



Beverly Hills City Council Liaison / Planning Commission Committee will conduct a Special Meeting, at the following time and place, and will address the agenda listed below:

**CITY HALL
Video Teleconference
Call in: (916) 235-1420 or (888) 468-1195
Participant Pin: 872120
Beverly Hills City Hall
Beverly Hills, CA 90210**

**Wednesday, May 6, 2020
4:00 PM**

TELEPHONIC/VIDEO CONFERENCE MEETING

Pursuant to Executive Order N-25-20 members of the Beverly Hills City Council and staff may participate in this meeting via a teleconference. In the interest of maintaining appropriate social distancing, members of the public can participate by listening to the Special Meeting at (916) 235-1420 or (888) 468-1195 (participant code 872120) and offer comment through email at commentPC@beverlyhills.org

AGENDA

- 1) Public Comment
 - a. Members of the public will be given the opportunity to directly address the Committee on any item listed on the agenda.
- 2) Mixed-Use Development Standards
 - a. Discussion regarding mixed-use development standards recommended by the Planning Commission, and consideration of whether to move forward with development of an ordinance for consideration by the full City Council
- 3) Neighborhood Meeting Requirements Prior to Submittal of Certain Planning Applications
 - a. Discussion regarding elimination of the neighborhood meeting requirement for certain planning applications in light of the current pandemic and social distancing requirements
- 4) Adjournment

**George Chavez
City Manager**

Posted: May 5, 2020

**A DETAILED LIAISON AGENDA PACKET IS AVAILABLE FOR REVIEW AT
WWW.BEVERLYHILLS.ORG**



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M E M O R A N D U M
CITY OF BEVERLY HILLS

TO: City Council and Planning Commission Liaison Committee

FROM: Ryan Gohlich, AICP, Assistant Director of Community Development / City Planner

DATE: May 6, 2020

SUBJECT: **Mixed-Use Development Standards**
Discussion regarding mixed-use development standards recommended by the Planning Commission, and consideration of whether to move forward with development of an ordinance for consideration by the full City Council

INTRODUCTION AND BACKGROUND

At the October 16, 2018 City Council meeting, staff presented a study session in response to a request by then-Mayor Gold and Councilmember Wunderlich to provide the City Council with an opportunity to discuss the concept of mixed-use development in the city. The City Council was supportive of moving forward and directed the Planning Commission to undertake further study on this topic. On December 13, 2018, the Planning Commission held a study session on the topic of mixed-use development and established an ad-hoc committee consisting of Chair Block and Vice Chair Ostroff. Since then, the ad-hoc committee has met a number of times to discuss the topic and how to develop regulations for mixed-use development in the City. The ad-hoc committee presented preliminary ideas to the Planning Commission on July 11, 2019 for their consideration. At the July 11 meeting, the Planning Commission discussed the ad-hoc's general proposals for a mixed-use ordinance, and provided recommended parameters for a mixed-use ordinance.

At this time, staff is requesting that the City Council / Planning Commission Liaisons discuss the recommendations developed by the Planning Commission and provide feedback as to whether the recommendations are appropriate and how to proceed with such an ordinance.

DISCUSSION

Current Regulations

The City's existing zoning regulations generally do not allow for mixed-use as a permitted land use in the City's commercial or multi-family areas. While several mixed-use projects have been approved in the City, these projects have involved the approval of site-specific zoning, such as overlay zones and specific plans. This approach has worked under certain circumstances, but relying on a case-by-case review generally yields significant processing times and uncertain outcomes. Development of a mixed-use ordinance is expected to provide for a more comprehensive approach to planning and greater certainty in processing times and potential outcomes.

Planning Commission Recommendations

This section describes the recommendations made by the Planning Commission in 2019, which were largely developed by the ad-hoc committee and modified by the Commission.

Location of Mixed-Use Development

The Commission's recommendation is that the mixed-use standards be included in the Beverly Hills Municipal Code as an overlay zone that could be applied to commercial properties at specific locations in the City. An overlay zone is beneficial in that it provides the greatest flexibility and would allow property owners to either comply with the mixed-use regulations contained in the overlay zone or choose to comply with the existing, underlying commercial use regulations. Landowners who do not want to develop a mixed-use project could simply pursue the development of conventional commercial projects that are compliant with the City's existing regulations.

