



**PLANNING COMMISSION
SUMMARY ACTION MINUTES
Regular Meeting
December 5, 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 6:32 p.m.
2. **PLEDGE OF ALLEGIANCE.** Chair Lombardi led the Pledge of Allegiance.
3. **ROLL CALL:**
Commissioners Present: Carvalho, Hoopingarner, Jones, Matos, Vice-Chair Gregoire, Chair Lombardi.

Commissioners Absent: Solomon.

Staff Present: Antonio Castillo, Senior Planner, Tahirah Farris, Senior Planner, Francisco Contreras, Long Range Planning Manager, Doug Vu, Acting Current and Historic Preservation Planning Manager, Jennifer Alkire, Assistant Director, Community Development Department, Isaac Rosen, Deputy Legal Counsel, and David Gillig, Commission Secretary.
4. **APPROVAL OF AGENDA.**
Chair Lombardi noted for the record agenda Item 10.B. – Zone Text Amendment, Electric Vehicle Charging Stations Infrastructures will be continued to Thursday, December 19, 2024, as requested by staff.

ACTION: Approve the Planning Commission agenda for Thursday, December 5, 2024, as amended. **Moved by Commissioner Hoopingarner, seconded by Commissioner Matos and passes, noting Commissioner Solomon absent.**

ITEM 5.A.

5. APPROVAL OF MINUTES.

Commissioner Hoopingarner and staff noted the following clerical correction:

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10.B. 617-621 N. ~~Robertson~~ Robertson Boulevard

A. November 7, 2024

ACTION: Approve the action summary minutes of Thursday, November 7, 2024, as amended. **Moved by Commissioner Hoopingarner, seconded by Vice Chair Gregoire and passes, noting Commissioner Solomon absent.**

6. PUBLIC COMMENT. None.

7. DIRECTOR'S REPORT.

Nick Maricich, Community Development Director, stated on Monday, November 16 [18], 2024, the City Council directed staff to initiate a coordinated package of amendments to the applicable conditional use permits for residentially zoned hotels. This would allow patrons, other than hotel guests, to dine at on-site restaurants. The council further directed staff to bring these amendments forward in a single public hearing before the Planning Commission.

On Monday, December 2, 2024, the City Council approved various amendments to the West Hollywood Municipal Code to enhance and clarify the special event permit process.

He stated Bob Cheung, Senior Transportation Planner will be retiring at the end of December. He served the City of West Hollywood for over 15 years. He worked on several major projects, including the change in the city's transportation impact methodology and vehicle miles travelled. He thanked him for his years of service and wished him all the best.

8. CONSENT CALENDAR. None.

**9. PUBLIC HEARINGS SECTION I:
PROJECTS SUBJECT TO THE HOUSING ACCOUNTABILITY ACT.**

**THE COMMISSION TOOK A TEN (10) MINUTES RECESS TO ADDRESS
TECHNICAL SOUND ISSUES.**

A. 845 N. SAN VICENTE BOULEVARD | 840-854 N. HILDALE AVENUE:
Antonio Castillo, Senior Planner, provided a verbal presentation and background information, as presented in the staff report dated Thursday, December 5, 2024.

He stated this project request consists of the demolition of ten dwelling units and all accessory structures on four contiguous parcels, merger of the four parcels, and construction of an approximately 18,372-square-foot, three-story, ten-unit residential building with four very low-income units, two low-income units, and four rent-stabilized market-rate units.

The project also includes the construction of a rear pool deck and subterranean space at the rear of the Hilldale property for the exclusive use by the abutting urban inn, designated as a cultural resource and known as San Vicente Bungalows.

