

SUBJECT: **ZONE TEXT AMENDMENT AND RESOLUTION UPDATING
PARKING REGULATIONS AND LOCAL CEQA
TRANSPORTATION GUIDELINES CONSISTENT WITH STATE
LAW**

PREPARED BY: **COMMUNITY DEVELOPMENT DEPARTMENT**

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STATEMENT ON THE SUBJECT:

The City Council will consider a Zone Text Amendment to update the Zoning Ordinance to comply with the requirements of Assembly Bills 1317 (Unbundled Parking) and 894 (Shared Parking), and remove minimum parking requirements citywide in alignment with the City's Housing Element and recent Council directive. The proposed Ordinance and related Resolution are exempt from the California Environmental Quality Act (CEQA) because the actions consist of administrative and regulatory updates that implement State law and do not authorize or approve any physical development. Additionally, the actions are exempt under applicable statutory, categorical, and common-sense CEQA exemptions. A Notice of Exemption will be filed following final approval.

RECOMMENDATIONS:

1. Introduce on first reading, by title only, Ordinance 26-____: "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ADOPTING AN AMENDMENT TO TITLE 19, THE ZONING ORDINANCE OF THE WEST HOLLYWOOD MUNICIPAL CODE, TO COMPLY WITH THE REQUIREMENTS OF

ASSEMBLY BILLS 1317 (UNBUNDLED PARKING) AND 894 (SHARED PARKING), AND REMOVE MINIMUM PARKING REQUIREMENTS CITYWIDE, IN ALIGNMENT WITH THE CITY'S HOUSING ELEMENT AND RECENT COUNCIL DIRECTIVES, AND FINDING THE ACTION IS EXEMPT FROM CEQA."

2. Adopt Resolution 26-___: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AMENDING THE CITY'S LOCAL TRANSPORTATION GUIDELINES PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) TO CLARIFY THE PARKING-RELATED SCREENING CRITERION FOLLOWING ELIMINATION OF MINIMUM PARKING REQUIREMENTS CITYWIDE, AND FINDING THE ACTION IS EXEMPT FROM CEQA."

BACKGROUND / ANALYSIS:

On October 11, 2023, the State passed two parking-related bills: AB 894¹ (shared parking), which requires local jurisdictions to allow property owners to make their underutilized parking spaces available to the public, local agencies, or other entities, and AB 1317² (unbundled parking), which requires the owners of qualifying residential properties that provide parking to unbundle parking from the price of rent for properties receiving certificates of occupancy on or after January 1, 2025. Each of these bills supports the City's Housing Element goals related to updating parking requirements.

Additionally, on May 5, 2025, the City Council directed staff to prepare a Zone Text Amendment eliminating minimum parking requirements citywide as part of a broader set of housing streamlining measures included in the "Reforming Housing Approval and Permitting Processes to Encourage Housing Production" directive.

This item also includes a resolution with a technical revision to Local CEQA Transportation Guidelines to address the elimination of parking minimums and ensure local guidelines remain consistent with State guidance.

Impacts on Housing Affordability

¹ https://leginfo.ca.gov/faces/codes_displaySection.xhtml?sectionNum=65863.1&lawCode=GOV

² https://leginfo.ca.gov/faces/codes_displaySection.xhtml?sectionNum=1947.1&lawCode=CIV

During the public review process, stakeholders raised concerns that treating parking as a separately priced amenity may place added costs on tenants who rely on a vehicle, including those on fixed incomes or with disabilities. Staff evaluated whether regulating parking prices for income-restricted households would meaningfully address these concerns. After discussing this option with the City's Rent Stabilization Division and the Planning Commission's Long Range Planning Subcommittee (LRPSC), several factors indicated that such a requirement would have limited effect for the following reasons:

- Minimal applicability: AB 1317 applies only to residential projects with 16 or more units that receive a certificate of occupancy on or after January 1, 2025, and does not apply to 100% affordable housing. With few qualifying projects anticipated, there is limited evidence of near-term cost impacts for income-restricted households.
- Existing market conditions: Unbundled parking is already widely used in the region, and many property owners separately lease parking today. As a result, AB 1317 is not expected to significantly alter prevailing practices in West Hollywood.
- Mobility alternatives: West Hollywood is transected by multiple high-quality transit corridors, has free weekday CityLine Flex service for seniors and residents with disabilities, has high walkability scores, and is expanding bike infrastructure and other available mobility options. These factors reduce the extent to which residents must rely on personal vehicles for daily travel.
- Alignment with adopted policy direction: The City's General Plan calls for reducing subsidies for parking, including evaluation of hidden parking subsidies that encourage vehicle use. Implementing price caps would counter this policy direction by effectively subsidizing parking in new development.
- State requirement: unbundling parking from rent is required by State law, and this law is already in effect.

Based on these factors, staff is not recommending parking price restrictions. Staff will continue monitoring implementation of AB 1317 and return with adjustments if future

conditions demonstrate a need for further action.

Council Direction to Eliminate Parking Minimums Citywide

On April 5, 2021, the City Council directed staff to evaluate opportunities to reduce or eliminate minimum parking requirements in the West Hollywood Municipal Code (WHMC), which was later reinforced through the City's 6th Cycle Housing Element and subsequent Council direction on May 5, 2025, to prepare a Zone Text Amendment eliminating parking minimums citywide as part of broader housing streamlining efforts (ATTACHMENT D).

The proposed amendments remove mandatory minimum parking requirements while continuing to allow parking at the applicant's discretion, subject to applicable design, accessibility, EV-readiness, and other State and local requirements. Eliminating parking minimums is consistent with the City's housing, mobility, sustainability, and land use goals, and reflects evolving best practices for transit-served urban environments.

West Hollywood's 2020 Local CEQA (VMT) Guidelines

In 2020, the City updated its Local CEQA Transportation Guidelines to comply with SB 743, which requires the use of Vehicle Miles Traveled (VMT) rather than Level of Service (LOS) to evaluate transportation impacts. (See ATTACHMENTS E and F.) In addition to bringing the City's policies in compliance with state requirements, this change also reflected the City's own goals to reduce parking requirements due to its location within a High-Quality Transit Area which, per state guidelines and best practices for dense urban areas, presumes that projects will have less significant traffic impacts than comparable projects in transit-deficient areas.

However, an administrative update to this resolution is needed to correct an unintended impact created by removal of the city's parking minimums: Under the current resolution, once the City eliminates its minimum parking requirements, projects that propose to include any amount of parking will automatically exceed the City's parking requirements. This would force unnecessary VMT analyses for most projects, adding significant costs and administrative barriers.

The proposed City Council Resolution (ATTACHMENT B) clarifies that the VMT analysis

requirement would only apply where the City requires the project to supply parking and the proposed parking exceeds that requirement. This solution aligns with the intentions of SB 743 , which is “to reduce time and cost for projects that allow California residents to drive less,” and the City’s local policy goals to remove barriers to housing development. (See ATTACHMENT G.) Additionally, this clarifying language is consistent with the City Council’s 2020 action which called for VMT screening exceptions for projects near transit (see ATTACHMENT E).

Procedurally, this is an administrative update to local CEQA guidance (Local CEQA Guidelines), not a change that authorizes physical development; the 2020 resolution adopting VMT thresholds was framed the same way.

How the modified VMT framework will function after minimums are eliminated

Under this modified framework, projects within one-half (1/2)mile of a major transit stop will continue to be presumed to have less-than-significant impacts on transportation unless one of the adopted exceptions applies:

- The project has a floor area ratio of less than 0.75;
- The project includes more parking for use by residents, customers, or employees than required by the City (if the City requires the project to supply parking);
- The project is inconsistent with a Sustainable Communities Strategy;
- The project replaces affordable residential units with fewer, moderate- or high-income residential units; or
- The project has potential for significant regional draw.

The inclusion of parking will no longer automatically trigger requirements for VMT analysis. It will apply only where the City does require parking and the proposed parking exceeds what is required.

Summary Of Zone Text Amendment

The following table summarizes which sections will be modified to comply with AB 894 and AB 1317 and to remove parking minimums citywide. These changes do not establish

maximum parking limits; they remove mandatory minimums. Parking may be provided at the applicant's discretion.

Table 1: Summary of Zone Text Amendments

Section	Title	Change
10.07.010	Definitions, Generally	Updates language and definition of "Disabled parking space" to "Accessible parking space."
10.08.030	Issuance of Permits	Removes reference to parking credits program.
10.08.130	Residential, Guest, Visitor, Commercial, Official Business, and Contractor Permits	Removes reference to parking credits agreement.
19.14.120 19.14.130	West Hollywood West Neighborhood Overlay District (- WHWNOD). Norma Triangle Neighborhood Overlay District (NTNOD).	Removes references to required parking.
19.28.020	Applicability	Removes reference to required parking.
19.28.030	General Parking Regulations	Removes conflicting language to allow shared and unbundled parking. Removes references to parking requirements.
19.28.040	Number of Parking Spaces Required	Renamed "No Minimum Off-Street Parking Required" to affirmatively state that the City does not require any parking, except for that required under state law.
19.28.050	Disabled Parking Requirements	Removes references to broad parking requirements while retaining state and federal requirements for ADA parking. Updates language to refer to "Accessible parking requirements."
19.28.060	Reduction of Off-Street Parking Requirements	Removed; Not needed with the elimination of parking minimums.
19.28.070	Shared Use of Parking Facilities	Section modified to comply with AB 894's broader allowance for shared parking.
19.28.080	Parking Credits	Section not needed per AB 894 and AB 2097. Removes section.
19.28.090	Parking Area Design and Layout Standards	Removes references to required parking.
19.28.110	Parking Structure and Rooftop Parking Standards	Resolves a technicality that would inadvertently ban parking for projects within the Sunset Specific Plan.
19.28.120	Off-Site Parking Standards	Section modified to comply with AB 894's broader allowance for shared parking.
19.28.170	Electric Vehicle Charging Readiness	Removes references to broad parking requirements.
19.36.125	Emergency Shelters	Removes references to required parking.
19.36.265	Residential Uses – Courtyard Housing	Removes references to required parking.
19.36.330	Service Stations, Internal Combustion Engine Vehicle (ICEV)	Removes references to required parking.
19.90.020	Definitions of Specialized Terms and Phrases	Removes references to required parking.
19.56	Parking Use Permits	Revises chapter to remove references to broad parking requirements and to incorporate procedures for approval of shared parking.

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-3: Fiscal Sustainability.

This ordinance supports PSG-1 by modernizing the City's parking regulations. The ordinance enhances flexibility in land use and supports livability. Allowing underutilized parking to be shared or unbundled reduces the need to build excess parking, which often displaces opportunities for landscaping, open space, and active ground-floor uses that contribute to vibrant neighborhoods. Redirecting land away from parking toward housing, shops, and community amenities helps maintain West Hollywood's urban balance while improving quality of life for residents.

The ordinance supports PSG-3 by reducing the financial burden on property owners and developers by eliminating outdated parking requirements that often result in unnecessary costs. Instead of mandating expensive structured parking, owners can reallocate existing underused parking assets or forgo building new spaces where demand does not justify them. This creates more efficient use of both land and capital, enabling property owners to adapt to market conditions while supporting the City's long-term fiscal sustainability by encouraging more economically viable development patterns.

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

- M-3: Maintain and enhance a pedestrian-oriented City.
- M-8: Manage parking supply to serve residents, businesses and visitors.

Implementation of this ordinance directly advances the following Mobility Element Actions:

- M-A.32: Conduct a feasibility analysis of eliminating direct and hidden subsidies of motor vehicle parking and driving.

By unbundling parking and eliminating mandatory minimums, the ordinance removes a hidden subsidy that has historically required all tenants to pay for parking, whether they use it or not.

- M-A.30: Evaluate potential for shared parking strategies in the commercial corridors and Transit Overlay Zone.

The ordinance makes shared parking available citywide, meeting the goals of the General Plan while aligning with State law.

- M-A.49: Unbundled Parking. Conduct a study and pilot project to evaluate methods for implementing unbundled residential parking.

By requiring unbundling consistent with AB 1317, this ordinance establishes unbundled parking as a standard practice in new development. This ensures tenants are not compelled to pay for parking they do not use, aligning with the City's housing and mobility goals.

The City's 6th Cycle Housing Element, Program #20 (Residential Development Standards and Process) also directs adoption of parking reforms by reducing or eliminating minimums, allowing shared parking, unbundling spaces, and modernizing size standards. This ordinance fulfills that commitment by codifying each of these reforms in alignment with State mandates.

EVALUATION PROCESSES:

Implementation of this Ordinance will be monitored through the City's ongoing Housing Element and development review processes, including tracking housing production trends, parking-related development patterns, and implementation of State parking laws. Staff will continue to evaluate the effectiveness of these regulations over time and may return with future amendments if necessary to address consistency with State law or adopted City policy objectives.

ENVIRONMENTAL SUSTAINABILITY AND HEALTH:

This item is consistent with the CAAP Climate Measure:

- TM-3: Rethink curb space and parking assets

By allowing shared use of underutilized parking and requiring parking to be unbundled from rent, the ordinance reduces unnecessary construction of new parking, maximizes the efficiency of existing facilities, and provides financial incentives for households to reduce car ownership. These changes shift structural incentives away from auto-dependency, support more sustainable transportation choices, and advance the City's broader climate and sustainability goals.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

The proposed Ordinance and related Resolution are exempt from the California Environmental Quality Act (CEQA) because the actions consist of administrative and regulatory updates that implement State law and do not authorize or approve any physical development. Additionally, the actions are exempt under applicable statutory, categorical, and common-sense CEQA exemptions. A Notice of Exemption will be filed following final approval.

Draft City Council Ordinance No. ZTA 26-XXXX (Implementing State parking bills and removing parking requirements)

The proposed Zone Text Amendment to comply with Assembly Bills 1317 (Unbundled Parking) and 894 (Shared Parking), and to remove minimum parking requirements citywide, is not subject to the California Environmental Quality Act (CEQA) because it does not qualify as a "project" under CEQA. State CEQA Guidelines Section 15060(c) specifies that an activity is not subject to CEQA if it does not meet the definition of a "project" under Section 15378. In this case, the ZTA does not qualify as a project for two reasons:

First, Section 15378 defines a project as an activity that "has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment" (State CEQA Guidelines §15378(a)). The ZTA simply aligns the City's code with state mandates, removes outdated or conflicting local

provisions, and does not directly authorize any new physical development or change the allowable intensity of land use. Therefore, the ZTA is not a project under CEQA.

Second, Section 15378 explicitly excludes from its definition of a “project” the organizational or administrative activities of governments that do not result in direct or indirect physical changes in the environment (State CEQA Guidelines §15378(b)(5)). The ZTA is an administrative action that will not result in any physical changes to the environment and, as such, is not subject to CEQA.

Even if the ZTA were considered a project under CEQA, it would be categorically exempt under State CEQA Guidelines Section 15320, which applies to changes in the organization or reorganization of local governmental agencies where the changes do not alter the geographical area in which existing powers are exercised. Class 20 applies because the ZTA is an administrative update aligning the City’s parking regulations with state law, without altering the geographic scope or causing any physical environmental impact. Additionally, the ZTA is exempt under the common-sense exemption (CEQA Guidelines §15061(b)(3)), as there is no possibility that the ZTA may have a significant effect on the environment.

Finally, none of the exceptions to categorical exemptions outlined in CEQA Guidelines §15300.2 apply. There is no potential for cumulative impacts, no unusual circumstances that would result in a significant environmental impact, and no impact on scenic resources within a designated scenic highway. The ZTA will not affect hazardous waste sites or historic resources.

A Notice of Exemption (NOE) will be filed with the County Clerk and submitted to the State Clearinghouse within 5 days of final approval.

Draft City Council Resolution No. 26-XXXX (Clarifying Local VMT Guidelines)

The proposed amendment to the City’s Local CEQA Guidelines (Vehicle Miles Traveled – VMT) to clarify the parking-related near-transit screening criterion following elimination of minimum parking requirements is not subject to the California Environmental Quality Act (CEQA) because it does not qualify as a “project” under CEQA. State CEQA Guidelines Section 15060(c) specifies that an activity is not subject to CEQA if it does not

meet the definition of a “project” under Section 15378. In this case, the action does not qualify as a project for two reasons:

First, the amendment to the Local CEQA Guidelines is a procedural action that aligns local regulations and CEQA guidance with state law and adopted policy. It does not authorize physical development, change allowable land uses or development intensity, or approve any specific project. Accordingly, it does not constitute a project under CEQA.

Second, the amendment to the Local CEQA Guidelines is an administrative action intended to ensure consistency with SB 743 and state technical guidance and therefore falls within this exclusion.

Even if the Local CEQA Guidelines amendment were considered a project under CEQA, it would be categorically exempt from CEQA review. The action is categorically exempt under CEQA Guidelines Section 15320 (Class 20). The action is also categorically exempt under CEQA Guidelines Section 15308 (Class 8), which applies to actions taken by regulatory agencies to assure the maintenance, restoration, enhancement, or protection of the environment. Additionally, the action is exempt under the common-sense exemption (CEQA Guidelines §15061(b)(3)), as there is no possibility that it may have a significant effect on the environment.

Finally, none of the exceptions to categorical exemptions outlined in CEQA Guidelines §15300.2 apply. There is no potential for cumulative impacts, no unusual circumstances that would result in a significant environmental impact, and no impact on scenic resources within a designated scenic highway. The action will not affect hazardous waste sites or historic resources.

A Notice of Exemption (NOE) will be filed with the County Clerk and submitted to the State Clearinghouse within 5 days of final approval.

Local CEQA Guidelines Cleanup

Because the City’s adopted 2020 VMT Guidelines include screening criteria that reference “more than the required number of parking spaces,” the City will adopt a companion resolution to restore the LCI/OPR parenthetical (“if the jurisdiction requires the project to supply parking”). This resolves an internal conflict created by the elimination

of minimum parking requirements and keeps the City's SB 743 framework intact.

COMMUNITY ENGAGEMENT:

On February 19, 2026 a Notice of Public Hearing was advertised in the Beverly Press Newspaper. On March 5, 2026, staff presented this item at a public hearing before the Planning Commission.

Public comments received through Engage WeHo as of June 1, 2026, included three comments recommending the removal of off-street parking requirements, use of market-based pricing to better manage on-street parking availability, and creation of Parking Benefit Districts to reinvest parking revenue into public services. Comments also included support for the City's compliance with state law, as well as concern that reduced parking requirements could affect housing stability by increasing the potential for condominium conversions and tenant displacement.

OFFICE OF PRIMARY RESPONSIBILITY:

COMMUNITY DEVELOPMENT DEPARTMENT / LONG RANGE PLANNING DIVISION

FISCAL IMPACT:

No Fiscal Impact.

ATTACHMENTS:

- A. Draft City Council Ordinance No. 26-XXXX
- B. Draft City Council Resolution No. 26-XXXX
- C. PC Resolution No. PC 26-1640
- D. Council Staff Report & Minutes (May 5, 2025) - Direction to eliminate parking minimums via ZTA as part of housing streamlining
- E. TDM Ordinance (2018, Title 10, Ch. 10.16) - Applies to qualifying projects and

supports VMT reduction

F. Council Staff Report & Resolution (Nov 16, 2020) - Adopted VMT Guidelines and near-transit screening with exceptions (including the parking exception)

ORDINANCE NO. 26-_____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ADOPTING AN AMENDMENT TO TITLE 19, THE ZONING ORDINANCE OF THE WEST HOLLYWOOD MUNICIPAL CODE, TO COMPLY WITH THE REQUIREMENTS OF ASSEMBLY BILLS 1317 (UNBUNDLED PARKING) AND 894 (SHARED PARKING), AND REMOVE MINIMUM PARKING REQUIREMENTS CITYWIDE IN ALIGNMENT WITH THE CITY'S HOUSING ELEMENT AND RECENT COUNCIL DIRECTIVES, AND FINDING THE ACTION EXEMPT FROM CEQA.

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

SECTION 1. Findings.

- A. On October 11, 2023, the State passed two parking-related bills. The first, AB 894 (shared parking), requires local jurisdictions to allow property owners to make their underutilized parking spaces available to the public, local agencies, or other entities. The second, AB 1317 (unbundled parking), requires the owners of qualifying residential properties that provide parking to unbundle parking from the price of rent.
- B. On May 5, 2025, the City Council directed preparation of a Zone Text Amendment eliminating minimum parking requirements citywide.
- C. Additionally, AB 2097, which prohibits local jurisdictions from imposing minimum parking requirements on most development projects within a half-mile of high-quality transit, passed on September 22, 2022. Because most of West Hollywood fits this criteria, this bill effectively ends parking minimums for West Hollywood.
- D. City policies support these State bills. Specifically, the 6th Cycle Housing Element has an objective to "Adopt an ordinance to change/reduce/eliminate certain parking requirements, allow for shared parking and unbundling of parking to allow parking to be sold separately, and amend parking size standards," including an evaluation of the City's on-street parking permit system for projects with reduced parking requirements. Furthermore, the City's climate goals call

ATTACHMENT A

for the City to rethink its approach to parking regulations to shift the City away from auto dependency.

- E. This ordinance implements these new State requirements and fulfills the General Plan and Climate Action and Adaptation Plan goals by removing conflicting language from the Municipal Code and eliminating minimum parking requirements citywide in accordance with the Council's directive.
- F. This amendment is a companion amendment to the City's 2020 Local CEQA Guidelines to clarify the parking-related screening criterion following elimination of minimum parking requirements. The amendment restores the Governor's Office of Land Use and Climate Innovation (LCI) (formerly Office of Planning and Research (OPR)) parenthetical ('if the jurisdiction requires the project to supply parking'), resolving the conflict created when minimum parking requirements are removed.
- G. The Planning Commission held a duly-noticed public hearing on March 5, 2026 and recommended that the City Council adopt the proposed Ordinance.
- H. On June 15, 2026, the City Council held a duly-noticed public hearing to consider the Ordinance, including: (1) the public testimony and agenda reports prepared in connection with the Ordinance, (2) the policy considerations discussed therein, and (3) the consideration and recommendation by the City's Planning Commission.

SECTION 2. CEQA Determination. The proposed Zone Text Amendment to comply with Assembly Bills 1317 (Unbundled Parking) and 894 (Shared Parking), and to remove minimum parking requirements citywide, is not subject to the California Environmental Quality Act (CEQA) because it does not qualify as a "project" under CEQA. State CEQA Guidelines Section 15060(c) specifies that an activity is not subject to CEQA if it does not meet the definition of a "project" under Section 15378. In this case, the ZTA does not qualify as a project for two reasons:

First, Section 15378 defines a project as an activity that "has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment" (State CEQA Guidelines §15378(a)). The ZTA simply aligns the City's code with state mandates, removes outdated or conflicting local provisions, and does not directly authorize any new physical development or change the allowable intensity of land use. Therefore, the ZTA is not a project under CEQA.

Second, Section 15378 explicitly excludes from its definition of a "project" the organizational or administrative activities of governments that do not result in direct or indirect physical changes in the environment (State CEQA Guidelines §15378(b)(5)). The ZTA is an administrative action that will not result in any physical changes to the environment and, as such, is not subject to CEQA.

