

BOYLE HEIGHTS

Community Plan

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BOYLE HEIGHTS

ACTIVITY LOG

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BOYLE HEIGHTS

Community Plan

Chapter I INTRODUCTION

COMMUNITY BACKGROUND

Boyle Heights initially developed as one of Los Angeles' first residential suburbs. The arrival of the railroads in the 1880s brought industrial development to the area just west of the Los Angeles River in downtown. Immigrants and residents employed in this industrial sector settled on the "mesa" on the eastside of the Los Angeles River in what today is the inner-city community of Boyle Heights.

The community served as the initial point of settlement for many European immigrants. Los Angeles' expansion westward in the 1930s and 1940s was accompanied by demographic shifts in the composition of Boyle Heights. With the industrial development of Los Angeles, Mexican labor was recruited and eventually succeeded the European immigrants of Boyle Heights.

By the 1920's, the land in Boyle Heights had been almost totally subdivided and some of Los Angeles' first public institutions and public buildings were built at this time, along with many private schools, sanitariums, religious facilities and other institutions. Consequently, much of the community's infrastructure and housing stock is very old.

During this same period, the physical environment of Boyle Heights evolved as the industries located on the west side of the Los Angeles River expanded into the northern, western and southern edges of the Boyle Heights Community.

During the 1950s, four public housing projects were constructed in Boyle Heights, two of which were subsequently enlarged.

Subsequently, (and probably the most significant factor to alter the environment) the construction of four major freeways took place. Two freeways were built in the 1940's and two more in the early 1960's. As a result, Boyle Heights was segmented into four smaller areas and one large area. This segmentation has resulted in inadequate services to some of the neighborhoods in Boyle Heights.

The community of Boyle Heights is currently the target for several projects and studies that will ultimately have a significant impact on the land-use patterns and economic activity of the community.

These include the proposed Metro Rail Red Line extension which will include three station stops in Boyle Heights; a proposed redevelopment of the portion of the Aliso Village public housing project south of First Street by the Housing Authority; a future Redevelopment Project Area for the industrial and commercial sector pending the results of a feasibility study by the Community Redevelopment Agency; an existing State sponsored Enterprise Zone; a Los Angeles Neighborhood Initiative (LANI) project, and the expansion of the Los Angeles County-USC Medical Center.

Boyle Heights is designated a High Density Unemployment Area (HDUA) by the State of California. It forms a part of the Eastside Enterprise Zone, a State sponsored economic development program, implemented by the City's Community Development Department. The Enterprise Zone Program provides a variety of tax credits to eligible businesses as well as financing programs and other incentives to preserve existing businesses and encourage business expansion within the zone. This program has been in effect since 1988.

Currently, the Community Redevelopment Agency is undertaking a feasibility study to establish a redevelopment project area in Boyle Heights. The feasibility study focuses on the industrial and commercial land only, and does not include the residential component of the community. The feasibility study entails an examination of development trends, land costs, transportation facilities, employment, demand for retail, future property values and blight.

Overall, the area is in need of economic development. Land-use policy alone will not encourage the investment necessary to generate economic activity and jobs for the community.

Boyle Heights is also one of the communities being targeted by the Los Angeles Neighborhood Initiative Project (LANI). The LANI program will utilize federal funds for streetscape improvements for several commercial corridors throughout the city. A 1.6 mile stretch of East First Street between Boyle Avenue and Lorena Avenue will be targeted for revitalization.

Also, the Metropolitan Transportation Authority has received approval from the Federal Government for the Metro Rail Red Line extension from Union Station to the unincorporated community of East Los Angeles. The Red-Line extension will include three station stops in Boyle Heights at First Street and Boyle Avenue, Avenida Cesar Chavez and Soto Street, and First Street and Lorena Avenue. MTA is providing funding to the City of Los Angeles to develop an economic development strategy for the First Street and Boyle Avenue station stop which will form a part of the proposed Mariachi Plaza at the same intersection.

The Aliso Village public housing project located west of this intersection will be undergoing redevelopment. The new design of the housing project proposes to provide a pedestrian link to the First Street and Boyle Avenue station stop.

Finally, the existing Los Angeles County/USC Medical Center located on the north side of Marengo Avenue in the community of Northeast Los Angeles will undergo a major expansion. While most of the expansion will take place on the north side of Marengo Avenue, a portion will extend to the south side

of Marengo Avenue between Kingston Avenue and Britannia Street, within the boundaries of the Boyle Heights Community, where parking will be located.

The cumulative impact of these transportation, housing, and economic development programs, once implemented, will have an impact on the land use patterns and economic activity of Boyle Heights. At such time, the Land-Use Policies, Goals and Objectives of this plan should be re-examined to reflect the economic conditions of the community.

SETTING

Boyle Heights is situated at the eastern boundary of the City of Los Angeles and is surrounded by the City of Vernon to the south, the unincorporated community of East Los Angeles to the east, the communities of Lincoln Heights and El Sereno to the north and the Los Angeles River and downtown to the west.

The topography of Boyle Heights is generally flat and the street grid system is oriented for east/west travel. The major east/west arterials are Marengo Avenue, Avenida Cesar Chavez, First Street, Fourth Street, Whittier, Olympic and Washington Boulevards. These streets provide through regional access from downtown to the outlying communities beyond East Los Angeles such as Monterey Park, Whittier, Montebello and Santa Fe Springs.

The major north/south arterials are Soto Street, Lorena Street and Indiana Street. Evergreen Avenue also provides north/south access but is narrow at the southern portion of Boyle Heights and ends at the northern border of Boyle Heights.

Boyle Heights contains 3,807 acres or roughly six square miles. It contains a mix of residential, commercial, industrial, open space and public facility land.

COMMUNITY PARTICIPATION

The State of California requires citizen participation in the preparation of the General Plan. Government Code Section 65351 reads "During the preparation or amendment of the general plan, the planning agency shall provide opportunities for the involvement of citizens, public agencies, public utility companies, and civic, education, and other community groups, through public hearings and any other means the city or county deems appropriate."

Community participation will occur through an Open House and Public Hearing process to assist in identifying community issues and formulating the land use policies and objectives contained in the Boyle Heights Community Plan.

COMMUNITY ISSUES AND OPPORTUNITIES

The following summarizes the most significant planning land use issues and opportunities facing the Boyle Heights Community.

RESIDENTIAL

The permitted densities range from Low Medium I Residential to Medium Density Residential. The Low Medium I category typically consists of two detached single family structures, or duplexes, on one lot. The Low Medium II category also includes similar patterns as in the Low Medium I category. In addition, large older single-family residential structures have been converted into triplexes and four-plexes; some lots are developed with a single-family structures plus one or two units to the rear, or smaller apartment buildings with an average of about six to eight units depending on the lot size.