He provided a history of the two properties, stating the project involves two abutting sites owned by the same property owner. The first site includes the proposed residential development located at 840-854 Hilldale Avenue consisting of four contiguous parcels on the east side of Hilldale Avenue, north of Santa Monica Boulevard. The project site includes a street frontage of approximately 174 feet. The three southernmost parcels at 840, 844, and 848 Hilldale Avenue are each similarly developed with an approximately 2,000-square-foot, two-story duplex and rear detached accessory structure constructed between 1925 and 1926. The fourth northernmost parcel at 854 Hilldale Avenue is developed with a 2,144-square-foot, single-story fourplex constructed in 1925. Most of this site was previously occupied by a residential drug treatment facility known as Klean, which was vacated in 2019. The property at 854 Hilldale Avenue was vacated in July 2023. All ten residential units are currently vacant and will be removed from the rental market.

He detailed the proposed development of the Hilldale properties, stating the proposal includes ten dwelling units, a ground level parking garage, common use areas provided on the ground floor, entry lobby, mail and package area, resident lounge, elevator and stairs, lounge area, bicycle storage, waiting area for resident supported services, common open space, individual open space in units via balconies, and other amenities. He stated the proposal utilizes three concessions and two waivers for providing affordable units.

There is a proposed ancillary area behind the residential site which will include a swimming pool, a pool deck and a subterranean space below the pool deck containing a dining area, other back of house uses, changing rooms, break room, and restrooms.

He provided visuals of the project renderings, and confirmed the entrance to the San Vicente Bungalows will remain on San Vicente Boulevard. There will be no connecting entrances or exits between the two separate uses, except emergency access requirements only.

Other components of the project include an amendment to the existing conditional use permit to allow the urban inn to expand their existing food and alcohol service to the new amenity deck and subterranean ancillary space.

The project also proposes a vesting tentative tract map for the purpose of creating two master ground lots. The Hilldale property would be further divided into three airspaces, including one for each of the levels of the residential building. The second floor, containing six affordable housing units, will be on a separate alienable airspace parcel.

He clarified the density bonuses requested, which includes: Concession 1: one additional story; Concession 2: five-foot reduction in the rear yard setback; Concession 3: eliminate the art plan and installation requirements; Waiver 1: reduction of the required six-foot additional front yard setback for second and upper stories; and Waiver 2: reduction to the 50% minimum habitable space requirement.

It is the staff's assessment the requested concessions and waivers of the development standards are appropriate and consistent with the State Density Bonus Law.

Staff supports the project and recommends approval of the project, subject to the findings and conditions of approval.

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

Vice-Chair Gregoire disclosed for the record he spoke to the applicant's representative. They discussed matters contained in the staff report.

Commissioner Hoopingarner provided the Design Review subcommittee report. She stated overall the subcommittee was very positive about the project, stating it was well integrated into the community. The subcommittee questioned the placement of the transformer, and bathroom access from both bedrooms in the two-bedroom units. They discussed the uplighting on the pool side, the number of trees being removed and replaced, planters located under the trellis and how the vines would be supported [not present in the renderings] and spoke about street activation in front of the ground floor spaces. Overall, they were in support of the day lighting and cross-ventilation, the scale of the project, including the materials.

The commission questioned and requested clarification regarding noise [rooftop and patio deck] and the allowable hours of operation, qualifications for the inclusionary housing units, and if the last tenant in procession would have first right of refusal.

Isaac Rosen, Deputy Legal Counsel, clarified the resolution states 10:00 a.m. for the hours of operation, but it should state 10:00 p.m. Staff will request that clerical correction if this moves forward.

Chair Lombardi opened public comments for Item 9.A.

TODD ELLIOTT, BURBANK, applicants' representative, presented the applicants report. He introduced the team which will be presenting the proposed project.

PIERRE DE ANGELES, LOS ANGELES, project architect, continued the applicant's report. He spoke and detailed the lighting, pool area, transformer vault locations, building design, and square footage of the residential units.

LISA ZEDER, LOS ANGELES, spoke and gave an update to the landscaping adjustments suggested by the design review subcommittee and provided details of the locations of the vines.

The commission questioned and requested clarification regarding the landscaping on the rear walkway, fire department access, consistent green space in relation to the historic buildings, residential and ADA parking spaces, square-footage of the inclusionary vs market rate housing units, pool accessibility, and financing qualifications and how it is tied to the vesting tentative tract map [individual parcels]. They questioned if the bike and mail rooms are air conditioned, requested the definition of habitable spaces, and further questioned the number of trees to be removed, and the materials used on the underside of the residential roof.

