

ORDINANCE NO. _____

An ordinance amending Sections 12.03, 12.22 A.26, 12.24 X.1 and 16.05 of the Los Angeles Municipal Code (“Code”) in order to update the existing Adaptive Reuse Ordinance. The expansion of the Adaptive Reuse Ordinance to apply citywide will further incentivize the conversion of existing buildings to housing units, provide greater design flexibility, and streamline Planning approval for such projects. It will establish a by-right approval process for existing structures that are at least fifteen years old, in place of the previously fixed date of July 1, 1974. For buildings between five and fifteen years old, adaptive reuse projects shall remain subject to the Zoning Administrator Conditional Use procedure.

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Sec 1. Section 12.03 of Article 2 of Chapter 1 of the Los Angeles Municipal Code (*Definitions*) is hereby amended to read as follows:

ADAPTIVE REUSE PROJECT: Any change of use in all or any portion of any eligible building or structure pursuant to provisions in Subdivision 12.22 A.26.

DESIGNATED HISTORIC RESOURCE: A building, structure, object, landscaping element, or natural feature listed or designated as a historical resource, either individually, or as a contributor to a historic district, at the local, state, or national level, including but not limited to listing in the National Register of Historic Places or California Register of Historical Resources, or designation as a Historic-Cultural Monument or as an Historic Preservation Overlay Zone.

HISTORIC RESOURCES SURVEY: A document, officially recognized by a local, state, or federal agency, resulting from a process of systematically identifying and documenting buildings, structures, objects, cultural landscapes, natural features, and historic districts as potentially eligible for listing as either an individual resource or as a contributor to an historic district under a local, state or federal designation program, including but not limited to the National Register of Historic Places or California Register of Historical Resources, or designation as a Historic-Cultural Monument or as a Contributing Structure in an Historic Preservation Overlay Zone (HPOZ).

LEGACY SMALL BUSINESS: Any business that is listed on the Citywide Legacy Business Registry or any business not listed on the Citywide Legacy Business Registry that has been in continuous operation within a 2 mile radius of the project site within the City for at least 20 years with no break in its operations exceeding two years, and meets at least two of the following four standards:

- a. Has no more than 50 full-time equivalent employees;

- b. Employs non English language speakers and posts a placard stating that non English languages are spoken in the establishment, written in the respective language offered. The placard shall be located within 5 feet of the entrance along the primary street lot line, and shall be a minimum of 8 ½" by 11" in at least a 12 point font;The business includes employees that can serve multi-lingual members of the community;
- c. Accepts government issued assistance such as Electronics Benefits Transfer (EBT) and posts a placard stating acceptance of government issued assistance such as Electronic Benefit Transfer (EBT) within 5 feet of the entrance along the primary street lot line, and shall be a minimum of 8 ½" by 11" in a front size of at least a 12 point font;
- d. Pays employees wages equivalent to or greater than those specified in Sec. 10.37.2 (Payment of Minimum Compensation to Employees) of Article 11 (Living Wage) of the Los Angeles Administrative Code.

LIVE/WORK UNIT: A single unit that combines both a dwelling unit and work space designated for productive uses and entrepreneurial activities, that may include areas for display or sales of products produced therein. The alternative provisions in Division 85 of the Los Angeles Building Code, established to apply to conversions from non-residential uses to Joint Living and Work Quarters, shall also apply to Live/Work Units.

NON-RESIDENTIAL USE: Any use other than for housing accommodation.

RESIDENTIAL USE: Any use that provides housing accommodations serving as a primary residency or having a tenancy of thirty days or greater, or residential Supportive Services, or a Home Occupation. This definition includes Dwelling Units, Efficiency Dwelling Units, Supportive Housing, Dormitories, Guest Rooms, Live/Work Units, or Joint Living and Work Quarters.

SURVEYED HISTORIC RESOURCE: Any building, structure, object, site, landscape, or natural feature identified through an Historic Resources Survey as eligible for listing as either an individual resource or as a contributor to an historic district under a local, state or federal designation program, including but not limited to listing in the National Register of Historic Places or California Register of Historical Resources, or designation as a Historic-Cultural Monument or as an Historic Preservation Overlay Zone. This term does not include a non-contributor to an eligible historic district.

TRANSIENT RESIDENTIAL USE. A residential building wherein occupancy, by any person by reason of concession, permit, right of access, license, or other agreement is for a period of 30 consecutive calendar days or less, counting portions of calendar days as full days. Lodging uses shall not serve as a primary residence.

UNIFIED ADAPTIVE REUSE PROJECT. An adaptive reuse project composed of the conversion of existing floor area from a Non-Residential Use to a Residential Use in at least one existing building combined with new construction of new floor area, either attached to the

existing building, or detached from the existing building, which may include development of portions of a lot shared with an Adaptive Reuse Project, or on lots that abut or are separated only by an alley, or are located directly across the street, from any portion of an Adaptive Reuse Project.

Sec. 2. Subdivision 26 of Subsection A of Section 12.22 of Article 2 of Chapter 1 of the Los Angeles Municipal Code (*Downtown Adaptive Reuse Projects*) is hereby amended to read as follows:

12.22 A.26. ~~Downtown Adaptive Reuse Projects (Amended by Ord. No. 174,316, Eff. 12/20/01)~~

(a) Purpose. The purpose of this Subdivision is to revitalize the ~~Greater Downtown Los Angeles Area~~ and implement the General Plan by facilitating the retention and conversion of older, economically distressed, existing, underutilized, or historically significant buildings to apartments, live/work units or visitor-serving facilities to new Residential Uses. This will help to reduce vacant space, create opportunities for new housing as well as and preserve Downtown's ~~the City's~~ architectural and cultural ~~past legacy.~~ Encouraging the reuse of buildings is a sustainable practice to retain many of the resources that went into their initial construction and thereby reduce greenhouse gas emissions and encourage the development of a live/work and residential community Downtown, thus creating a more balanced ratio between housing and jobs in the region's primary employment center. This revitalization Such productive reuse will also facilitate the development of a "24-hour city" and encourage support mixed commercial and residential uses in order to improve air quality and reduce vehicle trips and vehicle miles traveled by locating residents, jobs, hotels and transit services near each other.

(b) Application Relationship to Other Zoning Provisions. If the provisions of Subparagraph (2) of Paragraphs (h)(g) and (h) and of Subparagraphs (1), (2) or (3) of Paragraph (j) of this ~~s~~Subdivision conflict with those of any specific plan, supplemental use district, "Q" condition, "D" limitation, or any citywide provision of Chapters 1 and 1A of the Los Angeles Municipal Code ("Code") regulation, any of which were adopted or imposed by City action prior to the effective date of this ordinance, then this Subdivision 12.22 A.26 shall prevail. In addition, Adaptive Reuse Projects shall be subject to the following exceptions or additional provisions:

(1) If the provisions of this Subdivision conflict with those of any Historic Preservation Overlay zone (HPOZ), then the provisions of the Historic Preservation Overlay Zone shall prevail, pursuant to Division 13B.8 (*Historic Preservation*) of Chapter 1A of the Code. Adaptive Reuse Projects involving other Designated Historic Resources may be eligible for the incentives set forth in Paragraphs (g) (*Incentives*) and (h) (*Incentives for Unified Adaptive Reuse Projects Providing Affordable Housing*) of Chapter 1 of the Code, below, and shall be reviewed pursuant to Section 91.106.4.5 (*Permits for*

Historical and Cultural Buildings) of Chapter IX of the Code and/or Section 22.171 (Cultural Heritage Commission) of the Los Angeles Charter and Administrative Code.

(2) For Adaptive Reuse Projects seeking tax abatement under the Mills Act, pursuant to Sections 50280-50290 of the California Government Code, and Section 91.140 (Approval of Historic Property Contracts) of the Los Angeles Administrative Code, the City Council may contract with an owner or agent of the owner of any qualified historical property.

(3) If the provisions of this Subdivision conflict with those of any Sign District (SN) then the provisions of the Sign District shall prevail, pursuant to Section 13.11 of Chapter 1 of the Code.

(4) Notwithstanding the above, expansion of new floor area as part of a Unified Adaptive Reuse Project shall be subject to applicable citywide provisions of Chapter 1 or 1A of the Code and any applicable "Q" conditions or "D" limitations, and any applicable Specific Plan, supplemental use district, and/or Streetscape Plan.

(5) The Mixed Income Incentive Program or Affordable Housing Incentive Program Public Benefit Option may be utilized in combination with an Adaptive Reuse Project, with the Restricted Affordable Unit percentage and Income level, and other requirements, subject to the provisions of Subsections 12.22 A.38 or 12.22 A.39 of Chapter 1 of the Code or established in Div. 9.3 or in Sec. 9.2.2. of Chapter 1A of the Code.

(6) Adaptive Reuse Projects remain subject to provisions of the Affordable Housing Linkage Fee pursuant to Section 19.18 of Chapter 1 of the Code.

(7) This Subdivision 12.22 A.26 shall supersede the Adaptive Reuse Incentive Areas Specific Plan (Ordinance 175,038), with the areas of that former Specific Plan now designated as Subareas of this Citywide Adaptive Reuse Ordinance. Adaptive Reuse Projects within the boundaries of the Subareas shall be eligible for all incentives and procedures in this Subdivision 12.22 A.26, except that:

(i) Properties within the boundaries of the Subareas shall be eligible for conversion to Transient Residential Use, as set forth below, in Paragraph 12.22 A.26(c); and

(ii) A Zoning Administrator may, upon application, allow Adaptive Reuse Projects in the MR1, MR2, M1, M2 and M3 zones, subject to the procedures set forth in Subparagraph 12.22 A.26 (e)(4) of Chapter 1 of the Code.

(c) Definition Uses Allowed in of Adaptive Reuse Projects. Notwithstanding any other provisions of this eChapter to the contrary, ~~for the purposes of this subdivision, to be eligible for incentives set forth below~~ an Adaptive Reuse Project is subject to the following provisions:

(1) Any change of use an existing Non-Residential Use, or Transient Residential Use to new Residential Use which may include Dwelling Units, Efficiency Dwelling Units, Supportive Housing, Dormitories, Guest Rooms, Live/Work Units, or Joint Living and Work Quarters in all or any portion of any eligible building or structure is allowed.

