

ORDINANCE NO. 172571

An ordinance amending Sections 12.22, 12.27, 12.95.3, 16.05 and 19.01 of the Los Angeles Municipal Code to encourage the adaptive reuse of pre-1974 buildings in the Greater Downtown Los Angeles Area.

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

Section 1. A new Paragraph (d) is hereby added to Subdivision 23 of Subsection A of Section 12.22 of the Los Angeles Municipal Code to read:

(d) Exemptions. The following Projects shall not be subject to this Subdivision:

(1) Mixed Use Projects in a Mixed Use District established pursuant to Section 13.09; and

(2) Adaptive Reuse Projects in the Downtown Project Area pursuant to Section 12.22 A 26.

Sec. 2. A new Subdivision 26 is hereby added to Subsection A of Section 12.22 of the Los Angeles Municipal Code to read:

26. Downtown Adaptive Reuse Projects.

(a) Purpose. The purpose of this Subdivision is to revitalize the Greater Downtown Los Angeles Area and implement the General Plan by facilitating the conversion of older buildings, many of which are economically distressed and historically significant, to more productive uses. This will help to reduce vacant space as well as preserve Downtown's architectural and cultural past 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 will also facilitate the development of a "24-hour city" and encourage 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) Application. If the provisions of Subparagraph (2) of Paragraph (e), Subparagraphs (1), (2) or (3) of Paragraph (g) of this Subdivision conflict with those of any specific plan, supplemental use district, "Q" condition, "D" limitation, or citywide regulation, any of which were adopted or imposed by City action prior to the effective date of this ordinance, then this Subdivision shall prevail.

(c) Definition of Adaptive Reuse Project. Notwithstanding any other provisions of this chapter to the contrary, for the purposes of this Subdivision, an Adaptive Reuse Project is any change of use to dwelling units, guest rooms, or joint living and work quarters in all or portions of a building that:

(1) Was 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; or

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

(d) Downtown Project Area. The provisions of this Subdivision shall only apply to Adaptive Reuse Projects in the CR, C1, C1.5, C2, C4, C5, CM, or R5 Zones in the following areas:

(1) 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 westerly along 23rd Street to Oak Street, then northerly along Oak Street and its northerly prolongation to the Santa Monica Freeway.

(e) Incentives. Notwithstanding any other provisions of this chapter 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.

(1) Mezzanines. Loft spaces in joint living and work quarters, dwelling units and guest rooms which do not exceed more than 33 percent of the floor area of the space below shall not be considered new floor area. Mezzanines may be included in the calculation of floor area for the purpose of determining compliance with the standards set forth in Subparagraph (2) below.

(2) Density. Dwelling units and joint living and work quarters shall not be subject to the lot area requirements of the zone or height district. The density permitted in Adaptive Reuse Projects shall be calculated in accordance with the following standards:

(i) Minimum Size. The minimum floor area for new dwelling units and joint living and work quarters shall be 450 square feet. Floor area shall not include hallways or other common areas, or rooftops, balconies, terraces, fire escapes, or other projections or surfaces exterior to the walls of the building. 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.

(ii) Minimum Average Size. The average floor area, as defined above, of all the dwelling units and joint living and work quarters in the building, including those that existed prior to the effective date of this ordinance, shall be at least 750 square feet. That minimum average size shall be maintained and not reduced.

(3) Off-Street Automobile Parking. The required number of parking spaces shall be the same as the number of spaces that existed on the site as of the effective date of this ordinance, and shall be maintained and not reduced. Adaptive Reuse Projects shall otherwise be exempt from the provisions of Section 12.21 A 4 (m) of this Code.

(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 Section 12.22 A 23.

(5) Site Plan Review. Adaptive Reuse Projects shall be exempt from the requirements for Site Plan Review set forth in Section 16.05.

(6) Loading Space. Where an existing loading space is provided, the provisions of Section 12.21 C 6(h) shall apply. If no loading spaces exists, then a loading space shall not be required in conjunction with a change of use to an Adaptive Reuse Project.

(f) Guest Rooms. Guest rooms shall include a toilet and bathing facilities.

(g) 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 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 or height district shall be permitted.

(2) Height. Existing height which exceeds that permitted by the zone or height district shall be permitted.

(3) Yards. Existing observed yards which do not meet the yards required by the zone or height district shall be permitted.

