

SUBJECT: ZONE TEXT AMENDMENT REGARDING REGULATING
OUTDOOR COMMERCIAL USES ABOVE THE GROUND FLOOR

INITIATED BY: DEPARTMENT OF PLANNING AND DEVELOPMENT SERVICES
(Bianca Siegl, Long Range Planning Manager)
(Jerry Hittleman, Senior Contract Planner)

STATEMENT ON THE SUBJECT

The Planning Commission will hold a public hearing to consider a zone text amendment to add standards requiring Administrative Permit approval with review and decision by the Planning and Development Services Director for all new or expanded outdoor commercial uses above the ground floor.

RECOMMENDATION

Staff recommends that the Planning Commission hold the public hearing, consider all pertinent testimony, and recommend approval to the City Council by adopting the following:

- 1) Draft Resolution No. PC 18-1283: **A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD RECOMMENDING TO THE CITY COUNCIL APPROVAL OF A ZONE TEXT AMENDMENT TO REQUIRE ADMINISTRATIVE PERMIT APPROVAL BY THE DIRECTOR OF THE PLANNING AND DEVELOPMENT SERVICES DEPARTMENT FOR ALL NEW OR EXPANDED OUTDOOR DINING AREAS OR SIMILAR OUTDOOR COMMERCIAL USES ABOVE THE GROUND FLOOR OF A STRUCTURE, CITYWIDE, WEST HOLLYWOOD, CALIFORNIA. (EXHIBIT A)**

BACKGROUND/ANALYSIS

Issue Background Information

Rooftop decks associated with restaurants and other commercial uses (i.e. exercise or yoga classes, private parties, etc.) have become increasingly popular in West Hollywood, and the City has seen an increase in the number of requests for approval of these types of spaces in recent years. Recently, the City Council also approved the allowance of cannabis consumption areas in enclosed or unenclosed commercial spaces that could occur above the ground floor due to state law that requires that these types of uses not be visible to the public or persons under 21 years of age. Members of the public have raised concerns that outdoor commercial uses on rooftops or elevated terraces are having an impact on the adjacent neighborhoods with respect to sound as well as light and glare.

Planning Commission Hearing – May 4, 2017

On May 4, 2017, the City of West Hollywood Planning Commission originally heard this item and recommended adoption of a Zone Text Amendment to require approval of a Development Permit for outdoor commercial uses above the ground floor to the City Council in order to have a public hearing requirement for such uses. The Commission further directed staff to further specify the types of requests included in the additional development permit review by inserting the following additional language:

“New or expanded (including expanded hours of operation) outdoor dining areas and similar outdoor uses with similar noise, light, and public impacts as determined by the Director, located on rooftops, terraces, or other outdoor locations above the ground floor.”

Several members of the public spoke at the hearing voicing both opposition and support for this item. The Chamber of Commerce had concerns regarding unintended consequences for small businesses, such as more permit processes and additional fees. Other concerns were regarding unintended consequences of allowing commercial uses on roof top decks such as increased noise and light/glare impacts to surrounding properties.

City Council Hearing – June 19, 2017

On June 19, 2017, the City of West Hollywood City Council held a public hearing and directed staff to draft a revised ordinance that reflects the comments made by the Councilmembers and public and have the revised ZTA reviewed by the Planning Commission before coming back to Council for final approval. The Council and the public had the following concerns regarding the proposed regulations:

- Concerns were voiced about high processing fees and long timelines for processing a Development Permit with Planning Commission approval. They felt that these types of requests should be processed as an Administrative Permit and heard at a Director’s hearing with appeal rights to the Planning Commission. The fee for an Administrative Permit is \$1,630 compared to a Development Permit fee of \$6,855 for projects under 10,000 square feet.
- Protection of residents from noise and light/glare impacts from outdoor commercial uses above the ground floor was a concern of the Council and public as well.

