To: Chair Pierson and Members of the Planning Commission

Prepared by: Stephanie Hawner, Senior Planner

Approved by: Bonnie Blue, Planning Director

Date prepared: October 19, 2017

Meeting date: October 30, 2017

Subject: Zoning Text Amendment No. 17-003 – An Amendment to Malibu Municipal Code Title 17 Regulating Formula Retail Stores Citywide

RECOMMENDED ACTION: Adopt Planning Commission Resolution No. 17-89 (Attachment 1) determining the project is categorically exempt from the California Environmental Quality Act (CEQA), and recommending the City Council approve Zoning Text Amendment (ZTA) No. 17-003 amending the Malibu Municipal Code (MMC) Title 17 to regulate formula retail establishments citywide.

DISCUSSION: On August 14, 2017, the City Council directed staff to prepare a ZTA to regulate formula retail businesses in a manner consistent with the court’s decision on Measure R and present it to the Planning Commission. The Council also directed staff to schedule special meetings to discuss preparation of a specific plan for the Civic Center, options for regulating community character in the Civic Center, and the work of the Civic Center Design Standards Task Force. Those meetings will be scheduled later this year.

This report provides an overview of the proposed ordinance for the Commission’s consideration and recommendation to the City Council. The proposed ordinance is designed to limit the homogeneity and sameness that result from a proliferation of chain stores and preserve Malibu’s unique community and rural character while avoiding the issues that caused Measure R to be invalidated. It is also designed to be easy to understand and implement.

Highlights of the ordinance include the following:

- Applies city-wide
- New, enlarged or relocated formula retail businesses capped at 2,500 square feet of gross floor area
• Formula retail businesses where over 50 percent of the menu, goods and services are unique to Malibu are capped at 3,500 square feet of gross floor area
• Formula retail defined as 10 or more in the world
• Formula retail within shopping centers capped at 30 percent of the gross floor area and leasable tenant spaces in a shopping center
• Legally established businesses existing as of November 1, 2017 are exempt until they expand, relocate or cease operations
• Formula retail stores must obtain a ministerial Formula Retail Clearance (FRC) before operating which ensures compliance with the ordinance
• FRC is transferable to a new business of the same type in the same location if gross floor area is not increased

The ordinance also adds a new permitted/conditionally permitted use table to Title 17 for easier reference to land use categories. The table is similar in format to the Permitted Uses Table of Appendix B of the Local Coastal Program (LCP) Local Implementation Plan (LIP).

Legal Background

On June 21, 2017, the court of appeal invalidated Measure R, a voter initiative which placed restrictions on large developments and formula retail establishments in the City. Measure R required formula retail businesses to obtain a conditional use permit (CUP) which ran “solely with the operation of the formula retail establishment for which it was approved.” In other words, a Measure R CUP was not transferrable to a new business; a CUP for a Starbucks could not be transferred to a Peet’s Coffee. The court of appeal found that this limitation violated state law on CUPs because CUPs cannot attach to a specific permittee and must run with the land. The proposed ordinance avoids these characteristics which proved fatal for Measure R.

Ordinance Overview

The ordinance would apply citywide and set a maximum square footage for formula retail businesses, and limit such businesses to 30 percent of a shopping center. These rules would be applied by requiring a property owner who is opening a new formula retail establishment, or enlarging or relocating an existing one, to obtain a Formula Retail Clearance (FRC). Existing lawfully established businesses would not require a FRC so long as they stay in continuous operation and do not expand.

Where Measure R required a conditional use permit approved by the Planning Commission, the FRC would be a ministerial approval processed by Planning Department staff. The criteria for FRC approval are simple objective standards:

A. that the business does not exceed 2,500 square feet of gross floor area;
B. if the business is in a shopping center, that issuance of the FRC will not result in non-exempt formula retail establishments occupying more than 30 percent of the shopping center’s gross floor area or leasable tenant spaces; and
C. if the business is not located in a shopping center, issuing the FRC will not result in non-exempt formula retail establishments being located within 500 feet of a formula retail establishment.

The FRC for a formula retail business not located in a shopping center would be limited to 2,500 square feet and would not require the shopping center analysis. It would require analysis to determine if another formula retail establishment was located within 500 feet of the proposed business, as measured from walls of the locations.

