



**PLANNING COMMISSION MINUTES**  
**Regular Meeting**  
**April 18, 2013**

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:** Genevieve Morrill led the Pledge of Allegiance.
3. **ROLL CALL:**  
Commissioners Present: Aghaei, Altschul, Huebner, Yeber, Vice-Chair DeLuccio, Chair Buckner.  
  
Commissioners Absent: None.  
  
Staff Present: Emily Stadnicki, Senior Planner, Bianca Siegl, Senior Planner, Roderick Burnley, Interim Rent Stabilization & Housing Manager, Veronica Tam, Consultant, Veronica Tam and Associates, 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, April 18, 2013 as presented. **Moved by Commissioner Aghaei, seconded by Commissioner Huebner and unanimously carried.**
5. **APPROVAL OF MINUTES.**  
Vice-Chair DeLuccio questioned why 8730 Sunset Boulevard was delayed until May 16, 2013. He requested this item return on the May 2, 2013 agenda, if possible.  
  
**A. April 4, 2013**  
  
**ACTION:** Approve the Planning Commission Minutes of Thursday, April 4, 2013 as presented. **Moved by Vice-Chair DeLuccio, seconded by Commissioner Altschul and unanimously carried.**
6. **PUBLIC COMMENT.** None.
7. **DIRECTOR'S REPORT.** None.
8. **ITEMS FROM COMMISSIONERS.**  
Commissioner Altschul announced Jeanne Dobrin is currently at Cedars-Sinai Medical Center. She should be released in a couple days.
9. **CONSENT CALENDAR.** None.

## 10. PUBLIC HEARINGS.

### A. Zone Text Amendment (Housing Element SB2):

Emily Stadnicki, Senior Planner provided an oral and visual presentation and background information as presented in the staff report dated Thursday, April 18, 2013.

She detailed the zone text amendment and stated it is for compliance with Senate Bill No. 2 (SB2); which requires the City to remove barriers to Special Needs Housing. The purpose is to streamline the approval process for special needs housing. She clarified this is not a mandate to build any housing.

She spoke regarding outreach to the community, stating in addition to the normal public notices, the City mailed an explanation letter and a frequently asked questions sheet to every address in the City (owners and occupants). A press release was issued, a dedicated webpage to the issue ([www.weho.org/SB2](http://www.weho.org/SB2)), and a presentation was given to the Governmental Affairs Committee of the Chamber of Commerce.

She recapped the following:

- This is not a mandate to build anything;
- The City is proposing detailed development standards to mitigate impacts;
- A shelter located in West Hollywood is unlikely based on limited funding options and land prices; and
- After the documented need is met, the City can require a Conditional Use Permit.

California Senate Bill 2 (SB2) has been in effect since 2008 and the City has no option other than to comply through the adoption of a code amendment. SB2 codifies the allowance for emergency shelters, transitional housing and supportive housing. The City is also including single room occupancy housing which is another state law (Assembly Bill 2634), which the City needs to comply with.

Cities are required to change their zoning codes to allow special needs housing in designated areas, without Planning Commission or other discretionary review.

Special needs housing is designed to meet the needs of the elderly, persons with disabilities, victims of domestic violence, the homeless, and/or persons at risk of being homeless:

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 stay);

Supportive Housing – is permanent affordable housing with no limit on length of stay; and

Single Room Occupancy Housing (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.

Emergency shelters are currently allowed in residential areas through a Conditional Use Permit process that involves Planning Commission review at a public meeting. SB2 requires the City to allow these in a designated area *without* a Conditional Use Permit. The West Hollywood General Plan 2035 identified Santa Monica Boulevard as the most appropriate location for these uses due to its access to transportation, employment opportunities and other services and to minimize any potential impact on residential neighborhoods.

Funding options for emergency shelters are very limited. Current practices have moved from a focus on shelters, to placing people directly into permanent housing with supportive services. This shift in methodology has proven more successful in meeting the needs of the at-risk population.

Staff specified all jurisdictions in California are subject to this legislation. Santa Monica, Beverly Hills and Los Angeles have already adopted code amendments to allow emergency shelters by-right in specific districts. Culver City, Pasadena and others are also processing similar zone text amendments.

The high cost of land in West Hollywood, combined with limited funding for this form of service delivery, make it unlikely that the implementation of this text amendment will stimulate interest in locating emergency shelters in West Hollywood.

