

Official Transcript
City of West Hollywood Planning Commission
West Hollywood Park Public Meeting Room – Council Chambers
625 N. San Vicente Boulevard, West Hollywood, California

Regular Meeting
January 15, 2026

Commissioners

Chair David S. Gregoire
Vice Chair Stacey E. Jones
Commissioner Rogerio Carvalheiro
Commissioner Lynn M. Hoopingarner
Commissioner Jesi C. Harris
Commissioner Mark R. Edwards
Commissioner Andrew Solomon

Staff Present

Nicholas Maricich, Director, Community Development
Francisco Contreras, Long Range Planning Manager
Saima Qureshy, Planning Manager, Current and Historic Planning
David Gillig, Secretary
Isaac Rosen, Deputy Legal Counsel

* * *

CHAIR GREGOIRE: Good evening, everybody. The West Hollywood City Council acknowledges that the land in 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 the Gabrieleño Kizh peoples.

Tonight is Thursday, January 15, 2026. It's about 6:30 p.m., and this is a meeting of the West Hollywood Planning Commission. I will call this meeting to order. This time, I'll invite those who are able to stand and follow me in the Pledge of Allegiance.

(Conducts Pledge of Allegiance)

Mr. Gillig, could we have a roll call, please?

DAVID GILLIG: Good evening, Commissioners. Commissioner Solomon.

COMMISSIONER SOLOMON: Here.

DAVID GILLIG: Commissioner Hoopingarner.

COMMISSIONER HOOPINGARNER: Sorry. Here.

ITEM 5.A.

DAVID GILLIG: Commissioner Harris.

COMMISSIONER HARRIS: Here.

DAVID GILLIG: Commissioner Edwards.

COMMISSIONER EDWARDS: Here.

DAVID GILLIG: Commissioner Carvalho.

COMMISSIONER CARVALHEIRO: Here.

DAVID GILLIG: Vice Chair Jones.

VICE CHAIR JONES: Here.

DAVID GILLIG: Chair Gregoire.

CHAIR GREGOIRE: Here.

DAVID GILLIG: And we have an official seven-member quorum tonight.

CHAIR GREGOIRE: Approval of the agenda. I don't have any changes to the agenda. If no one else has any changes, does somebody want to make a motion?

COMMISSIONER HOOPINGARNER: I'll move.

COMMISSIONER CARVALHEIRO: I'll second.

CHAIR GREGOIRE: We have a motion and a second. And Commissioner Harris and

COMMISSIONER HOOPINGARNER: There it is.

DAVID GILLIG: -- Commissioner Hoopingarners? It's stuck? Okay. I'm assuming -- you're an aye. Okay. There we go. Okay, and the motion passes unanimously with seven ayes, approving the agenda for Thursday, January 15, 2026 as presented.

CHAIR GREGOIRE: Thank you. We have two sets of minutes before us to approve. The first one are the minutes from November 20, 2025. Does anybody have any proposed changes to that set of minutes? Hearing none. Do we have a motion?

VICE CHAIR JONES: I'll move.

COMMISSIONER HOOPINGARNER: I'll second.

CHAIR GREGOIRE: We have a motion and a second.

DAVID GILLIG: Motioned by Vice Chair Jones. Seconded by Commissioner Hoopingarner. And the motion passes unanimously with seven ayes, approving the minutes for November 20, 2025 as presented.

CHAIR GREGOIRE: Our second set of minutes is from December 4, 2025. Are there any changes to make? And if not, is there a motion?

VICE CHAIR JONES: I'll move to approve.

COMMISSIONER EDWARDS: Second.

CHAIR GREGOIRE: We have a motion and a second.

DAVID GILLIG: Thank you. Motion by Vice Chair Jones, seconded by Commissioner Edwards. And the motion passes with seven ayes, unanimously approving the minutes for Thursday, December 4, 2025 as presented.

CHAIR GREGOIRE: Thank you. The next item is General Public Comment. This time, limit to a maximum of 20 minutes has been set aside for the public to address the Planning Commission on any item that is not set for public hearing or any item that is not on tonight's agenda.

In accordance with the Brown Act, public comment relating to business not appearing on the agenda cannot be acted upon or discussed by the Commission during the meeting, but may be referred to Staff for report on future agenda, ordered, received and filed, or referred to the proper department for administrative resolution. Staff requests that all persons wishing to address the Commission, please scan the QR code located in the rear of Council Chambers or see the Commission Secretary prior to speaking.

The Commission requests that when you do begin speaking, please state your name and the name of the city where you reside. Individuals may address the Commission for up to three minutes each, unless the Commission determines a different time.

Mr. Gillig, do we have any public comment?

DAVID GILLIG: Chair, we do. Our first public speaker will be Victor Omelczenko. Victor will be followed by Leonard Lanzi. Victor, you have three minutes.

VICTOR OMELCZENKO: Oh, good evening, Commissioners. My name is Victor Omelczenko. I'm a longtime resident of West Hollywood.

What I'd like to speak about is with SB 79 now moving forward, I want to raise a broader concern about how statewide one-size-fits-all housing mandates affect a city as small, dense and renter-heavy as West Hollywood. SB 79 would allow significantly taller and denser development within a half-mile of major transit stops. And in a city that's only 1.9 square miles, that radius covers a large share of our residential neighborhoods, many of them made up of older, rent-

stabilized buildings that longtime residents rely on.

So West Hollywood is overwhelmingly a renter community, and rent-stabilized housing is the backbone of our affordability and stability. That's why displacement is such a real concern. When older buildings are demolished for taller market-rate projects, even with our 20% affordability requirement, the number of deeply affordable units lost is rarely matched by what is built. And once those older units are gone, they are gone permanently.

This is especially troubling because West Hollywood has made a clear policy commitment to aging in place and aging in community, and the city has said repeatedly and proudly that seniors should be able to remain in their homes and neighborhoods as they age. But that commitment becomes difficult to uphold if the housing stock that allows people to age in place is being removed under statewide mandates that don't account for local conditions.

It's also important to note that Los Angeles, under Mayor Karen Bass, has now taken a formal position opposing SB 79, arguing that the bill overrides local planning and risks unintended consequences for communities already doing their part. If Los Angeles, with its far greater land area and infrastructure, believes SB 79 goes too far, it is reasonable for West Hollywood to consider whether our own community, smaller, denser and more rent-dependent, deserves similar protections.

So West Hollywood has a long record of meeting and exceeding state housing goal. We build housing. We require affordability. We protect tenants. We have one of the strongest rent stabilization systems in the state. But Sacramento's blanket approach does not distinguish between cities that are doing the work and cities that are not, something that maybe two of you can mention when you go up to Sacramento for the legislative day in February.

I urge the commission to consider how SB 79 interacts with our local values, especially [tenants'] ability, affordability, neighborhood compatibility and the ability of folks to stay in their homes. And I hope that you will explore opportunities to join Los Angeles in advocating for amendments that protect cities like ours, where displacement risk is high and where the community has already embraced progressive pro-housing policies without sacrificing the people who live here. So let's join Karen Bass, possibly, or let's look into it. Thank you.

DAVID GILLIG: Thank you. Our next speaker would be Leonard Lanzi, followed by our last speaker, Anita Goswami. Leonard, you have three minutes.

LEONARD LANZI: Thank you. Good evening, commissioners. My name is Leonard Lanzi. I am the new President and CEO of the West Hollywood Chamber of Commerce. My first day was Monday. This is my fourth day, and here I am to learn about the work that you do here at the Planning Commission.

I hope to be a friendly face in the future as I plan to attend as many of these as necessary to advocate on behalf of businesses, to make sure that their voice is represented on projects that come under your consideration. So with that, I look forward to working with each of you and look forward to meeting with you too. Thank you very much.

DAVID GILLIG: And our final speaker will be Anita Goswami.

ANITA GOSWAMI: Hi there, Anita Goswami. I'm a long-term resident of West Hollywood.

I saw the public notice in the local paper this morning, so I want to raise awareness for the public who are watching, those who are here today. I'm sure you commissioners should already be aware of it. And this is the public hearing to be held here on February 5 about changing parking requirements.

I fear this is another attack on people who drive in the city, whether we live, work, ride share or transit through. Removing parking requirements would be horrible for everyone, whether it's the mobility challenged; whether it's we seniors, because I'm one of those now; or parents with strollers; or just anyone who wants to park near their homes.

When these things come before you, you really need to start thinking about the implications of this from a daily perspective for the people who live here, the people who work here, the people who come here to utilize the businesses here in West Hollywood. This is something which I see is just decisions being made without really looking at it. We're a tiny city. And some of these, there is the excuse of Sacramento says we need to do it, and that is just a lot of feces. We are a city that can stand up, that has stood up, for rights in all other ways. We need to be thinking about the rights of the people who live and work here.

We all need to be vigilant about what the city is trying to take away from us, because that is -- the little that I have read, that's what I see. And for everyone watching, please read the proposed materials, submit your comments and if you can, show up here on February 5. And I ask that you all again, commissioners, think about those implications, and for Staff, really start thinking through some of those implications and think more about residents, people who live and work here, employees who are here. Think about those daily things that we would have to deal with should that parking be taken away. Thank you very much.

DAVID GILLIG: And our final -- we have a final speaker, Richard Giesbret. You have three minutes.

RICHARD GIESBRET: Richard Giesbret, resident of West Hollywood since '95 and former President of West Hollywood West Residents Association.

I would like to simply communicate that I'm very concerned about the ZIP zoning. Mr. Wiener's office is in turmoil about the matter, and it is a very crude approach to solving the affordability problem, amongst other things. And I would encourage the commission and the council to take greater action; get together with other communities, like Beverly Hills and the city of Los Angeles, who are studying this in greater depth; and try to find a way to avoid the great damage that might occur to our city. Thank you very much.

DAVID GILLIG: Thank you. And Chair, that is our last public speaker for general comments.

CHAIR GREGOIRE: Great. Thank you so much. Director's Report, Director Maricich.

NICHOLAS MARICICH: Good evening, Chair Gregoire, Vice Chair Jones and members of the Planning Commission. Nick Maricich, Director of Community Development. Hope everyone enjoyed the holidays and was able to enjoy a little bit of downtime at the end of the year.

Given the holidays and our lack of meetings over the past few weeks, I don't have too many updates for you. But I can report that the City Council did meet twice in December and approved a few zone text amendment ordinances that had previously been considered by the Planning Commission. This includes the ZTAs for specialized housing and for the conversion of commercial to residential as well as an urgency ordinance to ensure that the city's accessory dwelling unit ordinance remains valid and consistent with the latest changes in state law. So that's very good news.

And then looking forward, there are a couple of projects that will be coming forward to the Planning Commission next month as our first set of projects to be processed under a new state law, AB 130, which streamlines the CEQA process for residential projects and requires an expedited review timeline. So stay tuned for more on that soon.

I'll conclude by noting some not so new news anymore, but still very big and exciting, which is that we welcomed our new City Manager, Jackie Rocco, who was appointed by the City Council and officially started in her role on January 8 upon David Wilson's retirement. So happy to welcome Jackie into her new role.

And this concludes my report for this evening. Thank you for your ongoing service to the community. I'm happy to answer any questions.

CHAIR GREGOIRE: Thank you so much. Any questions for the director? Hearing none. Thank you so much.

We don't have any consent calendar items this evening. We also don't have any public hearings subject to the Housing Accountability Act. We do, however, have one public hearing that requires -- a hearing that requires a public hearing under the law. It is a zone text amendment, Streamline Qualifying Housing Projects with a Development Permit. The Planning Commission will now hold a public hearing to consider streamlining qualifying housing projects seeking a development permit by increasing the threshold of review for the Planning Commission citywide.

What I'm going to propose tonight is to have a staff report and then perhaps go to public comment. And because I oftentimes think when there's no applicant, there's no need for an applicant presentation rebuttal, it's nice to hear from the public because it will help us commissioners formulate our questions for Staff. Once public comment is done, we'll have commissioner questions. And then we can move into deliberation. Does anyone have any concern with that? Okay, great.

At this point, could we have a staff report?

MICHELLE MONTENEGRO: Good evening, Chair, Vice Chair and Planning Commissioners. My name is Michelle Montenegro, and I'm a planner with the Long Range Planning Division of the Community Development Department. I'll be presenting today on a zone text amendment and specific plan amendment that looks to streamline "qualifying housing projects" as we'll further define. This presentation is slated to take about 15 minutes, and then we're happy to have any questions to Staff afterwards.

The agenda for this presentation is reviewing the history that originated the zone text and specific plan amendment, the considerations that Staff took into account and further analysis that was directed by the city council, an overview of the amendments being proposed today and then our final recommendation, including reading into the record some amendments to the resolution.

So looking at the two different vehicles that brought us for the amendments today. One is adoption of a May 5, 2025 City Council Directive that looked at reforming housing approval and permitting processes to facilitate housing production. It was made up of 11 directives that were geared toward the Community Development Department, ranging from building and safety, Current and Historic Preservation Planning and Long Range Planning.

Long Range Planning specifically have other portions of the directive that we are to implement. This includes shifting the [subjects] of housing that we're discussing today to a ministerial process in 2027, eliminating parking minimums citywide through the Zone Text Amendment and looking at strategies for suitable sites inventory to ensure that those sites are not being underbuilt.

These amendments are also supported by the housing element, specifically two different programs. Program #20 looks at increasing the thresholds for PC review as well as removing thresholds for state density bonus law cases. Program #22, Streamline Processing. The objective is to streamline 100% affordable housing projects. The amendments before you today would further both of these programs, fulfilling objectives that the city has committed to through the six-cycle housing element.

This table represents each element of the zone text amendment and specific plan amendment, comparing what is an existing code today to what was directed by City Council on May 5 with the adoption of the directive. Specifically for residentially zoned projects, the thresholds would increase to less than 100 units for director review. This would be inclusive of any state density bonus law cases, which previously were excluded from director's review and would also exclude hotels.

For commercially zoned projects, we're looking at, again, a threshold of 100 units or less -- or less than 100 units, I'm sorry, less than 30,000 nonresidential square feet, again, not excluding state density bonus law cases. City Council also directed Staff to look at a unit minimum requirement, which I'll talk about a little bit later, and then excluding hotels.

In terms of procedural changes, mail notices was one of the changes that City Council proposed, that it would change to require a mailer to a 500-foot radius of residents of the project site when deemed complete. Deemed complete references to the stage of an entitlement with all the

materials are received by the city and the applicant receives a completeness letter by the department.

Neighborhood meeting was to be retained, so there would be no change to neighborhood meeting. If there was a neighborhood meeting required today for a specific project, under amendments, it would be proposed in the future. And then the appeal change would be moving from a potential two-step appeal process, from director's review to Planning Commission, Planning Commission to then City Council, only to one direct City Council appeal.

This next table adds on a layer of what the Staff-proposed recommendation is based on the directive by City Council. I'm going to be highlighting the bold changes, which are the differences between the city council directive and what is proposed by Staff.

City council directed Staff to produce streamlining for projects that were less than 100 total units, and Staff is proposing less than 100 base units. This is different because the application of state density bonus law allows for additional density bonus, depending on the affordability mix that's provided in a project. So 100 base units is more flexible as opposed to 100 total units.

In terms of the unit minimum that would be applied for commercially zoned projects, Staff ended up recommending a 30 dwelling unit per acre minimum. So this is a floor that commercially zoned projects must at least meet to be qualified as a qualified housing project.

Additionally, there are a few expansions to the scope of the project that Staff recommends. One of these is streamlining subdivisions, tentative parcel maps and tentative track maps that are associated with qualifying housing projects. This will be talked about later.

Additionally, we're looking at streamlining 100% deed-restricted affordable housing of any size, again, this implements Program #22 of the housing element, and then also looking at streamlining any project that's built on a suitable sites inventory that meets designated capacity. I'll be talking about what are suitable sites inventory a little bit later and what meeting the designated capacity looks like.

So I'll move on to considerations and analysis that was conducted as part of these amendments. As directed by City Council, Staff looked at a number of threshold criteria, ranging from number of units, both total and base; site size, which is a reference to the previous way that the City of Santa Monica handled their administrative approval process; and then finally looking at height.

And so we looked at height specifically in two different types of ways. One was in feet and one was in stories. So the way that this worked was that the most permissive zoning district would be the top ceiling for that specific residential district -- or commercial district.

The proposed threshold that we ended up landing on was at 100 base units. Again, this encourages the use of state density bonus law. Also, relying on a threshold based on scale such as height or floor area offers less predictability for both the community and Staff. Oftentimes, these specific variables can be changed through a waiver or concession through state density bonus law process. So therefore, relying on height or floor may be unreliable.

Compared to other jurisdictions, we took a look at from the most restrictive to the least restrictive in the table. So first is Culver City, which requires a director review of 25 or fewer units; all the way to Santa Monica, which allows for an administrative approval, which is a ministerial process if code compliant, except for one district in the city.

I'll be moving to the expanding of the scope for these amendments that differ from the City Council directive. So I'll be explaining the suitable sites inventory. This is a set of sites that were identified in the latest housing element that was adopted and certified to the state. Through this methodology, Staff committed to producing enough suitable sites and capacity on those sites to meet our RHNA obligations. The total capacity you can see in aggregating all of these sites equals 3,244. Our RHNA is 3,933. So the state allows for some buffer for projects that are in the pipeline. So those are a part of the methodology, which is why the suitable sites inventory total capacity is less.

As you can see, a majority of the units attributed to suitable sites are actually affordable. So in order to encourage the affordable component of these projects, Staff recommends streamlining all suitable sites inventory that meet the designated capacity, not just for total, but each affordability category, which includes low income and moderate income to move this process forward. This also directly responds to the City Council directive that asks Staff to explore how to avoid underbuilding on suitable sites. So this is a vehicle to do that.

Additionally, Staff is offering two other recommendations for qualifying housing projects, or what is defined as a qualifying housing project, specifically allowing for the streamlining of 100% affordable housing projects of any size. Of course, the actual project, it must be in compliance with objective standards, our zoning code, any state government code. But if it meets all of those standards, then they may be streamlined without any size limitation.

Additionally, Staff looked at streamlining subdivisions. So this ranges from tentative track maps to tentative parcel maps, specifically those associated with a qualifying housing project. A pattern that Staff had identified over time is that projects usually bifurcate their entitlement process. So if a review threshold for a development permit, which is the entitlement for housing projects, is less than what is needed for a Planning Commission review, that will go to director review first. And then the subdivision is required to have a planning commission hearing. Overall, this results in a slower project delivery for the entire project, therefore slowing housing production. So this would streamline that specific pattern.