The proposed ordinance allows for up to an additional 1,000 square feet of gross floor area (for a total of 3,500 square feet) if a business demonstrates that that over half its goods, services or menu area available only in the City. This provision incentivizes formula retail businesses to create a unique variety of offerings which would foster the distinct community character the ordinance is seeks to protect and avoid familiarity and sameness.

The FRC would be transferable to a different formula retail tenant proposed for the same space, so long as the square footage of the space was not enlarged, and the use category was the same. For example, an FRC for a Peet’s coffee shop could be transferred to a Coffee Bean & Tea Leaf store that wanted to take over the exact same tenant space, without the need to obtain a new FRC.

The FRC would be in addition to the existing requirement for any new tenant to obtain a Planning Clearance. The Planning Clearance is used to ensure that a proposed use is allowed in a particular tenant space based on the property’s zoning district, any existing conditional use permit conditions that may be in place, and parking.

The proposed ordinance exempts the following types of formula retail establishments that Measure R exempted, but with three changes. The exempt categories are the following:

1. Grocery
2. Drug stores/pharmacies
3. Gas stations
4. Banks and financial services
5. Real estate offices
6. Movie theaters
7. Postal service offices
8. Medical offices
9. Legally established formula retail businesses existing as of November 1, 2017, for as long as the business is in continuous operation and does not expand its gross floor area.
Item 9, exempting legally established formula retail businesses, has been added. Low-cost overnight accommodations have been removed. It is no longer necessary to exempt this use because accommodations (luxury or otherwise) have been removed from the definition of “retail establishment.” The exemptions for certain existing Civic Center tenant spaces have also been eliminated. These were removed to assure the ordinance can be applied fairly citywide.

The ordinance adopts the definitions from Measure R, with the exception of the term “shopping center,” discussed below. These definitions will be located in MMC Section 17.020.060, with all the general zoning definitions. To avoid confusion with use of the term “shopping center” in other parts of Title 17, such as parking and sign standards, it is specified that the definition only applies to Chapter 17.61 (this ordinance).

The term “shopping center” has been clarified to make the 30 percent cap easier to understand and apply. “Shopping center” means a group of individual retail, retail service, office and other commercial establishments operating in a complex having at least 10,000 square feet of gross floor area, whether on one parcel or multiple parcels, and under common management. The 30 percent cap would be calculated based on the gross floor area and on the number of leasable tenant spaces for the whole shopping center, regardless of whether it sits on one or multiple parcels.

The definition of shopping center and the straightforward criteria are intended to be easy to apply and understand, both for staff as well as property owners and the community.

In summary, the proposed ordinance is designed to stay within the confines of the law as clarified by the court, while striking a balance among the City’s goals of protecting its rural and unique community character, and encourage establishment and continued operation of small neighborhood and community serving businesses, the needs of commercial property owners, and its responsibilities under the LCP to protect, maintain and enhance the overall quality of the coastal zone environment.

ENVIRONMENTAL REVIEW: Pursuant to the authority and criteria contained in CEQA, the Planning Department has analyzed the proposed ordinance as described herein. The Planning Department has determined that the project is covered by the general rule that CEQA only applies to projects which have the potential for causing a significant effect on the environment. Pursuant to CEQA Guidelines Section 15061(b)(3), where it can be seen with certainty that there is no possibility the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The Planning Department has determined that there is no possibility the proposed amendment may have a significant effect on the environment and accordingly, the exemption set forth in Section 15061(b)(3) applies.

Without waiving its right to rely on the above-referenced exemption, when adopting its first formula retail ordinance (Ordinance No. 376) in 2014, the City nevertheless undertook an initial study (Initial Study No. 13-001) in the interest of providing meaningful
information to the City’s decision-making body and fostering the most informed decision-making process practicable. The original formula retail ordinance did not authorize a use other than that already designated in the LCP and MMC as a permitted or conditionally permitted use in the zone. The project description, initial study and negative declaration were circulated for a 30-day public review period from March 13, 2013 to April 11, 2013.

Following circulation, minor revisions to the March 13, 2013 initial study and negative declaration were made which did not result in new environmental impacts. No substantial revisions to the negative declaration were made and recirculation was not required pursuant to CEQA Guidelines Section 15073.5. The City Council adopted Initial Study No. 13-001 and Negative Declaration No. 13-001 when it approved Ordinance No. 376, based on its determination that (i) there was no substantial evidence that the request set forth in the ordinance would have a significant effect on the environment and (ii) the negative declaration prepared for that request reflected the City’s independent judgment and analysis.