(2) Adaptive Reuse Projects shall not include changes of use to Transient Residential Use, which shall be ineligible for the incentives and procedures set forth in this Subdivision 12.22 A.26, except that such conversions may be allowed in Adaptive Reuse Projects located within the boundaries of the former Adaptive Reuse Incentive Areas Specific Plan, Ordinance 175,038, now considered as Subareas of this Subdivision 12.22 A.26. Conversions from Transient Residential Use may be allowed in Adaptive Reuse Projects.

(3) Only Adaptive Reuse Projects resulting in the creation of five or more residential units shall be eligible for the incentives and procedures set forth in this Subdivision.

<u>Applicable Area</u>	<u>Conversion of Buildings</u>		<u>Permitted (P) or Not Permitted (NP)</u>
	<u>Existing Use</u>	<u>Proposed Use</u>	
<u>Citywide*</u>	<u>Non-Residential</u>	<u>Residential Uses, including Dwelling Units, Efficiency Dwelling Units, Supportive Housing, Dormitories, Guest Rooms, Live/Work Units, or Joint Living and Work Quarters</u>	<u>P</u>
		<u>Transient Residential Use</u>	<u>NP</u>
	<u>Transient Residential Use</u>	<u>Residential Uses</u>	<u>P</u>
	<u>Residential</u>	<u>Non-Residential</u>	<u>NP</u>
<u>Subareas**</u>	<u>Non-Residential</u>	<u>Residential Uses, including Dwelling Units, Efficiency</u>	<u>P</u>

		<u>Dwelling Units, Supportive Housing, Dormitories, Guest Rooms, Live/Work Units, or Joint Living and Work Quarters</u>	
		<u>Transient Residential use</u>	<u>P</u>
	<u>Transient Residential Use</u>	<u>Residential Uses</u>	<u>P</u>
	<u>Residential</u>	<u>Non-Residential</u>	<u>NP</u>

* Pursuant to this Subdivision 12.22 A.26 of Chapter 1 (or Article 9. of Chapter 1A of the Code, for that portion of Los Angeles within the boundaries of the Downtown Community Plan and new Community Plan areas subject to the new Zoning Code (Chapter 1A) as they are adopted).

** Projects located within the boundaries of the former Adaptive Reuse Incentive Areas Specific Plan.

(4) Existing ground floor commercial uses may be converted to Residential Use, provided that at least the first 15 feet of depth as measured perpendicularly from the street-facing facade shall be designed and intended for such active uses as Live/Work Units, or common residential amenity spaces such as fitness rooms, lounges, lobbies or co-working space, to maintain active uses at the ground floor. Additionally, while the ground floor facade may be modified, the new ground floor use shall maintain or may increase transparency, and shall not reduce the existing condition of exterior glazing on any portion of a ground floor fronting a public street. Only such reductions as are required for seismic reinforcement, fire/life safety concerns, or other upgrades to improve performance of the existing building shall be allowed.

(d) Eligible Buildings. The provisions of this sSubdivision 12.22 A.26 shall apply to Adaptive Reuse Projects in all or any portion of the following buildings and structures in the R2, RD1.5, RD2, RD3, RD4, RD5, RD6, RW2, R3, RAS3, R4, RAS4, R5, CR, C1, C1.5, C4, C2, C5, CM, P, PB, and PF Zones in the Downtown Project Area. A Certificate of Occupancy, building permit finalized date, or other suitable documentation may be submitted as evidence of the date of permitted and completed construction.

(1) Buildings constructed in accordance with building and zoning codes in effect prior to July 1, 1974 at the time they were built, for which at least fifteen years have elapsed since the date of permitted and completed construction. A Certificate of Occupancy,

~~building permit, or other suitable documentation may be submitted as evidence to verify the date of construction.~~

(2) Any parking structure or parking area within an existing building constructed in accordance with building and zoning codes in effect at the time they were built, for which at least five years have elapsed since the date of permitted and completed construction.

~~(3) Buildings constructed in accordance with building and zoning codes in effect on or after July 1, 1974, if at the time they were built, for which:~~

~~(i) At least five years have elapsed since the date of permitted and completed construction issuance of final Certificates of Occupancy; and~~

~~(ii) An Adaptive Reuse Project is approved by a Zoning Administrator, finds that the building is no longer economically viable in its current use or uses, pursuant to Section pursuant to Paragraph 12.24 X.1.(e)(b) of this Chapter 1 and Sec. 13B.2.1. (Class 1 Conditional Use Permit) of Chapter 1A of the Code. (Amended by Ord. No. 175,588, Eff. 12/1/03)~~

~~(3) Buildings designated on the National Register of Historic Places, the California Register of Historical Resources, or the City of Los Angeles List of Historic-Cultural Monuments. Contributing Buildings in National Register Historic Districts. Contributing Buildings in National Register Historic Districts or Contributing Structures in Historic Preservation Overlay Zones (HPOZ) established pursuant to Section 12.20.3 of this Code are also eligible buildings.~~

(e) Procedures. Adaptive Reuse Projects shall be reviewed according to the following procedures dependent upon the age of the structure and incentives requested, if the applicable requirements of Paragraph 12.22 A.26(d) (*Eligible Buildings*) of the Code are met.

(1) Department of Building and Safety Review. The Department of Building and Safety shall review the following Adaptive Reuse Projects when the criteria described in Paragraph 12.22 A.26(g) (*Incentives*) are met:

(i) Adaptive Reuse Projects involving buildings for which at least fifteen years have elapsed since the date of permitted and completed construction; or

(ii) Adaptive Reuse Projects involving parking structures or parking areas within an existing building for which at least five years have elapsed since the date of permitted and completed construction.

(2) Administrative Review. The following projects shall submit plans to the Director for an Administrative Review pursuant to Sec. 13B.3.1. (*Administrative Review*) of Chapter 1A of this Code, and according to the following additional procedures:

(i) Unified Adaptive Reuse Projects providing on-site affordable housing utilizing incentives pursuant to Paragraph 12.22 A.26(h) (*Incentives for Unified Adaptive Reuse Projects Providing Affordable Housing*), in combination with those incentives listed in Paragraph 12.22 A.26(g) of Chapter 1 of the Code; and/or

(ii) Adaptive Reuse Projects involving a Surveyed Historic Resource:

(a) Any proposed alteration of a Surveyed Historic Resource shall comply with the Secretary of the Interior's Standards for Rehabilitation. Any such project shall be reviewed by the Office of Historic Resources, prior to building permit issuance, and will thereby be eligible to utilize the California Historic Building Code; and

(b) Should the Director or their designee within the Office of Historic Resources determine, based upon substantial evidence, that the Surveyed Historic Resource is not an historical resource, as defined by California Public Resources Code Section 21084.1, such property will not be considered an historic resource; and

(c) If proposed alterations to a Surveyed Historic Resource do not meet the Secretary of the Interior's Standards for Rehabilitation to the satisfaction of the Office of Historic Resources, the Discretionary Procedure pursuant to Subparagraph (3) below shall be followed.

(3) Exceptions for Designated Historic Resources. Adaptive Reuse Projects involving Designated Historic Resources shall not be eligible for Administrative Review but shall be reviewed according to the following procedures:

(i) Adaptive Reuse Projects located within an Historic Preservation Overlay Zone (HPOZ) shall be reviewed pursuant to Division 13B.8 (*Historic Preservation*) of Chapter 1A of the Code.

(ii) Rooftop additions to Designated Historic Resources may be allowed in Adaptive Reuse Projects providing affordable housing, as set forth in Subparagraph 12.22 A.26(h)(2) of Chapter 1 of the Code, below, and shall be reviewed pursuant to Section 91.106.4.5 (*Permits for Historical and Cultural Buildings*) of Chapter IX of the Code and Section 22.171 (*Cultural Heritage Commission*) of the Los Angeles Charter and Administrative Code.

(iii) Adaptive Reuse Projects involving Designated Historic Resources may be eligible for the incentives set forth in Paragraph 12.22 A.26(g) (*Incentives*) of Chapter

1 of the Code, below, and shall be reviewed pursuant to Section 91.106.4.5 (*Permits for Historical and Cultural Buildings*) of Chapter IX of the Code and/or Section 22.171 (*Cultural Heritage Commission*) of the Los Angeles Charter and Administrative Code.

(4) Class 1 Conditional Use. The Zoning Administrator shall review the following Adaptive Reuse Projects pursuant to Subdivision 12.24 X.1 of Chapter 1 and Sec. 13B.2.1. (*Class 1 Conditional Use Permit*) of Chapter 1A of the Code:

(i) Adaptive Reuse Projects involving buildings for which at least five years and less than fifteen years have elapsed since the date of permitted and completed construction; or

(ii) Projects involving buildings for which at least fifteen years have elapsed since the date of permitted and completed construction requesting incentives not listed in Paragraphs 12.22 A.26(g) (*Incentives*) or 12.22 A.26(h) (*Incentives for Adaptive Reuse Projects with Affordable Housing*), below; or

(iii) Unified Adaptive Reuse Projects requesting floor area averaging, transfer of residential density, or both, that do not also provide on-site Restricted Affordable Units, pursuant to Paragraph 12.24 X.1(d) of Chapter 1 of the Code; or

(iv) Adaptive Reuse Projects located in Manufacturing Zones and within the boundaries of the Subareas, pursuant to Paragraph 12.24 X.1(e) of Chapter 1 of the Code.

(5) Adaptive Reuse Projects in the Coastal Zone. Adaptive Reuse Projects located in the Coastal Zone shall continue to be subject to any applicable Coastal Development Permit procedures pursuant to Sec. 13B.9.1 of Chapter 1A of the Code.

