

ORDINANCE NO. 18-1022

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AMENDING TITLE 19 OF THE WEST HOLLYWOOD MUNICIPAL CODE RELATED TO STANDARDS FOR THE R4B-C AND R3C-C ZONING DISTRICTS, AND A ZONE MAP AMENDMENT UPDATING THE ZONING MAP, TO CONFORM WITH THE WEST HOLLYWOOD GENERAL PLAN 2035, SELECTED ZONES, WEST HOLLYWOOD, CALIFORNIA

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

SECTION 1. 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. The City of West Hollywood initiated amendments to the Zoning Ordinance, Article 19 of the Municipal Code, and the Zoning Map, pursuant to Chapter 19.78. This amendment is a part of a series of amendments that bring the Municipal Code into compliance with the General Plan 2035.

SECTION 2. A public hearing was duly noticed for the Planning Commission meeting of October 19, 2017 by publication in the Beverly Press newspaper, the West Hollywood Independent Newspaper, required state and local agencies, and the City website and by announcement on City Channel 6 by October 5, 2017. Notices to property owners and residents within a 500' radius of the proposed zones were postmarked on October 5, 2017. The Planning Commission also held public hearings on June 1, 2017 and May 4, 2017 that were noticed on April 20, 2017. On June 1, 2017, the Planning Commission voted to adopt Resolution 17-1202 and recommended approval of the zone text changes pertaining to the R4B-C zoning district discussed herein. On October 19, 2017, the Planning Commission voted to adopt Resolution 17-1197 and recommended denial of the zone changes pertaining to the R3C-C zoning district discussed herein.

SECTION 3. The West Hollywood City Council properly reviewed and considered this matter at a public hearing on December 4, 2017. Public Notice of the hearing was advertised by publication in the West Hollywood Independent and Beverly Press on November 23, 2017, and by announcement on City Channel 6, as well as the City website and City Hall on November 23, 2017. Notices to property owners and residents within a 500' radius of the proposed zones were postmarked on November 22, 2017. Following the December 4, 2017 public hearing, the City Council directed staff to return at a later date with revised ordinance language.

SECTION 4. A Program Environmental Impact Report (State Clearinghouse #2009091124) was prepared for the City of West Hollywood General Plan and Climate Action Plan, and was certified by the City Council on September 19, 2011. State law compels the City to promptly revise the Zoning Ordinance to make it consistent with the newly updated General Plan. The rezoning actions included with this Zoning Text and Map amendment) reflect specific land use designations and policies approved as part of the Land Use and Urban Form chapter of General Plan 2035 and are consistent with the General Plan EIR in accordance with Public Resources Code section 21083.3. The R3C-C and R4B-C rezoning actions are the same rezoning actions already analyzed in the Program EIR; thus there are no project specific impacts or substantial new information that needs to be studied under Section 21083.3. Analysis in the Program EIR record confirms that no new significant impacts would result from these changes. More specifically, the proposed standards for the R3C-C and R4B-C zoning districts envisions a zone that accommodates both residential and neighborhood-serving commercial uses, and thus limiting potential impacts on residential neighborhoods. Additionally, the allowed commercial uses in the proposed zone promotes fewer auto trips because the commercial uses are neighborhood-serving and intended to serve the immediate neighborhood, and thus is consistent with the Program EIR, and as such could not reasonably have a significant environmental impact.

SECTION 5. The West Hollywood City Council hereby finds that this Ordinance is consistent with the Goals and Policies of the General Plan, specifically Goal LU-11, which states that the City should “expand the Melrose/Beverly District as a national and international destination for high-end arts and design studios, offices and related businesses”. In addition, the proposed zone text amendment is consistent with Goal LU-13, which states that the City should “support a vibrant, high-density transit-oriented commercial district centered around the intersection of Santa Monica Boulevard and Fairfax Avenue.” Further, the zone map amendments will bring the Zoning map into conformance with the General Plan Land Use Map and implement provisions of the General Plan.

