

APPROVED
YQ 1/21/2020
with MEISTER
and D'Amico
Voting NO
JANUARY 21, 2020

CITY COUNCIL
PUBLIC HEARING

SUBJECT: GENERAL PLAN AMENDMENT: EARTHQUAKE FAULT ZONES
MAP

PREPARED BY: PLANNING AND DEVELOPMENT SERVICES DEPARTMENT
(John Keho, AICP, Director) JK
(Bryan Eck, Acting Long Range Planning Manager) BE
(Rachel Dimond, AICP, Senior Planner) RD

STATEMENT ON THE SUBJECT:

The City Council will hold a public hearing to consider amendments to the General Plan's Safety and Noise Element to include a new Fault Location and Precaution Zone Map which is in compliance with the California's Geologic Survey (Alquist-Priolo Earthquake Fault Zoning Act) and corresponding map of earthquake fault zones.

RECOMMENDATIONS:

Staff recommends that the City Council hold a public hearing, consider all pertinent testimony, and adopt the following Resolution:

- 1) Resolution No. 19-_____ : **"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AMENDING THE SAFETY AND NOISE ELEMENT OF THE GENERAL PLAN TO INCLUDE A NEW FAULT LOCATION AND PRECAUTION ZONE MAP."** (ATTACHMENT A)

BACKGROUND / ANALYSIS:

Earthquake Fault Zones Map (Alquist Priolo Map)

The State recently updated their Alquist-Priolo Earthquake Fault Zones Map, which shows recently revised earthquake fault zones recognized by the California Geologic Survey. This map was completed pursuant to the Alquist-Priolo Earthquake Fault Zoning Act (Alquist-Priolo Act), a law intended to ensure public safety by prohibiting the siting of most structures for human occupancy across traces of active faults that constitute a potential hazard to structures. This law requires the State Geologist to establish regulatory zones (known as Alquist-Priolo Earthquake Fault Zones or AP Zones) around the surface traces of active faults and issue maps to all affected municipalities. Local agencies must adhere to the regulations of these zones.

Local agencies require that most development projects (excluding smaller residential projects) conduct a site-specific geologic investigation. This is called commonly called a soils report and is required in the Building and Safety review process. Proposals that fall within the City's (and State's) designated fault zones, however, must conduct more stringent geologic investigations, called a fault rupture investigation. These investigations are done to demonstrate that proposed development will not be constructed over or within

50 feet of an active fault. Fault rupture investigations are completed to locate the fault and to determine whether it has been active, active being defined as a fault that has evidence of movement within the last 11,000 years. If the developer finds a fault and cannot prove that the fault is inactive, they must assume that it is active and cannot build within 50 feet of the located fault. If they conduct the investigation and no active fault is found, they can proceed with their approved development.

The City has two fault area designations, called Fault Precaution Zones: Fault Precaution Zone 1 and Fault Precaution Zone 2, or FP1 and FP2 zones for short. These zones roughly follow the Alquist-Priolo zones found on the revised State map. However, with the recently revised AP map, the City must now revise its earthquake zone maps to designate as a fault precaution zone, at minimum, all of the area shown in the new State AP zone.

City's Fault Precaution Zone Map

In 2001, the City Council adopted building standards that established two Fault Precaution Zones (FP Zones) in the West Hollywood Municipal Code (WHMC) Section 19.32.020, in order to meet the requirements of the Alquist-Priolo Act for the Hollywood Fault. The latest version of the fault map, called City Fault Location and Precaution Zone Map, is located in the General Plan 2035 EIR Seismic Technical Background Report. With this proposed amendment, staff is recommending that this map be updated and included in the body of the General Plan 2035 document, and not in an appendix to the EIR document. This will make fault information easier to locate for the public.

FP1 is the zone most likely, given data and previous fault studies, to be an area where the fault(s) exist and therefore this zone has more stringent review requirements. FP Zone 1 identifies parcels located along traces of active faults. Development projects located within FP Zone 1 require a fault rupture investigation to determine the exact location of active faults. If an active fault is present, the development has to be set back 50 feet, with certain exceptions for single family homes and additions. If no fault is found, then the applicant can proceed without further investigation and without enhanced foundations.

The FP2 zone is less likely to contain a fault. In the FP2 Zone, a fault rupture investigation can be eliminated if the project is proposed with an enhanced, reinforced foundation. The reinforced foundation option is common practice given that these fault rupture investigations are sometimes difficult to conduct in urbanized areas and are costly. Proposals in Fault Precaution Zone 1, however, do not have the option of eliminating this type of investigation.

State Mandated Map Revision

The City is required to update its map to, at a minimum, reflect the State's Alquist-Priolo Earthquake Fault Zone as the City's current designation of FP1 Zone. This adds approximately 25 acres (82 lots) of new property into the FP Zone 1 that previously had no FP Zone designation. Additionally, 42 lots were removed from the FP1 zone, as they were not included in the updated AP zone. These newly designated FP Zone 1 properties will have requirements placed on them to conduct site specific fault rupture investigations to determine the location of active faults, whereas previously, they had reduced or no

requirements. The map revision also adds to the FP1 Zone almost 18 acres (64 lots) of property that was previously designated as FP Zone 2. Overall, 104 net new lots are in the City's FP Zone 1.

FP Zone 1 and FP Zone 2 lots that remain from the City's previous map, but which fall outside of the new State's Alquist-Priolo Earthquake Fault Zone (or the FP1 Zone as designated on the revised City map), needed to be addressed in some way. The City evaluated a number of options for these lots, and in consultation with the Long Range Subcommittee of the Planning Commission, determined that all remaining FP Zone 1 and FP Zone 2 lots outside of the State's Alquist-Priolo Earthquake Fault Zone should be designated as FP Zone 2. This represents 117 lots. These lots will be required to either conduct a fault rupture investigation for new development to determine their distance from active faults, or to provide reinforced foundations.

In addition, the revised fault precaution zones do not follow lot lines and therefore there are several lots that are only partially contained with the newly delineated FP zones. This represents 81 lots. For these, the City Geologist recommends they be included in the respective, contiguous FP1 or FP2 zones, adding a further safety check.

Exhibit D to this report shows four maps outlining the chronology of the actions outlined in this report. They are: 1) Existing Local Fault Precaution Zones; 2) Updated State Alquist-Priolo (AP) Fault Zone; 3) Proposed AP Zone & Existing Local Fault Precaution Zones; and 4) Proposed Local Fault Precaution Zones.

Planning Commission Review:

The Planning Commission reviewed this item on November 21, 2019, recommending approval of the General Plan Amendment. The Commission motion also included two items directing staff to consider:

1. Adding a section to all staff reports which would state whether a project was in a fault precaution zone;
2. Investigating whether the FP2 zone, should be considered a "buffer" zone along the Hollywood fault and expanded to include other properties that could benefit from enhanced foundations.

Staff will incorporate item 1 above into all Planning Commission staff reports. Item 2 is listed as an alternative for City Council to consider.

Alternatives:

1. Should the City Council seek to consider expanding the FP2 Zone to create a buffer around the FP1 Zone, as recommended by the Planning Commission, the City Council should direct staff to work with the City Geologist to determine whether increasing the FP2 zone would be recommended. Staff is not recommending this item at this time, as the expanded Fault Protection Zone 1 requires a wider swath of properties to be included, requiring a site-specific geological investigation. The enhanced foundations required by FP2 are typically already utilized for large

buildings. Additionally, the State does not require a buffer around the FP1.

