

ORDINANCE NO. 16-973

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AMENDING TITLE 19 OF THE WEST HOLLYWOOD MUNICIPAL CODE TO ADD CONDITIONS FOR EXISTING NON-RESIDENTIAL SURFACE PARKING IN RESIDENTIAL ZONES.

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 add conditions for existing non-residential surface parking in residential zones.

SECTION 2. A public hearing was duly noticed for the Planning Commission meeting of October 15, 2015 by publication in the Beverly Press newspaper, the West Hollywood Independent Newspaper on October 1, 2015, and required state and local agencies, and the City website and by announcement on City Channel 6 by October 2, 2015. This item was continued to December 3, 2015 by the Planning Commission.

SECTION 3. The West Hollywood City Council properly reviewed and considered this matter at a public hearing on December 21, 2015. Public Notice of the hearing was advertised by publication in the West Hollywood Independent and Beverly Press on December 10, 2015 and by announcement on City Channel 6, as well as the City website and City Hall on December 10, 2015. Notices were mailed to all West Hollywood Neighborhood Watch groups on December 11, 2015.

SECTION 4. The zone text changes 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. No possibility exists that the proposed zone text amendments will have a significant effect on the environment because the zone text amendments will reduce potential nuisances associated with non-residential parking facilities in residential zones such as light, glare, and noise.

SECTION 5. The West Hollywood City Council hereby finds that this Ordinance is consistent with the Goals and Policies of the General Plan, specifically Policy M-7, which states that the City should "protect and preserve residential neighborhoods from intrusion of non-residential traffic." Additional standards will help meet this goal.

SECTION 6: A line item in Table 2-2 of Section 19.06.030 in Chapter 19.20 of Title 19 of the West Hollywood Municipal Code is added to read as follows:

LAND USE:	PERMIT REQUIRED BY ZONE				Specific Use Regulations
	R1	R2	R3	R4	
Parking (existing non-residential surface parking as of February 19, 2016)	P1	P1	P1	P1	19.28.090

SECTION 7: Paragraph F is amended in Section 19.28.090 of Title 19 of the West Hollywood Municipal Code to read as follows:

F. Non-Residential Parking in Residential Zones. Covered parking spaces may be required at the discretion of the review authority to mitigate impacts. Rooftop parking is prohibited.

SECTION 8: Paragraph G is added in Section 19.28.090 of Title 19 of the West Hollywood Municipal Code to read as follows:

G. Existing Non-Residential Surface Parking in Residential Zones. Existing non-residential surface parking facilities as of February 19, 2016 shall comply with the following standards:

1. *Permits Required.*
 - a. Any existing non-residential surface parking facility located in a residential zone shall obtain an Administrative Permit (Chapter 19.44) and shall comply with the standards in this section. These facilities shall have one hundred and eighty (180) days from February 19, 2016 to file an application for an Administrative Permit. Upon review, the Director may decide to add conditions that are in addition to the standards in this section.
2. *Exemptions.* The following types of non-residential surface parking facilities in residential zones are exempt from an Administrative Permit and the standards below:
 - a. Facilities with a Conditional Use Permit and/or Development Permit approved prior to February 19, 2016.
 - b. Facilities with nine (9) or fewer spaces.
 - c. Facilities located in a Parking Overlay District per Section 19.14.070.
3. *Design and Operations.* Non-residential surface parking facilities in residential zones shall comply with the following standards:
 - a. Parking facilities shall install perimeter landscaping or other visual screening, subject to approval by the review authority.
 - b. When not in use, parking facilities shall be locked to prevent late night and unauthorized use between the hours of 10:00 p.m. and 8:00 a.m. The Director of Public Works may authorize the City parking enforcement

officers to lock facilities that fail to comply with this condition between the hours of 10:00 p.m. and 8:00 a.m.

PASSED, APPROVED AND ADOPTED by the City Council of the City of West Hollywood at a regular meeting held this 19th day of January, 2016 by the following vote:

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



LINDSEY HORVATH, 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. 16-973 was duly passed, approved and adopted by the City Council of the City of West Hollywood at a regular meeting held on the 19th day of January 2016, after having its first reading at the regular meeting of said City Council on the 21st day of December 2015.

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 20th DAY OF JANUARY 2016.



YVONNE QUARKER, CITY CLERK