MEETING DATE: 02/19/08

AGENDA ITEM: Introduction of an Ordinance (Zoning Code Amendment, ZCA P-2007168) to amend Section 17.400.065 of the Culver City Municipal Code pertaining to Mixed Use Development Standards and Adoption of a Resolution establishing a Community Benefit Incentive Program.

## ATTACHMENTS


| | | Pages |
|---|---|---|
| 1. | Revised Draft Ordinance No. 2008-_____, Zoning Code Map Amendment, ZCA P-2007168 | 1-14 |
| 2. | Planning Commission Resolution No. 2007-P019 (Distributed with February 11, 2007 Packet) | 15-28 |
| 3. | November 28, 2007 Planning Commission Minutes (Distributed with February 11, 2007 Packet) | 29-36 |
| 4. | Split Jurisdiction Lot Map(Distributed with February 11, 2007 Packet) | 37 |
| 5. | Revised Development Summary Tables | 38-40 |
| 6. | Revised Draft City Council Resolution No. 2008-R____ establishing a Community Benefit Incentive Program | 41-45 |
| 7. | Table 1 – Fiscal Impact From New Development | 46 |

ATTACHMENT NO. 1

ORDINANCE NO. 2008-___

AN ORDINANCE OF THE CITY OF CULVER CITY, CALIFORNIA, AMENDING TITLE 17, ZONING, OF THE CULVER CITY MUNICIPAL CODE (CCMC), SECTION 17.400.065 MIXED USE DEVELOPMENT STANDARDS.

(Zoning Code Amendment P-2007168)

WHEREAS, on October 8, 2007 the City Council considered changes to the Mixed Use Development Standards and directed staff to initiate a Zoning Code Amendment; and

WHEREAS, on November 28, 2007 the Planning Commission conducted a duly noticed public hearing on City-initiated Zoning Code Amendment, ZCA P-2007168, fully considering all reports, studies, testimony, and environmental information presented, and determined by a vote of 5 to 0 that Zoning Code Amendment, ZCA P-2007168 should be recommended to the City Council for adoption; and

WHEREAS, on February 11, 2008, the City Council conducted a duly noticed public hearing on the Zoning Code Amendment, ZCA P-2007168, fully considering all reports, studies, testimony, and environmental information presented, and determined by a vote of ___ to ___ that Zoning Code Amendment, ZCA P-2007168 shall be adopted as set forth herein below.

The City Council of the City of Culver City, California, DOES HEREBY ORDAIN as follows:

**SECTION 1**. Pursuant to the foregoing, the following findings are hereby made:

1. ZCA P-2007168 ensures and maintains internal consistency with the goals, policies, and strategies of the General Plan and will not create any inconsistencies with the Zoning Code.

2. ZCA P-2007168 is not detrimental to the public interest, health, safety, convenience and welfare of the City in that the amendment reduces residential densities and includes height and setback provisions intended to make mixed use projects more compatible with surrounding uses and protect adjacent residential neighborhoods.

3. Pursuant to Sections 15162 and 15168 of the California Environmental Quality Act, (CEQA), the Planning Commission determines that the provisions of the Mixed Use Zoning Code Text Amendment (ZCA P-2007168) are within the scope of the Culver City General Plan Update Program EIR approved on September 24, 1996 (PEIR 1) and the Culver City Redevelopment Plan Amendment and Merger Program Subsequent EIR approved on November 16, 1998 (PEIR 2), in that the General Plan Land Use Element and Housing Element contain policies that call for the development of mixed use standards and that PEIR 1 and PEIR 2 evaluated impacts of the City's General Plan. Further, the provisions of the Mixed Use Zoning Code Text Amendment lowers permitted density and height limits and thereby would not cause any significant environmental effects not already examined in PEIR 1 and PEIR 2. Finally, the circumstances under which PEIR 1 and PEIR 2 were prepared have not significantly changed as it relates to mixed use development and no new significant information has been found that would impact either PEIR 1 or PEIR 2. Therefore, based on the foregoing information, 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-2007168) as set forth 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 (15) 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 adopted the remaining provisions, sections, subsections, paragraphs, sentences, phrases or words of this ordinance and as such they shall remain in full force and effect.

APPROVED and ADOPTED this _____ day of _____, 2008.

_____
ALAN CORLIN, Mayor
City of Culver City, California

ATTEST:

_____
CHRISTOPHER ARMENTA,
City Clerk

APPROVED AS TO FORM:

_____
for CAROL A. SCHWAB,
City Attorney

A08-00030

# EXHIBIT A

## 17.400.065 - Mixed Use Development Standards

**A. Purpose.** This Section provides location, development, and performance standards for mixed use developments in compliance with Article 2 (Zoning Districts, Allowable Land Uses and Zone-Specific Development Standards).

**B. Applicability.**

1. The provisions in this Section shall regulate the conversion of existing buildings to include mixed uses as defined herein, and new construction of mixed use projects, where allowed by the applicable zoning districts.

2. The Mixed Use Development Standards supersede the Commercial Zero Setback Overlay (CZ), where applicable.

3. The Mixed Use Development Standards do not supersede the provisions of the Commercial Downtown District (CD) ~~or the East Washington Boulevard Overlay ( EW)~~.

4. Except as specifically provided in this Section, mixed use projects shall be in compliance with the regulations of Article 2 (Zoning Districts, Allowable Land Uses and Zone-Specific Development Standards).

5. Where an Owner-Participation Agreement, Disposition and Development Agreement, Development Agreement, or similar agreement with the City or Redevelopment Agency applies to a land parcel and the provisions of such agreement differ from the Mixed Use Development Standards, the provisions of the agreement shall prevail.

**C. Definitions.**

~~**Abutting Jurisdiction.** As used in this Section shall mean the City of Los Angeles.~~

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

**Arterial Street.** As used in this Section, arterial streets include primary and secondary arterial streets. Primary arterial streets are major cross-town thoroughfares. Secondary arterial streets connect primary arterial streets to smaller streets and residential neighborhoods. Primary and secondary arterial streets are defined in the General Plan Circulation Element.

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

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

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

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

**D. Use Regulations.**

1. **Uses permitted.** ~~All~~ Only "Retail Trade" uses as outlined in Table 2-5 as ~~are~~ permitted in the underlying zone are permitted in mixed use developments.

2. **Residential uses.** Residential uses other than live/work units are prohibited on the ground floor adjacent to arterial streets. Residential entrances and lobbies are permitted on the ground floor adjacent to arterial streets.

3. **Commercial uses.** Commercial uses are required on the ground floor adjacent to arterial streets and at all corners adjacent to arterial streets. All commercial tenant spaces on the ground floor shall have a minimum depth of 30 feet. Overall commercial floor area shall be 10% of the projects total gross floor area or ~~30~~ 40% of the project lot ~~depth~~ size, whichever is greater.

4. **Covenant.** A City-approved covenant shall be executed by the owner of each residential unit within a mixed use development, and shall include statements that the occupant(s) understand(s) and accept(s) he/she is living in a mixed use development and that commercial activities are permitted pursuant to the regulations of the CCMC.

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

**E. General Development Standards.**

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

   a. All lots less than 10,000 square feet shall have a minimum width of 50 feet with alley access or access from a non primary arterial street.

   b. Lots 10,000 square feet or larger shall have a minimum width of 100 feet.

   c. Mixed use projects located on parcels that are less than 5,000 square feet shall not be permitted unless combined with one or more abutting lots to create a total site development area that is at least 5,000 square feet, subject to the above access requirements.

2. **Building height.** The height of structures shall not exceed the standard established ~~by the applicable zoning district in Article 2 (Zoning Districts, Allowable Land Uses and Zone Specific Standards),~~ in Table 4-2 (Building Setbacks and Height) and Figure 4-4 (Building Height and Setbacks Illustration), unless a modification is granted pursuant to Subsection 17.300.025.C. (Exceptions to Height Limits).

3. **Density.** Residential density shall not exceed ~~65~~ 35 dwelling units per acre ~~or~~ (1 unit per ~~670~~ 1,245 square feet of lot area) ~~(43,560 sq.ft. divided by 65 units = 670)~~. Residential density may be increased up to (i) 50 dwelling units per acre (1 unit per 871 square feet of lot area) or (ii) a density allowed by an Abutting Jurisdiction up to a maximum of 65 dwelling units per acre (1 unit per 670 square feet of lot area) on a split jurisdiction lot or (iii) 65 dwelling units per acre within 750 feet of transit station provided in either case, that the project incorporates community benefits as established by resolution of the City Council.

4. **Building setbacks.** Building setbacks are provided in Table 4-2 (Building ~~Setbacks and~~ Height and Setbacks) and Figure 4-4 (Building Height and Setbacks Illustration).

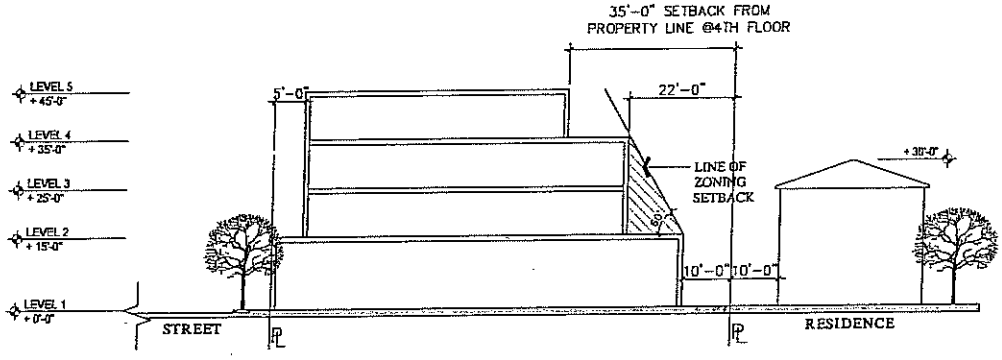
**Table 4-2**
**Building Height and Setbacks**

| HEIGHT | | | |
|---|---|---|---|
| **Adjacent (1) to R1 or R2 Zone** | **Adjacent (1) to R3, RLD, RMD, or RHD Zone** | **Adjacent (1) to Non-Residential Zone** | **Split Jurisdiction Lot** |
| CN, CD, & CG Zone<br>• 35 ft<br>• 45 ft for portion of building 35 ft or more from R1 or R2 Zone | CN Zone<br>• 45 ft<br><br>CD or CG Zone<br>• 45 ft on lots less than 150 ft in depth<br>• 56 ft on lots 150 ft or more in depth | CN Zone<br>• 45 ft<br><br>CD or CG Zone<br>• 56 ft | CN Zone<br>• 45 ft<br><br>CD or CG Zone<br>• 56 ft |

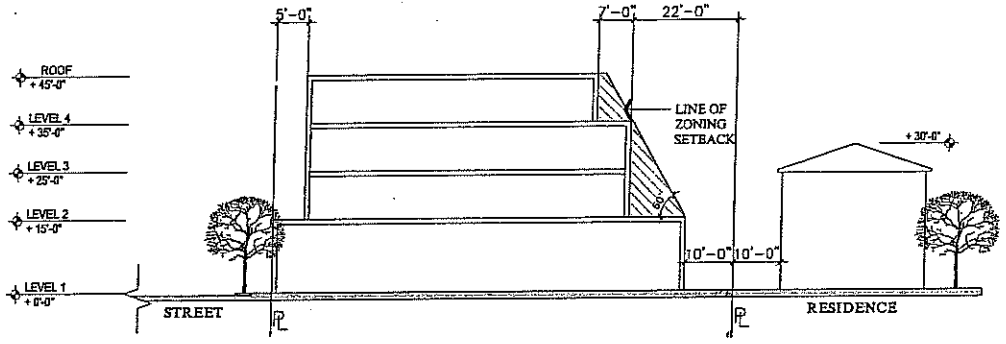
| SETBACKS (1 2) | | | |
|---|---|---|---|
| **Building Height** | **Street Wall** | **Side and Rear Adjacent (1) to Residential Zone (5)** | **Side and Rear Adjacent (1) to Non-Residential Zone** |
| Underground | None Required | | |
| Portion of Building 15'-0" or less | A zero setback is required. (3) | A 10 ft setback is required. (4)(6) | No setback is required.(6) |
| Portion of Building greater than 15'-0" | A 5 ft setback is required | A 60 degree clear-zone angle must be maintained, measured from 15 ft above the existing grade and from 10 ft from the side and rear property lines. See Figure 4-5 (Section of Rear Setback | No setback is required.(6) |
| Portion of Building greater than 35'-0" on a parcel adjacent (1) to R1 or R2 Zone | N/A | A 35 ft setback is required. | N/A |
| Portion of Building greater than 45'-0" on a parcel adjacent (1) to R3, RLD, RMD or RHD Zone | N/A | A 50 ft setback is required. | N/A |

(1) Two parcels are considered to be adjacent even if they are separated by an alley.
(2) Screening, landscaping or greater setback than prescribed herein, may be required where necessary to comply with visual clearance requirements for driveways and where the reviewing authority under a site plan review may condition the use necessary to protect the public interest due to lot, site plan or building configuration and operations.
(3) A setback up to 5 ft from the property line may be permitted if the setback area is enhanced with high quality paving material, landscaping or other similar features.
(4) Adequate screening and landscaping shall be provided
(5) One half (1/2)the width of an alley may be credited toward the setback requirement for properties adjacent to residential zones.
(6) If abutting an alley a minimum 2 ft setback is required.

