

Introduction

This document is the second draft of the proposed Citywide Adaptive Reuse Ordinance, to amend Chapter 1 of the Los Angeles Municipal Code. A map of the Existing and Proposed Adaptive Reuse Areas is included for reference and will become a part of the final ordinance.

The Citywide Adaptive Reuse Ordinance will initially apply to all areas of Los Angeles outside of the Downtown Community Plan Area. Over time, as new Community Plans are adopted, the new Zoning Code (Chapter 1A) will become operational in those areas and supersede the Citywide Adaptive Reuse Ordinance.

Note that the updated Downtown Community Plan, Ordinance 187,822, features its own, separate Downtown Adaptive Reuse Program, as the first Community Plan to implement the new Zoning Code. For specific information that applies to adaptive reuse projects within Downtown, please refer to Section 9.4.5 of Article 9 that may be found [here](#).

Contents

| | Pages: |
|---|---------------|
| Citywide Adaptive Reuse Ordinance (Chapter 1), clean copy version | 1-1 thru 1-22 |
| Citywide Adaptive Reuse Ordinance, strike-out and underline version | 2-1 thru 2-28 |
| Existing and Proposed Adaptive Reuse Areas Map | 3-1 |

**DRAFT ADAPTIVE REUSE ORDINANCE (CHAPTER 1)
FEBRUARY 2024**

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”) and Adaptive Reuse Incentive Areas Specific Plan, Ordinance No. 175,038 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.

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).

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.

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 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, Boarding Houses, Hostels, Guest Rooms, Live/Work Units, or Joint Living and Work Quarters.

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 at least one existing building being converted to Residential Use and combined with new construction. Unified Adaptive Reuse Projects providing on-site Restricted Affordable Units utilizing the Mixed Income Incentive Program or Affordable Housing Incentive Program Public Benefit Option shall be eligible for additional incentives.

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. Adaptive Reuse Projects

(a) Purpose. The purpose of this Subdivision is to implement the General Plan by facilitating the retention and conversion of existing, underutilized, or historically significant buildings to new Residential Uses. This will reduce vacant space, create opportunities for new housing and preserve the City's architectural and cultural 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.-Such productive reuse will support mixed commercial and residential uses in order to improve air quality and reduce vehicle trips and vehicle miles traveled by locating residents, jobs and services near each other.

(b) Relationship to Other Zoning Provisions. If the provisions of Paragraphs (g) and (h) of this Subdivision conflict with those of any "Q" condition, "D" limitation, or citywide land use regulation then this Subdivision 12.22 A.26 shall prevail. In addition, Adaptive Reuse Projects shall be subject to the following exception 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 Adaptive Reuse Projects with Affordable Housing*) of this Chapter 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, new construction as part of a Unified Adaptive Reuse Project shall be subject to applicable citywide provision 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.

(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) Ordinance No. xxx,xxx 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 (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) Uses Allowed in Adaptive Reuse Projects. Notwithstanding any other provisions of this Chapter to the contrary, to be eligible for incentives set forth below an Adaptive Reuse Project is subject to the following provisions:

(1) Any change of an existing Non-Residential Use to new Residential Use which may include Dwelling Units, Efficiency Dwelling Units, Supportive Housing, Boarding Houses, Dormitories, Hostels, 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 or from Transient Residential Use, which shall be ineligible for the incentives and procedures set forth in this Subdivision. Conversions from Transient Residential Use may be allowed in Adaptive Reuse Projects providing affordable housing pursuant to Sections 65913.12 and 65960.1 of the Government Code, Subparagraph 12.22 A.26(h)(3) and/or Subdivision 14.00 A.12 of Chapter 1 of the Code.

Conversions to Transient Residential Use may be allowed in Adaptive Reuse Projects located within the boundaries of Ordinance xxx,xxx.

(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.

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

| | | | |
|------------|-----------------|---|----|
| Subareas** | Non-Residential | Residential Uses, including Dwelling Units, Efficiency Dwelling Units, Supportive Housing, Boarding Houses, Dormitories, Hostels, Guest Rooms, Live/Work Units, or Joint Living and Work Quarters | P |
| | | Transient Residential use | P |
| | Residential | Non-Residential | NP |

* Pursuant to Subdivision 12.22 A.26 of Chapter 1 (or Article 9. of Chapter 1A of the Code.

** Projects located within the boundaries of the former Adaptive Reuse Incentive Areas Specific Plan (Ordinance No. xxx,xxx).

(4) Existing ground floor commercial uses may be converted to Residential Use, 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 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. 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, unless such reductions are required for seismic reinforcement, fire/life safety concerns, or other upgrades to improve performance of the existing building.

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

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

(2) Buildings constructed in accordance with building and zoning codes in effect at the time they were built, for which:

(i) At least five years have elapsed since the date of permitted and completed construction; and

(ii) An Adaptive Reuse Project is approved by a Zoning Administrator, Paragraph 12.24 X.1.(b) of this Chapter and Section 13B.2.1. (*Class 1 Conditional Use Permit*) of Chapter 1A of the Code.

(3) 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.

(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 - Authority of the Director.** An applicant for an Adaptive Reuse Project requesting **Mixed Income Incentive Program** or **Affordable Housing Incentive Program Public Benefit Option** as part of a Unified Adaptive Reuse Project in combination with those granted by this Subdivision; or an Adaptive Reuse Project involving any Surveyed Historic Resource, 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 procedures:

(i) Any Unified Adaptive Reuse Project requesting **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 the Code, shall conform with the provisions of Paragraph 12.22 A.26(h), below, of Chapter 1 of the Code.

(ii) 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.

(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 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 this Chapter 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 this Chapter 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) Zoning Administrator Review. The Zoning Administrator shall review the following Adaptive Reuse Projects pursuant to Subdivision 12.24 X.1 of Chapter 1 and Section 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;

(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 Paragraph 12.22 A.26(g) (*Incentives*) 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); or
 - (iv) Adaptive Reuse Projects located in Manufacturing Zones and within the boundaries of the Subareas, pursuant to Paragraph 12.24 X.1(e).
- (5) **Adaptive Reuse Projects in the Coastal Zone.** Adaptive Reuse Projects in the Coastal Zone shall be subject to any applicable Coastal Development Permit procedures of Section 12.20.2 of Chapter 1 of the Code.

