

## RESOLUTION NO. 2017-P014

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CULVER CITY, CALIFORNIA, RECOMMENDING TO THE CITY COUNCIL APPROVAL OF ZONING CODE AMENDMENT (P2017-0117-ZCA) AMENDING CULVER CITY MUNICIPAL CODE, TITLE 17 – ZONING (ZONING CODE), SECTION 17.300.020 – SETBACK RESULATIONS AND EXCEPTIONS, AS SET FORTH IN EXHIBIT "A" ATTACHED HERETO.

(ZONING CODE AMENDMENT, P2017-0117-ZCA)

WHEREAS on July 12, 2017 the Planning Commission conducted a duly noticed public hearing on a City-initiated Zoning Code Amendment (P2017-0117-ZCA) amending Culver City Municipal Code (CCMC), Title 17 – Zoning (Zoning Code), Sections 17.300.020 – Setback Regulations and Exceptions, fully considering all reports, studies, testimony, and environmental information presented; and

WHEREAS, following conclusion of the public discussion and thorough deliberation of the subject matter, the Planning Commission determined, by a vote of 4 to 0, to recommend to the City Council approval of Zoning Code Amendment P2017-0117-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 CCMC, the following required findings for an amendment to the Zoning Code, as outlined in CCMC Section 17.620.030.A, 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 will not create any inconsistencies.**

1 The proposed Zoning Code Amendment is intended to address changes in trends  
2 and preferences with regard to aesthetics and site improvements related to  
3 residential properties by allowing freestanding trellis structures within front yard  
4 setbacks, in order to improve the implementation and enforcement of the Zoning  
5 Code, which implements the goals, objectives, and policies of the General Plan.  
6 The existing Zoning Code language provides allowances for projections of  
7 architectural features within required setbacks, including carport structures and  
8 freestanding fences. The proposed amendment will simply add freestanding trellis  
9 structures to the site features allowed within front setbacks in residential zones.  
10 The proposed amendment will create Zoning Code provisions and guidelines  
11 consistent with General Plan Land Use Element Objective 4, *Neighborhood*  
12 *Conditions*, by maintaining the quality living environment throughout the City  
13 through the creation of development standards specific to freestanding trellis  
14 structures within front yard setbacks for residential zones. Therefore the proposed  
15 Zoning Code Amendment does not conflict with the goals, policies and strategies  
16 of any elements of the General Plan, nor create any inconsistencies.  
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22 **2. The proposed amendment would not be detrimental to the public**  
23 **interest, health, safety, convenience or welfare of the City.**

24 The proposed Zoning Code Amendment will add freestanding trellis structures to  
25 list of allowed projections into setbacks, and create standards and restrictions to  
26 allow such structures within front yards of residentially zoned property. The  
27 amendment will serve to improve the implementation and enforcement of the  
28 Zoning Code with regard to these types of structures which are already commonly  
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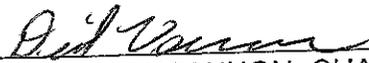
1 found throughout residential neighborhoods in the City. Further, the proposed  
2 amendment will continue to apply specific necessary development standards and  
3 restrictions (e.g. safety sightline restrictions) to ensure freestanding trellis  
4 structures within front yards in residential zones are allowed and approved in a  
5 manner consistent with the orderly and character desired for the City, and in  
6 support of the public interest, health, safety, convenience and welfare of the City.  
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9 **3. The proposed amendment is in compliance with the provisions of the**  
10 **California Environmental Quality Act (CEQA).**