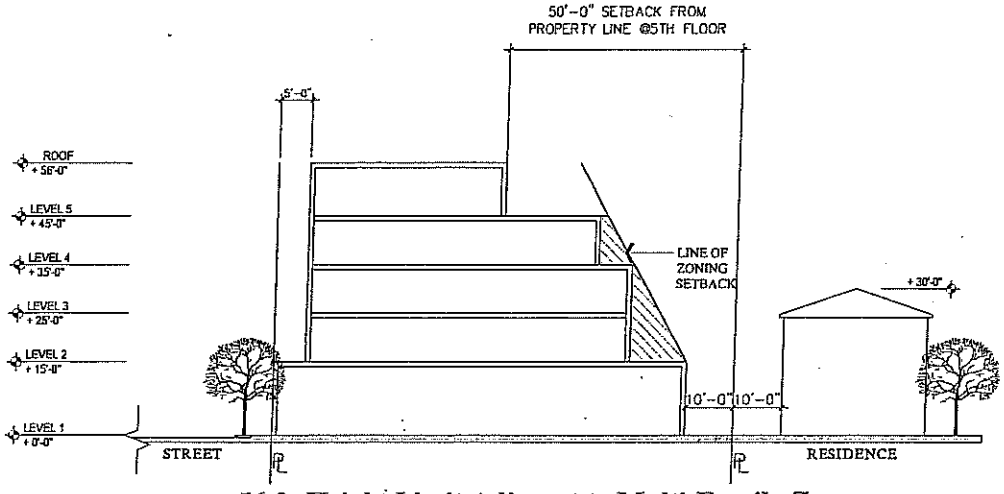
## Figure 4-4
## Building Height and Setbacks Illustration




**35 ft. Height Limit Adjacent to R1 and R2 Zones**

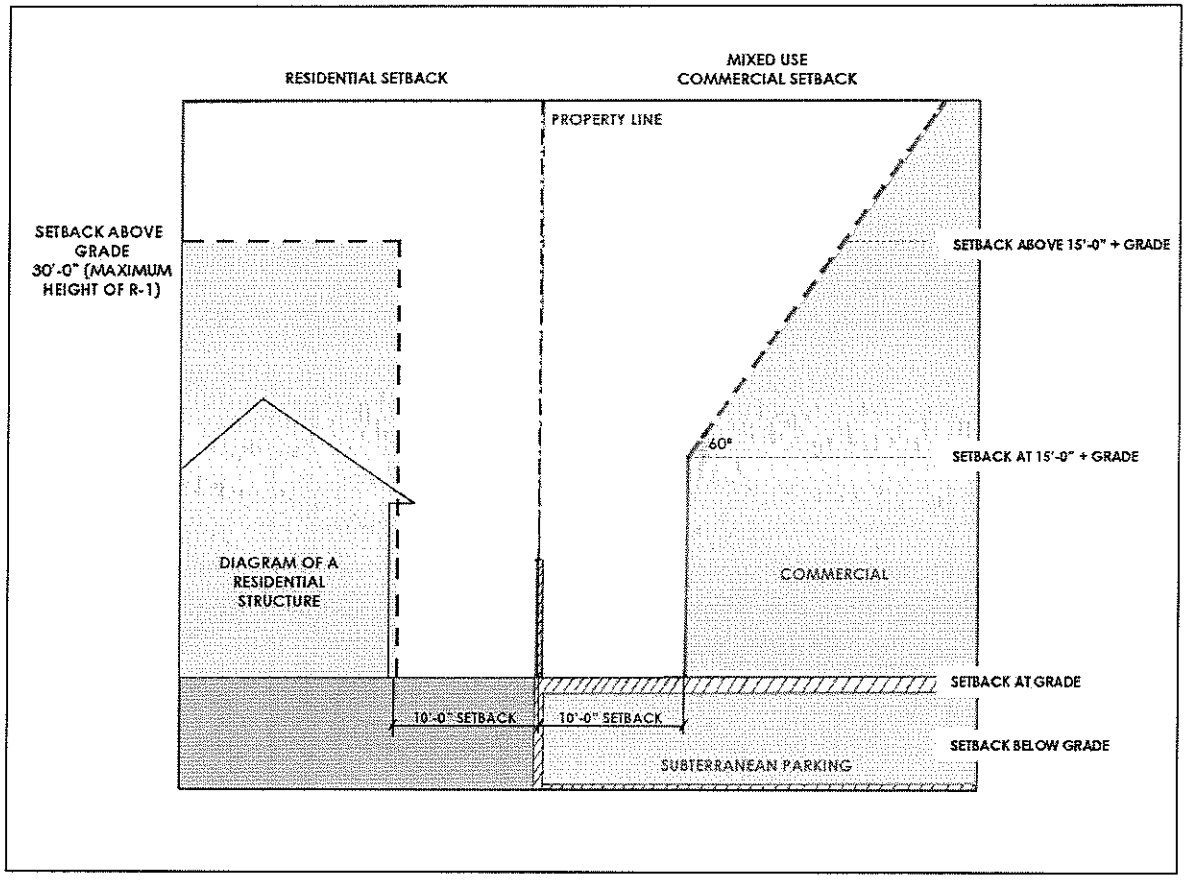



**45 ft. Height Limit Adjacent to Multi-Family Zone**
**Lot Depth Less Than 150 ft.**




**56 ft. Height Limit Adjacent to Multi-Family Zone**
**Lot Depth 150 ft. Or Greater**

**Figure 4-5**
**Section of Rear Setback**




## F. Site Planning and Design Standards.

1. **Building bulk.** Projects shall be designed to achieve interesting, graceful and articulated buildings by the use of varied rooflines and vertical attachments; clearly defining the base, middle and top of each building and other architectural features. See Figure 4-6 (Building Elevation Composition).

2. **Building tops.** The top of the building shall be visually terminated through the use of cornices, parapets, domes, towers, or other forms or features.

3. **Street wall requirements.**

   a. The street wall shall be architecturally modulated to create visual interest and shall include architectural features and pedestrian amenities such as recessed entries, arcades, colonnades, stairs, art and other architectural features deemed pedestrian-oriented by the Director, subject to the following:

      1) Passageways in arcades and colonnades are, at minimum, 5 feet wide. See Figure 4-7 (Section of Street Wall).

      2) Architectural and ornamental features do not impede pedestrian routes.

      3) Stairs are decorative and attractive.

   b. Street wall façade requirements shall apply to the portion of the street wall that is within 15 vertical feet above the sidewalk parallel to arterial streets.

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

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

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

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

**Figure 4-6**
**Building Elevation Composition**

**Figure 4-7**
**Section of Street Wall**

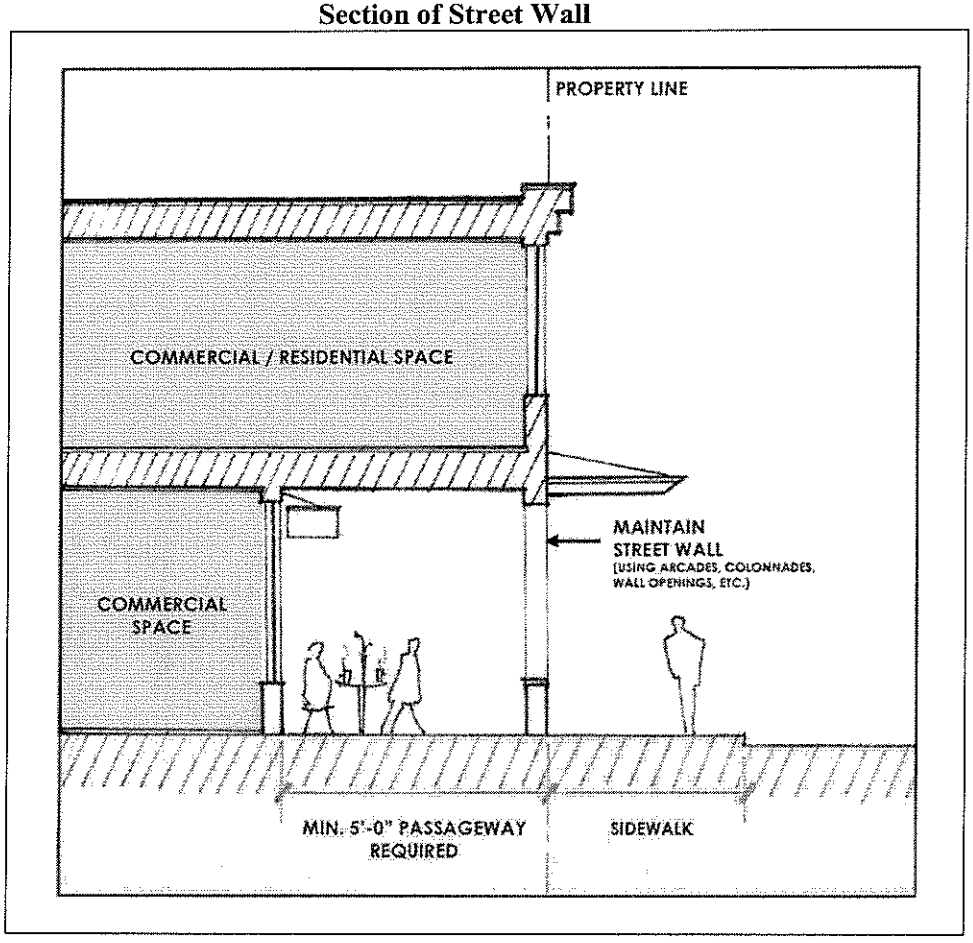
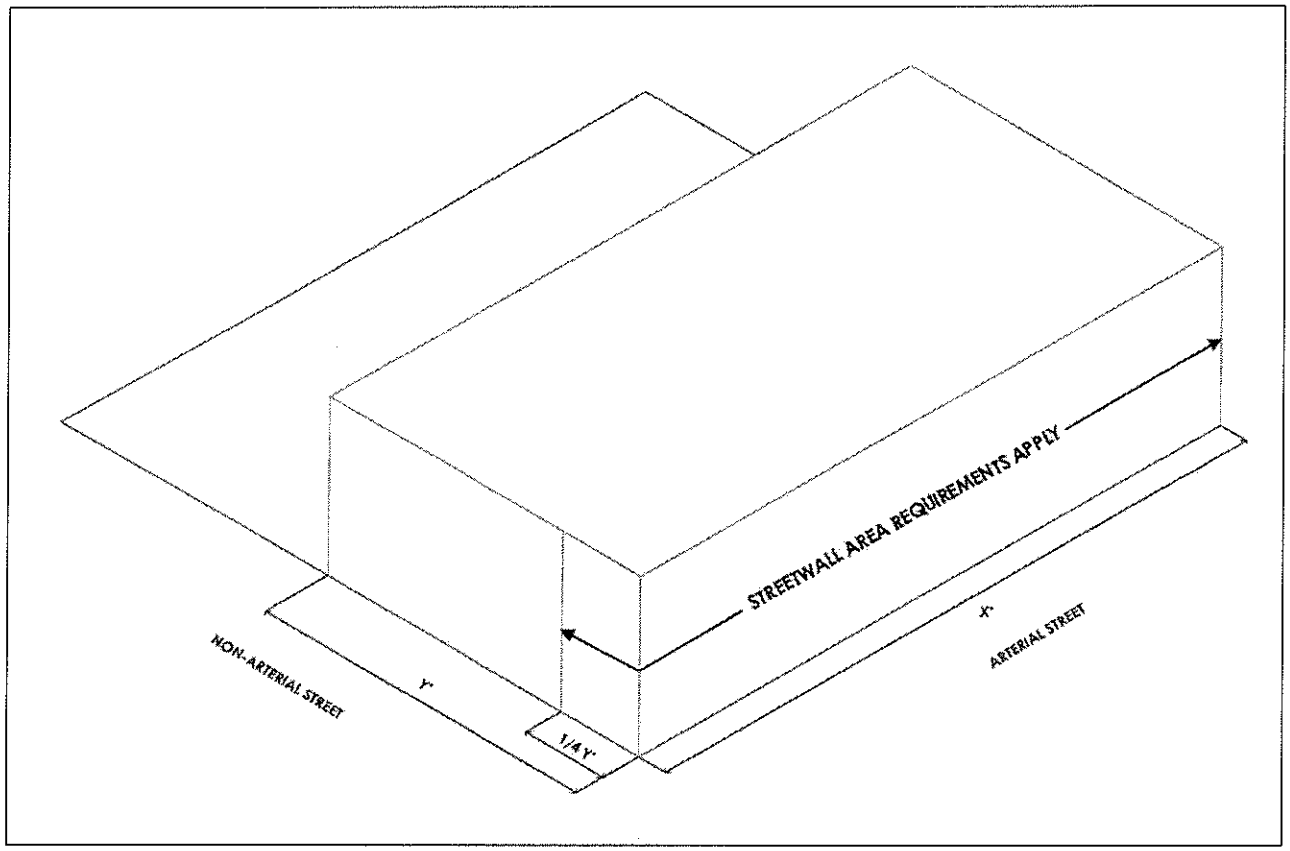


