



PLANNING COMMISSION MINUTES Regular Meeting March 16, 2017

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

THE CITY OF WEST HOLLYWOOD HAS ADOPTED BRIEF SUMMARY AND ACTION MEETING MINUTES; WHICH PROVIDE A SUMMARY OF THE ACTIONS TAKEN AND POINTS OF DISCUSSION ONLY. ADDITIONAL COMMENTS OR DISCUSSION REGARDING ANY ITEM SUMMARIZED IN THESE MINUTES MAY BE OBTAINED BY VIEWING THE ARCHIVED VIDEOS OF THE PLANNING COMMISSION MEETINGS AT www.weho.org/weho-tv/other-city-meetings

1. **CALL TO ORDER:** Chair Aghaei called the meeting of the Planning Commission to order at 6:33 P.M.
2. **PLEDGE OF ALLEGIANCE:** Ric Abramson led the Pledge of Allegiance.
3. **ROLL CALL:**
Commissioners Present: Altschul, DeLuccio, Jones, Lightfoot, Vice-Chair Buckner, Chair Aghaei.

Commissioners Absent: None.

Staff Present: Robyn Eason, Senior Sustainability Planner, Bianca Siegl, Long Rang & Mobility Planning Manager, Lauren Langer, Acting Assistant City Attorney and David Gillig, Commission Secretary.
4. **APPROVAL OF AGENDA.**

ACTION: Approve the Planning Commission Agenda of Thursday, March 16, 2017 as amended. **Moved by Vice-Chair Buckner, seconded by Commissioner DeLuccio and unanimously passes.**
5. **APPROVAL OF MINUTES.**

A. **March 2, 2017**

ACTION: Approve the Planning Commission regular meeting minutes of Thursday, March 2, 2017 as presented. **Moved by Commissioner DeLuccio, seconded by Commissioner Jones and unanimously passes.**
6. **PUBLIC COMMENT.** None.
7. **DIRECTOR'S REPORT.**
John Keho, Assistant Director, Community Development Department, stated 8465 Holloway Drive (Palihouse Hotel) is on appeal to the City Council at the next meeting on Monday, March 20, 2017.

8. ITEMS FROM COMMISSIONERS. None.

9. CONSENT CALENDAR.

A. 1114 N. Horn Avenue:

The Planning Commission directed staff to return with a resolution denying a minor conditional use permit for a child day care center.

ACTION: 1) Adopt Resolution No. PC 17-1190 as presented: "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, DENYING WITHOUT PREJUDICE A MINOR CONDITIONAL USE PERMIT FOR A CHILD DAY CARE CENTER LOCATED AT 1114 N. HORN AVENUE, WEST HOLLYWOOD, CALIFORNIA." (CHALK PRESCHOOL) **Moved by Commissioner Jones, seconded by Commissioner DeLuccio and passes, noting Commissioner Altschul and Vice-Chair Buckner abstaining.**

Commission Secretary Gillig officially read into the record the appeal procedure for 1114 N. Horn Avenue, West Hollywood, California:

The Resolution the Planning Commission just approved memorializes the Commission's final action on this matter. This action is subject to appeal to the City Council. Appeals must be submitted within ten calendar days from this date, to the City Clerk's office. Appeals must be in writing and accompanied by the required fees. The City Clerk's office can provide appeal forms and information about waiver of fees.

B. Housing Element Annual Progress Report 2016:

The Planning Commission received a draft of the 2016 Annual Progress Report on the Status of the housing Element of the General Plan.

The Housing Element is one of the required elements of the General Plan, and establishes the City's goals and programs for housing. Jurisdictions in Southern California update their housing elements every eight years according to a state established planning cycle. The current planning cycle is for 2014 through 2021. The City Council adopted the current Housing Element update on December 2, 2013, and the California Department of Housing and Community Development (HCD) certified the document on January 14, 2014.

Chair Aghaei opened this item to public comment:

RIC ABRAMSON, WEST HOLLYWOOD has concerns regarding this item. He questioned the ongoing study of the R2 and R4 zones, and spoke regarding the accommodation of future live-work situations, achieving ageing in place, and the conflicts and contradictions of well-intended policies from the State level with unintended consequences.

The commission questioned the R2, R4 timelines.

Bianca Siegl, Long Range & Mobility Planning Manager stated the study is currently in process and an update will be presented to the City Council in April, 2017. It will return to the Planning commission at a later date regarding a discussion of the recommendations.

The commission commented and requested further clarification on ageing in place, ADA compliancy, Regional Housing Needs Assessment (RHNA), low income and moderate housing statistics, and transit.

ACTION: 1) Receive and file. **Moved by Commissioner DeLuccio, seconded by Vice-Chair Buckner and unanimously passes.**

10. PUBLIC HEARINGS.

A. 1150 N. Orange Grove Avenue:

The proposal is a request to demolish two vacant single-story, single-family dwelling units on a single parcel and construct an approximately 8,876-square-foot, four-story, seven-unit, apartment building with two affordable units over subterranean parking.

Based on the advice of the City Attorney and the Rent Stabilization & Housing Division, the project will be continued to allow the applicant to address all applicable state density bonus law requirements, pursuant to Gov. Code Section §65915(c)(1).

The applicant has agreed to continue the item. Staff recommends that the Commission continue the item to a date uncertain to allow for project application to be revised as necessary and for staff to conduct additional project analysis. The continuance will be in compliance with the Permit Streamlining Act.

