

PLANNING DEPARTMENT TRANSMITTAL TO THE CITY CLERK'S OFFICE

CITY PLANNING CASE:	ENVIRONMENTAL CASE:	COUNCIL DISTRICT:
CPC-2023-5986-CA	ENV-2020-6762-EIR ENV-2020-6762-EIR-ADD1, ENV-2020-6762-EIR-ADD2	All
RELATED CASE NOS.:	COUNCIL FILE NO:	PROCEDURAL REGULATIONS:
<input checked="" type="checkbox"/> N/A	CF-21-1230-CA; CF-11-1973-S1	<input type="checkbox"/> Ch. 1 as of 1/21/24 (Not subject to Processes & Procedures Ord.) <input checked="" type="checkbox"/> Ch. 1A (Subject to Processes & Procedures Ord.)
PROJECT ADDRESS / LOCATION:		
Citywide (Excludes Downtown Los Angeles)		
APPLICANT:	TELEPHONE NUMBER:	EMAIL ADDRESS:
City of Los Angeles 200 N. Spring Street Los Angeles, CA 90012		
APPLICANT'S REPRESENTATIVE:	TELEPHONE NUMBER:	EMAIL ADDRESS:
<input checked="" type="checkbox"/> N/A		
APPELLANT:	TELEPHONE NUMBER:	EMAIL ADDRESS:
<input checked="" type="checkbox"/> N/A		
APPELLANT'S REPRESENTATIVE:	TELEPHONE NUMBER:	EMAIL ADDRESS:
<input checked="" type="checkbox"/> N/A		
PLANNER CONTACT:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Holly Harper	(213) 847-3706	holly.harper@lacity.org
ITEMS FOR CITY COUNCIL CONSIDERATION (IE. ENTITLEMENTS, LEGISLATIVE ACTIONS):		
<input checked="" type="checkbox"/> <i>The preparation of a draft ordinance by the City Attorney will be required.</i> Proposed Citywide Adaptive Reuse Code Amendment Ordinance for City Council adoption. Proposed Ordinance rescinding the Adaptive Reuse Incentive Areas Specific Plan (Ordinance No. 175,038)		
FINAL ENTITLMENTS NOT ADVANCING FOR CITY COUNCIL CONSIDERATION: (UNAPPEALED OR NON-APPEALABLE ITEMS)		
<input checked="" type="checkbox"/> N/A		

ITEMS APPEALED:			
<input checked="" type="checkbox"/> N/A			
ATTACHMENTS:	REVISED:	ENVIRONMENTAL DOCUMENT:	REVISED:
<input checked="" type="checkbox"/> Letter of Determination <input checked="" type="checkbox"/> Findings of Fact <input checked="" type="checkbox"/> Staff Recommendation Report <input type="checkbox"/> Conditions of Approval <input type="checkbox"/> T Conditions <input checked="" type="checkbox"/> Proposed Ordinances <input checked="" type="checkbox"/> Zone Change Map and Ordinance <input type="checkbox"/> GPA Resolution <input type="checkbox"/> Land Use Map <input type="checkbox"/> Exhibit A – Plans <input checked="" type="checkbox"/> Mailing List (both Word and PDF) <input checked="" type="checkbox"/> Interested Parties List <input type="checkbox"/> Appeal <input type="checkbox"/> Development Agreement <input type="checkbox"/> Site Photographs <input type="checkbox"/> Other:	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> Categorical Exemption (CE) (Notice of Exemption) <input type="checkbox"/> Statutory Exemption (SE) (Notice of Exemption) <input type="checkbox"/> Negative Declaration (ND) <input type="checkbox"/> Mitigated Negative Declaration (MND) <input type="checkbox"/> Environmental Impact Report (EIR) <input type="checkbox"/> Mitigation Monitoring Program (MMP) <input type="checkbox"/> Sustainable Communities Project Exemption (SCPE) <input type="checkbox"/> Sustainable Communities Environmental Assessment (SCEA) <input type="checkbox"/> Sustainable Communities Environmental Impact Report (SCEIR) <input type="checkbox"/> Appendices <input checked="" type="checkbox"/> Other: Addendum to the Final Environmental Impact Report for the Citywide 2021-2029 Housing Element Update and Safety Element Update (ENV-2020-6762-EIR-ADD2)	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
NOTES / INSTRUCTIONS:			
<input checked="" type="checkbox"/> N/A			
CITY COUNCIL NOTICE TIMING:	NOTICE LIST (SELECT ALL):	NOTICE PUBLICATION:	
<input type="checkbox"/> 10 days <input type="checkbox"/> 15 days <input type="checkbox"/> 24 days <input type="checkbox"/> N/A / None <input checked="" type="checkbox"/> Other: [standard Brown Act notice]	<input type="checkbox"/> Owner <input type="checkbox"/> Applicant <input type="checkbox"/> Adjacent/Abutting <input type="checkbox"/> 100' radius <input type="checkbox"/> 300' radius <input type="checkbox"/> 500' radius <input type="checkbox"/> Neighborhood Council <input type="checkbox"/> Interested Parties <input checked="" type="checkbox"/> Other: [standard Brown Act notice]	<input type="checkbox"/> 10 days <input type="checkbox"/> 15 days <input type="checkbox"/> 24 days <input type="checkbox"/> N/A / None <input checked="" type="checkbox"/> Other: [standard Brown Act notice]	
FISCAL IMPACT STATEMENT:			
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
*If determination states administrative costs are recovered through fees, indicate "Yes."			

PLANNING COMMISSION:	
<input checked="" type="checkbox"/> City Planning Commission (CPC) <input type="checkbox"/> Cultural Heritage Commission (CHC) <input type="checkbox"/> Central Area Planning Commission <input type="checkbox"/> East LA Area Planning Commission <input type="checkbox"/> Harbor Area Planning Commission	<input type="checkbox"/> North Valley Area Planning Commission <input type="checkbox"/> South LA Area Planning Commission <input type="checkbox"/> South Valley Area Planning Commission <input type="checkbox"/> West LA Area Planning Commission
PLANNING COMMISSION HEARING DATE:	COMMISSION VOTE:
October 10, 2024	9 – 0
LAST DAY TO APPEAL:	DATE APPEALED:
N/A	N/A
COUNCIL TIME TO ACT:	TIME TO ACT START:
<input type="checkbox"/> 30 days <input type="checkbox"/> 45 days <input type="checkbox"/> 60 days <input type="checkbox"/> 75 days <input checked="" type="checkbox"/> 90 days <input type="checkbox"/> 120 days <input type="checkbox"/> N/A / None <input type="checkbox"/> Other: [enter here if applicable]	<input type="checkbox"/> Appeal Filing Date <input checked="" type="checkbox"/> Received by Clerk <input type="checkbox"/> Last Day to Appeal <input type="checkbox"/> N/A / None <input type="checkbox"/> Other: [enter here if applicable]
TRANSMITTED BY:	TRANSMITTAL DATE:
Cecilia Lamas Commission Executive Assistant II	October 30, 2024



LOS ANGELES CITY PLANNING COMMISSION

200 North Spring Street, Room 272, Los Angeles, California, 90012-4801, (213) 978-1300

www.planning.lacity.org

LETTER OF DETERMINATION

MAILING DATE: OCTOBER 30, 2024

Case No.: CPC-2023-5986-CA

Council District: ALL

CEQA: ENV-2020-6762-EIR; ENV-2020-6762-EIR-ADD1;
ENV-2020-6762-EIR-ADD2

Plan Area: Citywide (Excludes Downtown Los Angeles)

Project Site: Citywide (Excludes Downtown Los Angeles)

Applicant: City of Los Angeles

At its meeting of **October 10, 2024**, the Los Angeles City Planning Commission took the actions below in conjunction with the following Code Amendment Ordinance:

A proposed ordinance amending provisions in Sections 12.03, 12.22 A.26, 12.24 X.1 and 16.05 of Chapter 1 of the Los Angeles Municipal Code to update the existing Adaptive Reuse Ordinance to apply citywide, to further incentivize the conversion of existing buildings to housing and streamline Planning approval for such projects; and to supersede the Adaptive Reuse Incentive Areas Specific Plan, Ordinance 175,038, now designated as Subareas of the Adaptive Reuse Ordinance. Concurrently, the new Zoning Code Citywide Adaptive Reuse Program, 9.4.6 of Article 9 of Chapter 1A, which has similar provisions, is being amended to align provisions in both Chapters 1 and 1A of the Los Angeles Municipal Code.

1. **Recommended** that the City Council **find**, the Project was assessed in the Housing Element Environmental Impact Report ("EIR") Number ENV-2020-6762-EIR (SCH No. 2021010130) certified on November 29, 2021, and Addenda 1 and 2 (ENV-2020-6762-EIR-ADD1 and ENV-2020-6762-EIR-ADD2), and pursuant to CEQA Guidelines Sections 15162 and 15164, no subsequent EIR is required;
2. **Approved** and **Recommended** that the City Council **adopt**, pursuant to Sections 13B.1.2 and 13B.1.3 of the Los Angeles Municipal Code (LAMC), a Zoning Code Amendment and Specific Plan Amendment of the proposed Citywide Adaptive Reuse Ordinance in Chapters 1 and 1A of the Zoning Code and amendment to the Adaptive Reuse Incentive Areas Specific Plan (Ordinance 175,038). The Citywide Adaptive Reuse Ordinance, as amended by the City Planning Commission, removes Boarding Houses and Hostels from the definition of Residential Use in Section 12.03 and from Sections 12.22 A.26(c)(1) (*Uses Allowed in Adaptive Reuse Projects*) and accompanying table, and Sections 12.22 A.26(g)(3) (*Density*), A.26(g)(5) (*Off-Street Automobile Parking*), and 12.22 A.26(g)(6) (*Floor Area*);
3. **Adopted** the Staff Recommendation Report as the Commission's Report on the subject; and
4. **Adopted** the attached Findings.

The vote proceeded as follows:

Moved: Choe
Second: Cabildo
Ayes: Diaz, Klein, Lawshe, Mack, Newhouse, Zamora
Absent: Saitman

Vote: 8 – 0



Cecilia Lamas, Commission Executive Assistant II
Los Angeles City Planning Commission

Fiscal Impact Statement: There is no General Fund impact as administrative costs are recovered through fees.

Effective Date/Appeals: The decision of the Los Angeles City Planning Commission is final and not appealable.

Notice: If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

Attachments: Proposed Ordinance Adaptive Reuse (Citywide), Proposed Ordinance Adaptive Reuse (Chapter 1A), Proposed Ordinance Adaptive Reuse (Incentive Area Specific Plan Amendment), Findings

cc: Arthi Varma, Deputy Director
Haydee Urita Lopez, Deputy Director
Ken Bernstein, Principal City Planner
Michelle Levy, Senior City Planner
Holly Harper, Planning Assistant

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 ~~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 Chapter 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 ~~s~~Subdivision 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 finaled 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 Bonsallo Avenue, then northerly along Bonsallo 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)(1) 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 ~~u~~Units, Efficiency Dwelling Units, Supportive Housing, Dormitories, Live/Work Units, ~~j~~Joint ~~l~~iving and ~~w~~Work ~~q~~Quarters and ~~g~~Guest ~~r~~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.

