

ORDINANCE NO. 25-28

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 ENCOURAGE AND FACILITATE THE CONVERSION OF EXISTING COMMERCIAL DEVELOPMENTS TO RESIDENTIAL USES THROUGH A MINISTERIAL APPROVAL PROCESS, EXCLUDING HOTELS AND MOTELS FROM MINISTERIAL ELIGIBILITY 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. Under the City of West Hollywood's ("City") 6th Cycle RHNA, the City must accommodate 3,933 new housing units across various income levels. One strategy to support this goal is to streamline the policy framework for commercial-to-residential conversion (conversion) projects, which are development projects to convert existing buildings with nonresidential uses, such as offices or other commercial uses, into housing. This Ordinance advances the City's housing and sustainability goals by enabling underutilized commercial properties to be efficiently converted into new housing opportunities.
- B. Conversion projects make use of existing building stock, reduce demolition waste, and deliver housing faster than new construction. Yet unclear policy requirements have limited their feasibility. The proposed Ordinance establishes clear standards, targeted concessions, and a predictable permitting process, making conversion projects more feasible across the City. Without this action, many outdated commercial buildings may remain vacant, missing an opportunity to meet housing needs and reinvigorate commercial corridors.
- C. Pursuant to the authority granted to the City of West Hollywood (the "City") by Article XI, Section 7 of the California Constitution, the City has the police power to regulate the use of land and property within the City in a manner designed to promote public convenience and general prosperity, as well as public health, welfare, and safety.

- D. A public hearing was duly noticed for the Planning Commission meeting of September 4, 2025, by publication in the Beverly Press newspaper, the City website and by announcement on City Channel 6 starting August 14, 2025. Following the public hearing on September 4, 2025, the Planning Commission recommended approval of the proposed zone text amendment to the City Council.
- E. On December 1, 2025, 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. Environmental Review.** The City Council hereby finds that the proposed Ordinance is not subject to subsequent review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15162. No substantial changes are proposed by the Ordinance and there are no substantial changes in the circumstances under which the Project will be undertaken that will require major revisions to the previously certified Housing Element Environmental Impact Report (EIR) due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Also, there is no "new information of substantial importance" as that term is used in CEQA Guidelines Section 15162(a)(3). Therefore, the previously certified Housing Element EIR adequately discusses the potential impacts of the proposed Ordinance. The proposed Ordinance is needed to facilitate the production of housing in the City. The Housing Element EIR fully analyzed the environmental impacts that could occur as a result of the implementation of the 2021-2029 Housing Element, including Goal H-4. Alternatively, the Ordinance is also exempt from further environmental review under CEQA Guidelines Section 15183, which applies to projects that are consistent with the development density and use characteristics analyzed in a previously certified EIR for a General Plan or community-level plan. The proposed Ordinance implements Goal H-4 of the City's certified 6th Cycle Housing Element (2021–2029), which calls for fostering the adaptive reuse of existing structures for residential purposes using construction and planning incentives, and Program 11, which calls for the City to streamline development standards for the conversion of office space into housing. The proposed amendments do not introduce new or peculiar environmental impacts beyond what were already considered in the prior EIR, nor increase the severity of previously identified impacts. Instead, they implement previously analyzed policies intended to accommodate the City's housing needs by enabling residential reuse of non-residential buildings. Accordingly, no potentially significant off-site or cumulative impacts would occur beyond what was studied in the certified EIR for the City's 6<sup>th</sup> Cycle Housing element. The proposed Ordinance does not authorize specific construction projects but

provides a regulatory pathway for conversion projects consistent with existing planning and environmental documents. Therefore, no further environmental review is required under CEQA Guidelines Section 15183. Finally, the proposed Ordinance is exempt pursuant to CEQA Guidelines Section 15061(b)(3) because it can be shown with certainty that this regulatory pathway will not result in significant effects on the environment. The proposed Ordinance would authorize the adaptive reuse of existing buildings with little new construction, consistent with the City's Housing Element.

**SECTION 3. General Plan Consistency.** The City Council of the City of West Hollywood hereby finds that the Zone Text Amendment (ZTA25-0003) is consistent with the Goals and Policies of the General Plan, specifically Goal H-4: Provide for adequate opportunities for new construction of housing and Goal H-5: Provide for a government environment that facilitates housing development and preservation. The draft Ordinance supports Goal H-4 by fostering the adaptive reuse of existing structures for residential purposes using construction and planning incentives. This Ordinance is a direct outgrowth of this goal as previously discussed. Additionally, the draft Ordinance also supports Program 11, which calls for the City to streamline development standards for converting office space into housing. The draft Ordinance also supports Goal H-5 by providing a strong policy framework to support housing development and preservation. Creating clear standards for ministerial approval of conversion projects helps reduce uncertainty and increase project feasibility. It implements incentives for redevelopment, such as strategically reducing or eliminating design barriers, and preserves the City's affordable housing requirements.

