

ORDINANCE NO. 2020-010

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CULVER CITY, CALIFORNIA, APPROVING ZONING CODE AMENDMENT P2019-0036-ZCA, AMENDING CULVER CITY MUNICIPAL CODE (CCMC) TITLE 17: ZONING CODE; SECTION 17.200 – ESTABLISHMENT OF ZONING DISTRICTS, ADOPTION OF ZONING MAP, 17.210 – RESIDENTIAL ZONING DISTRICTS, 17.260 – OVERLAY ZONES, 17.300 – GENERAL DEVELOPMENT STANDARDS, 17.320 – OFF-STREET PARKING AND LOADING, AND 17.400.100 – RESIDENTIAL USES – ACCESSORY RESIDENTIAL STRUCTURES, TO MODIFY SINGLE FAMILY ZONE DEVELOPMENT STANDARDS.

(ZONING CODE AMENDMENT, P2019-0036-ZCA)

WHEREAS, on January 22, 2020, after conducting a duly noticed public hearing on City-initiated Zoning Code Text Amendment (P2019-0036-ZCA), amending Culver City Municipal Code (CCMC) Title 17: Zoning Code; Section 17.210 – Residential Zoning Districts, 17.260 – Overlay Zones, 17.320 – Off-Street Parking And Loading, and 17.400.100 – Residential Uses – Accessory Residential Structures, to modify Single Family Zone development standards, fully considering all reports, studies, testimony, and environmental information presented, the Planning Commission, (i) by a vote of 5 to 0, recommended to the City Council approval of Zoning Code Amendment P2019-0036-ZCA (with the exception of the amendment to CCMC Section 17.210.020.A, Table 2-3, Maximum Area, related to Floor Area Ratio (FAR), which was considered by a separate vote); and (ii) by a vote of 3 to 2, recommended to the City Council approval of a modification to CCMC Section 17.210.020.A, Table 2-3, Maximum Area, to reduce Residential Floor Area Ratio from 0.60 to 0.50 as part of Zoning Code Amendment P2019-0036-ZCA, as set forth herein below; and

WHEREAS on May 26, 2020, after conducting a duly noticed public hearing on City-initiated Zoning Code Text Amendment (P2019-0036-ZCA) amending Culver City Municipal

1 Code (CCMC), Title 17: Zoning Code; Section 17.200 – Establishment of Zoning Districts,
2 Adoption of Zoning Map, 17.210 – Residential Zoning Districts, 17.260 – Overlay Zones, 17.300
3 – General Development Standards, 17.320 – Off-Street Parking And Loading, and 17.400.100
4 – Residential Uses – Accessory Residential Structures, to modify Single Family Zone
5 development standards, fully considering the Planning Commission’s recommendation and all
6 reports, studies, testimony, and environmental information presented, the City Council
7 determined (i) to modify the Planning Commission recommended Floor to Area Ratio (FAR)
8 from 0.50 to 0.45 to better reflect the input received by the community; (ii) to include additional
9 text to ensure that building pads in hillside neighborhoods remain consistent with the rise or fall
10 of the slope of the street; and (ii) by a vote of 5 to 0, to introduce, with the foregoing
11 modifications, an ordinance to approve Zoning Code Amendment P2019-0036-ZCA (the
12 “Ordinance”), and
13

14
15 WHEREAS on July 13, 2020, the City Council by a vote of 5 of 0, adopted the
16 Ordinance as set forth herein below.
17

18 NOW, THEREFORE, the City Council of the City Of Culver City, California, DOES
19 HEREBY RESOLVE as follows:
20

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

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

27 The proposed Zoning Code Amendment is intended to reduce incompatible mass
28 and bulk of new single-family housing Culver City. The amendments will improve
29 the Zoning Code’s implementation of the goals, objectives, and policies of the
General Plan. The existing Zoning Code language allows for single-family homes

1 construction that does not fit existing neighborhood character. The proposed Zoning
2 Code Amendment will modify single family residential zone standards to regulate
3 buildings that are more compatible with existing surroundings. The proposed Zoning
4 Code Amendment is consistent with General Plan Goals and Policies that call for the
5 preservation of existing single-family neighborhoods. Therefore, the proposed
6 Zoning Code Amendment does not conflict with the goals, policies, and strategies of
7 any elements of the General Plan, nor create any inconsistencies.

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

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

The proposed Zoning Code Amendment was initiated as a result of public concerns that new construction in single-family neighborhoods is affecting quality of life for existing residents due to large homes. The proposed Zoning Code Amendment provides new regulations to better fit new homes within existing single-family zones consistent with prevailing FAR in adjacent cities, and provide opportunities for the creation of additional housing development through the construction of accessory dwelling units (ADUs) and junior accessory dwelling unit (JADUs). By reducing bulk and mass of a home, residents will have more opportunities for light and air access, privacy, maintenance of existing single-family neighborhood character, and development of ADUs and JADUs.

