoHo project, because the project conflicts with the goals, objectives, policies and programs of Los Angeles City's Housing Element (hereinafter, Housing Element) regarding affordable and equitable housing. The EIR fails to acknowledge these conflicts and, thus, fails to take adequate steps to mitigate the negative impact.

NoHo Home Alliance is a nonprofit membership organization of residents and stakeholders in the East San Fernando Valley. It is committed to addressing local issues, including homelessness and the lack of affordable housing, and to improving the health of our community. ReImagine District NoHo is a group of concerned East San Fernando Valley residents who strongly believe that the District NoHo project, as currently configured, does not meet the needs of the community or the city.

The City of Los Angeles, the County and Metro (the Los Angeles Metropolitan Transportation Authority) all recognize the overwhelming need for affordable and equitable housing in Los Angeles. It is clearly one of the top issues for residents of our city and a major concern of our public agencies. The District NoHo project is slated to develop 1527 housing units, but only 20% will be affordable.<sup>1</sup> To make matters worse, the affordable housing will not be integrated into the development, but will be placed on the periphery, away from many of the amenities.

The Land Use Chapter of the draft EIR quotes the goals of the Housing Element (IV.G-8; see also Housing Element, Chapt. 6, pg. 242) and claims there is no conflict and no need for

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<sup>1</sup> According the draft EIR, there will be 1216 market rate units and 311 affordable units. (Draft EIR, Executive Summary, pg. I-9.) Presumably, the affordable units will be very low income and low income or will be permanent supportive housing. There are no plans for moderate income housing. Furthermore, of the residential units, 411 will be studio apartments, 708 will be one-bedroom units, 299 will be two-bedroom apartments, and only 79 will be three-bedroom units. (Draft EIR, IV.G-19.)

mitigation. Yet, when one considers the Housing Element's goals, objectives, policies and programs, along with the entire text of the document and other documents, it is apparent that Los Angeles needs to create more affordable, equitable housing and has put in place various enactments to accomplish this goal. As will be shown below, contrary to the draft EIR, the District NoHo project does conflict with the Housing Elements and mitigation is required.

### Los Angeles City's Housing Element Plan Prioritizes the Need for Affordable and Equitable Housing

The Housing Element makes it clear that Los Angeles is in the midst of a housing crisis. The city has the largest number of "rent burdened" households in comparison to 20 major U.S. cities. (Housing Element, Chapt. 1, pg. 88.) The cost of renting an apartment has increased significantly. (Id., pg. 91.) Under SCAG's Regional Housing Needs Assessment (RHNA), Los Angeles needs to plan for creating 456,643 housing units. (Id., pg. 98). Of this housing, 40% or 184,721 units must be low-income housing and 16% moderate-income housing. (Id., pg. 99.). It is anticipated that new construction will not meet RHNA goals for low-income and moderate-income housing. (Id., pg. 100.) The resources for construction of affordable housing are limited. (Id., p. 100.)

The City acknowledges there is an inadequate inventory of sites to meet the RHNA allocation. (Housing Element, Chapt. 4, pg. 175.) The shortfall is greatest for low-income units (130,553), followed by moderate-income units (72,993). (Ibid.) The city's solution to this shortfall is to create a Rezoning Program that will prioritize low-income housing and mixed income communities. (Id., pg. 146.) It is unclear how realistic this list of potential sites is. For example, Appendix 4.8 to the Housing Element lists 14265 Moorpark St., Sherman Oaks as public land for potential rezoning. (Housing Element, App. 4.8, pg. 6.) However, that parcel of property is actually the Sherman Oaks Branch of the Los Angeles Public Library.

Housing constraints have a greater impact on affordable housing, and this effect is felt more heavily in areas with higher incomes, resources, amenities and access to economic opportunity. (Housing Element, Chapt. 2, pg. 121). The list of constraints, both governmental and private, is extensive, but it includes the cost of land, land use plans, zoning codes, etc. (Id., pg. 122.)

The Housing Element also states, "The need to build a more just and equitable Los Angeles has never been more urgent or more opportune." (Id., pg. 103.) The lack of affordable housing affects persons of color to a greater extent. (Id., pg. 105.) To meet these challenges, the Housing Element explicitly states, "Sites identified to accommodate the lower income RHNA must be distributed throughout the community in a manner that affirmatively furthers fair housing." (Id., pg. 111.) It acknowledges that doing this would "create opportunities to foster residential integration within those neighborhoods, which are predominantly white and are least likely to have restricted, publicly funded affordable and accessible housing..." (Ibid.) Significantly, it recognizes that the city needs to take "proactive

efforts...to reverse the legacies of discriminatory and racist policies.” (Housing Element, Exec. Summary, pg. 8.)