An important part of SB2 is identifying and documenting the needs of homeless persons. The City has a long history of a very proactive and holistic approach to homelessness. West Hollywood became one of the first jurisdictions to create a community oriented policing and problem solving concept (known as COPPS) with a special team of Sheriff's Deputies. Their charge was to engage with the community to address quality of life issues and crime prevention. The City also conducts annual census counts of people who are homeless.

It is important to note that once the demonstrated need has been met (which is currently 48 people) any additional shelter would require a conditional use permit and public meetings. Therefore, the City would never be inundated with emergency shelters.

SB2 also deals with transitional and supportive housing. The basic premise is that when transitional and supportive housing complies with the underlying development standards of regular housing, they must be treated as such.

Per SB2, transitional and supportive housing will be allowed in both single-family and multiple-family districts as a permitted use, when the development is designed to function in the same manner as the other housing types in that district. They will also be allowed in commercial districts, when functioning like any other mixed-use project.

Single room occupancy housing would be allowed, always subject to a conditional use permit in the aforementioned designated portion of Santa Monica Boulevard and in residential districts R3 and R4. SROs would also be subject to detailed development standards and design review.

She reiterated, SB2 is not a mandate to build emergency shelters or other special needs housing; it is only a mandate to remove regulatory barriers for them. The code changes in the ordinance are proposed to meet the minimum requirements for special needs housing under State law, and when adopted, will make the Municipal Code consistent with State law and the City's Housing Element.

She introduced the interdisciplinary team assembled to answer any specific questions

Commissioner Yeber requested clarification regarding various zoning definitions. He questioned if the approval process changes by removing any regulatory barriers and requested explanation of the different uses (types of housing).

Veronica Tam, Consultant, Veronica Tam and Associates, clarified SB2 covers just four types of housing: emergency shelters, transitional housing, supportive housing, and single room occupancy housing. Supportive housing has a very specific definition. It does have to have on-site or off-site services as part of the component of living in that particular type of housing. Unlike regular affordable housing, they don't need to be participating in a particular program, and are not required to attend on-site or off-site services.

Commissioner Yeber stated the City is already engaged in some of these projects (i.e. the Community Housing Corporation). He requested additional clarification regarding procedures and practices.

Chair Buckner questioned if the City already has these facilities, even though there was a conditional use permit required at the time they were given permission by the City to operate. The City appears to already be in compliance with SB2. She stated the City doesn't have to necessarily build more shelters.

Christi Hogin, Assistant City Attorney stated the law isn't requiring the City to open facilities. The law is requiring us to conform our regulations to State law. So the fact that the City allowed them before in West Hollywood, is only indicative of the fact when the State legislature wrote this law, they did not single out cities like West Hollywood. The City of West Hollywood has already achieved many of the goals that Sacramento is hoping cities will achieve as well. So what is happening here is purely technical. The City is conforming by adding definitions.

Commissioner Altschul questioned the total amount of acreage we have identified to comply with the emergency shelter use.

Emily Stadnicki, Senior Planner stated close to 64 acres total.

Commissioner Altschul had concerns, stating the City of West Hollywood is smaller than Beverly Hills and Culver City. It appears we don't take the time or the trouble to do the work necessary to identify the areas that would make sense for this type of use, will not protect the property owners by ensuring the area of Santa Monica Boulevard will not be taken over with this type of use.

Christi Hogin, Assistant City Attorney stated the staff recommendation includes that important numerical trigger, which creates a stop-gap, which the other cities are not offering. It doesn't matter the number of acres, because the real limitation is on the number of beds. Once you meet the need, then you have complete control of the conditional use permit. It was designed to keep that stop-gap. The City's policy is to encourage and to meet that need. The policy is not to avoid, it is to create the opportunity so that we don't have homelessness in West Hollywood.

Commissioner Altschul countered the other cities are offering up predictability, in terms of "where". The City of West Hollywood is not. We are saying anywhere and everywhere. He does not agree with this.

Commissioner Aghaei requested clarification why Santa Monica Boulevard was chosen, versus another specific area of the city.