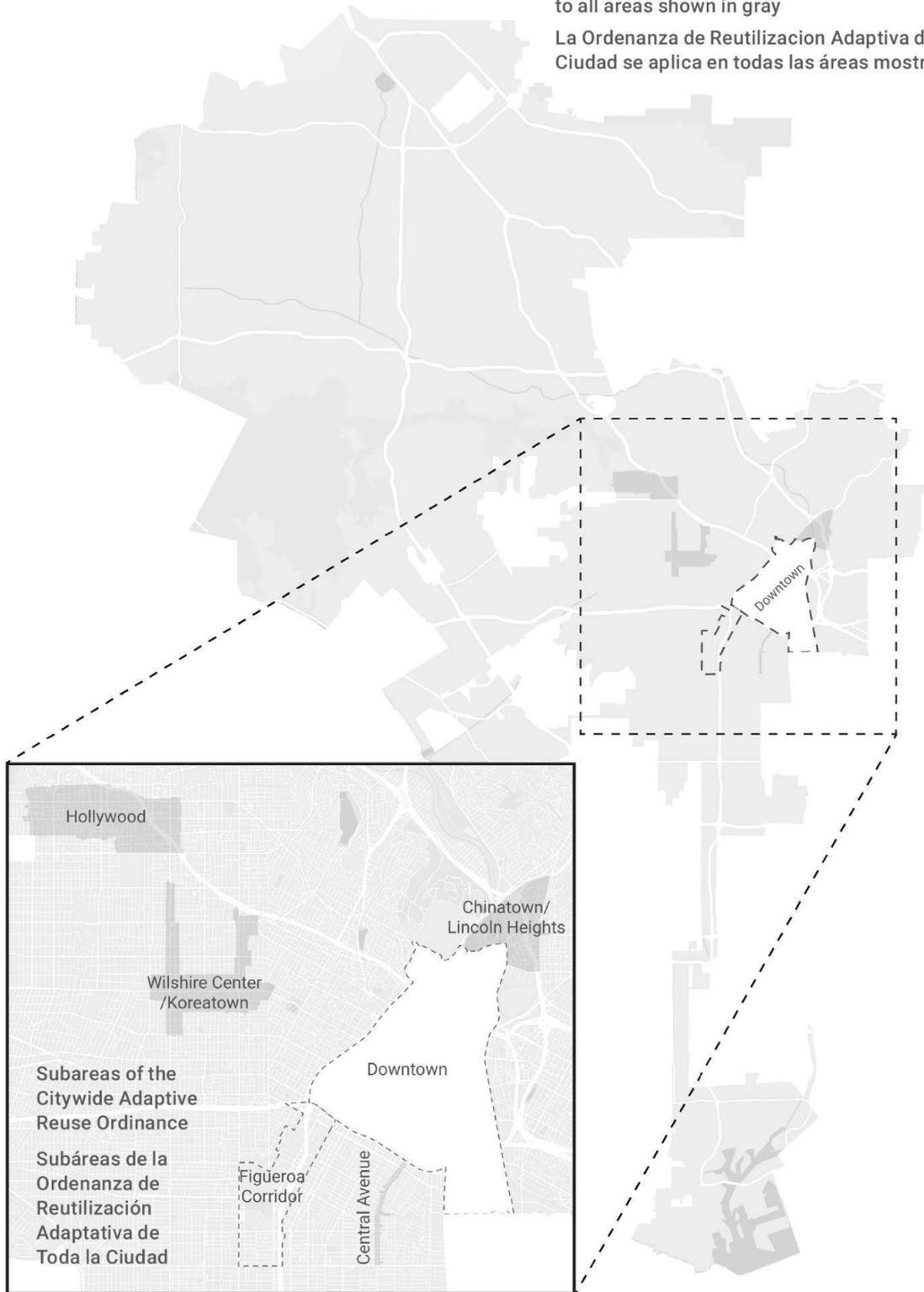
(e) M Zones. The Zoning Administrator may, upon application, permit Adaptive Reuse Projects in all or any portion of any eligible building in the MR1, MR2, M1, M2 and M3 Zones in the Downtown Project Area, pursuant to Section 12.24 X.1.(b). **(Amended by Ord. No. 175,588, Eff. 12/1/03)**

(f) Floor Area Averaging. The Zoning Administrator may, upon application, permit floor area averaging in unified Adaptive Reuse Projects, pursuant to Section 12.24 X.1(d). **(Amended by Ord. No. 175,588, Eff. 12/1/03)**

(f)(g) Downtown Project Area. The Citywide Adaptive Reuse Ordinance applies in all of Los Angeles except that Adaptive Reuse Projects located within the Downtown Community Plan Area are not eligible for the Citywide Adaptive Reuse Program but should refer to Sec. 9.4.5 of Chapter 1A of the Code. The ~~Downtown~~ Project Area includes the following areas:

The Citywide Adaptive Reuse Ordinance applies to all areas shown in gray

La Ordenanza de Reutilización Adaptativa de Toda La Ciudad se aplica en todas las áreas mostradas en gris



~~(1) Within The Central City Community Plan Area as shown on the General Plan of the City of Los Angeles; and~~

~~(2) All that real property in the City of Los Angeles, described by the following boundary lines: Bounded northerly by the centerline of Freeway Number 10 (commonly called the Santa Monica Freeway); bounded southerly by the centerline of Vernon Avenue; bounded easterly and southeasterly by the following centerline courses: beginning at the intersection of the Santa Monica Freeway and Grand Avenue, then southerly along Grand Avenue to the most easterly line of Freeway Number 110 (commonly called the Harbor Freeway), then southerly along that right of way to the centerline of Martin Luther King, Jr. Boulevard, then easterly along Martin Luther King, Jr. Boulevard to the centerline of Grand Avenue, then southerly along Grand Avenue to the centerline of Vernon Avenue. Bounded westerly and northwesterly by the following centerline courses: beginning at the intersection of Vermont Avenue and Vernon Avenue, then northerly along Vermont Avenue to Jefferson Boulevard, then easterly along Jefferson Boulevard to University Avenue, then northerly along University Avenue to 28th Street, then westerly along 28th Street to Severance Street, then northerly along Severance Street to Adams Boulevard, then westerly along Adams Boulevard to Scarff Street, then northerly along Scarff Street to 23rd Street, then southerly along 23rd Street to Bonsalle Avenue, then northerly along Bonsalle Avenue to Washington Boulevard, then westerly along Washington Boulevard to Oak Street, then northerly along Oak Street and its northerly prolongation to the Santa Monica Freeway.~~

~~**(h)(g) Incentives.** Notwithstanding any other provisions of this chapter Chapter 1 or Chapter 1A of the Code to the contrary, Adaptive Reuse Projects shall be entitled to the incentives set forth below. Except for the provision concerning mezzanines set forth in Subparagraph (1) below, these incentives shall not apply to any new floor area that is added to an Adaptive Reuse Project.~~

~~Any new construction or expansion of new floor area outside of the existing building envelope of an Adaptive Reuse Project shall be subject to all applicable provisions of the Zoning Code including Specific Plans and supplemental use districts, except that Adaptive Reuse Projects involving rooftop amenity structures, as allowed in Subparagraph (1), below; or unlimited density, and/or additional stories as allowed in Paragraph 12.22 A.26(h) (*Incentives for Unified Adaptive Reuse Projects with Affordable Housing*) of Chapter 1 of the Code shall be eligible for the incentives set forth in those Sections.~~

~~Exterior changes resulting from improvements in building safety or performance, such as to accommodate required structural or energy conservation upgrades, shall not be considered new construction, additions, or additional floor area for the purpose of granting incentives per this Paragraph.~~

(1) Rooftop Amenity Structures. The construction of new structures on the existing roof, whether on the uppermost or on multiple roof levels, shall not be considered as adding new floor area or height, as long as the new rooftop structures meet all other Los Angeles Municipal Code requirements and:

(i) Are constructed and maintained for the sole purpose of providing additional amenities or open space, such as fitness rooms, lounges, or shade structures accessible for the use of all residents or guests; and

(ii) Do not exceed one story in height.

~~(2)(4) Mezzanines-Intermediate Levels.~~ Any proposed intermediate level or levels between the floor and ceiling of any existing story, including Mezzanines, in an Adaptive Reuse Project Loft spaces in joint living and work quarters, dwelling units, and guest rooms which do not exceed more than 33 percent of the floor area of the space below shall not be allowed and not considered as adding new floor area, as long as these are added entirely within the existing building envelope. An intermediate level may consist of either a partial or full floor, and the clear height above and below the intermediate level shall be not less than 8 feet. Mezzanines may be included in the calculation of floor area for the purpose of determining compliance with the standards set forth in Paragraph (i) of this subdivision.

~~(3)(2) Density.~~ New Residential Uses, including Dwelling Units, Efficiency Dwelling Units, Supportive Housing, Dormitories, Live/Work Units, Joint Living and Work Quarters and Guest Rooms shall not be subject to the minimum lot area per Dwelling Unit or Guest Room requirements of the zone or height district in which they are located.

(4) Minimum Unit Size. Adaptive Reuse Projects shall be exempt from any minimum unit size zoning requirements. Unit sizes shall remain subject to all other applicable Los Angeles Municipal Code requirements that may be in effect to protect health, life safety, and habitability.

~~(5)(3) Off-Street Automobile Parking.~~ The required number of parking spaces shall be the same as the number of spaces that physically existed on the site at the time of application submittal for the Adaptive Reuse Project. on June 3, 1999, and shall be maintained and not reduced. Adaptive Reuse Projects Observed existing parking spaces that are maintained in their current configuration shall otherwise be exempt from the provisions of Section 12.21 A.4.(m) Subdivisions 12.21 A.4 and 12.21 A.5 of Chapter 1 of this the Code. Reconfiguration of such existing parking spaces to bring the parking layout up to current standards, such as for the purposes of improving safety or access, or to accommodate required structural, seismic or mechanical system upgrades, shall also be exempt from the requirements of Subdivisions 12.21 A.4 and 12.21 A.5 of Chapter 1 of the Code.

All new parking spaces provided in excess of the minimum parking required by the Code shall comply with Subdivision 12.21 A.5 (*Design of Parking Facilities*) of Chapter 1 of the Code. Except that for any parking spaces in excess of the number of spaces which physically existed at the time of application, any combination of standard, compact or tandem spaces may be provided. Tandem parking spaces that do not comply with Subparagraph 12.21 A.5(h)(2) of Chapter 1 of the Code may be provided in any configuration as long as a parking attendant or an automated parking system is provided.

Moreover, if the total parking required for the Adaptive Reuse Project's proposed number of Dwelling Units, Efficiency Dwelling Units, Supportive Housing, Dormitories, Live/Work Units, Joint Living and Work Quarters, or Guest Rooms is less than the number of observed spaces that physically exist at the time of application submittal, then the project may reduce the parking spaces to that number of spaces required.

Adaptive Reuse Project sites located within one-half mile of a major transit stop may, prior to a letter of determination or permit being issued, be exempt from any minimum automobile parking requirement pursuant to Section 65863.2 of the California Government Code. Utilization of this exemption, as created by Assembly Bill 2097 (2022), does not invalidate any otherwise applicable requirements regarding the provision of electrical vehicle (EV) supply equipment or parking spaces accessible to persons with disabilities. The EV and accessible parking standards required by Chapter 1 of the Code and/or the Los Angeles Green Building Code will be applied to any new parking spaces created and these requirements shall be based upon the total number of parking spaces provided in the Adaptive Reuse Project.

