

RESOLUTION NO. 2025-P016

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CULVER CITY, CALIFORNIA, RECOMMENDING THE CITY COUNCIL APPROVE ZONING CODE AMENDMENT, P2025-0240-ZCA, THAT AMENDS CULVER CITY MUNICIPAL CODE (CCMC) CHAPTER 15.10, SUBDIVISIONS; AMENDS CCMC SECTION 17.400.095, RESIDENTIAL USES – ACCESSORY DWELLING UNITS; AND ADOPTS CCMC SECTION 17.400.096, ACCESSORY DWELLING UNITS AS CONDOMINIUMS.

(Zoning Code Amendment, P2025-0240-ZCA)

WHEREAS, the City of Culver City General Plan 2045 Land Use and Housing Elements establishes goals and programs that encourage and support updating the municipal code; and

WHEREAS, Culver City Municipal Code (CCMC), Chapter 15.10, Subdivisions (or the “Subdivision Ordinance”) was updated on May 27, 2025, by Ordinance 2025-007, to comply with current State law; and

WHEREAS, it is important to periodically review the ordinance for potential constraints and opportunities to support housing development and identify conflicts with the California State Subdivision Map Act (State Subdivision Law); and

WHEREAS, the State of California adopted Senate Bill 684 (SB 684), as later amended by SB 1123, which aims to streamline approvals for homes in infill developments of 10 or fewer lots and 10 or fewer residential units in single-family and multi-family zones by amending the Subdivision Map Act (SMA), the California law that regulates the creation and improvement of subdivisions and lot splits; and

WHEREAS, SB 684 and SB 1123 reference Government Code Section 66499.41(g), which states, “*If a local agency chooses to permit accessory dwelling units or junior accessory dwelling units, the units shall not count as residential units for the purposes of paragraph (1) of subdivision (a).*”

WHEREAS, City staff is proposing ordinance language that will: (1) comply with State Subdivision Law and incorporate the provisions of Government Code Section 66499.41(g) as more specifically stated above; (2) facilitate residential developments by streamlining the subdivision process; (3) provide opportunities for housing production and homeownership when a qualified subdivision is involved; and

1 (4) implement small lot subdivision procedures and standards, which reflects the input from the City
2 Council Standing Housing and Homelessness Subcommittee; and

3 WHEREAS, on October 10, 2025, the State of California adopted Assembly Bill 1154 (AB 1154),
4 which amended California Government Code Section 66333 to only require owner-occupancy of a
5 JADU if the JADU is dependent on shared sanitation facilities with the attached single-family residence;
6 and,

7 WHEREAS, on October 11, 2023, the State of California adopted Assembly Bill 1033 (AB 1033),
8 authorizing local jurisdictions with the ability to adopt a local ordinance to allow the separate subdivision,
9 conversion, sale, or conveyance of ADUs as condominiums pursuant to the Davis-Stirling Common
10 Interest Development Act, the California SMA, and the requirements of CCMC Chapter 15.10,
11 Subdivisions, and;

12 WHEREAS, to implement the proposed Project, approval of the following is required:

13 1. Zoning Code Amendment P2025-0240-ZCA: an amendment to the Culver City Municipal
14 Code Chapter 15.10, Subdivisions, Section 17.400.095, Residential Uses – Accessory Dwelling Units
15 (ADUs), and the adoption of Section 17.400.096 to permit the separate sale and conveyance of ADUs
16 as Condominiums to conform with State law; and
17

18 WHEREAS, pursuant to the California Environmental Quality Act (CEQA), the proposed
19 amendments are considered exempt from CEQA pursuant to Public Resources Code Section 21080.17,
20 which exempts the adoption of an ordinance approving zoning code amendments related to ADUs
21 implementing the provisions of Government Code Section(s) 66314 and 66333; and
22

23 WHEREAS, pursuant to the CEQA Guidelines Section 15183, the proposed local adoption and
24 implementation of AB 1033 and Government Code Section 66342 is within the analyzed development
25 potential in the Culver City General Plan 2045 EIR as adopted by the City Council on October 9, 2024;
26 and
27

28 WHEREAS, on November 12, 2025, after conducting a duly noticed public hearing on the
29 subject application, including full consideration of the staff report, environmental information, and all

testimony presented, the Planning Commission, by a vote of _ to _, recommended the City Council approve Zoning Code Amendment, P2025-0240-ZCA, as set forth herein below.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF CULVER CITY, CALIFORNIA, RESOLVES AS FOLLOWS:

SECTION 1. Pursuant to the foregoing recitations and the provisions of the Culver City Municipal Code (CCMC), the following findings are hereby made:

Zoning Code Amendment P2025-0240-ZCA

As outlined in CCMC Title 17, Section 17.620.030, the following required findings for General Plan and Zoning Code Map Amendments are hereby made:

- 1. The proposed amendment ensures and maintains internal consistency with the goals, policies, and strategies of all elements of the General Plan, and, in the case of a Zoning Code amendment, will not create any inconsistencies with this Title.**

The proposed Zoning Code Amendment creates standards and processes in support of the following goals and policies in the General Plan Housing Element and Land Use and Community Design Element:

Housing Element

Goal 2: A city with a variety of rental and ownership housing opportunities that complement and enhance the city's goals for continued economic vitality and prosperity.

Goal 3: A city that plans to grow sustainably and intelligently by revisiting policies and programs frequently to update and adjust if they are not meeting goals.