The Medium density category is generally characterized by older two-story apartment buildings with inadequate off-street parking. While generally built-out, there are some pockets that are not. Existing smaller apartment buildings that are not at maximum density are not likely to be redeveloped as current parking requirements would not allow many more units than currently exist.

Many of the residential structures are turn-of-the century structures that are in fair to poor condition. The architectural styles range from Victorian to Craftsman bungalows. Occasionally some of these structures can still be found in their original state and are well maintained. However, due to the age and the expense of maintaining these structures, many have been stuccoed and others are in need of extensive repair. Restoration would be an expense beyond the means of the average property owner in this community.

Most of Boyle Heights was subdivided in the earlier part of the century and contains a large number of lots that are substandard as to lot area and lot width by Municipal Code standards. Although many portions of the community appear to be low scale in character, the density is high due to the small lots, substandard subdivisions, conversions of older structures and the high ratio of persons per unit.

Although much of the housing stock is old, with some exceptions, it still provides viable housing opportunities for both renters and homeowners. There are some pockets in the community where the housing stock is marginal and in need of major rehabilitation. These areas may also provide opportunities for redevelopment in order to accommodate an increasing population.

Issues

- Need to rehabilitate the existing low-density housing stock.
- Need to provide more affordable housing.
- Lack of open space in multi-family developments.

Opportunities

- Access and proximity to downtown and to the industrial base.
- Potential for new housing in proximity to proposed Metro Rail station stops.

COMMERCIAL

The commercial component in Boyle Heights is the land-use that is the least built-out. Many portions of the commercially designated corridors in Boyle Heights are still occupied by residential uses built in the early part of the century.

The commercial corridors are low-scale in nature characterized by one and two story buildings containing a mix of retail, auto related uses and mom-and-pop businesses. Most of the commercial activity is strip retail located along portions of Avenida Cesar Chavez and First Street.

No major regional shopping centers have been developed in Boyle Heights. The Community Plan designates two areas for regional commercial development -- one area is along Avenida Cesar Chavez/Soto St. and the other is at Olympic/Soto St. The largest retail establishment in Boyle Heights, with a regional scope, has been the Sears Roebuck & Company retail store and warehouse. However, Sears has significantly downsized its operation. The catalog sales were terminated and the site no longer serves as a regional anchor, nor does it provide the same level of jobs to the community as it previously did. The Sears retail and catalog warehouse building is located in the southern part of Boyle Heights at the intersection of Soto Street and Olympic Boulevard. Current re-use opportunities for the building are being examined. For discussion of this site, see subsection which follows entitled Major Opportunity Site. The Community Plan designates the site for a Regional Center Commercial uses. This site is located at the entrance to the industrial sector at the southern Plan border. While some mini-mall development have occurred in Boyle Heights, there have not been a proliferation of mini-mall development as in other communities.

The most intense retail environment is located along Avenida Cesar Chavez between Saint Louis Street, three blocks west of Soto Street, and Fickett Street, two blocks east of Soto Street. This segment is the most pedestrian-oriented environment in Boyle Heights where retail store fronts dominate the streetscape. The land uses along this portion of Cesar Chavez include restaurants and retail shops that serve the local community. Some of the restaurants in Boyle Heights serve the downtown community as well. The intersection of Avenida Cesar Chavez and Soto Street is the most prominent and highly visible retail location in Boyle Heights. Pedestrian oriented uses should be encouraged along this segment and auto-oriented uses such as auto repair or drive-through establishments should be discouraged in order to preserve the continuity of the streetscape.

The "Mercado" located on First Street just east of Lorena Street at the eastern boundary of the City is a large commercial and cultural focal point in this community. The "Mercado" abuts the unincorporated community of East Los Angeles. The Mercado provides specialty Mexican products on two floors and restaurants with live music on the third floor.

The potential to capitalize on the market's activity is limited by its geographic location between the city boundary and the Evergreen Cemetery. However, the parcels just east of the Mercado, currently occupied by a lumber yard and a hamburger stand, provide a viable opportunity for a development that would complement or expand the Mercado. This intersection is also the

location of a proposed Metro Rail Red Line station and pedestrian-oriented uses should be encouraged here.

Boyle Heights contains only two major chain supermarkets and four independent grocery stores. Recently, the JonSon's supermarket at the intersection of Avenida Cesar Chavez and Ficket Street closed, reducing the level of shopping services in the community. The supermarkets and grocery stores are located along Avenida Cesar Chavez, First Street, Fourth Street and Whittier Boulevard. There is an unmet need for shopping services as the existing markets do not service all neighborhoods. This is partly due to physical barriers such as the freeways which isolate some neighborhoods. The commercial-zoned lots along the commercial corridors are substandard in size and/or too narrow to accommodate a major supermarket or similar-size commercial development.

The community south of the Santa Ana Freeway is the most underserved community in Boyle Heights. It is primarily served by mom-and-pop businesses. The nearest shopping location for residents in the southeastern portion of this community is not within walking distance. The Whittier/Lorena commercial intersection located on the north side of the Santa Ana freeway is the nearest shopping area.

The nearest commercial location for residents in the southwestern portion of the community is the Olympic/Soto intersection which is not pedestrian-oriented, provides inadequate neighborhood services and contains no supermarket. This intersection has very heavy truck traffic carrying goods to and from the industrial sector creating a hostile pedestrian environment. Auto access is also difficult due to the heavy traffic and width of the street. The remaining commercial corridors are a collection of residential uses, auto-repair, and small mom and pop businesses.

Issues

- Lack of convenient shopping services in portions of the community.
- Inadequate parking for commercial businesses.
- Intrusion of auto related uses into retail storefronts.
- Inadequate transition between commercial and residential uses.

Opportunities

- Proximity and access to and from downtown.
- Potential for commercial retail and mixed-use development around proposed Metro Rail station stops.
- Potential for expansion and enhancement of commercial activity around existing focal points.

INDUSTRIAL

Boyle Heights contains a significant amount of industrial land along its

southern boundary bordering the industrial city of Vernon and along the western boundary adjacent to the Los Angeles River.

The industrial base is formed by a variety of distribution, manufacturing and assembly industries such as garment and furniture manufacturing, metal plating, and electronics among others. Many of the buildings were originally built as warehouses and do not meet the parking requirements for manufacturing uses. Also many of the buildings are old and are not functional for certain industrial uses or do not fit the image some industrial businesses, such as high tech and medical, are looking for. The industrial base of the adjacent Cities of Vernon and Commerce provide a competitive alternative for industrial businesses with newer and more attractive industrial parks with loading and unloading capacity, off-street parking and adequate ingress and egress.