A majority of the Commission recommended that mixed-use development be considered along most of the City's commercial corridors as follows:

- Properties fronting Wilshire Boulevard between San Vicente Boulevard and Rexford Drive
- Properties fronting Wilshire Boulevard on the southern side of Wilshire Boulevard between Rexford Drive and South Santa Monica Boulevard
- Properties fronting La Cienega Boulevard between the northern and southern borders of the City
- Properties fronting Robertson Boulevard between the northern and southern borders of the City
- The portion of South Santa Monica Boulevard located between Wilshire Boulevard and Moreno Drive
- Olympic Boulevard
- The 100 block of South Beverly Drive and the area immediately to the east

The proposed locations that would be eligible to enact the overlay zone and construct a mixed-use project are located on major commercial corridors in the City that are outside the Business Triangle. This would preserve the Business Triangle as an area that is primarily commercial in nature, which would maintain an area in the City where businesses can operate into the evening without disturbing nearby residents. Further, placing the overlay zone on these corridors will allow mixed-use projects to be proposed near the two future subway station areas at Wilshire/La Cienega (La Cienega Station) and Wilshire/Reeves (Rodeo Station). Frequent Metro bus line service already exists on these corridors as well. Both the existing rapid bus service and the future subway service would provide transit accessibility to new residences and jobs that could be located in potential mixed-use projects.

In addition, the Commission discussed a few other locations for which there was not a consensus on whether the overlay should be applied or not. These locations include the parcels triangulated by La Cienega Boulevard, Wilshire Boulevard, and San Vicente Boulevard, the 100 south block from Spalding Drive to South Beverly Drive, certain areas currently zoned R-4, and a larger portion of the Southwest area of the City.

Approval Process for a Mixed Use Project

The Commission's consensus was that mixed-use projects should require discretionary review by the Planning Commission, similar to the requirements for constructing code-compliant office or multi-family residential projects. The Commission did not develop the detailed findings that might be required for such a project, and an outstanding item for discussion is the degree of certainty that applicant's should have in the process, as well as the nature of findings for a project to be reviewed against.

Height and Floor Area Ratio

The Commission's consensus was that the height and floor area ratio (FAR) for mixed-use buildings be consistent with current C-3 zone requirements. This would limit mixed-use buildings to a height of 45 feet/3-stories and a 2:1 FAR, which would ensure that new projects are not physically different in bulk and mass than what is currently allowed in these areas. The Commission also acknowledged that a developer may choose to construct a density-bonus project with affordable housing units, which could allow them to request additional height, floor area, or other incentives in accordance with State law. The Liaisons may wish to discuss whether this is an appropriate standard, or if alternate height/FAR standards should be considered in certain areas.

Commercial Standards for Mixed-use Projects

The Commission's consensus was that mixed-use projects should be allowed to include commercial uses that are allowed in the underlying C-3 zone, as well as uses that are conditionally permitted in the underlying zone (with the approval of a Conditional Use Permit). Due to the unique compatibility issues that arise between some commercial and residential uses, the Commission recommends that medical uses and entertainment uses (such as night clubs, cabarets, adult entertainment) not be allowed in mixed-use projects.

In addition, commercial uses in mixed-use projects would be governed by the City's existing transitional use standards, which govern the following:

- Setbacks,
- Operating hours,
- Landscaping of setbacks to screen the commercial uses from residential areas,
- Restrictions on mechanical venting, loading docks, and mirrored glass facing the adjacent residential uses,
- Hours for delivery,
- Location of refuse bins, and
- Noise.

The Commission generally agreed that to the extent possible the commercial ground floor uses should serve the residents in the adjacent areas, and could include services such as tailors, shoe repair, or grocery stores, and cited the Whole Foods market project as a good example of this. Along Wilshire Boulevard, some Commissioners expressed a desire to see the commercial uses in this area become more consumer-friendly or experiential (such as restaurants), and stated that if the standards are too strict to preclude these uses, the regulations may need to be adjusted. However, the majority of Commissioners generally agreed that many commercial spaces in the City require rehabilitation and revitalization, and that greater opportunities for developments should be provided to achieve this.

Residential standards for mixed-use projects

Location. In order to ensure that the ground floor of mixed-use projects enhances the pedestrian environment and contributes to commercial vibrancy in the City, the Commission recommended that residential units and residential amenities not be located within the first 40 feet of the ground floor facing a street. This is intended to ensure that the street-facing ground-floor portion of a mixed-use building is used exclusively for commercial uses. Similar restrictions have been placed on existing mixed-use buildings that have been previously approved in the City. Requiring that

the ground floor, or a portion of the ground floor, be used exclusively for commercial uses in mixed-use projects is a development standard that other neighboring communities have also adopted.

