

City of Culver City, California
City Council Agenda Item Report

Meeting Date: 9/26/05		Item Number: <u>PH-1</u>	
AGENDA ITEM: Comprehensive Update – Culver City Municipal Code, Title 17 Zoning Code. Adoption of Resolution Recommending Approval to the City Council.			
Contact Person/Dept.: Thomas Gorham, Deputy Community Development Director		Phone Number: (310) 253-5727	
Fiscal Impact: Yes ☐ No ☒		General Fund: Yes ☐ No ☒	
Public Hearing: ☒		Action Item: ☐	Attachments: ☒
Public Notification: Publication in the Culver City News on September 8, 2005; Postcard notices were mailed to all City property owners, residents, and business occupants on September 8, 2005; Culver City website posting on September 15, 2005; and email to the Master Notification List on September 21, 2005.			
Department Approval: Thomas Gorham 9/15/05		CAO Approval: Scott Bixby for Jerry Fulwood 9/20/05	
City Controller Approval: N/A			

RECOMMENDATION:

That the City Council introduce, for first reading, Ordinance No. 2005-_____, to repeal existing Title 17, Zoning Code, of the Culver City Municipal Code (CCMC) and adopt new Title 17, Zoning Code, of the Culver City Municipal Code (CCMC) as outlined in Exhibits A and B attached thereto.

PROCEDURE:

1. Mayor seeks motion to receive and file affidavit of mailing and publishing of public notice.
2. Mayor calls on staff for a brief staff report and City Council poses questions to staff as desired.
3. Mayor declares the public hearing open, providing the applicant the first opportunity to speak, followed by the general public.
4. Mayor seeks a motion to close the public hearing after all testimony has been presented.
5. City Council thoroughly discusses the matter and arrives at its decision.

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BACKGROUND:

The comprehensive update of the Zoning Code is being carried out pursuant to implementation measures of the General Plan in order to establish land use and development standards consistent with the policies and objectives of the General Plan. The Zoning Code Update Program is one of the highest priority and most critical components of the Planning Division's work program.

The General Plan is the centerpiece of the City's planning program and carries the vision for the future development of the City. The General Plan provides broad-brush guidance for how the City will develop and accommodate physical growth and change. The Zoning Code is the primary tool to implement the vision of the General Plan and guide the day-to-day development decisions within the City. The Zoning Code expands on the information in the General Plan maps and text by providing the parcel specific rules and regulations for the location of various land uses. The Zoning Code also provides detailed specifications for the site planning and design of proposed development in the City.

The new Zoning Code will replace an inadequate, unorganized, outdated and poorly patched existing code that is often inconsistent with the General Plan. The new code will be a comprehensive, modern and user-friendly code that is consistent with and implements the General Plan.

The new Zoning Code is organized and written to be readily accessible and understandable to all users. The table of contents and the internal structure of the chapters reflect the sequence in which code users most commonly need to find specific information. People working with zoning codes tend to be most interested in first finding where particular land uses are allowed and then the regulations and standards that apply to the design and development of a particular use or structure, and finally the details of the required approval process.

The new Zoning Code uses clear language written in the simplest terms possible to describe regulations and specifications. Where appropriate, regulations have been put into easy to understand tables. Graphic design and page layout techniques including informative table of contents, cross-references, headers and footers, and the use of graphics enhance readability, allow for easy browsing, and clearly identify code provisions that apply to a reader's particular project or otherwise affect their interests.

In drafting the new Zoning Code, staff attempted to strike a balance between certainty in the development standards and review process and flexibility to allow

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varied criteria and design based on site conditions, design preferences and the community objectives. Since the inception of zoning in the U.S., every zoning ordinance has had two central aims:

- Minimizing one property's adverse impacts upon another; and
- Encouraging development patterns and activities considered desirable by the community.

In this context, zoning has been a positive influence on development, by setting certain standards and expectations for the quality of design and the fit of new development within neighborhoods. However, in order to achieve the greatest public benefit modern zoning codes have tended to provide greater flexibility to deal with site specific issues, with less constraints imposed by overly restrictive standards and guidelines. While flexibility is important, it must be balanced with the need to maintain basic legal principles of equity, uniformity and due process while carrying out the General Plan's land use policies.