Rehabilitation of industrial building requires sprinklering, providing off-street parking, complying with disabled access requirements, structurally reinforcing building roofs to prevent theft. Without these improvements, insurance premiums for businesses are too costly.

Assistance for rehabilitation of industrial buildings and improving the circulation system are critical to strengthening the industrial base in Boyle Heights.

Issues

- Need for rehabilitation and retrofitting of existing industrial buildings.
- Substandard parcels that do not facilitate assemblage and redevelopment.
- Inadequate off-street parking for industrial tenants and delivery trucks.
- Need to provide buffers between residential and industrial uses.

Opportunities

- Proximity to the downtown wholesale, retail, manufacturing and distribution base.
- Convenient access to regional transportation network.

TRANSPORTATION

Currently, Boyle Heights is serviced by the MTA bus service.

The proposed Metro Red-Line extension will link Boyle Heights to Union Station downtown as well as to the outlying communities east of Boyle Heights. Three station stops are proposed in Boyle Heights at the intersections of First and Boyle Avenue, Soto Street and Avenida Cesar Chavez and First and Lorena Avenue. A mariachi plaza is in the planning stages around the First and Boyle station stop creating a third focal point in the community. The Metro Red Line will serve to link the three focal points in the community. Improved bus service for those neighborhoods outside the

red-line corridor will be required to avoid further isolation of those neighborhoods.

Issues

- Need to provide a transportation linkage between housing and commercial shopping areas.
- Need to provide a linkage for the southern portion of the community located between the Santa Ana Freeway, Olympic Boulevard, Soto Street and Lorena Avenue to the focal points and proposed station stops in the northern portion of the community.
- Need to mitigate and minimize pedestrian and vehicular conflicts along commercial corridors and at the Olympic and Soto intersection.

Opportunities

- Potential to manage the intensity and density of development around the proposed Metro Rail station stops.
- Potential to enhance existing focal points and to incorporate needed facilities conveniently near proposed Metro Rail station stops, such as child care, senior and affordable housing.

MAJOR OPPORTUNITY SITE

The Sears site located at the southwest corner of Olympic Boulevard and Soto Street is a major opportunity site. Due to the size and potential build-out of the site, any re-use or redevelopment of this site will have significant community wide impacts as well as immediate impacts on the surrounding uses and neighborhood. This portion of the community is underserved with respect to services. At the same time, Soto Street and Olympic Boulevard are characterized by heavy truck traffic in and out of the industrial core located south of, and along Olympic Boulevard, thus creating an unfriendly pedestrian environment.

A vast parcel of commercial land is also located at the northwest corner of this intersection. Any reuse of the Sears site could influence the type of uses located at the north side of Olympic Boulevard. Piecemeal development should be avoided. The Sears property and the property to the north were examined as part of a Los Angeles Design Action Planning meeting held in May of 1990. The following concepts and principles were developed to guide development of these sites.

- Develop a master plan that physically integrates both sites.
- Accommodate an integrated mix of retail, office, restaurants, entertainment and residential uses.
- New development be permitted at a height of four to five stories to maximize views of downtown.

- Locate retail and office commercial uses along the street frontages and locate residential uses on the upper levels of structures and portions of the sites facing downtown.
- Require setbacks above the second floor for those structures along street frontages.
- Create a pedestrian plaza/corridor along the River frontage with a pedestrian bridge to the west side of the Los Angeles River.
- Create a pedestrian bridge over Olympic Boulevard connecting the two major sites.
- Widen Soto Street and provide a bus pull out and drop off area along Soto Street.
- Integrate market rate housing along riverfront.
- Integrate affordable housing near existing housing.

Any future development of these sites should take into account these principles and concepts.

NEIGHBORHOOD CHARACTER

The physical character of Boyle Heights is low-scale in nature both along the commercial corridors and in the residential community as well.

Issues

- Preserve the existing low scale character of the community.
- Preserve the continuity of the streetscape and enhance community identity.
- Mitigate the adverse impacts of new high density residential development such as bulk, open space and parking.

Opportunities

- Removal of underutilized or substandard structures to develop pedestrian-oriented uses along commercial corridors and community focal points.
- Development of areas adjacent to proposed Metro Rail station stops with provision of open space and adequate parking for commercial and residential uses.

Chapter II

FUNCTION OF THE COMMUNITY PLAN

STATUTORY REQUIREMENTS

California State law (Government Code Section 65300) requires that each city prepare and adopt a comprehensive, long-term general plan for its development. It must contain seven mandatory elements including land use, circulation, housing, conservation, open space, noise, and safety. In the City of Los Angeles thirty-five Community Plans comprise the City's Land Use Element.

State of California law requires that the Land Use Element be prepared as part of the City's General Plan, and that the Land Use Element be correlated with the Circulation Element.

The Land Use Element has the broadest scope of the General Plan elements required by the State. Since it regulates how land is to be utilized, many of the issues and policies contained in all other plan elements are impacted and/or impact this element.

Government Code Section 65302(a) requires a land use element which designates the proposed general distribution and general location and extent of uses of the land for housing, business, industry, open space, including agriculture, natural resources, recreation, and enjoyment of scenic beauty, education, public buildings and grounds, solid waste disposal facilities, and other categories of public and private uses of land. The land use element shall include a statement of the standards of population density and building intensity recommended for the various districts and other territory covered by the plan.

The Boyle Heights Community Plan consists of this text and the accompanying map. The Community Plan text states the goals, objectives, policies and programs. The Community Plan Map outlines the arrangement and intensities of land uses, the street system, and the locations and characteristics of public service facilities.

The Community Plan addresses all the Elements of the General Plan and is internally consistent with the Citywide Elements of the General Plan. The Citywide Elements take precedence except where unique needs and requirements of the community are called out in the Community Plan.

ROLE OF THE COMMUNITY PLAN

The General Plan is the fundamental policy document of the City of Los Angeles. It defines the framework by which the City's physical and economic resources are to be managed and utilized over time. Decisions by the City with regard to the use of its land; design and character of buildings and open spaces, conservation of existing and provision of new housing, provision of

supporting infrastructure and public and human services, protection of environmental resources, protection of residents from natural and man-caused hazards, and allocation of fiscal resources are guided by the Plan.

The Community Plans are intended to promote an arrangement of land uses, streets, and services which will encourage and contribute to the economic, social and physical health, safety, welfare and convenience of the people who live and work in the Community. The plans are also intended to guide development in order to create a healthful and pleasant environment. The plans are intended to coordinate development among the various parts of the City of Los Angeles and adjacent municipalities in a fashion both beneficial and desirable to the residents of the Community.

