

ORDINANCE NO. 21-1143

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, ADOPTING A ZONE TEXT AMENDMENT TO ALLOW ON-SITE ALCOHOLIC BEVERAGE SERVICE FOR BEER, WINE AND LIQUOR IN THE R3C-C ZONE DISTRICT, IN THE CITY OF WEST HOLLYWOOD.

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

SECTION 1. The purpose of this Zone Text Amendment is to allow the sale of beer, wine and alcohol for on-site consumption with a conditional use permit in the R3C-C zone district.

SECTION 2. On September 19, 2011, the City Council adopted the West Hollywood General Plan 2035. The General Plan sets a vision for the West Hollywood community for the next 25 years. By law, the Zoning Ordinance must be made consistent with the newly updated General Plan within a reasonable period of time. On December 4, 2017, the City Council adopted an ordinance to establish the R3C-C and R4B-C zone districts to bring the Municipal Code into compliance with the General Plan 2035. The regulations established at that time allowed the same commercial uses as the CN1 District, with the restriction that restaurants be 1,200 square feet or less. However, alcoholic beverage sales were not contemplated, and put businesses in these zone districts at a distinct disadvantage, limiting operations.

SECTION 3. A public hearing was duly noticed for the Planning Commission meeting of November 5, 2020 by publication in the Beverly Press newspaper, the West Hollywood Independent Newspaper, and the City website and by announcement on City Channel 6 by October 22, 2020. Notices to property owners and residents within a 500' radius of the proposed zones were postmarked on October 22, 2020. On November 5, 2020, the Planning Commission requested staff return at a later date with updated regulations. A public hearing was duly noticed for the Planning Commission meeting of January 21, 2021 by publication in the Beverly Press newspaper, the West Hollywood Independent Newspaper, and the City website and by announcement on City Channel 6 by January 11, 2021. Notices to property owners and residents within a 500' radius of the proposed zones were postmarked by January 11, 2021. On January 21, 2021, the Planning Commission continued this item to a date certain of February 18, 2021. On February 18, 2021, the Planning Commission recommended approval of a Zone Text Amendment requiring a Conditional Use Permit for on-site alcoholic beverage sales in R3C-C, and also prohibited alcoholic beverage sales on lots spanning the R3C-C and R3C District.

SECTION 4. A public hearing was duly noticed for the City Council meeting of March 15, 2021 by publication in the Beverly Press newspaper, the West

Hollywood Independent Newspaper, and the City website and by announcement on City Channel 6 by March 5, 2021. Notices to property owners and residents within a 500' radius of the proposed zones were postmarked March 4, 2021.

SECTION 5. 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 proposed zone text amendment does not change the base land uses allowed in the R3C-C zone district, but allows the sale of alcoholic beverages at permitted restaurants less than 1,200 square feet, art galleries, and general retail. The addition of alcoholic beverage sales will not have a direct impact on the environment. Individual projects that are subject to this approval process are subject to CEQA and will undergo environmental review, as appropriate.

SECTION 6. The City Council of the City of West Hollywood hereby finds that Zone Text Amendment 2020-0004 is consistent with the Goals and Policies of the General Plan, specifically Goal ED-7, to “Enhance the City as a regional, national and international destination for the entertainment, nightlife, dining and retail industries that are key to West Hollywood’s fiscal health.” Allowing alcohol service in restaurants will allow these businesses to thrive, and will provide additional dining amenities within the City.

SECTION 7. Table 2-2, Allowed Uses and Permit Requirements For Residential Zoning Districts, in Section 19.06.030 of Chapter 19.06 of Title 19 of the West Hollywood Municipal Code is amended to add the following lines inserted into the table in alphabetical order, with Note 11 at the end of the table amended to read as follows:

P– Use Permitted ¹	
MCUP – Minor Conditional Use Permit Required	CUP – Conditional Use Permit Required
RI – Rehabilitation Incentives	— Use Not Allowed

[Explanatory Notes Follow at the End of the Table]

LAND USE ²	PERMIT REQUIRED BY ZONE				Specific Use Regulations
	R1	R2	R3	R4	
Alcoholic beverage sales, off-site consumption	--	--	--	--	
Alcoholic beverage sales, on-site consumption, beer and wine	--	--	CUP ¹¹	--	19.36.060
Alcoholic beverage sales, on-site consumption, hard liquor	--	--	CUP ¹¹	--	19.36.060

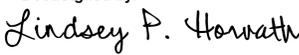
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Notes:

(11) Permitted only in R3C-C and R4B-C zoning district. Commercial uses limited to ground floor. Live/work units shall be permitted on any floor. Alcoholic beverage sales shall not be permitted on lots spanning the R3C-C and R3C Districts.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of West Hollywood at a regular meeting held this 5th day of April, 2021 by the following vote:

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

DocuSigned by:

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 LINDSEY P. HORVATH, MAYOR

ATTEST:
 DocuSigned by:

 2072ACE2323D4B9
 MELISSA CROWDER, ACTING CITY CLERK

STATE OF CALIFORNIA)
 COUNTY OF LOS ANGELES)
 CITY OF WEST HOLLYWOOD)

I, MELISSA CROWDER, Acting City Clerk of the City of West Hollywood, do hereby certify that the foregoing Ordinance No. 21-1143 was duly passed, approved, and adopted by the City Council of the City of West Hollywood at a regular meeting held on the 5th day of April, 2021, after having its first reading at the regular meeting of said City Council on the 15th day of March, 2021.

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 6th DAY OF APRIL, 2021.

DocuSigned by:

 2072ACE2323D4B9
 MELISSA CROWDER, ACTING CITY CLERK