Adaptive Reuse Projects, including allowable floor area added as part of a rooftop amenity structure or addition, or floor area reallocation, shall not be subject to the Bicycle Parking Ordinance for Residential Uses, Subdivision 12.21 A.16 of Chapter 1 or Div. 4C.3 of the Code except:

(i) The required number of bicycle parking spaces shall be the same as the number of spaces that physically existed on the lot at the time that the application for the adaptive reuse project was submitted. However, if the total bicycle parking required for the new use is less than the number of bicycle parking spaces that exist on the lot, then the number of bicycle parking spaces may be reduced to the number of bicycle parking spaces required.

(6) **Floor Area.** Existing floor area which exceeds that permitted by the zone, height district, Specific Plan, supplemental use district, or any other citywide provision of Chapters 1 and 1A of the Code shall be allowed to remain. The following shall not be considered as adding new floor area that enlarges an existing building or structure:

(i) The change of use of any area within the envelope of an existing building to Residential Use, including Dwelling Units, Efficiency Dwelling Units, Supportive Housing, Dormitories, Guest Rooms, Live/Work Units, or Joint Living and Work Quarters.

(ii) The change of use of any area within the envelope of an existing building to common amenities or open space areas for residents or guests, or to other incidental Accessory Use.

(iii) All other areas exempted from floor area calculation, pursuant to Subdivision 12.21.1 A(5) of Chapter 1 of the Code.

(7) Floor Area Reallocation. Any amount of floor area that is removed from an existing building as part of an Adaptive Reuse Project, in order to create new interior light wells or courtyards, recessed balconies or other open space inset from exterior walls, or other such features that provide natural light and ventilation and improve habitability, may be reallocated to building additions that extend or increase the gross floor area outside of the envelope of an existing building but do not increase the number of stories or height of the structure. Additions resulting from this reallocation may be eligible for incentives under this Paragraph 12.22 A.26(e) (*Incentives*) but shall meet all requirements of Chapters 1 and 1A of the Code for new residential construction, such as for required open space, yards and height.

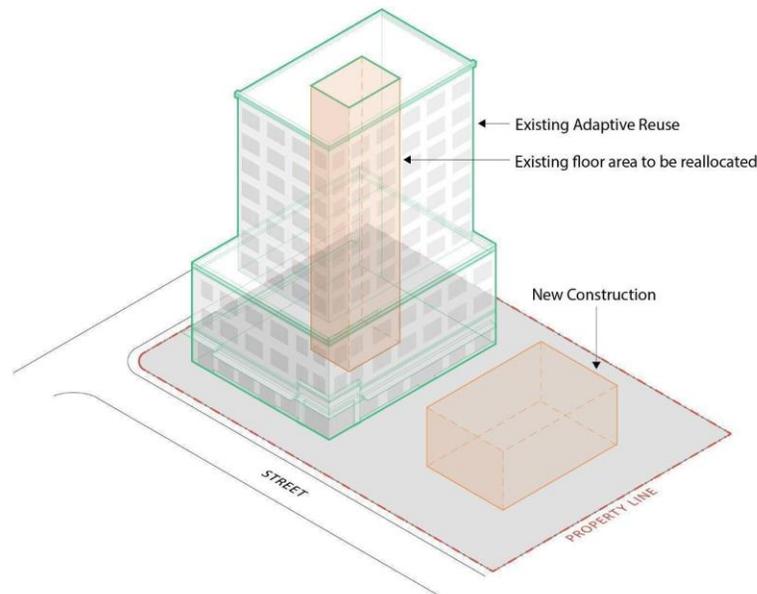


Figure 1: Reallocation of Existing Floor Area

(8) **Height.** An existing building which exceeds the height permitted by the zone, height district, Specific Plan, supplemental use district, or any other citywide provision of Chapters 1 and 1A of the Code, and is part of an Adaptive Reuse Project shall be allowed to maintain its existing height, regardless of whether it exceeds that allowed.

Any additional story created entirely within an existing building which is part of an Adaptive Reuse Project shall not be counted as an additional story towards any limit on number of stories as imposed by Chapters 1 and 1A of the Code. New structures on the existing roof, pursuant to Subparagraph 12.22 A.26(f)(1) of Chapter 1 of the Code, or additional stories pursuant to Subparagraph 12.22 A.26(h)(2) of Chapter 1 of the Code, below, shall be allowed to exceed the maximum allowable height or number of stories established in the Zone or overlay.

(9) **Yards.** Existing observed yards which do not meet the yards required by the Zone, Specific Plan, supplemental use district, or any other citywide provision of Chapters 1 and 1A of the Code, shall be allowed.

(10) **Step-Backs and Transitional Height.** An existing building which is part of an Adaptive Reuse Project shall not be required to comply with any applicable upper story or building mass provisions established by the zone, height district, Specific Plan, supplemental use district, or any other citywide provision of Chapters 1 and 1A of the Code.

(11) **Open Space and Landscaping.** An existing building which is part of an Adaptive Reuse Project shall not be required to provide common or private Open Space as a result of a change of use. In the event that an existing site includes open, outdoor gathering areas such as plazas, courtyards, terraces or roof gardens, at least 50 percent of this existing open space shall be retained.

New Landscaping shall not be required in an Adaptive Reuse Project, with the exception of public realm improvement in the form of new street trees:

(i) Each project shall provide at least one street tree per thirty linear feet of street frontage. Trees selected shall be Large Trees (as defined in LAMC Section 12.03) with a minimum container size of 15-gallons and trunk size of 1-1/2 inch caliper at the time of planting, subject to approval by the Urban Forestry Division;

(ii) Existing trees in the public rights-of-way, including street tree canopy and landscaped parkways shall be preserved, unless removal is permitted by the Urban Forestry Division. Existing street trees to remain can be counted towards the total required street tree calculation;

(iii) Street trees must be located in either existing vacant tree wells or landscaped parkways or in newly created tree wells and landscaped parkways, in conformance with Public Works Street Design Manual standards and policies;

(iv) The tree planting area size should be the maximum allowed based upon the width of the sidewalk area with dimensions of at least 4 feet x 6 feet, or as approved by the Urban Forestry Division in coordination with the Bureau of Engineering (BOE). Please refer to Type 1 in S-450-4 Standard Plan;

(v) Pursuant to LAMC Section 12.40H.1(b)(iii), the developer shall certify through a Covenant and Agreement that installed street trees will be irrigated for five years as required for establishment and to maintain ongoing tree health and viability, and shall provide a maintenance plan as part of the application; and

(vi) When required street trees cannot be physically accommodated within the public rights-of-way, due to City-determined physical constraints, a Tree Planting Guarantee Fee pursuant to Subsection 62.177 (b) of Chapter 6 of the Code shall be paid to the Board of Public Works pursuant to "Development Tree Planting Requirements".

(12)(4) Mini-Shopping Center and Commercial Corner Development Regulations.

Adaptive Reuse Projects shall be exempt from the mini-shopping center and commercial corner development regulations set forth in Subdivision section 12.22 A.23 of Chapter 1 of the Code.

(13)(5) Project Site Plan Review. Adaptive Reuse Projects shall be exempt from the requirements for Project Site Plan Review set forth in Sec. 13.B.2.4 of Chapter 1A Section 16.05 of the Code.

(14)(6) Loading Space. Where an existing loading space is provided, it shall be allowed to maintain its current, existing dimensions, regardless of whether it complies with the provisions of Paragraph 12.21 C.6(h) of Chapter 1 of the Code shall apply. If no loading spaces exist, then a loading space shall not be required in conjunction with the development of an Adaptive Reuse Project.

(15) Commercial Tenant Preservation or Retention.

(i) Any Adaptive Reuse Project that preserves or retains an active ground floor use shall be eligible for exemption from the calculation of Floor Area. Active uses, up to 1,500 square feet, located on the ground story shall be exempt from the calculation of floor area, provided that the exempted active space meets the following requirements:

(a) For the purposes of exempting active uses on the ground story from calculating floor area, active space shall be designed and intended for Neighborhood Retail and Service Uses. Areas for circulation, storage, mechanical equipment, parking, lobbies, mailrooms, laundry rooms, utilities, and waste collection shall not account for more than 15% of an area designated as an active use.

- (b) Projects utilizing this option shall provide a ground story transparency of a minimum of 60% along the primary Frontage, except that existing commercial tenants retained in place shall comply with the provisions of Subparagraph 12.22 A.26(c)(4).
- (c) Projects utilizing this option shall provide a ground floor entrance at minimum every 50 feet along the front property line that provides both ingress and egress pedestrian access to the ground story of the building, except that existing commercial tenants retained in place shall be exempt from this requirement.
- (ii) Any Adaptive Reuse Project that preserves or retains a Legacy Small Business as defined in Section 12.03, shall receive a floor area ratio bonus equivalent to ~~double~~ two times the existing square floor area of the Legacy Small Business.

When new construction retains a Legacy Small Business or multiple Legacy Small Businesses on the ground floor of a development, either by preservation of the tenant spaces or by the leasing of new tenant spaces to Legacy Small Businesses, the floor area of those Legacy Small Businesses may be exempted from the total floor area calculation of the new construction. Proof of retention may be provided by way of lease agreement, recorded covenant, and written confirmation and consent of the Legacy Small Business owner.

(h) Incentives for Unified Adaptive Reuse Projects Providing Affordable Housing.
Unified Adaptive Reuse Projects utilizing the density bonus incentives in the **Mixed Income Incentive Program** or **Affordable Housing Incentive Program Public Benefit Option**, pursuant to Subdivisions 12.22 A.38 or 12.22 A.39 of Chapter 1 of the Code, shall follow procedures pursuant to Subparagraph 12.22 A.26(e)(2) of this Subdivision of Chapter 1 of the Code. Unified Adaptive Reuse Projects are limited to those involving existing buildings located within the Zones in which Adaptive Reuse Projects are otherwise allowed, as per Paragraph 12.22 A.26 (d) (*Eligible Buildings*); and to apply the incentives of this Paragraph 12.22 A.26(h) must also include the required percentage of set-aside affordable units distributed proportionally within each individual building and/or construction phase, as per the requirements of the Los Angeles Housing Department (LAHD).