Policy 2.D: Encourage the incremental infilling of residential neighborhoods to enhance housing affordability and supply through the provision of smaller units.

Policy 2.E: Promote programs that seek to provide housing opportunities to meet the needs of people who work in the city.

Policy 4.J: Explore ways to encourage the development of ownership housing for affordable, moderate/workforce housing, including opportunities for employer-provided permanent housing.

Policy 6.E: Continue to evaluate and reduce regulatory and procedural barriers to housing production, such as streamlining the entitlement, environmental, and building permit processes for households of all income levels and those with special needs.

Policy 6.F: Periodically review City regulations and fees to ensure they are not suppressing housing development.

Land Use and Community Design Element

Policy LU-2.4: Equity homeownership models. Explore expanded use of shared equity homeownership models, including a community land trust, to increase home ownership.

1 *Policy LU-3.3: Development standards review program. Evaluate and modify existing development*
2 *standards that prevent development on small sites, e.g., setbacks and height transitions. Create*
3 *project thresholds based on parcel size bands for which simplified development standards apply.*

4 *Policy LU-3.4: Small parcel housing development. Support housing development on small mixed*
5 *use lots.*

6 *Policy LU-11.2: Diversity of housing types. Encourage a variety of housing types to equitably serve*
7 *varying household types, including, but not limited to, single-family attached and detached units,*
8 *accessory dwelling units, duplexes, and triplexes.*

9 *Policy LU-11.3: Small-scale infill and duplex development. Encourage small-scale infill and duplex*
10 *development (SB 9) in existing residential neighborhoods.*

11 *Policy LU-18.6: By-right development for small projects. Develop thresholds for small development*
12 *projects with by right approval. Encourage desired development outcomes by providing clear,*
13 *objective standards. Study preparation of “pattern books” or similar design guides to encourage*
14 *high-quality outcomes for small developments that may have limited design resources.*

15 As noted above, the proposed Zoning Code Amendment expands streamlined approvals of
16 qualifying small lot subdivisions to add 1 ADU per newly created lot, removing potential constraints
17 to housing production, subject to applicable local development standards and State law. It
18 facilitates the creation of a diverse range of rental and homeownership opportunities that are
19 compatible with the needs of all socioeconomic segments of the community. The specific
20 regulations therein are consistent with State law allowing up to 10 lots and units per qualifying lot,
21 and they support existing administrative approvals for subdivision maps and development projects
22 involving 25 or less residential units as permitted by CCMC Section 17.540.010.

23 **2. The proposed amendment would not be detrimental to the public interest, health, safety,**
24 **convenience or welfare of the City.**

25 The proposed Zoning Code Amendment is not anticipated to result in a detrimental impact to public
26 health, safety, or welfare. Any future development, subdivision, sale or conveyance of property
27 shall comply with all applicable standards in the CCMC, the California Subdivision Map Act, and
28 corresponding State law. In addition, all new subdivisions would also have to be in strict adherence
29 to the latest City building, life and safety codes, which ensure that future inhabitants of structures
within the subdivisions and surrounding land uses are protected from any potential impact to public
health, safety, and welfare.

30 **3. The proposed amendment is in compliance with the provisions of the California**
31 **Environmental Quality Act (CEQA).**

32 The proposed Zoning Code Amendment (P2025-0240-ZCA) is considered exempt from CEQA
33 pursuant to Public Resources Code Section 21080.17, which exempts the adoption of an ordinance
34 approving zoning code amendments related to ADUs implementing the provisions of Government
35 Code Section(s) 66314 and 66333.

36 Further, pursuant to California Code of Regulations, Title 14, Section 15183 of the California
37 Environmental Quality Act (CEQA) Guidelines, the proposed local adoption and implementation of
38 AB 1033 and Government Code Section 66342 is within the analyzed development potential in the
39

1 Culver City General Plan 2045 EIR as adopted by the City Council on October 9, 2024, and,
2 therefore, no further environmental review under CEQA is required.

3 SECTION 2. Pursuant to the foregoing recitations and findings, the Planning Commission of
4 the City of Culver City, California, hereby recommends the City Council adopt the Zoning Code
5 Amendment contained in P2025-0240-ZCA, adopt an exemption pursuant to the California
6 Environmental Quality Act (CEQA) Section 15183 and Public Resources Code Section 21080.17;
7 amend CCMC Chapter 15.10 to allow Accessory Dwelling Units in qualified lot subdivisions; amend
8 CCMC Section 17.400.095 to remove owner-occupancy requirements for Junior Accessory Dwelling
9 Units; and adopt CCMC Section 17.400.096 to permit the separate sale and conveyance of Accessory
10 Dwelling Units as condominiums: the proposed Amendment is set forth in Exhibit A attached hereto and
11 incorporated herein by this reference.
12

13 ///

14 ///

15 APPROVED and ADOPTED this 12th day of November, 2025.
16
17
18

19 _____
20 DARREL MENTHE - CHAIRPERSON
21 PLANNING COMMISSION
22 CITY OF CULVER CITY, CALIFORNIA

23 Attested by:
24
25

26 _____
27 RUTH MARTIN DEL CAMPO, SECRETARY
28
29

CHAPTER 15.10: SUBDIVISIONS

§ 15.10.015 DEFINITIONS.

