

SUBJECT: AMENDMENTS TO THE CITY'S MUNICIPAL CODE TO UPDATE  
COMMERCIAL OFF-STREET PARKING REQUIREMENTS

INITIATED BY: ECONOMIC DEVELOPMENT DEPARTMENT  
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### STATEMENT ON THE SUBJECT

The Planning Commission will hold a public hearing to consider amendments to the City's Municipal Code regulations that govern commercial off-street parking requirements.

### RECOMMENDATION

Staff recommends that the Commission hold the public hearing, consider all pertinent testimony and adopt the following resolution:

1. Draft Resolution No. PC 18-1291 **"A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD RECOMMENDING TO THE CITY COUNCIL APPROVAL OF A ZONE TEXT AMENDMENT TO AMEND REGULATIONS THAT GOVERN COMMERCIAL OFF-STREET PARKING REQUIREMENTS, CITYWIDE, WEST HOLLYWOOD, CALIFORNIA."**

### BACKGROUND

At its April 17, 2017 meeting, City Council directed staff to initiate an analysis of the feasibility of reducing commercial off-street parking requirements. Commercial off-street parking requirements regulate the amount of parking a business or new development must provide. The number of parking required is generally dependent on the type of business (land use) and the size of the business.

This original directive was informed by a combination of factors, including: a Business Development Division survey of small business owners; staff communication with real estate professionals; staff experience working with business owners and operators interested in opening or expanding a business in West Hollywood; research of best practices; and evolving local and regional economic, demographic, land use and transportation conditions resulting in a reduced demand for parking citywide.

## **WEST HOLLYWOOD PARKING PROGRAMS**

Commercial off-street parking requirements are one piece in the City's overall parking strategy. Parking-related policies and programs have evolved in West Hollywood over the past several years in an effort to balance the parking needs of residents, businesses, and visitors. The City has been progressive and successful in implementing programs that foster economic development while at the same time preserving and enhancing the quality of life in the City. Key parking policies and programs include the following:

### **Zoning Code Provisions**

- **Parking Credits Program.** West Hollywood currently manages two commercial parking credits districts. A parking credits district allows businesses with less than 10,000 square feet to meet zoning code requirements for parking. Credit pools are expanded or contracted based on available surplus parking in each district, allowing the city to efficiently manage and utilize surplus parking on a district-wide basis. Both commercial property owners and tenants of commercial buildings may utilize these parking credits to meet requirements.
- **Parking Use Permits (PUP).** A PUP allows a business to satisfy their code-required parking by leasing spaces from an off-site private parking facility located near the business. PUPs are reviewed and conditioned as necessary to ensure proper site access, compatibility of the off-site parking with the existing and future land uses on-site as well as with adjacent land uses, and safeguarding of public convenience, health, interest, and safety.

### **Non-Zoning Code Provisions**

- **Residential Preferential Permit Parking.** West Hollywood currently has 11 Preferential Parking Districts for residents. Each district restricts parking to only residents that live within that district and display a valid permit. Approximately two-thirds of the districts are enforced in the evening between 7pm and 7am daily, and one-third of the City has preferential parking regulations enforced during traditional business hours. Several City streets also have daytime parking restrictions or have posted time limits that exempt permit holders. Residential Preferential Permit Parking greatly reduces the potential of spill-over parking from commercial districts into residential neighborhoods.
- **The Drop.** The Drop curb zones have been established to provide convenient and accessible passenger pick-up and drop-off areas for ride share drivers in areas of high demand although drivers are not restricted to these areas. The Drop was launched in March 2018 as a pilot program with 12 curb zones located throughout West Hollywood in areas that experience a high volume of ride share use during evenings and nights. The Drop is part of a larger effort to address issues such as congested bike and traffic lanes and double-parking, especially in areas with vibrant nightlife and dining scenes.

- **The Pickup.** The Pickup is a local shuttle that operates along Santa Monica Boulevard to connect the west side, mid-city and east side areas, from San Vicente Boulevard to La Brea Avenue. Services run Fridays and Saturdays, 8pm to 3 am, and Sundays, 2pm to 10pm, every 15 minutes.
- **Sunset Trip.** Similar to the Pickup, the Sunset Trip is a convenient hop-on/hop-off trolley for traveling on the Sunset Strip and connecting to Melrose Avenue and Santa Monica Boulevard.

The proposed amendments are intended to align with and complement these existing parking programs and further the City's efforts to create a vibrant, livable and walkable community.

### **CURRENT OFF-STREET PARKING REQUIREMENTS**

Commercial parking requirements are regulated by two sections of Title 19 (Zoning) of the City's Municipal Code. The first section is *Table 3-6 Parking Requirements by Land Use of Chapter 19.28 Off-Street Parking and Loading Standards*. The table establishes the minimum number of parking spaces required per specific land use, typically as a ratio of the number of spaces required per 1,000 square feet of floor area. For example, restaurants are currently required to provide 9 parking spaces per 1,000 square feet of floor area, while retail businesses are required to provide 3.5 parking spaces per 1,000 square feet of floor area. The requirement for other land uses is based on a ratio of parking spaces per fixed feature. For example, hotels are required to provide one parking space per hotel room.