SECTION 6. Two new zoning districts are added to the residential zoning districts in Table 2-1 of Section 19.04.020 (Zoning Districts Established) in Chapter 19.04 of Title 19 of the West Hollywood Municipal Code to read as follows:

Zoning Map Symbol	Zoning District Name	General Plan Designation Implemented by Zoning District
R1	Residential, Single-Family or Two-Unit Low Density	R1A, R1B, R1C
R2	Residential, Low Density	R2
R3	Residential, Multi-Family Medium-Density	R3A, R3B, R3C, R3C-C

Zoning Map Symbol	Zoning District Name	General Plan Designation Implemented by Zoning District
R4	Residential, Multi-Family High-Density	R4A, R4B, R4B-C

SECTION 7. Subsections (C) and (D) of Section 19.06.020 (Purpose of Residential Zoning Districts) in Chapter 19.06 of Title 19 of the West Hollywood Municipal Code are amended to read as follows:

C. R3 (*Residential, Multi-Family Medium-Density*) District. The R3 zoning district provides for the development of a wide range of multi-family dwelling units, including apartments and condominiums. The standards of the R3 zoning district are intended to ensure that new residential projects are compatible with the scale and character of existing medium-density multi-family residential neighborhoods (see Table 2-3). The R3 zoning district is consistent with the R3A, R3B, R3C and R3C-C residential land use designations of the General Plan.

The application of the R3 zoning district to property on the Zoning Map (Section 19.04.030) will include establishing separate R3 zoning districts with specific density requirements and development standards, based on the General Plan designation of the area. These requirements shall be indicated on the Zoning Map by a suffix to the R3 Zoning Map symbol (for example, R3-A, R3-B, R3-C, and R3C-C) which identifies the different areas and corresponding requirements of this chapter that apply.

D. R4 (*Residential, Multi-Family High-Density*) District. The R4 zoning district provides for the development of a wide range of high-density multi-family housing, including apartments and condominiums. The standards of the R4 zoning district are intended to ensure that new high-density residential projects are compatible with the scale and character of existing high-density residential neighborhoods (see Table 2-3). The R4 zoning district is consistent with the R4A, R4B, and R4B-C residential land use designations of the General Plan.

The application of the R4 zoning district to property on the Zoning Map (Section 19.04.030) will include establishing separate R4 zoning districts with specific density requirements and development standards, based on the General Plan designation of the area. These requirements shall be indicated on the Zoning Map by a suffix to the R4 Zoning Map symbol (for example, R4A, R4B, and R4B-C) which identifies the different areas and corresponding requirements of this chapter that apply.

SECTION 8. Seven new land uses and a new Explanatory Note (11) are added to the alphabetical list of land uses in Table 2-2 of Section 19.06.030 (Residential Zoning District Land Use and Permit Requirements) in Chapter 19.20 of Title 19 of the West Hollywood Municipal Code to read as follows:

LAND USE ²	PERMIT REQUIRED BY ZONE				Specific Use Regulations
	R1	R2	R3	R4	
Art galleries	—	—	P ^{1, 11}	P ^{1, 11}	19.36.190
Artisan/handcraft shops	—	—	P ^{1, 11}	P ^{1, 11}	19.36.190
General retail stores	—	—	P ^{1, 11}	P ^{1, 11}	19.36.190
Live/ work units	—	—	P ^{1, 11}	P ^{1, 11}	19.36.160
Personal services	—	—	P ^{1, 11}	P ^{1, 11}	19.36.190
Restaurants, less than 1,200 sq.ft.	—	—	P ^{1, 11}	P ^{1, 11}	19.36.190
Restaurants – Outdoor dining, less than 250 sq.ft.	—	—	P ^{1, 11}	P ^{1, 11}	19.36.190

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.

