

# Pritzker Briefs

PRITZKER ENVIRONMENTAL LAW AND POLICY BRIEFS

## Increasing Access to Green Space and Affordable Housing in Los Angeles through Joint Development Projects

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### Executive Summary

Los Angeles is known for its beautiful beaches and near-perfect weather, which enable many Angelenos to enjoy time outside year-round. But millions of predominantly low-income people of color live in communities that do not have sufficient green space to meet community needs. Throughout the City and County of Los Angeles, park access varies greatly. Low- and very low-income areas and neighborhoods with large Latinx, Black, and Asian-Pacific Islander populations have far fewer parks and significantly lower access to park resources than predominantly White neighborhoods.<sup>2</sup> And the parks in these communities tend to be poorly maintained and low-quality, lacking basic amenities, such as water fountains.<sup>3</sup> Most park-poor communities are also disproportionately impacted by pollution and other forms of inequity. For example, 78% of residents in Huntington Park experience very high park need,<sup>4</sup> and Huntington Park also has high levels of air pollution from goods movement and industrial activities, as well as numerous brownfields.<sup>5</sup> Los Angeles's inequitable distribution of parks and pollution is not a coincidence, but rather the outcome of systemic racism and redlining dating back to the early 1900s.<sup>6</sup> A 1904 City of L.A. zoning code rule prohibited the development of industrial activities in West L.A., while permitting commercial and industrial activities, as well as higher density housing, in low-income communities of color in South and East L.A.<sup>7</sup> Park development was also concentrated in more affluent areas,<sup>8</sup> and many of these patterns continue today.

- 1 Beth Kent is an Emmett/Frankel Fellow in Environmental Law and Policy at the Emmett Institute on Climate Change and the Environment at UCLA School of Law.
- 2 Jennifer Wolch, John Wilson & Jed Fehrenbach, *Parks and Park Funding in Los Angeles: An Equity Mapping Analysis* (2002), [https://lusk.usc.edu/sites/default/files/working\\_papers/Wolch.parks\\_.pdf](https://lusk.usc.edu/sites/default/files/working_papers/Wolch.parks_.pdf).
- 3 Leo Duran, *One Way to Address LA's Racial Inequality? Build More Parks in Communities of Color* (2020), <https://laist.com/news/los-angeles-racial-inequality-parks-communities-of-color>; see Los Angeles Countywide Comprehensive Park and Recreation Needs Assessment (2016), available at <https://lacountyparkneeds.org/pna-home/>.
- 4 City of Huntington Park: Study Area Profile, [https://lacountyparkneeds.org/wp-content/root/FinalReportAppendixA/StudyArea\\_072.pdf](https://lacountyparkneeds.org/wp-content/root/FinalReportAppendixA/StudyArea_072.pdf).
- 5 Communities For A Better Environment, *Huntington Park Lives With Pollution*, Communities For A Better Environment, <https://www.cbecal.org/organizing/southern-california/huntington-park/>.
- 6 Manal J. Aboelata, *Policy Brief: Healing LA Neighborhoods*, <https://www.preventioninstitute.org/sites/default/files/publications/Healing%20Los%20Angeles%20Neighborhoods%20Policy%20Brief%20February%202019%20%28002%29.pdf>.
- 7 Los Angeles City Planning, *New Code*, <https://planning.lacity.org/zoning/new-code#:~:text=1904,into%20industrial%20%20and%20residential%20districts>.
- 8 Wolch, *supra* note 2.

*While park inequity, housing insecurity, homelessness, and urban heat are all distinct problems, they are connected, and addressing them requires determining how to use one of Los Angeles's most scarce and valuable resources: land.*

Green space provides aesthetic benefits and recreational opportunities, serves ecological functions, and is correlated with positive health outcomes. Residents of communities that lack green space have lower life expectancies and higher rates of obesity, diabetes, and heart disease.<sup>9</sup> The public health and environmental benefits of urban green spaces in Los Angeles become more critical each year. As the impacts of climate change intensify, urban neighborhoods that lack green space experience higher temperatures, making it uncomfortable and even dangerous for people to spend time outside during peak sun hours.<sup>10</sup> This is largely due to the urban heat island effect: asphalt, pavement, and hard surfaces absorb sunlight and increase surface temperatures in urban areas.<sup>11</sup> Conversely, grass and vegetation release moisture and deflect the sun's radiation, and trees provide shade—all of which help mitigate the urban heat island effect, keeping neighborhoods cool and community members safe.<sup>12</sup>

Efforts to improve park equity in Los Angeles emphasize building new parks in low-income communities of color and improving access to larger open spaces, such as beaches and the Santa Monica Mountains. However, new park development can increase property values, which can contribute to the displacement of low-income residents who live near the new park site.<sup>13</sup> This unintended consequence is called “green gentrification.”<sup>14</sup> Many factors, such as new transit, market-rate housing, and commercial developments, contribute to rising property values, and in turn gentrification and displacement. Given Los Angeles's shortage of affordable housing and the more than 69,000 Angelenos experiencing homelessness, it is critical that new park developments do not exacerbate or contribute to displacement.<sup>15</sup>

While park inequity, housing insecurity, homelessness, and urban heat are all distinct problems, they are connected, and addressing them requires determining how to use one of Los Angeles's most scarce and valuable resources: land. Given Los Angeles's competitive and lucrative real estate market, private and nonprofit developers and government agencies have begun to undertake multi-benefit projects that use land and resources efficiently. For example, Los Angeles's Transit-Oriented Communities (TOC) Program supports multi-benefit projects that combine affordable housing developments and infrastructure with access to public transit stops.

Building on the TOC Program, nonprofit organizations throughout Los Angeles are piloting community-driven joint development projects that combine parks and affordable housing to create access to green space without displacing vulnerable communities. Joint development

- 9 Kathleen L. Wolf, *The Health Benefits of Small Parks and Greenspaces*, Parks & Recreation Mag. (Apr. 3, 2017), available at <https://www.nrpa.org/parks-recreation-magazine/2017/april/the-health-benefits-of-small-parks-and-green-spaces/>; Jon Christensen et al., *California State Parks: A Valuable Resource for Youth Health*, UCLA Inst. of the Env't & Sustainability, at 4, <https://www.ioes.ucla.edu/wp-content/uploads/UCLA-report-on-California-State-Parks-and-Youth-Health.pdf> (last visited August 15, 2022).
- 10 Clare Heaviside et al., *The Urban Heat Island: Implications for Health in a Changing Environment*, 4 CURRENT ENVTL. HEALTH REP. 296, 298, 300-302 (2017), <https://pubmed.ncbi.nlm.nih.gov/28695487/>; Scott A. Lowe, An energy and mortality impact assessment of the urban heat island in the US, 56 ENVTL. IMPACT ASSESSMENT REV. 139, 141-143 (2016) <https://reader.elsevier.com/reader/sd/pii/S0195925515001043?token=16DC4350673A050C891B1A47ED1456149EDDADF41397B81855269235D9365AFACD3D44137D8F5602717FF0EE9C56BEA&originRegion=us-east-1&originCreation=20210331212741>.
- 11 U.S. ENVTL. PROTECTION AGENCY, HEAT ISLAND EFFECT (last visited August 15, 2022), <https://www.epa.gov/heatislands>.
- 12 *What DPH is Doing*, County of L.A. Pub. Health, Climate Change and Sustainability: Stay Healthy in the Heat (last visited June 23, 2021), [http://publichealth.lacounty.gov/eh/climatechange/ExtremeHeatDPH.htm#:~:text=The%20urban%20heat%20island%20effect,the%20urban%20heat%20island%20effect;Reduce+Heat+Island+Effect,Megan+Lewis,From+Recreation+to+Re-Creation%3A+New+Directions+in+Parks+and+Open+Space+Planning.551+Planning+Advisory+Service+Report,American+Planning+Association+\(2008\).](http://publichealth.lacounty.gov/eh/climatechange/ExtremeHeatDPH.htm#:~:text=The%20urban%20heat%20island%20effect,the%20urban%20heat%20island%20effect;Reduce+Heat+Island+Effect,Megan+Lewis,From+Recreation+to+Re-Creation%3A+New+Directions+in+Parks+and+Open+Space+Planning.551+Planning+Advisory+Service+Report,American+Planning+Association+(2008).)
- 13 Alessandro Rigolon & Jon Christensen, *Greening without Gentrification: Learning from Parks-Related Anti-Displacement Strategies Nationwide*, in GREENING WITHOUT GENTRIFICATION 1, 1-2 (2000) <https://www.ioes.ucla.edu/wp-content/uploads/Parks-Related-Anti-Displacement-Strategies-report-with-appendix.pdf>.
- 14 *Id.*
- 15 LAHSA Releases 2022 Greater Los Angeles Homeless Count Results, L.A. Homeless Servs. Authority, <https://www.lahsa.org/news?article=895-lahsa-releases-2022-great-los-angeles-homeless-count-results-released>.

projects co-locate affordable housing and public green space on a single site or on adjacent or scattered sites in a neighborhood. These projects have the potential to address park poverty and housing insecurity concurrently, while maximizing resources and preventing displacement of low-income communities of color. Community vision is at the center of these projects, and residents are engaged throughout the process to ensure their needs are met. On a larger scale, joint development in the context of redevelopment and revitalization projects, such as the L.A. River Revitalization Master Plan, has the potential to significantly transform communities along the River, many of which lack access to green space. Joint development projects support public health, social justice, and environmental goals by producing benefits associated with both green space and affordable housing projects. Creating a more livable Los Angeles—one where all Angelenos have access to a healthy environment, high-quality green spaces, and secure, affordable housing—requires innovation and collaboration, and joint development of parks and affordable housing is one strategy to achieve this.

This paper provides an overview of the joint development landscape in Los Angeles, focusing on how to create efficient and successful partnerships among the entities that build and maintain parks and affordable housing developments. After describing the barriers to building parks and affordable housing, the paper describes the key entities involved in these types of development projects, as well as each entity's funding sources, major programs, strengths, and constraints.

The paper's recommendations include:

- Updating government approval processes and systems to support joint development projects, including streamlining and updating public grant funding application processes to prioritize multi-benefit and joint development projects;
- Increasing funding for parks and affordable housing joint development projects through traditional and novel approaches;
- Creating and acquiring new sites for joint development projects by utilizing the California Surplus Land Act and incentivizing the inclusion of green space in new housing development projects;
- Facilitating meaningful community engagement and improving coordination among stakeholders by harnessing the expertise of nonprofit advocates and community members; and
- Creating sustainable, long-term sources of funding for park operations and maintenance.

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## List of Abbreviations

ADA	Americans with Disabilities Act of 1990
AHSC	Affordable Housing and Sustainable Communities
CNRA	California Natural Resources Agency
DOI	Department of the Interior
DPR	Los Angeles County Department of Parks and Recreation
GGRF	Greenhouse Gas Reduction Fund
GHG	Greenhouse Gas
HACLA	Housing Authority of the City of Los Angeles
HCD	Department of Housing and Community Development
HOME	HOME Investment Partnerships Program
HUD	Department of Housing and Urban Development
L.A.	Los Angeles
LACDA	Los Angeles County Development Authority
LAHD	Los Angeles Housing Department
LAHSA	Los Angeles Homeless Services Authority
LAUSD	Los Angeles Unified School District
LA ROSAH	Los Angeles Regional Open Space and Affordable Housing Collaborative
LIHTC	Low-Income Housing Tax Credit
LWCF	Land and Water Conservation Fund
O&M	Operations and Maintenance (for parks)
RAP	Department of Recreation and Parks
RFP	Request for Proposal
RPOSD	Regional Parks and Open Space District
SB	Senate Bill
SGC	Strategic Growth Council
SMA	Subdivision Map Act
TCC	Transformative Climate Communities
TOC	Transit-Oriented Communities



## Introduction

*Compared to other major U.S. cities, the City of Los Angeles ranks 78th out of 100 in terms of park access, acreage, amenities, investments, and equitable distribution.*

Compared to other major U.S. cities, the City of Los Angeles ranks 78th out of 100 in terms of park access, acreage, amenities, investments, and equitable distribution.<sup>16</sup> More than 1.4 million city residents do not live within a 10-minute walk to a park.<sup>17</sup> Park inequities extend throughout Los Angeles County; approximately 50% of residents (nearly five million people) live in neighborhoods with high or very high park need, meaning these neighborhoods have less than 1.6 acres and 0.7 acres of park space per 1,000 residents, respectively.<sup>18</sup> Public green spaces provide the only outdoor spaces and recreation opportunities for many residents of Los Angeles's urban neighborhoods, especially low-income residents and apartment dwellers. In addition to providing social and recreational opportunities, park access is correlated with better physical and mental health outcomes. Communities that lack access to green space have higher rates of obesity, type II diabetes, cardiovascular disease, and stress.<sup>19</sup>

The City and County are also struggling to provide stable affordable housing for individuals and families who have lost, or are on the brink of losing, housing. The Los Angeles Homeless Services Authority's (LAHSA) "2020 Greater Los Angeles Homeless Count," which was conducted in January 2020, found 66,436 people were unhoused in the County (a 12.7% increase from 2019), 41,290 of whom reside in the City of Los Angeles (a 16.1% increase).<sup>20</sup> Both the City and the County saw substantial increases in the number of unhoused individuals in 2020, despite successes sheltering and rehousing over 53,000 individuals and efforts to build new affordable and supportive housing.<sup>21</sup> The City and County did not conduct a Homeless Count in 2021 because of the COVID-19 pandemic, but given economic strain caused by the pandemic, it is likely the number of unhoused people has increased.<sup>22</sup> While there are many reasons why Los Angeles is seeing an increase in its unhoused population, high home prices and rents and the lack of affordable and low-to-moderate income housing are certainly major factors. Housing is one of the primary social determinants of health, and safe and secure housing is critical for physical, mental, and economic well-being.<sup>23</sup>

The Los Angeles metropolitan area is also grappling with the impacts of climate change and working to cope with these impacts as they intensify. Land use-planning strategies, such as efforts to increase urban greening, are integral to helping Los Angeles mitigate and adapt to climate change. New park development can help mitigate the urban heat island effect—caused when asphalt and other hard surfaces absorb sunlight, raising temperatures—which makes many of Los Angeles's densely-populated urban areas dangerously hot for children, the elderly, and unhoused people when the weather is warm.<sup>24</sup>

16 Trust For Public Land, *Los Angeles*, CA, <https://www.tpl.org/city/los-angeles-california>.

17 *Id.*; see also, U.S. Census Bureau, *QuickFacts: Los Angeles City, California*, <https://www.census.gov/quickfacts/losangelescitycalifornia>.

