CCA White Paper

Expanding Opportunities for Child Care and Schools in DTLA

Growing Our Neighborhoods as Complete Communities

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About CCA

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Established in 1924, Central City Association of Los Angeles (CCA) is the premier advocacy organization in the region and leading visionary on the future of Downtown Los Angeles. Through advocacy, influence and engagement, CCA enhances Downtown LA’s vibrancy and increases investment in the region. CCA represents the interests of businesses, trade associations and nonprofit organizations in Los Angeles County.

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Introduction

Downtown Los Angeles (DTLA) is the fastest growing area of the city. DTLA’s residential population has rapidly grown over the past two decades from approximately 20,000 people in 1999 to nearly 80,000 people today. This trend will continue, as DTLA continues to welcome new housing and jobs and is projected to make up a significant share of the city’s future growth, reaching 250,000 residents by 2040.¹

Over the past two decades, it has transformed from an office district to a vibrant, 24/7, urban environment. While this rapid transformation has spurred investment in neighborhood amenities like new shops, restaurants, parks and hotels, the fast-paced increase in new residents to a primarily business-centered district presents challenges. One of these key challenges is a lack of early care and education (ECE) and elementary school facilities to serve DTLA’s residents and workers.

In this white paper, we refer to ECE inclusively, encompassing daycare for infants, toddlers and children and programs that prepare young children to succeed in school. Elementary schools include Los Angeles Unified School District (LAUSD) public schools, public charter schools and private schools serving children in transitional kindergarten through sixth grade, as we believe all are welcome in DTLA.

To make DTLA a neighborhood that is prepared to meet the evolving needs of its community members, we must make it welcoming to all and a viable place to live for families. We need more ECE and education options in DTLA, particularly in walkable areas where housing has grown the most, which would enable people currently living in DTLA a better opportunity to stay as they form families, remain in the workforce and attract families from elsewhere to live in DTLA. Bolstering DTLA’s livability by ensuring access to education and care – essential community resources – would result in various economic, environmental, social and cultural benefits, including:

- Helping to attract and retain a broader resident pool and talented workforce
- Supporting local businesses by families shopping, eating and using services in DTLA
- Reducing vehicle miles traveled by providing ECE and schools within walking and biking distance of home and work and close to transit
- Meeting the future need for care as parents juggle work, children and caring for aging family members
- Creating strong synergy with children and families and the region’s rich cultural and civic center
- Fostering a diverse and integrated community
Despite the clear need for ECE and elementary school facilities in DTLA and their benefits, expanding options for schools and ECE in DTLA has proven challenging due to a combination of building and safety code requirements and licensing, real estate, and political barriers. We recognize the important frameworks that codes set forth to ensure the safety and wellbeing of users and the surrounding community. This paper identifies specific changes to better accommodate DTLA schools while still meeting code requirements. These challenges include:

- Code and design specifications and indoor and outdoor space requirements that severely limit locating ECE and school facilities in mixed-use buildings in vertical, urban environments
- Zoning limitations on where schools and ECE are allowed by-right, and permit requirements that are time-consuming and create costs and uncertainty for operators
- Unclear and unpredictable waiver processes and criteria for alternative compliance mechanisms for ECE facilities in urban areas
- The cost and availability of land for the construction and operation of education facilities, as well as rent and lease structures that are not aligned with schools’ needs
- A lack of formal partnerships among stakeholders, ECE and educational providers, and the real estate community

These challenges are multi-layered and create a complex landscape for ECE and schools looking to open in DTLA, and many of these barriers apply to the Los Angeles region and California more broadly. Clearing these hurdles will require creative actions and partnerships to make it easier for schools and ECE to open and remain in operation while ensuring a safe, learning-conducive environment.

This is especially timely for DTLA as the Department of City Planning is currently preparing DTLA 2040, an update to the Community Plan which will guide the development and growth of DTLA for the next two decades.

In this white paper, CCA identifies the gaps in accessible ECE and school facilities for DTLA residents, further details the benefits that more ECE and schools will bring to the community and illustrates the layered barriers to bringing new education and care facilities online. We conclude this white paper with a set of recommended actions, including amending building codes and licensing procedures to encourage the siting of these facilities in existing buildings and new developments, as well as highlight the partnerships needed to mobilize an all-hands-on-deck approach to bring more school and ECE options to DTLA.
Expanding Opportunities for Child Care and Schools in DTLA

More schools and ECE facilities are already needed in DTLA and this demand will only further increase as DTLA’s substantial residential population growth continues. We detail the case for why more ECE and school facilities are needed below, which can be summarized by four overarching issues: 1) there is insufficient capacity to meet future demand; 2) a lack of facilities and amenities has made it difficult for DTLA to retain its residents as they form families; 3) existing facilities in and around DTLA are largely inaccessible by walking, biking or public transit; 4) and changing demographics require investment in the caring economy.

Insufficient Capacity to Meet Future Demand

We estimate that there are currently about 5,600 children between 0-14 years of age (i.e., from ECE to middle-school age) living in DTLA, which is 7% of its approximately 80,000 residents. For comparison, children between 0-14 years of age make up 18% of the city and county population, respectively. If children remain only 7% of DTLA’s population, the number of children in DTLA will still increase by 11,900 to total 17,500 children by 2040. This would be a 213% increase in the number of children in DTLA, which is still a fairly conservative estimate given that children as a share of DTLA’s population would likely increase to be more closely aligned with those of the city and county if there were child- and family-serving facilities, amenities and other resources that would make DTLA a more attractive option for families.

Despite the relative lack of facilities and amenities to serve families currently, there are nonetheless clear indicators that there is a strong demand for families to stay and raise their children in DTLA. Even with the relatively low share of children in DTLA today, the few schools available in DTLA are near capacity and aren’t positioned to meet the growing demand.