In addition to incentives in Subsection 12.22 A.26(g) (*Incentives*) of Chapter 1 of the Code, such Adaptive Reuse Projects providing affordable housing may utilize one or both of the following incentives:

(1) Type I Unified Adaptive Reuse Projects: Density Bonus for New Construction.
Existing adaptively reused buildings and related expansion of new floor area qualifying as an Unified Adaptive Reuse Project may utilize unlimited density subject to the following requirements:

(i) Unified Adaptive Reuse Project may include development of portions of a lot shared with an Adaptive Reuse Project, or on lots that abut or are separated only by an alley, or are located directly across the street, from any portion of an Adaptive Reuse Project; and

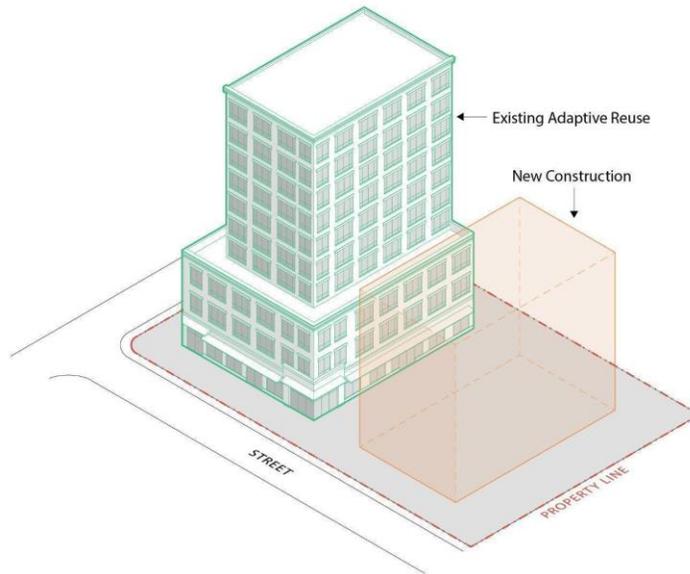


Figure 2: Type I Unified Adaptive Reuse with New Construction on the Same Lot

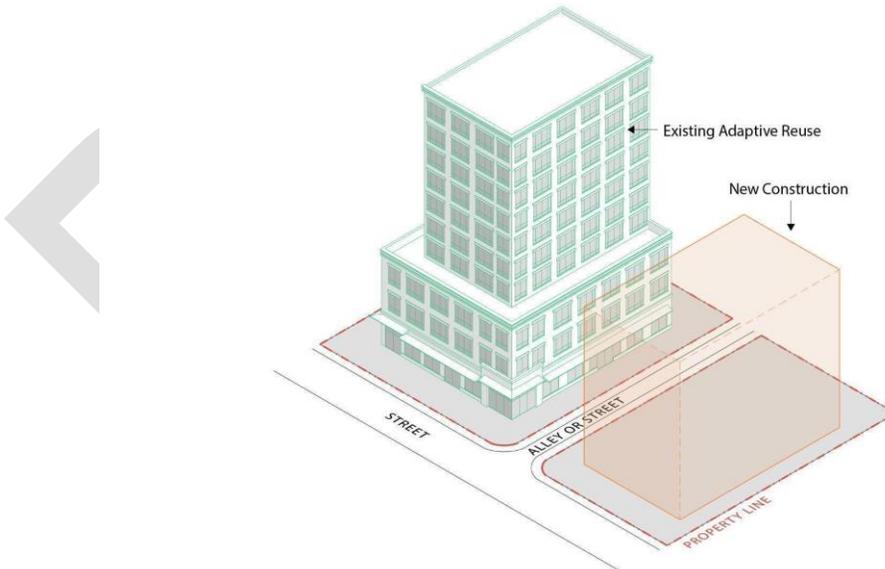


Figure 3: Type I Unified Adaptive Reuse with New Construction Directly Across the Street or Alley from a Lot

(ii) All site amenities provided in the Unified Adaptive Reuse Project, whether located in the existing building(s) or as an expansion of new floor area, shall be made accessible to all occupants of the Unified Adaptive Reuse Project, which shall be constructed to link pedestrian circulation between buildings and site amenities. All circulation pathways must be clearly delineated, through raised crosswalks, contrasting paving materials or surface treatments, enhanced lighting, directional or wayfinding signage, or other elements; and

(iii) The requisite number of Restricted Affordable Units included in the Unified Adaptive Reuse Project shall be provided in accordance with the provisions of 12.22 A.38(c) or 12.22 A.39(c) of Chapter 1 of the Code; and

(iv) All owners of the property requesting floor area averaging, transfer of residential density, or both, and all owners of each lot contained in the Unified Adaptive Reuse Project shall execute and record a Covenant and Agreement. A copy of each executed and recorded Covenant and Agreement shall be filed with the Los Angeles City Planning Development Services Center. Each covenant shall run with the land, be approved by the Director or their designee prior to the issuance of any building permits, and shall guarantee the following: (1) The use of any floor area converted to Residential Use shall be maintained and not changed; (2) The number of such units, quarters or guest rooms approved by Planning shall not be increased; and (3) the access for all occupants of the Unified Adaptive Reuse Project to all site amenities, and the pedestrian circulation between buildings and site amenities shall be maintained and not reduced.

(v) Applicants utilizing any of the incentives of this Paragraph must have a building permit plan check application deemed complete for the entirety of the Unified Adaptive Reuse Project within seven years of obtaining an Administrative Review approval for the Unified Adaptive Reuse Project; failure to do so shall result in termination of the Project's eligibility for Administrative Review and all subsequent project phases will then be subject to a Class 1 Conditional Use approval process.

(2) Type II Unified Adaptive Reuse Projects: Density Bonus for Two Additional Stories. Adaptive Reuse Projects shall be eligible for up to a two-story addition to the uppermost floor, that shall not be considered as additional Floor Area or Height, subject to the following provisions:

(i) Unified Developments that provide affordable housing to expand floor area resulting in a maximum of two additional stories may be allowed with no limitations on lot area per unit density. The building envelope shall be limited to a maximum of two stories added above existing conditions or the maximum height allowed by a project site's underlying zone, whichever is greater.

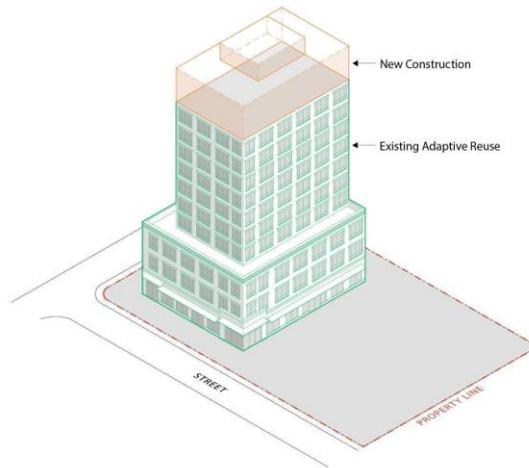


Figure 4: Type II Unified Adaptive Reuse with Two Additional Stories

(ii) Projects utilizing this incentive shall not be eligible for additional FAR and height incentives as described in Table 12.22 A.38(e)(2) or Table 12.22 A.38(f)(2) of Subdivision 12.22 A.38 and Table 12.22 A.39(e)(3) of Subdivision 12.22 A.39 of Chapter 1 of the Code for the Adaptive Reuse Project, unless utilized in conjunction with a Unified Adaptive Reuse Project as described in Paragraph 12.22 A.26.(h) of Chapter 1 of the Code; and

(iii) Restricted Affordable Units included in the Two Additional Stories shall be provided in accordance with the affordability requirements set forth in LAMC Section 19.18 B.2(b) in lieu of the Linkage Fee that may otherwise be required pursuant to LAMC Section 19.18 for the additional floor area. The required percentage of Restricted Affordable Units shall be based upon the total units proposed in the new floor area within the additional stories and distributed proportionally within each individual building or construction phase, as per the requirements of the Los Angeles Housing Department (LAHD), of the Unified Adaptive Reuse Project; and

(iv) Adaptive Reuse Projects proposing an addition pursuant to this Subsection shall remain eligible for the incentives set forth in Paragraph 12.22 A.26(g) (*Incentives*) of Chapter 1 of the Code; and

(v) Adaptive Reuse Projects involving Designated Historic Resources may be eligible for the incentives of this Subparagraph 12.22 A.26(h)(2) and shall be reviewed pursuant to Section 91.106.4.5 (*Permits for Historical and Cultural Buildings*) of Chapter 9 of the Code or Section 22.171 (*Cultural Heritage Commission*) of the Los Angeles Administrative Code, as applicable; and

The Decision Maker, including the Office of Historic Resources and/or the Cultural Heritage Commission, shall have the authority to approve, conditionally approve, or

deny the request in order to conform with the Secretary of the Interior's Standards;
and

(vi) Adaptive Reuse Projects located within any Historic Preservation Overlay Zone (HPOZ) may be eligible for the incentives of this Subparagraph 12.22 A.26(h)(2) and shall be reviewed pursuant to Division 13B.8 (Historic Preservation) of Chapter 1A of the Code; and

(vii) Applicants for Adaptive Reuse Projects involving any Surveyed Historic Resource may be eligible for the incentives of this Subparagraph 12.22 A.26(h)(2) and shall submit plans to the Director for an Administrative Review pursuant to Sec. 13B.3.1. (Administrative Review) of Chapter 1A of this Code, and according to the procedures set forth in 12.22 A.26(e)(2)(ii) of Chapter 1 of the Code.

(3) **New Construction.** Any expansion of new floor area as part of an Unified Adaptive Reuse Project shall be subject to all applicable provisions of Chapters 1 and 1A of the Code including Specific Plans and supplemental use districts, unless otherwise stated in the Zoning Code.

(i) **Adaptive Reuse Projects Consistent with AB 1490.** Consistent with Sections 65913.12 and 65960.1 of the California Government Code, as created by AB 1490 in 2023, extremely affordable adaptive reuse projects in any zone may be allowed to use incentives in Paragraphs 12.22 A.26(h) and 12.22 A.26(g) of Chapter 1 of the Code.

