

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CULVER CITY, CALIFORNIA, AMENDING CULVER CITY MUNICIPAL CODE, TITLE 17 – ZONING (ZONING CODE) SECTION 17.400.065 – MIXED USE DEVELOPMENT STANDARDS, AND SECTION 17.320.020 – TABLE 3-3A RESIDENTIAL USES.

WHEREAS, on March 14, 2016, the City Council directed staff to conduct a visioning study for the Transit Oriented Development (TOD) District around the Culver City Expo Station to inform the planning, design and operation of future TOD projects and identify area improvements; and

WHEREAS, on November 6, 2017 City Council accepted the final recommendations of the TOD Visioning Study; and

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1 Zoning Code Amendment P2017-0239-ZCA, amending Culver City Municipal Code (CCMC),
2 Title 17 – Zoning (Zoning Code) Section 17.400.065 – Mixed Use Development Standards,
3 and Section 17.320.020 – Table 3-3A Residential Uses, as set forth herein below; and

4 WHEREAS, on November 27, 2017, after conducting a duly noticed public
5 hearing on Zoning Code Amendment P2017-0239-ZCA, amending Culver City Municipal
6 Code (CCMC), Title 17 – Zoning (Zoning Code) Section 17.400.065 – Mixed Use
7 Development Standards, and Section 17.320.020 – Table 3-3A Residential Uses,
8 including full consideration of the Planning Commission recommendations, as well as all
9 reports, studies, testimony, and environmental information presented, the City Council, by
10 a vote of ____ to ____, introduced an ordinance approving Zoning Code Amendment
11 2017-0239-ZCA (the “Ordinance”), as set forth herein below.

14 NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CULVER CITY,
15 CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

17 **SECTION 1.** Pursuant to the foregoing recitations and the provisions of the
18 Culver City Municipal Code (CCMC), Title 17, Section 17.620,030, the following findings for a
19 Zoning Code Amendment are hereby made:

21 **1. The proposed amendment(s) ensure and maintain the
22 internal consistency with the goals, policies and strategies of all elements of
23 the General Plan and will not create any inconsistencies.**

24 The proposed Zoning Code text amendment is consistent with the General Plan
25 Land Use Goal 2 - *Economic Vitality that Services the Community and Protects the*
26 *Quality of Life*, Objective 6 - *Commercial Corridors*, Policy 6.A by encouraging the
27 revitalization of the physical character and economic wellbeing of the City’s
28 commercial corridors by stimulating reinvestment within an expanded TOD District.

1 Additionally, the Zoning Code text amendment is consistent with the General Plan
2 Circulation Element Goal 1 – *Integrated Local and Regional Transportation*
3 *Systems that Serve Residential and Business Needs*, Objective 2 – *Public Transit*,
4 by advancing and implementing Policy 2.H “encourage public transit links to sites
5 of high trip-generating uses to maximize transit use by patrons and employees,”
6 and Policy 2.P “encouraging large developments to contribute to City transportation
7 capital and operation funding as part of project traffic mitigation measures.” The
8 proposed amendment will create consistency between the General Plan and the
9 Zoning Code relative to increased housing density within the TOD District along
10 Washington Blvd., a major commercial corridor, flexibility in parking standards
11 within the TOD District related to the proximity to the Expo Station, enhanced
12 mobility opportunities related the expansion of the TOD District which brings
13 together housing, shopping and employment around mass transit, and the
14 introduction of affordable housing as a community benefit in the expanded TOD
15 District, which aligns with Objective 3 *Affordable Housing*, to encourage the
16 provision of housing opportunities for all members of the community.
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21 **2. The proposed amendment(s) would not be detrimental to**
22 **the public interest, health, safety, convenience or welfare of the City.**

23 The proposed Zoning Code Amendment provides an effective means of promoting
24 affordable housing; within the TOD District by establishing appropriate density and
25 parking standards consistent with the public interest, health, safety, convenience
26 and welfare of satisfying the housing needs of all economic segments of the
27 community near mass transit.
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1 **3. The proposed amendment is in compliance with the**
2 **provisions of the California Environmental Quality Act (CEQA).**

3 Pursuant to Sections 15162 and 15168 of the California Environmental Quality
4 Act (CEQA), Zoning Code Text Amendment (P2017-0239-ZCA) is within the scope of
5 the Culver City General Plan Update Program EIR approved on September 24, 1996
6 (PEIR 1) and the Culver City Redevelopment Plan Amendment and Merger Program
7 Subsequent EIR approved on November 16, 1998 (PEIR 2). The circumstances under
8 which PEIR 1 and PEIR 2 were prepared have not significantly changed and no new
9 significant information has been found that would impact either PEIR 1 or PEIR 2;
10 therefore, no new environmental analysis is required.

11 **SECTION 2.** Pursuant to the foregoing recitations and findings, the City
12 Council of the City of Culver City, California, hereby introduces the Ordinance approving
13 Zoning Code Amendment P2017-0239-ZCA, amending Culver City Municipal Code (CCMC),
14 Title 17 – Zoning (Zoning Code) Section 17.400.065 – Mixed Use Development Standards,
15 and Section 17.320.020 – Table 3-3A Residential Uses, as outlined in Exhibits A and B,
16 attached hereto and incorporated herein by reference.

