

**CITY OF WEST HOLLYWOOD  
CITY COUNCIL  
MINUTES  
MONDAY, OCTOBER 23, 2000  
6:00 P.M. – SPECIAL MEETING  
CONTINUED ZONING HEARING  
Closed Session Immediately following  
WEST HOLLYWOOD PARK AUDITORIUM**

1. **CALL TO ORDER:** Mayor Prang called the meeting to order at 6:07 PM.
2. **PLEDGE OF ALLEGIANCE:** Jim Mangia led the Pledge.
3. **ROLL CALL:**  
PRESENT: Councilmembers Guarriello, Heilman, Martin, Mayor Pro Tempore Koretz and Mayor Prang.  
ABSENT: None.  
ALSO PRESENT: City Attorney Jenkins, City Manager Arevalo, Interim City Clerk Love, Assistant City Clerk Taylor, and Administrative Staff Assistant Bursztin.

4. **CONTINUED PUBLIC HEARING FOR ZONING TEXT AMENDMENT 99-02  
(REVISED ZONING ORDINANCE):**

4.A. **FOLLOW-UP FROM SEPTEMBER 11, 2000 ZONING ORDINANCE  
HEARING:**

\*Property Maintenance Standards:

Liz Bar-El, Associate Planner, provided background information as outlined in the staff report dated October 23, 2000.

Councilmember Martin spoke about code compliance enforcement and about the additional items added in the staff report.

Lisa Heep, Planning Manager, spoke about the additional items in the staff report specified for citation on violations on the exteriors of buildings. She also spoke about citations for the interior of buildings as well.

In a response to a question from Councilmember Guarriello', Planning Manager Heep further defined "interior" by stating "the interior of residential units."

JEANNE DOBRIN, WEST HOLLYWOOD, spoke about Code Compliance Officers having a difficult time getting into the interior of a building.

Councilmember Heilman spoke in support.

**By Consensus of the City Council.**

**\*Hedges:**

Liz Bar-El, Associate Planner, provided background information as outlined in the staff report dated October 23, 2000. She further explained that the revision is more restrictive than the current code.

John Chase, Urban Designer, presented a slide presentation on the various types of hedges located in the City of West Hollywood. He spoke about corner hedges, vertical height and wall hedges, lower and higher hedges that are adjacent to each other, hedges in excess of eight (8) feet in height, 1-1/2 ft. hedges, hedges with higher trees around or near them, hedges defining property lines, and streetscape hedges.

Associate Planner Bar-El provided additional clarification on hedges located in the R 1 and R 2 Zones. She spoke about residents obtaining a zoning clearance or being required to trim hedges to six (6) feet.

IRVING GENDIS, MURIETA HOT SPRINGS, spoke about representing a mechanical shop located on the corner of Santa Monica Boulevard and Sweetzer Avenue and the three (3) year time period he has been allotted to make changes to the shop.

JANET COLE, WEST HOLLYWOOD, spoke about positive changes in the new zoning ordinance. She spoke about construction noise in her area of residence in the westside of West Hollywood.

ROHAN GAVIN, WEST HOLLYWOOD, spoke in opposition of bed and breakfasts.

JIM MANGIA, WEST HOLLYWOOD, spoke in opposition of increased height and density. He also spoke about making the changes more West Hollywood friendly.

MARK LEHMAM, WEST HOLLYWOOD, West Hollywood Chamber of Commerce, Government Affairs Committee, thanked staff for their work with the business community on the zoning revisions. He also spoke about the criteria on creative billboards.

STEVEN AFFRIAT, LOS ANGELES, representing local artists, spoke about Tall Walls and thanked staff for their guidance on Tall Walls. He asked consideration for allowing Tall Walls to be located throughout the City.

Councilmember Martin spoke about buildings along Sunset Boulevard that may be considered for Tall Walls.

HILLARY SELVIN, LOS ANGELES, West Hollywood Chamber of Commerce, thanked staff for their work with the business community and expressed concern over the process being very long and confusing. She asked for a document be made available to the public listing the changes in simple terms.