Current Municipal Code

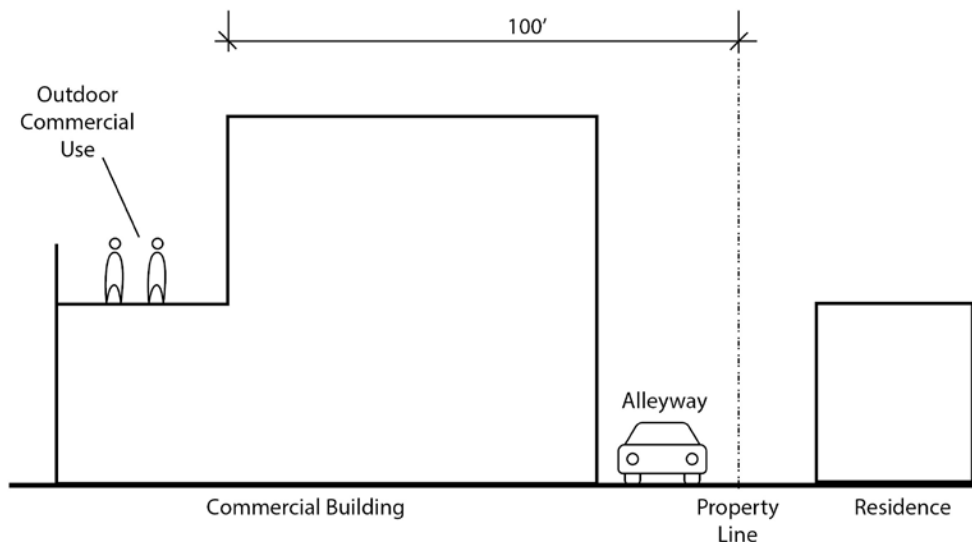
Under the Municipal Code, Section 19.36.210 Outdoor Dining is allowed with an Administrative Permit that can be approved by the Director of Planning and Development Services without a public hearing. Outdoor dining requests with alcohol service may be reviewed and approved by the Director at a public hearing along with the minor conditional use permit for the alcohol service. There is no distinction in the zoning ordinance between outdoor dining areas located on the ground level and those

located on a rooftop or elevated terrace. Decisions made by the Director can be appealed to the Planning Commission, and decisions made by the Planning Commission can be appealed to the City Council. Currently there are no regulations that require permits for other types of commercial uses above the ground floor.

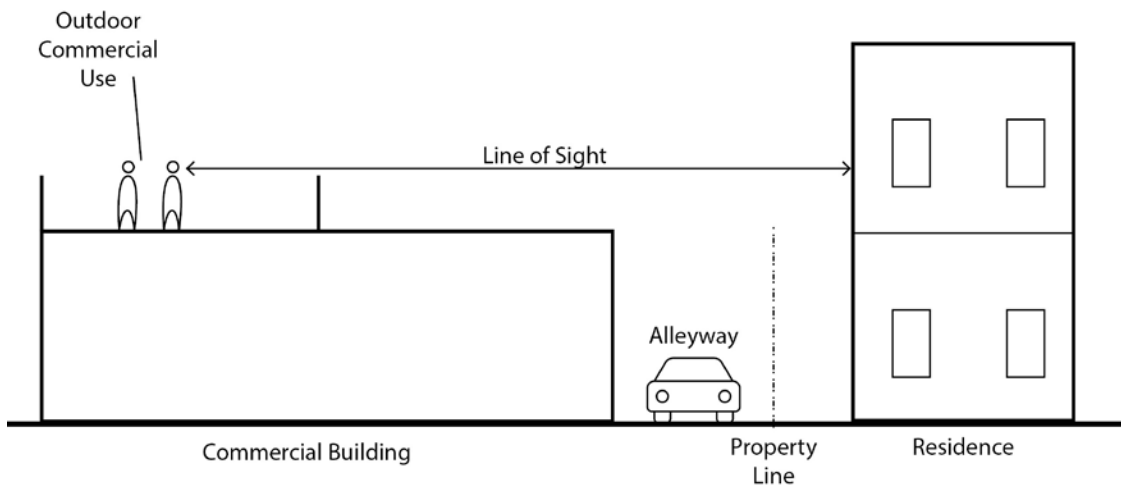
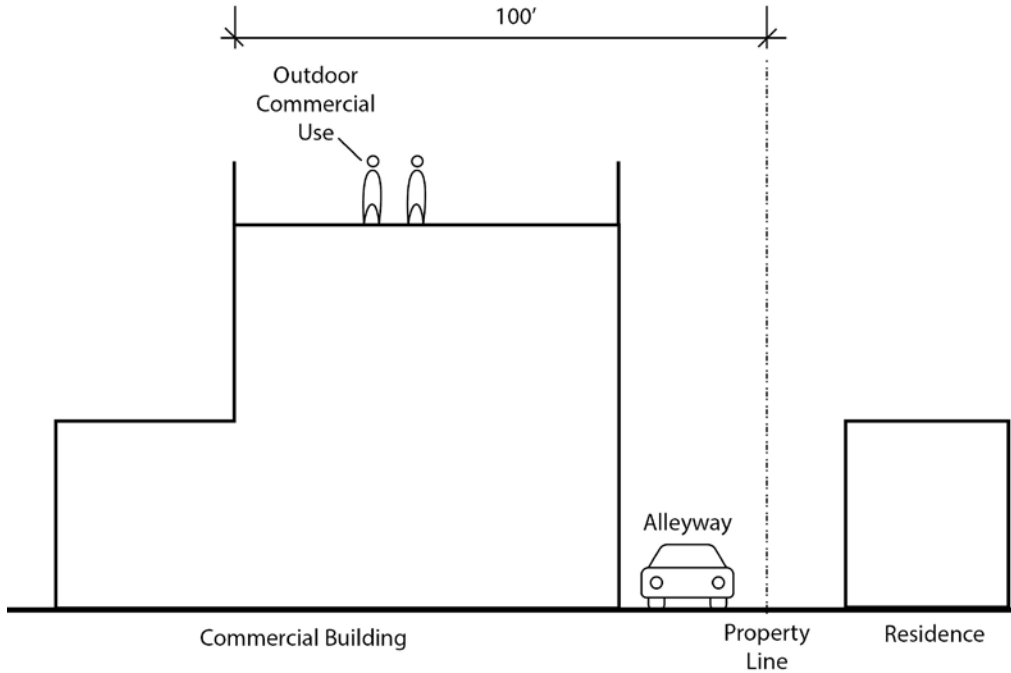
Proposed Commercial Uses Above the Ground Floor ZTA Requirements