While Ordinance No. 376 applied only to the Civic Center area of the City whereas the proposed ordinance applies citywide, this difference is not significant given most commercial activity occurs in the Civic Center and the proposed ordinance again does not change the uses allowed or their intensity or density. While the City could conduct another initial study out of caution, it is not necessary due to the exemption. Planning Staff has also done an initial review of the categories that would be examined in an initial study and cannot identify any potential significant impacts that would need to be studied.

CORRESPONDENCE: To date, staff has received not received public correspondence regarding this item.

PUBLIC NOTICE: On October 5, 2017, a one-quarter page Notice of Planning Commission Public Hearing was published in a newspaper of general circulation within the City of Malibu and display ads were published in local newspapers, and was mailed to all interested parties; regional, state and federal agencies affected by the amendment; local libraries and media; and the California Coastal Commission. (Attachment 2)

SUMMARY: Staff recommends that the Planning Commission adopt Resolution No. 17-89 to recommend that the City Council adopt ZTA No. 17-003.

ATTACHMENTS:

1. Planning Commission Resolution No. 17-89
2. Public Hearing Notice

Copies of all related documents are available at City Hall during regular business hours.
The Planning Commission of the City of Malibu does hereby find, order and resolve as follows:

SECTION 1. Recitals.

A. More than 23 percent of Malibu's nearly 12,000 acres is public open space and more than 50 percent is designated as environmentally sensitive habitat area (ESHIA) pursuant to the City's Local Coastal Program (LCP). Malibu desires to remain unique, not just in its physical setting comprised of approximately 22 miles of scenic coastline nestled between the Santa Monica Mountains and Pacific Ocean, but in its primarily rural nature, its small-town feel, and its low-key commercial character. Maintaining these community characteristics creates a distinct visitor and resident experience. Malibu is primarily a rural residential community. Of its total land area, 3.7 percent is zoned for commercial use, with half of that clustered in the Civic Center neighborhood. The civic center is the City's main commercial district. Maintaining the economic health and unique appeal of the City's commercial districts is vital to the ongoing preservation and enhancement of the City's unique, small-town feel, commercial character, and the needs of its visitors and residents.

B. To help advance those goals, the City seeks to avoid the proliferation of chain store uses that result in an overwhelming sense of sameness and familiarity. Instead, the City desires to encourage elements that promote variety and charm while still leaving opportunities open for all. The City's mission statement includes land use policies intended to maximize these principles. "Malibu is a unique land and marine environment and residential community whose citizens have historically evidenced a commitment to sacrifice urban and suburban conveniences in order to protect that environment and lifestyle, and to preserve unaltered natural resources and rural characteristics. The people of Malibu are a responsible custodian of the area's natural resources for present and future generations." [General Plan, Vision Statement].

C. Maintaining a strong and diverse retail base is critical to the success of its commercial core. The City recognizes that this can be enhanced by a healthy blend of unique and familiar businesses which provide diverse retail opportunities for visitors and residents alike. The City is committed to "manage growth to preserve a rural community character" [General Plan Land Use (LU) Element, Section 1.4.2] and encourage the "...establishment and continued operation of small neighborhood and community serving businesses." [General Plan LU Policy 4.4.1]. Further, the City must ensure that commercial "visitor serving retail uses...fit the character and scale of the surrounding community." [LCP Land Use Plan (LUP) Policy 5.12, in part].
D. Malibu is a world-known destination that draws millions of visitors each year. The City boasts unique environmental, coastal and cultural qualities, historical ties to the original Chumash lands and subsequent Rancho Topanga Malibu Sequit, recreational opportunities, and a rural residential community set within the Santa Monica Mountains National Recreation Area and the Santa Monica Bay. The City desires its commercial uses to likewise promote variety and charm, embrace its relatively rural community, and not detract from its unique qualities. The City has observed an increase in commercial leasing activity City-wide, with a specific increase in the number of formula retail establishments. Formula retail establishments are, by their nature, not unique. Formula retail establishments generally do not offer goods and services that are not readily available at other establishments within a reasonable proximity, especially in the highly-urbanized areas of greater Los Angeles and Southern California, generally. Consequently, the Planning Commission finds that the proliferation of formula retail establishments in the City, if not regulated, will conflict with and frustrate the City’s goal of maintaining a distinct community character and promoting a local economy that includes non-standard offerings.

