

ORDINANCE NO. 19-1057

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, APPROVING AN AMENDMENT TO TITLE 19, ZONING ORDINANCE, CLARIFYING HOUSING IN-LIEU FEES AND AFFORDABLE HOUSING IMPACT FEES FOR NON-RESIDENTIAL PROJECTS, CITYWIDE, WEST HOLLYWOOD, CALIFORNIA.

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

SECTION 1. This zone text amendment proposes clarification of certain aspects in the West Hollywood Municipal Code regarding affordable housing fees to eliminate references to the affordable housing in-lieu fee from the Development Fee and affordable housing sections of the Zoning Code.

SECTION 2. A public hearing was duly noticed for the Planning Commission meeting of November 15, 2018, by publication in the Beverly Press newspaper, the West Hollywood Independent Newspaper, and the City website and by announcement on City Channel 6 starting on November 1, 2018. The Planning Commission held a public hearing on November 15, 2018, and recommended approval to the City Council by a 7-0 vote, with no recommended revisions.

SECTION 3. A public hearing was duly noticed for the City Council meeting of December 17, 2018 by publication in the West Hollywood Independent and Beverly Press on December 7, 2018 and by announcement on City Channel 6, as well as the City website and City Hall on December 7, 2018. Notices were mailed to all West Hollywood Neighborhood Watch groups on December 7, 2018. On December 17, 2018, at their regularly scheduled public hearing, the City Council continued this item to a date certain of January 22, 2019. An updated notice was published for the City Council meeting of January 22, 2019 by publication in the West Hollywood Independent and Beverly Press on January 10, 2019 and by announcement on City Channel 6, as well as the City website and City Hall on January 10, 2019. Notices were mailed to all West Hollywood Neighborhood Watch groups on January 10, 2019.

SECTION 4. The amendments 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. The proposed zone text amendment changes are a clarification to the Zoning Code

regarding affordable housing in-lieu fees that are administrative clarifications that do not actually change development projects and thus, have no impact on the environment.

SECTION 5. The City Council of the City of West Hollywood hereby finds that Zone Text Amendment 2018-0017 is consistent with the Goals and Policies of the General Plan, including consistency with the following General Plan Goal: G-1: Ensure that the community is active and engaged in the decision-making process.

SECTION 6. Subsection B of Section 19.22.080, Implementation of Inclusionary Provisions, of Chapter 19.22 of Article 19-3 of Title 19 is hereby amended to read as follows:

B. Fee. If an in-lieu fee is required, the fee shall be determined in accordance with 19.22.040.

SECTION 7. Table 4-3, Required Development Fees, of Section 19.64.020 of Chapter 19.64 of Article 19-4 of Title 19 is hereby amended to read as follows:

Table 4-3: Required Development Fees

Type of Fee	Type of Project Requiring Fee Payment	
	Residential <sup>1</sup>	Non-Residential
Affordable Housing Impact Fee		■
Child Care Facilities Development Fee		■
Quimby Fee <sup>2</sup>	■	
Public Beautification and Art Fee (see Section 19.38.040)	■	■
Public Open Space Development Fee		■
Sunset Median Fee <sup>3</sup>		■
Transportation Facilities and Programs Development Fee	■	■

PASSED, APPROVED, AND ADOPTED by the City Council of the City of West Hollywood at a regular meeting held this 4<sup>th</sup> day of February, 2019 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. 19-1057 was duly passed, approved, and adopted by the City Council of the City of West Hollywood at a regular meeting held on the 4<sup>th</sup> day of February, 2019, after having its first reading at the regular meeting of said City Council on the 22<sup>nd</sup> day of January, 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 5<sup>th</sup> DAY OF FEBRUARY, 2019.



YVONNE QUARKER, CITY CLERK