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3 ORDINANCE NO. 2016 - ____

4 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CULVER CITY,
5 CALIFORNIA, AMENDING TITLE 17, ZONING, OF THE CULVER CITY
6 MUNICIPAL CODE (CCMC), SECTION 17.210.020 TABLE 2-3 – RESIDENTIAL
7 DISTRICTS DEVELOPMENT STANDARDS AND SECTION 17.700.010 –
8 DEFINITIONS AND AS SET FORTH IN EXHIBIT “A” ATTACHED HERETO.

9 (Zoning Code Amendment P-2015-0103-ZCA)

10 WHEREAS, on June 8, 2015, the City Council directed staff to prepare a report to
11 Planning Commission addressing public comments received expressing concerns regarding
12 the size and design of new and remodeled large single family developments in the City; and

13 WHEREAS, on July 22, 2015, August 26, 2015, and September 15, 2015 the
14 Planning Commission conducted study sessions (collectively, “Study Sessions”) during which
15 it received substantial public testimony and provided direction to staff on potential Zoning
16 Code amendments to address the practice of replacing older, smaller homes with the largest
17 home permitted under the City’s Zoning Code, which are much larger than surrounding
18 dwellings and which, because of their size, change the scale and character of a
19 neighborhood (known as “Mansionization”); and

20
21 WHEREAS, at the Study Sessions, the Planning Commission took into
22 consideration concerns expressed by the public and discussed staff recommended potential
23 changes to the Zoning Code and/or permit and construction process. The recommended
24 changes are intended to address issues of building massing, privacy, design, neighborhood
25 compatibility, height, construction, permit and public notification. The regulations
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1 recommended to be changed relate to front, side, rear and second story setbacks, building
2 height, Floor Area Ratio (FAR), basements, and corner lots; and

3 WHEREAS, on October 21, 2015, after conducting a duly noticed public hearing
4 on City-initiated Zoning Code Amendment, ZCA P-2015-0103-ZCA regarding changes to
5 Residential Single Family (R1) Zone District Development Standards, including full
6 consideration of all reports, studies, testimony, and environmental information presented, the
7 Planning Commission determined by a vote of 5 to 0 to (1) recommend to the City Council
8 approval of certain amendments to the Zoning Code to be adopted as part of Zoning Code
9 Amendment, ZCA P-2015-0103-ZCA; and (2) recommend the deferral of certain
10 amendments to be discussed at a joint City Council/Planning Commission Study Session;
11 and
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14 WHEREAS, on November 16, 2015, the City Council and Planning Commission
15 held a joint study session to discuss the issue of Mansionization and the recommendations
16 from the Planning Commission. The City Council and Planning Commission took into
17 consideration concerns expressed by the public and discussed the recommended potential
18 changes to the Zoning Code and/or permit and construction process. Following discussion
19 by the City Council and Planning Commission, the City Council directed staff to proceed with
20 amendments to the Zoning Code relative to front, side, rear, corner and second story
21 setbacks, Floor Area Ratio (FAR), building height, incentives to maintain 10' side yards for
22 driveways leading to a garage at the rear of a lot, and allowances for basements; and
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25 WHEREAS, on December 14, 2015, after conducting a duly noticed public
26 hearing on City-initiated Zoning Code Amendment, ZCA P-2015-0103-ZCA regarding
27 changes to Residential Single Family (R1) Zone District Development Standards, including
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1 full consideration of all reports, studies, testimony, and environmental information
2 presented, the City Council, by a vote of 5 to 0, introduced an ordinance approving Zoning
3 Code Amendment, ZCA P-2015-0103-ZCA (the "Ordinance"), as set forth herein below;
4 and

5 WHEREAS, on January 4, 2016, the City Council, by a vote of ____ to ____,
6 adopted the Ordinance as set forth herein below.

