MINUTES
JOINT STUDY SESSION: WEST HOLLYWOOD CITY COUNCIL - BUSINESS LICENSE COMMISSION - PLANNING COMMISSION

JANUARY 7, 1992
WERLE BUILDING
626 N. ROBERTSON

NIGHTCLUB STANDARDS

CALL TO ORDER: Mayor Koretz called the meeting to order at 7:08 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL:

CITY COUNCIL: PRESENT: Guarriello, Heilman, Land, Mayor Koretz
ABSENT: Lang

BUSINESS LICENSE COMMISSION:
PRESENT: Forbes, Maggio, Sonnenburg, Ellis (arrived five minutes late)
ABSENT: Elliott

PLANNING COMMISSION:
PRESENT: Behr, Clavan, Crowe, Smith, Zaden
ABSENT: Litz, Richmond

ALSO PRESENT: City Manager Brotzman
Assistant City Attorney Christi Hogin
Community Development Director Gay Forbes
Planning Manager Anne Browning

SUBJECT: NIGHTCLUB STANDARDS AND REVIEW PROCEDURES

RECOMMENDATIONS:

1. Review all existing and proposed standards to ensure feasibility.
2. Work with Chamber and Nightclub Council to determine reasonable amortization period.
3. Prepare zoning text amendment and a hardship exemption provision and implementing Option One of staff report.
4. Evaluate current provisions of Business License Ordinance and prepare text amendments to eliminate land use considerations from dance and entertainment license sections.
5. Direct the Business License Commission to prepare guidelines for good business practices to present to applicants upon application for and renewal of licenses.
6. Direct staff to coordinate with other agencies and provide public information regarding appropriate enforcement efforts.

Gay Forbes, Community Development Director, gave the staff report. She explained that the issues are underregulation of existing businesses, and overregulation of new businesses, and overlapping in the hearing processes and other procedures, between the Planning Commission and Business License Commission. She proposed that nightclubs be subjected to a C.U.P. (conditional use permit) process before the Planning Commission.

Anne Browning, Planning Manager, explained Option One (page 5 of staff report). The nightclub conditions would all be in one place (zoning ordinance), and all nightclubs would be required to conform to the conditions. The original C.U.P. would be granted without a public hearing, <u>when</u> they've met the conditions. There would be a certain period (amortization period) for nightclubs to comply. If there is a violation of the conditions the C.U.P. would be revoked. There should be some sort of exemption procedure in unusual cases where a nightclub cannot comply with a condition. The Planning Commission would continue to review, not limited to land use issues.

Following the staff report, there were questions and discussion by the Councilmembers and Commissioners. Some of the comments were as follows:
Councilmember Heilman - Will it take away some of our ability to address problems? There is still a potential for conflict between the two commissions.
Commissioner Ellis - There is no such thing as overregulation. Fleetwoods was a waste of time; they weren't ready to open to begin with.
Commissioner Behr - Parking problems--someday we'll have to evaluate how to handle the occupancy load; we may need to designate zoning areas where nightclubs will be accepted.
Commissioner Sonnenburg - Not fair to nightclub owners; we should more frequently have joint meetings; give clear notice to nightclub owners.
Commissioner Smith - Joint meetings is not a good idea.
To split the issues more clearly is a good approach. Business people can handle this.
Commissioner Zaden - Agree with Commissioner Crowe that amortization period needs to be a certain amount of time.
Need to also address circulation; also special events in nightclubs.
Commissioner Clavan - Concerned about overregulation; will make it too onerous for businesses. Keep in mind we're trying to attract businesses.
Councilmember Heilman - Regarding the overlap--who develops the strategy? Discourage forum-shopping.
Gay Forbes - Agree. That issue needs to be thought through more. Most nightclub problems are land use issues. If we put things together right, the businesses <u>will</u> comply. It's a rare case that will have to come before a Commission or Council.
Councilmember Land - Spell things out clearer. Come up with

amortization period that works; flexibility in the ordinance. First, there should be a subcommittee from both commissions.
Commissioner Behr - Revocation of C.U.P.'s should be a last resort.
Commissioner Smith - Would support existing nightclubs, not new nightclubs.
Commissioner Clavan - Would support new nightclubs.
Councilmember Heilman - We don't want to be punitive; let's get something on paper so it can be done. Would like to see some new establishments, maybe not geared toward the youngest set.
Councilmember Guarriello - Agree with Councilmember Heilman.
Councilmember Land - Support the fact that West Hollywood does have a nightlife.
Commissioner Maggio - Concerned about parking; more foot patrol would be helpful with loitering and littering.
Commissioner Smith - Reports from staff indicate there is sufficient parking.
Mayor Koretz - There should be more commitment to existing nightclubs--would be upset if we forced out any existing clubs. We should be aware some regulations are not practical. In some cases Planning Commission and Business License Commission should meet jointly, if it can be done practically. We want to work closely with nightclubs and the Chamber.
Commissioner Sonnenburg - I have a friend who is a realtor--will not go into West Hollywood--too many rules, too complicated. We should put out a guide, simplify, make user friendly.

ACTION: Approve the staff recommendations, with additional comments, and give staff direction to go ahead.
Approved by consensus of the majority of City Council and Commissioners.

ADJOURNMENT:
The Planning Commission adjourned at 8:26 p.m. to a retreat on Thursday, January 9, 1992, at their regular meeting time (7:00 p.m.). Motion Zaden second Clavan. Hearing no objection it was so ordered.

The City Council adjourned at 8:27 p.m. to Tuesday, January 21, 1992, for a closed session at 6:00 p.m., followed by the regular meeting.

The Business License Commission adjourned at 8:28 p.m. to their next regular meeting, February 4, 1992. Motion Forbes second Ellis. Hearing no objection it was so ordered.

APPROVED BY MOTION OF THE CITY COUNCIL THIS 21ST DAY OF JANUARY, 1992.

Paul Koretz
Mayor

ATTEST:

Mary Tyson
City Clerk