

3.10 Land Use and Planning

This section describes the consistency of the Project with adopted land use and planning related regulations applicable to the Project Site and surrounding area. In addition, this section evaluates the potential for the Project to result in environmental impacts related to land uses. As noted in the analysis below, environmental impacts associated with land uses, including impacts during the construction or operation of the proposed Project would be less than significant with the incorporation of mitigation measures.

The information in this section is based on the *Community Impact Assessment* (CIA) prepared for the proposed Project (GPA Consulting, 2019).

3.10.1 Regulatory Setting

A review of the various federal, state, regional, and local government regulatory requirements was conducted to identify regulations that relate to Land Use and Planning. This section summarizes the various regulatory requirements that are relevant to the proposed Project. Relevant goals, policies, and standards are further described in Section 3.10.2.2.

3.10.1.1 Local

City of Los Angeles General Plan

As required by the State of California, the City's General Plan addresses goals, policies, and standards related to land use, circulation, housing, conservation, open space, noise, and safety (City of Los Angeles, 2017). To address goals that meet the unique needs of the City, the General Plan also includes elements related to health and wellness, air quality, conservation, and public facilities and services. The City is currently undertaking a comprehensive update to the General Plan.

Framework Element

The General Plan Framework Element is a strategy for long-term growth that guides updates to the community plan and citywide elements, as required by California State law (Government Code Section 65300) (City of Los Angeles, 1996). The Framework Element responds to state and federal mandates to plan for the future by providing goals, policies, and objectives on a variety of topics, such as land use, housing, urban form, open space, transportation, and infrastructure and public services. The Framework Element features several implementation programs, which include amendments to community plans and the zoning ordinance, and the establishment of development standards.

Land Use Element

The Land Use element of the City's General Plan includes Community Plans for 35 community plan areas (along with LAX and Port Plans), within Los Angeles to provide specific neighborhood-level detail, and provide relevant policies and implementation strategies necessary to achieve the General Plan objectives. Community Plans guide the future development in neighborhoods by establishing goals and policies for land use. General land use maps were developed for Boyle Heights and Central City North Community Plan areas where the Project Area is located. The Community Plans for Boyle Heights and Central City North are currently undergoing updates.

Boyle Heights Community Plan

The Boyle Heights Community Plan is part of the City of Los Angeles General Plan and discusses the major planning land use issues and opportunities facing the community. The Boyle Heights Community Plan also establishes a framework for development in accordance with the community's land use policies and programs (City of Los Angeles, 1998). The portion of the Project Area east of the LA River is located in the Boyle Heights community. The Boyle Heights Community Plan is currently being updated, with a draft released in October 2017.

Central City North Community Plan

The Central City North Community Plan is one of the plan areas that comprise the City's Land Use Element and includes land use policies and implementation programs for the community (City of Los Angeles, 2000). The portion of the Project Area west of the LA River is located in the Central City North community.

The City is currently updating the Downtown Community Plan, also known as DTLA 2040 Plan, which includes both the Central City North and Central City Community plan areas (City of Los Angeles, 2019a). The proposed DTLA 2040 Plan intends to address Downtown Los Angeles' growth in population, housing, and employment. An emphasis on transit and new zoning tools are central to the proposed DTLA 2040 Plan.

Open Space Element

The Open Space Element of the City's General Plan provides information to guide decision makers and interested citizens regarding the identification, preservation, conservation, and acquisition of open space in the City (City of Los Angeles, 1973). The Element aims to ensure that the City has sufficient open space to meet its recreational, environmental, health, and safety needs. In addition, the Element aims to conserve and preserve the City's environmental resources, as well as provide open spaces that contribute to the City's identity.

Service Systems Element/Public Recreation Plan

The Public Recreation Plan includes policies and programs that emphasize neighborhood and community facilities, including recreational sites and parks (City of Los Angeles, n.d.). The Plan's objectives include developing standards for the City's public recreational facilities, with the goal of meeting the City's recreational needs and benefiting the greatest number of people, while minimizing costs and environmental impacts.

City of Los Angeles Municipal Code

The City's Municipal Code provides the regulatory framework and ordinances of the City (City of Los Angeles, 2019c). The Municipal Code assists City offices, departments, and other governmental agencies in carrying out their functions, and provides citizens with information regarding the City's regulations. Chapter I of the Municipal Code governs planning, zoning, land regulations, development projects, and other topics pertaining to land use. Chapter I includes definitions and standards for different land uses, and identifies the land uses that are allowed in various zoning districts.