18 L.A. County Dep't of Parks & Recreation, *Executive Summary of the Los Angeles Countywide Comprehensive Parks & Recreation Needs Assessment 5*, <https://lacountyparkneeds.org/wp-content/uploads/2016/05/Executive-Summary.pdf> (demonstrating high need areas have less than 1.6 acres of park space per 1,000 residents and very high need areas have less than 0.7 acres of park space, as compared to the County's median of 3.3 acres per 1,000 people).

19 Ctrs. for Disease Control & Prevention, *Benefits of Physical Activity*, [https://www.cdc.gov/physicalactivity/basics/pa-health/index.htm?CDC\\_AA\\_refVal=https%3A%2F%2Fwww.cdc.gov%2Fphysicalactivity%2Feveryone%2Fhealth%2Findex.html#reducing-disease](https://www.cdc.gov/physicalactivity/basics/pa-health/index.htm?CDC_AA_refVal=https%3A%2F%2Fwww.cdc.gov%2Fphysicalactivity%2Feveryone%2Fhealth%2Findex.html#reducing-disease); Jennifer Wolch, et al., *Childhood obesity and proximity to urban parks and recreational resources: a longitudinal cohort study*, 17(1) *Health & PLACE* 207-14 (2011) (discussing a 10-year study of over 3,000 children in southern California that showed growing up in close proximity to parks or recreational facilities strongly correlated with lower obesity rates for 18-year-olds, than those who did not); see also L.A. County Dep't of Pub. Health, *Parks and Public Health in Los Angeles County: A Cities and Communities Report 3*, [http://publichealth.lacounty.gov/chronic/docs/Parks%20Report%202016-rev\\_051816.pdf](http://publichealth.lacounty.gov/chronic/docs/Parks%20Report%202016-rev_051816.pdf).

20 L.A. Homeless Servs. Authority, *supra* note 15.

21 *Id.*

22 LAHSA released the 2022 Homeless Count results in September 2022, stating an estimated 69,144 people are experiencing homelessness in LA County and 41,980 people are experiencing homelessness in the City of LA. LAHSA, *LAHSA Releases 2022 Greater Los Angeles Homeless Count Results*, <https://www.lahsa.org/news?article=895-lahsa-releases-2022-great-los-angeles-homeless-count-results-released>.

23 Diana Hernandez & Shakira Suglia, *Housing as a Social Determinant of Health* (2016) <https://healthequity.globalpolicysolutions.org/wp-content/uploads/2016/12/Housing2.pdf>; Ctrs. for Disease Control & Prevention, *About Social Determinants of Health (SDOH)*, <https://www.cdc.gov/socialdeterminants/about.html>.

24 Heavise, *supra* note 10, at 300-302.

Green space reflects and disperses heat, which cools surface temperatures.<sup>25</sup> Trees provide shade, while absorbing carbon dioxide, which can help reduce greenhouse gas (GHG) concentrations.

New parks and affordable housing developments are critical for ensuring environmental, economic, health, and racial equity. Park and affordable housing needs largely overlap in low-income communities of color that are negatively impacted by historic and continuing underinvestment, as well as systemic inequality. In light of the various challenges Los Angeles is facing, elected officials and advocates have sought solutions that can address these challenges concurrently and maximize social benefits, while minimizing displacement and other negative impacts that are commonly associated with development projects. Joint development of parks and affordable housing is one promising solution.

## What is Joint Development of Parks and Affordable Housing?

*While joint development projects can take many forms, the central components include building new (or preserving existing) affordable housing and creating new (or rehabilitating existing) open spaces in low-income communities of color without displacing residents.*

Joint development of parks and affordable housing combines public green space and low-income or public housing on a single site, or on different sites in the same area, to simultaneously address park poverty, housing insecurity, and climate change-related urban heat impacts. Project sizes can range from small (e.g., a single parcel of land with an affordable apartment building and a small parklet/pocket park) to very large (e.g., a multi-acre development along the L.A. River with a large regional park and a multi-building affordable housing development). While joint development projects can take many forms, the central components include building new (or preserving existing) affordable housing and creating new (or rehabilitating existing) open spaces in low-income communities of color without displacing residents. Parks and affordable housing joint development is similar in concept to the City of Los Angeles's Transit-Oriented Communities (TOC) Program, which focuses on building affordable housing near public transit to reduce GHG emissions and increase affordable housing stocks. As part of the program, L.A. Metro adopted a "35% target for affordable housing development on agency-owned land, created a land-discounting policy for those new housing units, and introduced a loan program—Metro Affordable Transit Connected Housing (MATCH)"—to support transit-oriented development on privately owned land near transit sites.<sup>26</sup> Since the TOC Program launched in 2017, it has been one of the City's strongest drivers of affordable housing production.<sup>27</sup>

Nonprofit and community-based organizations have played a key role in advocating for joint development. Since 2016, the Los Angeles Regional Open Space and Affordable Housing Collaborative (LA ROSAH) has been working to advance joint development projects and educate stakeholders and decision makers about the benefits of joint development.<sup>28</sup> LA ROSAH coined the phrase "joint development of parks and affordable housing," and its members include park, housing, environmental, and social justice nonprofit organizations, as well as California's San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy.<sup>29</sup> LA ROSAH created five joint development typologies: 1) Infill Development and On-site Greening; 2) Infill Development and Off-site Greening; 3) Large Master-Planned Infill Redevelopment; 4) Neighborhood Transformation Scattered Site Approach; and 5) Transformative Infrastructure with Affordable Housing and Anti-Displacement Strategy.<sup>30</sup>

25 U.S. Evtl. Protection Agency, *supra* note 11; see also County of L.A. Pub. Health, *supra* note 12.

26 Thomas Yee, Sissy Trinh & Natalie Zappella, *Pathway To Parks & Affordable Housing Joint Development*, at 11 [https://d3n8a8pro7vnm.cloudfront.net/lathrives/pages/172/attachments/original/1541797472/Pathway\\_to\\_Parks\\_and\\_Affordable\\_Housing.pdf?1541797472](https://d3n8a8pro7vnm.cloudfront.net/lathrives/pages/172/attachments/original/1541797472/Pathway_to_Parks_and_Affordable_Housing.pdf?1541797472).

27 Julia Stein, *Learning Lessons From Los Angeles's TOC Program*, Legal Planet (Nov. 20, 2019), <https://legal-planet.org/2019/11/20/learning-lessons-from-los-angeless-toc-program/>; Los Angeles City Planning, *Transit Oriented Communities Incentive Program*, <https://planning.lacity.org/plans-policies/transit-oriented-communities-incentive-program>.

28 LA ROSAH, *About*, <https://larosah.org/>; Yee *et al*, *supra* note 26 at iv.

29 LA ROSAH, *Coalition Members*, <https://larosah.org/about/coalition-members>.

30 Yee *et al*, *supra* note 26 at ii-iii.

LA ROSAH Joint Development Typologies<sup>31</sup>

TYPOLOGY	DESCRIPTION	EXAMPLES
<b>Infill Development and On-site Greening</b>	Combines housing and green space on an urban infill site (<1 acre to 7 acres).	Clifford Beers Housing's Isla Intersections <sup>32</sup> Metamorphosis on Foothill <sup>33</sup>
<b>Infill Development and Off-site Greening</b>	Combines a housing development on one site with open space or green infrastructure on adjacent infill sites (e.g., public rights-of-way, alleys, or utility corridors).  Transforms unused or underutilized public space into green space.	7 <sup>th</sup> + Witmer <sup>34</sup>  Whittier & Downey <sup>35</sup>
<b>Large Master-Planned Infill Redevelopment</b>	Involves redesigning a single site consisting of seven or more acres that is owned by a single entity; most feasible in the context of public housing redevelopment.	Jordan Downs Redevelopment <sup>36</sup>
<b>Neighborhood Transformation Scattered Site Approach</b>	Coordinates development of multiple parcels by sharing infrastructure, thematic or programmatic elements, and funding.  Beneficial in a dense or developed area that lacks one large vacant site but has several unused or underutilized parcels that could provide housing or open space.	Sustainable Little Tokyo <sup>37</sup>  Watts Re:Imagined <sup>38</sup>
<b>Transformative Infrastructure with Affordable Housing and Anti-Displacement Strategy</b>	Ensures new infrastructure or green space projects include affordable housing and displacement avoidance strategies (e.g., value capture, tenant protections, and affordable housing preservation).	Los Angeles River Revitalization <sup>39</sup>

31 Yee *et al*, *supra* note 26 at ii-iii; Ramya Sivasubramanian, *Create Parks & Affordable Homes, Avoid Green Gentrification*, NRDC: Expert Blog (Feb. 27, 2019) <https://www.nrdc.org/experts/ramya-sivasubramanian/tackle-green-gentrification-parks-and-affordable-housing>.

32 Clifford Beers, *Isla Intersections*, <https://cbhousing.org/communities/isla-intersections/>.

33 Holos Communities, *Metamorphosis on Foothill*, <https://cbhousing.org/communities/metamorphosis-on-foothill/>.

34 Steven Sharp, *Rendering vs. Reality: 7th & Witmer Supportive Housing*, Urbanize Los Angeles (Oct. 10, 2019), <https://urbanize.city/la/post/rendering-vs-reality-7th-witmer-supportive-housing>.

35 Meta Housing Corp., *Whittier & Downey*, <https://www.methousing.com/location/whittier-downey-nw/>.

36 Bridge Housing, *Cedar Grove at Jordan Downs*, <https://bridgehousing.com/properties/cedar-grove/>.

37 Sustainable Little Tokyo, *About*, <http://sustainablelittletokyo.org/about>.

38 KDI, *Watts Re:Imagined*, [https://www.kounkuey.org/projects/watts\\_reimagined](https://www.kounkuey.org/projects/watts_reimagined).

39 City of Los Angeles, *Los Angeles River Revitalization*, <https://lariver.org/>.

## Benefits of Joint Development

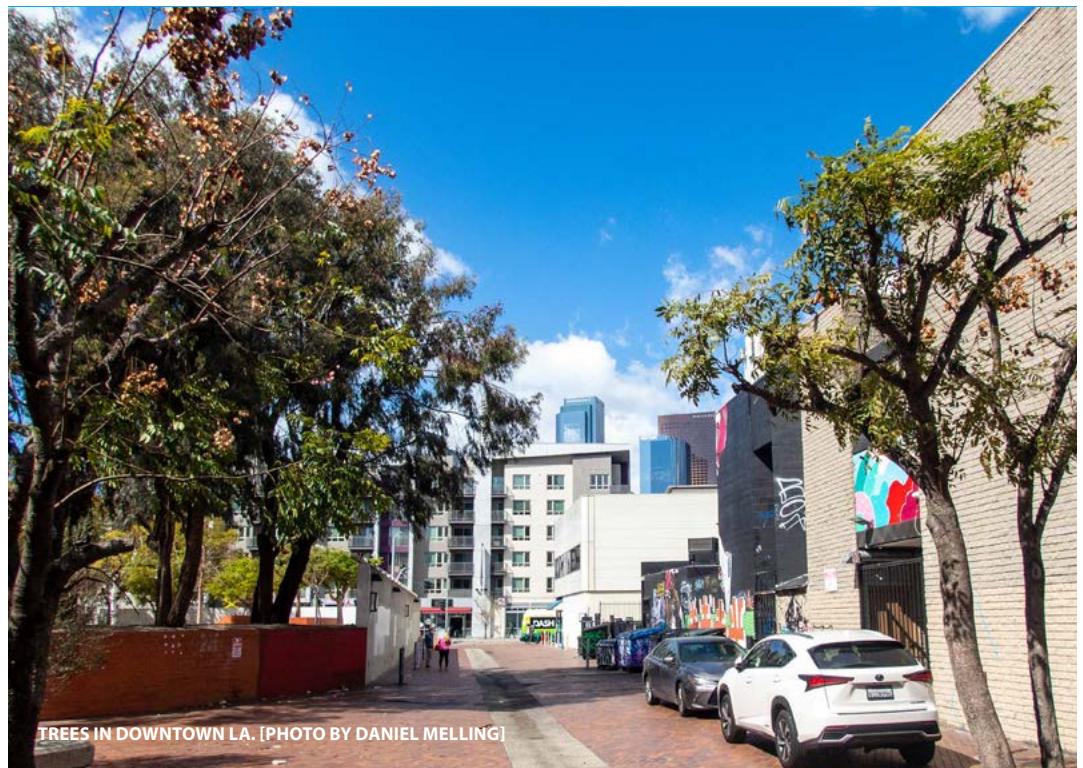
Joint development provides a host of benefits. In addition to building and preserving affordable housing and creating and protecting access to green space, joint development projects can maximize resource efficiency and generate revenue for long-term project operations and maintenance via ground leases.