(f) Project Area. The Project Area includes the following areas:

– citywide map here –

(g) Incentives. Notwithstanding any other provisions of the Code to the contrary, Adaptive Reuse Projects shall be entitled to the incentives set forth below.

Any new construction 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 (h) (*Incentives for Adaptive Reuse Projects with Affordable Housing*) 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 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) **Intermediate Levels.** Any intermediate level or levels between the floor and ceiling of any existing story in an Adaptive Reuse Project shall 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.

(3) **Density.** New Residential Uses, including Dwelling Units, Efficiency Dwelling Units,

Supportive Housing, Boarding Houses, Dormitories, Hostels, Live/Work Units, Joint Living and Work Quarters and Guest Rooms shall not be subject to the minimum lot area per Dwelling Unit or Guest Room requirements of the zone 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) **Off-Street Automobile Parking.** The required number of parking spaces shall be the same as the number of spaces that physically exist on the site at the time of application submittal for the Adaptive Reuse Project. Physically existing parking spaces that are maintained in their current configuration shall otherwise be exempt from the provisions of Subdivisions 12.21 A.4 and 12.21 A.5 of 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 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 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 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, Boarding Houses, Dormitories, Hostels, Live/Work Units, Joint Living and Work Quarters, or Guest Rooms is less than the number of spaces that physically exist at the time of application submittal, then that reduced number of required parking spaces may be provided.

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 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 the 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.

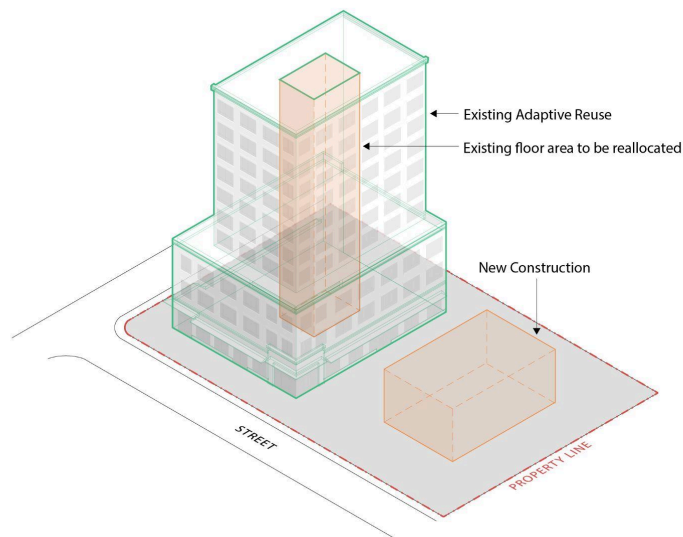
Bicycle parking will be provided, pursuant to the Bicycle Parking Ordinance for Residential Uses, Subdivision 12.21 A.16 of the Code.

(6) **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 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, Boarding Houses, Dormitories, Hostels, 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)

(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, as part of a Unified Adaptive Reuse Project. Additions resulting from this reallocation may be eligible for incentives under this Paragraph (*Incentives*) and shall meet all requirements 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 land use regulation and is part of an Adaptive Reuse Project shall be allowed to maintain its existing height, regardless of whether it exceeds that permitted.

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 the Zoning Code. New structures on the existing roof, pursuant to Subparagraph 12.22 A.26(f)(1), or additional stories pursuant to Subparagraph 12.22 A.26(h)(2), 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 land use regulation 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 land use regulation.

(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 that at least one street tree per thirty linear feet of street frontage shall be provided. Existing street tree canopy and landscaped parkways shall be preserved, and may be counted towards the above-required tree ratio, unless removal is permitted by the Urban Forestry Division. If 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 the Code shall be paid to the Board of Public Works.

(12) **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 12.22 A.23 of Chapter 1 of the Code.

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

(14) **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: If no loading spaces exist, then a loading space shall not be required in conjunction with the development of an Adaptive Reuse Project.

(h) Incentives for Adaptive Reuse Projects with Affordable Housing. Adaptive Reuse Projects utilizing the **Mixed Income Incentive Program** or **Affordable Housing Incentive Program Public Benefit Option**, providing on site affordable units, pursuant to Subdivisions 12.22 A.38 or 12.22 A.39 of Chapter 1 of the Code, shall follow procedures pursuant to Subparagraph (e)(2) of this Subdivision of Chapter 1 of the Code.

In addition to incentives in Subsection (g) (*Incentives*), such Adaptive Reuse Projects providing affordable housing may select one of the following incentives:

(1) Density Bonus for New Construction in Conjunction with Unified Adaptive Reuse Projects. Existing adaptively reused buildings and related new construction 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 across the street from any portion of an Adaptive Reuse Project; and

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

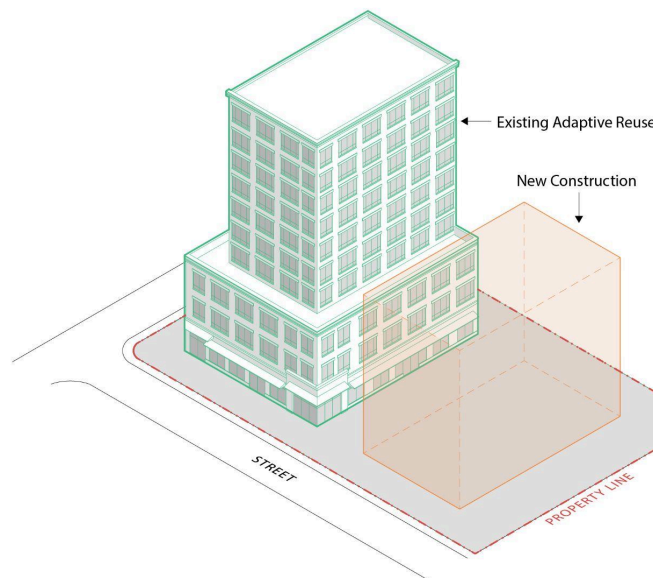
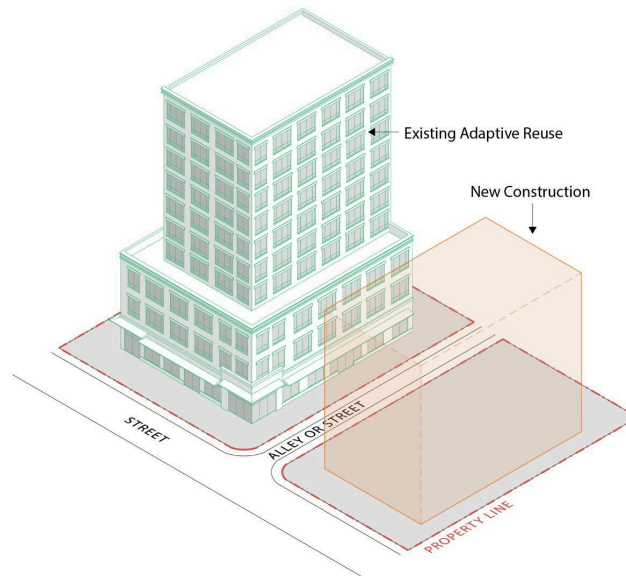