Looking at exceptions to qualifying housing projects, City Council directly asked Staff to exclude hotels. So whether it's a residentially zoned or commercially zoned project, a project with a proposed hotel use would not be allowed to be streamlined. Additionally, we also looked at the minimum unit requirement. City Council was agnostic about whether this would be a flat number or a rate or dwelling unit per acre. So ultimately, Staff landed on a dwelling unit per acre metric because it's flexible and proportional to the amount of site area that exists for a project.

We landed on 30 dwelling units per acre because this is often the variable or metric that is identified and referenced in state government code, some of this including SB 6, for example. So

if the housing -- per state government code, it's referenced 30 dwelling units per acre, and our housing element also referenced 30 dwelling units per acre in our methodology. We tested this metric against projects that were entitled between 2019 and 2024. We found a majority of these projects would still be streamlined even if this metric was applied, but what's being not streamlined are projects that are largely commercial in nature that may add one residential unit or a few residential units to benefit from streamlining. So we really want to encourage residential density in general.

Next I'll be going into the noticing requirements. There are three points that we wanted to highlight as Staff. One is updating the site posting requirements. Today, if there is a public hearing, the site posting is 28 days before the public hearing, or it's within 14 days; without a public hearing, within 14 days of the public comment period. We're moving the site posting requirement to the beginning of the process. So that is required within 30 days of application filing, and the community is notified earlier.

In terms of mail notices, there are two different components here. One is maintaining the existing requirement that comes along with neighborhood meetings. Neighborhood meetings happen within 60 days of application filing. A notice goes to 500-foot radius, and so we're maintaining that. So that would be one mailed notice. The second mailed notice is the notice of intended decision. This would be sent out at least 10 days before a decision is intended to be made, again within that 500-foot radius.

I'm jumping into a quick slide about the amendments to the Sunset Specific Plan. These are really cleanup amendments to allow qualifying housing projects to exist and implement the City Council Directive. So we're amending two different sections to allow qualifying housing projects, target sites and proposed application procedure. And we're also recommending the removal of Transportation Commission review that is stated to happen for individual site access for each project.

The slide before you is a visual representation of the changes that we're proposing today. So once again, I'll be going through the summary of what this means. It's residentially zoned projects, less than 100 base units, regardless of whether they use state density bonus law, meaning they can request a waiver or concession. Commercially zoned projects, less than 100 base units, less than 30,000 nonresidential square feet and greater than 30 dwelling units per acre. It also includes subdivisions to these associated projects, projects on suitable sites inventory, if they're meeting capacity, including affordability capacity of any size and 100% affordable housing projects of any size.

What is not included in qualifying housing projects are specifically subdivisions that are condo conversions with existing tenants. These tend to be more sensitive cases, and so we do not suggest or recommend moving with streamlining, following City Council direction, excluding hotel use.

And then, of course, legislative items. So qualifying housing projects really speak to subdivisions and development permits, which are the primary entitlements for housing. Legislative items follow their own process, so we are not touching that with these proposed amendments.

In terms of procedures, we have five milestones. One is site posting, neighborhood meeting, notice of intended decision. With no Planning Commission hearing will come no Planning Commission Design Review subcommittee. This will occur internally. The city has an urban designer as part of the current and historic preservation planning team, so they will be reviewing as they do today. And then it would allow for the one appeal direct process to City Council.

So overall, we're looking at these changes to highlight three different guiding principles. One is prioritizing transparency through the enhanced noticing, the maintained neighborhood meeting and the earlier posting in the process. Two, maintaining oversight of complex projects, so excluding hotels, which tend to have a greater impact on the community, excluding legislative items and condo conversions with existing tenants. And then lastly, facilitating housing production and affordability. I think this comes with the conversion of 100 total units to 100 base units, being more flexible for applicants, and then the streamlining of certain projects that meet our housing goals for the city.

We wanted to highlight some metrics that Staff looked into to support these changes. So looking at the dataset between 2019 and 2024, these are before AB 130 is implemented and other state legislation that has more rigorous time clocks. But we did find, on average, 222 days were saved when a project goes through director's review rather than Planning Commission, which points to the costs that may incur as part of the longer project delivery process.

In terms of the unit summary for the same data set, only two projects were above 50 units, and those were at 110 units and 100 units, both in commercial zones. And a majority of the projects actually were within their height limit for their underlining zoning district prior to the application of a high concession, for example, through state density bonus law. Again, this is through 2019 to 2024. So conditions might have changed, but this at least speaks to the pattern that we see today.

So overall, Staff recommends adopting Resolution PC 25-1652, which includes amendments to the West Hollywood Municipal Code and the Sunset Specific Plan. The next slides I'll be reading into the record, some of the changes that were part of the memo on January 12 that followed the initial posting of this item.

So for the first paragraph, specifically for Section 19.40.040 C, we're removing what was Paragraph 1, so the Subsection C for mail notices for qualifying housing projects and associate subdivisions is then followed by Subsection 1, Notice of Intended Decision. "Notices shall be provided at least 10 days before the director's decision on the qualifying housing project and/or associated subdivisions. The notice shall include the time, place and purpose of the hearing if a director's hearing is taking place; a project summary; instructions on how to submit comments; and information on rights to appeal."

The next change is a new change to Section 19.48.040 B.1. So it now reads, "For all projects required by this section to have development permit approval by the Planning Commission and for all proposals in the SSP (Sunset Specific Plan) zoning district with 10,000 square feet or more of total gross floor area and for all qualifying housing projects of five or more units, the applicant shall conduct a meeting with property owners and tenants located within a 500-foot

radius of the subject site to present the project and discuss identified concerns prior to action by the review authority."

The final change that is being noted is new changes to Section 48.040 C.2, specifically to read, "Community Development Director Review. An application for a development permit subject to director review does not require a public hearing by the Planning Commission. For director-level permits, notice should be provided as follows. Mail Notice. The city shall prepare and mail notices in accordance with Section 19.40.040 C. Site posting. The applicant shall post the project site with a notice sign within 30 calendar days of application filing. The sign shall include the development permit number, the project address and a general description of the proposed project. The sign format and size shall be prescribed by the Community Development Department for projects proposing new residential dwelling units. The sign dimensions should be compliant with Section 19.74.020 B3, Posting of Site."

That ends my presentation, and Staff is happy to take any questions. Thank you.

CHAIR GREGOIRE: Thank you so much, Ms. Montenegro.

RICHARD GIESBRET: I've got a question about the slide that had the pie charts.

ISAAC ROSEN: No. Sir. Sir, excuse me. The hearing will open the public comment portion, at which time the Commission will call up members of the public. At this time, there's not an opportunity for the public to speak.

RICHARD GIESBRET: I'm not speaking about it. I'm asking the pie chart slide to be repeated and explained because the colors --

ISAAC ROSEN: I would suggest bringing that up during the public comment portion of the hearing, when everyone has three minutes.

RICHARD GIESBRET: Okay, so you're confusing the public.

CHAIR GREGOIRE: Thank you for your staff report. As I mentioned earlier, I'd like to go straight to public comment, because I'm hoping the public comment could help inform some of the commissioner questions to Staff eventually. Mr. Gillig, do we have people signed up to speak?

DAVID GILLIG: We do, Chair. We have five people in chambers to speak. Our first speaker will be Victor Omelczenko. Victor will be followed by Anita Goswami. Victor, you'll have three minutes.

VICTOR OMELCZENKO: Victor Omelczenko, West Hollywood resident.

Well, the public record on this issue is very clear. Last May, 108 residents opposed the discretionary streamlining package now embedded in this ZTA compared to 22 in support. And as of today, the total is 136 opposed and 31 in favor, still more than a four-to-one margin against

these proposals. Yet the staff report does not acknowledge the extensive public input from May 5. That omission undermines transparency and public trust. And talk about the November 17 meeting when Staff brought forward this item. It was moved to consent with no Staff presentation and no council discussion. How is that for government transparency in this city that's supposed to pride itself on that?

And tonight, in the packet that you have, there's a letter urging you to go even further to adopt a Santa Monica-style ministerial system. It's an important context that just last month, the state's ethics watchdog ordered a Santa Monica council member to recuse himself from all housing and zoning matters because of his paid role with that same organization that submitted an official document into the packets that you have. And I'm sure that you've read all of those letters and reviewed the dense, rather obtuse 26-page staff report, where I believe it could have been improved.

A lot of the concern of the neighbors back in May of last year was about neighborhood meetings. I would really like that whole area to be clarified. And talk about a 500-foot notice. When you build a project along the major thoroughfares, there's basically hardly any people living within 500 feet. So that, to me, is not enough.

It's also important to remember that the May 5 meeting involved two very different items. Item C1 was ministerial. Yes, you've got to adopt the state law. But F6 was a discretionary package, and it's being presented all kind of muddled together, and this is not accurate. Under this proposal, nearly all projects under 100 units would be approved by Staff with no public hearing, no Design Review and no appeal, including in very high-fire hazard safety zones, where early review is essential for safety. So let's think about public safety.

Nothing in state law prevents you from recommending a more balanced approach. You have the discretion, lower thresholds, retaining more and expanding neighborhood meetings, retaining appeals, Design Review and Sunset Specific Plan oversight. The public has spoken loudly and consistently, 136 opposed, only 31 in support. Thank you.

DAVID GILLIG: Thank you. Our next speaker will be Anita Goswami, followed by Michael Pacitti.

ANITA GOSWAMI: Hi, I'm Anita Goswami, longtime resident of the City of West Hollywood, here for over 35 years. I agree with the comments expressed by fellow residents eloquently and effectively and in depth by Victor Omelczenko, Jay Jacobson, Ignacio Darnaude, Robert Stadd, Elyse Eisenberg. You've got a lot of residential comment in your packets. Please take notice of that.

The key supporters seem to be two organizations wanting development with minimal oversight. They don't want rules. They don't want regulations. And it seems that Staff is complicit to reduce that oversight and reduce the community communication. This is something that I don't want to see, but I'm seeing more and more, which is residents really coming up against Staff because we cannot depend on the city to take care of us in any way.

Key concerns include threshold of 100 units is too large for a tiny city, and it's far too high for the ministerial process. Culver City, as we just saw on the slide deck, it's much larger and has a threshold of 25 units. Why aren't we going at 25? West Hollywood should be protesting this and obtaining exemption from state requirements. Much of West Hollywood's multi-unit stock is less than 100 units. ZTA, in effect, this proposal would gift developers to do what they want, including, again, turning out rent-stabilized residents, making it even worse for them and to redevelop it and [depress] your housing. And remember, there was a very long discussion about that here in this Commission last quarter about the cost of housing and both building it and actually renting it. So these are complicated things.

The proposed ZTA, I'm glad that it's got community meetings to discuss it openly, and I'm glad we have this here. But onetime opportunity for a ZTA here, this proposal, which affects us for the rest of time, one time, and onetime opportunity for letters and three minutes for comments on something that is affecting our lives that we have been here, this is not constructive dialogue. It's not effective. What we need to be having is working sessions with the community, working sessions on this, not on the other ZIP stuff, but on these zoning text amendments. That's the only way you're actually going to get something effective here. Looking at Santa Monica is misleading. And again, I refer you to the comments about their councilman.

This proposed ZTA should not be sent forward to the city council, needs to be rewritten with the incorporation of the comments from all parties and strip out all the excess stuff. If you are going to follow this recommendation, only follow exactly what they are directing. And even then, like the city of Los Angeles and other cities, stand up and protest. Just because there's a law doesn't mean that we can't stand up. West Hollywood stands up for so much. Why won't this city stand up for its own residents? Thank you.

DAVID GILLIG: Thank you. Our next speaker will be Michael Pacitti, followed by Jacob Pierce.

MICHAEL PACITTI: Good evening, Commission, Michael Pacitti, West Hollywood resident in Center City. I'm here today to urge the Planning Commission to reject the discretionary streamlining packages presented with 10A.

While I support the production of housing, it must not come at the expense of transparency, public safety and our democratic processes of the city of West Hollywood. The proposed ZTA effectively eliminates public participation in the vast majority of new developments with the 100-unit threshold, amongst other things listed this evening.

This is an opportunity for residents to engage with developers before a project is finalized. Removing these meetings eliminates the early-stage dialogue that often identifies and resolves neighborhood-specific issues before they become formal disputes.

This proposal directly contradicts the City of West Hollywood Council's direction from the May 5, 2025 meeting, where the Council voted 4-1 to retain these meetings. By advancing a ZTA now that seeks to eliminate these meetings entirely, the current proposal disregards both formal action taken by our elected officials and the overwhelming public input already put into record.

Furthermore, removing public-facing reviews in very high-fire hazard severity zones like West Hollywood has real safety implications. Projects on steep, narrow streets require the level of scrutiny that only public hearings and neighborhood meetings provide to ensure safe evacuation and emergency vehicle access.

The current ZTA is fundamentally flawed for a bunch of reasons. Direct violation of our City Council mandate. Loss of early dialogue. Eliminating these premeetings removes the early stages where residents and developers can work together. It eliminates oversight by setting a 100-unit threshold. Nearly all recent housing projects would bypass the Planning Commission, Design Review subcommittee and appeals process entirely. I listed the safety risk and fire hazard areas like West Hollywood. Our evacuation routes are very important to us. The lack of the state requirements. This 100-unit threshold is a local discretionary choice and not required by state law.

Residents must have a voice. A lot of the people that would be making these decisions don't actually live here in this city, and I think it makes a difference when you live in this city and you operate. If you commute in and work and you're making decisions for the residents, you need to have more democratic processes and make sure that the residents always have a voice.

I urge the Commission to recommend the retention of these meetings and public Planning Commission meetings and streamlining the thresholds to ensure the public's voice is not silenced. Public engagement is a fundamental part of responsible urban planning. I ask the Commission to recommend a balanced approach that preserves neighborhood meetings and commission oversight for projects that impact our daily lives. And thank you all for our service to the community as well as the Staff.

DAVID GILLIG: Thank you. Our next speaker, Jacob Pierce, to be followed by Ali Shahidi.

JACOB PIERCE: Hi, commissioners. My name is Jacob Pierce. I'm a Policy Associate at Abundant Housing LA. I wanted to thank the Staff for their hard work on this. We really support the intent behind it and are grateful for Staff's work, council direction.

I'll share that in addition to Abundant Housing LA, I'm speaking on behalf of West Hollywood for All. I have been in contact with their chapter members and leadership and just wanted to share a few comments and suggestions. The first one would be that we eliminate the -- should I wait? Okay. It's a little distracting.

ISAAC ROSEN: Sir, no. Everyone gets three minutes.

ALI SHAHIDI: I think -- everyone gets three minutes. But I think you're supposed to disclose whether you're a resident of West Hollywood or not [indiscernible].

CHAIR GREGOIRE: Sir, please, it's not your turn to speak.

JACOB PIERCE: So my first recommendation would be that you eliminate the thresholds, including the 100-unit threshold. Thresholds like these are arbitrary and don't capture the scale of

a building. I realize that the program as written would include most recent housing projects, but we really need a diversity of housing in West Hollywood, including bigger projects, too, in the future. So the concern is that this is going to hold this program back from realizing its true and full potential.

Also would recommend that you make the administrative review fully ministerial. Certainty is the most important and valuable part of administrative review, and you get that when you have true ministerial as opposed to discretionary reviews. And the illusion of discretion can be very challenging for everybody. Sometimes it appears that the decision-making body has discretion to make their own determination. But in actuality, state law will mandate whether or not the project should be entitled. And so that ends up wasting Staff time, community time, community members' time, commissioner time, et cetera.

And I mean, I think we can all see around us why this is so needed and so valuable, and that's that we need more housing. West Hollywood is building housing. Lots of communities are building housing. But you're on track to meet less than a third of your RHNA for this eight-year cycle. I know you're doing good work, but there's more work to be done. I don't believe the city of West Hollywood is on track to meet half of its housing allocation in any of the four income categories. So I know we all see construction happening, but there's more work to be done.

So thank you so much. Godspeed. Thank you.

DAVID GILLIG: Ali? Sure.

ALI SHAHADI: Okay. Unlike the prior speaker who didn't say if he's a resident of --

CHAIR GREGOIRE: Please state your name and city of residence.

ALI SHAHIDI: -- West Hollywood, my name is Ali Shahidi, and I'm the resident of West Hollywood for 20 years. I'm here to speak against your proposal. And I'll read through this, but I think the word streamlining not should not be used. It's extreme circusing. That's what you're doing.

I'm here to address the misleading framing of the housing streamlining ZTA. Last year, many community members have spoken against this, and you know it. Despite that 5:1 margin, and despite your instructions to Staff to retain neighborhood premeetings, this ZTA moves forward as if those concerns never existed.

Let it be clear, the 100-unit threshold is a local choice. Other cities, Culver City, Santa Monica, don't have that 100-limit threshold, and I'm wondering why you're proposing that. You didn't even disclose that on your presentation, what the other cities have.

Furthermore, fast-tracking hillside development and dewatering projects without public hearing is a matter of public safety. You fail to address that. Residents on narrow, steep streets provide the most precise feedback on evacuation and structural risks. Feedback the ZTA would silence.

I urge you to honor your commitment to the voters, preserve neighborhood meetings and Planning Commission oversight and stop treating policy choices as a state requirement. This is not a circus, and we are not the clowns. You should have oversight for what you're proposing. Thank you.

DAVID GILLIG: And Chair, that is our last public speaker for this item. Oh, Richard Giesbret.

RICHARD GIESBRET: Richard Giesbret, resident, West Hollywood.

First of all, I was asking the pie chart slide to be repeated. It was hard to correlate the colors to the percentiles. It was a mystery.

Secondly, this proposal is a gift to developers. Your forebears, who have sat in these seats for the last 30 years, have produced some real stinkers. And major stinkers are, for example, this library and council chambers, really poorly planned. Another big stinker, the Target-Best Buy project, is one of the worst commercial projects I've seen in a long time. Other stinkers are redevelopment of the Santa Monica Boulevard.

The city planning is not -- really needs citizen input, and the streamlining cuts it out. And if we have to rely on you up here and the Staff and so forth, it could result in some really terrible consequences on our neighborhoods and our commercial districts. It seems to me, having seen the Planning Department and the City Council in operation for 30 years, as I said, you need, we all need, citizen oversight on these projects. They can't be cut out or left to the last minute after much work has been done.

I would like to see those pie charts again. I would like to have them explained and the percentiles correlated to the colors on the pie chart. Otherwise it was totally misleading, and the presenter ran through that slide very quickly. Thank you very much.

