



February 1, 2017

**Submitted by email**

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**Re: South Los Angeles and Southeast Los Angeles Community Plans, Draft Environmental Impact Report, ENV-2008-1780-EIR and ENV-2008-1781-EIR**

Dear Ms. Alofaituli and Ms. Cobian,

On behalf of the Los Angeles Conservancy, thank you for the opportunity to comment on the Draft Environmental Impact Report (EIR) for the South Los Angeles and Southeast Los Angeles Community Plans.

We commend the City for preparing two thoughtful and innovative plans that foster sensitive growth while respecting and protecting historic properties and neighborhood character. The South Los Angeles Community Plan Area (CPA), in particular, contains one of the highest concentrations of designated historic resources in the city, including 113 Historic-Cultural Monuments (HCMs) and six Historic Preservation Overlay Zones (HPOZ), along with numerous potentially eligible resources that were identified through SurveyLA. Both CPAs are distinguished by a diversity of building typologies and development patterns, ranging from single-family neighborhoods to commercial and industrial corridors, as well as the built heritage of African Americans, Japanese Americans, and Latinos.

The integration of preservation tools such as rehabilitation, adaptive reuse, architectural compatibility, and neighborhood conservation throughout the Community Plans demonstrates a nuanced approach that values a community's sense of place and layers of history alongside new



development. While the Conservancy applauds the intent and goals of the Community Plans, we submit the following comments to further ensure their effectiveness and to avoid impacts to historic resources.

**I. Maps locating identified historic resources should be included and overlaid with development goals and land use changes in the Proposed Plans**

Identifying and locating all known historic resources is a crucial step in demonstrating the ways in which the Proposed Plans may impact these resources. We greatly appreciate the inclusion of tables and maps identifying designated HCMs in the CPAs as a means of articulating their historic character.

We strongly encourage the inclusion of additional maps highlighting the locations of all resources identified through SurveyLA in order to illustrate the relationships between development goals and historic resources. Because the Proposed Plans establish Community Plan Implementation Overlay (CPIO) Districts, which contain subareas with new protections for eligible historic resources, graphic presentation of this information will create greater transparency and help facilitate plan execution. Furthermore, the maps of eligible historic resources should be overlaid with any proposed land use changes.

**II. Community Plan Implementation Overlay (CPIO) Districts establish a strong model for conserving historic residential neighborhoods**

The Conservancy greatly appreciates the inclusion of clear policies and regulations in both Proposed Plans aimed at protecting historic resources that have not been designated. The creation of new CPIO Districts and incorporating findings from SurveyLA would strengthen protections for individual properties and neighborhoods under the California Environmental Quality Act (CEQA) by treating the demolition of eligible historic resources in certain subareas as a discretionary action.

In particular, the proposed CPIO *Character Residential* subarea in the South Los Angeles Plan creates a new set of tools for managing change historic single-family neighborhoods, complementing the existing HPOZ Ordinance. The *Character Residential* subarea captures all nine historic districts determined eligible through SurveyLA and introduces new design regulations to ensure that the historic character of these neighborhoods remains intact. Projects involving district contributors will be subject to additional review by the Office of Historic Resources for compliance with the *Secretary of the Interior's Standards for Rehabilitation*, in keeping with best practices for preservation. Furthermore, the policies outlined for these subareas pave the way for HPOZ designation in the future, should residents desire additional guidelines and review.



We are encouraged by the framework defined in the CPIO for South Los Angeles, which we believe offers viable policies for neighborhood conservation that could be replicated in older and historic residential neighborhoods throughout the city as updates to Community Plans proceed in other areas. We recommend additional refinement to ensure that historic multi-family residential, commercial, and industrial neighborhoods benefit from similar regulations in the future.

### III. California Environmental Quality Act

A key policy under CEQA is the lead agency's duty to "take all action necessary to provide the people of this state with... historic environmental qualities...and preserve for future generations...examples of major periods of California history."<sup>1</sup> To this end, CEQA "requires public agencies to deny approval of a project with significant adverse effects when feasible alternatives or feasible mitigation measures can substantially lessen such effects."<sup>2</sup>

Courts often refer to the EIR as "the heart" of CEQA, providing decision makers with an in-depth review of projects with potentially significant environmental impacts and analyzing alternatives that would reduce or avoid those impacts.<sup>3</sup> CEQA Guidelines require a range of alternatives to be considered in the EIR that would feasibly attain most of the basic project objectives but would avoid or "substantially lessen" the project's significant adverse environmental effects. The lead agency cannot merely adopt a statement of overriding considerations and approve a project with significant impacts; it must first adopt feasible alternatives and mitigation measures.<sup>4</sup>

Though the Proposed Plans include provisions aimed at reducing impacts to historic resources as new development proceeds in certain subareas, the Conservancy is concerned about language in the Draft EIR that creates ambiguity for other areas. Specifically, the report concludes that impacts to historic resources would be significant and unavoidable, as "it is possible that demolition and/or significant alteration to some of the hundreds of historical resources identified in this EIR will inevitably occur during the twenty year horizon of the Proposed Plans."

We believe that this language could affect future project review, and encourage the insertion of new language to clarify that the Statement of Overriding Considerations for the Proposed Plans

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<sup>1</sup> Public Resources Code §21001 (b), (c).

<sup>2</sup> *Sierra Club v. Gilroy City Council* (1990) 222 Cal. App.3d 30, 41; *also see* PRC §§ 21002, 21002.1.

<sup>3</sup> *County of Inyo v. Yorty* (1973) 32 Cal.App.3d 795; *Laurel Heights Improvement Association v. Regents of the University of California* (1993) 6 Cal.4th 1112, 1123.

<sup>4</sup> PRC §§ 21081; *Friends of Sierra Madre v. City of Sierra Madre* (2001) 25 Cal.4th 165, 185.



cannot be used to justify a project that includes demolition of historic resources in the future. While the CPIO establishes protections for subareas with high concentrations of historic resources, other areas within the CPAs do not benefit from the same regulations and remain vulnerable to development pressures incompatible with the goals of the Proposed Plans.

**IV. Ensure the approach and policies toward historic and cultural resources are consistent among community plans.**

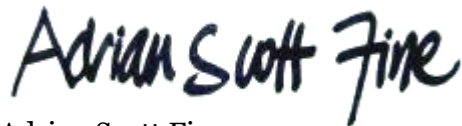
The Conservancy previously recommended establishing a set of baseline policies toward historic and cultural resources in all community plans to ensure a consistent approach across CPAs. The adopted West Adams-Baldwin Hills-Leimert Plan is an excellent model, and we believe that the South Los Angeles and Southeast Los Angeles Plans build upon this example. We continue to press the City to incorporate similar goals, policies, and incentives into future community plans.

**About the Los Angeles Conservancy:**

The Los Angeles Conservancy is the largest local historic preservation organization in the United States, with nearly 6,500 members throughout the Los Angeles area. Established in 1978, the Conservancy works to preserve and revitalize the significant architectural and cultural heritage of Los Angeles County through advocacy and education.

Please do not hesitate to contact me at (213) 430-4203 or [afine@laconservancy.org](mailto:afine@laconservancy.org) should you have any questions and if we can be of assistance.

Sincerely,



Adrian Scott Fine  
Director of Advocacy

cc: Councilmember Gilbert Cedillo, District 1  
Councilmember Marqueece Harris-Dawson, District 8  
Councilmember Curren D. Price, Jr., District 9  
Councilmember Herb J. Wesson, District 10  
Councilmember José Huizar, District 14  
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