



**PLANNING COMMISSION
SUMMARY ACTION MINUTES
Regular Meeting
August 1, 2024**

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 Lombardi called the meeting of the Planning Commission to order at 6:33 p.m.

2. **PLEDGE OF ALLEGIANCE.** Commissioner Solomon led the Pledge of Allegiance.

3. **ROLL CALL:**

Commissioners Present: Carvalheiro, Hoopingarner, Jones, Matos, Solomon, Vice-Chair Gregoire, Chair Lombardi.

Commissioners Absent: None.

Staff Present: Jerry Hittleman, Senior Contract Planner, Tahirah Farris, Senior Planner, Francisco Contreras, Acting Community Development Director, Isaac Rosen, Deputy Legal Counsel, and David Gillig, Commission Secretary.

4. **APPROVAL OF AGENDA.**

Commissioner Solomon disclosed for the record he is recusing himself from the Action of Agenda Item 8.A. – 8383 Santa Monica Boulevard, noting his residence is within 500’ of the property.

ACTION: Approve the Planning Commission agenda of Thursday, August 1, 2024, as presented. **Moved by Commissioner Jones, seconded by Commissioner Matos and unanimously passes, noting Commissioner Solomon’s recusal on the Action for Item 8.A. - 8383 Santa Monica Boulevard.**

ITEM 5.A.

5. APPROVAL OF MINUTES.

A. July 18, 2024

ACTION: Approve the summary action minutes of Thursday, August 18, 2024, as presented. **Moved by Commissioner Hoopingarner, seconded by Commissioner Jones and unanimously passes.**

6. PUBLIC COMMENT. None.

7. DIRECTOR'S REPORT.

Francisco Contreras, Acting Community Development Director, stated the Draft Environmental Impact Report for the Metro K Line North Extension Project is now available for public review. He encouraged participation by providing comments to Metro regarding the city's alternative San Vicente | Fairfax route. www.weho.org/metro

He stated the 41st Annual National Night Out will take place on Tuesday, August 6, 2024. There will be events throughout the City of West Hollywood (4:00 p.m. – 9:00 p.m.) and he encouraged participation. www.weho.org/nno

There is a new resource called *Get Involved: A Guide to Civic Involvement*. This resource includes information about how to stay informed, new ways to get involved, and information about how to participate in public meetings, including all West Hollywood's Commissions and Advisory Boards.

8. CONSENT CALENDAR.

A. 8383 SANTA MONICA BOULEVARD:

The Planning Commission received a three-month operational review of Barry's, as required under Condition No. 10.9 in Resolution No. PC 21-1388.

Commissioner Solomon disclosed for the record he is recusing himself from the Action of this item, noting his residence is within 500' of the property.

ACTION: Receive and file with no action taken. **Moved by Commissioner Jones, seconded by Commissioner Matos and unanimously passes, noting Commissioner Solomon's recusal on the Action for Item 8.A. - 8383 Santa Monica Boulevard as part of the approved agenda.**

**9. PUBLIC HEARINGS SECTION I:
PROJECTS SUBJECT TO THE HOUSING ACCOUNTABILITY ACT.** None.

**10. PUBLIC HEARINGS, SECTION II:
OTHER ITEMS THAT REQUIRE A PUBLIC HEARING UNDER THE LAW.**

A. ZONE TEXT AMENDMENT

STUDIO AND MICRO UNITS, DEFINITIONS AND STANDARDS:

Jerry Hittleman, Senior Contract Planner, provided a verbal presentation and background information, as presented in the staff report dated Thursday, August 1, 2024.

He stated the Planning Commission will consider a zone text amendment to adopt new policies, regulations, development standards, and definitions for studio and micro-units.

He provided background information, stating City Council directed staff to initiate a zone text amendment to clarify and define various housing types in the West Hollywood Municipal Code, specifically for congregate care facilities, co-living/shared housing, and micro-units, and to establish appropriate development and design standards for these housing types that can contribute to meeting the City's Regional Housing Needs Assessment (RHNA) goals.

Staff presented the proposed zone text amendments to the West Hollywood Chamber of Commerce Government Affairs Committee and the Long Range Planning Projects Subcommittee.

