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May 8, 2017

Councilman David Ryu  
 Council District 4  
 200 North Spring Street, Room 425  
 Los Angeles, CA 90012

**Subject: SOHA Concerns and Recommendations on Proposed Transit Oriented Communities Affordable Housing Incentive Program Guidelines, March 13, 2017**

Reference 1: Los Angeles Department of City Planning, *Proposed Transit Oriented Communities Affordable Housing Incentive Program Guidelines*, March 13, 2017

Reference 2: Los Angeles Department of City Planning, *Transit Oriented Communities – Background and Frequently Asked Questions*, March 13, 2017

Dear Councilman Ryu,

The Sherman Oaks Homeowners Association has serious concerns about the Planning Department's proposed *Transit Oriented Community Guidelines* (Reference 1). The guidelines will impact several areas in Sherman Oaks and provide significant incentives to developers, including base incentives that require only a ministerial (by-right) approval process and other additional incentives that require only a discretionary Director's Determination process. While we appreciate that November voters overwhelmingly approved Measure JJJ, we are concerned that the proposed *TOC Guidelines*: (1) have not been transparently and effectively vetted with the public; (2) fail to identify all impacted geographic areas; (3) offer extreme incentives with zero or minimal approval requirements that include up to 80 percent increases in the maximum number of dwelling units, 50 percent increases in the Floor Area Ratio (FAR), two-story increases in height, and 50 percent decreases in parking space requirements; and (4) provide no systematic considerations of traffic, density, and other impacts on communities. We recommend that the City Council place a hold on approval and implementation of the *TOC Guidelines* until transparent public vetting occurs and the guidelines can be adjusted as necessary.

**Lack of Transparent Public Vetting** – Our most serious concern is the lack of transparent and effective vetting with the public. The proposed *TOC Guidelines* document (Reference 1), released on March 13, 2017, make no mention of the public vetting process. One must also obtain the *TOC Background and Frequently Asked Questions* document (Reference 2) to understand that public comments were due to the Planning Department by April 23. We talked with several people who had heard there was a public meeting in May on the TOC Guidelines, but knew nothing about the April 23 comment deadline. In addition, the "public meeting" is instead a final City Planning Commission approval meeting – as explained below in a direct quote from the first page of the *FAQ* document:

**SOHA Concerns and Recommendations on Proposed TOC Guidelines**

“The guidelines will be available for public review and comment, prior to the City Planning Commission’s (CPC) consideration, which is tentatively scheduled for May 11<sup>th</sup>. The CPC recommendation on this item will be sent to the Director of Planning, who will then issue the final guideline document.”

This imperfect public vetting of the critical *TOC Guidelines* document is simply not acceptable, and a key reason why SOHA recommends a hold on approval and implementation of the guidelines.

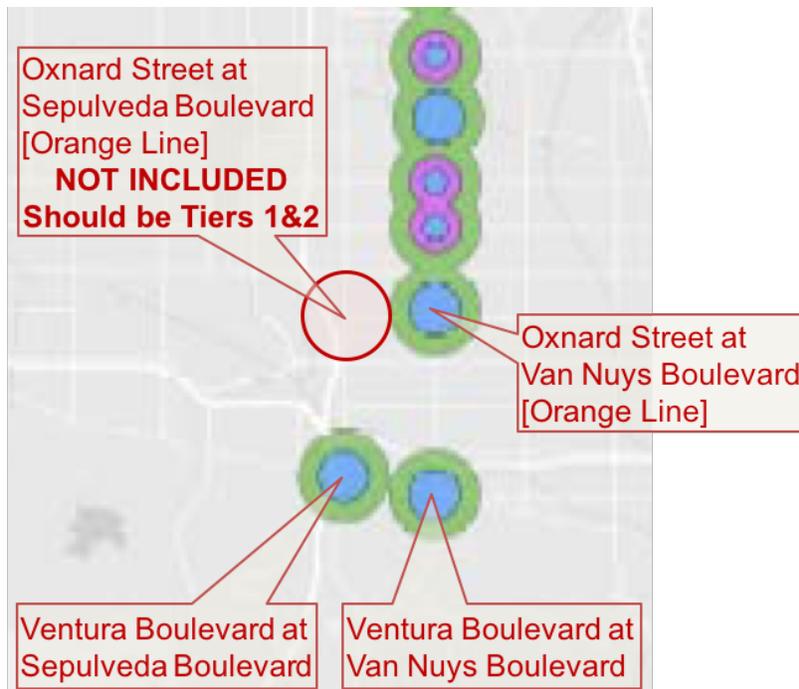
**Failure to Identify All Impacted Geographic Areas** – The *TOC Guidelines* define four tiers with increasing incentives, based on the type of major transit stop, as detailed in *TOC Guidelines Chart 1* below. We added red notation to highlight that Orange Line Stops are included as Bus Rapid Transit (per the last footnote to the chart).

