



**PLANNING COMMISSION
SUMMARY ACTION MINUTES
Regular Teleconference Meeting
August 18, 2022**

West Hollywood, California

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 Jones called the meeting of the Planning Commission to order at 6:30 p.m.
2. **PLEDGE OF ALLEGIANCE:** Erick J. Matos led the Pledge of Allegiance.
3. **ADMINISTER THE OATH OF OFFICE TO NEWLY APPOINTED PLANNING COMMISSION MEMBER KIMBERLY COPELAND.**

ACTION: Mayor Meister administered the Oath of Office to Kimberly Copeland to the West Hollywood Planning Commission.

4. **ROLL CALL:**
Commissioners Present: Carvalho, Copeland, Lombardi, Vice-Chair Thomas, Chair Jones.

Commissioners Absent: Gregoire.

Staff Present: Doug Vu, Senior Planner, Paige Portwood, Associate Planner, Monica Gonzalez, Long Range Planning Inter, Jennifer Alkire, Current and Historic Preservation Planning Manager, Francisco Contreras, Long Range Planning Manager, Isaac Rosen, Acting City Attorney, and David Gillig, Commission Secretary.

5. **APPROVAL OF AGENDA.**
ACTION: Approve the Planning Commission agenda of Thursday, August 18, 2022 as presented. **Moved by Commissioner Lombardi, seconded by Vice-Chair Thomas and passes, noting Commissioner Gregoire absent.**

6. **APPROVAL OF MINUTES.**

A. July 21, 2022

ACTION: Approve the minutes of Thursday, July 21, 2022 as presented. **Moved by Commissioner Carvalho, seconded by Commissioner Lombardi and passes, noting Commissioner Gregoire absent and Commissioner Copeland abstained.**

7. PUBLIC COMMENT.

ADAM DARVISH, WEST HOLLYWOOD congratulated Commissioner Copeland, and thanked staff and the commission for their work on residential projects.

8. DIRECTOR'S REPORT.

John Keho, Director, Planning and Development Services Department congratulated and welcomed Commissioner Copeland.

He stated at the City Council meeting on Monday, August 15, 2022, the amended Robertson Lane Hotel project with the addition of the Tree House was approved, noting additional conditions were added regarding parking.

At the upcoming City Council meeting on Monday, September 19, 2022, he stated there will be an update on the Metro extension into West Hollywood, a discussion item on dockless mobility, and a zone text amendment regarding outdoor dining parking requirements.

He congratulated and introduced Francisco Contreras as the new Long Range Planning Manager.

9. ITEMS FROM COMMISSIONERS.

Commissioner Lombardi congratulated and welcomed Commissioner Copeland and incoming Long Range Planning Manager Francisco Contreras.

Vice-Chair Thomas congratulated and welcomed Commissioner Copeland.

Commissioner Carvalheiro congratulated and welcomed Commissioner Copeland and incoming Long Range Planning Manager Francisco Contreras.

Commissioner Copeland thanked everyone for the welcome and support. She looks forward to working with everyone.

Chair Jones congratulated and welcomed Commissioner Copeland and incoming Long Range Planning Manager Francisco Contreras.

10. CONSENT CALENDAR. None.

11. PUBLIC HEARINGS.

A. 8920 SUNSET BOULEVARD:

Doug Vu, Senior Planner provided a verbal presentation and background information, as presented in the staff report dated Thursday, August 18, 2022.

He provided background information on the project site, stating the Arts Club project was approved by the City Council in 2018 and recently amended by the Commission in April of this year.

The City currently holds two easements that combined are five feet wide and extend the 160 feet width of the property along Hilldale Avenue with a total area of 838 square feet. They have not been used to construct any public improvements and are currently part of the existing two-story commercial building.

In preparation for construction of the Arts Club project to commence, the property owner requests that the City vacate these two road easements. The City does not have any plans to use these easements, and therefore does not foresee the need to retain them. Upon recordation of the vacation, this portion of right-of-way would revert to the property owner.

The proposed summary vacation complies with the General Plan because it will not adversely impact the City's transportation infrastructure, and when developed as part of the Arts Club project will enhance the urban environment on the Sunset Strip. The vacation will also serve the public interest as it will relieve the City of potential maintenance costs and liabilities in the future.