Even if the ZTA were considered a project under CEQA, it would be categorically exempt under State CEQA Guidelines Section 15320, which applies to changes in the organization or reorganization of local governmental agencies where the changes do not alter

the geographical area in which existing powers are exercised. Class 20 applies because the ZTA is an administrative update aligning the City's parking regulations with state law, without altering the geographic scope or causing any physical environmental impact. Additionally, the ZTA is exempt under the common-sense exemption (CEQA Guidelines §15061(b)(3)), as there is no possibility that the ZTA may have a significant effect on the environment.

Finally, none of the exceptions to categorical exemptions outlined in CEQA Guidelines §15300.2 apply. There is no potential for cumulative impacts, no unusual circumstances that would result in a significant environmental impact, and no impact on scenic resources within a designated scenic highway. The ZTA will not affect hazardous waste sites or historic resources.

A Notice of Exemption (NOE) will be filed with the County Clerk and submitted to the State Clearinghouse within 5 days of final approval.

SECTION 3. General Plan Consistency. The City Council of the City of West Hollywood hereby finds that the Zone Text Amendment (ZTA25-0004) is consistent with the Goals and Policies of the General Plan, specifically M-A.32: Conduct a feasibility analysis of eliminating direct and hidden subsidies of motor vehicle parking and driving, and M-8: Manage parking supply to serve residents, businesses and visitors. The draft ordinance supports these goals through unbundling parking and eliminating mandatory minimums, removing a hidden subsidy that has historically required all tenants to pay for parking whether they use it or not. By requiring unbundling consistent with AB 1317, this ordinance establishes unbundled parking as a standard practice in new development. This ensures tenants are not compelled to pay for parking they do not use, aligning with the City's housing and mobility goals. Additionally, the City's 6th Cycle Housing Element, Program #20 (Residential Development Standards and Process) also directs adoption of parking reforms by reducing or eliminating minimums, allowing shared parking, and unbundling spaces. This ordinance fulfills that commitment by codifying each of these reforms in alignment with State mandates.

SECTION 4. Amendment to West Hollywood Municipal Code. Title 10, Vehicles and Traffic, and Title 19, Zoning Ordinance of the West Hollywood Municipal Code are provided in Attachment "A-1," attached hereto and incorporated herein by reference.

SECTION 5. Certification. The City Clerk is directed to certify the passage and adoption of this Ordinance; make a note of the passage and adoption in the records of this meeting; and cause it to be published or posted in accordance with California law.

SECTION 6. Record of Proceedings. The documents and materials associated with this Ordinance that constitute the record of proceedings on which these findings are based on are located at West Hollywood City Hall, 8300 Santa Monica Boulevard, West Hollywood, California 90069. The City Clerk is the custodian of the record of proceedings.

SECTION 7. Effective Date; Operative Date. This ordinance (i.e., Zone Text Amendment) shall take effect thirty (30) days after its adoption pursuant to California Government Code § 36937.

PASSED, APPROVED AND ADOPTED this _____ day of _____, 2026.

JOHN HEILMAN, MAYOR

ATTEST:

MELISSA CROWDER, CITY CLERK

Attachment A-1
Amendments to Title 10, Vehicles and Traffic, and Title 19, Zoning Ordinance, of the West Hollywood Municipal Code

1. Title 10 is amended to read as follows:

“ **10.07.010 Definitions, Generally.**

Whenever in this chapter the words or phrases hereinafter in this chapter defined are used, they shall have the meanings respectively ascribed to them in this chapter unless the context indicates to the contrary.

Words defined in Vehicle Code. Whenever any words or phrases used in this chapter are not defined, but are in the California Vehicle Code of this state, such definitions as now existing are incorporated herein and shall be deemed to apply to such words and phrases as used in this chapter as though set forth in full.

“Accessible parking space” means any parking space designated for the exclusive use of a vehicle displaying a special identification license plate or distinguishing placard subject to the provisions stated in Section 22511.5 of the California Vehicle Code. Accessible parking spaces shall be marked in accordance with Section 22511.7 of the California Vehicle Code.”

...

10.08.030 Issuance of Permits.

...

c. Parking permits shall not be available to:

1. Any person who has outstanding parking tickets;
2. Merchants who are required to provide off-street employee parking by conditions of a conditional use permit, planned development permit, specific plan, development agreement or any other permit entitlement or approval.

...”

...

10.08.130 Residential, Guest, Visitor, Commercial, Official Business, Contractor Permits.

...

d. Commercial permits shall be available only to merchants for use by the merchant and his or her employees.

1. Commercial permits shall not be issued to merchants who are required to provide off-street employee parking by conditions of a conditional use permit, planned development permit, specific plan or any other permit entitlement or approval.

...

2. Title 19 is amended to read as follows:

“19.14.120 West Hollywood West Neighborhood Overlay District (-WHWNOD).

...

2. Parking and Driveways. W.H.M.C. Chapters 19.28 and 19.36 apply in the WHWNOD, except as otherwise provided below:

a. The maneuvering room required under Section 19.28.090.A.1 shall not be required for single-family dwellings and duplexes.

b. Parking may be located between the front setback and the front of a residential unit, provided that the parking area is not wider than 10 feet, and is not within the front setback.

...

3. Parking and Driveways. W.H.M.C. Chapters 19.28 and 19.36 apply in the WHWNOD, except as otherwise provided below:

a. The maneuvering room required under 19.28.090.A.1 shall not be required for single-family dwellings and duplexes.

b. Parking may be located between the front setback and the front of a residential unit, provided that the parking area is not wider than 10 feet, and is not within the front setback.”

...

“19.14.130 Norma Triangle Neighborhood Overlay District (NTNOD).

E. Development and Land Use Standards. Proposed development and land uses within the NTNOD shall be subject to all applicable development standards of the primary R1-B zoning district, and of Article 19-3 (Site Planning and General Development Standards), in addition to the standards set forth in this section.

...

3. Parking and Driveways. WHMC Chapters 19.28 and 19.36 apply in the NTNOD, except as otherwise provided below:

...

b. Parking may be located between the front setback and the front of a residential unit, provided that the parking area is not wider than 10 feet, and is not within the front setback.

...

“19.28.020 Applicability.

...

C. Waivers to Specific Requirements. The review authority may waive or reduce any of the parking design and landscaping requirements of this chapter upon finding that the waiver or modification is in the interest of the public health, safety, and welfare. The review authority may not reduce the number of bicycle or loading spaces required except through the variance, or modification processes.”

...

“19.28.030 General Parking Regulations.

...

C. Location of Parking. Off-street parking shall be located as follows.

1. Except for single-family dwellings and duplexes, all parking spaces shall be located either behind, adjacent to, or within a structure. The location of parking spaces for residential uses shall comply with Section 19.28.090(D)(1)(a) of this chapter (Residential Parking - Location).
2. Parking, loading, and service and delivery areas shall not be allowed in any required front setback, except in single-family dwellings and duplexes, where excess parking is permitted upon a paved driveway that provides access directly from the street to an allowed garage or carport.
3. In mixed-use projects, residential parking shall be identified by signage and/or markings, separated, and secured from commercial parking by locating residential and commercial parking on separate floors, providing individual access to distinct residential and commercial parking areas, installing gated or otherwise physically separated areas for residential and commercial parking. Signage alone is not permissible.

...”

“19.28.030 General Parking Regulations.

...

- D. Availability. Parking and loading spaces shall be available during permitted hours of operation and shall be marked and maintained for parking or loading purposes for the use they are intended to serve.
1. The Community Development Director may approve the temporary reduction of loading spaces in conjunction with a seasonal or intermittent use for a period of not more than 30 days subject to the approval of a temporary use permit (Chapter 19.54 of this Code).
 2. Persons in control of the operation of a premises for which parking or loading spaces are provided to occupants or service providers shall not prevent, prohibit, or restrict other persons from using their assigned spaces.

3. Parking that is identified to be shared between uses during simultaneous operating hours may be allowed in compliance with Section 19.28.070 of this chapter subject to a parking use permit (Chapter 19.56)."

"19.28.030 General Parking Regulations.

...

H. *Unbundling Parking from Rent.*

1. *Requirement to unbundle parking.* An owner of a qualifying residential property that provides parking shall unbundle parking spaces from the price of rent, if the property meets both of the following conditions, and may sell or lease them separately for the life of the property in accordance with California Civil Code Section 1947.1:
 - a. It receives a certificate of occupancy on or after January 1, 2025; and,
 - b. It contains 16 or more residential units.
2. *Tenant right of first refusal.*
 - a. Tenants of qualifying residential properties shall have the right of first refusal to parking spaces provided for their units. Unleased spaces may be leased by the owner of the qualifying residential property to other on-site or off-site users on a month-to-month basis.
 - b. If spaces are unavailable at initial occupancy but later become available (including newly constructed spaces), the tenant shall receive renewed right of first refusal.
3. *Nonpayment of parking fee.*
 - a. Failure to pay a separately leased parking fee shall not constitute grounds for an unlawful detainer action against the tenant.
 - b. If payment is more than 45 days late, the property owner may revoke that tenant's right to lease that parking space.
4. *Exclusions.* Residential properties that are exempt from the unbundling requirement include:
 - a. Units with individual garages that are functionally part of the unit, (e.g., townhouses and row houses).
 - b. 100% affordable housing developments (exclusive of manager units) restricted by deed, regulatory restriction contained in an agreement with a governmental agency, or other recorded document as affordable housing for persons and families of low or moderate income, as defined in Section 50093 of the Health and Safety Code.
 - c. Developments receiving low-income housing tax credits (26 U.S.C. Sec. 42).
 - d. Developments financed with tax-exempt bonds pursuant to a program administered by the California Housing Finance Agency.

- e. Units leased to tenants who receive a federal housing assistance voucher issued under Section 8 of the United States Housing Act of 1937 (42 U.S.C. Sec. 1437(f)), including a federal Department of Housing and Urban Development Veterans Affairs Supportive Housing voucher.”

“19.28.040 No Minimum Off-Street Parking Required.

- A. No minimum required. The City imposes no minimum off-street parking requirement for any land use, consistent with state law.
- B. Voluntary parking. If off-street parking is provided, it shall comply with this chapter’s standards, including but not limited to design, dimensions, accessibility, electric vehicle readiness, and shared or unbundled parking requirements under state law.
- C. Protected standards. This section does not reduce, eliminate, or preclude the enforcement of state or federal requirements for accessible parking spaces or electric vehicle supply equipment if parking is provided.

“19.28.050 Accessible Parking Requirements.

When off-street parking spaces are provided, accessible parking spaces for persons with disabilities shall be included in compliance with the California Building Code (Title 24) and applicable state and federal requirements, including but not limited to design, dimensions, number, location, signage, and van-accessible spaces. This section does not reduce, eliminate, or preclude the enforcement of any state or federal accessibility requirements.”

“19.28.060 Reserved.”

“19.28.070 Shared Use of Parking Facilities.

1. Definitions. For the purposes of this section:

- a. “Parking analysis” means a study prepared using peer-reviewed methodologies developed by a professional planning association, including but not limited to, the Urban Land Institute, National Parking Association, or the International Council of Shopping Centers, to determine how many parking spaces can be reasonably shared between uses to fulfill parking requirements.
- b. “Parking use permit” is the process for administrative and, where applicable, discretionary review of proposed parking facilities, including off-site parking facilities, shared parking agreements, and underutilized parking made available to other users, pursuant to Chapter 19.56 (Parking Use Permits).
- c. “Shared parking agreement” is the document outlining the terms under which underutilized parking will be shared between parties to the agreement pursuant to the provisions of this Section and Chapter 19.56 (Parking Use Permits), as applicable.
- d. “Underutilized parking” means parking where 20 percent or more of a development’s parking spaces are not occupied during the proposed shared parking period.

2. *Applicability.* The City shall allow owners or operators of properties with underutilized parking to enter into shared parking agreements with the public, the City, other local agencies, or private entities.
3. *Shared Parking Agreement Requirements.* If an entity uses a shared parking agreement to satisfy the parking requirements imposed by a condition of approval, discretionary permit, approved operations plans, development agreement, or areas otherwise proposed as part of a discretionary approval or operations plan the following requirements apply:
 1. The shared parking agreement must comply with the applicable requirements of Chapter 19.56 (Parking Use Permits).
 2. The project or entity must include a parking analysis as defined in this section.
 3. The project or entity shall include guarantees of continued availability in compliance with subsection 19.28.120(D) and the applicable requirements of chapter 19.56.
 4. Off-site parking spaces shall comply with the location requirements of subsection 19.28.120(A).
4. *Approval Process.* Shared parking agreements shall be approved by the Community Development Director when the agreement meets the requirements of this section and applicable state law.
5. *Reasonable Verification.* The City may require verification that a project proposing to use a shared parking agreement has secured, or will secure, such an agreement as a condition for approval.
6. *Protected Requirements.* This section shall not reduce, eliminate, or preclude the enforcement of any requirements for accessible parking spaces or electric vehicle charging spaces under state or federal law.”

“19.28.080 Reserved.”

“19.28.090 Parking Area Design and Layout Standards

...

B. *Parking Space and Lot Dimensions.*

...

2. Compact Car Parking Spaces. Compact car parking spaces may be used as follows.

- a. Non-Residential Uses. Commercial projects may substitute compact stalls for up to 40 percent of the total number of proposed spaces.

...

D. *Residential Parking.*

...

2. Enclosure or covering of Parking is Required. All residential development which includes parking spaces shall be enclosed or covered, except for guest

spaces and parking for single-family dwellings (one unit per parcel) existing as of May 2, 2001, as follows:

- a. If a single-family dwelling includes parking, all spaces must be covered, except for one tandem, uncovered space of at least 18 feet in length, which may be located within the driveway and outside of the front yard setback.”

...

E. *Tandem Parking.*

1. Tandem Parking Space Requirements and Parking Area Dimensions

...

- b. Tandem parking shall be arranged to be no more than two spaces in depth, with a minimum total length of 34 feet.

- c. Tandem parking shall not be double loaded.

...”

“19.28.110 Parking Structure and Rooftop Parking Standards.

...

D. Sunset Specific Plan Area. Parking structures within the Sunset Specific Plan area shall comply with the following requirements:

1. The use of the latest parking technology (e.g., ID cards, electric gates, and individual timers) is encouraged; and
2. Consolidated parking facilities that are capable of expanding to meet future parking demands are strongly encouraged.”

“19.28.120 Off-Site Parking Standards.

Off-site parking shall comply with the following conditions:

1. *Location.* Off-site parking spaces, except valet-serviced spaces, shall be allowed under any of the following conditions:
 1. Located on the same, or contiguous, parcels as the use served;
 2. Separated by no more than 2,000 feet via the shortest pedestrian walking route from the primary entrance of the use served; or
 3. Separated by more than 2,000 feet via the shortest pedestrian walking route, provided a plan demonstrates sustained shuttle service or other mobility accommodations to transport users between the parking and the use served.

...”

“19.28.170 Electric Vehicle Charging Readiness.

A. Applicability. If developments provide parking, electric vehicle charging spaces shall be provided for all uses in accordance with the requirements of the California Green Building Standards Code, and pursuant to the requirements of Section 19.36.392 of this Code.

B. Any spaces reserved for electric vehicle charging stations shall count toward any applicable parking requirements imposed by ordinance, development agreements, or are otherwise proposed as part of a discretionary approval or operations plan.

C. Temporary Parking Exemption. The electric vehicle charging requirements in subsection A above shall not apply to temporary parking lots (Section 19.28.140).”

“19.36.125 Emergency Shelters.

...

C. *Standards for Emergency Shelters.* Emergency shelters shall be subject to the following standards:

...

8. Exterior lighting shall be provided for the entire outdoor area of the site. Exterior lighting shall be stationary, directed away from adjacent properties and public rights-of-way, and be of an intensity compatible with the neighborhood and the regulations in this Code.

9. The shelter may provide the following services and facilities to occupants in a designated area separate from the sleeping areas:”

“19.36.265 Residential Uses – Courtyard Housing.

...

A. *Procedure for Incentives.* A multi-family housing project that is proposed as courtyard housing in compliance with this section may be granted incentives as follows, provided that no incentives may be granted where a project proposes the demolition of a cultural resource:

1. Allowable Incentives. The review authority may grant any combination of the following incentives at the request of an applicant, provided that the review authority shall have the discretion to offer none of the incentives, and may choose to require compliance with all otherwise applicable residential development regulations.

a. Driveways used exclusively for ingress and egress or for interior parking lot circulation may be designed and improved with steeper grades in courtyard structures than in other residential structures. Ramp grades shall not exceed a 20 percent slope with approach ramps as close to a three percent slope as feasible.

...”

“19.36.330 Service Stations, Internal Combustion Engine Vehicle (ICEV).

...

2. Additional Requirements for Modified or Expanded ICEV Stations. This section applies to all lawfully developed and operating service station uses in existence prior to October 17, 2022, or service station uses not yet developed and/or operating but subject to an approved and unexpired use permit. Any modification or expansion of an existing service station shall comply with all of the following standards:

...

7. Parking and Vehicle Storage. The outdoor storage of motor vehicles is prohibited. For the purposes of this section, outdoor storage shall mean the parking of a motor vehicle in an unenclosed area of the service station for longer than 24 hours, unless the vehicle is being serviced, in which case it may be parked for a maximum of 72 hours.

...

13. Convenience Stores. An existing service station may include an on-site convenience store, as an accessory use, developed under the following standards:

...

c. Beer and Wine Sales. The sale of alcoholic beverages (beer and wine only) shall comply with Section 19.36.060 (Alcoholic Beverage Sales).

...”

“19.90.020 Definitions of Specialized Terms and Phases.

...

3. Definitions, “I.”

...

Intensification of Use. A change in the use of a structure or site, where the Director determines, based on evidence, that the change would result in a substantial increase to scale, frequency, or duration of activities on a property beyond what was previously permitted.

...

P. Definitions, “P.”

...

Parking Structure. An enclosed facility parking of vehicles, which is typically multi-level and/or which may include other uses (for example, street-fronting retail shops). Includes day use public and commercial garages and parking structures, except when accessory to a primary use includes indoor areas where vehicles are stored for rental or leasing. Does not include uncovered surface parking

lots, which are either a temporary use subject to a temporary use permit (Chapter 19.54), or considered accessory to a primary use on the same site.

...

“Chapter 19.56 Parking Use Permits.

19.56.010. Purpose.

This chapter provides a process for administrative and, where applicable, discretionary review of proposed parking facilities including off-site parking facilities, shared parking arrangements, and underutilized parking made available to other users, to ensure compliance with basic health, safety, and community welfare standards, while providing opportunities for suitable alternatives to on-site parking, including shared parking agreements, and off-site/underutilized parking made available to others consistent with Government Code Section 65863.1.

19.56.020. Applicability.

A parking use permit shall be required to authorize:

- A. The use of off-site parking facilities to satisfy the parking requirements imposed by a condition of approval, discretionary permit, approved operations plans, development agreement, or areas otherwise proposed as part of a discretionary approval or operations plan;
- B. A commercial parking facility serving the general public which charges a parking fee;
- C. The sharing of parking facilities by adjacent or nearby uses on parcels under separate ownership to satisfy the parking requirements imposed by a condition of approval, discretionary permit, approved operations plans, development agreement, or areas otherwise proposed as part of a discretionary approval or operations plan;
- D. The use of underutilized parking by off-site uses or activities, or as commercial parking. “Underutilized parking” means parking where 20 percent or more of a development’s parking spaces are not occupied during the proposed shared parking period; and
- E. Shared parking agreements submitted under Section 19.28.070.

19.56.030. Review Authority.

- A. Community Development Director - Minor Parking Use Permits. The Community Development Director shall be the review authority for parking use permits:
 - 1. Where the use associated with the proposed parking requires Community Development Director review and decision in compliance with Article 19-2 (Zoning Districts and Allowable Land Uses);

2. Where an applicant proposes to make underutilized parking spaces available to others to satisfy the parking requirements imposed by a condition of approval, discretionary permit, approved operations plans, development agreement, or areas otherwise proposed as part of a discretionary approval or operations plan; and
 3. Where a shared parking agreement is submitted under Section 19.28.070, which shall be approved ministerially in compliance with Government Code Section 65863.1.
- B. Planning Commission – Major Parking Use Permits. The Planning Commission shall be the review authority for parking use permits where the use associated with the proposed parking requires Planning Commission review and decision in compliance with Article 19-2 (Zoning Districts and Allowable Land Uses), except for shared parking agreements under Section 19.28.070, which shall be acted upon by the Community Development Director and may be addressed by the Planning Commission only through the separate discretionary permit it is considering.

19.56.040. Application Filing, Processing, and Review.

- A. Application Preparation and Filing. An application for a parking use permit shall be prepared, filed, and processed in compliance with Chapter 19.40 (Application Filing and Processing). It is the responsibility of the applicant to establish evidence in support of the findings required by Section 19.56.050 (Findings and Decision), below.
- B. Notice. Public notice of a requested parking use permit shall be provided by posting both the location of the proposed parking, and the site of the use that will use the parking. The posted notice shall be a minimum of 11" by 17", shall contain the information required by the Community Development Director, and information on any other permit that is simultaneously being processed by the city for the same site. The notice shall be continuously posted for seven days before the review authority's action. Posting is required in a clearly visible location on each street frontage. In the case of a major parking use permit for a project that requires Planning Commission approval of a separate discretionary permit, the posted notice, mailed notice and the required newspaper notice, shall be combined with that required by this article for the discretionary permit. A mailed notice to properties around the off-site parking location is required.
- C. Public Hearing. A public hearing shall not be required before the approval of minor or major parking use permits. Major parking use permits for projects that require Planning Commission approval of a separate discretionary permit that requires a public hearing shall be considered by the Planning Commission concurrently with the discretionary permit.

19.56.050. Findings and Decision.

The review authority may approve or modify a parking use permit application in whole or in part, with or without conditions, only after first finding that:

- A. The proposed off-site parking is allowed within the applicable zoning district and complies with the intent of all of the applicable provisions of this Zoning Ordinance, unless precluded by state law;

- B. The proposed off-site parking spaces would be consistent with the objectives, policies, general land uses, and programs of the General Plan, unless precluded by state law; and
- C. In the case of a proposed shared parking agreement, the agreement complies with the requirements of Government Code Section 65863.1 and Section 19.28.070 of this code.

19.56.060. Conditions of Approval.

In approving a parking use permit, the review authority may impose reasonable and necessary specific developmental, locational, and operational conditions relating to both on- and off-site improvements, and facility operation, unless precluded by state law. These conditions of approval are intended to ensure that:

- A. Access to the site is adequate to accommodate the proposed off-site parking and the traffic that the facility would reasonably generate;
- B. The design, location, size, and operating characteristics of the proposed off-site parking are compatible with the existing and future land uses on-site and in the vicinity of the subject property;
- C. The establishment, maintenance, or operation of the proposed parking 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 parking lot or structure;
- D. Where the off-site parking spaces are new, and in close proximity to residential uses, and especially bedroom windows, they are designed and operated to comply with the city's noise requirements in Section 19.20.090 (Noise Mitigation); and
- E. Any proposed valet parking use will not generate excessive traffic on surrounding public streets and shall not utilize any residential street.

