

**CITY PLANNING COMMISSION
REGULAR MEETING**

**THURSDAY, NOVEMBER 29, 2012, after 8:30 A.M.
VAN NUYS CITY HALL COUNCIL CHAMBER 2ND FLOOR
14410 SYLVAN STREET, VAN NUYS, CALIFORNIA 91401**

William Roschen, FAIA, President
Regina M. Freer, Vice President
Sean O. Burton, Commissioner
Diego Cardoso, Commissioner
George Hovaguimian, Commissioner
Robert Lessin, Commissioner
Dana Perlman, Commissioner
Barbara Romero, Commissioner
Vacant, Commissioner

Michael J. LoGrande, Director
Alan Bell, AICP, Deputy Director
Lisa M. Webber, AICP, Deputy Director
Eva Yuan-McDaniel, Deputy Director

James K. Williams, Commission Executive Assistant II

POLICY FOR DESIGNATED PUBLIC HEARING ITEMS No(s). 4.

Pursuant to the Commission's general operating procedures, the Commission at times must necessarily limit the speaking times of those presenting testimony on either side of an issue that is designated as a public hearing item. In all instances, however, equal time is allowed for presentation of pros and cons of matters to be acted upon. All requests to address the Commission on public hearing items must be submitted prior to the Commission's consideration of the item. **EVERY PERSON WISHING TO ADDRESS THE COMMISSION MUST COMPLETE A SPEAKER'S REQUEST FORM AND SUBMIT IT TO THE COMMISSION STAFF.**

The Commission has adopted rules regarding written submissions to ensure that it has reasonable and appropriate opportunity to review your materials. The mailing and email addresses, deadlines, page limits, and required numbers of copies for your advance submissions may be found at www.planning.lacity.org under "Forms and Instructions". Day of hearing submissions (15 copies must be provided) are limited to 2 pages plus accompanying photographs, posters, and PowerPoint presentations of 5 minutes or less. Non-complying materials will NOT be distributed to the Commission.

The Commission may ADJOURN FOR LUNCH at approximately 12:00 Noon. Any cases not acted upon during the morning session will be considered after lunch. TIME SEGMENTS noted * herein are approximate. Some items may be delayed due to length of discussion of previous items.

The Commission may RECONSIDER and alter its action taken on items listed herein at any time during this meeting or during the next regular meeting, in accordance with the Commission Policies and Procedures and provided that the Commission retains jurisdiction over the case.

In the case of a Commission meeting cancellation, all items shall be continued to the next regular meeting date or beyond, as long as the continuance is within the legal time limits of the case or cases.

If you challenge these agenda items in court, you may be limited to raising only those issues you or someone else raised at the public hearing agenzized here, or in written correspondence on these matters delivered to this agency at or prior to the public hearing. **If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.**

AGENDAS are posted for public review in the Main Street lobby of City Hall East, 200 No. Main Street, Los Angeles, California, and are accessible through the Internet at www.planning.lacity.org. Click the Meetings and Hearings" link. Commission meetings may be heard on Council Phone by dialing (213) 621-2489 or (818) 904-9450.

GLOSSARY OF ENVIRONMENTAL TERMS:

CEQA - Calif. Environmental Quality Act
EIR - Environmental Impact Report
CE - Categorical Exemption

ND - Negative Declaration
MND - Mitigated Negative Declaration

1. DIRECTOR'S REPORT

- A. Update on City Planning Commission Status Reports and Active Assignments
 - 1. Ongoing Status Reports:
 - 2. City Council/PLUM Calendar and Actions
 - 3. List of Pending Legislation (Ordinance Update)
- B. Legal actions and rulings update

2. COMMISSION BUSINESS

- A. Advance Calendar
- B. Commission Requests
- C. Minutes of Meeting – November 8, 2012

3. PUBLIC COMMENT PERIOD

The Commission shall provide an opportunity in open meetings for the public to address it, for a cumulative total of up to thirty (30) minutes, on items of interest to the public that are within the subject matter jurisdiction of the Commission. (This requirement is in addition to any other hearing required or imposed by law.)

PERSONS WISHING TO SPEAK MUST SUBMIT A SPEAKER'S REQUEST FORM. ALL REQUESTS TO ADDRESS THE COMMISSION ON NON-PUBLIC HEARING ITEMS AND ITEMS OF INTEREST TO THE PUBLIC THAT ARE WITHIN THE JURISDICTION OF THE COMMISSION MUST BE SUBMITTED PRIOR TO THE COMMENCEMENT OF THE PUBLIC COMMENT PERIOD.

