

**SUBJECT: AMENDMENTS TO THE WEST HOLLYWOOD MUNICIPAL CODE AND ZONING ORDINANCE TO REQUIRE SPACES IN NEW CONSTRUCTION TO BE PLUG-IN ELECTRIC VEHICLE (PEV) READY**

**PREPARED BY: COMMUNITY DEVELOPMENT DEPARTMENT**  
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**STATEMENT ON THE SUBJECT:**

The City Council will consider new policies regulating Electric Vehicle (EV) readiness for new construction in the City of West Hollywood.

**RECOMMENDATION:**

Staff recommends the City Council introduce on first reading:

Ordinance No. 18-\_\_\_\_\_: "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING TITLE 13 OF THE WEST HOLLYWOOD MUNICIPAL CODE BY ADOPTING LOCAL AMENDMENTS TO SECTIONS 4.106.4 AND 5.106.5.3 OF THE 2016 EDITION OF THE CALIFORNIA GREEN BUILDING STANDARDS CODE TO INCLUDE NEW REQUIREMENTS FOR PLUG-IN ELECTRIC VEHICLE INFRASTRUCTURE AND AMENDING TITLE 19 OF THE WEST HOLLYWOOD MUNICIPAL CODE TO IMPLEMENT THE REQUIREMENTS IN THE ZONING CODE, CITYWIDE, WEST HOLLYWOOD, CALIFORNIA." (ATTACHMENT A)

**BACKGROUND / ANALYSIS:**

This report proposes amendments to the City's local building code (Title 13) and the City's Zoning Ordinance (Title 19) to require EV charging infrastructure for new construction in the City and EV parking space conversions in existing buildings. On May 2, 2016, the City Council directed staff to pursue several EV charging readiness initiatives in West Hollywood (Attachment B). This direction included new requirements for installing electric vehicle charging infrastructure in new development, seeking EV charging grants, increasing lobbying efforts for EV charging readiness at the state level, allowing parking incentives for electric vehicle owners, and streamlining permitting and approvals for EV charging installation.

On February 15, 2018, the proposed zone text amendments were considered by the Planning Commission. During the public hearing, the Commission ultimately voted 6:0 to recommend Resolution 18-1238 (see Attachments C and D) with an additional

recommendation for City Council to consider directing staff to modify the proposed requirements to mandate the installation of electric vehicle charging stations.

The following report discusses the different levels of EV charging readiness, the proposed EV charging readiness requirements for West Hollywood, the impact of the State's accessible parking design requirements, and an alternative recommendation per input from the Planning Commission. Additional background information on EV charging readiness, including a survey of EV charging requirements in other California cities, can be found in Attachment E.

### The Four Levels of EV Charging Readiness

These four levels of EV Charging Readiness are described below:

Figure 1: Four Levels of EV Charging Readiness



- **No EV Infrastructure**: Spaces not equipped with any EV charging infrastructure.
- **EV Capable**: Spaces constructed with an empty raceway (e.g. pathway for future electrical wiring, usually in enclosed walls or pavement) to supply power for future EV chargers at any given time.
- **EV Ready**: Spaces constructed with full electrical circuits (junction box, conduit, receptacle, overprotecting devices, wiring) that are ready for connection with an EV charger at any given time.
- **EV Charger Installed**: Spaces equipped with EV charging stations by project completion.

### Proposed EV Charging Readiness Standards

While the current West Hollywood Zoning Ordinance does not require EV charging readiness, as of January 1, 2017, new projects in West Hollywood already comply with the current State Building Code standards (CALGreen). More information on CALGreen requirements can be found in Attachment E. Staff recommends the following proposed building code and zoning text amendments to better align both codes and exceed the State baseline requirements to facilitate and increase EV ownership in West Hollywood by mandating higher levels of EV readiness in new multifamily and nonresidential buildings.

### Proposed Electric Vehicle Charging Readiness Requirements

The current and future EV Charging needs of West Hollywood residents and visitors, as well as the costs of installing EV charging infrastructure were considered when drafting

the EV Charging Readiness requirements. Table 1 shows the proposed EV charging readiness requirements for applicable development projects:

**Table 1: Proposed EV Charging Readiness Requirements**

<b>New Construction (Multifamily Buildings with 10 or More Units and Nonresidential Buildings)*</b>					
	<b>Number of Overall Required Parking Spaces for Project</b>				
	<b>One</b>	<b>2-10</b>	<b>11-15</b>	<b>16-20</b>	<b>20+</b>
<b>EV Ready (Full Circuit)</b>	1 space	2 spaces	2 spaces	2 spaces	10% of spaces (rounded up)
<b>EV Capable (Inaccessible Conduit)</b>	N/A	N/A	1 space	2 spaces	***Multi-family: Remaining 90% of spaces
					Non-Residential: 10% of spaces
<b>Electric Panel Capacity**</b>	Sufficient to supply 1 space	Sufficient to supply 2 spaces	Sufficient to supply 3 spaces	Sufficient to supply 4 spaces	Sufficient to supply 20% of spaces

\*Mixed-use developments will comply as required for each residential and non-residential use.

**Explanation of Changes**

The proposed modifications enhance and exceed CALGreen EV charging requirements by:

1. Requiring a number of spaces to be “EV Ready” in multifamily and nonresidential buildings (currently CALGreen only requires a percentage of total parking spaces be “EV Capable”);
2. Applying to multifamily buildings of 10 units or more to capture smaller development projects prevalent in West Hollywood (currently CALGreen only requires parking spaces in multifamily buildings of 17 units or more to be “EV Capable”);
3. Requiring the installation of “EV Ready” spaces at the time of new construction to support the conversion of spaces at a later date with reduced time and expense;
4. Requiring that State accessibility requirements for planned EV spaces are considered at the time of new construction; and
5. Facilitating future EV charger conversion for up to 100% of parking spaces in larger multifamily buildings.

The proposed amendments supplement the CALGreen requirements for new multifamily and nonresidential projects only, as these projects are the most difficult and cost-prohibitive to retrofit for EV charging once construction is complete. The City is not amending the CALGreen requirements for single-family homes, duplexes, and townhouses with attached private garages, which are required to be “EV Capable”. The full ordinance amendment can be found in Attachment A.

### Sample Project Development Scenarios

Various development project scenarios were analyzed to ensure that the EV charging readiness regulations are consistent with the objective of supporting electric vehicle ownership and use in the City. Table 2 shows the minimum number of required “EV Capable” and “EV Ready” spaces for various development scenarios for residential, non-residential, and public projects consistent with the proposed regulations:

**Table 2: Project Development Scenarios**

<b>Project Type</b>	<b>Required Parking</b>	<b>“EV Ready” Spaces</b>	<b>“EV Capable” Spaces</b>
<b>10 Unit MFR Project* (all studios &amp; one bedroom units)</b>	Resident: 13	1	1
	Guest: 2	1	0
<b>15 Unit MFR Project* (all 2-3 bedroom units)</b>	Resident: 30	2	30
	Guest: 4	2	0
<b>Non-residential Project (20,000 sf grocery store)</b>	70	7	7
<b>50 Room Hotel</b>	50	5	5
<b>150 Space Commercial Parking Lot/Structure</b>	150	15	15
<b>Multi-tenant Retail with Shared Parking (20,000 sf)</b>	Required: 70	6	6
	Reduced: 60		

\*The sample multifamily project illustrated in the table assumes that resident parking is assigned. Where there are both common use and assigned parking spaces, at least one common use space should be “EV Ready”.

### Exemptions

Temporary parking lots and off-site parking spaces for commercial uses utilizing the City’s Parking Credits Program are exempt from the EV Charging Readiness regulations. In addition, other exemptions may be granted at the discretion of the Community Development Director, where compliance with the requirements is found to be technically infeasible.

### Existing Buildings

The proposed zone text amendment in Attachment A also allows existing parking spaces retrofitted with electric vehicle charging stations to continue to count toward parking requirements under the current Zoning Ordinance. This will ensure that property owners are not penalized for converting existing parking spaces to spaces equipped and dedicated for EV charging purposes. However, the proposed EV charging readiness requirements listed above do not apply to existing buildings.

### Implementation

Upon approval of the ordinance, staff will finalize policy guidance documents for the public and developers to assist them in processing discretionary projects and electrical/building permits in conformance with the ordinance. This will include the completion of an expedited permitting checklist for EV charging stations mandated by the State, which is presented as a legislative item listed on the March 19th City Council agenda.

### **State Accessibility Design Requirements for EV Charging**

Further review of the State's accessibility requirements for EV charging stations has influenced the proposed amendment in two ways: 1) setting the applicability threshold at 10 units or more for multifamily projects and 2) requiring the highest level of EV readiness installed be "EV Ready" rather than spaces with EV charging stations installed. CALGreen requires that the first EV charging station be installed in a van accessible-sized space with an access aisle. As more EV charging stations are installed, this van accessible space must convert to a dedicated accessible EV charging station, with a certain number of subsequent EV charging stations designed to meet standard accessible space specifications.

Without the addition of any increased EV charging readiness requirements, many projects in West Hollywood struggle to comply with the current Zoning Code's minimum number of required parking spaces due to compact development sites. CALGreen's requirement that the first EV charging station be in a van accessible-sized space exacerbates a project's challenges with meeting its parking requirement because the dimensions of a van accessible space with an access aisle are the same size as two standard parking spaces. Thus, in order to install one EV charging station, it "costs" the property owner two parking spaces.

Lowering the applicability threshold to multifamily buildings with three units or more was considered when developing the proposed amendments; however, the current State accessibility requirements triggered by EV charging station installation create significant hardship for these smaller projects to comply. Therefore, the proposed amendments are applicable to multifamily buildings of 10 units or more to capture a cohort of smaller development projects prevalent throughout the City that are currently exempt from the 2016 CALGreen EV charging requirements, which sets the threshold at 17 units or more. Over the last two years (2016-2017), seven (7) multifamily buildings with 10 units or more received new building permits, compared to ten (10) multifamily buildings with three to nine units.

Moreover, since these State accessibility requirements are triggered by the installation of the first EV charging station, staff recommends requiring EV Ready as the highest level of EV readiness. The proposed amendments further encourage the expansion of EV infrastructure throughout the City by requiring additional EV Capable spaces as well as mandating the original construction documents show how EV Ready spaces are designed to meet the accessibility requirements outlined in CALGreen when converted to EV charging stations in the future. This will ensure developers plan ahead for the future installation of EV charging stations that is consistent with the California Building Standards Commission. Staff will evaluate and monitor implementation of this ordinance over time and may adjust future applicability and thresholds as appropriate.

### **ALTERNATIVE RECOMMENDATION:**

During the public hearing, Planning Commission recommended that City Council consider directing staff to modify the proposed requirements to mandate the installation

of electric vehicle charging stations. If City Council would like to proceed with this recommendation, staff recommends the following:

Adopt a modified ordinance to require EV Charger installed spaces in lieu of EV ready spaces (as shown in Table 1) as a percentage of parking in new construction. Recognizing smaller projects may experience hardship, exempt projects with one to two spaces from being required to comply with the modified ordinance requirements.

**Public Notice**

The City published a legal notice in the Beverly Press and West Hollywood Independent on March 9, 2018. In addition to the noticing required by the Municipal Code, the Planning Division noticed all West Hollywood neighborhood groups by March 9, 2018.

**California Environmental Quality Act (CEQA)**

The proposed zone text amendment is Categorical Exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061 of the CEQA Guidelines. Section 15061 states that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The provision of EV Charging readiness in newly constructed buildings will support the growth of electric vehicles as an economically viable and environmentally sustainable means of transportation in West Hollywood.

