



**PLANNING COMMISSION
SUMMARY ACTION MINUTES
Regular Meeting
August 17, 2023**

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

Land Acknowledgment: “The West Hollywood Planning Commission acknowledges that the land on which we gather and that is currently known as the City of West Hollywood is the occupied, unceded, seized territory of the Gabrieleño Tongva and Gabrieleño Kizh peoples.”

1. **CALL TO ORDER:** Chair Carvalho called the meeting of the Planning Commission to order at 6:32 p.m.

2. **PLEDGE OF ALLEGIANCE.** Vice-Chair Lombardi led the Pledge of Allegiance.

3. **ROLL CALL:**

Commissioners Present: Copeland, Edwards, Gregoire, Jones, Matos, Vice-Chair Lombardi, Chair Carvalho.

Commissioners Absent: None.

Staff Present: Michelle Montenegro, Associate Planner, Francisco Contreras, Long Range Planning Manager, Lauren Langer, City Attorney, and David Gillig, Commission Secretary.

4. **APPROVAL OF AGENDA.**

Chair Carvalho stated for the record Item 9.A. - 8025 Santa Monica Boulevard is being continued to a date uncertain. He confirmed it will be legally re-noticed for a new public hearing date.

He requested the meeting be adjourned in memory of past Planning Commission member John Altschul.

ACTION: Approve the Planning Commission agenda of Thursday, August 17, 2023 as amended. **Moved by Commissioner Matos, seconded by Commissioner Jones and unanimously passes.**

5. APPROVAL OF MINUTES.

A. July 20, 2023

ACTION: Approve the action minutes of Thursday, July 20, 2023 as presented. **Moved by Commissioner Gregoire, seconded by Commissioner Matos and passes, noting Commissioner Jones abstained.**

6. PUBLIC COMMENT. None.

7. DIRECTOR'S REPORT.

Francisco Contreras, Long Range Planning Manager confirmed the appointment of the new Community Development Director, Nick Maricich. Maricich joins the City of West Hollywood with 16 years of service to furthering successful urban planning at the City of Los Angeles. His first day will be Monday, September 18, 2023.

The City Council had a special co-meeting with the Public Safety Commission on Monday, August 14, 2023.

He stated at the upcoming City Council meeting on Monday, August 21, 2023, the council will hear a request for a cultural resource designation regarding Plummer Park; Great Hall/Long Hall and Fiesta Hall, protected bike lanes on Fountain Avenue and Santa Monica Boulevard, and a zone text amendment regarding above-lower income units.

8. CONSENT CALENDAR. None.

9. PUBLIC HEARINGS.

A. 8025 SANTA MONICA BOULEVARD:

The proposed project includes the demolition of an existing two-story commercial building and construction of approximately 82,510 gross square-foot, seven-story, mixed-use development containing 115 dwelling units above approximately 3,797 square feet of ground floor commercial space over a two-level subterranean garage with 115 parking spaces.

The adoption of the 2021-2029 Update to the Housing Element of the General Plan and certification of the Final Environmental Impact Report by the City Council occurred on February 21, 2023 that includes a Mitigation Monitoring and Reporting Program which applies to the proposed project.

Staff recommends that this item be continued to a date uncertain to allow the applicant and staff to complete the necessary environmental analysis under the California Environmental Quality Act.

ACTION: 1) Continue to a date uncertain, and 2) legally re-noticed the proposed project for a public hearing when a new meeting date has been confirmed. **Motion carried by consensus of the Commission as part of the amended agenda.**

**B. ZONE TEXT AMENDMENT
DWELLING LEASE TERMS FOR CONDOMINIUMS AND SINGLE-FAMILY RESIDENCES:**

Michelle Montenegro, Associate Planner provided a verbal presentation and background information, as presented in the staff report dated Thursday, August 17, 2023.

She stated the Planning Commission will consider a zone text amendment to modify Section §19.36.275 (Residential Uses – Dwelling Unit Lease Term) of Title 19 of the West Hollywood Municipal Code to lengthen the initial lease term for individually owned condominium dwelling units and single-family residences, both existing and new, from the current requirement of 31 days to 60 days.

She provided a history of the proposed recommendation and spoke regarding the directive, balancing community and industry needs, indicators, and complaint data.

When reviewing initial minimum lease terms, staff balanced the demand for robust long-term housing stock in the name of community stabilization with the need for flexibility for those participating in the city and region's employment sectors.

Current Requirements:

Section §19.36.275 of Title 19 of the WHMC regulates dwelling unit lease terms for residential uses as a result of the adoption of Ordinance No. 20-1112. While most dwelling units must have an initial lease term of at least one year, this provision does not apply to a range of other residential use types, including individually owned condominium dwelling units and single-family residences. Subsection B. of Section §19.36.275 specifies that individually owned condominium dwelling units and single-family residences, when leased, shall be rented for a minimum lease term of 31 days, evidenced by a written rental or lease agreement.