As shown in the table below, there are only 204 available school seats across the four elementary schools within the entire DTLA area, and the total capacity for these four schools is roughly equal to the total 1,600 estimated elementary school aged children living in DTLA currently. This suggests that existing schools are just barely accommodating the current demand for elementary education in DTLA today.

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<th>School</th>
<th>2018-2019 Enrollment</th>
<th>Total Capacity</th>
<th>Available School Seats</th>
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<td>Para Los Niños Charter Elementary</td>
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<tr>
<td>Total in DTLA</td>
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Public elementary schools located within the DTLA boundaries. Source: California Department of Education DataQuest, LAUSD

On top of the fact that existing DTLA schools are essentially at capacity today, there are currently no plans by LAUSD to build new facilities or expand their existing facilities despite DTLA’s continued rapid residential growth. As a point of comparison, DTLA is approaching a population the size of the entire city of Santa Monica, but there are 10 elementary schools and one K-8 school in the Santa Monica Unified School District. Additionally, while there are several ECE options scattered throughout DTLA, they have long waitlists due to high demand from both residents and workers.

The Need for ECE and School Facilities in DTLA
A Lack of Facilities and Amenities has Made it Difficult for DTLA to Retain its Residents as They Form Families

Compared with the rest of the City of Los Angeles and Los Angeles County, DTLA households are largely made up of non-family, young professionals between 25 to 44 and with fewer children. This characteristic is likely due to a high concentration of jobs and a lack of ECE and school options available close to where residents live and work, making it difficult for recently-formed families to stay in DTLA and increasing the likelihood that people move elsewhere to raise their children. DTLA can also be a challenging place for families due to limited family-sized housing units, parks and recreational amenities.

This dynamic is reinforced by data from a recent survey of DTLA residents. CCA worked with Loyola Marymount University (LMU) to survey 610 DTLA residents on their opinions of various aspects of living in DTLA and the City of Los Angeles, which was compared with the results of LMU’s 2019 Los Angeles Public Opinion Survey of 2,008 Los Angeles County residents.

In this survey, DTLA residents rated their access to quality childcare and K-12 education in their neighborhood much lower than residents elsewhere in the City and County. In the same survey, more than three-quarters of residents said that they would not recommend DTLA as a place to raise children. These data points suggest that much more needs to be done to accommodate families in DTLA, fundamental to which is improving access to ECE and elementary education facilities.
Expanding Opportunities for Child Care and Schools in DTLA

Existing Facilities In and Around DTLA are Largely Inaccessible by Walking, Biking or Transit

The few ECE and elementary school facilities in DTLA are generally located away from areas where its residential population has grown the most, such as South Park, the Historic Core and the Arts District, as shown in the map on this page. Ideally, for families with young children that live in DTLA, parents would be able to walk, bike or use public transit to take their children to and from ECE or school. However, the limited ECE and school options available in DTLA are largely inaccessible or inconvenient, making DTLA a less appealing place to locate for families who want to live in a truly urban environment. This is less problematic for children of middle school or high school age, who are more independent and can walk or take the bus to school but is a significant challenge for families with children in elementary school or younger. DTLA not only needs more elementary schools and ECE facilities overall, but also ones that are centrally located in areas where people live and work.

Changing Demographics Require Investment in the Caring Economy

Ample education and ECE options are fundamental to the long-term vitality of any community and will become increasingly more important as demographics change and industries evolve to meet the needs of these population shifts. Researchers and economists highlight trends in life expectancy and the Baby Boomer generation as clear indicators that our economy is already evolving to meet the needs of older adults.

As Dr. Manuel Pastor, Director of USC’s Program for Environmental and Regional Equity, points out, 26% of California’s population will be 65 years or older by 2060 compared with 11% of the population in 2010. Parents that delayed starting families may find themselves caring for their aging parents while raising young children. ECE and schools located in proximity to home and work will become even more critical as parents balance additional responsibilities such as providing for aging family members.

While our population will be increasingly older in the next few decades, declining family sizes have reduced the number of new prime age workers. If this trend continues, as the Los Angeles Economic Development Corporation forecasts, the labor market will remain competitive, making remaining in the workforce more appealing for parents and increasing the demand for accessible ECE and education options.
A Brief History of Metro Charter Elementary

The history of Metro Charter Elementary in DTLA demonstrates the strong demand for a centrally located school in DTLA.

Metro Charter was a parent-founded school that opened in DTLA in 2013, serving children from Transitional Kindergarten (TK) to 5th Grade, but then closed in 2019. Over the course of Metro Charter's lifespan, it struggled perpetually to find suitable facilities and was never able to secure a permanent or long-term home centrally located in DTLA. These facilities issues made it challenging to maintain levels of enrollment necessary to financially sustain the school.

Metro Charter could not find a facility until two months before opening in 2013, which resulted in lost potential enrollment. The school opened at Dignity Health Hospital in South Park with an enrollment of 78 students, which was a little more than half of its anticipated enrollment of 150 students. Despite initial challenges, enrollment steadily increased for the next three years and reached 256 students in 2016-2017 with 100 children on its waiting list.

In 2016, Metro Charter faced another facility challenge when Dignity Health Hospital could no longer house the school as the hospital needed the space for offices while undergoing a redevelopment project. After an exhaustive search for new facilities, Metro Charter signed a lease for a fourth-floor location in an office building at 700 Wilshire Boulevard in the heart of DTLA with a maximum capacity of 298 students. However, a large share of students could not be located at this space because the California Building Code does not allow students under the age of seven to be located higher than the second floor of a building (which even still must have a dedicated stairwell and exit separate from all other uses in a given building). These code requirements forced Metro Charter to split its campus, locating its TK-2 students in a space in the Crenshaw/Leimert Park neighborhood at 2009 W. Martin Luther King Boulevard 5.3 miles from the DTLA location, and was therefore not a school positioned to serve DTLA residents.