City of Los Angeles River Improvement Overlay District

Effective August 20, 2014, Section 13.17 of the City's Municipal Code provides standards for the establishment of the River Improvement Overlay (RIO) District. The RIO District is a special use district that extends approximately 0.5 miles from the Los Angeles River (LA River) through the communities of Boyle Heights, Arts District, Lincoln Heights, and Chinatown East (City of Los Angeles, 2007b). The RIO District is intended to help the City coordinate land use development along the 32-mile corridor of the LA River within the City's boundaries. Within the RIO District, new projects must conform to the development regulations outlined in the Municipal Code, including landscaping, screening/fencing, lighting, and river access requirements.

re:code LA

The City's existing Zoning Code was adopted in 1946. Re:code LA is a new zoning code for the City that is being developed through the re:code LA effort (City of Los Angeles, 2014). The Department of City Planning initiated re:code LA in 2012 to address the City's current and future transportation, employment, and housing demands based on changes in population size and demographics. The new zoning code is being implemented through community plan updates and it does not apply to the entire city at once.

L.A.'s Green New Deal (Sustainable City pLAN)

The City developed a Sustainable City pLAN (Plan) in 2015 and an updated annual report, titled L.A.'s Green New Deal, was released in 2019 (Office of the Los Angeles Mayor, 2019). The plan consists of 47 targets with milestones and initiatives for a cleaner environment and a stronger economy. The plan includes a vision for expanding tree canopy, providing greater access to parks open space, restoring the LA River, and protecting biodiversity and natural areas. To help meet this vision, the plan established a target of ensuring the proportion of Angelenos living within 0.5 miles of a park or open space is at least 65 percent by 2025, 75 percent by 2035, and 100 percent by 2050. In addition, the plan includes a target for creating 32 miles of bike paths and trails to increase public access to the LA River by 2028.

Los Angeles River Revitalization Master Plan

The Los Angeles River Revitalization Master Plan includes plans to construct a continuous river greenway, providing habitat restoration, open spaces, and pedestrian and bicycle paths along the LA River (City of Los Angeles, 2007a). The Plan includes a 32-mile long and 1-mile-wide planning area, with goals that include, but are not limited to, establishing guidelines for land use and development around the LA River; enhancing and improving communities adjacent to the river; improving public access to the river; and providing recreation and open space.

LA River Design Guidebook

The LA River Design Guidebook provides design recommendations that complement the Los Angeles River Revitalization Master Plan and the design guidelines associated with the RIO Overlay (City of Los Angeles, 2016). The Guidebook is intended for use by the communities of Boyle Heights, Arts District, Lincoln Heights, and Chinatown East, and incorporates the input of residents, stakeholders, and representatives from these communities.

Los Angeles County: LA River Master Plan

The *Los Angeles County LA River Master Plan* was originally published in 1996 to provide for the optimization and enhancement of aesthetic, recreational, flood control, and environmental values by creating a community resource, enriching the quality of life for residents and recognizing the river's primary purpose for flood control (Los Angeles County Department of Public Works, 1996). The plan encompasses all 51-miles of the river, in addition to the Tujunga Wash, which is 9 miles long. The river touches 13 cities and 9 Los Angeles City Council Districts, all of which are addressed in the Master Plan document. The LA River Master Plan goals aim to:

- Ensure flood control and public safety needs are met.
- Improve the appearance of the river and the pride of local communities in it.
- Promote the river as an economic asset to the surrounding communities.
- Preserve, enhance, and restore environmental resources in and along the river.
- Consider stormwater management alternatives.
- Ensure public involvement and coordinate Master Plan development and implementation among jurisdictions.
- Provide a safe environment and a variety of recreational opportunities along the river.
- Ensure safe access to and compatibility between the river and other activity centers.

The LA River Master Plan is currently undergoing a comprehensive update that covers all 51 miles of the river.

3.10.2 Environmental Setting

The Project Area is in the community plan areas of Central City North, located in the eastern portion of Downtown Los Angeles, and Boyle Heights, located immediately east of Downtown Los Angeles (see **Figure 3.10-1**, Community Plan Areas). The LA River forms a natural separation between these two communities. The two communities are also divided by several railroad corridors that run parallel to the LA River along the east and west banks. Existing fencing surrounds the railroad tracks to prevent trespassing onto railroad right-of-way.

Transportation infrastructure in the Project Area includes railroad tracks, United States 101 (U.S. 101), Interstate 5 (I-5), and Interstate 10 (I-10). The Project Area is bordered by Fourth Street to the north and Seventh Street to the south and is bisected by Sixth Street. The other major streets in the Project Area include Mateo Street, Santa Fe Avenue, Mission Road, Anderson Street, and Clarence Street.

Central City North Community Plan Area

The Central City North Community Plan area is bounded by Stadium Way, Lilac Terrace, and North Broadway in the north; the LA River to the east; the City of Vernon to the south; and Alameda Street, Cesar Chavez Avenue, Sunset Boulevard, and Marview Avenue to the west (City of Los Angeles, 2000). Located west of the LA River, the Central City North Community Plan area spans approximately three square miles and is a major industrial district (City of Los Angeles, 2000). Central City North includes

Chinatown, parts of Little Tokyo, and parts of the original Mexican pueblo. The Arts District, formerly an industrial area that was transformed into an artist community in the mid-1970s, is also located within the Central City North Community Plan. The community was traditionally a center of commercial and transit activity but has recently seen an increase in residential units through the conversion of industrial buildings to artists-in-residence and studios.