Proposed Zone Text Amendment:

The proposed zone text amendment addresses the initial minimum lease term for tenants of single-family residences and condominiums. This amendment would modify subsection B. of Section §19.36.275 to change the initial lease term from 31 to 60 days. The section would read as follows:

"B. Individually owned condominium dwelling units and single-family residences, when leased, shall be rented for an initial lease term of at least 60 days, as evidenced by a written rental or lease agreement."

Under this new provision, each initial lease term must be for at least 60 days. If the existing tenant occupies the unit for at least 60 days and wishes to remain in the unit, the property owner may extend the lease upon the agreement of the parties. This revision balances a homeowner's ability to rent their property and the need for temporary housing with the community's need to reduce neighborhood turnover.

This amendment maintains the current "rent back" provision found in W.H.M.C. Section §19.36.275 A. - where a seller of a dwelling unit leases the subject dwelling unit from the buyer immediately following the sale of the dwelling unit – as a permitted exception from the proposed dwelling lease term.

This proposed change in length for dwelling lease terms would not impact the minimum lease terms of other structure types, such as rental apartment buildings. Unless listed as a specific exception in W.H.M.C. Section §19.36.275, dwelling units shall be leased by the tenant under an agreement for an initial lease term of at least one year. The City of West Hollywood does not permit a land use type that offers midterm leases nor corporate housing as defined by Section §19.90.020.

The commission questioned and requested clarification regarding analyses of having a 31 day versus 60 day, average reporting data, complaints and percentages, enforcement protocols, current short-term rental buildings within the city, other local government agencies practices, accessible dwelling units, Assembly Bill changes, application of the transient occupancy tax, and home owners association by-laws and guidelines.

Commissioner Matos disclosed for the record he spoke to members of the public. They discussed matters contained in the staff report.

Chair Carvalheiro opened public comments for Item 9.A.

There were no public speakers.

ACTION: Close public comment portion of the public hearing for Item 9.A.
Motion carried by consensus of the Commission.

The commission spoke in support of the recommendation. They discussed possible neighborhood disruptions and complaints, quality of life and safety issues, possibly modifying the length of time to a longer term, hotel industry, legitimate short-term needs, additional long term analyses and data, regulations, and enforcement.

Commissioner Matos moved to: 1) approve staff's recommendation to City Council with a sixty (60) day option.

Seconded by Commissioner Copeland.

Vice-Chair Lombardi questioned if housing data and percentages could somehow be included with the recommendation, which would allow City Council to discuss the concerns.

City Attorney Langer suggested adding language to the end of Section 4 of draft Resolution No. PC 23-1531: *“Ask Council to consider directing staff to report back with data to revisit the matter at a timeline that the Council deems appropriate.”*

Commissioner Matos agreed to this amendment.

ACTION: 1) **Adopt Resolution No. PC 23-1531 as amended:** a) add to the end of Section 4, Recommendation. *“Request City Council to consider directing staff to report back with data to revisit the matter at a timeline that the Council deems appropriate.”* “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, RECOMMENDING TO THE CITY COUNCIL APPROVAL OF AN ORDINANCE ADOPTING AN AMENDMENT TO TITLE 19, THE ZONING ORDINANCE OF THE WEST HOLLYWOOD MUNICIPAL CODE, TO LENGTHEN THE INITIAL LEASE TERM FOR INDIVIDUALLY OWNED CONDOMINIUM DWELLING UNITS AND SINGLE-FAMILY RESIDENCES TO AT LEAST 60 DAYS AND FINDING THE ACTION STATUTORILY EXEMPT FROM CEQA;” and 2) Close the Public Hearing for Item 9.A. **Moved by Commissioner Matos, seconded by Commissioner Copeland and unanimously passes.**

10. NEW BUSINESS. None.

11. UNFINISHED BUSINESS. None.

12. EXCLUDED CONSENT CALENDAR. None.

13. ITEMS FROM STAFF.

A. Planning Manager’s Update.

Francisco Contreras, Long Range Planning Manager provided an update of tentative items scheduled for upcoming Planning Commission meetings.

B. Subcommittee Management.

Francisco Contreras, Long Range Planning Manager provided an update of tentative items scheduled for Design Review Subcommittee, Sunset Arts and Advertising Subcommittee and Long Range Planning Projects Subcommittee meetings.

14. PUBLIC COMMENT. None.

15. ITEMS FROM COMMISSIONERS.

A. Commissioner Comments.

Commissioner Jones thanked the commission for adjourning in memory of John Altschul. She sends her condolences to his friends and stated he will be missed.

ADJOURMENT. The Planning Commission adjourned in memory of past Planning Commissioner and friend John Altschul at 7:40 p.m. to a regularly scheduled meeting on Thursday, September 7, 2023 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 7th day of September, 2023 by the following vote:

AYES: Commissioner: Copeland, Edwards, Gregoire, Jones, Matos,
Vice-Chair Lombardi, Chair Carvalho.

NOES: Commissioner: None.

ABSENT: Commissioner: None.

ABSTAIN: Commissioner: None.



ROGERIO CARVALHEIRO, CHAIRPERSON

ATTEST:



DAVID K. GILLIG, COMMISSION SECRETARY