Exception: Any extremely affordable adaptive reuse project on a site, adjoining a site, or across a street or alley from a site where more than one-third of the square footage on the site is dedicated to industrial uses shall not be eligible for the provisions of this Paragraph 12.22 A.26(i) of Chapter 1 of the Code. For purposes of this Paragraph, the term "dedicated to industrial uses", as defined in Section 65913.12(a)(1) of the California Government Code, shall mean any of the following:

- (i) The square footage is currently being used as an industrial use; or
- (ii) The most recently permitted use of the square footage is an industrial use; or
- (iii) The site was designated for industrial use in the latest version of the City's general plan adopted before January 1, 2022.

To qualify as an extremely affordable Adaptive Reuse Project the project shall also meet all of the affordability criteria, as set forth in Section 65913.12(a)(3)(D) of the California Government Code, and below:

(iv) One hundred percent of the units within the development project, excluding managers' units, shall be dedicated to lower income households at an affordable housing cost, as defined by Section 50052.5 of the California Health and Safety

Code, or an affordable rent set in an amount consistent with the rent limits established by the California Tax Credit Allocation Committee; or

(v) At least 50 percent of the units within the development project shall be dedicated to very low income households at an affordable housing cost, as defined by Section 50052.5 of the California Health and Safety Code, or an affordable rent set in an amount consistent with the rent limits established by the California Tax Credit Allocation Committee; and

(vi) The units shall be subject to a recorded deed restriction for a period of 55 years for rental units and 45 years for owner-occupied units.

~~(i) **Standards.** Adaptive Reuse Projects permitted pursuant to this subdivision shall be developed in compliance with the following standards:~~

~~(1) **Dwelling Units and Joint Living and Work Quarters . (Amended by Ord. No. 175,588, Eff. 12/1/03.)** The minimum floor area for new Dwelling Units and joint living and work quarters shall be 450 square feet, provided however, that the average floor area of all such units and quarters in a single eligible building, including those that existed prior to June 3, 1999, shall be at least 750 square feet. That minimum average size shall be maintained and not reduced.~~

~~Floor area, as defined in Section 12.03 of the Code, shall also not include hallways or other common areas. The floor area of both the living space and the work space shall be combined to determine the size of joint living and work quarters.~~

~~(2) **Guest Rooms.** Guest rooms shall include a toilet and bathing facilities.~~

~~(j) **Exceptions.** Notwithstanding the nonconforming provisions of Section 12.23, the following exceptions shall apply to the buildings in which Adaptive Reuse Projects are located. These exceptions shall also apply to any building in which new floor area or height was added or observed yards changed on or after July 1, 1974, as evidenced by a valid Certificate of Occupancy.~~

~~(1) **Floor Area.** Existing floor area which exceeds that permitted by the zone, height district, specific plan, supplemental use district, or any other land use regulation shall be permitted.~~

~~(2) **Height.** Existing height which exceeds that permitted by the zone, height district, specific plan, supplemental use district, or any other land use regulation shall be permitted.~~

~~(3) **Yards.** Existing observed yards which do not meet the yards required by the zone, height district, specific plan, supplemental use district, or any other land use regulation shall be permitted.~~

(j)(k) Uses. Notwithstanding the nonconforming provisions of Section 12.23 of Chapter 1 of the Code, or the provisions of Subdivision 12.21 C.5 of Chapter 1 of the Code concerning the location of Accessory Buildings, dwelling units, guest rooms, and joint living and work quarters all new Residential Uses shall be allowed permitted in Adaptive Reuse Projects, so long as the use is allowed permitted by the underlying zone or approved by the Zoning Administrator pursuant to Subdivision 12.24 X.1 of Chapter 1 and Sec. 13B.2.1. (Class 1 Conditional Use Permit) of Chapter 1A of the Code. Where provisions of this Paragraph 12.22 A.26(j) conflict with Section 12.23 or Subdivision 12.21 C.5 of Chapter 1 of the Code, this Paragraph shall prevail.

(k) Relationship to Specific Plans and Supplemental Use District Ordinances. Adaptive Reuse Projects, aside from any expansion of new floor area as part of a Unified Adaptive Reuse Project, shall not be subject to zoning regulations found in Specific Plans and supplemental use districts, including but not limited to the Ordinances listed below:

- (1) Alameda District Specific Plan (171,139)
- (2) Avenue 57 Transit Oriented District (174,663)
- (3) Bunker Hill Specific Plan (182,576)
- (4) Central City West Specific Plan (166,704)
- (5) Century City North Specific Plan (156,122)
- (6) Century City West Specific Plan (186,370)
- (7) Century City South Specific Plan (168,862)
- (8) Coastal Bluffs Specific Plan (170,046)
- (9) Coliseum District Specific Plan (185,042)
- (10) Colorado Boulevard Specific Plan (178,098)
- (11) Cornfield Arroyo Seco Specific Plan (182,617)
- (12) Crenshaw Corridor Specific Plan (184,795)
- (13) Devonshire/Topanga Corridor Specific Plan (168,937)
- (14) Exposition Corridor Transit Neighborhood Plan (186,402)
- (15) Foothill Boulevard Corridor Specific Plan (170,694)
- (16) Girard Tract Specific Plan (170,774)
- (17) Glencoe/Maxella Specific Plan (171,946)
- (18) Granada Hills Specific Plan (184,296)
- (19) Hollywoodland Specific Plan (168,121)
- (20) Jordan Downs Urban Village Specific Plan (184,346)
- (21) Los Angeles International Airport (LAX) Specific Plan (185,164)
- (22) Los Angeles Sports and Entertainment District Specific Plan (181,334)
- (23) Loyola Marymount University Specific Plan (181,605)
- (24) Mt. Washington/Glassell Park Specific Plan (168,707)
- (25) Mulholland Scenic Parkway Specific Plan (167,943)
- (26) North University Park Specific Plan (158,194)
- (27) North Westwood Village Specific Plan (163,202)
- (28) Oxford Triangle Specific Plan (170,155)

- (29) Pacific Palisades Commercial Village and Neighborhood Specific Plan (184,371)
- (30) Paramount Pictures Specific Plan (184,539)
- (31) Park Mile Specific Plan (162,530)
- (32) Playa Vista Area D Specific Plan (176,235)
- (33) Porter Ranch Land Use/Transportation Specific Plan (185,903)
- (34) San Gabriel/Verdugo Mountains Scenic Preservation Specific Plan (175,736)
- (35) San Pedro Specific Plan (166,352)
- (36) San Vicente Scenic Corridor Specific Plan (173,381)
- (37) University of Southern California University Park Campus Specific Plan (182,343)
- (38) Valley Circle Boulevard/Plummer Street Scenic Corridor Specific Plan (151,615)
- (39) Valley Village Specific Plan (168,613)
- (40) Venice Coastal Zone Specific Plan (175,693)
- (41) Ventura-Cahuenga Boulevard Corridor Specific Plan (174,052)
- (42) Vermont/Western Transit Oriented District Specific Plan (Station Neighborhood Area Plan) (173,749)
- (43) Warner Center 2035 Plan (182,766)
- (44) Westwood Community Multi-Family Specific Plan (163,203)
- (45) Westwood Village Specific Plan, Westwood Community Design Review Board Specific Plan (187,644)
- (46) Wilshire - Westwood Scenic Corridor Specific Plan (155,044 176,416)
- (47) Hollywood CPIO (Ordinance No. TBD)
- (48) San Pedro CPIO District (185,539)
- (49) South Los Angeles CPIO District (185,927)
- (50) Southeast Los Angeles CPIO District (185,925)
- (51) Sylmar CPIO District (184,268)
- (52) West Adams-Baldwin Hills-Leimert CPIO District (184,794)
- (53) Westchester - Playa del Rey CPIO District (187,155)
- (54) Broadway Theater and Entertainment District Design Guide (180,871)
- (55) Canoga Park-Commercial Corridor CDO District (174,519)
- (56) Cypress Park & Glassell Park CDO (108,561)
- (57) Downtown Canoga Park CDO District (173,508)
- (58) Downtown Westchester CDO District (179,907)
- (59) Echo Park CDO District (180,880)
- (60) Fletcher Square CDO District (178,157)
- (61) Lincoln Boulevard CDO District (179,906)
- (62) Lincoln Heights CDO District (176,658)
- (63) Little Tokyo CDO District (183,011)
- (64) Loyola Village CDO District (180,797)
- (65) Miracle Mile CDO District (176,331)

- (66) Pacoima CDO District (175,545)
- (67) Panorama City CDO (175,549)
- (68) Reseda Central Business District CDO District (176,557)
- (69) Sun Valley CDO District (174,398)
- (70) Toluca Lake Village CDO (184,366)
- (71) Van Nuys Central Business District CDO District (174,420)
- (72) West Wilshire Boulevard CDO District (174,161)
- (73) Atwater Village POD (173,676)
- (74) Westwood/Pico NOD (171,859)
- (75) Westwood Boulevard POD (174,260)
- (76) Redevelopment Plan Areas (186,325)

Sec. 3. Subsection X. (*Further Authority of the Zoning Administrator for Other Similar Quasi-Judicial Approvals*) and Subdivision 1 (*Adaptive Reuse Projects*) of Section 12.24 of Article 2 of Chapter 1 of the Los Angeles Municipal Code is hereby amended to read as follows:

X. Further Authority of the Zoning Administrator for Other Similar Quasi-Judicial Approvals. The following uses and activities may be allowed ~~permitted~~ in any zone, unless otherwise restricted to certain zones or locations, if approved by the Zoning Administrator as the initial decision maker or the Area Planning Commission as the appellate body. ~~In addition to the findings set forth in 12.24 E., †~~ The Zoning Administrator shall make the findings required by Sec. 13B.2.1. (Class 1 Conditional Use Permit) of Chapter 1A of the Code all findings set forth below. Further, these uses and activities are subject to the additional procedures, regulations and limitations set forth below. **(Para. Amended by Ord. No. 182,095, Eff. 5/7/12.)**

1. Adaptive Reuse Projects. ~~(Amended by Ord. No. 175,588, Eff. 12/1/03.)~~ A Zoning Administrator may, upon application, approve ~~permit~~ Adaptive Reuse Projects pursuant to this ~~Subdivision 12.24 X.1.~~ Subdivision 12.24 X.1. Except that, the special provisions of this subdivision shall not apply to those areas set forth in the former Adaptive Reuse Incentive Areas Specific Plan, Ordinance No. 175,038, now designated as Subareas of Subdivision 12.22 A.26 (Citywide Adaptive Reuse Projects) of Chapter 1 of the Code, may be utilized for Adaptive Reuse Projects within the Subareas. ~~Furthermore, the provisions of this subdivision shall not apply to the M Zones outside of the Downtown Project Area. The boundaries of the Downtown Project Area are described in Section 12.22 A.26.(g) of the Code.~~

In conformance with Paragraph (b) below, the Zoning Administrator may permit Adaptive Reuse Projects in the M Zones inside the Downtown Project Area. ~~Outside the Downtown Project Area, the Zoning Administrator may permit Adaptive Reuse Projects in the C and R5 Zones.~~

In conformance with Paragraph 12.24 X.1(b) (e) ~~(e)~~ below, the Zoning Administrator may approve ~~permit~~ Adaptive Reuse Projects in the CR, C1, C1.5, C2, C4, C5, CM, P, PB, PF, RD1.5, RD2, RD3, RD4, RD5, RD6, R2, RD, RW2, R3, RAS3, R4, RAS4 and R5 Zones in all or any portion of a building or structure, constructed if five years have elapsed since the date of permitted and completed construction. ~~on or after July 1, 1974, inside the Downtown Project Area.~~ A

Certificate of Occupancy, building permit finalized date, or other suitable documentation may be submitted as evidence of the date of permitted and completed construction.