TODD ELLIOTT, BURBANK, applicants' representative, clarified the original request to cluster the inclusionary units on the second level and explained the individual parcel financing alternatives. He stated they have no plans to turn these into condominiums. He confirmed the bike and mail rooms will be air conditioned, explained the habitable spaces, and stated they are uncertain at this time the number of trees that will need to be removed.

Antonio Castillo, Senior Planner confirmed there will be four canopy trees removed and replaced with seven canopy trees on the property and referenced the Tree Canopy provisions.

WENDY GOLDMAN, WEST HOLLYWOOD, has concerns regarding this item. She questioned if the pool is for exclusive use for the San Vicente Bungalows, visitor parking, and the public benefits.

DAWN SANDOR, WEST HOLLYWOOD, opposes the staff's recommendation of approval.

TIM TAYLOR, WEST HOLLYWOOD, has concerns regarding this item. He spoke regarding property values, neighborhood inconsistency, parking, pool deck noise, and views.

GARY BORMET, WEST HOLLYWOOD, has concerns regarding this item. He spoke regarding parking, non-toxic landscaping, and roof top lighting.

BOBBI EDRICK, WEST HOLLYWOOD, spoke in support of the staff's recommendation of approval.

GRANT PORTMAN, WEST HOLLYWOOD, spoke in support of the staff's recommendation of approval.

JACOB POMPEY, WEST HOLLYWOOD, opposes staff's recommendation of approval. He stated he does however support the rehabilitation of the property for future housing.

REBECCA DAMAVANDI, WEST HOLLYWOOD, spoke in support of the staff's recommendation of approval.

ROGER LA GRANGE, WEST HOLLYWOOD, spoke in support of the staff's recommendation of approval.

ILAN MEYER, WEST HOLLYWOOD, has concerns regarding this item. He spoke regarding the segregated inclusionary housing units and neighborhood compatibility.

TODD ELLIOTT, BURBANK, applicants' representative, presented the applicants rebuttal. He stated there has been no substantial or adverse evidence or impacts to the health and safety which would allow denial of this project. He addressed public comments made and clarified the pool use is for the exclusive use of the San Vicente Bungalows. He commented further on the street parking, right of first refusals, neighborhood compatibility, design of the project, and stated there are no public benefits proposed for this project.

He stated for the record the following errors in the documents that need to be amended: a) ~~Truman & Elliott, LLP.~~ Todd Elliott, Inc.; b) Condition 3.1. "~~Within 30 60~~ days of the approval of the project..."; c) add to Condition 4.9. "Escalation subject to the requirements of the California Subdivision Map Act and Housing Accountability Act."; d) Condition 8.13. should be removed, based on fact there are no parking spaces to be removed; e) 13. Operations (Table) Sale and Service of Alcohol (Outdoor) Hilldale Pool Deck and Outdoor Amenity Spaces 8:00 a.m. to 10:00 ~~a.m.~~ p.m. (daily); f) 13. Operations (Table) ~~Outdoor Special Events 8:00 a.m. to 10:00 p.m. (daily)~~ stating there is already a special events provision for this property; and g) Resolution PC No. 24-1587, add to Condition 3.4. "...building permits are ~~obtained~~ calculated based upon the California Subdivision Map Act and Housing Accountability Act."

The commission questioned whether there are any proposed noise mitigation measures along the balconies facing the pool deck and residences and requested clarification about special event permitting.

PIERRE DE ANGELES, LOS ANGELES, project architect, stated along all balconies facing the pool deck, there will be door height channel glass to provide visual and noise mitigation screening.

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

The commission questioned staff about the language in regard to the quality of building grade materials, inclusionary housing units vs market rate units, and requested clarification about the inclusionary units restroom access, ambient noise, hours and amplifications on the pool deck, requested clarification of the language in Concession No. 1 [in reference to additional building height, air space subdivisions], distribution of affordable housing units and legal justification for clustering, and if there is legal reasoning behind the description referenced as the “urban inn” vs “San Vicente Bungalows”.