Density. With respect to unit density, the Commission recommended that the mixed-use overlay zone allow for one unit for every 550 square feet of lot area, which is intended to encourage smaller, more affordable units when compared to the City’s current density standards of one unit per 900-1,700 square feet. It is also recognized that higher densities are more appropriate along commercial corridors and in close proximity to available transit services.

In order to provide examples of how this residential density may be applied in a mixed use project, staff has conducted a cursory calculation of two hypothetical projects:

- If an applicant assembled two smaller-sized parcels on Wilshire Boulevard (each parcel being 160 feet deep by 50 feet wide) the property would be approximately 16,300 square feet in area. If the applicant constructed a mixed-use project (ground floor commercial, two upper floors residential) the building could contain a total of approximately 30 units on the top two floors.
- If an applicant assembled more parcels (for example all the parcels fronting Wilshire Boulevard on one block on the south side of the street) the parcel would be approximately 40,000 square feet and would allow for 73 units.

For comparison with the recommended density, the table below identifies the current density limits for other areas in the City:

Land Use Designation	Density (Square feet of site area required per unit)	Density (Units per Acre)
Very Low Multifamily	1,980	22
Low Density Multifamily	1,089	40
Low Medium Density Multifamily	1,089	40
Medium Density Multifamily	968	45
High Density Multifamily	871	50
Multi-family Residential Commercial Parking	871	50
9900 Wilshire Specific Plan	1,405	31
Mixed Use Specific Plan (9200 Wilshire)	751	58
Mixed Use Specific Plan 2 (9800 Wilshire)	1,117	39

Minimum Unit Size. The Planning Commission, City Council, and public have been discussing the reduction of the minimum unit size requirements for housing units in multi-family buildings for a number of years. The City has a relatively high requirement for minimum residential unit sizes, which can result in a lower number of units built on a site, as well as units that are inherently more expensive because they are larger. In an effort to encourage housing that is more affordable and more accessible and attractive to a diverse range of buyers and renters, the Commission

suggests a reduced requirement for minimum unit sizes be included in the mixed-use overlay zone, as follows:

Unit Type	Current Multi-family Requirements	Proposed Mixed Use Overlay Requirement
Efficiency unit/studio	600 square feet	500 square feet
One bedroom	1,000 square feet	500 square feet
Two bedrooms	1,300 square feet	800 square feet
Three + bedrooms	1,500 square feet	800 square feet

Parking Standards

The Commission’s consensus was that the parking standards for the commercial uses in a mixed-use building remain consistent with the City’s current commercial parking requirements (this standard generally requires one required spot for every 350 square feet of development). However, the Commission recommended lower parking requirements for residential uses in mixed-use buildings than the current requirements for other multi-family projects in the City because a high residential parking requirement is often a barrier to the construction of new housing units, as constructing subterranean parking adds significant costs to the development of a project. This added cost is passed on to the renters or buyers of a residential unit, thereby increasing overall housing costs. Requiring less parking can reduce the cost of building housing units. In addition, the majority of the properties that would be eligible for mixed-use projects under the current proposal are either on corridors with frequent transit service, or are located within walking distance to the city’s two future subway stations.

The Commission recommends the following parking requirements for the housing units in mixed-use projects.

Unit Size	Current Requirements	Proposed Overlay Requirement
Efficiency unit/studio	1 space	1 space
One bedroom	2 spaces	1 space
Two bedrooms	2.5 spaces	2 spaces
Three bedrooms	3 spaces	2 spaces
Four bedrooms	3 spaces	2.5 spaces
Guest parking	1 space for every 4 units	None required

During the Commission’s discussion it was noted that the proposed parking reductions were modeled after Culver City and West Hollywood’s mixed-use programs. Some Commissioners expressed that vacant commercial spaces may signify the need to reduce parking requirements for certain commercial uses, and some expressed concern that the parking reductions from Culver City and West Hollywood may not be readily applicable to Beverly Hills. In addition, the areas located near the planned Metro stations were mentioned as a possible location to reduce parking requirements because of the proximity to public transit options. The Commission also expressed a desire to evaluate whether a rideshare car drop-off area (such as a curb cut or loading area)

can be required, and expressed concerns that there may still be a need for visitor parking for residential uses. In addition, the Commission discussed the need to separate commercial and residential parking areas within the parking lots, while some Commissioners supported the sharing of the commercial and residential parking areas due to differing peak hour demands.

Affordable Housing

The Planning Commission's discussion regarding mixed-use happened prior to the City's enactment of an inclusionary housing requirement, which now requires 10% of housing units to be set aside for lower-income households. Any mixed-use project would be subject to this requirement and the Liaisons may wish to discuss whether 10% is an appropriate requirement, or if some other standard should be set.