**Figure 4-8**
**Corner Building Street Wall Requirement**




4. **Blank wall.**

   **a.** Blank wall area is not permitted in the street wall area.

   **b.** Blank wall area shall be minimized on all building elevations.

   **c.** The maximum width of any continuous blank wall shall be no more than 15 feet.

5. **360° Architecture.**

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

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

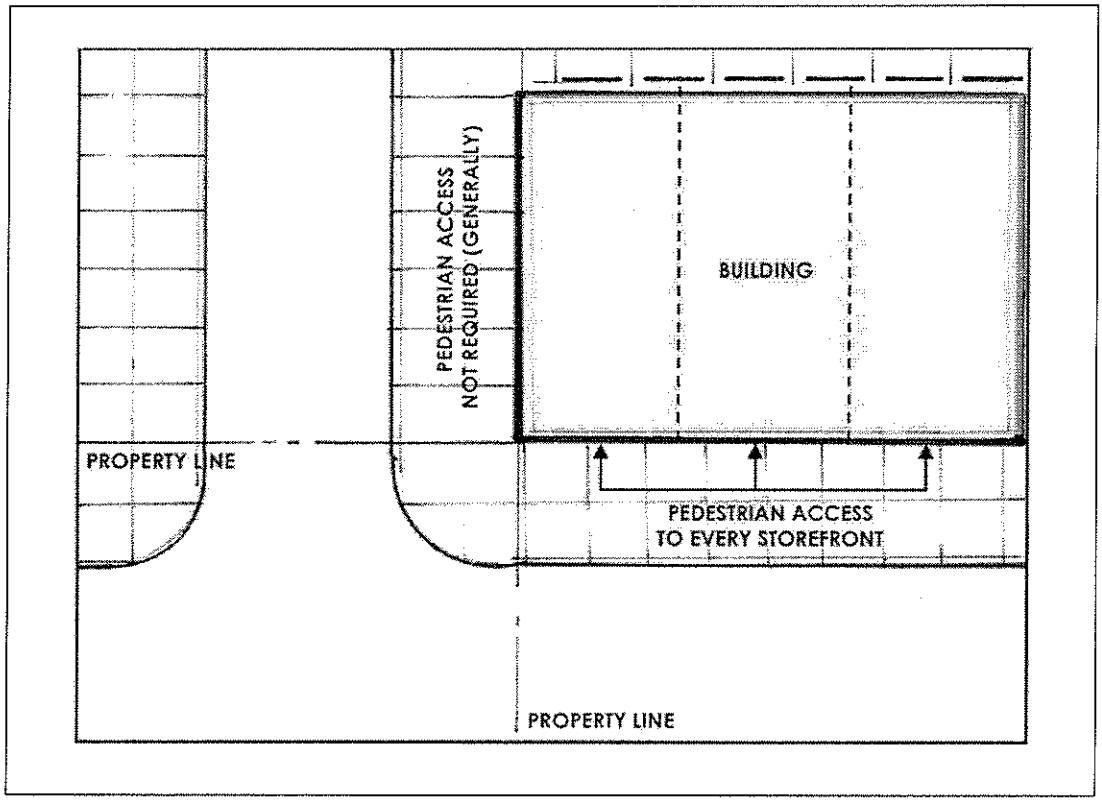
6. **Building entrances.**

   **a.** Pedestrian entrances shall be provided for all ground floor uses adjacent to arterial streets. Pedestrian entrances are not required on non-arterial streets. See Figure 4-9 (Plan of Pedestrian Entrances).

   **b.** Pedestrian entrances shall be directly accessible from the public right-of-way and shall have direct access from the sidewalk grade.

c. Commercial uses and residential uses shall have separate exterior entrances, elevators, and lobbies. The Director may waive this requirement based on site constraints.

**Figure 4-9**
**Plan of Pedestrian Entrances**




7. **Signage and lighting**. Signs must be developed pursuant to Chapter 17.330 (Signs). Exterior lighting shall comply with the requirements of Section 17.300.040 (Outdoor Lighting).

8. **Parking and vehicular access.**

   a. Street level parking facilities and lots shall be screened from view from the adjoining arterial street(s) by ornamental walls or fences, at least 4 feet high above street grade.

   b. Two-way vehicular ingress/egress areas on arterial streets shall only be permitted on development sites with a minimum of 100 feet of street frontage on the street where the vehicular ingress/egress area is located. The Director may waive this requirement based on site constraints.

   c. One-way vehicular ingress/egress areas on arterial streets shall only be permitted on development sites with a minimum of 75 feet of street frontage on the street where the ingress/egress area is located. The Director may waive this requirement based on site constraints.

   d. Vehicular ingress/egress areas are prohibited on arterial streets where the street frontage of the development site adjacent to the arterial street is less than 75 feet. The Director may waive this requirement based on site constraints.

9. **Refuse storage and collection areas**. The commercial and residential components of the project shall maintain separate refuse storage and collection areas; the refuse storage and collection areas shall be clearly marked for separate uses.

G. **Residential Development Standards.**

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

**Table 4-3**
**Minimum Residential Unit Size**

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

2. **Unit size mix.** No more than 25% of the total number of residential units shall have less than 700 square feet of gross floor area.

3. **Open space.**

   a. Each unit shall have a minimum of 75 square feet of common and/or private open space.

   b. Common open space areas shall have a minimum dimension of 15 feet in any direction which may include a combination of open space and adjacent setback area.

   c. Private open space areas shall be at least 30 square feet and 5 feet in any direction, to the extent feasible.

   d. Private and common open space requirements may be satisfied by a selection or combination of the following: atriums, balconies, courtyards, decks, gardens, gyms/exercise rooms, patios, playgrounds/tot lots, rooftop decks, patios and gardens, and swimming pools. The Director may approve similar amenities not listed above.

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

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

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

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

      1) Residential, live/work and commercial parking spaces are designated with signs.

      2) Residential, live/work and commercial components require 10 or fewer parking spaces each.

      3) One use requires 10 or fewer parking spaces and a second use requires more than 10 parking spaces, and the Director determines that site conditions make it infeasible to provide gated or separated parking.

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

regulations governing gated parking areas are provided below.

1) Common ingress areas to residential, live/work, and commercial parking are permitted.

2) If a separated residential and live/work egress lane(s) is/are not provided, non-residential parking shall be free of charge.

3) The parking layout shall be designed so that residents are not significantly inconvenienced by non-residential parking demands, as determined by the Director.

**c. Residential guest parking location.**

1) Residential guest parking may be located in the commercial parking area.

2) Residential guest parking shall be accessible 24 hours per day.

3) Residential guest parking shall be free of charge.

4) Residential guest parking shall be appropriately signed.

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

1. Walls on all sides of residential and live/work units shall be constructed to minimize the transmission of noise and vibration. A minimum impact insulation class (IIC) of 60 shall be required for all residential and live/work walls, floors, and ceilings.

2. Shared elevators shall have security code access for residents to reach residential floors and to use the elevators during late evening and early morning hours. Security code access is not required for live/work access areas. Separate commercial and residential elevators are encouraged.

3. No commercial use, activity or process shall be operated in an objectionable manner due to fumes, noxious odor, dust, smoke, gas, noise or vibrations which may be detrimental to any other uses and occupants on the same property.

4. Residential and live/work units shall be designed to allow for cross-ventilation and have high quality HVAC systems, to the extent feasible.

5. Parking areas shall be illuminated so as to provide appropriate visibility and security as determined by the Director.

6. Parking access and circulation design shall minimize vehicle circulation through residential neighborhood streets as determined by the Director.

7. Commercial loading areas and outdoor storage areas shall be designed and located away from residential units and shall be screened from view at ground level from the residential portion of the project and from adjacent residential developments.

8. Commercial loading areas shall not significantly and/or negatively impact the pedestrian environment.

9. Adequate lighting must be provided adjacent to sidewalks and other public spaces to preserve the amenity and safety of those spaces for night-time pedestrian use, as determined by the Director.

Attachment No. 2

RESOLUTION NO. 2007-P019

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CULVER CITY, CALIFORNIA, RECOMMENDING APPROVAL TO THE CITY COUNCIL OF ZONING CODE AMENDMENT, ZCA P-2007168 AMENDING TITLE 17, ZONING, OF THE CULVER CITY MUNICIPAL CODE (CCMC), SECTION 17.400.065 MIXED USE DEVELOPMENT STANDARDS AS SET FORTH IN EXHIBIT "A" ATTACHED HERETO.

(Zoning Code Amendment P-2007168)

WHEREAS, on October 8, 2007 the City Council considered changes to the Mixed Use Development Standards and directed staff to initiate a Zoning Code Amendment; and

WHEREAS, on November 28, 2007 the Planning Commission conducted a duly noticed public hearing on City-initiated Zoning Code Amendment, ZCA P-2007168 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 5 to 0 that Zoning Code Amendment, ZCA P-2007168 should be recommended for approval to the City Council 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, the following findings are hereby made:

1. ZCA P-2007168 ensures and maintains internal consistency with the goals, policies, and strategies of the General Plan and will not create any inconsistencies with the Zoning Code.

2. ZCA P-2007168 is not detrimental to the public interest, health, safety, convenience and welfare of the City in that the amendment reduces residential densities and includes height and setback provisions intended to make mixed use projects more compatible with surrounding uses and protect adjacent residential neighborhoods.

3. Pursuant to Sections 15162 and 15168 of the California Environmental Quality Act, (CEQA), the Planning Commission determines that the provisions of the Mixed Use Zoning Code Text Amendment (ZCA P-2007168) are within the scope of the Culver City General Plan Update Program EIR approved on September 24, 1996 (PEIR 1) and the Culver City Redevelopment Plan Amendment and Merger Program Subsequent EIR approved on November 16, 1998 (PEIR 2), in that the General Plan Land Use Element and Housing Element contain policies that call for the development of mixed use standards and that the PEIR's evaluated impacts of the City's General Plan. Further, the provisions of the Mixed Use Zoning Code Text Amendment lowers permitted density and height limits and thereby would not cause any significant environmental effects not already examined in the PEIR's. Finally, the circumstances under which PEIR 1 and PEIR 2 were prepared have not significantly changed as it relates to mixed use development and no new significant information has been found that would impact either PEIR 1 or PEIR 2, and therefore no new environmental analysis is required.

**SECTION 2.** Pursuant to the foregoing recitations and findings, the Planning Commission of the City of Culver City, California, hereby recommends approval

of Zoning Code Amendment (ZCA P-2007168) to the City Council as set forth in Exhibit A attached hereto and made a part thereof.

APPROVED and ADOPTED this 28th day of November, 2007.

MARCUS TIGGS, CHAIRPERSON
PLANNING COMMISSION
CITY OF CULVER CITY, CALIFORNIA

Attested by:

Yvonne Hunt
Administrative Secretary

# EXHIBIT A

## 17.400.065 - Mixed Use Development Standards

A. **Purpose.** This Section provides location, development, and performance standards for mixed use developments in compliance with Article 2 (Zoning Districts, Allowable Land Uses and Zone-Specific Development Standards).

B. **Applicability.**

1. The provisions in this Section shall regulate the conversion of existing buildings to include mixed uses as defined herein, and new construction of mixed use projects, where allowed by the applicable zoning districts.

2. The Mixed Use Development Standards supersede the Commercial Zero Setback Overlay (CZ), where applicable.

3. The Mixed Use Development Standards do not supersede the provisions of the Commercial Downtown District (CD) ~~or the East Washington Boulevard Overlay ( EW)~~.

4. Except as specifically provided in this Section, mixed use projects shall be in compliance with the regulations of Article 2 (Zoning Districts, Allowable Land Uses and Zone-Specific Development Standards).

5. Where an Owner-Participation Agreement, Disposition and Development Agreement, Development Agreement, or similar agreement with the City or Redevelopment Agency applies to a land parcel and the provisions of such agreement differ from the Mixed Use Development Standards, the provisions of the agreement shall prevail.

C. **Definitions.**

**Abutting Jurisdiction.** As used in this Section shall mean the City of Los Angeles. ~~or unincorporated portions of the County of Los Angeles.~~

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

**Arterial Street.** As used in this Section, arterial streets include primary and secondary arterial streets. Primary arterial streets are major cross-town thoroughfares. Secondary arterial streets connect primary arterial streets to smaller streets and residential neighborhoods. Primary and secondary arterial streets are defined in the General Plan Circulation Element.

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

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

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

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

D. **Use Regulations.**

1. **Uses permitted.** All uses permitted in the underlying zone are permitted in mixed use developments.

