

1 RESOLUTION NO. 2017-P006

2 A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF
3 CULVER CITY, CALIFORNIA, RECOMMENDING TO THE CITY COUNCIL
4 APPROVAL OF ZONING CODE AMENDMENT (P2017-0052-ZCA) AMENDING
5 CULVER CITY MUNICIPAL CODE, TITLE 17 – ZONING (ZONING CODE)
6 SECTION 17.210.015 – RESIDENTIAL ZONING DISTRICT LAND USES AND
7 PERMIT REQUIREMENTS, TABLE 2-2 – ALLOWED USES AND PERMIT
8 REQUIREMENTS FOR RESIDENTIAL ZONING DISTRICTS; AND SECTION
9 17.400.095 – RESIDENTIAL USES – ACCESSORY DWELLING UNITS.

10 (P2017-0052-ZCA)

11 WHEREAS on March 22, 2017 the Planning Commission conducted a duly
12 noticed public hearing on City-initiated Zoning Code Amendment (P2017-0052-ZCA)
13 amending Culver City Municipal Code (CCMC), Title 17 – Zoning (Zoning Code) Section
14 17.210.015 – Residential Zoning District Land Uses and Permit Requirements, Table 2-2 –
15 Allowed Uses and Permit Requirements for Residential Zoning Districts; and Section
16 17.400.095 – Residential Uses – Accessory Dwelling Units, in order to allow accessory
17 dwelling units through a ministerial approval and modifying the development standards to be
18 in compliance with current State housing law, fully considering all reports, studies, testimony,
19 and environmental information presented; and

20 WHEREAS, following conclusion of the public discussion and thorough
21 deliberation of the subject matter, the Planning Commission determined, by a vote of __ to
22 __, to recommend to the City Council approval of Zoning Code Amendment P2017-0052-
23 ZCA, as set forth herein below.

24 NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF
25 CULVER CITY, CALIFORNIA, RESOLVES AS FOLLOWS:
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1 **SECTION 1.** Pursuant to the foregoing recitations and the provisions of the
2 CCMC, the following required findings for an amendment to the Zoning Code, as
3 outlined in CCMC Section 17.620.030.A, are hereby made:

4 **1. The proposed amendment(s) ensure and maintain the internal**
5 **consistency with the goals, policies and strategies of all elements of the**
6 **General Plan and will not create any inconsistencies.**

7 The proposed text amendment, will create consistency between the General Plan
8 and Zoning Code relative to accessory dwelling units. Objective 4 Housing Access
9 of the General Plan Housing Element calls to improve access to quality housing for
10 all members of the community by eliminating discrimination, reducing physical
11 constraints, increasing the number of affordable housing units, and supporting
12 access to emergency shelters. The proposed amendment is intended to comply
13 with current State housing law in an effort to create new affordable housing
14 opportunities. The proposed amendment will create consistency between the
15 General Plan and the Zoning Code relative to accessory dwelling unit requirements
16 and will help promote housing opportunities for families of all income levels to help
17 maintain the family-oriented character of the City in the future (Housing Element
18 Policy 4.B).

19 **2. The proposed amendment(s) would not be detrimental to the public**
20 **interest, health, safety, convenience or welfare of the City.**

21 The proposed Zoning Code Amendment will ensure compliance with current State
22 housing law, which mandates that accessory dwelling units be considered
23 ministerially without discretionary review. The proposed amendment provides an
24 effective means of affordable housing in Culver City. Additionally, the proposed
25 amendment considers acceptable living conditions including unit size, room
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1 dimensions, habitability, and design standards in support of the public interest,
2 health, safety, convenience and 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 Sections 15162 and 15168 of the California Environmental Quality Act
6 (CEQA), Zoning Code Text Amendment (P2017-0052-ZCA) is within the scope of the
7 Culver City General Plan Update Program EIR approved on September 24, 1996
8 (PEIR 1) and the Culver City Redevelopment Plan Amendment and Merger Program
9 Subsequent EIR approved on November 16, 1998 (PEIR 2). The circumstances under
10 which PEIR 1 and PEIR 2 were prepared have not significantly changed and no new
11 significant information has been found that would impact either PEIR 1 or PEIR 2;
12 therefore, no new environmental analysis is required.
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15 **SECTION 2.** Pursuant to the foregoing recitations and findings, the
16 Planning Commission of the City of Culver City, California, hereby recommends to the
17 City Council approval of Zoning Code Amendment P2017-0052-ZCA, as set forth in
18 Exhibit A attached hereto and made a part thereof.
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20 APPROVED and ADOPTED this 22nd day of March, 2017.
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23 _____
24 DAVID VONCANNON, CHAIRPERSON
25 PLANNING COMMISSION
26 CITY OF CULVER CITY, CALIFORNIA

27 Attested by:
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Susan Yun, Senior Planner

**EXHIBIT A
RESOLUTION NO. P2017-P006
Zoning Code Amendment
P2017-0052-ZCA**

Proposed Zoning Code Amendment

The proposed Zoning Code Amendment (ZCA) will amend Section Table 2-2 of Section 17.210.015 and Section 17.400.095 as follows:

§ 17.210.015 RESIDENTIAL ZONING DISTRICT LAND USES AND PERMIT REQUIREMENTS.

