



PLANNING COMMISSION MINUTES
Regular Meeting
December 6, 2012

West Hollywood Park Public Meeting Room – Council Chambers
625 N. San Vicente Boulevard, West Hollywood, California 90069

1. **CALL TO ORDER:** Chair Buckner called the meeting of the Planning Commission to order at 6:40 P.M.
2. **PLEDGE OF ALLEGIANCE:** Barbara Hamaker led the Pledge of Allegiance.
3. **ROLL CALL:**
Commissioners Present: Altschul, Bernstein, Huebner, Yeber, Vice-Chair DeLuccio, Chair Buckner.

Commissioners Absent: Aghaei.

Staff Present: Emily Stadnicki, Senior Planner, Melissa Antol, Long Range and Mobility Planning Manager, Christi Hogin, Assistant City Attorney, and David Gillig, Commission Secretary.
4. **APPROVAL OF AGENDA.**
ACTION: Approve the Planning Commission Agenda of Thursday, December 6, 2012 as presented. **Moved by Vice-Chair DeLuccio, seconded by Commissioner Yeber and carried; noting Commissioner Aghaei as absent.**
5. **APPROVAL OF MINUTES.**
A. November 1, 2012

ACTION: Approve the Planning Commission Minutes of Thursday, November 1, 2012 as presented. **Moved by Vice-Chair DeLuccio, seconded by Commissioner Bernstein and carried; noting Commissioner Aghaei as absent and Chair Buckner abstained.**
6. **PUBLIC COMMENT.**
NICK GARZILLI, WEST HOLLYWOOD, Los Angeles Director, J Pods, Inc. and EVP, Global Development for Evacuated Tubes Transport Technologies, commented on and detailed a solar powered rapid transit network for the City of West Hollywood.

CATHY BLAIVAS, WEST HOLLYWOOD, commented on the Movietown Plaza Mixed-Use Project and stated her concerns regarding the redesign.

STEPHANIE J. HARKER, WEST HOLLYWOOD, commented on the Movietown Plaza Mixed-Use Project and stated her concerns regarding the redesign. She confirmed there is currently a Christmas tree lot located on the corner of Vista Street and Santa Monica Boulevard and encouraged attendance.

Staff stated for the record, the redesign of the Movietown Plaza Mixed-Use Project will be heard before the Planning Commission Design Review Subcommittee meeting on Thursday, December 13, 2012 at 5:30 p.m. at Plummer Park Community Center.

7. ITEMS FROM COMMISSIONERS.

Commissioner Altschul commented on the recent construction of the Tower Video site located at Sunset Boulevard and Larrabee Street.

Commissioner Yeber thanked everyone for their support in the recent American Planning Association's election. He was re-elected as planning commissioner representative.

Commissioner Bernstein mentioned if it is feasible, he is more than willing to have the Movietown Plaza Mixed-Use Project come before the Planning Commission for additional review.

Vice-Chair DeLuccio suggested the public inform their councilmembers of their intentions regarding the Movietown Plaza Mixed-Use Project.

8. CONSENT CALENDAR. None.

9. PUBLIC HEARINGS.

A. Zone Text Amendment.

Mobile Billboard Advertising:

Continued from Thursday, November 15, 2012. A recommendation to City Council regarding an amendment to the West Hollywood Municipal Code, amending the City's definition of mobile billboard advertising to be consistent with proposed changes to Chapter 11.44 to include enforcement provisions and clarify that the City's prohibition on mobile billboard advertising also applies to parking spaces and parking lots.

Staff has requested this item continued to a date uncertain in order to provide time for staff and the city attorney to further clarify amendments to the Municipal code pertaining to mobile billboard advertising.

ACTION: 1) Continue to a date uncertain. **Moved by Vice-Chair DeLuccio, seconded by Commissioner Huebner, and carried, noting Commissioner Aghaei as absent.**

B. Zone Text Amendment.

Housing Element SB2:

Emily Stadnicki, Senior Planner provided an oral presentation and background information as presented in the staff report dated Thursday, December 6, 2012.

She stated this is a zone text amendment for compliance with the Housing Element as directed by Senate Bill No. 2 which codifies the allowance for Emergency Shelters, Transitional Housing and Supportive Housing. Also included is Single Room Occupancy housing which is another state law (Assemble Bill 2634) the City needs to comply with.

Currently the City has accounted for Emergency shelters in residential zones with a conditional use permit and transitional housing under the residential care facilities category but currently there are no references to supportive housing and single room occupancy's in the Zoning Code. The proposed revisions are to fulfill state requirements within one (1) year of the adoption of the General Plan.

These types of uses are often referred to as special needs housing, which are designed to meet the needs of the elderly, persons with disabilities, the homeless, and/or persons at risk of being homeless.