Everyone wants to know what the rules and standards are by which development will be judged, and how decisions are made to approve, conditionally approve, or deny an application. In addition, knowing the timeframe as well as the criteria for approval, who has appeal rights, and when a decision is final so a project can proceed are also important. Therefore, it is vital that the Zoning Code contain these certainties. However, a site or an existing building may be unique, the design innovative and responsive, or public benefits so compelling that some relief of underlying requirements may be appropriate and therefore flexibility in the Zoning Code is necessary.

The new Zoning Code offers a number of ways to introduce flexibility into zoning administration. These include the following:

- Comprehensive Plans to allow use and site development regulations tailored to a particular development.
- Specific Plans to allow use and site development regulations tailored to a particular site or area.
- Administrative modifications to allow minor relief from certain development standards based on site and other constraints.
- Variances where unusual circumstances or hardships exist.
- Yard encroachments.

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- Provisions for changes and improvements to nonconforming uses and structures.
- Processes for streamlining development permits.
- Hierarchy of use regulations, including “by-right” uses, administratively permitted uses, and conditionally permitted uses.
- More flexible development standards based on site-specific criteria.
- Provisions for mixed use and live/work development.
- The use of overlay zones.
- Provisions for zoning text and map amendments.

Based on the objective of balancing certainty and flexibility, the new Zoning Code will regulate development through five major components: 1) the zoning map that divides the City into separate zoning districts; 2) a list of the types of land uses allowed in each zoning district; 3) standards for site planning and development; 4) rules and procedures for obtaining City approval for development; and 5) rules for zoning code administration. These five major components are organized into the seven articles contained in the Zoning Code. The seven articles are as follows:

- Article 1-** Zoning Code Applicability
- Article 2-** Zoning Districts, Allowable Land Uses, Zone and Zone Specific Standards
- Article 3-** Site Planning and General Development Standards
- Article 4-** Standards for Specific Land Uses
- Article 5-** Land Use and Development Permit Procedures
- Article 6-** Zoning Code Administration
- Article 7-** Definitions

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Staff has held three study sessions and three public hearings with the Planning Commission and a study session with the City Council to provide input, comments, and direction on the new Zoning Code. These are as follows:

- **May 11, 2005.** The first study session was held to review Article 2.
- **May 25, 2005.** The second study session was held to review the residential and commercial design guidelines from Article 2 and the Landscaping Chapter from Article 3.
- **June 8, 2005.** The third study session was held to review the Off-Street Parking and Loading Chapter from Article 3.
- **July 13, 2005.** The Commission reviewed Articles 1, 2, and 3 during a public hearing.
- **July 27, 2005.** The Commission reviewed Article 4 during a public hearing
- **August 10, 2005.** The Commission reviewed Articles 5, 6 and 7 during a public hearing.
- **August 24, 2005.** The Planning Commission adopted a Resolution No. 2005-P015 (Attachment No. 1) recommending that the Council adoption the new Zoning Code.
- **August 25, 2005.** Staff presented the proposed Zoning Code to the City Council at a study session.

DISCUSSION:

The following is a summary of the seven articles of the new Zoning Code (Attachment No. 2 – Exhibit A) as well as some of the key issues that have been addressed in the new Zoning Code.

Article 1

Article 1 addresses the applicability of the Zoning Code. It contains the general purpose of the code, discusses the Zoning Code's relationship to the General Plan, details the Zoning Code's applicability, and outlines who is responsible for administration of the Zoning Code. Article 1 provides details on land use and

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development approval requirements, including exemptions from land use permits; and outlines the rules for interpreting the Zoning Code.

Article 2

Article 2 will determine how individual parcels may be used. Article 2 contains the purpose of each zoning district, including categories of land uses that are appropriate for the zone and how each district relates to the land use designations of the General Plan. Article 2 then lists the land uses that may be allowed within each zoning district and the type of City approval required to establish each use. The zoning district designations and the land use list together implement the vision of the General Plan for each area of the City. The zone specific standards contained in Article 2 establish the scale and character of development unique to each zoning district. These standards address a variety of project location and design details including setbacks, height limits, density, building size, and open space.