Whenever words or phrases used in this Chapter are not defined herein but are defined in the California Business and Professions Code and/or Subdivision Map Act, and/or the Culver City Municipal Code, such definitions are incorporated and shall apply as though set forth in full herein, unless the context clearly indicates a contrary intention. All words used in the singular shall include the plural, and plural the singular; each gender shall include the others; any tense shall include the other tense; the word **SHALL** is mandatory; and the word **MAY** is permissive.

MULTI-FAMILY LOT SPLIT. A subdivision that results in ten (10) or fewer parcels and consists of ten (10) or fewer residential units, not including Accessory Dwelling Units, on a lot zoned for multi-family residential development. Each lot shall allow up to one (1) Accessory Dwelling Unit or one (1) Junior Accessory Dwelling Unit per lot, pursuant to Cal. Gov't Code §§ 65852.28, 65913.4.5, and 66499.41.

§ 15.10.945 MINISTERIAL LOT SUBDIVISIONS.

A. *Purpose.* This section is adopted pursuant to Cal. Gov't Code §§ 65852.28, 65913.4.5, and 66499.41 for the purpose of implementing the State's and City's regulations to ministerially approve a parcel map for a subdivision resulting in ten (10) or fewer parcels and the proposed development projects resulting in ten (10) or fewer **residential** units. Subdivisions subject to Cal. Gov't Code §§ 65852.28, 65913.4.5, and 66499.41 shall comply with all applicable standards listed therein and as amended.

B. *Multi-family zoned ministerial lot subdivisions requirements.*

1. The lot shall be zoned as Low Density Multiple-Family Residential district (RLD), Medium Density Multiple-Family Residential district (RMD), or High Density Multiple-Family Residential district (RHD).

2. The lot shall be no larger than five (5) acres and is substantially surrounded by qualified urban uses. **QUALIFIED URBAN USE** has the same meaning as defined in Cal. Public Resources Code § 21072.

3. The newly created parcels shall be no smaller than 600 square feet.

C. *Single-family zoned ministerial lot subdivisions requirements.*

1. The lot shall be zoned as Single-Family Residential district (R1) or Two-Family Residential district (R2).

2. The lot shall be vacant. **VACANT** means having no permanent structure, unless the permanent structure is abandoned and uninhabitable.

3. The lot shall also be no larger than one and one-half (1½) acres and surrounded by urban uses.

4. The newly created parcels shall be no smaller than one thousand two hundred (1,200) square feet

5. Each newly created parcel may permit one (1) accessory dwelling unit or one (1) junior accessory dwelling unit, and the units shall not count toward the maximum number of residential units.

D. *Fire standards.*

1. For the purpose of deploying industry-standard hose packs, all dwelling units must be located within two hundred fifty (250) feet of the public right-of-way of a dry standpipe installed on the property with approval of the Fire Chief;

2. Where two (2) dwelling units are configured as sharing a common wall, a one (1)-hour fire wall between the units is required;

3. All new dwelling units are required to have fire sprinklers. All new dwelling units are required to use fire-resistant building materials.

E. *Housing unit standards.* The housing units on the lot proposed to be subdivided are one (1) of the following:

1. Constructed on fee simple ownership lots.

2. Part of a common interest development.

3. Part of a housing cooperative, as defined in Cal. Civil Code § 817.

4. Constructed on land owned by a community land trust. For the purpose of this subparagraph, "community land trust" means a nonprofit corporation organized pursuant to § 501(c)(3) of the Internal Revenue Code as per Cal. Gov't Code § 66499.41(a)(4)(D)

5. Part of a tenancy in common, as described in Cal. Civil Code § 685.

F. *Development requirements.* The proposed development will, pursuant to the requirements of this division, meet one (1) of the following, as applicable:

1. If the parcel is identified in the Housing Element for the current planning period that is in substantial compliance with Article 10.6 (commencing with § 65580) of Chapter 3 of Division 1 of Title 7 (California Government Code Planning and Land

Use), the development will result in at least as many units as projected for that parcel in the housing element. If the parcel is identified to accommodate any portion of the City's share of the regional housing need for low- or very low-income households, the development will result in at least as many low- or very low-income units as projected in the Housing Element. These units shall be subject to a recorded affordability restriction of at least forty-five (45) years.

2. If the parcel is not identified in the Housing Element for the current planning period that is in substantial compliance with Cal. Gov't Code Article 10.6 (commencing with § 65580) of Chapter 3 of Division 1 of Title 7, the development will result in at least sixty-six (66) percent of the maximum allowable residential density as specified by local zoning or sixty-six (66) percent of the applicable residential density specified in Cal. Gov't Code § 65583.2(c)(3)(B), whichever is greater.

3. Where Title 17 Zoning does not specify a maximum allowable residential density, the development will result in at least sixty-six (66) percent of the applicable residential density as specified in Cal. Gov't Code § 65583.2(c)(3)(B).

G. Building and design standards.

1. The average total area of floorspace of the proposed housing units cannot exceed one thousand seven hundred fifty (1,750) net habitable square feet;

2. All electrical and utility services to a new dwelling unit shall be underground.

3. The parcels must comply with applicable objective standards of the Subdivision Map Act;

4. The parcels must be served by a public water system and municipal sewer system;

H. Permit review process.

1. An application for a ministerial lot subdivision shall be filed by the property owner or an agent of the property owner on the City's approved form, subject to a fee in an amount established by City Council resolution. The City will inform the applicant in writing of any incompleteness within thirty (30) days after an application is submitted;

2. An application for a ministerial lot subdivision shall meet the requirements set forth in this Chapter;

3. The City shall act upon an application for a ministerial lot subdivision without a discretionary review or public hearing, within sixty (60) days calendar days after a complete application is filed. The time limit specified in this chapter may be extended by mutual consent of the applicant and the City;

4. The Planning Director, or designee, shall review and have final approval authority for ministerial lot subdivisions without public hearings or discretionary review.