She detailed the following:

- Emergency Shelters – are immediate and short term housing for the homeless (defined as a 6 month or less length of stay);
- Transitional housing – is temporary rental housing for the homeless transitioning to permanent housing (defined as a 6 month to 2 year length of stay);
- Supportive housing – is permanent affordable housing with no limit on length of stay; and
- Single Room Occupancy housing (commonly known as SROs) – provide an individual secure room or rooms for 1 or 2 person households (on a monthly basis or longer). They may have individual kitchens and bathrooms or these facilities may be shared.

Many of these projects feature supportive services like job training and life skills classes either onsite or offsite, in varying degrees.

The basic premise of SB2 is when transitional and supportive housing complies with the underlying development standards of regular housing – they must be treated as such. So supportive and transitional housing that appears as single-family residences are subject to the same standards and permitted by right in single-family residential zones. Likewise multi-family facilities are permitted in multi-family zones. They must be allowed anywhere a regular housing development would be permitted.

In addition, jurisdictions must have a sufficient area where Emergency Shelters are allowed by right. Currently the City of West Hollywood allows them in residential zones with a conditional use permit.

Santa Monica Boulevard, outside the commercial-only overlay district has been identified as the most appropriate location for these types of uses. They will be required to have ground floor retail and meet other operational and development standards. SROs will also be limited to this area with similar standards.

The intent is to remove governmental constraints like the reasonable accommodation ordinance which was passed earlier this year. The City is simply implementing state law as already outlined in the Housing Element.

Other West Side cities have taken a comparable approach. Beverly Hills just passed a very similar ordinance.

This zone text amendment includes revised definitions, new definitions, changes and additions to the residential and commercial land use tables and parking requirements, as well as new sections with standards for emergency shelters and single room occupancies.

Commissioner Altschul requested clarification regarding the City of Beverly Hills ordinance. He questioned the noticing requirements to the affected commercial zones and if any examinations of the successes or challenges of the former homeless shelter were presented in the evaluation.

Emily Stadnicki, Senior Planner stated no historical data was looked at from previous projects and that appropriate noticing for this public hearing was legally conducted as required by the West Hollywood Municipal Code.

Christi Hogin, Assistant City Attorney, stated and clarified the request is not approving any of these particular uses, and the City is not initiating a proposal for it to institute any of these uses. All staff is doing is removing the government constraints of having them either not listed as a permitted use or requiring a conditional use permit. The City has to by law designate some areas where these are permitted uses. Once they are permitted uses, they are subject to all the same rules as every other permitted use within the zones.

Commissioner Altschul stated for the record people need to know what is going on and noticing in this case was negligent and non-existent. This item should be postponed until the public is properly noticed before any further action is taken.

Commissioner Yeber questioned if there is a time line for the adoption.

Christi Hogin, Assistant City Attorney stated it needs to be adopted one year after adoption of the Housing Element.

Vice-Chair DeLuccio questioned if there is an urgency for adoption.

Melissa Antol, Long Range and Mobility Planning Manager, reiterated according to the state, within one year of adopting the Housing Element we need to come into compliance with SB2. Staff is at that timeline now.

Discussion and debate was held regarding proper noticing and possible future meeting dates in order to meet the state mandated deadline.

Chair Buckner opened the public hearing for Item 9.A.:

STEPHANIE HARKER, WEST HOLLYWOOD, has concerns regarding this item. She spoke regarding the time constraints. She stated the community feels left out and should be a part of this process at all levels.

CATHY BLAIVAS, WEST HOOLLYWOOD, has concerns regarding this item. She stated this item should be postponed. There really needs to be an effort for additional outreach.

LAUREN MEISTER, WEST HOLLYWOOD, opposes staff's recommendation of approval. She stated there has not been sufficient outreach to the residents or businesses. She had concerns regarding public safety issues, and spoke regarding the General Plan Program Environmental Impact Report.

ALLEGRA ALLISON, WEST HOLLYWOOD, has concerns regarding this item. She spoke regarding the inadequacies of the staff report. She had concerns regarding public safety and single room occupancies.

ELYSE EISENBERG, WEST HOLLYWOOD, opposes staff's recommendation of approval. She stated this item needs to be looked at more thoroughly before a decision is made.

ANSON SNEIDER, WEST HOLLYWOOD, has concerns regarding this item. He spoke regarding proper noticing, homeless issues, grant timelines, and care services.

JUDSON GREEN, WEST HOLLYWOOD, has concerns regarding this item. He spoke on the lack of noticing and requested this item continued.

Commissioner Bernstein questioned if this proposed zone text amendment is legal compliance or a desire of the city to craft this policy.

Christi Hogin, Assistant City Attorney stated the City of West Hollywood has to comply with the law. The City has to find some place where this is a permitted use.

Commissioner Bernstein questioned why the Long Range Planning Projects Subcommittee discussion was not noted in the staff report.