Emily Stadnicki, Senior Planner stated Santa Monica Boulevard was identified in the General Plan process as the appropriate location based on access to transportation, services and to minimize the impact to residential neighborhoods. The City wanted a de-concentrated area so there would not be any one particular part of the City that would be more at risk, or more targeted.

Commissioner Aghaei questioned if it needs to extend all across Santa Monica Boulevard; i.e. do we need to have all of those 64 acres, or can we reduce that number.

Emily Stadnicki, Senior Planner stated a smaller area is possible. There is no requirement that a certain percentage of the land or a certain number of acres need to be assigned.

Commissioner Yeber requested clarification why only CC1 and CC2 zones were specified. He stated it appears the City is making it more difficult to actually accommodate an emergency or homeless shelter.

Veronica Tam, Consultant, Veronica Tam and Associates, stated the direction in the General Plan does not preclude the commission from adding or changing areas.

Chair Buckner opened the public hearing for Item 10.A.:

LAUREN MESITER, WEST HOLLYWOOD, has concerns regarding this item. She stated it appears SB2 is moving the burden from the state to the local cities. There was no discussion in the staff report regarding the impact on public safety and impacts on social services. The staff report did not address how the new zoning will impact the social services or public safety budget. She questioned how it will impact the businesses on Santa Monica Boulevard. She spoke regarding acreage and encouraged different boulevards to be utilized. She encouraged a maximum number of acres to be more in line with the size of the city.

BILL KEARNEY, HOLLYWOOD, has concerns regarding this item. He questioned why the area of La Brea Avenue was not included. He stated the acreage should be more in line with other cities.

STEPHANIE HARKER, WEST HOLLYWOOD, has concerns regarding this item. She spoke about east and west public transportation options. She questioned the various services available and asked if it was feasible for cities to come together to cover these requirements.

**ACTION:** Close public hearing for Item 10.A: **Motion carried by consensus of the Commission.**

Commissioner Altschul stated he thinks it is kind of a cop-out to say the General Plan identified Santa Monica Boulevard as the logical place to put the homeless shelter concepts, so therefore, let's open up all of Santa Monica Boulevard to solve the homeless problem. The other cities seemed to have worked to identify places that made more sense. Not just offer up the entire length of the commercial district of the City. It is much more beneficial for the body politic to take into account where it's better for these things to be, rather than some entrepreneurs. He stated it needs to go back to the drawing board and needs to be given some real thought.

Vice-Chair DeLuccio stated we definitely need to think about reducing the number of acres for the emergency shelters, bearing in mind, whatever the reduction would be that it still would be dispersed throughout the City of West Hollywood on the major arteries that are close to transportation.

Commissioner Yeber questioned how many beds could actually be placed onto one of the CC1 or CC2 sites.

Debate and discussion was held regarding lot sizes, locations, zoning, operations, bed counts and what would trigger a conditional use permit.

**Vice-Chair DeLuccio moved to: 1) recommend approval of a zone text amendment to the Municipal Code to the City Council; with the following concerns: a) it covers too many acres; it would be appropriate to reduce the acreage to half of the 64 acres to 30 acres; b) it would still be spread over all of West Hollywood on those streets that have major arteries; not just limited to Santa Monica Boulevard.**

**Seconded by Commissioner Aghaei.**

Commissioner Altschul stated he would really like to see this in proportion to the neighboring cities. If Beverly Hills has a certain percentage of their available commercial district, then we should use the same percentage. Another aspect we have not considered is, what does this do to the commercial real estate prospects for the future sales in the city.

**ACTION:** 1) Adopt Resolution No. PC 12-1033 as amended with the following concerns: a) it covers too many acres; it would be appropriate to reduce the acreage to half of the 64 acres to perhaps 30 acres; b) it would still be spread over all of West Hollywood on those streets that have major arteries; not just limited to Santa Monica Boulevard: "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, RECOMMENDING CITY COUNCIL APPROVAL OF A ZONE TEXT AMENDMENT TO THE MUNICIPAL CODE TO REFINE PROVISIONS FOR EMERGENCY SHELTERS AND ADD PROVISIONS FOR TRANSITIONAL AND SUPPORTIVE HOUSING AND SINGLE-ROOM OCCUPANCY HOUSING FOR COMPLIANCE WITH STATE LEGISLATION, WEST HOLLYWOOD, CALIFORNIA:" and 2) Close Public Hearing Item 10.A. **Moved by Vice-Chair DeLuccio, seconded by Commissioner Aghaei and passes on a Roll Call Vote:**

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

**NOES:** None.

**ABSENT:** None.

**RECUSED:** None.

## 11. NEW BUSINESS.

### A. Housing Element Update:

Bianca Siegl, Senior Planner provided an oral and visual presentation and background information as presented in the staff report dated Thursday, April 18, 2013.