CONFORMANCE WITH VISION 2020 AND THE GOALS OF THE WEST HOLLYWOOD GENERAL PLAN:

This item is consistent with the Primary Strategic Goal(s) (PSG) and/or Ongoing Strategic Program(s) (OSP) of:

- OSP-7: Collaborative Public Safety.
- OSP-9: Upgrade Existing Buildings & Infrastructure.

In addition, this item is compliant with the following goal(s) of the West Hollywood General Plan:

- SN-1: Reduce injury and damage from natural hazards.
- LU-5: Encourage a high level of quality in architecture and site design in all construction and renovation of buildings.

EVALUATION PROCESSES:

Staff will keep maintain records of all fault studies in order to track development along and location of fault lines within the City of West Hollywood.

ENVIRONMENTAL SUSTAINABILITY AND HEALTH:

The proposed General Plan Amendment is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15060(c)(2) because the project will not result in a direct or reasonably foreseeable indirect physical change in the environment. In light of the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment and since 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 pursuant to CEQA Guidelines Section 15061(b)(3).

COMMUNITY ENGAGEMENT:

This item was legally noticed as required. The City sent a mailer to all affected properties for both the Planning Commission hearing and the City Council hearing.

OFFICE OF PRIMARY RESPONSIBILITY:

PLANNING & DEVELOPMENT SERVICES DEPARTMENT / LONG RANGE & MOBILITY PLANNING DIVISION

FISCAL IMPACT:

None.

ATTACHMENTS:

- A. City Council Resolution No. 20-XXXX
- B. Planning Commission Resolution No. 19-1348
- C. Planning Commission Staff Report dated November 21, 2019
- D. Planning Commission minutes dated November 21, 2019
- E. Current City Fault Location and Precaution Zone Map from the General Plan EIR Seismic Technical Background Report
- F. Four Maps: Existing Local Fault Precaution Zones; Updated State Alquist-Priolo (AP) Fault Zone; Proposed AP Zone and Existing Local Fault Precaution Zones; and Proposed Local Fault Precaution Zones.

RESOLUTION NO. 20-XXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, APPROVING AN AMENDMENT TO THE GENERAL PLAN (GPA 19-0003) TO UPDATE THE CITY'S FAULT LOCATION AND PRECAUTION ZONE MAP TO ADD THE FAULT PRECAUTION ZONE MAP TO THE SAFETY AND NOISE ELEMENT OF THE GENERAL PLAN.

THE CITY COUNCIL FOR THE CITY OF WEST HOLLYWOOD HEREBY RESOLVES AS FOLLOWS:

SECTION 1. The State of California requires all local jurisdictions to adopt a Safety Element and to revise this document as appropriate, as one of seven mandated elements required in the General Plan. The West Hollywood General Plan 2035, adopted in 2011, includes a Safety and Noise Element that addresses all State requirements for a Safety Element.

SECTION 2. The State recently updated their Alquist-Priolo Earthquake Fault Zones Map, which shows recently revised earthquake fault zones recognized by the California Geologic Survey. The map was completed pursuant to the Alquist-Priolo Earthquake Fault Zoning Act (AP Act, 1972), a law intended to ensure public safety by prohibiting the siting of most structures for human occupancy across traces of active faults that constitute a potential hazard to structures. This law requires the State Geologist to establish regulatory zones (known as Alquist-Priolo Earthquake Fault Zones or AP Zone) around the surface traces of active faults and issue maps to all affected municipalities.

SECTION 3. In 2001, the City Council adopted building standards that established two Fault Precaution Zones (FP Zones) in the West Hollywood Municipal Code (WHMC) Section 19.32.020, in order to meet the requirements of the Alquist-Priolo Act. The latest version of this map, called City Fault Location and Precaution Zone Map, is included in the General Plan 2035 EIR Seismic Technical Background Report.

SECTION 4. The City is required to update its map to reflect the State's recent changes to its Alquist-Priolo Earthquake Fault Zone. General Plan Amendment 19-0003 will both update the City's Fault Location and Precaution Zone Map to be consistent with the State's current Alquist-Priolo Earthquake Fault Zone Map, and will also bring this map into the main body of the City's General Plan in the Safety and Noise Element, as Figure 10-2A. In addition, the Table of Contents will be modified and a reference to the new map will be added to Chapter 10, Safety and Noise. These amendments are shown in the Attachment A to this resolution.

SECTION 3. A public hearing was duly noticed for the Planning Commission meeting of November 21, 2019 by publication in the Beverly Press newspaper, the West Hollywood Independent Newspaper, mailings sent to neighborhood groups, the City website, required posting locations, and by announcement on City Channel 6 starting November 7, 2019. The Planning Commission adopted Resolution No. 19-1348, recommending approval of General Plan Amendment 19-0003 to the City Council.

SECTION 4. The proposed General Plan Amendment is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15060(c)(2) because the project will not result in a direct or reasonably foreseeable indirect physical change in the environment. In light of the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment and since 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 pursuant to CEQA Guidelines Section 15061(b)(3).

SECTION 5. The City Council of the City of West Hollywood hereby finds that GPA 19-0003 is consistent with the Goals and Policies of the General Plan, including Goal SN-1 of the Safety and Noise Element, which states that the city should reduce injury and damage from natural hazards, to protect the community from avoidable risk and harm by factoring natural hazards such as seismic hazards, flooding, landslides, subsurface gas, and fires into community planning and outreach, maintenance and upgrades, emergency response and municipal operations.

SECTION 6. Based on the foregoing, the City Council of the City of West Hollywood hereby approves GPA 19-0003, which is attached hereto as Attachment A.

PASSED, APPROVED AND ADOPTED THIS 21st day of January, 2020 by the following vote:

MAYOR

ATTEST:

CITY CLERK

Attachment A

The *General Plan 2035* Table of Contents shall be modified to read as follows:

Table of Contents

01 Introduction and Overview

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Goals and Policies	2-7

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04 Historic Preservation

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05 Economic Development

Statutory Requirements	5-2
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06 Mobility

Statutory Requirements	6-2
West Hollywood's Philosophy on Mobility and Access	6-3
Context	6-9
Goals and Policies	6-22

