

ORDINANCE NO. 175038

An ordinance establishing a specific plan to be known as the Adaptive Reuse Incentive Areas Specific Plan for the areas of Chinatown, Lincoln Heights, the Hollywood Community Redevelopment Project Area, certain portions of the Wilshire Center/Koreatown Community Redevelopment Project Area, and Central Avenue south of Freeway Number 10 and north of Vernon Avenue.

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

Section 1. ESTABLISHMENT OF THE SPECIFIC PLAN. The City Council hereby establishes the Adaptive Reuse Incentive Areas Specific Plan applicable to the following areas:

A. Chinatown and Lincoln Heights. All that real property in the City of Los Angeles, described by the following boundary lines: beginning at the point of intersection of the center lines of Freeway Number 110 (commonly called the Harbor Freeway) and Cesar E. Chavez Avenue, then northeasterly along the center line of the Harbor Freeway to its intersection with Pasadena Avenue, then southwesterly along Pasadena Avenue to Avenue 26, then easterly along Avenue 26 to Workman Street, then southerly along Workman Street to easterly along the real property fronting on the north side of Broadway between Workman Street and Sichel Street, then southerly along Sichel Street to Broadway, then westerly along Broadway to Daly Street, then southerly along Daly Street to its intersection with North Main Street, then westerly, northwesterly and southwesterly along Main Street to its intersection with the centerline of Cesar E. Chavez Avenue, and then northwesterly along the centerline to the point of beginning; and

B. Hollywood Community Redevelopment Project Area. All that real property in the City of Los Angeles within the boundaries of the Hollywood Redevelopment Project Area, as legally described in Exhibit B of the Hollywood Redevelopment Plan adopted by the City Council on May 7, 1986; and

C. Wilshire Center/Koreatown Community Redevelopment Project Area. All that real property in the City of Los Angeles within the boundaries of the Wilshire Center/Koreatown Redevelopment Project Area, as legally described in Exhibit 2 of the Wilshire Center/Koreatown Redevelopment Plan adopted by the City Council on December 13, 1995, but excluding the following portions of the project area: all that real property southerly of Olympic Boulevard to its intersection with Serrano Avenue, easterly of Serrano Avenue to its intersection with 8th Street, and southerly of 8th Street. Notwithstanding this exclusion, the following portions of the project area shall be an Adaptive Reuse Incentive Area:

all real property with frontage along the south side of Olympic Boulevard to its intersection with Serrano Avenue; along the east side of Serrano Avenue from its intersection with Olympic Boulevard northerly to 8th Street; and along the south side of 8th Street; and

D. Central Avenue. All that real property in the City of Los Angeles with frontage on both sides of Central Avenue southerly of Freeway Number 10 (commonly called the Santa Monica Freeway) and northerly of Vernon Avenue.

Sec. 2. PURPOSE. The purpose of this Specific Plan is to implement the General Plan by facilitating the conversion of older, economically distressed, or historically significant buildings to apartments, live/work units or visitor-serving facilities. This will help to reduce vacant space as well as preserve the City's architectural and cultural past and encourage the development of live/work and residential communities in the City's commercial and industrial centers and corridors, thus creating a more balanced ratio between housing and jobs. This revitalization will also facilitate 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, hotels and transit services near each other.

Sec. 3. RELATIONSHIP TO PROVISIONS OF THE LOS ANGELES MUNICIPAL CODE AND OTHER REGULATIONS.

A. If the provisions of this Specific Plan conflict with those of the Los Angeles Municipal Code (ACode®), then this Specific Plan shall prevail. In addition, if the provisions of this Specific Plan conflict with any Citywide regulation, height district, zone, zoning ordinance, AQ® condition, or AD® limitation, any of which were adopted or imposed by City action prior to March 1, 2003, then this Specific Plan shall prevail. If the provisions of this Specific Plan conflict with those of any historic preservation overlay zone, any other specific plan, or supplemental use district, then the provisions of the historic preservation overlay zone, other specific plan, or supplemental use district shall prevail. Notwithstanding that limitation, if the provisions of this Specific Plan conflict with the provisions of the Vermont-Western Station Neighborhood Area Plan, Ordinance No. 173,749, then the provisions of this Specific Plan shall prevail.