DAVID GILLIG: And Chair, that is now our last public speaker for this item.

CHAIR GREGOIRE: Great. Thank you all for your public comment. We always appreciate the feedback we get here in council chambers. We also acknowledge all the written public comment that people took time to submit on this matter. Thank you so much. At this time, I will officially close the public comment section of today's hearing.

At this point, let's go to commissioner questions of Staff. And I'll just remind everybody, this is a time to ask questions. We're not yet deliberating. And please keep your questions as questions and not comments and deliberation.

Who would like to go first? Commissioner Solomon.

COMMISSIONER SOLOMON: Just want to commend Staff on the work that you've done to put forward -- and I especially appreciated the supplemental memo that came out today with sort of the FAQs on this whole process.

But on one of the questions on that supplemental memo from today, it's Question #16, and I'm still a little unclear about this two-step process that's being proposed, first step being a director-level hearing and eventually moving towards ministerial. So my question is, can you explain why we're doing it in that order? And two, and I think most importantly, is an EIR required to move to the ministerial process that this is supposed to end up with in May 2027?

MICHELLE MONTENEGRO: Sure. So the scope of this zone text amendment immediately was implementing Recommendation 1. I think Recommendation 2 references the ministerial process.

So we followed City Council direction, was what we understood to be the task. So we have not done an analysis for a ministerial process just yet. We haven't done a Staff analysis because we hadn't reached that recommendation just yet.

FRANCISCO CONTRERAS: Yeah. And at this time, we don't know what type of environmental document will be needed. We just know that an environmental review will need to be done. We just don't know what breadth or scope that would take at the moment. It may not be in any area. It might be something else.

COMMISSIONER SOLOMON: Okay. Thanks.

CHAIR GREGOIRE: Commissioner Harris.

COMMISSIONER HARRIS: Yes. Thank you, Staff, for putting together this report and for all the work you've done. And thank you to the public speakers who've come out to make comment and who wrote letters about this item.

I had a couple clarifying questions about what's before us. One, at the required public meeting for qualifying housing projects over five units and for mixed-use projects that include commercial components over 10,000 square feet in the Sunset Specific Plan area, would a Staff member be required to be required to be present at those meetings?

FRANCISCO CONTRERAS: We are also joined by our Current and Historic Preservation Planning Manager, Saima Qureshy, who will help us answer some of the questions. So you'll hear some of the commentary in the back, or if you want to join.

SAIMA QURESHY: I can join. Sorry about that. Good evening, Planning Commissioners. Saima Qureshy, Current Planning Manager. So I guess the question is related to neighborhood meetings?

COMMISSIONER HARRIS: That's correct.

SAIMA QURESHY: Okay, yeah. So the Staff member is present at all the neighborhood meetings.

COMMISSIONER HARRIS: Okay.

SAIMA QURESHY: Or the project manager, yes.

COMMISSIONER HARRIS: Okay. And that Staff member would be at least in part responsible for recording comments that are brought forward by the public at those meetings?

SAIMA QURESHY: Yeah. And I can explain a little more, like how these meetings are run. So the neighborhood meetings, the notices go out to 500-foot radius. The intent of neighborhood meeting is for the developer to present their project to the neighbors and get comments and feedback. And Staff is there mainly to observe and see if the comments are -- if they are able to be incorporated in the design changes to the project. So that's the reason for Staff to be part of the neighborhood meetings.

COMMISSIONER HARRIS: Okay. Thank you. I have one more clarifying question. It's about the noticing and the period that governs the noticing of an application.

So just for clarity, the notice that a new project has been submitted to the city, that is due to neighbors within a 500-foot radius within 30 days of acceptance of the application, or within 30 days of the application being deemed complete?

MICHELLE MONTENEGRO: So there are two procedures that happen once an application is filed. One is the site posting within 30 days, and then second is the neighborhood meeting within 60 days of application filing. Both of those, the trigger is application filing. There is no trigger related to deemed complete other than to the applicant for the letter of completeness.

COMMISSIONER HARRIS: Okay. Thank you.

CHAIR GREGOIRE: Who else would like to ask questions? Commissioner Carvalho.

COMMISSIONER CARVALHEIRO: Yeah, just to build on the questions that were just made. Thank you.

So how long before -- because we have to -- so we have to have a public hearing within 60 days. How long have you -- or have you studied the time between the neighborhood meeting and, say, a director's decision?

If the community came to a neighborhood meeting, made comments, but then three weeks later the director's making a decision, there's no way that project could be adjusted. So how valuable is that community meeting? And have you studied the time lapse between the director's decision -- sorry, the community meeting and the director's decision?

MICHELLE MONTENEGRO: We did not specifically look at that metric. We do have all the information to deduce what that metric is, but it might take some time to calculate. But we can find that answer out.

COMMISSIONER CARVALHEIRO: Okay, thank you. I think that would be important.

MICHELLE MONTENEGRO: Okay.

CHAIR GREGOIRE: Vice Chair Jones.

VICE CHAIR JONES: Yeah. Thank you. Can we see the pie chart slide? Can you pull it up, please? Can you just walk through that, Michelle, if you don't mind? Thank you.

MICHELLE MONTENEGRO: So walking through this slide, the two pie charts are representative of the dataset that had development permits entitled between 2019 and 2024. Among those projects, 10% of the projects were more than 50 units. For specifically 11 through 50-unit apartment projects, that took up about 26%. 21% were 6 to 10-unit projects. And then 43% were 5 or less units. The purpose of this unit summary was really to take a greater look at what typologies actually bring the most housing or which typologies have the most related applications.

And so the height summary, similarly, is the same dataset. So this is height in stories specifically. So starting from the lowest, two stories of height took up 19%. These were entitled with two stories. 28% of the projects were three stories. 30% of the project was four stories. 13% of the project was five stories. 8% was six stories. And 2% were seven stories entitled.

VICE CHAIR JONES: Okay. Thank you. I know it can be tedious to read slides, but I do want to make sure the public feels like they had an opportunity to review it. I, myself, had to present something today, 30 slides, and I basically read every slide. So how fun must that have been for everyone? So thank you very much for that.

I have a question about just the processing time. I think I understand, but I want to check myself a little bit here. In terms of the 2019 to 2024, is that just the most recent complete data that we had? Was the recency the reason that you chose it?

MICHELLE MONTENEGRO: Yeah. We don't have a -- the pool for 2025 entitled projects was so small that we chose not to include it.

VICE CHAIR JONES: Okay. I assumed as much, just because of the -- it's just so recent. Sorry. Go ahead.

MICHELLE MONTENEGRO: Oh, I was just going to mention, I think it's important to note that 2019 to 2024 data splits between two different housing cycles, which is interesting. Another way to dissect is between the fifth cycle and the sixth cycle, but we didn't do that. We combined the two.

VICE CHAIR JONES: Yeah. Okay. I ask only because I can't see those dates without thinking about the pandemic and how that might have impacted timelines, because it did materially impacted in so many different ways, people being able to work, people being able to congregate, people being -- social distancing, remember that, availability of materials, the economy, things like that. So that was the reason for my question, but I appreciate that. We're just kind of living in

a new world now, so thank you.

Those are my questions for now. Other people have asked some of my questions. So I may have more, but those are all my comments for now -- or questions, rather. Not comments, questions. Thanks.

CHAIRE GREGOIRE: Commissioner Edwards.

COMMISSIONER EDWARDS: Yes. I have a question that was touched on several times with regards to public safety. I think you touched on it, but can you elaborate on that point? You said something about internally, Staff -- like an application comes in and you have our building safety, fire departments, you have the whole key people, right? My understanding is correct?

MICHELLE MONTENEGRO: Yeah, so I didn't mention it in the presentation itself, but it is the -- it's part of the memo, the fact sheet component of the memo that went out today.

So the technical review for a very high-fire hazard severity zone does not change based on the discretionary review authority. Both paths lead to discretion, leads to the holistic review of all the materials purpose presented for the review authority.

As projects come into the city, relevant divisions and departments as part of the development review committee provides comments. And those comments are addressed up to fire code and fire regulations that are required for those projects. So the regulations and requirements will remain unchanged, it's just the review authority body that obviously will be moving forward the entitlement.

FRANCISCO CONTRERAS: Yeah. And if I can add, yeah, part of that development review committee, we do have the fire department that reviews the plans. We do have Building and Safety. We have Code. So we have all of the review agencies that look at development projects that provide feedback. So if there were projects that were within a higher fire severity zone, they would tell us, hey, for these type of projects, you would need this type of additional refurbishment or strengthening, for example. But yeah, this doesn't change that at all. This is just really a procedural change.

COMMISSIONER EDWARDS: All right. Thank you.

CHAIR GREGOIRE: Commissioner Hoopingarner.

COMMISSIONER HOOPINGARNER: Yes. To follow up on Vice Chair Jones' discussion about processing time, et cetera, I did look at the data that you submitted. And thanks for doing that, answering my question.

Honestly, I'm more than a little confused because it seems that the data conflates projects that were delayed due to the applicant's choice to revise the project. So there's one project in that list that was a 10-year delay that dramatically changed the average review time of Planning Commission because that applicant chose to change the project I don't know how many times

over 10 years. So to include that in that data showing that the Planning Commission delays were substantially higher than director reviews conflates projects that were dramatically delayed by the applicant's choice with actual delays caused by the Planning Commission, correct?

FRANCISCO CONTRERAS: Right, so if I can answer that. So the table is sort of like a real-world snapshot of the approved projects. And it does show a little bit of variation and a few outliers. And I think Staff is not claiming that every project is going to have these immense time savings, but more to the point that changing the review authority removes some of the scheduling constraints and additional hearing cycles that only occur in the Planning Commission track versus just the director review track. And even as the state timelines do tighten, the number of procedural steps and calendar dependencies still improves on the predictability of some of these projects.

And yes, and you're completely right with some of the delays that some of the applicants are responsible for. That can be a major share of the total time that it takes to process a project. And this proposal may not eliminate all of that. There still might be some projects that have that. But this proposal really addresses that part of the city process that we directly control after a project is ready for action. So it removes the need to secure a commission hearing slot, reduces the likelihood of continuances that are driven by calendar availability and it really simplifies the appeal process for eligible projects. So that was somewhat what we were trying to show with --

COMMISSIONER HOOPINGARNER: Thank you. You bring me to my next question. How many Planning Commission meetings in the past two years have been canceled due to a lack of agenda?

FRANCISCO CONTRERAS: I don't have that information.

COMMISSIONER HOOPINGARNER: I do. It's 10%. How many Design Review Committee meetings were canceled due to lack of agenda? It was 56% in the past two years. So I'm struggling to understand the delays caused by this process, this public process, when, in fact, multiple meetings have been canceled and/or have been extraordinarily short due to a state-mandated ZTA that took us all of 20 minutes.

So in looking at your statement that there was some 700 days in the process, when I looked at the data and looked at from application date to deemed complete date, and from deemed complete date to approval date, 68% of that time in the director's review process was actually -- excuse me, 78% of that time was actually spent in the application process. 78% of the time from application date to approval date was in the Staff review process, based on your own spreadsheet.

So again, I'm trying to understand where the roadblock is and how this streamlining affects that roadblock if 78% of the delay is in the Staff and/or development change review process.

CHAIR GREGOIRE: What's your question?

COMMISSIONER HOOPINGARNER: The question is, how is this going to change that? If the 78% of the delay is caused during the entire process in which the public has no involvement --

it's from application date through deemed complete date, is 78% of the time, in the director process. How is this going to change that?

MICHELLE MONTENEGRO: Thank you for the question. So from 2019 to 2024, the rigorous time limits that we have today due to AB 130 and SB 330 and SB 8 and the follow-up government code changes were not applied. So these projects represent a lack of time clocks that are now in government code existing.

COMMISSIONER HOOPINGARNER: What does that have to do with Planning Commission?

MICHELLE MONTENEGRO: Because there is a time clock that exists once an application is deemed complete to the time that it must be presented among the review authority.

COMMISSIONER HOOPINGARNER: But I just gave you the data from your own spreadsheet that 78% of the time spent is prior to the deemed complete date. So again, how does this change the process? How does this speed up the process? Given we have multiple canceled Planning Commission dates, we have multiple canceled Design Review dates and all of the time seems to be backloaded into the plan review process at the Staff level, and with the developer's choice of changes, how does this streamlining and the removal of the public process actually make things go faster? Okay. We'll move on.

In the review of this situation with the stated goal to increase the speed of construction, this ZTA seems to make the assumption that the entire problem is the public, because this proposal is stripping out the entire public process. So did you review the impact of interest rates on this delay in construction and delay in proposals?

MICHELLE MONTENEGRO: We did not.

COMMISSIONER HOOPINGARNER: Did you review the market saturation, given the 11% vacancy rate in the city of West Hollywood and its impact on developers' decision as to whether or not to build in the city?

MICHELLE MONTENEGRO: We did not with the ZTA.

COMMISSIONER HOOPINGARNER: Okay. Thank you. Did you review the number of developers who are currently in bankruptcy with projects in construction in the city that have not been completed?

MICHELLE MONTENEGRO: We did not.

COMMISSIONER HOOPINGARNER: Okay. Moving on to this director decision. Who will make the decision?

MICHELLE MONTENEGRO: So it depends on the type of project we're speaking on. For a subdivision for a tentative track map, that would be a director's hearing. For projects that are tentative parcel maps as well as the development permit itself, Staff with the authority of the

director would be making that decision.

COMMISSIONER HOOPINGARNER: So projects up to 99 units could be made by a Staff member, not the actual director?

MICHELLE MONTENEGRO: With director oversight, but yes, Staff.

COMMISSIONER HOOPINGARNER: Okay. And to what level will that decision be devolved?

MICHELLE MONTENEGRO: Can you elaborate? I'm sorry.

COMMISSIONER HOOPINGARNER: The director will be devolving his responsibility to Staff level. To senior planners, to planners, to associate planners, to assistant planners? To what level will these decisions be devolved?

SAIMA QURESHY: I can answer the way the director's decisions are processed currently, because some of the projects do qualify for that.

So the project manager or project planner is the main person who works on that, is the lead. But then planning manager, which is myself, the building official, like we talked about, all the divisions and departments, even outside agencies like fire, Southern California Edison, they all provide input and comments on the project. Also, our urban designer looks at the project and prepares --

COMMISSIONER HOOPINGARNER: Is that any different than currently?

SAIMA QURESHY: No, this is currently, yes. So urban designer looks at the project, project planner, manager, senior planner if it's assigned to associate planner level, for example. And then when we reach the stage of writing approval documents, those documents are reviewed carefully through all the steps of the organization. So if it's written by an associate planner, it will be reviewed by their team lead. Then it will be reviewed by me. And then we have legal review, and then it goes to the director for review. Everyone looks at it.

COMMISSIONER HOOPINGARNER: So you're saying 100% of these projects will be reviewed by the director?

SAIMA QURESHY: Well, it's a director's decision, so yes.

COMMISSIONER HOOPINGARNER: Okay. I'm asking, whose signature is going to be on the document? Who is going to be the decider on all of these projects? Because it's not currently how it's done. Currently we have --

SAIMA QURESHY: Yeah, currently Staff signs it. Yes.

COMMISSIONER HOOPINGARNER: Exactly. So currently we have various Staff members who have approved things. And when somebody in the public says, "How did this get

approved?" there's a whole scramble. And we've been through this a couple of times prior to your arrival of projects. It's like, how did that happen? And it was a Staff-level decision that was not moved up the chain. So that's why I'm asking the question very clearly for the public, who will be deciding these 100-unit buildings, 99-unit buildings?

SAIMA QURESHY: So like I said, the design review will be reviewed from everyone who is part of --

COMMISSIONER HOOPINGARNER: Whose signature is on the document?

SAIMA QURESHY: It will be the project planner's signature on the document, but it is -- there's a lot of analysis that's behind it. It's not just one person looking at the project.

COMMISSIONER HOOPINGARNER: So the project planner will be the decider that says, "This is done. This is good. Here's your development permit."

SAIMA QURESHY: After all the comments are corrected and all the other reviewers have signed off on that, yes.

COMMISSIONER HOOPINGARNER: Okay. Thank you.

SAIMA QURESHY: That's my decision.

COMMISSIONER HOOPINGARNER: That's what I wanted. And that should probably be made clear if you bring this forward. How is that going to be recorded and disclosed to the public at the time of the 10-day notice period?

NICHOLAS MARICICH: If I may, Chair. As the director, I just wanted to add a point of clarity that all of the activities of Staff are carried out under the direction of the director.

COMMISSIONER HOOPINGARNER: I appreciate that.

NICHOLAS MARICICH: So if it's the director's decision, the decision is being made by the director. Whether it's signed by a Staff member, ultimately I as the director am responsible for all the decisions that are issued from the department.

COMMISSIONER HOOPINGARNER: I appreciate that, and I recognize that. I just like to know if you've actually looked at it, and that makes a difference. And hence the question about devolving your responsibility.

On Page 5 of your staff report, you state that streamlining is intended to, A, "Reduce avoidable process steps that do not add substantive standards." Can you explain that?

MICHELLE MONTENEGRO: Sure. So projects are reviewed against objective standards from the zoning code, government code, any conditions of approval. So these standards do not change based on the review authority who's issuing the decision. It's technically being applied across the

board, regardless of the review authority.

CHAIR GREGOIRE: Is that a typo? Should it have been subjective standards, not substantive?
Page 5.

MICHELLE MONTENEGRO: Yeah, I believe so.

COMMISSIONER HOOPINGARNER: Hence my question.

ISAAC ROSEN: Chair and Commission, I do want to jump in here just to note the idea of the proposed ZTA does change the review authority. But to the larger point, and as the Commission knows well, state housing laws do limit the scope of what the commission can consider. And so it would be comparable and in the limitations imposed under the State Housing Accountability Act and other applicable laws, whether it's the director or the Planning Commission. So --

COMMISSIONER HOOPINGARNER: I appreciate that. That doesn't change the public process, which is what we're discussing.

ISAAC ROSEN: Understood. I did just want to note that the standards that can be applied to any housing project would be the same, whether it be reviewed by the Planning Commission, --

COMMISSIONER HOOPINGARNER: Of course.

ISAAC ROSEN: -- the director.

COMMISSIONER HOOPINGARNER: So in Part B, that, "This streamlining is intended to improve predictability for applicants and residents," how will this be achieved? If it is not going to be a transparent process that's readily visible to the community, how will it be predictable to the community?