Figure 3: Unified Adaptive Reuse with New Construction Across the Street or Alley from a Lot



(ii) The Director or their designee shall determine that all site amenities provided in the Unified Adaptive Reuse Project, whether located in the existing building(s) 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 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 this Chapter of the Code; and

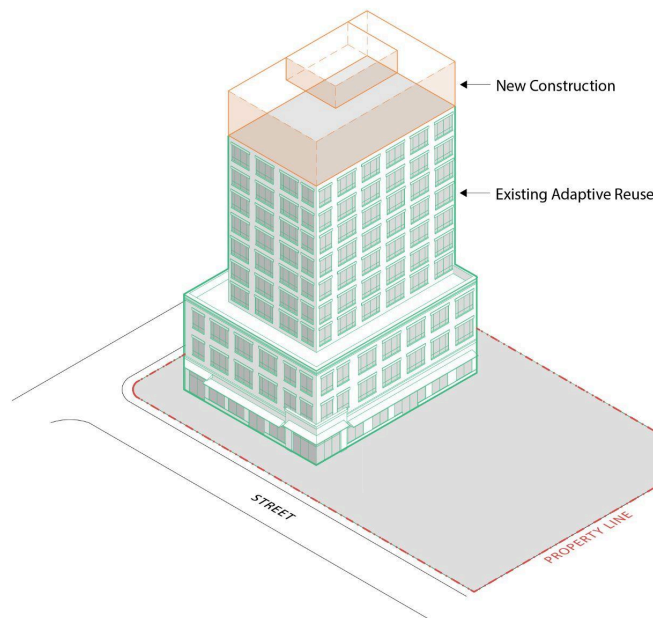
(iv) All owners of the property requesting floor area averaging, transfer of residential density, or both, and all owners of each lot contained in the Unified Adaptive Reuse Project shall execute and record a Covenant and Agreement. A copy of each executed and recorded Covenant and Agreement shall be filed with the Los Angeles 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 floor area converted to Residential Use shall be maintained and not changed; (2) The number of such units, quarters or guest rooms approved by the Zoning Administrator shall not be increased; and (3) 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.

(2) Density Bonus for Two Additional Stories for Adaptive Reuse Projects.

Adaptive Reuse Projects shall be eligible for up to a two-story addition to the uppermost floor, and shall not be considered as additional Floor Area or Height, subject to the following provisions:

- (i) New construction 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: 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) or Table 12.22 A.38(f)(x) of Subdivision 12.22 A.38 and Table 12.22 A.39(x) 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.

- (iii) 20% of the overall total of Residential Units provided as part of the new addition to the Adaptive Reuse Project shall be set aside for Low Income households in lieu of the requirements for Restricted Affordable Units set forth in Paragraphs 12.22 A.38(c) or 12.22 A.39(c) of Chapter 1 of the Code.

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

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.

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

(vii) Applicants for Adaptive Reuse Projects involving any Surveyed Historic Resource may be eligible for the incentives of this Subparagraph 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) Extremely Affordable Adaptive Reuse Projects. Consistent with Sections 65913.12 and 65960.1 of the Government Code, as created by [AB 1490](#) in 2023, extremely affordable adaptive reuse projects in any underlying zone may be allowed to use incentives in Subsection (h). Additionally, notwithstanding Paragraph 12.22 A.26(c) of this Chapter of the Code, such projects may allow conversions from Transient Residential Use to Residential Use, pursuant to Subdivision 14.00 A.12 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 Subparagraph. For purposes of this Subparagraph, the term "dedicated to industrial uses", as defined in Section 65913.12(a)(1) of the 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 a local government's general plan adopted before January 1, 2022; and

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

(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 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.

(4) New Construction. Any new construction as part of an Unified Adaptive Reuse Project shall be subject to all applicable provisions of the Zoning Code including Specific Plans and supplemental use districts but remains eligible for base incentives, plus additional incentives pursuant to Subdivisions 12.22 A.38 and 12.22 A.39.

(i) 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, all new Residential Uses shall be allowed in Adaptive Reuse Projects, so long as the use is allowed by the underlying zone or approved by the Zoning Administrator pursuant to Subdivision 12.24 X.1 of Chapter 1 and Section 13B.2.1. (*Class 1 Conditional Use Permit*) of Chapter 1A of the Code. Where provisions of this Paragraph conflict with Section 12.23 or Subdivision 12.21 C.5 of Chapter 1 of the Code, this Paragraph shall prevail.

(j) Relationship to Specific Plans and Supplemental Use District Ordinances. Adaptive Reuse Projects, aside from any new construction 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 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. The Zoning Administrator shall make the findings required by Section 13B.2.1. (*Class 1 Conditional Use Permit*) of Chapter 1A of the Code. Further, these uses and activities are subject to the additional procedures and limitations set forth below.

1. Adaptive Reuse Projects. A Zoning Administrator may, upon application, approve Adaptive Reuse Projects pursuant to this Subdivision. Except that, the special provisions set forth in the former Adaptive Reuse Incentive Areas Specific Plan, Ordinance No. 175,038, may be utilized for Adaptive Reuse Projects within the Subareas mapped in Ordinance No. xxx,xxx.