2. **Residential uses.** Residential uses other than live/work units are prohibited on the ground floor adjacent to arterial streets. Residential entrances and lobbies are permitted on the ground floor adjacent to arterial streets.

3. **Commercial uses.** Commercial uses are required on the ground floor adjacent to arterial streets and at all corners adjacent to arterial streets. All commercial tenant spaces on the ground floor shall have a minimum depth of 30 feet. Commercial uses shall make up a minimum of 30% of a mixed use projects overall development square footage.

4. **Covenant.** A City-approved covenant shall be executed by the owner of each residential unit within a mixed use development, and shall include statements that the occupant(s) understand(s) and accept(s) he/she is living in a mixed use development and that commercial activities are permitted pursuant to the regulations of the CCMC.

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

E. **General Development Standards.**

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

   a. All lots less than 10,000 square feet shall have a minimum width of 50 feet with alley access or access from a non primary arterial street.

   b. Lots 10,000 square feet or larger shall have a minimum width of 100 feet.

   c. Mixed use projects located on parcels that are less than 5,000 square feet shall not be permitted unless combined with one or more abutting lots to create a total site development area that is at least 5,000 square feet, subject to the above access requirements.

2. **Building height**. The height of structures shall not exceed the standard established ~~by the applicable zoning district in Article 2 (Zoning Districts, Allowable Land Uses and Zone Specific Standards),~~ in Table 4-2 (Building Setbacks and Height) and Figure 4-4 (Building Height and Setbacks Illustration), unless a modification is granted pursuant to Subsection 17.300.025.C. (Exceptions to Height Limits).

3. **Density.** Residential density shall not exceed ~~65~~ 35 dwelling units per acre ~~or~~ (1 unit per ~~670~~ 1,245 square feet of lot area) ~~(43,560 sq.ft. divided by 65 units = 670)~~. Residential density may be increased up to (i) 50 dwelling units per acre (1 unit per 871 square feet of lot area) or (ii) a density allowed by an Abutting Jurisdiction up to a maximum of 65 dwelling units per acre (1 unit per 670 square feet of lot area) on a split jurisdiction lot provided in either case, that the project incorporates community benefits as established by resolution of the City Council.

4. **Building setbacks**. Building setbacks are provided in Table 4-2 (Building ~~Setbacks and~~ Height and Setbacks) and Figure 4-4 (Building Height and Setbacks Illustration).

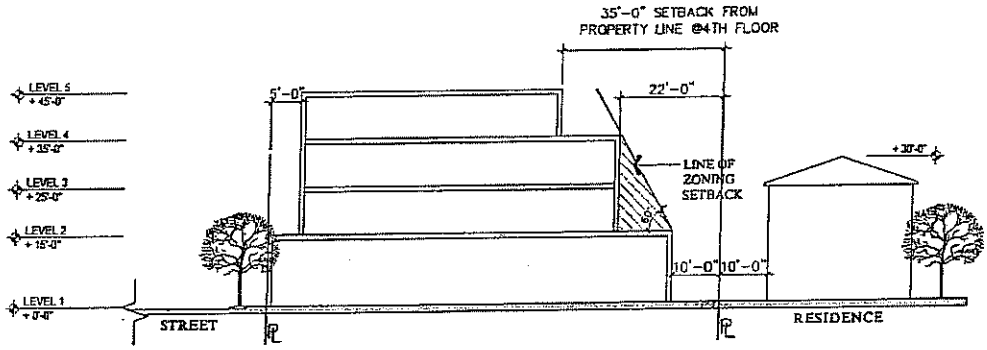
## Table 4-2
## Building Height and Setbacks

| HEIGHT | | | |
|---|---|---|---|
| **Adjacent (1) to R1 or R2 Zone** | **Adjacent (1) to R3, RLD, RMD, or RHD Zone** | **Adjacent (1) to Non-Residential Zone** | **Split Jurisdiction Lot** |
| CN, CD, & CG Zone<br>• 35 ft<br>• 45 ft for portion of building 35 ft or more from R1 or R2 Zone | CN Zone<br>• 45 ft<br><br>CD or CG Zone<br>• 45 ft on lots less than 150 ft in depth<br>• 56 ft on lots 150 ft or more in depth | CN Zone<br>• 45 ft<br><br>CD or CG Zone<br>• 56 ft | CN Zone<br>• 45 ft<br><br>CD or CG Zone<br>• 56 ft |

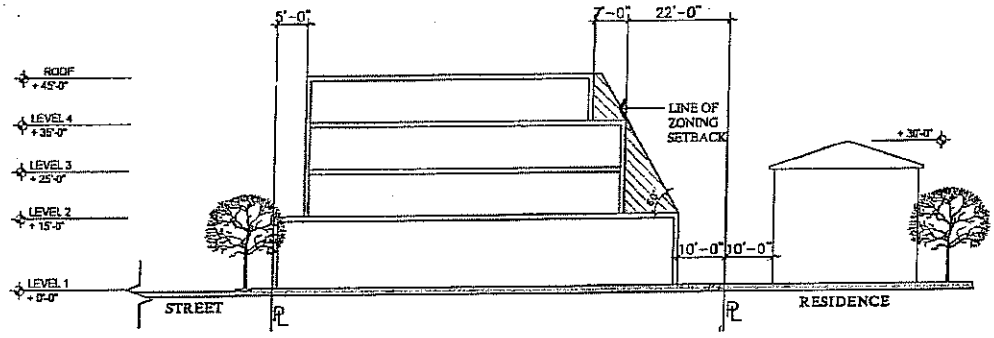
| SETBACKS (1 2) | | | |
|---|---|---|---|
| **Building Height** | **Street Wall** | **Side and Rear Adjacent (1) to Residential Zone (5)** | **Side and Rear Adjacent (1) to Non-Residential Zone** |
| Underground | None Required | | |
| Portion of Building 15'-0" or less | A zero setback is required. (2 3) | A 10 ft setback is required. (3 4) (6) | No setback is required. (6) |
| Portion of Building greater than 15'-0" | A 5 ft setback is required | A 60 degree clear-zone angle must be maintained, measured from 15 ft above the existing grade and from 10 ft from the side and rear property lines. See Figure 4-5 (Section of Rear Setback | No setback is required. (6) |
| Portion of Building greater than 35'-0" abutting on a parcel adjacent (1) to R1 or R2 Zone | N/A | A 35 ft setback is required. | N/A |
| Portion of Building greater than 45'-0" ~~abutting~~ on a parcel adjacent (1) to R3, RLD, RMD or RHD Zone | N/A | A 50 ft setback is required. | N/A |

(1) Two parcels are considered to be adjacent even if they are separated by an alley.
(2) Screening, landscaping or greater setback than prescribed herein, may be required where necessary to comply with visual clearance requirements for driveways and where the reviewing authority under a site plan review may condition the use necessary to protect the public interest due to lot, site plan or building configuration and operations.
(3) A setback up to 5 ft from the property line may be permitted if the setback area is enhanced with high quality paving material, landscaping or other similar features.
(4) Adequate screening and landscaping shall be provided
(5) One-half (1/2) the width of an alley may be credited toward the setback requirement for properties adjacent to residential zones.
(6) If abutting an alley a minimum 2 ft setback is required.

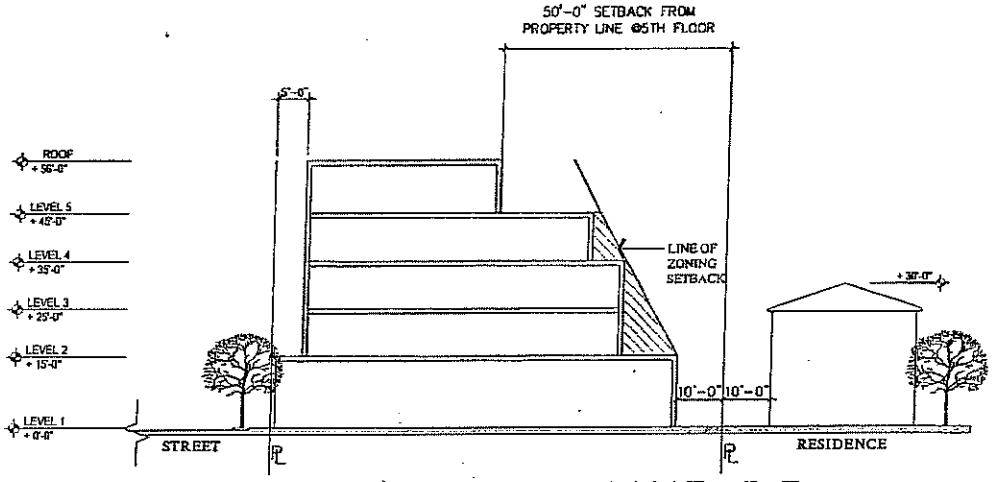
## Figure 4-4
## Building Height and Setbacks Illustration




**35 ft. Height Limit Adjacent to R1 and R2 Zones**

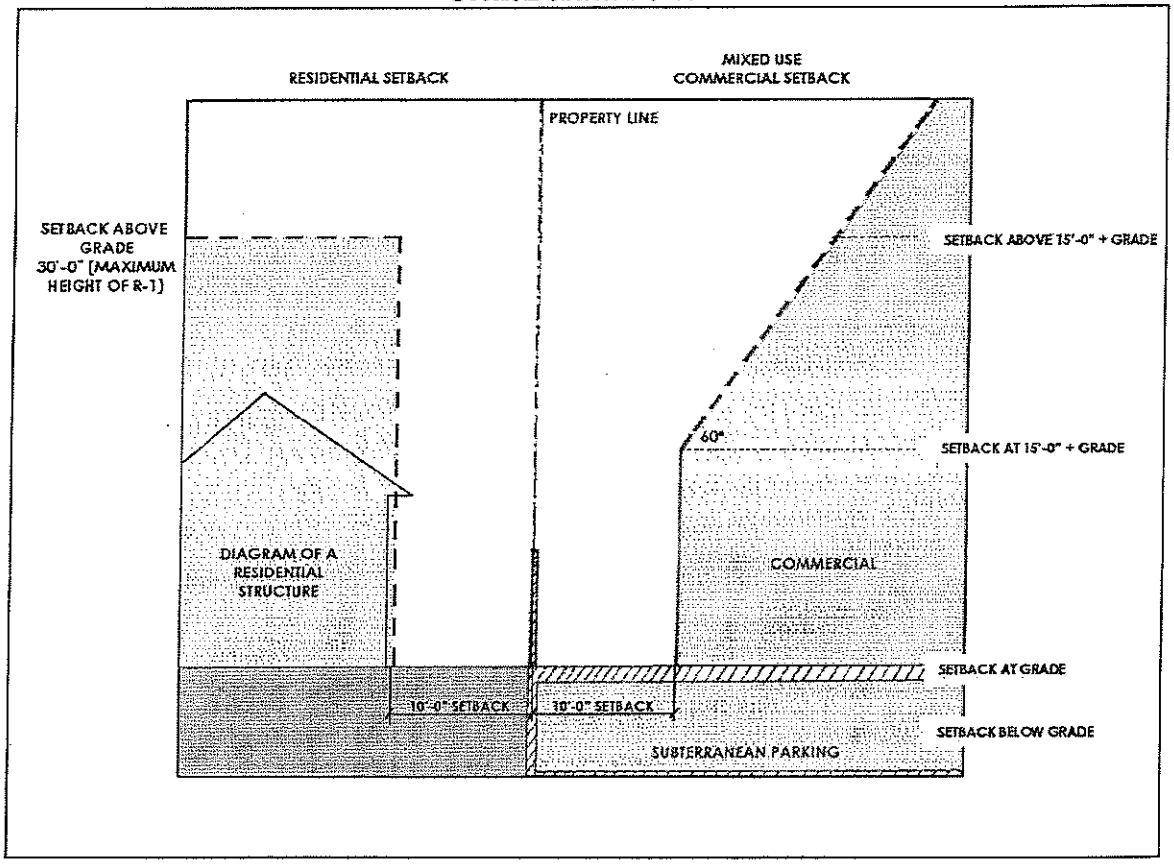



**45 ft. Height Limit Adjacent to Multi-Family Zone**
**Lot Depth Less Than 150 ft.**




**56 ft. Height Limit Adjacent to Multi-Family Zone.**
**Lot Depth 150 ft. Or Greater**

**Figure 4-5**
**Section of Rear Setback**




## F. Site Planning and Design Standards.

1. **Building bulk.** Projects shall be designed to achieve interesting, graceful and articulated buildings by the use of varied rooflines and vertical attachments; clearly defining the base, middle and top of each building and other architectural features. See Figure 4-6 (Building Elevation Composition).

2. **Building tops.** The top of the building shall be visually terminated through the use of cornices, parapets, domes, towers, or other forms or features.

3. **Street wall requirements.**

   a. The street wall shall be architecturally modulated to create visual interest and shall include architectural features and pedestrian amenities such as recessed entries, arcades, colonnades, stairs, art and other architectural features deemed pedestrian-oriented by the Director, subject to the following:

      1) Passageways in arcades and colonnades are, at minimum, 5 feet wide. See Figure 4-7 (Section of Street Wall).