Discussion was held regarding the legal use of “Urban Inn” and “San Vicente Bungalows”.

Antonio Castillo, Senior Planner clarified “urban inn” is being used in the land use language, where San Vicente Bungalows is the legal name of the business.

Isaac Rosen, Deputy Legal Counsel, stated staff’s position on the air space subdivisions and [allowable] clustering of the inclusionary housing units, and right of first refusal. He clarified the language regarding “Urban Inn” and “San Vicente Bungalows” and stated staff could capture a catch-all clean up in the documents for purposes of the project materials.

The commission is generally in support of the project and confirmed the need for affordable housing units, however the commission stated their concerns regarding the clustering of affordable housing units on one floor, while another floor contains bigger market rate units, and questioned the reasoning of this determination. They raised concerns regarding an amenity that is intended for exclusive use by an existing business on a separate property, and will not allow any access by the residents.

It was noted not all commissioners had concerns about the inclusion of all affordable housing units on one floor or restricted access to the pool.

The commission stated the San Vicente Bungalows currently has valet parking, so it appears no parking would be taken away from people on Hilddale Avenue. They spoke regarding the creative solution regarding the financing and air space subdivisions. The project as designed will bring a new precedence to the neighborhood. +

They noted the glass panels will be a sound and visual barrier from the pool and spoke regarding the lack of activation at the street level. They specified there is no front facing unit and discussed the habitable living space.

The commission had concerns about future material changes, and suggested a condition could be added stating if there were to be material changes in the design, that it should be returned to the Planning Commission.

It was suggested a possible recommendation be made to the City Council to investigate the provision and element in the Municipal Code regarding the mix of affordable housing units and noting their concerns about this objective.

Discussion was held regarding the number of projects that have been approved and built, which have dramatically changed from the original renderings.

Isaac Rosen, Deputy Legal Counsel, referenced Section §1962.070(b)(3) which addresses amendments and changes to an approved project, stating staff can work on possible additional language that is tailor made to what the commission is looking for.

He read into the record adding to Condition 2.3) This approval is for those plans reviewed and approved by the Planning Commission at its meeting of December 5, 2024. A copy of said plans shall be maintained in the files of the City's Planning Division. The project shall be developed and maintained in substantial conformance with said plans, except as otherwise specified in these conditions of approval. The Planning Commission is approving the Project noting the Project must comply with West Hollywood Municipal Code Section §1962.070(b)(3) and that a change to the approved use or significant change to the Project design, which includes a change to the plans presented on December 5, 2024, requires a return the Planning Commission.

The commission had concerns that this does not reflect their intentions, noting if a project has substantive changes, it needs to come back before the commission. It was alluded this may need further separate discussion.

Isaac Rosen, Deputy Legal Counsel, referenced Condition 10.7) stating: All materials and details shall be of high quality. Materials and details must be reviewed and approved by the Community Development Director prior to the issuance of Building Permits including: a) Materials shall be the equal or better to those shown on plans approved by the Planning Commission.

He suggested adding a new subsection to Condition 10.7) (g) The Planning Commission is approving the Project noting the Project must comply with West Hollywood Municipal Code Section §1962.070(b)(3) and that a change to the approved use or significant change to the Project design, including the provisions of this Section (10.7.) which includes a change to the plans presented on December 5, 2024, must return the Planning Commission.

He pointed out some of the additional concerns stated by the commission regarding materiality, which are currently in some of the current conditions presented. He stated staff can reference the existing code provision that talks about the approved plans and place it within Condition 10.7.

He confirmed staff's position would be to not change the official language regarding "Urban Inn" but to specify the "Urban Inn" as referenced in the formal action; is specific to the San Vicente Bungalows.