Individual testimony within the public comment period shall be limited as follows:

- (a) For non-agendized matters, up to five (5) minutes per person and up to ten (10) minutes per subject.
- (b) For agendized matters, up to three (3) minutes per person and up to ten (10) minutes per subject. PUBLIC COMMENT FOR THESE ITEMS WILL BE DEFERRED UNTIL SUCH TIME AS EACH ITEM IS CALLED FOR CONSIDERATION. The Chair of the Commission may allocate the number of speakers per subject, the time allotted each subject, and the time allotted each speaker.

4. **CPC-2008-3470-SP-ZC-GPA-SUD**
CEQA: ENV-2008-3471-EIR, SCH#1990011055
Plan Area: Canoga Park-Winnetka-Woodland
Hills-West Hills

Council District: 3 – Zine
Expiration Date: N/A
Appeal Status: N/A

PUBLIC HEARING

Location:

The Warner Center 2035 Plan project area is the existing Warner Center Specific Plan (WCSP) project area which is currently bounded by Vanowen Street to the north, the Ventura Freeway to the south, De Soto Avenue to the east, and Topanga Canyon Boulevard to the west. As part of the proposed Warner Center 2035 Plan, the City has expanded the Plan boundary north up to the south side of the Los Angeles River.

Proposed Project:

The proposed project, The Warner Center 2035 (WC2035) Plan, is a wholesale revision to the existing Warner Center Specific Plan, originally adopted by City Council on June 30, 1993 under Ordinance Nos. 168873 and 168984. Under Council File No. 05-0240, the City Council initiated this revision in a motion introduced on February 9, 2005 and approved on December 21, 2005. (See Exhibit A.) The new WC2035 Plan has been developed to specifically address: 1) previously identified concerns, 2) the environmental analysis required by the 1993 Specific Plan, and 3) new planning and regulatory requirements associated with sustainability and reducing regional greenhouse gas emissions. The proposed Plan identifies an assumption (forecast) of growth for the year 2035 that represents development anticipated to occur by that year based on population growth and market demand. Development beyond this assumed growth would require additional environmental review (the plan itself would not necessarily have to be revised). WC2035 would allow for considerable flexibility as to where development would occur and would plan for development beyond the year 2035. It is anticipated that development under the Plan would result in the direct addition of approximately 42,700 new residents and approximately 48,860 new employees. It is further anticipated that the Plan would result in a net increase of 14 million square feet of new non-residential area and 23.5 million square feet of residential area (19,848 dwelling units). The Project includes General Plan Amendments, Zone Changes, and Street Reclassifications.

Requested Actions:

1. Pursuant to Section 21082.1(c)(3) of the California Public Resources Code Certification of an Environmental Impact Report (EIR) **ENV-2008-3471-EIR** for the above referenced project, Adoption of the Statement of Overriding Considerations and the proposed mitigation monitoring program and the required findings for the adoption of the EIR.
2. Pursuant to the procedures set forth in Section 12.32 of the Los Angeles Municipal Code (LAMC), Zone and Height District changes from the existing zoning both under the Warner Center Specific Plan (WC zones) and the zoning in the expansion area {RS-1; R1-1; [Q]RD2-1; R3-1; (Q)R3-1; R4-1; (Q)R4-1VL; P-1VL; (Q)P-1VL; [Q]P-1VL; CR-1VL; [Q]CR-1VL; [T][Q]CR-1VL; C1-1VL; (Q)C1-1VL; [Q]C1-1VL; C1.5-1VL; (Q)C1.5-1VL; [Q]C1.5-1VL; C2-1; C2-1VL; [Q]C2-1VL; MR1-1VL; [Q]MR1-1VL; [Q]M1-1VL; and [Q]PF-1VL} to reflect the eight (8) new zoning Districts specified in the Warner Center 2035 Plan including the (WC) College, (WC) Commerce, (WC) Downtown, (WC) North Village, (WC) Park, (WC) River, (WC) Topanga, and (WC) Uptown.
3. A Zoning Code Amendment to Section 12.04-A,4 of the LAMC to modify the reference from its existing designation of WC Warner Center Specific Plan Zone to its revised designation of the WC College, Commerce, Downtown, North Village, Park, River, Topanga, and Uptown Zones.