7
8 NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CULVER CITY,
9 CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

10 SECTION 1. Pursuant to the foregoing recitations and the provisions of the
11 Culver City Municipal Code (CCMC), Title 17, Section 17.620,030, the following findings for a
12 Zoning Code Amendment are hereby made:
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- 14 **1. The proposed amendment ensures and maintains internal consistency with**
15 **the goals, policies and strategies of all elements of the General Plan and will**
16 **not create any inconsistencies with this Title, in the case of a Zoning Code**
17 **Amendment.**

18 ZCA P-2015-0103-ZCA ensures and maintains internal consistency with the goals,
19 policies, and strategies of the General Plan and will not create any inconsistencies
20 with the Zoning Code. The amendments to Zoning Code Section 17.210.020
21 TABLE 2-3 regarding R1 development standards will reduce the overall size of
22 single family homes, addressing areas of concern included privacy, building
23 massing, building height, and building size consistent with General Plan Land Use
24 Element Policy 1.E - "Support a balanced respect for the character of existing
25 residences with new and potentially unique design in new or remodeled structures",
26 and General Plan Housing Element Policy 2.C - "Preserve the character, scale,
27 and quality of established residential neighborhoods."

- 28 **2. The proposed Zoning Code Amendment will not be detrimental to the public**
29 **interest, health, safety, convenience and welfare of the City.**

30 ZCA P-2015-0103-ZCA is not detrimental to the public interest, health, safety,
31 convenience and welfare of the City. The amendments to Zoning Code Section
32 17.210.020 TABLE 2-3 regarding R1 development standards will reduce the overall
33 size of single family homes, addressing areas of concern included privacy, building
34 massing, building height, and building size. The Planning Commission

recommended Zoning Code text amendments are intended to balance the right of property owners to improve and develop their properties to meet family needs and personal preferences while protecting the character of established neighborhoods and limiting the impacts of new development on adjacent properties.

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

Pursuant to Sections 15162 and 15168 of the California Environmental Quality Act (CEQA), the Zoning Code Amendment (ZCA P2015-0103-ZCA) is within the scope of the Culver City General Plan Update Program EIR approved on September 24, 1996 (PEIR), the circumstances under which the PEIR was prepared have not significantly changed, and no new significant information has been found that would impact the PEIR. Therefore no new environmental analysis is required.

SECTION 2. Pursuant to the foregoing recitations and findings, the City Council of the City of Culver City, California, hereby adopts Zoning Code Amendment ZCA P-2015-0103-ZCA incorporated as text changes to Title 17, Zoning, of The Culver City Municipal Code, Section 17.210.020 Table 2-3 – Residential Districts Development Standards and Section 17.700.010 – Definitions as outlined in Exhibit "A," attached hereto and incorporated herein by reference.

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

SECTION 4. The City Council hereby declares that, if any provision, section, subsection, paragraph, sentence, phrase or word of this ordinance is rendered or declared invalid or unconstitutional by any final action in a court of competent jurisdiction or by reason of any preemptive legislation, then the City Council would have independently

1 adopted the remaining provisions, sections, subsections, paragraphs, sentences, phrases
2 or words of this ordinance and as such they shall remain in full force and effect.
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4 APPROVED and ADOPTED this _____ day of _____, 2016.
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9 _____
10 MICHEÁL O' LEARY, MAYOR
11 City of Culver City, California

12 ATTESTED BY:

13 APPROVED AS TO FORM:

14 _____
15 MARTIN R. COLE, City Clerk

16 _____
17 CAROL A. SCHWAB, City Attorney
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A15-00880

EXHIBIT A
Ordinance No. 2015-_____
Table 2-3
Residential Districts Development Standards (R1, R2, R3)