Due to the fact that physical buildings typically outlast the businesses that occupy the building, the zoning ordinance also contains regulations that govern a change in use. A change in use occurs when an existing business closes or relocates and a new business occupies the building vacated by the previous business. These regulations are found in section *19.28.040.B Expansion or Remodeling of Structure, or Change in Use*, which states:

*When the use of a structure changes to a use that is required by Table 3-6 to have the same number of parking spaces as the immediately previous use, no additional parking spaces shall be required for the new use, regardless of the number of spaces actually provided by the previous use; and*

*When a change in use requires more off-street parking than the previous use, additional parking spaces shall be provided equivalent to the difference between the number of spaces required by this Zoning Ordinance for the immediately previous use and the total number of spaces required by the new use.*

What this means in the practical application of the code is that when a “like for like” change in use occurs, either because the new business is the same type of business as the previous business, or the new business has a parking requirement that is equal to or less than the previous business, no additional parking is required. However, when a business with a higher parking requirement moves into a space that was previously occupied by a business with a lower parking requirement, the new business must find additional off-site parking to make up the difference between the higher new parking requirement and lower previous parking requirement.

For example, if a health or fitness facility (parking rate of 10 spaces/1,000 sq.ft.) were to move into a space that was previously occupied by a personal service use (5 spaces/1,000 sq.ft.), the fitness facility would be required to provide 5 additional parking spaces per 1,000 square feet of floor area.

## **PROPOSED AMENDMENTS**

### **Chapter 19.28: Table 3-6 Parking Requirements by Land Use**

Commercial off-street parking requirements generally fall into three categories. The categories differentiate how parking rates are applied in communities and the general guidance they often provide. These categories include the following:

- **Traditional/Higher Requirements.** This is the status quo approach that is based on ample parking to cover most conditions in suburban-style locations with limited transportation choices. This is intended to minimize parking spillover conditions where shared and public parking aren't available and alternative modes of transportation are limited. When applied in more dense areas, this model can lead to requiring more parking than is needed and can discourage development in areas where surplus parking is not available or not financially feasible to build. This supports (and sometimes promotes) an auto oriented community. The current West Hollywood parking rates are in this category.
- **Data Driven.** This approach seeks to right-size the parking requirements to meet current average parking demand conditions but may be high for some specific uses and low for others. The parking rates can change or be adjusted over time as a city grows, the mix of uses changes, areas densify, and modal choices and behaviors change. This may require review of the rates and requirements on a more frequent basis that could include providing different rates for different conditions within a City.
- **Market Driven.** This approach provides minimal or sometimes no parking requirements, primarily relying on the market to balance supplies and demand. This is typically used in more dense areas with modal choices where communities are encouraging more sustainable use of land and other modal choices beside auto. This can result in parking conditions that ebb and flow as

land use demands change. Shared or off-site parking is common for some uses and accommodated in areas where public or private parking is available. It often encourages other modes (transit, walking, biking, ride share, etc.) and doesn't make parking a burden to development.

The current parking requirements for key land uses in West Hollywood and neighboring and/or peer communities are provided in Table 1: Parking Requirement Comparisons below. The cities are classified according to three categories discussed above.

