



**This bill:**

- 1) Allows the City of Los Angeles (City) to adopt alternative building regulations for the conversion of commercial or industrial buildings and structures to Residential Group R-1 or R-2 uses, if the city:
  - a) Has a compliant housing element, as specified.
  - b) Adopts an ordinance to facilitate review of adaptive reuse projects, as specified.
  - c) Obtains approval of the alternative building regulations from the adaptive reuse working group, and relevant state agencies, as specified.
- 2) Provides that the alternative building regulations adopted under this bill are not required to impose the same requirements as regulations adopted by the CBSC, provided that the City determines that the alternative building regulations protect public health and safety, as specified.
- 3) Requires the CBSC, in consultation with specified state agencies, to review the alternative building regulations and to approve, deny, or request revisions within 90 days of receiving proposed regulations from the city.
- 4) Authorizes members of the adaptive reuse working group to request additional information from the City regarding the alternative building regulations.
- 5) Requires the City to respond to a request for revisions from CBSC within 30 days, and specifies that the city shall either:
  - a) Revise or amend the proposed alternative building regulations.
  - b) Adopt written findings explaining why the city believes the proposed alternative building regulations are sufficiently protective of public, health, safety and welfare.
- 6) Requires the City to approve alternative building regulations at a public meeting of the legislative body of the city and to submit the adopted regulations to the CBSC.
- 7) Provides that any alternative building standards adopted by the City shall only remain in effect until the state adopts adaptive reuse building standards pursuant to existing statute, or January 1, 2029, whichever occurs first.

**COMMENTS:**

- 1) *Author's Statement.* "Shifts in current and projected office demand have led declining commercial office building valuations, which threaten local governments' budgets that rely heavily on property taxes on commercial real estate to provide public goods and services. Adaptive reuse of underutilized commercial buildings has the potential to provide quality, infill residential units, offering a potential solution to meeting both housing supply and environmental sustainability goals. AB 2910 would give California's largest cities the flexibility and nuance needed to amend their local building codes to better enable conversion projects, while ensuring the State has the appropriate level of oversight in the process to protect public health, safety, and welfare, and help inform statewide building code updates."
- 2) *Background on building standards.* The California Building Standards Law establishes the process for adopting state building standards by CBSC. Statewide building standards are intended to provide uniformity in building across the state. CBSC's duties include the following: receiving proposed building standards from state agencies for consideration in each triennial and intervening building code adoption cycle; reviewing and approving building standards submitted by state agencies; adopting building standards for state buildings where no other state agency is authorized by law; and publishing the approved building standards in the California Building Standards Code (California Code of Regulations, Title 24). Local governments may adopt "reach codes" that incorporate additional requirements, but may not reduce requirements below the thresholds in the state standards.

There are approximately 20 state agencies that develop building standards and propose them for adoption to CBSC. HCD is responsible for the standards for residential buildings, hotels and motels. The California Building Standards Code governs the structural capacity, life-safety system, and environmental performance requirements for adaptive reuse projects. Updates and changes to building standards are adopted on two timelines: through the triennial code adoption cycle which occurs every three years and through the intervening code adoption cycle which provides an update to codes 18 months after the publication of the triennial codes. Regulatory activities for each cycle begin over two years before the effective date of the codes. The standards adopted in the next intervening code cycle will be effective on July 1, 2024 and the next triennial cycle's standards will be effective on January 1, 2026.

The building standards code adoption cycle is a formal regulatory process that involves extensive stakeholder input and public feedback. As such the

Legislature generally refrains from including specific building standards in statute.

- 3) *Adaptive reuse.* Adaptive reuse is the process of converting an existing non-residential building to housing. The ability to adaptively reuse a building is highly dependent on the initially designed use. For example, uses such as warehouses and big box retail are not generally suitable to adaptive reuse, because their tall ceilings, single stories, and rudimentary plumbing would need to be completely redone to be appropriate for human habitation. Office buildings maintain some potential for conversion, because their multi-floor layout is conducive to housing; however, the large configuration of most office buildings makes it difficult to provide the necessary light and air that is required for residential units. For these conversions to occur, they would also need to be financially beneficial to the property owner. Other commercial properties, like hotels and motels, are more conducive to adaptive reuse, since they already have separate residential units often with bathrooms.
- 4) *Support.* Supporters of this bill contend that the bill would give flexibility and nuance needed to amend local building codes to better enable conversion projects, while ensuring the state of California has the appropriate level of oversight and discretion in the process.
- 5) *Opposition.* The California Building Officials (CALBO) are opposed to this bill and express concerns that tasking the adaptive reuse working group with reviewing alternative building standards will distract from their task of developing safe and uniform standards for adaptive reuse in the next code cycle. They also express concern that bill will authorize local governments to adopt less restrictive safety standards, and note that building officials can already accept alternative designs and standards on a case-by-case basis.

#### **RELATED LEGISLATION:**

**AB 2488 (Ting, 2024)** — allows the City and County of San Francisco to establish a downtown revitalization and economic recovery financing district to finance office-to-residential conversion projects with incremental tax revenues generated by conversion projects within the district. *This measure is currently pending in this committee.*

**AB 529 (Gabriel, Chapter 743, Statutes of 2023)** — required HCD to convene a working group regarding adaptive reuse residential projects, including identifying and recommending amendments to state building standards, and made other changes to state law related to adaptive reuse projects.

**FISCAL EFFECT:** Appropriation: No    Fiscal Com.: Yes    Local: No

**POSITIONS: (Communicated to the committee before noon on Wednesday, June 26, 2024.)**

**SUPPORT:**

Central City Association of Los Angeles (Sponsor)  
AARP  
Abundant Housing LA  
Axis/GFA  
Boma California  
California Business Properties Association  
Council of Infill Builders  
DTLA Alliance  
Housing Action Coalition  
Institute of Real Estate Management (IREM)  
League of California Cities  
Los Angeles County Business Federation (BIZ-FED)  
Miyamoto International, INC.  
NAIOP California  
Southern California Rental Housing Association  
Structural Engineers Association of California  
Valley Industry and Commerce Association (VICA)

**OPPOSITION:**

California Building Officials

**-- END --**