



In less than two months, the City of Los Angeles will be electing its next mayor. AIA Los Angeles is taking this opportunity to leverage the expertise of our members and challenge our mayoral candidates on the critical and city-wide issue of affordable housing production. Brian Lane, FAIA, Principal at Koning Eizenberg, has been building affordable housing for 35 years, testing boundaries, illuminating choke points, and continuing the dialogue to advance affordable housing production. Here is his open letter to the next Mayor of Los Angeles.

Dear Mayor,

It takes about \$600,000 and 5 years to build one affordable housing unit. That's one person or family moved off the streets of over 69,000 experiencing homelessness in LA County right now. Despite the clear and ambitious political vision aimed at tackling this emergency, both of those numbers are only increasing, widening the gap between need and provision. Thankfully, new zoning incentives have caught up to the realization that urban density is key to addressing LA's housing emergency. Locally, housing ordinances like TOC (Transit Oriented Communities), QPSH (Qualified Permanent Supportive Housing), and even the ADU (Accessory Dwelling Unit) ordinance, together with state measures SB1818 (state density bonus) and SB35 (state streamlining) have helped.

A Thousand Ways to "No"

With thousands of pages of codes, ordinances, rules, guidelines, and requirements that circumscribe affordable housing work, the path to "no" is easy. Bureaucracy is in the way of achieving permanent affordable housing adding to costs, slowing production and negatively impacting community benefit. It is an unnecessary burden and can be slimmed. Gains at the front end, like modular construction and other innovations, can be easily swallowed up on the back end by difficulty in getting utility releases, Certificates of Occupancy, and CASp sign offs. Tenant lease up paperwork can be so cumbersome that it can take 3-6 months to fill an affordable building while potential tenants sleep outside in tents! We need to find paths of helpfulness, collaboration, and even leniency. We need more paths and more reasonable paths to "yes!"

10 issues and 10 fixes

These would go a long way to address the key intertwined issues of speed, cost, and community benefit. There are plenty more fixes but these are a good place to start.

1. Simplify the Funding Application Process

Often, six to eight funding sources are needed to cover affordable housing project costs. Every funder comes with its own baggage of forms, rules, design requirements, and compliance hoops filled with often unnecessary or overlapping demands and evolving interpretations. While the dollars are essential, the complex process slows production. Missing a filing deadline or not receiving one of the funding awards can set a project back six to twelve months, while costs escalate. NOFA's (Notice of Funding Availability) which outline requirements for funding

can be up to 400 pages and are constantly evolving. From one funding round to the next, the goalposts move.

FIX - ONE COMMON FUNDING APPLICATION. Establish one standardized base set of funding design guidelines and applications (vetted, in advance, with the development, management, and design community). Unique funding or other specific design requisites for qualifications can be add-ons but should not be contradictory.

2. Create a Community Engagement process that welcomes affordable housing

Once a developer identifies and ties up land, the community process begins. Housing, after all is an opportunity to strengthen neighborhood and it is essential to hear and engage local stakeholders, neighbors, and council people to gain trust and support. This should initiate a consensus building process coupled in the best of circumstances with a ministerial review and approval. However, more often, the process can swing toward discretionary actions that open the process up to louder but singular voices and delays - challenging environmental reviews, and potential litigation which add cost and time can ultimately jeopardize a project. As one of my development colleagues notes, "There's a lot of collaboration in affordable work, and right now everyone gets to weigh in. But being a collaborator doesn't mean everyone should have a controlling say. That's not acting with urgency. Let those most equipped to act responsibly, act. It doesn't mean bowling over neighborhoods we want to be part of but we should not have to ask to build if the laws say we can."

FIX - PLAY FAIR RULES. Continue to expand "by right" zoning and clarify ministerial paths to reduce the delay of discretionary actions and CEQA (California Environmental Quality Act) exposures on affordable housing projects.