**SECTION 4. Addition to the Municipal Code.** A new Section 19.36.400 Residential Conversions is added to the West Hollywood Municipal Code Chapter 19.36 Standards for Specific Land Uses of Title 19 Zoning Ordinance to read as follows:

**§ 19.36.400 Residential Conversions.**

- A. Purpose and Intent. The purpose of this Section is to establish objective development standards that encourage and facilitate the conversion of existing buildings and structures to new residential or mixed-use developments in a manner consistent with applicable state housing laws, including but not limited to Government Code Sections 65913.4, 65863, 66300, 65913.12, AB 2011 (2022), SB 6 (2022) and subsequent amendments or related legislation. This Section establishes objective standards, ministerial (nondiscretionary) approvals, and incentives to promote adaptive reuse, increase housing supply, and qualify the City as a prohousing jurisdiction.
- B. Applicability. This Section applies to conversions (i.e., physical alteration or reuse) of existing nonresidential uses (e.g., including, but not limited to office, retail, and parking structures), excluding hotels and motels, to residential uses, including, but not limited to multifamily residential or mixed-use projects, in all nonresidential zones. This Section shall in no circumstance apply to conversions of an existing hotel and/or motel to residential uses or to a proposed mixed-use project that dedicates any floor area to a hotel or motel use.

C. Project Eligibility. Qualifying Residential Conversion projects must meet the following requirements:

1. Conversion Types (one of the following):

- a. Conversion of nonresidential land uses, including, but not limited to, office, retail, and parking, excluding hotels and motels, to Multifamily Dwelling use.
- b. Conversion of nonresidential land uses, including, but not limited to, office, retail, and parking, excluding hotels and motels, to Live/Work Facilities in all nonresidential Districts only.
- c. Conversion of nonresidential land uses, including, but not limited to, office, retail, and parking, excluding hotels and motels, to Mixed-Use developments, provided that at least fifty percent (50%) of the gross floor area is dedicated to residential use.
- d. Any Residential Conversion Project qualifying as an Extremely Affordable Adaptive Reuse Project pursuant to California Government Code Section 65913.12 (100% affordable for very low-income households, less than or equal to 50% AMI).
- e. Any project meeting the eligibility criteria of Assembly Bill 2011, Affordable Housing and High Road Jobs Act of 2022 (as amended, including by AB 2243 in 2025) and Senate Bill 6, the Middle Class Housing Act of 2022, or other applicable state laws.

2. Structure Retention.

- a. Projects shall retain and modify the existing building structure so that at least fifty percent (50%) of the existing foundations (interior portions), beams, columns, slabs, trusses, frames, and load-bearing walls remain, unless otherwise allowed by state law, except as permitted in this Section.
- b. Residential Conversion of non-historic structures is allowed if it complies with state eligibility criteria.

3. Existing Building Envelope. Projects shall retain the Existing Building Envelope, unless otherwise required or allowed by state law, except as permitted in this Section.

4. Unit Thresholds.

- a. Both Residential Conversion Projects (No Mixed-Use) and Mixed-Use Residential Conversion Projects shall create a minimum of three (3) dwelling units.
- b. Mixed-Use Residential Conversion Projects shall dedicate a minimum of fifty percent (50%) of the gross floor area to residential use.

D. Allowed Incentives. Qualifying projects are allowed the following modifications by right, in addition to incentives allowed under the State Density Bonus Law:

1. Additional Stories.

- a. Projects may add up to two (2) additional stories and not more than 24 feet in height above the existing building for residential uses in CN zones, and up to four (4) additional stories and not more than 48 feet in height above the existing building in all other zones.
- b. The total resulting building height shall not exceed the height limit of the applicable zone by more than one story or 12 feet in CN zones, or two stories or 24 feet in all other zones, unless otherwise allowed by state law.
- c. Rooftop amenities may be included, provided they comply with the requirements of Subsection 19.20.080(C).