17 **SECTION 3.** Pursuant to Section 619 of the City Charter, this Ordinance shall
18 take effect 30 days after the date of its adoption. Pursuant to Sections 616 and 621 of the
19 City Charter, prior to the expiration of 15 days after the adoption, the City Clerk shall cause
20 this Ordinance, or a summary thereof, to be published in the Culver City News and shall post
21 this Ordinance or a summary thereof in at least three places within the City.

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2 **SECTION 4.** The City Council hereby declares that, if any provision, section,
3 subsection, paragraph, sentence, phrase or word of this ordinance is rendered or declared
4 invalid or unconstitutional by any final action in a court of competent jurisdiction or by reason
5 of any preemptive legislation, then the City Council would have independently adopted the
6 remaining provisions, sections, subsections, paragraphs, sentences, phrases or words of this
7 ordinance and as such they shall remain in full force and effect.
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9
10 APPROVED and ADOPTED this _____ day of _____, 2017.
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14 _____
15 JEFF COOPER, MAYOR
 City of Culver City, California

16 ATTESTED BY:

17 APPROVED AS TO FORM:

18 _____
19 JEREMY GREEN, City Clerk

20 _____
21 CAROL A. SCHWAB, City Attorney

22 A17-00822
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EXHIBIT A
ZONING CODE AMENDMENT
P2017-0239-ZCA

Proposed Zoning Code Amendment

The proposed Zoning Code Amendment (ZCA) will amend Section 17.400.065 as follows:

§ 17.400.065 - Mixed Use Development Standards

- A. Purpose.** This Section provides location, development, and performance standards for mixed use developments in compliance with Article 2 (Zoning Districts, Allowable Land Uses and Zone-Specific Development Standards).
- B. Applicability.**
1. The provisions in this Section shall regulate the conversion of existing buildings to include mixed uses as defined herein, and new construction of mixed use projects, where allowed by the applicable zoning districts.
 2. The Mixed Use Development Standards supersede the Commercial Zero Setback Overlay (CZ), where applicable.
 3. The Mixed Use Development Standards do not supersede the provisions of the Commercial Downtown District (CD).
 4. Except as specifically provided in this Section, mixed use projects shall be in compliance with the regulations of Article 2 (Zoning Districts, Allowable Land Uses and Zone-Specific Development Standards).
 5. Where an Owner-Participation Agreement, Disposition and Development Agreement, Development Agreement, or similar agreement with the City or Redevelopment Agency applies to a land parcel and the provisions of such agreement differ from the Mixed Use Development Standards, the provisions of the agreement shall prevail.
- C. Definitions.**

Architectural Feature. Soffit, column, wing wall, canopy, roof eave, balcony, bell tower, spires, clock tower, cupolas, turrets and any other similar element that does not create an interior floor space.

Arterial Street. As used in this Section, arterial streets include primary and secondary arterial streets. Primary arterial streets are major cross-town thoroughfares. Secondary arterial streets

connect primary arterial streets to smaller streets and residential neighborhoods. Primary and secondary arterial streets are defined in the General Plan Circulation Element.

Blank Wall. Any wall that is not enhanced by architectural detailing, artwork, landscaping, windows, doors, or similar features. Solid and mechanical doors and glass with less than 80% transparency are considered blank wall areas.

Ornamental Feature. A statue, fountain, sculpture or any other similar freestanding decorative element which does not provide shelter, and which is not a sign, and which serves an aesthetic purpose.

Split Jurisdiction Lot. As used in this Section shall mean a lot located on the south side of Washington Boulevard between Del Rey Avenue and Redwood Avenue that is both within the City of Culver City and the City of Los Angeles.

Street Wall. The wall of a building facing the street at or near the property line. The street wall may include arcades, colonnades, recessed pedestrian entrances, decorative stairs, public art and other features deemed pedestrian oriented.

D. Use Regulations.

1. **Uses permitted.** All uses permitted in the underlying zone are permitted in mixed use developments.
2. **Residential uses.** Residential uses other than live/work units are prohibited on the ground floor adjacent to arterial streets. Residential entrances and lobbies are permitted on the ground floor adjacent to arterial streets.
3. **Commercial uses.** Commercial uses are required on the ground floor adjacent to arterial streets and at all corners adjacent to arterial streets. All commercial tenant spaces on the ground floor shall have a minimum depth of 30 feet. Overall commercial floor area shall be 10% of the projects total gross floor area or 30% of the project lot size, whichever is greater.
4. **Covenant.** A City-approved covenant shall be executed by the owner of each residential unit within a mixed use development, and shall include statements that the occupant(s) understand(s) and accept(s) he/she is living in a mixed use development and that commercial activities are permitted pursuant to the regulations of the CCMC.

5. **Feasibility study.** At the Director's discretion, an economic feasibility study evaluating the viability of the proposed commercial uses within the mixed use development may be required.