In conformance with Paragraph (b) below, the Zoning Administrator may approve Adaptive Reuse Projects in the CR, C1, C1.5, C2, C4, C5, CM Zones, P, PB or PF Zones, or in the

RD1.5, R2, RD, RW2, R3, RAS3, R4, RAS4, or R5 Zones in all or any portion of a building or structure, if five years have elapsed since the date of permitted and completed construction. 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.

(a) Definitions. The definitions of “Adaptive Reuse Project”, “Designated Historic Resource”, “Live/Work Unit”, “Surveyed Historic Resource”, “Non-Residential Use”, “Residential Use”, “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 of Chapter 1 of the Code, if defined therein.

(b) Procedures. Adaptive reuse projects subject to Zoning Administrator approval shall follow procedures in Section 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, and the adaptive reuse project complies with the requirements of Paragraph 12.22 A.26(d) (*Eligible Buildings*) of this Chapter and meets the criteria described in Paragraphs 12.22 A.26(g) (*Incentives*) and/or 12.22 A.26(h) (*Incentives for Adaptive Reuse Projects with Affordable Housing*) of this Chapter 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 Adaptive Reuse Projects with Affordable Housing*) of this Chapter may be approved by the Zoning Administrator, pursuant to the procedures established in Section 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 Section 13B.2.1. 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.

(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.

(c) Additional Incentives under Zoning Administrator Authority. The Zoning Administrator may grant, modify or deny some or all of the incentives set forth in Paragraphs 12.22 A.26.(g) (*Incentives*) and/or 12.22 A.26(h) (*Incentives for Adaptive Reuse Projects with Affordable Housing*) of this Chapter of the Code to Adaptive Reuse Projects proposed pursuant to this Subdivision. Furthermore, the Zoning Administrator shall have the authority

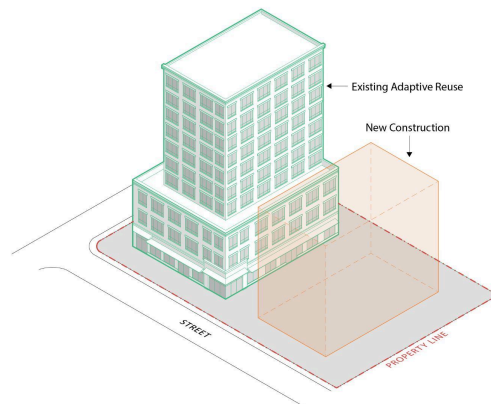
to grant any other incentives or exceptions from the Code required to allow Adaptive Reuse Projects proposed pursuant to this Subdivision, including but not limited to the authority to allow new Residential Uses in Adaptive Reuse Projects, notwithstanding the nonconforming provisions of Section 12.23 of Chapter 1 of the Code.

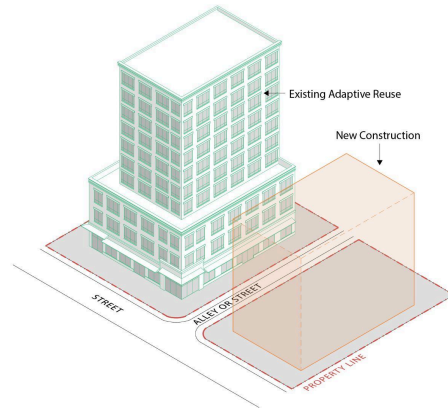
(d) Unified Adaptive Reuse Projects. The following shall apply to applications to permit floor area averaging, transfer of residential density, or both, in Unified Adaptive Reuse Projects, and subject to the following provisions:

(1) A Unified Adaptive Reuse Project is a residential or mixed-use development composed of at least one eligible building combined with new construction, so long as the Project conforms with the provisions of this Paragraph 12.24 X.1 (d) of Chapter 1 and Section 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 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 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.

Figure 5: Unified Adaptive Reuse with New Construction on the Same Lot or 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, or minimum lot area per Dwelling Unit or Guest Room 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) 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, Zoning Administrator approval shall not be required, pursuant to Sec. 13B.3.1. (*Administrative Review*) of Chapter 1A of this 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 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:

(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 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) Manufacturing Zones. For those properties located within the boundaries of Ordinance 175,038, 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 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.

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. PROJECT REVIEW.

D. Exemptions.

6. Adaptive Reuse Projects 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 Adaptive Reuse Incentive Areas Specific Plan, Ordinance No. 175,038, is to be superseded by Ordinance No. xxx,xxx, now to be designated and mapped as Subareas of the Citywide Adaptive Reuse Ordinance. 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).

**DRAFT ADAPTIVE REUSE ORDINANCE (CHAPTER 1)
FEBRUARY 2024**

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”) and Adaptive Reuse Incentive Areas Specific Plan, Ordinance No. 175,038 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.

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).

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.

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 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, Boarding Houses, Hostels, Guest Rooms, Live/Work Units, or Joint Living and Work Quarters.

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 at least one existing building being converted to Residential Use and combined with new construction. Unified Adaptive Reuse Projects providing on-site Restricted Affordable Units utilizing the Mixed Income Incentive Program or Affordable Housing Incentive Program Public Benefit Option shall be eligible for additional incentives.

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 sSubdivision 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 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 exception 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 Adaptive Reuse Projects with Affordable Housing*) of this Chapter 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, new construction as part of a Unified Adaptive Reuse Project shall be subject to applicable citywide provision 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.

(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) Ordinance No. xxx.xxx 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 (c); and

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

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

(1) ~~a~~Any change of use ~~an existing Non-Residential Use~~ to new Residential Use which may include ~~Dwelling Units, Efficiency Dwelling Units, Supportive Housing, Boarding Houses, Dormitories, Hostels, 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 or from Transient Residential Use, which shall be ineligible for the incentives and procedures set forth in this Subdivision. Conversions from Transient Residential Use may be allowed in Adaptive Reuse Projects providing affordable housing pursuant to Sections 65913.12 and 65960.1 of the Government Code, Subparagraph 12.22 A.26(h)(3), and/or Subdivision 14.00 A.12 of Chapter 1 of the Code.

Conversions to Transient Residential Use may be allowed in Adaptive Reuse Projects located within the boundaries of Ordinance xxx, xxx.

(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, Boarding Houses, Dormitories, Hostels, Guest Rooms.</u> | <u>P</u> |

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

* Pursuant to Subdivision 12.22 A.26 of Chapter 1 (or Article 9. of Chapter 1A of the Code).