B. Notwithstanding the provisions of Section 11.5.7 of the Code to the contrary, no project permit compliance review shall be required for an Adaptive Reuse Project permitted pursuant to this Specific Plan.

Sec. 4. DEFINITIONS. Whenever the following terms are used in this Specific Plan, they shall be construed as defined in this Section. Words and phrases not defined herein shall be construed as defined in Sections 12.03 and 12.20.3 of the

Code, if defined therein:

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.

Eligible Building means: (1) any Historically Significant Building; (2) any building constructed in accordance with building and zoning codes in effect prior to July 1, 1974; and (3) any building constructed in accordance with building and zoning codes in effect on or after July 1, 1974, that the Zoning Administrator finds meets the eligibility criteria set forth in Section 6 C below. A certificate of occupancy, building permit, or other suitable documentation may be submitted as evidence to verify the date of construction.

Historically Significant Building is any building on the City of Los Angeles List of Historic-Cultural Monuments; any building listed in, or determined by the appropriate governmental agency to be eligible for listing in, the California Register of Historical Resources; any building listed in, or determined by the appropriate governmental agency to be eligible for listing in, the National Register of Historic Places; any building listed as, or determined by the appropriate governmental agency to be eligible for listing as, a contributing building in a National Register Historic District; or any building identified as a contributing structure in an Historic Preservation Overlay Zone (HPOZ) established pursuant to Section 12.20.3 of the Code.

Non-Residential Use means any use other than dwelling units, guest rooms or joint living and work quarters. Except that, dwelling units, guest rooms, or joint living and work quarters contained in any Eligible Building that was completely unoccupied for a continuous period of not less than one year prior to March 1, 2003 shall be considered to be a Non-Residential Use.

Unified Adaptive Reuse Project is an Adaptive Reuse Project composed of two or more Eligible Buildings, so long as the Project has all of the following characteristics, as determined by the Zoning Administrator pursuant to Section 6 D below: (1) functional linkages, such as pedestrian or vehicular connections; (2) common architectural and landscape features, which constitute distinctive design elements of the Project; and (3) 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.

Sec. 5. REGULATIONS. The following regulations shall apply to Adaptive Reuse Projects in the CR, C1, C1.5, C2, C4, C5, CM and R5 Zones in Adaptive Reuse Incentive Areas. The Zoning Administrator may, upon application, permit Adaptive Reuse Projects in the MR1, MR2, M1, M2 and M3 zones in Adaptive Reuse Incentive

Areas pursuant to Section 6 A below. In addition, the Zoning Administrator may, upon application, permit floor area averaging in Unified Adaptive Reuse Projects, pursuant to Section 6 D below.

A. Incentives. Adaptive Reuse Projects shall be entitled to the six incentives set forth below. Except for the first incentive concerning mezzanines, 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 that 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 Subsection B (1), below.

(2) Density. Dwelling units, joint living and work quarters and guest rooms shall not be subject to the lot area requirements of the zone or height district.

(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 on March 1, 2003, 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 the 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 of the Code.

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

(6) Loading Space. Where an existing loading space is provided, the provisions of Section 12.21 C 6 (h) 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.

B. Standards. If the developer of an Adaptive Reuse Project decides to use the density incentive set forth in Subsection A (2) above, then the project must be developed in compliance with the following standards:

(1) Dwelling Units and Joint Living and Work Quarters. 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 March 1, 2003, 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.

C. Exceptions. Notwithstanding the nonconforming provisions of Section 12.23 of the Code, the following exceptions shall apply to the Eligible Buildings in which Adaptive Reuse Projects are located. These exceptions shall also apply to any Eligible 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 exceeding 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 exceeding 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 not meeting the yards required by the zone, height district, specific plan, supplemental use district, or any other land use regulation shall be permitted.