SECTION 9. Table 2-3 of Section 19.06.040 (Residential Zoning District General Development Standards) of Chapter 19.36 of Title 19 of the West Hollywood Municipal Code is amended and a new Explanatory Notes (8) and (9) are added to read as follows (with the corresponding Explanatory Notes (1) – (7) remaining unchanged):

Development Feature	Requirement by Zoning District		
	R1, R2	R3	R4
Minimum lot area ¹	5,000 sq. ft.		
Maximum lot area	No maximum	No maximum; R3C-C: 10,000 sq. ft.	No maximum; R4B-C: 12,000 sq. ft.
Residential density ^{2, 6, 7}	See Table 2-4	1 unit for each 1,210 sq. ft. of site area	1 unit for each 872 sq. ft. of site area
Floor area ratio (FAR)	R1 – 0.5, R2 – N.A.	R3C-C – 1.0 ⁸	R4B-C – 0.5 ⁸
Setbacks required	<i>Minimum setbacks required. See Section 19.20.150 for setback measurement.</i>		
Front, 1st story	Average of front setbacks of the 2 structures closest to the front property lines on the 2 adjacent parcels, with the following minimums/maximums. ³		
	10 ft. min. in Norma Triangle, 15 ft. min. elsewhere; 30 ft. max.	15 ft. minimum, 30 ft. maximum; No minimum setback for R3C-C	7.5 ft. minimum, no maximum R4B-C: No 1st story front setback if commercial on the ground floor.
Front, 2nd & upper	An additional 6 ft. for 2nd and upper stories in addition to the 1st		

stories	story setback. ⁴ For R3C-C, no additional second or upper stories setback.		
Sides, interior lot	5 ft. For lots less than 50 ft. wide, 10% of average lot width, with 3 ft. min. (See 19.36.320 for additions to nonconforming buildings.)	5 ft. for lots with structures up to 2 stories. For lots 50 ft. or less in width, 10% of average lot width, with a 3 ft. minimum, for structures up to 2 stories. For all lots: An additional 1 ft. setback is required for each story above the 2nd story.	
		R3C-C: No minimum side setback.	R4B-C: 10 ft. setback with an additional 7.5 ft. stepback at 4 th story is required when adjacent to R-1 zone. ⁹ If a commercial use is on the ground floor, no minimum side setback on the 1 st floor where adjacent to a commercial zone district.
Street side, corner lot	5 ft.	5 ft.	
	10 ft. for reversed corner lots. ⁵	7.5 ft. for reversed corner lots. ⁵	
Rear	15 ft. For lots with a depth less than 75 ft., 20% of the average lot depth, but not less than 10 ft. R3C-C: 10 ft. minimum rear setback.		
Between structures	As required by Section 19.20.040 (Distance Between Structures)		
Flag lots	As required by Section 19.20.150 (Setback Measurement and Projections into Yards)		
Open space	None required other than setbacks	As required by Section 19.36.280 (Residential Uses – Multi-Family Dwellings)	
Height limit Primary structures	Maximum structure height. See Section 19.20.080 (Height Measurement and Exceptions).		
	R1-A, R1-B, R-2: 25 ft., 2 stories R1-C: 15 ft., 1 story	R3-A: 25 ft., 2 stories	R4-A: 35 ft., 3 stories
		R3-B: 35 ft, 3 stories R3-C and R3C-C: 45 ft., 4 stories	R4-B: 45 ft., 4 stories R4B-C: 48 ft., 4 stories
Accessory	15 ft., 1 story		

Landscaping	As required by Chapter 19.26 (Landscaping Standards)
Safety and Seismic Safety	For new construction and building additions, as required by Chapter 19.32 (Seismic Safety). Critical facilities, sensitive facilities (such as schools and daycare) and high occupancy facilities (such as religious facilities and hotels) are also subject to Chapter 19.32.
Parking	As required by Chapter 19.28 (Off-Street Parking and Loading Standards)
Sidewalks	Sidewalks shall be provided at a minimum width of 10 ft. See Section 19.20.160.
Signs	As required by Chapter 19.34 (Sign Standards)

Notes:

(8) Floor Area Ratio (FAR) calculations shall be used for calculating the maximum non-residential density for neighborhood serving commercial uses, limited to the ground floor of projects in the R3C-C and R4B-C zoning districts. Residential density shall be calculated by residential density standards.