The General Plan and the Community Plans clarify and articulate the City's intentions with respect to the rights and expectations of the general public, property owners, and prospective investors and business interests. Through the Community Plan, the City can inform these groups of its goals, policies and development standards, thereby communicating what is expected of the City government and private sector to meet its objectives.

The Community Plan ensures that sufficient land is designated which provides for the housing, commercial, employment, educational, recreational, cultural, social and aesthetic needs of the residents of the District. The Plan identifies and provides for the maintenance of any significant environmental resources within the District. The Plan also seeks to enhance community identity and recognizes unique neighborhoods within the Community.

PURPOSE OF THE COMMUNITY PLAN

The last comprehensive update of the Boyle Heights Community Plan was completed in 1979. Since that time, considerable growth has occurred, new issues have emerged, and new community objectives regarding the management of new development and community preservation have evolved. Consequently, it is necessary to update the Community Plan to not only reflect current conditions, but to accurately reflect the prevailing visions and objectives of the area's residents and property and business owners.

This Community Plan was developed in the context of promoting a vision of the Boyle Heights area as a community that looks at its past with pride and approaches its future with eagerness, while maintaining its individual identity by:

- Preserving and enhancing the positive characteristics of existing residential neighborhoods while providing a variety of housing opportunities with compatible new housing.
- Improving the function, design and economic vitality of the commercial corridors.
- Preserving and enhancing the positive characteristics of existing uses which provided the foundation for community identity, such as scale, height, bulk, setbacks and appearance.

- Maximizing the development opportunities of the future rail transit system while minimizing any adverse impacts.
- Planning the remaining commercial and industrial development opportunity sites for needed job-producing uses that improve the economic and physical condition of the Boyle Heights community.

ORGANIZATION AND CONTENT OF THE COMMUNITY PLAN

This Plan sets forth goals, objectives, policies, and implementation programs that pertain to Boyle Heights. Broader issues, goals, objectives, and policies are provided by the Citywide General Plan Framework.

The Plan is organized and formatted to facilitate periodic updates. The State recommends that the short-term portions of the General Plan, including the Community Plans, be reviewed annually and revised as necessary to reflect the availability of new implementation tools, changes in funding sources, and the results of monitoring the effectiveness of past decisions. The State also recommends that the entire plan be comprehensively reviewed every five years to reflect new conditions, local attitudes, and technological advances.

The principal method for the implementation of the Land Use Map is the Zoning Ordinance. The City's Zoning Map must be updated to remain consistent with the adopted Land Use Map. Together, the Zoning Ordinance and the Zoning Map identify the intensity of use and development standards applicable to specific areas and parcels of land within the community.

RELATIONSHIP TO OTHER GENERAL PLAN ELEMENTS

The City of Los Angeles has the responsibility to revise and implement the City's General Plan. Since State law requires that the General Plan have internal consistency, the Boyle Heights Community Plan (which is a portion of the City's Land Use Element) is consistent with the other Elements and components of the General Plan.

The Citywide General Plan Framework is the umbrella concept of the General Plan which will provide the overall guiding vision for Los Angeles into the 21st Century. It is based on a directed growth strategy which targets residential and commercial growth along boulevards and corridors and clustered development around community focal points and high activity centers. The directed growth strategy expands the Centers concept, which was adopted by the City Council in 1974 as the City's long-range development strategy.

The proposed General Plan Framework forecasts the following population, housing and employment levels for the Boyle Heights Community Plan for the year 2010:

<i>Population (2010) Projection</i>	122,092
<i>Employment (2010) Projection</i>	34,683
<i>Housing (2010) Projection</i>	29,266

The above population, employment and housing numbers are provided as reference during the Community Plan revision. It needs to be recognized, however, that these figures are only best estimates and are derived from regional data which are disaggregated to the City and the community level. Population, jobs and housing could grow more quickly, or slowly, than anticipated depending on economic trends. Regional forecasts do not always reflect the adopted community plan land use capacity or buildout estimated from planned land use. Plan capacity or buildout is also an imprecise estimate and depends on specific assumptions about future density of development and household size, which may be more, or less, than actually occur. It should also be noted that the community plan capacity does not include housing in commercial districts nor the current residential vacancy rate.

In addition, to the seven state mandated elements, the City's General Plan includes a service system element, a cultural element and a major public facilities areas elements. All the provisions and requirements of the General Plan elements apply to the Boyle Heights Community Plan.

The Community Plans which constitute the Land use element, are intended to guide the location and intensity of the private and public uses of land and to promote an arrangement of land uses, streets and services which will encourage and contribute to the economic, social and physical health, safety, welfare and convenience of the people who live and work in the Community.

Neighborhood Plans involve the preparation of special plans which blend both policy and implementation functions for unique neighborhoods within a community plan area. In addition to these specific plans, overlay zones also combine policy and implementation functions to address issues peculiar to a specific neighborhood.

PLAN MONITORING AND PLAN PROJECTIONS

The Plan sets forth goals, objectives, policies and programs, and designates a potential land use capacity larger than is anticipated to be built during the life of the plan. During the life of the Plan, it will be monitored by the Congestion Management Program (CMP), adopted in December 1993 by the Los Angeles County Transportation Authority, the Year 2000 Market Forecast Review, and other appropriate measures.

PLAN CONSISTENCY

Each Plan category indicates the corresponding zones permitted by the Plan unless further restricted by the Plan text, footnotes, adopted Specific Plans or other specific limitations on discretionary approvals. The Plan recognizes that achieving the full residential densities and the commercial and industrial intensities depicted on the Plan map will not occur due to Plan restrictions and economic limitations.

Chapter III

LAND USE PLAN POLICIES AND PROGRAMS

RESIDENTIAL

The housing objectives, policies and programs are based on an analysis of existing zoning, housing characteristics and the effect of natural and man-made features, as well as the role and function of the community as a housing resource.

Boyle Heights could benefit greatly from housing rehabilitation. Many homeowners will require financial assistance to rehabilitate their homes. The physical decay of housing is a complex problem which is not unique to Boyle Heights. The root causes are various, and consequently there are no simple solutions. The Community has a unique residential character, a variety of housing styles, family-oriented housing, and quality construction for that time period. However, it also has small parcels, high overall densities, insufficient parking and high costs of maintenance.

Residential areas throughout Boyle Heights are in need of home improvement assistance. The type and degree of assistance needed will vary with the age of the housing and the complexity of the problem. Until an alternative means of providing new housing for lower-income families is developed, conservation and improvement of the existing housing stock is the only feasible alternative.

