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RESOLUTION NO. 2018-P010

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CULVER CITY, CALIFORNIA, RECOMMENDING TO THE CITY COUNCIL APPROVAL OF ZONING CODE AMENDMENT P2018-0191-ZCA, AMENDING CULVER CITY MUNICIPAL CODE (CCMC), TITLE 17 – ZONING (ZONING CODE) SECTION 17.220.015 – COMMERCIAL DISTRICT LAND USES AND PERMIT REQUIREMENTS, SECTION 17.230.015 – INDUSTRIAL DISTRICT LAND USES AND PERMIT REQUIREMENTS, SECTION 17.260.035 – EAST WASHINGTON BOULEVARD OVERLAY, SECTION 17.320.020 – NUMBER OF PARKING SPACES REQUIRED, SECTION 17.520.010 – APPLICABILITY, SECTION 17.520.015 – ALLOWED TEMPORARY USES, SPECIAL EVENTS AND TEMPORARY EVENTS, SECTION 17.520.035 – DEVELOPMENT AND OPERATING STANDARDS, AND SECTION 17.700.010(C) - DEFINITIONS, RELATING TO EVENT CENTERS, AS SET FORTH IN EXHIBIT “A” ATTACHED HERETO.

(ZONING CODE AMENDMENT, P2018-0191-ZCA)

WHEREAS on November 14, 2018, after conducting a duly noticed public hearing on City-initiated Zoning Code Text Amendment (P2018-0191-ZCA) amending Culver City Municipal Code (CCMC), Title 17 – Zoning (Zoning Code), Section 17.220.015 – Commercial District Land Uses and Permit Requirements, Section 17.230.015 – Industrial District Land Uses and Permit Requirements, Section 17.260.035 – East Washington Boulevard Overlay, Section 17.320.020 – Number of Parking Spaces Required, Section 17.520.010 – Applicability, Section 17.520.015 – Allowed Temporary Uses, Special Events, and Temporary Events, Section 17.520.035 – Development and Operating Standards, and Section 17.700.010(C) - Definitions, Relating to Indoor amusement/entertainment facilities, fully considering all reports, studies, testimony, and environmental information presented, the Planning Commission determined, by a vote of __ to __, to recommend to the City Council approval of Zoning Code Amendment P2018-0191-ZCA, as set forth herein below.

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

3 **SECTION 1.** Pursuant to the foregoing recitations and the provisions of the CCMC,
4 the following required findings for an amendment to the Zoning Code, as outlined in
5 CCMC Section 17.620.030.A, are hereby made:
6

7 **1. The proposed amendment ensures and maintains internal consistency**
8 **with the goals, policies and strategies of all elements of the General Plan and**
9 **will not create any inconsistencies.**

10 The proposed Zoning Code Amendment is intended to better define event centers in
11 the Zoning Code to create a more harmonious public realm. The amendments will
12 improve the implementation of the Zoning Code, which implements the goals,
13 objectives, and policies of the General Plan. The existing Zoning Code language
14 does not address special event centers. The proposed Zoning Code Amendment
15 will add language to the Zoning Code regarding special event centers and banquet
16 halls to facilitate the establishment of such uses in commercial and industrial zones.
17 The proposed Zoning Code Amendment is consistent with General Plan Land Use
18 Element Objective 5 – Economic Diversity, because it will encourage new business
19 opportunities that expand Culver City’s economic base and serve the needs of the
20 City’s residents and business community. Therefore, the proposed Zoning Code
21 Amendment does not conflict with the goals, policies, and strategies of any elements
22 of the General Plan, nor create any inconsistencies.

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

25 The proposed Zoning Code Amendment will help ensure that the Zoning Code is
26 clear and internally consistent with regard to event centers. It will provide clear
27 language for the allowance of such uses in the city’s commercial and industrial
28 zones. The Zoning Code Amendment will serve to update the Zoning Code in
29 relation to regulating assembly uses and reduce confusion in establishing event
centers in Culver City. Zoning Code language will regulate event centers that will
require discretionary approval when event centers are located in industrial zones and
meet all applicable Zoning Code development regulations. Therefore, the Zoning
Code Amendments will not be detrimental to the public interest, health, safety,
convenience, or welfare of the City.