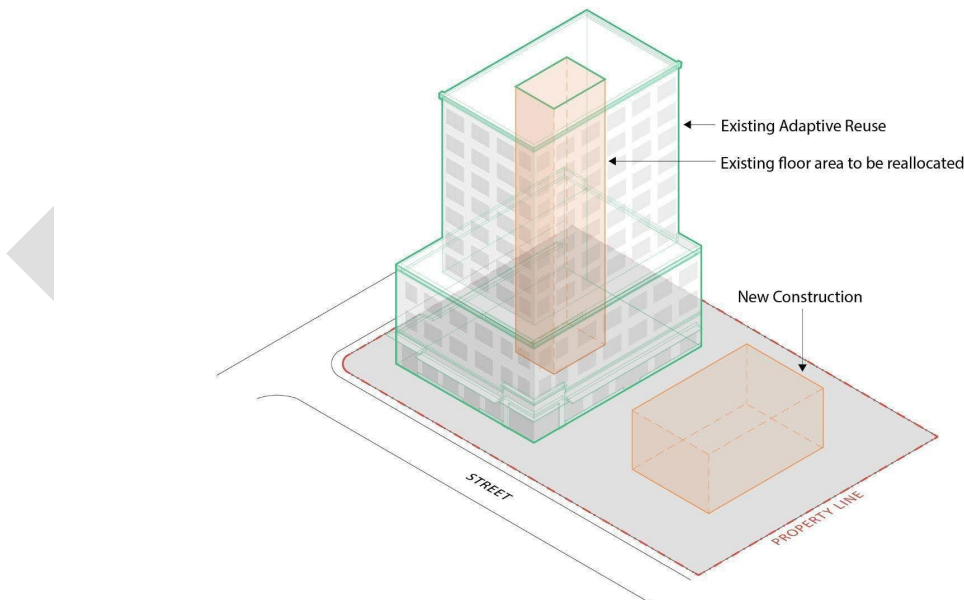


Figure 1: Reallocation of Existing Floor Area

(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

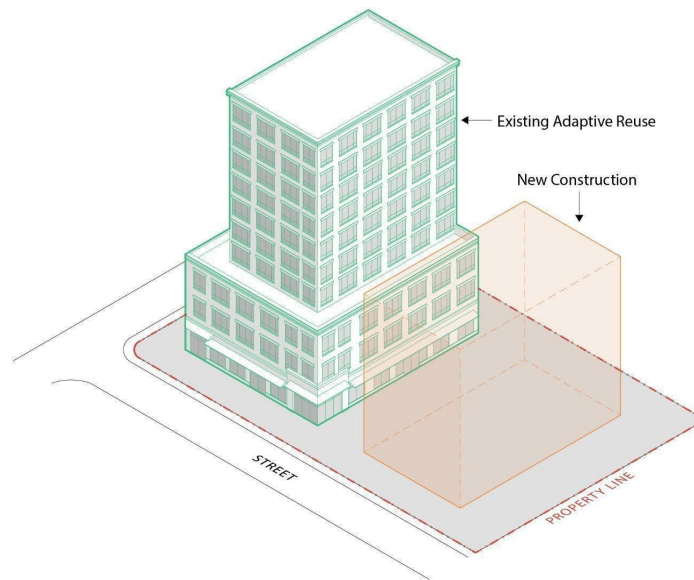


Figure 2: Type I Unified Adaptive Reuse with New Construction on the Same Lot

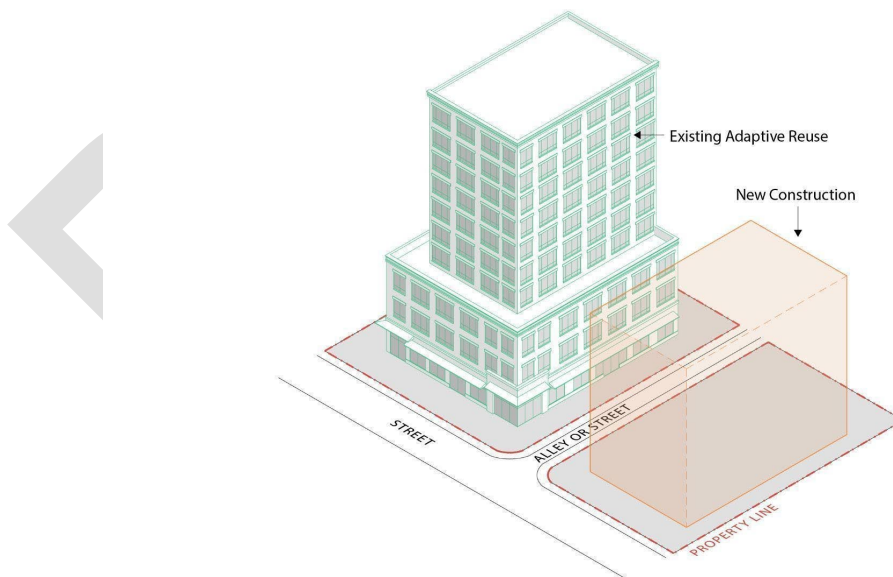


Figure 3: Type I Unified Adaptive Reuse with New Construction Directly Across the Street or Alley from a Lot

(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~~ 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.~~ 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)~~ 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 sSubdivision 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 sSubdivision 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.

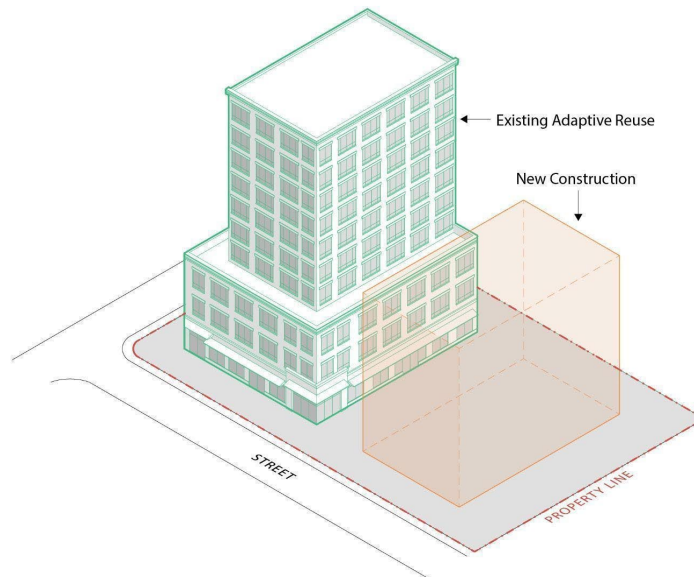


Figure 5: Type I Unified Adaptive Reuse with New Construction on the Same Lot

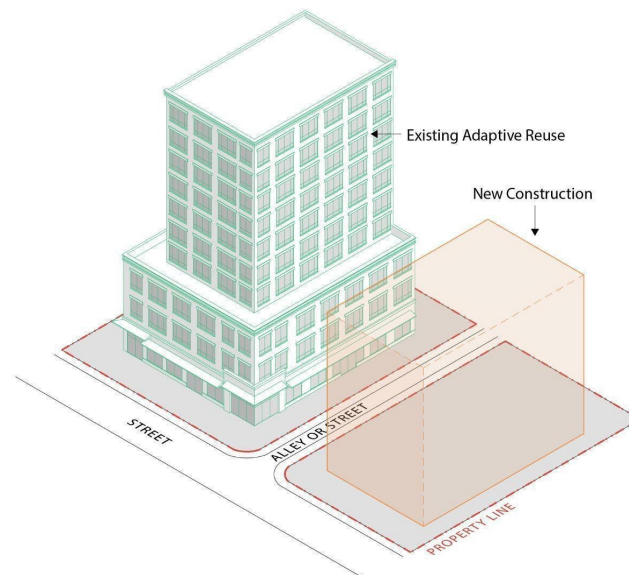


Figure 6: Type I Unified Adaptive Reuse with New Construction Across the Street or Alley, from a Lot

(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 _____

ORDINANCE NO. _____

An ordinance amending Subsection E. (Exceptions) of Section 4C.14.1. (Development Review Threshold Packages), Section 9.4.6. (Citywide Adaptive Reuse Program), and Division 14.2. (Glossary) of Chapter 1A of the Los Angeles Municipal Code ("Code") in order to update the existing Chapter 1A version of the Citywide Adaptive Reuse Program. The proposed ordinance expands the eligibility of the current Chapter 1A version of the Citywide Adaptive Reuse Program to a greater variety of buildings as well as projects providing affordable housing, in alignment with the policy updates concurrently being proposed for the Chapter 1 version of the Citywide Adaptive Reuse Ordinance. The Citywide Adaptive Reuse Program will continue to apply only outside of the Downtown Community Plan Area. It will establish a by-right approval process for existing structures that are at least fifteen years old, in place of the previous limitation of buildings that are at least 25 years old. For buildings between five and fifteen years old, adaptive reuse projects shall remain subject to the Zoning Administrator Conditional Use procedure. The ordinance also clarifies the relationship between the Citywide Adaptive Reuse Program and other incentive programs intended to incentivize the provision and construction of affordable housing.

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

Sec 1. Amend Subsection E. (Exceptions) of Section 4C.14.1. (Development Review Threshold Packages) of Div. 4C.14. (Development Review) of Article 4 (Development Standards) of Chapter 1A of the Los Angeles Municipal Code to read as follows:

E. Exceptions

Adaptive reuse projects limited to the conversion of existing buildings eligible for and participating in the Citywide Adaptive Reuse Program, pursuant to Sec.9.4.6. (Citywide Adaptive Reuse Program), or the Downtown Adaptive Reuse Program, pursuant to Sec. 9.4.5. (Downtown Adaptive Reuse Program), shall not be subject to Sec. 13B.2.4. (Project Review).

Sec 2. Amend Sec. 9.4.6. (Citywide Adaptive Reuse Program) of Div. 9.4. (General Incentive Programs) of Chapter 1A of the Los Angeles Municipal Code to read as follows:

A. Purpose

The purpose of ~~this Section~~ the Citywide Adaptive Reuse Program is to ~~encourage and facilitate the conversion and retention of~~ implement the General Plan by facilitating the retention and conversion of existing, underutilized, or historically significant buildings to new residential uses. ~~, and conversion between uses permitted or conditionally permitted by the designated Use District of the property.~~ The goal is to reduce vacant space, create opportunities for new housing, ~~as well as~~ and preserve the City's architectural and

~~cultural past legacy. and encourage~~ Encouraging the reuse of buildings is a the sustainable practice of retaining the inherent energy that goes into the construction of existing buildings allowing for the retention of many of the resources that went into their initial construction and thereby reducing greenhouse gas emissions. This practice has demonstrated its effectiveness as a revitalization tool that encourages the use of underutilized buildings and the creation of new dwelling units. Reusing existing buildings supports mixed commercial and residential uses and, together with the reduction of vacant space, can help revitalize commercial corridors and promote walkability.

B. Applicability

1. Project Activities

- a. In order to participate in the Citywide Adaptive Reuse Program, *adaptive reuse projects* must involve a *use modification* that results in the conversion of existing *floor area* in an existing *building* from a *non-residential use* to a *residential use*.
- b. *Adaptive reuse projects* may also involve the *new construction* of new floor area in combination with the conversion of existing *floor area* from a *non-residential use* to a *residential use*, with the new *floor area* either attached to the existing *building*, detached from the existing *building*, or as part of a *unified development*. Such projects involving the combination of use conversion and *new construction* are considered *unified adaptive reuse projects*.

2. Unit Threshold

- a. ~~Only *adaptive reuse projects* resulting in the creation of five or more *dwelling units* within an existing *building* shall be eligible to participate in the Citywide Adaptive Reuse Program.~~

3. Reconciling Provisions

- a. Relationship to Other Incentive Programs
 - i. *Adaptive reuse projects* participating in the Citywide Adaptive Reuse Program that provide *restricted affordable units* in exchange for participation in an incentive program established in Div. 9.3. Citywide Housing Incentive Programs or in the Affordable Housing Incentive Program (Sec. 9.4.4.2.2.) and meet both the eligibility requirements and program rules for both the applicable incentive program and the eligibility requirements and program rules of the Citywide Adaptive Reuse Program may participate in both incentive programs and receive incentives pursuant to both programs.