These facilities challenges again negatively impacted enrollment; 250 students were enrolled for 2017-2018, but this dropped to 187 students after the campus was split. Due to the strain the distance of the Crenshaw/Leimert Park location put on DTLA families, Metro Charter again moved its TK-2 students for 2018-2019 to a closer location at 2635 Pasadena Avenue in the Lincoln Heights neighborhood. However, this site was still 3.5 miles from the DTLA location and was largely inaccessible by walking, biking or public transit. This inaccessibility furthered the decline in enrollment and Metro Charter soon closed with only 59 students enrolled in 2019.
Expanding Opportunities for Child Care and Schools in DTLA

Welcoming more ECE facilities and elementary schools, particularly in accessible areas near housing, has many benefits for DTLA. Investment in new schools will improve the neighborhood’s livability and accommodate residents at all phases of their life, positively impacting DTLA’s economy, sustainability efforts and quality of life. Increased access to education would ultimately provide the necessary foundation for DTLA to further grow as a complete neighborhood and meet the needs of community stakeholders including residents, property owners, companies and their employees.

Economic Benefits

Attract and Retain Employees

Companies can attract and retain diverse talent by offering employees access to in-house daycare and early childhood centers or proximity to elementary schools. Several government facilities in DTLA currently provide onsite daycare, such as the Joy Picus Child Development Center at City Hall and Tiny DOTs Early Education Center at the headquarters of the Los Angeles Department of Transportation and California Department of Transportation. However, these facilities have long waitlists where government workers get preference, limiting the ability for other DTLA workers and residents to utilize them.

Some DTLA employers already benefit from closely located ECE and elementary schools without formal relationships with providers. Para Los Niños’ Caruso Early Education Center and Charter Elementary School serve many parents working in the DTLA produce, garment and flower districts among other Downtown industries. Para Los Niños’ strong relationship with workers in these Downtown industries demonstrates the power of word-of-mouth and the benefit employees derive from sending their children to ECE and elementary school near their employers.

DTLA continues to grow rapidly, allowing existing employers and prospective companies opportunities to partner with the City to intentionally site early childhood centers and elementary schools that can serve their employees. Well-respected companies like Patagonia, Disney, Google, Cisco and Home Depot offer on-site childcare at their offices, which can serve as a model. Patagonia’s CEO argues that the childcare it offers pays for itself, citing results including 50% of taxes recouped through federal deductions, 25% less employee turnover, greater employee engagement and loyalty, and more women in management roles.

Support for Local Businesses

DTLA’s young professionals, who make up a considerable share of its population, also earn incomes above their peers elsewhere in the city and county. If these individuals continue to form families and move outside of DTLA, their spending power and economic benefits move with them. People between 25 and 44 years of age are largely considered to be in their peak income earning years. Therefore, it’s a considerable missed economic opportunity for DTLA’s businesses and tax base if it cannot retain and attract families.

Provide Attractive Real Estate Amenities

More ECE and elementary schools in DTLA would also be advantageous for property owners, employers and local businesses. Parents of young children value physical proximity between school, home and work for accessibility throughout the day in case of illness or emergency and to streamline commutes. Residents may enjoy dropping their children off at school before ever leaving their apartment building. For these reasons, education facilities can be on-site assets and amenities that increase demand, thereby giving property owners a competitive advantage and making apartment complexes and condominiums more attractive to existing and future residents.⁸

Leverage Early Education to Address Inequity and Improve Access to Economic Opportunity

We recognize the deep social inequities that exist across our region and believe addressing the barriers to more ECE and elementary schools in DTLA can improve access to opportunity for children, families and ECE operators from economically disadvantaged communities. Given that owning and operating ECE centers can be cost prohibitive for the reasons outlined in this paper, there is an opportunity to positively impact economic outcomes for historically underrepresented populations – workers and owners of daycare facilities are disproportionately women, and largely women of color – in the ECE industry across Los Angeles County.⁹ Making the facilities process more predictable, efficient and less costly can increase the likelihood that entrepreneurs can open and continue operating ECE centers. Additionally, high-quality early education is proven to increase school readiness and ultimately put children on a path to better academic outcomes which can translate to greater financial stability in the long run. Improving access to daycare and elementary education can positively impact Angelenos across ethnicity and socioeconomic status.

Mobility and Sustainability Benefits

Reduce Congestion and Vehicle Miles Traveled

DTLA residents commute shorter distances to work and are more likely to get around by means other than driving. This further emphasizes the need to plan services and facilities such as schools that can be easily accessed by walking, biking or public transit. Doing so means there are fewer cars on the road, especially at rush hour when many parents are dropping off and picking up their children. Additionally, it helps to reduce vehicle miles traveled, which is key to reducing carbon emissions.

Families living in the urban core of Los Angeles have a carbon footprint 50% smaller than their suburban peers according to a study conducted by UC Berkeley in 2014.¹⁰ Parts of DTLA experiencing the most rapid housing growth also enjoy high walkability scores and convenient access to mass transit such as light rail trains and buses. Walkability and feasible alternatives to the car may make it easier to relinquish personal cars and reduce greenhouse gas emissions.

Improve Public Health

Locating schools within walking distance of home, parents’ offices, stores and restaurants also contributes to a healthier region. Reducing vehicle miles traveled by embracing proximity between home, work and school can improve overall health. Additionally, parents have more time to engage with their children, supporting their psychological development and well-being, when commute times are shortened.

Spur Further Infrastructure Investments

Proximity to schools also invites more child-friendly features such as crosswalks and outdoor play spaces. In Arup’s report, “Cities Alive: Designing for Urban Childhoods,” researchers found that
children’s infrastructure can help to enhance the economic value and long-term viability of an urban environment. Parents’ investment in education facilities can also renew support for more green space and safe street infrastructure which increases livability, and ultimately, the desirability of the DTLA neighborhood for all residents regardless if they have school-age children.