**Table 1: Parking Requirement Comparisons.**

		DENSITY	GENERAL RETAIL	HEALTH/FITNESS FACILITIES	PERSONAL HEALTH/FITNESS FACILITIES	HOTELS	NIGHT CLUBS/BARS	RESTAURANTS
		PERSONS PER SQ MI.	PER 1000 SF	PER 1000 SF	PER 1000 SF	PER GUEST ROOM	PER 1000 SF dance floors not included	PER 1000 SF
<b>WEST HOLLYWOOD</b>								
CURRENT RATES		19.4	3.5	10	4	1 retail, restaurant, & conference uses (only) at 50% of required parking	15 28/1,000 SF for dance floors	≤ 1,200 SF = 3.5 > 1,200 SF = 9
<b>LOCAL PARKING DEMAND DATA</b>								
WEHO PARKING STUDIES		-	2 - 4.4	Research Underway	Research Underway	0.4 - 1.5	No Data Collected	2 - 6.3
<b>ITE REQUIREMENTS</b>								
<b>NATIONAL DATA PARKING DEMAND</b>								
ITE PARKING GENERATION		-	1.7 - 4.8	1.8 - 11	-	0.9 - 1.6	-	3 - 12.4
<b>COMPARISON TO OTHER CITIES</b>								
<b>HIGHER REQ.</b>	BEVERLY HILLS, CA	6.0	2.9	10	5	1	36	2.9 if < 1,000 SF (up to 9,000 SF - 22) 15 if > 9,000 SF
	LAGUNA BEACH, CA	2.6	4	10	4	1 1 / 15 rooms up to 80% of ancillary uses + employees	10	10 (or 1/3 seats) minimum of 5 + employees
<b>DATA DRIVEN/RIGHT-SIZE PARKING</b>	SANTA MONICA, CA DOWNTOWN COMMUNITY PLAN AREA - MARKET-RATE	11.0	2 if ≤ 5,000 SF 3.3 if > 5,000 SF	2 if ≤ 5,000 SF 3.3 if > 5,000 SF	2 if ≤ 5,000 SF 3.3 if > 5,000 SF	0.5 + 1 / 250SF for banquets + 50% of required parking for ancillary uses*	2	2 if ≤ 5,000 SF 3.3 if > 5,000 SF
	PASADENA, CA OLD TOWN PASADENA	6.2	2.25	3.75	2.25	0.75 + 7.5 / 1,000 SF of banquet or restaurant (up to 5,000 SF and then 2.5 / 1,000 SF)	21	7.5
	BELLEVUE, WA DOWNTOWN MIXED-USE ZONE	3.8	3.3 - 5	-	2 - 3	0 - 2	10	0 - 20
	PORTLAND, OR CENTRAL CITY	4.4	1 - 2	3	2	1	4	4
<b>MARKET DRIVEN/MIN REQ.</b>	SAN FRANCISCO, CA	18.9	2 spaces: 5,000 - 20,000 SF then 4 / 1,000 SF	5 if > 5,000 SF	2 spaces: 5,000 - 20,000 SF then 4 / 1,000 SF	1 / 16 bedrooms if > 23	5 if > 5,000 SF	5 if > 5,000 SF
	SAN DIEGO, CA GASLAMP PLANNED DISTRICT	5.0	No Parking Minimums (Maximum of 1 / 400 SF for Commercial Uses)					

The proposed amendments seek to right-size the existing requirements contained in Table 3-6 to align with the specific development pattern and transportation network of West Hollywood and the types and size of businesses that locate in the City. The amendments are informed by a number of recent studies conducted in West Hollywood, including a study of parking utilization by business type, analysis of the City's on-street parking utilization, analysis of parking credit district data, and discussions with parking garage and valet operators, business and property owners and commercial real estate brokers.

Key findings from the data collected and studies conducted in West Hollywood include the following:

- Parking requirements are higher, in some cases significantly higher, than parking demand in West Hollywood.
- Overall parking demand in parking credit districts 1 and 2 has been decreasing in the last four years.
- Off-street private parking facilities are underutilized in areas outside of parking credits districts, including the Sunset Strip and East Santa Monica Boulevard, never achieving target occupancies.
- The number of visitor parking permits issued by the City has reduced from 205,379 in 2013 to 99,663 in 2017.
- Hotel parking demand data was obtained for five West Hollywood hotels where on-site parking is privately managed. The data shows declining demand over the past three years and utilization of existing parking at less than 35% (32%).

In addition to conducting utilization studies, an analysis of demographic, land use, development and economic characteristics was conducted for West Hollywood and neighboring or peer cities. What was found is that despite the fact West Hollywood tops the list as the most dense and compact city, and has a low-rate of cars per household, low car ownership rates and a larger share of transit, pedestrian and bicycle trips, the City requires more parking for commercial uses than the most cities in our region.

The complete review of citywide parking requirements, including results of the utilization and occupancy studies is included as Exhibit C to the this report.

The proposed amendments would move the City from the “High Requirement” classification to the lower end of the “Data Driven” classification and higher end of the “Market Driven” classifications. Transitioning from the high requirement to the lower classification is in close alignment with numerous City polices and goals and objectives contained within policy documents, as discussed in the Community Values section below.

As displayed in Exhibit A, the proposed amendments would reduce the amount of parking required for the majority of land uses in Table 3-6. Land Uses that aren’t reduced include parking required for public and private schools, service stations and child and adult day care centers, as parking demand for these has not decreased. The proposed parking requirements for the most common business types in West Hollywood are displayed in Table 2: Common Business Parking Requirements below.

**Table 2: Common Business Parking Requirements**

	GENERAL RETAIL	HEALTH/FITNESS FACILITIES	PERSONAL HEALTH/FITNESS FACILITIES	HOTELS	NIGHT CLUBS/BARS	RESTAURANTS
Parking Rate Approach	PER 1000 SF	PER 1000 SF	PER 1000 SF	PER GUEST ROOM	PER 1000 SF	PER 1000 SF
CURRENT REQUIREMENTS	3.5	10	4	1	15	9
PROPOSED REQUIREMENT	2	3	2	0.5	5	3.5

The proposed amendments would reduce the number of off-street parking spaces required to be constructed as part of a new commercial business or the commercial portion of a new mixed-use project. For example, under the proposed amendments a new 2,500 square foot restaurant would be required to provide 9 parking spaces. Under the current parking requirements, the same 2,500 square foot restaurant would be required to provide 23 parking spaces.