07 Human Services

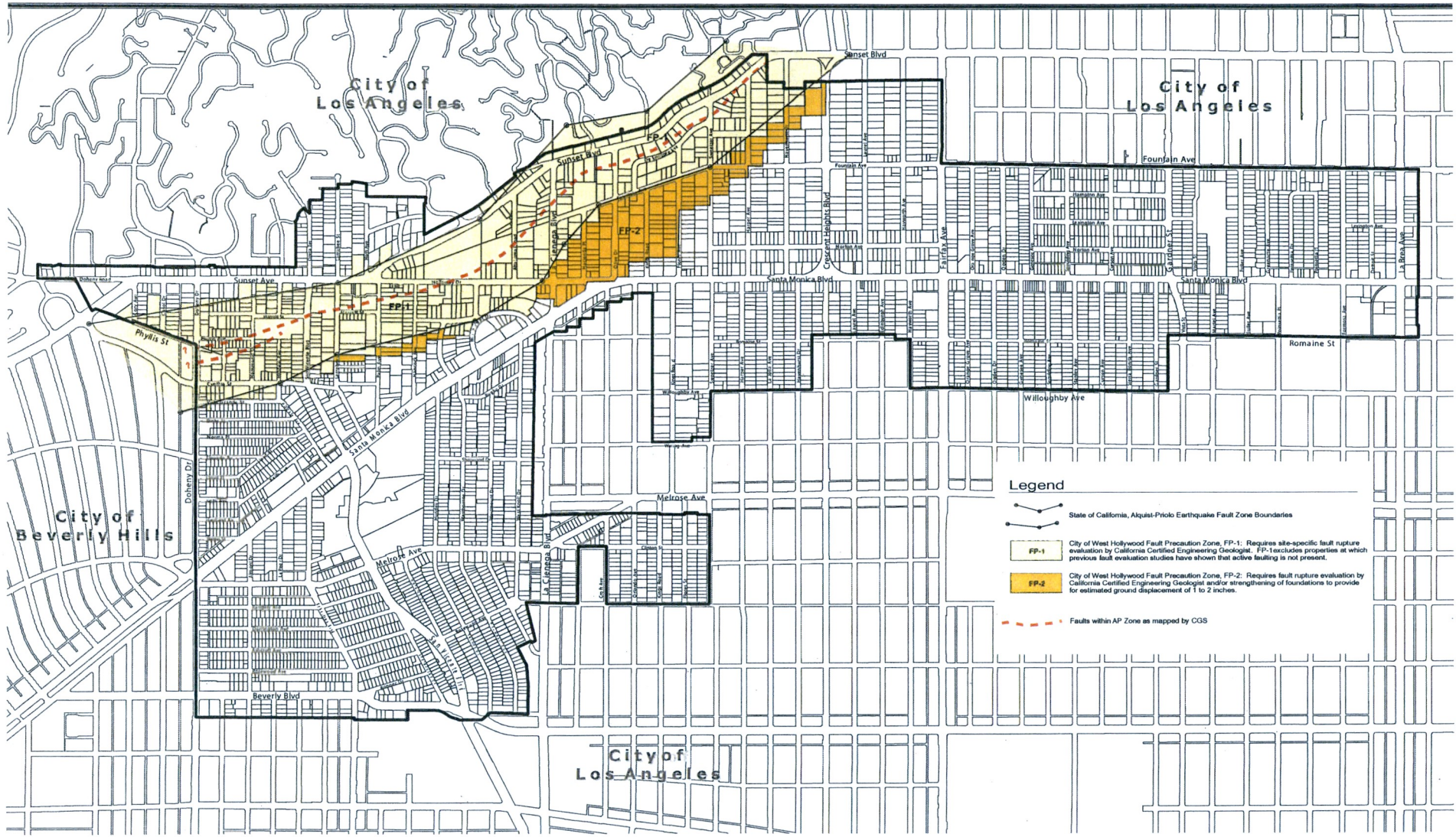
Statutory Requirements	7-2
Social Services	7-3
Arts and Culture	7-6
Schools and Education	7-10
08 Parks and Recreation	
Statutory Requirements	8-2
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Implementation	
Referenced City Documents & Plans	
Glossary	
Appendix A: Hazard Mitigation Plan (2018)	

Earthquakes, Chapter 10, Safety and Noise, in The *General Plan 2035*, shall be modified to read as follows, with Figure 10-2A following the text:





Chapter 10, Safety and Noise:

Earthquakes

West Hollywood is located in a seismically active zone. The City is susceptible to the effects of earthquakes within the greater Los Angeles area as well as its own borders. The active Hollywood Fault runs through the City and is capable of producing surface fault rupture during a future earthquake. The City has established a Fault Precaution Zone spanning the mapped trace of the Hollywood Fault within the City. In 2001, West Hollywood was the location of an earthquake of magnitude 4.2, which was felt throughout the Los Angeles Basin and San Fernando Valley. Future earthquakes in the region are virtually inevitable and could be of a magnitude that would compromise buildings and structures. In addition to strong ground shaking and movement, West Hollywood is susceptible to liquefaction during seismic activity due to conditions of loose, granular alluvial soils and locally shallow water table. Liquefaction causes soil to become disturbed in the presence of water, lose strength, and take on the properties of liquid during an earthquake. Liquefaction significantly amplifies the effects of ground shaking, putting structures and individuals at greater risk. This means that existing buildings in liquefaction zones, as mapped by the State of California, are at greater risk during an earthquake. It also means that new development on liquefaction zones should only occur if potential hazards have been addressed based on technical guidelines adopted by the City. Figure 10-2 shows seismically prone areas in the City. Figure 10-2A is the City Fault Location and Precaution Zone Map, showing Fault Precaution Zones 1 and 2 and the approximate surface trace of the known faults within the City.




Legend

-  State of California, Alquist-Priolo Earthquake Fault Zone Boundaries
-  City of West Hollywood Fault Precaution Zone, FP-1: Requires site-specific fault rupture evaluation by California Certified Engineering Geologist. FP-1 excludes properties at which previous fault evaluation studies have shown that active faulting is not present.
-  City of West Hollywood Fault Precaution Zone, FP-2: Requires fault rupture evaluation by California Certified Engineering Geologist and/or strengthening of foundations to provide for estimated ground displacement of 1 to 2 inches.
-  Faults within AP Zone as mapped by CGS

City of West Hollywood General Plan Figure 10-2A



 TETRA TECH <small>LLC</small> 21700 Cahaya Drive, Suite 205, Diamond Bar, CA 91765 TEL 909.860.7777 FAX 909.860.9017	CITY OF WEST HOLLYWOOD - SEISMIC SAFETY ELEMENT		
	City Fault Location and Precaution Zone Map		
PROJECT NO:	DATE:	DRAWN BY:	FIGURE #:
0911 02 1412	NOVEMBER 2012	CS	

RESOLUTION NO. PC 19-1348

**A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF WEST HOLLYWOOD,
RECOMMENDING TO THE CITY COUNCIL
APPROVAL OF AN AMENDMENT TO THE GENERAL
PLAN TO ADD THE CITY FAULT LOCATION AND
PRECAUTION ZONE MAP TO THE SAFETY AND
NOISE ELEMENT, WEST HOLLYWOOD,
CALIFORNIA.**

The Planning Commission of the City of West Hollywood hereby resolves as follows:

SECTION 1. The State of California requires all local jurisdictions to adopt a Safety Element and to revise this document as appropriate, as one of seven mandated elements required in the General Plan. The West Hollywood General Plan 2035, adopted in 2011, includes a Safety and Noise Element that addresses all State requirements for a Safety Element.

SECTION 2. The State recently updated their Alquist-Priolo Earthquake Fault Zones Map, which shows recently revised earthquake fault zones recognized by the California Geologic Survey. The map was completed pursuant to the Alquist-Priolo Earthquake Fault Zoning Act (AP Act), a law intended to ensure public safety by prohibiting the siting of most structures for human occupancy across traces of active faults that constitute a potential hazard to structures. This law requires the State Geologist to establish regulatory zones (known as Alquist-Priolo Earthquake Fault Zones or AP Zone) around the surface traces of active faults and issue maps to all affected municipalities.

SECTION 3. In 2001, the City Council adopted building standards that established two Fault Precaution Zones (FP Zones) in the West Hollywood Municipal Code (WHMC) Section 19.32.020, in order to meet the requirements of the Alquist-Priolo Act. The latest version of this map, called City Fault Location and Precaution Zone Map, is included in the General Plan 2035 EIR Seismic Technical Background Report.