Community-Building Benefits

Increase Engagement and Connections to DTLA

Schools, especially for younger children, are community anchors. Parents spend a significant amount of time attending, commuting and preparing to be at school. Children’s extracurricular – and consequently, their parents’ social activities – often orbit around their school. For that reason, parents often choose schools and housing that are near each other.

Locating ECE and elementary school facilities within walking distance of the newly created housing stock provides existing residents the choice of remaining in DTLA to raise their children. This addition is mutually beneficial for the DTLA neighborhood and its residents. The neighborhood benefits from long-term residents’ financial investment and civic engagement in the region. Long-term residents feel a more significant responsibility for what happens in their community than individuals planning their next move. Invested community members are more likely to support local initiatives and be civically engaged.

Establish an Enrollment Pipeline to Support Existing Middle and High Schools

A small number of middle and high schools are presently located within and around DTLA. Of the five middle and high schools, three are public schools operated by Los Angeles Unified School District (LAUSD). LAUSD experienced declining enrollment in recent years, especially at the middle and high school grade levels. New daycare and elementary school options in DTLA could bolster enrollment in the public middle and high schools around DTLA over time. Retaining families and their children in DTLA can support the existing schools by creating an enrollment pipeline and increasing investment in existing schools among residents.

Leverage DTLA as the Region’s Center of Arts, Culture, Sports and Entertainment

Residents cite a number of factors in their decision to live in DTLA but one frequent reason is the proximity to culture, entertainment and activities. People passionate about arts and culture remain so after starting families, yet, they often make tradeoffs – such as moving to a more suburban neighborhood – to accommodate their new family members. A more family friendly DTLA allows residents to remain near the arts and culture they value while providing that same exposure to their children.

Growing up in DTLA means being a short walk, bike ride or transit trip away from world-renowned institutions like the Music Center and Walt Disney Concert Hall, the Colburn School, Broad Museum, Museum of Contemporary Art, Japanese American National Museum, American Museum of Natural History, California Science Center and Italian American Museum, among many others. DTLA is also home to a wide variety of professional sports and entertainment venues like Staples Center and LA LIVE, the Los Angeles Memorial Coliseum, Banc of California Stadium and Dodger Stadium. This unparalleled access creates opportunities for collaboration which would enrich children’s cultural engagement.

Children growing up in vibrant urban environments interact with many types of people and attractions. As we continue to support policies that make DTLA a place where people of all income levels call home, children and their families can benefit from the diversity of background and experience associated with mixed socioeconomic school environments. A school’s identity reflects its neighborhood and the families it serves. DTLA is a distinct community that an increasing number of people choose to call home. The DTLA community deserves to have its own unique, accessible school facilities.
Despite DTLA’s rapid residential growth and the increased demand for ECE and elementary school facilities, a complicated layering of barriers from permitting and regulatory requirements, design challenges, costs, knowledge and partnership gaps, and the political environment present challenges to opening new facilities. These barriers are well illustrated by the history and ultimate closure of Metro Charter Elementary School, detailed earlier in this white paper. We present these challenges in the context of DTLA, but many of them equally apply to dense, urban areas throughout the city and state.

Permitting and Regulatory Challenges

Indoor and Outdoor Space Requirements

School facilities are governed by California State Building Code while California Department of Social Services (DSS) Childcare Licensing Requirements guides daycare centers. Requirements for indoor and outdoor activity space vary significantly for ECE centers compared with elementary schools and beyond. As shown in the table below, ECE providers for infants, toddlers and preschoolers must provide 35 square feet of indoor floor space per child. In addition to the large amount of indoor activity space required per child in ECE centers, providers serving infants must allocate separate space from the area designated and used for cribs. Infant care must be physically separated from toddlers and school-age children by movable walls or partitions while still meeting space requirements for all children in the room.¹⁴

Infant and Toddler Care – A Scarce Resource in Los Angeles County

A 2017 needs assessment of childcare in Los Angeles County determined a significant dearth in capacity to care for infants and toddlers. Existing centers only have capacity to care for 13% of more than 188,000 children ages 0-3.

In addition to the significant space requirements, early care and education partners like First 5 LA identified a number of factors contributing to this shortage, including the high cost of operating a childcare largely driven by strict teacher to child ratios and the low-wage nature of this industry adding operating strains.

Parents of infants and toddlers may have to make difficult decisions about caring for their children or returning to work, ultimately impacting family financial stability and the region’s economy more broadly. We must consider unique challenges facing infant and toddler care providers to encourage increased access to quality care for parents of very young children across the region.

Source: Los Angeles County Child Care Planning Committee 2017 Needs Assessment
For Kindergarten-12th grade, each child must have 20 square feet of indoor floor space. Among education facilities experts, good practice is 25 square feet per child and best practice is 30 square feet. Due to cost and location barriers, charter schools can rarely provide 30 square feet per student.\textsuperscript{15} For a school to be financially feasible, it must maintain enrollment at 300 students, meaning the average public charter school facility requires 6,000-9,000 square feet of indoor classroom space plus offices, multi-purpose or auditorium area, restrooms and circulation which results in an approximately total 20,000 square foot minimum facility size to be viable.\textsuperscript{16} While there is no codified outdoor space requirement, public schools must provide enough activity space to fulfill the required physical education curriculum for all grade levels in the school.\textsuperscript{17}

### Floor Limitations, Separate Egress and Safety Requirements

California Building Code dictates that the ground floor of a building is the preferable location for classrooms for pre-school through second grade.\textsuperscript{19} Kindergarten-2nd grade classrooms may be located on the second floor only if the classrooms have access to the street from two egresses separate from the building’s other uses. ECE facilities may locate above the first story in buildings so long as there is one separate egress that has at least two exit paths that remove young children from exposure to smoke or fire during evacuation. Existing building code also requires playgrounds and outdoor activity space be located within the first two floors of a building.