19.56.070. Off-Site Parking Standards.

Design, location, and operating standards for off-site parking facilities are provided in Section 19.28.120 (Off-Site Parking Standards).

19.56.080. Terms of Off-Site Parking.

The requirements of this section shall apply only to projects which use off-site/shared parking to meet a parking requirement imposed by ordinance, development agreements, or are otherwise proposed as part of a discretionary approval or operations plan.

- A. **Guarantee of Continued Availability.** Off-site/shared parking spaces shall be committed by a lease, bond, or other agreement, acceptable to the City Attorney, between the owners, and if applicable, the lessees of the off-site parking spaces and the owners, and if applicable, the lessees of the subject site, with the provisions reflecting the conditions of approval and the approved off-site parking plan.

B. Proof of Availability. The owners or operators of properties which lease off-site parking spaces shall provide proof to the Community Development Director of continuous leases for the off-site spaces annually by January 31.

C. Loss of Off-Site Spaces.

1. Notification to the City. The owner or operator of a business that uses approved off-site spaces shall immediately notify the Community Development Director of any change of ownership or use of the property, and of any termination or default of the agreement between the parties, and shall provide the City with a copy of any notice of termination, default, or other written communication evidencing the change. Where the agreement allows voluntary termination, the agreement shall require at least 30 days' prior written notice to the City; where termination occurs due to default, notice shall be provided within five business days of the termination or default.
2. Effect of Termination of Agreement. Upon notification that a lease for off-site parking has terminated, the Community Development Director shall issue a written determination identifying (i) the number of spaces lost, (ii) the effective date of the loss, (iii) whether the spaces were relied upon to satisfy a condition of approval or other parking obligation, and (iv) a compliance deadline. Unless a shorter period is required to protect public health and safety, the compliance deadline shall be 30 days from the date of the written determination. Within that time, one of the following shall occur:
 - a. Substitute parking is leased that is acceptable to the Community Development Director;
 - b. The size or capacity of the use is reduced in proportion to the parking spaces lost.
 - c. If the parking agreement was relied upon to satisfy a condition of approval, discretionary permit, or approved operations plan, the operator shall submit and implement an alternative parking/operations management plan, acceptable to the Community Development Director, that eliminates the project's reliance on the lost spaces.
 - d. If none of the above occurs within the compliance deadline, the Community Development Director may initiate modification or revocation of the parking use permit and may refer the matter for code enforcement and/or initiate modification of any related approval that relied upon the parking arrangement.

D. Parking Fee Reimbursement. The business operator may be required to reimburse patrons for the total cost of the parking fee for the use of a shared parking facility. The amount of the reimbursement shall be determined by the review authority at the time a parking use permit is approved.

19.56.090. Post-Approval Procedures.

- A. The approval or denial of a parking use permit may be appealed in compliance with Chapter 19.76 (Appeals). The procedures of Chapter 19.62 (Permit Implementation, Time Limits, and Extensions) shall apply after the approval of a parking use permit, except as follows:

1. Expiration and Extension. To ensure continued compliance with the provisions of this chapter, each approved parking use permit shall expire one year from effective date of approval, unless otherwise specified in the permit, if the use has not been established. Time extensions may be granted in compliance with Chapter 19.62.
2. Revocation. A parking use permit may be revoked or modified, with only a 24-hour notice, in compliance with Section 19.80.060 (Revocations and Modifications).

RESOLUTION NO. 26-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AMENDING THE CITY'S LOCAL CEQA GUIDELINES (VEHICLE MILES TRAVELED - VMT) TO CLARIFY THE PARKING-RELATED SCREENING CRITERION FOLLOWING ELIMINATION OF MINIMUM PARKING REQUIREMENTS, AND FINDING THE ACTION EXEMPT FROM CEQA

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

SECTION 1. Findings.

- A. On October 11, 2023, the State passed two parking-related bills. The first, AB 894 (shared parking), requires local jurisdictions to allow property owners to make their underutilized parking spaces available to the public, local agencies, or other entities. The second, AB 1317 (unbundled parking), requires the owners of qualifying residential properties that provide parking to unbundle parking from the price of rent.
- B. Additionally, AB 2097, which prohibits local jurisdictions from imposing minimum parking requirements on most development projects within a half mile of high-quality transit, passed on September 22, 2022. Because most of West Hollywood fits this criterion, this bill effectively ends parking minimums for West Hollywood.
- C. City policies support these State bills. Specifically, the 6th Cycle Housing Element has an objective to "Adopt an ordinance to change/reduce/eliminate certain parking requirements, allow for shared parking and unbundling of parking to allow parking to be sold separately, and amend parking size standards," including an evaluation of the City's on-street parking permit system for projects with reduced parking requirements. Furthermore, the City's climate goals call for reconsidering its approach to parking regulations to shift the City away from auto-dependence.
- D. Finally, on May 5, 2025, the City Council directed preparation of a Zone Text Amendment eliminating minimum parking requirements citywide.
- E. The City's 2020 Local CEQA Guidelines adopted by the California Governor's Office of Land Use and Climate Innovation (LCI) (formerly Office of Planning and Research (OPR) near-transit screening approach, including a parking-related exception. The exception, as adopted, omitted the parenthetical qualifier ('if the jurisdiction requires the project to supply parking'). Eliminating minimum parking requirements citywide would inadvertently cause the exception to apply to all projects, contrary to SB 743 and LCI guidance.

- F. The amendment to the guidelines implements SB 743 and LCI's Technical Advisory language used in the City's 2020 staff report and resolution. It preserves the near-transit presumption while preventing unintended consequences when no parking minimums exist. The amendment restores LCI's parenthetical ('if the jurisdiction requires the project to supply parking'), resolving the conflict created when minimum parking requirements are removed. Procedurally, this is an administrative update to local CEQA guidance (Local CEQA Guidelines), not a change that authorizes physical development; the 2020 resolution adopting VMT thresholds was framed similarly.
- G. This Resolution is a companion amendment to the City's Zoning Ordinance update to comply with the requirements of Assembly Bills 1317 (Unbundled Parking) and 894 (Shared Parking), and to remove minimum parking requirements citywide in alignment with the City's Housing Element and recent Council directives.
- H. This Resolution implements these new State requirements and fulfills the General Plan and Climate Action and Adaptation Plan goals by removing conflicting language from the Municipal Code and eliminating minimum parking requirements citywide.
- I. On June 15, 2026, the City Council held a duly-noticed public hearing to consider the Resolution, including: (1) the public testimony and agenda reports prepared in connection with the Resolution, (2) the policy considerations discussed therein, and (3) the consideration and recommendation by the City's Planning Commission.

SECTION 2. CEQA Determination. The proposed amendment to the City's Local CEQA Guidelines (Vehicle Miles Traveled – VMT) to clarify the parking-related near-transit screening criterion following elimination of minimum parking requirements is not subject to the California Environmental Quality Act (CEQA) because it does not qualify as a "project" under CEQA. State CEQA Guidelines Section 15060(c) specifies that an activity is not subject to CEQA if it does not meet the definition of a "project" under Section 15378. In this case, the action does not qualify as a project for two reasons:

First, Section 15378 defines a project as an activity that "has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment" (State CEQA Guidelines §15378(a)). The amendment to the Local CEQA Guidelines is a procedural action that aligns local regulations and CEQA guidance with state law and adopted policy. It does not authorize physical development, change allowable land uses or development intensity, or approve any specific project. Accordingly, it does not constitute a project under CEQA.

Second, Section 15378 explicitly excludes from its definition of a "project" the organizational or administrative activities of governments that do not result in direct or

indirect physical changes in the environment (State CEQA Guidelines §15378(b)(5)). The amendment to the Local CEQA Guidelines is an administrative action intended to ensure consistency with SB 743 and state technical guidance and therefore falls within this exclusion.

Even if the Local CEQA Guidelines amendment were considered a project under CEQA, it would be categorically exempt from CEQA review. The action is categorically exempt under CEQA Guidelines Section 15320 (Class 20), which applies to changes in the organization or reorganization of local governmental agencies that do not alter the geographic area in which existing powers are exercised. The action is also categorically exempt under CEQA Guidelines Section 15308 (Class 8), which applies to actions taken by regulatory agencies to assure the maintenance, restoration, enhancement, or protection of the environment. Additionally, the action is exempt under the common-sense exemption (CEQA Guidelines §15061(b)(3)), as there is no possibility that it may have a significant effect on the environment.

Finally, none of the exceptions to categorical exemptions outlined in CEQA Guidelines §15300.2 apply. There is no potential for cumulative impacts, no unusual circumstances that would result in a significant environmental impact, and no impact on scenic resources within a designated scenic highway. The action will not affect hazardous waste sites or historic resources.

A Notice of Exemption (NOE) will be filed with the County Clerk and submitted to the State Clearinghouse within 5 days of final approval.

SECTION 3. Amendment to Local CEQA Guidelines. Based on the entire record before the City Council, all written and oral evidence presented to the City Council, and the findings made in the staff report and this Resolution, the City Council hereby adopts the VMT Guidelines as an amendment to the City's Local CEQA Guidelines, which is attached hereto as "Exhibit A" and incorporated by reference herein.

SECTION 4. Certification. The City Clerk is directed to certify the passage and adoption of this Resolution; make a note of the passage and adoption in the records of this meeting; and cause it to be published or posted in accordance with California law.

SECTION 5. Record of Proceedings. The documents and materials associated with this Resolution that constitute the record of proceedings on which these findings are based are located at West Hollywood City Hall, 8300 Santa Monica Boulevard, West Hollywood, California 90069. The City Clerk is the custodian of the record of proceedings.

SECTION 6. Effective Date. This Resolution shall take effect immediately.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of West Hollywood at a regular meeting held this 15th day of June, 2026 by the following vote:

AYES:	Councilmember:	Byers, Erickson, Meister, Vice Mayor Hang, and Mayor Heilman.
NOES:	Councilmember:	None.
ABSENT:	Councilmember:	None.
ABSTAIN:	Councilmember:	None.

JOHN HEILMAN, MAYOR

ATTEST:

MELISSA CROWDER, CITY CLERK

EXHIBIT “A”

VMT GUIDELINES

[inserted behind this page]

Exhibit A
VMT Guidelines

- A. Adopt the California Governor's Office of Land Use and Climate Innovation (LCI) (formerly Office of Planning and Research (OPR)) and the CEQA Guidelines Section 15064.3 and consider a development project not to have a significant impact on transportation if said project is located within a high-quality-transit area and does not meet any of the following exclusionary criteria:
 - 1. A project with a floor area ratio (FAR) of less than 0.75;
 - 2. A project with more than the required number of parking spaces (if the City requires the project to supply parking);
 - 3. A project that is inconsistent with the applicable Sustainable Communities Strategy;
 - 4. A project that replaces affordable residential units with fewer, moderate- or high-income residential units.
 - 5. A project with the potential for significant regional draw.
- B. Adopt LCI guidelines for a Local Threshold of Significance of 15% VMT reduction below local average for all projects that are excluded from screening.
- C. Specify that information-only level of service (LOS) analysis may be included in future traffic impact studies and considered in the analysis of the project, outside of the CEQA process.
- D. Specify that information-only residential street analysis be included in future traffic impact studies and considered in the analysis of the project, outside of the CEQA process.

ATTACHMENT C

RESOLUTION NO. PC 26-1640

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, RECOMMENDING TO THE CITY COUNCIL APPROVAL OF A RESOLUTION AMENDING THE CITY'S LOCAL CEQA GUIDELINES (VEHICLE MILES TRAVELED - VMT) TO CLARIFY THE PARKING-RELATED SCREENING CRITERION FOLLOWING ELIMINATION OF MINIMUM PARKING REQUIREMENTS, AND FINDING THE ACTION IS EXEMPT FROM CEQA.

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

SECTION 1. Findings.

A. On October 11, 2023, the State passed two parking-related bills. The first, AB 894 (shared parking), requires local jurisdictions to allow property owners to make their underutilized parking spaces available to the public, local agencies, or other entities. The second, AB 1317 (unbundled parking), requires the owners of qualifying residential properties that provide parking to unbundle parking from the price of rent.

B. On May 5, 2025, the City Council directed the preparation of a Zone Text Amendment eliminating minimum parking requirements citywide.

C. Additionally, AB 2097, which prohibits local jurisdictions from imposing minimum parking requirements on most development projects within a half mile of high-quality transit, passed on September 22, 2022. Because most of West Hollywood fits this criterion, this bill effectively ends parking minimums for West Hollywood.

D. City policies support these State bills. The 6th Cycle Housing Element has an objective to "Adopt an ordinance to change/reduce/eliminate certain parking requirements, allow for shared parking and unbundling of parking to allow parking to be sold separately, and amend parking size standards," including an evaluation of the City's on-street parking permit system for projects with reduced parking requirements. Furthermore, the City's climate goals call for reconsidering its approach to parking regulations to shift the City away from auto-dependence.

E. The City's 2020 Local CEQA Guidelines adopted the California Governor's Office of Land Use and Climate Innovation (LCI) (formerly Office of Planning and Research (OPR)) near-transit screening approach, including a parking-related exception. The exception, as adopted, omitted the parenthetical qualifier ('if the jurisdiction requires the project to supply parking'). Eliminating minimum parking requirements citywide would inadvertently cause the exception to apply to all projects, contrary to SB 743 and LCI guidance.

F. The amendment to the guidelines implements SB 743 and LCI's Technical Advisory language used in the City's 2020 staff report and resolution. It preserves the near-transit presumption while preventing unintended consequences when no minimums exist. The amendment restores LCI's parenthetical ("if the jurisdiction requires the project to supply parking"), resolving the conflict created when minimum parking requirements are removed. Procedurally, this is an administrative update to local CEQA guidance (Local CEQA Guidelines), not a change that authorizes physical development; the 2020 resolution adopting VMT thresholds was framed similarly.

G. This Resolution is a companion amendment to the City's Zoning Ordinance update to comply with the requirements of Assembly Bills 1317 (Unbundled Parking) and 894 (Shared Parking), and that removes minimum parking requirements citywide in alignment with the City's Housing Element and recent Council directives.

H. A public hearing was duly noticed for the Planning Commission meeting of March 5, 2026 by publication in the Beverly Press newspaper, the City website, and by announcement on City Channel 6 starting February 12, 2026.

SECTION 2. Environmental Review. The proposed amendment to the City's Local CEQA Guidelines (Vehicle Miles Traveled – VMT) to clarify the parking-related near-transit screening criterion following elimination of minimum parking requirements is not subject to the California Environmental Quality Act (CEQA) because it does not qualify as a "project" under CEQA. State CEQA Guidelines Section 15060(c) specifies that an activity is not subject to CEQA if it does not meet the definition of a "project" under Section 15378. In this case, the action does not qualify as a project for two reasons:

First, Section 15378 defines a project as an activity that "has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment" (State CEQA Guidelines §15378(a)). The amendment to the Local CEQA Guidelines is a procedural action that aligns local regulations and CEQA guidance with state law and adopted policy. It does not authorize physical development, change allowable land uses or development intensity, or approve any specific project. Accordingly, it does not constitute a project under CEQA..

Second, Section 15378 explicitly excludes from its definition of a "project" the organizational or administrative activities of governments that do not result in direct or indirect physical changes in the environment (State CEQA Guidelines §15378(b)(5)). The amendment to the Local CEQA Guidelines is an administrative action intended to ensure consistency with SB 743 and state technical guidance and therefore falls within this exclusion.

Even if the Local CEQA Guidelines amendment were considered a project under CEQA, it would be categorically exempt from CEQA review. The action is categorically exempt under CEQA Guidelines Section 15320 (Class 20), which applies to changes in the organization or reorganization of local governmental agencies that do not alter the geographic area in which existing powers are exercised. The action is also categorically exempt under CEQA Guidelines Section 15308 (Class 8), which applies to actions taken by regulatory agencies to assure the maintenance, restoration, enhancement, or protection of the environment. Additionally, the action is exempt under the common-sense exemption (CEQA Guidelines §15061(b)(3)), as there is no possibility that it may have a significant effect on the environment.

Finally, none of the exceptions to categorical exemptions outlined in CEQA Guidelines §15300.2 apply. There is no potential for cumulative impacts, no unusual circumstances that would result in a significant environmental impact, and no impact on scenic resources within a designated scenic highway. The action will not affect hazardous waste sites or historic resources.

A Notice of Exemption (NOE) will be filed with the County Clerk and submitted to the State Clearinghouse within 5 days of final approval.

SECTION 3. Recommendation. Based on the entire record before the Planning Commission, all written and oral evidence presented to the Planning Commission, and the findings made in the staff report and this Resolution, the Planning Commission hereby recommends that the City Council adopt an Ordinance entitled: “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AMENDING THE CITY’S LOCAL CEQA GUIDELINES (VEHICLE MILES TRAVELED - VMT) TO CLARIFY THE PARKING-RELATED SCREENING CRITERION FOLLOWING ELIMINATION OF MINIMUM PARKING REQUIREMENTS, AND FINDING THE ACTION EXEMPT FROM CEQA.” which is attached hereto as “**Attachment A**” and incorporated by reference herein.

SECTION 4. Certification. The Secretary of the Planning Commission shall certify to the adoption of this Resolution.

SECTION 5. Effective Date. This Resolution shall take effect immediately after adoption.

PASSED, APPROVED AND ADOPTED by the Planning Commission of the City of West Hollywood at a regular meeting held this 5th day of March, 2026 by the following vote:

AYES: Commissioner: Carvalho, Edwards, Harris, Hoopingarner, Solomon, Vice Chair Jones, Chair Gregoire.

NOES: Commissioner: None.

ABSENT: Commissioner: None.

ABSTAIN: Commissioner: None.

RECUSED: Commissioner: None.



DAVID S. GREGOIRE, CHAIRPERSON
PLANNING COMMISSION

ATTEST:



FRANCISCO J. CONTRERAS, AICP
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 19.16. 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

RESOLUTION NO. 26-XXXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AMENDING THE CITY'S LOCAL CEQA GUIDELINES (VEHICLE MILES TRAVELED - VMT) TO CLARIFY THE PARKING-RELATED SCREENING CRITERION FOLLOWING ELIMINATION OF MINIMUM PARKING REQUIREMENTS, AND FINDING THE ACTION EXEMPT FROM CEQA.

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

SECTION 1. Findings.

- A. On October 11, 2023, the State passed two parking-related bills. The first, AB 894 (shared parking), requires local jurisdictions to allow property owners to make their underutilized parking spaces available to the public, local agencies, or other entities. The second, AB 1317 (unbundled parking), requires the owners of qualifying residential properties that provide parking to unbundle parking from the price of rent.
- B. Additionally, AB 2097, which prohibits local jurisdictions from imposing minimum parking requirements on most development projects within a half mile of high-quality transit, passed on September 22, 2022. Because most of West Hollywood fits this criterion, this bill effectively ends parking minimums for West Hollywood.
- C. City policies support these State bills. Specifically, the 6th Cycle Housing Element has an objective to "Adopt an ordinance to change/reduce/eliminate certain parking requirements, allow for shared parking and unbundling of parking to allow parking to be sold separately, and amend parking size standards," including an evaluation of the City's on-street parking permit system for projects with reduced parking requirements. Furthermore, the City's climate goals call for reconsidering its approach to parking regulations to shift the City away from auto-dependence.

- D. The City's 2020 Local CEQA Guidelines adopted the California Governor's Office of Land Use and Climate Innovation (LCI) (formerly Office of Planning and Research (OPR)) near-transit screening approach, including a parking-related exception. The exception, as adopted, omitted the parenthetical qualifier ('if the jurisdiction requires the project to supply parking'). Eliminating minimum parking requirements citywide would inadvertently cause the exception to apply to all projects, contrary to SB 743 and LCI guidance.
- E. The amendment to the guidelines implements SB 743 and LCI's Technical Advisory language used in the City's 2020 staff report and resolution. It preserves the near-transit presumption while preventing unintended consequences when no minimums exist. The amendment restores LCI's parenthetical ('if the jurisdiction requires the project to supply parking'), resolving the conflict created when minimum parking requirements are removed. Procedurally, this is an administrative update to local CEQA guidance (Local CEQA Guidelines), not a change that authorizes physical development; the 2020 resolution adopting VMT thresholds was framed similarly.
- F. This Resolution is a companion amendment to the City's Zoning Ordinance update to comply with the requirements of Assembly Bills 1317 (Unbundled Parking) and 894 (Shared Parking), and that removes minimum parking requirements citywide in alignment with the City's Housing Element and recent Council directives.
- G. This Resolution implements these new State requirements and fulfills the General Plan and Climate Action and Adaptation Plan goals by removing conflicting language from the Municipal Code and eliminating minimum parking requirements citywide.
- H. On XXXX, the City Council held a duly-noticed public hearing to consider the Resolution, including: (1) the public testimony and agenda reports prepared in connection with the Resolution, (2) the policy considerations discussed therein, and (3) the consideration and recommendation by the City's Planning Commission.

SECTION 2. Environmental Review. The proposed amendment to the City's Local CEQA Guidelines (Vehicle Miles Traveled – VMT) to clarify the parking-related near-transit screening criterion following elimination of minimum parking requirements is not subject to the California Environmental Quality Act (CEQA) because it does not qualify as a "project" under CEQA. State CEQA Guidelines Section 15060(c) specifies that an activity is not subject to CEQA if it does not meet the definition of a "project" under Section 15378. In this case, the action does not qualify as a project for two reasons:

First, Section 15378 defines a project as an activity that “has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment” (State CEQA Guidelines §15378(a)). The amendment to the Local CEQA Guidelines is a procedural action that aligns local regulations and CEQA guidance with state law and adopted policy. It does not authorize physical development, change allowable land uses or development intensity, or approve any specific project. Accordingly, it does not constitute a project under CEQA..

Second, Section 15378 explicitly excludes from its definition of a “project” the organizational or administrative activities of governments that do not result in direct or indirect physical changes in the environment (State CEQA Guidelines §15378(b)(5)). The amendment to the Local CEQA Guidelines is an administrative action intended to ensure consistency with SB 743 and state technical guidance and therefore falls within this exclusion.

Even if the Local CEQA Guidelines amendment were considered a project under CEQA, it would be categorically exempt from CEQA review. The action is categorically exempt under CEQA Guidelines Section 15320 (Class 20), which applies to changes in the organization or reorganization of local governmental agencies that do not alter the geographic area in which existing powers are exercised. The action is also categorically exempt under CEQA Guidelines Section 15308 (Class 8), which applies to actions taken by regulatory agencies to assure the maintenance, restoration, enhancement, or protection of the environment. Additionally, the action is exempt under the common-sense exemption (CEQA Guidelines §15061(b)(3)), as there is no possibility that it may have a significant effect on the environment.