I. Denial. A proposed ministerial lot subdivision shall not be approved in any of the following:

1. The lot to be subdivided was created by an Urban Lot Split;

2. The proposed residential development would have a specific, adverse impact, as defined and determined in Cal. Gov't Code § 65589.5(d)(2), upon public health and safety and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact;

3. The site is located within wetlands, as defined in U.S. Fish and Wildlife Service Manual, Part 660, PW 2 (June 21, 1993);

4. The site is located on a hazardous waste site that is listed per Cal. Gov't Code § 65962.5 or designated by Cal. Health and Safety Code § 25356;

5. The site is located within a delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist, unless the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law;

6. The site is located within a special flood hazard area for the 100-year flood (any Zone A, Zone AO, or Zone B), unless the site has been subject to a Letter of Map Revision prepared by the Federal Emergency Management Agency and issued to the local jurisdiction, or the site meets Federal Emergency Management Agency requirements necessary to meet minimum flood plain management criteria of the National Flood Insurance Program pursuant to Part 59 (commencing with § 59.1) and Part 60 (commencing with § 60.1) of Subchapter B of Chapter 1 of Title 44 of the Code of Federal Regulations;

7. The site is located within a regulatory floodway as determined by the Federal Emergency Management Agency in any official maps published by the Federal Emergency Management Agency, unless the development has received a no-rise certification in accordance with § 60.3(d)(3) of Title 44 of the Code of Federal Regulations;

8. The site is located on lands identified for conservation in an adopted natural community conservation plan pursuant to the Natural Community Conservation Planning Act (Chapter 10 (commencing with § 2800) of Division 3 of the Cal. Fish and Game Code), habitat conservation plan pursuant to the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), or other adopted natural resource protection plan;

9. The site is located within habitat for protected species identified as candidate, sensitive, or species of special status by

state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with § 2050) of Division 3 of the Cal. Fish and Game Code), or the Native Plant Protection Act (Chapter 10 (commencing with § 1900) of Division 2 of the Cal. Fish and Game Code);

10. The site is located on lands under conservation easement;

11. The proposed housing development would result in fewer dwelling units than would otherwise be allowed on the site by the General Plan Land Use Element, in accordance with the State's No Net Loss requirements; or

12. The proposed subdivision will result in any existing dwelling unit being alienable separate from the title to any other existing dwelling unit on the lot.

J. Map requirements.

1. The proposed subdivision will result in ten (10) or fewer parcels and the housing development project on the lot proposed to be subdivided will contain ten (10) or fewer residential units, not including Accessory Dwelling Units permitted by this Section 15.10.945;

2. All easements required for the provision of public services and facilities shall be provided to the satisfaction of the City Engineer;

3. Each parcel shall be served by a separate water service meter, a separate sewer connection, and gas connection if required;

4. Each parcel shall drain to the street or to a developed drainage easement;

5. A flag lot, or a lot with a narrow projecting strip of land extending to or along a public right-of-way frontage, shall not be permitted unless the configuration of the parcel requires a flag lot in order to create two (2) parcels as allowed in this Section;

6. Lot depth shall be measured at average distance between the front and rear lot line of the newly created lot;

7. New lot lines shall be straight lines, unless there is a conflict with existing improvements or the natural environment in which case the line may not be straight but shall follow the appropriate natural course;

8. Lot lines shall not render an existing structure as nonconforming in any respect (e.g. setbacks, open yard, Floor Area Ratio, parking), nor increase the nonconformity of an existing nonconforming structure;

9. The proposed subdivision conforms to all applicable objective requirements of the Subdivision Map Act.

K. *Fees.* The City Council resolution may establish and set by resolution all fees and charges, consistent with applicable law, as may be necessary to effectuate the purpose of this Chapter.

(Ord. No. 2025-007, Exhibit A (part))

§ 15.10.950 SMALL LOT SUBDIVISIONS.

The purpose of this Section is to create alternative fee-simple home ownership within multi-family zones. A Small Lot Subdivision shall be permitted in the RLD, RMD, and R2 zones pursuant to an approved Map or Parcel Map. A subdivision for the purposes of small lots enables the construction of new small lot homes, and Accessory Dwelling Units pursuant to California Government Code Sections 66342 and 66499.41.

A. *Construction of new Small Lots.* Notwithstanding any provisions of this Code relating to minimum lot area, in the RLD, RMD, and R2 zones, parcels of land may be subdivided into lots which may contain one (1) or more dwelling units, provided that the density of the subdivision does not exceed the maximum density requirement established for each zone prior to the subdivision.

1. A Parcel Map or Map shall be required for the creation of Small Lot Subdivision. Processes for Small Lot Subdivisions shall be the same as those prescribed in §§ 15.10.265, 15.10.310, 15.10.405, or 15.10.625, as applicable or as otherwise required by State law. The map must comply with the Small Lot Map Standards; and

2. For Small Lot Subdivision projects, no demolition, grading, building permit or certificate of

occupancy shall be issued unless the Planning Director, or designee, has reviewed the application (Administrative Review), and determined that the Small Lot Subdivision project complies with the Planning Commission's Small Lot Design Standards.

a. The Planning Director, or designee, shall establish guidelines, requirements, and forms as may be necessary to review the Administrative Site Plan Review to determine conformance with the Small Lot Design Standards.

b. The application for this Administrative Site Plan Review shall be filed concurrent with the Map or Parcel Map application and at any time a subsequent alteration or addition is proposed.

c. As a condition of approval, all Small Lot Subdivisions shall be required to conform to the plans approved by the Planning Director, or designee.