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SECTION 5. A public hearing was duly noticed for the Planning Commission meeting of November 21, 2019 by publication in the Beverly Press newspaper, the West Hollywood Independent Newspaper, mailings sent to neighborhood groups, the City website, required posting locations, and by announcement on City Channel 6 starting November 7, 2019.

SECTION 6. The proposed General Plan Amendment is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15060(c)(2) because the project will not result in a direct or reasonably foreseeable indirect physical change in the environment. In light of the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment and since 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 pursuant to CEQA Guidelines Section 15061(b)(3).

SECTION 7. The Planning Commission of the City of West Hollywood hereby finds that GPA 19-0003 is consistent with the Goals and Policies of the General Plan, including Goal SN-1 of the Safety and Noise Element, which states that the city should reduce injury and damage from natural hazards, to protect the community from avoidable risk and harm by factoring natural hazards such as seismic hazards, flooding, landslides, subsurface gas, and fires into community planning and outreach, maintenance and upgrades, emergency response and municipal operations.

SECTION 8. Based on the foregoing, the Planning Commission of the City of West Hollywood hereby recommends approval to the City Council of GPA 19-0003, which is attached hereto as Attachment A.

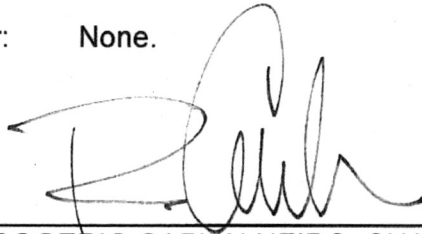
PASSED, APPROVED AND ADOPTED by the Planning Commission of the City of West Hollywood at a regular meeting held this 21st day of November, 2019 by the following vote:

AYES: Commissioner: Erickson, Hoopingarner, Jones, Vice-Chair Bass, Chair Carvalho.

NOES: Commissioner: None.

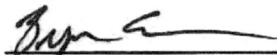
ABSENT: Commissioner: Altschul, Buckner.

ABSTAIN: Commissioner: None.



ROGERIO CARVALHEIRO, CHAIRPERSON

ATTEST:



BRYAN ECK, ACTING
LONG RANGE PLANNING MANAGER

Decisions of the Planning Commission are subject to appeal in accordance with the procedures set forth in West Hollywood Municipal Code Chapter 19.76. Any action to challenge the final decision of the City of West Hollywood made as a result of the public hearing on this application must be filed within the time limits set forth in Code of Civil Procedure Section §1094.6.

Attachment A

Additional language shown in underline. Deleted language in ~~strikethrough~~.

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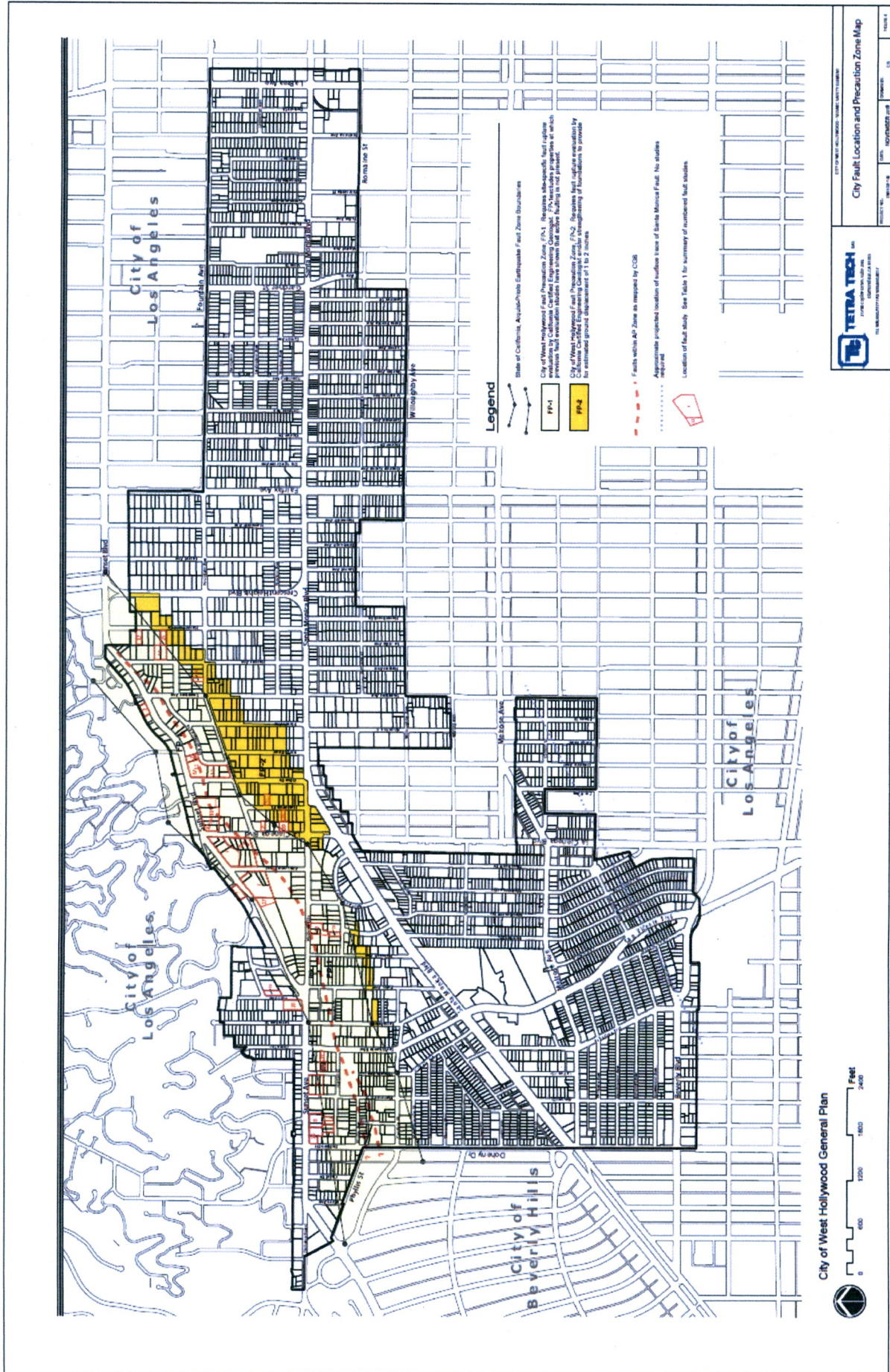
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MAP

PREPARED BY: PLANNING AND DEVELOPMENT SERVICES DEPARTMENT
(Rachel Dimond, Acting Long Range Planning Manager)

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City's Fault Precaution Zone Map

In 2001, the City Council adopted building standards that established two Fault Precaution Zones (FP Zones) in the West Hollywood Municipal Code (WHMC) Section 19.32.020, in order to meet the requirements of the Alquist-Priolo Act. The latest version of the fault map, called City Fault Location and Precaution Zone Map, is located in the General Plan 2035 EIR Seismic Technical Background Report. With this proposed amendment, staff is recommending that this map be updated and included in the body of the General Plan 2035 document, and not in an appendix to the EIR document. This will make fault information easier to locate for the public.