Additionally, according to the code,\textsuperscript{20} all education facilities must be outfitted with the highest life safety standards which can include sprinklers, annunciators and alarms. A stringent life safety code is essential to keeping children safe; however it is worthwhile to note that retrofitting existing buildings to comply with these safety standards can be expensive and time-intensive, contributing to the challenges that providers face when selecting a new location.

Locating schools in mixed-use buildings, common in growing urban centers, remains difficult without inventive solutions to address floor limitations, separate egresses and other requirements.

### Public School Compliance Requirements

California state laws limit more than just school locations; they also inadvertently limit the types of schools – traditional public, public charter or private – that are feasible in DTLA. Due to the Field Act, a piece of state legislation enacted in 1933 to safeguard schools against damage due to seismic activity, all public schools must meet stringent building code requirements.\textsuperscript{21} It does not apply to charter or private schools. The law requires public schools to go through an approval process administered by the California Division of the State Architect, separate from the conventional entitlement process. The process is estimated to take 8-12 months depending on the size, scale, complexity and value of the project. There are a number of state review requirements, in addition to the Field Act, that public schools must complete before a new school can be constructed. Charter and private schools are not subject to these requirements provided they do not use LAUSD or charter bond funds. This additional, lengthy approval process greatly reduces opportunities for public-private partnerships to include LAUSD schools within mixed-use developments because it increases the time, costs and risk associated with developing such a project.

### Land Use Restrictions and Conditional Use Permits

Challenges arise when prescribed zoning districts lag behind current uses. For example, many parcels of land in DTLA are

<table>
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<th>Square-Foot Space Requirements / Child</th>
<th>Infant – Pre-School Age</th>
<th>Kindergarten – 12th Grade</th>
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<tbody>
<tr>
<td>Indoor Classroom Space</td>
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<td>20</td>
</tr>
<tr>
<td>Outdoor Space</td>
<td>75</td>
<td>n/a</td>
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</table>

Sources: California Childcare Center General Licensing Requirements & California State Building Code, Department of Social Services

While indoor space requirements narrow providers’ leasing options, selecting a space that meets the state’s requirement for outdoor activity space is an additional barrier to locating ECE in DTLA. As described in the table above, the DSS, the agency responsible for licensing all daycare and preschool facilities in the state, requires 75 square feet of outdoor activity space per child, which is an onerous and difficult threshold for urban spaces to meet.

Additionally, through our research, CCA found that DSS regularly waives outdoor space requirements for ECE providers with location constraints, often allowing the outdoor space requirement to be halved on the basis that not all children will utilize the outdoor space simultaneously. In other words, urban centers will ensure through scheduling that no more than 50% of the children are outdoors at any given time to make more constrained site feasible for ECE.

Despite a pattern of DSS granting such waivers, there is minimal criteria provided for receiving approval of a waiver from DSS in their official Child Care Center General Licensing Requirements.\textsuperscript{18} Therefore, both ECE providers and property owners who might want an ECE provider as a tenant are not likely to understand that alternative compliance options exist. Furthermore, determinations about whether to grant waivers are made by DSS’ Regional Managers. The lack of clear and consistent waiver criteria and the fact that each waiver decision is open to interpretation by a respective Regional Manager creates risk and uncertainty for providers and property owners, decreasing the likelihood that they will pursue a waiver.
zoned for industrial use but are no longer being used for those purposes as the region’s economy has largely shifted away from the manufacturing industry.

The City of Los Angeles limits the zoning districts where ECE and school facilities may locate and requires that providers receive a Conditional Use Permit (CUP) in many zoning districts. The process to receive a CUP is time-consuming and creates additional costs, uncertainty and risk for providers. CUPs are often granted for a specified time period, meaning that providers must renew their CUPs in the future, further creating a disincentive.

Also, the City’s zoning code is largely outdated, meaning that ECE and school facilities are limited in many areas of the city, even though they may in reality be suitable and desirable. For example, Para Los Niños has operated one of DTLA’s few elementary schools at 1617 East 7th Street at the intersection of the Arts District and Industrial District since 2002. However, since the zoning designation for this site is Industrial, Para Los Niños must regularly receive approval for its CUP and was undergoing the renewal process at the time this white paper was being written, despite its successful operation over nearly twenty years and the great need for schools in DTLA. The City also regularly approves CUPs and other entitlement requests for schools in industrial zones elsewhere like the Los Feliz Charter School for the Arts and Renaissance Arts in the Glassell Park neighborhood and Puente Charter School in Boyle Heights.

As shown in the table below, the proposed DTLA 2040 plan would maintain some land use restrictions on schools and would continue to require CUPs for ECE (referred to as “Day Care” in plan documents) and school facilities in many zones. Even in certain areas where these facilities would be allowed with a CUP, the plan would also impose the requirement that the facility serve businesses and workers in the surrounding area, despite DTLA residents’ need as well. We believe these facilities should be open to all families in the area including workers and residents in the area. Promoting schools and ECE facilities should be a top priority for DTLA 2040 and it would be a missed opportunity to overlook the importance of rethinking zoning requirements to accommodate and promote ECE and educational facilities in newly emerging urban neighborhoods.

**Childcare and School Permission in Proposed DTLA 2040 Plan**

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<th>Use Group</th>
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*Up to 20 children by-right, up to 50 via CUP
**Day care must be for businesses/industry in vicinity

*Source: Downtown Community Plan Draft Zones, Article 5. Use

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Parking Requirements

Schools and ECE facilities also struggle to comply with parking requirements imposed by city code that do not reflect the unique needs of that school site. The Los Angeles Building & Safety Code requires one parking space per classroom for elementary schools. For ECE facilities, one parking space is required per classroom or for every 500 square feet of floor area, to account for the more open floor plans typical of day care facilities. Meeting these parking requirements is challenging and costly in dense urban areas. The lack of available space for parking coupled with the burdensome costs often lead education providers like Para Los Niños to request parking variances for reduced parking allotments. In addition to the previously mentioned CUP request, Para Los Niños had to seek a permit renewal for a reduction in the number of required spaces, again even though they have successfully operated their site since 2002. Like the CUP process, requesting parking variances is costly and creates added uncertainty for a school’s initial or continued success. The DTLA 2040 plan proposes to eliminate parking requirements, which should help to resolve this issue, but it will remain a barrier for facilities in DTLA in the near-term and for providers elsewhere in the city.

