

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF HOUSING POLICY DEVELOPMENT**

651 Bannan Street, Suite 400
Sacramento, CA 95811
(916) 263-2911 / FAX (916) 263-7453
www.hcd.ca.gov



September 4, 2025

Jane Choi, Principal City Planner, Central Project Planning
Los Angeles City Planning
200 North Spring Street, Room 621
Los Angeles, CA 90012

Dear Jane Choi:

**RE: City of Los Angeles – 338-358 Douglas Street, State Density Bonus Law –
Letter of Technical Assistance**

The California Department of Housing and Community Development (HCD) understands that the City of Los Angeles (City) is reviewing a proposed 373-unit 100 percent affordable State Density Bonus Law (SDBL) and Executive Directive 1 (ED 1) project located at 338-358 Douglas Street (Project). HCD received a request for technical assistance from the applicant (Applicant) seeking clarification about incentive requests under the SDBL. This letter explains why an eligible incentive request to reduce 100 percent of the required open space does not require a separate incentive or concession to reduce the Project's common open space, or any other open space standard that is "nested" under the overall open space requirement.

The Project is located in the City's Central City West Specific Plan (Specific Plan) and would include 373 dwelling units, made up of 25 studio units, 295 one-bedroom units, and 53 two-bedroom units. HCD understands that the Los Angeles Municipal Code (LAMC) (Section 12.21 G) provides a total usable open space requirement, and a common open space requirement as a subset of the overall calculation of the larger open space requirement. As applied to the Project, the LAMC on its own would require 38,625 square feet of total open space inclusive of 19,312 square feet of common open space. In addition, the Specific Plan establishes its own common open space standard: "[a] minimum of 100 square feet per unit, as provided in Section 12.21 G of the LAMC¹. As applied to the Project, this equates to 37,300 square feet. Because the Specific Plan's common open space requirement is greater than that of LAMC (37,300 square feet compared to 19,312 square feet), pursuant to the Specific Plan, the "Specific Plan ***shall prevail and supersede the applicable provisions of that Code [the LAMC]***². (Emphasis added).

¹ Los Angeles Central City West Specific Plan, Page 68, Section C. 1.

² Los Angeles Central City West Specific Plan, Page 5, Section 3 B. "wherever this Specific Plan contains provisions... or other greater restrictions or limitations on development... than would be allowed or required pursuant to the provisions contained in Chapter 1 of the LAMC, the Specific Plan shall prevail and supersede the applicable provisions of that Code."

In other words, the Specific Plan common open space standard replaces the common open space standard in the LAMC.

The Applicant has requested an incentive to reduce 100 percent of the LAMC open space requirement. HCD understands that although the City has not disputed the Applicant's eligibility for that incentive, the City directed the Applicant to request a separate incentive in order to reduce 100 percent of the Specific Plan's common open space requirement. HCD understands that the City's rationale for requiring the additional incentive is that the LAMC and Specific Plan represent two distinct regulations with different requirements, and two separate incentives would be required to reduce both requirements.

Therefore, the relevant question is as follows: **When an applicant requests an eligible incentive or concession for a 100 percent reduction or removal of a development standard, is the applicant required to request an additional incentive or concession for every subsequent development standard that is "nested" under the main development standard?**

No. Under SDBL, a project that meets the eligibility criteria is entitled to one or more density bonuses, incentives or concessions, waivers or reduction of development standards, and parking.³ HCD understands the Applicant has made an eligible incentive request to reduce the total open space by 100 percent. Given that the Applicant's incentive would effectively remove all required open space from the Project, it would be illogical to require the Applicant to request an additional incentive for the LAMC open space development standard that no longer applies to the project. The fact that the LAMC and Specific Plan open space standards are from separate regulatory documents is not relevant, because together they comprise the Project's open space requirements.

In sum, an eligible SDBL incentive for a 100 percent reduction of the open space required by the LAMC would not require a second incentive request for relief from the Specific Plan common open space requirement. HCD encourages the City to process the development application accordingly and remains committed to supporting the City in achieving housing objectives across all income categories. If you have any questions or needed additional information, please contact Gabriel A. Pena-Lora at gabriel.pena-lora@hcd.ca.gov.

Sincerely,



Melinda Coy
Housing Accountability Unit Chief

³ Gov. Code, § 65915, subd. (b).