

**CITY COUNCIL
CONTINUED PUBLIC HEARING
CITY OF WEST HOLLYWOOD
MINUTES
MONDAY, JUNE 26, 2000
WEST HOLLYWOOD PARK**

1. **CALL TO ORDER:** Mayor Prang called the Meeting to order at 6:03 PM.
2. **PLEDGE OF ALLEGIANCE:** Donald Deluccio led the Pledge.
3. **ROLL CALL:**
 - PRESENT: Councilmembers Guarriello, Heilman, Martin, and Mayor Prang. Councilmember Koretz arrived at 6:26 PM.
 - ABSENT: None.
 - ALSO PRESENT: Assistant City Attorney Fleming, City Manager Arevalo, City Clerk Thompson and Administrative Staff Assistant Bursztin.
4. **CONTINUED PUBLIC HEARING FOR ZONING TEXT AMENDMENT 99-02 (REVISED ZONING ORDINANCE):**

4.A. PRESENTATION OF ARTICLE 1 (ZONING ORDINANCE ENACTMENT AND APPLICABILITY AND ARTICLE 2 (ZONING DISTRICTS AND ALLOWABLE LAND USES):

City Clerk Thompson stated that a Notice of Continued Public Hearing was posted on May 15, 2000 in all places required by law.

Ray Reynolds, Community Development Director and Lisa Heep, Planning Manager provided background information as outlined in the staff report dated June 26, 2000. Liz Bar-El, Associate Planner and John Chase, Urban Designer made a special slide presentation providing additional information and clarification. Consultant Paul Crawford provided additional information.

DAN SIEGEL, West Hollywood, spoke about non-conforming uses in residential units and discrepancies between Zoning and Rent Stabilization.

JEANNE DOBRIN, West Hollywood, spoke in support of this item and complimented the City staff and consultants.

Article 1

Councilmember Martin inquired on size requirements and Associate Planner Bar-El provided the clarification.

Councilmember Heilman had a question on effects of Zoning Ordinance on Page 1-5, Letter F. Planning Manager Heep answered his question on the new requirements and provided

additional information. He spoke of applications being filed and withdrawn. Associate Planner Bar-El provided clarification on the procedures. He provided examples of applications being filed under the old rules vs. the new rules. He spoke about potential breach of contract issues. He inquired on C-2 on page 1-12 Development Agreements and was answered by Consultant Crawford, who provided information and stated that a modification was required.

Assistant City Attorney Fleming provided additional legal information on restrictions on Development Agreements.

Councilmember Guarriello reminded staff that they must be upfront and direct with these people. He also spoke of residential notification falling on part of the weekends during the thirty-(30) day timeframe. Planning Manager Heep provided additional clarification.

Mayor Prang inquired on Section 19.03 Interpretation of Rules on 1-11. He spoke about a timeframe not being included in this section and made the recommendation to include it in the future. Associate Planner Bar-El provided clarification that a timeframe was not included. Community Development Director Reynolds stated a period of thirty-(30) days would be recommended but they would come back with information after consulting an attorney. Mayor Prang spoke about residential notification when plans have been submitted. Associate Planner Bar-El stated that this is included in Article 5. He spoke on Section Section 19, Decks and Paths on page 1-8 on height restrictions. Consultant Crawford provided additional size information on decks and paths. He stated an example of a deck being built like a skirt around a home.

Article 2

Councilmember Heilman had a general question on 2-12 on the table and spoke of additional side setbacks. Consultant Crawford provided clarification.

Mayor Pro Tempore Koretz spoke of the a previous situation with the Norman Triangle.

Councilmember Martin stated that clearer and more direct language should be implemented "say what you want." He spoke about neighborhood conservation districts and protection. He complimented Urban Designer Chase on the work he designed on Huntley Drive. He stated concerns for those purchasing homes in the \$200,000 to \$300,000 bracket as opposed to the half million dollar and up. Urban Designer Chase provided additional information. He spoke about the front setback. He asked staff to

examine tobacco and gun shops and spoke about the Cannabis Club and how it should be included. Mayor Pro Tempore Koretz supported Councilmember Martin's comments.

Councilmember Heilman suggested deleting the section Table 2-3. He suggested staff to come back with standard lot sizes so that the Council could make an opinion. He spoke about height limits and neighborhoods in transition. He spoke about the Design Guidelines and asked for clarification on whether they are suggested rather than required and Associate Planner Bar-EI confirmed this. He specifically questioned the up lighting guideline and it was confirmed that it would be changed. He spoke of CUP requirements of retail stores and suggested adding this. He spoke about references on the Pacific Design Center Specific Plan. He spoke about putting development agreements on the Map. He also spoke of design guidelines that involve lighting and requested the Planning Staff to expand on this area. He spoke about incentives for providing public parking and stated that the fee was complicated. He suggested a change to for "a fee not to exceed.." and asked staff to come back with additional information at a later date. He spoke of mixed-use bonuses.

Mayor Prang spoke about administrative permits for a number of uses that he agreed with but wondered what authority makes the decision to issue or decline the permit. Associate Planner Bar-EI provided clarification and additional information and that an appeal is possible at a staff level. He discussed the increased number of cigar shops that have opened. He spoke about a problem with parking with social service agencies and related establishments such as the We Ho Lounge. He asked what assurances are in place that buildings are getting adequate design considerations and review and Urban Designer Chase provided information. Mayor Prang spoke in support of higher-level design plans.

Mayor Pro Tempore Koretz asked what the impact would be to make the changes to the General Plan. Planning Manager Heep addressed his question and provided additional information. Councilmember Heilman asked for the changes to be identified.

Associate Planner Bar-EI summarized the changes per the Council's request.