Boyle Heights Community Plan Area

The Boyle Heights Community Plan Area is bounded by Lincoln Heights and El Sereno to the north, the unincorporated community of East Los Angeles to the east, the City of Vernon to the south, and the LA River to the west (City of Los Angeles, 1998). Located east of the LA River, the Boyle Heights Community Plan area spans approximately six square miles and contains a mix of residential, commercial, industrial, open space, and public facility land uses (City of Los Angeles, 1998). The Boyle Heights Community Plan area includes four major freeways (i.e., I-5, I-10, U.S. 101, and State Route 60 [SR 60]), resulting in segmentation of the community. As one of the first suburbs of Los Angeles, the community includes old infrastructure and residences, as well as some more recent development.

Figure 3.10-2: Land Use

Figure 3.10-3: Zoning

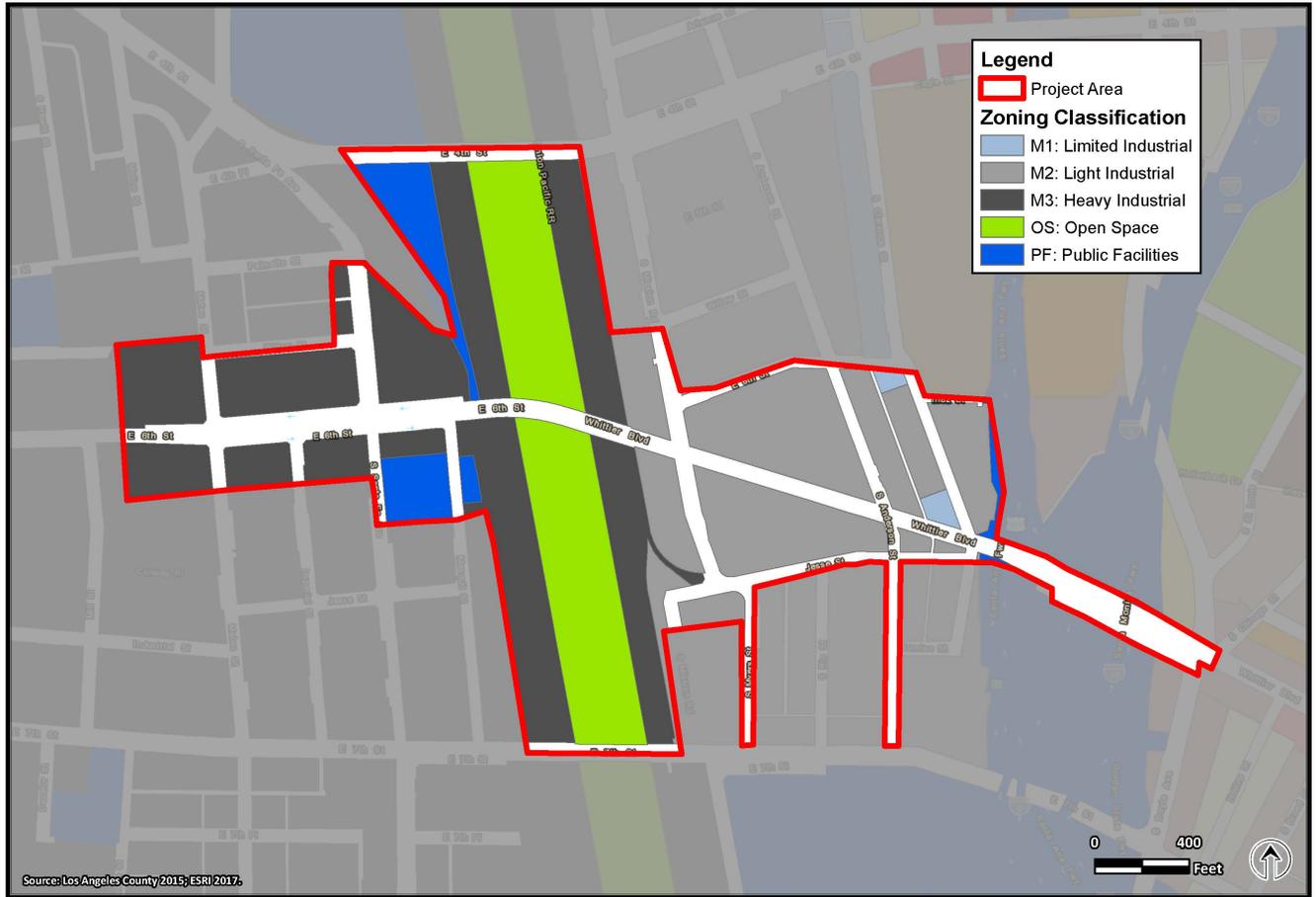


FIGURE 3.10-3: ZONING
Sixth Street PARC Project

3.10.2.2 Applicable Goals, Objectives, and Policies

The applicable land use plans are described in Section 3.10.1, and applicable land use goals, objectives, and policies associated with the proposed Project are included in **Table 3.10-2**. In addition, according to Case No. ZA 2015-2348 Zoning Administrator’s Interpretation (ZAI) – Lists of Uses Permitted in Various Zones, which is a summary of the zoning code, the following zones permit “Park or Playground (Open outdoor space), operated by government agency”: OS, A1, A2, RA, RE, RS, R1, RU, RZ, RD, RMP, R3, RAS3, R4, RASR, R5, CR, C1, C1.5, C2, C4, C5, CM, M1, M2, and M3.