He spoke and provided detailed elements of the proposed amendments:

Micro-units: is defined as a compact dwelling unit with a total floor area of 425 square feet or less. Each unit includes a kitchen area, living space, sleeping quarters, dedicated storage space, and separate, private bathroom facilities within the unit.

Studio units: is defined as a dwelling unit with a total floor area greater than 425 square feet. Each unit includes a combined kitchen area, living space, sleeping quarters, and dedicated storage space in one continuous room, and has separate, private bathroom facilities within the unit.

He detailed the proposed development standards including bathrooms, kitchens, occupancy per unit, private and common open spaces, parking and storage. He clarified there is one parking space per studio or micro-units that are up to 500 square feet; studios larger than 500 sq. ft. is 1.5 spaces per unit.

He provided a description of general operations, management, and on-site security plans and allowable zoning districts.

This item was presented to the Long Range Planning Projects Subcommittee. The subcommittee expressed overall support for micro-unit regulations. Their specific input included the following: 1) development standards for these types of units are needed in the Zoning Code; 2) policy goals and minimal quality of life standards are important; 3) establishing a minimum unit size is preferable, potentially in the 250 or 300 square foot range; 4) common and private open space standards are essential when compact living is considered; and 5) onsite security is an added expense and should be considered for projects over a specific size.

Staff recommends that the Planning Commission adopt a resolution recommending that the City Council approve a zone text amendment to adopt new policies, regulations, development standards, and definitions for studio and micro-units and finding that the action is Categorically Exempt from CEQA.

He commented on the California Building Code Standards for efficiency units and clarified; only if it is applicable. He requested this needs to be read into the record as part of the motion, since it is currently not adopted in the Ordinance.

There were no official disclosures.

The commission asked for clarification regarding private open spaces and dimensions, minimum size and square-footage calculations of micro-units, 24-hour onsite management, number of persons per unit, definitions of efficiency versus studio units, requirements and definitions regarding refrigerators, counter space, usable kitchen, clothing and storage space, home office telecommuting space, qualifications and definitions regarding RHNA, and light and ventilation.

They requested confirmation that studio and micro-units would be subjected to a minimum lease term of one year, and questioned what studies went into selecting the 425 square foot threshold on the difference between a studio and micro-unit.

Chair Lombardi opened public comments for Item 10.A.

JAMES FRANCIS WENDELL, WEST HOLLYWOOD has concerns regarding this item. He commented on the current housing crisis, lack of the city's proactivity, rules and regulations, unit sizes, and unit restrictions.

ACTION: Close public comment portion of the public hearing for Item 10.A.
Motion carried by consensus of the Commission.

The commission had concerns, stating, it doesn't appear to be creating enough standards, or objective standards that can be used to make sure there are quality livable projects. They expressed the need for actual livable space and questioned creating minimum dimensions for a workable design.

They had concerns regarding the concept of micro-units, less than ideal sizes of the units, and the cost of the units. It was stated units of this size may not foster long term residents of the city. It was suggested perhaps state law should be investigated regarding the onsite management for projects with 16 units or more and decrease the amount of private open space, which is a grossly underused amenity to allow square footage for units.

They spoke and suggested a possible change that would require refrigerators in studios and micro-units. They were concerned with the minimum parking requirements and suggested removing the minimum parking requirements.

It was stated livability is a subjective term and there are inconsistencies with the parking requirements. It was noted that more livable space is needed, and perhaps additional language could be crafted regarding usable space. The commission questioned if they could require a refrigerator, or at least provide appropriate space for a refrigerator

Isaac Rosen, Deputy Legal Counsel clarified if the commission has a basis why studios and micro-units should require a refrigerator, that would be permissible. The commission would also have the purview to indicate a space for a refrigerator or stating for refrigeration purposes.

They requested clarification regarding onsite management and onsite security.

Discussion was held about possible additional language regarding refrigerators, including minimum dimensions, the amount of space and type of refrigerator. It was noted that a standard undercover refrigerator is 5.6 cubic feet.