Under the proposed requirements, a new 2,500 square foot health/fitness facility would be required to provide 8 parking spaces. Under the current parking requirements, the same 2,500 square foot health/fitness facility would be required to provide 25 spaces.

As discussed above, the proposed amendments would still require that commercial parking spaces be provided for all new commercial construction and development projects. The proposed requirements represent the minimum amount of parking that is required to be provided. The proposal does not limit a business owner or commercial developer from providing more parking than is required. Even with today’s declining parking demands, some business owners and commercial developers view parking as an amenity and choose to provide the amount of parking that suits the needs of the customers of the business or future commercial tenants of the project, even if that number exceeds the code required parking.

Rather than relying on a historic, suburban-based national standard, the proposed amendments are specifically tailored to meet the needs of West Hollywood residents and visitors patronizing the City’s commercial businesses.

**Section 19.28.040.B Expansion or Remodeling of Structure, or Change in Use**

As discussed above, physical buildings typically outlast the businesses that occupy the buildings. As such, multiple changes in individual businesses and business types are common over the lifespan of a commercial building. Therefore, the code contains parking requirements for when a change of use occurs. As outlined in the current off-street parking requirements section above, when a change in use occurs, if the new use has a parking requirement greater than the previous use, the new business must make up the difference between the parking requirement for the new use and the lower requirement of the previous use. This provision has proved to be problematic for business and property owners in West Hollywood, particularly those located outside of

the City's two parking credit districts. The problem that business and property owners face is that the vast majority of buildings in the City's commercial corridors were constructed prior to adoption of the current or previous zoning codes that required substantially more parking than was required at the time of the buildings construction.

As such, it is virtually impossible for most properties to accommodate the increased parking required when a change in use occurs and the new use has a higher parking requirement than the previous use. When available, parking credits provide relief to this issue for potential businesses and properties located in one of the two parking credit districts and businesses may also satisfy off-street parking through a PUP, provided they can find operators with available parking.

The current requirements limit the flexibility necessary to adapt to evolving economic conditions, market trends, and consumer tastes and preferences. As a result, buildings may remain vacant or underutilized due to the fact that the property is not able to accommodate businesses that have a higher code-required parking requirement than the immediate previous use. Additionally, the current requirements disincentivize a property owner from leasing a tenant space that previously housed a business with a higher parking requirement, such as a health and fitness facility, to a business with a lower parking requirement, such as an art gallery or show room, because once the change of use to the business with a lower parking requirement occurred, the property owner would relinquish the higher grandfathered parking rights.

To address the current limitations associated with a change in use, the proposed amendments update the change in use provisions to allow a change in use from a non-residential use to another non-residential use within an existing building or tenant space that is 6,000 square feet or less without requiring additional parking. In order to be considered an existing building and qualify for this provision, a building or tenant space would need to meet one of the following requirements:

- The building or tenant space was constructed prior to the adoption of the proposed amendments; or
- If the building or tenant space is constructed following the adoption of proposed amendments, the building or tenant space must have been issued a certificate of occupancy at least 18 months prior to a proposed change of use.

The provision for buildings constructed following the adoption of the proposed ordinance would provide the same flexibility to future buildings and tenant spaces while eliminating the possibility of a building being entitled and constructed for one use and then immediately changed to another use with a lower parking requirement once construction is complete.

The 18 month timeframe following the issuance of a certificate of occupancy before being eligible for the change in use provision replaces staff's original recommendation of a 12 month timeframe. This modification is the result of feedback provided by the Long Range Planning Projects subcommittee at their September 20, 2018 meeting.

Members of the subcommittee recommended that staff increase the timeframe to a minimum of 18 months and a maximum of 2 years. Staff is recommending an 18 month timeframe because it balances providing protection from a building being entitled for one use and immediately changed to another while minimizing the potential for a long-term vacant property, which would be counter to the intent of the proposed amendments.

The proposed amendments related to a change in use are informed by an analysis of commercial building size, age and vacancy rates, findings from the studies discussed in the previous section and discussions with business and property owners, commercial real estate brokers and other stakeholders. The data show that setting the threshold at 6,000 square feet would capture the majority (73%) of all commercial vacancies and nearly all (91%) of retail vacancies under 10,000 square feet. Additionally, the majority of buildings and tenant spaces included in the analysis have less than the code required parking for general retail uses. The proposed amendments would be especially beneficial for the City's older building stock, as the median year built of all buildings 10,000 square feet or less is 1941.

While the proposed amendments would not provide a direct benefit to buildings and tenant spaces larger than 6,000 square feet, these buildings would indirectly benefit from the fact they would no longer be competing for finite parking credits and off-site PUP spaces with smaller properties.

## **BENEFITS OF PROPOSED AMENDMENTS**

- **Economic Development.** Would-be businesses willing to invest in West Hollywood find it increasingly difficult to secure the necessary amount of code-required off-street parking spaces. Small businesses are often disproportionately impacted by the existing parking requirements as these are the types of would-be businesses that typically seek smaller, older buildings that lack abundant off-street parking. With the already high cost of entry for businesses into West Hollywood, the current parking requirement is commonly a deal breaker for would-be businesses. When a business doesn't locate in West Hollywood, not only are residents and visitors deprived of goods and services, the City loses valuable revenue that provides services to the community. The proposed amendments would greatly reduce the potential of businesses locating outside of the City.

