

REGULAR MEETING OF THE
CULVER CITY
PLANNING COMMISSION
CULVER CITY, CALIFORNIA

April 24, 2024
7:00 p.m.

Call to Order & Roll Call

Chair Jones called the regular meeting of the Culver City Planning Commission to order at 7:00 p.m. in Council Chambers and via Webex.

Present: Stephen Jones, Chair
Andrew Reilman, Vice Chair
Nancy Barba, Commissioner
Jennifer Carter, Commissioner
Darrel Menthe, Commissioner

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Pledge of Allegiance

Commissioner Menthe led the Pledge of Allegiance.

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Public Comment - Items NOT on the Agenda

Chair Jones invited public comment.

Ruth Martin del Campo, Current Planning Secretary, indicated that no requests to speak had been received.

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Receipt of Correspondence

MOVED BY COMMISSIONER BARBA, SECONDED BY VICE CHAIR REILMAN AND UNANIMOUSLY CARRIED, THAT THE PLANNING COMMISSION RECEIVE AND FILE CORRESPONDENCE.

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Consent Calendar

MOVED BY COMMISSIONER BARBA, SECONDED BY COMMISSIONER MENTHE AND UNANIMOUSLY CARRIED, THAT THE PLANNING COMMISSION APPROVE ITEMS C-1 AND C-2.

Item C-1

PC: Approval of Draft Planning Commission Meeting Minutes of February 14, 2024

THAT THE PLANNING COMMISSION APPROVE DRAFT PLANNING COMMISSION MEETING MINUTES FOR THE PLANNING COMMISSION MEETING OF FEBRUARY 14, 2024.

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Item C-2

PC: Approval of Draft Planning Commission Meeting Minutes of March 13, 2024

THAT THE PLANNING COMMISSION APPROVE DRAFT PLANNING COMMISSION MEETING MINUTES FOR THE PLANNING COMMISSION MEETING OF MARCH 13, 2024.

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Order of the Agenda

Item PH-1 was heard again after Item A-1.

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Public Hearings

Item PH-1

PC - Consideration of City-Initiated Zoning Code Amendment P2024-0083-ZCA amending Title 17 Zoning Sections: 17.330.015 - Definitions, 17.330.040 - Signs in the Public Right of Way, and 17.700.010 - Definitions of Specialized Terms and Phrases Related to Digital Wayfinding Kiosks on Public Property; and

a Categorical Exemption pursuant to CEQA Guidelines Sections 15303 (Class 3 Exemption) and 15304 (Class 4 Exemption)

Christina Burrows, Assistant City Attorney, provided a summary of the material of record.

Discussion ensued between staff and Commissioners regarding additional background on the item; consideration of the item by the City Council and the Economic Development Subcommittee; re-initiation of the item in 2023; clarification on the definition of wayfinding kiosk; allowing for City Council discretion to select the type of kiosk; origin of the recommendation; lack of consideration by other stakeholders, the Bicycle and Pedestrian Advisory Committee (BPAC) or other City bodies; City Council direction; addressing the issue as a Zoning Code amendment; items to address in the sign code to clarify rules and goals; the amendment required to move forward; current allowable signs in the public right of way; creation of a new subcategory of sign; ways that cities are allowed to advertise; specifically allowing commercial advertising as part of the kiosk amendment; potential contract terms; and exploration of potential wayfinding programs.

MOVED BY COMMISSIONER BARBA, SECONDED BY VICE CHAIR REILMAN AND UNANIMOUSLY CARRIED, THAT THE PLANNING COMMISSION OPEN THE PUBLIC HEARING.

Chair Jones invited public comment.

Ruth Martin del Campo, Current Planning Secretary, indicated that no requests to speak had been received.

MOVED BY VICE CHAIR REILMAN, SECONDED BY COMMISSIONER BARBA AND UNANIMOUSLY CARRIED, THAT THE PLANNING COMMISSION CLOSE THE PUBLIC HEARING.