To address the concerns of the Council and public regarding potential impacts to surrounding neighborhoods from outdoor commercial uses above the ground floor, the proposed ZTA would allow the Director to administratively review and approve these requests, consider public comments either at a hearing or in writing, and impose conditions ensuring that any request is compatible with the surrounding land uses. The following Administrative Permit review requirements for outdoor commercial uses above the ground floor are proposed in the ZTA:

- New or expanded (including expanded hours of operation) for outdoor commercial uses located above the ground floor on rooftops, terraces, or other outdoor locations including, but not limited to restaurants, nightclubs/bars, cannabis consumption areas, banquet facilities, exercise classes, or other similar outdoor uses with similar noise, light, and public impacts as determined by the Director shall require approval of an administrative permit. The process for review is as follows:
 - Outdoor commercial areas located further than 100 feet from residential uses or located in the front portion of a commercial building where the commercial structure is located between the outdoor commercial use area and residential uses that meet the requirements of this section shall be administratively approved by the Planning and Development Services Director. The illustration below shows a typical scenario where approval of an administrative permit by the Director (no public hearing) could occur:



- Outdoor commercial uses that are above the ground floor and are located on an outdoor terrace, rooftop or other similar location of a commercial building or mixed use commercial/residential building within 100 feet or direct line of sight of an adjacent residential use, shall require the approval of an administrative permit by the Planning and Development Services Director at a duly noticed public hearing. The two scenarios where approval is required at a public hearing conducted by the Director or designee are as follows:



Staff determined that approval of an administrative permit for outdoor commercial uses at a public hearing, would allow for direct public input on outdoor commercial use projects on rooftops and terraces that are within 100 feet or have a direct line of site to

neighboring property with residential uses. These locations could have noise and lighting/glare impacts on their residential neighbors that could require additional conditions of approval to address these situations. In order to further minimize potential noise and light/glare impacts to neighboring properties, the following lighting and noise standards have been included in the draft ZTA:

- Lighting. Illuminated outdoor commercial use areas shall incorporate lighting which is designed to prevent glare onto, or direct illumination of, any residential property or use.
- Noise. An acoustical wall may be required around the perimeter of the outdoor use area to ensure compliance with city noise standards. The design and height of the acoustical wall shall be approved by the Planning and Development Services Director.

The proposed ZTA also includes the following Design Standards to ensure compatibility of outdoor uses above the ground floor with structure upon which it is located and there are no visual impacts to the neighborhood:

- Landscaping. All outdoor commercial areas above the ground floor shall include some landscaping. A landscape plan for the outdoor commercial area may include the use of planter boxes and permanent vegetation, which shall be designed in consideration of the Landscape Design Guidelines, and shall comply with Chapter 19.26 (Landscaping Standards).
- Design Compatibility. Outdoor commercial use areas and associated structural elements, awnings, covers, furniture, umbrellas, or other physical elements which are visible from the public rights-of-way or adjacent properties, shall be compatible with the overall design of the main structure.