MICHELLE MONTENEGRO: We moved some noticing up earlier into the process, specifically the site posting. The neighborhood meeting notice remains as it is. But specifically, the notice of intended decision is a new procedure that does not occur today. It's equivalent to almost taking the position of a notice of public hearing, but the notice of intended decision will be more descriptive. It would contain information on how to submit comments, the primary project planner, project manager's contact information as well as appeal rights following the decision. Staff is also proposing to post any decisions on a website. So that is something that we do not do as a procedure today, but will follow if City Council eventually decides to adopt the amendments.

COMMISSIONER HOOPINGARNER: Okay. Thank you. And that brings me to some of my other questions relating to that disclosure process. When you say that that 10-day notice is going to include a link to the director's final report, what will be included in that final report?

MICHELLE MONTENEGRO: The notice will contain a link to the page that contains all of the
--

COMMISSIONER HOOPINGARNER: I realize the link. I'm saying, what will be in that actual final director's decision report?

MICHELLE MONTENEGRO: Yeah. So it matches what is in an approval document called the Conditions of Approval that is for a director's review today. So it'd mirror that same report.

COMMISSIONER HOOPINGARNER: Would it include the project plans and the renderings?

MICHELLE MONTENEGRO: The conditions of approval will reference the site plans.

COMMISSIONER HOOPINGARNER: Will it include them?

MICHELLE MONTENEGRO: That is something that we could also consider posting onto the website.

COMMISSIONER HOOPINGARNER: One would think if one is going to read a report, one would need to see the pretty pictures that goes with the report, correct?

MICHELLE MONTENEGRO: Correct.

COMMISSIONER HOOPINGARNER: Okay. C. "Streamlining is intended to maintain a clear administrative record through written findings." What is not being done currently and will be done differently under streamlining that will be a more clear administrative record than currently exists?

MICHELLE MONTENEGRO: So the administrative record is referencing the findings of the decision the public comments collected and the final site plan that is being proposed. So all this information is supposed to be collected as part of the record. It will also specifically delineate how the project is making its findings in the affirmative based on all the material provided.

COMMISSIONER HOOPINGARNER: How is that different from current process?

MICHELLE MONTENEGRO: So the current process does lead to the public hearing. I mean, the findings are the same.

COMMISSIONER HOOPINGARNER: The findings are the same. The plan is the same.

MICHELLE MONTENEGRO: Yes.

COMMISSIONER HOOPINGARNER: The public comments are the same.

MICHELLE MONTENEGRO: So we're maintaining the same.

COMMISSIONER HOOPINGARNER: So what is different, and how does streamlining maintain a clear administrative record through written findings and make this process better?

MICHELLE MONTENEGRO: Because we're not reducing the findings in any way. We're not reducing the information on the projects. We're maintaining the same amount of information for the administrative record.

COMMISSIONER HOOPINGARNER: But your statement is that streamlining is intended to make it better. So I'm trying to understand how it makes it better.

MICHELLE MONTENEGRO: I think our point is that we're maintaining the administrative record.

COMMISSIONER HOOPINGARNER: Okay. Thank you. Having the original neighborhood meeting within 60 days of application filing, correct? Okay. What information will be available to the public at that time?

MICHELLE MONTENEGRO: The notice itself contains the project description, the time and place and address for the neighborhood meeting.

COMMISSIONER HOOPINGARNER: I'm not talking about the noticing. I'm talking about at the meeting, what information will be available to the public?

SAIMA QURESHY: It will be the detailed project itself, the way it's proposed by the applicant, because that's -- at the neighborhood meeting, the applicant is presenting what they intend to build.

COMMISSIONER HOOPINGARNER: Will that be different than the current process?

SAIMA QURESHY: No, that's -- neighborhood meeting, that's the purpose of that, for the developers to --

COMMISSIONER HOOPINGARNER: Okay. Because I don't know how many of my colleagues have attended a neighborhood meeting, but the ones that I've attended have included maybe one or two renders, no write-up and no plans. So I'm trying to understand the nature of the public comment that would be involved and included in the decision-making process, given that paucity of information, given that this would be the only opportunity for the public to participate in the process. There's no additional information you're proposing to add to this process?

SAIMA QURESHY: No. Like I said, the intent of the neighborhood meeting is for the developer to present their project. And it includes, just like the way we present the projects to you, site plan, floor plans, elevations, parking, where the access is, et cetera.

COMMISSIONER HOOPINGARNER: Because I've never seen a floor plan at a neighborhood meeting. They may exist sometime, but I've never seen one.

SAIMA QURESHY: Okay.

COMMISSIONER HOOPINGARNER: Which brings us to the point of, what percentage of the applications you receive are essentially complete and moved on to deemed complete in a timely fashion? Or are they required to make modifications in order to be deemed complete? What percentage of them are essentially ready to be deemed complete, done and dusted?

SAIMA QURESHY: Initial submittal, I would say pretty much all the applications are not complete at the first filing.

COMMISSIONER HOOPINGARNER: And so that's what's going to be presented to the neighborhood, the incomplete application?

SAIMA QURESHY: It's within the -- 30 days of filing? Within 60 days of filing. So it will be the -- yes, it is the first iteration of what is proposed by the developer.

COMMISSIONER HOOPINGARNER: And given that your stated director's review process is some 300 days and we've already determined that 78% of that is spent during the Staff revision and developer revision process, that means that a significant amount of the project is going to change between application and deemed complete, correct? That's usually the experience and what I've been told.

Given that, what exactly is the community going to see, and when are they going to be able to see what has been deemed complete and will they be able to give any further comment prior to 10 days before a done and dusted decision?

SAIMA QURESHY: I think the next notice is the notice of intended decision, which is 10 days. But we have the site posting, which is the whole duration [indiscernible] -- yeah. So the site is to be posted --

ALI SHAHIDI: [Bring] the microphone closer, please.

SAIMA QURESHY: Okay.

CHAIR GREGOIRE: Please no comments in the gallery, please.

ALI SHAHIDI: But we can't hear. Tell her to bring the microphone closer.

SAIMA QURESHY: The site is going to be posted the whole time the application is in process. The first notice that neighbors will receive will be related to the neighborhood meeting. And then the notice of intended decision would be just 10 days before the decision.

COMMISSIONER HOOPINGARNER: But none of the materials that will be delivered to the Staff in the interim will be available to the public?

SAIMA QURESHY: That's correct. That's going to be -- it goes back and forth between the applicant and the city Staff.

COMMISSIONER HOOPINGARNER: Okay. If a person lives within 501 feet and doesn't receive a notice, how will they be able to view, subscribe, see a list of the projects that are currently in the queue in the city?

MICHELLE MONTENEGRO: Outside of the site posting, they could reference the website that will contain that information along with the assigned project planner, the contact information.

COMMISSIONER HOOPINGARNER: So the proposal is that we each individually call the project planner and ask for the materials?

MICHELLE MONTENEGRO: Yes.

COMMISSIONER HOOPINGARNER: Okay. Thank you.

On Page 19, in discussing the appeal process, you state that, "The director decisions on projects subject to the proposed streamlined development permit process may only be appealed directly to the City Council, which will reduce project delays and remove administrative barriers." Does this mean that the presumption is that all appeals will be summarily denied? That's the only way you're going to streamline it, if the appeals are denied.

ISAAC ROSEN: Commissioner Hoopingarner, I think I can speak to that, high level. There are certain state law requirements that say a project must get through the entire process.

COMMISSIONER HOOPINGARNER: Understood.

ISAAC ROSEN: So by going to City Council, there's still an appeal period. But it would -- the ZTA proposes that you remove one of those two appeal periods. So you would still have a full robust appeal, it would just go straight to the City Council for consideration in light of evolving state laws that require that from start to finish. Once the project's deemed complete, it has to be finally approved or denied.

COMMISSIONER HOOPINGARNER: I appreciate that. It just seems to as written state that the presumption is that the appeal would be denied.

So let's move on to waivers. You stated, and I'm going to try and get this here, that if something is in compliance with objective standards, that it would go through this process. So a waiver indicates that something is not in compliance with the objective standards. So would Staff be approving waivers? If so, how many? Will there be any constraints, any limitations?

ISAAC ROSEN: Commissioner Hoopingarner, I think I can hop in on this one as well because I had similar considerations in reviewing that. The density bonus concessions, waivers, et cetera, and this would be true for projects that come before the Planning Commission that are also eligible for a concession or a waiver, it doesn't take the project out from being consistent with the applicable standards. It's a state law mechanism to deviate from those standards that's permitted and preempted by state law.

So the process is the same with concessions and waivers. It would happen at the director level under the proposed ZTA, but it's not dissimilar to the projects that come before the Planning Commission that similarly have concessions or waivers.

COMMISSIONER HOOPINGARNER: And would those be disclosed to the public?

ISAAC ROSEN: Well, presumably when the director-level decision comes through, it has the application materials that include the specifics of what's being presented and what's under consideration. And the findings also would by nature include the project description. And I know at least for the items that come before Planning Commission, it's included within those application materials.

COMMISSIONER HOOPINGARNER: Okay. Thank you.

Back to the appeals. You stated that the director's decision would be posted sometime the day after the decision is taken, but what's not clear is when the appeal clock starts. Because if the document is dated the 10th, but it's not made public until 5:00 on the 11th, when does the 10-day clock start for the public, who's going to have virtually no information about this in the first place as to whether or not they have an appeal clock? What is that clock, and how will that be calculated and how will it be disclosed to the public?

ISAAC ROSEN: It's a good question, Commissioner Hoopingarner. I think we would need to look quickly, and we could probably get back to you on that, on what the current code provisions say on appeal that aren't being touched. I would venture to guess that at the time of the director decision, so whether it's hearing or not, reflects the final action. And so I think it's a good question on whether or not the appeal clock starts at that time or 12 or 20 hours later when the decision is posted online. So I think we could get back to you on that, but it would --

COMMISSIONER HOOPINGARNER: I think that would be rather important given this very limited ability for the community to appeal a decision by stripping -- we had a situation a couple years ago where a decision was released at like 5:00 on a holiday weekend. And it really made it difficult for the community to appeal that decision, in fact, to even get the decision. So I'm very concerned that this already stripped down process that's pretty much eviscerating all public involvement is making it even worse. And I want to make sure that that's clarified as we move forward.

CHAIR GREGOIRE: Commissioner Hoopingarner, just a gentle reminder --

COMMISSIONER HOOPINGARNER: These are questions.

CHAIR GREGOIRE: -- to avoid comments and any sort of deliberation at this point.

COMMISSIONER HOOPINGARNER: Well, it needs clarification. In Page 6 of your supplemental memo on Item 4, Discussing Fire Hazards, you state that this is going to be addressed in plan check. But I think that the question that was asked was asked about very high-

fire zones and the projects being approved and looked at in those zones, particularly, I think the example of the top of Larrabee Street was used as an example, where it's virtually impossible for firetrucks to get up there in the first place, much less navigate.

So the question is, how is that going to be addressed? Because your answer that it's going to be addressed in plan check does not address the fundamental issue about whether or not a building should be built in that location as opposed to, oh, it's gone through the director process, the director's approved it and now it's all about plan check and whether or not where's the fire outlet stubbed out. So your response is about plan check, but the question is about the approval process.

FRANCISCO CONTRERAS: Yes. For projects that are in a high-fire severity zone, like that designation does not preclude development of any type of project or development. It just adds an additional layer of review for fire prevention and for fire safety. So we're not changing any of that. That still applies to any project that's in that zone. So that's why we were referencing the code, that anything that does get developed in that would have to comply with the applicable fire or building and safety code requirements.

COMMISSIONER HOOPINGARNER: Okay. I think those are my questions. Thank you.

CHAIR GREGOIRE: Please, order, please.

FRANCISCO CONTRERAS: If I can add, Chair, if you don't mind, because there were some questions regarding how the current practice -- or how this proposal is going to be different than the current practice, and I just wanted to clarify that.

So right now, what we're proposing is that we're going to have two mailed notices that are going to become mandatory and they're going to be time-based. So I have the early mailed notice that goes shortly after the application is accepted. We have a mailed notice of decision that's at least 10 days before the director acts. Today, noticing can really vary depending on the project and review path, so this makes it a little bit more predictable. There's a defined public comment window that's built into the process. So the posted sign is tied to a comment closing date with a minimum time frame. Today, the public input often happens, but it isn't always anchored to a standardized comment closes on next date milestone for director-level actions.

Decisions are posted quickly with clear what-happens-next information. So the process formalizes prompt online posting of the director decisions and clear instructions on how to comment and how to appeal. The appeal path changes, and that is the major structural difference. For qualifying projects, it becomes one appeal directly to the City Council rather than a multi-step path. Even if the front end looks familiar, this is a real reduction in the steps and uncertainty.

The review authority shifts for a defined set of projects. So as we mentioned, instead of Planning Commission action for those projects, it's a director action, so projects needing a CUP variance or that don't meet the qualifying definition do still remain on the commission hearing track. So those are just some of the changes.

COMMISSIONER HOOPINGARNER: Then I have some additional questions based upon that.

CHAIR GREGOIRE: Go ahead.

COMMISSIONER HOOPINGARNER: Oh, sure.

COMMISSIONER EDWARDS: This is not critical to my decision, but I'm just curious if you have any data on how many appeals are filed and how many appeals are successful.

COMMISSIONER HOOPINGARNER: Any what?

COMMISSIONER EDWARDS: How many appeals are filed over the last -- over that 2019 to 2024, how many appeals have been filed and how many appeals were approved? Were they successful?

FRANCISCO CONTRERAS: Yeah, we don't have that information, Commissioner.

CHAIR GREGOIRE: Commissioner Hoopingarner.

COMMISSIONER HOOPINGARNER: Yes. Would Staff be willing to consider a subscription model for noticing the public, much like currently members of the public can subscribe to notices for city council agendas, et cetera? Would it be possible for members of the public to subscribe to all the notices that come out relating to these decisions and meetings?

FRANCISCO CONTRERAS: Yeah. Yeah. We can definitely take a look at it. Right now our system doesn't allow, but we can take a look at that for sure. I mean, that's a technology-driven solution. Yeah, we can definitely take a look at that. It's just not something that our system currently allows.

COMMISSIONER HOOPINGARNER: Because that might assuage some of the concerns, because my concern is if you're referencing that this is going to work through the current info site, every time I've been in there, it's been an epic fail. And so my question is, if that's the technology you're going to be relying on, how is that going to work when this community wants to get information? Because it's not working now.

FRANCISCO CONTRERAS: Yeah. Yeah, we're looking into that right now. We don't have the technology now, but it's something definitely that we can explore for sure.

COMMISSIONER HOOPINGARNER: Thank you.

CHAIR GREGOIRE: Any other questions? I've had my questions answered. I appreciated the supplemental memorandum today. A lot of my questions were answered there. And so at this point, we --

COMMISSIONER HOOPINGARNER: I'm sorry, Chair, that's one thing that wasn't made clear to everybody in the public. There were multiple supplemental memorandums and packages of correspondence. Nobody would disclose that to the listening audience, so I think it's important

that you know that there were things delivered as recently as this afternoon. Thank you.

VICTOR OMELCZENKO: Well, I never saw it, and I do read everything, Chair. Why don't you let us see it in advance or let us know?

CHAIR GREGOIRE: Appreciate your thought, yes.

VICTOR OMELCZENKO: [Indiscernible] those questions. Thank you, Mr. Solomon, for bringing that up.

CHAIR GREGOIRE: Okay. Let's move to Commissioner deliberation. I sense that there could be a great diversity of views on this matter. My thought would be, I think every Commissioner who would like to speak should. I'd like to encourage you to state whether you support or oppose Staff's recommendation and the reasons for that. And if there are any changes you'd like to see, perhaps state that. Perhaps if you don't currently support it, but with a few changes, you would, that would be great. But let's try not to do any back-and-forth or debate any particular issue until we've all had a chance to state.

VICE CHAIR JONES: What disclosures are there? I mean, I don't want to interrupt anybody, but the city is the applicant in this case. Are there disclosures we need to make?

ISAAC ROSEN: I think based on where we are in the hearing and in light of that, Vice Chair Jones, I think it's fine to proceed. Yep.

COMMISSIONER HOOPINGARNER: But shouldn't disclosures be made?

ISAAC ROSEN: It's up to the Commission, I think to Vice Chair's point.

CHAIR GREGOIRE: Let's go ahead and do that. Does anybody have any disclosures of public conversations they would like to disclose?

COMMISSIONER EDWARDS: No public conversations, but just for transparency, that I have a role with Abundant Housing LA, which is just involving a really small subset of activity when it comes to endorsing candidates outside of the city of West Hollywood. I don't donate. I don't -- that's it.

CHAIR GREGOIRE: Thank you. Anybody else?

ISAAC ROSEN: And Commissioner Edwards, meaning -- so Abundant Housing submitted a letter on this item, and --

COMMISSIONER EDWARDS: [Oh yeah].

ISAAC ROSEN: -- you did not have -- okay. Thank you.

CHAIR GREGOIRE: Any other disclosures?

COMMISSIONER SOLOMON: I've talked to several members of the public about items on the staff report. I'm sure plenty of us have. I formerly was doing what Mark did on the endorsement committee, but I'm not active on it anymore, for Abundant Housing LA.

CHAIR GREGOIRE: Great. Thank you. Anything else? Great. So let's go to deliberation.

And again, let's hear what everybody has to say about whether they support or oppose Staff's recommendation and what changes, if any, you would like to see made. And depending on what everybody says, we can perhaps queue up individual conversations of individual issues.

Who would like to go first? Commissioner Edwards.

COMMISSIONER EDWARDS: I'd like to start out by saying that I appreciate all the public testimony and all the comments that were submitted. I appreciate that. I also want to express appreciation to Staff for a very thorough analysis that was presented to us.

And I'll just keep it brief. I'm very comfortable with what was presented to us. I understand for some people change is difficult and it's challenging. But I, as a resident of West Hollywood, feel safe that what they're proposing will create an opportunity for us to have more residents who could then come to these meetings and share their thoughts.

Secondly, I do want to highlight that to the point of public comment, which I appreciate, is that the majority came from two communities, which doesn't represent the city of West Hollywood because there are probably about 29,000 voting members of the city of West Hollywood. And so what was presented to us is good, but it doesn't represent the majority. It represents 0.003% of the voices.