Finally, none of the exceptions to categorical exemptions outlined in CEQA Guidelines §15300.2 apply. There is no potential for cumulative impacts, no unusual circumstances that would result in a significant environmental impact, and no impact on scenic resources within a designated scenic highway. The action will not affect hazardous waste sites or historic resources.

A Notice of Exemption (NOE) will be filed with the County Clerk and submitted to the State Clearinghouse within 5 days of final approval.

SECTION 3. Amendment to Local CEQA Guidelines. Based on the entire record before the City Council, all written and oral evidence presented to the City Council, and the findings made in the staff report and this Resolution, the City Council hereby adopts the VMT Guidelines as an amendment to the City’s Local CEQA Guidelines, which is attached hereto as “Exhibit A” and incorporated by reference herein.

SECTION 4. Certification. The City Clerk is directed to certify the passage and adoption of this Resolution; make a note of the passage and adoption in the records of this meeting; and cause it to be published or posted in accordance with California law.

SECTION 5. Record of Proceedings. The documents and materials associated with this Resolution that constitute the record of proceedings on which these findings are

based are located at West Hollywood City Hall, 8300 Santa Monica Boulevard, West Hollywood, California 90069. The City Clerk is the custodian of the record of proceedings.

SECTION 6. Effective Date. This Resolution shall take effect immediately.

SECTION 7. Certification. The City Clerk shall certify to the adoption of this Resolution and thenceforth and thereafter the same shall be in full force and effect.

PASSED, APPROVED AND ADOPTED this _____ day of _____, 2026.

JOHN HEILMAN, MAYOR

ATTEST:

MELISSA CROWDER, CITY CLERK

EXHIBIT “A”

VMT GUIDELINES

[inserted behind this page]

Exhibit A
VMT Guidelines

- A. Adopt the California Governor's Office of Land Use and Climate Innovation (LCI) (formerly Office of Planning and Research (OPR)) and the CEQA Guidelines Section 15064.3 and consider a development project not to have a significant impact on transportation if said project is located within a high-quality-transit area and does not meet any of the following exclusionary criteria:
 - 1. A project with a floor area ratio (FAR) of less than 0.75;
 - 2. A project with more than the required number of parking spaces (if the City requires the project to supply parking);
 - 3. A project that is inconsistent with the applicable Sustainable Communities Strategy;
 - 4. A project that replaces affordable residential units with fewer, moderate- or high-income residential units.
 - 5. A project with the potential for significant regional draw.
- B. Adopt LCI guidelines for a Local Threshold of Significance of 15% VMT reduction below local average for all projects that are excluded from screening.
- C. Specify that information-only level of service (LOS) analysis may be included in future traffic impact studies and considered in the analysis of the project, outside of the CEQA process.
- D. Specify that information-only residential street analysis be included in future traffic impact studies and considered in the analysis of the project, outside of the CEQA process.

ATTACHMENT D

CITY COUNCIL
NEW BUSINESS

MAY 5, 2025

SUBJECT: **REFORMING HOUSING APPROVAL AND PERMITTING
PROCESSES TO ENCOURAGE HOUSING PRODUCTION**

INITIATED BY: **COUNCILMEMBER JOHN M. ERICKSON**

PREPARED BY: **COMMUNITY SERVICES DEPARTMENT**
Yvonne Quarker, Community Services Director
Andi Lovano, Community & Legislative Affairs Division, Manager

STATEMENT ON THE SUBJECT:

The City Council will consider several reform measures to expedite the City's Planning and Building & Safety approval and permitting processes to speed up and encourage housing production in the City. These reforms include several policy changes and administrative changes to update the City's processes and re-enforce West Hollywood as a pro-housing city.

RECOMMENDATIONS:

- 1) Direct staff to prepare a Zone Text Amendment to streamline the review and approval process for residential projects with fewer than 100 units, and mixed-use projects with fewer than 100 units and less than 30,000 square feet of non-residential floor area, including: changing the review authority for such projects from the Planning Commission to the Director of Community Development, eliminating requirements for a neighborhood meeting, and allowing only one appeal to the City Council (Short term priority, about six to nine months.)
- 2) Direct staff to evaluate and draft a Zone Text Amendment to create a ministerial approval process for residential projects with fewer than 100 units, and mixed-use projects with fewer than 100 units and less than 30,000 square feet of non-residential floor area that are compliant with the General Plan and Zoning Code (Long term priority, about two years).
- 3) Direct staff to explore ways to streamline maximum housing production in accordance with Recommendations 1 and 2, while discouraging under-building of

housing for parcels included on the sites inventory.

- 4) Direct staff to prepare a Zone Text Amendment to eliminate parking minimums throughout the City (Short term priority, about six – nine months).
- 5) Direct staff to amend current City processes to allow developers to apply for planning entitlements and building permits concurrently for new residential and mixed-use projects that do not require legislative action (Short term priority, about six months).
- 6) Direct staff to create and publish informational materials to encourage applicants to arrange for a pre-filing meeting prior to submitting a development application (Short term priority, about six months).
- 7) Direct staff to track state and local efforts to amend stairway egress building codes, and, in collaboration with Los Angeles County Fire Department, evaluate establishing an Alternate Materials and Methods bulletin for the construction of “single stairway” apartment buildings of up to six stories (Medium term priority, about one year).
- 8) Direct staff to research and report back to Council with options for a self-certification program for licensed professionals to expedite permits for residential, commercial, and mixed-use developments (Medium term priority, about one year).
- 9) Direct staff to monitor and track similar streamlining efforts underway in the cities of Los Angeles, Santa Monica, and other local jurisdictions to determine if additional measures can be implemented to further support the development of new housing in the City.
- 10) Direct staff to provide quarterly updates to the Council on the number of development permit applications and average processing times for different types of applications, including those from Planning, Building & Safety, and Engineering.
- 11) Direct staff to provide an update to the Council on these initiatives and any other streamlining efforts currently underway within 120 days.

BACKGROUND/ANALYSIS:

The housing crisis continues to become more severe as the State of California and the Los Angeles region face insufficient housing growth, low vacancy rates, and unaffordable housing prices. Recent devastating wildfires have displaced thousands of households

and contributed to additional market pressures on the existing housing stock.

The City of West Hollywood's Regional Housing Needs Assessment (RHNA) for the 6th Cycle Housing Element (2021-2029) is 3,933 units. There have only been 484 units permitted towards this goal during the current cycle period (2021 through 2024). The City is not on track to come close to meeting this goal, which could result in a variety of regulatory mechanisms implemented by the state to expedite and limit local review for housing development projects.

The City of West Hollywood has been recognized for its efforts as a pro-housing city that encourages development of housing at all income levels. The critical need for additional housing in the region can only be met if efforts are made to update and expedite processes.

The recommendations in this report aim to spur housing production in the City through policy changes and administrative changes. These measures aim to expedite the City's current Planning and Building & Safety review and permitting processes, as well as provide additional direction for the City to research and evaluate progressive policies to reform the status quo. Each recommendation is described in further detail below, along with a priority level and estimated timeline for completion.

Recommendation 1: *Direct staff to prepare a Zone Text Amendment to streamline the review and approval process for residential projects with fewer than 100 units, and mixed-use projects with fewer than 100 units and less than 30,000 square feet of non-residential floor area, including: changing the review authority for such projects from the Planning Commission to the Director of Community Development, eliminating requirements for a neighborhood meeting, and allowing only one appeal to the City Council (Short term priority, about 6 – 9 months).*

West Hollywood Municipal Code (WHMC) Chapter 19.48 establishes procedures for the review of development permit applications. Section 19.48.030 establishes the review authority responsible for reviewing, approving, modifying, or denying development permit applications. The current requirements vary by zone, as follows:

- In the R4 zone, projects with 11 or more units require approval by the Planning

Commission, and projects with 10 or fewer units require approval by the Director of Community Development.

- In the R3 zone, projects with 7 or more units require approval by the Planning Commission, and projects with 6 or fewer units require approval by the Director.
- In the R2 and R1 zones, all projects require approval by the Director.
- In Commercial Zoning Districts:
 - o Projects of less than 10,000 gross sq. ft. of new or additional gross floor area, that do not require a Conditional Use Permit or Variance require approval by the Director
 - o Projects between 10,000 to 30,000 gross sq. ft. of new or additional gross floor area that do not require a Conditional Use Permit or Variance, or do not request any bonuses or incentives beyond the baseline zoning requirements require approval by the Director
 - o Projects of 30,000 gross sq. ft. or more of new or additional gross floor area, or require a Conditional Use Permit or Variance, or request bonuses or incentives beyond the baseline zoning requirements require approval by the Planning Commission

This item recommends increasing the threshold for Planning Commission review to projects with 100 or more units in residential zones, and mixed-use projects with 100 or more units and 30,000 square feet or more of non-residential floor area in commercial zones. This would include projects with a total number of units above 100 units (including density bonus units). Projects with fewer than 100 total units, including density bonus units, would require approval by the Director of Community Development. Director level review is a discretionary review process (as opposed to a ministerial review process described further in Recommendation 2).

The Zoning Code currently requires a neighborhood meeting for all projects that are required to have development permits approved by the Planning Commission and all residentially zoned projects of five or more units (Section 19.48.040). The applicant is required to conduct a meeting with property owners and tenants located within a 500-foot radius of the subject site to present the project and discuss identified concerns within 60

days of the application date. The proposed ZTA would eliminate the neighborhood meeting requirement for projects under the Director review authority.

The Zoning Code currently requires any decision on a discretionary permit rendered by the Community Development Director to be appealed to the Planning Commission, and any decision rendered by the Planning Commission may be appealed to the Council (Section 19.76). This effectively creates a primary and secondary appeal process. The proposed ZTA would remove the Planning Commission as the first appeal review authority and require review directly by the City Council.

The majority of housing projects built in West Hollywood in recent years are under 100 units and would fall under these revised requirements. Reducing the number of Planning Commission public hearings, neighborhood meetings, and appeals would help reduce the review time for applicants and provide for a streamlined process. It would decrease Planning staff's workload for each application and allow Planning Commission to focus on larger, more impactful projects that require more discretion and review.

Many projects built in West Hollywood fall under the Housing Accountability Act (HAA). This is a state law meant to encourage and enable housing development in California. The HAA prohibits a city from denying housing projects (which includes all residential or mixed-use with 2/3 residential square footage or transitional housing) unless the city makes certain findings that the project has an impact on public health and safety that can't be mitigated. Generally, under the HAA, when a proposed housing development project complies with applicable objective development standards, the City cannot deny the project or impose conditions that reduce density.

A project that requests density bonuses, affordable housing concessions and waivers, and mixed-use bonuses and other allowable incentives still meets objective development standards because those incentives are authorized under the zoning code and state housing law. Projects that request legislative changes, variances, certain modifications, and other discretionary deviations from standards would not be subject to the HAA because they do not meet objective development standards.

For projects that fall under the HAA, the City's process gives a false sense of discretion by requiring several community engagement opportunities. City Councilmembers,

Planning Commissioners, City staff, and developers often hear frustration from community members who attend neighborhood meetings and public hearings on these projects when the projects meet objective development standards and often cannot be required to make changes based on additional feedback or input. This recommendation aims to reduce some of these steps that add time and money to the review process for these much-needed housing projects in our community.

The City should ideally implement a fully ministerial review process, as outlined in Recommendation 2. However, this requires further analysis and evaluation before it can be finalized. The intent is for the ZTA outlined in Recommendation 1 to be completed on a short-term timeline (about six to nine months), while the review and analysis of the ministerial process is underway. This would allow housing projects to begin to be expedited under the current Director review timeline until a ministerial approval process is available.

Recommendation 2: Direct staff to evaluate and draft a Zone Text Amendment to create a ministerial approval process for residential projects with fewer than 100 units, and mixed-use projects with fewer than 100 units and less than 30,000 square feet of non-residential floor area that are compliant with the General Plan and Zoning Code (Long term priority, about two years).

A ministerial review process (as opposed to a discretionary review process) means projects must be approved if they meet certain established requirements, without any subjective judgement or discretion. A ministerial review, often called “by-right” review, involves a straightforward assessment of whether a proposed development complies with a specific set of re-determined, objective standards. It requires approval if the project meets all specific criteria and standards. Generally, it is not subject to the CEQA review process because CEQA only applies to discretionary actions.

This recommendation directs staff to evaluate and draft a ZTA to create a ministerial approval process for residential and mixed-use projects that are compliant with the General Plan and Zoning Code. As stated above, this generally applies to all projects that fall under the HAA, including a project that requests density bonuses, affordable housing concessions and waivers, and mixed-use bonuses and other allowable incentives

authorized under the code. Projects that request legislative changes (such as development agreements or specific plans), variances, certain modifications, and other discretionary deviations from standards would not meet objective development standards and would be subject to a discretionary review process.

Staff is currently processing a Zone Text Amendment to create a new ministerial housing permit to allow for streamlined review of certain projects as required under state law. This ZTA has been reviewed by the Planning Commission and is also on the May 5 Council agenda for consideration. This ministerial permit will apply to the following types of projects:

- 100% Affordable and Mixed-Income Housing Development Projects on commercially-zoned lands pursuant to AB 2011.
- Affordable Housing on land owned by religious organizations and nonprofit colleges pursuant to SB 4.
- Homes in infill developments of 10 homes or less in multi-family zones pursuant to SB 684.
- Low Barrier Navigation Centers.
- Emergency Shelters, Transitional Housing and Supportive Housing
- 100% Extremely Affordable Adaptive Reuse Housing Development Projects.
- Any other type of Housing Development Projects requiring ministerial processing and approval as required by state law.

The expanded ministerial review proposed in this item would apply to almost all housing projects proposed in West Hollywood. Projects that fall under the ministerial review process would not be subject to an individual CEQA analysis. Therefore, a CEQA analysis is required as part of the ZTA process. This process requires more time to complete, which is why this is described as a long-term priority (up to two years).

Recommendation 3: *Direct staff to explore ways to streamline maximum housing production in accordance with Recommendations 1 and 2, while discouraging under-building of housing for parcels included on the sites inventory.*

As stated above, because West Hollywood is already densely built, new projects are infill developments and are typically less than 100 units, especially in the residential zones.

The zoning code already has some protections in place to encourage new housing projects to maximize the number of units built on site and it is not expected that applicants will under-build in order to meet the new 100-unit threshold for Director review. However, Recommendation 3 gives direction to staff to implement safeguards to discourage under-building of housing for parcels on the sites inventory established in the Housing Element. The sites inventory is used to ensure that adequate capacity exists to accommodate the City's RHNA numbers.

Recommendation 4: Direct staff to prepare a Zone Text Amendment to eliminate parking minimums throughout the City (Short term priority, about six to nine months).

There have been several state laws adopted in recent years that limit cities' ability to require parking mandates in certain development projects. In 2022, the California legislature passed AB 2097, a bill initiated by then-Assembly Member Laura Friedman. The bill prohibits public agencies or cities from imposing minimum parking requirements on most development projects located within a half-mile radius of a major transit stop. Since most of the City of West Hollywood is located within these transit areas, most projects and properties are subject to this law. In July 2023, City staff brought forward a zone text amendment to update the off street parking and loading standards in the Zoning Code to be consistent with the new state law and previous Council direction. At the time, Council maintained minimum parking standards in Chapter 19.28 of the Municipal Code because it was assumed not all projects would seek reductions or fail to build any parking, and not every parcel within the City is subject to AB 2097. The City's municipal code currently maintains minimum parking requirements except where "local parking regulations are preempted by state law."

This item provides direction to staff to prepare a Zone Text Amendment to eliminate parking minimums throughout the City. This would not prohibit property owners and developers from providing as much parking as deemed fit for each individual project. This would allow developers to "right size" the parking for each individual project without creating an undue burden and providing more parking than would be needed. Since this is already allowed in most of West Hollywood by state law, no additional major impacts are expected from this amendment.

Recommendation 5: Direct staff to amend current City processes to allow developers to apply for planning entitlements and building permits concurrently for new residential and mixed-use projects that do not require legislative action (Short term priority, about six months).

The City's current practice is to require planning entitlements to be approved prior to an application being submitted for building permits. This is the established process because some applications are withdrawn, redesigned, resubmitted, and/or undergo significant changes during the planning entitlement process. It would be an inefficient use of time and money for these projects to start plan check prior to having an approved, entitled project.

This recommendation directs staff to develop a process to allow applications for entitlements and building permits concurrently. This process would require applicants to submit a form or letter to acknowledge that there is a risk involved in proceeding with filing concurrently and they waive their right to seek a refund of the plan check fees if the project requires redesign or is denied through the planning process.

Concurrent processing would apply to housing and mixed-use projects that do not require legislative action (e.g. Development Agreements). It would not apply to new commercial square footage without housing units. These types of projects require discretion throughout the planning process and potentially change drastically from the original planning submittal.

Other jurisdictions have established similar concurrent application processes. The City of Los Angeles's Parallel Design Permit Process (PDPP) is for major project developments and allows the design process and the permitting process to run concurrently. In this program, the LA Department of Building & Safety (LADBS) starts to plan check the plans at the conceptual design phase and continues to provide plan check, correction verification, and code consultation services throughout the various design phases. Ideally when the final drawings are submitted, the building permit is also almost ready to be approved. Beverly Hills allows concurrent review and they require a waiver form to be signed by the applicant acknowledging the potential risk of filing concurrently.

As part of this recommendation, City staff will reach out to neighboring cities like LA,

Beverly Hills, Culver City, and Santa Monica, to understand their concurrent processes and determine best practices for West Hollywood to adopt.

Recommendation 6: Direct staff to create and publish informational materials to encourage applicants to arrange for a pre-filing meeting prior to submitting a development application. (Short term priority, about six months).

The City currently offers meetings to applicants at various stages of the entitlement and permitting process. The pre-design meeting is offered at no cost to the applicant. This includes the City's Urban Designer and a Planner and takes place prior to the entitlement application submittal. These meetings have been helpful for many applicants in solving design-related issues that tend to stall projects during the entitlement phase.

The City also provides a pre-filing meeting, which takes place prior to submitting a development application. There is a fee required to schedule the meeting, but it provides great value to the applicant to better understand requirements and manage expectations about the stages of the development process. It includes multiple staff from different internal divisions, including Planning and Building & Safety.

The benefit of this program is to have a single meeting of all relevant departments that will be involved in the permitting review process to discuss and resolve issues prior to submittal. The goal is to streamline the review and address issues as early in the process as possible.

The recommendation in this report is to direct staff to publicize the availability of these meetings and ensure all applicants have information about this option prior to submittal.

Recommendation 7: Direct staff to track state and local efforts to amend stairway egress building codes, and, in collaboration with Los Angeles County Fire Department, evaluate establishing an Alternate Materials and Methods bulletin for the construction of "single stairway" apartment buildings of up to six stories (Medium term priority, about one year).

The City of West Hollywood adopts the Los Angeles County Building Code, which is based on the California Building Code with some additional amendments. State and local building codes require the construction of two staircases for buildings over three stories. In densely populated areas like West Hollywood, adding two staircases to a four- to six-

story building takes up a large amount of the building's footprint and makes some sizes of projects infeasible. Single stairway buildings lower the cost of construction and can help facilitate modest infill projects. The image below shows the difference in the amount of usable space with two stairways versus one stairway.

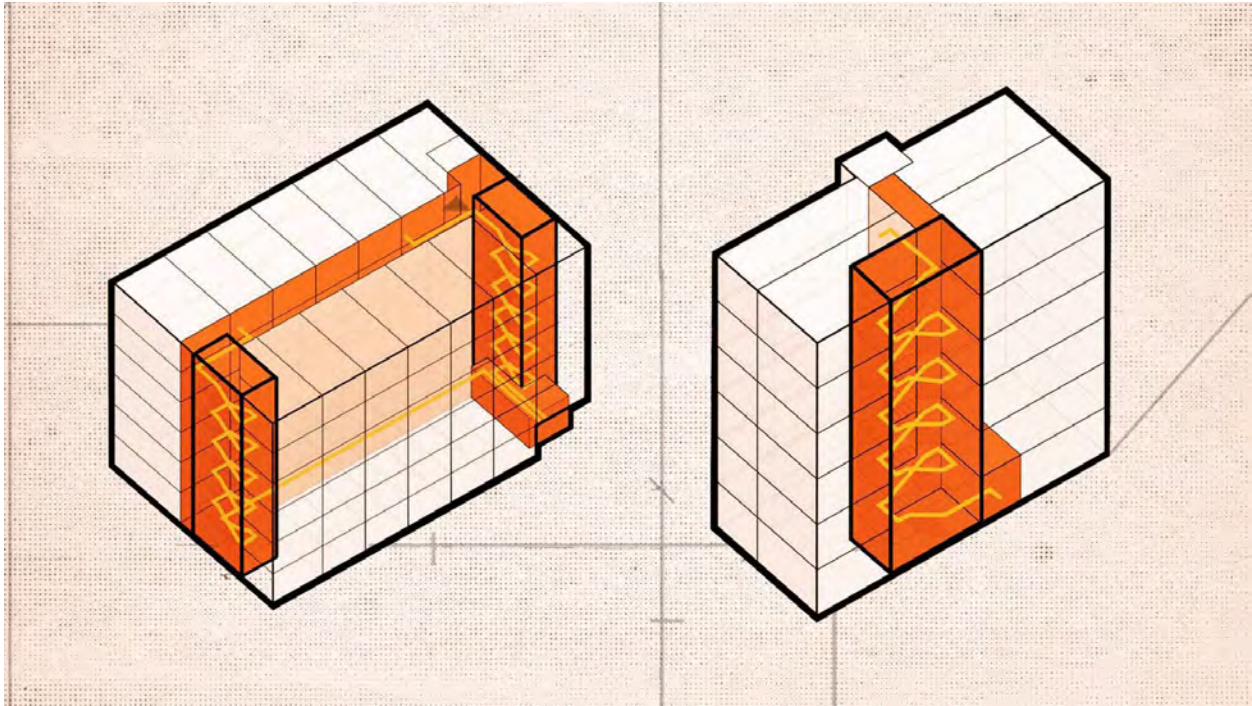


Image: [Pew Charitable Trust, "Small Single-Stairway Apartment Buildings Have Strong Safety Record"](#)

Most jurisdictions worldwide, including cities like Seattle and New York, allow for the construction of single-stair buildings above three stories (up to six to ten stories). This allows apartment buildings to be built on smaller, narrower, and oddly-shaped lots and can reduce construction costs while expanding the supply of these types of homes. Configuring apartments around a single staircase central core also makes it possible to build more "family-sized" 3- and 4-bedroom units, which are difficult to fit in buildings with a hall connecting two stairwells.

There is a growing body of research to show that modest, single stairway apartment buildings (four- to six-story) are at least as safe as other types of housing. A recent [Pew Research Report](#) found that fire death rates in these types of buildings are consistent with buildings with multiple staircases. The safety of single stair buildings has greatly increased since the inclusion of modern safety features, such as sprinklers, in building

codes.

