

ORDINANCE NO. 19-1086

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, APPROVING A ZONE TEXT AMENDMENT TO TITLE 19, ZONING ORDINANCE, TO AMEND STANDARDS FOR PROJECTS SPANNING COMMERCIAL AND RESIDENTIAL ZONE DISTRICTS TO REQUIRE ABOVE GRADE SEPARATION BETWEEN RESIDENTIAL AND COMMERCIAL ZONE DISTRICTS WHILE ALLOWING SUBTERRANEAN GARAGES TO SPAN ACROSS THE ENTIRE DEVELOPMENT SITE, CITYWIDE, IN THE CITY OF WEST HOLLYWOOD, CALIFORNIA.

THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD HEREBY ORDAINS AS FOLLOWS:

SECTION 1. Projects spanning commercial and residential zone districts need to be compatible with the surrounding neighborhoods. The proposed zone text amendment will require development projects which span residential and commercial zone districts to construct separate buildings above grade, which will improve neighborhood compatibility of development projects, while permitting subterranean garages to span the entire project site.

SECTION 2. A public hearing was duly noticed for the Planning Commission meeting of April 4, 2019 by publication in the Beverly Press newspaper, the West Hollywood Independent Newspaper, and the City website and by announcement on City Channel 6 starting March 21, 2019. On April 4, 2019, the Planning Commission continued this item to a date certain of May 16, 2019. On May 16, 2019, the Planning Commission made a recommendation to the City Council to ban projects from spanning between commercial and residential zone districts.

SECTION 3. A public hearing was duly noticed for the City Council meeting of September 23, 2019 by publication in the Beverly Press newspaper, the West Hollywood Independent Newspaper, and the City website and by announcement on City Channel 6 starting September 12, 2019. On September 23, 2019, the City Council held a public hearing and requested staff return with an amendment that would require buildings above grade to be separated and meet all setback and development standards of the district, while allowing subterranean garages to span commercial and residential zone districts on the entire project site. The City Council continued this item to a date certain of October 7, 2019. On October 7, 2019, the City Council adopted a motion to require buildings above grade to be separated and meet all setback and development standards of the district, while allowing subterranean garages to span commercial and residential zone districts on the entire project site, with additional amendments to minimum site size, canopy tree requirements, and compliance with the Climate Action Plan.

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. Requiring separated buildings in commercial and residential zone districts will decrease the size of buildings and increase open space in setbacks, which will not have any significant impacts on the environment. The standards for the buildings stay the same and will essentially be more compatible with general plan and zoning requirements, as they must meet all standards for each building. Each building will have a reduced size compared to what could be built today but would also be allowed to share a subterranean parking structure, which creates efficiencies and better opportunities for ingress and egress and will reduce impacts through less site disturbance and shared building systems. Therefore, the proposed amendment will not have the potential for causing a significant effect on the environment.

SECTION 5. The City Council of the City of West Hollywood hereby finds that Zone Text Amendment 2018-0008 is consistent with the Goals and Policies of the General Plan, including Policy H-2.4: Establish and maintain development standards that support housing and mixed-use developments while protecting and enhancing the quality of life goals and Policy LU-1: Maintain an urban form and land use pattern that enhances quality of life and meets the community's vision for its future. Additionally, the expanded green space will further Goal LU-9, Encourage multi-family residential neighborhoods that are well maintained and landscaped, and include a diversity of housing types and architectural designs. By encouraging projects that are consistent with their underlying zoning above grade and allowing shared parking below grade, the ordinance will not impede the City's implementation of its General Plan designations, policies and goals. Following multiple public hearings on this subject, this ordinance strikes an appropriate balance between all of the many competing interests associated with the subject mixed-use projects and that in turn, reflects and supports the various land use and housing interests that are balanced in the General Plan.

SECTION 6. Subsection (C) of Section 19.04.040, Standards for Parcels with Multiple Zoning Districts, of Chapter 19.04 of Title 19, West Hollywood Municipal Code is amended to read as follows:

- C. Standards for Parcels with Multiple Zoning Districts. Where a parcel is zoned in two or more zoning districts, each portion of the parcel in a separate district shall be developed as a separate site, in compliance with the requirements of the applicable district, including density, setbacks, height, and other applicable development standards, except that subterranean parking may be constructed as connected floor plates with no setbacks between district or parcel boundaries, in further compliance with Section 19.36.170.

SECTION 7. Subsection (A) of Section 19.36.170, Mixed-Use Projects, of Chapter 19.36 of Title 19 of the West Hollywood Municipal Code, is amended to read as follows:

- A. Mixed-Use Projects that Span Both Residential and Commercial Zoning Districts. A proposal to consolidate abutting residential and commercial parcels into a unified mixed-use project shall comply with the following standards.

1. Minimum Site Area. The proposed parcels shall contain a minimum aggregate area of 50,000 square feet.
2. Zoning District Limitations. Each residential parcel included in the project shall be designated within the R3 or R4 zoning districts.
3. Density. The residential density of the residentially zoned portion of the project shall not exceed that allowed by the applicable residential zoning district.
4. Ground Floor Uses. The portions of the ground floor of a mixed-use project adjacent to a public street frontage shall be used as follows:
 - a. Commercial Frontage. Residential uses shall not be located within 50 feet of the site street frontage within a commercial zoning district; and
 - b. Residential Frontage. Only residential uses shall be developed along the site street frontage within a residential zoning district.
5. Existing Alleys. Existing alleys shall be retained within the project unless the review authority determines that the alleys are not needed for loading or circulation.
6. Design Standards. A proposed mixed-use project shall be designed and constructed to:
 - a. Be compatible with and complement adjacent land uses;
 - b. Maintain the scale and character of development in the immediate neighborhood;
 - c. Maintain or increase the existing number of residential units generally and specifically those for seniors and low- and moderate-income households; and
 - d. Mitigate glare, light, noise, traffic, and other potential environmental impacts to the maximum extent feasible.
 - e. Be consistent with the goals and objectives of the Climate Action Plan.
7. Loss of Neighborhood Commercial Uses. The project shall not reduce the existing supply of commercial land uses serving the immediate residential neighborhood.
8. Development as separate sites: The residential and commercially zoned portions of the site shall be developed as separate sites, in compliance with the requirements of the applicable district, including density, setbacks, height, and other applicable development standards, except that subterranean

parking may be constructed as connected floor plates with no setbacks between district or parcel boundaries.

- 9. Canopy Trees: One canopy tree for every 6,000 square feet of site area shall be planted at ground level in the ground in a location deemed appropriate to grow a mature canopy tree of the specified species as determined by a licensed arborist.
- 10. Driveways: The driveways shall be designed and located to minimize impacts to the adjacent residential neighborhood.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of West Hollywood at a regular meeting held this 4th day of November, 2019 by the following vote:

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



JOHN D'AMICO, 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. 19-1086 was duly passed, approved, and adopted by the City Council of the City of West Hollywood at a regular meeting held on the 4th day of November, 2019, after having its first reading at the regular meeting of said City Council on the 21st day of October, 2019.

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 5th DAY OF NOVEMBER, 2019.



YVONNE QUARKER, CITY CLERK