PLAN POPULATION AND DWELLING UNIT CAPACITY

Residential Land Use Category	Dwelling Units Per Net Acre Midpoint (Range)	Number of Dwelling Units	Net Acres	Persons Per Dwelling Unit (2010)	Reasonable Exp. Population (2010)
Low	6.5 (4-9)	143	22	4.41	630
Low Medium I	13.5 (9-18)	8,019	594	4.28	38,321
Low Medium II	23.5 (18-29)	11,421	486	4.28	48,881
Medium	42 (29-55)	5,208	124	4.35	22,654
TOTALS		24,791			110,486

Objectives

1. To conserve and improve existing viable housing for persons desiring to live in Boyle Heights, especially low and moderate income families.

2. To provide new housing opportunities that accommodate a range of income needs, provide public amenities, and maximize the opportunities for individual choice.
3. To improve the relationship between residential uses, the circulation system and the service system facilities (streets, schools, parks, fire, police, utilities).
4. To improve the physical design and condition of all public housing units.

Policies

It is the City's policy:

1. That the existing Low density housing (one-family dwellings) be preserved.
2. That the existing Low-Medium I density housing family dwellings be preserved where such housing is in relatively good condition or can be made so with moderate improvements.
3. That the existing Low-Medium II density housing be preserved where such housing is in relatively good condition or can be made so with moderate improvements.
4. That Medium density housing be located near commercial corridors where access to public transportation and shopping services is convenient and where a buffer from, or a transition between, low-density housing can be achieved to the extent feasible.
5. That High-Medium density housing be provided only within a 1/4 mile radius from proposed Metrorail Station stops.
6. That funds for the rehabilitation of the existing housing stock continue to be provided in order to conserve and upgrade the availability of a viable and affordable housing supply.
7. That, in general, housing for the elderly has convenient access to public transportation, commercial services, recreation and health facilities.

Programs:

The Plan recommends:

1. Initiation of residential zone redesignations to conform with the land use policies of this Plan as indicated on the Plan Map.
2. A study to develop land-use policies for the development of residential uses around the proposed Metro Rail Station Stops.
3. Development of a community landmarks plan for Boyle Heights which would identify unique elements of social and physical significance.

COMMERCIAL

Commercial zoning in Boyle Heights was established in the early 1920's. The general zoning pattern is one of continuous strips along major east-west streets. This pattern reflects the Community's early development, the former street-car transportation system and overly ambitious expectations for commercial development. Many commercially zoned areas have been developed with residential uses or public facilities. Consequently, major streets contain mixtures of uses, creating variety, character and, in certain situations, conflicting needs and service requirements. The pattern of zoning and smaller parcel sizes has hampered the expansion or consolidation of businesses. Types of commercial areas range from scattered "mom-pop" stores to small clusters of retail stores to neighborhood and community-oriented commercial centers.

In Boyle Heights, residents and businesses are uniquely interdependent. Boyle Heights is physically separated from communities to the north by a freeway and hilly terrain and from those on the west and south by railroad lines and large industrial sectors. Local residents are the primary customers of most businesses.

Although commercial growth potential of the Community is limited, there are some commercial hubs that are viable. There is substantial stability and viability of those businesses that do exist. The service of businesses to Community residents could be enhanced through conservation, moderate expansion, physical improvement of facilities and additional off-street parking. In addition, some new businesses could be attracted to increase the range of goods and services, complement existing businesses, and generate employment for local residents.

Objectives

1. To conserve and strengthen viable commercial development in the Community and to provide additional opportunities for new commercial development and services.
2. To provide a range of commercial facilities at various locations to accommodate the shopping needs of residents, including persons of restricted mobility, and to provide increased employment opportunities within the Community.
3. To encourage investment in all community and neighborhood commercial centers.
4. To improve the compatibility between commercial and residential uses.
5. To improve the compatibility between existing commercial uses to develop complementary land-use patterns that enhance economic activity.

Policies

It is the City's policy:

1. That commercial facilities be located primarily on east-west traffic arteries to reinforce existing development and to minimize negative impact on residential neighborhoods.
2. That community and neighborhood commercial centers be consolidated and deepened to stimulate existing businesses, create opportunities for new development and off-street parking, expand the variety of goods and services, and improve shopping convenience.
3. That the pedestrian-oriented commercial centers of Avenida Cesar Chavez and Soto Street and the Mercado area on East First Street be preserved and continue to serve as focal points for shopping, social and entertainment activities.
4. That the neighborhood commercial areas at Whittier Boulevard and Lorena Street, Evergreen and Wabash Avenues, Fourth and Soto Streets, and First and Bailey Streets continue to serve the everyday and weekly shopping needs of residents, providing supermarkets, drugstores, retail shops and other neighborhood-oriented services.
5. That neighborhood markets and retail and service establishments oriented to the residents be retained throughout the Community, within walking distance of residents.
6. That highway-oriented commercial uses such as drive-through establishments, auto repair and other similar uses be located away from pedestrian-oriented areas.
7. That the City continue to encourage the use of private and public resources designed to stimulate commercial rehabilitation and new development.
8. That new commercial development be oriented so as to facilitate pedestrian access by locating parking to the rear of structures and provide entrances oriented toward the east/west commercial streets to preserve the continuity of the streetscape and enhance the pedestrian environment.

Programs

The Plan recommends:

1. Initiation of commercial zone designations to zones that conform with the land use policies of this Plan.
2. A study to determine where one stop, auto-oriented uses such as auto repair shops and drive-through establishments can be located in order to preserve the existing pedestrian-oriented areas and the existing streetscape.
3. A study to determine the opportunities and feasibility of public improvements at neighborhood and community shopping areas.

INDUSTRIAL

Industrial zoning in Boyle Heights was established as far back as 1921. Not until after 1940, however, did the Community become a prime part of the City's industrial development. This was due, in part, to the established industrial sector west of the Los Angeles River, the Community's proximity to downtown Los Angeles, and convenient access to railroads. It is part of an older and larger industrial core lying east of the central area of Los Angeles and extending south into the City of Vernon and east into the City of Commerce.

The Community's industry surrounds its residential neighborhoods, creating a continuous belt along its northern, western and southern edges. It contributes significantly to the economic base of the City. The dominant industrial employers are engaged in the manufacture of fabricated metal products, machinery, furniture and fixtures, as well as printing and publishing. Some areas contain underutilized railroad lines or industrial uses such as land intensive warehouses that generate little employment.

Since this is an older industrial area, there are some unique problems and disadvantages. Many industrial buildings lack the design amenities of newer developments. The industrial sector is characterized by smaller parcels, piecemeal development and substandard streets, restricting the potential for site expansions to increase storage or production space, or the rehabilitation and reuse of structures. New industrial development is further discouraged by the absence of vacant land.