- ii. Adaptive reuse projects participating in the Citywide Adaptive Reuse Program shall not simultaneously participate in any other incentive program outlined in Article 9 (Public Benefit Systems).
- b. Relationship to Specific Plans, Supplemental Districts, and Special Districts

The provisions of the Citywide Adaptive Reuse Program are subject to the general reconciling provisions outlined in Article 8 (Specific Plans, Supplemental & Special Districts), with the following exceptions:

 - i. For projects limited to the conversion of a portion of or the entirety of an existing building or an allowable rooftop amenity structure pursuant to Sec. 9.4.6.C.3.a.iii. (New Rooftop Amenity Structures) below, shall be exempt from the requirements of any applicable Specific Plan or Supplemental District.
 - ii. Where the provisions of the Citywide Adaptive Reuse Program 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).
- c. Relationship to Other Zoning Provisions
 - i. The linkage fee, as established in Sec. 19.18. (Affordable Housing Linkage Fee) of Chapter 1 (General Provisions and Zoning) of the LAMC, shall continue to apply to any new floor area in the project devoted to the uses described in the linkage fee schedule, regardless of the exemptions in Sec. 9.4.6.C.2. Paragraph 2 (Incentives) of Subsection C (Program Rules) below.
 - ii. Adaptive reuse projects participating in the Citywide Adaptive Reuse Program located in the Coastal Zone, shall continue to be subject to any applicable Coastal Development Permit procedures, pursuant to Div. 13.B.9. (Coastal Development).
- d. Relationship with Other Laws and Regulations
 - i. Projects that qualify as an extremely affordable adaptive reuse project, pursuant to Sections 65913.12 and 65960.1 of the California Government Code and meeting the requirements and eligibility criteria outlined in Sections 65913.12 and 65960.1 of the California Government Code may simultaneously participate in the Citywide Adaptive Reuse Program and may also qualify for the

incentives outlined in Sec. 9.4.6.C.3.a. (General Incentives) and Sec. 9.4.6.C.3.b. (Incentives for Affordable and Mixed-Income Adaptive Reuse Projects) below.

- ii. 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 LAMC, the City Council may contract with an owner or agent of the owner of any qualified historical property.

C. Program Rules

1. Eligibility

~~The provisions of this Section shall apply to adaptive reuse projects outside the Downtown Community Plan Area, in any Commercial or Commercial Mixed Use District, or on any lot in Density District 2 or FA, regardless of Use District, in the following buildings and structures A Certificate of Occupancy, building permit, or other suitable documentation may be submitted as evidence to verify the date of construction.~~ Adaptive reuse projects meeting the following eligibility criteria qualify for participation in the Citywide Adaptive Reuse Program, including the granting of incentives outlined in Sec. 9.4.6.C.2. (Incentives).

a. Unit Threshold

Only adaptive reuse projects resulting in the creation of five or more dwelling units within an existing building shall be eligible to participate in the Citywide Adaptive Reuse Program.

b. Location

Adaptive reuse projects participating in the Citywide Adaptive Reuse Program must be located on lots outside of the Downtown Community Plan Area. Projects located on lots within the Downtown Community Plan Area are not eligible for the Citywide Adaptive Reuse Program. For adaptive reuse projects located within the Downtown Community Plan Area, see Sec. 9.4.5. (Downtown Adaptive Reuse Program).

c. Zoning

Adaptive reuse projects participating in the Citywide Adaptive Reuse Program shall not be located on a lot with an applied Density District (Part 6B) of 1L or N.

d. Uses Allowed

Adaptive reuse projects participating in the Citywide Adaptive Reuse Program shall only convert non-residential uses to residential uses.

e. Building Age

- i. Existing buildings constructed in accordance with building and zoning codes in effect at the time they were built, for which at least 15 years have elapsed since the date of permitted and completed construction are eligible for participation in the Citywide Adaptive Reuse Program and shall be approved pursuant to the processes outlined in Sec. 9.4.6.D. 1.a. (Department of Building and Safety Review) below. A Certificate of Occupancy, building permit finaled date, or other suitable documentation may be submitted as evidence of the date of permitted and completed construction.
 - ii. Existing buildings constructed in accordance with building and zoning codes in effect at the time they were built, for which at least 5 years have elapsed since the date of permitted and completed construction are eligible for participation in the Citywide Adaptive Reuse Program and shall be approved pursuant to the processes outlined in Sec. 9.4.6.D.1.c. (Zoning Administrator Review) below. A Certificate of Occupancy, building permit finaled date, or other suitable documentation may be submitted as evidence of the date of permitted and completed construction.
 - iii. 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 are eligible for participation in the Citywide Adaptive Reuse Program and shall be approved pursuant to the processes outlined in Sec. 9.4.6.D.1.a. (Department of Building and Safety Review) below. A Certificate of Occupancy, building permit finaled date, or other suitable documentation may be submitted as evidence of the date of permitted and completed construction
- f. ~~Buildings That Are At Least 25 Years Old~~
~~Buildings constructed in accordance with building and zoning codes in effect at the time they were built and for which at least 25 years have elapsed since the date of permitted and completed construction.~~
- g. ~~Buildings That Are At Least 10 Years Old~~
~~Buildings constructed in accordance with building and zoning codes in effect at the time they were built and for which at least 10 years have elapsed since the date of permitted and completed construction.~~

- h. ~~A Certificate of Occupancy, building permit, or other suitable documentation may be submitted as evidence to verify the date of construction.~~
- f. Historic Buildings Resources
Designated historic resources and surveyed historic resources are also eligible buildings for participation in the Citywide Adaptive Reuse Program.
- g. Parking Structures
Any parking structure, or parking area, provided in excess of the minimum parking required by this Zoning Code (Chapter 1A), within an existing building constructed in accordance with building and zoning codes in effect at the time they were built for which at least 40 5 years have elapsed since the date of permitted and completed construction.

2. Standards

Adaptive reuse projects must meet the following standards in order to be eligible for participation in the Citywide Adaptive Reuse Program, including the granting of the incentives outlined in Sec. 9.4.6.C.3.(Incentives) below.

- a. Affordable Housing Linkage Fee
The linkage fee, as established in Sec. 15.4.3. (Affordable Housing Linkage Fee), shall continue to apply to any new floor area in the project devoted to the uses described in the linkage fee schedule, regardless of the exemptions in Subsection D. (Incentives) below.
- a. Conversion of Ground Floor Commercial
Existing commercial uses located on the ground story of an existing building may be converted to residential uses, provided that at least the first 15 feet of depth as measured from the street-facing facade shall be limited to such active uses as common indoor amenity spaces, lobbies, or designated work areas of joint living & work quarters. the ground story maintains a active depth of at least 15 feet, measured perpendicularly from the street-facing facade, of space occupied by designed and intended for such active uses as common indoor amenity spaces, lobbies, or designated work areas of joint living & work quarters. Additionally, while the ground story facade may be modified, transparent area on the ground story shall not be reduced beyond the existing transparency prior

to modification, along the entire length of the *street-facing facade*. Only such reductions in *transparency* as are required for seismic reinforcement, fire/life safety concerns, or other upgrades to improve performance of the existing *building* shall be permitted.

b. Street Trees

- i. Existing trees in the *public way*, including street tree canopy and landscaped parkways, shall be preserved unless removal is permitted by the Urban Forestry Division. Additionally,
- ii. Trees shall be planted at a rate of at least one ~~street tree~~ *large species tree* per thirty linear feet of *primary street lot line*. Existing trees may be used to meet this street tree requirement, regardless of existing tree size. Trees planted to meet this requirement shall have 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
- iii. Required 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 size of the sidewalk area with dimensions of at least 4 feet by 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.
- vi. If street trees cannot be physically accommodated within the *public way*, due to City-determined physical constraints, a Tree Planting Guarantee Fee pursuant to LAMC Section 62.177 (b) shall be paid to the Board of Public Works.

3. Incentives

a. General Incentives

The Department of City Planning may grant some or all of the incentives established when an *adaptive reuse project* qualifies for them as established below. Despite any other provisions of this Zoning Code (Chapter 1A) to the contrary, adaptive reuse projects shall be entitled to the incentives set forth below. For additional incentives for adaptive reuse projects providing restricted affordable units, see Sec. 9.4.6.C.3.b. Subparagraph b (Incentives for Affordable Adaptive Reuse Projects) below. These incentives shall not apply to any new *floor area* from ~~new construction or additions located on the same lot as an adaptive reuse project~~ conducted as part of a *unified adaptive reuse project* unless ~~otherwise~~ explicitly stated otherwise below; however, 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*.

i. Floor Area

a) Existing Floor Area

Existing *floor area* within existing buildings which exceeds the maximum floor area ratio of the applied Form District (*Part 2B*) shall be considered allowed.

b) New Floor Area Within Existing Building Envelope

Any additional *floor area*, including *mezzanines*, as defined by Chapter 9 (Building Regulations) of this Code and new stories created within an existing building envelope shall not be counted towards the maximum *floor area* limit for the *lot*.

c) ~~Use Modification in Previously Exempted Floor Area~~

Conversion of Exempt Floor Area

~~The following actions shall not be considered as adding new floor area that enlarges an existing building or structure. The conversion of any existing area in a building previously qualifying as exempt from counting toward floor area calculation, pursuant to Sec. 14.1.7. (Floor Area), to any residential use or area meeting the standards of Sec. 2C.3.3.C.1. (Common Outdoor Amenity Space) or Sec. 2C.3.3.C.5. (Common Indoor Amenity Space) shall not be counted toward the maximum floor area limit for the lot.~~

provided that the area is located within the existing *building envelope*.

- ~~i. The change of use of any area of an existing building that is exempt from *floor area*, to any use permitted in the applied Use District including the renovation of any interior portion of an existing building for a permitted use. However, this shall not include new construction, and must be located within the *building's* existing exterior walls and below the existing roof.~~
- ~~ii. The change of use of any area of an within the existing building envelope which is exempt from *floor area to lot amenity spaces* or *residential amenity spaces*.~~
- ~~iii. The change of use of any area of an existing basement or portions of an eligible building that are below grade.~~
- ~~iv. The conversion of existing parking areas or structures as long as the conversion remains within the exterior walls of the existing building.~~

d) Rooftop Structures

Rooftop structures meeting the requirements of Sec. 9.4.6.C.3.a.iii. (*New Rooftop Amenity Structures*) below, shall not be counted toward the maximum *floor area* limit for the *lot*.

e) 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 *height in stories* or *height in feet* of the *building*. The *new construction of floor area* resulting from

this floor area reallocation may be eligible for the other incentives outlined in this Sec. 9.4.6.C.3. (Incentives).

d) Unified Development

For *buildings* listed as *designated historic resources* or *surveyed historic resources* that are incorporated as part of a *unified development* composed of two or more buildings, the existing *floor area of the designated historic resource or surveyed historic resource*, up to a maximum of 50,000 square feet, shall be exempted from the maximum *floor area* limit for the *lot*. This incentive shall not be utilized if the *unified development* involves the demolition or *facade alteration modification* of any portion of a *designated historic resource* or *surveyed historic resource* ~~which~~ that has not been approved by the Office of Historic Resources.

The averaging of *floor area ratios* may be permitted even if *buildings* on each individual *lot* would exceed the permitted *floor area ratio*. However, the total *floor area* for the *unified development*, when calculated as a whole, may not exceed the maximum permitted *floor area allowed* by the applied Form Districts

e) Ground Story Active Space Floor Area Exemption

Unified adaptive reuse projects may exempt floor area dedicated to the retention or preservation of existing active space on the ground story of an existing building from the calculation of floor area, up to a maximum of 1,500 square feet, provided that the exempted active space meets the following requirements:

The retained or preserved active space shall provide a minimum ground story transparent area of 60% along primary street lot lines, 40% along side street lot lines, and 50% along special lot lines, where applicable. Where existing commercial tenants are maintained in existing commercial tenant spaces in existing buildings, the area designated as active space shall instead meet the transparency required pursuant to Sub-Subparagraph a.(Conversion of Ground Floor Commercial) of Paragraph

2. (Standards), above. Ground story transparent area shall be measured pursuant to Subsection D (Measurement) of Sec. 3C.4.1. (Transparent Area); and

The retained or preserved *active space* shall provide *street-facing entrances* with a maximum entrance spacing of 50 feet along *primary street lot lines*, 75 feet along *side street lot lines*, and 50 feet along *special lot lines*, where applicable. *Street-facing entrances* shall meet the standards established in Subsection C. (Standards) of Sec. 3C.5.1. (Street-Facing Entrance), including Sec. 3C.5.2.C.1.(General) and Sec. 3C.5.1.C.2. (Entrance Spacing). Existing commercial tenants retained in place shall be exempt from this requirement.