E. General Development Standards.

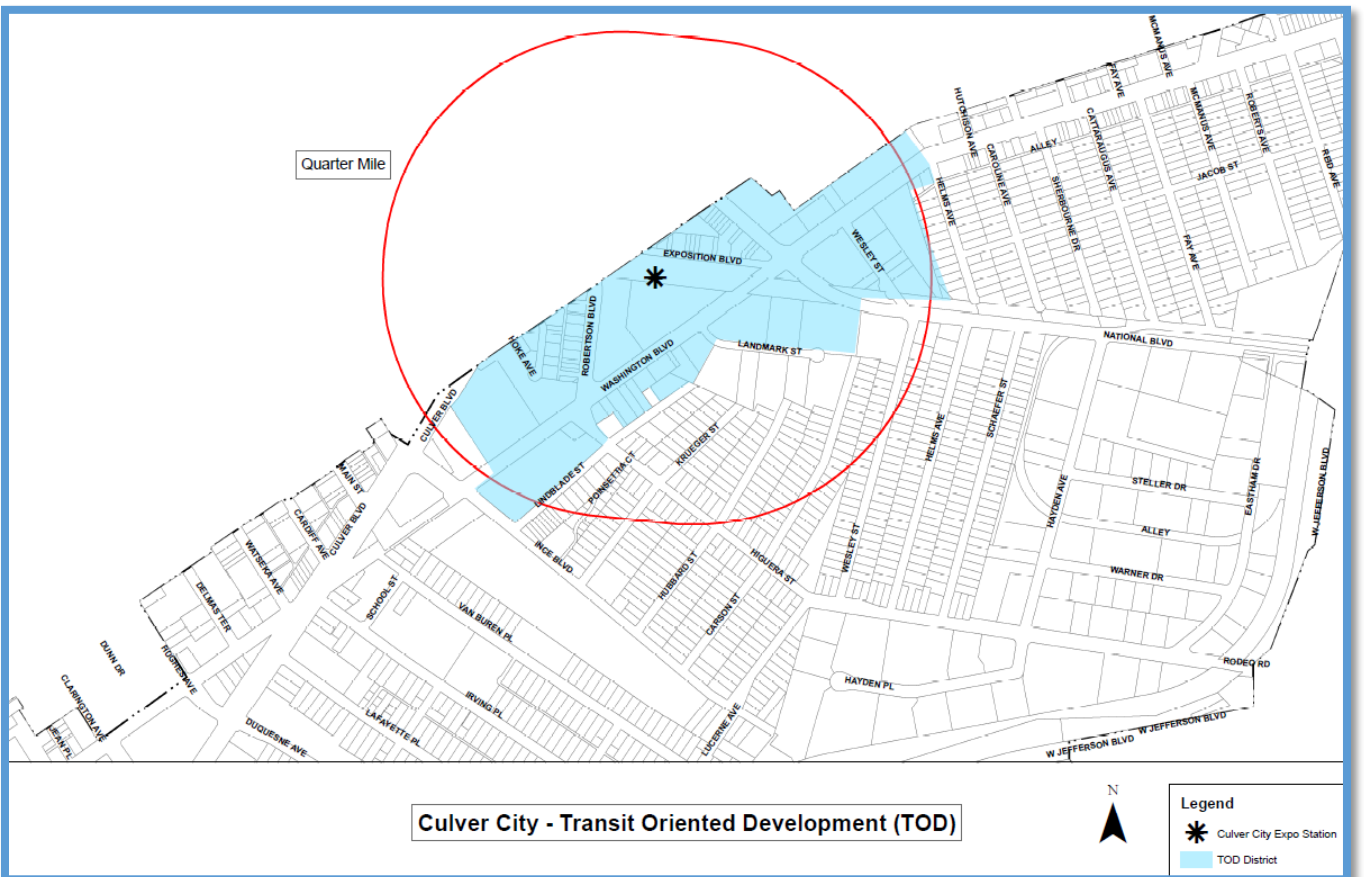
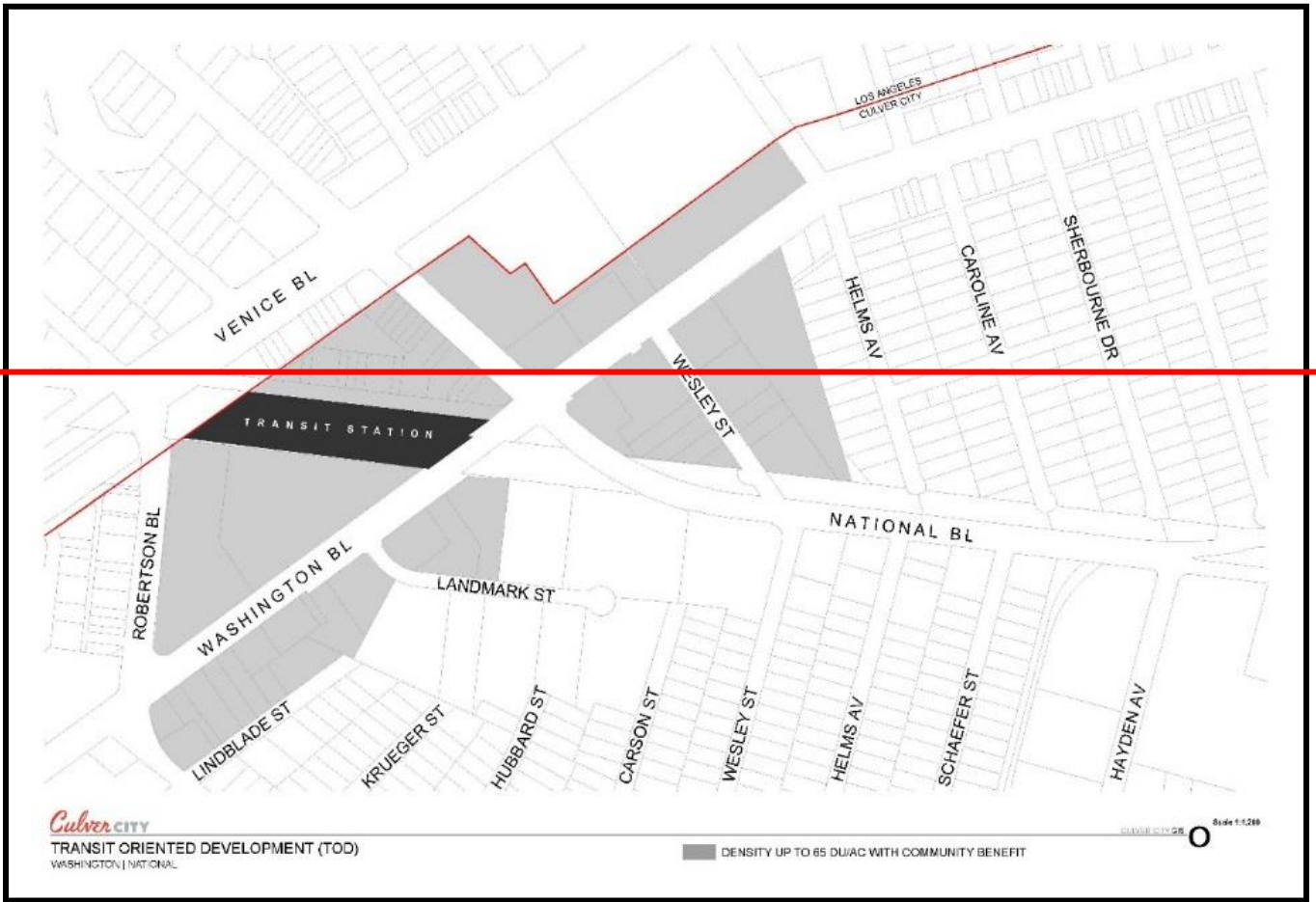
1. **Minimum lot size and dimensions.**