The zone text changes are also exempt pursuant to Section 15308, which involves regulatory processes and procedures undertaken to protect the environment, because introducing new standards to require electrical conduit improvements in new development has the potential to reduce local CO2 emissions by enabling and encouraging the increased use of electric vehicles in West Hollywood that do not emit CO2 or other greenhouse gasses.

**CONFORMANCE WITH VISION 2020 AND THE GOALS OF THE WEST HOLLYWOOD GENERAL PLAN:**

This item is consistent with the Primary Strategic Goal(s) (PSG) and/or Ongoing Strategic Program(s) (OSP) of:

- OSP-1: Adaptability to Future Change.
- OSP-4: Transportation System Improvement.

In addition, this item is compliant with the following goal(s) of the West Hollywood General Plan, in addition to making the Zoning Ordinance in compliance with the General Plan:

- M-5: Create an environmentally and financially sustainable transportation network that provides for the mobility and livability needs of West Hollywood residents, businesses and visitors.

- IRC-6: Reduce the City's contribution to global climate change and adapt to its effects.
- IRC-7: Improve air quality and reduce emissions of air pollution.

**EVALUATION PROCESSES:**

Staff from the Community Development Department will monitor the implementation of this EV Charging ordinance and streamlined permitting process and make adjustments as appropriate over time.

**ENVIRONMENTAL SUSTAINABILITY AND HEALTH:**

The proposed ordinance is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061 of the CEQA Guidelines. Section 15061 states that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. This proposed ordinance encourages the transition to electric vehicles, which reduce vehicle emissions resulting in better air quality and public health.

**COMMUNITY ENGAGEMENT:**

This item has been coordinated among the Long-Range & Mobility Planning Division, Current & Historic Preservation Planning Division, and Building & Safety Division to develop and recommend the amended code and zoning text.

City staff presented elements of the proposed EV Charging Readiness Ordinance to the West Hollywood Chamber of Commerce Government Affairs Committee (GAC) meeting on May 9, 2017.

City staff also received input from electric vehicle owners and charging providers to determine the unique EV charging readiness needs of West Hollywood. These parties have been generally supportive of the proposed EV charging readiness regulations in the City of West Hollywood and have provided valuable input to improve the draft ordinance.

**OFFICE OF PRIMARY RESPONSIBILITY:**

COMMUNITY DEVELOPMENT DEPARTMENT / LONG RANGE & MOBILITY  
PLANNING DIVISION

**FISCAL IMPACT:**

None at this time.

**ATTACHMENTS:**

A. Ordinance 18- \_\_\_\_\_

B. May 2, 2016 City Council Staff Report

- C. Planning Commission Resolution No. PC 18-1238
- D. February 15, 2018 Planning Commission Meeting Minutes
- E. EV Charging Readiness Background Information



**ORDINANCE NO. 18-\_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING TITLE 13 OF THE WEST HOLLYWOOD MUNICIPAL CODE BY ADOPTING LOCAL AMENDMING TO SECTIONS 4.106.4 AND 5.106.5.3 OF THE 2016 EDITION OF THE CALIFORNIA GREEN BUILDING STANDARDS CODE TO INCLUDE NEW REQUIREMENTS FOR PLUG-IN ELECTRIC VEHICLE INFRASTRUCTURE AND AMENDING TITLE 19 OF THE WEST HOLLYWOOD MUNICIPAL CODE TO IMPLEMENT THE REQUIREMENTS IN THE ZONING CODE, CITYWIDE, WEST HOLLYWOOD, CALIFORNIA.**

THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DOES HEREBY ORDAIN AS FOLLOWS:

**SECTION 1. Recitals.**

- A. For the amendments to Title 19, a public hearing was duly noticed for the Planning Commission meeting of February 15, 2018 by publication in the Beverly Press newspaper, the West Hollywood Independent Newspaper, and the City website and by announcement on City Channel 6 by January 18, 2018. The Planning Commission made a recommendation for the City Council to approve this ordinance following the public hearing.
- B. For the amendments to Titles 13 and 19, the West Hollywood City Council properly reviewed and considered this matter at a public hearing on March 19, 2018. Public Notice of the hearing was advertised by publication in the West Hollywood Independent and Beverly Press on March 9, 2018 and by announcement on City Channel 6, as well as the City website and City Hall on March 9, 2018. Notices were mailed to all West Hollywood Neighborhood Watch groups on March 9, 2018.

**SECTION 2. CEQA.** The amendments to Titles 13 and 19 are Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061 of the CEQA Guidelines. Section 15061 states that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The amendments are also exempt pursuant to Section 15308, which involves regulatory processes and procedures undertaken to protect the environment, because introducing new standards to require electrical conduit improvements in new development has the potential to reduce local CO2 emissions by enabling and

encouraging the increased use of electric vehicles in West Hollywood that do not emit CO2 or other greenhouse gasses.

SECTION 3. The West Hollywood City Council hereby finds this Ordinance is consistent with the Goals and Policies of the General Plan, specifically Policy IRC-5, which states that the City should “reduce the City’s contribution to global climate change and adapt to its effects.” In addition, the proposed amendments are also consistent with Policy M-5, which states that the City should “create an environmentally and financially sustainable transportation network that provides for the mobility and livability needs of West Hollywood residents, businesses and visitors.” Additionally, the amendments are consistent with the Climate Action Plan by encouraging the transition to electric vehicles, which reduce vehicle emissions and result in better air quality and public health. The ordinance supports all of these goals and does not impede implementation of the General Plan and Climate Action Plan.

SECTION 4. A new Section 13.24.015 is added to Title 13 Chapter 13.24 of the West Hollywood Municipal Code to read as follows:

Enactment of Local Amendments to Sections 4.106.4 and 5.106.5.3 of the 2016 California Green Building Standards Code.

- a. *Purpose.* It is the purpose and intent of this Ordinance to expressly enact local amendments to sections 4.106.4 and 5.106.5.3 of the 2016 California Green Building Standards Code to include increased requirements for the electric vehicle readiness in both multi-family and nonresidential new construction, as defined by the West Hollywood Planning Department, consistent with and exceeding the 2016 California Green Building Standards Code requirements.
- b. *Scope.* In Section 4.106.4 of the California Green Building Standards Code, delete paragraph 2 under “Exemptions” in its entirety and replace with the following:

**Exemptions**

2. Where there is evidence substantiating that meeting the requirements will alter the local utility infrastructure design requirements on the utility side of the meter so as to increase the utility side cost to the homeowner or the developer by more than \$400 per dwelling unit or \$400 per parking space whichever is greater. In such cases, buildings subject to Section 4.106.4 shall meet the requirements by maximizing the quantity of EV charging infrastructure, without exceeding the limit

above. Cost per parking space shall be determined by dividing total cost by total number of EV and non-EV parking spaces.

c. *Definitions.*

1. **Full Circuit.** Full circuits are “ready to go” with the addition of an EV charging station. Full circuit installations include 208/240V 40-amp panel capacity, conduit, wiring, receptacle, and overprotection devices. The endpoint of the system must be near the planned EV charger location.
2. **Inaccessible Raceway.** Conduit that will be difficult to access or alter after construction (e.g. enclosed within walls or pavement, etc.). Conduit must be installed during new construction to avoid expensive and intrusive retrofits when additional EV charging capacity is needed in the future.
3. **Electric Panel Capacity.** Panels must have space and electrical capacity to accommodate simultaneous charging on a 40-amp circuit per the required number of EV parking spaces.
4. **Electric Vehicle (EV) Charger.** An EV charging station (EVCS) with at minimum an installed “Level 2 Electric Vehicle Service Equipment (EVSE)” capable of charging at 40-amp or higher at 208/240VAC. An EV charging station capable of simultaneously charging at 40-amp for each of two (2) vehicles shall be counted as two (2) EV chargers.

- d. *Compliance Requirements for New Multi-family Dwellings.* In Section 4.106.4.2 of the California Green Building Standards Code, delete paragraph 4.106.4.2 and subparagraphs numbered 4.106.4.2.3, 4.106.4.2.4, 4.106.4.2.5, in their entirety and replace with the following; add subparagraph 4.106.4.2.6:

**4.106.4.2 New multifamily dwellings.**

Where 10 or more multi-family dwellings are constructed on a site, install at least the following levels of plug-in electric vehicle (PEV) infrastructure. All EV charging electric infrastructure and EVSE (when installed) shall be in accordance with the California Electrical Code.

	<b>Full Circuit</b>	<b>Inaccessible Raceway Installed</b>	<b>Electric Panel Capacity</b>
<b>1 parking space</b>	1 parking space	-	Sufficient to supply 1 parking space
<b>2-10 parking spaces</b>	2 parking spaces	-	Sufficient to supply 2 parking spaces
<b>11-15 parking spaces</b>	2 parking spaces	1 parking spaces	Sufficient to supply 3 parking spaces
<b>16-20 parking</b>	2 parking	2 parking spaces	Sufficient to supply

<b>spaces</b>	<b>spaces</b>		<b>4 parking spaces</b>
<b>Greater than 20 parking spaces</b>	10 percent of parking spaces (rounded up)	Remaining 90 percent of parking spaces	Sufficient to supply 20 percent of spaces

**4.106.4.2.3 Full Circuit.**

Required full circuits shall be installed with 40-Amp 208/240-Volt capacity including raceway, electrical panel capacity, overprotection devices, wire and termination point such as a receptacle at the time of construction. The termination point shall be in close proximity to the proposed EV charger location. Where a single EV parking space is required, the raceway shall not be less than trade size 1 (nominal 1-inch inside diameter).

**4.106.4.2.4 Inaccessible Raceway.**

Construction documents shall indicate wiring schematics, raceway methods, the raceway termination point and proposed location of future EV spaces and EV chargers. Raceways and related components that are planned to be installed underground, enclosed, inaccessible or in concealed areas and spaces shall be installed at the time of original construction.

**4.106.4.2.5 Electrical Panel Capacity.**

Electrical panels shall be installed with capacity to support one (1) 40-Amp 208/240-Volt circuit for each parking space specified in 4.106.4.2 under "Electrical Panel Capacity". Construction documents shall verify that the electrical panel service capacity and electrical system including any on-site distribution transformer(s), have sufficient capacity to simultaneously charge all EVs at all required EV spaces at 40-Amps.

**Note:** Panel capacity to install full circuits at the time of original construction as well as capacity to support future addition of additional circuits shall count towards satisfying this requirement. This requirement does not preclude building owners from allocating the required capacity to increase the number of EVCS and provide less than 40-Amp per vehicle.

**4.106.4.2.6 Identification.**

The service panel or subpanel circuit directory shall identify the overcurrent protective device space(s) reserved for future EV charging as “EV READY” for full circuits and otherwise “EV CAPABLE”. The raceway termination location shall be permanently and visibly marked as “EV READY” for full circuits and otherwise “EV CAPABLE”.

**Notes:**

1. The California Department of Transportation adopts and publishes the “California Manual on Uniform Traffic Control Devices (California MUTCD)” to provide uniform standards and specifications for all official traffic control devices in California. Zero Emission Vehicle Signs and Pavement Markings can be found in the New Policies & Directives Number 13-01. Website: <http://www.dot.ca.gov/trafficops/policy/13-01.pdf>.
2. See Vehicle Code Section 22511 for EV charging spaces signage in off-street parking facilities and for use of EV charging spaces.
3. The Governor’s Office of Planning and Research (OPR) published a “Zero-Emission Vehicle Community Readiness Guidebook” that provides helpful information for local government, residents, and businesses. Website: [https://www.opr.ca.gov/docs/ZEV\\_Guidebook.pdf](https://www.opr.ca.gov/docs/ZEV_Guidebook.pdf).