By combining parks and affordable housing efforts, joint development projects can be an efficient use of scarce resources, including land and funding for new parks and affordable housing development. While sites in Los Angeles are generally limited and expensive, there are properties, including government-owned parcels, that are underdeveloped. Co-locating parks and affordable housing on a single site or adjacent sites can provide residents with access to both and reduce park poverty and housing insecurity simultaneously. Joint development projects can create new opportunities for affordable housing by opening up land, such as underutilized parkland and open space, that would not otherwise be available for housing development. Moreover, joint development projects challenge developers to think creatively. Outside-the-box approaches can increase the number of housing units alongside greenspace formed from oft-ignored roofs, pathways, and alleys (subject to zoning laws and project budgets).

Joint development projects also enable organizations to tap into additional funding pots and to share acquisition, community design/engagement, and design costs, which can reduce the total project budget or free up more resources for the construction process. Affordable housing developers may be able to access parks and greening funds to build open space or green infrastructure elements on their sites. For adjacent and scattered site developments, organizations can think holistically about a community's needs, and each site can be used to provide a resource or service.

Joint development also provides an opportunity to generate revenue for park operations

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TREES IN DOWNTOWN L.A. [PHOTO BY DANIEL MELLING]



and maintenance (O&M). O&M is a major expense for nonprofit park and affordable housing developers, private developers, and government park departments, and it can be cost-prohibitive. Some entities may decide not to include green space because maintaining it will be too expensive, while other entities may neglect to maintain it. Joint development projects create opportunities for partnerships and management arrangements that can address these issues. For example, an affordable housing developer can subdivide a parcel and dedicate a portion of it for parkland that would be operated and maintained by a park entity. Entities that own and operate open space may be able to generate revenue for O&M via ground leases with affordable housing developers. The California Surplus Land Act provides opportunities for government agencies to sell or lease surplus land to third parties, such as other government agencies and nonprofit affordable housing developers. When the intent is to help create affordable housing, agencies can sell land at prices below market value.<sup>40</sup>

The purpose of California's PUBLIC PARK PRESERVATION ACT OF 1971 is to protect public parklands. The Act restricts the "exchange, purchase, condemnation, or otherwise" of any public park for any non-park purpose "unless the acquiring entity pays or transfers to the legislative body of the entity operating the park sufficient compensation or land, or both ... to replace the park land."<sup>41</sup> Only land "deemed temporarily unnecessary for park or open-space purposes" can be leased for other purposes for up to 25 years.<sup>42</sup> The Act's effectiveness at protecting parkland largely precludes the development of affordable housing on existing park sites and open spaces.

Park entities may also be able to subdivide a newly acquired parcel and sell a portion to an affordable housing developer, generating revenue for park operations. Because California's **Public Park Preservation Act** places restrictions on developing existing parkland, a parcel would have to be subdivided before it is dedicated as parkland. For example, if a State Conservancy acquired a large plot of land, and a portion of it was unsuitable or unnecessary for park development, the Conservancy could subdivide the parcel. Once subdivided, one parcel could be dedicated for parkland. The Conservancy could then sell the other parcel, likely using the Surplus Land Act disposal process or a Request for Proposal, to an affordable housing developer. The proceeds from the sale could be used to cover park operations and maintenance. This is a novel approach, and it will be important to assess each park agency's capacity and willingness to subdivide parkland.

## Challenges Associated with Building Joint Development Projects

Despite the benefits, few joint development projects have been constructed in L.A. or in other U.S. cities and counties. Infrastructure projects require time and money, and the parks and housing sectors have historically operated in silos. Bringing together these distinct sectors to build multi-benefit projects poses several challenges.

### Funding

Unsurprisingly, funding is a significant barrier. Given the scale of the affordable housing crisis, the number of neighborhoods that lack green space in Los Angeles, and the cost of these types of developments, additional funding will always be needed. However, funding sources do exist, and these resources have been, and can continue to be, used to make meaningful improvements. There are opportunities to make existing funding sources more stable and accessible, while using the money more efficiently—all of which could help maximize community benefits.

<sup>40</sup> Cal. Gov't Code § 54220.

<sup>41</sup> Cal. Pub. Res. Code § 5401(a).

<sup>42</sup> Cal. Pub. Res. Code § 5563.

## *Funding for Affordable Housing*

Affordable housing financing is unique and complicated. Funding for affordable housing comes from a few main sources: federal low-income tax credits, federal and state tax-exempt bonds and loans, state and local loan and grant programs, and bank loans based on a developer's net operating/rental income.

The federal Low-Income Housing Tax Credit (LIHTC) Program reduces tax liability for developers, which provides a substantial incentive to build affordable housing. However, because nonprofit organizations are tax-exempt, they are ineligible to receive tax credits. To take advantage of this valuable program, nonprofit affordable housing developers will often partner with investors that are not tax-exempt and are therefore eligible to earn tax credits. The State of California supplements the LIHTC program by providing a one-time state tax credit to federal tax credit recipients.

Federal, state, and local loan programs provide interest-free funding, have long repayment periods, and only require developers to repay the loan if the current rents cover the building's operating expenses. These programs include Community Development Block Grants, the HOME Investment Partnerships program, the Affordable Housing Sustainable Communities program, and the No Place Like Home program. There are a few notable housing grant programs, including California's Multifamily Housing Program and part of the Affordable Housing and Sustainable Communities Program. These programs place numerous requirements on grantees and can be cumbersome.

While housing agencies typically have large budgets, they also experience challenges in addressing the scale of the affordable housing crisis. The construction of affordable housing developments is often more expensive than building market-rate buildings because affordable housing developers are subject to additional construction and labor requirements, such as hiring union employees and paying prevailing wages.<sup>43</sup> According to a February 2022 report by L.A. City Controller, Ron Galperin, the average per-unit cost for housing an unhoused Angeleno was \$531,000 in 2020 and \$596,846 in 2021. Costs are continuing to increase.<sup>44</sup> Local and state housing agencies typically allocate funding for public housing development, loan programs for nonprofit and private affordable and supportive housing development, supportive services, and job training. Affordable housing developers are accustomed to piecing together multiple funding sources, but it can be challenging for them to acquire and hold land while they are securing project financing.

Housing developers also have difficulty accessing funding for parks and urban greening projects. Some parks grant programs, such as L.A. County's Measure A, allow nonprofit affordable housing developers to apply for funding to build public park space as part of affordable housing projects.<sup>45</sup> But nonprofit developers often need to partner with public or nonprofit park developers in order to complete the grant and construct the green space.

*Funding for affordable housing comes from a few main sources: federal low-income tax credits, federal and state tax-exempt bonds and loans, state and local loan and grant programs, and bank loans based on a developer's net operating/rental income.*

43 Caroline Reid, *The Cost of Affordable Housing Production*, Turner Center for Housing Innovation (March 2020), [https://turnercenter.berkeley.edu/wp-content/uploads/pdfs/LIHTC\\_Construction\\_Costs\\_March\\_2020.pdf](https://turnercenter.berkeley.edu/wp-content/uploads/pdfs/LIHTC_Construction_Costs_March_2020.pdf); Thomas Fuller, *Why Does It Cost \$750,000 to Build Affordable Housing in San Francisco?*, New York Times (Feb. 20, 2020), <https://www.nytimes.com/2020/02/20/us/california-housing-costs.html>.

44 Ron Galperin, *The Problems and Progress of Prop. HHH*, LA City Controller (Feb. 2022), [https://lacontroller.org/wp-content/uploads/2022/02/2.22.23\\_The-Problems-and-Progress-of-Prop-HHH\\_Final.pdf](https://lacontroller.org/wp-content/uploads/2022/02/2.22.23_The-Problems-and-Progress-of-Prop-HHH_Final.pdf).

45 L.A. County Regional Park & Open Space District, *Grants Administration Manual for Measure A* (April 2021), <https://rposd.lacounty.gov/measure-a-grants-administration-manual/>.

*Park agencies rely on other funding sources, such as bonds, cap-and-trade dollars, user fees, and tax revenues to fund park development and operate and maintain existing parks.*

## ***Funding for Parks and Green Space***

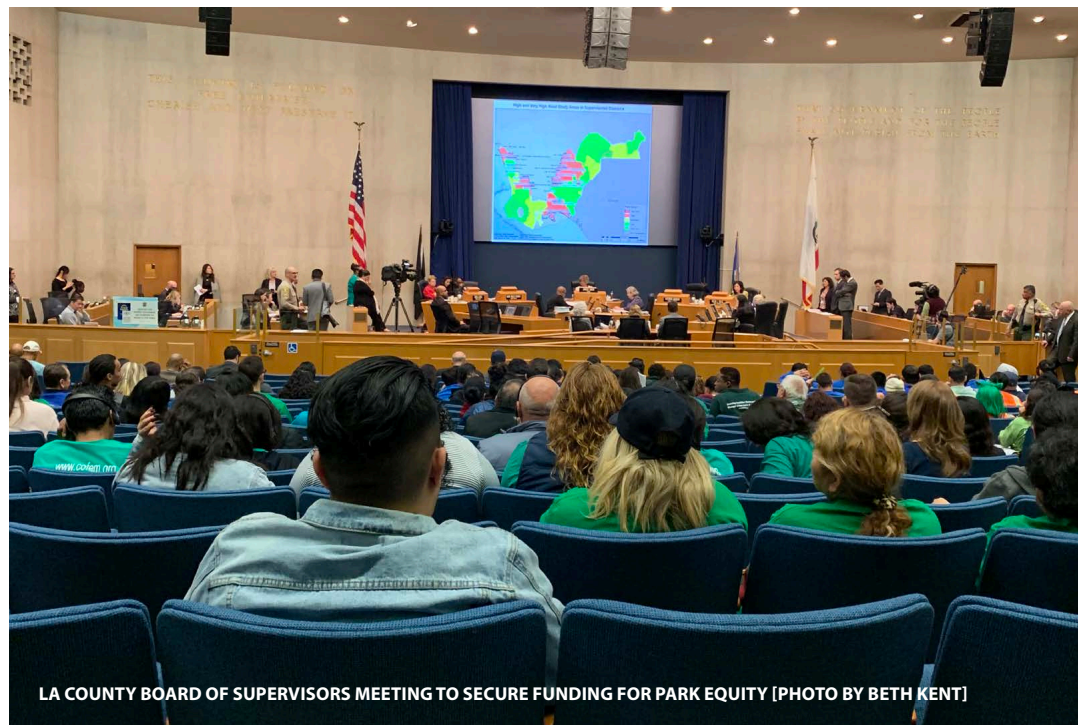
Locally and at the state level, parks departments are underfunded and lack the resources to maintain and operate existing parks, let alone construct new parks. Park agencies rely on other funding sources, such as bonds, cap-and-trade dollars, user fees, and tax revenues to fund park development and operate and maintain existing parks. Funding from these sources varies from year to year, making it hard for departments to plan for long-term projects. Park agencies can receive property tax exemptions for parks and open space, which makes it easier for them to hold land.