- a. All lots less than 10,000 square feet shall have a minimum width of 50 feet with alley access or access from a non-primary arterial street.
- b. Lots 10,000 square feet or larger shall have a minimum width of 100 feet.
- c. Mixed use projects located on parcels that are less than 5,000 square feet shall not be permitted unless combined with one or more abutting lots to create a total site development area that is at least 5,000 square feet, subject to the above access requirements.

2. **Building height.** The height of structures shall not exceed the standard established in Table 4-2 (Building Setbacks and Height) and Figure 4-4 (Building Height and Setbacks Illustration), unless a modification is granted pursuant to Subsection 17.300.025.C. (Exceptions to Height Limits).

3. **Density.** Residential density shall not exceed 35 dwelling units per acre (1 unit per 1,245 square feet of lot area). Residential density may be increased up to (i) 50 dwelling units per acre (1 unit per 871 square feet of lot area); or (ii) a density allowed by an Abutting Jurisdiction up to a maximum of 65 dwelling units per acre (1 unit per 670 square feet of lot area) on a split jurisdiction lot; or (iii) 65 dwelling units per acre on lots identified for Transit Oriented Development, and/or as depicted in Map 4-1 provided in either case, that the project incorporates community benefits as established by resolution of the City Council.

4. **Building setbacks.** Building setbacks are provided in Table 4-2 (Building Height and Setbacks) and Figure 4-4 (Building Height and Setbacks Illustration) and/or other setbacks may be required at the ground level by resolution of the City Council in order to address mobility measures.



Adjacent (1) to R1 or R2 Zone	Adjacent (1) to R3, RLD, RMD, or RHD Zone	Adjacent (1) to Non-Residential Zone	Split Jurisdiction Lot
<u>CN, CD, & CG Zone</u> • 35 ft • 45 ft for portion of building 35 ft or more from R1 or R2 Zone	<u>CN Zone</u> • 45 ft <u>CD or CG Zone</u> • 45 ft on lots less than 150 ft in depth • 56 ft on lots 150 ft or more in depth	<u>CN Zone</u> • 45 ft <u>CD or CG Zone</u> • 56 ft	<u>CN Zone</u> • 45 ft <u>CD or CG Zone</u> • 56 ft
SETBACKS (2)			
Building Height	Front	Side and Rear Adjacent (1) to Residential Zone (5)	Side and Rear Adjacent (1) to Non-Residential Zone
Underground	None Required		
Portion of Building 15'-0" or less	A ground level pedestrian setback of 15' is required, except that such setback may vary from zero to 15 feet when pedestrian improvements are included in the setback area as approved by the Director is required (3).	A 10 ft setback is required. (4)(6)	No setback is required.(6)
Portion of Building greater than 15'-0"	A 5 ft setback is required	A 60 degree clear-zone angle must be maintained, measured from 15 ft above the existing grade and from 10 ft from the side and rear property lines. See Figure 4-5 (Section of Rear Setback	No setback is required.(6)