The proposal would also comply with the provisions of both the Government and Streets and Highways Codes pertaining to the vacation of streets and rights-of-way.

Staff recommends the Commission determine that the proposed summary vacation is consistent with the General Plan.

Chair Jones opened the public hearing for Item 11.A.

DJ MOORE, LOS ANGELES, Latham and Watkins presented the applicant's report. He congratulated and welcomed Commissioner Copeland. He provided a brief history of the project site, and clarified the road easements. He requested approval of staff's recommendation and vacation of the easements.

Chair Jones disclosed for the record she spoke to the applicant's representative. They discussed matters contained in the staff report.

Vice-Chair Thomas disclosed for the record she spoke to the applicant's representative. They discussed matters contained in the staff report.

GENEVIEVE MORRILL, WEST HOLLYWOOD, President & CEO, West Hollywood Chamber of Commerce, and Executive Director, Sunset Strip Business Improvement District. She congratulated and welcomed Commissioner Copeland. She spoke in support of staff's recommendation of approval regarding the vacation of the easements.

TOM HAMILTON, WEST HOLLYWOOD, representing the Hilldale Protection Coalition, had concerns regarding this item. He spoke regarding loss of views, and requested possible street and curb refurbishments and enhancements, undergrounding utility poles and requested contact information for staff.

The commission requested clarification regarding possible impacts to the vacation easements and encroachment concerns.

DJ MOORE, LOS ANGELES, Latham and Watkins presented the applicant's rebuttal. He stated they are willing to work with the neighbors regarding any concerns which could impact the neighborhood. He confirmed there will be street and curb refurbishments around the project site.

ACTION: Close the public hearing for Item 11.A. **Motion carried by consensus of the Commission.**

The commission stated their support of the requested vacation of the easements, noting there will be no detriment to the surrounding neighborhood. They commented on the significant and negative impacts to the developer since the project would need to be redesigned if the vacation easements were not granted. They confirmed views are not legally protected.

Commissioner Carvalho moved to: 1) approve staff's recommendation of approval of the general plan consistency regarding the easement.

Seconded by Vice-Chair Thomas.

ACTION: 1) Approve staff's recommendation of approval; and 2) **Adopt Resolution No. PC 22-1478 as presented:** "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, FINDING CONSISTENCY WITH THE GENERAL PLAN FOR THE SUMMARY VACATION OF TWO ROAD EASEMENTS ALONG HILLDALE AVENUE ADJACENT TO THE PROPERTY AT 8920 SUNSET BOULEVARD, WEST HOLLYWOOD, CALIFORNIA;" and 3) Close the Public Hearing for Item 11.A. **Moved by Commissioner Carvalho, seconded by Vice-Chair Thomas and passes, noting Commissioner Gregoire absent.**

B. 948-954 N. SAN VICENTE BOULEVARD:

A request is to demolish a single-family dwelling and a rear four-unit residential building at 948-950 San Vicente Boulevard and an eight-unit residential building at 954 San Vicente Boulevard, merge both lots, and construct an approximately 32,967-square-foot, five-story, 24-unit multi-family residential building.

All 13 residential units on the project site are vacant. The new building includes four inclusionary housing units and would be over one level of a semi-subterranean parking garage. The project also includes a tentative tract map to subdivide the building into a common interest development (condominium).

Staff is still reviewing and confirming applicable requirements with state law and therefore recommends this item be continued to September 1, 2022.

ACTION: 1) Continue to Thursday, September 1, 2022. **Motion carried by consensus of the Commission.**

C. ZONE TEXT AMENDMENT

PROHIBITION OF NEW FOSSIL FUEL SERVICE STATIONS:

Paige Portwood, Associate Planner provided a verbal presentation and background information, as presented in the staff report dated Thursday, August 18, 2022.

She stated the Planning Commission will consider a proposed zone text amendment to prohibit new fossil fuel service stations and the expansion of additional fossil fuel pumps at existing service station uses in the City of West Hollywood

This zone text amendment was a city council directive initiated in April 2021. The directive included two items: 1) to evaluate the feasibility to prohibit this type of land use, and 2) to continue to draft a local ban and move forward with approval of a zone text amendment.