Given the significant cost of constructing parking facilities, particularly structured and subterranean parking, the proposed amendments have the potential to reduce the cost of new development in West Hollywood. Additionally, reducing commercial parking requirements and providing greater flexibility within existing buildings and tenant spaces will increase the likelihood of filling commercial tenant spaces in mixed-use development projects, which have historically remained vacant or underutilized much longer than other new commercial development.

- **Sustainability.** The flexibility provided by the proposed amendments encourages the on-going reuse of existing buildings. Building reuse (or the preservation of existing buildings for multiple purposes) is a very beneficial strategy for reducing the overall environmental impact of construction. Reusing or preserving existing buildings significantly reduces energy use associated with the demolition process as well as construction waste. Reuse strategies also reduce environmental impacts associated with raw material extraction, manufacturing, and transportation.
- **Preservation.** In order to maintain and preserve the City's existing building stock, the zoning ordinance must evolve and create pathways for, rather than barriers to, the use and reuse of the City's buildings. The current off-street parking requirements limit the types of businesses that can occupy certain existing buildings, particularly older buildings constructed prior to modern parking requirements. When a building is not able to house in-demand or revenue generating businesses due to a lack of parking, the owner of the building is less likely to invest in improvements and maintenance that can be off-set by tenant rent. The result is buildings that are vacant or underutilized and often prime targets for demolition. The proposed amendments are intended to provide the flexibility and adaptability necessary to encourage the use and reuse of the City's existing commercial building stock. As a whole, the proposed change in use amendments incentivizes the continued reuse and revitalization of existing buildings and helps preserve a vital link between neighborhoods of the past and present.
- **Streamlined Review Process.** The proposed amendments eliminate the Development Permit requirement for a change in use. Currently, a Development Permit is required when a new business moves into a space that was vacated by a business with a lower parking requirement than the new use. All things being equal, if the same new business were to move into a new building or a space that was vacated by a business with an equal or greater parking requirement, a Zone Clearance permit would be required (rather than a Development Permit). A Zone Clearance, which costs \$119 and can be approved "over the counter", is much less burdensome than the Development Permit, which costs \$1,633.25 and can take up to 3 months to be approved.
- **Benefit Existing Businesses.** Finally concerning existing businesses, section 19.62.070 Amendments to an Approved Project allows businesses to request amendments to their approved project. The Director of Planning and Development Services is authorized to determine if the amendment is minor or major, depending on certain findings. Minor amendments are considered by the Director, major amendments are processed in the same manner as the original permit.

## **COMMUNITY VALUES**

Additionally, the proposed amendments are consistent with and support the City's Core Values, Ongoing Strategic Programs, the General Plan and the Eastside Community Plan. A sampling of goals, policies and strategies from those documents is provided below.

### **Core Values 2020**

- **Economic Development.** We recognize that economic development is essential to maintaining quality of life for the entire community. We support an environment where our diverse and eclectic businesses can flourish, and seek to encourage mutually-beneficial and integrated relationships between them and our residents.

### **General Plan**

- **LU-1.6** As practical, encourage the retention of existing buildings for new uses by allowing for reductions or alternatives to the City's parking standards.
- **LU-A.1** Following the completion of the General Plan update the Zoning Ordinance. The following items, at minimum, should be explored/modified: Modify parking standards for existing buildings to allow new uses.
- **ED-3.2** Create parking strategies that support existing businesses and economic growth and provide opportunities for new business to locate in West Hollywood.
- **ED-4.1** Continue to monitor, evaluate, and adapt codes, policies, and processes to facilitate business attraction, retention and expansion.
- **M-8.10** Consider reductions in minimum parking requirements along commercial corridors, in Transit Overlay Zones, or for projects that provide dedicated parking spaces for car sharing programs.

### **Climate Action Plan**

- **T-4.3.a:** Assess and implement parking strategies in commercial corridors and in the Transit Overlay Zone. Amend the Zoning Code to reduce parking requirements for new development in the commercial corridors and the Transit Overlay Zone.

### **California Environmental Quality Act (CEQA)**

The zone text changes are Categorical Exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061 of the CEQA Guidelines.

## **Public Comment & Correspondence**

Public outreach has consisted of ongoing day to day communication with West Hollywood business and property owners, outreach to commercial real estate brokers, West Hollywood Chamber of Commerce staff and members.

Additionally, staff has held meetings with leaders of the City's various neighborhood organizations to discuss the proposed amendments.

Finally, staff presented the proposed changes to the West Hollywood Chamber of Commerce Government Affairs Committee (GAC) at its September 11, 2018 meeting. The members were supportive of the proposed amendments.