In conformance with Paragraph 12.24 X.1(d) below, the Zoning Administrator may permit floor area averaging, transfer of residential density, or both, in Unified Adaptive Reuse Projects, in the C, M and R5 Zones inside the Downtown Project Area. Outside the Downtown Project Area, the Zoning Administrator may permit this floor area averaging in the C and R5 Zones.

(a) Definitions. The definitions of “Adaptive Reuse Project”, “Designated Historic Resource”, “Historic Resources Survey”, “Legacy Small Business”, “Live/Work Unit”, “Non-Residential Use”, “Residential Use”, “Surveyed Historic Resource”, “Transient Residential Use”, “Unified Adaptive Reuse Project” and other words and phrases not defined herein shall be construed as set forth in Sections 12.03 and 12.20.3 12.22 A.26.(c) of Chapter 1 of the Code, if defined therein shall apply. ~~inside the Downtown Project Area. Outside the Downtown Project Area, the following definitions apply:~~

~~**Adaptive Reuse Project** is any change of an existing Non-Residential Use to new dwelling units, guest rooms, or joint living and work quarters in all or any portion of any eligible building.~~

~~**Non-Residential Use** means any use other than dwelling units, guest rooms, or joint living and work quarters. Except that, if all the dwelling units, guest rooms, or joint living and work quarters in an eligible building were completely and continuously unoccupied from March 1, 2002, through and including the date an application for an Adaptive Reuse Project is filed pursuant to this subdivision, then those units, room or quarters shall be considered to be a Non-Residential Use.~~

(b) Procedures. Adaptive reuse projects subject to Zoning Administrator approval shall follow procedures in Sec. 13B.2.1. (Class 1 Conditional Use Permit) of Chapter 1A of the Code.

(1) Adaptive reuse projects involving buildings or structures for which at least five years have elapsed since the date of permitted and completed construction may be approved by the Zoning Administrator, if the adaptive reuse project complies with the requirements of Paragraph 12.22 A.26(d) (Eligible Buildings) of Chapter 1 and meets the criteria described in Paragraphs 12.22 A.26(g) (Incentives) and/or 12.22 A.26(h) (Incentives for Unified Adaptive Reuse Projects Providing Affordable Housing) of Chapter 1 of the Code.

(2) Projects involving buildings or structures that are requesting incentives not listed in Paragraphs 12.22 A.26(g) (Incentives) and/or 12.22 A.26(h) (Incentives for Unified Adaptive Reuse Projects Providing Affordable Housing) of Chapter 1 of the Code may be approved by the Zoning Administrator, pursuant to the procedures established in Sec. 13B.2.1. (Class 1 Conditional Use Permit) of Chapter 1A of the Code.

(3) Applications for Unified Adaptive Reuse Projects shall follow the provisions of Paragraph 12.24 X.1(d), below. However, the Zoning Administrator may waive the public hearing required in Sec. 13B.2.1. if the owners of all properties abutting, directly across the street or alley from, or having a common corner with the building, have expressed in writing no objections to the Adaptive Reuse Project.

(4) Applications for Unified Adaptive Reuse Projects located within the boundaries of the Subareas shall follow the provisions of Paragraph 12.24 X.1(e), below.

~~(b) **C, M and R Zones.** The following shall apply to Adaptive Reuse Projects in the MR1, MR2, M1, M2 and M3 Zones inside the Downtown Project Area; and to projects in the CR, C1, C1.5, C2, C4, C5, CM and R5 Zones outside the Downtown Project Area~~

~~**(1) Eligible Buildings.** A Zoning Administrator shall only permit Adaptive Reuse Projects in the following buildings:~~

~~(i) Buildings constructed in accordance with building and zoning codes in effect prior to July 1, 1974. A Certificate of Occupancy, building permit, or other suitable documentation may be submitted as evidence to verify the date of construction;~~

~~(ii) Buildings constructed in accordance with building and zoning codes in effect on or after July 1, 1974, if: five years have elapsed since the date of issuance of final Certificates of Occupancy; and the Zoning Administrator finds that the building is no longer economically viable in its current use or uses.~~

~~In making this finding, the Zoning Administrator shall consider the building's past and current vacancy rate, existing and previous uses, and real estate market information. The Zoning Administrator may require the applicant to submit independently verified documentation.~~

~~(iii) Buildings designated on the National Register of Historic Places, the California Register of Historical Resources, or the City of Los Angeles List of Historic Cultural Monuments. Contributing Buildings in National Register Historic Districts or Contributing Structures in Historic Preservation Overlay Zones (HPOZ) established pursuant to Section 12.20.3 of this Code are also eligible buildings.~~

(c) (2) Additional Incentives and Exceptions. The Zoning Administrator may grant, modify or deny some or all of the incentives set forth in ~~Section Paragraphs 12.22 A.26.(g)(h), (Incentives) and/or 12.22 A.26(h) (Incentives for Unified Adaptive Reuse Projects Providing Affordable Housing) of Chapter 1~~ or some or all of the exceptions set forth in ~~Section 12.22 A.26.(j), of the Code~~ to Adaptive Reuse Projects proposed pursuant to this ~~§~~Subdivision 12.24 X.1. Furthermore, the Zoning Administrator shall have the authority to grant any other incentives or exceptions from the Code required to ~~allow permit~~ Adaptive Reuse Projects proposed pursuant to this ~~§~~Subdivision 12.24 X.1, including but not limited to the authority to permit allow new Residential Uses, dwelling units, guest rooms, and joint living and work

quarters in Adaptive Reuse Projects, notwithstanding the nonconforming provisions of Section 12.23 of Chapter 1 of the Code.

~~(3) **Findings and Conditions for the C and R5 Zones.** If the Adaptive Reuse Project is in the CR, C1, C1.5, C2, C4, C5, CM or R5 Zones outside the Downtown Project Area, then the Zoning Administrator shall find that the Adaptive Reuse Project complies with the standards for dwelling units, guest rooms and joint living and work quarters set forth in Section 12.22 A.26.(i). Exception: This finding is not required if the Zoning Administrator does not grant the density incentive set forth in Section 12.22 A.26.(h)(2).~~

~~Before approving a reduced parking incentive pursuant to Subparagraph (2) above, the Zoning Administrator shall also find that the surrounding area will not be adversely affected by overflow parking or traffic congestion originating or terminating at the site of the Adaptive Reuse Project.~~

~~(4) **Findings and Conditions for the M Zones.** If the Adaptive Reuse Project is in the MR1, MR2, M1, M2 or M3 Zones inside the Downtown Project Area, then the Zoning Administrator shall:~~

~~(i) Require that one or more signs or symbols of a size and design approved by the Fire Department are placed by the applicant at designated locations on the exterior of each Adaptive Reuse Project to indicate the presence of residential uses;~~

~~(ii) Limit the occupations permitted in joint living and work quarters to the following: accountants; architects; artists and artisans; attorneys; computer software and multimedia related professionals; consultants; engineers; fashion; graphic, interior and other designers; insurance, real estate and travel agents; photographers and similar occupations.~~

~~(iii) Find that the Adaptive Reuse Project complies with the standards for dwelling units, joint living and work quarters and guest rooms set forth in Section 12.22 A.26.(i);~~

~~(iv) Find that the uses of property surrounding the proposed location of the Adaptive Reuse Project will not be detrimental to the safety and welfare of prospective residents; and~~

~~(v) Find that the Adaptive Reuse Project will not displace viable industrial uses.~~

~~(c) **Buildings constructed on or after July 1, 1974.** The provisions of Section 12.22 A.26. shall apply to Adaptive Reuse Projects in all or any portion of a building constructed on or after July 1, 1974, in the CR, C1, C1.5, C2, C4, C5, CM, or R5 Zones inside the Downtown Project Area, if: five years have elapsed since the date of issuance of final Certificates of Occupancy; and a Zoning Administrator finds that the building is no longer economically viable in its current use or uses.~~

In making this finding the Zoning Administrator shall consider the building's past and current vacancy rate, existing and previous uses, and real estate market information. The Zoning Administrator may require the applicant to submit independently verified documentation.

(d) Floor Area Averaging Unified Adaptive Reuse Projects. The following shall apply to applications to permit floor area averaging, transfer of residential density, or both, in Unified Adaptive Reuse Projects, and subject to the following provisions in the CR, C1, C1.5, C2, C4, C5, CM, MR1, MR2, M1, M2, M3, or R5 Zones inside the Downtown Project Area; and to such applications in the CR, C1, C1.5, C2, C4, C5, CM, or R5 Zones outside the Downtown Project Area:

(1) A Unified Adaptive Reuse Project is a residential or mixed-use development composed of at least one eligible building combined with expansion of new floor area, so long as the Project conforms with the provisions of this Paragraph 12.24 X.1 (d) of Chapter 1 and Sec. 13B.2.1. (Class 1 Conditional Use Permit) of Chapter 1A of the Code. A Unified Adaptive Reuse Project may include development of portions of a lot shared with an Adaptive Reuse Project, or on lots that abut, or are separated only by an alley or are located directly across the street, from any portion of each other.