Type of Major Transit Stop	Tier 1 (Low)	Tier 2 (Medium)	Tier 3 (High)	Tier 4 (Regional)
Major Bus Stop (intersection of 2 bus lines w/ 15 min. peak headways <sup>2</sup> )	750 - 2640 ft.	< 750 ft.	-	-
Bus Rapid Transit* Stops and Metrolink Rail Stops <b>Includes Orange Line Stops</b>	1500 - 2640 ft.	750 - 1500 ft.	< 750 ft., or < 1500 ft. from intersection* of two Bus Rapid Transit lines	-
Metro Rail Stop	-	1500 - 2640 ft.	< 1500 ft.	< 750 ft. from intersection* with a train line or Bus Rapid Transit line

*Chart 1. TOC Affordable Housing Incentive Area Tiers (from proposed TOC Guidelines)*

Thus, all Orange Line Stops will have Affordable Housing Incentive Areas surrounding them for a one-half mile radius (2,640 feet). Most stops will receive either Tier 1 (low) or Tier 2 (medium) incentives. However, Orange Line Stops with a second Bus Rapid Transit stop will receive Tier 3 (high) incentives.

*TOC Guidelines Map 1* fails to identify Orange Line incentive areas except one on Van Nuys Boulevard. We added red notation to highlight omission of the Orange Line Sepulveda stop in Sherman Oaks.



*Map 1. TOC Affordable Housing Incentive Area Tiers (from proposed TOC Guidelines)*

## SOHA Concerns and Recommendations on Proposed TOC Guidelines

The proposed *TOC Guidelines* omission of such information does not provide sufficient transparency to the public for making decisions and comments concerning the impact of the guidelines on their communities – a further reason to place a hold on approval and implementation of the guidelines.

**Extreme Incentives with Zero or Minimal Approval** – The proposed *TOC Guidelines* offer extreme incentives, including up to 80 percent increases in the maximum number of dwelling units, 50 percent increases in the Floor Area Ratio (FAR), two-story increases in height, and 50 percent decreases in parking space requirements. Base incentives are by-right and additional incentives require only a discretionary Director’s Determination process. This is not acceptable. We recommend that the Planning Department include public review and community-based determinations for applications of all incentives.

**No Systematic Considerations of Traffic, Density, and Other Impacts on Communities** – The Planning Department has failed to incorporate provisions that provide variations of the proposed *TOC Guideline* incentives based on their impacts to local communities. Sherman Oaks offers an example of traffic impacts. As shown earlier in *Map 1*, the Sherman Oaks’ intersections at Ventura and Sepulveda and at Ventura and Van Nuys would receive Tier 1 (low) and Tier 3 (high) incentives because they both have two intersecting bus rapid transit lines. Yet, traffic at these intersections is some of the worst in the nation. The proposed *TOC Guidelines* fail to take this into account. They also fail to consider that the term “bus rapid transit” is almost meaningless when traveling (crawling) through these high-traffic, F-rated intersections during morning and evening rush hours. Yet, the proposed guidelines would provide extreme incentives to future development around these intersections – for example, on Ventura Boulevard for two miles from Firmament Avenue to Hazeltine Avenue. This is not acceptable.

In addition, the relation of the *TOC Guidelines* to Community and Specific Plans is poorly defined and overly complex, as illustrated below by a question and answer from the *FAQ* document (Reference 2):

“Can a Local Area Plan Adopted by Ordinance Supersede the TOC provisions? – Yes. Ordinances can supersede the TOC for a specific transit area. These can include Community Plan Implementation Overlay (CPIO) zones or Specific Plans that establish incentives to achieve the equivalent level of affordable units identified by Measure JJJ.”

Communities will be hard pressed to understand such provisions, and deserve the opportunity to question the Planning Department about impacts on their local areas and plans before guideline implementation.

SOHA reemphasizes that we recommend the City Council place a hold on approval and implementation of the *TOC Guidelines* until transparent and effective public vetting occurs, the public can fully understand the implications of the guidelines, and the guidelines can be adjusted as necessary.

If you have questions, please contact me at [BobHillsideOrdinance@roadrunner.com](mailto:BobHillsideOrdinance@roadrunner.com) or 213-364-7470.

Thank you.

Sincerely,



Bob Anderson  
Board Member  
Sherman Oaks Homeowners Association

cc: Matthew Glesne (LA City Planning Department), LA City Planning Commission, Sarah Dusseault (CD4 Chief of Staff), Julia Duncan (CD4 Planning Deputy), Councilman Paul Krekorian (CD2), Councilman Paul Koretz (CD5), Council President Herb Wesson (CD10), Councilman Bob Blumenfield (CD3), Councilman Mitch Englander (CD12), Robert Silverstein