      2) Architectural and ornamental features do not impede pedestrian routes.

      3) Stairs are decorative and attractive.

   b. Street wall façade requirements shall apply to the portion of the street wall that is within 15 vertical feet above the sidewalk parallel to arterial streets.

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

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

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

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

**Figure 4-6**
**Building Elevation Composition**

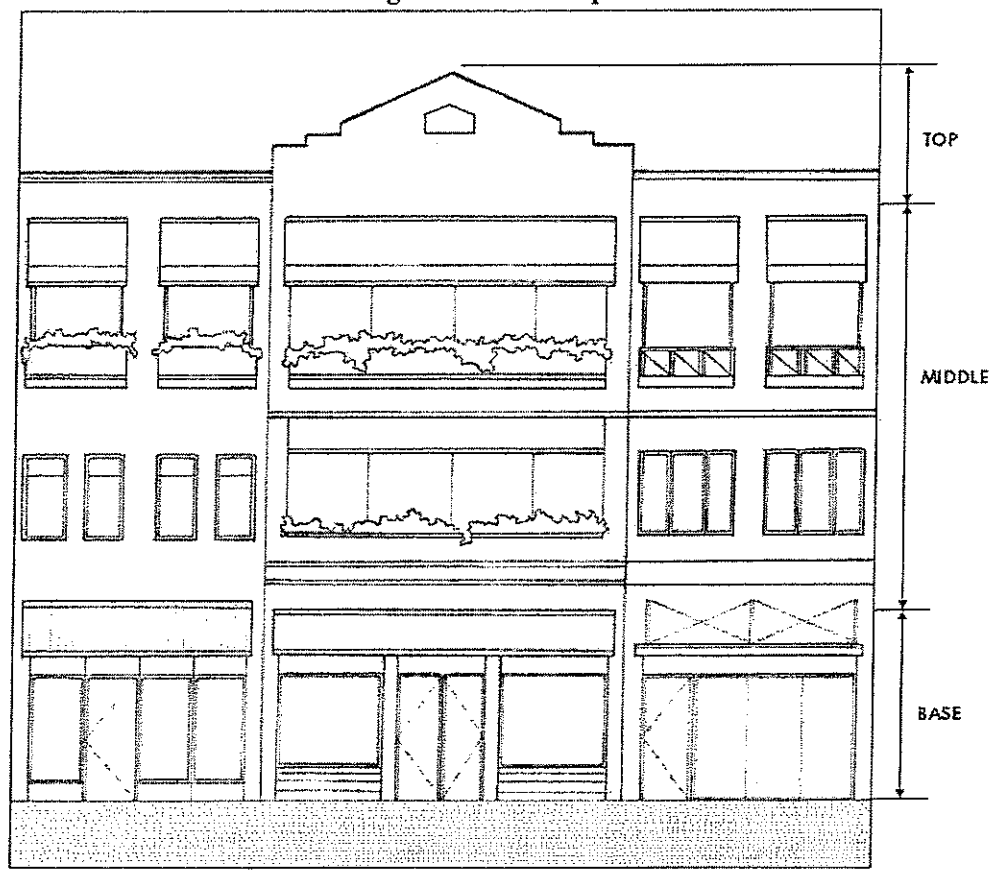


**Figure 4-7**
**Section of Street Wall**

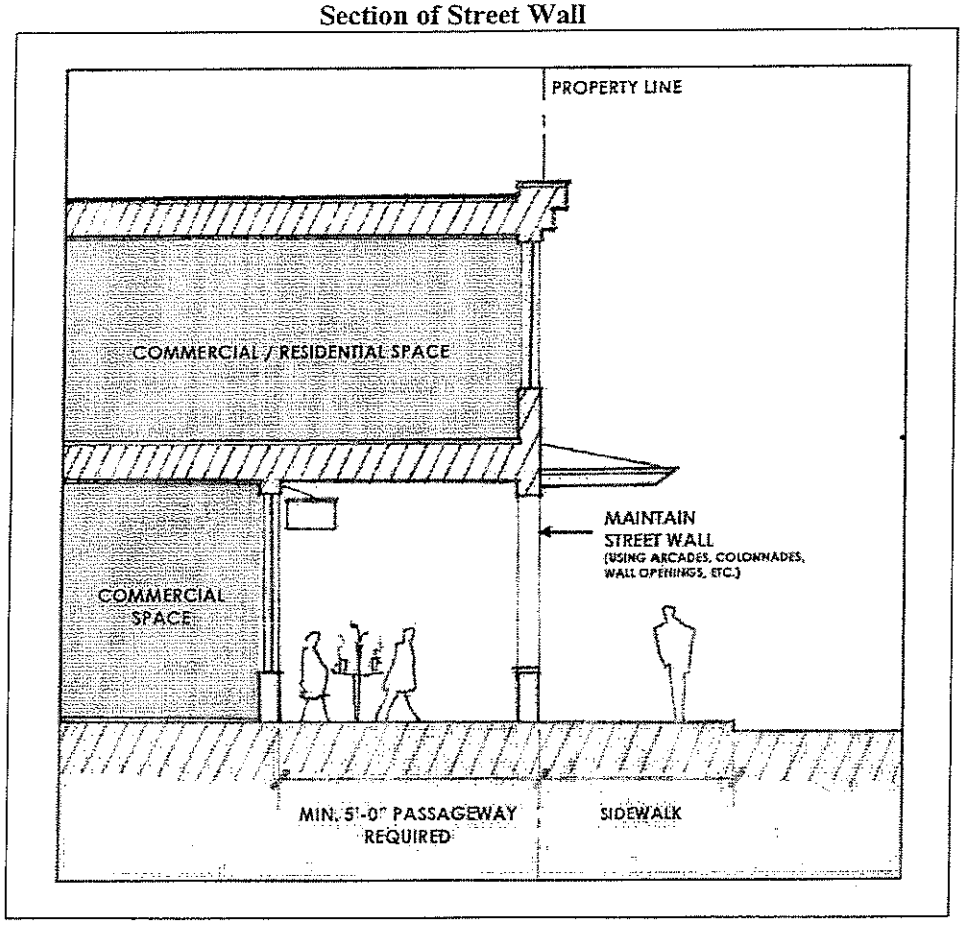
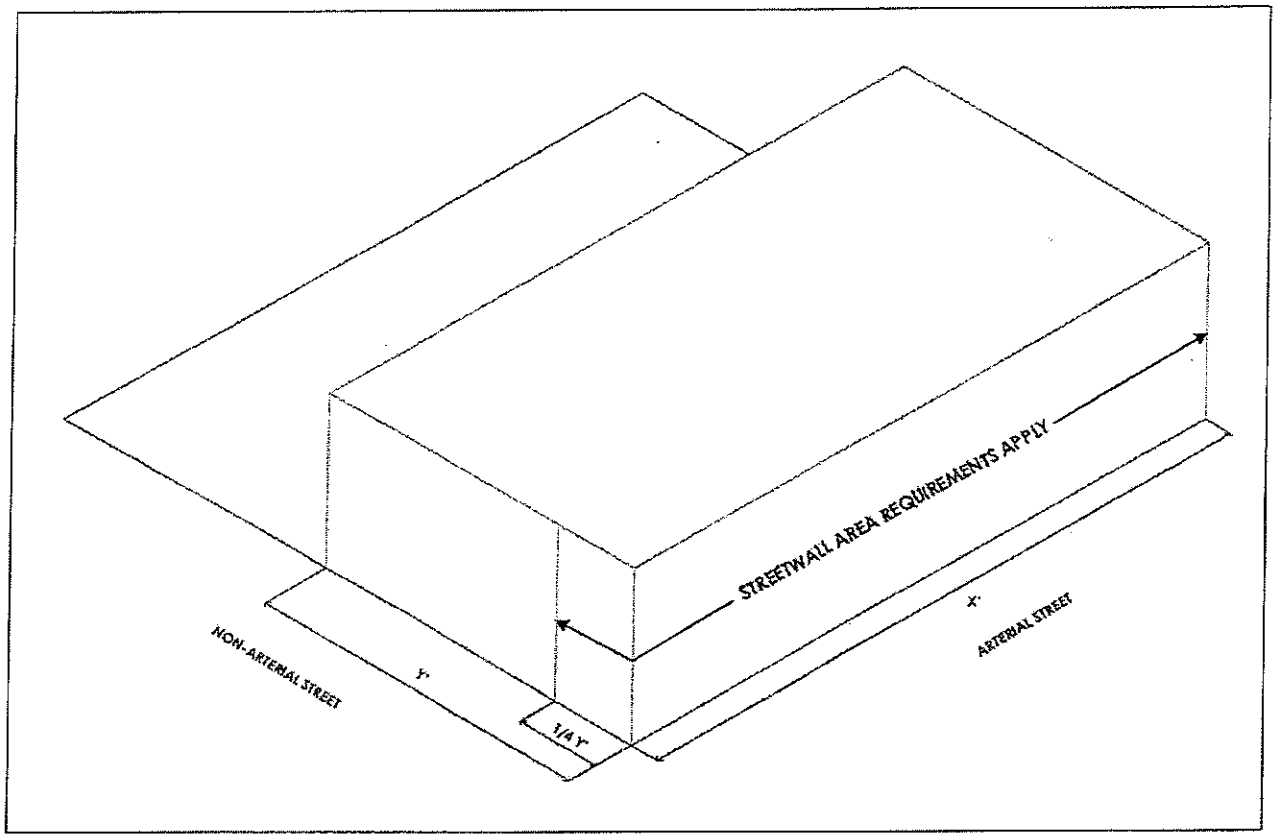


**Figure 4-8**
**Corner Building Street Wall Requirement**




4. **Blank wall.**

   **a.** Blank wall area is not permitted in the street wall area.

   **b.** Blank wall area shall be minimized on all building elevations.

   **c.** The maximum width of any continuous blank wall shall be no more than 15 feet.

5. **360° Architecture.**

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

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

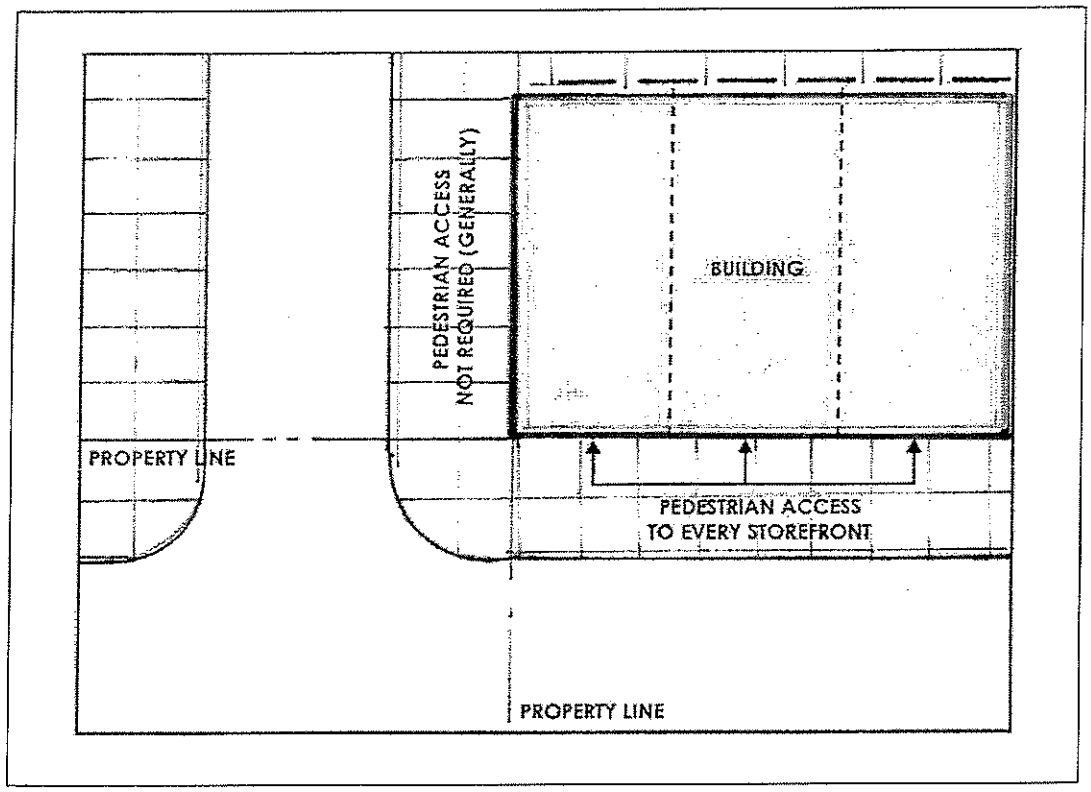
6. **Building entrances.**

   **a.** Pedestrian entrances shall be provided for all ground floor uses adjacent to arterial streets. Pedestrian entrances are not required on non-arterial streets. See Figure 4-9 (Plan of Pedestrian Entrances).