2. Additional Floor Area.

- a. Limitations to Additional Floor Area. The total combined additional gross floor area allowed pursuant to this subsection may not exceed 100 percent of the existing gross floor area.
- b. Enclosure of Existing Covered Spaces at the Ground Level. Projects may add additional gross floor area by enclosing covered arcades, atria, paseos, walkways, and corridors located at the ground level.
- c. Additions. Projects may include new gross floor area located on the parcel, provided the new floor area conforms to the height limitations of Subsection D(1) of this Section.
- d. Reallocation of Existing Floor Area. Existing gross floor area may be relocated from one part of the existing building to another part, or to another location on the project parcel(s), provided the new gross floor area conforms to the height limitations of Subsection (D)(1) of this Section.
- e. Mezzanines. For Residential Conversion Projects within existing building envelopes, mezzanines shall be exempt from Floor Area Ratio (FAR) calculations and shall not be considered an additional story, regardless of their size, provided they remain open to the space below, are entirely within the existing structure, and comply with applicable building code requirements.

E. Modification of Development Standards. Qualifying projects may modify the following development standards, provided they otherwise comply with the height restrictions of Subsection (D)(1) and the floor area limitations of (D)(2) of this Section, and the design standards found in the West Hollywood Building and Fire Codes, as applicable:

1. Bicycle Parking and Support Facilities. Bicycle Parking and Support Facilities requirements pursuant to Section 19.28.150 shall not apply.
2. Density Limits. The addition of units shall not be counted toward the maximum density limits applicable to the parcel(s).

3. Existing Nonconforming Setbacks. Existing nonconforming building setbacks may remain, and additions to the existing building to accommodate bonus new gross floor area may continue nonconforming setbacks, provided they comply with applicable building codes.
  4. Floor Area Ratio (FAR). Additional floor area added pursuant to subsection (D)(2) of this Section shall not be counted toward the maximum FAR limits applicable for the parcel(s).
  5. Legal Nonconforming Structures. Legal nonconforming structures on-site may be maintained as set forth in Section 19.72.030.
  6. Loading Spaces. No additional loading spaces are required.
  7. Open Space. The following Open Space standards shall supersede the requirements in Section 19.36.280, if applicable:
    - a. Minimum open space requirements may be waived for projects with zero setbacks that are within 1,000 linear feet of a public park of at least 0.5 acres in size.
    - b. Private open space and up to 100 percent of the common open space may be located on a rooftop, provided that the open space otherwise complies with the requirements of Section 19.36.280.
  8. Stepbacks. Where applicable, stepback requirements shall not apply.
- F. Additional Design Standards. The following design standards apply to Residential Conversion Projects:
1. Entries with street frontage. Ground floor residential units with entries directly facing street frontage or alleyways shall be subject to the following requirements:
    - a. Each entry shall be set back a minimum of three (3) feet from the property line to allow for privacy, safety, and compliance with door clearance requirements, and to delineate between public and private space.
    - b. Each entry shall include screening elements, such as lattices, walls, recessed or elevated entryways, privacy screens, or landscaping, that obscure direct views into interior living spaces from the street.
    - c. A minimum of one physical feature, such as an awning, landscaped buffer, stoop, or planter, shall be required at the street frontage to delineate between public and private space.
  2. Transparency. Ground floor facades shall maintain 30 to 50 percent transparent glazing.
- G. Other Codes. Residential conversion projects shall fully comply with the design standards found in the West Hollywood Building and Fire Codes.
- H. Labor Standards. Projects must comply with applicable labor standards under state law, including prevailing wages, skilled and trained workforce requirements,

apprenticeship programs, and healthcare expenditure contributions, as required by state law.

- I. Tenant Protections. Projects must comply with applicable tenant protection requirements under state law, including notification, relocation assistance, right of first refusal, and Subdivision Map Act provisions as required by state law.
- J. Procedures. A Residential Conversion Project that fulfills the requirements of this chapter shall be processed through a Ministerial Housing Permit pursuant to Chapter 19.45 (Ministerial Housing Permit).
- K. Development Fees. Residential Conversion Projects shall be exempt from impact fees established pursuant to Section 19.64.030 (Exemptions).
- L. Cultural Heritage Preservation. Residential Conversion Projects involving City-Designated Cultural Resources must comply with Chapter 19.58 (Cultural Heritage Preservation).
- M. Affordable Housing Requirements and Incentives. The requirements and provisions of Chapter 19.22 (Affordable Housing Requirements and Incentives) shall apply to Residential Conversion Projects.