In spite of these disadvantages, the industrial sector represents an important resource in terms of City tax revenues and employment for City residents. This industrial base could provide employment opportunities for a large skilled and semi-skilled labor pool living in this and adjacent communities. To the extent feasible, existing industrial investments should be protected. To reinforce and upgrade the existing industrial base, attempts to attract new employment-generating industries should also be undertaken.

Objectives

1. To preserve designated industrial lands for industrial uses.
2. To conserve the existing industry in order to contribute to the tax base for the City and as a potential employment resource for community residents.
3. To encourage and provide opportunities for new industrial uses that generate intensive employment.
4. To improve the quality of industrial developments and to protect the amenities of adjacent areas.

Policies

It is the City's policy:

1. That industrial uses, wherever possible, be clearly defined and separated from other uses by freeways, flood control channels, arterials, and other physical barriers.
2. That a transition of industrial uses be developed, where feasible, from intensive uses to less intensive uses in those areas adjacent to residential uses.
3. That the City encourage the use of public and private resources designed to stimulate industrial rehabilitation, intensification and new development.
4. That the industrial areas north of the San Bernardino Freeway and west of the Golden State Freeway, west of the Aliso-Pico neighborhood and Santa Ana Freeway, and south of Olympic Boulevard, all of which are located conveniently near transportation facilities, be maintained and improved as a means of providing revenue to the City and employment opportunities for its residents.

Programs

The Plan recommends:

1. Initiation of industrial zone designations to zones that conform with the land use policies of this Plan.
2. A study to determine the feasibility of providing efficient, labor-intensive industrial parks in existing industrial areas containing vacant land, abandoned railroad rights-of-way and marginal industrial uses.

PUBLIC FACILITIES AND OPEN SPACE

The City of Los Angeles provides and administers a number of public services and facilities, such as parks, libraries, and police, and fire protection and paramedic ambulance service. Other services, such as health care, welfare and education, are administered by County or State agencies and consequently are not under City control. However, in determining needed services, setting priorities and allocating resources, the City Council make the City's concerns known to these higher level jurisdictions through the adoption of appropriate policies.

Generally, public facilities in Boyle Heights were established prior to and during the Community's growth in the 1920's. From 1950 to 1960 two new neighborhood parks and a new police station were developed. While most facilities were originally quite innovative and above standard for their time, many are below current standards and in need of improvement or replacement. Also, many older facilities are inadequate to accommodate new concepts or techniques, such as those relating to library service or fire protection.

Since the development of most facilities in the 1920's, land use in the Community has greatly changed and intensified. These changes include:

industrial development of the 1940's, development and expansion of public housing projects in the 1940's and 1950's, and the continued program of freeway construction. All of these changes have generated additional demands for police, fire, library and recreational services. The ethnic composition has changed and is now predominantly Spanish surname. In part, the Community functions as the initial starting point for many Spanish-surname families from Mexico and the Southwestern United States. These changes have increased the need for public facilities and changed the type and quality of public services needed. Plans for service systems must also take into account a substantial number of "undocumented aliens" residing in the Community.

The demand for new or improved public facilities has grown far beyond available City resources. Land for new sites or the expansion of existing sites requires the acquisition of residential properties, decreasing the housing stock in the Community. Given this constraint, the improvement of existing facilities should be given prime consideration. Whenever possible, concepts of intensification, rehabilitation, reuse and multiple use of facilities and sites should be utilized. Site size standards should be tailored to unique Community conditions, and site expansion.

RECREATION AND PARKS FACILITIES

Objectives

1. To provide adequate recreation and park facilities which meet the needs of the residents in the community.
2. To conserve, maintain and better utilize existing recreation and park facilities which promote the recreational experience.

Policies

Preserve and improve the existing recreation and park facilities and park space.

Programs

The City Department of Recreation and Parks should work with the Los Angeles Unified School District to develop a program for shared use of school sites for recreation and parks sites for education.

OPEN SPACE

In the Boyle Heights Plan area, which is highly urbanized, important open space areas do exist. Open space is important due to its role in both physical and environmental protection. There are two classifications for open space, privately owned and publicly owned.

Open space is broadly defined as land which is essentially free of structures and buildings or is natural in character and which functions in one or more of the following ways:

1. Recreational and Educational opportunities.
2. Scenic, cultural and historic values.
3. Public health and safety.
4. Preservation and creation of community identity.
5. Right-of-way for utilities and transportation, facilities.
6. Preservation of natural resources as ecologically important areas.

SCHOOLS

Objectives

1. To secure appropriate locations and adequate facilities for schools to serve the needs of the existing and future population.
2. To site schools in locations complementary to existing land uses and in locations which will enhance community identity.

Policies

Encourage compatibility in school locations, site layout and architectural design with adjacent land uses and community character and, as appropriate, use schools to create a logical transition and buffer between different uses.

Programs

Require that a decision maker involved in a discretionary review for a proposed school, adopt a finding which supports the application of this policy.

LIBRARIES

Objectives

1. To ensure adequate library facilities are provided to the area's residents.
2. To encourage the City Library Department to provide adequate library service which responds to the needs of the community.

Policies

1. Support construction of new libraries and rehabilitation and expansion of existing libraries as required to meet the changing needs of the community.
2. Encourage flexibility in siting libraries in mixed use projects, pedestrian oriented areas, transit oriented districts, and similarly accessible facilities.

Programs

1. The Plan designates the existing library sites to the Public Facilities plan category and changes the zone to Public Facility. This new

designation provides the libraries with more protection to retain the existing uses on site which allows for greater certainty for needed City approvals when rehabilitating or expanding structures on site.

2. Through the inclusion of this policy in the Plan text, the Plan supports these identified locations as desirable sites for new libraries and recommends that this policy be considered when the Library Department and decision-makers review potential sites for new libraries.

POLICE PROTECTION

Objectives

1. To protect the community's residents from criminal activity, reduce the incidence of crime and provide other necessary services.
2. To provide adequate police facilities and personnel to correspond with population and service demands.

Policies

Consult with Police Department as part of the review of significant development projects and major land use plan changes to determine service demands.

Programs

Require a decision maker to include a finding as to the impact on police service demands of the proposed project or land use plan change.

FIRE PROTECTION

Objectives

1. To protect the community through a comprehensive fire and life safety program.
2. To ensure that fire facilities and protective services are sufficient for the existing and future population and land uses.

Policies

Consult with the Fire Department as part of the review of significant development projects and major land use plan changes to determine service demands.

Programs

Require a decision maker to include a finding as to the impact on fire service demands of the proposed project or land use plan change.