She stated the city attorney have drafted the following recommendations for the proposed zone text amendment: 1) to prohibit new fossil fuel service station uses; 2) prohibit additional fossil fuel pumps at existing service station; and 3) update standards for the modification or alteration of existing service stations.

Staff is requesting two minor non substantial changes to the draft resolution:

Section §19.72.050

F. Existing Service Station Use. All lawfully developed and operating service station uses in existence prior to [Ordinance Effective Date] or service station uses not yet developed and/or operating but subject to an approved and unexpired use permit; and

Section §19.72.050 F1 to remove the quotation in the parenthesis clause:

1. Existing service station uses and accessory structures (e.g., storage tanks, pumps, dispensers) related to the sale, storage, conveyance, and dispensing of gasoline and any other fossil fuel may not be added, enlarged, extended, reconstructed, or moved to a different portion of the lot or parcel of land occupied. See Section 19.36.330 for existing service stations standards and allowable and prohibited uses.

She stated this proposed zone text amendment is one approach the City could make to actualize reducing greenhouse gas emissions and land pollution which contribute to the city's overall goals for climate change mitigation strategies and initiatives.

Within the last decade, a new generation of electric vehicles (EVs) have emerged as a new technology solution to reduce transportation-related air pollution. There has been an increase in federal initiatives toward EV adoption through the Biden-Harris Electric Vehicle Charging Action Plan (2021) and State goals which include a target of 5 million electric vehicles on the road by 2030 and 250,000 EV charging stations by 2025.

Locally, this policy would give leverage to the city to further implement a robust EV charging readiness program/plan which aligns with both the General Plan and the City's Climate Action & Adaptation Plan.

She clarified existing service stations in existence prior to the Ordinance adoption date would still be permitted to dispense fossil fuels through existing pumps and would be deemed as a legal nonconforming use.

Staff amended the table for Commercial Land uses to reflect that new service stations would not be an allowed use and added a line item for modifications to existing service stations which would require a conditional use permit. Per existing language, a conditional use permit would be issued when modifications cost more than 25% of the appraised value of the existing building or 25,000 thousand dollars whichever is less.

Staff made the following changes which would apply to existing service stations: 1) permit requirements or standards may be modified with the approval of the planning director if the modifications include improving environmental conditions of the site; and 2) EV charging stations or alternative fuels for Zero Emission Vehicles are allowed as well as other allowable commercial uses per the zoning district that are not fossil fuel related sales.

He reiterated staff made the following changes which would apply to existing service stations: 1) existing service stations uses, and accessory structures related to dispensing gasoline would not be allowed to be added, enlarged, extended, reconstructed, or moved the service station use to a different portion of the lot.

Amendments to the following definitions in Title 19.90 Definitions/Glossary to provide clarity on the terms used in the zone text amendment:

Service Station, ~~Pump~~ Island

A raised area on the site of a service station which accommodates electric vehicle charging equipment, hydrogen fuel cell or other alternative fuel dispensers, or existing pumps for dispensing fossil fuel into vehicles, which is surrounded by vehicle circulation areas.

Staff found there have been no applications for new service stations since cityhood, so this proposed zone text amendment is primarily maintaining the status quo of the number of service stations that currently exist.

She requested approval of the recommended changes.

The commission requested clarification regarding the replacement of holding tanks.

There were no public speakers.

ACTION: Close the public hearing for Item 11.C. **Motion carried by consensus of the Commission.**

The commission stated their support of the recommended changes. They confirmed it aligns with the city goals and climate action plan and will reduce brown field sites. They clarified it will not impact existing business and it is the direction the city needs to move towards for the future.

Vice-Chair Thomas moved to: 1) approve staff's recommendation to City Council, with staff's recommended amendments.

Seconded by Commissioner Lombardi.