4. Pursuant to procedures set forth in Section 11.5.6 of the Municipal Code, adoption of the Warner Center 2035 Plan and its enabling Ordinances including the Warner Center Signage Supplemental Use District Ordinance and amendments to the Los Angeles Administrative Code for the Warner Center Mobility Trust Fund Ordinance and the Warner Center Cultural Arts Trust Fund Ordinance.
5. Pursuant to City Charter Sections 555 and 558, amendments to the Canoga Park-West Hills-Winnetka-Woodland Hills Community Plan as part of the General Plan of the City of Los Angeles, as modified in the related Community Plan Resolution, the Community Plan Text, Community Plan Maps and Footnotes.
6. Pursuant to procedures set forth in Section 11.5.6 of the Municipal Code and City Charter Sections 555 and 558, amend the Highways and Freeways Map of the Transportation Element of the General Plan to reclassify selected streets within the Plan boundaries.

Applicant: City of Los Angeles

Recommended Actions:

1. Conduct a public hearing on the Proposed Plan, its enabling Ordinances, and General Plan amendments, as modified in this staff report.
2. Approve the Staff Report as the City Planning Commission Report.
3. Approve and Recommend that the City Council adopt, pursuant to Section 12.04 of the Los Angeles Municipal Code (LAMC), replacement of the existing designation of WC Warner Center Specific Plan Zone to its revised designation of the WC College, Commerce, Downtown, North Village, Park, River, Topanga, and Uptown Zones.
4. Approve and Recommend that the City Council adopt, pursuant to the procedures set forth in Section 12.32 of the Los Angeles Municipal Code (LAMC), Zone and Height District changes from the existing zoning both under the Warner Center Specific Plan (WC zones) and the zoning in the expansion area {RS-1; R1-1; [Q]RD2-1; R3-1; (Q)R3-1; R4-1; (Q)R4-1VL; P-1VL; (Q)P-1VL; [Q]P-1VL; CR-1VL; [Q]CR-1VL; [T][Q]CR-1VL; C1-1VL; (Q)C1-1VL; [Q]C1-1VL; C1.5-1VL; (Q)C1.5-1VL; [Q]C1.5-1VL; C2-1; C2-1VL; [Q]C2-1VL; MR1-1VL; [Q]MR1-1VL; [Q]M1-1VL; and [Q]PF-1VL} to reflect the eight (8) new zoning Districts specified in the Warner Center 2035 Plan including the (WC) College, (WC) Commerce, (WC) Downtown, (WC) North Village, (WC) Park, (WC) River, (WC) Topanga, and (WC) Uptown.
5. Approve and Recommend that the City Council adopt, pursuant to procedures set forth in Section 11.5.6 of the Municipal Code, the Warner Center 2035 Plan and its enabling Ordinances including the Warner Center Signage Supplemental Use District Ordinance and amendments to the Los Angeles Administrative Code for the Warner Center Mobility Trust Fund Ordinance and the Warner Center Cultural Arts Trust Fund Ordinance.
6. Approve and Recommend that the City Council adopt an ordinance repealing and replacing the existing Warner Center Specific Plan (Ordinance No. 174,061).
7. Approve and Recommend that the City Council adopt, pursuant to procedures set forth in Section 11.5.6 of the Municipal Code and City Charter Sections 555 and 558, amendments to the Canoga Park-West Hills-Winnetka-Woodland Hills Community Plan as part of the General Plan of the City of Los Angeles, as modified in the attached Community Plan Resolution, the Community Plan Text, Community Plan Maps and Footnotes.
8. Approve and Recommend that the City Council adopt, pursuant to procedures set forth in Section 11.5.6 of the Municipal Code and City Charter Sections 555 and 558, amendments to the Highways and Freeways Map of the Transportation Element of the General Plan to reclassify selected streets within the Plan boundaries.
9. Instruct the Department of City Planning to finalize the necessary zone change ordinances to be presented to City Council, and make other technical corrections as necessary.
10. Authorize the Director of Planning to present the resolution, Plan text and Plan amendments to the Mayor and City Council, in accordance with Sections 555 and 558 of the City Charter.

11. Find that the City Planning Commission has reviewed and considered the Environmental Impact Report **ENV-2008-3471-EIR** in its determination approving the proposed plan, and transmit the EIR to the City Council for certification.
12. Approve and Recommend that the City Council adopt the Statement of Overriding Considerations.
13. Approve and Recommend that the City Council adopt the attached findings, including the Environmental Findings.

Staff: Thomas Glick (818) 374-5062

5. **SPECIAL ITEM**
CEQA: ENV-2012-3200-CE
Plan Areas: All

Council Districts: All
Expiration Date: N/A
Appeal Status: N/A

PUBLIC HEARING – CLOSED SESSION

Location: CITY WIDE

Proposed Project:

Proposed ordinance replacing article 5.1 of chapter IV of the Los Angeles Municipal Code. The proposed ordinance would: (a) prohibit medical marijuana businesses, and (b) grant a limited immunity from enforcement to medical marijuana businesses that do not violate specified restrictions.