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

5 Pursuant to Section 15061(b)(3) of the California Environmental Quality Act, the
6 proposed Zoning Code Text Amendment (P2018-0186-ZCA) is considered exempt

1 because it can be seen with certainty that there is no possibility that the Project to amend
2 Zoning Code Chapter 17.320 – Off-street Parking and Loading will have a significant
3 effect on the environment. The Project by itself, does not result in any physical changes
4 in the environment because it will only amend the Zoning Code to clarify regulatory
5 standards for special events, and does not result in an intensification of development
6 beyond what the Zoning Code already currently allows.
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SECTION 2. Pursuant to the foregoing recitations and findings, the Planning Commission of the City of Culver City, California, hereby recommends to the City Council approval of Zoning Code Amendment P2018-0191-ZCA, as set forth in Exhibit A attached hereto and made a part thereof.

APPROVED and ADOPTED this 14th day of November, 2018.

EDWARD OGOSTA - CHAIRPERSON
PLANNING COMMISSION
CITY OF CULVER CITY, CALIFORNIA

Attested by:

Susan Herbertson, Senior Planner

17.220.015 - Commercial District Land Uses and Permit Requirements

TABLE 2-5 Allowed Uses and Permit Requirements for Commercial Zoning Districts	P Permitted Use CUP Conditional Use Permit required AUP Administrative Use Permit Required - Use not allowed						
	PERMIT REQUIREMENT BY DISTRICT						See Specific Use Regulations:
LAND USE (1)	CN	CG	CC	CD	CRR	CRB	

INDUSTRY, MANUFACTURING & PROCESSING

Cosmetic product manufacturing	-	-	-	-	-	P	
Electronics and equipment manufacturing	-	-	-	-	-	P	
Fabric products manufacturing	-	-	-	-	-	P	
Handcraft industries	-	-	-	-	-	P	
Media production - Indoor support facilities	-	P	-	-	-	P	
Media production - Soundstages	-	-	-	-	-	P	
Printing and publishing	-	P	P	-	P	P	
Recycling facility - Incidental small collection	-	P	P	-	P	P	17.400.090
Recycling facility - Small collection	-	AUP	AUP	-	AUP	AUP	17.400.090
Research and development (R&D)	-	-	-	-	-	P	
Wholesaling and distribution facilities	-	-	-	-	-	P(2)	

RECREATION, EDUCATION & PUBLIC ASSEMBLY

Arcade	-	AUP	AUP	P(3)	AUP	-	
Clubs, lodges, and private meeting halls	-	P	P	P(4)	-	P	
Health/fitness facilities	-	P	P	P(4)	P	P	
Event Centers Indoor amusement/entertainment facilities	-	P	P	P	P	-	17.520.035
Outdoor commercial recreation	-	CUP	CUP	-	CUP	CUP	
Public recreational and cultural facilities	P	P	P	P	P	P	
Public Schools	P	P	P	P	P	P	
Private Schools (5)	CUP	CUP	CUP	CUP	-	CUP	
Religious places of worship	CUP	P	P	-	-	P	
Studios - Art, dance, music, photography, etc.	P	P	P	P	P	P	
Theaters	P	P	P	P	P	P	

RESIDENTIAL

Home occupations	P	P	P	P	-	-	17.400.055
Live/work units	P	P	P	P	-	-	17.400.060
Mixed use projects	P	P	P	P	-	-	17.400.065
Residential care facilities, 6 or fewer clients	P	P	P	P	-	-	
Residential care facilities, 7 or more clients	CUP	CUP	CUP	-	-	-	
Senior citizen congregate care housing	CUP	CUP	CUP	-	-	-	
Single Room Occupancy units (8)	P	P	P	P			17.400.106
Supportive Housing (7)(8)	P	P	P	P	-	-	
Transitional Housing (7)(8)	P	P	P	P	-	-	

RETAIL TRADE

Accessory food service	P	P	P	P	P	P	
Accessory retail uses	P	P	P	P	P	P	
Adult businesses (6)	-	P	P	-	-	-	
Artisan shops	P	P	P	P	P	P	