Portion of Building greater than 35'-0" on a parcel adjacent (1) to R1 or R2 Zone	N/A	A 35 ft setback is required.	N/A
Portion of Building greater than 45'-0" on a parcel adjacent (1) to R3, RLD, RMD or RHD Zone	N/A	A 50 ft setback is required.	N/A
(1) Two parcels are considered to be adjacent even if they are separated by an alley. (2) Screening, landscaping or greater setback than prescribed herein, may be required where necessary to comply with visual clearance requirements for driveways and where the reviewing authority under a site plan review may condition the use necessary to protect the public interest due to lot, site plan or building configuration and operations. (3) <u>Pedestrian improvements include landscaping benches, outdoor dining, planters, additional bike racks, additional street trees, small plazas, mobility related improvements.</u> A setback up to 5 feet from the property line may be permitted if the setback area is enhanced with high quality paving material, landscaping or other similar features. (4) Adequate screening and landscaping shall be provided (5) One half (1/2) the width of an alley may be credited toward the setback requirement for properties adjacent to residential zones. (6) If abutting an alley a minimum 2 foot setback is required, <u>except within the TOD area.</u>			

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Figure 4-4
Building Height and Setbacks Illustration

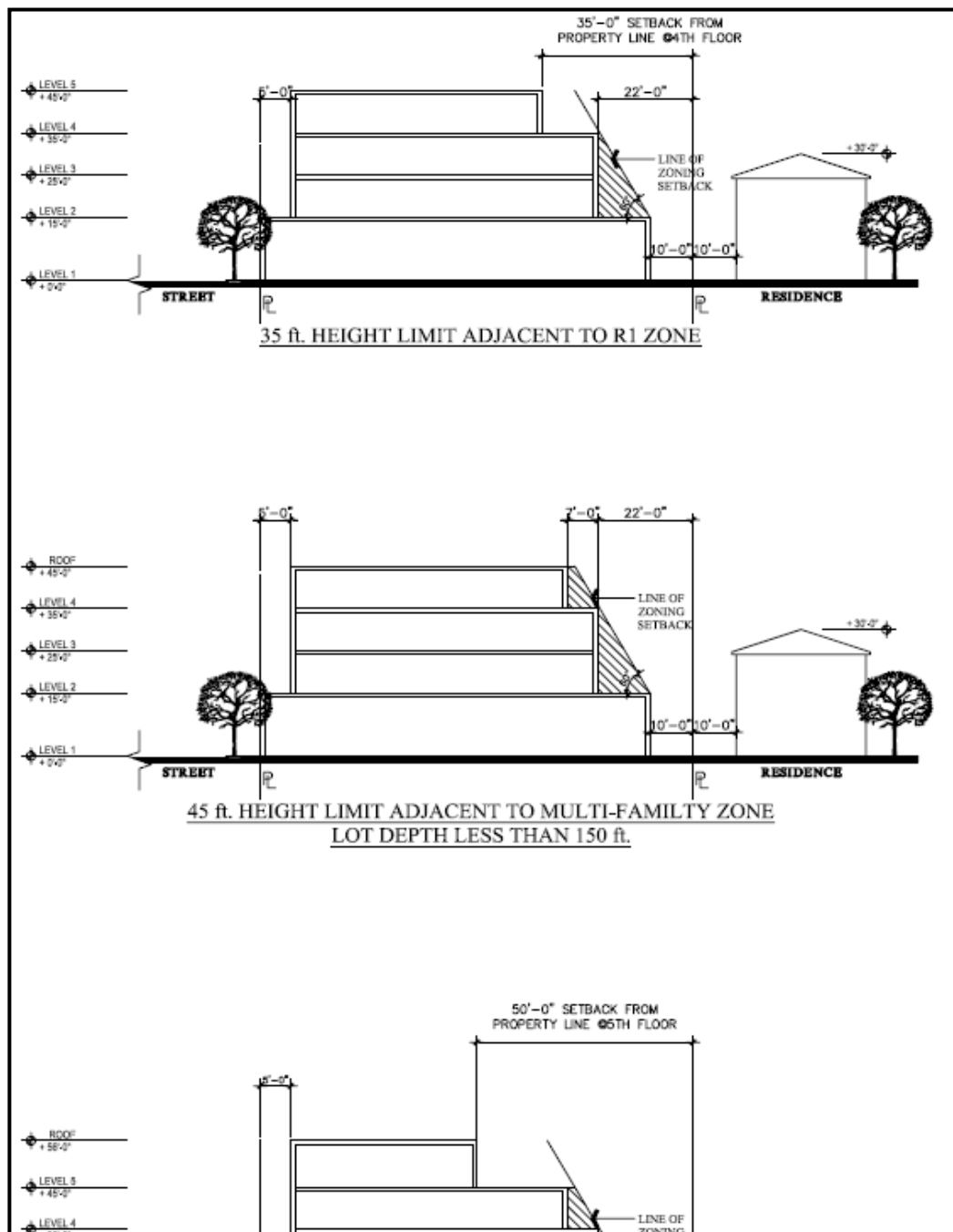
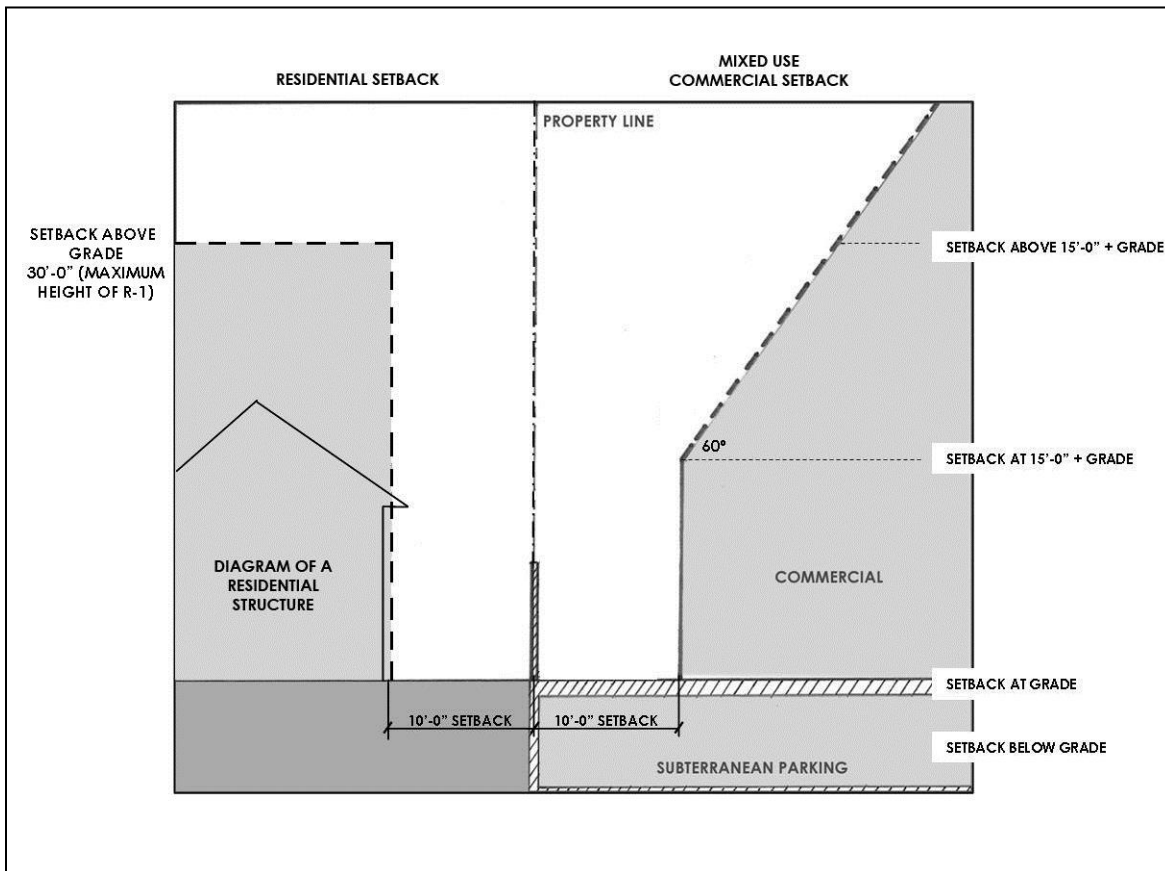