NEXT STEPS

At this time, staff is seeking the following information from the Liaisons:

- Is there general support for the basic parameters of the ordinance as described above, and should any changes be further studied?
- What are the desired next steps for development of an ordinance?

If there is interest from the Liaisons in advancing an ordinance, the matter could either first be presented to the full Council for more specific direction, or the Liaisons could direct the Planning Commission to develop the final details and content of an ordinance, which would then be forwarded to the full Council for consideration and potential adoption. If it is the Liaison's desire to move ahead with development of an ordinance, it is also noted that due to the ongoing pandemic, it is likely that any public hearings regarding mixed-use would be conducted virtually.



M E M O R A N D U M
CITY OF BEVERLY HILLS

TO: City Council and Planning Commission Liaison Committee

FROM: Ryan Gohlich, AICP, Assistant Director of Community Development / City Planner

DATE: May 6, 2020

SUBJECT: Neighborhood Meeting Requirements Prior to Submittal of Certain Planning Applications
Discussion regarding elimination of the neighborhood meeting requirement for certain planning applications in light of the current pandemic and social distancing requirements

INTRODUCTION AND BACKGROUND

On December 17, 2019, the City Council adopted interim Ordinance No. 19-O-2797 that, in part, amended the City's public noticing requirements for development projects. Ordinance 19-O-2797 was valid for 45 days, but was extended by ten months and fifteen days by Ordinance No. 20-O-2800, adopted on January 28, 2020. The public noticing modifications included adding a requirement that potential project applicants hold a "Neighborhood Meeting" prior to submittal of certain planning applications to the City.

On March 4, 2020, Governor Newsom proclaimed a State of Emergency in California to address the threat that COVID-19 posed to the health of California residents. The State of California took further action on March 19, 2020, with direction that all residents should stay in their place of residence, except as needed to maintain the continuity of critical services. On March 21, 2020, the County of Los Angeles issued the "Safer at Home" health officer order, which provided additional direction on activity and operation restrictions in effect within the County. The City of Beverly Hills has also declared a local emergency and has taken action responsive to this on-going public health emergency. These actions have included temporarily suspending in-person services at City Hall and moving public meetings to an on-line video conferencing format. All of these actions are intended to contribute to reducing the rate of transmission of the COVID-19 virus.

At this time, holding the required neighborhood meetings would conflict with State, County, and local actions that have been taken to address the current COVID-19 pandemic. The inability to hold "Neighborhood Meetings" is acting as a barrier to the continued processing of certain planning entitlement applications. Accordingly, staff seeks feedback from the Liaisons as to whether this requirement should be discontinued via an urgency ordinance that would be presented to the full City Council.

DISCUSSION

Interim Ordinance 19-O-2797, adopted on December 17, 2019, and extended on January 28, 2020, for an additional 10 months and 15 days, included provisions that increased public noticing and participation requirements for development projects reviewed by the City. At that time, public health, safety, and welfare concerns were raised by community members about the adequacy of

the City's existing noticing requirements for such projects. Enhanced noticing was seen as necessary to allow adequate public participation in land use decisions. These enhanced noticing and participation requirements were adopted to ensure that community members are adequately informed of pending projects and able to participate in the public review process. The enhanced noticing and public participation requirements of Ordinance 19-O-2797 include: a) a public notice ("Notice of Planning Commission Application") to residents within 1,000 feet of proposed residential or commercial/residential transition zone projects that is mailed within 45 days of the submittal of a planning application; b) trackable courier delivered noticing ("Adjacent Neighbor Mailed Notice") to directly adjacent residents (within 100 feet) of such projects; and, c) the requirement that applicants for multi-family and commercial/residential transition zone projects hold a noticed meeting with community members ("Neighborhood Meeting") prior to submitting a project application to the City.

Presently, the Community Development Department is processing a total of 11 applications that are subject to the Neighborhood Meeting requirement and have thus far been unable to fulfill the requirement due to current circumstances. In addition, any new applications that have not yet been filed would be subject to the requirement, and thus would be similarly delayed.

In light of the ongoing circumstances, staff recommends that the neighborhood meeting requirement be eliminated in order to comply with current COVID-19 regulations and guidelines, and in order to allow project applicants to continue with processing of applications. Staff will continue to provide multiple rounds of public notice for Planning Commission hearings, consistent with all other aspects of the City's public notice requirements to ensure that the public is adequately informed of projects.

NEXT STEPS

At this time staff is seeking direction from the Liaisons as to whether an urgency ordinance should be presented to the City Council to eliminate the neighborhood meeting requirement for certain Planning Commission applications.