Discussion ensued between staff and Commissioners regarding the RFI (Request for Information) process; bringing professional information forward; making an educated choice on options; value of kiosk content; the feeling that wayfinding is not needed; support for providing information about local cultural content; small format advertising; sharing local city information; the value of providing local information; the public portion; limited places to put up posters and signs; ensuring that the sign code is enforceable and constitutional; size limitations for signage; proposed

amendments; not allowing signage to exceed 15 square feet; concern with digital animated signs; static vs. moving images; tightening up the definition of wayfinding kiosks; interactive wayfinding kiosks; a definition used by the city of Houston; including public benefit in the definition; concern with opening the door to billboards; ensuring that the City would be able to select messages that are displayed; and the contracting process with the vendor.

Additional discussion ensued between staff and Commissioners regarding the distracting nature of screens; being allowed to take a walk without having to see screens; concern with taking up valuable sidewalk space; the polished sales pitch; number of times an ad runs; saturating Culver City in order to receive the revenue being proposed; other ways to support public art; public feedback in opposition to the proposal; protecting the character of Culver City; the job of the Commission; kiosks in other major cities; concern that the proposed program would ruin the City; finding other revenue sources without having to push ads in people's faces; vandalism; concern with broken screens around Culver City; and lack of control over ad content.

Further discussion ensued between staff and Commissioners regarding lack of consideration of the item by the BPAC; concern with entering into a contract with a private entity to block access to public use of public land; taking away land from pedestrians, those in wheelchairs, or those differently mobile; impacts to families with strollers; concern with signing off on land use without any parameters for it; advertising; data privacy concerns; Culver City as a Sanctuary City since 2017; tracking phones; communication with the companies providing services; cameras in the kiosks; pinging phones; people who may come from other states to receive reproductive care or those with immigration issues; concern with dedicating space to something that the community has not had a lot of input on; the single written comment received and the one community event held; number of kiosks in the City being proposed; concern with data privacy; introducing advertising in the City; concern with the item moving forward so quickly; statements indicating support from bike advocacy groups when bike advocacy groups in Culver City have not expressed support; finding a different solution to support public art; concern that often no cost projects mean that the City is the product; the fact that most people have access to wayfinding through their cellphones; ascertaining relevance and usefulness of the technology to the community;

concern that once the land use is changed, ads would be allowed; the need for additional community engagement; the short survey conducted for the two community meetings held over the same weekend with 22 responses reported to the Economic Development Subcommittee; and information included in the staff report.

Discussion ensued between staff and Commissioners regarding concern that kiosks are not a good solution for wayfinding; identification of better ways to communicate with people about events and public meetings; people that ignore information because there are ads present; concern with the number of kiosks proposed; negotiations on a case by case basis to allow a business to request placement of a kiosk outside of their location in the public right of way; allowing advertising on some but not others; erasing previous efforts of the City to keep advertising out of public spaces; similarities with a new toilet paper dispenser for restaurants where you have to watch an ad to get three squares of toilet paper; other ways to generate revenue for the City; costs to allowing the program to move forward; consideration of the matter on October 23, 2023 reflecting concerns expressed by the public and by some Council Members; interest in having a consultant advise on the matter; lack of clear direction from the City Council; other ways to get art into the community; using bus kiosks to get information out to the City; contract approval; the sign code amendment being proposed; actual value of the ads; the ability for cameras to track people at any time; whether the amendment is sufficient or causes problems; advocacy for downtown Culver City; and size, number, and placement of kiosks.

Commissioner Menthe moved to accept the staff recommendation with the addition that the screen portion of the signs be no more than 15 square feet for any given sign.

The motion failed for lack of a second.

Further discussion ensued between staff and Commissioners regarding appreciation for the amendment proposed by Commissioner Menthe but concern that it did not go far enough; the need to study safety concerns; the code section in Houston defining wayfinding kiosks; concern that the current item is too broad and not ready for Commission approval; providing limitations for specific uses; concern with the range of things that could be allowed under the potential amendment; the inability to revert change of land use back; addressing

program implementation later; lack of public input; and clarification that making an amendment to the sign code is not forever.