- e. *Accessibility Requirements for New Multi-family Dwellings.* In Section 4.106.4.2 of the California Green Building Standards Code, add new subsection 4.106.4.2.7:

**4.106.4.2.7 Chapter 11B Accessible EVCS Requirements.**

Construction documents shall indicate how many accessible EVCS would be required under Title 24 Chapter 11B Table 11B-228.3.2.1, if applicable, in order to convert all EV Ready and EV Capable spaces required under California Green Building Code Section 4.106 to EVCS. Construction documents shall also demonstrate that the facility is designed so that compliance with accessibility standards including 11B-812.5 accessible routes will be feasible for the required accessible EVCS at the time of EVCS installation. Surface slope for any area designated for accessible EVCS shall meet slope requirements in Section 11B-812.3 at the time of the original building construction and vertical clearance requirements in Section 11B-812.4.

**Note:** Section 11B-812 of the 2016 California Building Standards Code requires that a facility providing EVCS for public and common use also provide one or more accessible EVCS as specified in Table 11B-228.3.2.1. Chapter 11B applies to certain facilities including but not limited to public accommodations and publicly funded housing (see Section 1.9 of Part 2 of the California Building Standards Code). Section 11B-812.4 requires that "Parking spaces, access aisles, and vehicular routes serving them shall provide a vertical clearance of 98 inches (2489 mm) minimum." Section 11B-812.3 requires that parking spaces and access aisles meet maximum slope requirements of 1 unit vertical in 48 units horizontal (2.083 percent slope) in any direction at the time of new building construction or renovation. Section 11B-812.5 contains accessible route requirements. Section 4.106.4.2.7 requires that developments meet certain aspects of accessibility requirements at the time of new construction.

- f. *Compliance Requirements for Site Development (New Nonresidential and Mixed Use).* In Section 5.106.5.3 of the California Green Building Standards Code, delete paragraph 5.106.5.3 and subparagraphs 5.106.5.3.1, 5.106.5.3.2, 5.106.5.3.3, and 5.106.5.3.4 in their entirety and replace with the following:

**SECTION 5.106.5.3**

**SITE DEVELOPMENT**

**5.106.5.3 Electric Vehicle (EV) charging.**

Construction shall include EV charging electric infrastructure as specified in this section to facilitate future installation of EVSE. All EV charging electric infrastructure and EVSE (when installed) shall be in accordance with the California Electrical Code.

	<b>Full Circuit</b>	<b>Inaccessible Raceway Installed</b>	<b>Electric Panel Capacity</b>
<b>1 parking space</b>	1 parking space	-	Sufficient to supply 1 parking space
<b>2-10 parking spaces</b>	2 parking spaces	-	Sufficient to supply 2 parking spaces
<b>11-15 parking spaces</b>	2 parking spaces	1 parking spaces	Sufficient to supply 3 parking spaces
<b>16-20 or more parking spaces</b>	2 parking spaces	2 parking spaces	Sufficient to supply 4 parking spaces
<b>Greater than</b>	10 percent of	10 percent of	Sufficient to supply

<b>20 parking spaces</b>	parking spaces (rounded up)	parking spaces (rounded up)	20 percent of parking spaces
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**Exceptions.** On a case-by-case basis where the local enforcing agency has determined EV charging and infrastructure is not feasible based upon one of more of the following conditions:

1. Where there is insufficient electrical supply.
2. Where there is evidence substantiating that meeting the requirements will alter the local utility infrastructure design requirements on the utility side of the meter so as to increase the utility side cost to the developer by more than \$400 per parking space. In such cases, buildings subject to Section 5.106.5.3 shall maximize the quantity of EV infrastructure, without exceeding the limit above. Cost shall be determined by dividing total cost by total number of EV and non-EV parking spaces.

**5.106.5.3.1 Full Circuit.**

Required full circuits shall be installed with 40-Amp 208/240-Volt capacity including raceway, electrical panel capacity, overprotection devices, wire and termination point such as a receptacle at the time of construction. The termination point shall be in close proximity to the proposed EV charger location. Where a single EV parking space is required, the raceway shall not be less than trade size 1 (nominal 1-inch inside diameter).

**5.106.5.3.2 Inaccessible Raceway.**

Construction documents shall indicate wiring schematics, raceway methods, the raceway termination point and proposed location of future EV spaces and EV chargers. Raceways and related components that are planned to be installed underground, enclosed, inaccessible or in concealed areas and spaces shall be installed at the time of original construction.

**5.106.5.3.3 Electrical Panel Capacity.**

Electrical panels shall be installed with capacity to support one (1) 40-Amp 208/240-Volt circuit for each parking space specified in 4.106.4.2 under "Electrical Panel Capacity". Construction documents shall verify that the electrical panel service capacity and electrical system including any on-

site distribution transformer(s), have sufficient capacity to simultaneously charge all EVs at all required spaces at 40-Amps.

**Note:** Panel capacity to install full circuits at the time of original construction as well as capacity to support future addition of additional circuits shall count towards satisfying this requirement. This requirement does not preclude building owners from allocating the required capacity to increase the number of EVCS and provide less than 40-Amp per vehicle.

#### **5.106.5.3.4 Identification.**

The service panel or subpanel circuit directory shall identify the overcurrent protective device space(s) reserved for future EV charging as "EV READY" for full circuits and otherwise "EV CAPABLE". The raceway termination location shall be permanently and visibly marked as "EV READY" for full circuits and otherwise "EV CAPABLE".

#### **Notes:**

1. The California Department of Transportation adopts and publishes the "California Manual on Uniform Traffic Control Devices (California MUTCD)" to provide uniform standards and specifications for all official traffic control devices in California. Zero Emission Vehicle Signs and Pavement Markings can be found in the New Policies & Directives Number 13-01. Website: <http://www.dot.ca.gov/trafficops/policy/13-01.pdf>.
2. See Vehicle Code Section 22511 for EV charging spaces signage in off-street parking facilities and for use of EV charging spaces.
3. The Governor's Office of Planning and Research (OPR) published a "Zero-Emission Vehicle Community Readiness Guidebook" that provides helpful information for local government, residents, and businesses. Website: [https://www.opr.ca.gov/docs/ZEV\\_Guidebook.pdf](https://www.opr.ca.gov/docs/ZEV_Guidebook.pdf).

- g. *Accessibility Requirements for Site Development (New Nonresidential and Mixed Use)*. In Section 5.106.5.3 of the California Green Building Standards Code, add new subsection 5.106.5.3.6:

#### **5.106.5.3.6 Chapter 11B Accessible EVCS requirements.**



Construction documents shall indicate how many accessible EVCS would be required under Title 24 Chapter 11B Table 11B-228.3.2.1, if applicable, in order to convert all EV Ready and EV Capable spaces required under 5.106.5.3 to EVCS. Construction documents shall also demonstrate that the facility is designed so that compliance with accessibility standards including 11B-812.5 accessible routes will be feasible for the required accessible EVCS at the time of EVCS installation. Surface slope for any area designated for accessible EVCS shall meet slope requirements in Section 11B-812.3 at the time of the original building construction and vertical clearance requirements in Section 11B-812.4.

**Note:** Section 11B-812 of the 2016 California Building Standards Code requires that a facility providing EVCS for public and common use also provide one or more accessible EVCS as specified in Table 11B-228.3.2.1. Chapter 11B applies to certain facilities including but not limited to public accommodations and publicly funded housing (see Section 1.9 of Part 2 of the California Building Standards Code). Section 11B-812.4 requires that "Parking spaces, access aisles, and vehicular routes serving them shall provide a vertical clearance of 98 inches (2489 mm) minimum." Section 11B-812.3 requires that parking spaces and access aisles meet maximum slope requirements of 1 unit vertical in 48 units horizontal (2.083 percent slope) in any direction at the time of new building construction or renovation. Section 11B-812.5 contains accessible route requirements. Section 5.106.5.3.5 requires that developments meet certain aspects of accessibility requirements at the time of new construction.

SECTION 5. A new explanatory note (5) is added under Parking Requirements by Land Use in Table 3-6 of Section 19.28.040 in Chapter 19.28 of Title 19 of the West Hollywood Municipal Code to read as follows:

5. See Section 13.24.015 of Title 13 of the West Hollywood Municipal Code for electric vehicle charging readiness requirements.

SECTION 6. A new subsection (A5) is added under Parking Area Design and Layout Standards of Section 19.28.090 in Chapter 19.28 of Title 19 of the West Hollywood Municipal Code to read as follows:

Electric Vehicle Charging Stations. Spaces reserved for electric vehicle charging stations shall be designed in compliance with Section 13.24.015 of Title 13 of the West Hollywood Municipal Code.

SECTION 7. Section 19.28.170, Alternative Fuel Vehicles of Chapter 19.28 of Title 19 of the West Hollywood Municipal Code is amended to read as follows:

19.28.170 Electric Vehicle Charging Readiness.

- A. *Applicability.* Electric vehicle charging spaces shall be provided for all uses in accordance with the requirements of the California Green Building Standards Code, and any local amendments adopted therein, found at Section 13.24.015 of Title 13 of the West Hollywood Municipal Code.
- B. Any spaces reserved for electric vehicle charging stations shall count toward parking requirements under Section 19.28.040 (Number of Parking Spaces Required).
- C. Exemptions.
  - 1. The electric vehicle charging requirements in Subsection A above shall not apply to the following uses:
    - a. Off-site parking spaces for commercial uses utilizing the Parking Credits Program (Section 19.28.080).
    - b. Temporary Parking Lots (Section 19.28.140)
  - 2. Other exemptions may be granted by the Director, where the Director determines that compliance with the requirements of this Section is technically infeasible.

SECTION 8. Subsection (C)14 of Section 19.34.110 in Chapter 19.34 of Title 19 of the West Hollywood Municipal Code is repealed in its entirety.

SECTION 9. Effective and Operative Dates. This Ordinance shall become operative on and after its adoption by sufficient affirmative votes of the City Council in accordance with state law. This Ordinance shall take effect and be in full force 60 days after the date the amendment documents are filed with the California Building Standards Commission. The Ordinance shall apply to new Land Use and Development Permit Applications under Article 19-4 submitted to the City on or after its effective date. The Ordinance shall not apply to Land Use and Development Permit Applications submitted before the effective date and building/construction related permits already issued and not yet expired.

SECTION 10. Directions to the Building Official. Upon final passage of this Ordinance, the Building Official is hereby directed to transmit this Ordinance, along with the companion Resolution, to the State Building Standards Commission pursuant to the applicable provisions of State law.

SECTION 11.Certification. The City Clerk is directed to certify the passage and adoption of this Ordinance; cause it to be entered into the City of West Hollywood's book of original ordinances; make a note of the passage and adoption in the records of this meeting; and, within fifteen (15) days after the passage and adoption of this Ordinance, cause it to be published or posted in accordance with California law.

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_  
by the following vote, to wit:

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
City Clerk



APPROVED  
JA 5/2/16

CITY COUNCIL  
CONSENT CALENDAR

MAY 2, 2016

SUBJECT:           **INITIATIVES TO PROMOTE ELECTRIC VEHICLE CHARGING  
                          READINESS**

INITIATED BY:      **COUNCILMEMBER JOHN D'AMICO**

PREPARED BY:     Andi Lovano, Project Development Administrator   
                          Cally Hardy, City Council Intern 

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**STATEMENT ON THE SUBJECT:**

The City Council will consider adopting initiatives to improve electric vehicle charging readiness in the City including requirements for installing electric vehicle charging stations and infrastructure in new development, grant applications and lobbying efforts in Sacramento and parking incentives for electric vehicle owners.