** Projects located within the boundaries of the former Adaptive Reuse Incentive Areas Specific Plan (Ordinance No. xxx.xxx).

(4) Existing ground floor commercial uses may be converted to Residential Use, 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 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. 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, unless such reductions are required for seismic reinforcement, fire/life safety concerns, or other upgrades to improve performance of the existing building.

(d) Eligible Buildings. The provisions of this subdivision shall apply to Adaptive Reuse Projects in all or any portion of the following buildings and structures in the CR, C1, C1.5, C2, C4, C5, CM, P, PB or PF, RD1.5, R2, RD, RW2, R3, RAS3, R4, RAS4, or R5 Zones, ~~in the Downtown Project Area.~~ A Certificate of Occupancy, building permit finalized date, or

other suitable documentation may be submitted as evidence of the date of permitted and completed construction.

(1) Buildings constructed in accordance with building and zoning codes in effect ~~prior to July 1, 1974~~ at the time they were built, for which at least fifteen years have elapsed since the date of permitted and completed construction. ~~A Certificate of Occupancy, building permit, or other suitable documentation may be submitted as evidence to verify the date of construction.~~

(2) 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 SectionParagraph 12.24 X.1.(e)(b) of this Chapter and Section 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 Div. 12B.8. (Historic Preservation) of Chapter 1A of this Code are also eligible buildings..~~

(3) 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.

(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 - Authority of the Director. An applicant for an Adaptive Reuse Project requesting **Mixed Income Incentive Program or Affordable Housing Incentive Program Public Benefit Option** as part of a Unified Adaptive Reuse Project in combination with those granted by this Subdivision; or an Adaptive Reuse Project involving any Surveyed Historic Resource, 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 procedures:

(i) Any Unified Adaptive Reuse Project requesting **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 the Code, shall conform with the provisions of Paragraph 12.22 A.26(h), below, of Chapter 1 of the Code.

(ii) 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.

(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 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 this Chapter 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 this Chapter 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) Zoning Administrator Review. The Zoning Administrator shall review the following Adaptive Reuse Projects pursuant to Subdivision 12.24 X.1 of Chapter 1 and Section 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;

(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 Paragraph 12.22 A.26(g) (Incentives) below;

(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); or

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

Yes(5) Adaptive Reuse Projects in the Coastal Zone. Adaptive Reuse Projects in the Coastal Zone shall be subject to any applicable Coastal Development Permit procedures of Section 12.20.2 of Chapter 1 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 Downtown Project Area includes the following areas:

– citywide map here –

~~(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 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 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 (h) (*Incentives for Adaptive Reuse Projects with Affordable Housing*) 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 new floor area or height, as long as the new rooftop structures meet all other Los Angeles Municipal Code requirements and:~~

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

(ii) Do not exceed one story in height.

~~(2)(4) **Mezzanines-Intermediate Levels.** Any proposed intermediate level or levels between the floor and ceiling of any existing story in an Adaptive Reuse Project ~~Left~~ 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, Boarding Houses, Dormitories, Hostels, Live/Work Units, ~~j~~Joint ~~l~~iving and ~~w~~Work ~~q~~uarters and ~~g~~uest ~~r~~ooms 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 Physically 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 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 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 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 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, Boarding Houses, Dormitories, Hostels, Live/Work Units, Joint Living and Work Quarters, or Guest Rooms is less than the number of spaces that physically exist at the time of application submittal, then that reduced number of required parking spaces may be provided.

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 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 the 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.

Bicycle parking will be provided, pursuant to the Bicycle Parking Ordinance for Residential Uses, Subdivision 12.21 A.16 of the Code.

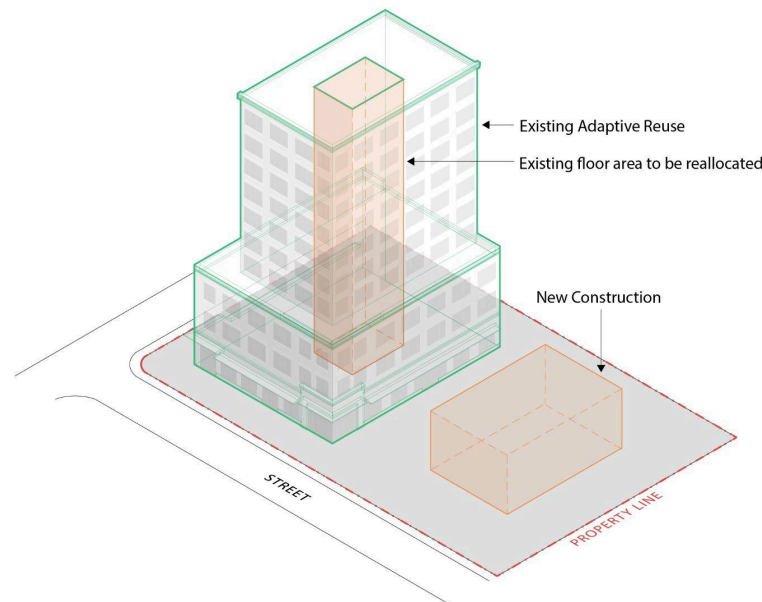
(6) **Floor Area.** Existing floor area which exceeds that permitted by the zone, height district, Specific Plan, supplemental use district, or any other land use regulation shall be allowed to remain. The following shall not be considered as adding new floor area that enlarges an existing building or 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, Boarding Houses, Dormitories, Hostels, 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)

(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, as part of a Unified Adaptive Reuse Project. Additions resulting from this reallocation may be eligible for incentives under this Paragraph (*Incentives*) but shall meet all Zoning Code requirements 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 land use regulation and is part of an Adaptive Reuse Project shall be allowed to maintain its existing height, regardless of whether it exceeds that permitted.

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 the Zoning Code. New structures on the existing roof, pursuant to Subparagraph 12.22 A.26(f)(1), or additional stories pursuant to Subparagraph 12.22 A.26(h)(2), 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 land use regulation 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 land use regulation.

(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 that at least one street tree per thirty linear feet of street frontage shall be provided. Existing street tree canopy and/or landscaped parkways shall be preserved, and may be counted towards the above-required tree ratio, unless removal is permitted by the Urban Forestry Division. If 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 the Code shall be paid to the Board of Public Works.