- f) Legacy Small Businesses Floor Area Bonus
Unified adaptive reuse projects shall receive a *floor area* bonus equivalent to the two times the total *floor area* dedicated to preserving, maintaining, or accommodating a *legacy small business* within the project, either within existing *floor area* of an existing *building* or within the new *floor area* resulting from *new construction*. The project shall either preserve existing *ground story* tenant spaces for *legacy small businesses* or lease new tenant spaces to *legacy small businesses* previously located on-site or from another location.

ii. Height

- a) Existing Height
An existing *building* which is a part of an *adaptive reuse project* shall be allowed to maintain its existing height, regardless of whether it complies with the height requirements of the applied Form District (*Part 2B*), including but not limited to *height in stories* or *height in feet*.
- b) New Stories Within Existing Building Envelope
Any additional *story* created within an existing *building envelope* which is a part of an *adaptive reuse project* shall

not be counted as an additional *story* towards any *height in stories* limit. Additional stories within the existing *building* envelope may consist of either a partial or full floor, and the clear height above and below the new story shall be not less than 8 feet.

c) Rooftop Structures

Rooftop structures meeting the requirements of Sec. 9.4.6.C.3.a.iii. (New Rooftop Amenity Structures) below, may exceed the height requirements of the applied Form District (Part 2B), including but not limited to *height in stories* or *height in feet*.

d) Upper-Story Bulk

An existing *building* which is a part of an *adaptive reuse project* shall not be required to comply with any applicable upper-story provisions established in Div. 2C.5. (Upper-Story Bulk).

iii. New 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 new *floor area* or *height*, as long as the new rooftop structures do not exceed one *story*, meet the standards of Sec. 2C.3.3.C.1. (Common Outdoor Amenity Space) or Sec. 2C.3.3.C.5. (Common Indoor Amenity Space). ~~Comply with the height requirements of the applied Form District. and comply with all other zoning requirements, apart from those waived as incentives for participation in the Citywide Adaptive Reuse Program. Allowable rooftop amenity structures may be eligible for the other incentives outlined in this Sec. 9.4.6.C.3. (Incentives).~~

iv. ~~Yards~~ Setbacks

~~Existing observed yards~~ *buildings* which do not meet the *building setback* requirements of the applied Form District (Part 2B) shall be allowed.

v. Lot Amenity Space & Residential Amenity Space Requirements

An *adaptive reuse project* shall not be required to provide any additional *lot amenity space* or *residential amenity space* as a result of ~~a change of use~~ a use conversion of *floor area* in an existing *building* to a *residential use*. However, existing area on

the lot and floor area dedicated to lot amenity space or residential amenity space shall not be reduced below what would normally be required by the applied Form District (Part 2B). Projects including new construction as part of a unified adaptive reuse project shall be subject to the full lot amenity space requirement otherwise required by the applied Form District (Part 2B) as well as the residential amenity space that would otherwise be required of the new construction portion of the unified adaptive reuse project. However, new floor area allowed as a result of an allowable rooftop amenity structure, pursuant to Sec. 9.4.6.C.3.a.iii. (New Rooftop Amenity Structures); new floor area resulting from floor area reallocation, pursuant to Sec.9.4.6.C.3.a.i.e. (Floor Area Reallocation); or an allowable two-story rooftop addition, pursuant to Sec. 9.4.6.C.3.b.ii. (Additional Two Story Height Bonus) shall not be subject to the lot amenity space or residential amenity space requirements of the applied Form District (Part 2B)

~~vi. Upper Story Bulk~~

~~An existing building which is a part of an adaptive reuse project shall not be required to comply with any applicable upper story provisions established in Div. 2C.5. (Upper Story Bulk).~~

vi. Building Mass

An existing building which is a part of an adaptive reuse project shall not be required to comply with any applicable building mass provisions established in Div. 2C.6. (Building Mass). Any new floor area as a result of new construction shall be subject to building mass provisions established in Div. 2C.6. (Building Mass) as otherwise required by the applied Form District (Part 2B), with the exception of new floor area allowed as a result of an allowable rooftop amenity structure, pursuant to Sec. 9.4.6.C.3.a.iii. (New Rooftop Amenity Structures); new floor area resulting from floor area reallocation, pursuant to Sec.9.4.6.C.3.a.i.e. (Floor Area Reallocation); or an allowable two-story rooftop addition, pursuant to Sec. 9.4.6.C.3.b.ii. (Additional Two Story Height Bonus).

vii. Plants

Adaptive reuse projects shall not be required to plant new trees or plants, with the exception of the minimum street trees required pursuant to Sec.9.4.6.C.2.b. (Street Trees), above.

viii. Frontage District Standards

Adaptive reuse projects within existing buildings shall not be required to bring ~~eligible existing buildings or structures~~ into conformance with the applied Frontage District (Part 3B). Where an ~~eligible existing building or structure~~ is nonconforming as to the applied Frontage District, an *adaptive use project* shall not further reduce compliance. New floor area allowed as a result of an allowable rooftop amenity structure, pursuant to Sec. 9.4.6.C.3.a.iii. (New Rooftop Amenity Structures); new floor area resulting from floor area reallocation, pursuant to Sec. 9.4.6.C.3.a.i.e. (Floor Area Reallocation); or an allowable two-story rooftop addition, pursuant to Sec. 9.4.6.C.3.b.ii. (Additional Two Story Height Bonus) shall also be exempt from otherwise required standards of the applied Frontage District (Part 3B).

ix. Off-Street Automobile Parking

- a) For adaptive reuse projects consisting only of the conversion of an existing building, the required number of automobile parking spaces stalls shall be the same as the number of ~~spaces stalls~~ that physically existed on the lot at the time that the application for the adaptive reuse project was submitted. ~~, and shall be maintained and not reduced.~~ However, if the total parking required by Div. 4C.4. (Automobile Parking) for the new use is less than the number of parking ~~spaces stalls~~ that exist on the lot, then the number of parking ~~spaces stalls~~ may be reduced to the number of ~~required parking spaces stalls~~ required by Div. 4C.4. (Automobile Parking).
- b) New floor area allowed as a result of an allowable rooftop amenity structure, pursuant to Sec. 9.4.6.C.3.a.iii. (New Rooftop Amenity Structures); new floor area resulting from floor area reallocation, pursuant to Sec. 9.4.6.C.3.a.i.e. (Floor Area Reallocation); or an allowable two-story rooftop addition, pursuant to Sec. 9.4.6.C.3.b.ii. (Additional Two Story Height Bonus) shall also be exempt from providing automobile parking stalls beyond the number that physically existed on the lot at the time that the application for the adaptive reuse project was submitted.

- c) Projects located within 0.5 miles of a *major transit stop* are not required to provide any *automobile parking stalls*, pursuant to California Government Code Section 65863.2, in compliance with Assembly Bill 2097 (2022).
- d) *Automobile parking stalls* provided in excess of the number required by the provisions of this sub-sub paragraph may be provided as *automobile parking stalls* that meet the standards of compact parking or tandem parking as outlined in Sec. 4C.4.4. (Parking Area Design). Tandem parking that does not meet the standard requirements for tandem parking outlined in Sec. 4C.4.4. (Parking Area Design) may still be provided, as long as a parking attendant or an automated parking system is provided for the tandem parking.
- e) Physically existing *parking stalls* that are maintained in their current configuration shall be exempt from the design standards outlined in Sec. 4C.4.4. (Parking Area Design), Sec. 4C.4.5. (Parking Lot Design), and Sec.4C.4.6. (Parking Structure Design).
- f) New *automobile parking stalls* and parking stalls reconfigured or restriped as part of an adaptive reuse project shall be subject to the design standards outlined in Sec. 4C.4.4. (Parking Area Design), Sec. 4C.4.5. (Parking Lot Design), and Sec.4C.4.6. (Parking Structure Design), with the exception of existing *automobile parking stalls* that are reconfigured solely for the purpose of bringing 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.

x. Bicycle Parking

- a) 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 by Div. 4C.3. (Bicycle Parking) 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 by Div. 4C.3. (Bicycle Parking).

- b) New floor area allowed as a result of an allowable rooftop amenity structure, pursuant to Sec. 9.4.6.C.3.a.iii. (New Rooftop Amenity Structures); new floor area resulting from floor area reallocation, pursuant to Sec.9.4.6.C.3.a.i.e. (Floor Area Reallocation); or an allowable two-story rooftop addition, pursuant to Sec. 9.4.6.C.3.b.ii. (Additional Two Story Height Bonus) shall also be exempt from providing bicycle parking spaces beyond the number that physically existed on the lot at the time that the application for the adaptive reuse project was submitted.

xi. Loading Space

- a) 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 Sec. 4C.2.2.C.2. (*Freight Loading Areas*).
- b) For adaptive reuse projects limited to the conversion of an existing building, if no loading spaces exist or if the number of existing loading spaces are below the number required for the project by Sec. 4C.2.2.C.2. (Freight Loading Areas), then a additional loading spaces shall not be required in conjunction with the development of an adaptive reuse project.
- c) Required loading spaces resulting from the new construction of new floor area as part of a unified adaptive reuse project shall only be required for the new floor area constructed. However, new floor area allowed as a result of an allowable rooftop amenity structure, pursuant to Sec. 9.4.6.C.3.a.iii. (New Rooftop Amenity Structures); new floor area resulting from floor area reallocation, pursuant to Sec.9.4.6.C.3.a.i.e. (Floor Area Reallocation); or an allowable two-story rooftop addition, pursuant to Sec. 9.4.6.C.3.b.ii. (Additional Two Story Height Bonus) shall not be subject to the loading area requirements outlined in Sec. 4C.2.2.C.2. (Freight Loading Areas).

xii. Project Review

- a) Adaptive reuse projects limited to the conversion of existing buildings shall be exempt from any requirements to go through the ~~Project Review~~ process as determined by the applied Development Standards District and set forth in ~~Div. Sec. 4C.14.1. (Project Review Thresholds)~~.
- b) Unified adaptive reuse projects involving the new construction of new floor area shall only be subject to project review based on new floor area and the uses, activities, and dwelling units within that new floor area, with the exception of new floor area allowed as a result of an allowable rooftop amenity structure, pursuant to Sec. 9.4.6.C.3.a.iii. (New Rooftop Amenity Structures); new floor area resulting from floor area reallocation, pursuant to Sec. 9.4.6.C.3.a.i.e. (Floor Area Reallocation); or an allowable two-story rooftop addition, pursuant to Sec. 9.4.6.C.3.b.ii. (Additional Two Story Height Bonus).

xiii. Density

- a) For adaptive reuse projects limited to the conversion of existing buildings, dwelling units and joint living and work quarters shall not be subject to the lot area per dwelling unit or dwelling unit per lot requirements of the applied Density District (Part 6B).
- b) For unified adaptive reuse projects involving the new construction of new floor area, dwelling units within the new floor area shall still be subject to the lot area per dwelling unit or dwelling unit per lot requirements of the applied Density District (Part 6B), with the exception of dwelling units within new floor area resulting from floor area reallocation, pursuant to Sec. 9.4.6.C.3.a.i.e. (Floor Area Reallocation), above.

xiv. Inclusionary Housing Program

- a) Adaptive reuse projects limited to the conversion of existing buildings shall not be required to provide *restricted affordable units* pursuant to Sec. 5C.4.5. (*Inclusionary Housing Program*).