(9) Additional side setbacks may be required above the second floor if the Director determines that additional side setbacks are necessary to ensure compatibility between the uses and structures.

SECTION 10. Section 19.06.070 (R3 and R4 Zoning District Development Standards – Maximum Average Unit Sizes) of Chapter 19.06 of Title 19 of the West Hollywood Municipal Code is amended to read as follows:

The aggregated maximum average size of all dwelling units within a new residential project shall be no greater than 1,500 square feet in the R3 district, and no greater than 1,200 square feet in the R4 district. The calculation of maximum average unit size shall not include any City required inclusionary units. This provision shall apply only if all existing dwelling units on the site are demolished and new dwelling units are constructed. Live/work units in the R4B-C and R3C-C zoning districts shall be exempt from the maximum average unit size requirement.

SECTION 11. Section 19.06.080 (R3 and R4 Zoning District Development Standards – Required Density) of Chapter 19.06 of Title 19 of the West Hollywood Municipal Code is amended to read as follows:

All new residential projects in the R3 and R4 zoning districts shall be built to have no net loss in dwelling units, unless the number of existing dwelling units is greater than allowed by zoning, in which case the project shall build to the maximum number of units allowed by the residential density requirements in Section 19.06.040. This provision shall apply only if all existing dwelling units on the site are demolished and new dwelling units are constructed.

SECTION 12. A new Section 19.06.090 (R3C-C and R4B-C Zoning District Development Standards) is added to Chapter 19.06 of Title 19 of the West Hollywood Municipal Code to read as follows:

19.06.90 R3C-C and R4B-C Zoning District Development Standards

1. The R3C-C zoning district allows for the same residential density as R3C and allows for live/work units and/or ground floor neighborhood-serving commercial. See Section 19.36.190 for regulations for neighborhood-serving commercial uses. See Section 19.36.130 for regulations for Live/ Work Facilities.

2. The R4B-C zoning district allows for the same residential density as R4B and allows for live/work units and/or ground floor neighborhood-serving commercial.

Commercial uses shall be limited to no more than 50% of the total lot area. See Section 19.36.190 for regulations for neighborhood-serving commercial. See Section 19.36.130 for regulations for Live/ Work Facilities.

SECTION 13. The list of alphabetical land uses in Table 3-6 of Section 19.28.040 (Number of Parking Spaces Required) of Chapter 19.28 of Title 19 of the West Hollywood Municipal Code is amended by adding the Live/work units land use under Residential Land Uses and adding a new Explanatory Note (5) under Non-Residential Land Uses to read as follows:

1. RESIDENTIAL LAND USES

Residential Land Use	Required Parking Spaces
Live/work units	R3C-C and R4B-C: Sufficient parking required at the discretion of the Director. Not to exceed 1 space for each unit.

2. NON-RESIDENTIAL LAND USES

Non-Residential Land Use	Required Parking Spaces ⁵
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Notes:

5. Non-residential parking not required in the R3C-C and R4B-C zoning district. Refer to Section 19.36.190 (Neighborhood Serving Commercial) for additional requirements.

SECTION 14. A new sign class is added to Table 3-11 of Section 19.34.030 (Sign Standards by Zoning District) of Chapter 19.34 of Title 19 of the West Hollywood Municipal Code to read as follows:

Sign Class	Allowed Sign Types	Maximum Number of Signs	Maximum Sign Area	Maximum Sign Height	Location Requirements	Lighting Allowed?	Additional Requirements
8. Live/Work Facilities and Commercial uses in the R3C-C and R4B-C zoning district	Wall and/or window, awning/canopy blade/bracket, free-standing bracket or monument	2 for each tenant space	1 sq. ft. for each lineal ft. of tenant frontage; 25 sq. ft. maximum	Below edge of roof; 36 in. freestanding	Affixed to wall, or placed within a landscaped area near tenant entrance. Allowed only on ground floor frontage.	Yes	Name and address of facility only

