

ORDINANCE NO. 18-1051

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AMENDING THE ZONING ORDINANCE TO ALLOW PLANNING AND DEVELOPMENT SERVICES DIRECTOR APPROVAL FOR ALL COMMERCIAL PROJECTS UNDER 30,000 SQUARE FEET IN SIZE.

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

SECTION 1. As directed by the City Council, a zone text amendment was initiated to allow development permit applications for commercial projects less than 30,000 square feet, which do not require a Conditional Use Permit or Variance, to be reviewed, approved, modified, or denied at the Director level to provide a more streamlined approval process for smaller, less impactful commercial projects while still allowing community members to be involved through neighborhood meetings and the appeal process, if necessary.

SECTION 2. On October 18, 2018, the Planning Commission held a public hearing regarding the proposed zone text amendment and recommended approval of the proposed zone text amendment to the City Council.

SECTION 3. A public hearing was duly noticed for the City Council meeting of December 3, 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 November 22, 2018.

SECTION 4. 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 implementation of a new provision to allow staff approval of commercial developments of less than 30,000 square feet will in effect only streamline the decision-making process, but will not have a direct impact on the environment. Individual commercial projects that are subject to this approval process are subject to CEQA and will undergo environmental review, as appropriate.

SECTION 5. Section 19.48.030 Review Authority of Chapter 19.48 Development Permits, of Title 19 of the West Hollywood Municipal Code is amended as follows (additions in underlined and deletions in strikethrough):

Development permit applications shall be reviewed, approved, modified, or denied by the review authority identified in the following table. For review of amendments to already approved projects, see also Section 19.62.070, Amendments to Approved Projects.

**Table 4-2
Development Permit Review Authority**

Type of Use or Project	Review Authority	
	Director	Commission
Commercial Zoning Districts, except SSP		
Project of 30,000 gross sq. ft. or more of new or additional gross floor area, or requires a Conditional Use Permit or Variance, or requests bonuses or incentives beyond the baseline zoning requirements, or is a mixed residential/commercial project		■
Project between 10,000 to 30,000 gross sq. ft. of new or additional gross floor area that does not require a Conditional Use Permit or Variance, or does not request any bonuses or incentives beyond the baseline zoning requirements	■ (1), (2)	
Project of less than 10,000 gross sq. ft. of new or additional gross floor area, that does not require a Conditional Use Permit or Variance	■ (2)	
Major changes (as determined by the Director) to any of the above permits approved by the Commission		■
Minor changes (as determined by the Director) to any of the above permits approved by the Commission	■	
Sunset Specific Plan (SSP) Zoning District		
Project of 30,000 sq. ft. or more, or requires a Conditional Use Permit or Variance		■
Project of less than 30,000 sq. ft., and does not require a Conditional Use Permit or Variance	■ (34)	
Major changes (as determined by the Director) to the above approved by the Commission		■
Minor changes (as determined by the Director) to the above approved by the Commission	■	

Notes:

- (1) The following is required for commercial projects between 10,000 square feet and 30,000 square feet:
- a. A Neighborhood Meeting must be conducted within 60 days of submission of a complete application.

(2) The Planning and Development Services Director may defer action and refer the application to the Planning Commission for review under Section 19.40.020.

(3) The Planning and Development Services Director may defer action and refer the application to the Planning Commission for review if the Director determines that the project meets the goals but not the requirements of the Sunset Specific Plan or if the project:

- a. Requires significant additional environmental study;
- b. Has unexpected traffic or parking projections;
- c. Has unique uses, or uses with unusually high occupancy expectations;
- d. Would have potential significant impacts which were unanticipated at the time the Sunset Specific Plan was written; or
- e. Is of a unique design or contains an unusual new billboard structure.
- f. Is a new ground-floor bank or financial services use in the Sunset Specific Plan area.

All referrals to the Planning Commission shall be accompanied by a written explanation of the reason for the referral.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of West Hollywood at a regular meeting held this 17th day of December, 2018 by the following vote:

AYES:	Councilmember:	Heilman, Horvath, Meister, Mayor Pro Tempore D'Amico, and Mayor Duran.
NOES:	Councilmember:	None.
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. 18-1051 was duly passed, approved, and adopted by the City Council of the City of West Hollywood at a regular meeting held on the 17th day of December, 2018, after having its first reading at the regular meeting of said City Council on the 3rd day of December, 2018.

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 18th DAY OF DECEMBER, 2018.


YVONNE QUARKER, CITY CLERK