Real Estate Challenges

Market Rate Commercial Rents and Lease Structures Aren’t Aligned with Providers’ Needs

It is difficult to site an education facility in the current DTLA commercial rental market. At present, DTLA’s commercial space rental market does not align with the financial limitations of nonprofit educational institutions. To be financially viable, a public charter elementary school generally cannot sustain market-rate rents for commercial spaces, and they also benefit from leases of about 30 years which are much longer than commercial landlords typically agree to. A longer lease enables charter schools to issue bonds to pay for upfront capital costs; however, these lease structures are unfamiliar to property owners who are accustomed to five- to ten-year lease agreements.

Incompatible Design

Not all available commercial spaces in DTLA are conducive to ECE and elementary school sites. Many retail spaces, although walkable and accessible to work and home, are outfitted for retail tenants and do not meet the needs of providers that must comply with state and building codes, as detailed above. Additionally, the preferable format for a school is generally wide and horizontal, which conflicts with that of a high-rise tower presenting challenges for including schools in mixed-use developments. This also makes it difficult to find a suitably sizeable and configured site in DTLA that’s capable of accommodating a school built from the ground-up.
Political Challenges

Resource Allocation

California and the City of Los Angeles have long struggled to secure enough resources to build and maintain education facilities. Over the years this has been addressed through various bond measures, but the most recent bond initiative, a new $15 billion statewide bond measure that was preliminarily estimated to yield $235+ million for LAUSD, failed to receive voter approval during the March 2020 primary elections. Based on the failed passage of this measure and estimates from LAUSD, we know there is a need for additional resources to support our education infrastructure.

There is also significant attention directed towards increasing per pupil funding in the state to achieve better educational outcomes. This is especially important in Los Angeles where there is a high concentration of students with moderate to severe disabilities. The State legislature is currently considering the 2020-2021 state budget and CCA is pleased to be part of a coalition advocating for additional funding for special education. Lack of resources is also felt deeply by ECE providers as so many early education programs are income eligibility-based and rely on a patchwork of sources from state and federal programs. We will continue to partner with LAUSD, ECE advocates and our state legislators to increase funding for students through the state budget and other potential avenues.

Shifting Policies Toward Charter Schools and Impact for DTLA

Charter school policy is at the center of education politics in Los Angeles and across the state. Los Angeles has been at the center of this debate because it has opened more charter schools than any other city in the state.

In October 2019, Governor Newsom signed a charter school policy into law giving charter school authorizers, typically school board districts and county boards of education, more discretion to approve new or existing charter petitions. For the first time, authorizers can now consider a charter school’s financial impact on the school district. It is not yet clear how this legislation will impact charter schools operating in LAUSD. Some believe the law will have little impact citing the clause that so long as charter petitions, for operation and renewal, meet the state requirements, authorizers are still expected to approve the schools. Uncertainty as to how school boards will apply the law has some charter school operators hesitant to open new schools, choosing to prioritize the longevity of their existing schools until implementation of Assembly Bill (AB) 1505 becomes more transparent.

The politics of this issue have impacted a potential elementary school site as part of Angels Landing, a proposed large-scale mixed-use development in DTLA. In an article in CoStar, Fred MacFarlane, a spokesperson for the developer said:

“As part of the pre-design phase of the Angels Landing project, we became concerned that an important element of the proposed project - a K-5 charter school – could be negatively impacted by changing public policy viewpoints... The ongoing debate regarding these education public policy matters has created a source of great uncertainty in regard to a major construction project like Angels Landing.”

As mentioned earlier in this white paper, CCA welcomes all types of schools to DTLA and supports public, charter or private school options.
The challenges of providing ECE and school facilities in dense, vertical, urban environments like DTLA are complex and multi-layered. Therefore, a multi-pronged strategy is needed to both facilitate the location of these facilities in existing buildings and to encourage their consideration and inclusion in new developments – as standalone buildings or in mixed-use developments – as well as the partnerships that will need to be developed in order to spearhead these various efforts. CCA offers the following recommendations:

Locating ECE and Schools in Existing Buildings

DTLA is home to the largest concentration of office square footage in Los Angeles County, as well as a considerable amount of industrial space and new retail space that has been built as part of new mixed-use developments, particularly in fast growing areas like South Park. DTLA can leverage vacancies in these existing commercial spaces to locate early care and education facilities. CCA recommends the following actions to accomplish this goal:

Recommendation #1: Work with DSS and the City of Los Angeles to create a clear and predictable outdoor space waiver process and work towards a program to utilize public space for ECE facilities located in dense urban environments.

DSS regularly grants waivers to ECE facilities with outdoor space less than 75 square feet per child based on scheduling of outdoor playtime, but the agency does not specify this option or the criteria to utilize this option in its regulations or in any materials for ECE providers interested in obtaining a license. Additionally, DSS has granted waivers for providers to use nearby public parks to satisfy their outdoor space requirements if they meet various safety procedure criteria.

Recognizing this, the City of San Francisco has taken several steps to formalize this process and launched a pilot program in January 2019 as a partnership between the Department of Recreation and Parks and DSS to enable ECE providers to use public park space. The Department of Recreation and Parks must issue a permit to the provider before DSS will grant a waiver. The pilot program has strict criteria for qualifying parks including proximity to the ECE facility (no more than half of a mile away), ensuring the area is free from debris and providing access to shade and clean drinking water.