FP1 is the zone most likely, given data and previous fault studies, to be an area where the fault(s) exist and therefore this zone has more stringent review requirements. FP Zone 1 identifies parcels located along traces of active faults. Development projects located within FP Zone 1 require a fault rupture investigation to determine the exact location of active faults. If an active fault is present, the development has to be set back 50 feet, with certain exceptions for single family homes and additions.

The FP2 zone is less likely to contain a fault. In the FP2 Zone, a fault rupture investigation can be eliminated if the project is proposed with an enhanced, reinforced foundation. The reinforced foundation option is common practice given that these fault rupture investigations are difficult to conduct in urbanized areas and are very costly. Proposals in Fault Precaution Zone 1, however, do not have the option of eliminating this type of investigation.

State Mandated Map Revision

The City is required to update its map to, at a minimum, reflect the State's Alquist-Priolo Earthquake Fault Zone as the City's current designation of FP1 Zone. This adds approximately 25 acres (82 lots) of new property into the FP Zone 1 that previously had no FP Zone designation. Additionally, 42 lots were removed from the FP1 zone, as they were not included in the updated AP zone. These newly designated FP Zone 1 properties will have requirements placed on them to conduct site specific fault rupture investigations to determine the location of active faults, whereas previously, they had reduced or no requirements. The map revision also adds to the FP1 Zone almost 18 acres (64 lots) of property that was previously designated as FP Zone 2. Overall, 104 net new lots are in the City's FP Zone 1.

FP Zone 1 and FP Zone 2 lots that remain from the City's previous map but which fall outside of the new State's Alquist-Priolo Earthquake Fault Zone (or the FP1 Zone as designated on the revised City map) need to be addressed in some way. The City evaluated a number of options for these lots, and in consultation with the Long Range Subcommittee of the Planning Commission, determined that all remaining FP Zone 1 and FP Zone 2 lots outside of the State's Alquist-Priolo Earthquake Fault Zone proposed as FP Zone 2. This represents 117 lots. These lots will be required to either conduct a fault rupture investigation for new development to determine their distance from active faults, or to provide reinforced foundations.

In addition, the revised fault precaution zones do not follow lot lines and therefore there

are several lots that are only partially contained with the newly delineated FP zones. This represents 81 lots. For these, the City Geologist recommends they be included in the respective, contiguous FP1 or FP2 zones, adding a further safety check.

Exhibit C to this report shows four maps outlining the chronology of the actions outlined in this report. They are: 1) Existing Local Fault Precaution Zones; 2) Updated State Alquist-Priolo (AP) Fault Zone; 3) Proposed AP Zone & Existing Local Fault Precaution Zones; and 4) Proposed Local Fault Precaution Zones.

ATTACHMENT:

Exhibit A: Resolution 19-XXXX, including Attachment A: Revised General Plan text and Proposed City's Fault Location and Precaution Zone Map

Exhibit B: Current City Fault Location and Precaution Zone Map from the General Plan EIR Seismic Technical Background Report

Exhibit C: Four Maps: Existing Local Fault Precaution Zones; Updated State Alquist-Priolo (AP) Fault Zone; Proposed AP Zone and Existing Local Fault Precaution Zones; and Proposed Local Fault Precaution Zones.



**PLANNING COMMISSION
SUMMARY ACTION MINUTES
Regular Meeting
November 21, 2019**

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 Carvalheiro called the meeting of the Planning Commission to order at 6:30 p.m.

2. **PLEDGE OF ALLEGIANCE:** Ric Abramson led the Pledge of Allegiance.

3. **ROLL CALL:**

Commissioners Present: Erickson, Hoopingarner, Jones, Vice-Chair Bass, Chair Carvalheiro.

Commissioners Absent: Altschul, Buckner.

Staff Present: Rachel Dimond, Senior Planner, Bryan Eck, Acting Long Range Planning Manager, Ben Galan, Building Manager/Building Official, Jennifer Alkire, Current & Historic Preservation Manager, Lauren Langer, Assistant City Attorney and David Gillig, Commission Secretary.

4. **APPROVAL OF AGENDA.**

ACTION: Approve the Planning Commission Agenda of Thursday, November 21, 2019 as presented. **Moved by Commissioner Erickson, seconded by Commissioner Jones and passes, noting Commissioners Altschul and Buckner absent.**

5. **APPROVAL OF MINUTES.**

A. **October 17, 2019**

ACTION: 1) Approve the Planning Commission regular meeting minutes of Thursday, October 17, 2019 as presented. **Moved by Commissioner Erickson, seconded by Vice-Chair Bass and passes, noting Commissioners Altschul and Buckner absent.**

6. **PUBLIC COMMENT.** None.

7. DIRECTOR'S REPORT.

John Keho, Director, Planning and Development Services Department provided an update on the City Council agenda for Monday, December 2, 2019. A zone text amendment will be brought forward regarding the definition of dwelling units, and a discussion item regarding the regional needs' assessment numbers.

He thanked Rachel Dimond for her services as acting Long Range Planning Manager. He stated Bryan Eck will now take over acting responsibilities at this time for Long Range Planning.

He introduced Ric Abramson, the new Urban Design and Architecture Studios Manager for the City of West Hollywood.

Commissioner Erickson requested a report for the regional need's assessment numbers.

8. ITEMS FROM COMMISSIONERS.

A. Commissioner Comments.

Commissioner Hoopingarner congratulated Ric Abramson on his recent hire as the Urban Design Manager.

9. CONSENT CALENDAR. None.

10. PUBLIC HEARINGS.

**A. General Plan Amendment
Earthquake Fault Zones Map:**

Rachel Dimond, Senior Planner provided a verbal presentation and background information, as presented in the staff report dated Thursday, November 21, 2019.

She stated the request is to consider amendments to the West Hollywood General Plan's Safety and Noise Element to include new Fault Location and Precaution Zone Map which is in compliance with the California's Geologic Survey (Alquist-Priolo Earthquake Fault Zoning Act).

She provided background history of the request, stating the State recently updated their Alquist-Priolo Earthquake Fault Zones Map, which shows recently revised earthquake fault zones recognized by the California Geologic Survey. This map was completed pursuant to the Alquist-Priolo Earthquake Fault Zoning Act (Alquist-Priolo Act), a law intended to ensure public safety by prohibiting the siting of most structures for human occupancy across traces of active faults that constitute a potential hazard to structures. This law requires the State Geologist to establish regulatory zones (known as Alquist-Priolo Earthquake Fault Zones or AP Zones) around the surface traces of active faults and issue maps to all affected municipalities. Local agencies must adhere to the regulations of these zones.

The City has two fault area designations, called Fault Precaution Zones: Fault Precaution Zone 1 and Fault Precaution Zone 2, or FP1 and FP2 zones for short. These zones roughly follow the Alquist-Priolo zones found on the revised State map. However, with the recently revised AP map, the City must now revise its earthquake zone maps to designate as a fault precaution zone, at minimum, all of the area shown in the new State AP zone.

She detailed the Fault Precaution Zones 1 and 2 (FP1 and FP2).

The City is required to update its map to, at a minimum, reflect the State's Alquist-Priolo Earthquake Fault Zone as the City's current designation of FP1 Zone. This adds approximately 25 acres (82 lots) of new property into the FP Zone 1 that previously had no FP Zone designation.

Additionally, 42 lots were removed from the FP1 zone, as they were not included in the updated AP zone. These newly designated FP Zone 1 properties will have requirements placed on them to conduct site specific fault rupture investigations to determine the location of active faults, whereas previously, they had reduced or no requirements.