Commissioner Menthe read the definition of interactive wayfinding kiosk used by the city of Houston.

Additional discussion ensued between staff and Commissioners regarding removal of the word advertisements; funding the kiosks through commercial advertisements; logistics; details that need to be addressed in order to approve the amendment; consideration of issues by other City departments; standards for proximity of signage to the right of way; signs permitted for onsite purposes on private property; disallowing animated flashing signs; ensuring size limitations; clarifying language to include City-erected or erected pursuant to an agreement with the City; the small number of surveys returned; concerns stated regarding advertising and impacts to sidewalk space; lack of consultation with the BPAC; concern with the rushed process; the task of the Commission to make a recommendation regarding the Zoning Code; the ability to convey additional recommendations to the City Council such as including public outreach in the terms of the RFP (Request for Proposals); the appropriate City body to consider the item; impacts to pedestrian and the differently mobile; the need for Public Works to ensure that the public right of way is not impacted; trusting other gate keepers within the process; the excellent track record for Building and Safety; pedestrian and bicycle accidents; the transportation industry; and the need for advertising to pay for the benefits.

Commissioner Menthe moved the staff recommendation with incorporation of the Houston definition of wayfinding kiosks, limiting the size to 15 square feet, and including a prohibition on animated digital screens. The motion died for lack of a second.

Further discussion ensued between staff and Commissioners regarding defining animation; the sign code update; moving video vs. cycling through static images; reasons that animation crosses a line; ensuring that the signs do not have audio; the ability to request that the kiosk read information out loud; City Council direction to amend the sign code; the fact that the City Council has the final say but the Planning Commission can make a recommendation; the action and direction from the City Council at the October 2023 meeting;

work of the City Council appointed ad hoc committee for the item; lack of response to the RFP for a consultant; the City Attorney recommendation for a consultant to look into the matter; lack of a public report out from the ad hoc subcommittee; and consultant review of how cities in California authorized wayfinding kiosk signage.

Christina Burrows, Assistant City Attorney, recommended adding in language to the proposed definition of interactive wayfinding kiosk from Houston to indicate that the content is selected by the City and to clarify that content is government speech, not a third party coming in and deciding what is placed on the site; she discussed adding language to the staff report; potential additional changes proposed to clarify that public right of way would not be opened up to virtual advertising by anyone; allowance of the use because it is government speech; concern with legislating and drafting language on the fly; and she clarified that the Planning Commission would be notified of additional revisions.

Additional discussion ensued between staff and Commissioners regarding the intent that there be no moving video with the prohibition of animated signs; the definition of wayfinding kiosks; adding language about sign brightness; recommended standards by the City engineers; clarification on the meaning of the vote; and allowing the land use.

MOVED BY COMMISSIONER MENTHE AND SECONDED BY VICE CHAIR REILMAN THAT THE PLANNING COMMISSION:

ADOPT RESOLUTION NO. 2024-P001 RECOMMENDING THAT THE CITY COUNCIL APPROVE ZONING CODE AMENDMENT P2024-0083-ZCA MODIFYING SECTIONS: 17.330.015 - DEFINITIONS, 17.330.040 - SIGNS IN THE PUBLIC RIGHT-OF-WAY, AND 17.700.010 - DEFINITIONS OF SPECIALIZED TERMS AND PHRASES, OF THE CULVER CITY MUNICIPAL CODE (CCMC) AS IT RELATES TO DIGITAL WAYFINDING KIOSKS ON PUBLIC PROPERTY AND A CATEGORICAL EXEMPTION CEQA GUIDELINES SECTIONS 15303 (CLASS 3 EXEMPTION) AND 15304 (CLASS 4 EXEMPTION) WITH THE FOLLOWING MODIFICATIONS: THE SCREEN PORTION OF THE KIOSK BE NO MORE THAN 15 SQUARE FEET IN SIZE, THERE BE NO ANIMATED SIGNS, THE COMMERCIAL ADVERTISING PORTION NOT INCLUDE ANY AUDIO, DEFINING THE INTERACTIVE WAYFINDING KIOSK AS AN INTERACTIVE INFORMATIONAL WAYFINDING PLATFORM FOR USE BY PEDESTRIANS AND ERECTED BY OR ON BEHALF OF THE CITY IN THE FORM OF A KIOSK CAPABLE OF PROVIDING OR GENERATING ELECTRONICALLY DISPLAYED CONTENT SELECTED BY THE CITY INCLUDING BUT NOT LIMITED TO WEATHER UPDATES, MULTI-