**RECOMMENDATIONS:**

1. Amend the City's Zoning Code to require a minimum percentage of parking spaces in new construction to be plug-in electric vehicle (PEV) ready or equipped with electric vehicle charging stations.
2. Amend the City's Zoning Code to allow the installation of electric vehicle charging stations without considering it a loss of parking.
3. Create materials that outline the permitting, inspection, and approval process for a property or business owner, or tenant, who plans to install a PEV charging station; move the permitting process online; and waive the permit fee for residential charging station installation.
4. Direct the City Attorney to review the possibility of requiring a property or business owner to allow tenants in residential and commercial buildings to install electric vehicle charging stations. In addition, investigate the possibility that property owners may install neighborhood accessible PEV charging stations.
5. Develop a plan for charging station installation in order to have PEV charging stations within one-eighth mile of every residence and business in the City.
6. Direct staff to work with the Transportation Commission to explore parking incentives for electric vehicle owners such as reduced residential parking permit fees or free metered parking.

ATTACHMENT B

7. Develop an EV charging outreach strategy that includes sending information to EV retailers and car dealers to explain our regulations for installing charging stations and other city EV incentives.
8. Direct staff to work with the City's lobbyist and grant writing consultants to pursue lobbying efforts and investigate grant options to help promote pilot projects that target electric vehicle charging station penetration and distribution in the City and region.

**BACKGROUND / ANALYSIS:**

Technological advancements in recent years along with changes in California law have led to major automakers developing a new generation of electric vehicles that have accelerated the popularity and growth of the market. The benefits of electric vehicle ownership are environmental and economic. Each gallon of gasoline burned in a fuel-powered car generates approximately 14 pounds of carbon dioxide (CO<sub>2</sub>), the major greenhouse gas contributing to climate change. Electric Vehicle (EV) technology eliminates tailpipe emissions, reduces regional air pollution, and helps to combat climate change. In addition, fuel cost savings, tax credits, and incentives often make ownership costs of electric vehicles more affordable than conventional fuel-powered vehicles.

There are over 420,000 electric vehicles registered nationwide as of March 2016. Californians own almost 200,000 of these registered vehicles, which is more than 40% of all electric vehicles in the United States. The Los Angeles region has the largest number of registered electric vehicles in the State. Currently, there are a total of 327 electric vehicles registered to residents of West Hollywood, which is about 179 electric vehicles per square mile, and significantly more within a close vicinity of the City.

	<b>Battery Electric Vehicles (BEVs)</b>	<b>Plug-In Hybrid Electric Vehicles (PHEVs)</b>	<b>TOTAL Plug-In Electric Vehicles (PEVs)</b>
<b>West Hollywood</b>	153	174	327
<b>Census tracts within 5 miles</b>	3,628	3,543	7,171
<b>Census tracts within 10 miles</b>	8,746	9,159	17,905

Source: Polk/IHS, October 2015

The number of EV owners continues to increase in West Hollywood and throughout California. Each month, approximately 1,000 new EVs are sold in California. The number of EVs on the road has increased ten times in just the last four years. Adoption of new clean vehicles has been shown to be greater and more rapid in high density areas such as West Hollywood. Chargepoint projects a growth from about 400,000 EVs today to at least one million EVs on the road by the year 2020, and Governor Jerry Brown has set a goal of 1.5 million electric cars on the road by 2025. Demand for EVs may exceed these projections as the State advances its CO<sub>2</sub> emissions reduction

mandate and EV rebates become more prevalent. In addition, several manufacturers are planning to introduce EVs with a range of over 200 miles and at a lower price point. This is widely expected by automotive experts to spike the sales of EVs.

Nationwide there are about 11,900 publicly available PEV charging stations, compared to approximately 114,000 gas stations. It is critical for PEV charging infrastructure to be more widely available to accommodate increasing demand for PEVs and to allow drivers the ability to reliably charge their vehicles.

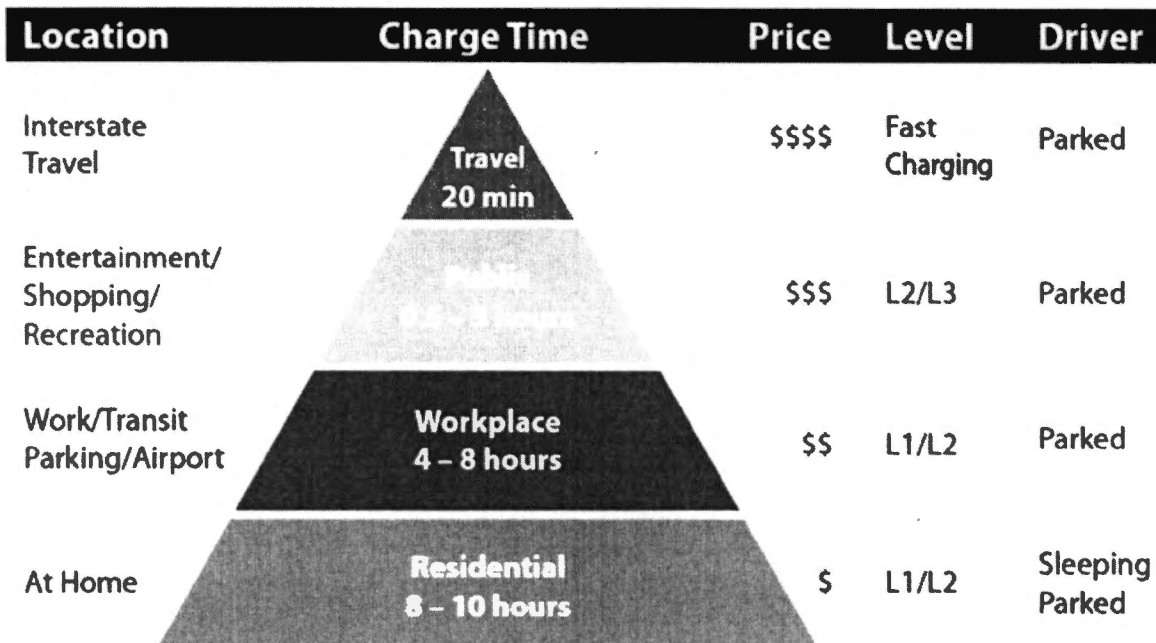
Increasing the supply of PEV charging infrastructure will be accomplished through joint efforts by utility companies, retailers, property owners, and government agencies. For example, Southern California Edison (SCE) just received approval to develop a \$22-million pilot program to increase the number of electric vehicle charging stations by as many as 1,500. SCE plans to target workplaces, multi-unit dwellings and popular public destinations such as parks and shopping malls. This pilot program was approved by the California Public Utilities Commission in January 2016 and at the conclusion of the pilot program, SCE hopes to expand the program to bring the total number of charging stations to about 30,000 for total estimated cost of \$355 million.

Local municipalities in the Southern California region have recently made significant commitments to promoting PEV charging technology. The City of Los Angeles has established a goal of achieving 7-day permitting, inspection and approval process for home PEV charging installations, and has moved the permitting process online. LA also offers incentives of up to \$2,000 per household for charging installation, and has made building code amendments to require PEV charging in new construction. San Diego was awarded the United States Department of Energy Electric Vehicle Project award for its plan to install over 100 public access charging stations, and also has the first all-electric car sharing program in North America. The Cities of Hermosa Beach and Santa Monica have implemented free metered parking for PEVs. In addition, the Southern California Association of Governments (SCAG) recently received a grant to support the deployment of multi-unit dwelling plug-in electric vehicle readiness strategies. The primary goal of the project is to implement electric vehicle charging station infrastructure in multi-family housing. The Westside Cities Council of Governments (WSCCOG) will receive approximately \$15,000 of the grant funding to conduct outreach to cities, building owners, and developers focusing on retrofitting existing multi-unit buildings.

Charging stations at hotels, retailers and restaurants are important to accommodate the needs of EV drivers while they are shopping, eating, and visiting West Hollywood. Research shows that there are several motivating factors for retailers to install public charging infrastructure including customer goodwill, positive public relations, contributes to the business's brand, and can bring additional revenue. Businesses view the option to provide charging stations as a way to keep customers and attract new ones as more consumers seek businesses that provide charging convenience.

Increasing the number of PEV charging stations in West Hollywood and streamlining the installation process is necessary to support the continued growth of EV owners in the City. Between 80 and 90 percent of all electric vehicle charging happens at home,

especially overnight when drivers leave their cars parked for long periods of time, electric costs are lower and efficiency is higher. Charging at the workplace is the second highest priority location. The “charging pyramid” below illustrates this prioritization. The “levels” shown in the pyramid refer to the type of charging and are based on the amount of electricity that is transferred in a certain period of time.



Source: Governor’s Office of Planning and Research, *Zero-Emission Vehicles in California: Community Readiness Guidebook*

A 2012 survey completed by the California Center for Sustainable Energy (CCSE) and the California Air Resources Board (ARB) showed that 91% of EV owners in California live in a single-family detached home. Yet, approximately 88% of West Hollywood’s housing stock is comprised of multi-family dwellings. In order to make this technology more accessible to all types of households, strategies to facilitate installation of PEV charging technology in multi-family dwellings are needed. Furthermore, in order to reach the City’s and the State’s EV and emissions reductions goals, there is a need for significantly more charging stations to be installed throughout the City.

**Recommendation 1:** This item directs the City to amend its Zoning Code to require a minimum percentage of parking spaces in new construction to be PEV ready.

In 1994, the City Council adopted an ordinance to require electric vehicle charging stations in all covered parking structures or areas containing twenty-five or more parking spaces in the amount of two percent of the total number of parking spaces. Only electric vehicles were allowed to park in the spaces equipped with the charging stations. At the time this ordinance was passed, there were 1,500 registered electric vehicles in the state of California, but it was expected that automakers would introduce electric vehicles on a commercial scale within a few years and the infrastructure would be in place.

Several years later, because of technological advances, other types of alternative fuel vehicles such as hybrids became more available and more popular. In 2006, the City Council voted to replace the requirement for vehicle charging stations with preferential parking spaces for alternative fuel vehicles.

The City's Zoning Code currently requires "alternative fuel vehicles" to have preferential parking in all new non-residential parking areas containing 25 or more parking spaces, and in new mixed-use projects where the non-residential portion of the project requires 25 or more parking spaces. The requirement for preferential parking is two percent of all parking spaces required. There is currently no requirement for PEV readiness or charging stations; however, a zone text amendment to address electric vehicle charging is already on the Long Range and Mobility Planning Division's work plan, and is anticipated to start this fall.

The following recommended requirements are adapted from the State of California Governor's Office of Planning and Research report, *Zero-Emission Vehicles in California: Community Readiness Guidebook*.

1. **Single Family Dwellings and Duplexes:** Garages serving each new single-family residence and each unit of a duplex shall be constructed with a listed cabinet, box or enclosure connected to a raceway linking the garage to the electrical service, in a manner approved by the building and safety official, to allow for the future installation of electric vehicle supply equipment to provide an PEV charging station for use by the resident.
2. **Multifamily Developments of 10 or Fewer Units:** In new multiple-family projects of 10 dwelling units or less, 20% of the total parking spaces required shall be provided with a listed cabinet, box or enclosure connected to a conduit linking the parking spaces or garages with the electrical service, in a manner approved by the building and safety official, to allow for the future installation of electric vehicle supply equipment to provide PEV charging stations at such time as it is needed for use by residents.
3. **Multifamily Developments of More than 10 Units:** In new multiple-family projects of more than 10 dwelling units, 20% of the total parking spaces required shall be provided with a listed cabinet, box or enclosure connected to a conduit linking the parking spaces or garages with the electrical service, in a manner approved by the building and safety official. Of the total listed cabinets, boxes or enclosures provided, 50% shall have the necessary electric vehicle supply equipment installed to provide active PEV charging stations ready for use by residents. The remainder shall be installed at such time as they are needed for use by residents.
4. **Commercial Developments:** New commercial, retail, and other nonresidential developments shall provide the electrical service capacity necessary and all conduits and related equipment necessary to ultimately serve 2% of the total parking spaces with PEV charging stations in a manner approved by the building and safety official. Of these parking spaces, one half shall initially be provided



with the equipment necessary to function as online PEV charging stations upon completion of the project. The remainder shall be installed at such time as they are needed for use by customers, employees, or other users.