Table 3.10-2: Consistency with Applicable Plans and Goals, Objectives, and Policies

Policy/Goal	Proposed Project
<p>City of Los Angeles General Plan – Land Use Element Central City North Community Plan</p>	
<p>Recreation and Parks Facilities</p> <ul style="list-style-type: none"> • <i>Goal 4:</i> Adequate recreation and park facilities which meet the needs of the residents in the Plan Area • <i>Goal 5:</i> A community with sufficient open space in balance with development to serve the recreational, environmental, and health needs of the community and to protect environmental and aesthetic resources <ul style="list-style-type: none"> • <i>Objective 5-1:</i> To preserve existing open space resources and where possible develop new open space. <ul style="list-style-type: none"> • <i>Policy 5-1.1:</i> Encourage the retention of passive and visual open space which provides a balance to the urban development of the Plan Area. • <i>Objective 5-2:</i> To ensure the accessibility, security and safety of parks by their users, particularly families with children and senior citizens. <ul style="list-style-type: none"> • <i>Policy 5-2.1:</i> Ensure that parks are adequately illuminated for safe use at night where appropriate. 	<p>Consistent. The proposed Project would provide additional recreation and park facilities to address deficiencies, as well as serve the recreational, environmental, and health needs of the residents in the Central City North Community Plan area. The proposed Project would provide open space that would provide a balance to the surrounding urban environment, comprised of industrial and commercial developments and freight corridors. The proposed Project would be designed to improve environmental and aesthetic resources. In addition, the proposed Project would be designed to be safe and accessible for all users. The proposed Project would include lighting that meets City standards.</p>
<p>City of Los Angeles General Plan – Land Use Element Boyle Heights Community Plan (1998)</p>	
<p>Recreation and Parks Facilities</p> <ul style="list-style-type: none"> • <i>Objective 1:</i> To provide adequate recreation and park facilities which meet the needs of the residents in the community 	<p>Consistent. The proposed Project would provide additional recreation and park facilities to meet the needs of the residents in the Boyle Heights Community Plan area. Recreation and park facilities would include public gathering/assembly areas, flexible play areas, adult fitness equipment, dog play areas, sports fields and courts, children’s play areas,</p>

Policy/Goal	Proposed Project
	picnic and grilling areas, skate park elements, and pedestrian and bicycle paths.
City of Los Angeles General Plan – Open Space Element	
<p>General</p> <ul style="list-style-type: none"> Open space areas shall be provided or developed to serve the needs as appropriate to their location, size, and intended use of the communities in which they are located, as well as the City and region as a whole. Small parks, public and private, should be located throughout the City. Not only should recreation activities be provided, but an emphasis shall be placed on greenery and openness. 	<p>Consistent. The proposed Project would be designed to serve the needs of the surrounding Central City North and Boyle Heights Community Plan areas, as well as the City and surrounding region. The proposed Project design would incorporate recreational facilities in conjunction with landscaped seating areas, vegetated planters, and open spaces that would add greenery to the City.</p>
City of Los Angeles General Plan – Service Systems Element	
<p>Recreational use should be considered for available open space and unused or underused land, particularly publicly owned lands having potential for multiple uses.</p>	<p>Consistent. The proposed Project would convert public, underused land within and adjacent to a transportation corridor into an open space with park facilities and recreational uses.</p>
City of Los Angeles General Plan – Mobility Plan 2035 (Circulation Element)	
<p>Safety</p> <ul style="list-style-type: none"> <i>Policy 1.2:</i> Implement a balanced transportation system on all street, tunnels, and bridges using complete streets principles to ensure the safety and mobility of all used. <p>Infrastructure</p> <ul style="list-style-type: none"> <i>Policy 2.1:</i> Design, plan, and operate streets to serve multiple purposes and provide flexibility in design and adapt to future demands. <i>Policy 2.3:</i> Recognize walking as a component of every trip, and ensure high-quality pedestrian access in all site planning and public right-of-way modifications to provide a safe and comfortable walking environment. <i>Policy 2.6:</i> Provide safe, convenient, and comfortable local and regional bicycling facilities for people of all types and abilities. <i>Policy 2.12:</i> Design for pedestrian and bicycle travel when rehabilitating or installing a new bridge, tunnel, or exclusive transit right-of-way. <i>Policy 2.15:</i> Expand funding to improve the built environment for people who walk, bike, take transit, and for other vulnerable roadway users. 	<p>Consistent. The proposed Project would promote sustainable forms of transportation throughout the Project Area, with the implementation of pedestrian walkways and bicycle paths throughout the park. In addition, the proposed Project would include street improvements to improve pedestrian and bicycle circulation (e.g., the addition of sidewalks and improvements to existing sidewalks, the addition of crosswalks, and the extension of bikeways). The proposed Project would be consistent with other bicycle infrastructure improvement projects in the Project Area, including ATP-1: Sixth Street Viaduct Replacement Project Bicycle and Pedestrian Facilities and ATP-3: Downtown LA Arts District Pedestrian and Cyclist Safety Project.</p>