The map revision also adds to the FP1 Zone almost 18 acres (64 lots) of property that was previously designated as FP Zone 2. Overall, 104 net new lots are in the City's FP Zone 1.

The revised fault precaution zones do not follow lot lines and therefore there are several lots that are only partially contained with the newly delineated FP zones. This represents 81 lots. For these, the City Geologist recommends they be included in the respective, contiguous FP1 or FP2 zones, adding a further safety check.

The commissioner requested further clarifications regarding the scientific basis for FP2 zones.

Chris Sexton, Techtra Tech, clarified and spoke regarding FP1, FP2 and the consistency of buffer zones.

Chair Carvalheiro opened the public hearing for Item 10.A.

KEVIN BURTON, WEST HOLLYWOOD spoke in support of staff's recommendation of approval to the City Council.

STEVE MARTIN, WEST HOLLYWOOD spoke in support of staff's recommendation of approval to the City Council.

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

The commission stated their support of the recommendation to City Council. They had concerns regarding the consistency of the buffer zones.

Commissioner Hoopingarner disclosed for the record her residence is within the FP2 zone and will continue to be in the FP2 zone. After conferring with legal counsel, she stated there is no change.

Commissioner Hoopingarner suggested future staff reports are prepared by adding a standing section regarding earthquake zones.

ACTION: 1) **Adopt Resolution No. PC 19-1348 as amended:** a) *advising City Council the concerns regarding the consistency of buffer zones; and b) add a standing section to future staff reports regarding earthquake standards;* "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, RECOMMENDING TO THE CITY COUNCIL APPROVAL OF AN AMENDMENT TO THE GENERAL PLAN TO ADD THE CITY FAULT LOCATION AND PRECAUTION ZONE MAP TO THE SAFETY AND NOISE ELEMENT, WEST HOLLYWOOD, CALIFORNIA;" and 2) Close the Public Hearing for Item 10.A. **Moved by Commissioner Hoopingarner, seconded by Chair Carvalho and passes, noting Commissioner Altschul and Buckner absent.**

B. Zone Text Amendment

Accessory Dwelling Units:

Rachel Dimond, Senior Planner provided a verbal presentation and background information, as presented in the staff report dated Thursday, November 21, 2019.

She provided background information and clarified this is to modify requirements for accessory dwelling units, and junior accessory dwelling units to comply with recent changes to State law.

She stated in 2019, several bills ("new ADU laws") were adopted in California that, among other things, amended Government Code section §65852.2 and §65852.22 to impose new limits on local authorities to regulate accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs.)

The new ADU laws take effect January 1, 2020, and if the City's ADU ordinance does not comply with these new ADU laws, the City's ordinance becomes null and void on that date as a matter of law.

The new ADU laws require that ADUs that meet certain criteria and be permitted only through a building permit. ADUs and JADUs that do not meet this building permit only criteria would also need a ministerial permit, which is granted based upon determination that the proposed project complies with the established standards set forth in the Zoning Ordinance.

The new ADU laws allow ADUs to be built in all zones that allow residential uses, including residential and commercial zones, and does not allow ADUs to be relegated to single-family residences as is currently the regulation in West Hollywood.

This means multifamily units can have ADUs and JADUs attached to them, and in converted common spaces. The new laws allow local governments to take a variety of actions beyond these statutes that promote ADUs, such as reduction in impact fees for certain size ADUs, less restrictive parking, and increased unit sizes.

The City already allows for no required parking for ADUs. The City can also adopt a local ordinance to impose objective development standards for design, landscaping, and historic preservation, provided they do not overly burden the overall development of ADUs.

She spoke and detailed the proposed changes to accessory dwelling units junior accessory dwelling units, permitted locations, garage conversions, applicant eligibility, permitting process, fees, size, floor area ratio, design standards, height and setbacks, kitchen cabinets and counters, rentals, ownership, approved accessory dwelling units,

To be compliant with state law, staff recommends the following should be stricken from the Ordinance: "Section §19.36.310(8)(a) accessory dwelling units and junior accessory dwelling units shall comply with height and setback requirements."

She reiterated the zoning text amendment aligns the zoning ordinance with adopted AB 881.

The commission requested clarification regarding non-profit organizations and legal deadlines. They had concerns and discussed the language regarding maximum floor area ratios, proposed impacts to current codes, no-impact fees, design standards, measuring cabinet and shelf surface area, conversion of parking spaces, conversion of existing spaces, and street parking permits.

Chair Carvalheiro opened the public hearing for Item 10.B.

STEVE MARTIN, WEST HOLLYWOOD has concerns regarding this item. He spoke regarding rent-controlled buildings, accessory dwelling units, and the possible impacts.

ADAM KROLL, WEST HOLLYWOOD, has concerns regarding this item. He spoke regarding the number of possible accessory dwelling units, regulation, setbacks and proposed sizes.

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

Lauren Langer, Assistant City Attorney, stated the following language should be changed: draft Resolution No. PC 19-1349; Page 11 of 13 sub-section 3. Rental Term. When leased, no ADU or JADU may be rented for a term that is shorter than one year. ADUs and JADUs shall be subject to any restriction on lease terms that apply to all residential dwelling units in the City.

Commissioner Bass recommended striking the language in draft Resolution No. PC 19-1349; Page 13 of 13 sub-section e. ~~Tenants of ADUs are eligible to obtain on-street parking permits for ADUs that are located on blocks with preferred parking districts.~~

Vice-Chair Bass moved to: 1) recommend staff's recommendation to City Council; 2) strike the following sub-section e. (page 13 of 13). ~~Tenants of ADUs are eligible to obtain on-street parking permits for ADUs that are located on blocks with preferred parking districts.~~; 3) strike the following Section §19.36.310(8)(a) ~~accessory dwelling units and junior accessory dwelling units shall comply with height and setback requirements.~~; 4) Strike and add (page 11 of 13) sub-section 3. Rental Term. When leased, no ADU or JADU may be rented for a term that is shorter than one year. ADUs and JADUs shall be subject to any restriction on lease terms that apply to all residential dwelling units in the City.

Seconded by Commissioner Hoopingarner.

ACTION: 1) Adopt Resolution No. PC 19-1349 as amended: a) *strike and add to sub-section 3 (page 11 of 13). "Rental Term. When leased, no ADU or JADU may be rented for a term that is shorter than one year. ADUs and JADUs shall be subject to any restriction on lease terms that apply to all residential dwelling units in the City."*; b) *strike sub-section e. (page 13 of 13) "Tenants of ADUs are eligible to obtain on-street parking permits for ADUs that are located on blocks with preferred parking districts."*; and c) *to be compliant with State law, strike Section §19.36.310(8)(a) ~~accessory dwelling units and junior accessory dwelling units shall comply with height and setback requirements.~~* "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, RECOMMENDING THE CITY COUNCIL APPROVE A ZONE TEXT AMENDMENT TO MODIFY REQUIREMENTS FOR ACCESSORY DWELLING UNITS IN COMPLIANCE WITH RECENT CHANGES TO STATE LAW, WEST HOLLYWOOD, CALIFORNIA;" and 2) Close the Public Hearing for Item 10.B. **Moved by Vice-Chair Bass, seconded by Commissioner Hoopingarner and passes, noting Commissioner Altschul and Buckner absent.**

THE COMMISSION TOOK A TEN (10) MINUTE RECESS AT 8:10 P.M. AND RECONVENED AT 8:20 P.M.