New regulations will allow for existing single family dwelling units averaging between 1,200 and 1,800 square feet to further develop and expand to approximately 2,250 square feet. Further, consistent with Government Code Section 66300, the proposed Zoning Code Amendment facilitates the preservation of existing development and development of additional dwelling units through the construction of ADUs and JADUs; restricts the over-development of single family parcels, which has traditionally limited the ability to develop additional units via ADUs or JADUs; provides additional opportunities to construct ADUs and JADUs, effectively increasing the housing supply and reducing the costs of housing development; and does not propose any changes which result in a net loss of residential capacity. In addition, with respect to hillside development standards for the Residential Hillside Overlay shown in Exhibit A, the proposed changes maintain consistency with the Culver Crest Overlay Zone, which were previously implemented in response to unique life safety conditions in the hillside areas. Based on the foregoing, the Zoning Code Amendment will not be detrimental to the public interest, health, safety, convenience, and welfare of the City.

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

The Project is considered exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty that there is no possibility that the Project to amend the Zoning Code will have a significant effect on the environment. The proposed Zoning Code Amendment, modifying single family

1 home development standards, by itself does not result in any physical changes nor
2 any significant effects on the environment, and does not result in an intensification
3 of development beyond what the Zoning Code already currently allows.
4 Furthermore, the proposed Zoning Code Amendment is not in conjunction with the
5 specific approval of any existing development or use permit applications. Therefore,
6 any projects seeking approval subsequent to the proposed Zoning Code
7 Amendment, would be subject to appropriate CEQA analysis at that time of any such
8 application.

9 **SECTION 2.** Pursuant to the foregoing recitations and findings, the City Council
10 of the City of Culver City, California, hereby introduces the Ordinance approving Zoning
11 Code Amendment P2019-0036-ZCA, amending Culver City Municipal Code (CCMC),
12 Title 17: Zoning Code; Section 17.200 – Establishment of Zoning Districts, Adoption of
13 Zoning Map, 17.210 – Residential Zoning Districts, 17.260 – Overlay Zones, 17.300 –
14 General Development Standards, 17.320 – Off-Street Parking And Loading, and
15 17.400.100 – Residential Uses – Accessory Residential Structures, as set forth in
16 Exhibit A attached hereto and made a part thereof.

17 **SECTION 3.** Pursuant to Section 619 of the City Charter, this Ordinance shall
18 take effect thirty (30) days after its adoption. Pursuant to Section 616 and 621 of the
19 City Charter, prior to the expiration of 15 days after the adoption, the City Clerk shall
20 cause this Ordinance, or a summary thereof, to be published in the Culver City News
21 and shall post this Ordinance or a summary thereof in at least three places within the
22 City.
23

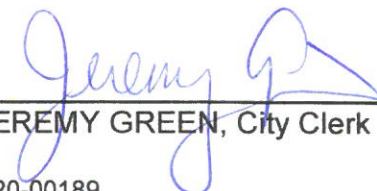
24 **SECTION 4.** The City Council hereby declares that, if any provision, section,
25 subsection, paragraph, sentence, phrase or word of this Ordinance is rendered or
26 declared invalid or unconstitutional by any final action in a court of competent jurisdiction
27 or by reason or any preemptive legislation, then the City Council would have
28
29

1 independently adopted the remaining provisions, sections, subsections, paragraphs,
2 sentences, phrases, or words of this Ordinance, and as such they shall remain in full
3 force and effect.

4 APPROVED and ADOPTED this 13th day of July, 2020.

5
6 
7 _____
8 GORAN ERIKSSON, Mayor
City of Culver City, California

9 ATTESTED BY:

10 
11 _____
12 JEREMY GREEN, City Clerk

13 A20-00189

14 APPROVED AS TO FORM:

15 
16 _____
17 CAROL SCHWAB, City Attorney

EXHIBIT A

§ 17.200.010 ZONING DISTRICTS ESTABLISHED.

Culver City shall be divided into zoning districts which implement the General Plan. The zoning districts described in Table 2-1 (Zoning Districts) are hereby established, and shall be shown on the official Zoning Map adopted (§17.200.025).

Table 2-1 Zoning Districts		
Zoning Map Symbol	Zoning District Name	General Plan Land Use Classification Implemented by Zoning District
Overlay Zones		
<u>-RH</u>	<u>Residential Hillside</u> <u>Overlay</u>	

§ 17.210.020 RESIDENTIAL ZONING DISTRICTS DEVELOPMENT STANDARDS.