SECTION 15. Subsections (A) and (B) of Section 19.36.160 (Live/Work Facilities) of Chapter 19.36 of Title 19 of the West Hollywood Municipal Code are amended to read as follows:

19.36.160 Live/Work Facilities.

A. **Applicability.** The provisions of this section apply to live/work units where allowed by Article 19-2 in non-residential and residential zoning districts. The intent of this section is to provide for and make feasible the creation of alternative work space that will provide an incentive for entrepreneurs, business owners, artists, artisans, architects, designers and other individuals to continue to work in West Hollywood and contribute to the City's economy.

B. **Design Standards.** Live/work units shall comply with the following standards:

1. **Floor Area Requirements.** The total floor area of a live/work unit shall be at least 750 square feet. The first fifty feet of floor area depth at the street-level frontage shall be limited to commercial retail sale activities, with the exception of live/work projects in the R3C-C and R4B-C zoning districts.

a. For live/work projects in the R3C-C and R4B-C zoning districts, a minimum of 30 percent and maximum of 60 percent of the gross floor area of a live/work unit must be designated and regularly used for work activities.

SECTION 16. Section 19.36.190 (Neighborhood Serving Commercial) of Chapter 19.36 of Title 19 of the West Hollywood Municipal Code is added to read as follows:

A. Neighborhood Serving Commercial. Neighborhood serving commercial uses on the ground floor in the R3C-C and R4B-C zone shall meet the following requirements. Neighborhood serving commercial uses are intended to provide for a range of neighborhood serving retail and service uses along street frontages that are located and designed to foster pedestrian activity near residential uses.

1. *Allowable Uses.* Allowable ground floor uses shall be limited to the neighborhood-serving commercial uses identified in Table 2-2 in Section 19.06.030 – Residential Zoning District Land Uses and Permit Requirements.

2. *Design Standards.* Neighborhood-serving commercial uses in the R3C-C and R4B-C Zoning Districts shall meet the following requirements:

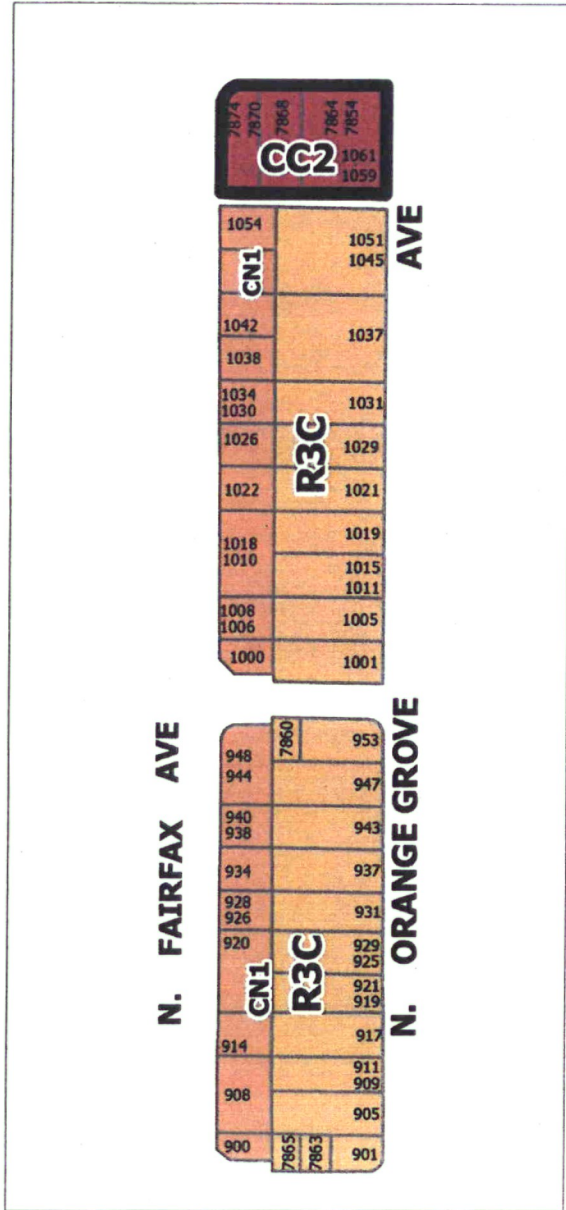
- a. All commercial tenant spaces in a building shall have a maximum average size of 1,200 square feet.
- b. Each commercial tenant space shall have a maximum frontage of thirty (30) linear feet.
- c. For additional façade standards, refer to Section 9.10.060 Commercial Building Façade Standards.