## **EXHIBITS**

- A. Draft Resolution No. PC 18-1291
- B. City Council Directive
- C. Review of Citywide Parking Requirements – Technical Study

## RESOLUTION NO. PC 18-1291

### **A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, RECOMMENDING TO THE CITY COUNCIL APPROVAL OF A ZONE TEXT AMENDMENT TO AMEND REGULATIONS THAT GOVERN COMMERCIAL OFF-STREET PARKING REQUIREMENTS, CITYWIDE, WEST HOLLYWOOD, CALIFORNIA.**

The Planning Commission for the City of West Hollywood hereby finds, resolves, and orders as follows:

SECTION 1. The City of West Hollywood initiated an amendment to the Zoning Ordinance, Article 19 of the Municipal Code to amend regulations that govern off-street commercial parking requirements in West Hollywood.

SECTION 2. A public hearing was duly noticed for the Planning Commission meeting of September 20, 2018 by publication in the Beverly Press and West Hollywood Independent Newspapers, required state and local agencies, the City website and by announcement on City Channel 6.

SECTION 3. This 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.

SECTION 4. The Planning Commission of the City of West Hollywood hereby finds that Zone Text Amendment 18-0007 is consistent with the Goals and Policies of the General Plan, specifically policy LU-1.6 which states “as practical, encourage the retention of existing buildings for new uses by allowing for reductions or alternatives to the City’s parking standards,” Policy ED-3.2 which state the City should “create parking strategies that support existing businesses and economic growth and provide opportunities for new business to locate in West Hollywood,” Policy M-8.10 which states the city should “consider reductions in minimum parking requirements along commercial corridors, in Transit Overlay Zones, or for projects that provide dedicated parking spaces for car sharing programs”. The proposed zone text amendment will help achieve these policies and does not impede the ability to meet other General Plan goals and policies.

SECTION 5. Based on the foregoing, the Planning Commission of the City of West Hollywood hereby recommends approval to the City Council of Zoning Text Amendment 18-0007, which is attached hereto as Attachment A.

**PASSED, APPROVED AND ADOPTED** by the Planning Commission of the City of West Hollywood at a regular meeting held this 4<sup>th</sup> day of October, 2018 by the following vote:

AYES:           Commissioner:

NOES:           Commissioner:

ABSENT:       Commissioner:

ABSTAIN:      Commissioner:

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STACEY E. JONES, CHAIRPERSON

ATTEST:

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BIANCA SIEGL, LONG RANGE PLANNING MANAGER

*Decisions of the Planning Commission are subject to appeal in accordance with the procedures set forth in West Hollywood Municipal Code Chapter 19.76. Any action to challenge the final decision of the City of West Hollywood made as a result of the public hearing on this application must be filed within the time limits set forth in Code of Civil Procedure Section §1094.6.*

# Attachment A

## ZONE TEXT AMENDMENT 18-0007 WEST HOLLYWOOD MUNICIPAL CODE SECTIONS TO BE MODIFIED

(New text indicated with underlining, deleted text with strikethrough.)

**Section 1.** Section 19.28.040.B.3 of Chapter 19.28 or Title 19 of the West Hollywood Municipal Code is amended to read as follows:

### 3. Change in Use

- a. When a change in use requires more off-street parking than the previous use, additional parking spaces shall be provided equivalent to the difference between the number of spaces required by this Zoning Ordinance for the immediately previous use and the total number of spaces required by the new use.
- b. Additional parking spaces shall not be required for a change in use that meets the following requirements.
  1. The change in use is from a non-residential use to another non-residential use;
  2. The change in use occurs in a structure or tenant space that is less than 6,000 square feet; and
  3. The structure or tenant space was constructed prior to the adoption of this ordinance or the original certificate of occupancy for the structure or tenant space was issued at least 18 months prior to the proposed change of use.

**Section 2.** The alphabetical list of land use categories in Table 3-6 in Section 19.28.040 of Chapter 19.28 of Title 19 of the West Hollywood Municipal Code is amended to amend the parking requirements for land uses to read as follows:

Non-Residential Land Use	Required Parking Spaces
Adult retail businesses	<u>2</u> <del>3-5</del> spaces per 1,000 sq. ft.
Adult day care facilities	1 space for each 7 clients for which the facility is licensed plus adequate drop-off area as approved by the Director.
Art galleries	<u>0.5</u> <del>2</del> spaces per 1,000 sq. ft.
Artisan/craft product manufacturing	<u>0.5</u> <del>2</del> spaces per 1,000 sq. ft.
Artisan shops	<u>2</u> <del>3-5</del> spaces per 1,000 sq. ft.
Auto and vehicle maintenance and repair	4.5 spaces for each service bay, plus adequate queuing lanes for each bay.
Auto and vehicle sales/rental, auto parts sales	2.5 spaces per 1,000 sq. ft.; plus 3 spaces per 1,000 sq. ft. of parts department.