And so we have responsibility as planning commissioners members with this -- we function as trustees. We have these responsibility to absorb the information and make our best assessment what helps move the city forward. And then simultaneously, it really is the City Council at the end of the day that makes the final decision. And the city council members are duly elected officials. And so the argument is always that if you want to challenge the decision they're making, then the ballot box is your opportunity to just to share your thoughts and your concerns.

And so I will end with that to say that I'm going to support this recommendation without any changes outside of the good suggestion about in the future, hopefully you have a subscription service because, I mean, even the city of LA has that, which is okay.

COMMISSIONER HOOPINGARNER: Can I ask a question what you meant by the two communities? No? Oh, I thought you had a -- you said two communities. So I wanted -- what two communities you're referring to.

COMMISSIONER EDWARDS: To that is West --

ALI SHAHIDI: Can you speak louder, please?

COMMISSIONER EDWARDS: Okay. West Hollywood West. And what is the --

ALI SHAHIDI: He can't even say it.

COMMISSIONER EDWARDS: No, no, I can say it.

CHAIR GREGOIRE: Wait.

COMMISSIONER EDWARDS: I wrote it down.

CHAIR GREGOIRE: Please, please.

COMMISSIONER EDWARDS: Okay. I am not going to have a conversation with you, sir.

CHAIR GREGOIRE: People in the public, please, you cannot address the Commission.

COMMISSIONER EDWARDS: Yeah.

CHAIR GREGOIRE: The public --

ALI SHAHIDI: I don't [indiscernible].

CHAIR GREGOIRE: I understand. It's not your turn to speak.

COMMISSIONER EDWARDS: Okay. I will say West Hollywood West. I wrote it down.

ALI SHAHIDI: Yeah. I mean, you wrote it down [indiscernible].

CHAIR GREGOIRE: Sir. Sir, you're out of order.

ALI SHAHIDI: I can leave if you want.

CHAIR GREGOIRE: You're out of order. Please take your seat.

ALI SHAHIDI: [Indiscernible]. Go ahead.

CHAIR GREGOIRE: Who would like to speak?

COMMISSIONER EDWARDS: I would love to speak.

ALI SHAHIDI: Into the microphone. We can't hear you.

ISAAC ROSEN: Chair, I do want to note, so to the extent there's a disruption that prevents the Commission from doing its business, the commission could always take a break. But certainly, the Brown Act allows the Commission to take action should there be something that prevents the

members sitting on the dais from being able to proceed.

So I would just note for the Commission, for the public, that the public comment portion has closed. And so it's now up to the Commission to consider and deliberate free from any disruptions that prevents the orderly course of business.

CHAIR GREGOIRE: Thank you.

ALI SHAHIDI: I can't hear. [Indiscernible].

CHAIR GREGOIRE: Sir, please, no more comments from the audience. Commissioner Edwards, continue.

COMMISSIONER EDWARDS: Thank you, sir.

From my analysis, the two main communities was West Hollywood West and Norman Triangle, which is written down in my notes. Thank you.

CHAIR GREGOIRE: All right. Who would like to go next? Vice Chair Jones.

VICE CHAIR JONES: Thank you. I'm going to talk about a lot in my comments tonight. But I just want to say -- and I say this to everyone here and who's listening, to everyone on Staff and up here in this dais, who's in the public, please have respect for everybody. That's part of what this process is. We listen to you. You have to listen to what we have to -- I mean, or you don't have to listen to us. We would like you to stay, please.

But I'm not here, and I don't think any of us are here, I hope, to dunk on people or for these gotcha moments. I don't appreciate them. I don't like them. It's not the kind of energy that I want in my life and in this community especially. Everything that we're seeing right now in our nation, it's like every hour we have a reminder of how hateful people are to each other. And I don't condone it here and I don't like it.

So I just want to open my comments by saying that Staff is not here to make you feel cut out of the process. They are executing on directives from elected officials. We are members of this community. You are here giving us feedback. All of these parts are so important. This is why the public process is so important, and I'm going to get to that.

But I just want to say, I don't want to hear laughing. I don't want to hear people making fun of each other. It's just not productive and it's not helpful, and that extends to everyone in this room and on the call tonight. So I just want to open with that because I'm not here for it, and I don't think -- we're all better than that. So I'm going to start with that.

Next I want to say, you know what I hate? I hate sitting up here and having to tell people that I don't have any real discretion when it comes to the projects that are before this commission. And because of the way that the housing crisis in our state has unfolded over the course of the past double-digit number of years, because the cost of housing is now unaffordable, I think there's

probably at least three renters up here on this dais. I know there's at least three renters, four renters up here on the stairs, so the majority of people. There's a probability there are people up here who are never going to be able to buy a property here, or anywhere for that matter, in the state of California, unless you feel like living in Blythe or something, which I think fair to say most of us do not.

And where was I going with that? I have so many notes, I told you. I have so many notes and so many things to say tonight. But I really don't like -- I don't like having to vote on things where I don't feel like I can vote my conscience. But candidly, that's also not why I'm up here. I'm not always here to vote my conscience. I don't always get to do that. I'm here to uphold a duty that I was appointed to fulfill by a person on council.

And this is really at the crux of my deep emotional and intellectual struggle with this item tonight. And that is that I feel like I'm having to choose between the public process that shapes not just our community, but our nation and the need that we see for housing yesterday so urgently and people's right to that. I don't like having to make that choice. I don't believe that it has to be that black or white.

So I think what I would like to accomplish coming out of tonight's meeting is not just a yes-or-no vote on this item, and it may amount to that; but I would like to talk about some other ways, maybe some other levers that we can pull, some other ways that we can talk about the crisis at hand and how we might be able to address that in our community that isn't just limited to what amounts to mostly cutting out the process as we know it today for basically any housing project that's going to come before us. We don't see a lot of 100-plus housing projects in the city of West Hollywood. It's not that they don't exist, we don't really.

So I think what I struggle with, I feel a deep discomfort with eliminating the public process as it is right now. And again, I'm torn on this because sometimes we have community meetings, neighborhood meetings, applicants do, and nobody comes to them. Or we have Design Review subcommittee meetings -- I mean, I don't want to tell you an average of the number of people who have been at Design Review subcommittee meetings over the past year. It's not very many. I could probably count most of them in terms of members of the public on less than two hands.

So it's also frustrating when we give feedback for Design Review projects or for SAASC and we basically get projects that come to Planning Commission that haven't incorporated most of the feedback because, you know what, people don't have to incorporate it if they don't want to.

So there is a part of this that I feel like in a way it's like, well, what difference does it make? Maybe we should just eliminate the public process because it kind of doesn't matter anyway. I'm not saying that it doesn't, but again, I'm giving you a lens into my internal debate on this because I've really struggled with it. There have been sleepless nights this week. I've talked to multiple people on council, people in the public -- no developers, just want to make that known for the record. But I really struggle with that.

I also really wonder if the things that are hindering projects, and I've seen a few in 10 years on Planning Commission, is it really this process that's holding things up? I don't know that I think

that it is. The number of times that we've had people come before us to get extensions for entitlements, the number of times that we've seen projects that lose their funding, that lose their entitlements, that -- I mean, the recession was a great example. This predates my time, special circumstances. COVID didn't help either. I just don't know if I think that maybe we're thinking about the things that lead to housing not happening in the right way. I want to make sure we're looking at the right processes. What processes are we looking at? What parts of the process are not working?

I mean, what I also don't want, and this has happened a lot of times too, part of the beauty of the process is that things get caught along the way. It's meant to not just stop at Staff. It's meant to not just stop with Design Review or with Planning Commission or with Building and Safety. We need all of those checkpoints along the way to catch things. What we don't want is for something to get expedited through a process and with this -- with whatever we decide to do, and then all of a sudden we find out that someone's transformer is in the wrong place and it materially changes the project in such a way that the cost and the time savings are moot anyway.

So I just don't know if I think that this is the right way to go about accomplishing what we actually want to do. And it doesn't mean I'm not open to discussion on it. I feel really strongly about maintaining the public process. To me, that is a fundamental value of the city. I do not feel comfortable where I sit right now bypassing that. I just don't.

We are part of the public. You are part of the public. These people are part of the public. Whether or not they live in West Hollywood is beside the point. And every part of the process matters in my view. I want to make sure I covered all my notes here. And I'm sorry. I don't mean to be long-winded, but I feel very impassioned about this.

Again, it's not just the process. It's the things that the process catches. And I do think that there are checks and balances in place to make sure that we are catching these things along the way. Again, I hope this doesn't seem like I undervalue the importance of housing. I think my voting record will reflect that I am very much in favor of building housing. I just don't know that I think this is going to accomplish the goals that it sets out to accomplish.

We could approve this, and what if we didn't see a difference? I mean, what would that all be for then? I don't want to be fatalistic about it. But again, I've really struggled with this. I hope you have been able to see how much thought I've put into this and how I'm thinking about it, because I'm going to pull a little bit of tenure here.

I've been on this Planning Commission longer than anybody else up here. I've seen a few things in my time. I'm a 20-year resident of West Hollywood. I've lived here longer than any place I've ever lived. It's the only city I've ever lived in in California, and maybe the only one I ever will live in California, for that matter. And I care deeply about this. And I would, again, really like to come out of this meeting tonight with some, again, mutual respect for one another and maybe trying to discuss solutions that are not just enumerated in the staff report.

I think those are all of my comments for right now. Again, open to suggestions. I am open to good energy especially. But those are my comments for now. Thank you.

CHAIR GREGOIRE: Commissioner Hoopingarner.

COMMISSIONER HOOPINGARNER: Thank you. Vice Chair Jones, I would like to second almost everything you said. I have served on Design Review for a long time along with Commissioner Carvalho, and there are many times when we don't have any public. But at the same time, I realize that we are the proxy for the public. That's what we were brought in to do. So there are times when the public has come to me and said, "Thank you for saying what I wanted to say and not making me come, because I couldn't come."

So I think that I agree, it would be nice to have more public show up for some of our meetings. But that doesn't mean they're not paying attention and they're not watching and they're not involved. So I think that I agree wholeheartedly that this is not ready for prime time. I don't feel that this represents the heart and soul of the city of West Hollywood. While possibly well intentioned with the goal to increase housing, I find that the underlying assumptions behind the ZTA are not supported by the facts.

Staff cites the paucity of development in the city, but fails to state what the problem is, that the problem is statewide. Further, the Staff fails to identify all the factors that could impinge upon development and suss out exactly what the problem is in order to more effectively address it. If the problem is the public approval process, then that would seem to be -- then that would be a statewide problem because the whole state has a problem. The whole state has a problem, and the problem is public process, then we need to remove the public process from every jurisdiction.

But yet there was no mention made of the current interest rate environment, which has clearly impacted developments nationwide. 100% of the onus for this problem has been put on the citizens of West Hollywood in the public process. No mention was made about developers who failed in their existing projects. We have a project on Doheny that's unoccupied and has gone into bankruptcy. And yet here we are, housing, housing, housing, and there's numerous projects on Ogden that are in bankruptcy, that are crashed. The project around the corner from my house has been in construction for two and a half years, and it's still at the first floor. The problem is not exclusively the public process.

No mention was made of the fact that fully 78% of the approval process takes place before a project is brought before this decision-making body, be it the director or this body. No mention was made of the fact that skewed data includes projects that self-delayed for years. Staff has again put the onus on the public, not on the developer, where it rightly belongs because they elected to delay the project.

No mention was made of the numerous meetings canceled or cut short due to lack of an agenda. We have an open agenda more nights than not, and yet we are -- supposedly, this public process is the bottleneck. I do not make the finding that this streamlining is supported by the facts, and what little benefit might be achieved is at the expense of almost complete removal of public oversight for virtually all proposed construction at West Hollywood, a city that prides itself on being inclusionary and transparent.

Ironically, every commissioner and council member received an email just a few weeks ago from the City Clerk reminding us of the importance of the Brown Act. Per the instructions in the email, "The California legislature that passed SB 707, which amended the Ralph M. Brown Act to strengthen transparency by ensuring that elected and appointed officials are informed about their open meeting obligations."

The preamble of the Brown Act is very clear as to its purpose. Section 54.950, Meetings. "In enacting this chapter, the legislature finds and declares that the public commissions, boards and councils and other public agencies in this state exist to aid in the conduct of the people's business. It is the intent of the law that their actions be taken openly and that their deliberations be conducted openly. The people of the state do not yield their sovereignty to the agencies which serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may retain control over the instruments they have created." That is the preamble to the Brown Act that we were all sent just a few weeks ago.

Now just a few weeks later, we're looking at a ZTA that is proposing to effectively strip the public of any awareness or input in any housing constructed in our city. A neighborhood meeting 30 days after application or 60 days after application is tantamount to useless. We have all seen these meetings and the information available after it is deemed complete, and there's virtually nothing that you see that will appear the same. And then we're going to be just 10 short days from approval. Comments will be sent in and, there's no clarity as to how you're going to be able to see the comments from your colleagues, your neighbors, and yet a decision will be made and that will be that.

Why is the Brown Act so important? Because without it, bribery and corruption were running rampant throughout the state. Some of my colleagues may not have lived in California a number of years ago when this hit the city of Los Angeles hard. People went to jail. Why do you think we have a dust bowl at our western gateway? Why do you think the city of Los Angeles radically revamped their approval process to increase transparency with neighborhood commissions? And here we are proposing to do precisely the opposite, with absolutely no proof as to why developers are not building all the housing we would hope.

As one of our correspondents so aptly wrote, "Public participation is not an inconvenience. It is, "as Vice Chair Jones pointed out, "it is a safeguard." Based upon the data submitted by Staff that asserts that neighborhood meetings and Planning Commission are the problems, I can't make that finding. Neighborhood meetings held during the application review process are in conjunction with deemed complete dates, so how are they delaying the process? How is this a roadblock? The fact that 56% of all Design Review meetings and 10% of all Planning Commission meetings have been canceled due to lack of an agenda, how is that a roadblock?

The Staff submitted average durations that have no basis in fact because they include projects that are grossly delayed by the developer's choice. And let's not forget, by definition, the projects that are on that list that are "streamlined" director review are much smaller in complex. So by definition, the dataset that they're looking at that's director review is projects that are 10 units or less. So they're easier, they're quicker, they're faster and we're comparing that dataset to the large

projects that come to Planning Commission. It's comparing apples and guacamole. It's completely different projects.

In the Staff supplemental memo, in response to the question about specific performance data that supports the urgency, citing the only 484 units constructed does not in any way identify the cause of the problem. With all due respect to our enthusiastic Staff, they do not live in this city. We count on our neighbors to teach us things like the importance of Larrabee and its height and its blockages and on West Knoll and these things that Staff cannot possibly know because they don't live there. They're not trying to haul their groceries down those streets.

The proposed process puts the onus on each individual to reach out, register their name with Staff -- bother, Staff, I can't see this as an efficient use of Staff's time to have every one of us calling you and say, "Hey, put me on a list. Hey, what's going on? Hey, where's a copy of this?" I just can't see that's a good use of Staff's time.

Yes, council has made recommendations. I think they were well meant, but I think I agree with Vice Chair Jones. We can do better.

CHAIR GREGOIRE: Commissioner Solomon.

COMMISSIONER SOLOMON: Thanks. First of all, I want to thank everyone from the public for coming out and speaking tonight. I mean, that is what this whole meeting is about, is about public input. And I want to commend Staff for putting this in front of us and for all of the work that went into it. This is one of the most thorough staff reports I've seen. I mean, council put forward to you 100 units and also track other threshold typologies, whether it's the lot size, the size of the buildings. And I commend you. You took the past five years of everything that's come through here and you wore a different lens and looked at each and every one of these typologies and saw what the result would be. I mean, that's a lot of hard work, to go through and reanalyze all the data five different ways.

On top of that, the Subdivision Maps Act is brilliant. It's an antiquated part of California state law that no one's really taken the time to address. In our zoning code, it's Title 20. And it basically says, just track whatever the county does, which that's great in 1984, when we were a baby city and we had to fill in the gaps and just say, keep doing it like the county does it. But 41 years later, for us to come back and look at it and take a real, deliberative approach about the Subdivision Maps Act, I think, is great.

And just for the record, Michelle, where do you live?

MICHELLE MONTENEGRO: In the city of West Hollywood.

COMMISSIONER SOLOMON: I know that this affects you all just as much as it affects us. I come at this from the perspective of I live here, my family lives here. And I think about it from the lens of my three-year-old daughter. We have a housing crisis of 3.5 million to 4 million people and 3.5 million to 4 million homes, and I think about what can I do to make her life slightly cheaper? How can I reduce her rent by \$100 a month, whenever it is that she does finally

move out of our house? And unfortunately, at the clip that we're going in Southern California, I don't think that she has -- realistically, she doesn't have a chance to live in LA unless we make some real systematic changes about how we build, being able to build more housing and being able to deliver that housing in a much cheaper way.

So as great as the work is that is put in front of us, I do want to propose an alternative to the Staff's recommendation tonight. And once we all speak, I can put forward a motion to that effect.

But if we take a step back and we look at the bigger picture, whether it's 50 units, 100 units, four stories, 75 feet, to me, we're all just kind of pushing food around the plate. It's the half a dozen one, six the other. The real question to me is, what power do we have as planning commissioners when a project comes to us that fully complies with our zoning ordinance and state housing law? And honestly, the answer is we really don't have very much discretion.

But we still engage in this sort of facade that riles everyone up. It extends the process. And moreover, it extends the financial uncertainty that a builder has. For the most part, they aren't getting their financing until they get entitlement. This entitlement track that we're on now adds to the process, but also adds to their ability to go out and get the financial backing from their capital partners, from the bank, that they need to eventually build the project. And a lot of our projects are stalled right now because people put together pro formas on 2019 interest rates, and we're not there anymore because it's a lengthy process to get to the point where you're finally ready to put shovels in the ground.

For me, and this is what I advocated for when this came to us on our Subcommittee on Long Range Planning, for me, I think about it like we already do have a threshold that's established, and it's our zoning ordinance. I actually brought the printed copy tonight. This is Title 19 of the West Hollywood Municipal Code. And it is -- single-spaced, double-sided, this is 612 pages. This is the playbook. And this doesn't include the Sunset Specific Plan. That's 337 pages if you printed that out.

So if you go on eCode360, where we host all of our ordinance, and you take our zoning ordinance and you download it into a PDF and you print it, it's 1,000 pages. That's our playbook. It says if you want to build here, it's 1,000 pages you have to follow in your development permit when you submit it. And that is not building sciences. That is not building safety. That's not fire safety. That's not electrical. That's not plumbing. That's not mechanical. That is just the entitlement. That's the massing, the setback, the height, the density, the parking.