SECTION 17. The definition of “Live/Work Facilities” is modified in Section 19.90.020 (Definitions of Specialized Terms and Phrases) of Chapter 19.90 of Title 19 of the West Hollywood Municipal Code is added to read as follows:

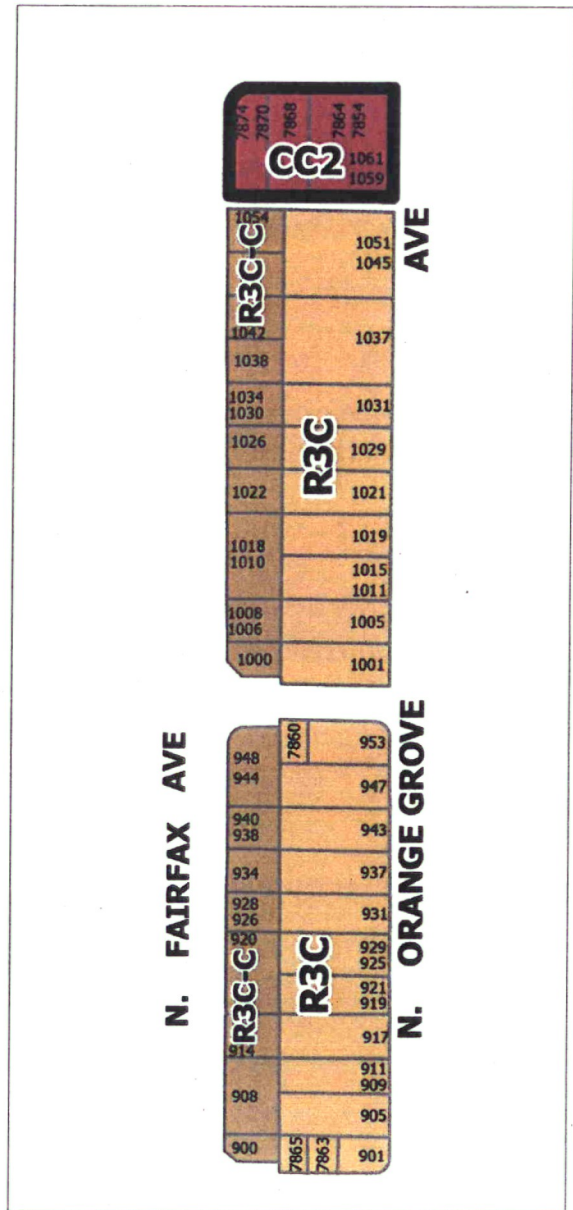
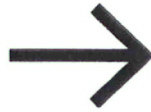
Live/Work Facilities. An integrated living unit and working space, occupied and utilized by a single housekeeping unit, in commercial and residential zoning districts, or in a building specifically designed and constructed to provide live/work units.