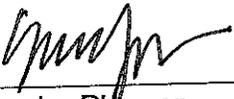
11 Pursuant to Sections 15162 and 15168 of the California Environmental Quality Act  
12 (CEQA), Zoning Code Text Amendment (P2017-0117-ZCA) is within the scope of the  
13 Culver City General Plan Update Program EIR approved on September 24, 1996  
14 (PEIR 1) and the Culver City Redevelopment Plan Amendment and Merger Program  
15 Subsequent EIR approved on November 16, 1998 (PEIR 2). The circumstances  
16 under which PEIR 1 and PEIR 2 were prepared have not significantly changed and no  
17 new significant information has been found that would impact either PEIR 1 or PEIR 2;  
18 therefore, no new environmental analysis is required.  
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22 **SECTION 2.** Pursuant to the foregoing recitations and findings, the  
23 Planning Commission of the City of Culver City, California, hereby recommends to the  
24 City Council approval of Zoning Code Amendment P2017-0117-ZCA, as set forth in  
25 Exhibit A attached hereto and made a part thereof.  
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APPROVED and ADOPTED this 12th day of July, 2017.

  
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DAVID VONCANNON, CHAIRPERSON  
PLANNING COMMISSION  
CITY OF CULVER CITY, CALIFORNIA

Attested by:

  