The Zoning Administrator shall determine that all site amenities provided, whether located in the existing building(s) or associated expansion of new floor area, shall be made accessible to all occupants of the Unified Adaptive Reuse Project, which shall be constructed to link pedestrian circulation between buildings and site amenities. All such circulation pathways must be clearly delineated, through raised crosswalks, contrasting paving materials or surface treatments, enhanced lighting, directional or wayfinding signage, or other elements.

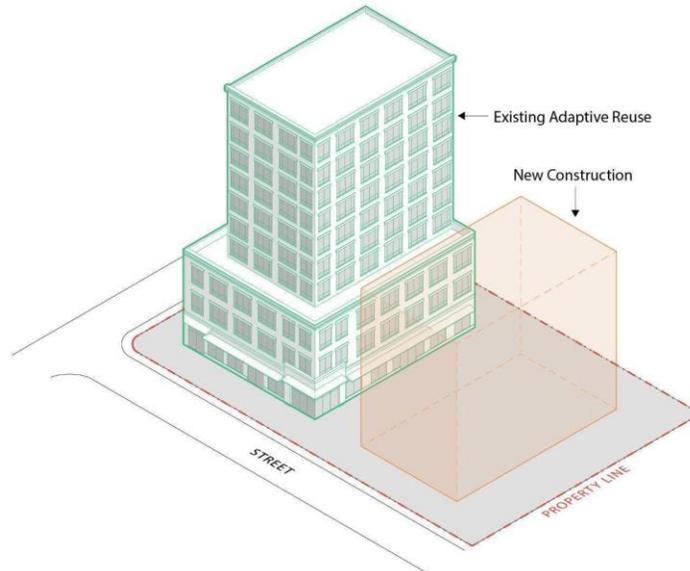


Figure 5: Type I Unified Adaptive Reuse with New Construction on the Same Lot

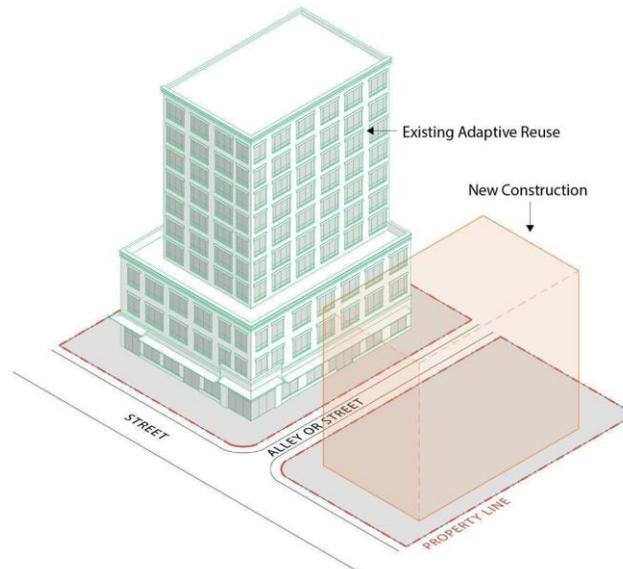


Figure 6: Type I Unified Adaptive Reuse with New Construction Across the Street or Alley, from a Lot

(i) For buildings listed as a Designated Historic Resource or a Surveyed Historic Resource that are incorporated as part of a Unified Adaptive Reuse Project, the existing floor area, up to a maximum of 50,000 square feet, shall be exempted from the maximum floor area limit for the lot or lots. This incentive shall not be utilized if the Unified Adaptive Reuse Project involves any demolition or facade alteration of

any portion of a Designated Historic Resource or Surveyed Historic Resource which is not in conformance with the Secretary of the Interior's Standards.

(ii) The averaging of floor area ratios, residential density, or both, may be allowed even if buildings on each individual lot would exceed the allowable floor area ratio requirements of the Zone. However, the total floor area or density for the Unified Adaptive Reuse Project, when calculated as a whole, may not exceed the maximum allowable floor area or density of the Zone.

(iii) Applicants utilizing any of the incentives of this Paragraph 12.24 X.1(d) must have a building permit plan check application deemed complete for the entirety of the Unified Adaptive Reuse Project within seven years of obtaining a Class 1 Conditional Use approval for the Unified Adaptive Reuse Project.

(iv) For Unified Adaptive Reuse Projects utilizing the **Mixed Income Incentive Program** or **Affordable Housing Incentive Program Public Benefit Option**, in exchange for providing on-site Restricted Affordable Units, pursuant to Subdivisions 12.22 A.38 or 12.22 A.39 of Chapter 1 of the Code, Zoning Administrator approval shall not be required, pursuant to Paragraph 12.22 A.26(h) of Chapter 1 and Sec. 13B.3.1. (*Administrative Review*) of Chapter 1A of the Code.

(2) If the Zoning Administrator approves the floor area averaging, transfer of residential density, or both, then all owners of the property requesting floor area averaging, transfer of residential density, or both, and all owners of each lot contained in the Unified Adaptive Reuse Project shall execute and record a Covenant and Agreement. A copy of each executed and recorded Covenant and Agreement shall be filed with the Los Angeles City Planning Development Services Center. Each covenant shall run with the land, be approved by the Zoning Administrator prior to the issuance of any building permits, and shall guarantee the following:

(i) The use of any floor area converted to Residential Uses shall be maintained and not changed; and

(ii) The number of such units, quarters or guest rooms approved by the Zoning Administrator shall not be increased; and

(iii) The access for all occupants of the Unified Adaptive Reuse Project to all site amenities, and the pedestrian circulation between buildings and site amenities shall be maintained and not reduced.

(e) Manufacturing Zones. For those properties located within the boundaries of the former Adaptive Reuse Incentive Areas Specific Plan, Ordinance 175,038, now considered as Subareas of Subdivision 12.22 A.26 (*Adaptive Reuse Projects*) of Chapter 1 of the Code, a Zoning Administrator may, upon application, allow Adaptive Reuse Projects in the MR1, MR2, M1, M2 and M3 zones, subject to the following:

1. The Zoning Administrator shall find that:

(i) One or more signs or symbols of a size and design approved by the Fire Department are placed by the applicant at designated locations on the exterior of each Adaptive Reuse Project to indicate the presence of Residential Uses; and

(ii) The Adaptive Reuse Project shall comply with all other applicable codes, provisions, or guidelines of the Departments of Building and Safety and Fire and pursuant to Paragraph 12.22 A.26 of Chapter 1 of the Code; and

(iii) The uses of property surrounding the proposed location of the Adaptive Reuse Project will not be detrimental to the safety and welfare of prospective residents; and

(iv) The Adaptive Reuse Project will not displace viable industrial uses.

The Zoning Administrator may permit averaging of floor area in unified Adaptive Reuse Projects for purposes of determining compliance with the 750 square foot minimum average unit size standard for dwelling units and joint living and work quarters, as set forth in Section 12.22 A 26 (i). For purposes of this subdivision, a unified Adaptive Reuse Project means an Adaptive Reuse Project composed of two or more buildings, so long as the Project has all of the following characteristics: (a) functional linkages, such as pedestrian or vehicular connections; (b) common architectural and landscape features, which constitute distinctive design elements of the Project; and (c) a unified appearance when viewed from adjoining streets. Unified Adaptive Reuse Projects may include lots that abut or are separated only by an alley or are located across the street from any portion of each other.

Individual buildings may fall below the minimum average unit size standard, so long as the average size of all the dwelling units and joint living and work quarters in the unified Adaptive Reuse Project is at least 750 square feet, and no dwelling unit or joint living and work quarters is less than 450 square feet in area. The Zoning Administrator shall determine whether a Project meets the definition of a unified Adaptive Reuse Project as set forth above. All owners of the property requesting floor area averaging must sign the application. A current title search shall be submitted with the application to insure that all required persons have signed the application.

If the Zoning Administrator approves the floor area averaging, then all owners of the property requesting floor area averaging and all owners of each lot contained in the unified Adaptive Reuse Project shall execute and record an affidavit. A copy of each executed and recorded affidavit shall be filed with the Office of Zoning Administration. Each affidavit shall run with the land, be approved by the Zoning Administrator prior to the issuance of any building permits, and shall guarantee the following: (1) The use of any floor area converted to dwelling units or joint living and work quarters shall be maintained and not changed; and (2) The number of these units or quarters approved by the Zoning Administrator shall not be increased.

~~(e) Procedures.~~ An application for permission pursuant to this subdivision shall follow the procedures for adjustments set forth in Section 12.28 C.1., 2., and 3. However, the Zoning Administrator may waive the public hearing required in that section if the owners of all properties abutting, across the street or alley from, or having a common corner with the building have expressed in writing no objections to the Adaptive Reuse Project.

Sec 4. Subdivision 6 of Subsection D of Section 16.05 of Article 6.1 of Chapter 1 of the Los Angeles Municipal Code (*Review of Development Projects*) is hereby amended to read as follows:

16.05. SITE PLAN PROJECT REVIEW.

D. Exemptions.

6. Adaptive Reuse Projects in the ~~Downtown Project Area~~ pursuant to Section 12.22 A.26 are exempt from 13.B.2.4 (*Project Review*) of Chapter 1A of the Code.

Sec 5. The areas within the former Adaptive Reuse Incentive Areas Specific Plan, Ordinance No. 175,038, are now to be designated and mapped as Subareas of the Citywide Adaptive Reuse Ordinance, Subdivision 12.22 A.26 of Chapter 1 of the Code. The boundaries of the former Specific Plan are hereby amended to remove portions of the Chinatown and Lincoln Heights Subarea, which has been superseded by the Downtown Community Plan (Ordinance 187,822).

Sec 6. Severability. If any portion, subsection, sentence, clause or phrase of this article is for any reason held by a court of competent jurisdiction to be invalid, such a decision shall not affect the validity of the remaining portions of this article. The City Council hereby declares that it would have passed this article and each portion or subsection, sentence, clause and phrase herein, irrespective of the fact that any one or more portions, subsections, sentences, clauses or phrases be declared invalid.

Sec 7. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

Pursuant to Section 559 of the City Charter, **I APPROVE** this ordinance on behalf of the City Planning Commission and recommend that it **BE ADOPTED**.

By _____

VINCENT P. BERTONI, AICP

Director of Planning

Date _____

File No. _____

I hereby certify that the foregoing ordinance was passed by a vote of not less than two-thirds of all its members by the Council of the City of Los Angeles.

CITY CLERK

MAYOR

Ordinance Passed _____

Approved _____