Defining the zoning districts, the land uses allowed within them, the type of City approval required for each use, and zone specific development standards is one of the most important components of the zoning code. The mixture of land uses allowed in each zone will shape and preserve the form and character of the City and determine how different uses relate to one another. The types of uses allowed or not allowed will also affect the City's economy. The designation of some uses as permitted and others as conditional will determine the extent to which the public may be involved in the City's decision making on individual development projects. It will also affect the workload of the decision-making bodies and the amount of time required for a project applicant to find out whether the City will approve, deny or require modifications to a proposed project.

Zoning Districts

Article 2 establishes new zoning district designations as outlined in the Zoning District Comparison Guide (Attachment No. 3) and on the Draft Zoning Map (Attachment No. 2 - Exhibit B). The key components of these new designations are as follows:

- Pursuant to implementation direction from the General Plan, a new R3 zone has been established. The new R3 zone is a three-family land use zone that is applied to a specific area along McLaughlin Avenue characterized by residential triplex development.

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- A new high density multiple family residential zone (RHD) has been established to be applied to the large residential development in Fox Hills and other areas that were formerly included under the R-3 zoning district. These developments do not fit the low density multiple family designation of the current R3 zone. However, the development standards for the RHD zone are similar to the current R3 standards that these developments were built to.
- The R1-Z zone (One Family Dwelling/Zero Lot line) has been re-designated as a new RZ overlay zone.
- The existing C1 and C2 commercial zones have been combined into a new CN zone (Commercial Neighborhood) consistent with the Neighborhood Corridor General Plan designation.
- A new CD zone (Commercial Downtown) has been created to replace the existing Downtown Overlay zone.
- A new PD (Planned Development Zone) that identifies existing approved and built planned developments in the City and carries over the comprehensive plan requirements for any new planned developments has been established.
- Place holders for the Street Level Use and Design Overlay (SUDS) and the Redevelopment Project Area Overlay have been created for the these zones which are pending final City Council action.
- The new Open Space Zone that has been approved by the City Council is in Article 2.
- The Redevelopment Project Area Overlay has been incorporated into Article 2.

Land Use Tables

Specified land uses for each zoning district have been put into tables creating a clearer, concise and more user-friendly document. Key highlights of the use tables are as follows:

- The land use tables identify specific land uses broken down into categories.

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- The permit requirements by district are identified.
- Specific use regulations are identified.
- The various land use tables (residential, commercial, and industrial) are consistent in their land use names and correspond to the definitions contained in Article 7.
- Residential uses are currently permitted in commercial and industrial zones by extension, subject to the approval of a conditional use permit. The new land use requirements prohibit residential uses in the industrial zones completely, and limit residential uses in the commercial zones to either live/work uses and/or residential uses associated with a mixed-use project.

Development Standards

Like the land use tables, specific development standards for each zoning district have been put into tables creating a clearer, concise and more user-friendly document. Key highlights of the development standards are as follows:

- Complex calculations for private residential open space requirements for the R1, R2, and R3 zones have been removed. Private residential open space will be determined by setbacks and structure coverage requirements.
- The complex street-facing setback requirements for the CN, CG, CC and CD zones that result in odd building placement have been replaced with no setbacks required facing the street. This is consistent with the goal of creating pedestrian friendly streetscapes along the City's commercial corridors. A zero setback at the street face is not a requirement, but is encouraged. The standards do not prevent larger setbacks were they may be appropriate.
- Rear and side setbacks in the CN, CG, CC and CD zones adjacent to residential zones have been modified to be consistent with those setback requirements for mixed use projects adjacent to residential zones, where a 10 foot setback is required for the first 15 feet of building height and a 60 degree clear zone angle is required for those

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portions of the building over 15 feet in height. This will help protect residential zones from large commercial buildings looming over them.

- Formulas for rear and side setback requirements in the CRB, IL and IG zones have been replaced with a simplified “12 +” formula that results in similar existing setback requirements. Pursuant to direction from the Planning Commission, staff has included a diagram to illustrate this requirement
- Street facing setbacks in the CRR and CRB zones have been changed from a percentage figure to a fixed figure based on a median of the former percentage calculations.
- The street facing, rear and side yard setbacks in the IL and IG zones have been changed consistent with those in the CRR and CRB zones.