The proposed ordinance would also provide certain exclusions from the prohibition of medical marijuana businesses. It would do that by excluding from the definition of “medical marijuana business” the following: (1) dwelling units used by three or fewer qualified patients or primary caregivers to process or collectively cultivate marijuana; (2) any location when in use by a primary caregiver to deliver or give away marijuana; (3) hospices and licensed clinics, facilities and home health agencies where qualified patients receive medical care or supportive services; and (4) any vehicle when in use by qualified persons to transport, distribute, deliver, or give away marijuana to a qualified patient, to the extent consistent with the CUA and MMPA.

The proposed ordinance would also provide a limited immunity from enforcement to medical marijuana businesses that meet all of the following: have been operating in the City since September 14, 2007; registered or applied to register under the City’s prior medical marijuana regulations; comply with the City’s taxing requirements; limit operating hours; prohibit on-site consumption of marijuana and alcohol, unaccompanied minors, marijuana visible from the exterior, certain illumination, and access from abutting residential land uses; pass background checks; prohibit persons from acting as managers, volunteers, employees, and members, who act in such capacities at any other medical marijuana business in the City; and locate at minimum distances from designated sensitive uses. The proposed ordinance has other provisions as stated in the draft ordinance

Requested Actions:

1. Adopt the Report prepared by the Office of the City Attorney entitled “Proposed Ordinance Replacing Article 5.1 of Chapter IV of the Los Angeles Municipal Code To: (A) Prohibit Medical Marijuana Businesses, and (B) Grant a Limited Immunity From Enforcement To Medical Marijuana Businesses That Do Not Violate Specified Restrictions” (City Attorney Report) as the report of the City Planning Commission on the subject.
2. Recommend that the City Council determine that the ordinance is exempt under the California Environmental Quality Act for the reasons set forth in the CEQA Narrative and draft Notice of Exemption (Categorical Exemption No. **ENV-2012-3200-CE**), attached as Exhibits 2 and 3,

- respectively, to the City Attorney Report.
3. Recommend that the City Council direct that the Department of City Planning file the final Notice of Exemption with the County Clerk immediately after the ordinance is approved and passed in final by the City Council.
 4. Adopt the Findings and Recommendation Pursuant To City Charter § 556 and §558(b)(2) attached as Exhibit 4, to the City Attorney Report.
 5. Recommend adoption of the proposed ordinance attached as Exhibits 1 to the City Attorney Report.

Applicant: City of Los Angeles

Recommended Actions:

1. Adopt the Report prepared by the Office of the City Attorney entitled "Proposed Ordinance Replacing Article 5.1 of Chapter IV of the Los Angeles Municipal Code To: (A) Prohibit Medical Marijuana Businesses, and (B) Grant a Limited Immunity From Enforcement To Medical Marijuana Businesses That Do Not Violate Specified Restrictions" (City Attorney Report), as the report of the City Planning Commission on the subject.
2. Recommend that the City Council determine that the ordinance is exempt under the California Environmental Quality Act for the reasons set forth in the CEQA Narrative and draft Notice of Exemption (Categorical Exemption No. **ENV-2012-3200-CE**), attached as Exhibits 2 and 3, respectively, to the City Attorney Report.
3. Recommend that the City Council direct that the Department of City Planning file the final Notice of Exemption with the County Clerk immediately after the ordinance is approved and passed in final by the City Council.
4. Adopt the Findings and Recommendation Pursuant To City Charter § 556 and §558(b)(2) attached as Exhibit 4, to the City Attorney Report.
5. Recommend adoption of the draft ordinance attached as Exhibits 1 to the City Attorney Report.

Staff: Jane Usher, Special Assistant City Attorney (213) 978-8100
Steven Blau, Deputy City Attorney (213) 978-8244
Charlie Rausch, Associate Zoning Administrator (213) 978-1306

The next regular meeting of the City Planning Commission
will be held at **8:30 a.m. on Thursday, December 13, 2012**

**City Hall
200 N. Spring Street
Public Works Board Room 350
Los Angeles, CA 90012**

An Equal Employment Opportunity/Affirmative Action Employer

As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate. The meeting facility and its parking are wheelchair accessible. Translation services, sign language interpreters, assistive listening devices, or other auxiliary aids and/or other services must be requested **72 hours prior to the meeting** by calling the Planning Commission Secretariat at (213) 978-1300 or by email at CPC@lacity.org.