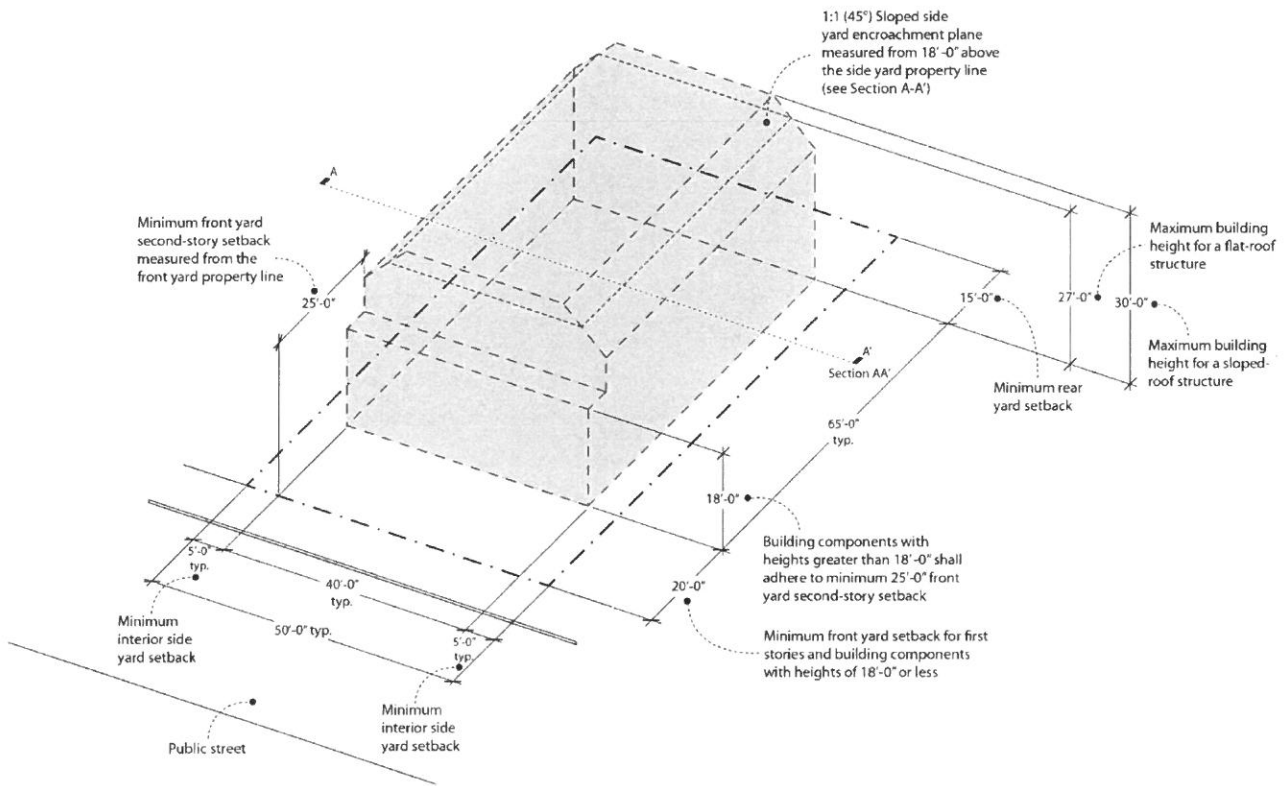
- A. General Requirements.** Subdivisions, new land uses and structures, and alterations to existing land uses and structures in the R1, R2 and R3 zones shall conform to the requirements in Table 2-3 (Residential Districts Development Standards - R1, R2, R3). Subdivisions, new land uses and structures, and alterations to existing land uses and structures in the RLD, RMD and RHD zones shall conform to the requirements in Table 2-4 (Residential District Development Standards - RLD, RMD, RHD). In addition, the applicable development standards in Article 3 (Site Planning and General Development Standards) apply to all residential zoning districts.