- b) For *unified adaptive reuse projects* involving the *new construction of new floor area, dwelling units* within the *new floor area* shall still be required to provide *restricted affordable units* pursuant to *Sec. 5C.4.5. (Inclusionary Housing Program)*, with the exception of *dwelling units* within *new floor area* resulting from *floor area reallocation*, pursuant to *Sec.9.4.6.C.3.a.i.e. (Floor Area Reallocation)*, above or *dwelling units* in an allowable two-story rooftop addition, pursuant to *Sec. 9.4.6.C.3.b.ii. (Additional Two Story Height Bonus)*, below.

b. Incentives for Affordable and Mixed-Income Adaptive Reuse Projects

Adaptive reuse projects that provide *restricted affordable units* in exchange for participation in an incentive program established in Div. 9.3. Citywide Housing Incentive Programs or in the Affordable Housing Incentive Program (Sec. 9.4.1. 9.2.2.), in combination with participation in the Citywide Adaptive Reuse Program may ~~select one or both of~~ utilize the following ~~additional~~ incentives, in addition to the applicable general incentives outlined in *Sec. 9.4.6.C.3.a. (General Incentives)*, above. *New floor area* from *new construction* as part of a *unified adaptive reuse project* shall also be eligible for the incentives provided by the other incentive program in which the project is participating.

i. Density Bonus

In *unified adaptive reuse projects*, *dwelling units* shall not be subject to the density restrictions of the applied Density District (*Part 6B*), including but not limited to *lot area per dwelling unit* or *dwelling unit per lot* requirements. This exemption from density limitations applies both to existing *floor area* that is converted from a *non-residential use* to a *residential use* as well as *new floor area* provided in *new construction* within the *unified adaptive reuse project*. Utilization of this density exemption is subject to all of the following requirements, limitations, approvals, and procedures:

- a) All site amenities provided in the *unified adaptive reuse project*, whether located in the existing *building(s)*, in *new*

floor area added or attached to existing buildings, or in new buildings consisting entirely of new construction, shall be made accessible to all residents 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

- b) The requisite number of restricted affordable units shall be provided pursuant to the requirements of the applicable housing incentive program. If the incentive program does not require the provision of restricted affordable units, the adaptive reuse project is not eligible for this additional incentive. The required number of restricted affordable units shall be based off of the number of dwelling units located in the new floor area from new construction addition but the location of the restricted affordable units shall be ~~The required percentage of set-aside restricted affordable units shall be~~ distributed proportionally across the entire unified adaptive reuse project within each individual building, including both converted existing buildings and new floor area in new construction.
- c) 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 Department of Building and Safety. 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 existing floor area converted to residential use shall be maintained and not changed; (2) The number of such dwelling units, approved by the Zoning Administrator Planning shall not be increased; and (3) the access for all residents 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.

ii. Additional Two Story Height Bonus

In unified adaptive reuse projects, an additional two stories may be added above to the existing uppermost story of the existing building or buildings being converted from non-residential uses to residential uses, regardless of any otherwise applicable limitations on floor area ratio and height in feet or height in stories. Floor area within this allowable two-story addition shall not be subject to the density restrictions of the applied Density District (Part 6B), including but not limited to lot area per dwelling unit or dwelling unit per lot requirements. Utilization of this two-story addition incentive is subject to all of the following requirements, limitations, approvals, and procedures:

- a) The maximum building envelope of the existing building plus the allowable two-story addition shall be limited to two stories added above existing roof conditions or to the maximum base height in stories or base height in feet allowed by the applied Form District (Part 2B), whichever is greater.
- b) Existing buildings utilizing this incentive shall not be eligible for additional floor area ratio and height incentives otherwise allowed via participation in the applicable housing incentive program. However, projects utilizing this two-story addition incentive as part of a larger unified adaptive reuse project may utilize the full additional floor area ratio and height incentives allowed via participation in the applicable incentive program only for new construction of new floor area not included in the allowable two-story addition. When calculating the total bonus floor area ratio for the unified adaptive reuse project, the floor area ratio of the allowable two-story addition shall be excluded.
- c) Dwelling units located both in existing floor area in the existing building or buildings and dwelling units located in the allowable two-story addition shall be subject to the

~~affordability levels otherwise required by the applicable incentive program~~ *Restricted affordable units* shall be provided at the rates set forth in ~~LAMC Section 19.18 B.2(b)~~ Sec. 15.4.3.B.1.b.i. (Exemptions) in lieu of the ~~affordability levels that would otherwise be required by the applicable incentive program~~. The required number of *restricted affordable units* shall be based off of the number of *dwelling units* located in the allowable two story addition but the location of the restricted affordable units shall be distributed equally ~~for dwelling units located~~ across the building, providing *restricted affordable units* proportionally within both the allowable two-story addition and the ~~dwelling units located~~ converted floor area within the existing building or buildings.

c. Additional Incentives

The Zoning Administrator may grant, modify or deny some or all of the incentives established in Sec. 9.4.6.C.3. (*Incentives*) pursuant to Sec. 13.B.2.1. (*Class 1 Conditional Use Permit*). Furthermore, the Zoning Administrator shall have the authority to grant any other incentives or relief from other zoning standards required to permit *adaptive reuse projects* participating in the Citywide Adaptive Reuse Program, including but not limited to the authority to permit *residential uses* in *adaptive reuse projects*, regardless of the nonconforming provisions of Article 12. (*Nonconformities*).

D. Administration

1. Process Procedures

a. Department of Building and Safety Review

- i. The following types of *adaptive reuse projects* shall be approved by the Department of Building and Safety if the requirements of Sec. 9.4.6.B.C.1. (*Eligibility*), and the criteria described in Sec. 9.4.6.C.2. (*Standards*) and Sec. 9.4.6.D.C.3. (*Incentives*) are met. If the *adaptive reuse project* is approved, and the incentives described in Sec. 9.4.6.D.C.3. (*Incentives*) for which the project qualifies shall be granted:

- a) *Adaptive reuse projects* involving buildings constructed in accordance with building and zoning codes in effect at the time they were built for which at least ~~25~~ 15 years have elapsed since the date of permitted and completed construction; and
 - b) Adaptive reuse projects involving parking structures or parking areas within an existing building for which at least ~~40~~ 5 years have elapsed since the date of permitted and completed construction.
- b. Administrative Review
The Director of Planning shall review the following *adaptive reuse projects*, pursuant to Sec. 13B.3.1. (Administrative Review):
 - i. *Adaptive reuse projects* that provide *restricted affordable units* in exchange for participation in an applicable housing incentive program, in order to access additional incentives in combination with those granted by the Citywide Adaptive Reuse Program an incentive program established in Div. 9.3. (Citywide Housing Incentive Programs) or the Affordable Housing Incentive Program (Sec. 9.2.2.). Projects proposing a *unified adaptive reuse project* shall also be subject to the following supplemental procedures:
 - a) Applicants must have a building permit plan check application deemed complete for the entirety of the *unified adaptive reuse project* within ~~five~~ seven years of obtaining an Administrative Review approval for the *unified adaptive reuse project*, pursuant to Sec. 13B.3.1. (Administrative Review).
 - b) If the building permit plan check application is not deemed complete for the entirety of the *unified adaptive reuse project* within ~~five~~ seven years, all subsequent project phases will then be subject to a Class 1 Conditional Use approval process, pursuant to Sec. 13B.2.1 (Class 1 Conditional Use Permit).
 - ii. *Adaptive reuse projects* involving any *surveyed historic resources*, provided that any proposed alteration of a *surveyed historic resource* complies with the Secretary of the Interior's Standards

for Rehabilitation. Projects shall be subject to the following supplemental procedures:

- a) Projects 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.
- a) 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 Public Resources Code Section 21084.1, such property will not be considered an historic resource.
- b) 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 project shall instead be reviewed pursuant to Sec. 9.4.6.D.1.d. (*Designated Historic Resources Review*) below.
- c. Class 1 Conditional Use Permit
Adaptive reuse projects involving buildings constructed in accordance with building and zoning codes in effect at the time they were built and for which at least 10 years have elapsed since the date of permitted and completed construction meeting any of the following criteria may be approved by the Zoning Administrator, pursuant to Sec. 13B.2.1. (Class 1 Conditional Use Permit), if the *adaptive reuse project* complies with the requirements of Sec. 9.4.6.B.C.1. (*Eligibility*), and the criteria described in Sec. 9.4.6.C.2. (*Standards*) and Sec. 9.4.6.D.C.3. (*Incentives*) are met. If the *adaptive reuse project* is approved, and the incentives described in Sec. 9.4.6.D.C.3. (*Incentives*) for which the project qualifies shall be granted.
 - i. *Adaptive reuse projects* involving *buildings* constructed in accordance with building and zoning codes in effect at the time they were built for which at least 5 years and less than 15 years have elapsed since the date of permitted and completed construction
 - ii. Projects involving *buildings* for which at least fifteen years have elapsed since the date of permitted and completed construction

that are also requesting additional incentives that are not listed in Sec. 9.4.6.C.3.a. (General Incentives) or Sec. 9.4.6.C.3.b. (Incentives for Affordable and Mixed-Income Adaptive Reuse Projects) above; 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, subject to the following supplemental requirements and procedures:

- a) The Zoning Administrator shall determine that all site amenities provided, whether located in the existing buildings or new construction, shall be made accessible to all residents 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.
- b) The averaging of floor area ratios may be permitted even if buildings on each individual lot would exceed the permitted floor area ratio. However, the total floor area for the unified adaptive reuse project, when calculated as a whole, may not exceed the maximum permitted floor area allowed by the applied Form Districts (Part 2B).
- c) If the Zoning Administrator approves the requested floor area averaging, transfer of residential density, or both, the project shall be subject to Sec. 9.4.6.D.2. (Records & Agreements) below.
- d) The Zoning Administrator may waive the public hearing required in Sec. 13B.2.1. (Class 1 Conditional Use Permit) if the owners of all adjoining lots have expressed in writing no objections to the unified adaptive reuse project.
- e) Unified adaptive reuse projects that include restricted affordable units in exchange for participation in an applicable housing incentive program, shall instead be reviewed and approved via administrative review, pursuant

to Sec. 9.4.6.D.1.b. Subparagraph b. (Administrative Review), above.

iv. Supplemental Findings.

In addition to the findings in Sec. 13B.2.1. (Class 1 Conditional Use Permit), the Zoning Administrator shall also find that:

- a) The eligible 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.
- b) In approving a reduced parking incentive pursuant to Sec. 9.4.6.D.5. (Off Street Automobile Parking), the Zoning Administrator 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.

d. Designated Historic Resources Review

Adaptive reuse projects involving designated historic resources 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) and pursuant to Section 91.106.4.5 (Permits for Historical and Cultural Buildings) of Chapter IX of the LAMC and Section 22.171 (Cultural Heritage Commission) of the LAAC. 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.
- ii. Rooftop additions to designated historic resources are only permitted for adaptive reuse projects providing restricted affordable units in compliance with Sec. 9.4.6.C.3.b. (Incentives for Affordable and Mixed-Income Adaptive Reuse Projects) above.

2. Records & Agreements

If the Zoning Administrator approves floor area averaging, transfer of residential density, or both for a proposed *unified adaptive reuse project*, 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 Office of Zoning Administration. 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:

- a. The use of any *floor area* converted to *residential uses* shall be maintained and not changed; and
- b. The number of such *dwelling units* approved by the Zoning Administrator shall not be increased; and
- c. The access for all residents 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. Relief

For requests for incentives other than those listed in Sec. 9.4.6.C.3.a. (*General Incentives*) of Sec. 9.4.6.C.3.b. (*Incentives for Affordable and Mixed-Income Adaptive Reuse Projects*) above, see Sec.9.4.6.C.3.c. (*Additional Incentives*) above. The Zoning Administrator may grant, modify or deny some or all of the incentives established in Sec. 9.4.6.D. (*Incentives*) pursuant to Sec. 13.B.2.1. (*Class 1 Conditional Use Permit*). Furthermore, the Zoning Administrator shall have the authority to grant any other incentives or relief from other zoning district standards required to permit adaptive reuse projects proposed pursuant to this Section, including but not limited to the authority to permit dwelling units and joint living and work quarters in adaptive reuse projects, regardless of the nonconforming provisions of Article 12. (*Nonconformities*).

F. Exceptions

None.

Sec 2. Amend Div.14.2. (Glossary) of Article 14 (General Rules) of Chapter 1A of the Los Angeles Municipal Code to read as follows:

Active Space. Active space is defined as indoor occupiable spaces designed and intended for general commercial uses, public & institutional uses, or common indoor amenity spaces.