Isaac Rosen, Deputy Legal Counsel suggested for consideration the following amendment to Section §19.36.327 Residential Uses – Studio and Micro-Units, A. 2. Kitchens. All studio and micro-units shall include a kitchen area, which must include at a minimum, a kitchen sink, two burner cooktop appliance, countertop area, ~~and storage cabinets~~ and a refrigerator not less than 5 cubic feet and shall comply with the requirements in Section §1208.4 of the California Building Code, Title 24.

Further discussion was held regarding common open space, closet dimensions, parking requirements, and the language for the specificity of storage areas.

Francisco Contreras, Acting Community Development Director, read into the record the following modification to draft Resolution No. PC 24-1546, on page 8 of 8, Section §19.36.280 ((Residential Uses – Multi-family Dwellings), A.1. modifying Section A.2.C.1 “Private open space areas shall have a minimum dimension of seven feet and a configuration that would accommodate a rectangle of at least 100 square-feet, except for micro-units where the configuration must accommodate at least 70 square feet.”

Discussion and consideration were given to modify the following: page 6 of 8, draft Resolution No. PC 24-1546, Section §19.36.280 ((Residential Uses – Multi-family Dwellings), A.5. “Storage. In addition to any outdoor storage requirements, all studio and micro-units shall have dedicated space of a minimum of 60 cubic feet for storage for clothing and linens, in addition to separate pantry/dry food storage and a separate utility closet within the unit. The pantry/dry food storage and a separate utility closet shall not count toward the required cubic feet for minimum storage space.”

The commission questioned if this new dwelling type will be consistent with existing affordable housing standards, codes and rules

Isaac Rosen, Deputy Legal Counsel confirmed the ordinance has been vetted with the city’s housing team to confirm that it will be consistent and does not require changes to the affordability restrictions.

Commissioner Matos moved to: 1) approve staff’s recommendation to the City Council with the added language read into the record regarding refrigeration.

Seconded by Commissioner Carvalheiro.

Isaac Rosen, Deputy Legal Counsel read into the record the motion as captured. 1) a change to Section §19.36.327 A.2, that at a minimum a refrigerator not less than 5 cubic feet would go before the existing requirements; 2) add to the end of the sentence on page 6 of 8, Section §19.36.327 A.2. Kitchens. All studio and micro-units shall include a kitchen area, which must include at a minimum, a kitchen sink, two burner cooktop appliance, countertop area, and storage cabinets, and shall comply with the requirements in Section 1208.4 of the California Building Code, Title 24 if applicable for an efficiency unit.; 3) a change to Section §19.36.327 A.2. 5. Storage. In addition to any outdoor storage requirements, all studio and micro-units shall have dedicated space of a minimum of 60 cubic feet for storage for clothing and linens, in addition to separate pantry/dry food storage and a separate utility closet within the unit. The pantry/dry food storage and a separate utility closet shall not count toward the required cubic feet for minimum storage space.; 4) amend Section 8., which currently changes subsection A of Section §19.36.280, to also change subsection C of Section §19.36.280. C1 shall read “Private open space areas shall have

a minimum dimension of seven feet and a configuration that would accommodate a rectangle of at least 100 square-feet, except for micro-units where the configuration must accommodate at least 70 square feet.”; and 5) amend Section 7, by removing the added language under Table 3.6 requiring one parking space for studio and micro-units up to 500 square-feet. (Studio ~~and micro-units~~ up to 500 sq. ft.: 1 space.).

Francisco Contreras, Acting Community Development Director informed the commission they will need to make a finding to exclude some of these projects from CEQA. He clarified if projects provide more parking than is required in the code the city cannot exclude them from additional CEQA analyses. Some developers may need to undertake an additional study at additional costs.

Isaac Rosen, Deputy Legal Counsel suggested the commission may want to recommend the city council review the commission's interest in removing this requirement for those 100+ parcels that are not impacted by AB 2097.

Additional clarification was given regarding the parking and BMT requirements and CEQA analyses.

Chair Lombardi confirmed with Commissioner Matos that his motion included a recommendation to determine if one space per micro-unit is appropriate for City Council to investigate.