Table 2-3 Residential Districts Development Standards (R1, R2, R3)			
Development Feature	Requirement by Zoning District		
	R1	R2	R3
Minimum lot area (1)	5,000 square feet or the average area of residential lots within a 500-foot radius of proposed subdivision, whichever is greater.		
Lot width (2)	50 feet		
Lot depth	100 feet		
Maximum number of dwelling units allowed per parcel (3)	1 unit	2 units	3 units
Dwelling size	Maximum and minimum allowed floor area.	Maximum and minimum allowed floor area, not including any garage or other non-habitable space.	
Maximum area	.60 <u>.45</u> Floor Area Ratio (FAR) (6)(7)	1,500 square feet plus 40% of net lot area for parcels less than 8,000 square feet; 60% of net lot area for parcels 8,000 square feet or more.	
Minimum area	1,000 square feet on the ground floor.	1,000 square feet for a single-family unit; 750 square feet/unit in a duplex.	1,000 square feet for a single-family unit; 750 square feet for a duplex or triplex.
Setbacks (4)	<i>Minimum setbacks required. See § 17.300.020 (Setback Regulations and Exceptions).</i>		
Front	<u>Single story structures - 20</u>	15 feet	10 feet or one half the building height,

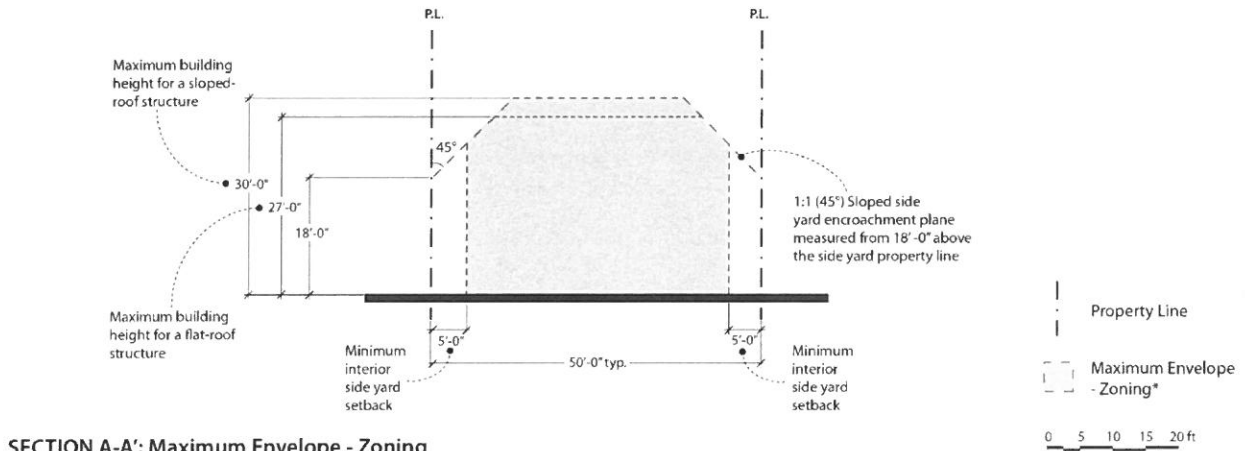
	feet—single-story structures <u>Two story structures - 20 feet; 25 feet for second story, as defined by this Title, or any roof or portion of a roof, parapet wall, or front yard-facing façade that exceeds a height of 18 feet</u> —two-story structures; plus minimum 5 feet stepback for second floor 25 feet—two-story structures without minimum 5 feet second floor stepback		whichever is greater.
Interior sides (each)	5 feet <u>minimum.</u> <u>No structure shall encroach upon a 1:1 upward- and inward-inclining setback plane starting from 18 feet above any interior side lot line.</u>	4 feet	5 feet
Street side (corner)	5 feet single story structures 5 feet - two story structures; plus minimum 5 feet stepback for second floor 10 feet - two story structures without minimum 5 feet second floor stepback		
Rear	15 feet	10 feet	
Minimum distance between structures	5 feet between accessory residential structures; 8 feet between detached dwelling units.		
Open space	Minimum area of a site to remain uncovered by structures, in compliance with § 17.400.100 (Residential Uses - Accessory Residential Structures).		
Private	None required other than setbacks.		
Common	None required.		
Height limit (4)(5)(8)	<u>Flat roofs (less than a 3:12 slope) - 2 stories and 26 feet</u> <u>27 feet</u> <u>Sloped roofs (equal to or greater than a 3:12 slope and equal to or less than a 1:1 slope) - 2 stories and 30 feet</u>	2 stories and 30 feet	
Roof decks	<u>Rooftop decks shall be set back 5 feet from the building edge along a side yard.</u>	<u>Permitted, subject to other provisions in this Title.</u>	
Landscaping	As required by <u>Chapter 17.310</u> (Landscaping).		

Parking	As required by <u>Chapter 17.320</u> (Offstreet 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 § 15.10.700. (Subdivision Design Standards) for curved lot frontages and flag lots.	
(3) For standards for Accessory Dwelling Unit, see § 17.400.095.	
(4) For standards for Accessory Residential Structures, see § 17.400.100.	
(5) For standards for Height Measurement and Height Limit Exceptions, see § 17.300.025.	
(6) Garages attached to be 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) Sloped roofs equal to or greater than a 3:12 slope; flat roofs less than 3:12 slope.	