Development Feature	Requirement by Zoning District		
	R1	R2	R3
Minimum lot area (1)	5,000 sf or the average area of residential lots within a 500 ft radius of proposed subdivision, whichever is greater.		
Lot width (2)	50 ft		
Lot depth	100 ft		
Maximum number of dwelling units allowed per parcel (3)	1 unit	2 units	3 units
Dwelling size	<u>Maximum and minimum allowed floor area.</u>	<i>Maximum and minimum allowed floor area, not including any garage or other non-habitable space.</i>	
Maximum area	<u>.60 Floor Area Ratio (FAR) (6)(7)</u>	1,500 sf plus 40% of net lot area for parcels less than 8,000 sf; 60% of net lot area for parcels 8,000 sf or more.	
Minimum area	1,000 sf on the ground floor.	1,000 sf for a single family unit; 750 sf / unit in a duplex.	1,000 sf for a single family unit; 750 sf for a duplex or triplex.
Setbacks (4)	<i>Minimum setbacks required. See Section 17.300.020 (Setback Regulations and Exceptions).</i>		
Front	<u>20 ft-Single story structures</u> <u>20 ft - Two story structures; plus minimum 5 ft stepback for second floor</u> <u>25 ft -Two story structures without minimum 5 ft second floor stepback</u>	15 ft	10 ft, or ½ the building height, whichever is greater.
<u>Interior</u> Sides (each)	<u>4 5 ft</u>	4 ft	5 ft
<u>Street Side (Corner)</u>	<u>5 ft Single story structures</u> <u>5 ft - Two story structures; plus minimum 5 ft stepback for second floor</u> <u>10 ft -Two story structures without minimum 5 ft second floor stepback</u>		
Rear	<u>10 15 ft</u>	10 ft	
Minimum distance between structures	5 ft between accessory residential structures; 8 ft between detached dwelling units.		
Open space	<i>Minimum area of a site to remain uncovered by structures, in compliance with Section 17.400.100 (Residential Uses - Accessory Residential Structures).</i>		
Private	None required other than setbacks.		
Common	None required.		

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Ordinance No. 2015-_____
Table 2-3
Residential Districts Development Standards (R1, R2, R3)

Development Feature	Requirement by Zoning District		
	R1	R2	R1
Height limit (4) (5) (8)	<u>Flat Roofs - 2 stories and 30 26 ft</u> <u>Sloped Roof - 2 stories and 30 ft</u>	30 ft	
Landscaping	As required by Chapter 17.310 (Landscaping).		
Parking	As required by Chapter 17.320 (Off-street Parking and Loading).		
Signs	As required by Chapter 17.330 (Signs).		

Notes:

- (1) Minimum lot area for parcels proposed in new subdivisions and lot line adjustments. Condominium, townhome, or planned development projects may be subdivided with smaller parcel sizes for ownership purposes, with the minimum lot area determined through the subdivision review process, provided that the overall development site complies with the minimum lot size requirements of this Chapter.
- (2) Minimum required width measured at the street property line, except as otherwise provided by Section 15.10.700. (Subdivision Design Standards) for curved lot frontages and flag lots.
- (3) For standards for Accessory Dwelling Unit, see Section 17.400.095.
- (4) For standards for Accessory Residential Structures, see Section 17.400.100.
- (5) For standards for Height Measurement and Height Limit Exceptions, see Section 17.300.025.
- (6) Garages attached to the primary structure shall be included in the FAR. Detached garages shall not be included in the FAR.
- (7) The floor area of basements shall not be included in the FAR.
- (8) Sloped Roofs equal to or greater than a 3:12 slope; Flat Roofs less than 3:12 slope.

17.700.010- Definitions of Specialized Terms and Phrases

B. Definitions, “B”,

Basement. That portion of a building or an area enclosed by walls located below finished grade and beneath and not exceeding the first floor footprint above, where the vertical distance from finished grade to the bottom of the finished floor above is no more than three vertical feet at all points around the perimeter of all exterior walls. A basement does not constitute a story. All basements shall be limited to one floor level and not to exceed twelve (12) feet in height.

F. Definitions, “F”,

Floor Area Ratio (FAR). The floor area ratio (FAR) is the ratio of floor area to total lot area. The maximum floor area permitted on a site shall be determined by multiplying the floor area ratio (FAR) by the total area of the site (FAR x Site Area = Maximum Allowable Floor Area). Basement area shall not be included in calculation of FAR.