

## **RESOLUTION NO. PC 19-1324**

### **A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD RECOMMENDING APPROVAL TO THE CITY COUNCIL OF A ZONE TEXT AMENDMENT TO MODIFY THE ZONING ORDINANCE TO ADD REFERENCES TO NEW PARKWAY STANDARDS IN TITLE 11, WEST HOLLYWOOD, CALIFORNIA.**

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

SECTION 1. The City is considering a Municipal Code Amendment to create a new chapter in Title 11 for parkway standards. The parkway standards will provide detailed requirements for the treatment of parkways along the city's sidewalks. The proposed Zone Text Amendment would provide reference in the Zoning Ordinance, Title 19, to those standards in Title 11.

SECTION 2. A public hearing was duly noticed for the Planning Commission meeting of May 16, 2019 by publication in the Beverly Press newspaper, the West Hollywood Independent Newspaper, and the City website and by announcement on City Channel 6 by May 2, 2019.

SECTION 3. The zone text changes are Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061 of the CEQA Guidelines. Section 15061 states that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. In this case, the proposed zone text amendment and associated municipal code amendment will create new standards for parkways which will have positive impacts on environmental factors. These standards will promote permeable landscape area with water efficient irrigation in the right of way adjacent to development projects. These new standards will ensure any modification to these parkways will maintain a safe and accessible space that will not impede pedestrian and vehicular flow..

SECTION 4. The Planning Commission of the City of West Hollywood hereby finds that the proposed Zone Text Amendment is consistent with the Goals and Policies of the General Plan, specifically Goal IRC-1, which calls for the city to provide functional, safe, and well maintained circulation and public infrastructure throughout the City. The ZTA and associated municipal code amendment also comply with Goal IRC-3, to reduce water use and ensure a long-term water supply, as the parkways standards will encourage water efficient irrigation. The parkway standards and improvements set forth in this ordinance are consistent with the City's overall goals and policies for functional, safe, and well maintained parkways and nothing in this ordinance will impede the City's ability to meet its General Plan Goals and policies. .

SECTION 5. Based on the foregoing, the Planning Commission of the City of West Hollywood hereby recommends approval to the City Council of Zone Text Amendment 19-1324 which is attached hereto as Attachment A.

**PASSED, APPROVED AND ADOPTED** by the Planning Commission of the City of West Hollywood at a regular meeting held this 16<sup>th</sup> day of May, 2019 by the following vote:

AYES:           Commissioner:

NOES:           Commissioner:

ABSENT:        Commissioner:

ABSTAIN:       Commissioner:

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STACEY E. JONES, CHAIRPERSON

ATTEST:

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BIANCA SIEGL, LONG RANGE PLANNING MANAGER

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

# Attachment A

## ZONE TEXT AMENDMENT 19-XXXX WEST HOLLYWOOD MUNICIPAL CODE SECTIONS TO BE MODIFIED

(New text indicated with underline, deleted text with ~~strikethrough~~.)

**Section 1.** Section 19.20.160 of Chapter 19.20 of Title 19 is amended to read as follows:

### **19.20.160 Sidewalks.**

Combined sidewalk and parkways in all zoning districts shall be a minimum of ten feet, except as otherwise provided by the Sunset Specific Plan, or when determined infeasible or undesirable by the Director of Public Works. See also Section 19.26.040(C)(1) and Chapter 11.46 for parkway requirements.

**Section 2.** Subsection 19.26.040(C)(1) of Section 19.26.040 of Chapter 19.26 of Title 19 is amended to read as follows:

### **19.26.040 Areas of Required Landscaping.**

C. *Landscaping Requirements for Residential Uses* (In addition to subsection (A), above).

1. Parkway. Proposed residential developments shall provide for the installation and maintenance of a parkway landscaping strip with a minimum width of three feet along the entire street frontage of the site between the sidewalk and the street curb, except when determined infeasible or undesirable by the Director of Public Works. See also Section 19.20.160 for sidewalk requirements and Chapter 11.46 for parkway requirements.

**Section 3.** Subsection G-26.120 (A) of Section G-26.120 of Chapter G-26 of Article 19-3 of Title 19 is amended to read as follows:

### **G-26.120 Landscape Guidelines for Specific Areas.**

A. Parkway areas. The following guidelines supplement the parkway requirements of this Code. ~~of the Zoning Ordinance. Parkways are as defined in this Title and as also may be designated in the city's Streetscape Master Plans adopted by the City Council. A parkway is the area between the sidewalk and the curb that is not intended for pedestrian passage. See Chapter 11.46 and 19.26.040(C)(1) for parking requirements.~~

1. Parkway should be thought of as an integral part of the overall site development rather than as an extra or afterthought, and should relate to both neighboring properties and the other landscape and structures on the site. Pedestrians walking on the sidewalk should have the experience of walking through a landscape that is separated by a path, as opposed to walking past two separate landscapes that happen to be on either side of the path.
2. Where parking or loading is permitted next to the curb, parkway planting should allow passengers to exit easily and safely from the passenger door side of vehicles by providing limited areas of turf, grasscrete and/or areas of hardscape such as decomposed granite, decorative gravel, concrete pavers or brick.
3. Parkway are encouraged to incorporate the following where appropriate:
  - a. Street trees, varieties as specified by the city's Streetscape Master Plan.
  - b. Drought-resistant ground cover, vines, small shrubs and small perennials.
  - c. Lighting that complements and supplements any lighting supplied by the street lights.
  - d. Benches positioned so that they do not obstruct pedestrian access to automobiles (Note: Installation of lighting or benches requires an Encroachment Permit from the City Engineer.)

**Section 4.** Subsection 19.30.030(J)(1) of Section 19.30.030 of Chapter 19.30 of Title 19 is amended as follows:

**19.30.030 Specific Violations.**

J. *Non-Maintenance of Landscape and Hardscape.*

1. A violation of Municipal Code Sections 11.16.060 (Obligation to Maintain), 11.16.070 (Cleaning of Sidewalks), Chapter 11.46 (Parkway Standards), 19.36.280(B)(5) (Front Yard Paving), 19.36.320(C) (Front Yard Paving), Chapter 19.26 (Landscaping Standards), and Chapter 19.28 (Off-Street Parking and Loading Standards), or any other Zoning Ordinance provisions or permit conditions pertaining to the installation and upkeep of landscaped or hardscaped areas located on private property or abutting parkways.

**Section 5.** Section 19.90.020 of Chapter 19.90 of Title 19 is amended to amend the definition of the term "parkway" in the alphabetical list of definition to read as follows:

***Parkway.*** The portion of the public right-of-way located between the street curb and the sidewalk. ~~An unpaved area between a sidewalk and the street curb used to provide a landscaping strip.~~