CIRCULATION

FREEWAYS AND STREETS

The circulation system -- railroads, streets and freeways - impacts the Boyle Heights community in a manner unlike any other area in the city. The Southern Pacific and Santa Fe Railroads were developed between 1876 and 1885 on flat terrain along the southern and western peripheries of the community, dictating the future pattern of industry and truck traffic. The location of industry, and the more severe hillsides to the north, function as physical barriers to the north-south movement of traffic through the Community. The Community functions as an east-west traffic funnel for motorists entering and leaving employment centers of the Central City area.

The residential core of Boyle Heights has been repeatedly bisected by the construction of freeways. The San Bernardino Freeway was first opened in 1943, followed by the Santa Ana, Golden State, Pomona and Santa Monica Freeways. In total, they represent 9.6 miles of continuous freeway and occupy 10% of the Community's land area.

The development and intensification of the total circulation system is the result of urban growth and regional traffic demands.

It is imperative that any modifications include mitigation measures adequate to minimize additional negative impacts and mitigate existing impacts on public facilities, environmental quality and social stability and to avoid any further erosion of the residential integrity of the Community.

Objectives

1. To provide for a circulation system coordinated with land uses and densities in order to accommodate the movement of people and goods.
2. To minimize the detrimental impact of all existing freeways in the Community.
3. To minimize the conflict between vehicular and pedestrian traffic.

Policies

It is the City's policy:

1. That no residential, commercial or industrial zone changes be approved unless it is determined that transportation facilities, existing or assured, are adequate to accommodate the traffic generated.
2. That arterial and local streets be developed in accordance with standards and criteria contained in the Mobility Plan of the General Plan and the City's Standard Street Dimensions, except where environmental issues and planning practices warrant alternate standards consistent with capacity requirements.
3. That the unique character of Community streets should be maintained and enhanced by improved design characteristics such as street trees, landscaped median strips, traffic islands and special paving.

4. That a bikeway system should be developed within the Community to permit safe bicycle use and to link residents to other bikeway systems which provide access to recreational facilities.
5. That Indiana Street remain designated as a Secondary Highway. Any widening and improvements shall be coordinated with the County of Los Angeles.

Programs

The Plan recommends:

1. Amendment to the Highways and Freeways Plan as follows:

Designate as a Secondary Highway rather than a Major Highway:

- 1.1 First Street, between Mission Road and Santa Ana Freeway.
- 1.2 Fourth Street, between the Golden State Freeway and Indiana Street.
- 1.3 Soto Street, between Whittier Boulevard and Wabash Avenue.

Eliminate as a Secondary Highway:

- 1.1 Evergreen Avenue, between Wabash Avenue and Fourth Street
- 1.2 Euclid Avenue, between Fourth Street and Eighth Street.
- 1.3 State Street, between Brooklyn Avenue and First Street.
- 1.4 St. Louis Street, between Marengo and Brooklyn Avenues.
- 1.5 Indiana Street (northern proposed extension), between Washbash Avenue and Brooklyn Avenue.

Designate as a Secondary Highway:

- 1.6 Marengo Street, between Soto Street and eastern Los Angeles County boundary.

PUBLIC TRANSPORTATION

The efficiency and quality of public transportation service is particularly significant to Boyle Heights residents. The Community's population is highly transit-dependent.

Boyle Heights residents, therefore, require a flexible transportation system that will provide mobility within the Community and ready access to surrounding communities.

Generally, the level of bus service in an east-west direction has been fairly

adequate, mainly as a result of the Community's proximity to the Central City area and the orientation of the street system.

The City does not administer the public transportation system but can lend support and assistance to the MTA by evaluating travel needs of residents and making recommendations for modifications and improvements to the public transportation service.

Objectives

1. To maximize the effectiveness of public transportation to meet the travel needs of transit-dependent residents.
2. To encourage alternate modes of travel and provide an integrated transportation system that is coordinated with land uses and which can accommodate the total travel needs of the Community.

Policies

It is the City's policy:

1. That the City continue to encourage and assist the MTA in analyzing the Community's transit needs in order to increase bus service and improve its efficiency and comfort.
2. That public transportation, including rapid transit accessible to transit-dependent residents, be provided.

Programs

That the MTA be requested to continually evaluate the efficiency, patronage and cost-benefit ratio of the East Los Angeles Bus Service Improvement Program.

BOYLE HEIGHTS

SUMMARY OF LAND USE

CATEGORY	LAND USE	CORRESPONDING ZONES	NET ACRES	%AREA	TOTAL NET ACRES	TOTAL % AREA
RESIDENTIAL						
Single Family					27	0.7
	Low	RE9, R1, R5, RD5, RD6	27.07	100.0		
Multiple Family					1,241	32.4
	Low Medium I	R2, RD3, RD4	614.91	49.6		
	Low Medium II	RD1.5, RD2	519.99	41.9		
	Medium	R3	106.15	8.6		
COMMERCIAL					240	6.3
	Highway	C2, P	2.83	1.2		
	Highway & Limited	C1, C2, P	153.47	63.8		
	Neighborhood	C1, C2, C4, P	30.90	12.9		
	Community	C2, C4, P, PB	16.58	6.9		
	Regional Center	C2, P, PB	36.61	15.2		
INDUSTRIAL					786	20.5
	Commercial	CM, P	2.41	0.3		
	Limited	CM, MR2, M2, P	92.71	11.8		
	Light	MR2, M2, P	185.86	23.7		
	Heavy	MR2, M2, P	504.52	64.2		
OPEN SPACE/PUBLIC FACILITIES					710	18.5
	Open Space	OS, A1	161.55	22.8		
	Public Facilities	PF	548.02	77.2		
STREETS					823	21.5
	Public Streets		823.37	100.0		
TOTAL					3,827	100.0

Chapter IV

COORDINATION OPPORTUNITIES FOR PUBLIC AGENCIES

PROGRAMS

This outline of programs is intended to establish a framework for guiding development of the Boyle Heights Community in accordance with the policies and objectives of the Plan. In general, they indicate those public and private actions which should take place following the adoption of the Plan. The described actions will require the use of a variety of implementation methods.

PUBLIC IMPROVEMENTS

CIRCULATION

To facilitate local traffic circulation, relieve congestion, and provide mobility for all citizens, recognizing natural and other restraints, the following are proposed:

- Continued maintenance and development of a street system consistent with Plan Proposals and with the City's Annual Capital Improvement Program (as amended from time to time).
- Continued planning of, and improvements to, the public transportation system in accordance with the proposals of this Plan.