At the state level, natural resource bonds have provided substantial funding for capital projects, including new park construction and renovation projects. Bond funding can be used to build or acquire “capital assets,” which include “tangible physical property.”<sup>46</sup> Bond funding cannot be used for long-term operations and maintenance. Since 2000, voters have approved seven statewide natural resource bonds: Props 1, 1E, 12, 40, 50, 68, and 84.<sup>47</sup> However, bond funding eventually runs out, necessitating the passage of new bonds. In 2018, California voters passed Prop 68 to replace the expiring funds of Prop 84, passed in 2006. Prop 68 included language to allow up to 5% of bond funding to be used to provide programming at or create access to the capital asset. The California Department of Finance later determined Prop 68 bond funding could not be used for programs, activities, or transportation, stalling this potential funding source.<sup>48</sup> Another natural resource bond measure may appear on California ballots in

46 Legis. Analyst’s Off., *Bonds*, <https://lao.ca.gov/BallotAnalysis/Bonds>.

47 Cal. Nat. Resources Agency, *Bonds Oversight*, <https://resources.ca.gov/Bonds-Oversight>.

48 Cal. Dep’t of Parks & Recreation, *Community Access Program*, [https://www.parks.ca.gov/?page\\_id=30053](https://www.parks.ca.gov/?page_id=30053) (Prop 68 included a Community Access Program that would fund activities and transportation to help community members access parks and open spaces. Up to 5% of Prop 68 funding could have been used for Community Access Projects. However, the Department of Finance notified State Parks that Prop 68 cannot fund programs or transportation, and the program has been on hold for several years).







OUTREACH MEETING FOR PARK RENOVATION GRANT (PHOTO BY BETH KENT)

the next several years, but it may not pass, or it may prioritize funding different programs, such as climate change mitigation, wildfire prevention and response, water security, or heat mitigation. Absent new bond funding, the State would need to find other funding sources for these projects, such as allocating funding from the state budget. Otherwise, funding for these programs could be severely reduced.

The State also administers the Greenhouse Gas Reduction Fund (GGRF), which is funded by proceeds generated from credit auctions under California's Cap-and-Trade Program. GGRF funding is allocated to programs that support California's climate goals and reduce greenhouse gas emissions, as required by the California Global Warming Solutions Act of 2006.<sup>49</sup> GGRF funding is allocated to over forty state programs, and each program's allocation varies from year to year. Of the forty programs that receive GGRF funding, three programs fund housing and/or green space: the California Strategic Growth Council's (SGC) Affordable Housing and Sustainable Communities (AHSC), SGC's Transformative Climate Communities (TCC), and the California Natural Resource Agency's (CNRA) Urban Greening.<sup>50</sup> Collectively, these three programs account for a significant amount of the State's climate-focused housing and greening funding. A sizeable portion of GGRF funds is tied up in continuous appropriations, which reduces the amount of funding available for grant programs.<sup>51</sup> For the remaining funding, programmatic allocations vary by year and are often influenced by political priorities. For example, in fiscal year 2019-2020, \$100 million from GGRF was allocated for clean drinking water,<sup>52</sup> and the 2021-2022 package

49 Cal. Climate Inv., *Background: About California Climate Investments*, <https://www.caclimateinvestments.ca.gov/about-ccj>; Assembly Bill 32 (Nunez 2006); CAL. HEALTH & SAFETY CODE §§ 38500-38599 (2006).

50 Cal. Climate Inv., *supra* note 49.

51 Cal. Climate Inv., *Funded Programs*, <https://ww2.arb.ca.gov/our-work/programs/california-climate-investments/california-climate-investments-funded-programs>.

52 Legis. Analyst's Off., *Expanding Access to Safe and Affordable Drinking Water in California – A Status Update* (Nov. 10, 2020), <https://lao.ca.gov/Publications/Report/4294>.



included a sizeable GGRF allocation for wildfire prevention, response, and mitigation.<sup>53</sup> While drinking water and wildfire response are critical issues, funding them reduces the amount of money available for urban greening and forestry, park development, and other climate-related infrastructure projects. Moreover, GGRF dollars are designed to decrease over time as industries can earn, sell, and buy fewer cap-and-trade credits. The Cap-and-Trade Program may sunset in 2030, so absent a legislative extension, this critical funding source may disappear altogether. If and how these programs will be funded when GGRF dollars run out are important and lingering questions. Creating reliable and consistent funding for climate-related infrastructure projects in the long-term is critical.

In Los Angeles County, Measure A created a sales tax and Measure W created a parcel tax that generate revenue for parks and storm water infrastructure respectively. While County-level taxes can provide stable, long-term funding for green infrastructure construction and maintenance, passing a state-level tax is much more difficult and often a political nonstarter.

### ***Funding for Multi-Benefit Projects***

There are dozens of federal, state, and local loan and grant programs that provide partial funding for parks and housing projects. Most programs want applicants to have multiple funding sources, and few funders are willing or able to foot the bill for an entire project. Each program has its own criteria and application process, which requires applicants to expend a substantial amount of time and energy to create specialized applications for each program. Many programs are also quite narrow, so park funding and housing funding often must come from separate sources, which can double the number of grant and loan applications an applicant needs to complete. Piecing together numerous funding sources delays projects.

A few state programs are designed to fund multi-benefit projects, such as SGC's AHSC and TCC programs. However, the only program specifically designed to fund parks and affordable housing joint development projects is the California Department of Housing and Community Development's (HCD) Housing-Related Parks Program. The program is intended to increase access to parks and the supply of affordable housing by providing grants for new park construction and renovations of existing parks and financial incentives to cities and counties for newly constructed units for very low- or low-income households. The program has not been funded in several years.<sup>54</sup>

In short, nonprofits, government agencies, and affordable housing developers face significant challenges in piecing together project budgets for joint development projects.

## **Coordination**

Historically, the parks and housing sectors have operated in silos. This lack of meaningful coordination has occurred in the nonprofit, government, and private contexts, which can make the type of cross-sector collaboration needed for joint development challenging. As explained above, both sectors are working to address large-scale problems, and most nonprofits and government agencies are already doing as much work as they can. Public entities are overworked and under-resourced, making it difficult for employees of these entities to tackle big-picture

*In short, nonprofits, government agencies, and affordable housing developers face significant challenges in piecing together project budgets for joint development projects.*

53 Legis. Analyst's Off., *The 2021-22 Budget: Wildfire Resilience Package – Analysis of Individual Programs* (Feb. 5, 2021), <https://lao.ca.gov/handouts/resources/2021/The-2021-22-Budget-Wildfire-Resilience-Package-Analysis-of-Individual-Programs-020521.pdf>.

54 Cal. Dep't Housing & Community Dev., *Housing-Related Parks Program*, <https://www.hcd.ca.gov/housing-related-parks>.

issues beyond the scope of their agencies' missions. Sometimes, lack of coordination is due to agency or organization culture, but other times it is because charters, governing principles, and mission statements restrict an entity to specific activities. For example, a park agency may be willing to permit a housing department to build a shelter or supportive housing on a park site, but the park agency's charter may prevent it from permitting the use of park land for any purpose other than recreation or park use. The City of Los Angeles's Recreation and Parks Department's Charter includes such provisions.<sup>55</sup>

## Land Acquisition

In Los Angeles, land acquisition can be very expensive; Los Angeles places fifth among the country's highest average urban land values.<sup>56</sup> Layers of government approval and the assessment of development and impact fees also make land acquisition costly. Given these high land costs, it

California's SURPLUS LAND ACT (Cal. Gov't Code § 54221) governs the disposal of "surplus land," which are government-owned parcels that are unnecessary for an agency's use. Local agencies can dispose of surplus land by transferring the property to another local, state, or federal agency or via an open, competitive bid process that gives private and nonprofit developers the opportunity to acquire the land. The Surplus Land Act can support the development of affordable housing and parks/open space. While the Act allows a local agency to sell or lease surplus land below fair market value, e.g., to create affordable housing near transit, nothing prevents an entity from selling the land at market rate.<sup>60</sup> The Act requires agencies to send a written notice of availability of land to park or recreation departments, regional park authorities, and the State Resources Agency and states that surplus land must first "be made available for park and recreation purposes or for open-space purposes."<sup>61</sup> The Act similarly requires agencies to notify local public agencies of the availability of land for the purpose of developing low- and moderate-income housing.<sup>62</sup> The Act also extends the payment period for low- and moderate-income housing.<sup>63</sup>

can be difficult for nonprofit park developers and affordable housing developers to compete with market-rate housing developers. Park and affordable housing developers often seek out properties in less expensive neighborhoods and participate in local and state Request for Proposal (RFP) processes that enable nonprofit developers to acquire and/or build on land owned by the City or County. In L.A., the City and County own most of the vacant lots in the region, and several laws and public processes regulate how they can dispose of these surplus properties.<sup>57</sup> The Surplus Land Act mandates notices of availability of surplus land to developers of low- and moderate-income housing and to government park entities where the surplus land is already parkland.<sup>58</sup> **The Surplus Land Act** was amended in 2019 to include additional provisions that prioritize affordable housing development, and it remains to be seen whether government parks agencies and affordable housing developers will take advantage of the Act. Moreover, the Act only works if local jurisdictions comply with its provisions, which requires oversight and enforcement by HCD. In practice, a number of sites have been sold to private developers without giving parks agencies and affordable housing organizations the option to purchase the property first.

Additionally, many of Los Angeles's vacant lots are contaminated because they were previously used for industrial or commercial purposes. Contaminated sites, or brownfields, require expensive remediation before they can be redeveloped for parks or housing, and projects that involve remediation are not eligible for development streamlining benefits, such as SB 375's California Environmental Quality Act streamlining provisions.<sup>59</sup>

<sup>55</sup> Los Angeles, CA., Charter and Administrative Code § 590 (2022).

<sup>56</sup> Richard Florida, *The Staggering Value of Urban Land*, Bloomberg (Nov. 2, 2017), <https://www.bloomberg.com/news/articles/2017-11-02/america-s-urban-land-is-worth-a-staggering-amount>.

<sup>57</sup> Cal. Gov't Code § 54221 (West 2020), County of L.A., *Surplus Property* <https://doingbusiness.lacounty.gov/surplus-property-2/>.

<sup>58</sup> Cal. Gov't Code § 54222(b)(1-4) (West 2020).

<sup>59</sup> SB 375 (2008).

<sup>60</sup> Gov. Code § 54226.

<sup>61</sup> Gov. Code § 54222(b)(1-4).

<sup>62</sup> Gov. Code § 54222(a)(1).

<sup>63</sup> Gov. Code § 54225.

## Operations and Maintenance

Operations and maintenance (O&M) of affordable housing developments and green space requires funding and skilled labor. Affordable housing developers are responsible for ensuring their buildings remain habitable. They must hire staff to handle routine and emergency maintenance. Parks and green space also require ongoing O&M, including watering, landscaping, removing garbage, and maintaining park amenities. All of these maintenance tasks take time and must be performed by trained individuals. Failure to properly maintain developments and repair broken amenities can pose safety risks and expose landowners to liability. These liability risks tend to be greater when a park site is publicly accessible, as opposed to on-site green space that is only open to residents of the affordable housing development. Given these associated resource requirements and liability risks, affordable housing developers may be unmotivated or unable to take on park O&M responsibilities. Park entities, especially city and county park departments, may be able to fill this gap and maintain and operate publicly-accessible parks at affordable housing developments. But these arrangements would likely require the affordable housing developer to dedicate or ground lease the park space to a park entity and/or require the park entity to indemnify the affordable housing developer. These legal arrangements come with pros and cons for each party and may be complicated to form. In particular, liability, or the perceived threat of liability, is often a primary concern for a property owner. If an affordable housing developer owns a site that is open to the public, they may seek to limit their liability by purchasing insurance or by entering into an indemnity agreement with the manager of the publicly-accessible open space. Alternatively, a developer may elect to develop a site and then transfer the property to the park entity to own and operate it.

## Scalability

There are only a few completed parks and affordable housing joint development projects in the L.A. region, and each of these projects has been developed through a unique, multi-year process. Every new joint development project has required developers to reinvent the wheel and problem solve as they develop the project.

Other agencies, including L.A. Metro, L.A. Department of Public Works, and SGC, have experience working on multi-benefit and joint development projects involving transit, housing, and green infrastructure. By drawing on the lessons learned from analogous projects in other sectors, developers may be able to create a more efficient and streamlined process for parks and affordable housing joint development.

Many of these challenges can be overcome through efficient partnerships that bring together the various entities that are operating in the parks, housing, and joint development spaces and leveraging each entity's resources and skills. Additionally, engaging community members and community-based organizations in these processes can produce creative projects that best serve the unique and diverse needs of a community.

*Government agencies, nonprofit organizations, private developers, and private foundations are all involved in joint development projects, and public-private partnerships are also common in this space. Each of these entities plays a different and important role, and some entities play multiple roles.*



## Joint Development Landscape

Government agencies, nonprofit organizations, private developers, and private foundations are all involved in joint development projects, and public-private partnerships are also common in this space. Each of these entities plays a different and important role, and some entities play multiple roles. Understanding the joint development landscape and the ways in which these entities interact (or fail to interact) with each other is key to identifying methods of facilitating joint development projects.

In general, funding for both parks and affordable housing is limited and competitive, and the pot of funding for joint development projects represents a small subset of the funding that exists for either type of development. The parks and affordable housing sectors typically operate in silos, and both government and non-governmental entities are set up to address parks or affordable housing, but not both. As a result, joint development implicates a patchwork of entities that each have unique roles, and most joint development projects are one-offs. Both public and private funding sources are subject to varying degrees of stability, which presents issues for expanded development, as well as ongoing O&M for existing and future projects.

