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3 RESOLUTION NO. 2015-P005

4 A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF
5 CULVER CITY, CALIFORNIA, RECOMMENDING TO THE CITY COUNCIL
6 APPROVAL OF ZONING CODE AMENDMENT, ZCA P-2015-0103-ZCA
7 AMENDING TITLE 17, ZONING, OF THE CULVER CITY MUNICIPAL CODE
8 (CCMC), SECTION 17.210.020 TABLE 2-3 – RESIDENTIAL DISTRICTS
9 DEVELOPMENT STANDARDS AND SECTION 17.700.010 – DEFINITIONS.

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

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

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

21 WHEREAS, at the Study Sessions, the Planning Commission discussed 25
22 potential changes to the Zoning Code and/or permit and construction process. Of the 25
23 items, 10 were recommended for Zoning Code or Municipal Code text amendments. The
24 proposed changes are intended to address issues of building massing, privacy, design,
25 height, construction, permit and public notification. The regulations proposed to be changed
26 relate to front, side, rear and second story setbacks, building coverage, Floor Area Ratio
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1 (FAR), and corner lots. The Commission decided the proposed changes were wide ranging
2 and that applying them to properties other than R-1 properties could result in negative
3 impacts and unintended consequences. The Planning Commission also determined that the
4 regulations being recommended would, by application, address concerns of shade and
5 shadow; therefore, shade and shadow studies were unnecessary. The Planning Commission
6 also felt that it had timely addressed the need to get new regulations in place. In addition,
7 after taking into consideration concerns expressed by the public at each of the Study
8 Sessions, the Planning Commission conveyed its opinion that a moratorium and use of
9 outside consultants were unwarranted and would be ineffective; and
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12 WHEREAS, on October 21, 2015, after conducting a duly noticed public hearing
13 on City-initiated Zoning Code Amendment, ZCA P-2015-0103-ZCA regarding changes to
14 Residential Single Family (R1) Zone District Development Standards, including full
15 consideration of all reports, studies, testimony, and environmental information presented, the
16 Planning Commission determined by a vote of 5 to 0 to (1) recommend to the City Council
17 approval of certain amendments to the Zoning Code to be adopted as part of Zoning Code
18 Amendment, ZCA P-2015-0103-ZCA; and (2) recommend the deferral of certain
19 amendments to be discussed at a joint City Council/Planning Commission Study Session, as
20 set forth herein below.
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23 NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF
24 CULVER CITY, CALIFORNIA, RESOLVES AS FOLLOWS:
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SECTION 1. Pursuant to the foregoing recitations and the provisions of the Culver City Municipal Code (CCMC), Title 17, Section 17.620,030, the following findings for a Zoning Code Amendment are hereby made:

- 1. The proposed amendment ensures and maintains internal consistency with the goals, policies and strategies of all elements of the General Plan and will not create any inconsistencies with this Title, in the case of a Zoning Code Amendment.**

ZCA P-2015-0103-ZCA 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. The amendments to Zoning Code Section 17.210.020 TABLE 2-3 regarding R1 development standards will reduce the overall size of single family homes, addressing areas of concern included privacy, building massing, building height, and building size consistent with General Plan Land Use Element Policy 1.E - "Support a balanced respect for the character of existing residences with new and potentially unique design in new or remodeled structures", and General Plan Housing Element Policy 2.C - "Preserve the character, scale, and quality of established residential neighborhoods."

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

ZCA P-2015-0103-ZCA is not detrimental to the public interest, health, safety, convenience and welfare of the City. The amendments to Zoning Code Section 17.210.020 TABLE 2-3 regarding R1 development standards will reduce the overall size of single family homes, addressing areas of concern included privacy, building massing, building height, and building size. The Planning Commission recommended Zoning Code text amendments are intended to balance the right of property owners to improve and develop their properties to meet family needs and personal preferences while protecting the character of established neighborhoods and limiting the impacts of new development on adjacent properties.

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

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

1 **SECTION 2.** Pursuant to the foregoing recitations and findings, the
2 Planning Commission of the City of Culver City, California, hereby recommends to the
3 City Council approval of the following measures to be incorporated as text changes to
4 Title 17, Zoning, of The Culver City Municipal Code, Section 17.210.020 Table 2-3 –
5 Residential Districts Development Standards and Section 17.700.010 – Definitions as part
6 of Zoning Code Amendment (ZCA P-2015-0103-ZCA), as outlined in Exhibit A attached
7 hereto:
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- 9 1. Require 5' building side yard setbacks
- 10 2. Massing and Privacy – Require 15' rear yard setback.
- 11 3. Corner lots - require front door to be on the "predominant front" side and
12 articulation on both street facing facades.
- 13 4. Exclude basements from allowable Flor Area Ratio (FAR) calculation.
- 14 5. Restrict building height to 26' for flat-roofed buildings 30' for sloped-roof buildings.
- 15 6. Add a definition of "Floor Area Ratio (FAR)"
- 16 7. Add a definition of "Basement"
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20 **SECTION 3.** Pursuant to the foregoing recitations and findings, the
21 Planning Commission of the City of Culver City, California, hereby recommends that the
22 City Council discuss the following potential zoning code text changes at a joint City
23 Council Study/ Planning Commission Session:
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- 25 1. Require use of Floor Area Ratio (FAR) to regulate relationship of building size to lot
26 size for single family residential development. Limit FAR to .6 including attached
27 garages.
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2. Require 20' front yard setback and 5' step back on the 2nd floor or full 25' front setback for both stories with no step back.
3. Incentivize 10' side yard for driveways located along a side yard leading to a garage at the rear of a lot by deducting the detached garage area from allowable FAR.
4. Include attached garages in the FAR calculation.
5. Establish Setbacks for balconies and roof decks.

APPROVED and ADOPTED this 16th day of November, 2015.

KEVIN LACHOFF, CHAIRPERSON
PLANNING COMMISSION
CITY OF CULVER CITY, CALIFORNIA

Attested by:

Yvonne Hunt
Administrative Secretary

EXHIBIT A
Resolution No. 2015-P005

Table 2-3
Residential Districts Development Standards (R1, R2, R3)

Deferred Items***

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

Common	None required.
Height limit (4) (5) (9)	Flat Roofs - 2 stories and 30 26 ft Sloped Roof - 2 stories and 30 ft
Landscaping	As required by Chapter 17.310 (Landscaping).
Parking	As required by Chapter 17.320 (Off-street Parking and Loading).
Signs	As required by Chapter 17.330 (Signs).

Notes:

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

17.700.010- Definitions of Specialized Terms and Phrases

B. Definitions, “B”,

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

F. Definitions, “F”,

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