**Recommendation 2:** Update the City's Zoning Code to explicitly allow the installation of electric vehicle charging stations in any parking space without considering it a "loss of parking" and waive the permit fee for residential parking spot charging station installations.

Currently, the City considers conversion of an existing parking space to an electric vehicle charging station a loss of a parking space. This can be a significant barrier to growing the City's electric vehicle charging network because properties that only meet the minimum parking requirement or are underparked are not able to convert an existing parking space without bringing the property out of compliance with current parking requirements.

This recommendation would change the City's Zoning Code to allow the conversion of the parking space without considering this a loss of parking. In new developments, it would also count charging spaces designated for PEVs to count toward meeting minimum parking requirements for business owners and developers.

**Recommendation 3:** Create materials that outline the permitting, inspection, and approval process for a property or business owner, or tenant, who plans to install a PEV charging station; move the permitting process online; and waive the permit fee for residential charging station installation.

Currently, as long as there is no loss of parking, installing a PEV charging station requires a Zone Clearance permit. A Zone Clearance is an over-the-counter planning permit with a current fee of \$106.47. The applicant submits plans showing the location and specifications of the proposed charging station(s), along with a completed one-page application. The application is reviewed by a planner and can be approved within 10 to 15 minutes.

Once the Planning Division approval is obtained, then the applicant would go to the Building & Safety Division for the appropriate permits. Building & Safety requires a site plan showing the location of charging stations, attachment details of stations, proof of Planning approval, and a fee which is based on the construction costs before issuing an electrical permit. The electrical permit required will vary based on the number of circuits and stations the applicant requests. This process can also be completed over the counter and the applicant can have the permits necessary to start installation same day. The Community Development Department is currently in the process of developing a program for online permitting. This will make the application process more accessible and efficient.

This is an efficient permitting process, but it can be complicated for a property owner or tenant who is unfamiliar with the City's processes. The City should develop materials

targeted to property owners or tenants to be made available online and in City Hall. Examples of such materials are provided as Attachment 1 and Attachment 2.

In order to eliminate any barriers, the City should work to move the permitting process online and waive the permit fee for residential charging station installation. These recommendations will have fiscal impacts once they are initiated.

**Recommendation 4:** This item directs the City Attorney to review the possibility of requiring a property or business owner to allow tenants in residential and commercial buildings to install electric vehicle charging stations at the tenant's expense.

Since charging electric vehicles at home is a top priority for drivers, it is important to have the infrastructure in place in multifamily developments. In 2014, the California Legislature passed AB 2565 (Muratsuchi) which states that a property owner cannot deny a tenant the ability to install a charging station if the tenant is willing to pay for all expenses related to the installation and operation of the station. The costs of permits, supervision, and construction should be paid for by the lessee. This legislation specifically exempts dwellings that are subject to residential rent control ordinances, which eliminates two-thirds of West Hollywood's rental inventory from the requirements.

When AB 2565 was first introduced, it did not include the rent control exemption. The City Council supported AB 2565, and after the exemption amendment was added to the bill, the City Council chose to continue to support the bill because it still represented progress for the state.

This recommendation directs the City Attorney to review the state legislation and determine if it precludes any local regulation when it comes to rights of lessees to install charging stations. If it does not preclude any local regulation, the City Attorney should draft an ordinance to provide the residential and commercial lessees in West Hollywood with the same rights as provided in AB 2565.

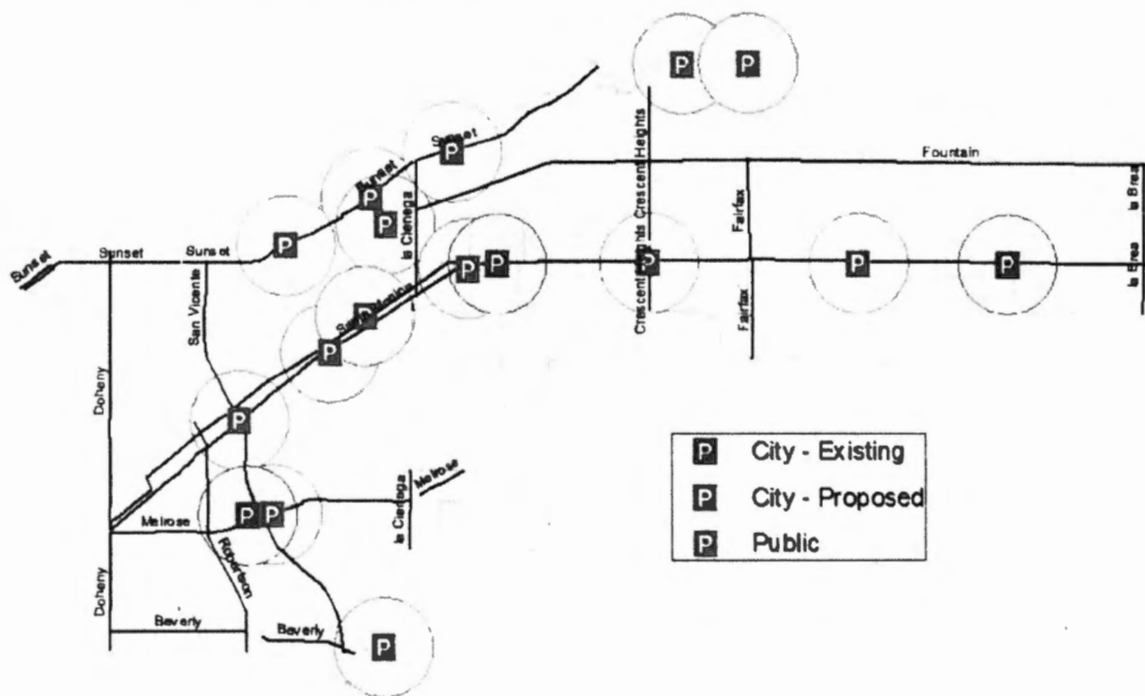
The City Attorney should also evaluate how private charging stations in residential and commercial uses can be used by neighbors if owners choose to make it available on a wider scale. This could further extend the availability of charging stations, specifically in residential neighborhoods.

**Recommendation 5:** This item directs the City to develop a plan to install electric vehicle charging stations within one-eighth of a mile (approx. 660 feet / two football fields / one city block) of every residence and business in the City.

There are currently public charging stations available at 13 locations in West Hollywood. Three of the locations are City-owned parking structures and provide eight charging stations. The City recently released a Request for Proposals (RFP) for a vendor to furnish, install, manage and maintain the eight charging stations and potentially expand the number available in the coming years. The vendor selection resulting from this RFP is also on agenda for the May 2, 2016 City Council meeting.

To help accommodate people who live, work, and visit West Hollywood, this recommendation would direct the City to expand the number and location of the electric vehicle charging stations to be within one-eighth of a mile of every residence and business in the City. The map below provides the location of the publicly accessible charging stations available in West Hollywood. The blue markers are the three current locations of electric vehicle charging stations in City-owned parking lots. The green markers are the currently available public charging stations in lots such as the Sheriff's Department, hotels, or retail locations. The orange markers are proposed future charging stations in City-owned lots. The circles around the charging stations represent the one-eighth mile radius.

Figure: PEV Charging Locations in West Hollywood



Santa Monica Boulevard and Sunset Boulevard have the highest concentration of electric vehicle charging stations. The City should work with the vendor it selects as a result of the RFP process to target areas that have gaps in service, specifically some of the commercial corridors on the eastside of the City, to make sure that residents and visitors with electric vehicles can be accommodated.

**Recommendation 6:** This item directs the Parking Services Division to work with the Transportation Commission to explore parking incentives for electric vehicle owners such as reduced residential parking permit fees or free metered parking.

Several cities provide parking incentives to electric vehicle owners. As mentioned in this report, the cities of Santa Monica, Hermosa Beach, and San Jose provide free metered parking for electric vehicles. In these jurisdictions, vehicles may park free for the maximum time limit posted on the meter per trip. The City of Sacramento offers free

parking for some types of electric vehicles in City parking lots. These parking incentives are additional options local governments can use to encourage electric vehicles ownership.

One of the City's Core Values is "Responsibility for the Environment" and the City has a history of prioritizing innovative policies to protect the environment and increase sustainability. In 2006, the City adopted one of the first Green Building Ordinances, which mandated a certain level efficiency for new developments. The City's General Plan and Climate Action Plan also provide goals and policy objectives designed to address climate change and reduce the community's greenhouse gas emissions. The recommendations outlined in this report are intended to continue this emphasis on environmental stewardship by putting West Hollywood on the path to becoming one of the most electric vehicle ready jurisdictions in the State. By eliminating barriers for property owners, residents, and visitors, the City can encourage the use of electric vehicles and plan for future projected demand in the region.

**CONFORMANCE WITH VISION 2020 AND THE GOALS OF THE WEST HOLLYWOOD GENERAL PLAN:**

This item is consistent with the Primary Strategic Goal(s) (PSG) and/or Ongoing Strategic Program(s) (OSP) of:

- OSP-1: Adaptability to Future Change.
- OSP-9: Upgrade Existing Buildings & Infrastructure.

In addition, this item is compliant with the following goal(s) of the West Hollywood General Plan:

- M-5: Create an environmentally and financially sustainable transportation network that provides for the mobility and livability needs of West Hollywood residents, businesses and visitors.
- IRC-6: Reduce the City's contribution to global climate change and adapt to its effects.

**EVALUATION PROCESSES:**

The recommendations in this report should be evaluated by staff to determine if property and business owners, as well as tenants, are utilizing available incentives to build the necessary electric vehicle infrastructure.

**ENVIRONMENTAL SUSTAINABILITY AND HEALTH:**

According to the Department of Energy, point source pollution originating from gasoline powered cars and trucks account for 29% of greenhouse gas emissions in the United States. By installing a robust charging network for Electric Vehicles the City is encouraging the adoption of EV technology and may reduce greenhouse gas emissions originating in West Hollywood.

**COMMUNITY ENGAGEMENT:**

Staff should continue to perform community engagement as part of the evaluation process for this program. Several of the recommendations in this report will need to be vetted through the City's Planning Commission and/or Transportation Commission to receive greater community input and approval.

**OFFICE OF PRIMARY RESPONSIBILITY:**

COMMUNITY DEVELOPMENT DEPARTMENT / LONG RANGE & MOBILITY  
PLANNING DIVISION

DEPARTMENT OF PUBLIC WORKS

**FISCAL IMPACT:**

None at this time. Staff will incorporate activities related to this program into currently budgeted work plans. There may be unknown or unanticipated costs and/or revenue losses that result from the recommendations regarding 1) charging station installation within one-eighth mile of every residence and business in the City, 2) removing the fee for an EV Zone Clearance Permit and 3) providing parking incentives to electric vehicle owners including reduced residential parking permit fees and free metered parking. Such costs would be estimated during the development of the plans.