   **b.** Pedestrian entrances shall be directly accessible from the public right-of-way and shall have direct access from the sidewalk grade.

c. Commercial uses and residential uses shall have separate exterior entrances, elevators, and lobbies. The Director may waive this requirement based on site constraints.

**Figure 4-9**
**Plan of Pedestrian Entrances**




7. **Signage and lighting**. Signs must be developed pursuant to Chapter 17.330 (Signs). Exterior lighting shall comply with the requirements of Section 17.300.040 (Outdoor Lighting).

8. **Parking and vehicular access.**

   a. Street level parking facilities and lots shall be screened from view from the adjoining arterial street(s) by ornamental walls or fences, at least 4 feet high above street grade.

   b. Two-way vehicular ingress/egress areas on arterial streets shall only be permitted on development sites with a minimum of 100 feet of street frontage on the street where the vehicular ingress/egress area is located. The Director may waive this requirement based on site constraints.

   c. One-way vehicular ingress/egress areas on arterial streets shall only be permitted on development sites with a minimum of 75 feet of street frontage on the street where the ingress/egress area is located. The Director may waive this requirement based on site constraints.

   d. Vehicular ingress/egress areas are prohibited on arterial streets where the street frontage of the development site adjacent to the arterial street is less than 75 feet. The Director may waive this requirement based on site constraints.

9. **Refuse storage and collection areas**. The commercial and residential components of the project shall maintain separate refuse storage and collection areas; the refuse storage and collection areas shall be clearly marked for separate uses.

G. **Residential Development Standards.**

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

**Table 4-3**
**Minimum Residential Unit Size**

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

2. **Unit size mix.** No more than 25% of the total number of residential units shall have less than 700 square feet of gross floor area.

3. **Open space.**

a. Each unit shall have a minimum of 75 square feet of common and/or private open space.

b. Common open space areas shall have a minimum dimension of 15 feet in any direction which may include a combination of open space and adjacent setback area.

c. Private open space areas shall be at least 30 square feet and 5 feet in any direction, to the extent feasible.

d. Private and common open space requirements may be satisfied by a selection or combination of the following: atriums, balconies, courtyards, decks, gardens, gyms/exercise rooms, patios, playgrounds/tot lots, rooftop decks, patios and gardens, and swimming pools. The Director may approve similar amenities not listed above.

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

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

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

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

1) Residential, live/work and commercial parking spaces are designated with signs.

2) Residential, live/work and commercial components require 10 or fewer parking spaces each.

3) One use requires 10 or fewer parking spaces and a second use requires more than 10 parking spaces, and the Director determines that site conditions make it infeasible to provide gated or separated parking.

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

regulations governing gated parking areas are provided below.

1) Common ingress areas to residential, live/work, and commercial parking are permitted.

2) If a separated residential and live/work egress lane(s) is/are not provided, non-residential parking shall be free of charge.

3) The parking layout shall be designed so that residents are not significantly inconvenienced by non-residential parking demands, as determined by the Director.

**c. Residential guest parking location.**

1) Residential guest parking may be located in the commercial parking area.

2) Residential guest parking shall be accessible 24 hours per day.

3) Residential guest parking shall be free of charge.

4) Residential guest parking shall be appropriately signed.

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

1. Walls on all sides of residential and live/work units shall be constructed to minimize the transmission of noise and vibration. A minimum impact insulation class (IIC) of 60 shall be required for all residential and live/work walls, floors, and ceilings.

2. Shared elevators shall have security code access for residents to reach residential floors and to use the elevators during late evening and early morning hours. Security code access is not required for live/work access areas. Separate commercial and residential elevators are encouraged.

3. No commercial use, activity or process shall be operated in an objectionable manner due to fumes, noxious odor, dust, smoke, gas, noise or vibrations which may be detrimental to any other uses and occupants on the same property.

4. Residential and live/work units shall be designed to allow for cross-ventilation and have high quality HVAC systems, to the extent feasible.

5. Parking areas shall be illuminated so as to provide appropriate visibility and security as determined by the Director.

6. Parking access and circulation design shall minimize vehicle circulation through residential neighborhood streets as determined by the Director.

7. Commercial loading areas and outdoor storage areas shall be designed and located away from residential units and shall be screened from view at ground level from the residential portion of the project and from adjacent residential developments.

8. Commercial loading areas shall not significantly and/or negatively impact the pedestrian environment.

9. Adequate lighting must be provided adjacent to sidewalks and other public spaces to preserve the amenity and safety of those spaces for night-time pedestrian use, as determined by the Director.

Attachment No. 3

REGULAR MEETING OF THE
PLANNING COMMISSION, CITY OF CULVER CITY,
CALIFORNIA

November 28, 200
7:00 P.M.

**Call to Order & Roll Call**

Present: Marcus Tiggs, Chair
David Rockwell, Vice Chair
John Kuechle, Commissioner
Andrew Weissman, Commissioner
Linda Smith-Frost, Commissioner

Staff Present:
Sol Blumenfeld, Community Development Director
Thomas Gorham, Deputy Community Development Director & Planning Manager
Heather Iker, Assistant City Attorney

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**Pledge of Allegiance**

The Pledge of Allegiance was led by Heather Iker.

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**Public Comment for Items Not on the Agenda**

Chair Tiggs invited public participation.

Bill LA Pointe, Director, City of Culver City Parks and Recreation, announced the schedule of public workshops pertaining to the Parks & Recreation Master Plan (December 6, 2007 and January 26, 2008)

C. Yardin will submit written comments regarding the Christmas tree lot located at 9900 Culver Boulevard.

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PUBLIC HEARING PH-1

**Site Plan Review and Tentative Parcel Map for the Construction of Three Condominium Townhouses located at 4048 Lincoln Avenue.**

Thomas Gorham, Planning Manager, gave a brief summary of the project including two proposed option relating to the location of structural columns, and outlined issues related to a zoning code interpretation regarding obstructions in drive aisles as it pertains to the project.

Chuck Couey was present for the applicant and asked the Commission to consider approving Option #1 allowing the structural columns to be located within the drive aisle.

Public Speakers

- Jon Andersen-Miller
  - space is inadequate for four units
  - project does not maintain the ambiance of the neighborhood
  - massing concerns

- Gusta Van Driel
  - project height
  - wants full subterranean parking
  - increase setbacks
  - entrance to units should be at street level
  - hours of construction should be included in the Conditions of Approval ( Monday-Friday 8-6; Saturday 9-5; no construction on Sunday)
  - parking for construction crew concerns
  - construction noise issues
  - no new construction should be commenced until construction in progress is completed

Eric Pascarelli submitted comments to be read into the record.

Motion to close the public hearing was moved by Commissioner Weissman, seconded by Commissioner Kuechle.

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Comments and Concerns of Commissioners:

Commissioner Weissman

- Requested clarification of applicant's comment regarding "no control over entryways".
- Supports the detached nature of the project.
- Stated that lowering the height of the building with full subterranean parking is preferable for compatibility with the neighborhood.

Commissioner Kuechle

- Resident concerns regarding density should be addressed to the City Council.
- Has density concerns regarding cubic footage being compatible to the area; inquired whether there are guidelines.
- Inquired whether the project would come before the Commission again if there are substantial changes.
- Inquired about reduced plant options.

*Thomas Gorham responded by stating the project is in compliance with the Zoning Code and that staff is in the process of developing new commercial and residential design guidelines.*

- Safety and architectural concerns of structural columns should be addressed.
- Suggested lowering the level of the ground floor to the grade of the lot to make the project less intrusive and more compatibility.
- Agrees with the hours of construction as an addition to the Conditions of Approval.
- In order to deal with the safety concerns raised by the applicant in his submittals made to the Commission and to reduce somewhat the height of the

project, the level of the ground floor should be lowered to the grade of the lot thereby making it less intrusive to the immediate neighbors and more compatible with other homes on the street.

- Cannot support project without addressing safety and height reduction.

Vice Chair Rockwell

- Asked for, and received, confirmation from Staff that the new interpretation of the code not to allow I-beams to obstruct the driveway area was in force and applied to this project, and that the City informed the applicant of that fact.
- Supports detached units.
- Option #2 is the only acceptable option.
- Expressed concerns about the square footage of each unit in relation to the square footage of land.
- I-beams should be moved closer to the property line.
- Suggested more resident involvement earlier in the process.
- Would prefer less massing as opposed to reducing height.
- Suggested adding balconies, or other architectural treatment on the horizontal beams.

- Inquired about the applicant's flexibility regarding removal of the fencing on the front lawn.

Commissioner Smith Frost

- Suggested hours of construction are slightly more restrictive than normal.
- Hours of constructions should be included in the Conditions of Approval.
- Stated that there are similar projects in the area relative to Option #2.

Chair Tiggs

- Questioned whether the applicant would be opposed to Option #2.
- I-beam, patio and open space issues should be addressed by the applicant with area residents.

- Supports the project.

Following review and discussion of the project a motion to:

(a) Adopt the Site Plan Review and Tentative Parcel Map was moved by Commissioner Smith Frost, seconded by Vice Chair Rockwell. **Vote: 3-2.** Commissioners Weissman and Kuechle - No.

(b) Motion to adopt Resolution P2007-017, as amended was moved by Commissioner Smith Frost, seconded by Vice Chair Rockwell. **Vote 3-2.** Commissioners Weissman and Kuechle - No.

(c) Motion to approve the Categorical Exemption was moved by Commissioner Smith Frost, seconded by Commissioner Kuechle. **Vote 5-0.**

PUBLIC HEARING **PH-2.**

**Zoning Code Amendment to Amend Section 17.400.065 of the Culver City Zoning Code pertaining to Mixed Use Development Standards.**

Thomas Gorham, Planning Manager, and Sol Blumenfeld, Community Development Director, outlined the item for the Commission.

PUBLIC SPEAKERS:

Paul Slye, Developer, Brentwood Capital Partners

COMMISSIONER COMMENTS

Commissioner Weissman

- No material was included regarding minimal square footage with regard to commercial use.
- Stated that the intent of the mixed use ordinance was to revitalize commercial uses not residential.
- Stated that this amendment appears to be more of a correction to the ordinance adopted.
- Stated that commercial use provides 60-70% of General Fund income.

- Suggested encouraging residential development with an established minimum of commercial uses.
- Asked if the Washington National Specific Plan is included in this ordinance.
- Has concerns regarding "community benefit" and dedicated funds not being allocated for the purpose they were intended.
- Suggested establishing a minimum for commercial use.

Commissioner Kuechle

- Inquired about the merit or lack of merit for the developer to decide what commercial uses would be located on the ground floor.
- Requested that the amount of required ground floor commercial space be increased.
- Has "community benefit" and split jurisdiction concerns.
- Building height and setbacks rules differ with respect to alleys.
- Requested clarification changes to the Building Height and Setback Tables.

Vice Chair Rockwell

- Recommended establishing a minimum for commercial space in mixed use projects.
- Suggested voting on controlling density by establishing a limit on floor area ratio rather than dwelling units per acre.
- Has concerns regarding the viability and risks associated with the concept of a "community benefit" and suggested agendizing that issue to explore such concerns.
- Asked for and received confirmation from Staff that although both the City and State offer applicants the possibility of a density bonus, in no case would a combination of City and Status bonuses allow the density to exceed fifty (50) dwelling units per acre.
- Has density concerns.

Commissioner Frost

- Foresees decline in property value as a result on mixed use projects.
- Asked if there is a comparison report with other communities with a drop in land value and time required to recover from the drop.
- Project is on the right track with "community benefit"; guidelines should be established to guarantee the community receives the benefit.

Chair Tiggs

- Stated that other cities use floor area ratios for addressing massing issues.
- Suggested that in-lieu funds be placed in a trust for "community benefit".
- Suggested that across-the-board guidelines be established to protect the community.