ROBERTA SPONSER, GLENDALE, spoke about time limits on creative billboards and asked for clarification on their approval if they would go to the planning commission.

LAYNE LAWSON, LOS ANGELES, spoke about time limits for creative billboards and the process in general including obtaining the Planning Commission approval.

GENE SMITH, WEST HOLLYWOOD, spoke about replacement billboards.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke about narrow streets and hedges being too high. She spoke in opposition of real estate brokers.

NICK SHAFFER, WEST HOLLYWOOD, spoke in opposition of bed and breakfasts and spoke about the smoking ordinance. He also spoke in opposition of bar patrons bringing drinks outside in the areas designated as smoking areas.

HAMID GABBAY, BEVERLY HILLS, spoke about a project that was built in 1928 built by Charlie Chaplin. He asked for a postponement on the bed and breakfast ordinance.

Councilmember Martin asked for the address of the building that the public speaker was talking about: 819-825 Sweetzer Avenue.

ROLAND BOLGER, LOS ANGELES, Representing Sam Hakin, spoke in support of 819-825 Sweetzer as a bed and breakfast.

Councilmember Martin spoke about hedges dominating neighborhoods. He stressed the need to further explore this issue. He spoke about traffic and noise on Fountain Avenue and that special consideration is needed for high traffic areas. He also stated that nobody wants to tell someone who has an existing hedge to tear it down. He spoke about the city getting a hedge inventory.

Councilmember Heilman spoke about hedges located in R 1 and R 2 Zones. He also spoke about the information in the agenda packet not including what they already agreed to at the last Zoning Public Hearing.

Mayor Pro Tempore Koretz spoke about people not aware of this zoning revision and that there might be a firestorm of opposition. He spoke in support of a variety of hedges.

Councilmember Guarriello spoke about the hedges in the Norma Triangle. He spoke in opposition of cutting hedges down in that area. He spoke about getting the information out to the public so they are not surprised. He also spoke about using the various news media to publicize the revised Zoning Ordinance.

Associate Planner Bar-El provided additional information on secondary highways and the approval of six (6) footwalls. She spoke about the zone clearance as the only mechanism for staff to enforce this.

Mayor Prang spoke in support of Mayor Pro Tempore Koretz and Councilmember Guarriello's comments. He discussed the difficulty of enforcement of hedges and the reality that a lot of residents will not pay any attention to this. He spoke about fears of this revision being perceived as unfair harassment by local government. He spoke about the need for more options and additional time to allow for people to comply with the new regulations.

Associate Planner Bar-El provided additional formation and clarification on how residents would be able to feet their hedges if they obtained a zone clearance. She spoke about the current maximum height being six (6) feet.

Ray Reynolds, Community Development Director, provided additional information on zone clearances. He spoke about a large number of hedges being over six (6) feet. He also spoke about a possible education program to get the information out to the public.

Planning Manager Heep spoke about a hedge law that is already on the books but very difficult to enforce.

Wade Daveport, Interim Code Compliance Manager, spoke about the beneficial elements for code compliance with the proposed language. He spoke about an order-to-remedy mechanism currently in place that includes fees and penalties. He also stated that upon compliance, penalties can be waived. He spoke that in the past hedges have been used as a neighbor-to-neighbor battle for other reasons.

Councilmember Heilman recommended that the Council adopt the proposed language and come back with one (1) last review provision for a eighteen-(18) month grace period. **By Consensus of the City Council.**

**\*Creative Billboards;**

Liz Bar-El, Associate Planner, provided background information as outlined in the staff report dated October 23, 2000.

Planning Manager Heep spoke about flexibility with regards to conditional use permits.

Councilmember Heilman spoke about conditional use permit process being difficult and the burden on the city.

Councilmember Martin spoke about the language being a compromise. He stated that he had concerns about LCD/LED technology being lumped with jumbotrons. He recommended that it be returned to the Planning Commission to develop standards.