3. The minimum lot width shall be eighteen (18) feet and the minimum lot area shall be nine hundred (900) square feet. The review authority shall designate the location of front yards in the subdivision Map or Parcel Map approval.

4. Access shall be provided to a lot containing a dwelling unit and to its parking spaces, pursuant to §17.300.015 of the Municipal Code by way of a public or private street, an alley, or an access easement.

5. The lot area coverage by all structures shall not exceed seventy-five (75) percent of an approved small lot, unless the Map or Parcel Map provides an open space easement equivalent to twenty-five (25) percent of the lot area of each lot not meeting this provision.

6. No front, side, or rear yard setbacks shall be required between interior lot lines created within an approved Small Lot Subdivision except as required by the California Building Code. If individual dwellings are separated beyond the minimum required setback by the California Building Code, then the front, side, or rear yard setbacks between interior lot lines created within an approved Small Lot Subdivision shall be at least two (2) feet if the subdivision provides common access and use agreement for both adjacent lots or four (4) feet if there is no common access and use agreement between both adjacent lots.

7. The provisions of the front street facing yard of the underlying zone shall apply to the front lot line of the perimeter of the subdivision.

8. The following shall apply to the perimeter of the subdivision:

a. For any subdivision that shares a property line with an R1 or more restrictive single-family zone, the provisions of the front yard, side yard and rear yard of the underlying zone shall apply. A minimum five (5)-foot side yard shall be required.

b. For any subdivision that does not share a property line with an R1 or more restrictive single-family zone, the following shall apply:

(1) A minimum five (5)-foot yard shall be required along the Side Lot Line of the perimeter of the subdivision; and

(2) A minimum ten (10)-foot yard shall be required along the Rear Lot Line of the perimeter of the subdivision, except that where the Rear Lot Line abuts an alley a minimum five (5)-foot rear yard shall be required along the perimeter of the subdivision.

9. Fences and walls within the yard setback areas adjacent to a public right-of-way and along the perimeter of the proposed subdivision shall be no more than four (4) feet in height in accordance with § 17.300.030 of this Code. Fences and walls

within the side and rear yard setback areas along the perimeter, not adjacent to the public right-of-way, of the proposed subdivision shall be no more than six (6) feet in height in accordance with § 17.300.030 of this Code.

B. The Small Lot Subdivision must comply with the following findings for approval:

1. The general layout of the project, including orientation and location of buildings, open space, vehicular and pedestrian access and circulation, parking and loading facilities, building setbacks and heights, and other improvements on the site, is consistent with the purpose and intent of this Chapter, the requirements of the zoning district in which the site is located, and with all applicable development standards and design guidelines.

2. The architectural design of the structure(s) and landscaping shall be consistent with the Small Lot Subdivision Design standards listed in the Culver City Objective Design Standards.

3. The design and layout of the proposed project will not interfere with the use and enjoyment of neighboring existing or future development, will not result in vehicular or pedestrian hazards, and will be in the best interest of the public health, safety, and general welfare.

4. The existing or proposed public facilities necessary to accommodate the proposed project (e.g., fire protection devices, parkways, public utilities, sewers, sidewalks, storm drains, streetlights, traffic control devices, and the width and pavement of adjoining streets and alleys) will be available to serve the subject site.

5. The proposed project is consistent with the General Plan and any applicable specific plan.

(Ord. No. 2025-007, Exhibit A (part))

§ 17.400.095 RESIDENTIAL USES – ACCESSORY DWELLING UNITS.

For Accessory Dwelling Units compliant with Cal. Gov't Code§ 66323, see Subsection A. Subsections B. through K. establish the standards for the development of an Accessory Dwelling Unit (ADU) not covered by Cal. Gov't Code § 66323 and Subsection M. establishes the standards for the development of a Junior Accessory Dwelling Unit (JADU), in compliance with Article 2 (Zoning Districts, Allowable Land Uses and Zone-Specific Standards). Cal. Gov't Code§§ 66310 through 66342 shall supersede any conflicting portions of this ordinance.

A. Statewide Exemption ADU (Cal. Gov't Code § 66323). The following ADUs are not required to comply with lot coverage, front setbacks, and design standards and are not subject to other State or local Code requirements except for building code and health and safety requirements for dwellings:

1. One ADU and one JADU per lot within the proposed space of a single-family home or the existing space of a single-family dwelling or accessory structure which may include an expansion of not more than 150 square feet beyond the same physical dimensions of the existing accessory structure. An expansion beyond the physical dimensions of the existing accessory structure shall be limited to accommodating ingress and egress. The ADU must have exterior access from the proposed or existing single family dwelling. The JADU must comply with the requirements of section 17.400.095.M.
2. One detached, new construction, ADU that does not exceed four-foot side and rear yard setbacks for a lot with a proposed or existing single-family dwelling. The ADU can be no more than 800 square feet and not taller than the heights provided in Cal. Gov't Code§ 66321(b)(4)(A), (B), or (C), as applicable.
3. ADUs within portions of existing multi-family dwellings as described in Section 17.400.095.E.2.a.
4. Detached ADUs on a lot with existing multi-family dwellings, as described in Section 17.400.095.E.2.b.
5. Detached ADUs on a lot with a proposed multi-family dwelling as described in Section 17.400.095.E.2.b.