Motion was made by Vice Chair Rockwell, seconded by Commissioner Kuechle to increase the amount of required ground floor commercial space to approximately one third of the total project square footage. **Vote 5-0.**

Motion to adopt Resolution No. 2007-P019, as amended to include recommended changes to the required ground floor commercial space and the Building Height and Setback Table was made by Commissioner Rockwell, seconded by Commissioner Kuechle. **Vote 5-0**

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**Consent Calendar**

Item C-1

**Secretary's Report**
THAT THE PLANNING COMMISSION APPROVE THE SECRETARY'S REPORT WAS MOVED BY COMMISSIONER ROCKWELL, SECONDED BY COMMISSIONER KUECHLE AND WEISSMAN. **Vote 5-0**

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ITEMS FROM STAFF

Thomas Gorham, Planning Director gave staff comments regarding the upcoming Commission meetings

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ITEMS FROM COMMISSIONERS

Commissioner Kuechle had the following concerns:

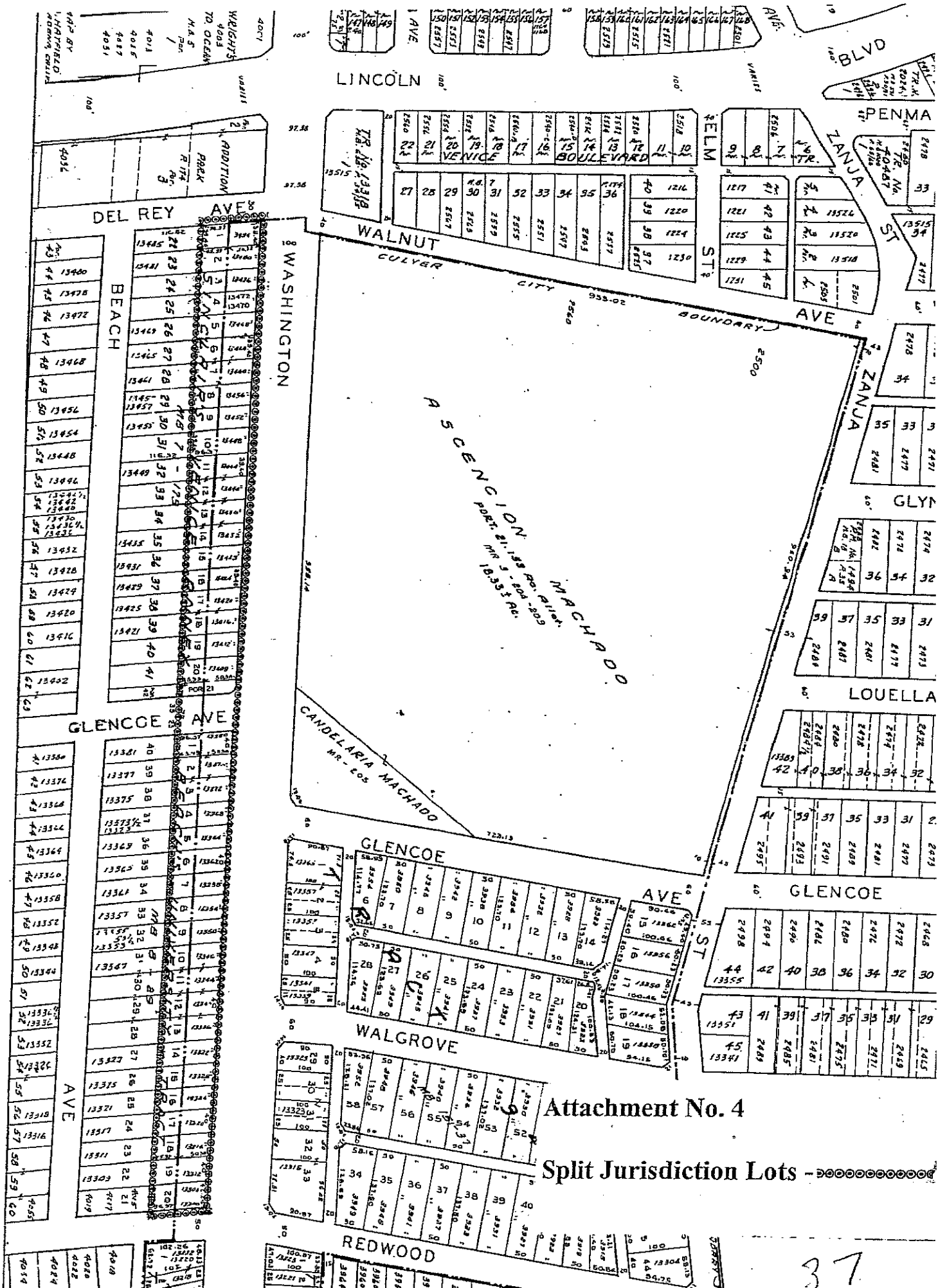
- Requested that staff send the Commission an electronic version of the Agenda, Resolution and Staff Report in .pdf form to enable the commissioners to perform a search within the document.

Adjournment

There being no further business, at 11:20 P.M., the Planning Commission adjourned its meeting to an Adjourned Regular Meeting to be held on December 12, 2007.

Marcus Tiggs, Chair
City of Culver City
Planning Commission

Yvonne D. Hunt
Administrative Secretary


LINCOLN BLVD
PENMA
ZANJA ST
ELM ST
VENICE BOULEVARD
DEL REY AVE
WALNUT
CULVER CITY BOUNDARY
WASHINGTON
BEACH
ASCENCION MACHADO
CANDELARIA MACHADO
GLENCOE AVE
GLENCOE
WALGROVE
REDWOOD
LOUELLA
ZANJA
GLYN
Attachment No. 4
Split Jurisdiction Lots

## MIXED USE DEVELOPMENT PARKING FOR LOTS 5,000, 10,000, 20,000 & 30,000 SQ. FT.

[ ] = Feasible [ ] = Not Feasible

| A | B | C | D | E | F | G | H | I | J | K | L | M | N | O | P |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Lot Size | Percentage | Gross | Req Comm | Comm | Net | Net | Comm Pkg | Dwntwn Pkg | Max du @ | Max du @ | Res Pkg @ | Res Pkg @ | At Grade | Max Sub | MXD |
| 5,000 | Comm Area | Floor Area | Area | Pkg Area | Comm Area | Pkg Area | Req @ 4:1K | Req @ 2.5:1K | 35/du ac | 48/du ac | 35/du ac | 48/du ac | Pkg Possible | Floors Req | Feasible |
| | 10 | 20,000 | 2,000 | 3,000 | 500 | 4,500 | 8 | 5 | 4 | 5 | 9 | 11 | 15 | 1 | Yes |
| | 20 | 20,000 | 4,000 | 1,000 | 1,000 | 4,000 | 16 | 10 | 4 | 5 | 9 | 11 | 13 | 1 | No |
| | 30 | 20,000 | 6,000 | 1,000 | 1,500 | 3,500 | 24 | 15 | 4 | 5 | 9 | 11 | 11 | 2 | No |

| Lot Size | Percentage | Gross | Req Comm | Comm | Net | Net | Comm Pkg | Dwntwn Pkg | Max du @ | Max du @ | Res Pkg @ | Res Pkg @ | At Grade | Max Sub | MXD |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 10,000 | Comm Area | Floor Area | Area | Pkg Area | Comm Area | Pkg Area | Req @ 4:1K | Req @ 2.5:1K | 35/du ac | 48/du ac | 35/du ac | 48/du ac | Pkg Possible | Floors Req | Feasible |
| | 10 | 40,000 | 4,000 | 6,000 | 1,000 | 9,000 | 16 | 10 | 8 | 11 | 18 | 24 | 30 | 1 | Yes |
| | 20 | 40,000 | 8,000 | 2,000 | 2,000 | 8,000 | 32 | 20 | 8 | 11 | 18 | 24 | 26 | 2 | No |
| | 30 | 40,000 | 12,000 | 2,000 | 3,000 | 7,000 | 48 | 30 | 8 | 11 | 18 | 24 | 23 | 2 | No |

| Lot Size | Percentage | Gross | Req Comm | Comm | Net | Net | Comm Pkg | Dwntwn Pkg | Max du @ | Max du @ | Res Pkg @ | Res Pkg @ | At Grade | Max Sub | MXD |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 20,000 | Comm Area | Floor Area | Area | Pkg Area | Comm Area | Pkg Area | Req @ 4:1K | Req @ 2.5:1K | 35/du ac | 48/du ac | 35/du ac | 48/du ac | Pkg Possible | Floors Req | Feasible |
| | 10 | 80,000 | 8,000 | 12,000 | 2,000 | 18,000 | 32 | 20 | 16 | 22 | 36 | 49 | 60 | 1 | Yes |
| | 20 | 80,000 | 16,000 | 4,000 | 4,000 | 16,000 | 64 | 40 | 16 | 22 | 36 | 49 | 53 | 2 | No |
| | 30 | 80,000 | 24,000 | 4,000 | 6,000 | 14,000 | 96 | 60 | 16 | 22 | 36 | 49 | 46 | 2 | No |

| Lot Size | Percentage | Gross | Req Comm | Comm | Net | Net | Comm Pkg | Dwntwn Pkg | Max du @ | Max du @ | Res Pkg @ | Res Pkg @ | At Grade | Max Sub | MXD |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 30,000 | Comm Area | Floor Area | Area | Pkg Area | Comm Area | Pkg Area | Req @ 4:1K | Req @ 2.5:1K | 35/du ac | 48/du ac | 35/du ac | 48/du ac | Pkg Possible | Floors Req | Feasible |
| | 10 | 120,000 | 12,000 | 18,000 | 3,000 | 27,000 | 48 | 30 | 24 | 33 | 54 | 74 | 90 | 1 | Yes |
| | 20 | 120,000 | 24,000 | 6,000 | 6,000 | 24,000 | 96 | 60 | 24 | 33 | 54 | 74 | 80 | 2 | No |
| | 30 | 120,000 | 36,000 | 6,000 | 9,000 | 21,000 | 144 | 90 | 24 | 33 | 54 | 74 | 70 | 2 | No |

A = Total lot size in square feet
B = Percentage of building allocated for commercial use
C = Gross Floor Area (total lot size x four floors) in square feet
D = Required Commercial Area denotes Lot size x four floors x percentage of building dedicated to commercial use in square feet
E = Commercial Parking Area is lot size minus Required Commercial Area in square feet
F = Net Commercial Area is ground-floor area in square feet dedicated to commercial use
G = Net Parking Area is total lot size minus ground-floor commercial use in square feet
H = Number of parking spaces for commercial component at 4 spaces per 1,000 square feet of commercial use of building
H = Number of parking spaces for commercial component at 2.5 spaces per 1,000 square feet of commercial use of building
J = Maximum number of dwelling units permitted at density of 35 dwelling units per acre
K = Maximum number of dwelling units permitted at density of 48 dwelling units per acre
L = Number of parking spaces required for residential component at 2 spaces per unit plus 1 space per every four units at density of 35 dwelling units per acre
M = Number of parking spaces required for residential component at 2 spaces per unit plus 1 space per every four units at density of 48 dwelling units per acre
N = Number of parking spaces possible at grade (one parking space for each 300 square feet of net parking area)
O = Maximum number of below-grade floors required to accommodate minimum parking required for commercial and residential components at 4:1 for commercial and 48 du/ac for residential
P = Determination of feasibility of project based upon parking requirements and available ground-floor space for retail component

Attachment No. 5

## MIXED USE DEVELOPMENT PARKING FOR LOTS 5,000, 10,000, & 15,000 SQ. FT. USING 30' DEPTH

= Feasible = Not Feasible

| A | B | C | D | E | F | G | H | I | J | K | L | M | N | O | P |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Lot Size | Lot Depth of | Gross | Req Comm | Comm | Net | Net | Comm Pkg | Dwntwn Pkg | Max du @ | Max du @ | Res Pkg @ | Res Pkg @ | At Grade | Max Sub | MXD |
| 5,000 | Comm Area | Floor Area | Area | Pkg Area | Comm Area | Pkg Area | Req @ 4:1K | Req @ 2.5:1K | 35/du ac | 48/du ac | 35/du ac | 48/du ac | Pkg Possible | Floors Req | Feasible |
| 50x100 | | | | | | | | | | | | | | | |
| | 30 | 20,000 | 1,500 | 3,500 | 1,500 | 3,500 | 6 | 4 | 4 | 5 | 9 | 11 | 11 | 1 | TRUE |

| Lot Size | Lot Depth of | Gross | Req Comm | Comm | Net | Net | Comm Pkg | Dwntwn Pkg | Max du @ | Max du @ | Res Pkg @ | Res Pkg @ | At Grade | Max Sub | MXD |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 10,000 | Comm Area | Floor Area | Area | Pkg Area | Comm Area | Pkg Area | Req @ 4:1K | Req @ 2.5:1K | 35/du ac | 48/du ac | 35/du ac | 48/du ac | Pkg Possible | Floors Req | Feasible |
| 100x100 | | | | | | | | | | | | | | | |
| | 30 | 40,000 | 3,000 | 7,000 | 3,000 | 7,000 | 12 | 8 | 8 | 11 | 18 | 24 | 23 | 1 | TRUE |

| Lot Size | Lot Depth of | Gross | Req Comm | Comm | Net | Net | Comm Pkg | Dwntwn Pkg | Max du @ | Max du @ | Res Pkg @ | Res Pkg @ | At Grade | Max Sub | MXD |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 15,000 | Comm Area | Floor Area | Area | Pkg Area | Comm Area | Pkg Area | Req @ 4:1K | Req @ 2.5:1K | 35/du ac | 48/du ac | 35/du ac | 48/du ac | Pkg Possible | Floors Req | Feasible |
| 150x100 | | | | | | | | | | | | | | | |
| | 30 | 60,000 | 4,500 | 10,500 | 4,500 | 10,500 | 18 | 11 | 12 | 16 | 27 | 36 | 35 | 1 | TRUE |