RECREATION, PARKS AND OPEN SPACE

- Acquisition, expansion and improvement of needed local parks should be accelerated as funds and lands become available. Concerted effort should be made to establish supplemental recreational use of open space along freeways. Additionally, joint use of public school sites should be encouraged.

SCHOOLS

- Needed school facilities should be provided as conditions warrant.

OTHER PUBLIC FACILITIES

The development of other public facilities such as fire stations and libraries, should be sequenced and timed to provide a balance between land use and public services.

Where feasible, new power distribution lines should be placed underground and the program for the undergrounding of existing lines should be continued and expanded.

PRIVATE PARTICIPATION

Residents and business groups are encouraged to undertake private actions for community improvements such as:

- Developing and maintaining mini-parks on property provided for public use and as an interim use of vacant private lands, with permission of the owner.
- Sponsoring clean-up beautification programs to improve the general environment.
- Reviewing plans for proposed projects and working with builders to insure high quality development acceptable to a large part of the community prior to submission of tract maps, zone changes, etc. to the City for approval.
- Planning for community centers to be encouraged with provision to allow for the implementation of such plans (e.g. Public/private cooperation and participation is encouraged through community-assisted funding or other methods).

PLANNING LEGISLATION

Planning provisions of the Municipal Code and other legislation are continually being reviewed and amended. The following studies for amendments are suggested to aid in the implementation of the Plan:

- Design: Requirement that all new and rebuilt public and private facilities observe improved site design standards.
- Open Space Acquisition: Establishment of a right of first refusal by the City to purchase privately-owned recreational facilities, including golf courses and other privately-owned open space lands.
- Open-Space Tax Relief: Inclusion in the City's Annual Legislative Program (Submitted to the State Legislature) of a proposal for tax relief for privately-owned lands proposed for conservation and open space uses.
- Property Improvement Tax Relief: Revision of laws to provide incentives to property owners making improvements to their properties.
- Scenic Districts: Enabling ordinance providing establishment of local scenic districts and provision of appropriate regulations therein. Design standards and other regulatory provisions should be included in each local scenic district in order to protect and preserve identified scenic features or values.
- Tax Delinquent Properties: Provision for City acquisition of tax delinquent properties for open space and recreational uses.

ZONING ACTIONS

Zoning is the primary legal tool by which the development of private property can be directed towards the implementation of the Plan. Two distinct situations are involved:

- The City may initiate redesignation of zones appropriate to the Plan.
- Property owners, under the procedures established by the Los Angeles City Charter and the Los Angeles Municipal Code, may apply for a change of zone.

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April 21, 2005

All Interested Parties:

RAS INTERPRETATION TO COMMUNITY PLAN FOOTNOTES
DIRECTOR'S INTERPRETATION

Attached is a copy of the Department of City Planning's interpretation of Ordinance 174,999, effective January 15, 2003, which established the RAS Zones. This published interpretation becomes final and effective 20-days from the date of this communication unless an appeal to the City Planning Commission is filed within this time period. Appeals shall be filed in duplicate on forms provided at any of the following public offices of the Department of City Planning, along with the required filing fee:

Planning Department -Public Counter
201 North Figueroa Street, 3⁰⁰ Floor
Los Angeles, CA 90012
Phone: (213) 482-7077

San Fernando Valley Office
6262 Van Nuys Boulevard
Van Nuys, CA 91401
Phone: (818) 374-5050

If you have any questions regarding this case, please contact Jane Blumenfeld at (213) 978-1372 or myself at (213) 978-1274.

Sincerely,

CON HOWE
Director of Planning

ROBERT H. SUTTON
Deputy Director

CHIRHS:hkt

Attachment

cc: Council Planning Deputies
Ray Chan, Building and Safety Department
David Kabashima, Department of City Planning
Jane Blumenfeld, Department of City Planning

April 21, 2005

**RAS RELATIONSHIP TO COMMUNITY PLAN FOOTNOTES
DIRECTOR'S INTERPRETATION**

All Interested Parties:

SUBJECT:

Inquiries have been made regarding potential conflicts between Footnotes on the Community Plans and the RAS 3 and RAS 4 (hereafter referred to as RAS) Zones.

BACKGROUND:

The Residential/ Accessory Services Zones (RAS) allow a greater floor area than commercial zones and greater height than otherwise allowed in height district 1VL.

"An example is:

Where a traditional C2-1VL with a Commercial plan designation is limited to a 1.5:1 FAR and a 45 height limit, the RAS 3-1VL and RAS 4-1VL shall not exceed a 3:1 FAR and 50 feet in height in accordance with the LAMC 12.10.5, 12.11.5 and 12.21.1."

The Community Plans as recommended by the City Planning Commission and adopted by City Council are a general guide to development for the community and city as a whole. Rarely do the Community Plans specify special planning rights or restrictions for particular parcels.

Some community plan maps contain footnotes regarding height and floor area. Footnotes appear on the map legend next to the commercial land use categories or in some cases on specific properties or areas. The footnotes that are attached to the commercial land use categories generally relate in a broad-brushed manner to all areas of the plan designated for that particular use. Typically such footnotes are not site specific, and as such, do not relate to specific locations, blocks, or parcels within the community plan area.

"An example of such a footnote which appears in most Community Plans reads:

Footnote 1: 'Height District 1VL'

This means all properties within the commercial land use category that have this footnote are limited to an FAR of 1.5:1 with a 45-foot height limit."

DISCUSSION:

When the City Council adopted the RAS Zones in 2002, their purpose was to promote mixed use development in the city's commercial zones, particularly in the commercial corridors which provide the greatest access to transit. In their adoption of the RAS Zones, the City Council recognized that

the additional floor area and height allowed by the RAS zones are necessary to make such primarily residential projects viable. However to protect the integrity of the Community Plans, the Council limited the residential density permitted in the RAS 3 and RAS 4 Zones to correspond to the residential densities permitted in the R3 and R4 Zones, respectively. Thus, they permitted RAS 3 and RAS 4 Zones in Plans that permit R4 and higher zoning but only permitted the RAS 3 Zone (and not RAS 4) in Plans that previously had R3 as the highest zoning category.

In one particular plan, the Plan Footnote on a Neighborhood Commercial area states:

"Floor Area Ratio 1:1."

For this specific situation it cannot be the intent of Council to allow a 3:1 FAR since they knowingly restricted the property to a 1:1 FAR.

INTERPRETATION:

It is hereby interpreted that the RAS Zones can exceed a Community Plan Footnote when that footnote is general in nature and generally refers to all parcels under that plan category. Where there is a specific footnote that refers to (a) specific parcel(s) that is more restrictive, the RAS Zone would not be permitted without a corresponding Plan Amendment.