She provided an overview of the Housing Element update.

The general approach to the housing element update is a collaborative effort between the Community Development Department, Human Services Department and the Rent Stabilization Department. Housing element cycles are determined by the State, and the City just adopted the latest Housing Element for 2006-2013 planning period in September, 2011; along with the General Plan. Permission was granted by the State to delay adoption in order to coincide with the General Plan update. Staff expects the majority of the goals and policies that were established in the existing Housing Element will remain stable through the update, however, the focus may be more on prioritization of programs or the potential to add additional programs as needed.

She detailed the schedule for the update process:

- Community Conversation April 6, 2013
- Planning Commission April 18, 2013
- Focus Groups April/May 2013
- City Council and Planning Commission  
Joint Study Session May 20, 2013 (tentative)
- City Council Authorization to Submit  
Draft Housing Element to HCD July 15, 2013 (tentative)
- HCD Review July 2013 – TBD
- City Council Public Hearing  
Final Housing Element Adoption TBD (prior to October 15, 2013)

Veronica Tam, Consultant, Veronica Tam and Associates, provided a detailed overview of the Housing Element requirements. She stated the General Plan has seven mandated elements, and the Housing Element is one of the required elements. She stated you have to look at the recent needs of the community, and the Housing Element also requires the City to look at the future and projected needs of the community.

The next key components of the Housing Element are looking at the constraints and opportunities. There are other market constraints, environmental constraints, and infrastructural constraints. The commission is not obligated to address those, but the City does have the obligation to address the governmental constraints.

The Housing Element is the only element of the General Plan that has to be reviewed by a State agency for compliance.

She detailed the Housing Element content which includes: 1) Needs Assessment (demographics, housing trends and special needs groups); 2) Constraints (governmental, market and environmental); 3) Resources (financial and administrative, and adequate sites); and 4) Housing Plan (previous accomplishments and policies and programs).

She also detailed the Regional Housing Needs Allocation (RHNA), stating RHNA is a minimum goal, not a maximum goal; RHNA is a planning goal, not a production goal; State law does not mandate the actual production of the units; and State law does require jurisdictions to demonstrate adequate capacity as reflected in local land use policies to accommodate the RHNA.

Roderick Burnley, Interim Rent Stabilization & Housing Manager, provided an update on the Community Conversation Housing Element Update Workshop, held on Saturday, April 6, 2013. He detailed the Preliminary Themes, which included: 1) Affordability and Diversity; 2) Housing Rehabilitation; 3) Green Building; and 4) Stable and Knowledgeable Base.

He spoke and detailed the Technical Background Report, which analyzes local data and trends to determine the extent and nature of housing needs: It included:

#### POPULATION

34,339 people. The population has steadily decreased since 1990. The largest age group is 20-34 years of age.

#### SENIORS AND DISABLED

15% of the population are seniors (age 65 and up). About 14% of residents have one or more disability.

#### HOUSEHOLD SIZE

The average household size is 1.52 persons per household (the lowest among Westside cities). 92% of households consist of one or two persons. West Hollywood experienced a slight decrease in families with children (-1.1%).

#### INCOME

55% of households earn moderate or above moderate incomes (annual income greater than \$44,500). Per capita income was \$38,302 (2000) and \$51,314 (2010).

#### LOWER INCOME HOUSEHOLDS

13% of residents are living in poverty and 45% of residents earn lower incomes.

#### INCOME – RENTERS

78% of residents are renters. The majority of renters with lower incomes are rent burdened (income-to-housing ratio of 30% or more).

#### AFFORDABLE HOUSING

1,112 households are participating in the Housing Voucher Program (Section 8), and 83% of Section 8 participants are seniors. There are 1,117 income restricted housing units.

#### RENT STABILIZATION – VACANCY DECONTROL

Property owners of rent stabilized units are allowed to charge market rate rent upon vacancy. By the close of 2012, approximately 68% of rent stabilized units have reset to market rate rent at least once since 2001.