Notes:

- (1) See Article 7 for definitions of the land uses listed.
- (2) 10,000 sf maximum floor area.
- (3) Up to 10 amusement devices are allowed in conjunction with a multiplex movie theater subject to Section 17.230.030
- (4) Subject to ground floor restrictions; see Section 17.220.035 (CD District Requirements).
- (5) AUP required for schools up to 1,500 square feet in area.
- (6) Use only allowed subject to approval of an Adult Use Development Permit (See CCMC Chapter 11.13).
- (7) Use is subject to only those restrictions that apply to other residential uses of the same type in the same zone.
- (8) Use only allowed as part of a mixed use project

Continues on next page.

17.230.015 - Industrial District Land Uses and Permit Requirements

TABLE 2-8 Allowed Uses and Permit Requirements for Industrial and Special Purpose Zoning Districts	P	Permitted Use	
	CUP	Conditional Use Permit Required	
	AUP	Administrative Use Permit Required	
	-	Use not allowed	
LAND USE (1)	PERMIT REQUIREMENTS BY DISTRICT		See specific use regulations
	IL	IG	
INDUSTRY, MANUFACTURING & PROCESSING			
Chemical product manufacturing	-	P	
Concrete, gypsum, and plaster products	-	P	
Electronics and equipment manufacturing	P	P	
Fabric products manufacturing	P	P	
Food and beverage manufacturing	-	P	
Furniture/fixtures manufacturing	P	P	
Glass, metal and plastics product manufacturing	-	P	
Handcraft industries	P	P	
Laundries and dry cleaning plants	-	P	
Lumber and wood product manufacturing	-	P	
Machinery manufacturing	-	P	
Media production - Backlots/outdoor facilities	-	P	
Media production - Indoor support facilities	P	P	
Media production - Soundstages	P	P	
Metal products fabrication, machine/welding shops	-	P	
Motor vehicle/transportation equipment manufacturing	-	P	
Paper product manufacturing	-	P	
Paving and roofing material manufacturing	-	P	
Printing and publishing	P	P	
Recycling facility - Processing	-	P	17,400.090
Recycling facility - Large collection	-	P	17,400.090
Recycling facility - Small collection	AUP	P	17,400.090
Recycling facility - Incidental small collection	P	P	17,400.090
Research and development (R&D)	P	P	
Small-scale product manufacturing	P	P	
Stone and cut stone product manufacturing	-	P	
Stone, clay and pottery product manufacturing	-	P	
Warehousing and distribution facilities	P	P	
Wholesaling and distribution facilities	P	P	
RECREATION, EDUCATION , PUBLIC ASSEMBLY			
Arcade	P	P	
Health/fitness facilities	P	P	
Event Centers Indoor amusement/entertainment facilities	AUP CUP	AUP CUP	17,520.035
Outdoor Commercial Recreation	CUP	CUP	
Private Schools	CUP	-(2)	
Public recreational and cultural facilities	CUP	CUP	
Public Schools	P	P	
Studios - Art, dance, music, photography, etc.	P	P	
Theaters	P	P	
RESIDENTIAL			
Caretaker and employee housing	CUP	CUP	

Notes: (1) See Article 7 for definitions of the land uses listed.

(2) See Section 17.610.010 for nonconforming school uses

Continues on next page.

17.260.035 - East Washington Boulevard Overlay (-EW)

TABLE 2-11 Allowed Uses and Permit Requirements for the East Washington Boulevard Overlay (-EW)	P CUP AUP -	Permitted Use Conditional Use Permit required Administrative Use Permit Required Use not allowed
LAND USE (1)	Permit Requirement	See Specific Use Regulations:

INDUSTRY, MANUFACTURING, & PROCESSING

Fabric products manufacturing, 5,000 sq.ft. or less	AUP	
Fabric products manufacturing, 5,001 to 10,000 sq.ft.	CUP	
Food and beverage manufacturing, 5,000 sq.ft. or less (2)	AUP	
Food and beverage manufacturing, 5,001 to 10,000 sq.ft (2)	CUP	
Furniture/fixtures manufacturing, 5,000 sq.ft. or less (3)	AUP	
Furniture/fixtures manufacturing, 5,001 to 10,000 sq.ft. (3)	CUP	
Handcraft industries, 5,000 sq.ft. or less (3)	AUP	
Printing and publishing, 10 employees maximum	P	
Recycling facility - Incidental small collection	AUP	17.400.090
Recycling facility - Large collection (4)	CUP	17.400.090
Recycling facility - Small collection	CUP	17.400.090

RECREATION, EDUCATION, & PUBLIC ASSEMBLY

Clubs, lodges, and private meeting halls	AUP	
Health/fitness facilities	P	
Event Centers Indoor amusement/entertainment facilities	AUP	17.520.035
Religious places of worship	P	
Private Schools (5)	CUP	
Public Schools	P	
Studios – Art, dance, music, photography, etc.	P	
Theaters	P	

RESIDENTIAL

Live/work units	P	17.400.060
Mixed Use	P	17.400.065

RETAIL TRADE

Auto and vehicle sales/rental (6)(7)	P	
Auto parts sales, retail	P	
Convenience stores (8)	P	
Food Retail	P	
General retail stores (8)	P	
Internet café	P	

Notes:

- (1) See Article 7 for definitions of the land uses listed.
- (2) Includes packaging, processing, and wholesaling.
- (3) Includes assembly, restoration, and wholesaling.
- (4) Use only allowed on a site located a minimum of 300 ft from any residential zone.
- (5) AUP required for schools up to 1,500 sq.ft. in area.
- (6) All business activities with no outdoor display, storage or repair areas permitted shall be conducted wholly within completely enclosed buildings.
- (7) Used vehicles sales and service shall only be allowed incidental to new vehicle sales.
- (8) For permit requirements related to the sale of Alcoholic Beverages, see Section 17.400.015.

17.320.020 - Number of Parking Spaces Required

3. Recreation, education and public assembly uses.

Table 3-3C

Land Use Type: Recreation, Education & Public Assembly (1)	Vehicle Spaces Required
Assembly uses, religious places of worship, clubs, mortuaries with congregational services, banquet halls , meeting halls, membership organizations, sports arenas, stadiums, and theaters	1 space for each 5 fixed seats, and 1 space per 35 sf of assembly or seating area with no fixed seats, plus required spaces for ancillary uses (e.g. restaurant).
Commercial Recreational Activities	
Outdoor recreation facilities	Determined by Conditional Use Permit or Comprehensive Plan.
Tennis, Racquetball, handball or other courts	2 spaces per court, plus 1 space per 300 sf for ancillary uses.
Health/fitness facilities	1 space per 200 sf.
<u>Event Centers (2)</u> Indoor amusement/entertainment facilities	
Arcades	1 space per 250 sf.
Batting cages	2 spaces per cage, plus required spaces for ancillary uses.
Bowling alleys	5 spaces per lane, plus required spaces for ancillary uses.
Pool and billiard rooms	2 spaces per table, plus required spaces for ancillary uses.
Skating Rinks	1 space per 100 sf.
<u>Special Event Centers/Banquet Halls</u>	<u>1 space per 35 sf of assembly area</u>
Libraries, Museums and Art Galleries	1 space per 350 sf.
Schools	
Kindergarten and Grades 1 through 9 when used exclusively for this purpose	1.5 spaces per classroom, plus 1 space for each 200 sf of indoor assembly area.
Schools in which any portion of their instruction includes Grades 10 and above	1 space per 35 sf of classroom floor area.
Schools, specialized instruction	1 space per 100 sf of classroom floor area.
Colleges and Universities	1 space per 35 sf of classroom floor area.
Studios for dance, art, music, photography, martial arts, personal fitness, etc	1 space per 200 sf of gross floor area.

Notes:

- (1) Parking for certain uses within the CD zone are subject to the requirements of Section 17.220.035.C.
- (2) Parking for Event Centers ancillary to a primary use must be parked in addition to the primary use.