In 2023, the California Legislature adopted AB 835, which gave direction to the State Fire Marshal to research standards for single-exit, single stairway 3+ story apartment buildings, and to provide a report to the California Building Standards Commission by January 1, 2026. The report will address fire and life safety or emergency activities in these types of buildings.

Several cities in California are also evaluating options to reconsider these longstanding codes. In March 2025, the Los Angeles City Council adopted a motion to instruct the Department of Building and Safety, in consultation with the Los Angeles Fire Department and the Department of City Planning, to develop modifications to the City's Building Code in order to allow for single-exit, single-stairway, multifamily unit residential buildings up to six stories. Similar efforts are underway in San Diego, San Francisco, and Oakland.

West Hollywood adopts the Los Angeles County Building Code and is not able to unilaterally make changes in relation to the stairway egress requirements. Local amendments to the Building Code must be reviewed by the CA Building Standards Commission and justified by topographic, geological, or climatic needs. Rather than change the local building code, there is a provision that allows for different standards to be established through an Alternate Materials and Methods (AMM) bulletin. The City of Santa Monica recently gave direction to establish an AMM for the construction of single-stairwell multifamily unit residential buildings up to six stories. Because West Hollywood does not have its own fire department, a local AMM bulletin would require LA County Fire Department review and approval.

City of West Hollywood Building & Safety Division is already tracking these conversations at the county and state level. This item gives direction for West Hollywood to follow actions related to this topic throughout California and work with Los Angeles County Fire Department to determine if the City can establish a local AMM bulletin for single stairway buildings up to six stories in West Hollywood.

Recommendation 8: Direct staff to research and report back to Council with options for a self-certification program for licensed professionals to expedite permits for residential, commercial, and mixed-use developments (Medium term priority, about one year).

Self-certification programs are voluntary programs to bypass the normal plan check review process and expedite the issuance of building permits. These types of programs require licensed professionals, such as architects and engineers, to self-certify the building plans. By self-certifying, the licensed professional accepts full responsibility in assuring the architectural, structural, mechanical, electrical, plumbing, energy, and accessibility requirements of the project are compliant with the current building codes. Projects are required to obtain all planning permits prior to requesting self-certification. Projects are still required to have regular inspections to ensure construction is compliant with all applicable codes, laws, rules, and regulations.

Self-certification processes exist in a few jurisdictions in California, including the City of Bellflower and the County of San Diego. In light of the recent fires, the City of Los Angeles adopted a motion to direct the Los Angeles Department of Building and Safety to evaluate adopting such a program in Los Angeles.

In practice, this process is typically limited to relatively simple projects such as non-structural commercial interior improvements, single family homes, and accessory dwelling units. For these types of projects, self-certification programs expedite the permitting process and allow plan check staff to focus on more impactful projects.

This item gives direction for staff to look into establishing a self-certification program in West Hollywood and report back to Council on its findings, including what types of projects may be eligible for such a program.

Recommendation 9: *Direct staff to monitor and track similar streamlining efforts underway in the cities of Los Angeles, Santa Monica, and other local jurisdictions to determine if additional measures can be implemented to further support the development of new housing in the City of West Hollywood.*

As a result of the state's extreme housing shortage and high RHNA goals, several jurisdictions are looking at similar measures to streamline the permitting process and ramp up housing production. This recommendation gives direction to staff to monitor these efforts in other jurisdictions to see if there are other measures beyond what is outlined in this report that would support West Hollywood's goals.

For example, the Santa Monica City Council recently approved direction to develop an ordinance to allow all housing projects proposed in all non-residential zones except the Bergamot Area Plan to be processed through an Administrative Approval process regardless of the size of the parcel upon which the housing project is located. This direction is similar to the direction provided in Recommendation 1 of this report, but it is expanded to apply to projects of all sizes in non-residential zones.

As mentioned earlier in the report, in light of the immediate need to rebuild after the devastating fires, the Los Angeles City Council, Los Angeles County Board of Supervisors, and State Legislature are considering various remedies to expedite housing production.

Recommendation 10: Direct staff to provide quarterly updates to the Council on the number of development permit applications and average processing times for different types of applications, including those from Planning, Building & Safety, and Engineering.

At its meeting on June 26, 2023, the City Council requested quarterly updates on the status of major commercial and mixed-use development projects in the city. The quarterly report includes updates on commercial and mixed-use development projects of 30,000 square feet or greater, as well as updates on Builder's Remedy projects and the Sunset Arts and Advertising Program.

This item gives direction to staff to also include statistics on the number of development permit applications submitted over the previous quarter and the average processing times for different types of permits. This will help the City Council and the public to better understand and anticipate the number of projects on the horizon and evaluate if additional measures are necessary to address the processing and approval timelines.

Recommendation 11: Direct staff to provide an update to the Council on these initiatives and any other streamlining efforts currently underway within 120 days.

In addition to the new directives outlined in this report, staff is already in the process of implementing several new initiatives to increase housing production and streamline the City's administrative processes. Some of the existing initiatives are outlined below.

- Housing Element Program 22 "Streamlined Processing": This program calls for

streamlining the development review process and developing objective standards for 100% affordable housing projects. As mentioned above, staff is processing a Zone Text Amendment to create a ministerial housing permit that would remove discretionary approvals for 100% affordable housing projects. This ZTA is also on the May 5 Council agenda for consideration.

- Establish a Tracking System to Monitor and Report on Plan Check Review: The City recently implemented a new online permit and license portal, which is a tool to apply for, track, and view many types of City permits and licenses. Staff is currently in the process of updating plan check review timelines and establishing a tracking and reporting mechanism using the new online permitting portal. This work is expected to be completed and launched in 2025, which will allow for monitoring and reporting to proceed on a monthly and quarterly basis.
- Update Bench of Geotechnical Consultants: City staff are currently working to update the City's bench of geotechnical consultants and expect to have a refreshed list of qualified consultants in 2025. This will help ensure multiple consultants are available to support review of development projects.

This item requests staff return to Council within 120 days to provide an update on the recommendations in this report as well as the other relevant streamlining efforts currently underway.

STAFF ANALYSIS:

This item has a substantial impact on staff time and current departmental workplans. The directives will be managed by staff in the following departments/divisions: Community Development Department (Long Range Planning, Building & Safety, and Current & Historic Preservation Planning).

The Long Range Planning Division is managing a substantial work plan that includes, but is not limited to, the implementation of the Housing Element, State Law Housing and Land Use compliance, the Zoning Improvement Program for Housing (ZIP), the Inclusionary Housing Ordinance and Bonus Feasibility Study, Citywide Objective Development Standards, and the General Plan Open Space Element update, among many other Council directives, municipal code, and zone text amendments. The increasing

complexity and workload of these directives, based on existing limited staffing capacity, presents a significant challenge in effectively advancing multiple housing and land use projects.

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-2: Affordable Housing.
- OSP-1: Adaptability to Future Change.

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

- LU-1: Maintain an urban form and land use pattern that enhances quality of life and meets the community's vision for its future.
- LU-8: Maintain and enhance residential neighborhoods.

EVALUATION PROCESSES:

N/A

ENVIRONMENTAL SUSTAINABILITY AND HEALTH:

N/A

COMMUNITY ENGAGEMENT:

N/A

OFFICE OF PRIMARY RESPONSIBILITY:

COMMUNITY DEVELOPMENT DEPARTMENT

CITY COUNCIL INITIATIVE CATEGORY:

AFFORDABLE HOUSING & RESIDENTIAL REQUIREMENTS

FISCAL IMPACT:

None at this time.

ATTACHMENT:

None.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

F.6. REFORMING HOUSING APPROVAL AND PERMITTING PROCESSES TO ENCOURAGE HOUSING PRODUCTION [J. ERICKSON, Y. QUARKER, A. LOVANO]:

SUBJECT: The City Council will consider several reform measures to expedite the City's Planning and Building & Safety approval and permitting processes to speed up and encourage housing production in the City. These reforms include several policy changes and administrative changes to update the City's processes and re-enforce West Hollywood as a pro-housing city.

Councilmember Erickson provided background information as outlined in the May 5, 2025 staff report.

The following speakers came forward to provide public comments:

MICHAEL RUSSNOW, WEST HOLLYWOOD, spoke in opposition to the item.

IGNACIO DARNAUDE, WEST HOLLYWOOD, spoke in opposition to the item.

NICK RENTERIA, WEST HOLLYWOOD, spoke in support of the item.

STEPHANIE HARKER, WEST HOLLYWOOD, spoke in opposition to the item.

LESLIE KARLISS, on behalf of WEST HOLLYWOOD WEST NEIGHBORHOOD ASSOCIATION, spoke in opposition to the item.

JAY JACABSON, WEST HOLLYWOOD, spoke in opposition to the item.

JONAH BRESLAU, on behalf of UNITE HERE LOCAL 11, spoke to request that hotels be excluded in this streamlined process.

YEON JOO BRACK, WEST HOLLYWOOD, spoke in opposition to the item.

ZENNON ULGATE-CROW, on behalf of YIMBY LA, spoke in support of the item.

MIDGE BARNETT, WEST HOLLYWOOD, spoke in opposition to the item.

GREG KARNS, WEST HOLLYWOOD, spoke to request that the City Council consider the impacts that development may have on public safety.

BRIAN SCHULI, WEST HOLLYWOOD, spoke in opposition to the item.

JORDAN BEARD, WEST HOLLYWOOD, spoke in support of the item.

JORDAN DAVID, WEST HOLLYWOOD, spoke in support of the item, excluding hotels from the streamlined process, and what affordability means.

CHARLES IANTORNO, LOS ANGELES, spoke in support of the item.

AZEEN KHANMALEK, on behalf of ABUNDANT HOUSING LA, spoke in support of the item.

CHRISTOPHER RUSSELL, WEST HOLLYWOOD, spoke in support of the item.

CATHY BLAIVAS, WEST HOLLYWOOD, spoke in opposition to the item.

RICK WATTS, WEST HOLLYWOOD, spoke to indicate that the item needs additional work, but he doesn't oppose it.

VICTOR OMELCZENKO WEST HOLLYWOOD, spoke in opposition to the item.

LARRY BLOCK, WEST HOLLYWOOD, spoke in opposition to the item.

***The following Citizen Position Slips were submitted:*

-Pat Dixon, West Hollywood, in opposition to the item.

-Ruth Cislowski, West Hollywood, in opposition to the item.

-Michael Zannella, West Hollywood, in opposition to the item.

-Wendy Goldman, West Hollywood, in opposition to the item.

-Richard Karliss, West Hollywood, in opposition to the item.

-Ben Brustein, West Hollywood, in support of the item.

Councilmember Erickson provided additional data and information to support this item.

Councilmember Meister inquired how this item differs from Item C.1. She asked what the necessity is since Item C.1.'s approval was already in compliance with State law. Mayor Byers provided additional information. Councilmember Meister responded to the comments and merits of this proposal.

Council Member Meister expressed concerns about the proposal, including eliminating neighborhood meetings, simplifying approval processes, and changing unit thresholds. She emphasized that the proposal does not guarantee affordable housing and may incentivize Ellis Act purchases and risk tenant protections.

Vice Mayor Heilman suggested moving away from specific direction to staff and provide general direction such as ways to expedite the permitting process and expediting construction. He stated that this is an important policy discussion. He noted that lowering the cost of new housing is necessary. He shared that his biggest concern is the City's aging housing stock.

Councilmember Hang expressed support for the item with additional direction to explore options for noticing once a project application has been deemed complete, analyze the minimum number of housing units required in mixed-use projects to qualify for streamlining, and analyze different unit thresholds and impacts on housing production and neighborhood compatibility.

Mayor Byers suggested that staff use parcel size rather than number of units and noted that she is generally supportive of the item.

The City Council agreed to remove hotels from the proposed streamlined process, explore noticing once application is deemed complete, recommend minimum number of units in mixed-use projects, explore different unit thresholds for streamlining, explore whether the City should use number of units or parcel size, staff to return with recommendations on how to improve efficiency with the City's permitting and construction processes, and retain the neighborhood pre-meeting.

City Manager Wilson indicated that this item needs to be added to the City Council priority discussion. This item will be discussed at the first meeting of the City Council Finance & Budget Subcommittee.

ACTIONS: 1) Directed staff to prepare a Zone Text Amendment to streamline the review and approval process for residential projects with fewer than 100 units, and mixed-use projects with fewer than 100 units and less than 30,000 square feet of non-residential floor area, including: changing the review authority for such projects from the Planning Commission to the Director of Community Development, eliminating requirements for a neighborhood meeting, and allowing only one appeal to the City Council (Short term priority, about six to nine months); 2) Directed staff to evaluate and draft a Zone Text Amendment to create a ministerial approval process for residential projects with fewer than 100 units, and mixed-use projects with fewer than 100 units and less than 30,000 square feet of non-residential floor area that are compliant with the General Plan and Zoning Code (Long term priority, about two years); 3) Directed staff to explore ways to streamline maximum housing production in accordance with Recommendations 1 and 2, while discouraging under-building of housing for parcels included on the sites inventory; 4) Directed staff to prepare a Zone Text Amendment to eliminate parking minimums

throughout the City (Short term priority, about six – nine months); 5) Directed staff to amend current City processes to allow developers to apply for planning entitlements and building permits concurrently for new residential and mixed-use projects that do not require legislative action (Short term priority, about six months); 6) Directed staff to create and publish informational materials to encourage applicants to arrange for a pre-filing meeting prior to submitting a development application (Short term priority, about six months); 7) Directed staff to track state and local efforts to amend stairway egress building codes, and, in collaboration with Los Angeles County Fire Department, evaluate establishing an Alternate Materials and Methods bulletin for the construction of “single stairway” apartment buildings of up to six stories (Medium term priority, about one year); 8) Directed staff to research and report back to Council with options for a self-certification program for licensed professionals to expedite permits for residential, commercial, and mixed-use developments (Medium term priority, about one year); 9) Directed staff to monitor and track similar streamlining efforts underway in the cities of Los Angeles, Santa Monica, and other local jurisdictions to determine if additional measures can be implemented to further support the development of new housing in the City; 10) Directed staff to provide quarterly updates to the Council on the number of development permit applications and average processing times for different types of applications, including those from Planning, Building & Safety, and Engineering; 11) Directed staff to provide an update to the Council on these initiatives and any other streamlining efforts currently underway within 120 days; and 12) Provided additional direction to remove hotels from the streamlined process, explore noticing once application is deemed complete, recommend minimum number of units in mixed-use projects, explore different unit thresholds for streamlining, explore whether the City should use number of units or parcel size, staff to return with recommendations on how to improve efficiency with the City’s permitting and construction processes, and retain the neighborhood pre-meeting. **Motion by Councilmember Erickson, seconded by Mayor Byers, and approved (4/1), noting the “no” vote of Councilmember Meister.**



CHAPTER 10.16
TRANSPORTATION DEMAND MANAGEMENT

Editor's Note: Prior ordinance history – Ord. 361 and prior code §§ 32100—32113.

§ 10.16.010. Title.

This chapter shall be known as the West Hollywood "Transportation Demand Management Ordinance."
(Ord. 18-1034 § 11, 2018)

§ 10.16.020. Purpose.

The purpose of this chapter is to:

- a. Implement Goal M-6 of the General Plan Mobility Chapter;
- b. Comply with the Congestion Management Program (CMP), which requires that local jurisdictions adopt a trip reduction ordinance;
- c. Encourage land use patterns and resource allocations which are conducive to travel behavior that is not dependent on the automobile;
- d. Provide for a diversity of transportation options reflective of the needs and goals of the city;
- e. Promote sustainable travel modes by requiring certain developments to incorporate design features, incentives, and measures to support transit, shared rides, walking, and biking for residents, tenants, employees, and visitors;
- f. Increase average vehicle ridership and reduce the city's vehicle miles travelled associated with travel from, to, and within the city;
- g. Reduce the emission of air pollutants generated by automobiles and to assist in the attainment of the ambient air quality standards of the Federal Clean Air Act, and to comply with the Air Quality Management Plan and the Congestion Management Program, and thereby protect the public health and welfare.

(Ord. 18-1034 § 11, 2018)

§ 10.16.030. Definitions.

As used in this chapter:

"Average vehicle ridership" or "AVR" shall mean the total number of people that arrived at a site on the given day of observation, divided by the number of vehicles trips into or out of the site during the defined peak period of 6:00 a.m. to 10:00 a.m. in the morning and 3:00 p.m. to 7:00 p.m. in the evening.

"Department" shall mean the City of West Hollywood Department of Public Works.

"Development" shall mean any construction activity, including the erection or alteration

of structures. New development is any construction, or alteration of an existing structure or land use, or establishment of a land use.

"Director" shall mean the City of West Hollywood Director of Public Works or their designated appointee.

"Employee" shall mean one who is assigned to the designated work site. An employee is one who works in the service of an employer for either wages or salary, as a contract employee under the direction of the work site employer or through a temporary service agency during a period of more than ninety continuous days.

"Employer" shall mean any person or persons, firm, business, educational institution, government agency, nonprofit agency or corporation, or other entity having employees at a worksite in the City of West Hollywood.

"Entity" shall mean any person or persons, firm, business, education institution, government agency, nonprofit agency or corporation, developer, or property owner within the City of West Hollywood that is subject to this ordinance.

"Ridesharing" shall mean the use of a private vehicle to facilitate pre-arranged rides between residents, visitors, or employees within similar trip origins and destinations. Rideshare can be facilitated through a trip coordinator or with web or mobile-based applications.

"Site" shall mean any development that includes residential units, retail uses, commercial uses, or office space, or any place of employment.

"Strategies" shall mean any mechanism or concession that motivates or encourages activity related to sustainable transportation goals.

"Transportation Demand Management (TDM)" shall mean the implementation of strategies that will encourage individuals to increase the use of sustainable transportation options, reduce trip length, eliminate the trip altogether, or travel at another time other than peak periods.

"Transportation Demand Management (TDM) Menu of Trip Reduction Strategies" shall refer to the document that includes a list and details of each trip reduction strategy that may be selected for the TDM Plan, adopted by the City Council on file with the Department of Public Works.

"Trip reduction" shall mean a reduction of the number of trips taken during defined peak travel hours in single-occupancy vehicles.

(Ord. 18-1034 § 11, 2018)

§ 10.16.040. Applicability.

This chapter shall apply to the following:

- a. Commercial or mixed use development that meets the following criteria:
 1. A new structure containing five thousand square feet or more of commercial floor area;
 2. Any major remodel to any existing structure where the completed structure

contains five thousand square feet or more of commercial floor area;

3. An addition of five thousand square feet or more of commercial floor area to any structure.
- b. New residential structures with ten or more dwelling units;
- c. Employers with ten or more employees.
(Ord. 18-1034 § 11, 2018)

§ 10.16.050. TDM Program Requirements.

- a. *Commercial or Mixed Use Development.* Commercial or mixed use development that meet the thresholds of Section 10.16.040(a) have the following TDM program requirements:
 1. TDM Marketing. Implement the requirements for TDM marketing, as outlined in Section 10.16.070;
 2. TDM Plan and Required Trip Reduction Strategies. Submit a TDM plan with the contents outlined in Section 10.16.060(a), that provides a minimum number of trip reduction strategies as follows:
 - A. Commercial or mixed use structures with a total of ten thousand square feet or less of floor area: four strategies,
 - B. Commercial or mixed use structures with a total of more than ten thousand square feet of floor area: eight strategies;
 3. AVR Goal. Employ best efforts to implement TDM strategies determined in TDM plan to achieve the commercial only AVR goal of 1.5;
 4. TDM Survey. Conduct the annual TDM survey, as outlined in Section 10.16.080, provided by and submitted to the Director, which calculates estimated AVR;
 5. Submit a Commercial and Mixed Use Development Annual Report, as further outlined in Section 10.16.080;
 6. Maintain TDM records in accordance with Section 10.16.110.
- b. *Residential Development.* Residential development that meet the threshold of Section 10.16.040(b) have the following TDM program requirements:
 1. TDM Marketing. Implement the requirements for TDM marketing, as outlined in Section 10.16.070;
 2. TDM Plan and Required Trip Reduction Strategies. Submit a TDM plan with the contents outlined in Section 10.16.060(a), that provides a minimum number of trip reduction strategies as follows:
 - A. Residential structures with ten to nineteen units: three strategies,

- B. Residential structures with twenty or more units: five strategies;
 - 3. TDM Survey. Conduct annual TDM survey, as outlined in Section 10.16.080, provided by and submitted to the Director;
 - 4. Submit a residential annual compliance report, as further outlined in Section 10.16.100;
 - 5. Maintain TDM records in accordance with Section 10.16.110.
 - c. *Employers with Ten or More Employees.* Employers with ten or more employees shall be required to provide the following:
 - 1. TDM Marketing. Implement the requirements for TDM marketing, as outlined in Section 10.16.070;
 - 2. TDM Survey. Conduct the annual TDM survey, as outlined in Section 10.16.080, provided by and submitted to the Director.
 - d. *Employers with Two Hundred Fifty or More Employees.* All employers with two hundred fifty or more employees shall comply with the South Coast Air Quality Management District (AQMD), Rule 2202, On-Road Motor Vehicle Mitigation Options, Employee Commute Reduction Program Guidelines, as may be amended from time to time, and shall provide the city with verification of this compliance on an annual basis.
- (Ord. 18-1034 § 11, 2018)

§ 10.16.060. TDM Plan Review and Processing.

- a. *TDM Plan Contents.* A TDM plan shall include each of the following:
 - 1. Responsible Party. The name of a representative who is responsible for implementation of the plan. The TDM plan must be signed by persons with authority to legally bind each entity for which it is submitted.
 - 2. A statement describing the number of trip reduction strategies required to provide, as stated in Section 10.16.050.
 - 3. An inventory of trip reduction strategies to be implemented from the TDM Menu of Trip Reduction Strategies.
 - 4. A schedule for implementation of the trip reduction strategies, if applicable.
 - 5. A statement acknowledging the requirements of this chapter and committing to implement the plan signed on behalf of each entity for which the plan is submitted.
 - 6. Submittal of TDM fee appropriate for the entity as described in Section 10.16.130.
 - 7. Narrative of compliance with TDM marketing requirement, as further regulated by Section 10.16.070.

- b. *Condition of Approval.* The provision of a TDM plan shall be incorporated as a condition of approval for all applicable development permits issued under Title 19, Zoning Ordinance.
- c. The TDM plan may be approved or denied by the Director. The Director shall provide a determination in writing, and if denied, provide a reason for denial.
- d. The TDM plan shall be approved, with or without conditions, only if the Director, or reviewing body, first finds that:
 - 1. For commercial and mixed use development, the TDM plan is appropriate for the types of uses on the site, and will help achieve the AVR goal.
 - 2. For residential development, the TDM plan meets the required number of trip reduction strategies and can be implemented in a residential building.
- e. The TDM plan shall be approved prior to issuance of a certificate of occupancy or final building inspection sign-off, as applicable. Any physical improvements shall be constructed prior to issuance of certificate of occupancy or final building inspection sign-off, as applicable. Operational strategies shall be implemented upon occupation of the subject structure, or as approved in the TDM plan.
- f. Decisions of the Director may be appealed in compliance with Section 10.16.150. (Ord. 18-1034 § 11, 2018)

§ 10.16.070. TDM Marketing Requirements.