As of December 2019, DSS granted two waivers for outdoor activity space located at San Francisco Recreation and Parks facilities, perhaps due to the high bar Set for park space to qualify. CCA recognizes the need to prioritize young children’s safety and wellbeing. We recommend the City of Los Angeles Recreation and Parks Department and other departments work with DSS to explore similar steps to allow open space requirements to be met more creatively in urban areas by considering the following in conjunction with comprehensive safety and emergency-preparedness protocols:

- Utilizing secured, accessible building amenity decks, rooftops and parking lots
- Evaluating opportunities to partner with the City Recreation and Parks Department to use existing public park space
Expanding Opportunities for Child Care and Schools in DTLA

- Reducing the open space requirement for ECE facilities to 50% of the current 75 square feet per child standard, and establishing clear alternative compliance methods for open space that is less than the 50% threshold
- Providing pathways for indoor-outdoor space to meet compliance

Recommendation #2: Eliminate CUP requirements and eliminate or reduce parking requirements for ECE and school facilities.

CUPs are required for ECE and education facilities in many areas of the city, even for facilities that have successfully operated for years. This creates an arbitrary process that increases costs, risk and uncertainty, and is unnecessarily time-consuming for providers.

As part of its initiative to make it easier for ECE facilities to open, which includes its pilot program with DSS to utilize public park space, the City of San Francisco has also eliminated CUP requirements for ECE in all zoning districts except its heaviest industrial areas. The City of Los Angeles should also no longer require CUPs for ECE and schools in its existing zones, as well as in the DTLA 2040 plan.

Parking requirements are also often unnecessarily onerous for providers, particularly in dense, urban areas like DTLA. The City should remove or reduce parking requirements for ECE and education facilities and allow individual operators to determine the appropriate amount of parking for their site. This is especially appropriate in walkable, transit-rich areas like DTLA, and would be aligned with the City’s policies for relaxing or removing parking requirements for areas near transit such as under the Transit Oriented Communities program. DTLA 2040 will remove parking minimums for the entire Community Plan area, but this issue should also be addressed in the near term before the plan is formally adopted.

Recommendation #3: Enable more flexible land use provisions for industrial areas to encourage adaptive reuse of buildings as schools and ECE facilities.

DTLA’s success is strongly rooted in its history of adaptive reuse. Adaptive reuse of historic office and bank buildings as residences was one of the first major steps to enlivening DTLA and catalyzing the tremendous growth that continues to take place. Additionally, Para Los Niños Elementary School on 7th Street is an adaptively reused historic industrial building located at the intersection of the Arts District and Industrial District.

While office and retail spaces are certainly suitable for use as schools and ECE facilities, code requirements and costs set a high barrier to securing these spaces, as detailed earlier in this white paper. Industrial buildings are good opportunities for schools and ECE since they are generally only one or two stories, and are typically wide, deep and flexible spaces. DTLA’s industrial areas have also largely converted to low-intensity wholesale uses, and are no longer incompatible with uses like housing, ECE and schools.

DTLA’s industrial areas have also become much less job-intensive than they once were. Between 2002 to 2017, manufacturing jobs decreased by 64% while jobs in wholesale trade increased by only 6% in DTLA. ECE and schools could provide a strong source of working- and middle-class jobs to replace manufacturing jobs that have been lost in DTLA, as well as a desirable alternative to uses with low job-intensity like warehouses, logistics facilities, pallet yards and recycling facilities.

The City should provide more flexible land use provisions to encourage the adaptive reuse of industrial buildings as schools and ECE facilities. This may be through an expansion of the existing Adaptive Reuse Ordinance and/or through the DTLA 2040 Community Plan.

Para Los Niños Elementary School on 7th Street is an adaptively reused historic industrial building that has operated in DTLA since 2002.

Image Source: Para Los Niños
**Recommendation #4:** Create a fund to fill gaps in rent for property owners that agree to 30-year leases with ECE or schools that are minority- and women-owned, and that can be used for tenant improvements of existing buildings to accommodate schools.

Subsidized ECE and public elementary schools generally cannot afford commercial market-rate rents in DTLA, and property owners typically shy away from long-term leases preferred by schools. The City is currently evaluating the creation of a program to support “Legacy Businesses” that would grant property owners $4.50 per square foot who sign at least 10-year leases with these qualifying businesses. The City should consider a similar rent subsidy or grant program to support minority- and women-owned ECE or schools seeking space in high-need areas like DTLA, as well as a fund that may contribute to the capital costs of improving and retrofitting existing spaces for education facilities, which could be included in the DTLA 2040 Community Benefits Program.

**Recommendation #5:** Work with the State to explore potential thresholds for the separate egress requirement in mixed-use buildings.

The State requirement for students in K-2nd Grade to have separate egress is premised on the basis that there is a risk of these children being mixed in with older adults in the same building in the case of an emergency. While this safety precaution makes sense, it is sweeping and does not provide leeway where it may be appropriate. For example, a building with one or two residences above a school or ECE facility would not likely pose a significant risk. Similar to efforts to find innovative solutions to locating education facilities in dense, urban parts of San Francisco, the State should consider establishing a threshold of the number of occupants, or another metric, for which buildings may safely share the same egress with ECE or school uses.

**Locating ECE and Schools in New Development**

DTLA will continue to grow rapidly in the decades ahead. There are currently nearly 40,000 units in the development pipeline in DTLA and several major public-private development projects on the horizon, like the Civic Center Master Plan and Angels Landing. The DTLA 2040 Community Plan will also provide for more capacity to grow and will shape new development. The substantial coming changes present an opportunity to strategically position development to include ECE and schools to support and sustain DTLA’s continued growth. CCA recommends the following:

**Recommendation #6:** Encourage the development of new schools and ECE facilities in new development by discounting them from Floor Area Ratio (FAR) calculations under DTLA 2040, regardless of whether it is part of the Community Benefits Program.