Chapter 17.520 - TEMPORARY USE, SPECIAL EVENT, AND TEMPORARY EVENT PERMITS

17.520.010 - Applicability

- A. Permit Requirement.** A Temporary Use, Special Event Permit, or Temporary Event Permit approved by the applicable review authority shall be required for all uses identified in Section 17.520.015 (Allowed Temporary Uses, Special Events, and Temporary Events), and shall be issued before the commencement of the activity.
- B. Exempt Activities.** The following temporary uses and events are exempt from the requirement for a Temporary Use, Special Event Permit, Temporary Event Permit, and other city approval. Uses other than the following shall comply with Section 17.520.015 (Allowed Temporary Uses, Special Events, and Temporary Events).
1. On-site contractor's construction yards, in conjunction with an approved construction project. The activity shall cease upon completion of the construction project, or the expiration of the companion building permit, authorizing the construction project.
 2. Temporary storage containers less than 180 days, subject to approval of a Temporary Storage Container application as provided in Section 17.400.115.
 3. Events which occur in meeting halls, theaters, or other permanent indoor or outdoor public assembly facilities subject to all applicable regulations of the CCMC.
 4. Promotional activities related to the primary product lines of a retail business, and similar activities (e.g. book readings and signings at book stores, ~~opening receptions at art galleries~~).
 5. Emergency public health and safety activities.
 6. [Special events as defined in this Title and approved by the Culver City Planning Division.](#)

17.520.015 - Allowed Temporary Uses, Special Events, and Temporary Events

The following temporary uses, special events or temporary events may be allowed, subject to the issuance of a Temporary Use, Special Event Permit, or Temporary Event Permit by the applicable review authority. Uses other than the following shall comply with the use and development regulations and permit requirements that otherwise apply to the property, except uses that are exempt from the provisions of this Chapter in compliance with Section 17.520.010 (Applicability).

B. Allowed Special Events and Temporary Events.

1. **Outdoor events.** The following outdoor events may be allowed:
 - a. **Entertainment and assembly events.** Outdoor entertainment and assembly events, including carnivals, circuses, concerts, fairs, farmers' markets, festivals, flea markets,
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food events, fund-raisers, live entertainment, parades, outdoor sporting events, public relations activities, rummage sales, secondhand sales, swap meets and other similar events designed to attract large crowds and which are held on private or public property, for up to 12 days per calendar year or as determined appropriate by the applicable Review Authority.

- b. Display or exhibit events.** Outdoor display or exhibit events, including art, cultural, and educational displays and arts and crafts exhibits on non-residential properties, when not a part of the established primary use of the site, for up to 12 days per calendar year.
- c. Outdoor sales events.** Special events related to an existing business, with temporary outdoor sale of merchandise, in any commercial zoning district, in compliance with the following provisions:
 - i.** There shall be no more than 4 sales in any calendar year.
 - ii.** Each sale shall be limited to 3 consecutive days.
 - iii.** The merchandise displayed shall be that customarily sold on the site.
 - iv.** The site is utilized for a permanently established business holding a valid business tax certificate as required.

2. Art Galleries. Per Chapter 3 Section 303 of the 2016 California State Building Code, as amended, art galleries less than 750 square feet in area are considered “small assembly spaces” and may hold up to 12 events per year as specified in this Chapter. Art galleries greater than 750 square feet in area are considered assembly uses and must be upgraded to meet Building Code standards for assembly uses. Art galleries that meet assembly use standards per the Building Code may be classified as Event Centers by the Zoning Code if they meet all applicable Zoning Code standards for Event Centers, as specified in Section 17.520.035.C.

23. Similar special events. Similar special events and temporary events, either indoor or outdoor, that, in the opinion of the Director, are compatible with the zoning district and surrounding land uses, for up to 12 days per calendar year or as determined appropriate by the applicable Review Authority.

17.520.035 - Development and Operating Standards

- A. General Standards.** Standards for floor areas, heights, landscaping areas, off-street parking, setbacks, and other structure and property development standards, which apply to the category of use or the zoning district of the subject parcel, shall be used as a guide for determining the appropriate development standards for temporary uses and special events. However, the review authority may authorize an adjustment from the specific requirements as deemed necessary and appropriate.
 - B. Standards for Specific Temporary Activities.** Specific temporary land use activities shall comply with the development standards identified in Chapter 17.300 (General Property
-

Development and Use Standards), as applicable to the use, in addition to those identified in Subsection 17.520.035.A, above, and Section 17.520.030 (Conditions of Approval).