ACTION: 1) **Adopt Resolution No. PC 22-1480 as amended:** a) change Section §19.72.050 F as follows: "F. Existing Service Station Use. All lawfully developed and operating service station uses in existence prior to [Ordinance Effective Date] or service station uses not yet developed and/or operating but subject to an approved and unexpired use permit;" b) change Section §19.72.050 F1 as follows: "1. Existing service station uses and accessory structures (e.g., storage tanks, pumps, dispensers) related to the sale, storage, conveyance, and dispensing of gasoline and any other fossil fuel may not be added, enlarged, extended, reconstructed, or moved to a different portion of the lot or parcel of land occupied. See Section 19.36.330 for existing service stations standards and allowable and prohibited uses." c) amend the table for Commercial Land uses to reflect "new service stations would not be an allowed use and added a line item for modifications to existing service stations which would require a conditional use permit:"

d) amendments to the following definitions in Title 19.90 Definitions/Glossary to provide clarity on the terms used in the zone text amendment: *“Service Station, Pump Island. A raised area on the site of a service station which accommodates electric vehicle charging equipment, hydrogen fuel cell or other alternative fuel dispensers, or existing pumps for dispensing fossil fuel into vehicles, which is surrounded by vehicle circulation areas.”* “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, RECOMMENDING TO THE CITY COUNCIL APPROVAL OF AMENDMENTS TO TITLE 19, ZONING ORDINANCE OF THE WEST HOLLYWOOD MUNICIPAL CODE, TO PROHIBIT NEW FOSSIL FUEL SERVICE STATION USES AND THE EXPANSION OF ADDITIONAL FOSSIL FUEL PUMPS AT EXISTING (LEGAL NONCONFORMING) SERVICE STATIONS AND FINDING THE ACTION CATEGORICALLY EXEMPT FROM CEQA, WEST HOLLYWOOD, CALIFORNIA.” and 3) Close the Public Hearing for Item 11.C. **Moved by Vice-Chair Thomas, seconded by Commissioner Lombardi and passes, noting Commissioner Gregoire absent.**

**D. ZONE TEXT AMENDMENT
REPLACAE EXGTENDED HOURS MINOR CONDITIONAL USE PERMIT
PROHIBITION OF NEW FOSSIL FUEL SERVICE STATIONS:**

Monica Gonzalez, Long Range Planning Intern provided a verbal presentation and background information, as presented in the staff report dated Thursday, August 18, 2022.

She stated the Planning Commission will consider a proposed zone text amendment to update language in Section §19.72.050 of the West Hollywood Municipal Code to allow the hours of business for nonconforming uses, other than vehicle repair, to be expanded to operate during extended business hours by applying for and obtaining an extended hours business license rather than having to apply for a minor conditional use permit (MCUP).

She provided background information, stating in October 2017, the West Hollywood City Council adopted an ordinance (Ordinance No. 17-1014) to amend regulations that govern extended hour businesses, citywide. This ordinance allowed businesses to extend business hours in the City of West Hollywood with a business license granted by the Business License Commission, rather than a minor conditional use permit (MCUP).

Thus, extended hour business licenses are now granted to business owners, subject to an annual renewal, rather than a permit granted to the property in perpetuity (as long as the business is operating in compliance with the conditions of the permit). During the annual renewal or when Code Compliance deems it necessary, the Commission has the ability to modify, suspend or revoke the license through a public hearing process.

At the time of the adoption of Ordinance No. 17-1014, staff omitted an amendment that needed to be made to Section §19.72.050 - Nonconforming Uses. Currently, the West Hollywood Municipal Code states that hours of business for nonconforming uses, other than vehicle repair, are still under the review authority of the Director of Community Development and approved through a minor conditional use permit approval (MCUP).

She stated the current requirement states that nonconforming businesses must apply for extended business hours through a minor conditional use permit (MCUP) that is approved by the Director of Community Development and then granted by the Code Compliance Division.

Staff is proposing to amend the language to require a business license instead of MCUP. The business license would be overseen and granted by the Business License Commission.

She requested approval of the recommendation.

There were no public speakers.

ACTION: Close the public hearing for Item 11.D. **Motion carried by consensus of the Commission.**

The commission stated their support of the proposed recommendation.

Vice-Chair Thomas moved to: 1) approve staff's recommendation to City Council.