Figure 4-5
Section of Rear Setback



F. Site Planning and Design Standards.

1. **Building bulk.** Projects shall be designed to achieve interesting, graceful and articulated buildings by the use of varied rooflines and vertical attachments; clearly defining the base, middle and top of each building and other architectural features; and include building line setback and step backs to create visual interest and reduce monolithic design. See Figure 4-6 (Building Elevation Composition).
- ~~2. **Building tops.** The top of the building shall be visually terminated through the use of cornices, parapets, domes, towers, or other forms or features.~~
- ~~23. **Street wall**~~ Street Frontage requirements.
 - a. The street frontage ~~wall~~ shall be architecturally varied ~~modulated~~ to create visual interest and shall include architectural features and pedestrian amenities such as recessed entries,

arcades, colonnades, stairs, art and other architectural features or deemed pedestrian improvements ~~-oriented by the Director,~~ subject to the following:

- 1) Passageways in arcades and colonnades are, at minimum, 5 feet wide. See Figure 4-7 (Section of Street Wall).
- 2) Architectural and ornamental features do not impede pedestrian routes.
- 3) Stairs are decorative and attractive.

b. Street frontage ~~wall-façade~~ requirements shall apply to 100% of the total property frontage parallel to the street and shall include step backs and building line offsets above the ground level to create visual interest and attractive building massing. ~~the portion of the street building frontage wall that is within 15 vertical feet above the sidewalk parallel to arterial streets.~~

~~c. The street wall is required along 100% of the total linear property line parallel to arterial streets.~~

~~d. No blank wall area is permitted in the street wall area.~~

~~e. On corner lots, where one of the adjacent streets is a non-arterial street, the street wall requirements shall apply to the first 25% of the building depth immediately adjacent to the non-arterial street. See Figure 4-8 (Corner Building Street Wall Requirement).~~

~~f. Major entrances and corners of buildings shall be articulated within the street wall façade.~~

4. Blank wall.

- a. Blank wall area is not permitted in the street wall area.
- b. Blank wall area shall be minimized on all building elevations.
- c. The maximum width of any continuous blank wall shall be no more than 15 feet.