**ATTACHMENTS:**

1. Plug-in Electric Vehicle Charging Guide
2. Sample Permit Requirements from City of Sunnyvale

**RESOLUTION NO. PC 18-1238**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, RECOMMENDING THAT THE CITY COUNCIL APPROVE AN ORDINANCE AMENDING SECTIONS §19.28.040, §19.28.090, §19.28.170, AND §19.34.110 OF TITLE 19 OF THE WEST HOLLYWOOD MUNICIPAL CODE IN CONJUNCTION WITH CHANGES TO TITLE 13 TO ADOPT NEW POLICIES TO REQUIRE PARKING SPACES IN NEW CONSTRUCTION TO BE PLUG-IN ELECTRIC VEHICLES (PEV) READY, CITYWIDE, WEST HOLLYWOOD, CALIFORNIA.**

The Planning Commission of the City of West Hollywood hereby finds, resolves, and orders as follows:

SECTION 1. The City of West Hollywood initiated amendments to the Zoning Ordinance, Title 19 and Title 13 of the Municipal Code to adopt new policies to require a minimum percentage of parking spaces in new construction and major remodels to be electric vehicle ready.

SECTION 2. A public hearing was duly noticed for the Planning Commission meeting of January 18, 2018 by publication in the Beverly Press newspaper, the West Hollywood Independent Newspaper, and the City website and by announcement on City Channel 6 by January 18, 2018.

SECTION 3. The proposed zone text amendment is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061 of the CEQA Guidelines. Section 15061 states that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The zone text changes are also exempt pursuant to Section 15308, which involves regulatory processes and procedures undertaken to protect the environment, because introducing new standards to require electrical conduit improvements in new development and major remodels has the potential to reduce local CO2 emissions by enabling and encouraging the increased use of electric vehicles in West Hollywood that do not emit CO2 or other greenhouse gasses.

SECTION 4. The Planning Commission of the City of West Hollywood hereby finds that Zone Text Amendment 2017-0007 is consistent with the Goals and Policies of the General Plan, specifically Policy IRC-5, which states that the City should "reduce the City's contribution to global climate change and adapt to

its effects." In addition, the proposed zone text amendment is consistent with Policy M-5, which states that the City should "create an environmentally and financially sustainable transportation network that provides for the mobility and livability needs of West Hollywood residents, businesses and visitors."

SECTION 5. Based on the foregoing, the Planning Commission of the City of West Hollywood hereby recommends approval to the City Council of Zoning Text Amendment 2017-0007, which is attached hereto as Attachment A.

**PASSED, APPROVED AND ADOPTED** by the Planning Commission of the City of West Hollywood at a regular meeting held this 15<sup>th</sup> day of February, 2018 by the following vote:

AYES: Commissioner: Altschul, Bass, Carvalheiro,  
Hoopingarner, Vice-Chair Jones, Chair  
Buckner.

NOES: Commissioner: None.

ABSENT: Commissioner: Aghaei.

ABSTAIN: Commissioner: None.

  
SUE BUCKNER, CHAIRPERSON

ATTEST:

  
\_\_\_\_\_  
BIANCA SIEGL, PLANNING MANAGER  
LONG RANGE AND MOBILITY PLANNING

*Decisions of the Planning Commission are subject to appeal in accordance with the procedures set forth in West Hollywood Municipal Code Chapter 19.76. Any action to challenge the final decision of the City of West Hollywood made as a result of the public hearing on this application must be filed within the time limits set forth in Code of Civil Procedure Section §1094.6.*



# Attachment A

## ZONE TEXT AMENDMENT 17-0007 WEST HOLLYWOOD MUNICIPAL CODE SECTIONS TO BE MODIFIED

(New text indicated with underlining, deleted text with strikethrough.)

**Section 1:** A new explanatory note (5) is added under Parking Requirements by Land Use in Table 3-6 of Section 19.28.040 in Chapter 19.28 of Title 19 of the West Hollywood Municipal Code to read as follows:

5. See Section 13.24.015 of Title 13 of the West Hollywood Municipal Code for electric vehicle charging readiness requirements.

---

**Section 2:** A new subsection (A5) is added under Parking Area Design and Layout Standards of Section 19.28.090 in Chapter 19.28 of Title 19 of the West Hollywood Municipal Code to read as follows:

5. Electric Vehicle Charging Stations. Spaces reserved for electric vehicle charging stations shall be designed in compliance with Section 13.24.015 of Title 13 of the West Hollywood Municipal Code.

---

**Section 3:** Section 19.28.170, Alternative Fuel Vehicles of Chapter 19.28 of Title 19 of the West Hollywood Municipal Code is amended to read as follows:

### **19.28.170 Alternative Fuel Vehicles. Electric Vehicle Charging Readiness.**

~~A. *Where Required.* Preferential parking for alternative fuel vehicles shall be provided for all new non-residential parking areas containing twenty-five or more parking spaces, and to parking areas of mixed-use projects where the non-residential portion of the project requires twenty-five or more parking spaces. The parking spaces shall be striped with green paint to distinguish the spaces as preferential parking spaces, and in accordance with the Department of Transportation requirements.~~

~~B. *Required Number of Spaces.* Two percent (2%) of all parking spaces in parking lots containing twenty-five or more parking spaces shall be designated for preferential parking for alternative fuel vehicles.~~

~~C. *Location of Parking Spaces.* The required preferential parking spaces shall be located as close as possible to the primary entrance without conflicting with the Americans with Disability Act requirements.~~

~~D. Signage Required. Each space shall be provided with a sign that identifies the parking space as designated for use by alternative fuel vehicles. The sign shall be in compliance with Section 19.34.110(C)(14).~~

~~F. Existing Vehicle Recharging Stations. For those sites already containing parking spaces with vehicle recharging stations, those spaces may be dually designated as vehicle recharging stations and as preferential parking for alternative fuel vehicles.~~

A. Applicability. Electric vehicle charging spaces shall be provided for all uses in accordance with the requirements of the California Green Building Standards Code, and any local amendments adopted therein, found at Section 13.24.015 of Title 13 of the West Hollywood Municipal Code.

B. Any spaces reserved for electric vehicle charging stations shall count toward compliance with the parking requirements under Section 19.28.040 (Number of Parking Spaces Required).

C. Exemptions.

1. The electric vehicle charging requirements in Subsection A above shall not apply to the following uses:

a. Off-site parking spaces for commercial uses utilizing the Parking Credits Program (Section 19.28.080).

b. Temporary Parking Lots (Section 19.28.140)

2. Other exemptions may be granted by the Director, where the Director determines that compliance with the requirements of this Section is technically infeasible.

---

**Section 4:** Subsection (C)14 of Section 19.34.110 in Chapter 19.34 of Title 19 of the West Hollywood Municipal Code is repealed in its entirety:

~~14. Alternative Fuel Vehicles Signs required by Section 19.28.170(C) shall be limited to three square feet in size each, and limited to one sign per parking space. No other advertising copy or logos shall be allowed. Maximum sign height shall be four feet.~~



**PLANNING COMMISSION  
SUMMARY ACTION MINUTES  
Regular Meeting  
February 15, 2018**

West Hollywood Park Public Meeting Room – Council Chambers  
625 N. San Vicente Boulevard, West Hollywood, California 90069

*THE CITY OF WEST HOLLYWOOD HAS ADOPTED BRIEF SUMMARY AND ACTION MEETING MINUTES; WHICH PROVIDE A SUMMARY OF THE ACTIONS TAKEN AND POINTS OF DISCUSSION ONLY. ADDITIONAL COMMENTS OR DISCUSSION REGARDING ANY ITEM SUMMARIZED IN THESE MINUTES MAY BE OBTAINED BY VIEWING THE ARCHIVED VIDEOS OF THE PLANNING COMMISSION MEETINGS AT [www.weho.org/weho-tv/other-city-meetings](http://www.weho.org/weho-tv/other-city-meetings)*

1. **CALL TO ORDER:** Chair Buckner called the meeting of the Planning Commission to order at 6:36 P.M.

2. **PLEDGE OF ALLEGIANCE:** Victor Omelczenko led the Pledge of Allegiance.

3. **ROLL CALL:**

Commissioners Present: Altschul, Bass, Carvalheiro, Hoopingarner, Vice-Chair Jones, Chair Buckner.

Commissioners Absent: Aghaei.

Staff Present: Robyn Eason, Senior Sustainability Planner, Sami Taylor, Assistant Sustainability Planner, Jennifer Alkire, Senior Planner, Adrian Gallo, Associate Planner, David DeGrazia, Current and Historic Preservation Planning Manager, Lauren Langer, Acting Assistant City Attorney and David Gillig, Commission Secretary.

4. **APPROVAL OF AGENDA.**

Commissioner Altschul stated Item 10.B. - 1011 N. Ogden Drive has been requested to be continued by the applicant to Thursday, March 1, 2018. He requested a representative should be present from the Rent Stabilization and Hearings Division at the next meeting, with all the records of the prior rentals, and the records of ownership for the last several years regarding this property.

**ACTION:** Approve the Planning Commission Agenda of Thursday, February 15, 2018 as amended. **Moved by Vice-Chair Jones, seconded by Commissioner Hoopingarner and passes, noting Commissioner Aghaei absent.**

5. **APPROVAL OF MINUTES.**

**A. February 1, 2018**

**ACTION:** Approve the Planning Commission regular meeting minutes of Thursday, February 1, 2018 as presented. **Moved by Commissioner Bass, seconded by Vice-Chair Jones and passes, noting Commissioner Aghaei absent.**

6. **PUBLIC COMMENT.** None.

7. **DIRECTOR'S REPORT.**

John Keho, Interim Community Development Director, stated the next City Council meeting on Tuesday, February 20, 2018 will have a second reading regarding the R3C-C and R4B-C zones, and an update on the Operating Budget (mid-year).

8. **ITEMS FROM COMMISSIONERS.** None.

9. **CONSENT CALENDAR.** None.

10. **PUBLIC HEARINGS.**

A. **Zone Text Amendment**

**Electric Vehicle Charging Stations:**

Robyn Eason, Senior Sustainability Planner provided a verbal presentation and background information, as presented in the staff report dated Thursday, February 15, 2018.

She provided a history of electric vehicle charging station readiness, and stated the City Council directed staff to pursue several EV charging readiness initiatives in West Hollywood. This direction included new requirements for installing electric vehicle charging infrastructure in new development, seeking EV charging grants, increasing lobbying efforts for EV charging readiness at the state level, and allowing parking incentives for electric vehicle owners.

Sami Taylor, Assistant Sustainability Planner, provided electric vehicle policy history, infrastructure, additional plans for installations, West Hollywood electric vehicle statistics, electric vehicle readiness, and other cities and municipalities electric vehicle readiness and installation timelines, and multi-family and mixed-use developments.

Robyn Eason, Senior Sustainability Planner continued the presentation, addressing building codes vs. zoning codes, proposed building code amendments, sample development scenarios, and local policy outcomes.

Sami Taylor, Assistant Sustainability Planner, stated the following exemptions are temporary parking lots and off-site spaces for commercial uses utilizing the City's Parking Credits Program. Other exemptions may be granted at the discretion of the Community Development Director, where compliance with the requirements is found to be technically infeasible.

The commission requested clarification regarding additional amendments for multi-family and mixed-use developments.

They questioned why larger developments are not required to have live charging stations installed at inception, if the chargers trigger the van accessible parking space, and if it's possible to have portable chargers not dedicated to a parking space.

Robyn Eason, Senior Sustainability Planner clarified the accessibility requirements, and alternative compliance paths.

The commission stated it would seem feasible for new construction projects to make room for electric vehicle charging stations.

The commission questioned if the Transportation Commission has reviewed this request, and if larger developments have been given any kind of incentives to include electric vehicles charging stations in their developments.

John Keho, Interim Director, Community Development Department stated the Transportation Commission does not have purview over the zoning code. He further clarified staff can look into the possible development incentives, and forward that recommendation to the City Council.

Discussion was held regarding portable charging stations, additional studies for larger development incentives, accessible parking spaces, and accessibility to 110 voltage charging.