**SECTION 5. Amendment to Municipal Code.** 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 is amended to include the following definitions for “Existing Building Envelope” and “Residential Conversion” in alphabetical order as follows:

§ 19.90.020 Definitions of Specialized Terms and Phrases.

E. Definitions “E.”

Existing Building Envelope. The aggregate of building mass and building bulk, measured by the outermost extents of the building’s exterior walls and roofline, that exists as of the date the project application is deemed complete by the City.

R. Definitions “R.”

Residential Conversion. A process to convert existing nonresidential buildings into residential or mixed-use buildings, as regulated by Section 19.36.400 Residential Conversions and in compliance with applicable state housing laws.

**SECTION 6. Addition to the Municipal Code.** Subsection E. is added to Section 19.72.030 Nonconforming Structures of Chapter 19.72 Nonconforming Uses, Structures, Signs, and Parcels Definitions/Glossary of Title 19 Zoning Ordinance of the West Hollywood Municipal Code to read as follows:

**§ 19.72.030 Nonconforming Structures**

- E. *Residential Conversion Projects.* Residential Conversion Projects may retain, continue, or expand the use of nonconforming structures only as permitted by Section 19.36.400 and subject to applicable California Building and Fire Code compliance.

**SECTION 7. Addition to the Municipal Code.** Subsection H. is added to Section 19.45.020 Applicability of Chapter 19.45 Ministerial Housing Permit of Title 19 Zoning Ordinance of the West Hollywood Municipal Code to read as follows:

**§ 19.45.020 Applicability.**

H. Residential Conversion Projects, in accordance with Section 19.36.400.

**SECTION 8. Addition to the Municipal Code.** Subsection H. is added to Section 19.64.030 Exemptions of Chapter 19.64 Development Fees of Title 19 Zoning Ordinance of the West Hollywood Municipal Code to read as follows:

**§ 19.64.030 Exemptions.**

H. Residential Conversion Projects, in accordance with Section 19.36.400.

**SECTION 9. Addition to the Municipal Code.** “Conversion of commercial to residential uses (excluding hotels and motels)” is added to Table 2-2 (Allowed Uses and Permit Requirements for Residential Zoning Districts) in Section 19.06.030 Residential Zoning District Land Uses and Permit Requirements, as follows:

LAND USE <sup>2</sup>	PERMIT REQUIRED BY ZONE				Specific Use Regulations
	R1	R2	R3	R4	
Conversion of commercial to residential uses (excluding hotels and motels)	P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>	19.36.400

**SECTION 10. Addition to the Municipal Code.** “Conversion of commercial to residential uses (excluding hotels and motels)” is added to Table 2-5 (Allowed Uses and Permit Requirements for Commercial And Public Zoning Districts) in Section 19.10.030 Commercial and Public District Land Uses and Permit Requirements, as follows:

PERMIT REQUIRED BY ZONE							
LAND USES <sup>2</sup>	CN	CC/SSP	CA	CR	PDCSP	PF <sup>3</sup>	Specific Use Regulations
Conversion of commercial to residential uses (excluding hotels and motels)	P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>	19.36.400

**SECTION 11. 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 12. Record of Proceedings.** The documents and materials associated with this Ordinance that constitute the record of proceedings on which these findings are based on 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 13. Effective Date.** This Ordinance (i.e., Zone Text Amendment) shall take effect thirty (30) days after its adoption pursuant to California Government Code Section 36937.

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PASSED, APPROVED, AND ADOPTED by the City Council of the City of West Hollywood at a regular meeting held this 15th day of December, 2025 by the following vote:

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

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CHELSEA LEE BYERS, MAYOR

ATTEST:   
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MELISSA CROWDER, CITY CLERK

STATE OF CALIFORNIA            )  
 COUNTY OF LOS ANGELES        )  
 CITY OF WEST HOLLYWOOD        )

I, Melissa Crowder, City Clerk of the City of West Hollywood, do hereby certify that the foregoing Ordinance No. 25-28 was duly passed, approved, and adopted by the City Council of the City of West Hollywood at a regular meeting held on the 15th day of December, 2025, after having its first reading at a regular meeting of said City Council on the 1st day of December, 2025.

I further certify that this ordinance was posted in three public places as provided for in Ordinance No. 24-35, adopted on the 16th day of December, 2024.

WITNESS MY HAND AND OFFICIAL SEAL THIS 19th DAY OF DECEMBER, 2025.

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MELISSA CROWDER, CITY CLERK