ACTION: 1) Adopt Resolution No. PC 24-1564 as amended: “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL ADOPT AN AMENDMENT TO TITLE 19, ZONING ORDINANCE OF THE WEST HOLLYWOOD MUNICIPAL CODE, TO ADOPT NEW DEFINITIONS AND STANDARDS REGULATING STUDIO UNITS AND MICRO-UNITS AND FIND THE ACTION EXEMPT FROM CEQA.”

a) add to the end of the sentence on page 6 of 8, Section §19.36.327 A.2. Kitchens. *“All studio and micro-units shall include a kitchen area, which must include at a minimum, a kitchen sink, two burner cooktop appliance, countertop area, and storage cabinets, and shall comply with the requirements in Section 1208.4 of the California Building Code, Title 24 if applicable for an efficiency unit.”*

b) amendment to Section §19.36.327 Residential Uses – Studio and Micro-Units, A. 2. Kitchens. *All studio and micro-units shall include a kitchen area, which must include at a minimum, a kitchen sink, two burner cooktop appliance, countertop area, ~~and storage cabinets~~ and a refrigerator not less than 5 cubic feet and shall comply with the requirements in Section §1208.4 of the California Building Code, Title 24.’*

c) page 8 of 8, Section §19.36.280 ((Residential Uses – Multi-family Dwellings), A.1. modifying Section A.2.C.1 *“Private open space areas shall have a minimum dimension of seven feet and a configuration that would accommodate a rectangle of at least 100 square-feet, except for micro-units where the configuration must accommodate at least 70 square feet.”*

d) page 6 of 8, Section §19.36.280 ((Residential Uses – Multi-family Dwellings), A.5. Storage. *“In addition to any outdoor storage requirements, all studio and micro-units shall have dedicated space of a minimum of 60 cubic feet for storage for clothing and linens, in addition to separate pantry/dry food storage and a separate utility closet within the unit. The pantry/dry food storage and a separate utility closet shall not count toward the required cubic feet for minimum storage space.”*

3) forward the following recommendation to the City Council for their consideration: “o review the Planning Commission’s interest in removing the parking requirement for those 100+ parcels that are not impacted by AB 2097.”; and 4) Close the Public Hearing for Item 10.A. **Moved by Commissioner Matos, seconded by Commissioner Carvalheiro and unanimously passes.**

11. NEW BUSINESS. None.

12. UNFINISHED BUSINESS. None.

13. EXCLUDED CONSENT CALENDAR. None.

14. ITEMS FROM STAFF.

A. Planning Manager’s Update.

Francisco Contreras, Acting Community Development Director provided an update of tentative items scheduled for upcoming Planning Commission meetings.

B. Subcommittee Management.

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

He stated the next regularly scheduled Design Review Subcommittee will be officially cancelled on Thursday, August 8, 2024.

15. PUBLIC COMMENT.

JAMES FRANCIS WENDELL, WEST HOLLYWOOD spoke about the inequity in affordable housing guidelines.

16. ITEMS FROM COMMISSIONERS.

Commissioner Matos spoke on behalf of David Nash, Disabilities Advisory Board member, Planning Commission liaison, and stated the 26th Annual Disabilities Service Awards is accepting nominations. The virtual awards presentation will take place during Disabilities Awareness Month on Wednesday, October 23, 2024, at 6:00 p.m. and will broadcast live on WeHoTV and You Tube. Members of the public are encouraged to nominate individuals, businesses, members of the media, media outlets, and non-profit organizations that deserve special recognition for their work for people living with disabilities including disability issues. Nominations will be accepted through Friday, August 16, 2024, at 5:00 p.m. Honorees will be selected by the West Hollywood Disabilities Advisory Board.

Commissioner Hoopingarner apologized to staff, stating she was given wrong information at the last meeting about a developer meeting being held at the same time as Planning Commission. The meeting was the previous night.

ADJOURMENT. The Planning Commission adjourned at 8:45 p.m. to a regularly scheduled meeting on Thursday, August 15, 2024, 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 15th day of August 2024 by the following vote:

AYES: Commissioner:

NOES: Commissioner:

ABSENT: Commissioner:

ABSTAIN: Commissioner:

MICHAEL A. LOMBARDI, MIES LC LEED AP BD+C
CHAIRPERSON

ATTEST:

DAVID K. GILLIG, COMMISSION SECRETARY