(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 Section 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.

(h) Incentives for Adaptive Reuse Projects with Affordable Housing. Adaptive Reuse Projects utilizing the **Mixed Income Incentive Program** or **Affordable Housing Incentive Program Public Benefit Option**, providing on site affordable units, pursuant to Subdivisions 12.22 A.38 or 12.22 A.39 of Chapter 1 of the Code, shall follow procedures pursuant to Subparagraph (e)(2) of this Subdivision of Chapter 1 of the Code.

In addition to incentives in Subsection (g) (*Incentives*), such Adaptive Reuse Projects providing affordable housing may select one of the following two incentives:

(1) Density Bonus for New Construction in Conjunction with Unified Adaptive Reuse Projects. Existing adaptively reused buildings and related new construction 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 across the street from any portion of an Adaptive Reuse Project; and

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

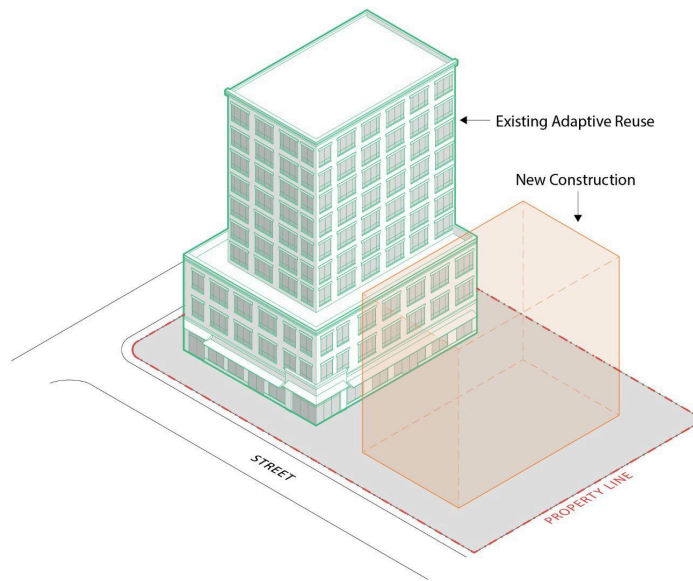
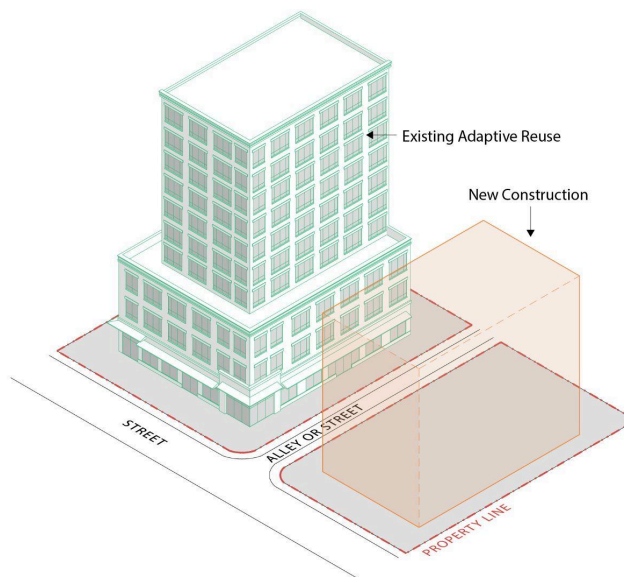


Figure 3: Unified Adaptive Reuse with New Construction Across the Street or Alley from a Lot



(ii) The Director or their designee shall determine that all site amenities provided in the Unified Adaptive Reuse Project, whether located in the existing building(s) 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 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 this Chapter 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 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 floor area converted to Residential Use shall be maintained and not changed; (2) The number of such units, quarters or guest rooms approved by the Zoning Administrator shall not be increased; and (3) 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.

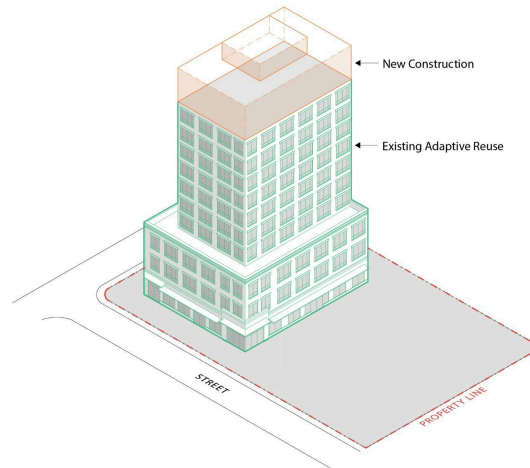
(2) Density Bonus for Two Additional Stories for Adaptive Reuse Projects.

Adaptive Reuse Projects shall be eligible for up to a two-story addition to the uppermost

floor, and shall not be considered as additional Floor Area or Height, subject to the following provisions:

(i) New construction 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: 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) or Table 12.22 A.38(f)(x) of Subdivision 12.22 A.38 and Table 12.22 A.39(x) 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.

(iii) 20% of the overall total of Residential Units provided as part of the new addition to the Adaptive Reuse Project shall be set aside for Low Income households in lieu of the requirements for Restricted Affordable Units set forth in Paragraphs 12.22 A.38(c) or 12.22 A.39(c) of Chapter 1 of the Code.

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

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.

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

(vii) Applicants for Adaptive Reuse Projects involving any Surveyed Historic Resource may be eligible for the incentives of this Subparagraph 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) Extremely Affordable Adaptive Reuse Projects. Consistent with Sections 65913.12 and 65960.1 of the Government Code, as created by AB 1490 in 2023, extremely affordable adaptive reuse projects, as that term is defined under section 65913.12(a)(3), in any underlying zone may be allowed to use incentives in Subsection (h). Additionally, notwithstanding Paragraph 12.22 A.26(c) of this Chapter of the Code, such projects may allow conversions from Transient Residential Use to Residential Use, pursuant to Subdivision 14.00 A.12 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 Subparagraph.

For purposes of this Subparagraph, the term "dedicated to industrial uses", as defined in Section 65913.12(a)(1) of the 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 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 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

(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 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.