The following tables provide a brief overview of the major entities that engage with parks and affordable housing, as well as each entity's primary funding programs, the lands or projects it manages, and its key strengths and constraints.



## Federal Government Agencies

Entity	Funding Programs	Lands/Projects Managed	Strengths	Constraints
<b>Internal Revenue Service (IRS)</b>	Low-Income Housing Tax Credit (LIHTC)	N/A	Tax credits make affordable housing attractive to investors.	Tax credits are highly competitive, and demand is far greater than supply.
<b>U.S. Department of Housing and Urban Development (HUD)</b>	National Housing Trust Fund  HOME Investment Partnerships (HOME) Program  Community Development Block Grant  Annual operating subsidies to local agencies	HUD provides homebuyer resources and sells single-family and multi-family homes.	HUD provides funding for affordable housing programs and subsidizes local agencies.	Funding programs exclude moderate-income residents and other populations that still cannot afford market-rate housing.
<b>U.S. Department of the Interior (DOI)</b>	Land and Water Conservation Fund  Outdoor Recreation Legacy Partnership Program	DOI manages federal natural resources, cultural resources, and public lands, including the National Park System.	DOI provides funding to support natural resources in states, including natural resources in urban areas.	LWCF funding cannot be used for housing. LWCF applications must be submitted by state governments; local governments and nonprofits cannot apply directly.

## State Government Agencies

Entity	Funding Programs	Lands/Projects Managed	Strengths	Constraints
<b>California Tax Credit Allocation Committee (TCAC)</b>	TCAC administers LIHTC and the state low-income housing tax credit programs.	TCAC ensures developers that receive tax credits comply with federal rent and income restrictions.	It distributes federal tax credits, which incentivize affordable housing.  The State's tax credits supplement limited federal funding and provide an additional benefit to developers.	The limited supply and high demand for credits make it difficult to award credits to all worthy projects.
<b>Department of Housing and Community Development (HCD)</b>	HCD administers federal and state grant and loan programs, including:  Housing Trust Fund  Multifamily Housing Program  No Place Like Home	HCD monitors affordable housing developments to ensure they stay affordable and comply with state laws.  It administers projects for AHSC.	It provides critical funding for affordable housing developers through a number of programs that support permanent supportive, low-income, and multi-family housing, as well as multi-benefit projects.	The agency's bureaucratic processes and prevailing wage requirements are burdensome.  There is a high barrier to entry for those without affordable housing development experience and funds are highly competitive.
<b>California Natural Resources Agency (CNRA)/California Department of Parks and Recreation (State Parks)</b>	GGRF's Urban Greening program  Statewide Parks Program (SPP)	State Parks manages California's state parklands.	CNRA and State Parks are excellent at grant management and dispersing state funds.  SPP is a major resource for local government and nonprofit park developers.  SPP provides funding specifically for projects that are located in park-poor neighborhoods, which supports park equity goals.	State parklands are protected areas that likely cannot be developed for affordable housing absent new legislation.  Most of CNRA's grant funding comes from bond measures and GGRF, which are finite funding sources that will run out.  SPP funding is highly competitive.

## State Government Agencies (continued)

Entity	Funding Programs	Lands/Projects Managed	Strengths	Constraints
<b>Strategic Growth Council (SGC)</b>	Affordable Housing and Sustainable Communities (AHSC)  Transformative Climate Communities (TCC)	SGC assists the State and local governments with planning for sustainability, offers technical assistance to underserved communities, and conducts climate change research.	SGC's programs fund multi-benefit projects and emphasize sustainability and greenhouse gas emissions reductions, which are consistent with joint development of parks and affordable housing.	AHSC requires a developer to apply with a local agency and makes both entities joint and severally liable, which can scare away investors.  AHSC allows for a range of green space features, many of which do not provide communities with recreational or physical activity opportunities or the same level of physical and mental health benefits that parks provide.  TCC implementation grants are large and can be a heavy lift.
<b>State Conservancies</b>	Conservancies provide funding for recreation and habitat restoration projects, occasionally land acquisition. Programs include:  Baldwin Hills Conservancy Prop 68 grant program  Santa Monica Mountains Conservancy and San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy Prop 1 and Prop 68 grant programs	They manage 11 state conservancies and are responsible for O&M, programming, and conservation efforts.	Conservancies protect state lands.  Many have the ability to rent their facilities to individuals and tax-exempt nonprofit organizations for events, which allows them to generate revenue for O&M.  They may be able to lease underutilized land for affordable housing development.	The Public Park Preservation Act of 1971 may serve as a barrier to subdividing or leasing land designated for open space.

## L.A. County Agencies

Entity	Funding Programs	Lands/Projects Managed	Strengths	Constraints
<b>Los Angeles County Development Authority (LACDA)</b>	<p>The majority of funding comes from HUD. LACDA administers HOME, Section 8 voucher program, and HCD's No Place Like Home programs.</p> <p>It funds housing development and preservation, community development, and economic development and provides rental subsidies in unincorporated L.A. County.</p>	<p>LACDA is an independent agency that oversees affordable housing, community, and economic development in Los Angeles County.</p> <p>It owns and operates 2,962 units of public housing throughout the County.</p>	<p>It dispenses federal and state housing dollars providing critical funding for affordable housing developers.</p>	<p>LACDA's funding and resources are quite limited.</p> <p>LACDA places strict limits on the amount of funding that can go towards projects in the City of L.A., which makes it more difficult to build in the City.</p>
<b>Los Angeles County Department of Parks and Recreation (DPR)</b>	<p>DPR administers grant programs that provide funding for local park development, including Measure A, the County's largest park funding program.</p>	<p>DPR manages county park developments, including park design and construction, land acquisition, and water and energy conservation.</p> <p>It protects over 4,000 square miles of parks and open space.</p>	<p>DPR has made substantial efforts to address park inequity in Los Angeles, including publishing the 2016 Los Angeles Countywide Parks and Recreation Needs Assessment.</p>	<p>DPR has challenges with community engagement.</p> <p>Bureaucratic delays, both internally and when working with other County departments, can also extend project timelines and delay park openings.</p>



## City of L.A. Agencies

Entity	Funding Programs	Lands/Projects Managed	Strengths	Constraints
<b>Housing Authority of the City of Los Angeles (LAHD)</b>	<p>LAHD provides rental subsidies, project-based vouchers for permanent supportive housing, and funding for supportive services.</p> <p>LAHD does not provide capital funding.</p>	<p>LAHD is a public housing developer and provider that owns and manages more than 9,300 units.</p> <p>It provides monthly financial support to over 58,000 families.</p>	<p>LAHD provides public housing in the City for some of Los Angeles's most vulnerable residents.</p>	<p>LAHD does not provide capital funding, so it is unlikely it will be able to play a large role in building joint development projects.</p> <p>The availability of vouchers is limited.</p> <p>The agency currently cannot receive tax credits to build affordable housing.</p>
<b>Housing and Community Investment Department (LAHD)</b>	<p>LAHD administers the City's managed housing fund and trust fund, which are used to finance affordable housing development projects.</p>	<p>LAHD works with LAHD to oversee the City's housing programs.</p> <p>It provides social services and ensures developers comply with affordability and occupancy requirements.</p>	<p>LAHD administers important local funding sources for affordable housing.</p>	<p>LAHD's funding is inconsistent—both in terms of funding amounts and application timelines—which can make it difficult for affordable housing developers to plan for, rely on, and secure funding from LAHD.</p>
<b>Department of Recreation and Parks (RAP)</b>	<p>RAP administers grant programs, including Prop K.</p> <p>L.A. City Departments and nonprofits are eligible to apply for funding for urban greening, park acquisition, and school/recreation projects.</p>	<p>RAP manages the City's 16,000 acres of parkland.</p> <p>It builds new parks, renovates, maintains, and operates the City's 444 existing parks.</p> <p>RAP provides recreational programming.</p>	<p>RAP excels at providing recreational programming.</p> <p>Many of its sites are well maintained and regularly utilized.</p> <p>RAP prioritizes safety and expends resources on park maintenance, repair, and renovation projects.</p>	<p>RAP's biggest challenge is acquiring land for new parks because the agency is not as nimble as private developers, and City guidelines and processes prevent RAP from acquiring land quickly.</p> <p>Permitting and approval processes that are managed by other City departments can slow down RAP's projects.</p> <p>The Public Park Preservation Act prevents RAP from using or developing parkland for non-open space purposes.</p> <p>Like DPR, RAP also has challenges with community engagement.</p>

## Nongovernmental Entities

Entity/Type of Entity	Examples	Funding Sources	Lands/ Projects Managed	Strengths	Constraints
<b>Los Angeles Regional Open Space and Affordable Housing (LA ROSAH) Collaborative</b>	<p>Members include: Clifford Beers Housing, Community Nature Connection, Enterprise Community Partners, Inclusive Action for the City, Little Tokyo Service Center, Los Angeles Neighborhood Land Trust, Mujeres de la Tierra, Natural Resources Defense Council, Southeast Asian Community Alliance, and The Trust for Public Land.</p> <p>* The San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy is a governmental partner.</p>	While individual members will typically apply for grant and loan funding from public and private entities, the Collaborative itself has obtained funding through the Strong, Prosperous, And Resilient Communities Challenge (SPARCC), and is exploring other potential funding opportunities.	<p>LA ROSAH creates joint development strategies for private and public agency-acquired land; advocates for making joint development projects eligible for public and private funding sources; and supports innovative funding strategies for the acquisition of joint development sites.</p> <p>LA ROSAH also supports pilot joint development projects that are built by member organizations.</p>	<p>LA ROSAH connects experts from different fields and bridges gaps between the parks and housing sectors.</p> <p>It builds partnerships between community-based organizations and parks and affordable housing developers.</p> <p>It supports and advocates for sustainable and equitable policies.</p>	<p>The Collaborative has limited staff capacity, so much of the work is divided among the member organizations.</p> <p>It can be challenging and time-consuming to build joint development projects, so there are only a few pilot projects.</p>

## Nongovernmental Agencies (continued)

Entity/Type of Entity	Examples	Funding Sources	Land/ Projects Managed	Strengths	Constraints
<b>Affordable Housing Developers</b>	<p>Nonprofit developers include: Abode Communities Clifford Beers</p> <p>For-profit developers include: Meta Housing Corporation Thomas Safran and Associates</p>	Affordable housing developers rely on federal, state, and local grant and loan programs, as well as conventional loans from financial institutions.	<p>They design, build, and preserve low-income, permanent supportive, and/or affordable developments. A few operate and manage units.</p> <p>Some provide social (mental health) and economic (job assistance, financial counseling) services for residents.</p>	<p>They excel at building small and mid-sized buildings that provide housing for low-income families, seniors, veterans, and unhoused individuals.</p> <p>Supportive services help residents address health conditions and find jobs, which can help break the cycle of poverty.</p> <p>They often have community organizers on staff who can work with residents to build capacity and learn about community needs and priorities.</p> <p>They tend to fare well in the City's competitive Request for Proposal (RFP) process, which can reduce acquisition costs.</p>	<p>Land acquisition is a major challenge because affordable housing developers often compete with market-rate and luxury developers.</p> <p>Increasingly high construction costs are another major challenge.</p> <p>The liability associated with owning a site that is publicly accessible is high and can deter investors.</p> <p>Affordable housing developers are subject to requirements, as a condition of receiving funding, that raise project costs, such as prevailing wage requirements for project labor.</p> <p>In general, there is a lack of funding in light of the increasing number of unhoused individuals in L.A.</p>

## Nongovernmental Agencies (continued)

Entity/Type of Entity	Examples	Funding Sources	Projects/Lands Managed	Strengths	Constraints
<b>Nonprofit and Community-Based Park Organizations</b>	<p>Organizations include:</p> <p>From Lot to Spot</p> <p>Los Angeles Neighborhood Land Trust</p> <p>Trust for Public Land</p>	<p>Nonprofit park developers rely on numerous funding sources, including the Statewide Parks Program, GGFR, Measure A, and foundations.</p>	<p>They design, build, operate, and maintain parks and community gardens.</p> <p>They excel in organizing residents.</p> <p>Some provide recreation and physical activity programming.</p>	<p>They can hold land tax-free.</p> <p>They excel at community engagement and design, as well as tailoring projects to community needs.</p> <p>Most promote use and stewardship of park sites.</p> <p>They tend to be nimble and forward thinking, which allows them to make decisions quickly and participate in creative and cutting-edge projects.</p> <p>They often operate under fewer constraints than government park entities, which can allow them to partner with housing entities on joint development projects.</p> <p>Nonprofits can play an important advocacy role.</p>	<p>The biggest challenge for most nonprofits is paying for long-term O&amp;M because few grant programs cover these costs.</p> <p>They have to compete with other developers for new park sites.</p> <p>Land acquisition and construction costs are high.</p> <p>They may need to balance partnering with a local government on a park project with advocating for the local government to adopt more equitable policies.</p>
<b>Foundations</b>	<p>Foundations that fund parks and/or affordable housing include:</p> <p>California Community Foundation</p> <p>Resources Legacy Fund</p>	<p>Foundation funding comes from various sources. Here, the key point is that foundations are important funders of parks, affordable housing, and joint development projects.</p>	<p>Foundations administer grant programs.</p> <p>Some may engage in advocacy.</p>	<p>They provide general operating funds, which are necessary to keep nonprofits running, as well as critical funding for new park and affordable housing projects, renovations, O&amp;M, and programming.</p> <p>Foundations fill gaps in government grant and loan funding.</p>	<p>Foundation funding is limited and competitive.</p> <p>Funding priorities may vary based on internal and external circumstances.</p>



# Which Roles Should These Entities Play When Building a Joint Development Project?

*While the process of building each joint development project may vary depending on the nature of the site, the local jurisdiction's planning and permitting processes, funding requirements and restrictions, and the developers' capacity, most projects will involve the following phases: 1) securing funding and financing; 2) land acquisition and ownership; 3) community engagement; 4) design and construction; and 5) operations and maintenance.*

While the process of building each joint development project may vary depending on the nature of the site, the local jurisdiction's planning and permitting processes, funding requirements and restrictions, and the developers' capacity, most projects will involve the following phases: 1) securing funding and financing; 2) land acquisition and ownership; 3) community engagement; 4) design and construction; and 5) operations and maintenance. This section provides an overview of each phase and includes suggestions regarding which entities are best suited to fill certain roles.