ACTION: 1) **Adopt Resolution No. PC 22-1479 as presented:** "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, RECOMMENDING TO THE CITY COUNCIL APPROVAL OF AMENDMENTS TO TITLE 19, ZONING ORDINANCE OF THE WEST HOLLYWOOD MUNICIPAL CODE, TO UPDATE THE LANGUAGE OF SECTION §19.72.050 TO ALLOW HOURS OF BUSINESS FOR NONCONFORMING USES, OTHER THAN VEHICLE REPAIR, TO OPERATE UNDER EXTENDED BUSINESS HOURS THROUGH EXTENDED HOURS BUSINESS LICENSE APPROVAL AND FINDING THE ACTION CATEGORICALLY EXEMPT FROM CEQA, WEST HOLLYWOOD, CALIFORNIA." and 3) Close the Public Hearing for Item 11.D. **Moved by Vice-Chair Thomas, seconded by Commissioner Carvalheiro and passes, noting Commissioner Gregoire absent.**

12. **NEW BUSINESS.** None.

13. **UNFINISHED BUSINESS.** None.

14. **EXCLUDED CONSENT CALENDAR.** None.

15. ITEMS FROM STAFF.

A. Planning Manager's Update.

Jennifer Alkire, Current and Historic Preservation Planning Manager provided an update of tentative items scheduled for upcoming Planning Commission meetings.

She congratulated and welcomed Commissioner Copeland.

16. PUBLIC COMMENT.

Commission Secretary Gillig read the following into the record:

ROXANN HOLLOWAY, WEST HOLLYWOOD. "Good evening listening in on tonight's planning commission meeting. I am Roxann a resident of West Hollywood. I actually returned to the street I grew up on which is Clark Street, so Hilldale is right next-door. Just curious if the developers and/or city will also be adding a streetlight at Hilldale/Sunset Blvd? Since developer say that it will bring in some improvements for the community. The arts project seems like it will draw quite a bit more people so a traffic light will be a necessity. I think it's a necessity to put a light there now, but after that project's up even more so. So just one other comment, it seems like our loss of views as in views of our beautiful city from our homes, apartments, are not being considered with all these massive projects are up on the table with the planning commission and at such a rapid pace. We will be losing our view when the project comes up at Sunset /San Vicente. I'll bring this up because a caller earlier mentioned how he and his neighbors will be losing their views. Thank you and thank you for all the hard work! Roxann."

17. ITEMS FROM COMMISSIONERS.

A. Commissioner Comments.

Chair Jones stated she will be absent from the meeting on Thursday, October 6, 2022. She reminded her fellow commissioners to reach out to her regarding any members who might be interested for specific subcommittee appointments.

B. Subcommittee Management.

Jennifer Alkire, Current and Historic Preservation Planning Manager provided an update of tentative items scheduled for Design Review Subcommittee, Long Range Planning Projects Subcommittee, and Sunset Arts and Advertising Subcommittee meetings.

She requested a special meeting of the Sunset Arts and Advertising Subcommittee on Thursday, September 22, 2022 at 6:00 p.m. The regularly scheduled Design Review Subcommittee meeting will be cancelled on that date.

She confirmed appointments to the subcommittees will be on the next Planning Commission agenda.

ACTION: 1) Schedule a special meeting of the Sunset Arts and Advertising Subcommittee on Thursday, September 22, 2022 at 6:00 p.m.; and 2) cancel the regularly scheduled meeting of the Design Review Subcommittee on Thursday, September 22, 2022 at 6:00 p.m. **Motion carried by consensus of the Commission.**

ADJOURMENT. The Planning Commission adjourned at 7:42 p.m. to a regularly scheduled meeting on Thursday, September 1, 2022 beginning at 6:30 p.m. until completion. This meeting will be a teleconferenced meeting (with detailed instructions for participation included on the posted agenda). **Motion carried by consensus of the Commission.**

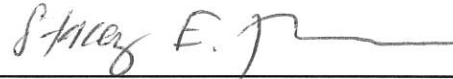
PASSED, APPROVED AND ADOPTED by the Planning Commission of the City of West Hollywood at a regular meeting held this 1st day of September, 2022 by the following vote:

AYES: Commissioner: Carvalheiro, Copeland, Lombardi, Chair Jones.

NOES: Commissioner: None.

ABSENT: Commissioner: Vice-Chair Thomas.

ABSTAIN: Commissioner: Gregoire, Matos.



STACEY E. JONES, CHAIRPERSON

ATTEST:



DAVID K. GILLIG, COMMISSION SECRETARY