As is clear from the text of the Housing Element, the City of Los Angeles recognizes that it needs to increase significantly the amount of housing. It acknowledges that there is an inadequate inventory of housing sites and that additional actions must be taken to meet the RHNA allocation. It prioritizes the development of low-income housing, especially in High Opportunity Areas and other locations. Additionally, the document also makes clear that housing should be more equitable and inclusive and the city should break down barriers that have fostered segregation.

### The Housing Element Sets Objectives, Policies and Programs to Meet Those Goals

To meet the allocations set by RHNA and the goals set in the Housing Element, that document includes a lengthy series of Objectives (“a statement of specific actions that assist in reaching its goals”), Policies (“a clear statement that guides a specific course of action for decision makers to achieve a desired goal”) and Programs (“an action, procedure, program or technique that carries out goals and policies”). (Housing Element, Chapt. 6, pg. 242.) These are statements of specific conduct that the city will engage in to create the needed housing. As will be shown below, the draft EIR ignores these aspects of the Housing Element.

The Housing Element establishes the actions to be taken to satisfy the goal of affordable and equitable housing. For example, Objective 1.2 provides, “Facilitate the production of housing, *especially projects that include Affordable Housing and/or meet Citywide Housing Priorities.*” (Emphasis added.) (Id., pg. 247.) See, also, Policies 1.2.1 and 1.2.2, that, respectively, state, “Expand rental and for-sale housing for people of all income levels. Prioritize housing developments that result in a net gain of Affordable Housing and serve those with the greatest needs” and “Facilitate the construction of a range of different housing types that addresses the particular needs of the city’s diverse households.” (Ibid.)

Similarly, the Housing Element includes Objective 1.3, that provides, “Promote a more equitable distribution of housing opportunities throughout the city, with a focus on increasing Affordable Housing in Higher Opportunity Areas and in ways that further Citywide Housing Priorities. (Id., pg. 248.) In furtherance of this objective, the Housing Elements establishes Policy 1.3.1 (“Prioritize housing capacity, resources, policies and incentives to include Affordable Housing in residential development, particularly near transit, jobs and in Higher Opportunity Areas”) and Policy 1.3.2 (Prioritize the development of new Affordable Housing in all communities, particularly those that currently have fewer Affordable Units.) (Ibid.)

With regard to equitable housing, Objective 4.3 states, “Affirmatively further fair housing in all housing and land use programs by taking proactive measures to promote diverse, inclusive communities that grant all Angelenos access to housing particularly in Higher Opportunity Areas...” (Id., pg. 254). The Housing Element then establishes Policy 4.3.3. (“Examine land use practices that perpetuate exclusion and inequities, including but not limited

to: single-family/low density zoning, minimum lot size requirements, location of noxious uses and subjective design review standards...” (Ibid.)

Finally, in furtherance of these objectives and policies, the Housing Elements establishes several programs to increase the production of affordable housing. See, for example, Programs 6 & 7. (Id., pp. 260- 261.) Notably, Program 15 seeks to increase the use of public land for the creation of affordable housing. (Id., pg. 268.) Programs 41 and 42 recognize that there are not sufficient lessors of market rate apartments who are willing to accept rental vouchers. Program 41 acknowledges the need for more outreach to landlords. Program 124 relates to fair and equitable housing, stating the city should “take a variety of actions to overcome patterns of segregation and foster inclusive communities...” (Id., p. 343). Included in these actions are: developing “Zoning Code amendments and Community Plans that incentivize the development of more affordable housing in areas of high need and Higher Opportunity” (Id., pg. 344); “provide housing voucher assistance and mobility-related services to families with children to encourage families to move to lower poverty areas...” (Id., pg. 344); “replacing Segregated Living Patterns with Truly Integrated and Balanced Living Patterns...” (Id., pg. 345); and “prioritize housing capacity, resources, policies and incentives to include Affordable Housing in residential development, particularly near transit, jobs and in Higher Opportunity Areas (Id., pg. 346).

These objectives, policies and programs make clear that the provisions of the Housing Element are not words on a document to be filed and forgotten. Los Angeles cannot accept the status quo. It must be proactive in working to achieve the goals described above and that approval of new housing developments, especially those on public land, should be based on how the proposed development supports the attainment of these goals, objectives, policies and programs. This requires the Planning Department to review carefully the District NoHo project and not merely accept a statement that the project does not conflict with the Housing Element.

The District NoHo project is in conflict with the Housing Element and mitigation is required.

District NoHo is a massive project covering almost 16 acres of public land at the terminus of Metro Line B (Red Line). It will require significant number of approvals and zoning changes. (See, Los Angeles Department of City Planning, Initial Study, pp. 25-26.<sup>2</sup>) Yet for all this, the development includes only 20% affordable housing, providing the City of Los Angeles with 311 affordable units out of the 1527 units planned. Even worse, these units are segregated off on the northwest side of the development, away from the market rate housing and amenities.