Mayor Prang spoke in support of Councilmember Martin's comments and stated that technology may not fit into the box that the city has created.

Councilmember Heilman recommended the approval of the proposed language with additional direction to continue to explore this issue and to provide an update in one (1) year on the new technology.

**By Consensus of the City Council.**

**\*Tall Wall Sites:**

A slide presentation detailed 15% or less window space with regards to tall walls. The following buildings appeared in the slide presentation as potential tall wall sites: 9000 Sunset Boulevard, 8730 Sunset Boulevard, 8401 Sunset Boulevard, 8831 Sunset Boulevard, 9229 Sunset Boulevard, 9253 Sunset Boulevard, 8833 Sunset Boulevard, 9255 Sunset Boulevard, 8800 Sunset Boulevard and 8440 Sunset Boulevard.

Planning Manager Heep spoke about tall walls hurting the building architecturally and about the criteria for conditional use permits.

Councilmember Heilman spoke about the Planning Commission having the authority to deny a tall wall when it affects the building architecturally. He also spoke about tall walls that are already up could be extended for another period of time by obtaining a permit but with a deadline for a conditional use permit.

Councilmember Martin spoke about a provisional grandfathering clause.

Councilmember Guarriello spoke about the six-(6) month conditional use permit.

Approved with the amendment for existing tall walls obtaining a permit to extend its approval with a conditional use permit deadline. **By Consensus of the City Council.**

The City Council took a break at 7:42 PM.

The City Council reconvened at 7:52 PM.

**\*Large Screen Video Signs:**

Liz Bar-El, Associate Planner, provided background information as outlined in the staff report dated October 23, 2000. She also spoke about revising the art requirement.

Councilmember Martin inquired on the advantages of the in-lieu fees. He spoke about video being referred to as art in the Sunset Specific Plan.

Allison Maxwell, Development Specialist, provided additional information on the advantages of the in-lieu fees providing more revenue for other art projects. She spoke about public service announcements and about art programs for seniors and children. She suggested MOCHA be involved with regards to art development.

Councilmember Heilman spoke about a possible mechanism through which the requests could be funneled through the city. He spoke in support of the four-(4) minutes of public service announcements but having it filtered through the Public Information Division.

Councilmember Guarriello spoke about how often the public service announcements would be running which is 13 minutes per hour during the duration of the jumbotron is up and running.

Councilmember Heilman spoke about a possible language revision on the public service announcements and have it clearly state that the City controls the content of these announcements. He spoke in support of the in-lieu fees and directed staff to change the Sunset Specific Plan and to develop a mechanism for the ongoing payments.

**By Consensus of the City Council.**

**\*Bed and Breakfast:**

Jennifer Davis, Senior Planner, provided background information as outlined in the staff report dated October 23, 2000.

Councilmember Heilman spoke about bed and breakfasts being allowed as a rehabilitation incentive. He also spoke about the landlord proving

that they cannot maintain the building at the current income. He spoke in opposition of changing residential housing to commercial buildings. He stressed that there should be incentives to maintain residential.

Mayor Pro Tempore Koretz spoke about one (1) proposed bed and breakfast that is currently underway. He spoke in support of historic properties with adequate parking.

Councilmember Guarriello spoke about the costs incurred when making an existing building into a bed and breakfast.

Councilmember Martin spoke about traffic problems that could develop from a bed and breakfast. He spoke about maintaining as many rent control units as possible. He discussed the Sweetzer Avenue proposal. He spoke in support of the non-commercialization of the neighborhoods.

The City Council agreed to allow bed and breakfasts in commercial areas and under the regulations of the rehabilitation incentives. They agreed to the economic hardships should be further developed and added into the requirements. **By Consensus of the City Council noting the NO Vote of Mayor Pro Tempore Koretz.**

\*Second side of rooftop of billboards:

Liz Bar-El, Associate Planner, provided background information as outlined in the staff report dated October 23, 2000.

Councilmember Heilman spoke in opposition due to the fact that they exceed the height limit.