Key Issues

Outlined below are key issues identified by staff and discussed by the Commission:

- Staff has modified the list of permitted uses in the IL (Industry, Light) zone to allow “clean” type industrial uses that are more compatible with adjacent sensitive land uses. These clean industrial uses include manufacturing uses that do not involve chemicals, raw materials, or heavy machinery.
- Private schools are currently permitted in the City’s industrial zoning district pursuant to the approval of a conditional use permit (CUP). As the Council is aware, there has been an influx in the number of private schools wishing to locate in the City’s industrial zones. This is due to a number of factors including higher commercial rents and land cost on the Westside driving private schools to look for cheaper locations in industrial zones and the City’s allowance of private schools in industrial zones with a CUP. Concerns have been raised over the impacts of these private schools on the City’s industrial base and in turn on the City’s economic base. By permitting schools in the industrial zones, land use conflicts and adjacency issues are created. Schools are considered sensitive receptors and as such, industrial development adjacent to schools may be limited due to environmental issues related

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to noise, vibration, odors, and air quality. Further schools and certain industrial uses may conflict in terms of traffic and circulation.

In response to the issues outlined above, The Commission has recommended that private schools remain a conditionally permitted use in the IL zone, but prohibited in the IG zone. With the changes to clean industrial uses in the IL zone, there may be situations where a private school can be compatible with adjacent industrial uses. Through the CUP process, issues related to traffic, circulation, and land use compatibility can be addressed and a proposed school can be evaluated on a case-by-case basis.

- The RHD zone as previously proposed had a lower density than the RMD zone. The new RHD zone has been established to be applied to the large high-density residential development in Fox Hills and other areas that were formerly included under the R3 zoning district. These developments do not fit the low density multiple family designation of the current R3 zone, which allows a density of 1 unit per 2,904 sq. ft. of net lot area (15 units per acre). The RMD zone replaces the current R4 zone which has a density of 1 unit per 1,500 sq. ft. of net lot area (29 units per acre), but with a cap of no more than nine units per any site. Since the RHD zone is intended to be a higher density zone than the RMD zone, the density factor in the RHD zone has been changed to 1 unit per 1,500 sq. ft. of net lot area (20 units per acre) with no cap on the number of units per site.
- The Draft Zoning Map (Attachment No. 4) illustrates the new zoning designations based on their corresponding existing zoning designation. Once the new Zoning Code is adopted and the new zoning designations are in place, the zoning map will be updated to reflect the new zoning designations as they correspond to the General Plan. Where inconsistencies occur between the General Plan and the new zoning map, zone changes and/or general plan map amendments for individual parcels will be brought back to the Planning Commission for review and recommendation to the City Council.
- Staff has not included residential or commercial design guidelines as part of the Zoning Code at this time. Based on feedback from the Commission at the study session, it was felt that the design guidelines deserved their own special attention. Therefore, staff intends to further refine the guidelines and bring them to the Commission and Council under separate review after the new Zoning Code is adopted.

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Article 3

Article 3 contains the general development standards that apply to a variety of land uses in different zones. These include general development standards such as fences, screening, setback regulations, height measurements, landscaping, off-street parking and signs.

Article 3 is broken down into four chapters as outlined below:

General Property Development and Use Standards

This chapter contains general standards for setbacks, height, fences and screening. The chapter has been laid out in a user-friendly format with illustrations and tables that outline these general requirements that apply to all properties in all zoning districts.

Landscaping

The existing zoning code does not contain a specific landscape section. Rules and regulations for landscaping standards are scattered throughout the existing code and in the various separate resolutions and ordinances resulting in confusing, outdated and often contradictory standards.

The new landscaping chapter of Article 3 consolidates landscaping and irrigation standards and regulations into one comprehensive area of the code establishing uniform landscape standards for new projects and providing a mechanism to upgrade existing landscaping in developments when improvements are proposed.

Key Issues

Based on feedback from the Commission at the study session, staff has revised the landscaping chapter including the following:

- Clarified the term landscaping
- Adding number of trees required by total landscape area
- Clarified pruning requirements
- Clarified landscaping maintenance requirements
- Clarified landscaping of setback areas for single-family, duplex and triplex projects

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- Clarified landscaping of unused areas and vacant lots
- Permitting the Director to allow for modifications to the parking lot screening requirement of 36 inches.
- Clarified and further defined the term hydrozones.