~~5. Three hundred sixty degree architecture.~~

~~a. Similar architectural and design features shall be incorporated on all sides of the building.~~

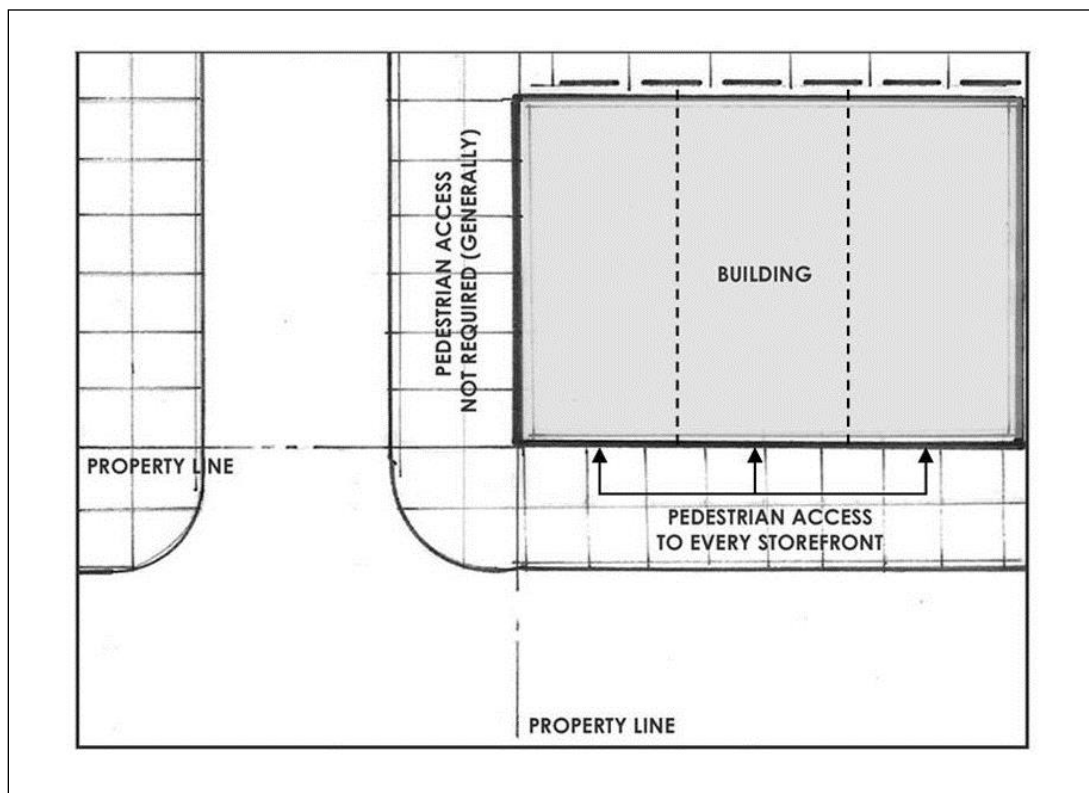
- ~~b. Building elevations clearly visible from adjoining residential areas should not negatively impact the character and atmosphere of the adjacent residential areas. Design elements, materials, colors, surfaces and finishes that complement the residential areas shall be used as deemed appropriate by the Director.~~

6. 5. Building entrances.

- a. Pedestrian entrances shall be provided for all ground floor uses adjacent to arterial streets. Pedestrian entrances are not required on non-arterial streets. See Figure 4-9 (Plan of Pedestrian Entrances).
- b. Pedestrian entrances shall be directly accessible from the public right-of-way, and shall have direct access and view from the adjacent sidewalk ~~grade~~.
- c. Commercial uses and residential uses shall have separate exterior entrances, elevators, and lobbies. The Director may waive this requirement based on site constraints.

Figure 4-9

Plan of Pedestrian Entrances



7. **Signage and lighting.** Signs must be developed pursuant to Chapter 17.330 (Signs). Exterior lighting shall comply with the requirements of Section 17.300.040 (Outdoor Lighting).
8. **Parking and vehicular access.**
 - a. Street level parking facilities and lots shall be screened from view from the adjoining arterial street(s) by ornamental walls or fences, at least 4 feet high above street grade.
 - b. Two-way vehicular ingress/egress areas on arterial streets shall only be permitted on development sites with a minimum of 100 feet of street frontage on the street where the vehicular ingress/egress area is located. The Director may waive this requirement based on site constraints.
 - c. One-way vehicular ingress/egress areas on arterial streets shall only be permitted on development sites with a minimum of 75 feet of street frontage on the street where the ingress/egress area is located. The Director may waive this requirement based on site constraints.
 - d. Vehicular ingress/egress areas are prohibited on arterial streets where the street frontage of the development site adjacent to the arterial street is less than 75 feet. The Director may waive this requirement based on site constraints.
9. **Refuse storage and collection areas.** The commercial and residential components of the project shall maintain separate refuse storage and collection areas; the refuse storage and collection areas shall be clearly marked for separate uses.

G. Residential Development Standards.

1. **Minimum unit size.** Residential minimum unit sizes are detailed in Table 4-3 (Minimum Residential Unit Size).

Table 4-3
Minimum Residential Unit Size

No. of Bedrooms	Minimum Unit Size (Gross Floor Area)
Studio	500
1 Bedroom	700
2 Bedrooms	900
3 Bedrooms	1,100
4 Bedrooms	150 additional gfa/bedroom

2. **Unit size mix.** Except within the TOD District, ~~No~~ no more than 25% of the total number of residential units shall have less than 700 square feet of gross floor area.

3. **Open space.**

- a. Each unit shall have a minimum of 75 square feet of common and/or private open space.
- b. Common open space areas shall have a minimum dimension of 15 feet in any direction which may include a combination of open space and adjacent setback area.
- c. Private open space areas shall be at least 30 square feet and 5 feet in any direction, to the extent feasible.
- d. Private and common open space requirements may be satisfied by a selection or combination of the following: atriums, balconies, courtyards, decks, gardens, gyms/exercise rooms, patios, playgrounds/tot lots, rooftop decks, patios and gardens, and swimming pools. The Director may approve similar amenities not listed above.