He reiterated for the record, the following clerical changes shall be made: a) any reference to Trumann & Elliott, LLP, shall be changed to Todd Elliott, Inc. throughout all documents; b) the following change consistently throughout all documents, page 5, Section 7. 1) a concession to increase the building height from the two stories and 25-foot height maximum for a property in the R3A zone to allow one additional story ~~and~~ for an additional 12'-6" in building height, for a total of three stories and 37'-6" in height.

The commission questioned staff and requested clarification regarding Condition 8.13 regarding the applicant's representative's request to strike the fees.

Antonio Castillo, Senior Planner stated this is a standard condition that may not apply to the project as currently designed. However, there will be a final plan to be submitted to the City Engineer for offsite improvements. If anything was to change, staff would not want to remove this condition.

Isaac Rosen, Deputy Legal Counsel, suggested the request be denied and Condition 8.13 shall remain in the Resolution, noting the City does not disagree that building permit fees are subject to the Subdivision Map Act and applicable housing law.

The commission by consensus, did not support the request to extend the outdoor special events (Condition 13.5 and 13.6). Discussion was held regarding amplified sound and music on the pool deck. By consensus, the commission suggested a three, six- and twelve-month review.

Legal counsel confirmed for the record an update shall be provided for possible noise concerns after the pool use has been established for a three-, six- and twelve-month review, which will be returned on Consent Calendar.

He stated the applicant's request to amend Condition 3.1. "Within ~~30~~ 60 days of the approval of the project..."

He read into the record all amendments as confirmed:

- 1) A new subsection to Condition 10.7)(g) The Planning Commission is approving the Project noting the Project must comply with West Hollywood Municipal Code Section §1962.070(b)(3) and that a change to the approved use or significant change to the Project design, including the provisions of this Section (10.7.) which includes a change to the plans presented on December 5, 2024, must return the Planning Commission.;
- 2) The Urban Inn is specific to the property as listed in the Title of the Entitlement resolution.
- 3) The City will be changing the resolution; any reference to Truman Elliott, will be replaced with Todd Elliott, Inc.
- 4) Section 7. the following changes will be made throughout: a) a concession to increase the building height from the two stories and 25-foot height maximum for a property in the R3A zone to allow one additional story ~~and for~~ an additional 12'-6" in building height, for a total of three stories and 37'-6" in height.
- 5) Condition 3.1, the two references will be changed from 10:00 ~~a.m.~~ to 10:00 p.m.
- 6) Conditions 13.5 and Condition 13.6 shall remain as written; with a condition added: three-, six- and twelve-month review, an item shall return to evaluate potential noise impacts on Consent Calendar, which will start after the pool use has been established.
- 7) Condition 3.1 shall be amended: "Within ~~30~~ 60 days of the approval of the project..."
- 8) Additionally, it is read into the record city staff concurs with applicant's statement that conditions for fees are subject to applicable State law, Subdivision Map Act, Housing Law.

Commissioner Hoopingarner moved to: approve staff's recommendation as presented; with the amendments discussed and as read into the record.

Seconded by Commissioner Carvalho.

ACTION: 1) Approve staff's recommendation of approval; 2) **Adopt Resolution No. PC 24-1581 as amended:** a) Remove and replace all references to ~~Truman & Elliott, LLP.~~ and replace with Todd Elliott, Inc.; b) The "Urban Inn" is specific to the property as listed in the Title of the Entitlement resolution; c) Amend Condition 3.1) by amending the two references in the Table from 10:00 a.m. to 10:00 p.m.;

d) Amend Condition 3.1 as follows: "Within ~~30~~ 60 days of the approval of the project..."; e) Conditions 13.5 and Condition 13.6 shall remain as written; with a condition added: "An item shall return to evaluate potential noise impacts at three-, six- and twelve-months on Consent Calendar, which will start after the pool use has been established.".

f) The following changes shall be made throughout Section 7.a) "...a concession to increase the building height from the two stories and 25-foot height maximum for a property in the R3A zone to allow one additional story ~~and for an additional 12'-6" in building height, for a total of three stories and 37'-6" in height...~~".