Policy/Goal	Proposed Project
<p>Access</p> <ul style="list-style-type: none"> • <i>Policy 3.1:</i> Recognize all mode of travel, including pedestrian, bicycle, transit, and vehicular modes as integral components of the City’s transportation system. • <i>Policy 3.2:</i> Accommodate the needs of people with disabilities when modifying or installing infrastructure in the public right-of-way. <p>Clean Environments and Healthy Communities</p> <ul style="list-style-type: none"> • <i>Policy 5.1:</i> Encourage the development of a sustainable transportation system that promotes environmental and public health. 	
City of Los Angeles – Complete Streets Design Guide	
<ul style="list-style-type: none"> • <i>Goal:</i> The Complete Streets Design Guide provides a compilation of design concepts and best practices that promote safety, accessibility and convenience for all transportation users as described in California’s Complete Streets Act of 2008 (AB 1358); including pedestrians, bicyclists, transit riders, and motorists. <p>By prioritizing people over cars, the streets of Los Angeles can provide lively gathering places that foster community building and neighborhood identity, encourage healthy recreational activities such as walking, running, and bicycling.</p>	<p>Consistent. The proposed Project would promote safety, accessibility, and convenience for all visitors, and encourage physical activities with the inclusion of various recreational amenities.</p>
City of Los Angeles – General Plan – Health and Wellness Element	
<p>A City Built for Health</p> <ul style="list-style-type: none"> • <i>Objective:</i> Increase the number of underutilized spaces (easements, parkways, vacant lots and spaces, vacated railways, and similar) that are repurposed for health-promoting activities in low-income communities. • <i>Policy 2.6:</i> Work proactively with residents to identify and remove barriers to leverage and repurposed vacant and underutilized spaces as a strategy to improve community health. • <i>Policy 2.9:</i> Proactively work with residents and public, private, and nonprofit partners to develop, execute, and maintain civic stewardship over community beautification efforts to promote neighborhoods that are clean, healthy, and safe. • <i>Policy 2.11:</i> Lay the foundation for healthy communities and healthy living by promoting infrastructure improvements that support active 	<p>Consistent. The proposed Project would convert unused public land adjacent to the LA River into an open space with park facilities and recreational uses in order to encourage healthy physical activities and safe communities. The proposed Project also includes safety features to protect the public from hazards associated with surrounding industrial land uses and the LA River. Pedestrian crosswalks would be included at all major roadways intersecting the Project Site (i.e., Santa Fe Avenue, Mission Road, Anderson Street, and Clarence Street). Safety measures would be added to the LA River Access Tunnel entry point within the proposed Arts Plaza to deter the public from entering the tunnel during a storm event (e.g., vehicular deterrents such as bollards and safety warning devices). The City would also develop a public safety plan to address public safety during flood events. The public safety plan</p>

Policy/Goal	Proposed Project
<p>transportation with safe, attractive, and comfortable facilities that meet community needs; prioritize implementation in communities with the greatest infrastructure deficiencies that threaten the health, safety, and well-being of the most vulnerable users.</p> <p>Bountiful Parks and Open Spaces</p> <ul style="list-style-type: none"> • <i>Objective:</i> Increase the number of neighborhood and community parks so that every Community Plan Area strives for 3 acres of neighborhood and community park space per 1000 residents (excluding regional parks and open spaces). • <i>Objective:</i> Increase access to parks so that 75% of all residents are within a 1/4 mile walk of a park or open space facility. • <i>Objective:</i> Increase the miles of the Los Angeles River that are revitalized for natural open space and physical activity, particularly in low-income areas. <ul style="list-style-type: none"> • <i>Policy 3.3:</i> Support the implementation of the Los Angeles River Revitalization Master Plan to create a continuous greenway of interconnected parks and amenities to extend open space and recreational opportunities. • <i>Policy 3.4:</i> Promote opportunities for physical activity for users of all ages and abilities by continuing to improve the quality of existing park and open space facilities and creating recreation programs that reflect the city’s rich diversity and local community needs. • <i>Policy 3.5:</i> Encourage greater community use of existing parks and open spaces by improving safety and access in and around parks and open spaces by encouraging land use, design, and infrastructure improvements that promote healthy and safe community environments and park design, programming, and staff-levels that meet local community safety-needs. <p>Safe and Just Neighborhoods</p> <ul style="list-style-type: none"> • <i>Objective:</i> Increase the number of Safe Passage programs that are implemented in the City’s low-income neighborhoods. 	<p>would include protocols for protecting pedestrians and homeless populations in the LA River Access Tunnel during flood conditions.</p>