Adaptive Reuse Project (Use): Any change of use to dwelling, or joint living and work quarters, or any change in commercial use to another commercial use, in all or any portion of any eligible building according Any project limited to the use conversion of any portion of an existing *building* from a *non-residential use* to another use permitted by the applied Use District (Part 5B) and that participates in and meets the requirements and rules of an adaptive reuse incentive program, pursuant to Sec. 9.4.5.B. (Applicability, Downtown Adaptive Reuse Program) or Sec. 9.4.6.B. (Applicability, Citywide Adaptive Reuse Program), as long as the commercial use is allowed in the zone. An adaptive reuse project includes a change of an existing use to new uses that are accessory to dwelling units, guest rooms, or joint living and work quarters, so long as the accessory uses are consistent with the definition of accessory use in this Division, and are permitted in the zone. See Sec. 5C.3.2. (Adaptive Reuse Project). Projects participating in the Citywide Adaptive Reuse Program, pursuant to Sec. 9.4.6. (Citywide Adaptive Reuse Program), shall only involve conversion to a *residential use*. For projects involving a mix of adaptive reuse and the *new construction* of new floor area, see *unified adaptive reuse project*.

Administrative Review: See Sec. 13.B.1. (Administrative Review)

Commercial Use: Any use listed and defined in Div. 5D.6. (General Commercial Uses) or Div. 5D. 7. (Heavy Commercial Uses).

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 (HPOZ)

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)

Housing Development Project: A project that results in the creation of~~The construction of~~ 5 or more new *dwelling units*, including the new construction of 5 or more *dwelling units* or addition of 5 or more residential units *dwelling units* to an existing building or buildings, the remodeling renovation of a building or buildings containing 5 or more ~~residential units~~ *dwelling units*, or a mixed use development containing 5 or more residential units *dwelling units*. For the purpose of establishing the minimum number of 5 *dwelling units*, restricted affordable units shall be included, and density bonus units shall be excluded.

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:

1. Has no more than 50 full-time equivalent employees;
2. 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;
3. 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;
4. 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.

Low-Income Household: Households with an annual income that does not exceed the amount designated for that category as defined in California Health and Safety Code, Sec. 50105 (Definitions)

Project Review: See Sec. 13B.2.4. (Project Review).

Residential Use: Any use listed and defined in Div. 5D.2. (Residential Uses).

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.

Non-Residential Use: Any use not listed and defined in ~~Sec. 5C.1.1.~~ Div. 5D.2. (Residential Uses). Includes uses listed and defined in ~~Sec. 5C.1.2.~~ Div. 5D.3. (Public & Institutional Uses), ~~Sec. 5C.1.3.~~ Div. 5D.4. (Open Space & Recreation Uses), ~~Sec. 5C.1.4.~~ Div. 5D.5. (Transportation Uses), ~~Sec. 5C.1.5.~~ Div. 5D.6. (General Commercial Uses), ~~Sec. 5C.1.6.~~ Div. 5D.7. (Heavy Commercial Uses), ~~Sec. 5C.1.7.~~ Div. 5D.8. (Light Industrial Uses), ~~Sec. 5C.1.8.~~ Div. 5D.9. (Heavy Industrial Uses), and ~~Sec. 5C.1.9.~~ Div. 5D.10. (Agricultural Uses).

Unified Adaptive Reuse Project: An *adaptive reuse project* composed of the use conversion of existing *floor area* in an existing *building* 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*, detached from the existing *building*, or constructed as part of a *unified development*. For the purposes of a unified adaptive reuse project, a *unified development* may include multiple *lots* within a 150-foot radius from the existing converted *building*, subject to the design and linkage requirements of a *unified development*.

Unified Development: A ~~commercial, industrial, or mixed-use~~ development consisting of multiple *lots* which is unified by a combination of functional linkages, such as pedestrian or vehicular connections, include common architectural and landscape features which constitute distinctive design elements of the development, and when viewed from adjoining streets appears to be a consolidated whole. A unified development may

include *lots* that *abut* or are separated only by an alley or are located across the street from any portion of each other.

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 _____

ORDINANCE NO. _____

An ordinance repealing Ordinance No. 175,038 adopted on December 20, 2002, to establish the Adaptive Reuse Incentive Areas Specific Plan for the areas of Chinatown, Lincoln Heights, the Hollywood Community Redevelopment Project Area, certain portions of the Wilshire Center/Koreatown Community Redevelopment Project Area, and Central Avenue south of Freeway Number 10 and north of Vernon Avenue

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

Section 1. Ordinance No. 175,038 which established the Adaptive Reuse Incentive Areas Specific Plan, is repealed.

Sec. 2. This ordinance shall be operative on such date as the Citywide Adaptive Reuse Ordinance, No. _____ is operative.

Sec. 3. 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.

Approved as to Form and Legality

HYDEE FELDSTEIN SOTO, City Attorney

Pursuant to Charter Section 559, I
approve this ordinance on behalf
of the City Planning Commission and
recommend that it be adopted.

By _____
KATHRYN PHELAN
Deputy City Attorney

VINCENT P. BERTONI, AICP
Director of Planning

Date _____

Date _____

File No. _____

The Clerk of the City of Los Angeles
hereby certifies that the foregoing
ordinance was passed by the Council
of the City of Los Angeles.

CITY CLERK

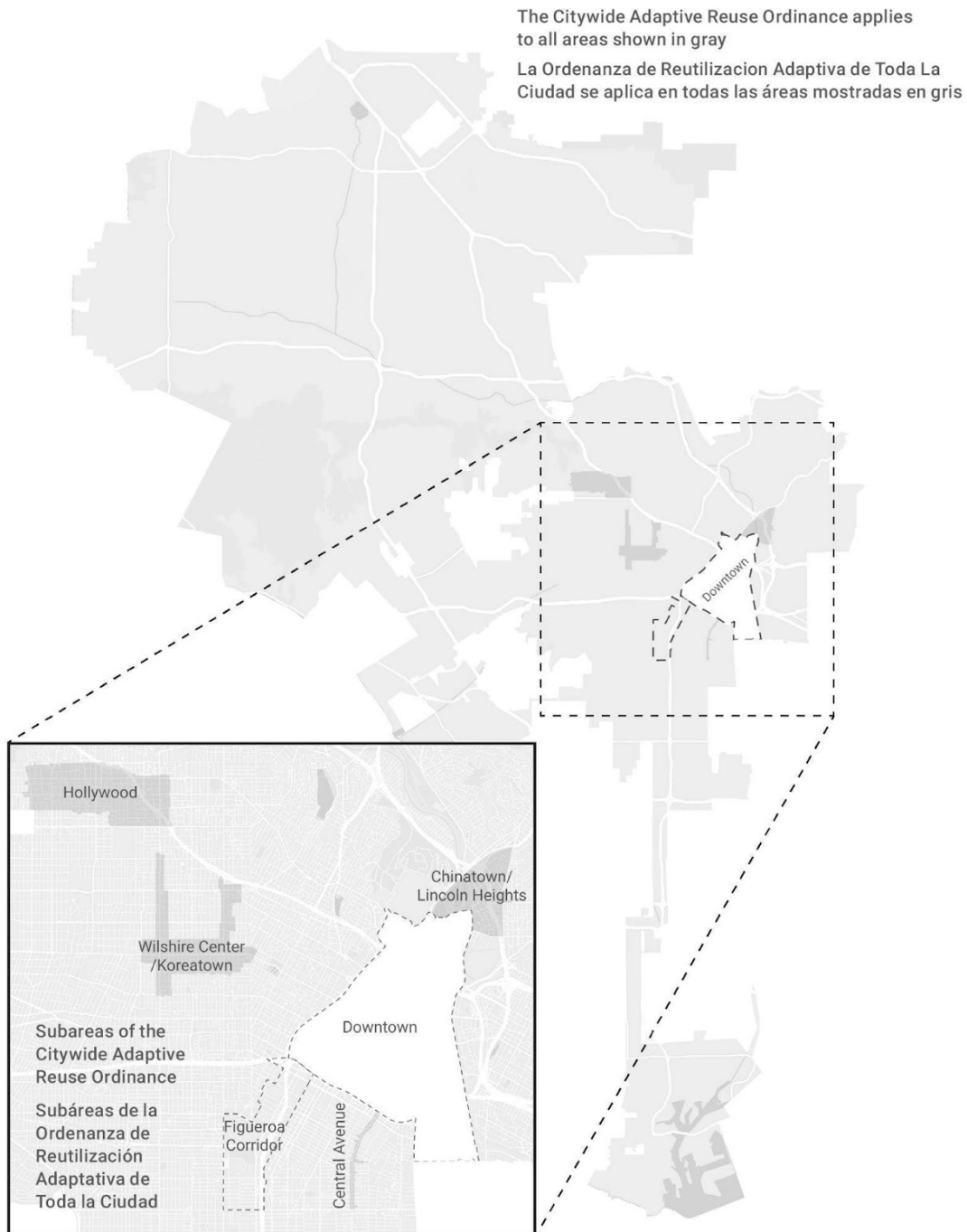
MAYOR

Ordinance Passed _____

Approved _____

**PROPOSED CITYWIDE ADAPTIVE REUSE ORDINANCE (CHAPTER 1)
AS APPROVED BY CPC ON OCTOBER 10, 2024
CPC-2023-5986-CA**

ORDINANCE MAP:



FINDINGS

General Plan/Charter Findings

1. City Charter Findings

Charter Sections 556 and 558 - The City Charter was adopted by voters at the General Municipal Election held June 8, 1999, and sets forth various provisions related to City Departments. Charter Sections 556 and 558 require the City Planning Commission and City Council to adopt the following findings when taking any action to (i) create or change a zone or zoning district created for the purpose of regulating the use of land, or (ii) zoning the permissible uses, height, density, bulk, location or use of buildings or structures, size of yards, open space, setbacks, building line requirements, and other similar requirements, including specific plan ordinances:

(1) The zoning ordinance is in substantial conformance with the purposes, intent, and provisions of the General Plan. (Charter Sec. 556.)

(2) The zoning ordinance is in conformity with public necessity, convenience, general welfare, and good zoning practice. (Charter Sec. 558.)

In accordance with City Charter Section 556, the proposed Adaptive Reuse Ordinance is in substantial conformance with the purposes, intent, and provisions of the General Plan in that it would further accomplish the goals, objectives, and policies of the General plan as outlined below. (For Charter Section 558 findings, see discussion below titled, “Zoning Code Amendment and Specific Plan Amendment Finding.”)

2. General Plan Findings

This section provides relevant goals, objectives, policies, and programs that are established in the General Plan that form the basis for Staff’s recommended actions for the Proposed Ordinance. The Proposed Ordinance is in substantial conformance with the purposes, intent, and provisions of the General Plan, as noted below.

The City of Los Angeles’ General Plan consists of the Framework Element, seven (7) required Elements that are mandated by State law, including Land Use, Mobility, Housing, Conservation, Noise, Safety, and Open Space, and optional Elements including Air Quality, Service Systems, and Plan for a Healthy Los Angeles. Thirty-five individual community plans comprise the Land Use Element

General Plan Framework Element

The proposed Citywide Adaptive Reuse Ordinance will meet the intent and purposes of the General Plan Framework Element to encourage the creation of additional housing, while at the same time encourage sustainable growth. In particular, the proposed ordinance would further the intent and purpose of the following relevant goals, objectives, and policies of the Framework Element:

Goal 3A: A physically balanced distribution of land uses that contributes towards and facilitates the City's long-term fiscal and economic viability, revitalization of economically depressed areas,

conservation of existing residential neighborhoods, equitable distribution of public resources, conservation of natural resources, provision of adequate infrastructure and public services, reduction of traffic congestion and improvement of air quality, enhancement of recreation and open space opportunities, assurance of environmental justice and a healthful living environment, and achievement of the vision for a more liveable city.

Objective 3.1: Accommodate a diversity of uses that support the needs of the City's existing and future residents, businesses, and visitors.

Objective 3.2: Provide for the spatial distribution of development that promotes an improved quality of life by facilitating a reduction of vehicular trips, vehicle miles traveled, and air pollution.

Policy 3.2.2: Establish, through the Framework Long-Range Land Use Diagram, community plans, and other implementing tools, patterns and types of development that improve the integration of housing with commercial uses and the integration of public services and various densities of residential development within neighborhoods at appropriate locations.