g) Add a new subsection to Condition 10.7) (g) "The Planning Commission is approving the Project noting the Project must comply with West Hollywood Municipal Code Section §1962.070(b)(3) and that a change to the approved use or significant change to the Project design, including the provisions of this Section (10.7.) which includes a change to the plans presented on December 5, 2024, must return the Planning Commission."; and

h) City staff concurs with applicant's statement that conditions for fees are subject to the California Subdivision Map Act and Housing Accountability Act.": "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD CONDITIONALLY APPROVING A DEMOLITION PERMIT AND DEVELOPMENT PERMIT TO DEMOLISH TEN DWELLING UNITS AND ALL ACCESSORY STRUCTURES, MERGE THE FOUR CONTIGUOUS PARCELS, AND CONSTRUCT A 10-UNIT RESIDENTIAL BUILDING WITH SIX AFFORDABLE UNITS, LOCATED AT 840-854 NORTH HILLDALE AVENUE, WEST HOLLYWOOD, CALIFORNIA. THE APPROVAL ALSO INCLUDES A CERTIFICATE OF APPROPRIATENESS FOR THE CONSTRUCTION OF A REAR POOL DECK AND SUBTERRANEAN SPACE ON THE HILLDALE SITE FOR EXCLUSIVE USE BY THE ABUTTING URBAN INN (SAN VICENTE BUNGALOWS) LOCATED AT 845 NORTH SAN VICENTE BOULEVARD, AND AN AMENDMENT TO THE CONDITIONAL USE PERMIT FOR THE URBAN INN TO ALLOW THE EXPANSION OF THE ANCILLARY USES FOR THE URBAN INN TO THE REAR POOL DECK AND SUBTERRANEAN SPACE, INCLUDING A FINDING THAT THE PROJECT IS EXEMPT FROM CEQA UNDER CLASS 31 CATEGORICAL EXEMPTION FOR HISTORIC RESOURCE RESTORATION / REHABILITATION (14 CCR §15331) AND CLASS 32 CATEGORICAL EXEMPTION FOR IN-FILL DEVELOPMENT PROJECTS (14 CCR §15332)";

3) **Adopt Resolution No. PC 24-1587 as amended:** a) *Remove and replace all references to ~~Truman & Elliott, LLP~~ and replace with Todd Elliott, Inc.*; “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD CONDITIONALLY APPROVING A VESTING TENTATIVE TRACT MAP (MAJOR LAND DIVISION NO. 84408) FOR THE PURPOSE OF CREATING TWO MASTER GROUND LOTS, WITH ONE GROUND LOT BEING FURTHER DIVIDED WITH THREE AIRSPACE LOTS LOCATED AT 845 NORTH SAN VICENTE BOULEVARD AND 840-854 NORTH HILDALE AVENUE, WEST HOLLYWOOD, CALIFORNIA, INCLUDING A FINDING THAT THE PROJECT IS EXEMPT FROM CEQA UNDER CLASS 31 CATEGORICAL EXEMPTION FOR HISTORIC RESOURCE RESTORATION / REHABILITATION (14 CCR §15331) AND CLASS 32 CATEGORICAL EXEMPTION FOR IN-FILL DEVELOPMENT PROJECTS (14 CCR §15332)” and 4) Close the Public Hearing for Item 9.A. **Moved by Commissioner Hoopingarner, seconded by Commissioner Carvalho and passes, noting Commissioner Solomon absent.**

Commission Secretary Gillig read into the record: Resolution No. PC 24-1581 and Resolution No. PC 24-1587 approve by the Planning Commission for the properties located at **854 N. San Vicente Boulevard | 840-854 N. Hilldale Avenue** memorializes the Commission’s final action on this matter. This action is subject to appeal to the City Council. Appeals must be submitted within ten calendar days from this date to the City Clerk’s office. Appeals must be in writing and accompanied by the required fees. The City Clerk’s office can provide appeal forms and information about waiver of fees. Deadline to file an Appeal on this decision is **Monday, December 16, 2024, at 5:00 p.m.**

THE COMMISSION TOOK A TEN (10) MINUTE RECESS AT 9:55 P.M. AND RECONVENED AT 10:05 P.M.