H. Live/Work Development Standards. In addition to the standards detailed in this Section, live/work units within a mixed use development shall meet all applicable standards contained in Section 17.400.060 (Live/Work Development Standards).

I. Parking Standards. Mixed use developments shall comply with all requirements contained in Chapter 17.320 (Off-Street Parking and Loading) and the following additional standards.

1. **Parking access and circulation standards.**

- a. **Commingled parking.** A mixed use project may have a commingled parking area for all uses, subject to the following conditions:

- 1) Residential, live/work and commercial parking spaces are designated with signs.
- 2) Residential, live/work and commercial components require 10 or fewer parking spaces each.
- 3) One use requires 10 or fewer parking spaces and a second use requires more than 10 parking spaces, and the Director determines that site conditions make it infeasible to provide gated or separated parking.
- 4) Within a designated TOD District, or within transit oriented developments, parking may be reduced based upon consideration of proximity to transit and/or a shared parking analysis, which demonstrates that such parking reduction will not negatively impact surrounding commercial or residential neighborhoods.
- 5) Commercial parking within a designated TOD District, or within a transit oriented development, must be charged at market rate where it can be shown that the area is adequately served by mass transit.

- b. **Gated parking.** A mixed use project shall have a gated parking area for residents of residential units and live/work units, if the requirements allowing commingled parking are not met. The regulations governing gated parking areas are provided below.

- 1) Common ingress areas to residential, live/work, and commercial parking are permitted.
- 2) If a separated residential and live/work egress lane(s) is/are not provided, non-residential parking shall be free of charge.
- 3) The parking layout shall be designed so that residents are not significantly inconvenienced by non-residential parking demands, as determined by the Director.

- c. **Residential guest parking location.**

- 1) Residential guest parking may be located in the commercial parking area.
- 2) Residential guest parking shall be accessible 24 hours per day.
- 3) Residential guest parking shall be free of charge.

- 4) Residential guest parking shall be appropriately signed.

J. Performance Requirements. All mixed use projects shall be designed to meet the following performance standards.

1. Walls on all sides of residential and live/work units shall be constructed to minimize the transmission of noise and vibration. A minimum impact insulation class (IIC) of 60 shall be required for all residential and live/work walls, floors, and ceilings.
2. Shared elevators shall have security code access for residents to reach residential floors and to use the elevators during late evening and early morning hours. Security code access is not required for live/work access areas. Separate commercial and residential elevators are encouraged.
3. No commercial use, activity or process shall be operated in an objectionable manner due to fumes, noxious odor, dust, smoke, gas, noise or vibrations which may be detrimental to any other uses and occupants on the same property.
4. Residential and live/work units shall be designed to allow for cross-ventilation and have high quality HVAC systems, to the extent feasible.
5. Parking areas shall be illuminated so as to provide appropriate visibility and security. ~~as determined by the Director.~~
6. Parking access and circulation design shall minimize vehicle circulation through residential neighborhood streets ~~as determined by the Director.~~
7. Commercial loading areas and outdoor storage areas shall be designed and located away from residential units and shall be screened from view at ground level from the residential portion of the project and from adjacent residential developments.
8. Commercial loading areas shall not significantly and/or negatively impact the pedestrian environment.
9. Adequate lighting must be provided adjacent to sidewalks and other public spaces to preserve the amenity and safety of those spaces for ~~night time~~ pedestrian use, ~~as determined by the Director.~~

EXHIBIT B
ZONING CODE AMENDMENT
P2017-0239-ZCA

Proposed Zoning Code Amendment

The proposed Zoning Code Amendment (ZCA) will amend Section 17.320.020 as follows:

§ 17.320.020 (H)1 Residential Uses, Table 3-3A.

<i>Table 3-3A</i>	
<i>Land Use Type: Residential</i>	<i>Vehicle Spaces Required</i>
Accessory dwelling units	1 uncovered space in addition to that required for the primary dwelling unit(s).
Mobile home parks	1 space in conjunction with each mobile home site, plus 1 space for each 2 mobile home sites for guest parking, located as approved by the City.
Live/work unit	Up to 900 square feet: 2 spaces.
	Greater than 900 up to 1500 square feet: 3 spaces.
	Greater than 1500 square feet: 4 spaces.
Multi-family dwellings and residential component of mixed-use development, includes supportive housing and transitional housing units (1) (2)	Studio and 1 bedroom, up to 900 square feet: 1 space.
	Studio and 1 bedroom, greater than 900 square feet: 2 spaces.
	2-3 bedroom units: 2 spaces.
	4 bedroom units: 3 spaces.
	1 space for every additional bedroom greater than 4.
	Guest parking: 1 space for every 4 residential units.
Residential care facilities	1 space for each 3 patient beds.
Senior citizen congregate care housing	1 space per each 2 residential units, plus 1 space for each 4 units for guests and employees.

Senior housing	1 space per unit, plus 1 guest parking space for each 10 units.
Single-family, duplex and triplex units, includes supportive housing and transitional housing units (1) (2)	2 spaces per dwelling unit.
Single room occupancy units	One (1) parking space per unit.

Notes:

(1) See Subsection 17.320.035.N. (Special Requirements for Residential Uses).

[\(2\) These general parking provisions shall apply unless a parking reduction is authorized by resolution of the City Council.](#)