

ORDINANCE NO. 18-1041

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, APPROVING A ZONE TEXT AMENDMENT TO TITLE 19, ZONING ORDINANCE, TO INCREASE THE NUMBER OF PERMITTED HOME BUSINESS EMPLOYEES AND AMEND THE LIVE/WORK DESIGN AND PARKING STANDARDS, CITYWIDE, IN THE CITY OF WEST HOLLYWOOD, CALIFORNIA.

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

SECTION 1. Live/Work facilities and Home Businesses support the needs of artists, entrepreneurs, creators and makers in the City of West Hollywood.

SECTION 2. In order to implement the General Plan and direction from City Council, the City seeks to amend: the City's Home Business Ordinance in Section 19.36.140, Home Businesses, in the West Hollywood Municipal Code, to increase the number of employees permitted for Home Businesses; the City's Live/Work Ordinance in Section 19.36.160, Live/Work Facilities, to revise the design standards. The Zone Text Amendment will also amend the parking requirements for Live/Work units.

SECTION 3. The proposed amendments will facilitate the reuse of existing buildings and development of new live/work units by providing additional flexibility in design and reduction in parking requirements, as well as encouraging small home businesses in residential units, citywide.

SECTION 4. The Planning Commission held a duly noticed public hearing on June 21, 2018, and directed staff to return with a resolution recommending approval of the Zone Text Amendment with changes. The resolution was approved on June 21, 2018.

SECTION 5. A public hearing was duly noticed for the City Council regular meeting of October 1, 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 September 20, 2018. The City Council held a public hearing on October 1, 2018.

SECTION 6. 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.

SECTION 7. The City Council of the City of West Hollywood hereby finds that Zone Text Amendment 2018-0006 is consistent with the Goals and Policies of the General Plan, including Goal LU-2 of the Land Use Element, which states that the city should maintain a balanced mix and distribution of land uses that encourages strategic development opportunities and mobility choices within the City; Goal LU-9, which states the city should encourage multi-family residential neighborhoods that are well maintained and landscaped, and include a diversity of housing types and architectural designs. This action implements General Plan 2035 by providing incentives for live/work units and home businesses and does not impede the City's ability to meet its other General Plan Goals and Policies.

SECTION 8. Subsection (B) of Section 19.36.160 (Live/Work Facilities) of Chapter 19.36 of Title 19 of the West Hollywood Municipal Code is amended to read as follows:

B. *Design Standards.* Live/work units shall comply with the following standards:

1. *Floor Area Requirements.* The total floor area of a live/work unit shall be at least 750 square feet and must comply with the building and safety requirements specified in the California Building Code.

a. A minimum of 10 percent or 150 square feet (whichever is greater) and maximum of 50 percent of the gross floor area of a live/work unit must be designated as non-residential space and regularly used for work activities.

2. *Access to Units.* Where more than one live/work unit is proposed within a single building, each live/work unit shall be separated from other live/work units and other uses in the building. Access to each unit shall be clearly identified to provide for emergency services.

3. *Internal Layout.* All living space within the live/work unit shall be contiguous with and an integral part of the working space, with direct access between the two areas.

4. *Street Frontage Treatment.* Each live/work unit shall have commercial use on the ground floor of the structure. Each live/work unit on the ground floor shall have a pedestrian oriented frontage that publicly displays the commercial use on the interior of the structure.

SECTION 9. Subsection B. (Expansion or Remodeling of Structure, or Change in Use) of Section 19.28.040 (Number of Parking Spaces Required) of Chapter 19.28 of Title 19 of the West Hollywood Municipal Code is amended to read as follows:

5. Additional parking spaces shall not be required for the following:

a. An addition to a structure solely to improve access for disabled persons.

b. Additions or increases in the floor area within a structure that was built before November 29, 1984, that are 10 percent or less of the existing gross floor area or 250 square feet, whichever is less. Larger additions shall provide additional parking for the entire addition. This exemption shall not apply to a parcel more than one time for additions other than for increasing access for disabled persons. This exemption shall not apply to a bar, nightclub, or outdoor dining area.

c. Floor area within non-residential uses that is used for an on-site cafeteria, recreational facility, or a day care facility for exclusive use of employees and their children, when the review authority determines that the facilities will reduce or not increase traffic to and from the site, and thereby reduce the need for parking.

d. An accessory dwelling unit which is: (1) located within one-half mile of public transit; (2) located within an architecturally and historically significant historic district; (3) part of the existing primary residence or an existing accessory structure; or (4) located within one block of a car share vehicle.

e. A junior accessory dwelling unit, as defined by the city's Zoning Ordinance.

f. Live/work units in existing buildings. Major remodels are not eligible.

SECTION 10. The following row in Table 3-6 (Parking Requirements by Land Use) of Section 19.28.040 (Number of Parking Spaces Required) of Chapter 19.28 of Title 19 of the West Hollywood Municipal Code is amended to read as follows:

Non-Residential Land Use	Required Parking Spaces
Live/Work Units	1 space per 1,000 sq. ft.

SECTION 11. Subsection (C)(4) of Section 19.36.140 (Home Businesses) of Chapter 19.36 of Title 19 of the West Hollywood Municipal Code is amended to read as follows:

C. 4. Limitation on Employees. The home business shall employ only the full-time residents of the housing unit; provided that two additional employees may be allowed on the premises between the hours of 8:00 a.m. and 8:00 p.m. This limitation applies only to employees of the home business and does not regulate the use of housekeeping, gardening, child care, and cooking personnel which are unrelated to the home business.

SECTION 12. Subsection (C)(8) "Proximity to Related Commercial Use" of Section 19.36.140 (Home Businesses) of Chapter 19.36 of Title 19 of the West Hollywood Municipal Code is repealed entirely.

SECTION 13. The definition "Home Business" in the alphabetical list of definitions in Section 19.90.020 (Definitions of Specialized Terms and Phrases) of Chapter 19.90 of Article 19-6 of Title 19 of the West Hollywood Municipal Code is amended to read as follows:

Home Business. The conduct of a business within the business owner's primary residence, with the business activity being subordinate to the residential use of the residential unit. See Section 19.36.140 (*Home Businesses*).

SECTION 14. Based on the foregoing, the City Council approves Zone Text Amendment 2018-0006.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of West Hollywood at a regular meeting held this 15th day of October, 2018 by the following vote:

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


JOHN J. DURAN, 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. 18-1041 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 October, 2018, after having its first reading at the regular meeting of said City Council on the 1st day of October, 2018.