B. Maximum Unit Size.

1. The maximum permitted unit size of an attached ADU shall not exceed 850 square feet for a one-bedroom unit or 1,200 for a two or more-bedroom unit, or 50% of the gross square footage of the primary dwelling unit on the lot, whichever is less.
2. There is no maximum unit size for an ADU located entirely within a proposed or existing primary dwelling unit.
3. The maximum permitted size of a detached ADU shall not exceed 850 square feet for a one- bedroom unit or 1,200 square feet for a two or more-bedroom unit.
4. Maximum permitted unit size shall include any living area as defined in the California building code confined from exterior wall to exterior wall.

C. Minimum Unit Size. The minimum unit size of an attached or detached ADU shall be at least 150 square feet, including a kitchen and at least one three-quarter bathroom.

D. Zones in which ADUs may be Constructed. The construction, use, and maintenance of ADUs shall be permitted in areas zoned to allow single-family or multiple-family dwelling residential use. For purposes of this§ 17.400.095, a multiple-family dwelling unit is two or more attached dwelling units on a single property.

E. ADU Density and Development Standards.

1. **Single-family Dwellings.** ADUs are allowed on a property containing single-family dwellings under the following circumstances:
 - a. No more than one ADU within the proposed or existing square footage of a single-family dwelling or existing square footage of an accessory structure that meets specific requirements such as exterior access and setbacks for fire and safety.
 - b. No more than one detached new construction ADU.
 - c. No more than one JADU within the proposed or existing space of a single-family dwelling that meets specific requirements such as exterior access and setbacks for fire and safety as described in Subsection L.
2. **Multiple-family Dwellings.** As described in Section 17.400.095.A, ADUs are allowed on a property containing multiple-family dwellings or mixed-use structures on a lot containing multiple- family dwelling units under the following conditions:
 - a. **Converted Units.**
 - i. The number of ADUs shall not exceed 25% of the number of existing units, minimum one unit.
 - ii. The ADUs shall only be located within areas that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or attached garages.
 - b. **New Construction Units.**
 - i. The maximum height shall be 30 feet for a detached ADU on a lot with an existing or proposed multiple-family, multistory dwelling.
 - ii. A maximum of eight detached, ADUs shall be allowed on a property with existing multiple- family dwelling units, but not to exceed the number of existing primary dwelling units on the lot.

iii. A maximum of two ADUs shall be allowed on a property with proposed multiple-family dwellings.

- F. Height.** For subject properties located in the R1 or R2 Zoning District, the maximum height for ADUs shall be as established for residential structures in Article 2 (Zoning Districts, Allowable Land Uses and Zone-Specific Standards). For subject properties in all other zones, the maximum height for ADUs shall be 30 feet.
1. As established by Cal. Gov't Code § 66321, development standards in this Title shall apply to the extent they do not prohibit the construction of an ADU of up to 18 feet in height if detached or 25 feet in height if attached. Development standards in this Title shall also permit a detached ADU on a lot with an existing or proposed single-family or multifamily dwelling unit that is within one-half mile walking distance of a major transit stop or a high-quality commercial corridor an additional two feet in building height to accommodate a roof pitch on the ADU that is aligned with the roof pitch of the primary dwelling unit.
- G. Minimum Room Dimensions.** Minimum room dimensions, including ceiling heights, floor area and width, shall meet the Uniform Building Code regulations in effect at the time of construction, except for ADUs constructed before January 1, 2020 that are seeking legalization, which are only subject to Cal. Health and Safety Code § 17920.3 (Cal. Gov't Code § 66332).
- H. Location.**
1. ADUs may be within, attached to, or detached from and on the same lot as, a proposed or existing single-family dwelling, or within or detached from a multiple-family dwelling, and subject to compliance with front, side, and rear yard setback standards of the underlying zone except as allowed by Cal. Gov't Code § 66314(d)(7).
 2. ADUs may be located entirely within a proposed or existing primary dwelling unit or existing accessory structure; provided, the ADU has independent exterior access from the existing primary dwelling or accessory structure.
- I. Parking.** Parking for an ADU and replacement parking is not required.
- J. Habitability.** ADUs are fully habitable and shall include independent kitchen and bathroom facilities. ADUs shall be independent from the main dwelling without internal access.
- K. Occupancy Restrictions.** ADUs ~~shall not be sold separately from the primary residence and~~ shall not be used for rentals of terms of 30 days or less unless established as defined in Cal. Gov't Code §§ 66340 and 66341. Owner occupancy is not required for ADUs or JADUs unless the JADU is dependent on shared sanitation facilities with the attached single-family residence as provided in Cal. Gov't Code § 66333.
- L. Setbacks.**
1. An ADU shall have side and rear yard setbacks of at least two feet from lot lines abutting a special purpose or mixed use zone, street, or alley and at least four feet from lot lines when abutting a residential zone. An ADU shall abide by the front yard setback requirements of the zone in which it is located, unless otherwise permitted by Cal. Gov't Code § 66323.
 2. An ADU constructed entirely within a proposed or existing primary dwelling unit or an existing accessory structure, which has side and rear setbacks that are sufficient for fire safety, as determined by the Culver City Fire Department, shall not be subject to setback standards for new development.
 3. An ADU constructed above, or as a second story to, a garage or other accessory structure shall be setback a minimum of two feet from side and rear lot lines abutting a special purpose and mixed use zone, street, or alley and a minimum of four feet from side and rear lot lines when abutting a residential zone. An ADU constructed above, or as a second story to, a garage or other accessory structure shall abide by the front yard setback requirements of the zone in which it is located.
 4. **Through Lots.** An ADU constructed on a through lot is permitted to have a reduced setback of at least two feet from one front lot line along the property line that is of greater distance from the primary residence and/or the property line separating the parcel from the street of a higher classification or designation. In case of irregular lots, the Director shall determine which one front lot line is eligible for reduced setback except as allowed by Cal. Gov't Code § 66323.
- M. Junior Accessory Dwelling Units.** In addition to an ADU as provided in this Section, JADUs are permitted within an existing or proposed single-family residence, consistent with state law. The following establishes standards for junior accessory dwelling units.
1. **Maximum Unit Size.** A JADU may be up to 500 square feet.
 - a. Maximum permitted unit size shall include any livable space from exterior wall to exterior wall.
 2. **Density.** No more than one JADU is allowed on a property.
 3. **Location.** A JADU shall be located entirely within a proposed or existing primary dwelling unit, subject to the following:
 - a. A JADU may be in an attached garage but may not be in a detached accessory structure.
 - b. A JADU shall have separate exterior access independent from the proposed or existing primary dwelling unit.
 - c. A JADU must share significant interior connection to the primary dwelling if they are sharing a bathroom facility.
 4. **Parking.** Parking for a JADU and replacement parking is not required.
 5. **Habitability.** A JADU shall include an efficiency kitchen which shall include a cooking facility with appliances, a food preparation counter, and storage cabinets that are of reasonable size in relation to the size of the junior accessory dwelling