Parking

The existing zoning code contains an off-street parking and loading chapter. However, the standards and regulations in this chapter are unorganized, difficult to interpret, inconsistent with other adopted ordinances and resolutions, and in some cases outdated. In addition, not all of the rules and regulations pertaining to parking are contained in the zoning code. Instead, they are scattered in various resolutions and ordinances that have been adopted over the years making the parking regulations difficult for staff to implement and for the public to understand.

The new parking chapter of Article 3 consolidates parking and loading standards into one single area of the code providing updated, comprehensive and uniform parking regulations to be applied consistently for all development.

Below, staff has outlined key elements of the off-street parking and loading standards.

Parking Requirements by Land Use

Parking requirements for specific land uses have been consolidated into an easy to use table broken down into four general categories: 1) Residential Uses; 2) Commercial Uses; 3) Recreation, Education and Assembly Uses; and 4) Industrial Uses. Below are key changes to parking requirements for specific land uses:

- Parking requirements for live/work units have been added consistent with the new live/work regulations.
- Parking for multi-family residential development has been changed to be consistent with the new parking standards for multi-family units in mixed-use residential development.
- Parking for single-family, duplex and triplex residential units has been changed to one standard of 2 parking spaces per dwelling unit. The current standards require an extra parking space for units with more than 5 bedrooms.
- Added parking requirements for banks and financial services

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- Parking requirements for hotels and motels has been revised to provide more parking and to account for hotel/motel staff and ancillary uses such as restaurants and conference uses.
- Parking for restaurants has been clarified to identify takeout service with customer tables and without customer tables.
- Parking requirements for car washes has been modified into three categories: self service; full service; and automated.
- Parking for health/fitness facilities has been modified to a standard for all facility types.
- Parking requirements for batting cages and skating rinks have been added.
- Parking for schools has been changed from a non-driving/driving age student basis and traditional/non-traditional classroom basis. The current method of calculating parking based on traditional and non-traditional classrooms is difficult to implement and difficult to enforce. Requirements for pre-school, kindergarten and grades 1-9, where there is no need for student parking, have been established based on spaces per classroom and spaces for assembly area. Parking for high school grades 10 and up and for colleges and universities has been changed to a standard 1 space per 35 square feet of classroom area consistent with the existing code. In addition, parking requirements for specialized instruction schools (such as traffic, language, tutoring, computers, etc...) that typically are located in retail or other commercial space have been added.

Change of use, expansion and additions

In order to allow more flexibility for businesses to locate in tenant space that may have legal non-conforming parking, new uses going into those spaces will not have to provide additional parking as long as the parking requirement for the new use is the same as the previous use. Further, to allow more flexibility for additions to single-family, duplex, or triplex units, no additional parking is required for additions resulting in up to a total of four (4) bedrooms. This will permit units that have only one parking space to add bedrooms up to a total of four without adding another parking space. Additions resulting in more than five (5) bedrooms will be required to provide the required two spaces.

Alternative Parking Provisions

Provisions for alternative parking have been clarified and modified as follows:

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- In lieu parking fees have been modified to a set fee schedule rather than a formula based on assessed land value.
- Off-site parking provisions have been modified by adding regulations for location, design standards, facility identification, terms, and replacement of lost off-site parking.
- Approval for shared parking has been changed from a conditional use permit to an administrative use permit.

Parking Design and Layout Guidelines

This is perhaps the most improved section of the parking chapter in that standards for parking space size, location, access, parking lot layout, lighting, drive aisles, surfacing, and other standards have been consolidated into one comprehensive section. Key elements of this section are as follows:

- Parking space dimensions for residential uses have been changed to a standard of 18 feet by 9 feet instead of 18 feet by 8 feet, 8 inches.
- Parking space dimensions for non-residential uses has been changed to a standard of 18 feet by 8 feet, six inches instead of 18 feet by 8 feet, four inches.
- The use of compact stalls has been eliminated.
- Parking space and drive aisle dimensions have been placed in a table format for ease of use and illustrated in a new figure.
- Standards for curbing and wheel stops have been included.
- Standards for slopes of driveways, ramps and parking areas have been consolidated from various sources and put into the code.
- Standards for lighting, directional signs, and striping have been included.
- Standards for parking area surfacing including provisions for alternative surfaces have been included.
- Standards for parking structures have been added.