Automated teller machines (ATMs), exterior; not associated with an on-site financial institution.	<u>2</u> -4 spaces for one or two machines plus 0.5 <del>2</del> -spaces for each additional machine over 2; no parking requirement within 1,000 feet of the intersection of San Vicente Boulevard and Santa Monica Boulevard.
Banks and financial services (see also ATM, above)	<u>2</u> spaces per 1,000 sq. ft.
<del>1,200 sq. ft. or less, tenant space existing prior to May 2, 2001<sup>2</sup></del>	<del>3.5</del> spaces per 1,000 sq. ft.
All others	<del>5</del> spaces per 1,000 sq. ft.
Exterior ATM machines	<u>0</u> <del>1</del> space for each exterior ATM.
Bed and breakfast (B&Bs) and urban inns	In historic buildings: 0.5 spaces per guest unit. In non-historic buildings: 1 space per guest unit. All projects: Plus owner/operator parking as required for multi-family residential projects.
Broadcasting studios	<u>2</u> <del>3.5</del> spaces per 1,000 sq. ft., for the first 25,000 sq. ft., and <u>1</u> <del>3</del> spaces for each 1,000 sq. ft. thereafter.
Building material stores	<u>1</u> <del>1.6</del> spaces per 1,000 sq. ft.
Business support services	<u>2</u> <del>3.5</del> spaces per 1,000 sq. ft.
Cannabis uses — Adult use retail	<u>2</u> <del>3.5</del> spaces per 1,000 sq. ft.
Cannabis uses — Consumption areas	<u>2</u> <del>3.5</del> spaces per 1,000 sq. ft.
Cannabis uses — Medical-use dispensary	<u>2</u> <del>3.5</del> spaces per 1,000 sq. ft.
Cardrooms	<u>3.5</u> <del>9</del> spaces per 1,000 sq. ft.
Child day care centers	1 space for each 10 children that the facility is licensed to accommodate, plus adequate drop-off area as approved by the Director.
Clubs, lodges, and meeting halls	1 space for each <u>5</u> <del>2.5</del> -fixed seats, or <u>8</u> <del>28</del> spaces per 1,000 sq. ft. of assembly or viewing area where there are no fixed seats. <sup>3</sup>
Community centers	1 space for each 5 seats, or <u>8</u> <del>44</del> spaces per 1,000 sq. ft. of assembly areas where there are no fixed seats. <sup>3</sup>
Convention centers	1 space for each <u>5</u> <del>2.5</del> -fixed seats, or <u>8</u> <del>28</del> -spaces per 1,000 sq. ft. of assembly or viewing area where there are no fixed seats. <sup>3</sup>
General retail stores (see also the parking requirements for shopping centers )	<u>2</u> <del>3.5</del> spaces per 1,000 sq. ft.
Grocery stores	<u>2</u> <del>3.5</del> spaces per 1,000 sq. ft.
Health/fitness facilities	<u>3</u> <del>10</del> spaces per 1,000 sq. ft.
Health/fitness facilities, personal training	<u>2</u> <del>4</del> spaces per 1,000 sq. ft.

Hotels	0.5-4 space for each guest room; plus retail, restaurant, and conference uses calculated at 50% of the requirements of this table, and all other uses at 100% of the requirements of this table.
Indoor amusement/entertainment facilities	Determined by Conditional Use Permit.
Kiosks	No parking required. Outdoor dining related to kiosk must meet requirements of this table.
Laundries and dry cleaning plants	0.5-2 spaces per 1,000 sq. ft., including incidental office area comprising less than 20% of the total floor area. Parking requirements for additional office area shall be calculated separately as required by this table for offices.
Laundromats	0.5-4 space for each 3 washing machines.
Libraries and museums	2-3.5 spaces per 1,000 sq. ft.
Live/work units	1-3.5 spaces per 1,000 sq. ft.
Media production	2-3.5 spaces per 1,000 sq. ft. for the first 25,000 sq. ft., plus 1-3 spaces for each additional 1,000 sq. ft.
Medical services	
Clinics, offices, labs, and other outpatient facilities of 1,200 sq. ft. or less, tenant space existing prior to May 2, 2001 <sup>2</sup>	3-3.5 spaces per 1,000 sq. ft.
All others	5 spaces per 1,000 sq. ft.
Extended care	1 space for each 3 beds the facility is licensed to accommodate.
Hospitals	2 spaces for each patient bed the facility is licensed to accommodate, plus spaces for ancillary uses as required by the Review Authority.
Microbreweries in conjunction with on-site sales	3.5-9 spaces per 1,000 sq. ft.
Mortuaries and funeral homes	1 space for each 5 seats, or 8-14 spaces per 1,000 sq. ft. for areas without fixed seats.
Newsstands and flower stands	None required.
Night clubs and bars	5-15 spaces per 1,000 sq. ft., plus 28 spaces per 1,000 sq. ft. for all dance floor areas.
Offices	2-3.5 spaces per 1,000 sq. ft. for the first 25,000 sq. ft. plus 1-3 spaces for each additional 1,000 sq. ft.