(4) New Construction. Any new construction as part of an Unified Adaptive Reuse Project shall be subject to all applicable provisions of the Zoning Code including Specific Plans and supplemental use districts but remains eligible for base incentives, plus additional incentives pursuant to Subdivisions 12.22 A.38 and 12.22 A.39.

~~(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.~~

~~(i)~~ **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 Section 13B.2.1. (Class 1 Conditional Use Permit) of Chapter 1A of the Code. Where provisions of this Paragraph conflict with Section 12.23 or Subdivision 12.21 C.5 of Chapter 1 of the Code, this Paragraph shall prevail.

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

- (1) Alameda District Specific Plan (171,139)
- (2) Avenue 57 Transit Oriented District (174,663)
- (3) Bunker Hill Specific Plan (182,576)
- (4) Central City West Specific Plan (166,704)
- (5) Century City North Specific Plan (156,122)
- (6) Century City West Specific Plan (186,370)
- (7) Century City South Specific Plan (168,862)
- (8) Coastal Bluffs Specific Plan (170,046)
- (9) Coliseum District Specific Plan (185,042)
- (10) Colorado Boulevard Specific Plan (178,098)
- (11) Cornfield Arroyo Seco Specific Plan (182,617)
- (12) Crenshaw Corridor Specific Plan (184,795)
- (13) Devonshire/Topanga Corridor Specific Plan (168,937)
- (14) Exposition Corridor Transit Neighborhood Plan (186,402)
- (15) Foothill Boulevard Corridor Specific Plan (170,694)
- (16) Girard Tract Specific Plan (170,774)
- (17) Glencoe/Maxella Specific Plan (171,946)
- (18) Granada Hills Specific Plan (184,296)
- (19) Hollywoodland Specific Plan (168,121)
- (20) Jordan Downs Urban Village Specific Plan (184,346)
- (21) Los Angeles International Airport (LAX) Specific Plan (185,164)
- (22) Los Angeles Sports and Entertainment District Specific Plan (181,334)
- (23) Loyola Marymount University Specific Plan (181,605)
- (24) Mt. Washington/Glassell Park Specific Plan (168,707)
- (25) Mulholland Scenic Parkway Specific Plan (167,943)
- (26) North University Park Specific Plan (158,194)
- (27) North Westwood Village Specific Plan (163,202)
- (28) Oxford Triangle Specific Plan (170,155)
- (29) Pacific Palisades Commercial Village and Neighborhood Specific Plan (184,371)

- (30) Paramount Pictures Specific Plan (184,539)
- (31) Park Mile Specific Plan (162,530)
- (32) Playa Vista Area D Specific Plan (176,235)
- (33) Porter Ranch Land Use/Transportation Specific Plan (185,903)
- (34) San Gabriel/Verdugo Mountains Scenic Preservation Specific Plan (175,736)
- (35) San Pedro Specific Plan (166,352)
- (36) San Vicente Scenic Corridor Specific Plan (173,381)
- (37) University of Southern California University Park Campus Specific Plan (182,343)
- (38) Valley Circle Boulevard/Plummer Street Scenic Corridor Specific Plan (151,615)
- (39) Valley Village Specific Plan (168,613)
- (40) Venice Coastal Zone Specific Plan (175,693)
- (41) Ventura-Cahuenga Boulevard Corridor Specific Plan (174,052)
- (42) Vermont/Western Transit Oriented District Specific Plan (Station Neighborhood Area Plan) (173,749)
- (43) Warner Center 2035 Plan (182,766)
- (44) Westwood Community Multi-Family Specific Plan (163,203)
- (45) Westwood Village Specific Plan, Westwood Community Design Review Board Specific Plan (187,644)
- (46) Wilshire - Westwood Scenic Corridor Specific Plan (155,044 176,416)
- (47) Hollywood CPIO (Ordinance No. TBD)
- (48) San Pedro CPIO District (185,539)
- (49) South Los Angeles CPIO District (185,927)
- (50) Southeast Los Angeles CPIO District (185,925)
- (51) Sylmar CPIO District (184,268)
- (52) West Adams-Baldwin Hills-Leimert CPIO District (184,794)
- (53) Westchester - Playa del Rey CPIO District (187,155)
- (54) Broadway Theater and Entertainment District Design Guide (180,871)
- (55) Canoga Park-Commercial Corridor CDO District (174,519)
- (56) Cypress Park & Glassell Park CDO (108,561)
- (57) Downtown Canoga Park CDO District (173,508)
- (58) Downtown Westchester CDO District (179,907)
- (59) Echo Park CDO District (180,880)
- (60) Fletcher Square CDO District (178,157)
- (61) Lincoln Boulevard CDO District (179,906)
- (62) Lincoln Heights CDO District (176,658)
- (63) Little Tokyo CDO District (183,011)
- (64) Loyola Village CDO District (180,797)
- (65) Miracle Mile CDO District (176,331)
- (66) Pacoima CDO District (175,545)
- (67) Panorama City CDO (175,549)
- (68) Reseda Central Business District CDO District (176,557)
- (69) Sun Valley CDO District (174,398)

- (70) Toluca Lake Village CDO (184,366)
- (71) Van Nuys Central Business District CDO District (174,420)
- (72) West Wilshire Boulevard CDO District (174,161)
- (73) Atwater Village POD (173,676)
- (74) Westwood/Pico NOD (171,859)
- (75) Westwood Boulevard POD (174,260)
- (76) Redevelopment Plan Areas (186,325)

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

X. Further Authority of the Zoning Administrator for Other Similar Quasi-Judicial Approvals. The following uses and activities may be allowed ~~permitted~~ in any zone, unless otherwise restricted to certain zones or locations, if approved by the Zoning Administrator as the initial decision maker or the Area Planning Commission as the appellate body. ~~In addition to the findings set forth in 12.24 E.,~~ The Zoning Administrator shall make the findings required by Section 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 ~~s~~Subdivision. 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, may be utilized for Adaptive Reuse Projects within the Subareas mapped in Ordinance No. xxx.xxx. Furthermore, the provisions of this subdivision shall not apply to the M-Zones outside 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 ~~(b)~~ ~~(e)~~ below, the Zoning Administrator may approve ~~permit~~ Adaptive Reuse Projects in the CR, C1, C1.5, C2, C4, C5, CM Zones, P, PB or PF Zones, or in the RD1.5, R2, RD, RW2, R3, RAS3, R4, RAS4, or 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”, “Live/Work Unit”, “Surveyed Historic Resource”, “Non-Residential Use”, “Residential Use”, “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-(e) 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 Section 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, and the adaptive reuse project complies with the requirements of Paragraph 12.22 A.26(d) (Eligible Buildings) of this Chapter and meets the criteria described in Paragraphs 12.22 A.26(g) (Incentives) and/or 12.22 A.26(h) (Incentives for Adaptive Reuse Projects with Affordable Housing) of this Chapter 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 Adaptive Reuse Projects with Affordable Housing) of this Chapter may be approved by the Zoning Administrator, pursuant to the procedures established in Section 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 Section 13B.2.1, 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.~~