E. An over-abundance of formula retail establishments frustrates the City’s ability to promote a diverse retail base within the City. A diverse retail base includes a distinct character that avoids overwhelming familiarity and sameness. A diverse retail base should be comprised of a balanced mix of businesses, small and large, familiar and unique. The Planning Commission finds that an over-abundance of formula retail establishments will unduly limit or possibly eliminate the availability of businesses that tend to be non-traditional or unique.

F. The General Plan Mission Statement states, in part, that “Malibu will maintain its rural character by establishing programs and policies that avoid suburbanization and commercialization of its natural and cultural resources.” Further, the overriding goals of the City shall be to “(a) Protect, maintain, and where feasible, enhance and restore the overall quality of the coastal zone environment and its natural and artificial resources; and (b) Assure orderly, balanced utilization and conservation of coastal zone resources taking into account the social and economic needs of the people of the state.” [LCP LUP, Section 1(D)].

G. In light of the foregoing considerations, the Planning Commission finds that the public welfare will be served and advanced by regulating the establishment of formula retail establishments.

H. On October 5, 2017, a one-quarter page Notice of Planning Commission Public Hearing was published in a newspaper of general circulation within the City of Malibu and published display ads in local newspapers, and was mailed to all interested parties; regional, state and federal agencies affected by the amendment; local libraries and media; and the California Coastal Commission.

I. On October 30, 2017, the Planning Commission held a duly noticed public hearing on ZTA No. 17-003, at which time the Planning Commission reviewed and considered the agenda report, reviewed and considered written reports, public testimony, and other information on the record.
SECTION 2. Environmental Review.

The Planning Commission has analyzed the project proposal described herein and has determined that the project is covered by the general rule that the California Environmental Quality Act (CEQA) applies only to projects which have the potential for causing a significant effect on the environment. Pursuant to CEQA Guidelines Section 15061(b)(3), where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The Planning Commission has determined that there is no possibility the proposed amendment may have a significant effect on the environment and accordingly, the exemption set forth in Section 15061(b)(3) applies.

Without waiving its right to rely on the above-referenced exemption, when adopting its first formula retail ordinance (Ordinance No. 376) in 2014, the City nevertheless undertook an initial study (Initial Study No. 13-001) in the interest of providing meaningful information to the City’s decision-making body and fostering the most informed decision-making process practicable. The original formula retail ordinance did not authorize a use other than that already designated in the LCP and MMC as a permitted or conditionally permitted use in the zone. The project description, initial study and negative declaration were circulated for a 30-day public review period from March 13, 2013 to April 11, 2013.

Following circulation, minor revisions to the March 13, 2013 initial study and negative declaration were made which did not result in new environmental impacts. No substantial revisions to the negative declaration were made and recirculation was not required pursuant to CEQA Guidelines Section 15073.5. The City Council adopted Initial Study No. 13-001 and Negative Declaration No. 13-001 when it approved Ordinance No. 376, based on its determination that (i) there was no substantial evidence that the request set forth in the ordinance would have a significant effect on the environment and (ii) the negative declaration prepared for that request reflected the City’s independent judgment and analysis.

While Ordinance No. 376 applied only to the Civic Center area of the City whereas the proposed ordinance applies citywide, this difference is not significant given most commercial activity occurs in the Civic Center and the proposed ordinance again does not change the uses allowed or their intensity or density. While the City could conduct another initial study out of caution, it is not necessary due to the exemption. Planning Department staff has also conducted an initial review of the categories that would be examined in an initial study and cannot identify any potential impacts that would need to be studied.

SECTION 3. Zoning Text Amendment No. 17-003.