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

**A. ZONE TEXT AMENDMENT
ELECTRIC VEHICLE CHARGING STATIONS INFRASTRUCTURES:**

The Planning Commission will consider a recommendation to the City Council approval of an ordinance adopting an amendment to Title 19, to the Zoning Ordinance of the West Hollywood Municipal Code to streamline electric vehicle charging sites and electric vehicle service stations as a primary use, citywide, West Hollywood, California.

Staff recommends the Planning Commission continue the EV Charging Site and EV Service Station zone text amendment item to allow additional time to receive and incorporate clarifications from the City Attorney’s Office.

ACTION: Continue this item to Thursday, December 19, 2024. **Moved by Commissioner Hoopingarner, seconded by Commissioner Matos and passes as part of approved agenda, noting Commissioner Solomon absent.**

B. ZONE TEXT AMENDMENT

ACCESSORY DWELLING UNIT ORDINANCE:

Tahirah Farris, Senior Planner, provided a verbal presentation and background information, as presented in the staff report dated Thursday, December 5, 2024.

She stated this is a proposed zone text amendment amending the Accessory Dwelling Unit (ADU) Ordinance to implement recent state regulations and legislation governing the construction and conveyance of ADUs and Junior Accessory Dwelling Units (JADUs).

She provided background information, stating in 2018, the City adopted an ADU ordinance that amended the West Hollywood Municipal Code (WHMC), Title 19 (Zoning Ordinance) to permit ADUs and JADUs in residential zones, remove parking requirements, implement development standards, and establish sale and rental restrictions.

In 2020, the City updated the WHMC to comply with AB 881 and in 2023, the City updated the WHMC to comply with AB 3182, AB 345, and SB 897

On December 16, 2024, the West Hollywood City Council will consider approving an ordinance to amend the City's ADU regulations to comply with AB 2533 and SB 1211, which are two new bills that take effect on January 1, 2025, and amend state ADU law regarding ADU permitting and objective standards, definitions specific to ADU regulation. The Planning Commission reviewed this ordinance on November 7, 2024, and voted to forward a recommendation in favor of adoption to the City Council.

This proposed ordinance contains additional amendments to the City's ADU regulations. She clarified that many of these amendments are policy decisions aimed at implementing the City's Housing Element.

She spoke and clarified the West Hollywood's Housing Element Program No. 13 (Accessory Dwelling Units)

Staff is recommending to amend the ADU ordinance in accordance with AB 1033 to allow for the sale of ADUs as condominiums in conformance with state law requirements. The amendments would include provisions for review and processing proposed ADU condominiums in compliance with state subdivision laws.

She detailed the following recent ADU Legislation:

AB 1033 (2023) authorizes, but does not require, local agencies to adopt an ordinance allowing ADUs to be conveyed as condominiums separately from the primary dwelling. The condominium must be a common interest development, must conform to the local subdivision ordinance, and must comply with the specific requirements set forth in Government Code section §66342.

AB 1332 (2023) creates a streamlined approval process for locally "pre-approved" ADU plans. By Jan. 1, 2025, local agencies must develop a program for the pre-approval of ADU plans whereby the local agency accepts ADU plan submissions for pre-approval. If an application for a detached ADU is submitted using a plan from the City's list of pre-approved ADU plans, the City is required to either approve or deny the application within 30 (instead of the current 60) days. Local agencies must also maintain a website page with pre-approved ADU plans and the contact information of companies offering pre-approved ADU plans. With pre-approved plans, the applicant must still consult with the plan architect or engineer to develop a site plan and other site-specific information such as grading and drainage plans. AB 1332 specifies that ADU plans offered by the local agency or "other agencies within the state" can be admitted into the local pre-approval program.

AB 671 (2019) requires local governments to include a plan in their housing element to incentivize and promote the creation of ADUs offered at an affordable rent for very-low, low, and moderate-income households. To date, 90 ADUs have been permitted and 34 of those have completed construction.