In my mind, that is the threshold. That's the playbook. If we want to adjust on the type of projects that come forward to us, then we should adjust Title 19. And that's why I value Long Range Planning so much, because that's what you're doing there. You're actually planning.

To me, this sort of methodology also tracks what the council directive was to us. If you look at that council directive that we're addressing tonight, there are 11 different bullet points on it. If you go to Recommendation #9, "Direct Staff to monitor and track similar streamlining efforts underway in the cities of Los Angeles, Santa Monica and other local jurisdictions to determine if additional measures can be implemented to further support the development of new housing in

the city." Since this passed in March -- in May, since this passed in May, Santa Monica moved off of -- they previously had a one-acre threshold, so anything bigger than an acre came to their planning commission. They deleted the word acre, and now it is as long as something is compliant with their zoning ordinance, it's on a ministerial approval track.

And the city of Los Angeles did the same thing when they implemented their CHIP program, their Citywide Housing Incentive Program. You used to have CPC approval at 50 units set for the city of L.A. And that's why there are so many 49-unit apartment complexes in the city of L.A. It's setting an arbitrary unit threshold. Whether it's 100, 25, it promotes this gamesmanship that people are going to play in order to get their projects built faster, cheaper and financed more easily.

To me, the role of the Planning Commission is whenever a project breaks the rules, whenever something goes outside the bounds of this. So for example, a 35-story building at 1000 La Brea, there's nothing in the zoning code that says you can build 35 stories tall. That requires a zone text amendment. That is the type of thing that requires a legislative approval in order to be approved. That's the type of thing that the Planning Commission should weigh in on.

Or if you go to Sunset, and we've had hotels that have popped up there, or those that are also going to come, like 8950, that breaks the ceiling on what we say how high the Sunset Specific Plan can be. Those are the types of projects that are deliberately submitted to be above and beyond what we allow. So that's when discretionary approval is certain. It's when we're needed.

I don't want to erase or move on from public input, and I very much think that we should follow the track of having as much technological advancements on that as we can. I mean, I subscribe to all the notices and I click all those links. I think that's a very good idea.

500 feet is also an arbitrary number, just like 100 units is an arbitrary number. We're a small city. Everything we build affects everyone. And I think that projects are enhanced whenever they have a chance to deliberately -- whenever they have a chance to meet with their neighbors. I mean, so many times projects have been improved by meeting with neighbors to say, "This is actually the traffic flow on this street. If you're going to do a driveway, you should do it on this street instead of this street," talking about, I don't know, criminal elements or sidewalks that exist on the street, that helps build a better project. That helps build a better community. We should encourage as many meetings as possible with the neighbors. But that doesn't mean that we try and create a facade of a veto power that doesn't exist.

So after everyone speaks, I'm going to put forward a motion to this effect, to follow what the city of L.A. is doing and has done and what the city of Santa Monica is doing.

I guess when I got on this commission, the Planning Commission, I thought that we would be thinking about this zoning code, this ordinance, and determining what types of things we want to see. But in the year and a half that I've been on, this is just kind of a quasi-judicial rubber stamp thing where we don't plan anything, we just react to permits that come in. And I want to see the Planning Commission get back to what it is that we're supposed to be doing, and that is planning, planning for the long term. So I'll give the language for the motion after everyone else has had a

chance to speak, and we can see where the chips fall.

CHAIR GREGOIRE: Thank you. Commissioner Carvalho.

COMMISSIONER CARVALHEIRO: Yeah. Thank you. Great comments from the dais tonight. I'm going to stay in my lane, which is primarily Design Review, I feel.

So full disclosure. I have talked to council members. I have talked to Staff about the need for Design Review, given our current situation. And this touches on Commissioner Solomon's comments. We had a Design Review meeting not long ago where every comment that I made or somebody from the Design Review Commission made, all we got -- we basically had a lawyer on the other side saying, "Housing Accountability Act. Housing Accountability Act."

They don't need to respond to our comments. The last Design Review meeting that we had, we had two projects that we reviewed. One of them was very questionable. As a professor, I don't know if I would even approve it if a student presented it. However, these two projects are going to be coming to us on February 5, and I almost 150% guarantee they haven't changed.

So for me, again, I did have a discussion with Garrett, and I did have discussions with city council members. I was like, "Why are we doing this? Why are we wasting time? Why are we creating this facade that something can be different in projects where the Housing Accountability Act trumps anything that we say?"

I understand the need for public comment, and I totally support the idea. But given the legal bubble that we have to work in, I would rather be transparent with the public that I have questioned about whether this public process is actually even working for us. For projects that don't fit within the tight little Housing Accountability Act guidelines, absolutely. That should not change. For those particular projects, I have reservation.

And then the other thing that I see from experience is that, great, a project looks great. We approve it at Planning Commission, it goes through City Council, it gets the green light, goes into construction and what turns out on the other end is exactly the opposite of what we approved. The inspector can sign off on things, and there's value engineering and the project gets changed. And all of a sudden we end up with a building that doesn't look anything like what we approved.

So I'm not saying that this addresses that, nor it should address that, but that happens. So again it goes back to, how much control do we really have? For those projects that we can make comment, yes, we should be making comment. I mentioned this with Michelle today. It's like, why, why did we pick 100? If it fits within the box, it meets all the zoning requirements and it meets -- all the bonus density calculations work out and I'm going to get screamed Housing Accountability Act at Design Review, why not just let those projects go forward? Because they don't have to respond. But for other projects, I wouldn't want to not have that process in place.

So I don't know if that answers any questions. I'm somewhere in the middle. And yes, that's where I'm sitting right now.

CHAIR GREGOIRE: Great. Commissioner Harris.

COMMISSIONER HARRIS: Yeah. Thank you everyone who's already deliberated before me. You've given me a lot to chew on. Thank you to the members of the public. You've also given me a lot to think about.

I've lived in West -- well, I've lived in LA for 13 years. I've lived in West Hollywood for about 11 of those. And when I first moved to the area, I was absolutely astounded by the rate of homelessness. I think being new to the city, if you're not from here, you're not desensitized to it, which I think is a good thing. I think that once you become desensitized to it, we all lose a little bit of our humanity in that. If you're stepping over people and you don't know whether they're alive or dead, we should be taken aback by that. We should be astounded by that, and we should be looking for solutions to that. It is actually all of our responsibility to do that. I do strongly believe that.

So my first job here was working at a youth shelter that was right down the street over on Highland Avenue, and I worked there for five years. And on our busiest days, we saw upwards of 200 young people. And I mean young people. 14 to 24 is the age group that we served coming through our doors, some of them working two and three jobs, and they couldn't afford housing. And that's how I fell down this rabbit hole of urban planning. I said, "This is insane." And by the way, if something makes you feel that way, if something makes you feel like, "Why isn't someone doing something about this?" that's what you should be doing. That's a clear sign that, that you've been called to address that. And that's exactly how I felt. I said, "Someone's got to do something about this."

And so I ended up getting a master's in urban planning. And while I was at USC getting my master's, I also got a certificate in real estate development because I became obsessed with this question of what is going on with our housing. And it turns out we have a housing shortage, is what I've learned. And so then I said, "All right, well, that's easy enough. Just roll up your sleeves and start building some housing then, right?" And it turns out that it's not that simple.

And I do agree that actually there are a number of reasons why it's not simple to build housing. It's a very complex process, obviously, not just the bureaucracy, but the interest rates and construction. It's a hard process. We've sort of made it look like it's easy, but if you look at some of the oldest structures in the world, the pyramids, that is no small feat to put together a structure that is structurally sound and can hold up to the elements and can house sometimes hundreds of people.

But one of the things that does add to our paucity of housing is risk. Money markets capitalize risk. I'd say that in the real estate development program at USC, I would say that that is the main thing that I learned that I didn't realize, is that money markets capitalize risk, meaning that risk adds to cost. The riskier something is, the more it costs. That's what a credit score is, right? That's why every summer during blockbuster season, 89% of the films are remakes and sequels, because they said, "Well, we'll just make Lion King 36. They liked the first 35. Let's just throw them 36. We'll do it on ice and we know it's going to sell." We don't want to take any risk

because it requires a lot of money upfront and you don't get paid out until later. So that sort of thing is prime for investors.

And I think that developers get put in a tough spot. I myself, before I went to planning school and studied real estate development, I probably identified as anti-development. I was like, "It's the developers' fault that the housing costs too much. It's the developers' fault that we have a shortage." And obviously, like most things, once you dig under the surface, you realize that it's just not that simple.

The U.S. doesn't build public housing. We haven't built public housing probably since somewhere between Nixon and Reagan. That whole thing just got slashed, and it's a four letter word to even mention now, politically. And so we're completely dependent on developers, whether we like it or not, to provide our housing and to help us correct the shortage. And when we add risk to that process, then the only housing that we get is -- it costs a lot because that risk, of course, gets priced into the cost of the housing that results from that financing.

So that brings me to this ZTA. I would like to -- I know that Staff included in the staff report the amount of time -- the time difference between a director's approval and approval that's needed through the Planning Commission, but it doesn't necessarily speak to any kind of risk reduction. It's hard for me to quantify because ostensibly, what's happening in a discretionary approval process is that some agency, some body, whether it's us, whether it's director, whether it's City Council is deciding whether or not something is going to be approved as designed.

And so I think keeping the process discretionary, even if the body that is making the decision has changed, doesn't necessarily address the risk that's involved with a discretionary decision, not least because there's an agency that's going to get to say at some point yea or nay, or more likely yes, but dozens and dozens of conditions that may change the project in ways that no longer make it feasible. But it also means that when you have a discretionary project in the state of California, that you have to complete environmental review, which I know is very costly but also, again, increases risk to the project.

And risk, of course, is not binary. Risk is not just whether or not it's a yes or no, but risk is also that yes, but. And when we have processes that a developer going into it doesn't know what will result, then that makes the process risky and costly. And that's something that I think we all should be concerned about. I mean, I know I'm paying too much in rent. I don't know about anyone else in here. But even if you're not living on the street, we can feel the impacts of living in a system that is bogged down with risk.

I don't think that the bureaucratic process is the only process that adds risk or adds cost. I think there've been really good comments made by my colleagues up here about lots of parts of the process, again, that are very difficult and very time consuming. But I do think that if a development meets objective standards, it should be deliberated upon those objective standards, and any conditions that are imposed on the project should be in accordance with some objective standards.

I think that what's difficult is that we -- I guess our theory of planning by which we operate right

now, today, in the year 2026, is informed by a planning history that I think there's this sort of Robert Moses versus Jane Jacobs camps, of thought and Jane Jacobs won, and I'm glad she did. But what happened in that is that we've swung all the way over to say that the process of planning and building a city and having a city be a flexible place that has uses, including housing, that can respond to demand, that we have overburdened the process in a way that doesn't allow us to be flexible enough. It just doesn't. And we know that because our housing stock is so old.

And it's good that we have older places. It's good that we have a diversity of housing types. But the way that the housing market is supposed to work is that there is supposed to be frequent redevelopment in an urban area where the population is constantly fluctuating and especially growing, which we mostly have. And the risk of the process makes it very hard to do that, not only because projects might be faced with a yes-or-no or a yes, but dot-dot-dot, but also because a lot of projects won't be proposed. A lot of them won't be proposed at all because the developer's going to say, "That's just too risky. There's just no way that I'm going to be able to get financing and get equity investors and be able to hold the -- withstand these holding costs for as long as it might take in order to get this approved."

And so my issue with the ZTA, really, is that I don't think that it removes risk. And so I think it's probably a step in the right direction, but I would really -- I mean, it's hard for me to understand how necessary this step is in the journey to the final result of not having risk for projects that comply with objective standards. So yeah, that's my input.

CHAIR GREGOIRE: Thank you. I guess it's my turn.

I will say I've dreaded this coming before us tonight ever since the City Council provided directions to Staff last May. I knew it would come to us, and I knew that this would be incredibly challenging for me.

I am speaking in favor of Staff's recommendation. I don't like to hide the ball on that. The reason I've dreaded it, because I truly believe that America is great because we really are committed to finding ways for meaning public participation in our government. If government is making decisions that affect our lives and our community, people have a say, right? So I hate anything that seems to cut out any sort of public process. It makes me very uncomfortable.

On the other hand, I am a huge fan of the abundance movement that's been promoted by Ezra Klein and Derek Thompson's book, Abundance. I'm a huge fan. Their thesis is that procedure, process, bureaucracy, often championed by liberal types like myself, have perversely made it more difficult and expensive to actually build things and achieve things that we liberally-minded people actually care about in California, things like housing, affordable housing, clean energy, preserving the environment, healthcare infrastructure, public transportation. Somehow these processes we put in place work [against] actually achieving any goals with respect to achieving these things.

We have very well-meaning laws aimed at ensuring what Ezra and Derek refer to as small-D democracy. The process is important, but it does really slow down and raise the cost of building

anything.

There's no doubt that there is a housing shortage in California that has made housing incredibly unaffordable for so many in our state. The state of California, to its great credit, has now passed many, many different laws that are designed to address this housing shortage. Agree or disagree with any of those laws, and I would disagree with some of them, many of these laws have taken an enormous amount of control away from local governments. Month after month, housing-related projects come before this Planning Commission, and we are advised by Staff and legal counsel that we have essentially no discretion to deny the project so long as that the project meets objective standards that the city has to establish.

I've wondered over and over, why do we even bother bringing these projects to the Planning Commission? If we don't have any discretion, there's no reason to waste everyone's time and maintain a layer of bureaucracy that merely contributes to the ongoing housing shortage and the high cost of building in California.

Back in May, the City Council, which is the elected body that sets land use policy for the city, asked Staff to draft a ZTA that would streamline the approval of housing-related projects and remove unnecessary process that perpetuates the housing shortage and adds to the high cost of building housing. I believe the ZTA before us reflects, for the most part, that express direction given Staff by the City Council, who are the elected leaders accountable to the voters in the city of West Hollywood.

Again, I'm supporting Staff's recommendation tonight. Again, if the Planning Commission does not have any discretion under state law and must approve the projects anyways, why continue on with a process that wastes everybody's time? The state has made clear that a project must be approved if it meets objective standards. There's no wiggle room.

While I appreciate the members of the community prefer to come in person to meetings to advocate for or against a project or for changes to a project, the proposed ZTA does in fact preserve important things like neighborhood meetings and site posting. It also ensures notice shortly after the application filing and within 10 days of the director's hearing on the matter. It also ensures easy access to the director's decision and notice of how to appeal to the City Council. Upon appeal, interested members of the community are still going to have the right to come to a public meeting at a forum like this and be heard.

In my observation, most projects will end up getting appealed to the City Council anyways. So I guess I see no reason -- no harm, no foul. I guess I don't see any reason -- any harm in cutting out the Planning Commission at the earlier stage of the process.

So again, I'm supporting Staff's recommendation. I don't think we should go any further than Staff's recommendation.

By the way, the public comment -- I reread the public comment that was submitted two or three times. I've listened to all of you with an open mind. Obviously, a lot of -- I've heard loud and clear that a lot of you think the ZTA goes too far, you're opposed to it, although there were a lot

of voices who felt like it didn't go far enough.

To those who think it goes too far, I'm truly sympathetic to those views. It does make me uncomfortable to eliminate any public process. It will eliminate Design Review, and it will eliminate the step of coming to the Planning Commission. It's not ideal. I'm not 100% comfortable with that. However, given the constraints put on us by state law, I believe the proposed ZTA makes sense for all the reasons I've already stated a few times.

To those who think the ZTA does not go far enough, I appreciate your desire to do everything possible to promote an end to the housing shortage and affordability crisis. However, I believe the proposed ZTA is a good first step that will streamline all but an incredibly small number of projects in the city. Only the largest projects will continue to be processed under the old system. But I recognize the public has quite a bit of anxiety about the proposed change as it is today. Until we see how the new process works out, I think it makes sense to preserve the older process for the time being for those larger projects.

West Hollywood is a creative and innovative city, at least we like to think it is. Let's move forward as proposed at this point. If it does not work as intended, the city can roll it back at some point in the future. If it works just fine and the public becomes comfortable with the new process, we can consider expanding the ZTA to include larger projects at a future date.

Those are my comments. I think everybody has had a chance to speak. Interestingly enough, I did not hear any clear consensus among the seven of us.

COMMISSIONER SOLOMON: Chair, can I put forward a motion and see if that provides some clarity on where we are?

CHAIR GREGOIRE: Yeah, I think it probably makes sense for somebody to make a motion, and we'll take an up or down vote on that. And --

ISAAC ROSEN: Apologies, Chair. I wanted to note also procedurally, I think when we're ready to make a motion, just in reviewing what's come from the dais and what the options may look like, what that might mean for next steps. I didn't mean to interrupt, though, and I would say deliberation should continue. And then I'm happy to provide some thinking on the directives and what that means depending on the action the Planning Commission chooses to take.

COMMISSIONER HOOPINGARNER: Before you make your motion, if I might ask a question of my colleagues?

COMMISSIONER SOLOMON: Sure.

COMMISSIONER HOOPINGARNER: To Commissioner Carvalheiro's point, which I would concede on our housing projects that Design Review has become increasingly superfluous and that the developers really have no intention of listening to anything we say, what would you think, and is it feasible, to move the design review stuff to before deemed complete so it actually has an impact and involves the neighborhood?

COMMISSIONER CARVALHEIRO: Would that replace the community meeting, or in addition to the community meeting?

COMMISSIONER HOOPINGARNER: Well, we could discuss that. But the question is, would the option of moving the design review into before deemed complete so it wouldn't affect the timeline, and it would actually move Design Review earlier into the process, where it would have the most efficacy? It's just a thought.

COMMISSIONER CARVALHEIRO: No, I appreciate that. And I understand that we're trying to limit the amount of meetings, not add more meetings. If we replace the community meeting or melded the community meeting with Design Review, --

COMMISSIONER HOOPINGARNER: I see that as a good possibility, yeah.

COMMISSIONER CARVALHEIRO: -- and the Design Review Commission shows up and has that conversation at that point, I don't see the harm in that. That makes sense.

I don't know if I was clear in my deliberation, but I still feel like if a project meets all the objective standards, zoning, compliant, all the zone text -- all the density bonus things pencil out, that the 100 should go away and those should go through. But for all other projects, yes, I would be on board with having Design Review move forward and meld with the community meeting. I think that I could get on board with that.

COMMISSIONER HOOPINGARNER: Just a thought.

COMMISSIONER CARVALHEIRO: Yeah. And the subscription idea is also a really good one.