3. Eliminate and Update Outdated Zoning Codes

With time, codes naturally become dated. Unfortunately, they often remain and become entangled in a layered web of updates, patches, and new codes. For instance, zoning code definitions for open space in a growing urban condition like Los Angeles have outgrown retro-suburban notions. Eligible open space should include portions of covered outdoor space and smaller increments. As well, there's no credit for vertical landscaping, like vine covered walls. Another outdated code is "Passageways," a 1940's provision intended to prevent slum housing. Modern fire codes now cover the same territory rendering "Passageways" obsolete. Yet it remains part of the code plaguing designs and the planners required to check for compliance. Hundreds of small issues like these add up to a maze of overlapping requirements with no benefit.

FIX - ELIMINATE OUTDATED AND REDUNDANT CODES. If a rule offers little to no benefit - eliminate it - now.

4. Streamline Building Permit Clearances

Once regulatory approval is granted it's on to navigating around 32 City building permit clearances (some multi agency dependent). It's not unusual for this process to take up to a year culminating in the potential loss of funding commitments due to lack of "readiness" (basically a permit in hand) to start construction. It's a nail bitter no one enjoys and often relies on the Council/Mayor's Office to push something through! Extended permitting times add holding and

construction escalation costs which in normal years is about 3-5% but last year rose to over 13%. Forget aggravation and civic inefficiencies, the real pain is that someone or a family is on the street that much longer.

FIX - TARGET REDUCTION IN APPROVAL PROCESS TIME BY 30%. Step 1- Assign a dedicated City staff member to shepherd each project to permit ready status. A type of "concierge" that would get in between and head off City cogs, unnecessary asks or more stringent interpretations by departments resulting in requirements to file "building code modifications" to help get it done. Also create a monitored online dashboard that illuminates all actions, stalls, and accountability for clearances.

5. Labor Unions can help too

Publicly funded affordable housing construction requires prevailing wage rates which makes sense given the public funding. Federally it's known as "Davis Bacon." At the state level, there are two tiers based on how many stories you build. Four stories or less incur "Prevailing Wage" a 20% premium on labor costs. But the real rub comes in the bump for projects over 4 stories high that incur "Commercial Prevailing Wage" adding an additional 15% premium. This double premium is a heavy cost for higher buildings, the primary way to take advantage of new zoning incentives designed to encourage more affordable units. Many affordable housing developers leave this added density on the table because they can't afford the "Commercial Prevailing Wage" upcharge.

FIX - RAISE THE "COMMERCIAL PREVAILING WAGE" THRESHOLD TO 8 STORIES. The solution seems simple, raise the threshold to match the limit for conventional concrete podium with wood construction.

6. Rationalize Accessibility Design Tolerances

Something nearly every Developer, Contractor, and Architect laments is the added complexity brought about by the City of LA's Americans with Disabilities Act settlement, which kicked in ever evolving and more rigorous CASp (independent Certified Access Specialist) interpretations which all too rarely match the tolerances achievable in construction. One affordable developer routinely adds \$500,000 and 6 months to achieve this exacting level of work at the tail end of a project. Some developers are steering away from City towards County sites to avoid this complication, another requirement that market rate development does not face.

FIX - MAKE ACCESSIBILITY MORE EASILY ACHIEVABLE. Simply implementing a ¼" dimensional tolerance rather than jewel box precision requirements would create a quicker path to occupancy and reduce the padding on subcontractor bids due to overly exacting levels of precision. Every six months the City should publish "issues from the field" to keep designers informed of recent interpretations or issues.

7. Allow for speedy Electrical Transformer Service Certification

LA's Department of Water and Power (DWP) requires unnecessary specificity up front to establish a building's electrical service which exceeds the information available at early project stages. It's a classic chicken and egg conundrum. Confident assumptions are difficult to make but are nevertheless required to advance these applications. Definitive electrical provisions come after some 4-6 months of DWP review. Simultaneously pursuing project funding and

finalizing DWP service requirements can necessitate consequential design changes such as the loss of units, parking stalls or open space. A project program that no longer matches the application can jeopardize the entire project.