Mayor Prang generally agrees with the staff report recommendation. He spoke about the unapproved backside of a billboard being less desirable than an approved backside for aesthetic purposes.

**By Consensus of the City Council.**

\*Real Estate Signs:

Liz Bar-El, Associate Planner, provided background information as outlined in the staff report dated October 23, 2000.

Councilmember Heilman spoke about incorrect information being forwarded to the real estate industry. He spoke about "open house" signs being placed on the actual property that is being sold as appropriate. He spoke about the ongoing difficulties Code Compliance has experienced in enforcing the correct use of such signs and that the signs could be potentially used for other purposes.

Mayor Pro Tempore Koretz stated the use for these signs for other uses is highly unlikely.

Wade Davenport, Interim Code Compliance Manager, spoke about garage sale signs and enforcement problems.

JAMES LITZ, WEST HOLLYWOOD, spoke about Civil Code Section 12 exempting real estate signs.

Councilmember Martin spoke about signs that should not be placed on the public right-of-ways. He suggested that the City try this program for one (1) year and limit it to west side of West Hollywood.

Councilmember Heilman spoke in opposition. He stated that he doesn't feel that the real estate industry is suffering in West Hollywood. He spoke in support of limiting these signs to on-site sales properties.

Mayor Pro Tempore Koretz spoke in support of the off-site signs. He agreed with Councilmember Martin's comments.

RICHARD GIESBRET, WEST HOLLYWOOD, spoke in opposition of six (6) foot fences and hedges in residential properties.

The City Council agreed to affirm the prior direction. **By Consensus of the City Council noting the NO Vote of Mayor Pro Tempore Koretz.**

\*Parking for specialty health clubs, dance schools:

Liz Bar-El, Associate Planner, provided background information as outlined in the staff report dated October 23, 2000.

Councilmembers Guarriello and Heilman spoke in support.  
Councilmember Martin and Mayor Pro Tempore Koretz spoke in opposition.

The City Council agreed to accept staff's recommendation. **By Consensus of the City Council noting the NO Vote of Councilmember Martin.**

- 4.B. DISCUSS THE REMAINING CHAPTERS OF ARTICLE 3 - 19.36 (Standards for Specific Land Uses):  
**Tabled to the next scheduled Zoning Public Hearing.**
- 4.C. DISCUSS ARTICLE 4 – (Land Use and Development Permit Procedures):  
**Tabled to the next scheduled Zoning Public Hearing.**
- 4.D. DISCUSS ARTICLE 5 – (Zoning Ordinance Administration):



**Tabled to the next scheduled Zoning Public Hearing.**

The City Council requested an additional Zoning Public Hearing in December and directed staff to come back with a schedule at the next City Council Meeting.

**5. PROPOSED RESOLUTIONS FOR THE CALLING OF THE GENERAL MUNICIPAL ELECTION TO BE HELD ON MARCH 6, 2001**

The City Council will consider the approval of the proposed resolutions calling the election for Tuesday, March 6, 2001.

HILLARY SELVIN, LOS ANGELES, spoke about concerns on the wording of the Resolutions.

Vivian Love, Interim City Clerk, spoke about the Fourth Resolution in the Recommendation and stated that if the City Council wants to oppose an initiative, that they could designate a Councilmember as an option but it is not required.

City Attorney Jenkins stated that the City Council's first priority is to offer an opposition or support. He stated that the City Council must choose all or some of the initiatives and among themselves or delegate as a body or to a sub-committee. Councilmembers Heilman and Martin volunteered to coordinate the rebuttal.

Councilmember Martin spoke in opposition of the initiative.

Councilmember Heilman spoke about the wording of the initiative and how it leaves out the mandatory phrase and requirement that a business license be revoked if they do not comply.

After much debate, City Attorney Jenkins stated that he would work out a draft title in the Closed Session which is reflected in Recommendation No. 1 below.