MODAL MAPPING TO EVENT DESTINATIONS WITH MOBILE AND INTEGRATION, SHOPPING, DINING, AND MEDICAL POINTS OF INTEREST, JOB POSTINGS, REAL TIME TRANSPORTATION INFORMATION, TRAFFIC AND PEDESTRIAN COUNTS; PUBLIC SAFETY AND POLICE EMERGENCY NOTIFICATIONS, KIOSK USAGE INFORMATION, PUBLIC SERVICE ANNOUNCEMENTS, AND ADVERTISEMENTS.

THE MOTION FAILED BY THE FOLLOWING VOTE:

AYES: MENTHE, REILMAN
NOES: BARBA, CARTER, JONES

Christina Burrows, Assistant City Attorney, noted that staff did not have a resolution for denial of the amendment written; recommended that the Planning Commission look at the findings in the resolution and articulate which finding cannot be made; and she proposed tabling the item until after Item A-1 to allow time to write the denial.

Discussion ensued between staff and Commissioners regarding Section 1 subsection 2 of the proposed amendment relating to being detrimental to the public interest, health, safety, convenience, or welfare for the City; consideration of how much can be expected to be implemented; the feeling that the proposal did not support Finding 1; and failure of internal consistency with goals, policies, and strategies of the General Plan with the proposed project.

MOVED BY COMMISSIONER BARBA, SECONDED BY CHAIR JONES AND UNANIMOUSLY CARRIED, THAT THE PLANNING COMMISSION TABLE THE ITEM UNTIL AFTER CONSIDERATION OF ITEM A-1.

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Action Items

Item A-1

PC - Discussion of City-wide Subdivision Ordinance Update

Jose Mendivil, Associate Planner, provided a summary of the material of record.

Susan Hernandez, Rincon Consultants, discussed recent state legislation; SB 9 and SB 684; compliance with state subdivision law; the outreach summary; and she asked if the

Planning Commission had any ideas for types of future engagement with the public.

Jose Mendivil, Associate Planner, discussed the timeline and requested Commission feedback.

Discussion ensued between staff and Commissioners regarding the applicability of SB 684; eligible land that can accommodate an SB 684 subdivision; the RMD zone; assemblage of lots; potential for higher density and larger lots in commercial zones that can accommodate an SB 684 subdivision; the role of the Planning Commission in the tentative tract map or the vested tentative tract map permitting process; the appeals process; lot line adjustments; and City Council jurisdiction.

John Moreland, Rincon Consultants, discussed the Subdivision Map Act; ministerial actions; limitations on review authority based on the shifting of approval from the City Council and Planning Commission to the Planning Development Director; plan checks; revision of plans to meet explicit requirements; and actions to reflect recent changes that are not currently in the Culver City subdivision code.

Commissioner Menthe received clarification that there would be plenty of time to make modifications in response to a recent judgement on SB 9.

Chair Jones invited public comment.

The following member of the public addressed the Commission:

Andrew Flores commended staff and the consultants for their work on the item; discussed the importance of detailed and exacting regulation; challenges with departmental review in the past; public feedback; attempts to slow down projects; ministerial review of projects; and he noted that public engagement and feedback had not been limited nor was Commission review prevented.