## Phase 1: Securing Funding and Financing

Before a project can begin, the developers must create a budget and begin securing funding for the project. As discussed above, funding for affordable housing typically comes from federal low-income tax credits, federal and state tax-exempt bonds and loans, state and local loan and grant programs, and bank loans based on a developer's net operating/rental income. State and local housing agencies, including HCD, LACDA, HACLA, and LAHD, provide critical funding for affordable housing development in Los Angeles.

Park developers typically rely on grants from state and local park agencies, including CNRA and DPR, and donations from foundations.

## Phase 2: Land Acquisition and Ownership

Acquiring a parcel to develop is often competitive and costly, especially in L.A.'s fast-paced real estate market. Owning a joint development site can be valuable, but it can also be risky, as the liability or fear of liability associated with owning a publicly-accessible site can be high.

Government entities, especially State Conservancies and city and county park departments, are likely best suited to acquire, hold, and own land for large open space and affordable housing developments, while affordable housing developers are likely best suited for single-site or scattered-site developments in dense urban areas. Conservancies and park departments are well equipped to own and protect open spaces of all sizes (pocket, neighborhood, regional) because this is the core of their work. Conservancies and park departments can hold land tax free,<sup>64</sup> and they are well suited to utilize the Surplus Land Act. City and county park departments may also be able to partner with an affordable housing developer as part of an RFP process.

After acquiring a new parcel, L.A. City or County could retain ownership of the parcel, dedi-

<sup>64</sup> Cal. Dep't of Conservation, Williamson Act Program, <https://www.conservation.ca.gov/dlrp/wa>; State Board of Equalization, Possessory Interests: Nonprofit Organizations and Public Parks <https://www.boe.ca.gov/proptaxes/pdf/Ita13010.pdf>; Cal. St. Board of Equalization Assessors' Handbook, Welfare, Church, and Religious Exemptions at 38 (2004) (Section 236.51 exempts "and interest in real property that is leased for a term of 35 years or more by a charitable foundation and used exclusively by the lessee as a public park").

cate and develop a portion of it into public green space, and lease a portion of it to an affordable housing developer for housing. Park departments are subject to the Public Park Preservation Act, so existing parkland is not eligible for joint development, and newly acquired land would need to be subdivided before it is dedicated for parkland.

In the case of small affordable housing developments and developments in dense, urban areas, it may be more practical for an affordable housing developer or a partnership consisting of at least one nonprofit and at least one for-profit affordable housing developer to acquire land.<sup>65</sup> Affordable housing developers are often unable to purchase a plot of land that will be large enough to include a traditional public park or open space, but they may be able to include a small parklet, courtyard, or community garden that provides green space for residents of the development and adjacent properties. Making a green space accessible to non-residents can increase liability for the owner, which will often require additional insurance or an indemnity agreement from the park operator.

## Phase 3: Community Engagement

Community engagement is critical for ensuring new projects meet community needs. While city and county processes require community engagement, nonprofit organizations typically undertake more robust community engagement efforts. Many nonprofits are embedded in the communities they work in, which helps them build a level of trust with community members that even the most well-intentioned government agencies are unable to build. Nonprofit park developers and community-based organizations that have strong community ties and dedicated community organizers are best suited to manage community engagement processes.

## Phase 4: Design and Construction

### *Park Design and Construction*

Nonprofit park developers are likely best suited to design and build neighborhood parks and pocket parks, while conservancies and the City and County park departments are likely best suited to develop regional parks and large open spaces.

Nonprofits have the time and resources to work closely with residents to design and efficiently build small parks. Nonprofit park developers utilize a community design process that involves community members in the process of selecting park features and amenities. This helps create unique green spaces that serve community needs and foster community ownership of parks. Additionally, given the funding sources available for park projects, nonprofits are often able to secure funding for pocket and neighborhood parks in high need areas.

City and County park departments typically lack sufficient funding for new park developments, but they are often competitive applicants for state funding. Additionally, their O&M responsibilities account for a substantial amount of their capacity and resources, which can make it difficult for them to design and build new, small parks. They can best support large, regional parks that nonprofits are unlikely to build. Regional parks and open spaces are intended to serve large populations, so they are often more expensive, requiring government resources and management.

In the case of open spaces, like nature preserves and trails, there may be few amenities. While public participation is still important, larger public meetings are often more feasible than small community design sessions given the number of residents these spaces serve. State con-

<sup>65</sup> Community land trusts are being developed in a number of park-poor communities and may also be able to be partners in joint development efforts.



servancies typically have large budgets for conservation and preservation projects, which they can use to make these open spaces accessible to the public for recreation and physical activity. State conservancies are typically able to rent their facilities for special events to generate revenue for O&M. They may also be able to lease portions of large parcels to other entities for affordable housing development, and lease revenue could be used to fund open space O&M.

### *Housing Construction*

Affordable housing developers seem to be best suited to build small-scale, specialized affordable housing developments, such as permanent supportive housing and buildings with enhanced social services, as well as low- and very low-income housing, housing for veterans, and temporary/emergency housing and shelters. The City and County housing agencies can support projects undertaken by affordable housing developers by providing funding and helping secure land. They may also be well suited to build a large-scale affordable housing development on land owned by a State Conservancy, but an experienced affordable housing developer could fill this role as well.

## **Phase 5: Operations and Maintenance**

Arguably, none of the entities have sufficient resources or capacity to maintain and operate parks and open spaces, but State Conservancies and the City and County park departments are likely best suited to do so given their available funding for ongoing O&M. Government park entities provide stability. Nonprofits may not be able to secure O&M funding, or they could close down, but government park entities remain constant, even as their budgets wax and wane. In some cases, O&M is handled by conservation corps, which can play a unique and valuable role in park maintenance, while also creating job-training opportunities.<sup>66</sup>

<sup>66</sup> The California Conservation Corps, Los Angeles Conservation Corps, and Conservation Corps of Long Beach all train corps members to work on natural resource and conservation projects, such as park construction and improvements, tree planting, and trail development and maintenance. The Conservation Corps provides job training for corps members and affordable labor for city, county, and nonprofit projects.

## Strengths

	Phase 1: Funder	Phase 2: Land	Phase 3: Community Engagement	Phase 4: Housing Design and Construction	Phase 4: Park Design and Construction	Phase 5: O&M
HCD	X					
CNRA	X					
State Conservancy		X				X
LACDA	X			X		
DPR	X	X			X	X
HACLA	X			X		
LAHD	X					
RAP		X			X	X
Affordable Housing Developer		X	X	X		X*
Nonprofit Park Developer			X		X	X*
Foundations	X					

*\*While these types of developers may occasionally provide O&M, it is not typical or preferable.*

## Developing Successful Partnerships for Joint Development Projects

Increasing the scale of joint development projects in Los Angeles will involve all of the entities discussed above, and as discussed, some entities are better suited to play certain roles or build specific types of projects.

Efficient partnerships that utilize each entity's strengths can produce more successful projects. Based on analysis and interviews with stakeholders, the following partnership combinations show the most promise:

### ■ Government Housing Agency + Government Park Agency

A government-government partnership may be efficient because all of the agencies will be on the same team. Such a partnership may be particularly successful if an elected official is championing the project. For example, a State Conservancy could partner with LACDA or HACLA to build and maintain a large or regional open space and one large and/or several mid-sized affordable housing developments. The State Conservancies, relying on state funding

and ground lease revenue, already acquire and maintain many acres of green space, while LACDA and HACLA can utilize federal, state, and local funding to build and operate public housing. A local government could also undertake this type of development. A city or county housing agency could acquire land or utilize a parcel of surplus land. Then the housing agency could enter into an agreement with the parks agency regarding which entity would develop and manage the land; this would likely be the parks agency.

### ■ **Government Housing Agency + Government Park Agency + Affordable Housing Developer + Nonprofit Park Developer**

This type of partnership would be particularly effective when a city or county agency owns land and wants to build a development that includes a publicly-accessible park but lacks the resources or capacity to design and build out the space. The city or county housing agency could acquire land or utilize a parcel of surplus land and dedicate a portion of the land as park space. Then the city or county housing agency could partner with an affordable housing developer to build affordable housing. The city or county park department could partner with a nonprofit park developer, who receives state or county funding, to design and build a small park. The city or county parks agency would own, operate, and maintain the park site, and the city or county housing agency or the affordable housing developer could own, operate, and maintain the housing development.

### ■ **Affordable Housing Developer + Parks Nonprofit**

This partnership would likely be most effective when dealing with small sites in low-income communities of color that are susceptible to gentrification or where community members are concerned about displacement. In this case, either the parks or housing organization could acquire a small plot of land. The parks organization could lease part of the land to the housing organization, or the housing organization could subdivide the property and sell or dedicate it to a nonprofit park developer to build a park or community garden on the site. The park organization could own, operate, and maintain the park site, while the affordable housing developer could own and operate the housing site.

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## Case Studies

The following case studies highlight three approaches to joint development: 1) Infill Development and On-site Greening; 2) Neighborhood Transformation Scattered Site Approach; and 3) Transformative Infrastructure with Affordable Housing and Anti-Displacement Strategy.<sup>67</sup> While these projects are beneficial and illustrative, they do not include a sizable public park that will provide recreation and physical activity opportunities for the community. Additionally, Isla Intersections is still being developed, and the L.A. River Revitalization is only in the planning stages. Despite these drawbacks, these projects are promising models of joint development projects, and they provide insights into how other developers can conceptualize and construct joint development projects.

<sup>67</sup> Yee *et al*, *supra* note 26.





## Infill Development and On-site Greening: Clifford Beers Housing, Isla Intersections

Located in South Los Angeles near the 105 and 110 freeway interchange, Isla Intersection is a 54-unit affordable housing project that opens onto a paseo, a public shared street, and open space. The project was co-developed by two nonprofits focused on housing for unhoused and low-income communities: Clifford Beers Housing and American Family Housing. The project includes one manager's unit and 53 one-bedroom units for formerly unhoused households, including 10 units reserved for unhoused veterans.<sup>68</sup>

The site is owned by the City of Los Angeles. LAHD and the City Administrative Officer organized a Request for Proposals for an affordable housing development. Clifford Beers submitted the winning bid and was awarded a ground lease by LAHD.

The developers' inspiration to add green space to their proposal derived from limitations of the Isla Intersections site. Located in proximity to major freeways, the site had triangular dimensions and overlapped with a public street, which served as a right-turn lane onto a major intersection. By orienting the housing units to minimize noise and air pollution and re-designing the slip lane to reduce dangerous vehicle speeds, the developers' solution is designed to improve quality of life for occupants and add new green space for the community. The tree-lined, shaded paseo is open to the public 24 hours a day as a public right of way. To improve air quality, the shared street includes a wall of trees and shrubs and vines that act as a "living lung." Anticipated public programming for the paseo includes street fairs, pop-up markets, and farm stands that would connect the project's edible gardens with the nearby Stanford Avalon Community Garden, a nine-acre urban farm located one mile east of the project. Additional private green space for residents includes rooftop terraces, community gardens, and an outdoor

<sup>68</sup> Clifford Beers, *Isla Intersections*, <https://cbhousing.org/communities/isla-intersections/>.

courtyard. A greywater cistern system captures water to feed plants onsite. The development provides residents proximity to rail and bus, with the Metro Green Line and 120 and 45 bus lines within walking distance. Additionally, a sizeable vacant Caltrans parcel across the street could be acquired and developed into adjacent parkland. This additional acquisition and development, either by the City or a nonprofit park developer, could provide critical parkland for residents of Isla Intersections and neighboring buildings, aligning with an off-site greening or scattered site joint development approach.