CHAIR GREGOIRE: So I know Commissioner Solomon would like to make a motion.

COMMISSIONER SOLOMON: I'm not opposed to incorporating this idea at all. But to me, it does go back to your initial point of your most recent meeting where you didn't have -- because of the Housing Accountability Act, I mean, we don't have any sort of power. We have soft power to influence and to be helpful and suggestive on what to do in Design Review. But there is -- I don't even know if Design Review is codified.

But given that there isn't any objective power in it, could you consider making it an elective and not in addition to -- and make it in addition to -- I don't want to take away the neighborhood meeting. That's important, but --

COMMISSIONER CARVALHEIRO: You don't want to make it in addition to the neighborhood meeting? Is that what you just --

COMMISSIONER SOLOMON: The neighborhood meeting stands, in my mind.

COMMISSIONER HOOPINGARNER: The idea is it would be in conjunction of it.

COMMISSIONER SOLOMON: It would be an additional. But I don't know that -- given that nothing can come of it, it's not mandatory, it's elective.

COMMISSIONER HOOPINGARNER: But something can come of it before deemed complete, and that's the point, that the option to make adjustments -- because that's what Staff's doing in the process. From the application date to deemed complete, they're making refinements. The urban designer is making suggestions. They're making refinements. So the idea of --

VICE CHAIR JONES: Well, I think the suggestions part, though, is what is concerning to me. Because if they don't have to incorporate the design review feedback anyway --

COMMISSIONER HOOPINGARNER: Well, they don't have to incorporate Staff's feedback either.

VICE CHAIR JONES: I mean --

COMMISSIONER SOLOMON: Staff's feedback to meet objective standards that are laid out.

VICE CHAIR JONES: Yeah, that's what I mean.

COMMISSIONER HOOPINGARNER: But then what does the urban designer do?

COMMISSIONER CARVALHEIRO: Exactly.

COMMISSIONER HOOPINGARNER: I mean, the Staff's memo --

COMMISSIONER SOLOMON: That's [indiscernible] question.

COMMISSIONER HOOPINGARNER: -- talks about that the urban designer is the person who's going to be doing the design recommendations. This would just expand that to a greater body with more minds. The whole point of a larger body with more minds is more suggestions, and the same with the community process. So that's why I'm saying if we inserted it before the deemed complete, that's when it could have the most impact. Just a suggestion.

ISAAC ROSEN: Commissioner Hoopingarner.

COMMISSIONER SOLOMON: I think it's worth discussing. I mean, I think it's a good suggestion. And I keep on thinking we have Ric Abramson at the helm. And no one's more --

COMMISSIONER HOOPINGARNER: No, he's not doing that anymore.

COMMISSIONER CARVALHEIRO: But I understood that he was reviewing.

COMMISSIONER HOOPINGARNER: No, it's Garen. I asked the question earlier this week. Rick is not involved at all.

ISAAC ROSEN: Commissioners, I did want to note just with the tenor of the conversation about Design Review and the deemed complete, I think what's important to recognize is the deemed complete date is sort of a marker under state law for housing projects. It has to be done within a set amount of time. Our CDD team works really hard to review the plan, issue the incomplete letters, move forward with completion.

And so certainly what's within the commission's purview is if the body overall is in favor of this ordinance, but there are certain defined things that they want the city to look into and bring it back, that's a component of this. But I just want to note, certain concepts would have to be vetted legally to ensure they were feasible.

And I also want to note just for the commission, because there is a lot of deliberation on different components or different actions, really, under 1978 of our municipal code, the language does require that the commission look at Staff's recommendation and consider whether they want to improve it, whether they want to approve in modified form or whether they want to deny the proposed amendment to the zoning code. And that's 1978 040.

So I want to just note that at the outset, because we are looking at what Staff proposed relative to the City Council directives from May 5. Those are reflected in the minutes that are included with the agenda report, making it the formal record of that action by the City Council. And in that action, there was a bifurcation between the idea of doing the ZTA that's in front of the commission tonight and then separately coming back with a ministerial process as a separate standalone ZTA.

COMMISSIONER SOLOMON: That's helpful. So I want to put forward a motion that would be, I think, approve in modified form. It still tracks with the council directive.

But I would move that the Planning Commission direct Staff to return with an alternative streamlining framework that eliminates Planning Commission discretionary approval for compliant housing projects and provides administrative approval for the community development director for any housing or mixed use project that complies with all objective standards in Title 19 and applicable state housing law.

CHAIR GREGOIRE: Is that your motion?

COMMISSIONER SOLOMON: If it's zoning compliant, state law compliant, --

CHAIR GREGOIRE: Is there a second?

COMMISSIONER SOLOMON: -- it goes to the administrative approval.

COMMISSIONER CARVALHEIRO: No limit.

COMMISSIONER HOOPINGARNER: Can I ask a question?

COMMISSIONER CARVALHEIRO: No limit. No unit limit.

COMMISSIONER SOLOMON: Yeah, it's taking out the 100.

COMMISSIONER CARVALHEIRO: Yeah.

ISAAC ROSEN: I do have some questions about it in terms of next steps, but I think if it's okay, Commissioner Solomon, we'd wait until the -- if there was a second. And then we can discuss amongst the commission.

CHAIR GREGOIRE: I heard a motion. Was there a second?

COMMISSIONER CARVALHEIRO: Sorry, would you consider making the community meeting Design Review? Because community can show up to Design Review, so basically they're the same thing. Could we add that as a possibility?

COMMISSIONER HARRIS: I also wonder if the community meeting -- I think some members of the public and some folks here, some fellow commissioners, brought up a good point about how early in the process the community meeting is, that if there isn't a complete plan set, if there aren't project specifics, if we think that the project might change, which was mentioned in the staff report a few times, that there could be modifications to the project, that it maybe doesn't have the impact that I think community members would really want to be able to impart on a project. And especially if it's going to be combined with Design Review, you kind of want to have an idea of what the project is before you start putting your design touches on it.

COMMISSIONER SOLOMON: So the shot clocks would start from the deemed complete date, right?

COMMISSIONER HARRIS: Right, from the deemed complete date. And my understanding is that the community meeting is supposed to be within 60 days of the application submission and not deemed complete, correct?

And so there's some flexibility in there, right, to -- I mean, 60 days, I think, is a long time. But if what I'm hearing is correct and there's projects that are doing neighborhood meetings and they don't even have a plan set, I do think that's a problem because there isn't really much to -- there's not much to look at at that point. So I don't know that the community meeting necessarily has to -- yeah, I think that combining it with Design Review is probably a good idea. But I do think that there has to be at least something for people to be reviewing in order for that to be effective and for the community to feel like they've been heard on what's being proposed.

COMMISSIONER CARVALHEIRO: Absolutely. I totally agree with that, but typically projects that come to Design Review are schematic at best. The projects are just typically just generally laid out. You know what the elevation is. You know what the section is. You know what the plan is. And there's a few details, and you'll have a bunch of diagrams that respond to zoning requirements.

In all my time in Design Review, I've never seen anything less than that. So if that was a minimum requirement for this new community meeting Design Review, I think that's sufficient. That's what we're used to reviewing anyways. And then what happens to that project in the future is kind of out of our hands, but at least we do have something to respond to.

COMMISSIONER SOLOMON: No, I like that it forces for the community meeting, which is now a hybrid Design Review. It forces them to have some sort of plans that they're -- even if they're schematic at best, we're not talking about words, we're talking about pictures at least.

COMMISSIONER HOOPINGARNER: And we've got the issue of number of meetings per various hurry-up acts. This would streamline the meetings into one. And they both have the same objective, so let's put them together to achieve that same objective.

COMMISSIONER SOLOMON: I think I agree. And it has to be a marker off of the submission rather than deemed -- deemed complete is when the shot clock starts, and we've got 30 days to -- so if we're bogging it down with additional meetings, we're going to run afoul of state law on it.

COMMISSIONER CARVALHEIRO: So if you want to amend your motion, I'll second it.

COMMISSIONER SOLOMON: Yes, I will -- so let me see how I do this. Administrative approval for housing or mixed use housing projects that comply with objective standards and state housing law and also include that the community meetings happen under the purview of the Design Review subcommittee. Does that sort of language --

COMMISSIONER CARVALHEIRO: Yes. I mean, the design review meeting is the community meeting, so however you want to phrase that.

COMMISSIONER SOLOMON: So the Design Review Subcommittee is the one that is overseeing the community meeting.

VICE CHAIR JONES: Your motion does not include a limit?

COMMISSIONER SOLOMON: It does not include a limit.

ISAAC ROSEN: Chair, and --

COMMISSIONER CARVALHEIRO: I second it.

CHAIR GREGOIRE: Okay. We have a motion and a second. Does anyone want to speak to the motion?

ISAAC ROSEN: Chair, if I may, I think Staff has been conferring. This is a challenge, I think, just to be frank, about how this would move forward as an approve as modified because the language within the motion that was seconded in does require quite a bit of work. And generally, we would look to the City Council to provide the direction to move forward with that amount of Staff time. I think what's under consideration is broader than tweaks to the existing ZTA that's in

front of the commission.

In my estimation, and I'd like to hear from the commission on this, it almost sounds to me like it's actually a denial of the proposed amendment as drafted with the language that Commissioner Solomon has requested and that Commissioner Carvalheiro has seconded. And then that would go up to Council, but it would require the commission to make findings about why, as proposed, this ordinance, which does something different, that's in front of the commission tonight, why the commission instead wanted to go with, if the vote is affirmative, Commissioner Solomon's request. I think --

COMMISSIONER SOLOMON: I mean, to me, that's a legal interpretation, which is what you're here to do. The spirit of it is approve as amended in that this is a step in the right direction, and the step can go further. But if it's a legal determination, that's your job.

ISAAC ROSEN: I hear that, Commissioner Solomon. I think it could also go up as an approved as presented, with the request that council provide direction to incorporate those elements.

COMMISSIONER SOLOMON: And I'm fine with that approach as well. I just don't want it to keep coming back to Planning Commission every three months, and then back to -- well, is Council okay if we look at it this way? I do want this to kind of be -- if that passes, right, we don't know, I don't want it to keep piggybacking back and forth between Council to Planning, Council to Planning.

ISAAC ROSEN: Understood. I think the issue under our code would be that the Planning Commission does need to review the language that would be incorporated as part of the zone text amendment. So it's a little more complex than making tweaks here and there. What's under consideration, I think, would be broader. And so we would need Council's -- so at some point, it would come back to the Planning Commission.

COMMISSIONER SOLOMON: We have to review final language of the ordinance?

ISAAC ROSEN: Either read into the record or clear enough that it can be incorporated and then come back on consent.

COMMISSIONER HOOPINGARNER: Yeah. Couldn't it come back on consent next time?

ISAAC ROSEN: With the recommendation in the record, the city could -- I would look to our CDD team on whether that's feasible to approve as to form. But I think another option would be the commission could consider continuing the item with those changes and see them at a future meeting.

CHAIR GREGOIRE: So one of the things --

COMMISSIONER SOLOMON: Continue. It's fine.

CHAIR GREGOIRE: I've been hearing three things from my commissioners. I have heard

people who are opposing Staff's recommendation. I've heard people say that they support Staff's recommendation. And I've heard people express support from going so far beyond Staff's recommendation that it would probably would require a lot of reworking, which could amount essentially to --

COMMISSIONER HOOPINGARNER: Well that's the motion before us.

CHAIR GREGOIRE: -- opposing Staff's recommendation.

COMMISSIONER SOLOMON: The continuance works for that, though.

COMMISSIONER HOOPINGARNER: Yeah, a continuance works for the motion.

CHAIR GREGOIRE: Should we do a straw poll to show if there's support?

VICE CHAIR JONES: Can we just back up quickly, just procedurally? Well, maybe not -- it's not procedural. So you're now suggesting that we continue the item?

COMMISSIONER SOLOMON: With the direction -- I mean, I'm looking to Isaac on this. I think that that might be the most efficient way forward.

VICE CHAIR JONES: Continuing it as opposed to -- I guess I want to understand what the goal is tonight. Is the goal to move it forward to council for them to be able to take our recommendations, whether or not we vote yes in the affirmative or decide to not move forward with the Staff's recommendation, and then for them to make the ultimate call? What is the objective ultimately, our goal for tonight's meeting?

ISAAC ROSEN: Well, I would note just the code language, so 1978 040. So that is applicable here for general plan, zoning map and zoning ordinance amendments. So that does require that, "The commission shall make a written recommendation to the council whether to approve, approve in modified form or deny the proposed amendment based on the findings contained in the ordinance." And the recommendation shall be by resolution, I think the question is really whether the commission feels there's sufficient information within the motion that's on the floor and how that would go up to Council.

NICHOLAS MARICICH: If I could, Chair, I just wanted to ask a question relative to the motion that's been proposed, a point of clarification and some additional information.

So what was referenced was an administrative process, and I wanted to clarify whether that's intended to be a different process than the recently created ministerial housing permit, which was a new type of ministerial process that was created by ordinance. This body reviewed that. The Council adopted that. It stipulates it applies to a subset of projects in the code. I will note that that ministerial housing permit process does not require a neighborhood meeting. That's the process that was created for that permit type.

So I'm wondering if this is something new, this is a new permit type, different from the

ministerial housing permit, and therefore would have different procedures from that one. So that's more of a question, and I wanted to bring that into the --

COMMISSIONER SOLOMON: From the motion maker, I mean, we've heard from you all, from your Staff plan, May 2027 is when you want to come forward with the program to hit that. This is the first step of two to take. So the motion forward is to track the same approval process that is being proposed in the staff report, or it's you, Nick, the director. It's not the ministerial path yet, given though that there is a clear roadmap that that is where the Council directive wants this to end up eventually.

NICHOLAS MARICICH: So the council directive does include a direction for us, a separate item in that same directive, to bring forward an ordinance that would create a ministerial path. As I said, we have a ministerial path. It applies to a subset of projects that specifically require a ministerial path under state law, and so that was codified as the ministerial housing permit. And so we have not drafted that ordinance.

COMMISSIONER SOLOMON: Yeah, we're not ready for the ministerial piece of it.

NICHOLAS MARICICH: Right. We have not drafted that. We've not done a CEQA analysis on that, --

COMMISSIONER SOLOMON: Right, right, right.

NICHOLAS MARICICH: -- as [indiscernible] mentioned earlier. So I guess I'm just trying to clarify whether the process --

COMMISSIONER SOLOMON: I would rather take what's on the table than delay this indefinitely until we do it, determine whether or not we need an EIR and then do an EIR or not.

NICHOLAS MARICICH: And the question would be, would this -- I think that it would be starting a new ordinance, really, to create a -- if what your motion is proposing is to create a ministerial process --

COMMISSIONER SOLOMON: It's not.

NICHOLAS MARICICH: It's not? Okay. I'm sorry. Maybe I misunderstood. It's to create a discretionary process that --

COMMISSIONER SOLOMON: It's at director level.

NICHOLAS MARICICH: That's director level?

COMMISSIONER SOLOMON: The same as what is being proposed in this 100-unit. It's just removing the word 100 to be --

NICHOLAS MARICICH: I see. Okay. I think maybe I misunderstood that.

COMMISSIONER HARRIS: Would you mind repeating the motion, actually?

NICHOLAS MARICICH: Sorry. So I think with that point of clarification, that's very helpful clarification. So then I would take that to mean that it would be a director-level review, a discretionary review by the director. And you would be looking at --

COMMISSIONER SOLOMON: That's what's being proposed to us tonight.

NICHOLAS MARICICH: Yes, that's what's being proposed tonight, but to change the threshold from a 100-unit threshold to a code compliance threshold.

COMMISSIONER SOLOMON: Correct.

NICHOLAS MARICICH: Got it. Thank you for the clarification.

COMMISSIONER SOLOMON: And the note about the design review.

NICHOLAS MARICICH: And the note about Design Review.

COMMISSIONER HOOPINGARNER: Can I ask a point of clarification?

CHAIR GREGOIRE: Go ahead.

COMMISSIONER HOOPINGARNER: The language that I believe Commissioner Solomon used is that it complies with all objective standards. So this goes back to my point about waivers earlier. By definition, a waiver doesn't comply with an objective standard. So how does that get reconciled?

NICHOLAS MARICICH: I thought I heard in the motion, and I'll defer to the motion maker, that it would be inclusive of objective standards as well as state law. And so the state density bonus law would be applicable.

COMMISSIONER SOLOMON: Correct.

NICHOLAS MARICICH: Is that correct?

COMMISSIONER SOLOMON: Correct, yes.

COMMISSIONER HOOPINGARNER: Okay.

NICHOLAS MARICICH: So that was my understanding.

COMMISSIONER HOOPINGARNER: So objective standards, sort of, kind of.

COMMISSIONER SOLOMON: And state law.

NICHOLAS MARICICH: As subject to state law, yes.

ISAAC ROSEN: And I would also ask -- and appreciate the Commission's patience as we try to figure out the most viable path forward with the pending motion. So as our CDD director mentioned, the idea is director-level review, so to change the current ZTA in front of us and change the threshold from 100 units to code compliance threshold, inclusive of state law and applicable law.

And then, if I may, Commissioner Solomon, would you mind repeating into the record the part of the motion with Design Review? And we can ensure then both the motion maker and the second are aligned for the vote.

COMMISSIONER SOLOMON: As far as crafting the language, I might defer to the seconder. But the neighborhood meeting would encompass a Design Review element subject to the Design Review subcommittee.

COMMISSIONER CARVALHEIRO: Yes. The community meeting could be called Community Design Review, and the Design Review Commission would be part of that community meeting.

ISAAC ROSEN: I would note, I think, to be candid, that component of this is going to require some vetting to ensure consistency with state law. So I think one option for the Commission is if they want to take that motion and read it into the record again and say, "To approve the recommendation as modified," we would certainly bring this back with language. And I would recommend or ask that the commission include within that motion, with Staff authority, to vet that concept and come back with something legally permissible.

NICHOLAS MARICICH: Staff's recommendation also, just sorry, to add to the clarification, Staff's recommendation in the ordinance is to maintain the neighborhood meeting requirement as it currently exists as it currently applies to the projects that it applies to. And so that's the way it's been drafted. But to the extent that -- so five units or more.