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Susan Yun, Senior Planner

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## **17.300.020 - Setback Regulations and Exceptions**

This Section establishes standards to ensure the provision of open areas for access to and around structures, access to natural light and ventilation, landscaping, recreation, separation of incompatible land uses, and space for privacy, traffic safety, and visibility.

### **A. Setback Requirements.**

1. All structures shall conform to the setback requirements identified for each zoning district by Article 2 (Zoning Districts, Allowable Land Uses and Zone-Specific Standards), and with any special setbacks established for specific uses by this Title.
2. All setbacks shall be open and unobstructed from the ground upward, except for trees and other plant materials and except as provided in this Section.

### **B. Exemptions from Setback Requirements.** The minimum setback requirements of this Title shall apply to all uses/structures except for the following:

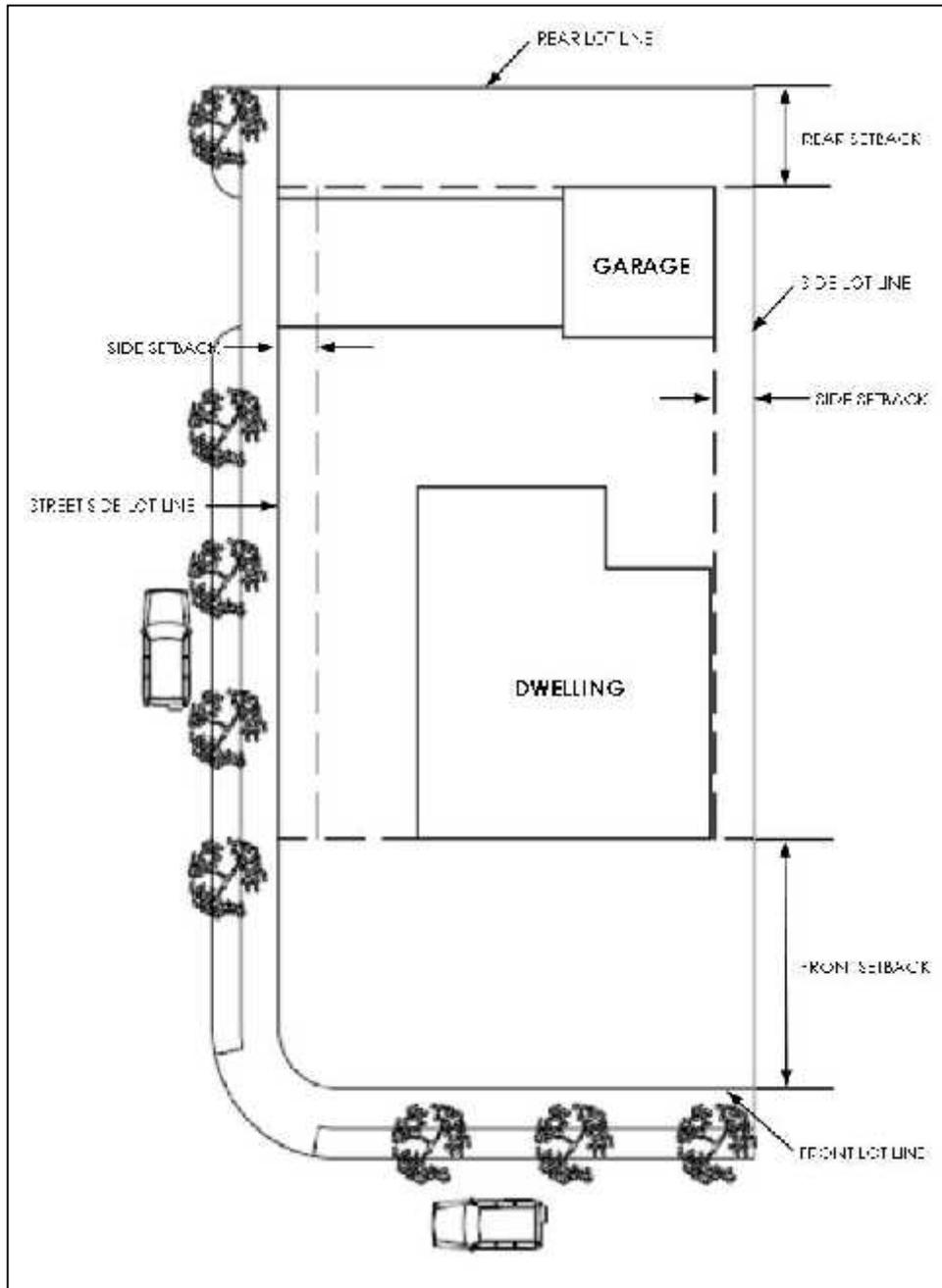
1. Fences or walls constructed within the height limitations of this Title;
2. Decks, with or without hand rails, steps, terraces, and other site design elements that are placed directly upon the finish grade and are up to 24 inches above the surrounding finish grade.