All entities required to provide TDM marketing shall provide the following:

- a. External website, when in existence, shall include transit and non-auto directions when driving instructions provided.
- b. *On-Site Transportation Information.* On-site transportation information shall be located where the greatest number of visitors, employees, and residents are likely to see it, and may be necessary in multiple locations to accommodate larger entities. This information can be provided in an on-site physical location, such as a bulletin board or kiosk, or through other media, such as on a website or other digital means. The Director will provide access to promotional materials, events, and technical assistance regarding transportation options that may be utilized to satisfy this requirement. Employers required to meet the TDM marketing requirement may receive credit for the on-site transportation information if the building has information posted in a place utilized regularly by employees and visitors, if applicable. The information shall include, but is not limited to, the following:
 - 1. Current maps, routes and schedules for public transit routes within a one-half mile of the site;
 - 2. Information including regional ridesharing agency, local transit operators, and city transportation resources;
 - 3. Ridesharing promotional material supplied by commuter-oriented

organizations;

4. Bicycle route and facility information, including bike share hubs, regional/local bicycle maps, and rental and sales locations within one-half mile of the site;
5. A listing of facilities available for carpoolers, vanpoolers, bicyclists, transit riders and pedestrians at the site;
6. Walking and biking maps for employees and visitors, which shall include, but not be limited to, information about convenient local services and amenities within walking distance of the development.

(Ord. 18-1034 § 11, 2018)

§ 10.16.080. Annual TDM Survey.

The Director is authorized to publish an annual TDM survey, and entities required to participate in the survey shall provide a minimum of eighty percent response rate within sixty days of annual survey publication. The responsible party, as outlined in the TDM plan, is responsible for distributing the survey to individuals on-site and ensuring compliance with response rates. Surveys are required for the TDM annual reports, and are necessary in order for the city to track the efficacy of this chapter.

(Ord. 18-1034 § 11, 2018)

§ 10.16.090. Commercial and Mixed Use Development Annual Report.

- a. Development outlined in Section 10.16.040(a) shall be required to submit an annual report, signed under penalty of perjury by persons with authority to legally bind each entity for which it is submitted, to the Director on the anniversary date of a previously submitted plan, or sixty days after the completion of the annual TDM commute survey, whichever is less restrictive, and shall include the following:
 1. The trip reduction strategies implemented; and
 2. Narrative of compliance with TDM Marketing requirements; and
 3. The current AVR as determined by the most recently completed TDM survey; and
 4. If the current AVR does not meet the required AVR goal, the annual report shall provide amended trip reduction strategies which can reasonably be expected to achieve that AVR goal within twelve months.
- b. The annual report shall be submitted for review and approval by the Director. The annual report shall be approved, with or without conditions, only if the Director, or reviewing body, first finds that: The revised trip reduction strategies are appropriate for the types of uses on the site, and will help achieve the AVR goal.
- c. Any plan denied by the Director shall be resubmitted within thirty days of receipt of the notice of denial. If an entity's plan is twice denied, and until such time as a

revised plan is submitted and approved, the entity shall be in violation of this chapter.

- d. Any amended strategies shall be implemented within sixty days of annual report approval, or as approved by the Director.

(Ord. 18-1034 § 11, 2018)

§ 10.16.100. Residential Annual Compliance Report.

- a. Residential development with an approved TDM plan shall submit an annual compliance report, signed under penalty of perjury by persons identified in the TDM plan, or their successor, with the following information on an annual basis before the anniversary of the approved TDM plan:

1. The trip reduction strategies implemented; and
2. Proof of continued maintenance and operation of each trip reduction strategy; and
3. Narrative of compliance with TDM marketing requirements.

(Ord. 18-1034 § 11, 2018)

§ 10.16.110. Records and Audits.

Entities required to submit a TDM and subsequent annual review shall maintain and preserve, for the life of the development, such records as may be necessary to demonstrate compliance with this chapter and to determine AVR for at least one week per year. Upon request of the Director, an entity shall provide the necessary records to substantiate the most current recorded AVR calculation and to demonstrate compliance with this chapter. If upon audit of such records, the Director determines the entity has not complied with this chapter, the entity shall file a revised plan or annual report or take such other steps as the Director determines necessary to comply with this chapter within thirty days of receipt of written notice of the Director's determination.

(Ord. 18-1034 § 11, 2018)

§ 10.16.120. Authority of the Director.

The Director may adopt any rules or regulations necessary or desirable for the implementation and enforcement of this chapter and the TDM Menu of Trip Reduction Strategies.

(Ord. 18-1034 § 11, 2018)

§ 10.16.130. Establishment of Fees.

Fees for review of trip reduction plans, assistance and support of city staff, the processing of appeals, and other services pursuant to this chapter shall be established by resolution of the City Council.

(Ord. 18-1034 § 11, 2018)

§ 10.16.140. Violations.

- a. Any entity which fails to submit an annual report after disapproval by the Director, within the time permitted by this chapter shall be in violation of this chapter.
- b. Any entity shall be in violation of this chapter if it fails to implement any of the provisions of an approved plan. The Director or designee shall have the power to inspect on-site and audit files, upon reasonable notice to the entity. If an entity complies with all provisions of its approved plan, but fails to attain the site's AVR goal, such failure shall not be in violation of this chapter. In this case, the entity will be required to revise the site's TDM plan, with support from the city, to meet AVR goal within the next reporting year.

(Ord. 18-1034 § 11, 2018)

§ 10.16.150. Appeals.

- a. *Director Decisions.* Any decision made by the Director in accordance with this chapter may be appealed to the Transportation and Mobility Commission.
- b. *Transportation Commission Decisions.* Any decision rendered by the Transportation and Mobility Commission may be appealed to the City Council.
- c. *Appeal Submittal.* Appeals shall be submitted in writing on a city application form, within ten days after the date the decision is rendered by the Director or Commission. The number of days shall be construed as calendar days. Time limits will extend to the following City Hall working day where the last of the specified number of days falls on a weekend, holiday, or other day when City Hall is officially closed. Appeals shall be filed with the City Clerk, and shall be accompanied by the filing fee set by the City's Fee Resolution. The filing fee shall be waived for appeals accompanied by original petitions, signed by a minimum of fifty residents or property or business owners within West Hollywood.
- d. *Effect of Filing.* The filing of an appeal in compliance with this chapter shall have the effect of suspending the effective date of the decision being appealed, and no further actions or proceedings shall occur in reliance on the decision being appealed except as allowed by the outcome of the appeal.
- e. *Required Statement and Evidence.*
 1. Applications for appeals shall include a general statement specifying the basis for the appeal and the specific aspect of the decision being appealed.
 2. Appeals shall be based upon an error in fact, dispute of findings or inadequacy of conditions, imposition of conditions not necessary to meet AVR goals, or availability of alternatives that could reasonably achieve AVR goals.
 3. Appeals shall be accompanied by supporting evidence substantiating the basis for the appeal.
- f. *Notice to Applicant.* If the appellant is not the responsible party listed in the TDM

plan, a copy of the appeal shall be sent to the responsible party, via certified mail, return receipt requested, to the address listed on the application within seven days of its filing.

- g. *Report and Scheduling of Hearing.* When an appeal has been filed, the Director shall prepare a report on the matter, and schedule the matter for consideration by the appropriate appeal body. All appeals shall be considered in public hearings.
- h. *Withdrawal of Appeal.* Once filed, an appeal may be withdrawn by a written request submitted to the Director, with the signatures of all persons who filed the appeal.
- i. *Action.* At the hearing, the appeal body may only consider any issue involving or related to the matter that is the subject of the appeal, in addition to the specific grounds for the appeal, and shall conclude the proceedings with one of the following actions:
 - 1. *Affirmation or Reversal.* The appeal body may, by resolution, affirm, affirm in part, or reverse the action that is the subject of the appeal.
 - 2. *Additional Conditions.* When reviewing an appeal, the appeal body may adopt additional conditions of approval involving or related to the subject matter of the appeal.
 - 3. *Referral.* If new or different evidence is presented in the appeal, the Commission or Council, may, but shall not be required to, refer the matter back to the Director or Commission for further consideration. Any new evidence shall relate to the subject of the appeal.
- j. *Deadlock Vote.*
 - 1. *By Commission.* In the event an appeal from an action of the Director results in a deadlock vote by the Commission, the determination, interpreting decision, judgment, or similar action of the Director shall be reinstated, unless appealed to the Council.
 - 2. *By Council.* In the event that an appeal from an action of the Commission results in a deadlock vote by the Council, the action of the Commission shall become final.
- k. *Judicial Review.* If no action seeking judicial review of a decision of the City Council is timely filed, the decision shall be final and any penalty shall be immediately due and payable. The City Council hereby makes Section 1094.6 of the California Code of Civil Procedure applicable to decisions pursuant to this chapter and an action seeking judicial review shall be brought within the time permitted by that section.

(Ord. 18-1034 § 11, 2018; Ord. 23-09 § 33, 2023)

ATTACHMENT F

CITY COUNCIL
NEW BUSINESS

NOVEMBER 16, 2020

SUBJECT: **ADOPTION OF UPDATES TO THE LOCAL TRANSPORTATION GUIDELINES PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT FOR THE PURPOSE OF COMPLYING WITH CALIFORNIA SENATE BILL 743**

INITIATED BY: **PLANNING & DEVELOPMENT SERVICES DEPARTMENT**
(John Keho, AICP, Director)
(Bryan Eck, Acting Manager, LRP)
(Bob Cheung, Senior Transportation Planner)

STATEMENT ON THE SUBJECT:

The City Council will consider a Resolution (Attachment A) to adopt updates of proposed California Environmental Quality Act (CEQA) thresholds of significance related to transportation to comply with Senate Bill (SB) 743.

RECOMMENDATION:

Adopt Resolution No. 20____ “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ADOPTING UPDATES TO THE LOCAL TRANSPORTATION GUIDELINES PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT FOR THE PURPOSE OF COMPLYING WITH CALIFORNIA SENATE BILL 743.”

BACKGROUND:

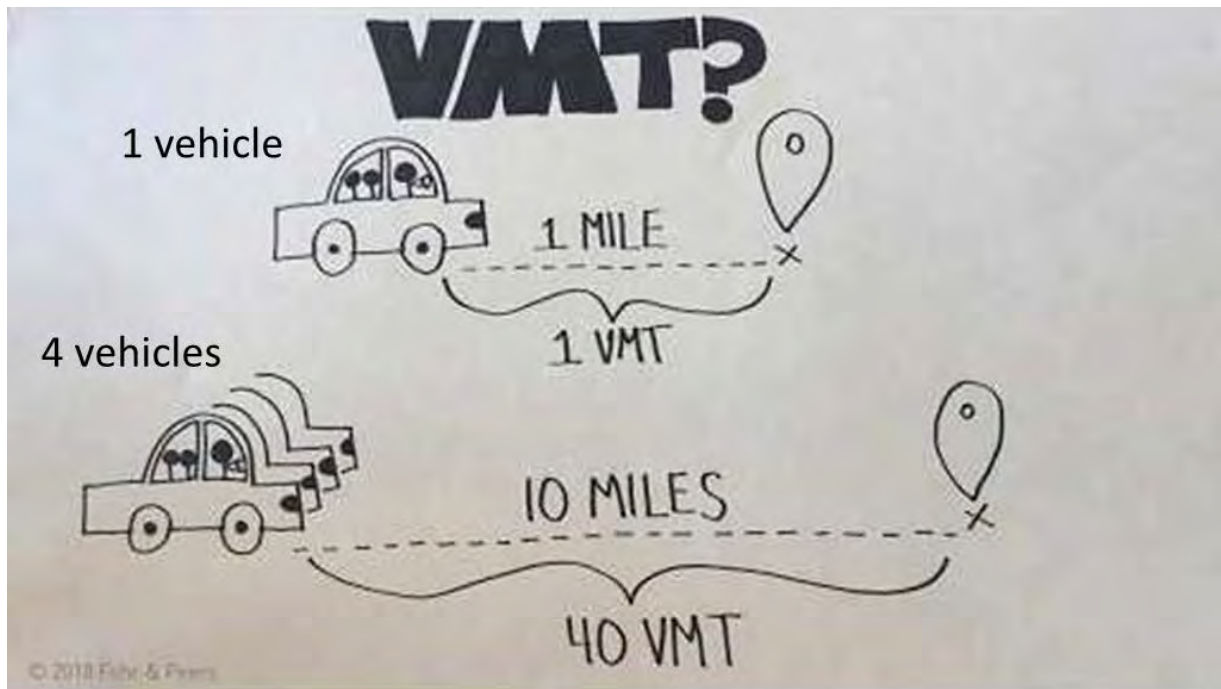
On September 27, 2013, SB 743 (Attachment B) was signed into law. A goal of the law was to help California combat climate change by reducing greenhouse gas emissions related to transportation. SB 743 fundamentally changes how traffic impacts are measured under the State’s updated CEQA guidelines (Attachment C). The State’s Office of Planning and Research (OPR) was tasked with developing new CEQA traffic impact guidelines and metrics to better align with the State’s goals for greenhouse gas reduction through the encouragement of compact, infill, mixed-use development in urban areas served by public transit and other alternative modes of transportation.

To this end, SB 743 mandates that cities replace the current traffic impact analysis metric, Level of Service (LOS), with Vehicle Miles Traveled (VMT). LOS is currently the City’s adopted metric as outlined in the City’s Traffic Impact Guidelines (Attachment C) and is based on vehicular delay at intersections. The degree of LOS impact is based on how long a car would be delayed at an intersection. When evaluating LOS, one is evaluating the inconvenience to the *driver* rather than the impact on the *environment*. Mitigation

measures to reduce LOS impact often include roadway improvements to increase vehicle efficiency and capacity, making it easier for more people to travel longer distances. The result was greater convenience, but also higher rates of greenhouse gas and other airborne pollutants. This metric often showed impacts where there are congested conditions in dense urban areas. This made developing in urban areas with relatively short travel distances more difficult and favored development in less congested areas such as the suburban expanses where average trip lengths are typically longer. The LOS methodology and CEQA thresholds have resulted in development patterns where housing and jobs are separated, increasing commute travel distance and contributing to urban sprawl, regional traffic congestion, and greenhouse gas emissions.

VMT, on the other hand, is an estimate of the distance travelled by vehicles which directly relates to emissions of greenhouse gasses and other air pollutants. This means that impacts are now calculated based on distance cars have to travel from home to work (for example), and how many cars are making those trips. Locating housing, shopping, recreation, and jobs near one another decreases vehicle trip lengths, and increases walkability, ride-share and trip-chain opportunities, all of which generate lower VMT. Similarly, infill development sited within a dense, walkable, multi-use, urban environment will typically result in lower VMT. In fact, CEQA Guidelines Section 15064.3(b)(1) states that “generally, projects within on-half mile of either an existing major transit stop or a stop along an existing high-quality transit corridor should be presumed to cause a less than significant transportation impact.” This is a major shift in the way we think about traffic impact in California.

The VMT metric captures automobile trips generated by residents and employees of a proposed development, multiplied by the estimated miles driven for each trip. The figure below illustrates the VMT concept:



In order to evaluate VMT, the total estimated number of miles traveled is divided by the number of residents (VMT per capita) or employees (VMT per employee). These are the data points for which modeling can provide a consistent analysis. Trips attributed to visitors are varied and unpredictable, making modeling impossible. Therefore, visitors are not considered in VMT analysis. VMT can be mitigated or reduced through transportation demand management (TDM) strategies that reduces total miles driven, not by more traditional mitigation such as road widening, traffic lights, and turn lanes. The City of West Hollywood previously updated its TDM Ordinance (Attachment D) in July of 2018 and requires projects of a certain size to implement a number of TDM strategies. This is described further below.

Per SB 743, OPR has determined that a state-wide reduction in VMT is necessary for the State to meet its 2030 greenhouse gas emission reduction goals. In January of 2016, OPR published draft proposal to replace LOS with VMT to better align with the State's long-term reduction of greenhouse gas emission goals. In November of 2017, OPR released updates to the CEQA guidelines which essentially state that an impact based on delay (LOS) will no longer considered to be an environmental impact under CEQA. The guidelines also confirmed and established VMT as the primary metric for evaluating environmental impact under CEQA. In December of 2018, the California Natural Resources Agency certified and adopted the updated CEQA guidelines. This has also been approved by the Office of the Administrative Law. All California cities were required to utilize VMT-based metric by July 1, 2020.

ANALYSIS:

Staff's recommendations are based on extensive studies and research to establish an approach that best meets the City of West Hollywood's unique and densely built urban environment. Based on research, analysis, and discussions with industry experts, staff's recommendation is to follow the CEQA Guidelines and screen out all development projects, both residential and commercial, from CEQA transportation analysis that are 1) within the area that OPR defines as a high-quality-transit-area and 2) do not trigger the exclusion criteria (detailed below). This approach aligns with the State's OPR goals and guidelines which provides more legal defensibility and reflects State and local policies concerning housing and mixed-use developments.

This recommendation addresses the State's goals to encourage a diverse mix of land uses in urban environments. Employment, mixed-use, and residential projects serve to reduce the number of miles people travel in cars by placing both residential uses and employment uses in closer proximity. Projects that help reduce the number of miles traveled are a traffic benefit under the VMT model; not an impact. The Analysis section below provides more detail regarding the rationale for this recommendation.

The implementation of SB 743 offers unique challenges as it fundamentally shifts how CEQA views transportation impacts. This new CEQA approach will likely require periodic refinements as cities learn through implementation and case studies. Because the methodology and concepts are novel, city staff is recommending that the City review the new threshold after implementation and determine if changes or fine-tuning are necessary once the methodology has been in used in practice.

The City of West Hollywood's Urban Environment

West Hollywood is a 1.9 square-mile city situated in the Westside Sub-region of Los Angeles. Based on various sources, the City ranks in the top 20 nationally in its population density and ranks in the top 10 nationally in housing density. West Hollywood is also a major employment area with a diverse mix of offices, restaurants, retail, art/design and entertainment industries. West Hollywood is served by frequent metro services on nine different Los Angeles Metro bus lines spread throughout the city and offers local transit options (such as the Cityline, Cityline Commuter, the Pick Up Line, and the Sunset Trip) as well as a robust pedestrian network and continual improvements to its bike facilities. Looking to the future, West Hollywood has been heavily involved in bringing a metro rail extension, and an alignment through the City is currently set to undergo environmental analysis. In the context of SB 743, the City of West Hollywood's particular circumstances and urban environment meet the State's goals and intentions to reduce greenhouse gas through the encouragement of higher density, mixed-use

development in urban areas served by public transit and other alternative modes of transportation.

State - Governor's /Office of Planning and Research Guidelines

Staff is recommending that the City follow the guidance that OPR provided in its Technical Advisory on Evaluating Transportation Impacts in CEQA dated December 2018, recommending that:

“Proposed CEQA Guideline Section 15064.3, subdivision (b)(1), states that lead agencies generally should presume that certain projects (including residential, retail, and office projects, as well as projects that are a mix of these uses) proposed within ½ mile of an existing major transit stop or an existing stop along a high quality transit corridor will have a less-than-significant impact on VMT. This presumption would not apply, however, if project-specific or location-specific information indicates that the project will still generate significant levels of VMT. For example, the presumption might not be appropriate if the project:

- Has a Floor Area Ratio (FAR) of less than 0.75*
- Includes more parking for use by residents, customers, or employees of the project than required by the jurisdiction (if the jurisdiction requires the project to supply parking)*
- Is inconsistent with the applicable Sustainable Communities Strategy (as determined by the lead agency, with input from the Metropolitan Planning Organization)*
- Replaces affordable residential units with a smaller number of moderate- or high-income residential units.*

A project or plan near transit which replaces affordable residential units with a smaller number of moderate- or high-income residential units may increase overall VMT because the increase in VMT of displaced residents could overwhelm the improvements in travel efficiency enjoyed by new residents. If any of these exceptions to the presumption might apply, the lead agency should conduct a detailed VMT analysis to determine whether the project would exceed VMT thresholds.”

High quality transit corridor defined by OPR is as follows:

“‘Major transit stop’ means a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods”.

Per the Southern California Association of Governments (SCAG) and Los Angeles County Metro, the entire City of West Hollywood is within the High-Quality Transit Area.

RECOMMENDATIONS:

Therefore, consistent with OPR's guidelines, staff recommends that the City consider all development projects to have less than significant transportation impacts, excluding any of the following:

- 1) A project with a floor area ratio (FAR) of less than 0.75;
- 2) A project with more than the required number of parking spaces;
- 3) A project that is inconsistent with the applicable Sustainable Communities Strategy;
- 4) A project that replaces affordable residential units with fewer, moderate- or high-income residential units.
- 5) A project with the potential for significant regional draw.

The first four types of projects are excluded from screening because they are identified in the Technical Advisory document and are considered counter to the goals of SB 743 and other important state priorities such as the production of affordable housing.

The fifth exclusion category is development projects that have potential for significant regional draw. These types of projects may require skilled and specialized workforce and as such could draw employees from greater distance in the region which would not be considered low VMT generator. Examples of such projects include: media production stage and studio projects (The Lot) and the Pacific Design Center. Project size is not an indication that a development project would have a significant regional draw. Projects that have a more typical work force, such as hotels, restaurants/bars, office buildings and event spaces would not be considered to have a significant regional draw. Future CEQA documents will include an evidence-based explanation of how the screening determination was made, and whether any of these exclusionary criteria apply.

For projects excluded from screening, staff recommends adopting a local threshold of significance of 15% VMT reduction below local average consistent with OPR's guidelines. This threshold is consistent with OPR's guidelines and recommendations. This means that any project that falls within the exclusions to the screening based on the four criteria in the technical advisory memo, or based on propensity to be a regional draw, would be analyzed to determine the level of VMT generated. That number would be compared to the local average, based on the City's Travel Demand Model. If the number is not at least 15% below the local average VMT, the project would have a significant impact on transportation. This threshold is consistent with OPR's guidelines.

Screening qualifying projects for transportation impacts does not mean that a VMT analysis will not be performed at all. VMT is a critical measure that is used for evaluating greenhouse gas emissions, air quality impacts, and noise related to traffic. What this does mean, is that projects that are consistent with what was envisioned in SB-743, as described above, are considered not to have a transportation impact.

Low VMT Area

Per SCAG's 2016 Regional Transportation Plan (RTP), West Hollywood is designated as a low VMT area. The data show that for residential trips, 100% of home-based trips are less than the SCAG regional average VMT and for work related trips, 86% of West Hollywood is lower than the SCAG regional average VMT. In other words, people living and/or working in West Hollywood are travelling shorter distances to get where they are going when compared to the residents and employees of other parts of the region. Taking all trip types into consideration, the 92% of the City's VMT (by service population) is less than the regional average. This designation suggests that the City is performing well above average in terms of VMT. This is attributed to the dense and diverse mix of uses in the City, high walkability, and frequent transit services including Metro and local shuttle services. These data support using the screening criteria as recommended by staff.