C. Standards for Event Centers. All Event Centers, as defined and permitted by this Title, shall comply with the following standards, in addition to those identified in Subsection 17.520.035.A, above, and Section 17.520.030 (Conditions of Approval):

1. Conformance with all applicable Building and Fire Code requirements including, but not limited to, egress, seismic retrofitting, and restrooms.
 2. Provision of off-street parking in accordance with Chapter 17.320 of this Title.
 3. Conformance with the following public health, safety and welfare standards:
 - a. When abutting residential uses or zoning, delivery and retrieval of event materials/props and set-up and take-down operations and activities shall occur only between the hours of 8am to 8pm Monday through Friday and 9am to 8pm Saturday and Sunday.
 - b. Event staff shall monitor vehicle parking and retrieval to ensure there is no excessive noise before, during, or after events.
 - c. Event staff shall instruct event attendees to remain respectful of nearby residential areas and signage shall be clearly and conspicuously posted and maintained in parking areas with the following wording: "Event Guests and Event Staff, please remain respectful of nearby residential and commercial neighbors and refrain from making loud noises, playing music at high volumes, and accelerating vehicle engines. Thank you for your cooperation."
 - d. Event staff shall utilize at least one 3-yard plastic recycle bin and one 3-yard plastic refuse bin, which must be located and filled within the interior of the Event Center building. After each event, all bins must be located on the outside of the Event Center building for City trash pick-up operations.
 - e. All events and event-related activities shall occur within the interior of the Event Center building. No event-related activities or storage of event materials/props shall be permitted outside of the Event Center building.
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Chapter 17.700 - DEFINITIONS

17.700.005 - Purpose

This Article provides definitions of terms and phrases used in this Title that are technical or specialized, or that may not reflect common usage. If any of the definitions in this Article conflict with definitions in other provisions of the CCMC, these definitions shall control for the purposes of this Title. If a word is not defined in this Article, or in other provisions of the Title, the most common dictionary definition is presumed to be operative.

17.700.010 - Definitions of Specialized Terms and Phrases

The following definitions are in alphabetical order:

C. Definitions, "C".

Commercial Entertainment and Recreation:

1. **Event Centers** ~~Indoor Amusement/Entertainment Facilities~~. Establishments providing indoor amusement/entertainment services for a fee or admission charge, or renting space for private events. This includes, but is not limited to, including ice skating and roller skating, batting cages, pool and billiard rooms as primary uses, ~~and~~ bowling alleys, and special event centers/banquet halls. Art galleries greater than 750 square feet in area that meet assembly use standards per the Building Code may be classified as an Event Center if they meet all applicable Zoning Code standards for Event Centers. This definition also applies to Event Centers ancillary to a primary use.
2. **Arcade**. Any premises containing 4 or more entertainment devices, or any premises wherein 50% or more of the public floor area is devoted to amusement devices, whether or not said devices constitute the primary use or any accessory use of the premises. For purposes of this definition, amusement device means any mechanical or electronic game, machine, or equipment which is played or used for amusement, which, when so played or used involves skill and which is activated by coin, token or key, or for which the player or user pays money for the privilege of playing or using. 3 or less machines are not considered a land use separate from the primary use of the site. Up to 10 amusement devices are permitted in conjunction with a multiplex movie theater complex without being considered an Arcade.
3. **Outdoor Commercial Recreation**. Facilities for various outdoor sports or entertainment and types of recreation where a fee is charged for use, such as amphitheatres, golf-driving ranges separate from golf courses, miniature golf courses, batting cages, swim and tennis clubs. Does not include parks and playgrounds, which are defined separately.
4. **Theaters**. Indoor facilities for public assembly and group entertainment, other than sporting events, including civic theaters and facilities for "live" theater and concerts, and motion picture theaters. Does not include outdoor theaters, concert and similar entertainment facilities, and indoor and outdoor facilities for sporting events; see "Public Recreational Facilities."