Melissa Antol, Long Range and Mobility Planning Manager apologized for the oversight the subcommittee discussion was not included in the staff report.

Commissioner Altschul stated there was no attention paid to the feelings, sensibilities, or the rights and privileges of the community. There was no evaluation and no analyses done. The options and the decisions should be made after a good analyses and good input. There is no good analysis, or any substantial input for this item.

Commissioner Altschul moved to: 1) continue to Thursday, January 17, 2013.

Seconded by Vice-Chair DeLuccio.

Commissioner Yeber stated there could have been proper or better noticing done on something this impactful. He questioned the date the Housing Element was certified and if the city has missed the deadline. He questioned the process of decertification.

Melissa Antol, Long Range and Mobility Planning Manager, stated the General Plan was adopted on December 11, 2011, with the inclusion of the Housing Element.

Christi Hogin, Assistant City Attorney clarified for the record, the city will not be decertified; it will be "out of compliance." She reiterated the proposal will not result in the approval of any kind of special needs housing. It's simply a formality.

Emily Stadnicki, Senior clarified for the record staff did not decide on the location of Santa Monica Boulevard. That was outlined in the Housing Element and the General Plan.

Commissioner Altschul requested clarification of the date of approval and certification of the Housing Element. He stated these types of details should have been in the staff report.

Vice-Chair DeLuccio stated the staff report was not what he was accustomed to. It did not address the noticing requirements, input from the public, or the Long Range Planning Projects Subcommittee report. He pointed out there have not been a lot of meetings of the Planning Commission this year and suggested the timing of this item could have been scheduled accordingly. Any item of this importance and sensitivity needs to be noticed city-wide. He stated he did not have all the information to make a decision. He supports the motion to continue the item to January 17, 2013, and re-notice the entire city.

Commissioner Bernstein reiterated the commission's disapproval of the quality of the staff report. He recapped this is not an approval; this is a permission to simplify getting an approval. We as a commission are going to have to pass this because it's a legal compliance issue. He would like to understand what exactly will be brought forward in January that will help the commission make a better decision.

Chair Buckner reiterated the public needs the opportunity be heard.

Commissioner Huebner noted the lack of context in the staff report. He stated a decision could not be made because the commission was not presented with all the information that was needed; i.e. Long Range Planning Projects Subcommittee views and opinions, if it was noticed properly, and the commission shouldn't have to ask about other cities ordinances. He stated his discomfort moving forward.

ACTION: 1) Continue to Thursday, January 17, 2013; and 2) re-notice the public hearing citywide: **Moved by Commissioner Altschul, seconded by Vice-Chair DeLuccio and passes on a Roll Call Vote:**

AYES: Altschul, Bernstein, Huebner, Yeber, Vice-Chair DeLuccio, Chair Buckner.

NOES: None.

ABSENT: Aghaei.

RECUSED: None.

10. NEW BUSINESS.

A. Planning Commission Meeting Dates: 2013

ACTION: Cancel the following Planning Commission meetings for calendar year 2013: 1) Thursday, January 3, 2013; 2) Thursday, July 4, 2013; and 3) Thursday, December 19, 2013. **Motion carried by consensus of the Commission.**

11. UNFINISHED BUSINESS. None.

12. EXCLUDED CONSENT CALENDAR. None.

13. ITEMS FROM STAFF.

A. Planning Manager's Update.

Melissa Antol, Long Range and Mobility Planning Manager, provided an update of upcoming long range and mobility planning projects and detailed the work program prioritized by City Council.

14. PUBLIC COMMENT. None.

15. ITEMS FROM COMMISSIONERS.

Vice-Chair Buckner requested an update regarding a previous request to staff regarding noise issues and valet concerns at Le Petit Ermitage Hotel, and the proposed rave parties in the old Larrabee Sound Studio parking lot.

Vice-Chair Buckner wished everyone a happy holiday season and encouraged everyone to support West Hollywood businesses. She reminded everyone the Sunset Strip Farmer's Market still takes place every Thursday evening on Sunset Boulevard. She encouraged attendance.

Commissioner Yeber wished everyone a safe and happy holiday season.

16. ADJOURNMENT: Notating the cancellations of the Planning Commission meetings on Thursday, December 20, 2012 and Thursday, January 3, 2013, the Planning Commission adjourned at 8:10 P.M. to the next regularly scheduled meeting which will be on Thursday, January 17, 2013 beginning at 6:30 P.M. until completion at West Hollywood Park Public Meeting Room – Council Chambers, 625 N. San Vicente Boulevard, West Hollywood, California. **Motion carried by consensus of the Commission.**

APPROVED BY A MOTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD ON THIS 17TH DAY OF JANUARY, 2013.



SUE BUCKNER, CHAIRPERSON

ATTEST:



DAVID K. GILLIG, COMMISSION SECRETARY