The DTLA 2040 plan currently establishes ECE and schools as a Tier 2 community benefit and proposes that these uses will not count toward a project’s FAR. CCA strongly supports this provision, but also believes that projects should utilize this benefit by-right (i.e., without having to use the formal Community Benefits System). This would improve the likelihood that new projects will include schools and ECE if developers decide to not use the Community Benefits System for some projects and would also make schools and ECE facilities more financially feasible as they may be cross-subsidized in mixed-use developments.

**Recommendation #7:** Make ECE and schools a top priority public benefit provision in any development agreements, discretionary approvals, or joint developments that provide public land, such as the Civic Center Master Plan and Angels Landing.

The redevelopment of publicly owned property is one of the most promising opportunities for the inclusion of a school facility, given the degree of control the public sector has over the development program and a given project’s development economics. The City and other government partners engaged in redevelopment projects in DTLA should set the provision of a school as a chief priority. Two prime opportunities are the Civic Center Master Plan, which will be further refined and implemented over the coming years, and Angels Landing, which was originally intended to include a school, but that component is now in jeopardy. The City should work to ensure that the final Angels Landing project includes a school either on site or at a nearby location.

**Strengthening Partnerships and Capacity to Bring More ECE and Educational Facilities to DTLA**

Fundamentally, strong partnerships and leadership will be needed to advance any solutions to bringing more ECE and schools to DTLA. This includes building strong bonds between LAUSD, ECE and elementary education providers, and the DTLA community, including parents, businesses, workers, property owners and the broader real estate industry. CCA recommends:
Recommendation #8: Encourage LAUSD to conduct its own needs assessment to be shared with the community for discussion.

This white paper provides a high-level illustration of the need for more schools and ECE facilities in DTLA. A deeper needs assessment of the number of school seats needed to support DTLA’s residential population now and in the future, including consideration of factors like school location relative to areas where housing and jobs are situated and accessibility, can help inform decision-making. We recommend LAUSD conduct its own needs assessment to be shared with the community for discussion.

Recommendation #9: Urge LAUSD and the City of Los Angeles to strategically utilize their real estate in Downtown to create a DTLA school campus or leverage properties in a land swap for parcels situated closer to housing.

LAUSD and the City of Los Angeles separately own a number of parcels in Downtown, including a collection of adjacent large parcels between Pico Boulevard, San Pedro Street, 16th Street and Maple Avenue in the Fashion District neighborhood, as well as underutilized sites like Metropolitan High School, a continuation high school located in the Arts District. The properties in the Fashion District are currently used for auto-centric uses including parking lots, bus depots and salvage yards as well as some administrative buildings. LAUSD and the City should work together to develop a master plan for these sites either to develop them as a major DTLA school campus or structure an arrangement to swap these parcels with a private landowner for a site in an area with more housing. Any land swap or potential redevelopment of property should also consider the relocation of LAUSD and the City’s existing auto-centric, storage and administrative functions.

Recommendation #10: Establish a task force that can lead key decisions about DTLA’s educational future.

DTLA will need parents, community members and education advocates to organize and lead future ECE and educational efforts. A diverse task force can engage with elected officials, LAUSD and other government partners to champion facilities and guide decisions about programming and the types of educational offerings DTLA needs.

Recommendation #11: Engage with the DTLA real estate community to articulate the demand for schools and ECE and push for these facilities as tenants.

Developers, property owners, brokers and others in the real estate community generally do not have an understanding of how to find and engage with the educational and ECE provider community. The same established market and social infrastructure for sourcing commercial office or retail tenants does not exist for ECE and schools. These groups need to establish a regular dialogue to convey the demand for schools and ECE in DTLA, communicate regarding the needs of these uses as tenants, and create a formalized pipeline to arrange agreements between property owners and providers.

Recommendation #12: Encourage DTLA businesses to provide or sponsor ECE as an employee attraction and retention strategy.

Business sponsored or provided ECE can be a win-win for employers and workers. Businesses can market ECE as a benefit to help attract and retain employees, while workers benefit from having their ECE located on-site or close to their jobs, and often at more affordable rates than other private ECE providers. Patagonia, Clif Bar and Cisco offer different models for incorporating on-site ECE that suit their respective needs. For example, Patagonia fully built out their ECE facilities at their Ventura offices and manages their ECE programs within the company, but Clif Bar and Cisco contract to third-party ECE providers that operate as independent businesses.

Hope Street Friends is a local example located in DTLA’s Financial District. Hope Street friends is an ECE center sponsored by two law firms – O’Melveny & Myers and Munger, Tolles & Olson – and the investment firm Oaktree Capital Management. The companies contract Bright Horizons, a national ECE provider, to operate the center for about 30 young children. The sponsoring employers cite benefits including talent retention, employee loyalty and improved work culture stemming from increased peace of mind that comes from consistent and accessible ECE.

In all of these cases, companies have found on-site ECE to be a worthwhile investment in their workforce. In DTLA, this kind of model can have the added impact of benefitting the continued growth of the DTLA community.
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## Summary of Recommendations and Implementation Roles

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<td>Engage with the DTLA real estate community to articulate the demand for schools and ECE and push for these facilities as tenants.</td>
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### Key for Implementation Table

- CPC – City Planning Commission
- DCP – Department of City Planning
- RAP – Recreation & Parks Department
- EWDD – Economic and Workforce Development Department
- LADBS – LA Department of Building & Safety
- LAFD – LA Fire Department
- DWP – Department of Water and Power
Sources

15. Interview with Chava Danielson, DSH Architecture, October 15, 2019.
19. California Building Code, Special Provisions, Article 452.1.4. https://up.codes/viewer/california/ca-fire-code-2016/chapter/Appendix_Chapter_4_Special_Detailed_Requirements_Based_on_Use_and_Occupancy#Appendix_Chapter_4_Special_Detailed_Requirements_Based_on_Use_and_Occupancy
20. Ibid.
25. Conversations with San Francisco Office of Early Care & Education.