Policy/Goal	Proposed Project
<ul style="list-style-type: none"> • <i>Policy 7.2:</i> Promote the development and implementation of comprehensive strategies that foster safe passages in neighborhoods with high crime and gang activity to ensure that all Angelenos can travel with confidence and without fear. 	
L.A.'s Green New Deal (Sustainable City pLAN)	
<p>Urban Ecosystems and Resilience</p> <ul style="list-style-type: none"> • Ensure proportion of Angelenos living within 0.5 mile of a park or open space is at least 65 percent by 2025; 75 percent by 2035; and 100 percent by 2050. 	<p>Consistent. The proposed Project would provide open space and recreational opportunities for communities that were determined to have a “high” or “very high” need for parks in the Los Angeles Countywide Comprehensive Parks and Recreation Needs Assessment (Los Angeles County Department of Parks and Recreation, 2016).</p>
River Improvement Overlay District	
<p>Los Angeles Municipal Code <i>Chapter 1, Article 3, Section 13.17(A)</i></p> <p>The purpose of a River Improvement Overlay (RIO) District is to:</p> <ul style="list-style-type: none"> • Support the goals of the Los Angeles River Revitalization Master Plan • Contribute to the environmental and ecological health of the City's watersheds • Establish a positive interface between river adjacent property and river parks and/or greenways • Promote pedestrian, bicycle and other multi-modal connection between the river and its surrounding neighborhoods • Provide an aesthetically pleasing environment for pedestrians and bicyclists accessing the river area • Provide safe, convenient access to and circulation along the river • Promote the river identity of river adjacent communities 	<p>Consistent. The proposed Project would include elements that would be consistent with the purpose of the RIO District. In addition, the proposed Project would conform to the development regulations of the RIO District. The proposed Project would support the goals of the Los Angeles River Revitalization Master Plan; promote pedestrian and bicycle transportation between the LA River and the Central City North and Boyle Heights Community Plan areas; provide an aesthetically pleasing resource for visitors to the park; and provide safe access to the LA River for pedestrians and bicyclists.</p>
Los Angeles River Revitalization Master Plan	
<p>Revitalize the River</p> <ul style="list-style-type: none"> • <i>Goal:</i> Enable Safe Public Access <ul style="list-style-type: none"> • <i>Recommendation #4.8:</i> Provide opportunities for safe access to the water, ensure that people can 	<p>Consistent. The proposed Project would feature environmentally sensitive design, such as low impact development and stormwater infrastructure improvements. In addition, the proposed Project would provide open space and recreation opportunities. The proposed Project would be</p>

Policy/Goal	Proposed Project
<p>quickly exit the channel, and establish a flood warning system in the event of high flow conditions.</p> <p>Green the Neighborhoods</p> <ul style="list-style-type: none"> • <i>Goal:</i> Connect Neighborhoods to the River <ul style="list-style-type: none"> • <i>Recommendation #5.6:</i> Increase direct pedestrian and visual access to the River. • <i>Goal:</i> Extend Open Space and Water Quality Features into Neighborhoods <ul style="list-style-type: none"> • <i>Recommendation #5.8:</i> Provide a diverse system of interconnected parks, recreational fields, and outdoor classrooms. 	<p>designed to maintain existing bicycle and pedestrian access to the LA River and enhance community awareness of the LA River. The proposed Project design would also preserve flood control features of the LA River to ensure public safety during flood events. In addition, the proposed Project would include a flood warning system and other elements (i.e., vehicular bollards) to deter the public from entering the LA River during a storm event.</p>

Source: (GPA Consulting, 2019)

3.10.3 Environmental Impact Analysis

3.10.3.1 Screening Analysis

Several impacts and corresponding thresholds of significance in the following section were eliminated from further analysis in this Environmental Impact Report (EIR). Topics were eliminated if the IS for the proposed Project concluded there would be “No Impact,” or if impacts were identified to be “Less Than Significant... and will not be discussed further in the EIR.” Therefore, only the topics described in the section below were determined to require further analysis in this EIR. A copy of the Initial Study, which contains the eliminated topics, is provided in **Appendix A**.

3.10.3.2 Thresholds of Significance

According to Appendix G of the CEQA Guidelines and the *L.A. CEQA Thresholds Guide*, the proposed Project would have a significant impact on Land Use and Planning if it would:

XI(b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

H.2 Land Use Compatibility. The determination of significance shall be made on a case-by-case basis, considering the following factors:

- The extent of the area that would be impacted, the nature and degree of impacts, and the type of land uses within that area; and
- The number, degree, and type of secondary impacts to surrounding land uses that could result from implementation of the proposed project.