PUBLIC OUTREACH

Staff provided the West Hollywood Chamber of Commerce with a memorandum describing the proposed ZTA to regulate commercial uses above the ground floor for circulation to their Government Affairs Committee (GAC) members for comment. No comments have been received to date.

PUBLIC NOTICE

The City published a legal notice in the *Beverly Press* and *West Hollywood Independent* on August 2, 2018; and by a mailing to neighborhood watch groups and other neighborhood organizations.

ENVIRONMENTAL REVIEW

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 since the changes to the ordinance would affect only the procedures involved with reviewing applications. This ordinance does not change the numbers of establishments where outdoor commercial uses above the ground floor is permitted or result in physical changes to the environment.

PLANNING COMMISSION LONG-RANGE PLANNING SUBCOMMITTEE

The Long-Range Planning Subcommittee discussed the proposed zone text amendments on March 16, 2017. The Commissioners were generally supportive of the amendment and made suggestions that would further ensure the changes are consistent with the intent of the Council. Specifically, staff revised the proposed changes to include outdoor dining as well as other similar uses as determined by the Director.

NEXT STEPS

Planning Commission comments will be forwarded to the City Council for their information prior to taking action on the proposed ZTA.

EXHIBITS

- A. Draft Resolution No. PC 18-1283
- B. Previous Planning Commission Minutes, May 4, 2017

RESOLUTION NO. PC 18-1283

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD RECOMMENDING TO THE CITY COUNCIL APPROVAL OF A ZONE TEXT AMENDMENT TO REQUIRE ADMINISTRATIVE PERMIT APPROVAL BY THE DIRECTOR OF THE PLANNING AND DEVELOPMENT SERVICES DEPARTMENT FOR ALL NEW OR EXPANDED OUTDOOR DINING AREAS OR SIMILAR OUTDOOR COMMERCIAL USES ABOVE THE GROUND FLOOR OF A STRUCTURE, CITYWIDE, WEST HOLLYWOOD, CALIFORNIA.

The Planning Commission for 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, Article 19 of the Municipal Code to require new or expanded outdoor dining areas or similar outdoor commercial uses above the ground floor be subject to administrative permit approval by the Director of the Planning & Development Services Department.

SECTION 2. At the City Council meeting of November 2, 2015, the West Hollywood Council directed the Community Development Department to draft a Zone Text Amendment to require permit applications for new rooftop activity or the intensification of a rooftop use in commercial zones to be reviewed, approved, modified or denied through a public hearing process.

SECTION 3. A public hearing was duly noticed for the Planning Commission meeting of May 4, 2017 by publication in the Beverly Press newspaper, the West Hollywood Independent Newspaper on April 20, 2017; announcement on the City website and on City Channel 6; and mailing of notice to all neighborhood watch groups. The Planning Commission recommended approval of the changes to the City Council on May 4, 2017.

SECTION 4. A public hearing was duly noticed for the City Council meeting of June 19, 2017 by publication in the Beverly Press newspaper, the West Hollywood Independent Newspaper on June 8, 2017; announcement on the City website and on City Channel 6; and mailing of notice to all neighborhood watch groups. The City Council directed staff to draft an Ordinance that reflects the comments made by the Council and have the item go back to the Planning Commission for review before coming back to the Council for final approval.

SECTION 5. A public hearing was duly noticed for the Planning Commission meeting of August 16, 2018 by publication in the Beverly Press newspaper, the West Hollywood Independent Newspaper on August 2, 2018; announcement on the City website and on City Channel 6; and mailing of notice to all neighborhood watch groups.

ITEM 10.C. EXHIBIT A

SECTION 6. The zone text changes are 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 since the changes pertain only to the procedures by which certain land uses are reviewed and approved. This ordinance does not change the numbers of establishments where outdoor dining is permitted or result in physical changes to the environment.

SECTION 7. The Planning Commission of the City of West Hollywood hereby finds that Zone Text Amendment 2017-0001 is consistent with the Goals and Policies of the General Plan, specifically Goal LU-1: "Maintain an urban form and land use pattern that enhances quality of life and meets the community's vision for its future."; Goal SN-3: "Minimize the impact of point source noise and ambient noise levels throughout the community." The incorporation of these revised procedures will help regulate the impacts of commercial activity on adjacent residential neighborhoods by making any commercial outdoor use above the ground floor subject to public hearing by the Planning Commission. These procedural changes will not impede the implementation of any of the Goals, Objectives, or Policies of the West Hollywood General Plan.