#### AGE OF HOUSING STOCK

74% of housing units were built before 1970.

#### HOUSING TYPE

88% of existing housing is multi-family residential and 86% of all housing are one and two bedroom units.

#### HOUSING GROWTH

The housing stock grew by 1.8% (2000-2010)

#### HOUSING PRODUCTION (2006-2012)

There was 333 (104 affordable) housing units under construction. 19 units that were legalized. 63 projects (314 units) and 3 projects (112 units) accounted for 36% of new units.

#### HOUSING UNDER CONSTRUCTION

10 projects (478 units) currently under construction: 349 market rate units and 129 affordable units. 4 projects account for 90% of the units.

#### HOUSING – APPROVED PROJECTS

33 projects (952 units). 4 projects account for 68% of the units.

#### HOUSING – PROJECTS UNDER REVIEW

8 projects (596 units) are currently under review. 4 projects account for 91% of the units.

Bianca Siegl, Senior Planner stated a copy of the presentation is available on the City of West Hollywood's website at: [www.weho.org/housing](http://www.weho.org/housing)

Commissioner Altschul questioned that from 2006 to present, and for the foreseeable future, that the City may have met the RHNA numbers and are likely to continue to do so.

Roderick Burnley, Interim Rent Stabilization & Housing Manager, stated the RHNA obligation is for planning purposes, so from the moment that the City identifies the capacity to provide for those units, should the market provide those units; the City has met their obligation.

Commissioner Aghaei had concerns that 74% of the housing stock was built before 1970. He suggested perhaps we can discuss what incentives we can provide to landlords in order to make the necessary capital improvements to their properties.

Commissioner Yeber commented on aging housing stock (post-war) and stated it has a shorter life span than pre-war housing stock. He suggested staff look at some of the sessions and materials from the National American Planning Association Conference, recently held in Chicago. That date should be on-line. He also commented on the significant growth of single-households. The City should take that into account. He commended staff on the presentation.

Commissioner Huebner questioned if there is any data regarding square-footage of units and if it has been decreasing. He suggested that could possibly be looked into.

Vice-Chair DeLuccio commented and thanked staff on all the data that was collected and stated he was impressed with the inventory accumulated.

Chair Buckner encouraged commissioners if they think of anything else, to advise staff.

**B. Planning Commission Subcommittee Appointments:**

**ACTION:** 1) Appoint Marc Yeber to the Long Range Planning Projects Subcommittee. **Motion carried by consensus of the Commission.**

**12. UNFINISHED BUSINESS.** None.

**13. EXCLUDED CONSENT CALENDAR.** None.

**14. ITEMS FROM STAFF.**

**A. Planning Manager's Update.**

Melissa Antol, Long Range and Mobility Planning Manager provided an update of upcoming current and historic preservation commission projects and long range and mobility planning projects.

She stated there will be a special meeting of the Long Range Planning Projects Subcommittee meeting on Thursday, May 2, 2013 at 5:30 p.m., Council Chambers – Closed Session Room. There will be an update of the General Plan Annual Report and discussion.

She reiterated there is a joint study session calendared with City Council on Monday, May 20, 2013 regarding the Housing Element. She stated this date may change and staff will advise the commission of any new date selected by City Council.

She stated Long Range and Mobility planning just held a meeting for the Bicycle and Pedestrian Mobility Plan Update. She encouraged participation in the planning process.

Commissioner Yeber requested information on the bike lane markings along Fountain Avenue.

**15. PUBLIC COMMENT.** None.

**16. ITEMS FROM COMMISSIONERS.**

Commissioner Yeber provided an update on the American Planning Association's National Conference, which was held in Chicago, Illinois. He spoke of the invaluable information received and encouraged participation in future events. The next conference will be the State Conference in Visalia, California, October 6-9, 2013.

Commissioner Huebner commented on the American Planning Association's National Conference and encouraged participation.

**17. ADJOURNMENT:** The Planning Commission adjourned at 8:35 P.M. to the next regularly scheduled meeting which will be on Thursday, May 2, 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 2<sup>ND</sup> DAY OF MAY, 2013.



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SUE BUCKNER, CHAIRPERSON

ATTEST:



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DAVID K. GILLIG, COMMISSION SECRETARY