~~(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 GR, G1, 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 an independent audit or other 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 and Div. 13B.8. (Historic Preservation) of Chapter 1A of this Code are also eligible buildings.~~

~~(c) (2) **Additional Incentives under Zoning Administrator Authority. and**~~

~~**Exceptions:** The Zoning Administrator may grant, modify or deny some or all of the incentives set forth in Paragraphs 12.22 A.26.(g)(h) (*Incentives*) and/or 12.22 A.26(h) (*Incentives for Adaptive Reuse Projects with Affordable Housing*) of this Chapter 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. 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, including but not limited to the authority to permit allow new Residential Uses, including 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 GR, 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.~~

~~(e) **Buildings constructed on or after July 1, 1974.** The provisions of Section 12.22 A.26. of this Chapter 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.~~

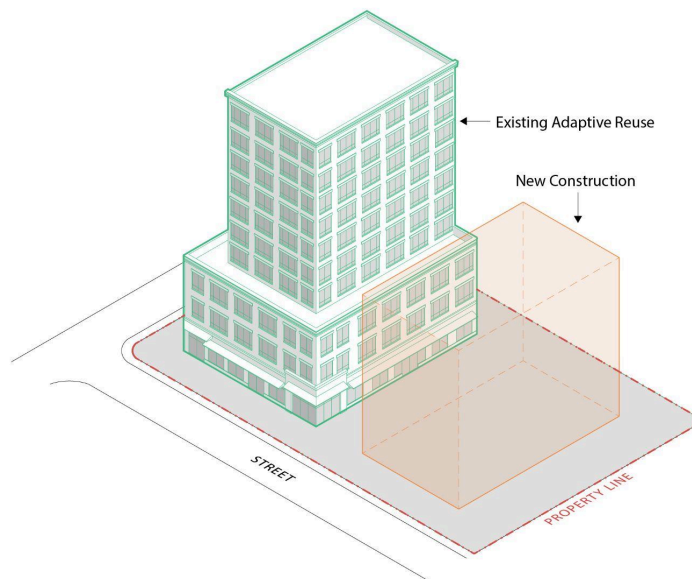
~~In making this finding the Zoning Administrator shall consider the building's past and current vacancy rate, existing and previous uses, and real estate market information. The Zoning Administrator may require the applicant to submit independently verified documentation.~~

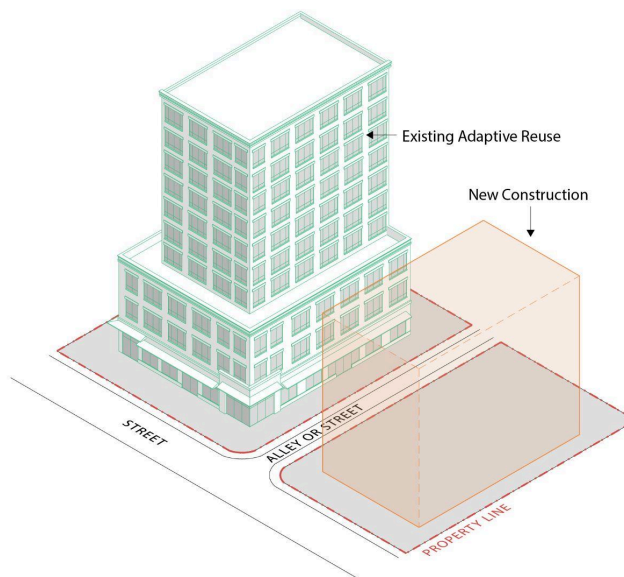
~~(d) **Floor Area Averaging Unified Adaptive Reuse Projects.** The following shall apply to applications to permit floor area averaging, transfer of residential density, or both, in Unified Adaptive Reuse Projects, and subject to the following provisions in the CR, C1, C1.5, C2, C4, C5, CM, MR1, MR2, 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 new construction, so long as the Project conforms with the provisions of this Paragraph 12.24 X.1 (d) of Chapter 1 and Section 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 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 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.

Figure 5: Unified Adaptive Reuse with New Construction on the Same Lot or 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, or minimum lot area per Dwelling Unit or Guest Room 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) 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, Zoning Administrator approval shall not be required, pursuant to Sec. 13B.3.1. (*Administrative Review*) of Chapter 1A of this 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 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:

- (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 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) Manufacturing Zones. For those properties located within the boundaries of Ordinance 175,038, 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 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.

(d) Floor Area Averaging. The following shall apply to applications to permit floor area averaging in unified Adaptive Reuse Projects 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.

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 sSubdivision 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. PROJECT REVIEW.

D. Exemptions.

6. Adaptive Reuse Projects in the ~~Downtown Project Area~~ pursuant to Section 12.22 A.26.

Sec 5. The Adaptive Reuse Incentive Areas Specific Plan, Ordinance No. 175,038, is to be superseded by Ordinance No. xxx,xxx, now to be designated and mapped as Subareas of the Citywide Adaptive Reuse Ordinance . 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).



- Existing Adaptive Reuse Incentive Areas Specific Plan (Ordinance 175,038, adopted 2-09-2003) to be superseded by proposed Citywide Adaptive Reuse Ordinance.
- Area to be removed. Superseded by Downtown Community Plan, Ordinance 187,822.
- Existing Figueroa Corridor Economic Development Strategy Area, part of the original Adaptive Reuse Ordinance (Ordinance 174,315, 12-20-01) to be superseded by proposed Citywide Adaptive Reuse Ordinance.
- Downtown Community Plan, Ordinance 187,822.

Existing and Proposed Adaptive Reuse Areas