A = Total lot size in square feet
B = Depth in feet of portion of lot allocated for ground floor commercial use
C = Gross Floor Area (total lot size x four floors) in square feet
D = Required Commercial Area denotes Lot size divided by 100, times the depth in feet allocated to commercial use in square feet
E = Commercial Parking Area is lot size minus Required Commercial Area in square feet
F = Net Commercial Area is ground-floor area in square feet dedicated to commercial use (lot size times commercial depth divided by 100)
G = Net Parking Area is total lot size minus ground-floor commercial use in square feet
H = Number of parking spaces for commercial component at 4 spaces per 1,000 square feet of commercial use of building
H = Number of parking spaces for commercial component at 2.5 spaces per 1,000 square feet of commercial use of building
J = Maximum number of dwelling units permitted at density of 35 dwelling units per acre
K = Maximum number of dwelling units permitted at density of 48 dwelling units per acre
L = Number of parking spaces required for residential component at 2 spaces per unit plus 1 space per every four units at density of 35 dwelling units per acre
M = Number of parking spaces required for residential component at 2 spaces per unit plus 1 space per every four units at density of 48 dwelling units per acre
N = Number of parking spaces possible at grade (one parking space for each 300 square feet of net parking area)
O = Maximum number of below-grade floors required to accommodate minimum parking required for commercial and residential components at 4:1 for commercial and 48 du/ac for residential
P = Determination of feasibility of project based upon parking requirements and available ground-floor space for retail component

## MIXED USE DEVELOPMENT PARKING FOR LOTS 5,000, 10,000, & 15,000 SQ. FT. USING PNCT OF LOT

[ ] = Feasible [ ] = Not Feasible

| A | | | B | C | D | E | F | G | H | I | J | K | L | M | N | O | P |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Lot Size | Width | Depth | Percent Depth | Gross | Req Comm | Comm | Net | Net | Comm Pkg | Dwntwn Pkg | Max du @ | Max du @ | Res Pkg @ | Res Pkg @ | At Grade | Max Sub | MXD |
| 5,000 | 50 | 100 | of Comm Area | Floor Area | Area | Pkg Area | Comm Area | Pkg Area | Req @ 4:1K | Req @ 2.5:1K | 35/du ac | 48/du ac | 35/du ac | 48/du ac | Pkg Possible | Floors Req | Feasible |
| | | | 30 | 20,000 | 1,500 | 3,500 | 1,500 | 3,500 | 6 | 4 | 4 | 5 | 9 | 11 | 11 | 1 | TRUE |
| Lot Size | Width | Depth | Percent Depth | Gross | Req Comm | Comm | Net | Net | Comm Pkg | Dwntwn Pkg | Max du @ | Max du @ | Res Pkg @ | Res Pkg @ | At Grade | Max Sub | MXD |
| 10,000 | 100 | 100 | of Comm Area | Floor Area | Area | Pkg Area | Comm Area | Pkg Area | Req @ 4:1K | Req @ 2.5:1K | 35/du ac | 48/du ac | 35/du ac | 48/du ac | Pkg Possible | Floors Req | Feasible |
| | | | 30 | 40,000 | 3,000 | 7,000 | 3,000 | 7,000 | 12 | 8 | 8 | 11 | 18 | 24 | 23 | 1 | TRUE |
| Lot Size | Width | Depth | Percent Depth | Gross | Req Comm | Comm | Net | Net | Comm Pkg | Dwntwn Pkg | Max du @ | Max du @ | Res Pkg @ | Res Pkg @ | At Grade | Max Sub | MXD |
| 15,000 | 150 | 100 | of Comm Area | Floor Area | Area | Pkg Area | Comm Area | Pkg Area | Req @ 4:1K | Req @ 2.5:1K | 35/du ac | 48/du ac | 35/du ac | 48/du ac | Pkg Possible | Floors Req | Feasible |
| | | | 30 | 60,000 | 4,500 | 10,500 | 4,500 | 10,500 | 18 | 11 | 12 | 16 | 27 | 36 | 35 | 1 | TRUE |
| Lot Size | Width | Depth | Percent Depth | Gross | Req Comm | Comm | Net | Net | Comm Pkg | Dwntwn Pkg | Max du @ | Max du @ | Res Pkg @ | Res Pkg @ | At Grade | Max Sub | MXD |
| 15,000 | 300 | 50 | of Comm Area | Floor Area | Area | Pkg Area | Comm Area | Pkg Area | Req @ 4:1K | Req @ 2.5:1K | 35/du ac | 48/du ac | 35/du ac | 48/du ac | Pkg Possible | Floors Req | Feasible |
| | | | 30 | 60,000 | 4,500 | 10,500 | 4,500 | 10,500 | 18 | 11 | 12 | 16 | 27 | 36 | 35 | 1 | TRUE |

A = Total lot size in square feet
B = Depth in percent of lot size of portion of lot allocated for ground floor commercial use
C = Gross Floor Area (total lot size x four floors) in square feet
D = Required Commercial Area denotes Lot size x four floors x percentage of building dedicated to commercial use in square feet
E = Commercial Parking Area is lot size minus Required Commercial Area in square feet
F = Net Commercial Area is ground-floor area in square feet dedicated to commercial use
G = Net Parking Area is total lot size minus ground-floor commercial use in square feet
H = Number of parking spaces for commercial component at 4 spaces per 1,000 square feet of commercial use of building
H = Number of parking spaces for commercial component at 2.5 spaces per 1,000 square feet of commercial use of building
J = Maximum number of dwelling units permitted at density of 35 dwelling units per acre
K = Maximum number of dwelling units permitted at density of 48 dwelling units per acre
L = Number of parking spaces required for residential component at 2 spaces per unit plus 1 space per every four units at density of 35 dwelling units per acre
M = Number of parking spaces required for residential component at 2 spaces per unit plus 1 space per every four units at density of 48 dwelling units per acre
N = Number of parking spaces possible at grade (one parking space for each 300 square feet of net parking area)
O = Maximum number of below-grade floors required to accommodate minimum parking required for commercial and residential components at 4:1 for commercial and 48 du/ac for residential
P = Determination of feasibility of project based upon parking requirements and available ground-floor space for retail component

**ATTACHMENT 6**

**RESOLUTION NO. 2008-R_____**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CULVER CITY, CALIFORNIA, ESTABLISHING A COMMUNITY BENEFIT INCENTIVE PROGRAM IN CONNECTION WITH SECTION 17.400.065 OF THE ZONING CODE – MIXED USE DEVELOPMENT STANDARDS.

The City Council of the City of Culver City DOES HEREBY RESOLVE as follows:

Section 1. The City Council, pursuant to applicable law, held a duly noticed hearing on February 11, 2008 to consider proposed amendments to the Culver City Municipal Code (CCMC) related to Mixed Use Developments and to adopt a resolution authorizing Community Benefit Incentives and establishing the process and procedures for implementation of Community Benefits, as defined below.

Section 2. Section 17.400.065 of the CCMC allows mixed use development on certain commercially zoned property at a base residential density of 35 dwelling units per acre, but allows the density to increase provided the project incorporates Community Benefits established by resolution of the City Council.

Section 3. Based on the foregoing, the City Council hereby establishes:

A. The types of Community Benefits.

B. The process for Community Benefit approval.

C. The Community Benefit contribution; and

D. Procedures for providing the Community Benefit.

Section 4. Type of Benefit – A Community Benefit is defined as a project amenity that achieves particular community goals such as providing neighborhood

streetscape improvements, in addition to what may be required as part of a discretionary review and approval of a project, or public parking, in addition to that required by the CCMC. The following list of Community Benefits may be included in mixed use development projects. The list of Community Benefits includes, but is not limited to the following:

A. Streetscape Improvements – As Part of an Area Improvement Plan, in addition to what may be required as part of a discretionary review and approval of a project.

B. Pocket Parks and Public Open Space (Minimum 5,000 sq. ft.), in addition to park space otherwise required by the CCMC.

C. Metered Public Parking in Excess of that Required by the CCMC. (Minimum of 10 Public Parking Spaces -Applies Only to Project Sites of 20,000 sq. ft. or Greater).

D. Utility Undergrounding – As Part of an Underground District Plan, in addition to undergrounding otherwise required by the CCMC.

E. Other Community Benefits as Approved by Planning Commission or City Council.

Section 5. Process for Community Benefit Approval – The City Council shall establish certain commercial neighborhood districts for consideration of Community Benefits through a City Council hearing. The City Council hearing shall identify Community Benefits which could be applied to any project located within the commercial neighborhood district boundary. The commercial neighborhood district hearings shall be conducted following adoption of the amendments to the CCMC related to Mixed Use Developments

with public notice provided to all business owners, residents and property owners within a 1000 foot radius of perimeter of the subject commercial neighborhood district boundary. Said notice shall be provided pursuant to Section 17.630 of the CCMC.

Section 6. Community Benefits Contribution Amount – The method for establishing the developer's contribution shall be based upon the proportionality of the benefit relative to the developer's profit for the project. The Community Benefits Contribution is proposed as a proportional share of the Additional Base Density Value. The Community Benefits Contribution shall be defined as the developer's cost to provide the Community Benefits. The Additional Base Density Value shall be defined as the additional profit derived from the additional number of dwelling units permitted through increase density allowed for providing the community benefit. The Community Benefits Value shall be defined as the total cost of providing the required Community Benefit and calculated as follows:

A. Community Benefits Contribution: 50% of the Additional Base Density Value.

B. Additional Base Density Value: Additional Number of Dwelling Units Allowed x Market Value Sales Price x .15 (Developer's Assumed Profit).

Section 7. Procedures for providing the Community Benefits – The Community Benefits shall be incorporated into the project design, directly on-site and maintained for the life of the project unless it is part of a public improvement, whereupon it shall be provided with an in lieu fee contribution.

A. In Lieu Fee Contribution – When the Community Benefits are part of off-site public improvements, the developer shall provide

the Community Benefits Contribution in full to an in lieu fund established for the sole purpose of funding the public improvement.

B. Community Benefits Provided On-Site – The Community Benefits shall be incorporated on development plans and in the Conditions of Approval as part of the project discretionary review process.

C. Community Benefits Identified in Project Resolution – The developer shall sign an Affidavit for Acceptance of Conditions certifying agreement to provide the required Community Benefits as part of project development. The resolution or other approval of a project shall not become operative if the developer fails to sign the affidavit, and the project permit granting increased density shall be null and void unless the permit and approval are referred to the Planning Commission for approval or reapproval. If the developer fails to maintain the required Community Benefits identified in the project Resolution, then any Conditional Use Permit or other revocable permit granted by the City as part of the approval of the project shall be referred to the Planning Commission for revocation pursuant to Chapter 17.660 of the Zoning Code and the matter may be referred to the City Attorney for enforcement pursuant to Chapter 17.650 of the Zoning Code.

D. Community Benefits – Public Open Space or Metered Public Parking. When the Community Benefits required for the project are Public Open Space or Metered Public Parking, the developer shall

record a covenant that runs with the land to:

i. Maintain in a clean, sanitary and available condition the Community Benefits for the life of the project.

ii. Ensure the Public Open Space and Metered Public Parking is open and available to the public during normal operating hours of the retail/commercial facilities within the mixed use development project or as determined by the City Council.

iii. Allow the City to derive any Metered Public Parking revenue through parking enforcement operations for the public parking.

iv. Provide an irrevocable easement recorded against the property to allow the City to enter the site from time to time to conduct parking enforcement operations for the public parking.

APPROVED and ADOPTED this _____ day of _____ 2008.

ALAN CORLIN, MAYOR
City of Culver City, California

ATTEST:

CHRISTOPHER ARMENTA, City Clerk

APPROVED AS TO FORM:

CAROL A. SCHWAB, City Attorney

A08-00030

# Culver City Redevelopment Agency
## Fiscal Impact From New Development

**Project:** Mixed Use Ordinance

## General Fund Revenues

| Property Address/Description | On-going Revenues | | | | | | |
|---|---|---|---|---|---|---|---|
| | Sales Tax | Business Tax | Utility Tax | Transient Occ. Tax | Property Tax | Total On-going | Citywide Annual Value* |
| Scenario 1: 5,000/1,500 | $3,000 | $300 | $330 | $0 | base year value | **$3,630** | **$363,000** |
| Scenario 2: 10,000/3,000 | $6,000 | $600 | $660 | $0 | base year value | **$7,260** | **$726,000** |
| Scenario 3: 15,000/4,500 | $9,000 | $900 | $990 | $0 | base year value | **$10,890** | **$1,089,000** |

*Assumes that 5% (100) of the estimated number of available projects (2,000) to which the mixed use ordinance would apply are constructed citywide.

## Redevelopment Agency Revenues

| Property Address/Description | Estimated Land Value per Sq. Ft. | Total Estimated Land Value |
|---|---|---|
| Scenario 1: 5,000 (35du) | $53 | $265,000 |
| Scenario 1A: 5,000 (48du) | $54 | $270,000 |
| Scenario 2: 10,000 (35du) | $58 | $580,000 |
| Scenario 2A:10,000 (48du) | $71 | $710,000 |
| Scenario 3: 15,000 (35du) | $66 | $990,000 |
| Scenario 3A: 15,000 (48du) | $79 | $1,185,000 |

**Land sale proceeds estimated by KMA.

ATTACHMENT 7
TABLE 1

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Fiscal Analysis estimates developed by Budget and Finance staff using assumptions developed in association with Keyser Marston Associates.