3.10.3.3 Construction Impacts

XI(b): Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

The land use plans, policies, and regulations shown in **Table 3.10-2** were established to protect the environment and sensitive land uses, and to ensure that proposed developments are consistent with the character and visions of the City and surrounding communities. As shown in **Table 3.10-2**, the proposed Project is consistent with the land use plans, policies, and regulations in the area.

Proposed construction activities would not result in zoning or land use changes, or a revision to any of the adopted plans or policies at the local and regional levels. All anticipated permits and approvals, summarized in **Table 2-2** of this EIR, would be obtained prior to proposed construction activities. Any necessary land use entitlements would be secured prior to the start of construction activities, and would be coordinated with construction of the Viaduct Replacement Project.

Proposed construction activities would be conducted in compliance with the City's development requirements and construction and building permits outlined in Chapter IX, Article 1 (Building Code) of the City's Municipal Code, as well as the California Building Standards Code (California Code of Regulations [CCR], Title 24). Grading would be required prior to excavation activities in order to prepare the Project Site for construction, requiring a Permit to Construct. Proposed construction activities within the LA River channel are under the supervision of the U.S. Army Corps of Engineers and applicable permits would need to be obtained. In addition, any work within railroad right of way would require a Railroad Maintenance Agreement and any other applicable permits from the affected railroad agency. Upon obtaining all required permits and approvals, the proposed Project would not cause a significant environmental impact due to a conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. Therefore, impacts would be less than significant, and mitigation would not be required.

- **The extent of the area that would be impacted, the nature and degree of impacts, and the type of land uses within that area.**

The Project Area includes an existing construction site, which previously included industrial and commercial land uses. The City obtained these properties as part of the Viaduct Replacement Project. The area surrounding the Project Site is heavily developed with predominately industrial and commercial.

Construction staging and activities would be limited to the existing construction site. Land use and zoning designations in these areas would not prohibit the construction activities required to implement the proposed Project. In addition, construction activities would not require changes in land uses that would conflict with zoning designations.

The proposed Project would be required to obtain permits and approvals prior to construction activities (see **Table 2-2** for required permits and approvals), and would be coordinated with construction of the Viaduct Replacement Project. Proposed construction activities would be conducted in compliance with the City's development requirements and construction and building permits outlined in Chapter IX, Article 1 (Building Code) of the City's Municipal Code, as well as the California Building Standards Code (CCR Title 24). Therefore, impacts would be less than significant and mitigation would not be required.

- **The number, degree, and type of secondary impacts to surrounding land uses that could result from implementation of the proposed project.**

As described above, construction activities would not require changes in existing land uses or zoning designations. The use of construction vehicles and equipment to conduct excavation activities, and other activities involved with the removal or addition of structures, could result in reduced visual character and quality in construction areas that are visible from surrounding land uses; greater air pollutant and greenhouse gas emissions; increased light and noise levels; and decreased mobility and access due to construction traffic on surrounding roadways and road closures/detours. These impacts are discussed in more detail in Sections 3.1 through 3.17.

Construction equipment, materials storage, and most construction activities (other than the movement of equipment and materials to and from the construction site) would be contained within the limits of construction, and construction areas would be fenced. Construction activities would be limited to the days and times specified in the City's Noise Ordinance (Chapter IX, Noise Regulation in the City's Municipal Code), which are Mondays through Fridays between 7 a.m. and 9 p.m., and Saturdays and National Holidays between 8 a.m. and 6 p.m. Construction would not be allowed at any time on Sundays. Therefore, adverse effects would be minimized to the extent feasible. In addition, impacts associated with proposed construction activities would be short-term and temporary. Therefore, impacts would be less than significant and mitigation would not be required.

3.10.3.4 Operational Impacts

XI(b): Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

The land use plans, policies, and regulations shown in **Table 3.10-2** were established to protect the environment and sensitive land uses, and to ensure that proposed developments are consistent with the character and visions of the City and surrounding communities. As shown in **Table 3.10-2**, the proposed Project is consistent with the land use plans, policies, and regulations in the area.

The land use for the proposed Project would be consistent with the City's zoning designations. The proposed Project is considered a "Park or Playground (Open outdoor space), operated by government agency" land use, which is only permitted in the following zones (City of Los Angeles, 2018):

- Open Space: OS
- Agricultural: A1, A2, and RA
- Residential Estate: RE and RS
- One-Family Residential: R1, RU, and RZ
- Multiple Residential: RD, RMP, R3, RAS3, R4, RAS4, and R5
- Commercial: CR, C1, C1.5, C2, C4, C5, and CM
- Manufacturing: M1, M2, and M3

In addition, "Park or Playground (Open outdoor space), operated by government agency" land uses may be permitted in the following zones pending Public Benefit project approval:

- Residential Waterways (RW1 and RW2)
- Parking (P and PB)
- Public Facilities (PF).