The Planning Commission hereby finds that ZTA No. 17-003 is consistent with the General Plan and LCP. The ordinance would support the objectives and policies of the General Plan intended to preserve and enhance the City’s unique, small-town feel, commercial character, and the needs of its visitors and residents. The ordinance will also ensure compatibility between land uses by reducing any potential negative indirect effects that have been associated with an over-abundance of formula retail establishments, such as shifting a community’s commercial variety and charm to familiarity and sameness, which conflict with and frustrate the City’s goals of remaining unique while promoting a diverse retail base.
The ZTA advances the General Plan Vision Statement which reads, “Malibu is a unique land and marine environment and residential community whose citizens have historically evidenced a commitment to sacrifice urban and suburban conveniences in order to protect that environment and lifestyle, and to preserve unaltered natural resources and rural characteristics. The people of Malibu are a responsible custodian of the area’s natural resources for present and future generations.” The City is committed to “manage growth to preserve a rural community character” [General Plan LU Element, Section 1.4.2] and encouraging the “…establishment and continued operation of small neighborhood and community serving businesses.” [General Plan LU Policy 4.4.1]. Further, the City must ensure that commercial “visitor serving retail uses … fit the character and scale of the surrounding community.” [LCP LUP Policy 5.12, in part]. The overriding goals of the City are to: “(a) Protect, maintain, and where feasible, enhance and restore the overall quality of the coastal zone environment and its natural and artificial resources; and (b) Assure orderly, balanced utilization and conservation of coastal zone resources taking into account the social and economic needs of the people of the state.” [LCP LUP, Section 1(D)].

The proposed ordinance does not authorize a use other than that already designated in the LCP and MMC as a permitted or conditionally permitted use in the zone. The proposed ordinance is consistent with the Coastal Act and the LCP because it protects, maintains and enhances the overall quality of the coastal zone environment. The proposed ordinance will not alter the utilization or conservation of coastal zone resources, impede public access to and along the coastal zone, or interfere with the priorities established for coastal-dependent or coastal-related development.

SECTION 4. Zoning Text Amendments.

A. Section 17.02.060 (Definitions) of Title 17 of the Malibu Municipal Code is amended to add the following new definitions, inserted in alphabetical order:

“Array of merchandise or menu” means 50 percent or more of in-stock merchandise or menu items.”

“Color scheme” means the selection of colors used throughout, such as on the furnishings, wall coverings, or as used on the façade. Standardized lighting is considered part of the color scheme.

“Décor” means the style of interior finishes such as the style of furniture, wall coverings, or permanent fixtures.”

“Façade” means the face of the front of a building or tenant space oriented onto a street or public open space. Awnings are considered part of the façade.

“Formula retail” means any type of retail sales activity and/or retail service activity conducted within a retail establishment which, along with ten or more in the world other existing, operational retail establishments maintains two or more of the following features: 1) standardized array of merchandise or menu; 2) standardized color scheme; 3) standardized décor; 4) standardized façade; 5) standardized layout; 6) standardized signage, a servicemark, or a trademark; 7) uniform apparel.

“Layout” means the interior arrangement of furniture, service area, or permanent fixtures.
“Servicemark” means a word, phrase, symbol, or design, or a combination of words, phrases, symbols, or designs that identifies and distinguishes the source of a service from one party from those of others.

“Trademark” means a word, phrase, symbol, or design, or a combination of words, phrases, symbols, or designs that identifies and distinguishes the source of the goods from one party from those of others.

“Uniform apparel” means standardized items of clothing such as aprons, pants, shirts, dresses, hats and pins (other than name tags), as well as standardized colors of clothing.

“Retail establishment” means a commercial establishment that provides goods and/or services directly or indirectly to the consumer such as general retail, eating and drinking places, beauty, personal services, professional office, amusement, health, fitness and galleries.

“Shopping center” means a group of individual retail, retail service, office, and other commercial establishments operating in a complex having at least 10,000 square feet of gross floor area, whether on one parcel or multiple parcels, and under common management. This definition is for purposes of Chapter 17.61 only.

B. Chapter 17.61 (Formula Retail Clearance) is hereby added to Title 17 of the Malibu Municipal Code to read as follows:

Section 17.61.010 Purpose.

The purpose of this chapter is to promote and maintain a distinct community character and a diverse retail base. This chapter is intended to encourage retail elements that promote variety while contributing to and maintaining the City’s small-town atmosphere and to prevent the proliferation of businesses that create an homogenized retail experience.

17.61.020 Applicability.

A formula retail clearance under this chapter shall be required for all new formula retail establishments and for existing formula retail establishments that relocate to a new tenant space or expand by 200 square feet or more of gross floor area, except for the following types of formula retail establishments which are exempt:

1. Grocery
2. Drug stores/pharmacies
3. Gas stations
4. Banks and financial services
5. Real estate offices
6. Movie theaters
7. Postal service offices
8. Medical offices
9. Legally established formula retail businesses existing as of November 1, 2017, for as long as the business is in continuous operation and does not expand its gross floor area
17.61.030 Formula Retail Clearance.