### **C. Limitations on Use of Setbacks.** Required setback areas shall only be used as follows:

1. **Structures.** Required setback area shall not be occupied structures other than:
  - a. Structures that are exempt from setback requirements by Subsection 17.300.020.B. (Exemptions from Setback Requirements), above;
  - b. Residential accessory structures located within setback areas in compliance with Section 17.400.100 (Residential Uses - Accessory Residential Structures).
2. **Parking.** Residential parking is allowed within a required setback only on driveways in compliance with Section 17.320.040 (Driveway and Site Access Standards).
3. **Storage.** Front or street side setbacks shall not be used for the storage of inoperable vehicles, scrap, junk, or similar materials.

### **D. Measurement of Setbacks.** Setbacks shall be measured as follows, see Figure 3-1 (Location and Measurements of Setbacks), below:

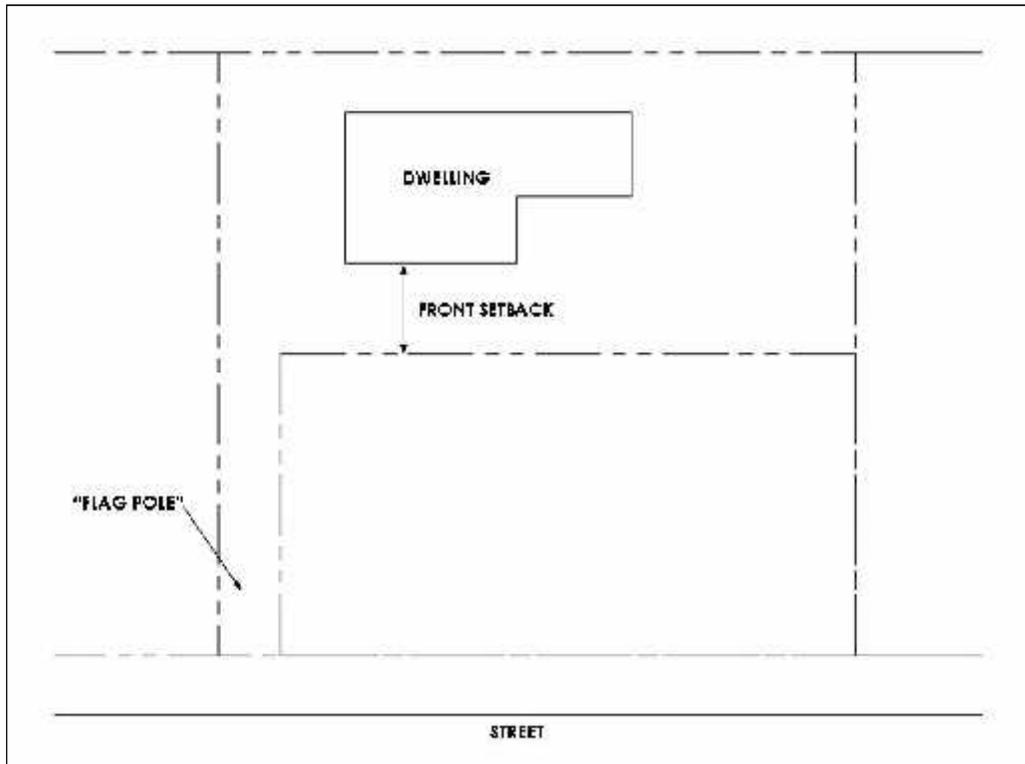
**Figure 3-1  
Location and Measurement of Setbacks**



1. **Front setback.** The front setback shall be measured at right angles from the nearest point on the front property line to the nearest wall of the structure, except as follows:
  - a. **Corner parcels.** The setback measurement of corner parcels shall be taken from the nearest point on the structure to the nearest point of the property line adjoining the street that is opposite the rear yard.

- b. **Flag lots.** The setback measurement of flag lots shall be taken from the nearest point on the wall of the structure facing the street to the point where the access strip (“flag pole”) meets the bulk of the parcel, establishing a building line parallel to the lot line nearest to the public street or right-of-way. See Figure 3-2 (Flag Lot), below:

**Figure 3-2  
Flag Lot**



2. **Side and street side setback.** The side and street side setbacks shall be measured at right angles from the nearest point on the side property line to the nearest wall of the structure, establishing a setback line parallel to the side property line, that extends between the front and rear yards.
3. **Rear setback.** The rear setback shall be measured at right angles from the nearest point on the rear property line to the nearest wall of the structure, establishing a setback line parallel to the rear property line that extends between the side yards.

E. **Allowed Projections into Setbacks.** Architectural features and equipment may extend into the front, side, and rear setbacks, as well as required open space, in compliance with Table 3-1 (Allowed Projections into Setbacks), below and as determined by the Director:

**Table 3-1  
Allowed Projections into Setbacks**

| Projecting Feature  | Maximum Projection into Setback (1)(2)                 |  |  |
|---|--|--|--|
|   | Front  | Side   | Rear   |
| Awnings, Canopies - Residential Zone  | 18 inches  | 18 inches  | 18 inches  |
| Awnings, Canopies - Non-Residential Zone  | 3 ft or 25% of required setback, whichever is greater. | 3 ft or 25% of required setback, whichever is greater. | 3 ft or 25% of required setback, whichever is greater. |
| Stairways open and unenclosed by other than railings – Residential Zone   | 18 inches  | 18 inches  | 18 inches  |
| Stairways open and unenclosed by other than railings – Non-Residential Zone   | 3 ft or 25% of required setback, whichever is greater. | 3 ft or 25% of required setback, whichever is greater. | 3 ft or 25% of required setback, whichever is greater. |
| Balconies, Bay Windows – Residential Zone (No wider than 9’ or 25% the width of the subject wall segment on which the balcony or bay window is attached, whichever is greater).   | 18 inches  | 18 inches  | 18 inches  |
| Balconies, Bay Windows – Non-Residential Zone   | 3 ft or 25% of required setback, whichever is greater. | 3 ft or 25% of required setback, whichever is greater. | 3 ft or 25% of required setback, whichever is greater. |
| Chimney   | 18 inches  | 18 inches  | 18 inches  |
| Cornices  | 18 inches  | 18 inches  | 18 inches  |
| Eaves, Roof overhangs, at least 8 ft above grade.<br>(for primary structures; not accessory structures)   | 24 inches  | 24 inches  | 24 inches  |
| Eaves and Roof Overhangs, at least 8 ft above grade (for accessory residential structures, 12 feet or less in height)   | 12 inches  | 12 inches  | 12 inches  |
| Equipment – Air conditioners, ground mounted water heaters, fixed barbecues, sinks, fixed counters, and similar equipment   | 24 inches  | None   | 24 inches  |
| Equipment – Electric, Gas Meters and Wall Mounted Water Heaters   | 24 inches  | 18 inches  | 24 inches  |
| Equipment - Pool and Spa  | None   | None   | No Limit   |
| Porch, Deck or Landing – covered but otherwise unenclosed (not higher than the first story line) with a width no greater than 9 ft or 25% of the width of the subject wall segment on which the porch, deck, or landing is attached, whichever is greater). | 5 ft (including eaves or other projection)             | None   | 5 ft (including eaves or other projection)             |
| Porch, Deck, Landing or Ramp, uncovered, more than 2 ft above grade.  | 5 ft   | None   | None   |
| Porch, Deck, Landing or Ramp, uncovered, 2 ft or less above grade.  | No limit   | No limit   | No limit   |

**Article 3 - Site Planning & General Development Standards**

(Ordinance No.'s. 2005-007; 2008-006; 2009-001; 2009-002; 2012-005; 2013-001;2013-004;2013-008; 2013-010; 2014-002; 2014-007; 2016-001)

**Table 3-1  
Allowed Projections into Setbacks**

| Projecting Feature   | Maximum Projection into Setback (1)(2) |  |                       |
|--|--|--|-----------------------|
|  | Front                                  | Side   | Rear                  |
| Porte Cochere or Carport with no less than 7 ft of vertical clearance above a driveway.  | None                                   | To within 6 inches of an interior side property line only. | 5 ft                  |
| Utility Risers, Rain Gutters, Downspouts, etc.   | 12 inches                              | 12 inches  | 12 inches             |
| Wing wall not exceeding 12 ft in height  | None                                   | To within 6 inches of an interior side property line only. | None                  |
| Wing wall higher than 12 ft in height  | None                                   | None   | None                  |
| Landscape Support Structures - green screens, lattices, and similar structures   | 12 inches                              | 12 inches  | 12 inches             |
| <u>Freestanding Front Yard Trellis – Residential Zones</u><br>No more than two (2) per property, and no more than 8 feet in height, 6 feet in width, 3 feet in depth, open on all four sides | <u>No limitation (3)</u>               | <u>Not Applicable</u>                                      | <u>Not Applicable</u> |

**Notes:**

- (1) See Chapter 17.550 (Variances and Administrative Modifications)
- (2) Unless otherwise noted in the above table: For a structure with a setback of 2 feet or less, no projection into the setback is permitted. If the setback is greater than 2 feet, no projection shall encroach into the 2-foot setback.
- (3) These structures shall maintain a clearance of 5 feet from the intersection of a driveway or alley with a public street right-of-way and 15 feet from the intersection of two public street right-of-ways

**F. Setback Requirements for Specific Structures.** Hot tubs, swimming pools, spas and other water elements intended for human occupancy may be allowed within a required rear or side setback, provided that it is located no closer than 3 feet to any property line. Ponds and other water elements not intended for human occupancy and do not exceed a height of 24 inches may be placed within any required setback.