Driveway and Site Access Standards

No significant changes to the current standards have been made, However, the standards are now are now consolidated into one section.

Bicycle Parking

The existing code does not contain standards for bicycle parking. A new section for bicycle parking is included with standards for number of spaces and parking design.

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Loading

No significant changes to the current standards have been made, However, the standards are now are now consolidated into one section.

Key Issues

Based on feedback from the Commission at the study session, staff has revised the parking chapter including the following:

- Added allowance for the temporary reduction of parking during construction activities.
- Clarified parking requirements for a change of use that requires no more parking than the previous use.
- Eliminated ½ space reference in the parking tables
- Added a minimum of 3 parking spaces for restaurants of less than 1,500 sq. ft.
- Clarified parking stall size for uncovered residential parking spaces
- Added two-way aisle dimension requirement to Figure 3-8.
- Clarified curbing and wheel stop requirements.
- Provided allowance for the Director to determine appropriateness of driveway slope.

Signs

The existing zoning code contains a sign chapter; however, the standards and regulations in this chapter are unorganized and difficult to interpret. Staff's intent in writing this chapter was not to change the sign standards in terms of number and types of signs allowed, but rather to take the existing regulations and make them better organized and easier to understand, implement and administer.

Based on the premise of better readability and user-friendliness, the sign regulations have been broken down into specific categories including:

- Sign standards by zoning district with non-residential and residential types and put into tables for easy access and readability
- Standards for specific types of signs including temporary signs broken out into tables.
- General requirements for all signs, including sign area and height measurements, location, design standards, illumination, installation, and maintenance.

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- Prohibited and restricted signs
- Signs in the public right-of-way
- Non-Conforming Signs
- Sign permit requirements, including comprehensive sign program requirements

In addition, sign specific definitions have been included in the Sign Chapter.

Article 4

Article 4 contains standards for specific land uses. These standards apply to the development and operation of particular land uses that may have the potential for adverse effects regardless of their location, such as drive-through facilities, alcoholic beverage sales, recycling facilities, vehicle repair shops, and others. Therefore, these standards are “use driven” rather than “zone driven”. These use specific standards can range from the same issues addressed by zone-specific standards, such as requiring larger setbacks or additional landscaping; or more specific standards such as limitations on hours of operation, detailed standards for site layout, screening, noise and other performance and operational standards.

All of the standards for specific uses outlined in Article 4 are cross-referenced in the use tables contained in Article 2 under the column “See Specific Use Regulations”. For example, automated teller machines (ATM’s) in the land use tables refers the reader to Section 17.400.025, which are the standards for ATM’s contained in Article 4.

The following are some key elements of Article 4:

Alcoholic Beverage Sales

- Permit requirements have been put into a table format for easier use.
- Additional required findings for approval of a Use Permit are outlined.

Check Casing Businesses

- Distance separation requirements are outlined.
- Details on additional information required to be submitted with development plans are provided.

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Child Day Care Facilities

- Outlines noticing requirements specific to large family day care homes.
- Provides development standards that help to minimize effects on surrounding properties.

Drive-In and Drive- Through Facilities

- Standards are provided to effectively mitigate problems usually associated with these types of facilities.

Home Occupations

- Provides guidelines for types of home occupations permitted.
- Provides examples of businesses that are not incidental to or compatible with residential activities and are prohibited as home occupations.
- Operating standards such as limitations on clients, parking, employees and deliveries are provided.

Outdoor Dining

- Standards for outdoor dining in the public right-of-way (sidewalks) are provided in specific resolutions and other sections of the Municipal Code. References to these regulations are provided in this section.
- Detailed standards, not previously contained in the zoning ordinance, for outdoor dining on private property have been developed. These include location requirements, operating requirements, lighting, landscaping, parking, and design compatibility.