Policy 3.2.4: Provide for the siting and design of new development that maintains the prevailing scale and character of the City's stable residential neighborhoods and enhance the character of commercial and industrial districts.

Objective 3.4: Encourage new multi-family residential, retail commercial, and office development in the City's neighborhood districts, community, regional, and downtown centers as well as along primary transit corridors/boulevards, while at the same time conserving existing neighborhoods and related districts.

Objective 3.13: Provide opportunities for the development of mixed-use boulevards where existing or planned major transit facilities are located and which are characterized by low-intensity or marginally viable commercial uses with commercial development and structures that integrate commercial, housing, and/or public service uses.

Goal 7G: A range of housing opportunities in the City.

Objective 7.9: Ensure that the available range of housing opportunities is sufficient, in terms of location, concentration, type, size, price/rent range, access to local services and access to transportation, to accommodate future population growth and to enable a reasonable portion of the City's work force to both live and work in the City.

Policy 7.9.2: Concentrate future residential development along mixed-use corridors, transit corridors and other development nodes identified in the General Plan Framework Element, to optimize the impact of City capital expenditures on infrastructure improvements.

Housing Element

The proposed Citywide Adaptive Reuse Ordinance implements Program 13, one of four core elements in the Citywide Housing Incentives Program, including Policies 3.2.7, 3.2.8 and 3.2.9

under Objective 3.2. As such, it is in substantial conformance with the purpose, intent and provisions of the General Plan in that it would further accomplish the goals, objectives, policies and programs of the Housing Element outlined below:

Chapter 3 Opportunities for Conservation in Residential Development

Goal 1: A City where housing production results in an ample supply of housing to create more equitable and affordable options that meet existing and projected needs.

Objective 1.1: Forecast and plan for existing and projected housing needs over time with the intention of furthering Citywide Housing Priorities.

Program 21: Innovative Parking / Mobility Strategies in Housing [Incorporate updated parking recommendations and strategies into Community Plans, Specific Plans, the revised zoning code and Transit Neighborhood Plans]. Encourage the utilization of alternatives to current parking standards that lower the cost of housing, support GHG and VMT goals and recognize the emergence of shared and alternative mobility.

Program 54: Expedite Affordable Housing Projects [Prioritize affordable housing projects to expedite processing of permits and any related entitlements].

Program 60: Zoning Code Revision [Adopt ordinances and a brand new Zoning Code that establishes clear and predictable regulations].

Objective 1.2: Facilitate the production of housing, especially projects that include Affordable Housing and/or meet Citywide Housing Priorities.

Policy 1.2.1: Expand rental and for-sale housing for people of all income levels. Prioritize housing developments that result in a net gain of Affordable Housing and serve those with the greatest needs.

Program 55: Implement CEQA Streamlining Measures [Facilitate the utilization of Statewide CEQA streamlining measures, including those that implement the regional Sustainable Communities Strategy (SB 375) and those that promote infill projects (SB 226).

Program 121: RHNA Re-Zoning [The Program will update and expand the City's affordable housing incentive programs (including Density Bonus, TOC, among others) to include a wider array of areas and project types and create more inclusive developments. These existing incentive-based programs will continue to set a floor for affordable housing development. Opportunities for greater streamlining will also be explored through expansion of *adaptive reuse and micro unit housing*, current value capture efforts and additional incentives for 50-100% affordable and supportive housing projects, senior housing, and special needs housing].

Policy 1.2.2: Facilitate the construction of a range of different housing types that addresses the particular needs of the city's diverse households.

Policy 1.2.3: Facilitate innovative housing models and promote regulatory reforms that reduce the costs of housing production while also promoting broader Citywide Housing Priorities.

Program 62: Facilitate Housing Innovation [Adopt various amendments to the Zoning Code to accommodate innovative multifamily housing types]. Identify modifications needed in the Zoning Code to incentivize and facilitate innovative housing types, such as shared housing (co-living), cooperative housing, modular and prefabricated housing, *adaptive reuse*, interim housing, tiny homes, micro units, ADUs, co-living and group quarters.

Policy 1.2.5: Streamline the housing approval process, particularly for Affordable Housing, throughout City departments.

Program 6: New Production of Affordable Housing Through the Affordable Housing Managed Pipeline [The City's goal, through the AHMP is to create housing for low and very low-income households within the City. In 2021, LAHD added priority scoring for projects located in Higher Opportunity Areas and in TOD areas].

Program 57: Improvements to Development Processing [Increase the number of cases processed as ADM Clearances and Ministerial cases, while decreasing the percent of projects processed as discretionary entitlements through a variety of efforts].

Policy 1.2.6: Create new citywide and local land use incentives and programs that maximize the net gain of affordable housing and produce housing that meets Citywide Housing Priorities. Explore varied affordability ratios, the feasibility of inclusionary zoning requirements, and a greater mix of incomes based on market areas.

Policy 1.2.9: Allow for zoning flexibility for Affordable Housing at the project review and planning levels when broader Citywide Priorities are being advanced.

Goal 3: A City in which housing creates healthy, livable, sustainability, and resilient communities that improve the lives of all Angelenos.

Objective 3.1: Use design to create a sense of place, promote health, foster community belonging, and promote racially and socially inclusive neighborhoods.

Program 43: Historic Preservation [Designate historic and culturally significant neighborhoods as Historic Preservation Overlay Zones (HPOZs) and individual buildings as Historic-Cultural Monuments (HCMs). Such designations allow historic residential buildings to qualify for tax incentives and other incentives for their rehabilitation and *adaptive reuse*].

Policy 3.1.2: Promote new development that furthers Citywide Housing Priorities in balance with the existing architectural and cultural context.

Program 58: Development and Design Standards [Adopt implementation tools, such as form and frontage regulations, Community Plan Implementation Overlay districts zones and design standards, to guide new development, create objective

standards, promote pedestrian oriented design, and acknowledge existing architectural context.]

Policy 3.1.5: Develop and implement environmentally sustainable urban design standards and pedestrian-centered improvements in development of a project and within the public and private realm such as shade trees, parkways and comfortable sidewalks.

Objective 3.2: Promote environmentally sustainable buildings and land use patterns that support a mix of uses, housing for various income levels and provide access to jobs, amenities, services and transportation options.

Policy 3.2.1: Promote the integration of housing with other compatible land uses at both the building and neighborhood level.

Policy 3.2.2: Promote new multi-family housing, particularly Affordable and mixed-income housing, in areas near transit, jobs and Higher Opportunity Areas, in order to facilitate a better jobs-housing balance, help shorten commutes, and reduce greenhouse gas emissions.

Program 65: Plan for Housing Growth and Place-Based Strategies in Community Plan Areas [Prioritize rezoning at densities that allow creation of affordable housing in areas near transit, jobs and in Higher Opportunity Areas, while balancing the preservation of stable multifamily neighborhoods].

Policy 3.2.4: Provide streamlining, incentives and flexibility for residential buildings that promote energy and resource conservation particularly those that exceed existing green building standards.

Policy 3.2.5: Promote and facilitate the reduction of water, energy, carbon and waste consumption in new and existing housing.

Program 74: Building Design and Materials for Sustainability [Ensure guidelines are developed and updated. Integrate guidelines into all project reviews].

Program 76: Direct Installation to Conserve Energy and/or Water [Offer ongoing energy efficiency and water conservation opportunities to all of LADWP's residential customers either by energy and water efficiency upgrades, home energy and water assessments with conservation recommendations, or participation in another program. Develop green building incentives programs for existing buildings.

Policy 3.2.7: Provide environmentally sustainable development standards and incorporate sustainable best practice in building and zoning code updates.

Policy 3.2.8: Provide incentives and promote flexibility for the conversion of non-residential structures to new housing in order to reduce the carbon footprint resulting from demolition and new construction.

Program 13: Adaptive Reuse [Revisions to the Citywide Adaptive Reuse Ordinance and/or the Density Bonus Ordinance, to include incentives and

provisions for adaptive re-use by 2023]. Expand the opportunities for adaptive reuse of commercial and office buildings for housing. Explore additional incentives to facilitate affordable unit and supportive housing production and additional adaptive reuse projects through the expansion of by-right processes, reduced minimum unit sizes, reduced parking standards, flexible building standards, and increased flexibility on the types of uses (e.g. hotels/motels, office and commercial) and locations that can be converted to support proposed developments.

Policy 3.2.9: Consider accommodating new residential uses, including live/work and mixed-use, in less-productive industrial, office, and commercial areas when the site can accommodate housing in keeping with citywide industrial land, jobs-housing and jobs preservation priorities, and when sites have been appropriately tested and remediated, if necessary.

Goal 5: A City that is committed to preventing and ending homelessness.

Objective 5.1: Provide an adequate supply of short-term and permanent housing in addition to supportive services throughout the City that are appropriate for and meet the specific needs of all persons who are homeless or at-risk of homelessness.

Policy 5.1.5: Expand housing, shelter, and supportive services for the homeless and special needs populations in all communities, and reduce zoning and other regulatory barriers to their placement and operation.

Program 115: Zoning and Development Standards for Homeless Housing [Identify and adopt changes to the Zoning Code to facilitate by-right siting of a greater variety of shelter, transitional and permanent supportive housing facilities throughout the City (such as larger facilities, different development standards, different performance standards, etc.). Identify citywide land use initiatives to facilitate shorter development timelines and reduce costs for the development of affordable housing projects for persons at-risk of homelessness to be adopted as appropriate. *Continue to facilitate the easier conversion of hotel/motels and other non-conforming buildings to homeless housing using the Adaptive Reuse Ordinance (see Program 13)].*

Mobility Plan 2035

The proposed Citywide Adaptive Reuse Ordinance promotes vibrant mixed-use neighborhoods by encouraging the creation of new housing units within underutilized commercial buildings. It also adds a new requirement that at least one street tree per thirty linear feet of street frontage shall be provided and any existing street tree canopy and/or landscaped parkways shall be preserved. As such, it is in substantial conformance with the purpose, intent and provisions of the General Plan in that it would further accomplish the objectives, policies and programs of the Mobility Plan outlined below:

Chapter 1: Safety First. People want streets to be safe, stress-free places for all ages and modes of travel.

Policy 1.2: Complete Streets. Implement a balanced transportation system on all streets, tunnels and bridges using complete streets principles to ensure the safety and mobility of all users.

Program SF-26: Tree Canopy. Continue to expand the City's tree canopy using tree species that are appropriate for the location, climate, water supply, planting conditions and existing street infrastructure.

Chapter 3: Access for All Angelenos: a transportation system is only useful insofar as it is accessible and convenient.

Objective: Ensure that 90% of households have access within one mile to the Transit Enhanced Network by 2035.

Policy: 3.3 Land Use Access and Mix: Promote equitable land use decisions that result in fewer vehicle trips by providing greater proximity and access to jobs, destinations, and other neighborhood services.

Program PL-3: Mixed-Use. Encourage mixed-use residential, employment and commercial serving uses where appropriate to facilitate increased utilization of walking, bicycling and transit use.

Chapter 5: Clean Environments and Healthy Communities

Objective: Decrease VMT per capita by 5% every five years, to 20% by 2035

Policy: 5.2 Vehicle Miles Traveled (VMT): Support ways to reduce vehicle miles traveled (VMT) per capita

- Increasing the availability of affordable housing options with proximity to transit stations and major bus stops.
- Land use policies aimed at shortening the distance between housing, jobs, and services that reduce the need to travel long distances on a daily basis

Plan for Healthy Los Angeles

The proposed Citywide Adaptive Reuse Ordinance directly promotes the rehabilitation of buildings. It includes performance standards that help create and encourage walkable neighborhoods. As such, it is in substantial conformance with the purpose, intent and provisions of the General Plan in that it would further accomplish the goals, objectives, policies and a program of the Plan for Healthy Los Angeles outlined below:

Chapter 2: A City Built for Health

A city that is built for health uses design, construction, and public services to promote the physical, mental, and social well-being of its residents. A healthy city has neighborhoods where health-promoting goods and services are abundant and accessible, so that the healthy choice is the easy choice for all residents.