EXISTING ZONING MAP

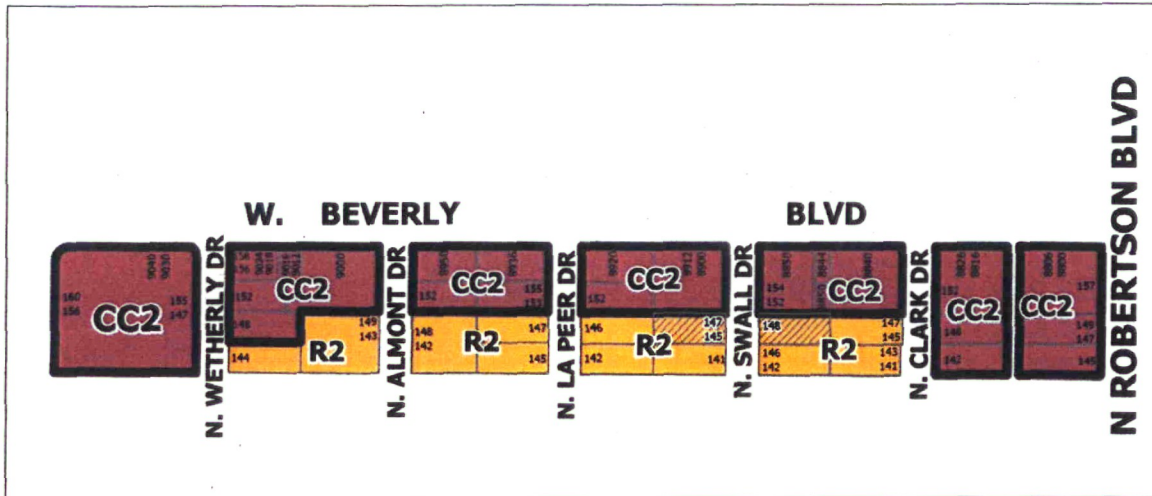
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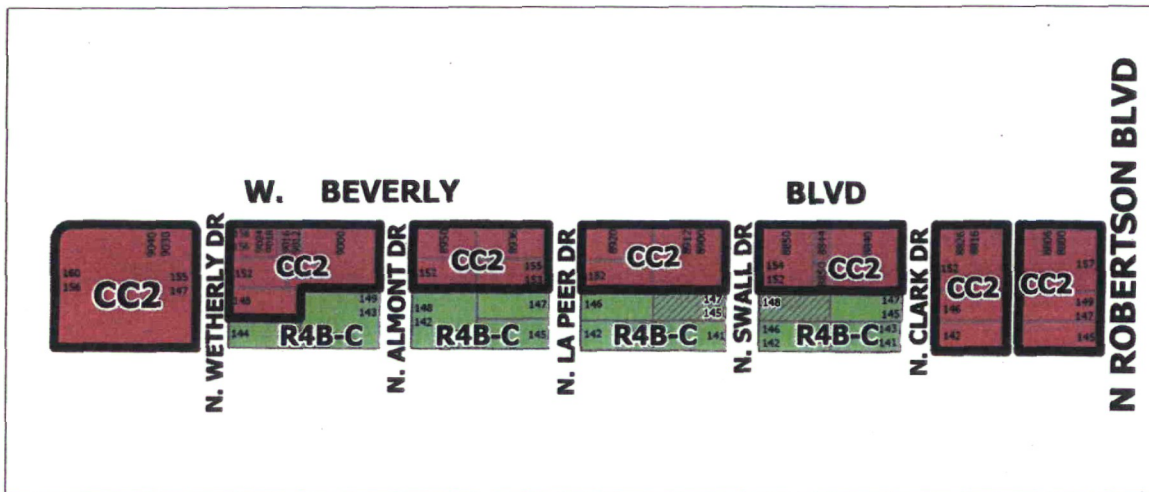
CURRENT



PROPOSED



CURRENT



PROPOSED

PASSED, APPROVED, AND ADOPTED by the City Council of the City of West Hollywood at a regular meeting held this 5th day of March, 2018 by the following vote:

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



JOHN HEILMAN, 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. 18-1022 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 March, 2018, after having its first reading at the regular meeting of said City Council on the 20th day of February, 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 6th DAY OF MARCH, 2018.



YVONNE QUARKER, CITY CLERK