D. Uses. Notwithstanding the nonconforming provisions of Section 12.23 B 1 (c) of the Code, or the provisions of Section 12.21 C 5 (h) of the Code concerning buildings or uses that cross two or more zones 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 or approved by the Zoning Administrator pursuant to Section 6 below.

E. Conformance with Other Applicable Codes, Provisions, or Guidelines. Adaptive Reuse Projects shall be developed as determined by the Departments of Building and Safety and Fire in conformance with all applicable

codes, provisions, or guidelines the Departments of Building and Safety and Fire.

Sec. 6. ZONING ADMINISTRATOR APPROVAL. The Zoning Administrator may, upon application, permit Adaptive Reuse Projects as set forth in this Section. In addition to the findings otherwise required by Section 12.24 X of the Code, the Zoning Administrator shall also make the findings required by this Section.

A. Manufacturing Zones. A Zoning Administrator may, upon application, permit Adaptive Reuse Projects in the MR1, MR2, M1, M2 and M3 zones in Adaptive Reuse Incentive Areas, subject to the following:

(1) Incentives and Exceptions. The Zoning Administrator may grant, modify or deny some or all of the incentives set forth in Section 5 A above, or some or all of the exceptions set forth in Section 5 C above, to an Adaptive Reuse Project proposed pursuant to this Section.

(2) Conditions and Findings. 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; and

(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 other similar occupations; and

(iii) Require the Adaptive Reuse Project to comply with all other applicable codes, provisions, or guidelines of the Departments of Building and Safety and Fire pursuant to Section 12.22 A 26 (l) of the Code; and

(iv) 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) of the Code; and

(v) 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

(vi) Find that the Adaptive Reuse Project will not displace viable industrial uses; and

(vii) Find that any building constructed on or after July 1, 1974, meets the eligibility criteria set forth in Subsection C below.

B. C And R5 Zones. The regulations of set forth in Section 5 above, shall apply to an Adaptive Reuse Project in any building constructed on or after July 1, 1974 in the CR, C1, C1.5, C2, C4, C5, CM, or R5 Zones in Adaptive Reuse Incentive Areas provided that the Zoning Administrator determines that the building meets the eligibility criteria set forth in Subsection C below.

C. Eligibility Criteria for Buildings Constructed on or after July 1, 1974. A building constructed on or after July 1, 1974 shall be an Eligible Building if the Zoning Administrator finds that:

(1) Five years have elapsed since the date of issuance of final certificates of occupancy; and

(2) 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. The Zoning Administrator may, upon application, permit floor area averaging in Unified Adaptive Reuse Projects in the MR1, MR2, M1, M2, M3, CR, C1, C1.5, C2, C4, C5, CM, or R5 Zones in Adaptive Reuse Incentive Areas. The averaging of floor area may be permitted 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 5 B above.

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 is a Unified Adaptive Reuse Project. 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 Specific Plan shall follow the procedures for adjustments set forth in Section 12.28 C 1, 2, and 3 of the Code. 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. 7. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located in the Main Street lobby to the City Hall; one copy on the bulletin board located at the ground level at the Los Angeles Street entrance to the Los Angeles Police Department; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, at its meeting of December 20, 2002.

J. MICHAEL CAREY, City Clerk
By Maria Kostrencich, Deputy
Approved December 30, 2002
JAMES K. HAHN, Mayor
Approved as to Form and Legality
December 20, 2002
Rockard J. Delgadillo, City Attorney
By Sharon Siedorf Cardenas
Assistant City Attorney
C.F. 02-0177

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

December 20, 2002

see attached report.

CON HOWE
Director of Planning



Adaptive Reuse Incentive Areas Specific Plan

 Incentive Area

* This adaptive reuse incentive area includes all real property with frontage on both sides of Central Avenue south of the Number 10 Freeway & north of Vernon Avenue.