TABLE 2-2 Allowed Uses and Permit Requirements for Residential Zoning Districts							P Permitted Use
CUP Conditional Use Permit Required							
AUP Administrative Use Permit Required							
- Use not allowed							
LAND USE (1)	PERMIT REQUIREMENT BY DISTRICT					See Specific Use Regulations:	
	R2	R3	RLD	RMD	RHD		
RESIDENTIAL							
Accessory dwelling units	P	P	P	-	-	17.400.095	

§ 17.400.095 RESIDENTIAL USES - ACCESSORY DWELLING UNITS.

This Section establishes the standards for the development of an Accessory Dwelling Unit in compliance with Article 2 (Zoning Districts, Allowable Land Uses and Zone-Specific Standards):

A. Minimum Lot Size. A minimum lot size of 5,000 ~~6,000~~ square feet shall be required for the construction, use and maintenance of accessory dwelling units. No minimum lot size shall be required for an accessory dwelling unit located within an existing structure.

B. Maximum Unit Size. The maximum permitted unit size may be up to one half the gross square footage of the primary dwelling unit on the lot, but shall not exceed 600 gross square feet in floor area.

C. Minimum Unit Size. The minimum unit size shall be 220 gross square feet.

D. Zones in which Accessory Dwelling Units may be Constructed. The construction, use, and maintenance of accessory dwelling units shall only be permitted in Residential ~~the R1, R2 and R3 Zones~~ on lots containing an existing single-family dwelling.

E. Density. ~~Accessory dwelling units shall be permitted on properties with no more than one existing dwelling unit currently on the site.~~ No more than one accessory dwelling unit is allowed on a property.

F. Minimum Room Dimensions. Minimum room dimensions, including ceiling heights, floor area and width, shall meet the Uniform Building Code regulations in effect at the time of construction.

G. Location. ~~Accessory dwelling units shall be located behind the primary dwelling.~~ Accessory dwelling units shall be either attached to an existing dwelling or located within the living area of the existing dwelling, or detached from and on the same lot as the existing dwelling, subject to compliance with front, side, and rear yard setback standards.

H. Parking. ~~One uncovered, non-tandem parking space shall be required for an accessory unit. Off street parking areas may be within setback areas, in locations determined by the Director, or through tandem parking, unless parking within the setback area or tandem parking is not feasible based upon site or regional topographical or fire and life safety conditions.~~ Parking shall not be required if the accessory dwelling unit is (i) located within one-half mile of public transit; (ii) within a historic district; (iii) part of an existing primary residence or an existing accessory structure; (iv) in an area where on-street parking permits are required, but not offered to the occupant of the accessory dwelling unit; or (v) located within one block of a car share area. ~~Required parking may not be located within the front setback area leading to the required covered parking. No tandem parking is permitted unless it is adjacent to an alley. If access to parking for the accessory dwelling unit is provided from an alley, the applicant shall pay a pro-rata share for the paving of an unpaved alley.~~

I. Habitability. Accessory dwelling units shall be fully habitable, and shall include kitchen and bathroom facilities. A maximum of one separate bedroom shall be permitted per unit.

J. Occupancy Restrictions. There shall be no occupancy restrictions on the accessory unit; however, the applicant for an accessory unit pursuant to this section must be a resident property owner. Accessory dwelling units may not be used for rentals of terms longer than 30 days.

K. Setbacks. The setback requirements for an accessory dwelling unit shall be the setback requirements of the zone in which the dwelling unit is located, except that no setback shall be required for an existing garage that is converted to an accessory dwelling unit, and a setback of no more than five feet from the side and rear lot lines shall be required for an accessory dwelling unit that is constructed above a garage.

L. Conversion of Nonconforming Structure. Except as provided in Subsection K, W(i) when an existing nonconforming accessory structure is converted to an accessory dwelling unit, the required setbacks for the zone in which the unit is located must be provided; and (ii) Illegal nonconforming setbacks must be brought into conformance with the zoning regulations in effect at the time the unit is converted.

M. Design Standards. To encourage design compatible with existing structures on-site and to protect the privacy of adjacent properties, specific design standards may be applicable to the project, as determined by the Director~~Administrative Use Permit~~ process.

~~**N. Additional Standards.** All other standard requirements shall apply according to the zone in which the subject property is located; including but not limited to, open space, building height and distance between structures.~~

N. Exception to Standards. An accessory dwelling unit constructed within the existing space of a single-family residence or accessory structure, which has independent exterior access from the existing residence, and side and rear setbacks that are sufficient for fire safety, shall not be subject to the standards set forth in Subsections A through M, above, and shall only be required to comply with the Building Code.