She further detailed the City Council directive regarding ADU Rooftop Decks. In March 2023, the City Council directed staff to amend the Zoning Code to allow ADU roof decks in R3 and R4 zoning districts. The ordinance before the Planning Commission does so by retaining the objective prohibition on ADU roof decks but now allowing applicants in the R3 and R4 zoning districts to apply for a development permit to construct an ADU with a rooftop deck.

She spoke regarding public outreach efforts and stated staff recommends adopting the resolution recommending approval to the City Council.

The commission requested additional context regarding the City Council directive allowing rooftop decks for ADUs in the R3 and R4 zoning districts and requested further clarification on the permitting process, construction, ADU Incentive Program, and questioned the lease terms when converting an ADU into a condominium unit.

Vice Chair Gregoire moved to: 1) approve staff's recommendation of approval to the City Council.

Seconded by Commissioner Matos.

ACTION: 1) **Adopt Resolution No. PC 24-1582 as presented:** “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, RECOMMENDING THAT THE CITY COUNCIL APPROVE A ZONE TEXT AMENDMENT, AMENDING CHAPTER 19.36 OF THE WEST HOLLYWOOD MUNICIPAL CODE REGULATING ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS AND FINDING THE ACTION STATUTORILY EXEMPT FROM CEQA, WEST HOLLYWOOD, CALIFORNIA;” and 3) Close the Public Hearing for Item 10.B. **Moved by Vice Chair Gregoire, seconded by Commissioner Matos and passes, noting Commissioner Solomon absent.**

11. NEW BUSINESS. None.

12. UNFINISHED BUSINESS. None.

13. EXCLUDED CONSENT CALENDAR. None.

14. 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.

He confirmed that the Planning Commission meeting will occur on Thursday, December 19, 2024.

Isaac Rosen, Deputy Legal Counsel, reminded the commission to inform the secretary as soon as possible if they will be unable to participate in the December 19, 2024, meeting so as to alleviate any legal quorum concerns.

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.

He confirmed the Design Review Subcommittee meetings on Thursday, December 12, 2024, and December 26, 2024, will be officially cancelled.

He confirmed the Long Range Planning Projects Subcommittee meeting on Thursday, December 19, 2024 will be officially cancelled.

15. PUBLIC COMMENT. None.

16. ITEMS FROM COMMISSIONERS.

Commissioner Matos stated the code needs to be updated for that code to become an objective standard regarding the clustering of affordable housing units. He would like to see a possible recommendation made to the City Council to investigate the provision and element in the Municipal Code regarding the mix of affordable housing units and noting their concerns about this objective.

Isaac Rosen, Deputy Legal Counsel, stated to fully discuss and elaborate on this item and to make a formal request to the City Council, it would need to be agendaized on a future meeting agenda. Staff will look at their workload and directives from the City Council to see when this item could be brought forward.

Commissioner Carvalheiro stated his concerns with projects [buildings] that have been previously approved by the Planning Commission, which have not been constructed as originally approved. He voiced his frustration with the inspection process and questioned how this could be alleviated.

There was a brief discussion suggesting perhaps a study could be initiated by staff to see where the breakdown is occurring to rectify the ongoing concerns.

Jennifer Alkire, Assistant Director, Community Development Department specified building inspectors do not look at the same factors as a planner or the Planning Commission would look at. She stated they have implemented additional planning inspections during the construction process. However, staff is limited, to a degree at times due to subjective standards and the Housing Accountability Act.

Nick Maricich, Community Development Director, stated staff can reach out to the commissioners that brought this concern forward to gain more insight into the specific projects that were in question and see how those issues can be addressed in the future.

Commissioner Hoopingarner stated she is aware of staff's workload from the commission and City Council. She hopes these items do not become obsolete.

Commissioner Jones confirmed she will be absent from the next meeting on Thursday, December 19, 2024.

ADJOURNMENT. The Planning Commission adjourned at 10:42 p.m. to a regularly scheduled meeting on Thursday, December 19, 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 19th day of December 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