Outdoor Retail Sales and Display

- Standards from various resolutions and code sections have been consolidated into one section.

Pawnshops

- Distance separation requirements are outlined.
- Details on additional information required to be submitted with development plans are provided.
- Prohibited hours of operation are provided.

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Recycling Facilities

- Standards and regulations from various resolutions and code sections have been consolidated into one comprehensive section.
- Detailed definitions of various types of recycling facilities and terms are provided.

Accessory Dwelling Units

- The recently adopted secondary dwelling unit ordinance has been incorporated into this section.

Accessory Residential Structures

- Regulations, including height and setbacks provided.
- Exceptions added including child's play equipment, pet shelters, and trash enclosures.
- Standards for site coverage to ensure adequate open space are provided.

Multi-family Residential Standards

- Specific standards for open space are provided.

Vehicle Fueling Stations and Vehicle Repair Shops

- Detailed operational, development, and site maintenance standards are provided.

Telecommunication Facilities

- All requirements for specific types of telecommunication facilities including dish antennas and cellular facilities combined into one comprehensive section.

Article 5

Article 5 contains the procedures for land use and development permits. The permitting and development review procedures within the Article 5 include provisions for the preparation, filing, processing, and evaluation of land use permits by City staff. The procedures also provide criteria for the approval or

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denial of the permit applications by the assigned decision making body (e.g. the Director, the Planning Commission, or City Council).

The land use and development permits outlined in Article 5 provide for administrative review of certain types for permits including site plan reviews, use permits and variances. The administrative process is provided for situations where it has been determined that a particular type of use needs discretionary review, but that issues an individual project will raise are likely not to be significant or complicated enough to warrant Planning Commission review. Administrative permits are identical to regular discretionary permits in terms of public notice and the extent of discretion that may be exercised, but a public hearing is not required. This approach helps to streamline the land use permit review process.

The following are some key elements of Article 5:

- Review Authority for land use permits outlined in table format.
- Zoning Clearances put in place for ministerial approvals.
- Standards for Temporary Use Permits established.
- Procedures for Administrative and Conditional Use Permits.
- Procedures for Site Plan Review including thresholds for administrative review.
- Procedures for Variances, including Administrative Modifications for minor deviations from development standards.
- Process and procedures for Comprehensive Plans.
- Procedures and requirements for Specific Plans in accordance with State law.
- Procedures and requirements for Development Agreements in accordance with State law.
- Density Bonus procedures.
- Time limits and extensions for land use permits.

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Article 6

Article 6 contains the rules and regulations for administration of the Zoning Code. These provisions include procedures for public hearings and appeals, rezoning and amendments to the Zoning Code text, Zoning Code enforcement, regulations for nonconforming uses, and procedures for revocations and modifications. Most of the provisions set forth in Article 6 are influenced and/or required by State law requirements.

The following are some key elements of Article 6:

- Responsibilities of the City Council, Planning Commission and Director for administering the Zoning Code are outlined.
- Provisions for nonconforming structures and uses provide flexibility to allow improvements without having to meet all current code requirements.
- Provisions for amendments to the General Plan, Zoning Code Text and Zoning Map are provided in accordance with State law.
- Procedures and processes for noticing of land use permits, including public hearing notices are provided in a table format.
- Procedures for appeals of the Director or Planning Commission actions as well as processes for hearing appeals are provided.
- Rules for Zoning Code enforcement are provided.
- Procedures for permit revocations and modifications are outlined.

Article 7

Article 7 contains the definitions of various terms and land uses contained in the Zoning Code. The definitions are intended to be comprehensive and aid in simplifying the code text, minimize the chances of differing interpretations, and translate technical terms.

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ATTACHMENTS:

- 1) Planning Commission Resolution No. 2005-P015
- 2) Draft City Council Ordinance No. 2005-_____ and Exhibits A (Zoning Code) and B (Zoning Map)
- 3) Zoning District Comparison Guide

MOTION:

That the Council:

Introduce, for first reading, Ordinance No. 2005-_____, to repeal existing Title 17, Zoning Code, of the Culver City Municipal Code (CCMC) and adopt new Title17, Zoning Code, of the Culver City Municipal Code (CCMC) by as outlined in Exhibits A and B attached thereto.