(h) Uses. Notwithstanding the nonconforming provisions of Section 12.23, dwelling units, guest rooms, and joint living and work quarters shall be permitted in Adaptive Reuse Projects, so long as the use is permitted by the underlying zone.

Sec. 3. A new Subdivision 27 is hereby added to Subsection I of Section 12.27 of the Los Angeles Municipal Code to read:

27. To permit Adaptive Reuse Projects in the MR1, MR2, M1, M2 and M3 zones in the Downtown Project Area pursuant to Subdivision 12.22 A 26.

(a) The Zoning Administrator may permit the reduction or elimination of required yards or off-street automobile parking spaces required by this article for an Adaptive Reuse Project if he or she finds that the yards or off-street parking spaces cannot be provided.

(b) The Zoning Administrator shall require that one or more signs or symbols of a size and design approved by the Fire Department shall be placed by the applicant at designated locations on the exterior of each Adaptive Reuse Project to indicate the presence of residential uses.

(c) An application for permission pursuant to this Subdivision shall be set for public hearing, and notice shall be given in the same manner as for a use variance which is set for hearing as provided for in Section 12.27 B 3 (b) of this Code. The Zoning Administrator may waive the public hearing if the applicant submits with the application the written approval of owners of all properties abutting, across the street or alley from, or having a common corner with the subject property. This approval must express that the owners have no objections to the Adaptive Reuse Project. If that approval is obtained from the surrounding property owners, the Chief Zoning Administrator or acting Chief Zoning Administrator may waive the public hearing if he or she makes the following findings:

(1) That the Adaptive Reuse Project will not have a significant adverse effect on adjoining property or on the immediate neighborhood; and

(2) That the Adaptive Reuse Project is not likely to evoke public controversy.

(d) In addition to the findings otherwise required by this Section, the Zoning Administrator shall also find:

(1) 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;

(2) That the Adaptive Reuse Project will not displace viable industrial uses and will not substantially lessen the likelihood that the property will be available in the future for industrial uses; and

(3) That the Adaptive Reuse Project complies with the minimum size and minimum average size standards set forth in Section 12.22 A 26 (e) (2).

Sec. 4. A new Paragraph (h) is hereby added to Subdivision 1 of Subsection F of Section 12.95.3 of the Los Angeles Municipal Code to read:

(h) Notwithstanding any other provisions of this Chapter to the contrary, the required number of parking spaces in Adaptive Reuse Projects in the Downtown Project Area pursuant to Section 12.22 A 26 shall be the same as the number of spaces that existed on the site as of the effective date of this ordinance, and shall be maintained and not reduced. Adaptive Reuse Projects shall otherwise be exempt from the provisions of Section 12.21 A 4 (m) of this Code.

Sec. 5. A new Subdivision 6 is hereby added to Subsection D of Section 16.05 of the Los Angeles Municipal Code to read:

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

Sec. 6. Subsection E of Section 19.01 of the Los Angeles Municipal Code is hereby amended by adding the following fees immediately following the category listed as: Joint Living and Work Quarters for Artists and Artisans with Reduced Parking pursuant to Section 12.27 I 21.

Type of Application	Flat Fee	For First Block or Portion Thereof	For Each Additional Block or Portion Thereof	Appeal To
Adaptive Reuse Projects pursuant to Section 12.27 I 27 in the M Zones in the Downtown Project Area	\$750.00	None	None	Board City Council \$50.00 for applicant or non-applicant

(64226-3/18/99)

Sec. 7. The City Clerk shall certify to the passage of this ordinance and cause the same to be published in some daily newspaper printed and published in the City of Los Angeles.

I hereby certify that the foregoing ordinance was passed by the Council of the City of Los Angeles, at its meeting of APR 1 1999.

J. MICHAEL CAREY, City Clerk

By Marie Kostkowski
Deputy

Approved APR 28 1999

By J. Hahn
ACTING Mayor WHC

Approved as to Form and Legality:

JAMES K. HAHN, City Attorney

By Claudia Culling
CLAUDIA CULLING
Deputy City Attorney

Pursuant to Sec. 97.8 of the City Charter,
approval of this ordinance recommended
for the City Planning Commission _____

(February 18, 1999)

File No. CPC 95-0343 CA
CF 97-0648

See attached report

Paul Stowe
Director of Planning