unit.

6. **Occupancy Restrictions.** If the JADU is dependent on shared sanitation facilities with the attached single-family residence as provided in Cal. Gov't Code § 66333, owner occupancy is required in either the remaining portion of the primary residence, another dwelling unit on the same lot, or the newly created JADU. Owner- occupancy shall not be required if the owner is another governmental agency, land trust, or housing organization. These occupancy restrictions shall be enforced through recordation of deed restrictions or covenant agreement recorded against the property per Cal. Gov't Code§ 66333(c).
7. **Conveyance.** JADUs shall not be sold separately from the primary dwelling unit and shall not be used for rentals of terms of 30 days or less.

N. Other Development Standards.

1. Unless stated in this Section, all other development standards for ADUs and JADUs shall apply according to the zone in which the subject property is located; including but not limited to, setbacks, building height, and distance between structures. This does not apply to units allowed pursuant to Cal. Gov't Code § 66323.
2. ADUs and JADUs do not need to comply with the Objective Design Standards described in Section 17.300.010.

O. Application Process. The following is the ministerial application process for accessory dwelling units and junior accessory dwelling units.

1. Applicant shall submit complete plan sets to the Building Safety Division. In order to be deemed complete, plans shall comply with all current applicable development standards. The Division shall approve or deny the application as established for ADUs in Cal. Gov't Code§§ 66316 and 66317 and for JADUs in Cal. Gov't Code§ 66355(a), (b) and (c). If the permit application to create or serve an ADU or a JADU is submitted with a permit application to create a new single-family or multifamily dwelling on the lot, no permit for the ADU or the JADU shall be issued until the permit application to create the new single-family or multifamily dwelling has been adjudicated, but the application to create or serve the ADU or JADU shall be considered without discretionary review or hearing. If the project is denied, the applicant will receive a full list of comments with remedies to correct any Code deficiencies.
2. Prior to Building Permit issuance, applicant for an ADU shall submit an Address Assignment Request Fee and Application to the Current Planning Division. An applicant for a JADU may, but is not required to, submit an Address Assignment Request Fee and Application.
3. Prior to Building Permit issuance, projects resulting in the creation of an ADU of 750 square feet or larger or the addition to an existing accessory structure to create an ADU of 750 square feet or larger shall pay all impact fees including the Mobility Improvement Fee pursuant to § 15.06.515 (Calculation and Payment of Fees) and the In-Lieu Parkland Dedication Fees pursuant to§ 15.06.300 (Park and Dedication or Payment of Fees) of this Code, except that any impact fees charged for an ADU of 750 square feet or more shall be charged proportionately in relation to the square footage of the primary dwelling unit.

(Ord. No. 2005-007 § 1 (part); Ord. No. 2017-007 § 2 (part); Ord. No. 2017-017 § 2; Ord. No. 2018-015 § 2 (part); Ord. No. 2020-001 § 2; Ord. No. 2021-012 § 3 (part); Ord. No. 2023-005 § 2; Ord. No. 2024- 006; Ord. No. 2025-006, Exhibit A)

§ 17.400.096 ACCESSORY DWELLING UNIT CONDOMINIUMS.

