

ORDINANCE NO. 17-999

AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF WEST HOLLYWOOD AMENDING TITLE 19
OF THE WEST HOLLYWOOD MUNICIPAL CODE
TO PROHIBIT CORPORATE RENTALS OF
DWELLING UNITS, CITYWIDE.

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

SECTION 1. Purpose. There is a documented shortage of housing throughout the State of California and the County of Los Angeles. Residential developments approved in the City of West Hollywood are expected to be used as residential housing, and not used for short-term or temporary occupancy. Corporate housing takes away needed housing from the City's housing stock and that is inconsistent with the City's housing policies of requiring residential dwelling units to be used as places of domicile. This ordinance is intended to implement those housing policies.

SECTION 2. A public hearing was duly noticed for the Planning Commission meeting of October 20, 2016 by publication in the Beverly Press newspaper, the West Hollywood Independent Newspaper on October 6, 2016, and required state and local agencies, and the City website and by announcement on City Channel 6 by October 7, 2015.

SECTION 3. The West Hollywood City Council properly reviewed and considered this matter at a public hearing on January 26, 2017. Public Notice of the hearing was advertised by publication in the West Hollywood Independent and Beverly Press on January 26, 2017 and by announcement on City Channel 6, as well as the City website and City Hall on January 26, 2017. Notices were mailed to all West Hollywood Neighborhood Watch groups on January 26, 2017.

SECTION 4. The zone text changes are Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061 of the CEQA Guidelines, which states that CEQA applies only to projects which 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 text amendments reaffirm and promote the long-term tenancy of dwelling units, as those units were intended and therefore will not have a significant effect on the environment.

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-1, which states that the City should "maintain an urban form and land use pattern that enhances the quality of life and meets the community's vision for the future. Specifically, this Ordinance is consistent with Policy LU-1.4, which states that the City should

continue to maintain regulations that “encourage preservation of existing housing and development of new housing that accommodates households that are diverse in size, type and income.” Further, this ordinance, which follows existing housing policies, does not impede the City’s ability to meet and implement its General Plan.

SECTION 6: A new land use is added to the alphabetical list of land uses in Table 2-2 of Section 19.06.030 in Chapter 19.06 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	
Corporate Housing	--	--	--	--	19.36.100(B) 19.48.060

SECTION 7: A new land use is added to the alphabetical list of uses in Table 2-5 of Section 19.10.030 in Chapter 19.10 of Title 19 of the West Hollywood Municipal Code to read as follows:

LAND USE ²	PERMIT REQUIRED BY ZONE						Specific Use Regulations
	CN	CC/SS P	CA	CR	PDCS P	PF ³	
Corporate Housing	--	--	--	--	--	--	19.36.100(B) 19.48.060

SECTION 8: The following new definitions are added in alphabetical order to the alphabetical list of definitions in Section 19.90.020 of Chapter 19.90 of Title 19 of the West Hollywood Municipal Code to read as follows:

Corporate housing. The temporary occupancy of any dwelling unit, by any person (1) who does not intend to use it as their domicile, or who has not entered into a written rental or lease agreement to occupy the unit for at least one year; and (2) for which the dwelling unit is owned, leased, guaranteed or made available by a business entity for occupancy by the entity’s officers, employees, consultants, vendors, or contractors.

SECTION 9: Paragraph (B) of Section 19.36.100 of Chapter 19.36 of Title 19 of the West Hollywood Municipal Code is amended to add the following new subsection 10 to read as follows:

10. Use as a Dwelling. The CC&Rs and other management documents shall contain a provision as follows: “Dwelling units within the property are intended to be used as domiciles for long-term occupancy, as reflected by the definition of ‘Dwelling Unit’ in Section 19.90.020. As such, no dwelling unit shall be used as corporate housing or short-term vacation rental.”

SECTION 10: Section 19.48.060 of Chapter 19.48 of Title 19 of the West Hollywood Municipal Code is amended to read as follows:

- A. In approving a development permit for a project containing dwelling units, the review authority shall ensure that the permit contains the following condition:
1. Dwelling units within the City are intended for long-term occupancy, as reflected by the definition of Dwelling Unit in Section 19.90.020. As such, no part of any dwelling unit in the project may be used as corporate housing or short-term vacation rental. This condition is independent of the City's ban on short-term rentals and corporate housing, which also applies to all dwelling units in the City.
- B. In approving a development permit, the review authority may require alterations to proposed plans, and may impose reasonable and necessary specific design, locational, and operational conditions relating to both on- and off-site improvements, which are intended to ensure that:
1. The site is physically adequate for the type, density, and intensity of development being proposed (e.g., number of employees) including provision of services (e.g., sanitation and water), public access, and the absence of physical constraints;
 2. The design, location, size, and operating characteristics of the proposed development are compatible with the existing and future land uses on-site and in the vicinity of the subject property;
 3. On- or off-site improvements (e.g., fire hydrants, streets, street lighting, traffic-control devices, etc.) are provided as reasonable and necessary to carry out the purpose and requirements of the applicable zoning district;
 4. The design of the proposed development maintains the scale, bulk and mass of adjacent properties within the existing neighborhood, and does not impair the integrity and character of the zoning district in which it is to be located;
 5. The proposed development incorporates new landscaping that complements the existing landscape and together provides opportunities for landscaped open space which contribute to a high quality visual image; and
 6. The establishment, maintenance, or operation of the proposed development at the location proposed does not endanger, jeopardize, or otherwise constitute a menace to the public convenience, health, interest, safety, or general welfare of persons residing or working in the neighborhood of the proposed use.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of West Hollywood at a regular meeting held this 21st day of February, 2017 by the following vote:

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



LAUREN MEISTER, 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. 17-999 was duly passed, approved, and adopted by the City Council of the City of West Hollywood at a regular meeting held on the 21st day of February, 2017, after having its first reading at the regular meeting of said City Council on the 6th day of February, 2017.

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 22nd DAY OF FEBRUARY, 2017.



YVONNE QUARKER, CITY CLERK