**Commissioner Hoopingarner moved to: 1) adopt staff's recommendations to City Council with the comments provided, focusing on "actual charging" (not potential charging) with 110 outlets or electrical charging apparatuses, and return with a firmer proposal.**

John Keho, Interim Director, Community Development Department, suggested staff do the additional research, and move it forward it to City Council.

**Commission consensus did not request it to return to the Planning Commission.**

**Seconded by Commissioner Altschul.**

**ACTION:** 1) Adopt Resolution No. PC 18-1238 as presented with comments and recommendations; "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, RECOMMENDING THAT THE CITY COUNCIL APPROVE AN ORDINANCE AMENDING SECTIONS §19.28.040, §19.28.090, §19.28.170, §19.34.110 OF TITLE 19 OF THE WEST HOLLYWOOD MUNICIPAL CODE IN CONJUNCTION WITH CHANGES TO TITLE 13 TO ADOPT NEW POLICIES TO REQUIRE PARKING SPACES IN NEW CONSTRUCTION TO BE PLUG-IN ELECTRIC VEHICLES (PEV) READY, CITYWIDE, WEST HOLLYWOOD, CALIFORNIA;" and 2) Close the Public Hearing for Item 10.A. **Moved by Commissioner Hoopingarner, seconded by Commissioner Altschul and passes, noting Commissioner Aghaei absent.**

**B. 1011 N. Ogden Drive:**

Request to demolish an existing single-family residence and detached garage, and construct a new three-story, five-unit condominium building over subterranean parking.

It had come to staff's attention that there are individuals occupying the property. Code Compliance inspected the site and found that there are individuals living in both the house and the rear structure. The owner of the property did not register these individuals as tenants through the Rent Stabilization & Housing Division.

The applicant would like to address the issues with the Rent Stabilization and Housing Division before proceeding, and is therefore requesting to continue the item to a date certain of March 1, 2018.

**ACTION:** 1) Continue to Thursday, March 1, 2018. **Moved by Commissioner Vice-Chair Jones, seconded by Commissioner Hoopingarner and passes as part of the amended agenda.**

**C. 9091 Santa Monica Boulevard:**

Jennifer Alkire, Senior Planner provided a verbal presentation and background information, as presented in the staff report dated Thursday, February 15, 2018.

She stated the request is to designate an existing commercial building as a local culture resource, enter into a Mills Act contract and adaptively reuse the building as a new, six-room hotel over a restaurant with outdoor dining.

She provided a history of the project site, and spoke regarding neighborhood compatibility, past uses, rehabilitation plan, hotel guest rooms, and restaurant use.

The Historic Preservation Commission recommended the upper deck area, approximately 500 square-feet, should be eliminated from the plans; due to the elevator overrun, which appears to interfere with the (character defining feature) structure of the billboard.

She spoke and detailed the parking requirements, on-site parking and loading site, legalizing the billboard, and entitlements.

Staff finds the proposed uses are appropriate for the site and neighborhood, and requested a recommendation of approval to the City Council.

The commission questioned if the Historic Preservation Commission had concerns adding awnings to the building, and if they had discussion regarding digital billboards.

Jennifer Alkire, Senior Planner stated the Historic Preservation Commission did not discuss the awnings or a digital billboard. The placement of the awnings and the extent of the awnings were reviewed by staff and the consultant.

The commission had concerns regarding the parking plan, traffic plan, and loading and unloading zone.

Chair Buckner opened public comment for Item 10.C.:

TAYLOR MEGDAL, LOS ANGELES, applicant, presented the applicants report. He detailed the history of the building, and spoke on the rehabilitation, six-room micro-hotel, restaurant, and neighborhood compatibility.

DAVID THOMPSON, LONG BEACH, LATHAM & WATKINS, applicant's representative, continued the applicant's report. He spoke and detailed the Historic Preservation Commission's approval, location of the site, alley use, hotel lobby, hotel rooms, rooftop terrace and garden, elevator housing and service, billboard structure, outdoor space, operating hours, number of hotel guests, rehabilitation incentives, parking, and ride-share concerns. He requested approval of the requests.

The commission requested clarification regarding ride-share loading and unloading locations, restaurant hours, rooftop uses, and questioned if the rooftop will be non-smoking.

Commissioner Altschul suggested no smoking on the rooftop terrace be put into the conditions of approval.

DAVID THOMPSON, LONG BEACH, LATHAM & WATKINS, applicant's representative, agreed to this added condition.

The commission had concerns and requested clarification regarding the elevator shaft and alteration to the sign.

DAVID THOMPSON, LONG BEACH, LATHAM & WATKINS, applicant's representative, clarified that only twelve feet of one strut would need to be removed and connected to the elevator housing.

The commission questioned the hours of operation, restrictions regarding the number of people allowed on the roof deck, number of patrons allowed in the restaurant, outdoor dining and the encroachment into the public right-of-way, screening protections and projections on the roof top, fire stairwells, elevator location, traffic circulation, structural re-enforcement, signage, and construction timelines.

Commissioner Altschul suggested adding a condition regarding the restaurant lease, advertising and promotional materials. The language should state there is no on-site or valet parking.

DAVID THOMPSON, LONG BEACH, LATHAM & WATKINS, applicant's representative, agreed to this added condition.

BOBBIE EDRICK, WEST HOLLYWOOD spoke in support of staff's recommendation of approval to City Council.

VICTOR OMELCZENKO, WEST HOLLYWOOD spoke in support of staff's recommendation of approval to City Council.

KIMBERLY COPELAND, WEST HOLLYWOOD spoke in support of staff's recommendation of approval to City Council.

ANALIRE SPACUCCELLO, WEST HOLLYWOOD has concerns regarding this item. She spoke regarding the owners intentions regarding the use of the building. She suggested the city and owner could give the city an actual cultural resource.

STEVE MARTIN, WEST HOLLYWOOD spoke in support of staff's recommendation of approval to City Council.

CYNTHIA BLATT, WEST HOLLYWOOD spoke in support of staff's recommendation of approval to City Council.

JILL COLLINS, BEVERLY HILLS spoke in support of staff's recommendation of approval to City Council. She had concerns regarding the proposed drop off locations for Uber and Lyft, and use of the alley.



MICHAEL SPECTOR, WEST HOLLYWOOD spoke in support of staff's recommendation of approval to City Council.

STEPHANIE HARKER, WEST HOLLYWOOD spoke in support of staff's recommendation of approval to City Council.

CATHY BLAIVAS, WEST HOLLYWOOD spoke in support of staff's recommendation of approval to City Council.

**THE FOLLOWING CHOSE NOT TO PUBLICLY SPEAK, BUT SUPPORTS STAFF'S RECOMMENDATION OF APPROVAL TO CITY COUNCIL: CHRIS HUDDLESTON, LOS ANGELES, AND MATT DUBIN, WEST HOLLYWOOD.**

DAVID THOMPSON, LONG BEACH, LATHAM & WATKINS, applicant's representative, presented the applicants rebuttal. He requested support of the roof top and stated by altering the hours of delivery, and working with the neighbors, they can make the alley work. He stated they will do everything to make this a successful project. He requested approval.

**ACTION:** Close public hearing for Item 10.C. **Motion carried by consensus of the Commission.**

**THE COMMISSION TOOK A FIVE (5) MINUTE RECESS AT 8:25 P.M. AND RECONVENED AT 8:30 P.M.**

Commissioners Altschul, Bass, Carvalheiro, Vice-Chair Jones and Chair Buckner disclosed for the record they either spoke with and/or met with the applicant and applicant's representatives. They discussed matters contained in the staff report.

Commissioner Hoopingarner had no official disclosures.

The commission discussed and had concerns regarding the loading and unloading issues regarding Uber and Lyft, use of the alley, number of guests allowed on the rooftop at one time, special event permits, changing 10:00 p.m. closing time to 12:00 midnight, rooftop deck usage, elevator projection, and the character defining feature of the billboard.

Commissioner Altschul reiterated there should be no smoking on the rooftop, the elevator should be keyed for rooftop access only for guests, and a workable loading plan should be provided by the applicant, to be approved by the commission. There should not be drop-off zones on Santa Monica Boulevard or Doheny Drive; unless it is agreed to by the businesses which the drop off zone is to be directly in front of, and all advertising and promotional materials by the developer and restaurant should have language stating there is no on-site or valet parking.

Commissioner Bass requested signage directing people to the loading and unloading areas, to the satisfaction of the Community Development Director.

**Commissioner Hoopingarner moved to: 1) approve staff's recommendation of approval with the following conditions; a) there shall be an effective traffic plan for drop-off and pick-up; and b) no digital billboard shall be allowed.**

**Seconded by Vice-Chair Jones.**

Commissioners Altschul, Bass, Carvalheiro, and Chair Buckner had concerns the motion does not include elevator access to the roof top.

**MOTION FAILS.**

**Commissioner Hoopingarner, Vice-Chair Jones. AYE  
Commissioners Altschul, Bass, Carvalheiro, Chair Buckner. NOES  
Commissioner Aghaei. ABSENT**

**Commissioner Bass moved to: 1) approve staff's recommendation of approval with the following conditions; a) roof deck shall be allowed; b) all advertising and promotional materials by the developer and restaurant shall have language stating there is no on-site or valet parking; c) signage shall be included in the facility to drop-off zones; d) patio shall be allowed to stay open until midnight; d) rooftop shall be limited to 15 guests, e) no smoking on the roof deck; f) no digital billboard shall be allowed; and g) up to two special event permits per year.**

**Seconded by Chair Buckner.**

**Commissioner Altschul amended the motion to include: 1) loading and unloading plan and traffic circulation plan, shall be brought back to the commission; and 2) elevator shall be keyed for rooftop access.**

**Commissioner Bass and Chair Buckner agreed to this amendment.**

Lauren Langer, Acting Assistant City Attorney, read the proposed motion into the record: a) amend Condition 2.2) Use of the upper roof deck as an open space amenity is allowed, limited to fifteen hotel guests and their guests only, closing at 12:00 a.m." b) two special event permits per year for the roof deck; c) billboard shall not be converted to a digital billboard; d) applicant shall prepare a loading, unloading, and traffic circulation plan, to be brought back before the planning commission before issuance of a Certificate of Occupancy; e) change Condition 10.4) hours of operation for hotel roof deck shall be 8:00 a.m. to 12:00 a.m. daily; f) delete current Condition 10.5); g) add new Condition 10.5) No smoking on any roof deck or terrace; h) Condition 10.6) all promotional materials and websites shall

indicate there is no on-site parking or valet parking; and i) Condition 10.7) business shall install signs to the satisfaction of the Community Development Director, directing customers to any approved loading area.

**ACTION:** 1) Approve the application, 2) Adopt Resolution No. PC 18-1241 as amended; a) amend Condition 2.2) *“Use of the upper roof deck as an open space amenity is allowed, limited to fifteen hotel guests and their guests only, closing at 12:00 a.m.”* b) *two special event permits per year for the roof deck;* c) *billboard shall not be converted to a digital billboard;* d) *applicant shall prepare a loading, unloading, and traffic circulation plan, to be brought back before the Planning Commission before issuance of a Certificate of Occupancy;* e) *amend Section 10.4) Hours of operation for hotel roof deck shall be 8:00 a.m. to 12:00 a.m. daily;* f) *delete current Condition 10.5);* g) *add new Condition 10.5) No smoking on any roof deck or terrace;* h) *Condition 10.6) All promotional materials and websites shall indicate there is no on-site parking or valet parking;* and i) *Condition 10.7) Business shall install signs to the satisfaction of the Community Development Director, directing customers to any approved loading area.* **“A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, RECOMMENDING THAT THE CITY COUNCIL CONDITIONALLY APPROVE ADAPTIVE REUSE OF AN EXISTING SITE AS A RESTAURANT WITH ON-SITE ALCOHOL AND OUTDOOR DINING AND A SIX-ROOM HOTEL, AND REHABILITATION INCENTIVES FOR WAIVER OF OFF-STREET PARKING AND LOADING REQUIREMENTS AND CONTINUED MAINTENANCE AND OPERATION OF THE EXISTING BILLBOARD, LOCATED AT 9091 SANTA MONICA BOULEVARD, WEST HOLLYWOOD, CALIFORNIA;”** and 3) Close the Public Hearing for Item 10.C. **Moved by Commissioner Bass, seconded by Chair Buckner and passes, noting Commissioner Aghaei absent.**

**D. Zone Text Amendment**

**Affordable Housing Requirements:**

Request to amend the West Hollywood Zoning Ordinance to revise the Affordable Housing Requirements and Incentives Regulations to conform with State law, citywide, West Hollywood, California.