To minimize construction costs, the developers pre-built apartment units from shipping containers. The container model also allows the developers to position units exactly to lot and setback lines, maximizing the number of housing units and available open space. The developers' container construction model and paseo proposal won the support of the local City Council office, which helped coordinate private foundation funding for the green space.

Like other affordable housing developers, Clifford Beers coordinated a variety of funding sources to finance the project, including government agencies, government bond funds, bank loans, and corporate and family foundations. Grants and subsidies contributed to different aspects of the development and operations of the project. For example, construction costs were financed by tax credits, bonds, Measure HHH loan funds, and the Home Depot Foundation and Annenberg Foundation, alongside construction loans from Key Bank and predevelopment loans from the Corporation for Supportive Housing and Genesis LA Economic Growth Corporation. Rental subsidies for tenants are provided by Section 8 and Veteran Affairs Supportive Housing vouchers from the Housing Authority of the City of Los Angeles.

Isla Intersections is still under construction, and thus the impacts on the community remain unknown. However, the inclusion of urban greening and green infrastructure elements is encouraging. Going forward, other developers could adopt and expand upon this model by including public park space or sizeable greenspace onsite that residents can use for recreation and physical activity.





JAPANESE GARDEN IN LITTLE TOKYO (PHOTO BY DANIEL MELLING)

## Neighborhood Transformation Scattered Site Approach: Sustainable Little Tokyo

The emergence of the Sustainable Little Tokyo community initiative in the early 2010s preceded the concept of joint development, yet it serves as a useful example of the benefits of a neighborhood-scale development pattern driven by community engagement. Little Tokyo, located just east of Downtown Los Angeles, has survived as a center of Japanese American community and culture for more than 130 years, including through the unjust incarceration and internment of Japanese American residents during World War II,<sup>69</sup> and city policies, like the planned expansion of the Civic Center,<sup>70</sup> that often threaten its residents' autonomy. For over a decade, a combination of grassroots organizations, public agencies, and developers have banded together to preserve the neighborhood's historic culture, while expanding the neighborhood's green footprint and affordable housing opportunities. Little Tokyo now stands as a model for joint development of green space and affordable housing.

Little Tokyo has several buildings with affordable housing, including the Far East Building—a historic building with 16 affordable housing units and two commercial storefronts<sup>71</sup>—and the San Pedro Firm Building, which was once threatened with demolition by the City and now contains 42 affordable units.<sup>72</sup> Casa Heiwa provides an additional 100 units of affordable housing for both seniors and young families.<sup>73</sup>

<sup>69</sup> Kenji Liu, *How Little Tokyo, Los Angeles is Approaching Community-Led Recovery Through Arts and Culture*, in *Placemaking Postcards*, Brookings, May 19, 2020, <https://www.brookings.edu/blog/the-avenue/2020/05/19/how-little-tokyo-los-angeles-is-approaching-community-led-recovery-through-arts-and-culture/>.

<sup>70</sup> Kelly Simpson, *Three Waves of Little Tokyo Redevelopment*, KCET, July 31, 2012, <https://www.kcet.org/shows/departures/three-waves-of-little-tokyo-redevelopment>.

<sup>71</sup> Little Tokyo Service Center, *Little Tokyo Projects*, <https://www.ltscc.org/building-affordable-housing/>.

<sup>72</sup> *Id.*

<sup>73</sup> *Id.*



There are several publicly-accessible green spaces in Little Tokyo. For instance, Budokan of Los Angeles is a multipurpose recreational facility with a rooftop park. The award-winning James Irvine Japanese Garden features a 170-foot stream, waterfall, trees, and foliage and sits 0.2 miles from the San Pedro Firm Building. Casa Heiwa is a 2-minute walk from the garden. Another community-led initiative, the Azusa Street Pathway project, has worked to convert a local alleyway into a parklet and community gathering space.<sup>74</sup>

The joint development of green space and affordable housing in Little Tokyo is largely the result of organized community groups, such as Little Tokyo Service Center<sup>75</sup> and Sustainable Little Tokyo, an initiative encompassing more than 100 community organizations. The California Department of Housing and Community Development, the Getty Foundation, and the Federal Home Loan Bank have also supported housing developments, including the Far East Building.

There are also opportunities for new joint development projects in Little Tokyo. These include First Street North; the Mangrove block; and the Metro Regional Connector station site, which is slated to become the City's second-busiest transit stop.<sup>76</sup> They are the last publicly-owned parcels in Little Tokyo. After engagement with the community, the Little Tokyo Community Council approved a community-oriented plan for First Street North that emphasized mixed-use buildings and affordable housing while preserving green open space in 2016. What happens to each stretch of land could further solidify Little Tokyo's leadership in joint development.

74 Sustainable Little Tokyo, *Azusa Street Improvements*, <http://sustainablelittletokyo.org/projects/azusa>.

75 Little Tokyo Service Center, *Strengthening Little Tokyo*, <https://www.ltsc.org/strengthening-little-tokyo/>.

76 <https://www.latimes.com/local/la-me-0316-little-tokyo-history-20140316-story.html> (New Metro station in Little Tokyo will connect the Blue and Gold lines).



PUBLIC PLAZA IN LITTLE TOKYO NEAR JAPANESE GARDEN [PHOTO BY DANIEL MELLING]



PARK NEAR ENTRANCE TO LA RIVER PATH [PHOTO BY DANIEL MELLING]

## Transformative Infrastructure with Affordable Housing and Anti-Displacement Strategy: L.A. River Revitalization

The revitalization of the 51-mile L.A. River is a multi-agency and multi-jurisdictional effort that presents a significant opportunity for joint development. The revitalization could expand green space for the more than one million residents who live within a mile of the River, but the projects' affordable housing benefits are less defined. Currently, 56 major projects are underway along the River, including the eight-mile L.A. River Path, led by L.A. Metro, that would connect existing bike and pedestrian paths from the San Fernando Valley to Long Beach. The Draft 2020 L.A. River Master Plan identifies an additional 22 sites for major projects and 208 sites for smaller infrastructure improvements.<sup>77</sup> For many community leaders and officials, plans to revitalize the River also present opportunities and risks for ensuring access to affordable housing and green space for low-income communities of color.

The Draft Master Plan was released in 2021 and is currently being reviewed by relevant agencies. The Draft Master Plan provides a vision for connected public open space along the River and includes maps of sites where projects such as parks and water storage might be built. It also includes a menu of design ideas for communities to implement projects, including river access points, bridges, pavilions, benches, and biodiversity habitat.

<sup>77</sup> Hayley Munguia, *Los Angeles County releases draft plan to reimagine all 51 miles of the LA River*, Los Angeles Daily News (Jan. 13, 2021), <https://www.dailynews.com/2021/01/13/los-angeles-county-releases-draft-plan-to-reimagine-all-51-miles-of-the-la-river/>.



Among its main goals, the plan intends to “address potential adverse impacts to housing affordability and people experiencing homelessness.” This emphasis on affordable housing reflects longstanding community concerns about disparities in access to public parks and increasing costs of housing. Community voices have expressed concerns about “green gentrification,”<sup>78</sup> and community organizers and activists have offered suggestions for how local officials can support affordable housing along the River. Some of the suggestions include a land bank to acquire land for development, funds for housing construction, rent control measures, inclusionary zoning, and support for home buyers’ clubs that subsidize down payments and provide low-interest loans.<sup>79</sup> Advocates point to anti-displacement policies that County Supervisors adopted as part of guidelines for the implementation of Measure A. The City of L.A.’s 2016 ballot measure, Measure JJJ, requires affordable housing in projects seeking significant discretionary approvals from the City. The Measure authorized the creation of the TOC Program to provide density bonuses for projects including affordable housing near major transit.<sup>80</sup>

The draft Master Plan suggests the County could create a land bank or similar entity to make land purchases along the River to hold for eventual sale or lease to affordable housing developers. Other affordable housing proposals in the plan include: providing resources for tenant protections, education, and counseling; identifying funding and land for land banks and direct acquisition of land for affordable housing; expanding the Los Angeles County Community Development Authority’s Home Ownership Program, which provides loans for down payments to low-income households; identifying communities at risk of displacement; and requiring large L.A. County projects to include housing assessments.

Several proposed and ongoing L.A. River projects will provide access to green space and affordable housing. One example is Taylor Yard, a retired railyard in Los Angeles that consists of several parcels owned or managed by city, county, state, and private interests. L.A. Metro owns portions of the area, and it has issued ground leases to redevelop the land for housing and green space. A for-profit developer of affordable housing built 305 affordable units across four projects, drawing on predevelopment financing from Enterprise Foundation, New Economics for Women, and a \$15 million grant from the State’s Infill Infrastructure Grant Program.<sup>81</sup> The City of Los Angeles has led a community consultation process for revitalization of the 42-acre G2 parcel, a riverfront property with pieces owned by both the City and the Mountains Recreation & Conservation Authority.<sup>82</sup>

The revitalization of the L.A. River presents an important opportunity to increase access to green space and affordable housing in the City and County of Los Angeles. This opportunity should be taken seriously, and it is critical to ensure that projects serve low-income communities of color and do not contribute to displacement.

78 Comment Letter from Public Counsel & SEACA, *LA River Recommendations* (Mar. 10, 2017), [http://clkrep.lacity.org/online/docs/2014/14-1349\\_misc\\_3-10-2017.pdf](http://clkrep.lacity.org/online/docs/2014/14-1349_misc_3-10-2017.pdf).

79 Jon Christensen, *How to make sure the L.A. River Master Plan fulfills its promise to Gateway Cities*, *Los Angeles Times* (Feb. 21, 2021), <https://www.latimes.com/opinion/story/2021-02-21/los-angeles-river-master-plan-gateway-cities-frank-gehry-gentrification-equitable-development>.

80 Damon Nagami, *Planning for Equitable Development Along the LA River*, NRDC (Jul. 23, 2019), <https://www.nrdc.org/experts/damon-nagami/planning-equitable-development-along-river>.

81 McCormack Baron Salazar, *Taylor Yard*, <https://www.mccormackbaron.com/community-profiles/taylor-yard>.

82 City of Los Angeles Engineering, *Taylor Yard G2 River Park Project Final Draft Implementation Feasibility Report*, <https://tayloryardriverprojects.lacity.org/projects/taylor-yard-g2-river-park-project-final-draft-implementation-feasibility-report-ifr>.

*While joint development projects require coordination and may be subject to additional government approvals, the core work—building parks and affordable housing—fits squarely within the wheelhouses of government agencies, affordable housing developers, and nonprofit park developers. The goal is to coordinate existing efforts to produce greater social and environmental benefits, while using limited resources more efficiently.*



## Recommendations

Much can be done to boost parks and affordable housing joint development projects in Los Angeles. These recommendations, if adopted by key government, affordable housing, and nonprofit park entities, would standardize and streamline the development process. While joint development projects require coordination and may be subject to additional government approvals, the core work—building parks and affordable housing—fits squarely within the wheelhouses of government agencies, affordable housing developers, and nonprofit park developers. The goal is to coordinate existing efforts to produce greater social and environmental benefits, while using limited resources more efficiently. These policy changes can help make joint development projects much more common.

The following recommendations are designed to improve funding opportunities for joint development projects, encourage community engagement, and ensure long-term support for operations and maintenance.

### 1. Update government approval processes and increase funding for joint development projects

From grant programs to development permits, many government processes are not set up to facilitate multi-benefit projects. These proposed solutions would reward multi-benefit projects for all of the benefits they provide, while proposing criteria to help decision makers choose wisely among them.

- **Create a stable, long-term source of State funding for programs that support joint development:** With funding from the Greenhouse Gas Reduction Fund (GGRF) potentially expiring in 2030, it is important to create a funding source for State programs that can support joint development, including the Urban Greening and Affordable Housing Sustainable Communities programs. The State Legislature could introduce legislation to extend the GGRF program, either by extending California's cap-and-trade program or by designating a new funding source, such as a tax on polluting industries. Alternatively, funding for these programs could be secured through the budget process. New legislation that removes barriers to funding for both parks and affordable housing developments by allowing both types of developers to be eligible for funding for joint development projects, as well as separate parks and affordable housing funding, would also be needed.
- **Streamline and update funding application processes to prioritize joint development projects:** A holistic approach to funding multi-benefit projects—one that considers how all the pieces fit together—could help secure funding for the whole project, while prioritizing funding for projects that provide the most benefits. Most grant and loan programs have a narrow focus and funding caps, requiring developers to secure funding from multiple sources. This can create funding gaps. For example, a multi-benefit project may have a very competitive housing component and secure funding from the California Department of Housing and Community Development, but not receive funding from the California Natural Resources Agency for its small urban greening project to the detriment of the residents of the development who may not have any other access to green space. Alternatively, a project could have a very strong greening component that is awarded funding, but if it cannot secure funding for the housing development, the entire project could get scrapped.