**RECOMMENDATION:**

- 1) Adopt Resolution No. 00-2397, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, MARCH 6, 2001, FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES AND FOR THE SUBMISSION TO THE VOTERS; SHALL AN ORDINANCE BE ADOPTED WHICH: (1) MANDATES THAT ALCOHOL SERVING BUSINESSES THAT DERIVE MORE THAN 50% OF THEIR REVENUE FROM THE SALE OF ALCOHOL MAKE CONDOMS AND SAFER SEX LITERATURE AVAILABLE TO THEIR PATRONS, (2) SUBJECTS SUCH BUSINESSES TO REVOCATION OF THEIR CITY PERMITS IF THEY FAIL TO DO SO, AND, (3) MANDATES THAT THE CITY

ACQUIRE AND DISTRIBUTE SUCH CONDOMS AND SAFER SEX LITERATURE TO SUCH ALCOHOL SERVING BUSINESSES?"

- 2) Adopt Resolution No. 00-2398, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO RENDER SPECIFIED SERVICES TO THE CITY RELATING TO THE CONDUCT OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, MARCH 6, 2001;"
- 3) Adopt Resolution No. 00-2399, ' A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATES STATEMENTS SUBMITTED TO THE VOTERS AT AN ELECTION TO BE HELD ON TUESDAY, MARCH 6, 2001;"
- 4) Adopt Resolution No. 00-2400, 'A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA SETTING PRIORITIES FOR FILING A WRITTEN ARGUMENT REGARDING A CITY MEASURE AND DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS;"
- 5) Adopt Resolution No. 00-2401, ' A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA PROVIDING FOR THE FILING OF REBUTTAL ARGUMENTS FOR CITY MEASURES SUBMITTED AT MUNICIPAL ELECTIONS;"
- 6) Adopt Resolution No. 00-2402, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA ORDERING THE CANVASS OF THE GENERAL MUNICIPAL ELECTION TO BE HELD TUESDAY, MARCH 6, 2001, BE MADE BY THE CITY CLERK.

**PUBLIC COMMENT**

JEANNE DOBRIN, WEST HOLLYWOOD, spoke in opposition of real estate off-site signs.

JANET COLE, WEST HOLLYWOOD, spoke in support of mandatory availability and in opposition of mandatory distribution with regards to condoms and safer sex initiative.

**COUNCILMEMBER COMMENTS:**

Mayor Pro Tempore Koretz agreed with the public speakers comments on the wording of the initiative.

City Attorney Jenkins stated a variety of ways to state the title of the initiative. He stated that this is a hard task due to the fact that you are trying to balance different interests. He stated that this needs to be easy to read when people go to the polls to vote.

Councilmembers Heilman and Martin stated that they preferred stronger language and the proposed language does not capture the point of the initiative.

Councilmember Guarriello inquired on why the City Council is dealing with this issue at this point in time.

Mayor Prang reminded the City Council that as an elective body, it is their responsibility to present the best possible language regardless of motives of those who coordinated the original petition.

**RECESS TO CLOSED SESSION at 9:22 PM.**

**RECONVENE at 10:16 PM.**

**REPORT OF CLOSED SESSION BY CITY ATTORNEY:** City Attorney Jenkins read the final title of the Initiative, which is reflected in Recommendation No. 1 of the Item.

**Motion Councilmember Heilman, seconded by Councilmember Martin and unanimously carried.**

City Attorney Jenkins stated that one Item of Personnel – City Manager's Evaluation was added to the Closed Session Agenda and that no reportable actions were taken.

**ADJOURNMENT:** The City Council adjourned at 10:23 PM to a Special Meeting/Study Session on Monday, October 30, 2000 at 6:00 p.m. regarding the Parking Needs Assessment and Strategies.

The next regular meeting will be held on Monday, November 6, 2000 at 7:00 P.M. at West Hollywood Park, 647 N. San Vicente Boulevard.

APPROVED BY A MOTION OF THE WEST HOLLYWOOD CITY COUNCIL THIS 3<sup>rd</sup> DAY OF JANUARY 2005.

ATTEST:

  
JOHN J. DURAN, MAYOR

  
THOMAS R. WEST, CITY CLERK