Policy 2.2: Healthy building design and construction. Promote a healthy built environment by encouraging the design and rehabilitation of buildings and sites for healthy living and working conditions, including promoting enhanced pedestrian-oriented circulation, lighting, attractive and open stairs, healthy building materials and universal accessibility using existing tools, practices, and programs.

Program 29: Green business incentives. Develop, fund and implement a Green Sustainable Business Program that incentivizes retrofitting existing buildings and operations to incorporate sustainable design. Explore the feasibility of providing the following incentives: case management services, financing and grants, tax and utility rebates, energy efficient capital equipment and machinery upgrades, identification of strategic partnerships, energy efficiency audits, and lean sustainable manufacturing services for businesses to incorporate conservation and energy efficiencies.

Chapter 5: An Environment Where Life Thrives

Los Angeles is committed to green and sustainable growth that provides a healthy environment for all Angelenos.

Policy 5.7: Land use planning for public health and GHG emission reduction. Promote land use policies that reduce per capita greenhouse gas emissions, result in improved air quality and decreased air pollution, especially for children, seniors and others susceptible to respiratory diseases.

Program 39: Cool Roofs. Explore the feasibility of incentivizing cool roofs for existing residential and existing/new commercial, industrial, institutional and similar structures in the City.

Safety Element

The proposed Citywide Adaptive Reuse Ordinance encourages the retention and productive reuse of existing buildings, thus conserving much of the embodied carbon included in the production, processing, transportation and disposal of building materials and energy used in their initial construction. As such, it is in substantial conformance with the purpose, intent and provisions of the General Plan in that it would further accomplish the goals, objectives, policies and a program of the Safety Element outlined below:

GOAL 1: Hazard Mitigations A city where potential injury, loss of life, property damage and disruption of the social and economic life of the City due to hazards is minimized.

Objective 1.2: Confront the global climate emergency by setting measurable targets for carbon reduction that are consistent with the best available methods and data, center equity and environmental justice, secure fossil free jobs, and foster broader environmental sustainability and resiliency

Policy: 1.2.5 Housing and Development. In keeping with the Housing Element, create housing opportunities that enhance affordability, equity, livability, sustainability and resilience.

3. Zoning Code Amendment and Specific Plan Amendment Findings.

Pursuant to Charter Section 558, LAMC Section 13.B.1.2 and 13.B.1.3, in approving a Zoning Code Amendment and Specific Plan Adoption or Amendment, the City Planning Commission and City Council shall find that:

- a. the action substantially conforms to the purposes, intent and provisions of the General Plan; and
- b. the proposed ordinance is in conformity with public necessity, convenience, general welfare and good zoning practice

As made evident by the list of General Plan goals, objectives and policies above, the proposed ordinance is in conformance with a range of General Plan goals related to the provision of a variety of housing opportunities and incentivizing affordable housing. The City's Housing Element clearly recognizes the City's vision that housing is a human right and the City should promote policies and programs that result in the increase of housing production and a more equitable distribution. The proposed amendment responds to the General Plan by providing an opportunity to encourage the retention of existing buildings and streamline their conversion to new housing by alleviating zoning constraints, and better facilitate adaptive reuse throughout the City.

The proposed amendment not only responds to goals in the Framework Element and the Housing Element, but to goals found in the City's community plan updates and the citywide policy elements, including the Mobility Plan, Health, and Safety Elements, by increasing housing production and a variety of housing opportunities that enhance affordability, equity, livability, sustainability and resilience.

Housing, transportation, health, and safety are inextricably linked. The presence of vacant or underutilized commercial buildings if left unchecked can begin to negatively impact daily life in our neighborhoods, initiating a downward spiral of decreasing economic activity, and foot traffic for local businesses and making streets feel less safe. At the same time, existing buildings provide an excellent sustainable solution to address our housing crisis while activating streets and public spaces, and improving the long-term resilience of buildings, and our communities.

For all these reasons and the Findings described above, the proposed ordinance to streamline adaptive reuse of existing, non-residential buildings for new housing units is in substantial conformance with the purpose, intent and provisions of the General Plan in that it would also further accomplish the goals, objectives, policies and programs of the following citywide elements: Framework, Housing, Mobility, Plan for a Healthy Los Angeles, and Safety Element.

The proposed ordinance is in conformity with public necessity, convenience, general welfare and good zoning practice, as noted below:

Public Necessity. The City of Los Angeles faces a long-standing housing crisis and the proposed ordinance is one of many strategies to address the immediate and projected housing needs of the City. The repurposing of existing buildings creates new housing opportunities while reducing materials consumption and thereby lowering the overall carbon footprint of providing housing, in contrast to new construction on a site.

Convenience. Conversion of existing commercial buildings to new housing units can support more mixed-use and walkable neighborhoods by revitalizing commercial corridors and reducing the need for the new residents to drive greater distances to dine, shop or access transit and services.

General Welfare. Adaptive reuse projects involve buildings that already exist and, in some cases, are important contributors to the history, scale and character of their neighborhoods. Many buildings were constructed decades before the development of current zoning regulations and to subject proposals for their productive reuse to lengthy and costly discretionary reviews simply adds to the risk and uncertainty associated with such projects, streamlining adaptive reuse projects can offer an attractive alternative to new, ground up construction and can potentially reduce the timeframe for occupancy as compared with new construction.

Good Zoning Practice. The alignment of adaptive reuse provisions between the current and new zoning codes will be easier for City staff and the public to apply and comprehend. The proposed ordinance extends the work undertaken over the past several decades by the Los Angeles Departments of Building and Safety, City Planning, and others, to collaborate to remove zoning and building code barriers that have prevented property owners from retaining existing structures and converting them to a new use.

CEQA Findings

Adoption of the Proposed Amendment for the Citywide Adaptive Reuse Ordinance is a program in the Housing Element of the City of Los Angeles. Program 13 of the Housing Element calls for the Department of City Planning to: expand the opportunities for adaptive reuse of commercial and office buildings for housing and explore additional incentives to facilitate affordable unit and supportive housing production and additional adaptive reuse projects through the expansion of by-right processes, reduced minimum unit sizes, reduced parking standards, flexible building standards, and increased flexibility on the types of uses (e.g. hotels/motels, office and commercial) and locations that can be converted to support proposed developments. The completion of Program 13 requires adoption of the Proposed Zoning Code and Specific Plan Amendment by the City Council.

An Environmental Impact Report (EIR) (ENV-2020-6762-EIR, SCH No. 2021010130, **Exhibit E**) that analyzed the environmental effects of the 2021-2029 General Plan Housing Element and Safety Element, and a Rezoning Program for the creation of additional housing was certified by the Los Angeles City Council on November 24, 2021. Addenda 1 and 2 to the EIR (ENV-2020-6762-EIR-ADD1 and ENV-2020-6762-EIR-ADD2) support these findings.

For the purposes of this report, the EIR and Addenda will be referred to as the Housing Element EIR. The Housing Element EIR was prepared to examine the potential environmental effects of the 2021-2029 Housing Element Update, including build out of the Regional Housing Needs Assessment (RHNA) Allocation, as well as the programs and policies that have the potential to result in physical environmental effects, and the Inventory of Sites and Rezoning Program needed to demonstrate zoned capacity needed to accommodate the City's RHNA Allocation. Additionally, the EIR analyzed the potential effect from the construction and operation of 420,327 housing units (full RHNA build out of 456,643 units minus the 36,316 housing units that have been approved but not built).

The Housing Element EIR found that the environmental impacts of several of the issue areas were significant and unavoidable, even with imposition of mitigation measures. Based on the analysis in the Housing Element EIR, the EIR concluded the implementation of the 2021- 2029 Housing Element Update would result in unavoidable significant environmental impacts with regard to:

- Air Quality (Exceedance of Criteria Pollutants—Construction and Operations)
- Biological Resources (Special Status Species, Sensitive Habitats, Wildlife Corridors)
- Cultural Resources (Historical Resources and Archaeological Resources)
- Geology and Soils (Paleontological Resources)
- Hazards and Hazardous Materials (Hazardous Materials Near Schools and Hazardous Materials Sites)
- Noise (Construction Noise, Operation Noise, and Construction Vibration)
- Public Services (Fire Protection, Police Protection, and School Facilities)
- Recreation (Deterioration of Recreational Facilities and Construction of Recreational Facilities)
- Transportation (Freeway Queuing)
- Tribal Cultural Resources (Construction: Ground Disturbance during Construction)
- Wildfire (Impair Emergency Response Plan, Exacerbate Wildfire Risks in State Responsibility Area or VHFHSZ, Require Infrastructure that may Exacerbate Fire Risk, Expose People or Structures to Significant Risks in State Responsibility Area or VHFHSZ, and Expose People or Structures to Significant Risks Involving Wildland Fires)

The Housing Element EIR also identified the following significant impacts that were anticipated to be reduced to less than significant with identified mitigation measures:

- Air Quality: Construction-related emissions of toxic air contaminants
- Hydrology: Impeding or Redirect Flood Flows
- Transportation: Circulation Plan Consistency, Hazardous Design, Emergency Access As stated above, adoption of the Proposed Ordinance was analyzed in the EIR.

The proposed amendment to the Zoning Code to expand the City's Adaptive Reuse Ordinance citywide allows the City to meet its Regional Housing Needs Assessment (RHNA) Allocation by providing for streamlined, administrative review of projects converting underutilized commercial properties to housing. Adoption of the Proposed Ordinance is needed to implement the City's Housing Element. The City's 2021-2029 Housing Element implements State housing law mandates for the City to adopt zoning ordinances to accommodate RHNA units for which the City cannot identify existing inventory of sites. To meet the State law mandates, the Housing Element requires the City, through zoning and other actions, to make it possible to build almost 185,000 affordable units for lower-income renters in eight years.

The Proposed Ordinance is needed to facilitate the production of housing in the City. The Housing Element EIR fully analyzed the environmental impacts that could occur as a result of the implementation of the 2021-2029 Housing Element, including the construction and operation of up to 420,327 housing units (185,000 affordable), and rezoning programs to facilitate the construction and operation of those housing units. The Housing Element EIR anticipated and fully analyzed that the construction and operation of these housing units would require action to streamline approvals of these housing units, including making more projects subject to by-right or administrative review and eliminating discretion in the approval of affordable housing developments.

As part of this report's Recommended Actions, the Director of Planning recommends that the City Council find that the Project was assessed in the Housing Element Environmental Impact Report ("EIR") Number ENV-2020-6762-EIR (SCH No. 2021010130) certified on November 29, 2021 (**Exhibit E**), and Addenda 1 and 2 (ENV-2020-6762-EIR-ADD1 and ENV-2020-6762-EIR-ADD2), and pursuant to CEQA Guidelines Sections 15162 and 15164, no subsequent EIR is required.

The Housing Element EIR is available for review at the City of Los Angeles, Department of City Planning Records Management, 221 N. Figueroa Street, Room 1450 Los Angeles, and online at the following weblinks:

- Draft EIR: https://planning.lacity.org/development-services/eir/Housing-Element_2021-2029_Update_Safety-Element_Update_dei_r
- Final EIR: <https://planning.lacity.org/development-services/eir/housing-element-2021-2029-update-safety-element-update-0>
- EIR Administrative Record: Los Angeles City Council File 21-1230 - <https://cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=21-1230>
- Addendum 1 to the EIR (ENV-2020-6762-EIR-ADD1): [https://planning.lacity.gov/odocument/23bb4628-cd19-4859-9484-48284bbdcd96/Exhibit C - _Addendum to Environmental Impact Report \(ENV-2020-6762-EIR, SCH No. 2021010130\).pdf](https://planning.lacity.gov/odocument/23bb4628-cd19-4859-9484-48284bbdcd96/Exhibit_C_-_Addendum_to_Environmental_Impact_Report_(ENV-2020-6762-EIR,_SCH_No._2021010130).pdf)
- Addendum 2 to the EIR (ENV-2020-6762-EIR-ADD2): <https://docs.google.com/document/d/1ZZAktoZJBo3i-VZ0L445z8rogSK8AaYCIeO3FMh6jZo/edit?usp=sharing>
- Addendum Administrative Record: Los Angeles City Council File 21-1230-S1 - <https://cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=21-1230-S1>