State and Local Housing Policies

Various State and local housing policies are in place to address the housing shortage crisis which has resulted in serious social concerns including high housing costs, lack of affordable housing and the homeless epidemic. The State has set an aggressive housing policy which is reflected in the Regional Housing Needs Assessment (RHNA) requirements for West Hollywood. The State Legislature has been passing laws to streamline housing developments to avoid lengthy and expensive entitlement processes contribute to the higher cost and lower production of housing units. This underscores the need to streamline the CEQA process especially regarding housing and residential mixed-use developments projects.

VMT Reduction Programs

While the City of West Hollywood is operating at a relatively high efficiency in terms of VMT, the City has various policies in place to ensure VMT reductions are maximized to the fullest potential, regardless of CEQA:

- TDM Ordinance – the City requires all commercial project with 5,000 square feet or more and residential projects with 10 or more units to implement a suite of TDM strategies aimed at reducing vehicle trips and encouraging the use of alternative transportation options. Depending on the size and density of the project, commercial projects are required to implement between four and eight strategies and residential projects are required to implement from three to five strategies.

- Impact Fee – the City is in the process of updating its Transportation Impact Fee program which assesses development fees for new projects. The fees will fund new infrastructure projects and programs focusing on alternative transportation improvements.

Proposed Informational Analysis

Staff recognizes that the State's mandatory update to the CEQA process is a significant departure from the current methodology that the community and decision makers have grown accustomed to. In the effort to provide a full range of information for the public and decision makers, staff recommends that a focused LOS analysis be prepared for information only during this transition period. Future need for LOS informational analysis will be evaluated as we have more time to evaluate efficacy of the VMT methodology.

The analysis proposed would include LOS (delay) based studies. This analysis will provide familiarity but also aid in identifying any project revisions or potential infrastructure improvements (i.e. adding turn lanes or signal timing modifications) that may be needed to accommodate the added traffic from a land use perspective. The proposed LOS analysis scenarios include:

- Existing AM and PM peak hour LOS analysis
- Future without-Project AM and PM peak hour LOS analysis
- Future with-Project AM and PM peak hour LOS analysis

Staff also recommends retaining the residential roadway analysis as defined in the 2009 Traffic Impact Studies guidelines (Attachment E) for information only (meaning no part of the CEQA analysis). This analysis is to ensure added traffic from proposed development projects is identified on residential street segments for the purpose of project analysis and decision.

These informational LOS and residential roadway analyses will not be considered for CEQA impact and will be provided for information only. As such, the analysis will not include a designated threshold or impact conclusion, but instead will inform the public and decision-makers of the traffic-related effects of a project in a familiar format.

Summary of Recommendations

1. Adopt the California Office of Planning and Research (OPR) and the CEQA Guidelines section 15064.3 and consider a development project to not have a significant impact on transportation if said project is located within a high-quality-transit areas and is not subject to any of the following exclusionary criteria:
 - a. A project with a floor area ratio (FAR) of less than 0.75;

- b. A project with more than the required number of parking spaces;
 - c. A project that is inconsistent with the applicable Sustainable Communities Strategy;
 - d. A project that replaces affordable residential units with fewer, moderate- or high-income residential units.
 - e. A project with the potential for significant regional draw.
2. Adopt OPR guidelines for a Local Threshold of Significance of 15% VMT reduction below local average for all projects that are excluded from screening.
 3. Specify that information-only level of service (LOS) analysis may be included in future traffic impact studies and considered in the analysis of the project, outside of the CEQA process.
 4. Specify that information-only residential street analysis be included in future traffic impact studies and considered in the analysis of the project, outside of the CEQA process.

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

- OSP-4: Transportation System Improvement.
- PSG-1: Maintain the City's Unique Urban Balance with Emphasis on Residential Neighborhood Livability.

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

- M-2: Collaborate on regional transportation solutions that improve mobility, quality of life and environmental outcomes.
- M-6: Utilize Transportation Demand Management strategies to reduce auto travel.

EVALUATION PROCESSES:

Staff will continue to monitor the transportation system and effectiveness of various individual traffic/transportation projects and engage in ongoing analysis of the VMT threshold and recommend adaptations as necessary as the VMT program is implemented in West Hollywood and throughout California.

ENVIRONMENTAL SUSTAINABILITY AND HEALTH:

The updated CEQA methodology for the analysis of development projects conforms with State goals to reduce regional traffic congestion and reduce greenhouse gas emission.

COMMUNITY ENGAGEMENT:

Staff presented this item to the Transportation Commission in June and October of 2020 where the public was offered opportunities to comment. Likewise, two meetings were

held with the Planning Commission in June and October of 2020. Both commissions did not express concerns and were generally supportive of staff's recommendations. Additional clarity has been provided regarding examples of projects with significant regional draw at the request of the Planning Commission.

Staff also held a stakeholder meeting in July of 2020. This meeting included over 40 participants including developers, land use attorneys, transportation consultants and environmental consultants.

OFFICE OF PRIMARY RESPONSIBILITY:

PLANNING & DEVELOPMENT SERVICES DEPARTMENT / LONG RANGE & MOBILITY PLANNING DIVISION

FISCAL IMPACT:

None. There is no fiscal impact associated with this item.

ATTACHMENTS:

- A. Resolution 20_____
- B. Senate Bill 743
- C. California Environmental Quality Act Guidelines
- D. West Hollywood Transportation Demand Management Ordinance
- E. City of West Hollywood Traffic Impact Studies Guidelines 2009

RESOLUTION NO. 20-5344

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF THE CITY OF WEST HOLLYWOOD TO ADOPT UPDATES TO THE TRANSPORTATION SECTION OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT FOR THE PURPOSE OF COMPLYING WITH CALIFORNIA SENATE BILL 743.

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

SECTION 1. on October 19, 2009, the West Hollywood City Council adopted the City of West Hollywood Environmental Review Guidelines for the Implementation of the Provisions of the California Environmental Quality Act (City's Local CEQA Traffic Thresholds).

SECTION 2. The State Guidelines for Implementation of the California Environmental Quality Act ("CEQA") (14 Cal. Code Regs., § 15000 et seq.: "State CEQA Guidelines") encourage public agencies to develop and publish generally applicable "thresholds of significance" to be used in determining the significance of a project's environmental effects. State CEQA Guidelines, section 15064.7(a) defines a threshold of significance as "an identifiable quantitative, qualitative or performance level of a particular environmental effect, noncompliance with which means the effect will normally be determined to be significant by the agency and compliance with which means the effect normally will be determined to be less than significant". State CEQA Guidelines, section 15064.7(b) requires that thresholds of significance must be adopted by ordinance, resolution, rule, or regulations, developed through a public review process, and be supported by substantial evidence.

SECTION 3. On September 27, 2013, SB 743 was signed into law. A goal of the law was to help California combat climate change by reducing greenhouse gas emissions related to transportation. The State's Office of Planning and Research (OPR) developed new CEQA traffic impact guidelines and metrics in alignment with the State's goals for greenhouse gas reduction through the encouragement of compact, infill, mixed-use development in urban areas served by public transit and other alternative modes of transportation. In 2018, the Governor's Office of Planning and Research ("OPR") proposed, and the California Natural Resources Agency certified and adopted, new State CEQA Guidelines, section 15064.3 that identifies vehicle miles traveled ("VMT") as the generally appropriate metric to evaluate a land use project's transportation impacts. As a result, automobile delay, as measured by "level of service" and other similar metrics, generally no longer constitutes a significant environmental effect under CEQA.

SECTION 4. The City of West Hollywood, following a public process, wishes to adopt Guidelines for the Implementation of VMT ("VMT Guidelines"),

including VMT Thresholds of Significance (“VMT Thresholds”), that would apply to land use and transportation projects in the City of West Hollywood that are subject to CEQA.

SECTION 5. On October 21, 2020, the City of West Hollywood Transportation Commission reviewed the recommended guidelines at a public meeting and expressed support of the thresholds as presented.

SECTION 6. On November 5, 2020, the City of West Hollywood Planning Commission reviewed the recommended guidelines at a public meeting, provided input, and expressed support of the VMT Guidelines and VMT Thresholds.

SECTION 7. The VMT Guidelines and VMT Thresholds provided herein are consistent with the West Hollywood General Plan 2035 goals of improving regional transportation solutions and multi-modal transportation networks and seeking to improve air quality and stem the effects of climate change. Specifically, the new guidelines address Goal M-6: Utilize Transportation Demand Management strategies to reduce auto travel. Goal M-6 has the stated intent, “to reduce vehicle miles traveled (VMT) and vehicle trips in an effort to improve mobility, reduce greenhouse gas emissions, and maintain the quality of the physical environment through a combination of incentives and requirements.” In addition, measuring transportation impacts in terms of greenhouse gas emissions and other air pollutants related to vehicle travel is consistent with Goal IRC-6, “Reduce the City’s contribution to global climate change, and adapt to its effects,” as well as Goal IRC-7, “Improve air quality and reduce emissions of air pollution,” and Policy IRC-7.2, “Support land use and transportation strategies to reduce driving rates and resulting air pollution, including pollution from commercial and passenger vehicles.”

SECTION 8. In its capacity as lead agency, the City Council of the City of West Hollywood has evaluated the proposed VMT Guidelines and VMT Thresholds to determine whether the VMT Guidelines and VMT Thresholds are subject to environmental review under Public Resources Code, section 21000 et seq.: “CEQA”. The City Council hereby finds and determines that the VMT Guidelines and VMT Thresholds are not a project within the meaning of Public Resources Code, section 21065 and State CEQA Guidelines, section 15378. The VMT Guidelines and VMT Thresholds would not lead to a direct or a reasonably foreseeable indirect change in the physical environment. The VMT Guidelines and VMT Thresholds are an administrative activity of the City. Specifically, the VMT Guidelines and VMT Thresholds provide guidance to property owners, project developers, applicants, and proponents for determining the significance of transportation impacts of land use and transportation projects under CEQA. The VMT Guidelines and VMT Thresholds do not approve any specific development and would not lead to any particular physical change to the environment. Thus, the VMT Guidelines and VMT Thresholds are not a project under Public Resources Code, section 21065 and State CEQA Guidelines,

DocuSigned by:
YVONNE QUARKER
625538FA0F1E4FC
YVONNE QUARKER, CITY CLERK

Exhibit A

VMT Guidelines

1. Adopt the California Office of Planning and Research (OPR) and the CEQA Guidelines section 15064.3 and consider a development project to not have a significant impact on transportation if said project is located within a high-quality-transit areas and is not subject to any of the following exclusionary criteria:
 - a. A project with a floor area ratio (FAR) of less than 0.75;
 - b. A project with more than the required number of parking spaces;
 - c. A project that is inconsistent with the applicable Sustainable Communities Strategy;
 - d. A project that replaces affordable residential units with fewer, moderate- or high-income residential units.
 - e. A project with the potential for significant regional draw.
2. Adopt OPR guidelines for a Local Threshold of Significance of 15% VMT reduction below local average for all projects that are excluded from screening.
3. Specify that information-only level of service (LOS) analysis may be included in future traffic impact studies and considered in the analysis of the project, outside of the CEQA process.
4. Specify that information-only residential street analysis be included in future traffic impact studies and considered in the analysis of the project, outside of the CEQA process.

Memo

To: City Councilmembers

From: Community Development Department

Date: June 11, 2026

Re: Item C.5

Please find attached a redlined copy outlining the suggested amendments to the zoning ordinance.

Title 19 of the West Hollywood Municipal Code (WHMC) is amended to read as follows (additions in red underline and deletions in ~~red strikethrough~~):

SECTION 1. Amendment to Municipal Code. Section 10.07.010 *Definitions, Generally* of Chapter 10.07 *Parking Code* of Title 10 *Vehicles and Traffic* of the West Hollywood Municipal Code is amended as follows:

“10.07.010 Definitions, Generally.

Whenever in this chapter the words or phrases hereinafter in this chapter defined are used, they shall have the meanings respectively ascribed to them in this chapter unless the context indicates to the contrary.

Words defined in Vehicle Code. Whenever any words or phrases used in this chapter are not defined, but are in the California Vehicle Code of this state, such definitions as now existing are incorporated herein and shall be deemed to apply to such words and phrases as used in this chapter as though set forth in full.

“Accessible parking space” means any parking space designated for the exclusive use of a vehicle displaying a special identification license plate or distinguishing placard subject to the provisions stated in Section 22511.5 of the California Vehicle Code. Accessible parking spaces shall be marked in accordance with Section 22511.7 of the California Vehicle Code.

...

~~“Disabled parking space” means any parking space designated for the exclusive use of a vehicle displaying a special identification license plate or distinguishing placard subject to the provisions stated in Section 22511.5 of the California Vehicle Code. Disabled parking spaces shall be marked in accordance with Section 22511.7 of the California Vehicle Code.”~~

SECTION 2. Amendment to Municipal Code. Subsection (c) of Section 10.08.030 *Issuance of Permits* of Chapter 10.08 *Preferential Parking Districts* of Title 10 *Vehicles and Traffic* of the West Hollywood Municipal Code is amended as follows:

“10.08.030 Issuance of Permits.

...

c. Parking permits shall not be available to:

1. Any person who has outstanding parking tickets;
2. Merchants who ~~have entered into agreements for parking credits and/or~~ are required to provide off-street employee parking by conditions of a conditional use permit, planned development permit, specific plan, development agreement or any other permit entitlement or approval.

...”

SECTION 3. Amendment to Municipal Code. Subsection (d) of Section 10.08.130 *Residential, Guest, Visitor, Commercial, Official Business, and Contractor*

Permits of Chapter 10.08 Preferential Parking Districts of Title 10 Vehicles and Traffic of the West Hollywood Municipal Code is amended as follows:

“10.08.130 Residential, Guest, Visitor, Commercial, Official Business, Contractor Permits.

...

d. Commercial permits shall be available only to merchants for use by the merchant and his or her employees.

1. Commercial permits shall not be issued to merchants who are required to provide off-street employee parking by conditions of a conditional use permit, ~~parking credits agreement~~, planned development permit, specific plan or any other permit entitlement or approval.

...”

SECTION 4. Amendment to Municipal Code. Subsection (E)(2)(b) of Section 19.14.120 *West Hollywood West Neighborhood Overlay District (-WHWNOD)* of Chapter 19.14 *Overlay Zoning Districts* of Title 19 *Zoning Ordinance* of the West Hollywood Municipal Code is amended as follows:

“19.14.120 West Hollywood West Neighborhood Overlay District (-WHWNOD).

...

2. Parking and Driveways. W.H.M.C. Chapters 19.28 and 19.36 apply in the WHWNOD, except as otherwise provided below:

a. The maneuvering room required under Section 19.28.090.A.1 shall not be required for single-family dwellings and duplexes.

b. ~~Required parking~~ Parking may be located between the front setback and the front of a residential unit, provided that the parking area is not wider than 10 feet, and is not within the front setback.

...

3. Parking and Driveways. W.H.M.C. Chapters 19.28 and 19.36 apply in the WHWNOD, except as otherwise provided below:

a. The maneuvering room required under 19.28.090.A.1 shall not be required for single-family dwellings and duplexes.

b. ~~Required parking~~ Parking may be located between the front setback and the front of a residential unit, provided that the parking area is not wider than 10 feet, and is not within the front setback.

SECTION 5. Amendment to Municipal Code. Subsection (E)(3)(b) of Section 19.14.130 *Norma Triangle Neighborhood Overlay District (NTNOD)* of Chapter 19.14 *Overlay Zoning Districts* of Title 19 *Zoning Ordinance* of the West Hollywood Municipal Code is amended as follows:

“19.14.130 Norma Triangle Neighborhood Overlay District (NTNOD).

E. Development and Land Use Standards. Proposed development and land uses within the NTNOD shall be subject to all applicable development standards of the primary R1-B zoning district, and of Article 19-3 (Site Planning and General Development Standards), in addition to the standards set forth in this section.

...

3. Parking and Driveways. WHMC Chapters 19.28 and 19.36 apply in the NTNOD, except as otherwise provided below:

...

b. ~~Required parking~~ Parking may be located between the front setback and the front of a residential unit, provided that the parking area is not wider than 10 feet, and is not within the front setback.

...”

SECTION 6. Amendment to Municipal Code. Subsection (C) of Section 19.28.020 *Applicability* of Chapter 19.28 *Off-Street Parking and Loading Standards* of Title 19 *Zoning Ordinance* of the West Hollywood Municipal Code is amended as follows:

“19.28.020 Applicability.

...

C. Waivers to Specific Requirements. The review authority may waive or reduce any of the parking design and landscaping requirements of this chapter upon finding that the waiver or modification is in the interest of the public health, safety, and welfare. The review authority may not reduce the number of ~~parking~~, bicycle, or loading spaces required except through the variance, ~~parking reduction~~, or modification processes.”

SECTION 7. Amendment to Municipal Code. Subsection (C) of Section 19.28.030 *General Parking Regulations* of Chapter 19.28 *Off-Street Parking and Loading Standards* of Title 19 *Zoning Ordinance* of the West Hollywood Municipal Code is amended by deleting former subsection (C)(1), renumbering the remaining subsections accordingly, and reading as follows:

“19.28.030 General Parking Regulations.

...

C. Location of Parking. Off-street parking shall be located as follows.

~~1. Parking shall be located on the same site as the activities or uses served unless a Parking Use Permit is obtained in compliance with Chapter 19.56 of this Code for non-residential use.~~

1. Except for single-family dwellings and duplexes, all parking spaces shall be located either behind, adjacent to, or within a structure. The location of parking spaces for residential uses shall comply with Section 19.28.090(D)(1)(a) of this chapter (Residential Parking - Location).
2. Required parking ~~Parking~~, loading, and service and delivery areas shall not be allowed in any required front setback, except in single-family dwellings and duplexes, where excess parking is permitted upon a paved driveway that provides access directly from the street to an allowed garage or carport.
3. In mixed-use projects, residential parking shall be identified by signage and/or markings, separated, and secured from commercial parking by locating residential and commercial parking on separate floors, providing individual access to distinct residential and commercial parking areas, installing gated or otherwise physically separated areas for residential and commercial parking. Signage alone is not permissible.

...

SECTION 8. Amendment to Municipal Code. Subsection (D) of Section 19.28.030 *General Parking Regulations* of Chapter 19.28 *Off-Street Parking and Loading Standards* of Title 19 *Zoning Ordinance* of the West Hollywood Municipal Code is modified as follows:

“19.28.030 General Parking Regulations.

...

- D. Availability. ~~Required parking~~ Parking and loading spaces shall be available during permitted hours of operation and shall be marked and maintained for parking or loading purposes for the use they are intended to serve.
1. The Community Development Director may approve the temporary reduction of ~~parking or~~ loading spaces in conjunction with a seasonal or intermittent use for a period of not more than 30 days subject to the approval of a temporary use permit (Chapter 19.54 of this Code).
 2. Persons in control of the operation of a premises for which parking or loading spaces are provided to occupants or service providers shall not prevent, prohibit, or restrict other persons from using their assigned spaces.

3. Parking that is identified to be shared between uses during simultaneous operating hours may be allowed in compliance with Section 19.28.070 of this chapter subject to a parking use permit (Chapter 19.56).
4. ~~Parking for residential uses shall be maintained for the exclusive use of occupants and their guests, and shall not be rented, sold, or otherwise made available to non-resident non-guests of the building."~~

SECTION 9. Amendment to Municipal Code. Subsection (H) of Section 19.28.030 *General Parking Regulations* of Chapter 19.28 *Off-Street Parking and Loading Standards* of Title 19 *Zoning Ordinance* of the West Hollywood Municipal Code is added to read as follows:

"19.28.030 General Parking Regulations.

...

H. Unbundling Parking from Rent.

1. Requirement to unbundle parking. An owner of a qualifying residential property that provides parking shall unbundle parking spaces from the price of rent, if the property meets both of the following conditions, and may sell or lease them separately for the life of the property in accordance with California Civil Code Section 1947.1:
 - a. It receives a certificate of occupancy on or after January 1, 2025; and,
 - b. It contains 16 or more residential units.
2. Tenant right of first refusal.
 - a. Tenants of qualifying residential properties shall have the right of first refusal to parking spaces provided for their units. Unleased spaces may be leased by the owner of the qualifying residential property to other on-site or off-site users on a month-to-month basis.
 - b. If spaces are unavailable at initial occupancy but later become available (including newly constructed spaces), the tenant shall receive renewed right of first refusal.
3. Nonpayment of parking fee.
 - a. Failure to pay a separately leased parking fee shall not constitute grounds for an unlawful detainer action against the tenant.
 - b. If payment is more than 45 days late, the property owner may revoke that tenant's right to lease that parking space.
4. Exclusions. Residential properties that are exempt from the unbundling requirement include:
 - a. Units with individual garages that are functionally part of the unit, (e.g., townhouses and row houses).

- b. 100% affordable housing developments (exclusive of manager units) restricted by deed, regulatory restriction contained in an agreement with a governmental agency, or other recorded document as affordable housing for persons and families of low or moderate income, as defined in Section 50093 of the Health and Safety Code.
- c. Developments receiving low-income housing tax credits (26 U.S.C. Sec. 42).
- d. Developments financed with tax-exempt bonds pursuant to a program administered by the California Housing Finance Agency.
- e. Units leased to tenants who receive a federal housing assistance voucher issued under Section 8 of the United States Housing Act of 1937 (42 U.S.C. Sec. 1437(f)), including a federal Department of Housing and Urban Development Veterans Affairs Supportive Housing voucher."

SECTION 10. Amendment to Municipal Code. Section 19.28.040 *Number of Parking Spaces Required* of Chapter 19.28 *Off-Street Parking and Loading Standards* of Title 19 *Zoning Ordinance* of the West Hollywood Municipal Code is renamed *No Minimum Off-Street Parking Required* and is replaced in its entirety to read as follows:

"19.28.040 No Minimum Off-Street Parking Required.

- A. No minimum required. The City imposes no minimum off-street parking requirement for any land use, consistent with state law.
- B. Voluntary parking. If off-street parking is provided, it shall comply with this chapter's standards, including but not limited to design, dimensions, accessibility, electric vehicle readiness, and shared or unbundled parking requirements under state law.
- C. Protected standards. This section does not reduce, eliminate, or preclude the enforcement of state or federal requirements for accessible parking spaces or electric vehicle supply equipment if parking is provided.

SECTION 11. Amendment to Municipal Code. Section 19.28.050 *Disabled Parking Requirements* of Chapter 19.28 *Off-Street Parking and Loading Standards* of Title 19 *Zoning Ordinance* of the West Hollywood Municipal Code is renamed *Accessible Parking Requirements* and modified to read as follows:

"19.28.050 Accessible Parking Requirements.

When off-street parking spaces are provided, accessible parking spaces for persons with disabilities shall be included in compliance with the California Building Code (Title 24) and applicable state and federal requirements, including but not limited to design, dimensions, number, location, signage, and van-accessible spaces. This section does not reduce, eliminate, or preclude the enforcement of any state or federal accessibility requirements."