Additional discussion ensued between staff and Commissioners regarding appreciation for the clarity on how the change in review authority will work; the impact of SB 9; the appeals process; significant changes to the way things have been done to improve and streamline processes; the tentative tract map; the Zoning Code update's changes to review authority and the intent to increase the threshold; appreciation for the clear

standards, procedures, and streamlined review process; the administrative small lot process; technical details; lack of Commission discretion; elimination of a step that does not bring any value; staff expertise; the importance of consistency between the site plan review and map processes - that is - map subdivisions should be processed administratively when the site plan is processed administratively; appreciation for the comprehensive work done and for the work ahead; next steps; the timeline for changes to be made; support for keeping outreach virtual; the targeted list compiled; response rate; courtesy notices sent out; the general request for any ideas to improve outreach; the actions of other cities; and the group of people typically involved with subdivisions.

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Public Hearings

Item PH-1
(Continued)

PC - Consideration of City-Initiated Zoning Code Amendment P2024-0083-ZCA amending Title 17 Zoning Sections: 17.330.015 - Definitions, 17.330.040 - Signs in the Public Right of Way, and 17.700.010 - Definitions of Specialized Terms and Phrases Related to Digital Wayfinding Kiosks on Public Property; and a Categorical Exemption pursuant to CEQA Guidelines Sections 15303 (Class 3 Exemption) and 15304 (Class 4 Exemption)

Christina Burrows, Assistant City Attorney, read a resolution to recommend denial of the proposed Zoning Code amendment.

MOVED BY COMMISSIONER BARBA, SECONDED BY COMMISSIONER CARTER AND UNANIMOUSLY CARRIED, THAT THE PLANNING COMMISSION TAKE ITEM PH-1 OFF THE TABLE.

Commissioner Barba moved to approve the resolution of denial. Commissioner Carter seconded the motion and the discussion continued.

Discussion ensued between staff and Commissioners regarding language in the proposed resolution indicating denial as a result of the unknown number of kiosks and unknown locations.

MOVED BY COMMISSIONER BARBA AND SECONDED BY COMMISSIONER CARTER THAT THE PLANNING COMMISSION APPROVE THE RESOLUTION

RECOMMENDING DENIAL OF THE CITY-INITIATED ZONING CODE AMENDMENT P2024-0083-ZCA AMENDING TITLE 17 ZONING SECTIONS: 17.330.015 - DEFINITIONS, 17.330.040 - SIGNS IN THE PUBLIC RIGHT OF WAY, AND 17.700.010 - DEFINITIONS OF SPECIALIZED TERMS AND PHRASES RELATED TO DIGITAL WAYFINDING KIOSKS ON PUBLIC PROPERTY; AND A CATEGORICAL EXEMPTION PURSUANT TO CEQA GUIDELINES SECTIONS 15303 (CLASS 3 EXEMPTION) AND 15304 (CLASS 4 EXEMPTION).

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: BARBA, CARTER, JONES
NOES: MENTHE, REILMAN

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Public Comment - Items NOT on the Agenda (Continued)

Chair Jones invited public comment.

Ruth Martin del Campo, Current Planning Secretary, reported that no additional requests to speak had been received.

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Items from Planning Commissioners/Staff

Emily Stadnicki, Current Planning Manager, discussed the upcoming meeting schedule and she acknowledged the work of Ruth Martin del Campo noting that it was Administrative Professionals Day and she had been promoted to Secretary.

Chair Jones thanked Ruth Martin del Campo noting that she made their work much easier.

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Adjournment

There being no further business, at 9:13 p.m., the Culver City Planning Commission adjourned to a regular meeting to be held on May 8, 2024.

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RUTH MARTIN DEL CAMPO
SECRETARY of the CULVER CITY PLANNING COMMISSION

APPROVED May 8, 2024

STEPHEN JONES
CHAIR of the CULVER CITY PLANNING COMMISSION
Culver City, California

I declare under penalty of perjury under the laws of the State of California that, on the date below written, these minutes were filed in the Office of the City Clerk, Culver City, California and constitute the Official Minutes of said meeting.

Jeremy Bocchino
CITY CLERK

10 MAY 2024

Date