- A. Purpose.** The purpose of this Section is to establish standards, requirements, and procedures to allow separate sale or conveyance of a primary unit and an ADU or ADUs as condominiums pursuant to the regulations set forth in Government Code Section 66342. Any development standard or requirement not specifically addressed by this section or Government Code Section 66342 must conform to all other provisions of the municipal code and all other objective policies and requirements governing subdivisions.
- B. Separate Sale or Conveyance of ADUs.** An ADU or ADUs shall be separately sold or conveyed as condominiums only under the conditions outlined in this Section.
1. JADUs shall not be sold separately from the primary dwelling unit and shall not be used for rentals of terms of 30 days or less, pursuant to CCMC Chapter 17.400.095.M.7.
- C. ADU Condominium Requirements.** All ADU condominium projects subject to this Section shall be subject to the following requirements:
1. ADU condominium projects subject to this Section shall comply with all applicable provisions of the Culver City Municipal Code.
2. ADU condominiums shall be created pursuant to the Davis-Stirling Common Interest Development Act (Part 5 (commencing with Section 4000) of Division 4 of the Civil Code).
3. ADU condominiums shall be created in conformance with all applicable objective requirements of the Subdivision Map Act (Division 2 (commencing with Section 66410)) and all objective requirements of CCMC Chapter 15.10 - Subdivisions.
- a. The applicant shall obtain a parcel map or final map to establish the condominium parcels. A tentative map shall not be required.
- b. Creation of four or fewer condominium parcels for accessory dwelling units and associated primary dwellings shall require approval of a parcel map consistent with the requirements of Chapter 15.10.
- c. Creation of condominium parcels for five or more accessory dwelling units shall require approval of a tentative map and final map consistent with the requirements of Chapter 15.10.
- d. As provided in CCMC Chapter 17.540.010, residential projects that result in 25 units or subdivisions, including Condominium Conversions, shall be subject to Administrative Site Plan Review.
- D. ADU Development Standards.** All ADU development standards of CCMC Chapter 17.400.095 shall apply, unless exempted by state law or allowed pursuant to Cal. Gov't Code Section 66323.
- E. Safety inspection required.** Before recordation of the ADU condominium plan, a safety inspection of the ADU shall be conducted as evidenced either through a certificate of occupancy from the local agency or a housing quality standards report from a building inspector certified by the United States Department of Housing and Urban Development.
- F. Lienholder's consent required.** Lienholder's consent shall be required as follows:
1. Neither a subdivision map nor a condominium plan shall be recorded with the county recorder in the county where the real property is located without each lienholder's consent. The following shall apply to the consent of a lienholder:
- a. A lienholder may refuse to give consent.
- b. A lienholder may consent provided that any terms and conditions required by the lienholder are satisfied.
2. Prior to recordation of the initial or any subsequent modifications to the condominium plan, written evidence of the lienholder's consent shall be provided to the county recorder along with a signed statement from each lienholder that states as follows: "(Name of lienholder) hereby consents to the recording of this condominium plan in their sole and absolute discretion and the borrower has or will satisfy any additional terms and conditions the lienholder may have."
3. The lienholder's consent shall be included on the condominium plan or a separate form attached to the condominium plan that includes the following information:
- a. The lienholder's signature.
- b. The name of the record owner or ground lessee.
- c. The legal description of the real property.
- d. The identities of all parties with an interest in the real property as reflected in the real property records.
- e. The lienholder's consent shall be recorded in the office of the county recorder of the county in which the real property is located.
4. The City shall include the following notice to consumers on any ADU or JADU unit submittal checklist or public

information issued describing requirements and permitting for ADUs, including as standard condition of any ADU building permit or condominium plan approval:

"NOTICE: If you are considering establishing your primary dwelling unit and accessory dwelling unit as a condominium, please ensure that your building permitting agency allows this practice. If you decide to establish your primary dwelling unit and accessory dwelling unit as a condominium, your condominium plan or any future modifications to the condominium plan must be recorded with the County Recorder. Prior to recordation or modification of your subdivision map and condominium plan, any lienholder with a lien on your title must provide a form of written consent either on the condominium plan, or on the lienholder's consent form attached to the condominium plan, with text that clearly states that the lender approves recordation of the condominium plan and that you have satisfied their terms and conditions, if any.

In order to secure lender consent, you may be required to follow additional lender requirements, which may include, but are not limited to, one or more of the following:

- a. Paying off your current lender. You may pay off your mortgage and any liens through a refinance or a new loan. Be aware that refinancing or using a new loan may result in changes to your interest rate or tax basis. Also, be aware that any subsequent modification to your subdivision map or condominium plan must also be consented to by your lender, which consent may be denied.
- b. Securing your lender's approval of a modification to their loan collateral due to the change of your current property legal description into one or more condominium parcels.
- c. Securing your lender's consent to the details of any construction loan or ground lease. This may include a copy of the improvement contract entered in good faith with a licensed contractor, evidence that the record owner or ground lessee has the funds to complete the work, and a signed statement made by the record owner or ground lessor that the information in the consent above is true and correct.

G. Utility provider notification. If an ADU is established as a condominium, the homeowner shall notify providers of utilities, including water, sewer, gas, and electricity, of the condominium creation and separate conveyance.

H. Existing Association Consent Required. Consent from existing associations shall be required as follows:

1. The owner of a property or a separate interest within an existing planned development that has an existing association, as defined in Section 4080 of the Civil Code, shall not record a condominium plan to create a common interest development under Section 4100 of the Civil Code without the express written authorization by the existing association.
2. For purposes of this subdivision, written authorization by the existing association means approval by the board at a duly noticed board meeting, as defined in Section 4090 of the Civil Code, and if needed pursuant to the existing association's governing documents, membership approval of the existing association.