The proposed Project would be permitted in the portions of the Project Area that are zoned M1, M2, M3, and OS, and would require approval from the City within areas zoned PF. In addition to the zoning designations described above, the Project Site is entirely within the RIO District. The proposed Project would conform to the development regulations for the RIO District outlined in the Municipal Code (Section 13.17), including landscaping, screening/fencing, lighting, and river access requirements. The proposed Project would comply with the design guidelines for projects within the RIO District, as described in the LA River Design Guidebook.

As described in Section 3.10.2.2, the City is in the process of updating the land use and zoning designations in the Central City North and Boyle Heights Community Plan areas. With these updates, the zoning designations within the Project Site would continue to allow parks and recreational facilities. The City's Bureau of Engineering (BOE) would work with the Los Angeles Department of City Planning to ensure that the proposed Project is consistent with any future zoning changes within the Project Area.

The existing Project Site is a construction site within a heavily developed industrialized area. By providing approximately 13 acres of public recreational space, the proposed Project is expected to improve various qualities of the existing Project Site, which include the following:

- The proposed Project would transform an underutilized lot into an aesthetically pleasing landscaped park that would improve the visual character and quality of the Project Site.
- With the exception of emissions generated during from vehicle traffic during infrequent large events, the proposed Project would contribute less criteria air pollutant and greenhouse gas emissions than industrial land use.
- The proposed Project would include trees and other natural and artificial substrates that would potentially create additional nesting and roosting habitat for birds and bats.
- The proposed Project Site soils would be remediated to standards acceptable by the Los Angeles County Fire Department and other regulatory agencies as required.
- The proposed Project would result in improvements to existing stormwater drainage systems.
- The proposed Project would provide open space and recreational facilities that would meet the existing need for parks and recreational facilities in the surrounding communities.
- The proposed Project would generate noise at levels that are less than the noise levels produced by the existing land use.
- With the exception of traffic during large special events, the proposed Project would generate fewer trips than the existing industrial land use. The proposed Project would support active modes of transportation and public transit.
- The proposed Project would include low impact development design and practices to reduce the consumption of water resources and promote beneficial stormwater treatment and/or capture.

The proposed Project also includes safety features to protect the public from hazards associated with surrounding industrial land uses and the LA River. Pedestrian crosswalks would be included at all major roadways intersecting the Project Site (i.e., Santa Fe Avenue, Mission Road, Anderson Street, and Clarence Street). Safety measures will be added to the LA River Access Tunnel Access entry point within the proposed Arts Plaza to deter the public from entering the LA River during a storm event (i.e., vehicular deterrents such as bollards and safety warning devices). The City would also develop a Safety Plan to further minimize impacts on public safety during flood events.

Given the extent of the area that would be impacted, the nature and degree of the impacts, and the existing land use, the proposed Project would not have a significant impact on Land Use and Planning.

3.10.4 Best Management Practices

BMP-LAND-1: Coordination with Los Angeles Department of City Planning

The City BOE shall continue to work with the Los Angeles Department of City Planning to ensure that the proposed Project is consistent with future zoning changes.

BMP-LAND-2: Coordination with Viaduct Replacement Project

Any necessary land use entitlements shall be secured prior to the start of construction activities and shall be coordinated with construction of the Viaduct Replacement Project.

BMP-LAND-3: Construction Area

Construction equipment, materials storage, and construction activities shall be contained within the limits of construction, and construction areas shall be fenced.

3.10.5 Mitigation Measures

Impacts related to Land Use and Planning would be less than significant; therefore, mitigation measures are not required.

3.10.6 Significant Unavoidable Adverse Impacts

There are no significant unavoidable adverse impacts on Land Use and Planning from construction and operation of the proposed Project.

3.10.7 Cumulative Impacts

As discussed in Section 3.10.2.1, the City is proposing updates to land use and zoning designations for the Central City North and Boyle Heights Community Plan areas. In the Central City North Community Plan Area, the proposed land use and zoning designation would include general uses such as hybrid industrial mixed use, creative office, live/work, and production activity (City of Los Angeles, 2017). In the Boyle Heights Community Plan Area, the proposed land use and zoning designation would encourage the preservation of industrial land for employment generating uses and economic development.

As described above, the proposed Project is not expected to result in significant impacts on Land Use and Planning. The proposed development projects listed in **Table 1-1** of this EIR, which include mixed-use developments, creative office spaces, live/work units, commercial spaces, and infrastructure

improvements would not be inconsistent with the City's vision for promoting active transportation, providing LA River connections, and developing additional housing. Many of these projects would be limited to improvements to existing facilities and in-fill developments that would not conflict with existing land uses and zoning designations. These projects would be required to obtain all necessary permits and approvals prior to construction, as well as comply with the City's development requirements and construction and building permits outlined in the City's Municipal Code and the California Building Standards Code. These projects would also be evaluated based on their consistency with the City's land use plans, policies, and regulations. In addition, all projects would be required to develop avoidance, minimization, and mitigation measures. Therefore, the proposed Project would not result in cumulative impacts related to Land Use and Planning.