So some of those projects are not projects that come to the Planning Commission today. So I would just offer that as a point of clarification, that the neighborhood meeting requirement is for projects of five units or more as well as that neighborhood -- so the way that the code reads, there's a -- and this is in the materials before that the Commission's been reviewing, that the amendments to the neighborhood meeting section are to ensure that it doesn't change, that the neighborhood meeting requirement continues to apply even with the proposed changes. So I just want to make sure that's clear because, as you're discussing other changes to that section, we would have to figure out how to integrate that and effectuate what the Commission is looking for.

COMMISSIONER CARVALHEIRO: So if I'm understanding correctly --

NICHOLAS MARICICH: But it could be an expansion, I guess, beyond what you're intending. So I want to make sure that we're capturing your intent.

COMMISSIONER CARVALHEIRO: Yeah. So what I'm understanding is that we'd have to do a cutout for 11 units or less because, typically, that's not being reviewed by Design Review.

NICHOLAS MARICICH: And currently, the thresholds are very based on the zoning. So it's 11 units. It depends on what zone you're in. We could develop that language if the intent was to -- if the intent was to not have the design review integrated into the neighborhood meeting for projects that otherwise wouldn't be coming to the Planning Commission, and I just point that out to say it's a little more complicated.

COMMISSIONER SOLOMON: A neighborhood meeting is required if it's five or more units. A Design Review meeting under current code is required if it's seven or more units in an R3 or 11 or more units in an R4. Is that the needle we're trying to thread?

COMMISSIONER HOOPINGARNER: Yes.

COMMISSIONER CARVALHEIRO: Okay.

CHAIR GREGOIRE: So Commissioner Edwards.

COMMISSIONER EDWARDS: Yeah. Something is stumping me. So you're saying integrate Design Review into the existing structure whereby it would trigger a Design Review. Is that my understanding? It's correct?

COMMISSIONER CARVALHEIRO: I don't think anything's triggered. It's just the community meeting becomes Design Review.

COMMISSIONER HOOPINGARNER: Into the microphone, please.

COMMISSIONER EDWARDS: Right, but you said the community meeting becomes a Design Review. But you're saying that our subcommittee would be where that happens? So is it an additional community meeting?

COMMISSIONER CARVALHEIRO: No, it would all happen at one time.

COMMISSIONER SOLOMON: Combined.

COMMISSIONER EDWARDS: Oh and it doesn't happen here, or does it happen at wherever it usually happens?

COMMISSIONER CARVALHEIRO: Well, right now it happens up in the library upstairs in the community room, so it could happen there.

COMMISSIONER HOOPINGARNER: In the microphone, please.

COMMISSIONER EDWARDS: Oh, I'm talking into the microphone.

COMMISSIONER CARVALHEIRO: Yeah, no, I was saying currently, the design review happens in the community meeting here at the library.

COMMISSIONER EDWARDS: Okay, I just wasn't sure because my profession used to be neighborhood meetings, so neighborhood meetings means in the community. And so that's where my frame of reference was.

COMMISSIONER HOOPINGARNER: We aren't that big of a town.

COMMISSIONER EDWARDS: What's that?

COMMISSIONER HOOPINGARNER: We aren't that big of a town.

COMMISSIONER EDWARDS: It's big enough.

COMMISSIONER SOLOMON: The number of potential projects that we would miss in this, currently, if it's seven or more units, R3; 11 or more units, R4, you get Design Review. Neighborhood meeting is five or more units. I think incorporating Design Review into the neighborhood meeting of all, so that's just capturing -- five units or six units projects are also going to have Design Review now, because Design Review and neighborhood meeting happen at the same time. They're the same thing.

I think that's great. For the six-unit project that comes forward, for them to have plans that Design Review is commenting on. That's great.

COMMISSIONER CARVALHEIRO: I'm good with that.

COMMISSIONER EDWARDS: Makes sense.

NICHOLAS MARICICH: Another point of clarification. For those projects that are subject to the neighborhood meeting requirement but would continue to be reviewed by the Planning Commission, and therefore the Design Review Committee, for example, commercial projects, what would be the intention?

COMMISSIONER HOOPINGARNER: I think the intention is the same. I don't have any problem with moving it earlier in the process because then we have more impact. That's the whole point of the process, is to have real constructive conversation about the design. And the earlier you do that in the process, I think you're more effective.

COMMISSIONER SOLOMON: I agree.

COMMISSIONER CARVALHEIRO: And hopefully more community members will show up.

COMMISSIONER HOOPINGARNER: Yeah.

CHAIR GREGOIRE: Okay, so where are we at with the motion?

ISAAC ROSEN: So if I may, I think my legal opinion here would be we've heard a lot of good direction regarding the pending motion in the second on the floor. I would ask the motion maker in the second whether they would be willing to provide that direction as a continuance so Staff can return to the Planning Commission with the vetted language and also ensure that it's legally viable.

Design Review is not currently codified in our code. I think we do have some legal issues we would need to work through in terms of state housing law and the timing associated with streamline approval. So that would be my consideration based on the motion that's currently pending, that there is sufficient changes being contemplated to the ZTA that's been noticed that the Commission should provide it as direction for a continuance so that the Staff can bring back a version of what's being considered.

COMMISSIONER HOOPINGARNER: I would agree.

COMMISSIONER SOLOMON: I'm amenable to that.

COMMISSIONER HOOPINGARNER: And just one clarification from the motion maker about the commercial projects. Are you proposing stripping the thresholds from that as well?

COMMISSIONER SOLOMON: The threshold would be the zoning ordinance. Yeah, taking the 100 units off of it or 30,000 square feet.

COMMISSIONER HOOPINGARNER: So what about the 30 dwelling units?

COMMISSIONER SOLOMON: If that's codified within Title 19.

COMMISSIONER HOOPINGARNER: No, that's new as per Staff's recommendation.

COMMISSIONER SOLOMON: So no, that would -- the 30 dwelling units would not be --

COMMISSIONER HOOPINGARNER: So Staff's concern.

COMMISSIONER SOLOMON: We could add that to Title 19.

COMMISSIONER HOOPINGARNER: So Staff's concern about projects that add two units in order to be considered residential would still be an issue.

COMMISSIONER SOLOMON: A valid issue. And that's why we should address it as a -- we should get Title 19 correct.

COMMISSIONER HOOPINGARNER: So we got some housekeeping to do.

COMMISSIONER SOLOMON: Yeah. That's planning. That's what we're supposed to be doing.

CHAIR GREGOIRE: So we have a motion and a second. Would anyone like to speak before we go to a vote? I'm sorry, Chair.

ISAAC ROSEN: I would ask just once more if Commissioner Solomon -- just articulating high-level, we've certainly heard the direction. And because it's continuance, we can look at the meeting. But I think it would be helpful for the record just to have the motion once more on, and then we would get the verbal confirmation from Commissioner Carvalheiro.

VICE CHAIR JONES: Also, are we voting to continue it per the direction from Commission, or are we voting to -- what are we voting on?

ISAAC ROSEN: I'd say the motion on the floor, my opinion, would be that the Commission consider that motion to continue so Staff could come back with the language that's being discussed from the dais. That's contingent on acceptance from the motion maker in the second, which I think I heard.

COMMISSIONER SOLOMON: Yeah.

ISAAC ROSEN: But that's in part why I'd like Commissioner Solomon to take another pass at the recommendation.

VICE CHAIR JONES: So a yes vote is voting to continue it, for Staff to come back?

ISAAC ROSEN: Correct.

VICE CHAIR JONES: I see. Okay. Thank you.

COMMISSIONER SOLOMON: So a motion to continue the public hearing, and direction to Staff to provide a framework that eliminates Planning Commission discretionary review threshold for compliant housing projects and provides for approval by the Community Development Director for any housing or mixed-use housing project absent -- we'll come back to that. Any housing or mixed-use housing project that complies with all applicable objective standards in Title 19 and applicable state housing law, with direction to consider adding in Design Review to the neighborhood meeting.

COMMISSIONER HOOPINGARNER: But leaves the gap on commercial?

COMMISSIONER SOLOMON: It does not include the 30 dwelling unit.

COMMISSIONER HOOPINGARNER: Okay.

CHAIR GREGOIRE: Okay. Anybody would like to speak to the motion, for or against?

COMMISSIONER CARVALHEIRO: I'll second it.

CHAIR GREGOIRE: You second? Anyone like to speak? I'd like to speak to the motion.

VICE CHAIR JONES: Again, just to clarify, we would be voting not necessarily in support of the measure should it come forward, but for it to come back to Commission with the requested changes?

ISAAC ROSEN: Correct, Vice Chair. And I think it's a good point of clarification because by continuing it, the City would reagendaize the Zone Text Amendment --

VICE CHAIR JONES: Got it.

ISAAC ROSEN: -- with this language so that it was publicized and the Commission and the public would have a chance to see how Staff interpreted the discussion from the dais.

VICE CHAIR JONES: Okay. Thank you very much for that.

CHAIR GREGOIRE: So I'll speak to the motion. I oppose the motion. I heard Council's direction in May. I believe Staff's recommendation to us tonight reflects, for the most part, Council's direction. I don't think we should get ahead of the Council at this point with respect to what they gave direction on in May.

Look, I spoke at length earlier. I have very mixed feelings about this. Look, I'm clearly uncomfortable eliminating public process of any kind. But on the other hand, given mandates of state law that have taken local control away from us, and these housing projects come to us and we don't have much discretion to deny them, I think Staff's recommendation based on the direction they received makes sense. I don't think we should go further than that. And so I'm prepared to vote no.

VICE CHAIR JONES: I'm voting only in support of continuing it to see what Staff comes back with and have it be reagendaized. My yes vote will be in support of having it come back.

COMMISSIONER HOOPINGARNER: And I would agree that I would vote to continue it with expressing my very real concerns about the big loophole on commercial and some of the other concerns I've expressed. But I would respectfully disagree with our Chair.

If Council sent us a directive to make every public building in the city be painted WeHo Blue and it came to us, we are not obliged to agree with that directive. Our obligation is to deliberate, review and make our informed recommendations.

So on that basis, I am not going to rubber stamp what Council has recommended. And I think the whole point of this process is to refine it, and that's exactly what we're doing. And I appreciate my colleagues' willingness to discuss and brainstorm and come up with additional ideas, so I would be in support of a continuance.

VICE CHAIR JONES: Yeah. Me too.

COMMISSIONER HARRIS: Just to be clear, I don't think that Staff's proposal or the motion before us eliminate public engagement. I think that there is thoughtful public engagement that's been incorporated, and there's even deliberation about when that public engagement happens so that there can be meaningful contributions.

I am a little uncomfortable, because we are such a small city, with allowing -- with just sort of leaving the suitable sites wide open. I like the idea of updating the actual zoning code to make sure that -- I mean, I don't know the legal issues associated with that. But I would like to see something that holds mixed-use developments accountable for the number of units produced and perhaps the affordability level of those units as well that was already integrated into Staff's recommendation.

COMMISSIONER SOLOMON: Yeah, I'd love to see Council give us the directive to address that.

CHAIR GREGOIRE: To respond to Commissioner Hoopingarner, I'm not just seeking to rubber-stamp Council's direction. Back in May, I did state why I thought the direction made sense and Staff's recommendation tonight made sense in light of just the discretion that's been taken away from us. I guess I'm just not prepared to go as far as Commissioner Solomon was proposing.

I do think that there is concern in the community about this change, right? I just don't think we should go too far. And I was saying, absent further direction from the Council, I don't necessarily think we should be getting too far out ahead of them. But I do believe that direction and Staff's recommendation tonight makes sense in light of the removal of discretion from this body with respect to the approval of these housing projects. We're told we just have to approve them because they comply with objective standards.

So no, I'm not rubber-stamping Council. I'm making an independent judgment that what's been recommended today is worth moving forward to the Council.

COMMISSIONER CARVALHEIRO: Can we vote?

CHAIR GREGOIRE: Does anyone else like to speak? Should we go to a vote?

ISAAC ROSEN: Commissioner Gregoire, I'm sorry. You've heard a lot from me during this process, and Staff just wants to be clear. So we do have the pending motion. We understand the vote on the continuance.

I did want to note just for clarity that the vote is more than just voting to continue the item. It is voting to continue the item with the specific direction that Commissioner Solomon has read into the record and that Commissioner Carvalho has seconded. And so we would continue it. We would come back with that language. It has what I noted in the record that Staff would need to evaluate the legalities of what that looks like, and we would come back with the language. But I just wanted that clear for the record. It's a continuance, but with specific direction.

CHAIR GREGOIRE: Correct. Go ahead.

COMMISSIONER EDWARDS: So a quick question. We talk about the legality. So if it's deemed to be illegal, that would also be what's brought forward. You would make it clear that this is illegal and why, and maybe even some suggestions as if it is illegal, is there anything that can be done, or would it be something that's responsibility of City Council to then address?

NICHOLAS MARICICH: I think in returning with the item, we would -- obviously, we would go through an internal legal review before presenting the Commission with the revised ordinance. To the extent that that revised ordinance doesn't fully encapsulate all of the Commission's requested direction because of legal constraints, we would explain that as part of what is in the ordinance and why.

CHAIR GREGOIRE: Shall we go to a vote?

VICE CHAIR JONES: Yeah. Let's call the question.

CHAIR GREGOIRE: Let's go to a vote.

DAVID GILLIG: And the motion passes, noting five ayes and two no's by Chair Gregoire and Commissioner Hoopingarner. This item will be brought back at a date to be determined.

CHAIR GREGOIRE: Great. Thank you so much. Moving along.

We do not have any new business or unfinished business or excluded consent calendar items. Items from Staff. Planning Manager's Update and Subcommittee Management.

FRANCISCO CONTRERAS: Yes. Thank you, Chair, Vice Chair and Commissioners. So just a preview of upcoming hearings and subcommittee meetings.

We have three items at the next planning commission meeting. We have a zone text amendment that will be taking a look at implementation of state parking bills. That includes new requirements for shared parking and unbundled parking, and as well as a Council directive to eliminate parking requirements throughout the city.

There's also a public hearing on Housing Accountability Act project at 948 North Hayward. That's a six-story multifamily residential building. And then there's also the Bond Project coming before you. That's at 78 Santa Monica Boulevard, which is a hotel and residential mixed-use project.

At the February 19 meeting, there are several items. There is the proposal for an extension for the 1040 North La Brea seven-story hotel. That's a request for an extension. There's another request for an extension at 1282 North Fairfax. That's the mixed-use rehabilitation of the historic church that's on that site. And then there is a request for a conversion of a small office space to a hotel at 7494 Santa Monica Boulevard. This is just above the breakfast restaurant, where used to be Salt's Cure, Javista. I believe it's about six keys. And then there is a public hearing for live

entertainment to an existing restaurant that's at 7717 Santa Monica Boulevard. And then lastly, there is a consent calendar item for 1301 North Fairfax, which is an update to a minor amendment approval to an 18-unit multifamily residential building.

So that takes us through February. No items are currently planned for Long Range Planning Project Subcommittee. There are no current projects on the docket for Design Review Subcommittee, but there will be two items at the next SAASC meeting, Sunset Arts and Advertising Committee meeting on February 26. And that's for billboard projects at 9121 Sunset Boulevard. That's between Doheny Drive and Cory Avenue, sort of a Tudor-looking building there. And then 8906 Sunset Boulevard, that's the Sunset Oil gas station, at the corner of Sunset and San Vicente Boulevard. So they'll be coming forward to Sunset Arts and Advertising Subcommittee.

And that concludes my report. Thank you.

CHAIR GREGOIRE: Thank you so much. Any Commissioner questions for Staff? Hearing none. Thank you so much.

Public comments. Do we have any additional public comments?

DAVID GILLIG: Chair, I have one public comment. Anita. Yeah, you have three minutes.

ANITA GOSWAMI: Thank you all for this enlightening -- another wonderful and enlightening meeting. It's wonderful to have the conversation going on and the depth of discussing, the depth of what you're looking at. It's wonderful across all levels.

Just a few quick points. I said this at a meeting last year and I repeat this now. These presentations from Staff should be included in the packet so we can all review the deck before the meeting because you've got some great diagrams, you've got some great stuff, we're just not seeing it until it's here. So if you can, please include that in the package earlier because some of what you're presenting then can affect the decisions. Staff is smart. You've got excellent information. Just please share it sooner.

Secondly, Planning Commission topics affect all residents. And as seen in the comments, both for the people that were here tonight and across the various meetings I've been at, the residents from across the city -- it's not just West Hollywood West because we can walk home. It's not just West Hollywood Heights. It's not just the East Side. It's not just the Fountain Avenue. Residents across the city come here to Planning, and they come here because what is discussed here affects all of us. We are many neighborhoods in a tiny city, but we're all residents with the same common issues and thoughts that we bring here.

Thirdly and lastly, I remember that there was going to be some joint study sessions with the other commissions. I thought there was going to be one with Transportation. I know with the parking one that's coming up, maybe that might be helpful to discuss some of those topics with them. I hope to see that those joint commission study sessions will occur.

Thanks very much.

DAVID GILLIG: And that is our last public speaker.

CHAIR GREGOIRE: Thank you for your public comment. Any items from commissioners? Vice Chair Jones, did you have a --

VICE CHAIR JONES: Sure, I'll say it. I just wanted to say I really appreciate the conversation we had on this dais tonight. I really do. I have so much respect for everybody up here. And I learned some things tonight too, which I love. So it was definitely one of the most intellectual conversations I feel like we've had around a really challenging item, so I'm looking forward to continuing that conversation. That's all I wanted to say. Thank you.

CHAIR GREGOIRE: Anybody else? Great. Hearing none.

At this point, I'll adjourn the Planning Commission to our next regularly scheduled meeting, which will take place on Thursday, February 5, 2026, beginning at 6:30 p.m. here at West Hollywood Park Public Meeting Room, Council Chambers.

The meeting is adjourned. Have a good night, everybody.

-o0o-

Transcription Certification

PASSED, APPROVED AND ADOPTED by the Planning Commission of the City of West Hollywood at a regular meeting held on this 5th day of February 2026 by the following vote:

AYES: Commissioner:

NOES: Commissioner:

ABSENT: Commissioner:

ABSTAIN: Commissioner:

DAVID S. GREGOIRE, CHAIRPERSON
PLANNING COMMISSION

ATTEST:

DAVID K. GILLIG, COMMISSION SECRETARY

A Transcription 2000 Services, Inc., (T2K), certifies that the above transcript has been transcribed from audio files supplied to it for transcription. T2K certifies that, to the best of its ability, it correctly transcribed all conversations on the provided audio files truly and accurately.

T2K also certifies that none of its workers are related to nor an interested party to any individuals in this matter.

A Transcription 2000 Services, Inc.
www.transcription2000.com

=====