Outdoor commercial recreation	Spectator seat areas: 1 space for each <del>5</del> 3 seats. <sup>3</sup> Sport courts: 2 spaces per court, plus <del>2</del> 4 spaces per 1,000 sq. ft. of floor area other than courts. Ancillary uses: as required by this table for the specific use.
Palm readers, fortune tellers, psychics	<del>2</del> 3-5 spaces per 1,000 sq. ft.
Pawn shops	<del>2</del> 3-5 spaces per 1,000 sq. ft.
Personal services	<u>2</u> spaces per 1,000 sq. ft.
<del>1,200 sq. ft. or less, tenant space existing prior to May 2, 2001<sup>2</sup></del>	<del>3.5</del> spaces per 1,000 sq. ft.
<del>All others</del>	<del>5</del> spaces per 1,000 sq. ft.
Pet shops	<del>2</del> 3-5 spaces per 1,000 sq. ft.
Pharmacies	<del>2</del> 3-5 spaces per 1,000 sq. ft.
Plant nurseries and garden supply stores	<del>2</del> 3-5 spaces per 1,000 sq. ft. of indoor use area; <u>0.5</u> <del>1-5</del> spaces per 1,000 sq. ft. of outdoor use area.
Printing and publishing	<u>0.5</u> <del>2</del> spaces per 1,000 sq. ft., including incidental office area comprising less than 20% of the total floor area. Parking requirements for additional office area shall be calculated separately as required by this table for offices.
Public safety facilities	<del>2</del> 3 spaces per 1,000 sq. ft.
Recycling facilities	0 spaces; see Section 19.36.260(C)(5).
Religious facilities/places of worship	1 space per 5 fixed seats or <u>8</u> <del>44</del> spaces per 1,000 sq. ft. <u>of assembly or viewing area where there are no fixed seats.</u> <sup>3</sup> <del>for areas without fixed seats.</del>
Research and development (R&D)	<del>2</del> 3-5 spaces per 1,000 sq. ft.
Restaurants	<u>3.5</u> spaces per 1,000 sq. ft.
<del>1,200 sq. ft. or less, tenant space existing prior to May 2, 2001</del>	<del>3.5</del> spaces per 1,000 sq. ft.
<del>All others</del>	<del>9</del> spaces per 1,000 sq. ft.
Outdoor dining	<u>3.5</u> <del>9</del> spaces per 1,000 sq. ft. if outdoor dining area is 251 sq. ft. or more; none required otherwise.
Schools—Public and private	
Grade 9 and lower	1 space per classroom; plus 14 spaces per 1,000 sq. ft. of auditorium assembly area. <sup>3</sup>
Grades 10 to 12	10 spaces per classroom; plus 14 spaces per 1,000 sq. ft. of auditorium assembly area. <sup>3</sup>
College/university	3.5 spaces per 1,000 sq. ft.; plus 2 drop-off spaces per 1,000 sq. ft.

Schools—Specialized education and training	5 spaces per 1,000 sq. ft. and 2 drop-off spaces per 1,000 sq. ft.
Service stations	1 space per pump island; plus 1 space per service bay.
Shopping centers <sup>4</sup>	<u>2</u> <del>5</del> spaces per 1,000 sq. ft. for new centers.
Smoking areas	No parking required for smoking areas that do not have food and/or alcoholic beverage service. Otherwise, 250 sq. ft. allowed without parking; 251 sq. ft. or more shall be provided parking at the ratio required for the underlying use.
Studios—Art, dance, music, photography	<u>2</u> <del>5</del> spaces per 1,000 sq. ft. for facilities with classes of up to 10 students at a time or facilities that cater exclusively to children under 17 years of age. <u>3</u> <del>4</del> spaces per 1,000 sq. ft. for facilities with more than 10 students per class excluding classes only for children under 17 years of age.
Supper clubs	<u>3.5</u> <del>9</del> spaces per 1,000 sq. ft.
Theaters	
Live performance facilities	1 space per <u>5</u> <del>2.5</del> fixed seats, or 8 <del>28</del> spaces per 1,000 sq. ft. of assembly or viewing area without fixed seats. <sup>3</sup>
Cinemas—Single-screen	1 space per <u>5</u> <del>3</del> seats, <del>plus 6 additional spaces.</del>
Cinemas—Multi-screen	1 space per 5 seats, <del>plus 10 additional spaces.</del>
Utility facilities	<u>0.5</u> <del>2</del> spaces per 1,000 sq. ft.
Veterinarians, animal hospitals, kennels, boarding	<u>2</u> <del>3.5</del> spaces per 1,000 sq. ft.
Warehousing, wholesaling and distribution, accessory	<u>0.5</u> <del>2</del> spaces per 1,000 sq. ft., including incidental office area comprising less than 20% of the total floor area. Parking requirements for additional office area shall be calculated separately as required by this table for offices.
Wholesale design showrooms	<u>0.5</u> <del>1.6</del> spaces per 1,000 sq. ft.