Planning Manager Heep spoke of Wild Oaks as an example.

The City Council recessed at 7:48 PM.

The City Council reconvened at 7:57PM.

4.B. PRESENTATION OF ARTICLE 3, CHAPTER 19.20 (GENERAL PROPERTY DEVELOPMENT & USE STANDARDS)

Liz Bar-El, Associate Planner made a special slide presentation that highlighted the changes before the City Council.

DAN SIEGEL, WEST HOLLYWOOD, read a letter that addressed about fences and hedges in R-2 Zones.

JANET COLE, WEST HOLLYWOOD, supported Dan Siegel's comments about fences and hedges and spoke in support of Councilmember Martin's previous comments. She spoke in opposition of the letter that was included in the staff report and of advanced notification to residents of demolition.

JEAN HOBART, WEST HOLLYWOOD, supported Janet Cole's comments and spoke about the structure of the Code.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke about administrative decisions on Article 2. She spoke in opposition of the statements of the previous three public speakers and how criminals can hide behind hedges.

Councilmember Martin and Councilmember Heilman had concerns over fences and hedges. Councilmember Heilman stated that tall hedges are a public safety issue and spoke in support of height limitations. He also stated he understood the desire to have tall hedges, fences and/or walls on busy streets such as Fountain Avenue where you may have a smaller front yard. He spoke of incorporating exceptions into design. He spoke in support of height restrictions for fences. He suggested staff coming back with a staff report on language on height, grandfathering and materials that can be used for fences. He had some concerns over the restrictions on ornings.

Councilmember Martin asked for flexibility for side yards rear yards. He suggested a discussion of exempting ten-foot setbacks. He spoke in support of rod iron fences. He spoke about cars being stored in front yards and had concerns over air quality with regards to fireplaces and chimney's.

Mayor Pro Tempore Koretz spoke about enforcement on hedge height limitations and could not see fences that have been there for a long period of time be torn down.

Councilmember Guarriello spoke of the height of the hedges in the Norman Triangle. He stated that people should be able to do what ever they wish in the back yards with regards to hedges and fences.

Councilmember Martin spoke of exceptions to the height limitations of hedges. He stated that tall hedges reduce neighbor interaction and direct staff to come back with a report on this. Mayor Pro Tempore Koretz spoke in support of eliminating polluting fireplaces and chimneys.

Mayor Prang spoke about privacy issues when the bedroom is at the front of the house.

Mayor Pro Tempore Koretz inquired on how the City currently deals with tall walls, fences and hedges. He spoke of concerns over grandfathering the older fences.

Councilmember Heilman suggested incorporating a wall or hedge into an outstanding design concept. He discussed grandfathering in those who presently have permits. He requested that staff eliminate the presentations when the material is presented in the actual staff report to save time.

Staff was directed to return to the City Council with a report on the following issues; grandfathering older fences and hedges, basic issue of height limits of 6 feet, materials used for fencing and a discussion on side and rear yards.

ACTION: Continue the Public Hearing to Monday, July 31, 2000 at 6:00 PM. **Motion Councilmember Guarriello, seconded by Councilmember Martin and unanimously carried.**

5. PROPOSED URGENCY ORDINANCE ESTABLISHING INTERIM REGULATIONS REGARDING CREATIVE BILLBOARDS PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 65858:

City Clerk Thompson read the title of the Urgency Ordinance into the Record.

Councilmember Guarriello provided background information as outlined in the staff report dated June 26, 2000.

Councilmember Martin asked Planning Manager Heep if any applications have come in and she confirmed that one has.

Mayor Pro Tempore Koretz questioned if it was legal to do this Item as an Urgency Item and spoke in opposition of this Item.

Assistant City Attorney Fleming provided additional legal information on moratoriums and how it does qualify as an Urgency Item.

Councilmember Heilman inquired if the Tall Walls permits are discretionary and Planning Manager Heep confirmed this and it is approved by staff and could be appealed by the Planning Commission.

MOTION: Adopt Ordinance, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD ESTABLISHING INTERIM REGULATIONS REGARDING CREATIVE BILLBOARD PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 65858 AND DECLARING THE URGENCY THEREOF."
Motion Councilmember Guarriello, seconded by Councilmember Prang and FAILED on a Roll Call Vote:

AYES: Councilmember Guarriello, Mayor Prang.
NOES: Councilmember Heilman, Martin and Mayor Pro Tempore Koretz.

6. **PUBLIC COMMENT:**
JEANNE DOBRIN, WEST HOLLYWOOD, spoke in opposition of the failure of the moratorium on Tall Walls.
7. **COUNCILMEMBER COMMENTS:**
Councilmember Martin spoke in support of the failure of the moratorium and addressed Jeanne Dobrin's comments.

Councilmember Heilman spoke about the West Hollywood Orchestra and the Summer Sounds Concerts kick-off that was a smashing success. He thanked the staff for their work on the event.

ADJOURNMENT: The City Council adjourned at 8:52 PM to their next regular meeting on Monday, July 17, 2000 at 7:00 P.M. at West Hollywood Park, 647 N. San Vicente Boulevard. The City Council meeting scheduled for July 3, 2000 is canceled.

APPROVED BY A MOTION OF THE WEST HOLLYWOOD CITY COUNCIL
THIS 17TH DAY OF JULY, 2000.

s/ Jeffrey Prang

MAYOR

ATTEST:

s/ Jay Thompson

CITY CLERK

THIS IS CERTIFIED TO BE A TRUE
AND CORRECT COPY OF THE
ORIGINAL FILE IN THE
OFFICE OF THE CITY CLERK OF
THE CITY OF WEST HOLLYWOOD
ATTEST: *Damas P. West*

CITY CLERK

11/16/04