

ORDINANCE NO. 2017-_____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CULVER CITY, CALIFORNIA, AMENDING CULVER CITY MUNICIPAL CODE, TITLE 17 – ZONING (ZONING CODE), SECTION 17.300.020 – SETBACK REGULATIONS AND EXCEPTIONS, AS SET FORTH IN EXHIBIT “A” ATTACHED HERETO.

(Zoning Code Amendment, P2017-0117-ZCA)

WHEREAS on July 12, 2017, after conducting a duly noticed public hearing on a City-initiated Zoning Code Amendment (P2017-0117-ZCA) amending Culver City Municipal Code (CCMC), Title 17 – Zoning (Zoning Code), Section 17.300.020 – Setback Regulations and Exceptions, and fully considering all reports, studies, testimony, and environmental information presented, the Planning Commission adopted by a vote of 4 to 0, Resolution No. 2017-P014, recommending to the City Council approval of Zoning Code Amendment P2017-0117-ZCA, as set forth herein below; and

WHEREAS, on September 25, 2017, after conducting a duly noticed public hearing on a City-initiated Zoning Code Amendment (P2017-0117-ZCA) amending Culver City Municipal Code (CCMC), Title 17 – Zoning (Zoning Code), Section 17.300.020 – Setback Regulations and Exceptions, fully considering all reports, studies, testimony, and environmental information presented, the City Council, by a vote of 5 to 0, introduced an ordinance approving Zoning Code Amendment P2017-0117-ZCA (the “Ordinance”), as set forth herein below.

WHEREAS, on October 9, 2017, the City Council, by a vote of ___ to ___, adopted the Ordinance as set forth herein below.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CULVER CITY, CALIFORNIA, RESOLVES AS FOLLOWS:

1 **SECTION 1.** Pursuant to the foregoing recitations and the provisions of the
2 Culver City Municipal Code (CCMC), the following required findings for an amendment
3 to the Zoning Code, as outlined in CCMC Section 17.620.030.A, are hereby made:

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

7 The proposed Zoning Code Amendment is intended to address existing trends in
8 residential home improvement and existing field conditions throughout residential
9 neighborhoods. The proposed amendment is specifically addressing freestanding
10 trellises in front yards so as to not create any conflicts with the existing Zoning
11 Code standards for residential accessory structures. In addition, the proposed
12 standards for freestanding front yard trellis structures are modeled after some of
13 the standards for front yard fences, so as to ensure there is no conflicting
14 language. Thus, the proposed amendment maintains internal consistency across
15 different sections within the Zoning Code, in order to improve the implementation
16 and enforcement of the Zoning Code, which implements the goals, objectives, and
17 policies of the General Plan. The existing Zoning Code language addresses the
18 subject of allowable projections into setbacks, as well as allowable residential
19 accessory structures within setbacks. The proposed amendment will simply add
20 these types of structures which are already prevalent in residential neighborhoods
21 in the City and provide practical standards for allowing these in a safe and orderly
22 manner. The proposed amendment create guidelines consistent with General Plan
23 Land Use Element Objective 4, *Neighborhood Conditions*; by specifying standards
24 and restrictions for freestanding front yard trellis structures including size, location,
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1 and quantity, which serves to maintain a high quality living environment throughout
2 the City. Therefore the proposed Zoning Code Amendment does not conflict with
3 the goals, policies and strategies of any elements of the General Plan, nor create
4 any inconsistencies.

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

9 The proposed Zoning Code Amendment will help ensure that the Zoning Code is
10 clear and internally consistent with regard to freestanding front yard trellis
11 structures, which are already prevalent in the residential community. It will also
12 provide a mechanism for allowing these structures under specific criteria. The
13 amendment will serve to improve the implementation and enforcement of the
14 Zoning Code. Further, the proposed amendment will continue to apply specific
15 necessary development standards and restrictions to ensure freestanding front
16 yard trellis structures are allowed and approved in a manner consistent with the
17 orderly and attractive character desired for the City, and in support of the public
18 interest, health, safety, convenience and welfare of the City.
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22 **3. The proposed amendment is in compliance with the provisions of the**
23 **California Environmental Quality Act (CEQA).**

24 Pursuant to Sections 15162 and 15168 of the California Environmental Quality Act
25 (CEQA), Zoning Code Text Amendment (P2017-0117-ZCA) is within the scope of the
26 Culver City General Plan Update Program EIR approved on September 24, 1996
27 (PEIR 1) and the Culver City Redevelopment Plan Amendment and Merger Program
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1 Subsequent EIR approved on November 16, 1998 (PEIR 2). The circumstances
2 under which PEIR 1 and PEIR 2 were prepared have not significantly changed and no
3 new significant information has been found that would impact either PEIR 1 or PEIR 2;
4 therefore, no new environmental analysis is required.
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7 **SECTION 2.** Pursuant to the foregoing recitations and findings, the City
8 Council of the City of Culver City, California, hereby adopts the Ordinance approving
9 Zoning Code Amendment P2017-0117-ZCA, amending Culver City Municipal Code
10 (CCMC), Title 17 – Zoning Code, Section 17.300.020 – Setback Regulations and
11 Exceptions, as set forth in Exhibit A attached hereto and made a part thereof.
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14 **SECTION 3.** Pursuant to Section 619 of the City Charter, this Ordinance shall
15 take effect thirty (30) days after the date of its adoption. Pursuant to Sections 616
16 and 621 of the City Charter, prior to the expiration of fifteen days after the adoption,
17 the City Clerk shall cause this Ordinance, or a summary thereof, to be published in
18 the Culver City News and shall post this Ordinance or a summary thereof in at least
19 three places within the City.
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23 **SECTION 4.** The City Council hereby declares that, if any provision, section,
24 subsection, paragraph, sentence, phrase or word of this ordinance is rendered or
25 declared invalid or unconstitutional by any final action in a court of competent
26 jurisdiction or by reason of any preemptive legislation, then the City Council would
27 have independently adopted the remaining provisions, sections, subsections,
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1 paragraphs, sentences, phrases or words of this ordinance and as such they shall
2 remain in full force and effect.
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4 APPROVED and ADOPTED this ____ day of _____, 2017.
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7 _____
8 JEFFREY COOPER, MAYOR
9 City of Culver City, California

10 ATTESTED BY:

11 APPROVED AS TO FORM:

12 _____
13 JEREMY GREEN, City Clerk

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15 CAROL SCHWAB, City Attorney

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