The minimal amount of affordable housing does not meet the city’s goals and is inconsistent with the objectives, policies and programs that are intended to create sufficient affordable housing to meet the RHNA requirements and ameliorate the housing crisis. Even

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<sup>2</sup> [https://planning.lacity.org/odocument/564e1257-e01e-4d4e-a365-002bc665158f/District\\_NoHo\\_Project\\_Initial\\_Study\\_\(June\\_2020\).pdf](https://planning.lacity.org/odocument/564e1257-e01e-4d4e-a365-002bc665158f/District_NoHo_Project_Initial_Study_(June_2020).pdf) (Visited on May 5, 2022)

more, by placing the affordable housing off to the side, the project fails to take steps proactively to integrate the affordable housing into the development. Instead, it maintains the status quo of segregated housing and limited opportunities for persons of color who are most often the residents in income-restricted housing.

The failure of the project to comply with the Housing Element is even more apparent when one considers the various benchmarks that have been established for affordable housing by governmental agencies. District NoHo's limited amount of affordable housing is inconsistent with them. For variances in the development of Transit Oriented Communities, developers are expected to include at least 39% to 51% affordable housing. (See Los Angeles Department of City Planning, Transit Oriented Communities, FAQ.<sup>3</sup>) The original plan for the District NoHo project included 35% affordable housing.<sup>4</sup> This was consistent with Metro's 2015, policy for joint development projects of 35% affordable housing.<sup>5</sup> Metro's updated policy is even more focused on affordable housing. It seeks to develop 100% income restricted units in joint development projects, but if that is unattainable, then at least 25% should be low-income units.<sup>6</sup> Metro's updated Joint Development Policy of October 20, 2021 sets an "aspirational" 10-year goal of developing 10,000 units of which 50% will be income restricted.<sup>7</sup> It is questionable whether they will reach this goal. In January, 2021, Metro reported that, including projects in the pipeline, only 37% were affordable units.<sup>8</sup> Clearly, District NoHo with its 80/20 mix of market rate/affordable housing will only worsen the situation.

## Conclusion

We at NoHo Home Alliance and ReImagine District NoHo speak for residents of the North Hollywood and the surrounding communities, as well as transit riders who will be directly impacted by this \$1 billion development on our public land. We care deeply about ensuring that Los Angeles and the East San Fernando Valley provide affordable, equitable and inclusive housing for all our residents.

Metro, City and County officials broadly agree that Los Angeles is in an affordable housing and homelessness crisis and that proactive steps must be taken to create an inclusive environment for all our residents. But this project does nothing meaningful to achieve these goals. It is an overstatement to say draft EIR puts a bandage on the problem. Rather, it ignores

<sup>3</sup> [https://planning.lacity.org/odocument/87b0f2c2-8422-4767-a104-b7cd323ee26f/Transit-Oriented Communities - Affordable Housing Incentive Program \(FAQ\).pdf](https://planning.lacity.org/odocument/87b0f2c2-8422-4767-a104-b7cd323ee26f/Transit-Oriented%20Communities%20-%20Affordable%20Housing%20Incentive%20Program%20(FAQ).pdf) (Visited on May 5, 2022)

<sup>4</sup> [https://www.dropbox.com/sh/gsn9mm0h8jgt2hr/AAA9jHikxZD3\\_pMHavJIMPSHa/Project%20Documents?dl=0&preview=sfv\\_noho\\_guide\\_2015-12.pdf&subfolder\\_nav\\_tracking=1](https://www.dropbox.com/sh/gsn9mm0h8jgt2hr/AAA9jHikxZD3_pMHavJIMPSHa/Project%20Documents?dl=0&preview=sfv_noho_guide_2015-12.pdf&subfolder_nav_tracking=1) (Visited May 5, 2022.)

<sup>5</sup> <https://thesource.metro.net/2021/01/27/metro-releases-paper-on-updating-affordable-housing-policy-in-response-to-areas-housing-crisis/> (Visited on May 5, 2022.)

<sup>6</sup> <https://www.dropbox.com/s/mppuors403e75o0/JD%20Policy%202021%20FINAL.pdf?dl=0> (Visited on May 5, 2022.)

<sup>7</sup> <https://metro.legistar.com/ViewReport.ashx?M=R&N=TextL5&GID=557&ID=7882&GUID=LATEST&Title=Board+Report> Metro contends that this policy does not apply to District NoHo because it only applies "going forward."

<sup>8</sup> <https://kfiam640.iheart.com/content/2021-01-20-metros-affordable-housing-team-shares-goals-progress/> (Visited on May 5, 2022.)

the problem, claiming that a minimal amount of affordable housing on the periphery of the project entirely in compliance with the city's and Metro's plans and goals for resolving the homelessness crisis and providing equitable housing for all. This is incorrect. We urge that the draft EIR be amended to mitigate the lack of affordable and equitable housing.

Sincerely,

**NoHo Home Alliance**

Stephanie Jaeger, Executive Director

Andrew Silver, Board President

**ReImagine District NoHo**

Glenn Block

Truman Capps

Desmond Faison

Elaine Loring

Barbara Motz