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ORDINANCE NO. 167137

An ordinance clarifying certain provisions of the Westwood Village Specific Plan.

THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS

Section 1. Section 4 of Ordinance No. 164,305 is hereby amended by adding the following definitions thereto in proper alphabetical sequence.

Resident Hotel. A residential building with six or more guest rooms or suites of rooms wherein most rooms either are rented by guests as the primary residences of those guests or occupied for more than 30 consecutive calendar days, or wherein most rooms are not subject to Article 1.7 of Chapter II of the Los Angeles Municipal Code known as the Uniform Transient Occupancy Tax Ordinance of the City of Los Angeles (hereinafter "Transient Occupancy Tax Ordinance").

Commercial Hotel. A building containing six or more guest rooms or suites of rooms, which rooms (1) are primarily used for occupancy by transient guests who do not occupy

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the building as the primary residences of the guests or are primarily occupied by guests for 30 consecutive calendar days or less, and (2) are subject to the Transient Occupancy Tax Ordinance. A commercial hotel cannot be a resident hotel or retirement hotel.

Retirement Hotel. A resident hotel wherein 90% or more of the tenants are 62 years of age or older.

Sec. 2. Subdivision 8 of Subsection B of Section 5 of Ordinance No. 164,305 is hereby amended to read:

8. Notwithstanding the provisions of Los Angeles Municipal Code Sections 12.16 and 12.24, commercial hotels shall be permitted subject to the following limitations.

Limitations.

a. The total number of commercial hotel guest rooms added here after in the Specific Plan area shall not exceed 350, and the distance between any two commercial hotels shall be a minimum of 500 feet. No permits shall be issued which would add more than 350 commercial hotel guest rooms in the Specific Plan area. Included in this number shall be

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any rooms approved for transient occupancy pursuant to Subdivision 14. Also included in this number shall be any rooms rented for less than 30 consecutive calendar days in a resident hotel, for which a building permit is issued after August 1, 1991.

b. The number of guest rooms in a single commercial hotel shall not exceed one guest room for each 325 square feet of buildable area.

c. No ballroom shall be permitted in a commercial hotel.

d. The total floor area devoted to meeting rooms in a commercial hotel shall not exceed 15 square feet for each guest room; and the total floor area of all meeting rooms in a commercial hotel shall not exceed 2,700 square feet. No banquet or dancing shall take place in such meeting rooms.

e. Other than restaurants and meeting rooms, there shall be no public assembly rooms in a commercial hotel.

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Sec. 3. Subdivision 14 of Subsection B of Section 5 of Ordinance No. 164,305 is hereby amended to read:

14. The following restrictions apply in Subareas 1 and 2 on Figure 1:

a. Any existing hotel may continue its operation as a hotel. However, a substantial change in the mode or character of operation of such existing hotel may be permitted only upon approval from the City pursuant to procedures normally associated with Zoning Administrator approval of the modification of a conditional use, including an appeal to both the Board of Zoning Appeals and Council. A substantial change in the mode or character of operation includes any increase in the number of guest rooms primarily used for transient occupancy, or the expansion of any existing restaurants, meeting rooms, or other retail uses. The Zoning Administrator may approve a change which results in increased transient occupancy if, and only if, he finds that all the standards set forth in the Specific Plan for guest rooms in a commercial hotel can be met with respect

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to the rooms proposed for transient occupancy. These standards include among other things the Specific Plan's parking requirements, and the standards set forth in paragraphs (d) through and including (g) of this subdivision.

b. Only residential or hotel uses are permitted, except that if subarea 2 is developed with a commercial hotel, then retail uses shall be permitted up to a maximum floor area ratio on the site of 0.75:1 as part of that hotel.

c. If Subarea 2 is not developed with a hotel, then commercial development shall be permitted on the lots fronting Glendon Avenue provided the uses are permitted in this section, and the lots fronting on Tiverton Avenue shall be limited to residential uses only.

d. In connection with a hotel, no vehicular egress shall be located either (1) along Le Conte Avenue within 300 feet of the westerly edge of Tiverton Avenue, or (2) along Tiverton Avenue; however, service vehicle ingress may be located along Tiverton Avenue if the hours of

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access are limited to between 8 a.m. through 7 p.m. daily and are so restricted by covenant.

e. In connection with a hotel, no pedestrian access shall be located along Tiverton Avenue, except emergency ingress and egress as may be required by the Fire Department.

f. No signs or retail display windows may be located along Tiverton Avenue.

g. The combined occupancy of all restaurants on a hotel site may not exceed 350 persons. One dance floor, not to exceed 500 square feet, shall be permitted ancillary to only one restaurant on the hotel site.

Sec. 4. Subsection C of Section 5 of Ordinance No. 164,305 is hereby amended to read:

C. **Prohibited Uses.** The following uses shall be prohibited within the Specific Plan Area:

1. New or used automobile, motorcycle, recreational vehicle, mobilehome and trailer sales areas and incidental uses.

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2. Drive-in businesses, including theatres, refreshment stands, restaurants, food stores and the like.

Sec. 5. Statement of Purpose. The purpose of this ordinance is to eliminate disputes that have arisen with respect to the proper interpretation of the Westwood Village Specific Plan as amended in 1989, and certain related ordinances. For example, a question has arisen as to whether or not additional hotel rooms may be constructed in the Westwood Specific Plan area in light of the existence of a residential hotel in Subarea 1 in the Specific Plan area. The Council's intent in approving the 1989 amendments to Westwood Village Specific Plan and related ordinances was to recognize and permit the continued operation of the existing resident hotel located on Tiverton Avenue in the Specific Plan area in the manner in which it was operated prior to those amendments, and to allow new commercial hotels to be constructed in the Specific Plan area, without additional conditional use approval, so long as such new construction did not add more than 350 new guest rooms in the Specific Plan area.

The purpose of the ordinance is to clarify Council intent and eliminate further disputes in this regard. Accordingly, nothing herein shall be interpreted as prohibiting the future filing of applications or requests for any discretionary land use and planning approvals including

Sec. 7. The City Clerk shall certify to the passage of this ordinance and cause the same to be published in some daily newspaper printed and published in the City of Los Angeles.

I hereby certify that the foregoing ordinance was passed by the Council of the City of Los Angeles, at its meeting of JUL 26 1991

ELIAS MARTINEZ, City Clerk,

By Heber Gussner,
Deputy.

Approved JUL 30 1991

Tom Bradley,
Mayor.

Approved as to Form and Legality
JUL 23 1991

JAMES K. HAHN, City Attorney,

By Claudia McGee Henry
CLAUDIA MCGEE HENRY
Senior Assistant City Attorney

LAS 407464 8/2

File No. C.F. No. 89-0628-S4

City Clerk Form 23

Pursuant to Sec. 97.8 of the City Charter,
approval of this ordinance recommended
for the City Planning Commission.....

JUL 23 1991
See attached report
[Signature]
Director of Planning