FIX - ESTABLISH CERTIFIABLE AND MORE ADAPTABLE TRANSFORMER SERVICE FORMATS. Pre certified formats would save time and be doubly effective if they were crafted to suit the contemporary urban setting. Allowing infill developments, for example, to locate transformers in alleys and underground with clearances that accommodate forklifts (not giant cranes and large staging areas) to place equipment would allow for more developable area, landscape, and density.

8. Share infrastructure costs fairly.

As we move sustainably towards more density, more EV charging, and all-electric projects, the demand for power climbs and the need for electrical infrastructure grows. DWP Line Extensions, which bring power to building sites, can exceed \$500K and sometimes torpedo projects. DWP needs capital improvement funding sources that do not specifically tax housing, especially affordable housing which benefits the whole city.

FIX - AMORTIZE NEIGHBORHOOD INFRASTRUCTURE COSTS. The good news is the DWP is currently studying subsidizing line extensions under what they call "first person in fairness." Amortizing infrastructure improvements over future project utility revenue seems reasonable, support it if you get the chance.

9. Optimize Rooftop Real Estate

Increasingly efficient PV panels reduce power needs, but they are space greedy. The fight for rooftop real estate pits fire department access and OSHA (Occupational Safety and Health Administration) clearances against mechanical equipment areas and amenity open spaces, all while roof area decreases with increased density and height. All agencies and codes that dictate how roofs are used need to work together to optimize these areas and continue to lower a building's dependence on "the grid."

FIX - REDUCE CLEARANCES ON UNOCCUPIED ROOFS (those accessed by firefighters and mechanics). Allow safe and reasonable access but at the same time, maximize areas for renewable energy photovoltaics and amenity open spaces.

10. We need to plant more trees

People like them, and the planet needs them. They are a pleasant part of sidewalks. Yet every project we work on seems to have a protracted process of determining where they can be placed to dodge other objects in the public way. Half of what we (and our landscape architects) think is reasonable doesn't end up working. There is literally so much urban junk (light poles, utilities, parking meters, driveways, etc) in the public way that it precludes the tree-lined avenues communities want and City Planners endorse. All the while making the planet warmer due to heat islands especially in underserved communities like Skid Row, notoriously lacking green space and trees. It's one part of righting environmental justice.

FIX - MAKE ROOM FOR TREES. Tighten allowable street tree spacing from 30' to 20' and allow trees with the right properties (height, canopy width, etc) to reduce clearances to other elements in sidewalks.

Let's get started

“Housing for all” is a shared vision. The responsibility to effectively and efficiently realize this vision also needs to be shared. We need government and its agencies to get out of the weeds. We need communities to welcome affordable housing development. And we need citizens to champion and vote their support. AND we need leadership, we need a mayor that can rally City forces, and give voice to the need for sustainable and enduring affordable housing by managing and motivating staff to work together, to make change. Many city staff are already eager to effect such change.

I am inspired by the persistence of a growing group of colleagues, fearless development clients, and our partners at public agencies producing beautiful examples of innovative affordable housing across the City - each testing some boundary to push forward new solutions with urgency. **We must codify the successes and continue the dialogue to solve the problems. Imagine what we could do if the effort spent on navigating a bloated system was focused instead on the production itself.** Every ride around the City shows this is an emergency as well as an opportunity for design and social programs to improve lives and neighborhoods.

Hang in there!

Brian Lane



Brian Lane, FAIA, LEED AP, has overseen many of the Koning Eizenberg's award-winning community buildings and housing projects. His experience spans a range of project types for governmental, commercial, non-profit and private clients, garnering many awards, including the 28th Street Apartments in South Los Angeles, which received a 2015 National AIA Honor Award. His visualization and graphics skills, combined with his planning knowledge, have enabled numerous cities and agencies to evaluate planning and urban design strategies. He has contributed to the dialogue on emerging ordinances that aid housing production in Los Angeles and is frequently called upon to share his expertise. In 2021, Brian was elevated to the College of Fellows of the American Institute of Architects for design work that propels social benefit and accelerates affordable housing production, while raising the benchmark for neighborhood buildings.