ACTION: 1) Continue to a date uncertain. **Moved by Commissioner Jones, seconded by Commissioner DeLuccio and unanimously passes.**

B. Zone Text Amendment Green Building Program Incentives:

Robyn Eason, Senior Sustainability Planner provided a verbal presentation and background information as presented in the staff report dated Thursday, March 16, 2017.

She stated proposed zone text changes eliminate incentives associated with the West Hollywood Green Building Ordinance, as directed by City Council.

The City of West Hollywood's Green Building Ordinance currently allows projects achieving 90 points or greater to be eligible for one of the program's several development incentives. As the State's 2016 green building codes are more stringent than the City's 2007 Green Building Ordinance, the provision of incentives for certain thresholds achieved may be rewarding new development projects for what are now considered standard design and construction industry practices.

The type of current incentives available to projects under the 2007 West Hollywood Green Building Ordinance includes; 1) density bonus; 2) expedited permitting; 3) reduction in parking requirements; and 4) special allowances for common and open spaces.

The purpose of this zone text amendment is to remove green building program incentives to abolish the risk of rewarding new development projects for meeting standard design and construction industry practices.

The Green Building Program requirements will remain in place until the comprehensive update to the program is completed. Staff will work a designated working group to reimagine the existing West Hollywood Green Building Program by identifying key sustainability areas for market transformation and developing aggressive local standards.

The commission stated they would like to see a matrix or master listing of all the incentives that are offered to developers.

Chair Aghaei opened the public hearing for Item 10.B.:

EDWARD LEVIN, WEST HOLLYWOOD has concerns regarding this item. He stated the Cal Green policy assumes that it takes care of everything, stating it does not. He spoke and detailed the pros and cons of the green building point system, double-dipping, unnecessary additional density, FAR bonuses, and minimum compliance.

The commission requested clarification of the direction given by City Council.

Bianca Siegl, Long Range & Mobility Planning Manager stated it was part of a staff report that explicitly directed the elimination of the Green Building Incentives, and to update the Green Building Program.

RIC ABRAMSON, WEST HOLLYWOOD has concerns regarding this item. He spoke and detailed the intent of the Green Building Program prior to Cal Green, bonus density incentives, in-fill for garden and greenspace, small business incentives, lifestyle and design incentives, and classifications and typology. He encouraged the commission to recommend that the city council should be careful which ones they eliminate, since they were intended for different reasons.

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

Commissioner Altschul moved to: 1) make a recommendation to the City Council to eliminate the Green Building Incentives; stating they should reconsider to see if there is anything they wish to preserve.

Seconded by Vice-Chair Buckner.

Further discussion and clarification was held regarding various incentives, density bonuses, concessions, comprehensive green building updates, the Cal Green program, possible elimination of certain incentives, a request for further staff analyses, and developer's bonuses and incentives.

A possible recommendation to the City Council would be to postpone this request to remove the incentives, until a new green incentives program is in place.

There were reservations regarding the elimination of all the incentives at once and what the consequences would be.

There was also the possibility of keeping Green Building Incentives Program Sections 1, 2, 3, 5 and 7, with the elimination of Sections 4 and 6.

Lauren Langer, Acting Assistant City Attorney clarified for the record the recommendation to City Council: 1) Section 5 recommends the elimination of all incentives; and 2) a new Section 6 shall be added stating further recommendation from the Planning Commission would support the City Council evaluating each individual incentive to determine if any category of these should be retained until the comprehensive program is in place.

ACTION: 1) Adopt Resolution No. PC 17-1192 as amended: a) Add Section 6 to read as follows: "*City Council shall look at each individual incentive to determine if any category of these should be retained until the comprehensive program is in place;*" "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, RECOMMENDING TO THE CITY COUNCIL APPROVAL OF A ZONE TEXT AMENDMENT TO ELIMINATE GREEN BUILDING INCENTIVES, CITYWIDE, WEST HOLLYWOOD, CALIFORNIA;" and 3) Close the Public Hearing for Item 10.B. **Moved by Commissioner Altschul, seconded by Vice-Chair Buckner and passes, noting Commissioner Jones voting NO.**

11. NEW BUSINESS. None.

12. UNFINISHED BUSINESS. None.

13. EXCLUDED CONSENT CALENDAR. None.

14. ITEMS FROM STAFF.

A. Planning Manager's Update. None

15. PUBLIC COMMENT. None.

16. ITEMS FROM COMMISSIONERS. None.

17. ADJOURNMENT: The Planning Commission adjourned at 7:32 P.M. to a regularly scheduled meeting on Thursday, April 6, 2017 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.**

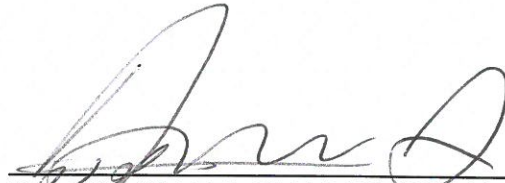
PASSED, APPROVED AND ADOPTED by the Planning Commission of the City of West Hollywood at a regular meeting held this 6th day of April, 2017 by the following vote:

AYES: Commissioner: Altschul, DeLuccio, Jones, Lightfoot, Vice-Chair Buckner, Chair Aghaei.

NOES: Commissioner: None.


ABSENT: Commissioner: None.

ABSTAIN: Commissioner: None.



DAVID AGHAEI, CHAIRPERSON

ATTEST:



DAVID K. GILLIG, COMMISSION SECRETARY