11. NEW BUSINESS.

A. Planning Commission Training.

Jennifer Alkire, Current and Historic Preservation Planning Manager and Benjamin Galan, Building Manager/Building Official provided a verbal presentation on Building and Safety review and how it relates to the Planning Commissions purview.

They spoke and detailed the following: internal development review committee, building and safety development review committee review, planning division review process, design documents and construction documents, concurrent plan check, plan check package, plan check review, and approvals.

They further spoke and clarified the design process, design conditions and how it relates when building codes alter the design after approval.

12. UNFINISHED BUSINESS. None.

13. EXCLUDED CONSENT CALENDAR. None.

14. ITEMS FROM STAFF.

A. Planning Manager's Update.

Jennifer Alkire, Current and Historic Preservation Planning Manager updated the commission on upcoming agenda items for the next meeting on December 5, 2019.

15. PUBLIC COMMENT.

STEVE MARTIN, WEST HOLLYWOOD commented on the 35 years of cityhood. He thanked the commission for their service.

16. ITEMS FROM COMMISSIONERS.

A. Commissioner Comments.

Commissioner Erickson questioned the appeal regarding 972 N. San Vicente Boulevard.

Jennifer Alkire, Current and Historic Preservation Planning Manager stated it is tentatively scheduled for City Council on Tuesday, January 21, 2020.

Vice-Chair Bass suggested and questioned if future trainings could be held in a study session format.

Vice-Chair Bass reported he represented the Planning Commission at the first meeting regarding Vision 2050.

B. Subcommittee Management. None.

17. **ADJOURNMENT:** The Planning Commission adjourned at 8:55 p.m. to a regularly scheduled meeting on Thursday, December 5, 2019 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.**

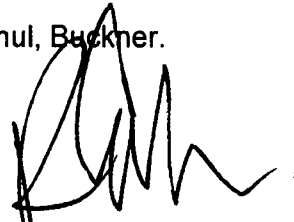
PASSED, APPROVED AND ADOPTED by the Planning Commission of the City of West Hollywood at a regular meeting held this 5th day of December, 2019 by the following vote:

AYES: Commissioner: Erickson, Hoopingarner, Jones, Vice-Chair
Bass, Chair Carvalho.

NOES: Commissioner: None.

ABSENT: Commissioner: None.

ABSTAIN: Commissioner: Altschul, Buckner.

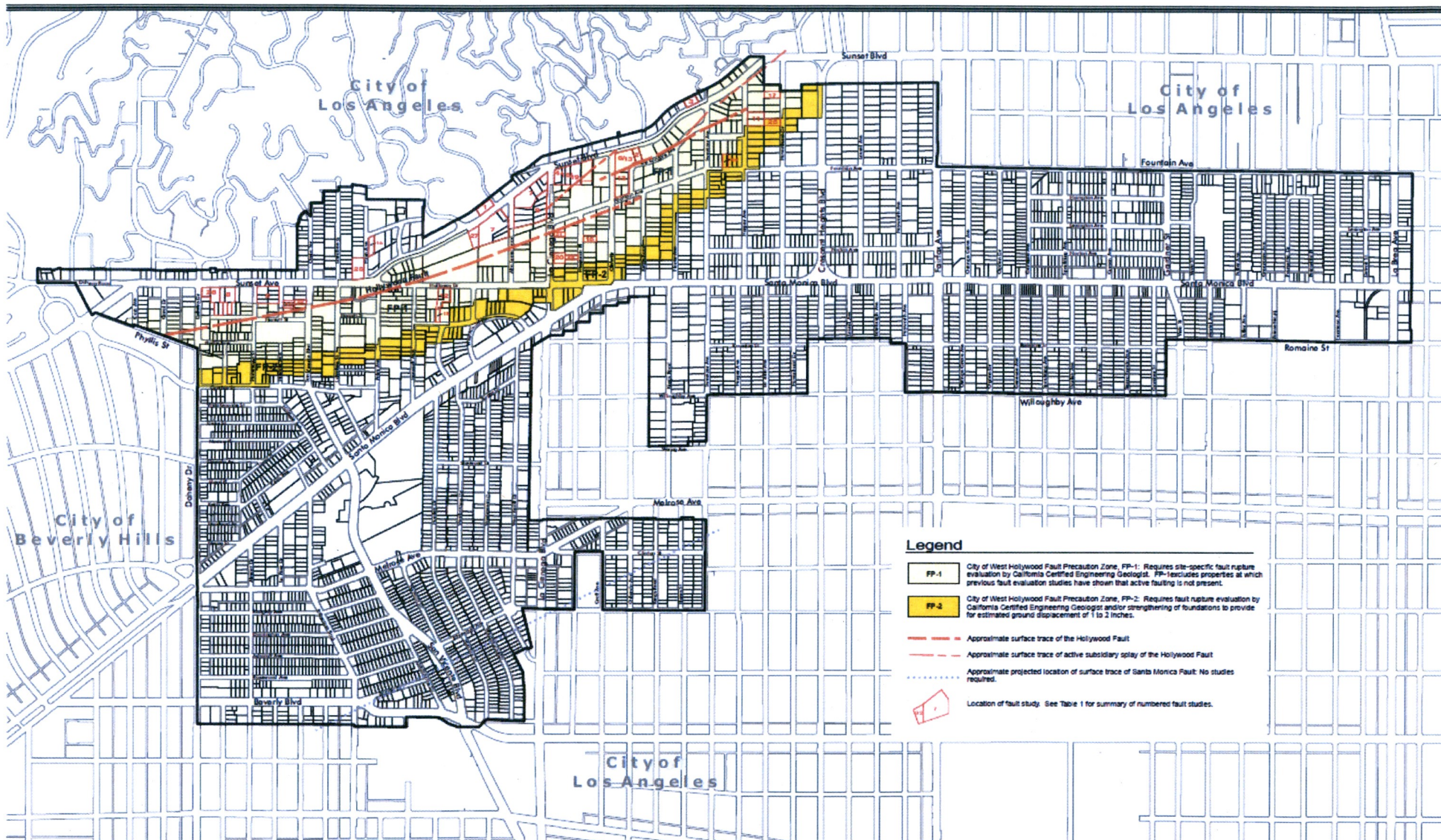


ROGENIO CARVALHEIRO, CHAIRPERSON

ATTEST:



DAVID K. GILLIG, COMMISSION SECRETARY



Legend

- FP-1 City of West Hollywood Fault Precaution Zone, FP-1: Requires site-specific fault rupture evaluation by California Certified Engineering Geologist. FP-1 includes properties at which previous fault evaluation studies have shown that active faulting is not present.
- FP-2 City of West Hollywood Fault Precaution Zone, FP-2: Requires fault nature evaluation by California Certified Engineering Geologist and/or strengthening of foundations to provide for estimated ground displacement of 1 to 2 inches.
- Approximate surface trace of the Hollywood Fault
- Approximate surface trace of active subsidiary splay of the Hollywood Fault
- Approximate projected location of surface trace of Santa Monica Fault: No studies required.
- Location of fault study. See Table 1 for summary of numbered fault studies.

