

ORDINANCE NO. 17-1007

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AMENDING TITLE 19 OF THE WEST HOLLYWOOD MUNICIPAL CODE TO PERMIT ENCLOSED DRIVEWAY RAMPS TO PROJECT INTO THE INTERIOR SIDE OR REAR SETBACK ON COMMERCIAL ZONED PROPERTY WHEN ADJACENT TO RESIDENTIALLY ZONED PROPERTY, CITYWIDE.

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

SECTION 1. The City of West Hollywood initiated amendments to the Zoning Ordinance to allow projections into the rear and interior setback for covered driveways accessing subterranean parking on commercially zoned properties when adjacent to residentially zoned properties.

SECTION 2. A public hearing was duly noticed for the Planning Commission meeting of April 6, 2017 by publication in the Beverly Press newspaper, the West Hollywood Independent Newspaper on March 23, 2017, and required state and local agencies, and the City website and by announcement on City Channel 6 by April 6, 2017.

SECTION 3. The West Hollywood City Council properly reviewed and considered this matter at a public hearing on May 1, 2017. Public Notice of the hearing was advertised by publication in the West Hollywood Independent and Beverly Press on April 20, 2017 and by announcement on City Channel 6, as well as the City website and City Hall on April 20, 2017. Notices were mailed to all West Hollywood Neighborhood Watch groups on April 21, 2017.

SECTION 4. The zone text changes are Categorical Exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061 of the CEQA Guidelines, which states that CEQA applies only to projects which 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 proposed zone text amendments will not have a significant effect on the environment because the zone text amendments will reduce potential nuisances associated with subterranean commercial parking facilities by allowing for a buffer to separate commercial activities from adjacent residential properties.

SECTION 5. The West Hollywood City Council hereby finds that this Ordinance is consistent with the Goals and Policies of the General Plan, Goal SN-4, which states that the City should “minimize transportation-related noise”. Specifically, this Ordinance is consistent with Policy SN-4.1, which states that the City should, “require new development and/or modifications to existing development to include sound-reducing design measures, where needed, to maintain compatibility with adjacent and surrounding uses.” Further, this Ordinance, which is consistent with existing parking standards, does not impede the City’s ability to meet and implement its General Plan.

SECTION 6: An introductory sentence is added to Table 2-6 of Section 19.10.040 in Chapter 19.10 of Title 19 of the West Hollywood Municipal Code to read as follows. The rest of the table remains unchanged:

The following are the minimum setbacks required. See Section 19.20.150 for setback measurement. See Table 3-2 for projections allowed into setbacks.

SECTION 7: Paragraph A. 1. (a) of Section 19.10.050 of Chapter 19.10 of Title 19 of the West Hollywood Municipal Code is amended to read as follows:

a. If the proposed project is adjacent to an R1, R2, R3, or R4 residential zoning district, the 25 feet of the structure located closest to the residential zoning district, not including projections into setbacks, shall be limited to 35 feet in height, and the impact of the structure shall be mitigated to the satisfaction of the Commission with architectural, or additional landscape elements; and

SECTION 8: Paragraph H is added to Section 19.28.110 of Chapter 19.28 of Title 19 of the West Hollywood Municipal Code is amended to read as follows:

H. *Enclosed Driveways.* Enclosed driveways accessing subterranean parking on a commercially zoned property may project into setbacks in compliance with Section 19.20.150(E) (Allowed Projections into Setbacks), provided the commercially zoned property is adjacent to a residentially zoned property. The design of the enclosure shall be compatible with the project and be adequately landscaped adjacent to the structure and is subject to review and approval by review authority as part of land use permit approval for project.

SECTION 9: A new line item and a new note (4) are added to the end of Table 3-2 of Section 19.20.150 (Setback Measurement and Projections into Yards) of Chapter 19.20 (General Property Development and Use Standards) of Title 19 of the West Hollywood Municipal Code is amended to read as follows:

Projecting Feature	Maximum Projection into Setback				Minimum from property line
	Front Setback	Street Side	Interior Side	Rear Setback	
Enclosed driveway ramps to access subterranean parking for commercially zoned properties adjacent to residentially zoned properties. Maximum height of 10ft above grade. ⁴	None	None	To property line	To property line	N.A.

Notes:

(4) Use of the rooftop of the enclosed driveway is prohibited. Access to the rooftop shall be limited to maintenance related purposes.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of West Hollywood at a regular meeting held this 15th day of May, 2017 by the following vote:

AYES: Councilmember: D'Amico, Horvath, Meister, Mayor Pro Tempore Duran, and Mayor Heilman.
 NOES: Councilmember: None.
 ABSENT: Councilmember: None.
 ABSTAIN: Councilmember: None.



 JOHN HEILMAN, MAYOR

ATTEST:



 YVONNE QUARKER, CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES)
CITY OF WEST HOLLYWOOD)

I, YVONNE QUARKER, City Clerk of the City of West Hollywood, do hereby certify that the foregoing Ordinance No. 17-1007 was duly passed, approved, and adopted by the City Council of the City of West Hollywood at a regular meeting held on the 15th day of May, 2017, after having its first reading at the regular meeting of said City Council on the 1st day of May, 2017.

I further certify that this ordinance was posted in three public places as provided for in Resolution No. 5, adopted the 29th day of November, 1984.

WITNESS MY HAND AND OFFICIAL SEAL THIS 16th DAY OF MAY, 2017.



YVONNE QUARKER, CITY CLERK