A formula retail clearance is required for all non-exempt formula retail establishments. Prior to initiation of any such permitted or conditionally permitted use or issuance of a certificate of occupancy for such retail establishment, the property owner must obtain a formula retail clearance. The planning director or his/her designee shall issue a formula retail clearance if the formula retail use complies with the following requirements:

A. The gross floor area of the establishment does not exceed 2,500 square feet of gross floor area.

   1. Notwithstanding the provisions of this section, if the formula retail business demonstrates that over half of its goods, services and menu are available only in the City and are not substantially similar to offerings available online or in other locations of the same business, the limit shall instead be 3,500 square feet of gross floor area.

   2. Formula retail clearances issued for locations occupying a space that exceeds 2,500 square feet of gross floor area must submit to a yearly audit to certify compliance. In addition, the business owner must preserve and provide records as required by the City to monitor compliance.

B. If in a shopping center, issuing the clearance will not result in non-exempt formula retail establishments occupying more than 30 percent of the total gross floor area or leasable tenant spaces of a shopping center.

C. If not located in a shopping center, issuing the clearance will not result in non-exempt formula retail establishments being located within 500 feet of a formula retail establishment.

17.61.040 Transferrable.

A formula retail clearance is transferrable to a new business in the same land use category located at the exact same location or tenant space, so long as the square footage of the gross floor area is not increased.
SECTION 5. The Planning Commission shall certify the adoption of this resolution.

PASSED, APPROVED AND ADOPTED this 30th day of October 2017.

MIKKE PIERSON, Planning Commission Chair

ATTEST:

KATHLEEN STECKO, Recording Secretary

I CERTIFY THAT THE FOREGOING RESOLUTION NO. 17-89 was passed and adopted by the Planning Commission of the City of Malibu at the Special meeting held on the 30th day of October 2017 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

KATHLEEN STECKO, Recording Secretary
NOTICE OF PUBLIC HEARING
CITY OF MALIBU
PLANNING COMMISSION

The Malibu Planning Commission will hold a public hearing on Monday, October 30, 2017, at 6:30 p.m. in the Council Chambers, Malibu City Hall, 23825 Stuart Ranch Road, Malibu, CA, for the project identified below.

FORMULA RETAIL ORDINANCE

ZONING TEXT AMENDMENT NO. 17-003 — An amendment to 1) repeal Malibu Municipal Code Sections 17.02.045, 17.22.060, 17.24.050, 17.26.050, 17.28.050, 17.30.050 and 17.66.130; repeal amendments to General Plan Sections 1.4.2 LU Element Goal 2 and 1.5.18 and Figures LU-2(A)-(E), put in place by Measure R to require voter approved specific plans for certain commercial developments over 20,000 square feet in size and impose regulations on formula retail uses) as ordered by the court of appeal in Park at Cross Creek, LLC v. City of Malibu (2017) 12 Cal.App.5th 1196; and 2) institute new regulations and limits on formula retail uses (commonly known as chain stores) within any shopping center in the City and make other associated changes to Title 17 of the Malibu Municipal Code

Applicant: City of Malibu
Location: Citywide
City Planner: Stephanie Hawner, Senior Planner
(310) 456-2489, extension 276
shawner@malibucity.org

The California Environmental Quality Act (CEQA) applies only to projects which have the potential for causing a significant effect on the environment. Pursuant to CEQA Guidelines Section 15061(b)(3), where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. After analyzing the project, the Planning Director determined that there is no possibility the amendment will have a significant effect on the environment and accordingly, the exemption set forth in Section 15061(b)(3) applies.

A written staff report will be available at or before the hearing. All persons wishing to address the Commission will be afforded an opportunity in accordance with the Commission's procedures.

Copies of all related documents are available for review at City Hall during regular business hours. Written comments may be presented to the Planning Commission at any time prior to the beginning of the public hearing.

IF YOU CHALLENGE THE CITY'S ACTION IN COURT, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES YOU OR SOMEONE ELSE RAISED AT THE PUBLIC HEARING DESCRIBED IN THIS NOTICE, OR IN WRITTEN CORRESPONDENCE DELIVERED TO THE CITY, AT OR PRIOR TO THE PUBLIC HEARING.
If there are any questions regarding this notice, please contact Stephanie Hawner, Senior Planner, at (310) 456-2489, extension 276.

Bonnie Blue  
Planning Director

Publish Date: October 5, 2017