

CITY COUNCIL
PUBLIC HEARING

MARCH 15, 2021

SUBJECT: **ZONE TEXT AMENDMENT TO AMEND REGULATIONS TO REQUIRE NO NET LOSS OF HOUSING IN THE R2 DISTRICT, IN THE CITY OF WEST HOLLYWOOD.**

PREPARED BY: **PLANNING & DEVELOPMENT SERVICES DEPARTMENT**
(John Keho, AICP, Director)
(Rachel Dimond, AICP, Acting Long Range Planning Manager)
(Bryan Eck, Senior Planner)

STATEMENT ON THE SUBJECT:

The City Council will hold a public hearing to consider an amendment to the Zoning Ordinance to affirm that there shall be no net loss of housing units in the City's R2 zone to align with the R3 and R4 zones and recently adopted state law.

RECOMMENDATION:

Staff recommends the City Council hold a public hearing, listen to all pertinent testimony, and introduce the following Ordinance on first reading:

1. **ORDINANCE 21-XXXX: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, APPROVING AMENDMENTS TO TITLE 19, ZONING ORDINANCE, TO AFFIRM THERE SHALL NO NET LOSS OF HOUSING UNITS IN THE R2 ZONE, IN THE CITY OF WEST HOLLYWOOD, CALIFORNIA. (ATTACHMENT A)**

BACKGROUND / ANALYSIS:

This item is an amendment to the West Hollywood Zoning Ordinance to add clarification that there shall be no net loss of housing units in the R2 Zoning District. This change is being added to both remove ambiguity within state law and align the R2 zone with the City's R3 and R4 residential zoning districts, which have identical language as is proposed.

In October 2019, the Governor signed SB330 (Housing Crisis Act) into law which requires the one-for-one replacement of protected housing units in new development projects that include demolition of existing units. This aligns with the goals of protecting the existing housing stock within the City of West Hollywood. Certain developers have made the argument that these rules do not apply in certain instances and that existing protected multifamily housing units can be demolished and replaced with single-family houses. There is an indication that any ambiguity related to this will be removed by the state legislature this year. Any change made by the legislature is likely to not become law until January 1, 2022. The proposed change would affirm this locally ahead of action taken by the State.

The proposed change is also an important and necessary step for the upcoming Housing Element update. Per California State Government Code § 65863, cities must maintain, at all times during

the planning period, adequate sites to meet their unmet share of the RHNA. In addition, cities generally may not take any action that would allow or cause the sites identified in its Site Inventory to be insufficient to meet its remaining unmet share of the City's RHNA for lower and moderate-income households. Without the proposed provisions in place, there is some uncertainty as to the City's ability to include the R2 zoning district in the housing capacity analysis during the upcoming Housing Element Cycle.

CONFORMANCE WITH VISION 2020 AND THE GOALS OF THE WEST HOLLYWOOD GENERAL PLAN:

This item is consistent with the Primary Strategic Goal(s) (PSG) and/or Ongoing Strategic Program(s) (OSP) of:

- PSG-1: Maintain the City's Unique Urban Balance with Emphasis on Residential Neighborhood Livability.
- PSG-2: Affordable Housing.

In addition, this item is compliant with the following goal(s) of the West Hollywood General Plan:

- H-2: Maintain and enhance the quality of the housing stock and residential neighborhoods.
- H-3: Encourage a diverse housing stock to address the needs of all socioeconomic segments of the community.

EVALUATION PROCESSES:

N/A

ENVIRONMENTAL SUSTAINABILITY AND HEALTH:

The zone text amendment is categorically exempt under CEQA per Section 15305 (Class 5) of the Public Resources Code. A Class 5 Categorical Exemption under CEQA includes "minor alterations in land use limitations in areas with an average slope of less than 20%, which do not result in any changes in land use or density". The proposed Zone Text Amendment is a clarification and affirmation of recently adopted state law regarding the net loss of housing units in West Hollywood's R2 Zone and thus is categorically exempt from CEQA.

COMMUNITY ENGAGEMENT:

OFFICE OF PRIMARY RESPONSIBILITY:

PLANNING & DEVELOPMENT SERVICES DEPARTMENT / CURRENT & HISTORIC PRESERVATION PLANNING DIVISION

FISCAL IMPACT:

None.

ATTACHMENTS:

Attachment A: Draft Ordinance

Attachment B: Adopted Planning Commission Resolution dated February 18, 2021

Attachment C: Planning Commission Staff Report dated February 18, 2021

Attachment D: Draft Planning Commission minutes from February 18, 2021