SECTION 8. Paragraph A of Section 19.36.210 of Chapter 19.36 of Title 19 of the West Hollywood Municipal Code is amended to read as follows:

19.36.210 Outdoor Dining.

A. *Review Requirement.* An outdoor dining or seating area for restaurants or other establishments with a public eating license shall require approval of an administrative permit (Chapter 19.44) when located on the ground floor. See Section 19.36.240 for regulations pertaining to outdoor dining areas and other similar uses located above the ground floor. The outdoor dining area ~~and~~ shall be developed in compliance with an approved site plan which indicates the maximum seating capacity for the outdoor dining area. See also Chapter 11.28 of the West Hollywood Municipal Code, "Outdoor Dining on Public Right of Way."

SECTION 9. Section 19.36.240 of Chapter 19.36 of Title 19 of the West Hollywood Municipal Code is added to read as follows:

19.36.240 Outdoor Commercial Uses Above the Ground Floor

- A. *Review Requirement.* New or expanded (including expanded hours of operation) for an outdoor dining or seating area for commercial uses including, but not limited to restaurants, nightclubs/bars, cannabis consumption areas, banquet facilities, exercise classes, or other similar outdoor uses as determined by the Director located above the ground floor of an existing or proposed commercial building shall require approval of an administrative permit (see Section 19.44.020.B.a and b) as follows:
- B. *Hours of Operation.* The hours and days of operation of the outdoor commercial uses shall be identified in the administrative permit.

- C. Lighting. Illuminated outdoor commercial use areas shall incorporate lighting which is installed to prevent glare onto, or direct illumination of, any residential property or use.
- D. Noise. An acoustical wall may be required around the perimeter of the outdoor use area to ensure compliance with city noise standards.
- E. Cannabis Consumption Areas. A cannabis consumption area that proposes to serve cannabis products within an outdoor area above the ground floor shall comply with the standards established by state law and operating requirements in Section 5.70.041 Cannabis Consumption Areas of the Municipal Code.
- F. Design Standards. The following design standards are intended to ensure compatibility with surrounding uses and a high standard of design quality for commercial use areas above the ground floor.
 - 1. Landscaping. Landscaping in the form of planters or other similar structures shall be provided within the commercial outdoor use area.
 - 2. Design Compatibility. Outdoor commercial use areas and associated structural elements, awnings, covers, furniture, umbrellas, or other physical elements which are visible from the public rights-of-way or adjacent properties, shall be compatible with the overall design of the main structure.

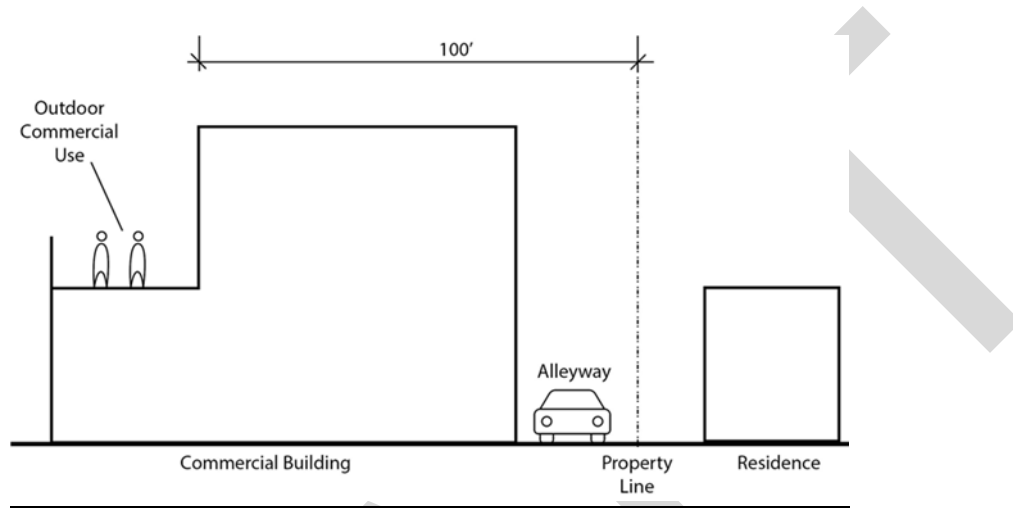
SECTION 10. Section 19.44.020 of Chapter 19.44 Administrative Permits of Title 19 of the West Hollywood Municipal Code is amended to read as follows:

19.44.020 Applicability.

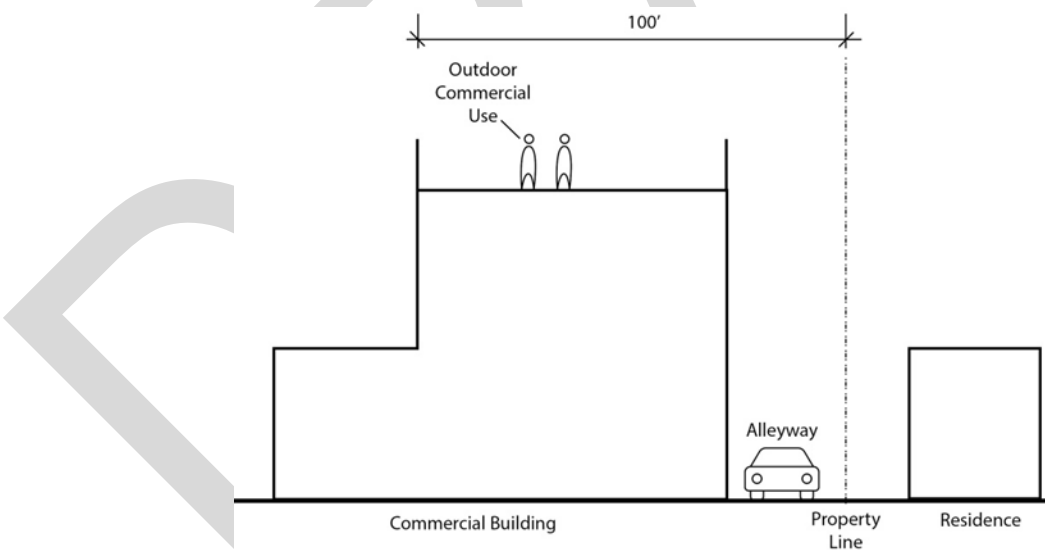
A. *When Required.* An administrative permit shall be required for any land use listed in Article 19-2 (Zoning Districts and Allowable Land Uses) as requiring administrative permit approval, and the following uses and construction:

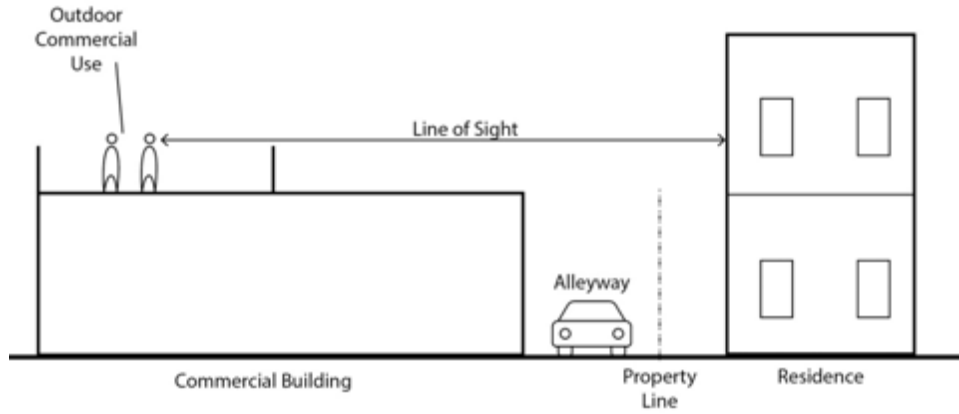
- 1. An exterior alteration that changes architectural character or theme;
- 2. Up to 500 square feet of second story construction to either a single-family home or duplex either as a new second story or an addition to an existing second story;
- 3. An addition of more than 500 to 1,000 square feet to any structure other than a single-family home or duplex;
- 4. An addition which does not exceed 500 square feet but changes the architectural character or theme, or encloses a balcony in conformance with Section 19.72.030(B);
- 5. Garages, carports, and other residential accessory structures under 500 square feet which do not maintain the same architectural character as the primary structure(s);
- 6. Outdoor dining areas and other outdoor commercial uses located on the ground floor;
- 7. Installation of a mechanical parking lift at an existing parking facility.
- 8. New or expanded (including expanded hours of operation) outdoor dining areas and other outdoor commercial uses with similar light, noise, and public impacts as determined by the Planning and Development Services Director, located on rooftops, terraces, or other outdoor locations above the ground floor. The Director shall take action on outdoor commercial uses above the ground floor as follows:

a. Outdoor commercial areas located further than 100 feet from residential uses or located in the front portion of a commercial building where the commercial structure is located between the outdoor commercial use area and residential uses that meet the requirements of this section shall be administratively approved by the Planning and Development Services Director, as shown below:



b. Outdoor commercial uses that are above the ground floor and are located on an outdoor deck or rooftop area of a commercial building within direct line of sight of an adjacent residential use, or within 100 feet of a residential use, shall require the approval of an administrative permit by the Planning and Development Services Director at a duly noticed public hearing, as shown below:





DRAFT

PASSED, APPROVED AND ADOPTED by the Planning Commission of the City of West Hollywood at a regular meeting held this 16th day of August, 2018 by the following vote:

AYES: Commissioner:

NOES: Commissioner:

ABSENT: Commissioner:

ABSTAIN: Commissioner:

STACEY E. JONES, CHAIRPERSON

ATTEST:

BIANCA SIEGL, PLANNING MANAGER
LONG RANGE 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.

Commissioner Hoopingarner thanked Sheila Lightfoot for her service on the Planning Commission. She provided information on her professional background, and stated she is looking forward to working with the commission.

10. CONSENT CALENDAR.

A. 8711-8713 Beverly Boulevard and 321-327 Sherbourne Drive:

The Planning Commission directed staff to return with a resolution to deny a request to demolish an existing 3,000 square-foot commercial building and to construct a new five-story, 41,200 square-foot mixed-use building with 9,700 square-feet of commercial space, 30 apartment units with five affordable units, and two levels of subterranean parking.

The applicant requested the commission not adopt draft Resolution No. PC 17-1193. They would like the opportunity to redesign the project and bring it back at a later date.

Staff recommends the following:

- 1) Take no action on the draft resolution to allow the applicant time to re-design the project and come back at a future date; or
- 2) Adopt draft Resolution No. PC 17-1193: "A Resolution of the Planning Commission of the City of West Hollywood, denying without prejudice, a demolition permit, development permit and subdivision (Major Land Division No. 733519), for the properties located at 8711-8713 Beverly Boulevard, West Hollywood, California and 321-327 Sherbourne Drive, West Hollywood, California.

Commissioner DeLuccio moved to: 1) take no action, and 2) continue the item to a date uncertain.

Seconded by Commissioner Jones.

ACTION: 1) Take no action, and 2) continue to a date uncertain. **Moved by Commissioner DeLuccio, seconded by Commissioner Jones and unanimously passes.**

11. PUBLIC HEARINGS.

A. Zone Text Amendment

Outdoor Commercial Uses Above the First Floor:

Jennifer Alkire, Senior Planner provided a verbal presentation and background information as presented in the staff report dated Thursday, May 4, 2017.

City Council directed staff to explore revisions to the Zoning Ordinance to require requests for outdoor dining, and other similar commercial outdoor uses, located above the first floor to be subjected to development permit approval, subject to review and decision by the Planning Commission.

The proposed zone text amendment is to introduce new standards requiring development permit approval with review and decision by the Planning Commission for all new or expanded outdoor dining areas and other similar outdoor commercial uses above the first floor.

She stated current zoning does not distinguish between outdoor dining on the ground level and outdoor dining on rooftops or elevated terraces. Noise and light implications can be more profound when a dining area is on a rooftop or other location above the first floor.

These changes would: 1) make the public more aware through more stringent noticing process; 2) allows the Planning Commission to review, take public comment, and make a decision on these requests; and 3) adds findings of fact that must be made including that the proposed use can be adequately conditioned so as not to endanger, jeopardize, or otherwise constitute a menace to the public convenience, health, interest, safety, or general welfare of persons residing or working in the neighborhood of the proposed use.

The change applies to any request for a new rooftop outdoor dining area, or similar outdoor use above the first floor, as well as physical enlargements and expansion of hours of operation of existing outdoor areas of these types.

These changes could potentially add time and cost to applications for outdoor dining on rooftops or elevated terraces, depending on the characteristics of the restaurant or development it's associated with. However, it would also provide additional opportunities for community outreach and notification, and allow the Planning Commission to weigh in on these decisions.

Staff recommends that the Planning Commission recommend that the City Council adopt the proposed code changes.

Chair Aghaei opened the public hearing for Item 11.A.:

GENEVIEVE MORRIL, WEST HOLLYWOOD, President, CEO, West Hollywood Chamber of Commerce, has concerns regarding this item. She spoke regarding unintended consequences for small businesses, i.e. more processes, and additional fees. She thanked Sheila Lightfoot for your service, and congratulated the new incoming commissioners.

IRINA ZHURA, WEST HOLLYWOOD opposes staff's recommendation to the City Council approval of a zone text amendment to require development permit approval by the Planning Commission.