Staff requested a continuance to allow time to address technical items.

**ACTION:** Continue to Thursday, March 1, 2018. **Moved by Commissioner Vice-Chair Jones, seconded by Commissioner Hoopingarner and passes as part of the amended agenda.**

**11. NEW BUSINESS. None.**

## **12. UNFINISHED BUSINESS.**

### **A. 8715 Melrose Avenue:**

Adrian Gallo, Associate Planner provided background information and an update, as presented in the staff report dated Thursday, February 15, 2018.

He presented a short synopsis of the past Catch Restaurant updates, and stated since the last review in October of 2017, a building permit has been issued for a twelve-foot high glass sound wall that is fully roofed along a 45 foot stretch of the Melrose Avenue frontage to further dampen ambient noise that may be audible from the nearest residential properties. A general contractor has been retained and fabrication has begun. Fabrication is taking place off-site and installation should begin in six weeks, with a tentative completion date of April 2, 2018.

Staff contacted the Los Angeles County Sheriff's Department regarding any criminal activity or problems associated with the establishment. The Sherriff's Department reported no major problems with the operation of this establishment since the last review.

Code Compliance Division received calls on 2 occasions since October regarding noise from the restaurant, but these complaints have not been attributable to Catch Restaurant.

Catch Restaurant has had one special event, which took place on November 15, 2017. This event was held without incidents reported to either the Sheriff's Department or the City's Code Compliance Division.

During the past three months, Catch Restaurant has not been issued any code violation citations, and the Sheriff's Department indicates no concerns with the operation of this establishment.

Catch has made a good faith effort to meet with interested community members to discuss concerns about the operation of the establishment and continues to cooperate with the neighboring community.

Staff recommends the commission receive and file this report with no action taken.

Chair Buckner opened public comment for Item 12.A.:

AARON GREEN, LOS ANGELES, applicant's representative, provided the applicants report. He provided an update how Catch Restaurant has been adding additional staff and working with the valet operations, and parking enforcement.

MIKE ILIC, LOS ANGELES, General Manager, Catch Restaurant, continued the applicants report. He stated how they continue to work with the neighborhood and encouraged any complainants to contact him personally at 917.287.4135.

The commission requested Code Compliance reach out to David Harte regarding his current noise issues with Catch Restaurant.

**ACTION:** 1) Continued to August 16, 2018 for another review, after the installation of the glass sound wall; and 2) receive and file. **Motion carried by consensus of the Commission.**

**13. EXCLUDED CONSENT CALENDAR.** None.

**14. ITEMS FROM STAFF.**

**A. Planning Manager's Update.** None.

**15. PUBLIC COMMENT.**

VICTOR OMELCZENKO, WEST HOLLYWOOD commented on the Community Housing meetings, and the continuance of Item 10.D. – Affordable Housing Requirements.

**16. ITEMS FROM COMMISSIONERS.**

Commissioner Bass commented on Item 10.B. – 1011 N. Ogden Drive, stating he would like to see in future packets, accurate information regarding tenants living in these type of properties.

Commissioner Hoopingarner suggested staff make a statement in future staff reports, that they have personally visited and reviewed the properties, with the following statement; that no one is occupying the properties, etc.

Commissioner Altschul also suggested when staff goes to verify the occupancy that they also talk to the neighbors.

David DeGrazia, Current and Historic Preservation Planning Manager stated staff does not have the legal authority to go beyond property lines, and making a definitive (sworn) statement of what they observed. He stated he is not comfortable having staff do provide this request.

Lauren Langer, Acting Assistant City Attorney, stated this is not an item on the agenda for discussion. She stated staff will look into the matter further for possible solutions.

17. **ADJOURNMENT:** The Planning Commission adjourned at 9:20 P.M. to a regularly scheduled meeting on Thursday, March 1, 2018 beginning at 6:30 P.M. until completion at West Hollywood Park Public Meeting Room – Council Chambers, 625 N. San Vicente Boulevard, West Hollywood, California. **Motion carried by consensus of the Commission.**

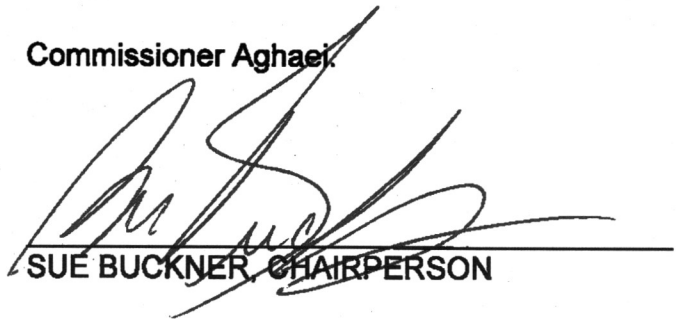
**PASSED, APPROVED AND ADOPTED** by the Planning Commission of the City of West Hollywood at a regular meeting held this 1<sup>st</sup> day of March, 2018 by the following vote:

**AYES:** Commissioner: Altschul, Bass, Carvalheiro, Hoopingarner, Vice-Chair Jones, Chair Buckner.

**NOES:** Commissioner: None.

**ABSENT:** Commissioner: None.

**ABSTAIN:** Commissioner: Commissioner Aghaei.



SUE BUCKNER, CHAIRPERSON

**ATTEST:**



DAVID K. GILLIG, COMMISSION SECRETARY

## **EV Charging Readiness Background Information**

### Local Electric Vehicle Charging Readiness Policy

The City of West Hollywood has historically kept pace with the evolving market on electric vehicles, beginning with the introduction and adoption of municipal code requirements on electric vehicle charging stations in the mid-1990s. In 2005, in response to the changing technology, these requirements were replaced with preferential parking spaces for alternative fuel vehicles, which include vehicles fueled by electricity, hydrogen, biofuels, etc.

On May 2, 2016, the City Council directed staff to pursue several EV charging readiness initiatives in West Hollywood. This direction included new requirements for installing electric vehicle charging infrastructure in new development, seeking EV charging grants, increasing lobbying efforts for EV charging readiness at the state level, and allowing parking incentives for electric vehicle owners.

All of these efforts are ongoing, and the adoption of the proposed EV Charging Readiness Ordinance will implement directive Nos. 1, 2, 3, and 7 by the City Council. This will be accomplished by amending the City's local building code (Title 13) and the City's Zoning Ordinance (Title 19) to require EV charging infrastructure for new construction in the City and EV parking space conversions in existing buildings. In addition, upon adoption of the ordinance, staff will finalize materials that outline the permitting, inspection, and approval process for a property owner, or tenant, who plans to install conduit and/or EV charging stations (EVCS). Directive Nos. 4, 5, 6 and 8 are either complete or currently being addressed by other City departments or the City's lobbyist, as appropriate.

### Background Research

Vehicle electrification is an important strategy for climate action and air quality improvement. The overall lack of EV charging infrastructure in new and existing development is a key challenge for meeting California EV adoption goals, as noted in the California 2015 Zero Emission Vehicles Action Plan. Those traveling long distances for work or recreation need local charging options in order to feel comfortable relying on electric vehicles. The awareness and assurance of EV chargers along everyday travel routes and at destination points are critical decision factors when purchasing an electric vehicle. Furthermore, the large majority of EV drivers desire to charge their cars at home, which can be a challenge for those living in multifamily buildings due to the lack of existing infrastructure and the high cost of retrofitting parking spaces with EV charging infrastructure. With approximately 85% of the City's housing stock comprised of multifamily housing units, those challenges are currently present in West Hollywood.

Given the State's current EV market adoption goals, several forward-thinking California cities have adopted local amendments to the 2016 California Green Building Standards Code (CALGreen), which requires a minimum percentage of parking spaces in certain new residential and nonresidential projects to be "EV Capable". From our survey, the changes to CALGreen are required because (1) the current EV charging readiness requirements in CALGreen are not set at the threshold required to support the State's EV market adoption goals over time; (2) best practices in EV charging readiness warrant more stringent and specific technical requirements to sufficiently prepare buildings for the rise in EV ownership and evolution of EV charging infrastructure; and (3) the installation of EV charging infrastructure is most cost-effective during the time of original construction.

The following survey shows cities in the San Francisco Bay Area and in Los Angeles County that currently require EV charging infrastructure for new residential and nonresidential (commercial) development and depicts the level of stringency of these local building codes as compared to CALGreen. These local codes mandate that a certain percentage of total parking spaces in new development projects meet one or a combination of the four levels of EV Charging Readiness below.



## EV Charging Ordinance Requirements

	SFR	MFR	Nonresidential				
<b>CALGreen</b>	EV Capable	Number of Units: 17 or more  EV Capable: 3% of total spaces, 1 in common area				Parking Spaces	EV Capable
						0-9	-
						10-25	1
						26-50	2
						51-75	4
						76-100	5
						101-150	7
						151-200	12
			201 or more	6% of total parking spaces			
<b>Santa Monica</b>	EV Capable	Number of Units: All new construction & major remodels EV Capable: 5% of total spaces			EV Ready: 5% of total spaces, plan to increase to 15%		
<b>West Hollywood (PROPOSED)</b>	EV Capable	Number of Units: 10 or more					
		Parking Spaces	EV Ready	EV Capable	Parking Spaces	EV Ready	EV Capable
		1	1	-	1	1	-
		2-10	2	-	2-10	2	-
		11-15	2	1	11-15	2	1
		16-20	2	2	16-20	2	2
20 or more	10% of total parking spaces	Remaining 90 percent of parking spaces	20 or more	10% of total parking spaces	10% of total parking spaces		
<b>Oakland</b>	EV Capable	Number of Units: 3 or more					
		Parking Spaces	EV Ready	EV Capable	Parking Spaces	EV Ready	EV Capable
		1	1	-	1	1	-
		2-10	2	-	2-10	2	-
		11-15	2	1	11-15	2	1
		16-20	2	2	16-20	2	2
20 or more	10% of total parking spaces	Remaining 90 percent of parking spaces	20 or more	10% of total parking spaces	10% of total parking spaces		
<b>Fremont</b>	EV Ready	Number of Units: 3 or more EV Ready: 8% of total spaces			EV Ready: 8% of total spaces		
<b>San Francisco</b>	EV Capable	Number of Units: 3 or more			EV Ready: 10% of total spaces EV Flexible: 10% of total spaces (electrical panel capacity) EV Capable: 80% of total spaces		
		EV Ready: 10% of total spaces					
		EV Flexible: 10% of total spaces (electrical panel capacity)					
EV Capable: 80% of total spaces							
<b>Palo Alto</b>	EV Ready	Number of Units: All new construction & major remodels			EV Capable: 25% EV Charger Installed: 5% of 25%		
		EV Capable: 1 per unit					
		*Guest parking – EV Capable: 25% EV Charger Installed: 5% of 25%					

EV Ready: Full circuit

EV Flexible: Inaccessible raceway and electric panel capacity

EV Capable: Inaccessible raceway

Stringency of Local Code