City of West Hollywood General Plan



KFM 1348 Valley Vista Drive Diamond Bar, CA 91765 Phone (909) 948-8696		<small>NOT ALL LOCATIONS SHOWN ARE APPROVED FOR APPROVAL</small> City Fault Location and Precaution Zone Map	
		<small>Project Name:</small> City of West Hollywood - Seismic Safety (Beverly)	<small>Project Number:</small> 080108-140
<small>Drawn By:</small> AM	<small>Reviewed By:</small> BMS	<small>Checked By:</small> JLS	<small>Figure No.:</small> 4

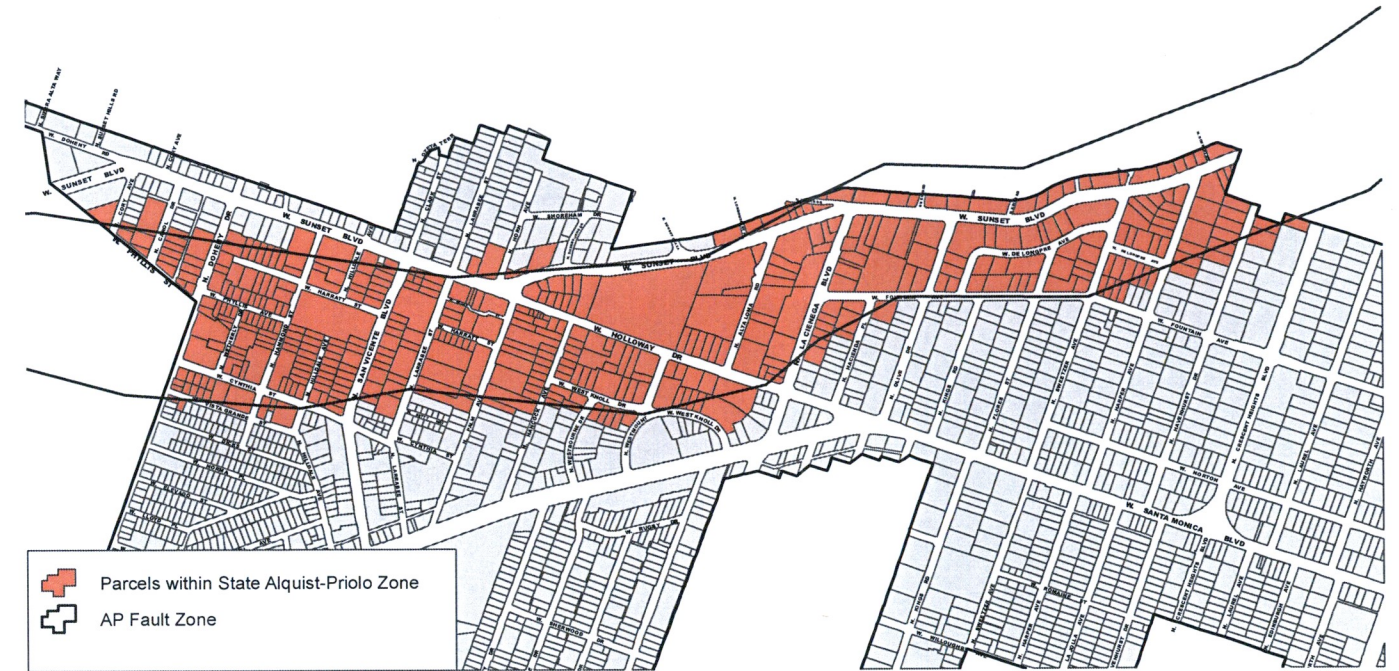
EXISTING LOCAL FAULT PRECAUTION ZONES

This map shows the existing fault map found in the General Plan EIR Technical Studies.



UPDATED STATE ALQUIST-PRIOLO (AP) FAULT ZONE

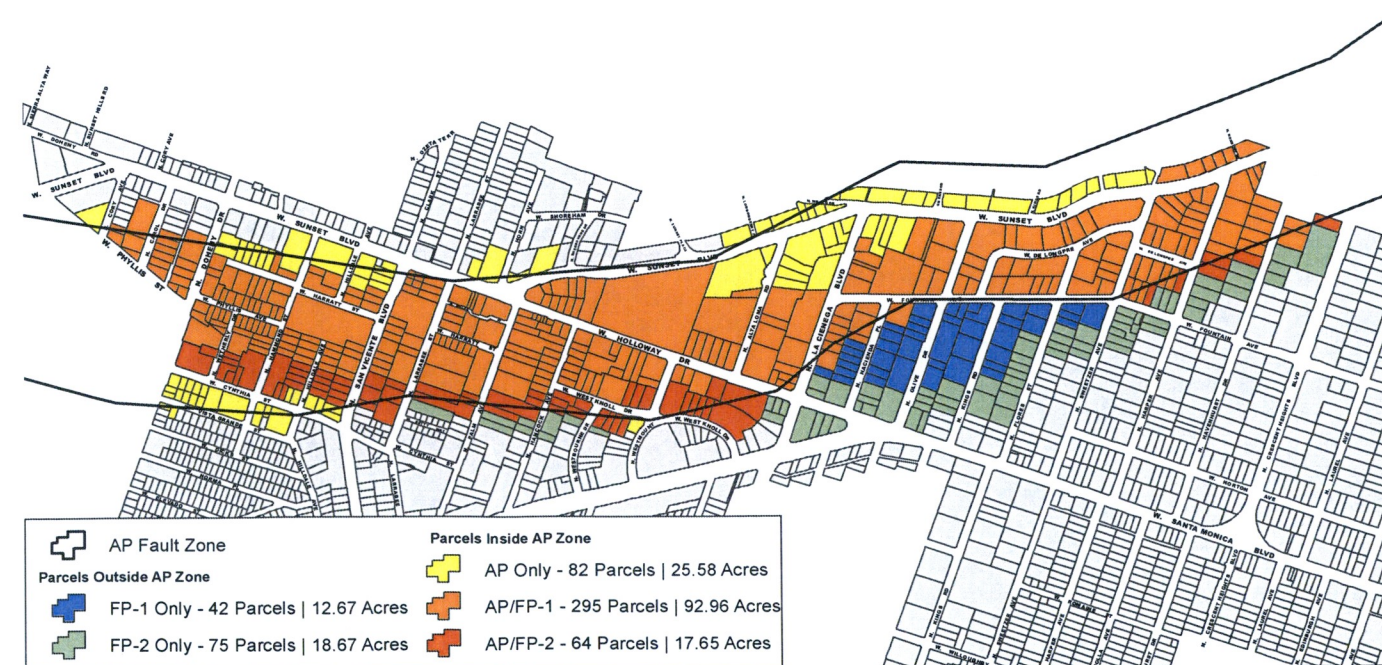
This map shows the State's updated Alquist-Priolo Zone. All of these parcels (in pink) must be shown as FP-1 on the City's revised Fault Precaution Zone map. In the legend, the "AP Fault Zone" is the actual line of the AP zone and wherever this line crosses a portion of a lot, that lot must also be included in the zone (and shown in pink).



Maps not to scale

EXISTING AP ZONE & LOCAL FAULT PRECAUTION ZONES

The map below shows both the updated Spate's AP Zone and the City's existing FP-1 and FP-2 zones combined. Because the City's FP zones were not fully contained in the State's updated AP zone, this map shows those parcels that fall outside of that AP zone. All remaining FP-1 and FP 2 lots outside of the State's SP zone are proposed as FP Zone 2.



PROPOSED LOCAL FAULT PRECAUTION ZONES

The map below shows the proposed City Fault Precaution Zone map as recommended in this report.