SECTION 12. Amendment to Municipal Code. Section 19.28.060 *Reduction of Off-Street Parking Requirements* of Chapter 19.28 *Off-Street Parking and Loading Standards* of Title 19 *Zoning Ordinance* of the West Hollywood Municipal Code is repealed and reserved to read as follows:

“19.28.060 Reserved.”

SECTION 13. Amendment to Municipal Code. Section 19.28.070 *Shared Use of Parking Facilities* of Chapter 19.28 *Off-Street Parking and Loading Standards* of Title 19 *Zoning Ordinance* of the West Hollywood Municipal Code is replaced in its entirety and revised to read as follows:

“19.28.070 Shared Use of Parking Facilities.

A. Definitions. For the purposes of this section:

1. “Parking analysis” means a study prepared using peer-reviewed methodologies developed by a professional planning association, including but not limited to, the Urban Land Institute, National Parking Association, or the International Council of Shopping Centers, to determine how many parking spaces can be reasonably shared between uses to fulfill parking requirements.
2. “Parking use permit” is the process for administrative and, where applicable, discretionary review of proposed parking facilities, including off-site parking facilities, shared parking agreements, and underutilized parking made available to other users, pursuant to Chapter 19.56 (Parking Use Permits).
3. “Shared parking agreement” is the document outlining the terms under which underutilized parking will be shared between parties to the agreement pursuant to the provisions of this Section and Chapter 19.56 (Parking Use Permits), as applicable.
4. “Underutilized parking” means parking where 20 percent or more of a development’s parking spaces are not occupied during the proposed shared parking period.

B. Applicability. The City shall allow owners or operators of properties with underutilized parking to enter into shared parking agreements with the public, the City, other local agencies, or private entities.

C. Shared Parking Agreement Requirements. If an entity uses a shared parking agreement to satisfy the parking requirements imposed by a condition of approval, discretionary permit, approved operations plans, development agreement, or areas otherwise proposed as part of a discretionary approval or operations plan the following requirements apply:

1. The shared parking agreement must comply with the applicable requirements of Chapter 19.56 (Parking Use Permits).
2. The project or entity must include a parking analysis as defined in this section.

3. The project or entity shall include guarantees of continued availability in compliance with subsection 19.28.120(D) and the applicable requirements of chapter 19.56.
 4. Off-site parking spaces shall comply with the location requirements of subsection 19.28.120(A).
- D. Approval Process. Shared parking agreements shall be approved by the Community Development Director when the agreement meets the requirements of this section and applicable state law.
- E. Reasonable Verification. The City may require verification that a project proposing to use a shared parking agreement has secured, or will secure, such an agreement as a condition for approval.
- F. Protected Requirements. This section shall not reduce, eliminate, or preclude the enforcement of any requirements for accessible parking spaces or electric vehicle charging spaces under state or federal law.”

SECTION 14. Amendment to Municipal Code. Section 19.28.080 *Parking Credits* of Chapter 19.28 *Off-Street Parking and Loading Standards* of Title 19 *Zoning Ordinance* of the West Hollywood Municipal Code is repealed in its entirety and revised to read as follows:

“19.28.080 Reserved.”

SECTION 15. Amendment to Municipal Code. Subsections (B)(2), (D)(2), and (E)(1) of Section 19.28.090 *Parking Area Design and Layout Standards* of Chapter 19.28 *Off-Street Parking and Loading* of Title 19 *Zoning Ordinance* of the West Hollywood Municipal Code is amended as follows:

“19.28.090 Parking Area Design and Layout Standards

...

B. *Parking Space and Lot Dimensions.*

...

2. Compact Car Parking Spaces. Compact car parking spaces may be used ~~to satisfy the parking requirements of this chapter~~ as follows.

a. Non-Residential Uses. Commercial projects may substitute compact stalls for up to 40 percent of the total number of ~~required or proposed spaces. Parking spaces that are provided in excess of the requirements in Section 19.28.040 of this chapter may be compact or standard spaces.~~

...

D. *Residential Parking.*

...

2. ~~Enclosed or Covered~~ Enclosure or covering of Parking is Required. All residential development which includes parking spaces shall be enclosed or covered, except for guest spaces and parking for single-family dwellings (one unit per parcel) existing as of May 2, 2001, as follows:

a. ~~For If~~ a single-family dwelling includes parking, all spaces must be covered, except for one tandem, uncovered space of at least 18 feet in length, which may be located within the driveway and outside of the front yard setback. ~~The garage, carport, or other structure covering the parking space may be demolished and replaced with one covered parking space as long as the tandem uncovered space is retained.~~

b. ~~An existing two-car garage for a single-family dwelling may be demolished and replaced in-kind or replaced with a new one-car garage or carport and one tandem, uncovered space within the driveway, provided, that this shall not be permitted where the existing garage is viable because:~~

i. ~~The garage interior is a minimum of 19 feet six inches in width by 18 feet six inches in length; and~~

ii. ~~The driveway leading to the garage is a minimum of eight feet wide."~~

...

E. *Tandem Parking.*

1. Tandem Parking Space Requirements and Parking Area Dimensions

...

b. Tandem parking shall be arranged to be no more than two spaces in depth, with a minimum total length of 34 feet.

~~c. Aisles may not be considered stalls to satisfy parking stall requirements.~~

~~d. c.~~ Tandem parking shall not be double loaded.

..."

SECTION 16. Amendment to Municipal Code. Section 19.28.110 *Parking Structure and Rooftop Parking Standards* of Chapter 19.28 *Off-Street Parking and Loading* of Title 19 *Zoning Ordinance* of the West Hollywood Municipal Code is amended to delete subsection (G)(1) and renumber the remainder of the section as follows:

"19.28.110 Parking Structure and Rooftop Parking Standards.

...

G. Sunset Specific Plan Area. Parking structures within the Sunset Specific Plan area shall comply with the following requirements:

~~1. Up to 120 percent of the parking required for on-site uses may be provided. More than 120 percent of the required parking spaces may be provided only if the additional spaces are made available to the public.”~~

1. The use of the latest parking technology (e.g., ID cards, electric gates, and individual timers) is encouraged; and

2. Consolidated parking facilities that are capable of expanding to meet future parking demands are strongly encouraged.”

SECTION 17. Amendment to Municipal Code. Section 19.28.120 *Off-Site Parking Standards* of Chapter 19.28 *Off-Street Parking and Loading Standards* of Title 19 *Zoning Ordinance* of the West Hollywood Municipal Code is amended to read as follows:

“19.28.120 Off-Site Parking Standards.

~~Where the use of off-site parking is authorized through parking use permit approval (Chapter 19.56) to satisfy the parking requirements of Table 3-6, the parking shall be provided in compliance with the following standards, in addition to the requirements of Chapter 19.56~~ Off-site parking shall comply with the following conditions:

A. *Location.* Off-site parking spaces, except valet-serviced spaces, shall ~~be located within a reasonable walking distance and may be required to be within 400 feet measured from the primary entrance to the site.~~ be allowed under any of the following conditions:

1. Located on the same, or contiguous, parcels as the use served;
2. Separated by no more than 2,000 feet via the shortest pedestrian walking route from the primary entrance of the use served; or
3. Separated by more than 2,000 feet via the shortest pedestrian walking route, provided a plan demonstrates sustained shuttle service or other mobility accommodations to transport users between the parking and the use served.

...”

SECTION 18. Amendment to Municipal Code. Section 19.28.170 *Electric Vehicle Charging Readiness* of Chapter 19.28 *Off Street Parking and Loading Standards* of Title 19 *Zoning Ordinance* of the West Hollywood Municipal Code is amended to read as follows:

“19.28.170 Electric Vehicle Charging Readiness.

A. Applicability. If developments provide parking, Electric electric vehicle charging spaces shall be provided for all uses in accordance with the requirements of the California Green Building Standards Code, and pursuant to the requirements of Section 19.36.392 of this Code.

B. Any spaces reserved for electric vehicle charging stations shall count toward any applicable parking requirements imposed by ordinance, development agreements, or are otherwise proposed as part of a discretionary approval or operations plan. ~~under Section 19.28.040 of this chapter (Number of Parking Spaces Required).~~

C. Exemptions Temporary Parking Exemption.

~~1.~~ The electric vehicle charging requirements in subsection A above shall not apply to ~~the following uses:~~

~~a. Off-site parking spaces for commercial uses utilizing the Parking Credits Program (Section 19.28.080) of this chapter.~~

~~b. Temporary temporary~~ parking lots (Section 19.28.140) ~~of this chapter.”~~

SECTION 19. Amendment to Municipal Code. Subsection (C)(9) of Section 19.36.125 *Emergency Shelters* of Chapter 19.36 *Standards for Specific Land Uses* of Title 19 *Zoning Ordinance* of the West Hollywood Municipal Code is removed and the subsection is renumbered as follows:

“19.36.125 Emergency Shelters.

...

C. *Standards for Emergency Shelters.* Emergency shelters shall be subject to the following standards:

...

8. Exterior lighting shall be provided for the entire outdoor area of the site. Exterior lighting shall be stationary, directed away from adjacent properties and public rights-of-way, and be of an intensity compatible with the neighborhood and the regulations in this Code.

~~9. Parking shall be provided as set forth in Chapter 19.28 of this Code.~~

~~9. 10.~~ The shelter may provide the following services and facilities to occupants in a designated area separate from the sleeping areas:”

SECTION 20. Amendment to Municipal Code. Subsection (A)(1) of Section 19.36.265 *Residential Uses – Courtyard Housing* of Chapter 19.36 *Standards for Specific Land Uses* of Title 19 *Zoning Ordinance* of the West Hollywood Municipal

Code is amended to remove subsections (A)(1)(a) and (A)(1)(c) and is renumbered to read as follows:

“19.36.265 Residential Uses – Courtyard Housing.

...

A. *Procedure for Incentives.* A multi-family housing project that is proposed as courtyard housing in compliance with this section may be granted incentives as follows, provided that no incentives may be granted where a project proposes the demolition of a cultural resource:

1. Allowable Incentives. The review authority may grant any combination of the following incentives at the request of an applicant, provided that the review authority shall have the discretion to offer none of the incentives, and may choose to require compliance with all otherwise applicable residential development regulations.

~~a. Compact automobile parking spaces may be substituted for a maximum of 60 percent of the required guest spaces, and 50 percent of all required spaces.~~

~~a. b.~~ Driveways used exclusively for ingress and egress or for interior parking lot circulation may be designed and improved with steeper grades in courtyard structures than in other residential structures. Ramp grades shall not exceed a 20 percent slope with approach ramps as close to a three percent slope as feasible.

~~c. A loft and one ancillary room may be provided without increasing the parking requirements for a courtyard unit.~~

...”

SECTION 21. Amendment to Municipal Code. Subsections (B)(7) and (B)(13) of Section 19.36.330 *Service Stations, Internal Combustion Engine Vehicle (ICEV)* of Chapter 19.36 *Standards for Specific Land Uses* of Title 19 *Zoning Ordinance* of the West Hollywood Municipal Code is amended to read as follows:

“19.36.330 Service Stations, Internal Combustion Engine Vehicle (ICEV).

...

B. Additional Requirements for Modified or Expanded ICEV Stations. This section applies to all lawfully developed and operating service station uses in existence prior to October 17, 2022, or service station uses not yet developed and/or operating but subject to an approved and unexpired use permit. Any modification or expansion of an existing service station shall comply with all of the following standards:

...

7. Parking and Vehicle Storage. ~~Off-street parking shall be provided in compliance with Chapter 19.28 (Off-Street Parking and Loading Standards), and the following requirements.~~

~~a.~~ The outdoor storage of motor vehicles is prohibited. For the purposes of this section, outdoor storage shall mean the parking of a motor vehicle in an unenclosed area of the service station for longer than 24 hours, unless the vehicle is being serviced, in which case it may be parked for a maximum of 72 hours.

...

13. Convenience Stores. An existing service station may include an on-site convenience store, as an accessory use, developed under the following standards:

...

~~c. Parking Requirements. The convenience store shall maintain a minimum of two off-street parking spaces for the patrons of the store.~~

~~c. d.~~ Beer and Wine Sales. The sale of alcoholic beverages (beer and wine only) shall comply with Section 19.36.060 (Alcoholic Beverage Sales).

..."

SECTION 22. Subsections (I) and (P) of Section 19.90.020 *Definitions of Specialized Terms and Phrases* of Chapter 19.90 *Definitions/Glossary* of Title 19 *Zoning Ordinance* of the West Hollywood Municipal Code are amended as follows:

"19.90.020 Definitions of Specialized Terms and Phases.

...

I. Definitions, "I."

...

Intensification of Use. A change in the use of a structure or site, where the ~~new use is required by Chapter 19.28 (Off-Street Parking and Loading Standards) to have more off-street parking spaces than the former use; or a change in the permitted operating characteristics of a use (for example, hours of operation), which generate more activity on the site.~~ Director determines, based on evidence, that the change would result in a substantial increase to scale, frequency, or duration of activities on a property beyond what was previously permitted.

...

P. Definitions, "P."

...

Parking Structure. An enclosed facility parking of vehicles, which is typically multi-level and/or which may include other uses (for example, street-fronting retail shops). Includes day use public and commercial garages and parking structures, except when accessory to a primary use. ~~(All primary uses are considered to include any customer or public use off-street parking required by this Zoning Ordinance.)~~ Includes indoor areas where vehicles are stored for rental or leasing. Does not include uncovered surface parking lots, which are either a temporary use subject to a temporary use permit (Chapter 19.54), or considered accessory to a primary use on the same site.

...”

SECTION 23. Amendment to Municipal Code. Chapter 19.56 *Parking Use Permits* of Title 19 *Zoning Ordinance* of the West Hollywood Municipal Code is amended to read as follows:

“Chapter 19.56 Parking Use Permits.

19.56.010. Purpose.

This chapter provides a process for administrative and, where applicable, the discretionary review of proposed parking facilities that are not located on the same site as the land uses they serve, including off-site parking facilities, shared parking arrangements, and underutilized parking made available to other users, to ensure compliance with basic health, safety, and community welfare standards, while providing opportunities for suitable alternatives to on-site parking, including shared parking agreements, and off-site/underutilized parking made available to others consistent with Government Code Section 65863.1.

19.56.020. Applicability.

A parking use permit shall be required to authorize:

- A. The use of off-site parking facilities to satisfy the parking requirements ~~for a proposed use established by Chapter 19.28 (Off-Street Parking and Loading Standards);~~ imposed by a condition of approval, discretionary permit, approved operations plans, development agreement, or areas otherwise proposed as part of a discretionary approval or operations plan;
- B. A commercial parking facility serving the general public which charges a parking fee;
- C. The sharing of parking facilities by adjacent or nearby uses on parcels under separate ownership to satisfy the parking requirements imposed by a condition of approval, discretionary permit, approved operations plans, development

agreement, or areas otherwise proposed as part of a discretionary approval or operations plan; and

- D. The use of ~~excess underutilized~~ parking (~~parking spaces on a site that are in excess of the number required by this Zoning Ordinance for the uses on the site~~) by off-site uses or activities, or as commercial parking. “Underutilized parking” means parking where 20 percent or more of a development’s parking spaces are not occupied during the proposed shared parking period; and
- E. Shared parking agreements submitted under Section 19.28.070.

19.56.030. Review Authority.

- F. Community Development Director - Minor Parking Use Permits. The Community Development Director shall be the review authority for parking use permits:
 - 1. Where the use associated with the proposed parking requires Community Development Director review and decision in compliance with Article 19-2 (Zoning Districts and Allowable Land Uses); ~~and~~
 - 2. Where an applicant proposes to make ~~excess underutilized~~ parking spaces available to others to satisfy the parking requirements imposed by a condition of approval, discretionary permit, approved operations plans, development agreement, or areas otherwise proposed as part of a discretionary approval or operations plan; and
 - 3. Where a shared parking agreement is submitted under Section 19.28.070, which shall be approved ministerially in compliance with Government Code Section 65863.1.
- G. Planning Commission – Major Parking Use Permits. The Planning Commission shall be the review authority for parking use permits where the use associated with the proposed parking requires Planning Commission review and decision in compliance with Article 19-2 (Zoning Districts and Allowable Land Uses), except for shared parking agreements under Section 19.28.070, which shall be acted upon by the Community Development Director and may be addressed by the Planning Commission only through the separate discretionary permit it is considering.

19.56.040. Application Filing, Processing, and Review.

- A. Application Preparation and Filing. An application for a parking use permit shall be prepared, filed, and processed in compliance with Chapter 19.40 (Application Filing and Processing). It is the responsibility of the applicant to establish evidence in support of the findings required by Section 19.56.050 (Findings and Decision), below.
- B. Notice. Public notice of a requested parking use permit shall be provided by posting both the location of the proposed parking, and the site of the use that will use the parking. The posted notice shall be a minimum of 11" by 17", shall

contain the information required by the Community Development Director, and information on any other permit that is simultaneously being processed by the city for the same site. The notice shall be continuously posted for seven days before the ~~Community Development Director's~~ review authority's action. Posting is required in a clearly visible location on each street frontage. In the case of a major parking use permit for a project that requires Planning Commission approval of a separate discretionary permit, the posted notice, mailed notice and the required newspaper notice, shall be combined with that required by this article for the discretionary permit. A mailed notice to properties around the off-site parking location is required.

- C. Public Hearing. A public hearing shall not be required before the approval of minor or major parking use permits. Major parking use permits for projects that require Planning Commission approval of a separate discretionary permit that requires a public hearing shall be considered by the Planning Commission concurrently with the discretionary permit.

19.56.050. Findings and Decision.

The review authority may approve or modify a parking use permit application in whole or in part, with or without conditions, only after first finding that:

- A. The proposed off-site parking is allowed within the applicable zoning district and complies with the intent of all of the applicable provisions of this Zoning Ordinance, unless precluded by state law;
- B. The proposed off-site parking spaces would be consistent with the objectives, policies, general land uses, and programs of the General Plan, unless precluded by state law; and
- C. In the case of a proposed shared parking agreement, the agreement complies with the requirements of Government Code Section 65863.1 and Section 19.28.070 of this code.

19.56.060. Conditions of Approval.

In approving a parking use permit, the review authority may impose reasonable and necessary specific developmental, locational, and operational conditions relating to both on- and off-site improvements, and facility operation, unless precluded by state law; which These conditions of approval are intended to ensure that:

- A. Access to the site is adequate to accommodate the proposed off-site parking and the traffic that the facility would reasonably generate;
- B. The design, location, size, and operating characteristics of the proposed off-site parking are compatible with the existing and future land uses on-site and in the vicinity of the subject property;
- C. The establishment, maintenance, or operation of the proposed parking 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 parking lot or structure;

- D. Where the off-site parking spaces are new, and in close proximity to residential uses, and especially bedroom windows, they are designed and operated to comply with the city's noise requirements in Section 19.20.090 (Noise Mitigation); and
- E. Any proposed valet parking use will not generate excessive traffic on surrounding public streets and shall not utilize any residential street.

19.56.070. Off-Site Parking Standards.

Design, location, and operating standards for off-site parking facilities are provided in Section 19.28.120 (Off-Site Parking Standards).

19.56.080. Terms of Off-Site Parking.

The requirements of this section shall apply only to projects which use off-site/shared parking to meet a parking requirement imposed by ordinance, development agreements, or are otherwise proposed as part of a discretionary approval or operations plan.

- A. Guarantee of Continued Availability. ~~Required parking spaces~~ Off-site/shared parking spaces that are approved off-site shall be committed by a lease, bond, or other agreement, acceptable to the City Attorney, between the owners, and if applicable, the lessees of the off-site parking spaces and the owners, and if applicable, the lessees of the subject site, with the provisions reflecting the conditions of approval and the approved off-site parking plan.
- B. Proof of Availability. ~~Lessees of~~ The owners or operators of properties which lease off-site parking ~~that provides required~~ spaces shall provide proof to the Community Development Director of continuous leases for the off-site spaces annually by January 31.
- C. Loss of Off-Site Spaces.
 - 1. Notification to the City. The owner or operator of a business that uses approved off-site spaces ~~to satisfy the requirements of Chapter 19.28 (Off-Street Parking and Loading Standards)~~ shall immediately notify the Community Development Director of any change of ownership or use of the property ~~for which the spaces are required~~, and of any termination or default of the agreement between the parties, and shall provide the City with a copy of any notice of termination, default, or other written communication evidencing the change. Where the agreement allows voluntary termination, the agreement shall require at least 30 days' prior written notice to the City; where termination occurs due to default, notice shall be provided within five business days of the termination or default.

2. Effect of Termination of Agreement. Upon notification that a lease for ~~required~~ off-site parking has terminated, the Community Development Director shall issue a written determination identifying (i) the number of spaces lost, (ii) the effective date of the loss, (iii) whether the spaces were relied upon to satisfy a condition of approval or other parking obligation, and (iv) a compliance deadline. Unless a shorter period is required to protect public health and safety, the compliance deadline shall be 30 days from the date of the written determination. Within that time, one of the following shall occur: ~~determine a reasonable time in which one of the following shall occur:~~

b. Substitute parking is leased that is acceptable to the Community Development Director;

~~c. An in-lieu parking fee is paid in compliance with Section 19.28.080 (In-lieu parking fee); or~~

d. The size or capacity of the use is reduced in proportion to the parking spaces lost.

e. If the parking agreement was relied upon to satisfy a condition of approval, discretionary permit, or approved operations plan, the operator shall submit and implement an alternative parking/operations management plan, acceptable to the Community Development Director, that eliminates the project's reliance on the lost spaces.

f. If none of the above occurs within the compliance deadline, the Community Development Director may initiate modification or revocation of the parking use permit and may refer the matter for code enforcement and/or initiate modification of any related approval that relied upon the parking arrangement.

D. Parking Fee Reimbursement. The business operator may be required to reimburse patrons for the total cost of the parking fee for the use of a shared parking facility. The amount of the reimbursement shall be determined by the review authority at the time a parking use permit is approved.

19.56.090. Post-Approval Procedures.

A. The approval or denial of a parking use permit may be appealed in compliance with Chapter 19.76 (Appeals). The procedures of Chapter 19.62 (Permit Implementation, Time Limits, and Extensions) shall apply after the approval of a parking use permit, except as follows:

1. Expiration and Extension. To ensure continued compliance with the provisions of this chapter, each approved parking use permit shall expire one year from effective date of approval, unless otherwise specified in the permit, if the use has not been established. Time extensions may be granted in compliance with Chapter 19.62.

2. Revocation. A parking use permit may be revoked or modified, with only a 24-hour notice, in compliance with Section 19.80.060 (Revocations and Modifications).

~~B. Voluntary relinquishment of an existing parking use permit for the purpose of participating in the Parking Credits Program shall require a minor change to an approved project pursuant to Section 19.62.070. Upon application and payment of a permit modification fee, the Community Development Director may authorize the relinquishment of an existing parking use permit upon finding that the business is meeting its parking requirements by participating in the Parking Credits Program. The required parking credits contract shall be executed prior to the relinquishment of the parking use permit."~~