A universal or common application could help address this problem by notifying all State agencies of a project's components and encouraging the agencies to work together and coordinate grant awards. At the State level, the California Natural Resources Agency, Strategic Growth Council, the Department of Housing and Community Development, and other administering agencies should consider creating a universal or common application for all programs that address parks and affordable housing, including the GGRF grant programs and/or other state grant programs. If an application that covers all GGRF programs is too cumbersome, the California Natural Resources Agency, Strategic Growth Council, and the Department of Housing and Community Development could create a pilot universal application for the Statewide Parks Program, Urban Greening, Affordable Housing Sustainable Communities, Housing-Related Parks, and HOME programs. The agencies could coordinate or sequence their application deadlines and review timelines to create predictability, reduce time delays, and further streamline application processes.

In L.A., the City and County could also revise their grant and loan application processes to recognize and reward multi-benefit projects. This could be as simple as a top sheet or form that describes the different aspects of the project and identifies the various City/County funding sources the applicants plan to apply for. The City and County could each convene a multi-department application review committee for joint development projects that could meet quarterly or biannually to make funding decisions.



*Building on the concept that the whole of a joint development project is greater than the sum of its parts, agencies should award additional points for each project component or benefit and for partnerships.*

- **Award additional points for additional benefits:** Building on the concept that the whole of a joint development project is greater than the sum of its parts, agencies should award additional points for each project component or benefit and for partnerships. A group of nonprofits that wants to build affordable housing with supportive services near transit with on-site, publicly-accessible green space and storm water infrastructure should be competitive. One way to ensure applications like this rise to the top is by revising grant criteria to award additional points for these benefits and partnerships.

For new funding programs, an agency would need to include criteria that awards additional points for joint development projects in its grant guidelines. For existing programs, each state or local agency that administers a parks or affordable housing grant or loan program would need to amend its program guidelines to award additional points for joint development projects. This could be as simple as adding language that says, “X additional points will be awarded for projects that include at least one of the following elements from each category: 1) public open space, green space, trees, recreation amenities, or a community garden and 2) low-income, multi-family, or permanent supportive affordable housing.” Agencies could incentivize and reward partnerships by including language stating, “One point will be awarded for each non-profit, government, or affordable housing developer project partner.” Most agencies are permitted to propose changes to grant guidelines and make proposed changes available for public comment, periodically. If any agency is unable to amend its program guidelines, new legislation or a legislative amendment to the statute that created the grant or loan program may be required.

The California Tax Credit Allocation Committee could also amend its criteria for awarding low-income housing tax credits to award points for green space or park co-development. Given how competitive and valuable these credits are, developers strive to maximize the points they receive on their applications. This change would incentive the inclusion of green space in new affordable housing projects.



## 2. Create and acquire sites for joint development projects

Given L.A.'s competitive real estate market, parks and affordable housing developers may need to get creative and look beyond market-rate property. These proposed recommendations encourage development on existing affordable housing sites, parks, and public lands; utilization of surplus land; and the creation of new policies to support green space development.

*Given L.A.'s competitive real estate market, parks and affordable housing developers may need to get creative and look beyond market-rate property.*

■ **Develop a “Parks at Affordable Housing” pilot program:** Using the City's Community School Parks “25 by 25” program as a model, the City and County park departments could each establish a pilot program for developing parks on and adjacent to new and existing affordable housing development sites. Under the program, the City and County could notify affordable housing developers of City- and County-owned prospective park sites that are suitable for joint development. The City or County could own the land and develop an on-site park, while the affordable housing developer could apply to lease a portion of the site for housing. Additionally, the City and County could create a process for affordable housing developers to submit project proposals for park and green space development that the City or County could then develop on or near existing affordable housing developments.

■ **Strengthen the Surplus Land Act and maximize the use of surplus land:** Vacant or underutilized lots are missed opportunities, but in its current form, the Surplus Land Act does not do enough to prioritize affordable housing or park development. HCD is working on guidelines related to the Act's new affordable housing requirements, but even with the amendments to the statute and forthcoming recommendations for implementing the amendments, it appears that local jurisdictions will be able to sell surplus land to the highest bidder. Additional amendments, such as requiring a right of first refusal for affordable housing developers, could ensure surplus land is used for parks, affordable housing, or joint development projects.

Absent new legislation, there may still be opportunities for local governments to support the use of surplus land for joint development projects. Local governments can assess their public land holdings and identify which parcels are vacant and/or underutilized. Government agencies can then choose to pursue their own joint development or multi-benefit projects on these parcels or dispose of them by selling them to affordable housing and nonprofit park developers. Local governments could utilize local surplus land disposal processes, the Surplus Land Act, or a Request for Proposals process to sell or lease City/County-owned land to nonprofits for joint development.

The City and County of Los Angeles could also expand the Free Lots Angeles's Adopt-A-Lot, a collaborative initiative supported by the City that provides community-based organizations with opportunities to activate and steward vacant lots.<sup>83</sup> Past Adopt-A-Lot projects have provided access to green space, outdoor recreation, exercise opportunities, and gathering places for underserved communities.

83 Free Lots Angeles, Inclusive Action for the City, <https://www.inclusiveaction.org/free-lots-angeles>.



- **Create a green space overlay zone:** Using transit-oriented development incentives as a model, the City could adopt an ordinance creating a park overlay zone in high and very high park need areas. The overlay zone could provide density bonuses, reduced parking requirements, and other development incentives for housing development projects that include publicly-accessible green space and affordable housing and for commercial development projects that include publicly-accessible green space.
- **Build joint development projects on public school campuses:** There is an ongoing effort in Los Angeles to build community school parks on Los Angeles Unified School District (LAUSD) public school campuses. Community school parks are green spaces that are only open to students during school hours, but are open to the public after school hours, in the evenings, and on weekends and school holidays.<sup>84</sup> In L.A., these efforts have been delayed, largely by bureaucratic processes within LAUSD, as well as concerns about liability. However, there is a precedent for community school parks or shared use on school campuses in California; San Francisco's Shared Schoolyard Program brings together the City and County of San Francisco, San Francisco Unified School District, and community partners to make school campuses accessible to community members for recreation on the weekends.<sup>85</sup>

Public school campuses are particularly well suited for park development because they are well-known and frequently used sites that are evenly distributed throughout Los Angeles. Children love parks and need them for physical and recreational activities, and by putting them on school campuses, children can use them during and after school hours. Replacing blacktop playgrounds with green space mitigates the urban heat island effect, making it safer and more comfortable for children to play outside during the summer months. LAUSD also offers affordable housing for income-qualified school employees, mostly custodial staff, on a few of its campuses.<sup>86</sup>

Existing school housing and community school park efforts could be combined and expanded to create greater access to both resources. This type of joint development would be extremely valuable because it would create access to green space for a large group of park users, while providing affordable housing for school employees and other income-qualified individuals, such as low-income families with LAUSD students. These families may have difficulty finding housing near schools in more affluent neighborhoods but may not be eligible for low-income housing programs. Building parks on school campuses reduces the need for land acquisition for new park development. This is a cost-effective solution, and it allows limited vacant lots to be used for affordable housing and other community uses, such as local businesses.

Making progress on this proposal will require overcoming opposition within LAUSD and streamlining the District's cumbersome bureaucratic processes. LAUSD School Board members could serve a critical role in garnering support within the District, because the LAUSD Board has the authority to permit community school parks and shared use. Absent that support, state action may be beneficial. The California Department of Education could amend its guidelines to require or allow for more school greening. Legislation that removes liability for school districts that make campuses open for public recreation under certain conditions could also be beneficial.

84 The Trust for Public Land (2021), *Green Schoolyards for Los Angeles*, <https://www.tpl.org/wp-content/uploads/2022/09/Green-schoolyards-for-Los-Angeles-A-Trust-for-Public-Land-special-report.pdf>.

85 SFSU, *Shared Schoolyard Program*, <https://www.sfsu.edu/sharedschoolyard>.

86 LAUSD Facilities Services Division, *Los Angeles Unified Launches Effort To Provide Affordable Housing for Teachers and Staff*, <https://achieve.lausd.net/site/Default.aspx?PageType=3&DomainID=4&PageID=1&ViewID=6446ee88-d30c-497e-9316-3f8874b3e108&FlexDataID=107017>.



COMMUNITY DESIGN MEETING FOR PROP 68 GRANT APPLICATION. PHOTO BY BETH KENT

### 3. Improve stakeholder coordination and community engagement

Joint development projects tend to be complex and resource intensive. In order to ensure the projects are built properly and are responsive to community needs, it will be important to involve experienced stakeholders and engage community members.

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- **Hire consultants with practical experience:** Local agencies should hire non-profit affordable housing and park developers as consultants to coordinate community engagement and advise on joint development projects. By hiring nonprofit developers to organize and oversee community engagement, local governments can strive to make their community engagement processes more robust and inclusive. Many nonprofit organizations have established trust with low-income communities of color, which can elicit better public participation. Nonprofit organizations can also help design projects that more meaningfully respond to public comments.
- **Hire interdepartmental liaisons:** Employees who are hired or assigned to work with the relevant housing and parks departments to oversee and support joint development programs and projects could foster interdepartmental collaboration. Greater collaboration across local agencies is needed to build more effective city- and county-level partnerships. By hiring liaisons or assigning staff to serve in liaison positions, local jurisdictions can begin to break down silos that prevent the construction of city- and county-level joint development projects.
- **Establish city and county commissions/task forces on joint development:** These entities could convene public, private, and nonprofit stakeholders and experts and invite them to provide guidance to the City and County. In addition to assigning liaisons, the City and County can support joint development efforts by creating commissions or task forces that bring together decision makers, experts, and stakeholders and facilitate brainstorming and the sharing of ideas and best practices.

#### 4. Create sustainable, long-term sources of funding for operations and maintenance

These recommendations are intended to create new sources of funding specifically for O&M, which is often underfunded and excluded from many traditional funding sources.

■ **Create a new California Special Interest License Plate for parks:**

Using the California Coastal Commission and Environmental License Plate programs as models, California State Parks could work with the Department of Motor Vehicles to create a parks special interest license plate. A portion of fees would be donated to State Parks and the funding could be earmarked for public park maintenance. State Parks could then create a grant program to distribute funding to state conservancies, local and nonprofit park entities, and affordable housing developers to cover operations and maintenance costs. License plate programs produce fairly modest funding. For example, in 2019, the Coastal license plate generated \$1.3 million for the California Coastal Commission, while the Yosemite plate raised \$637,000 for the park.<sup>87</sup> However, license plate programs are relatively inexpensive to administer and can create new funding sources that are earmarked for a specific purpose. They may also be able to raise awareness about the need for park operations and maintenance.

■ **Create an “Adopt-A-Park” program:** Similar to the Adopt-A-Highway program, State Parks could create an Adopt-A-Park Program. Individuals and organizations could either volunteer to clean up a park space or make a donation to State Parks that could be used to cover park O&M.<sup>88</sup> As with license plate programs, an Adopt-A-Park program would likely raise only modest funds, but it would create a new and specific funding source for O&M, which is chronically underfunded and often excluded from grant programs.

■ **Amend California bond law:** Amending current bond laws could allow a small percentage of bond funding to be used to operate and maintain capital projects that are funded by bonds. Any Member of the State Legislature could introduce new legislation that expands the use of bond funding for operations and maintenance. New legislation should aim to resolve the issues created by Proposition 68’s provision related to community access programs. The Department of Finance is likely to oppose such a bill, and opponents may raise concerns about incurring long-term debt to finance temporary, non-capital assets, such as programs and maintenance. However, ensuring that expensive capital assets are well-maintained and can be used and enjoyed for decades can protect the taxpayers’ investment and maximize the benefits for community members. This recommendation is likely to be politically challenging to implement, but it is worth researching further, particularly with a focus on how that law could be amended to permit programs like Proposition 68’s community access program.

<sup>87</sup> Cal. Dep’t of Motor Vehicles, *Consolidated Specialized License Plate Programs Report*, at 1, (2019), <https://www.dmv.ca.gov/portal/file/consolidated-specialized-license-plate-programs-report-2019-pdf/>.

<sup>88</sup> Ca. Dep’t of Transp., *Adopt a Highway Sponsor FAQs*, <https://dot.ca.gov/-/media/dot-media/district-7/documents/sponsor-faqs-6-3-10-a11y.pdf>.



## Conclusion

Creating a more sustainable, equitable, and inclusive Los Angeles requires thinking strategically and creatively about how to use limited resources. Joint development projects that combine green space and affordable housing on the same, adjacent, or nearby parcels can advance environmental and public health goals, while protecting communities from displacement and gentrification. By allocating funding for joint development projects, improving systems to support these projects, utilizing public land more efficiently, and increasing collaboration among the green space and housing sectors, government agencies and nonprofit organizations can support the development of projects involving green space and affordable housing, as well as the low-income communities of color that benefit from these projects.





# Pritzker Briefs

## PRITZKER ENVIRONMENTAL LAW AND POLICY BRIEFS

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