

SUBJECT: ZONE TEXT AMENDMENT TO INCREASE THE PUBLIC NOTICING PERIOD FOR STAFF-APPROVED DEVELOPMENT PERMITS

INITIATED BY: PLANNING AND DEVELOPMENT SERVICES DEPARTMENT  
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### STATEMENT ON THE SUBJECT

The Planning Commission will hold a public hearing to extend the public review period for staff-approved development permits from 10 to 28 days.

### RECOMMENDATION

Staff recommends that the Planning Commission hold the public hearing, consider all pertinent testimony, and recommend approval to the City Council by adopting the following:

- 1) Draft Resolution No. PC 18-1298: **A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD RECOMMENDING TO THE CITY COUNCIL APPROVAL OF A ZONE TEXT AMENDMENT TO EXTEND THE REVIEW PERIOD FOR STAFF-APPROVED DEVELOPMENT PERMITS FROM 10 TO 28 DAYS, CITYWIDE, WEST HOLLYWOOD, CALIFORNIA. (EXHIBIT A)**

### BACKGROUND/ANALYSIS

#### Background Information

On February 5, 2018, the City Council adopted Ordinance No. 18-1020, which shifted the review authority of Development Permits for certain multi-family projects from the Planning Commission to the Director (staff). This helped streamline the development review process for slightly larger projects in the residential zones. On June 4, 2018, the City Council approved updated public notice formats prepared by the Planning and Development Services Department and directed staff to prepare a zoning code amendment to extend the time frame for public comments to 28 days to allow more time for people to inquire about a project. The staff report and minutes for the June 4, 2018, City Council meeting are attached to this report as Exhibits B and C.

### Current Municipal Code

Title 19 Zoning Ordinance, Sections §19.48.040.C.2 and §19.74.030 contain requirements for public comment review periods for Director-approved development projects and permits. Both of these sections require a 10-day review period for Director-approved development permits.

### Proposed Noticing Period Revision ZTA

The Planning Commission's review of a Development Permit requires a public hearing and five forms of noticing including: 1) an ad in the local newspaper; 2) a mailed notice to property owners and residents within a 500 foot radius of the project site; 3) a sign on the project site (12 square feet) posted for 28 days; 4) posting on the internet; and 5) posting in a public place. A Director level review of a Development Permit does not require a public hearing and only needs a 12 square foot sign posted on the site for 10 days. This notice allows the public to provide comments to the city prior to approval. The City Council raised concerns as to whether the reduced noticing requirements for Director-approved multi-family projects that require development permit approval would curtail public comment.

Staff recommends keeping the required sign posted on site as the standard notice for all Director-approved Development Permits. This will maintain a streamlined approach to approving multi-family development and it has been an effective method for soliciting public comments. As directed by the City Council, the proposed ZTA would extend the time frame for public comments from 10 days to 28 days to allow sufficient time for public review and receipt of comments.

### **PUBLIC OUTREACH**

The staff team has not conducted public outreach since no new zoning provisions are proposed and the purpose of the item is to extend public review for staff-approved development permits.

### **PUBLIC NOTICE**

The City published a legal notice in the *Beverly Press* and *West Hollywood Independent* on October November 1, 2018; and by a mailing to neighborhood watch groups and other neighborhood organizations.

### **ENVIRONMENTAL REVIEW**

The zone text changes are exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061 of the CEQA Guidelines. Section 15061 states that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The proposed zone text amendment would allow an extended period for review of staff-approved development permits and would not result in physical changes or impacts to the environment.

## **NEXT STEPS**

Planning Commission comments will be forwarded to the City Council for their information prior to taking action on the proposed ZTA.

## **EXHIBITS**

- A. Draft Resolution No. PC 18-1298
- B. City Council Staff Report, June 4, 2018
- C. City Council Meeting Minutes, June 4, 2108

PC REPORT

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