Ordinance No. 175, 038, effective February 9, 2003


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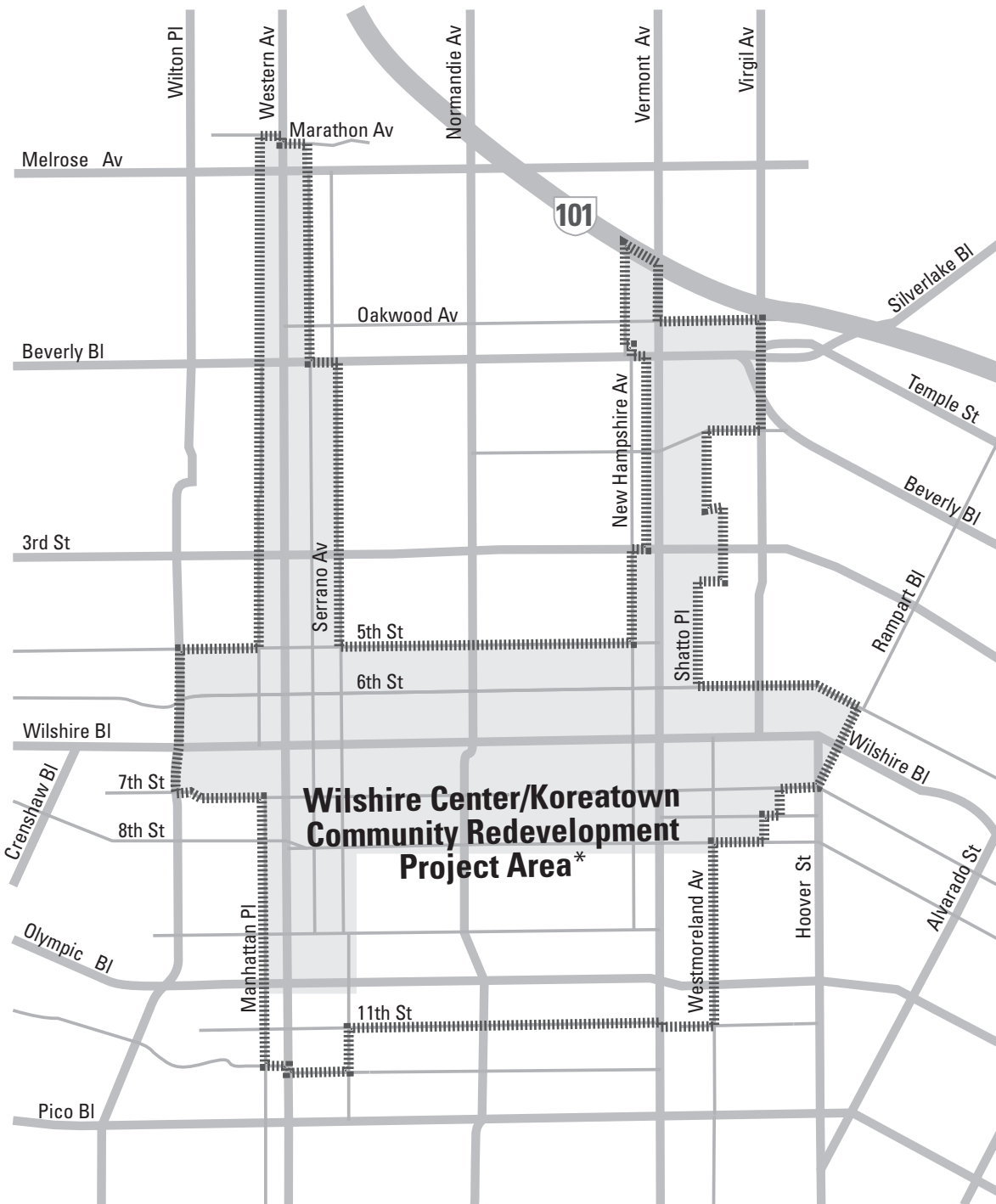
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Adaptive Reuse Incentive Areas Specific Plan

 Incentive Area


not to scale



Adaptive Reuse Incentive Areas Specific Plan

- Incentive Area
- Project Area Boundary

* This adaptive reuse incentive area includes the shaded portion of the Wilshire Center/Koreatown Community Redevelopment Project Area.

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