JOSH, ZAD, WEST HOLLYWOOD opposes staff's recommendation to the City Council approval of a zone text amendment to require development permit approval by the Planning Commission.

SUSANA LAGUDIS, WEST HOLLYWOOD spoke in support of staff's recommendation to the City Council approval of a zone text amendment to require development permit approval by the Planning Commission.

RICHARD GIESBRET, WEST HOLLYWOOD has concerns this item. He spoke regarding the unintended consequences of roof top decks, and congratulated the new incoming commissioners.

THE FOLLOWING CHOSE NOT TO PUBLICLY SPEAK, BUT OPPOSES STAFF'S RECOMMENDATION TO THE CITY COUNCIL APPROVAL OF A ZONE TEXT AMENDMENT TO REQUIRE DEVELOPMENT PERMIT APPROVAL BY THE PLANNING COMMISSION: 1) MICHAEL ASHTAVZAD, WEST HOLLYWOOD.

ACTION: Close public hearing for Item 11.A. **Motion carried by consensus of the Commission.**

Jennifer Alkire, Senior Planner provided clarification regarding similar outdoor uses, and the Director's current authority.

Discussion was held regarding special event permits, unapproved rooftop uses, noise issues, limiting the square-footage, hours of operation, and code enforcement,

Commissioner Hoopingarner moved to: 1) approve staff's recommendation, with the following text change: a) Outdoor dining areas and other outdoor uses with similar noise, light, and other public impacts.

Seconded by Commissioner DeLuccio.

ACTION: 1) Adopt Resolution No. PC 17-1195 as amended: a) Add language as follows to Section I: *"New or expanded (including expanded hours of operation) outdoor dining areas, and other outdoor uses with similar noise, light, and public impacts as determined by the Director, located on rooftops, terraces, or other outdoor locations above the ground floor. Does not apply to dining areas on the ground floor (see §19.44.020A.6);"* "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, RECOMMENDING TO THE CITY COUNCIL APPROVAL OF A ZONE TEXT AMENDMENT TO

REQUIRE DEVELOPMENT PERMIT APPROVAL BY THE PLANNING COMMISSION FOR ALL NEW OR EXPANDED OUTDOOR DINING AREAS OR SIMILAR COMMERCIAL OUTDOOR USES ABOVE THE GROUND FLOOR OF A STRUCTURE, CITYWIDE, WEST HOLLYWOOD, CALIFORNIA;” and 2) Close the Public Hearing for Item 11.A. **Moved by Commissioner Hoopingarner, seconded by Commissioner DeLuccio and unanimously passes.**

THE COMMISSION TOOK A TEN (10) MINUTE RECESS AT 7:45 P.M. AND RECONVENED AT 7:55 P.M.

**B. Zone Text Amendment
Implementation of R3C-C and R4B-C Zones:**

Garen Srappyan, Associate Planner provided a verbal presentation and background information as presented in the staff report dated Thursday, May 4, 2017.

He stated this is an amendment to the Zoning Ordinance to introduce new standards for the R3C-C and R4B-C zoning districts and rezone (1) CN1 properties on the east side of Fairfax Avenue, south of Santa Monica Boulevard, and (2) R-2 properties south of Beverly Boulevard, between N. Wetherly Drive and N. Clark Drive, within the City of West Hollywood, to conform with the land use designations in the West Hollywood General Plan 2035, which was adopted in 2011.

He detailed the goals of the General Plan, creative uses and guidelines of the subject areas. The proposed zone text changes for the R3C-C and R4B-C zoning districts address the following concerns: 1) appropriate neighborhood-serving uses for the ground floor; 2) parking requirements for residential and non-residential uses; 3) minimum residential density; 4) appropriate building setbacks and step backs; and 5) maximum lot area.

Proposed standards for the R3C-C and R4B-C zoning districts address the following considerations that were not identified in the West Hollywood General Plan: a) neighborhood-serving commercial uses on the ground floor; b) minimum residential density requirement; c) parking requirements for commercial and live/work projects; d) maximum lot area; and e) setback requirements.

R3C-C: For the R3C-C zoning district, staff recommends eliminating the minimum side and front setbacks required in the R3C. Because the parcels in this zone are shallow in depth, and are situated on a wide commercial boulevard (Fairfax Ave), eliminating the minimum setback requirements will allow for more flexibility for proposed projects and contribute to a friendlier pedestrian experience. The proposed R3C-C zoning district is located in the Santa Monica/Fairfax Transit District as identified in the General Plan. The General Plan calls for new projects to