Figure 2-A Maximum Envelope – Zoning



AXONOMETRIC VIEW: Maximum Envelope - Zoning



SECTION A-A': Maximum Envelope - Zoning

* The 1:1 (45°) upward- and inward-inclining plane constraining placement of roof-mounted and upper-story mechanical equipment and structures housing mechanical equipment is not illustrated in this Figure. Refer to Figure 2-C (1:1 Allowable Placement for Roof-Mounted and Upper-Story Mechanical Equipment).

Figure 2-B Cumulative R1 Development Standards

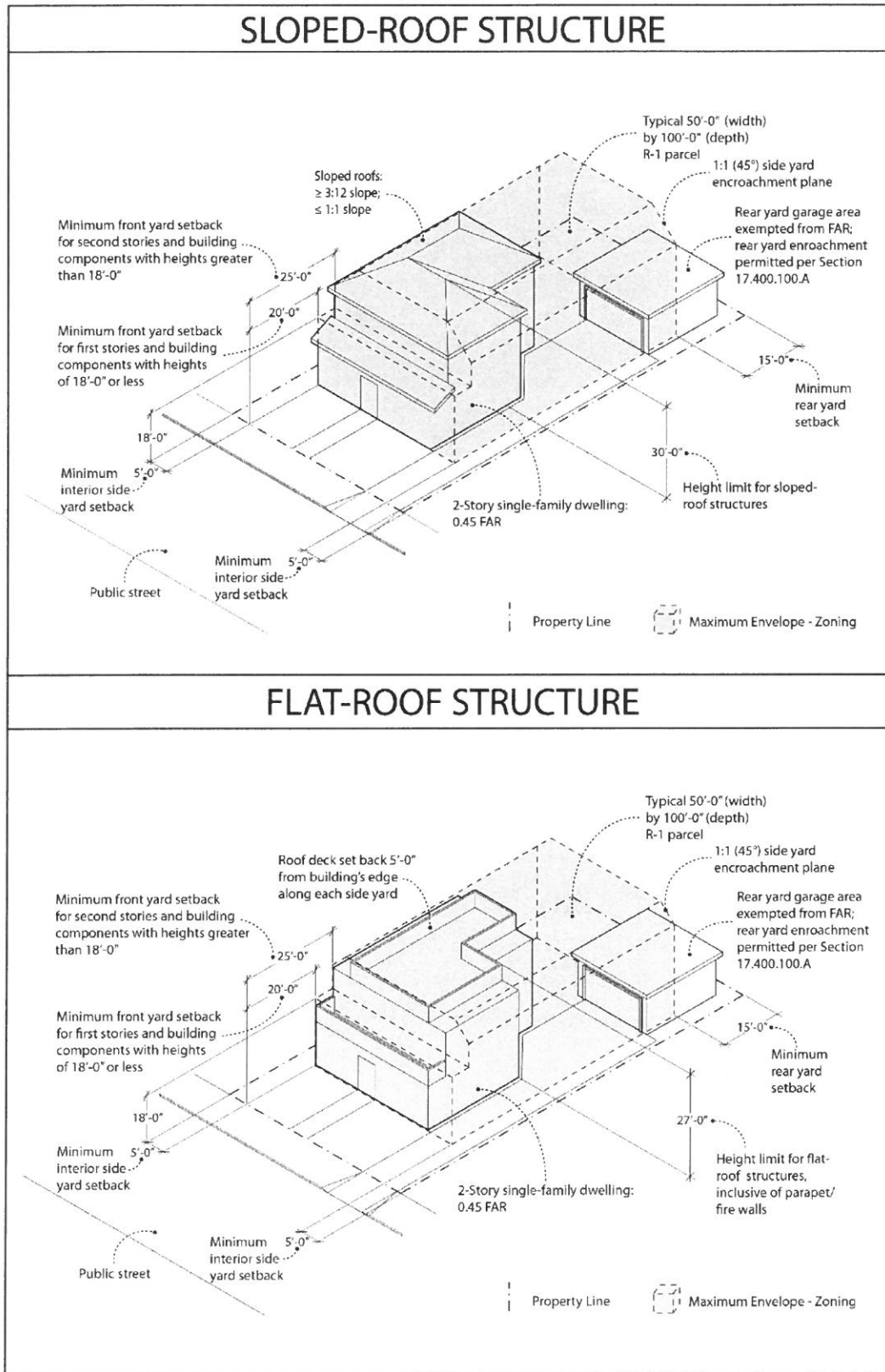
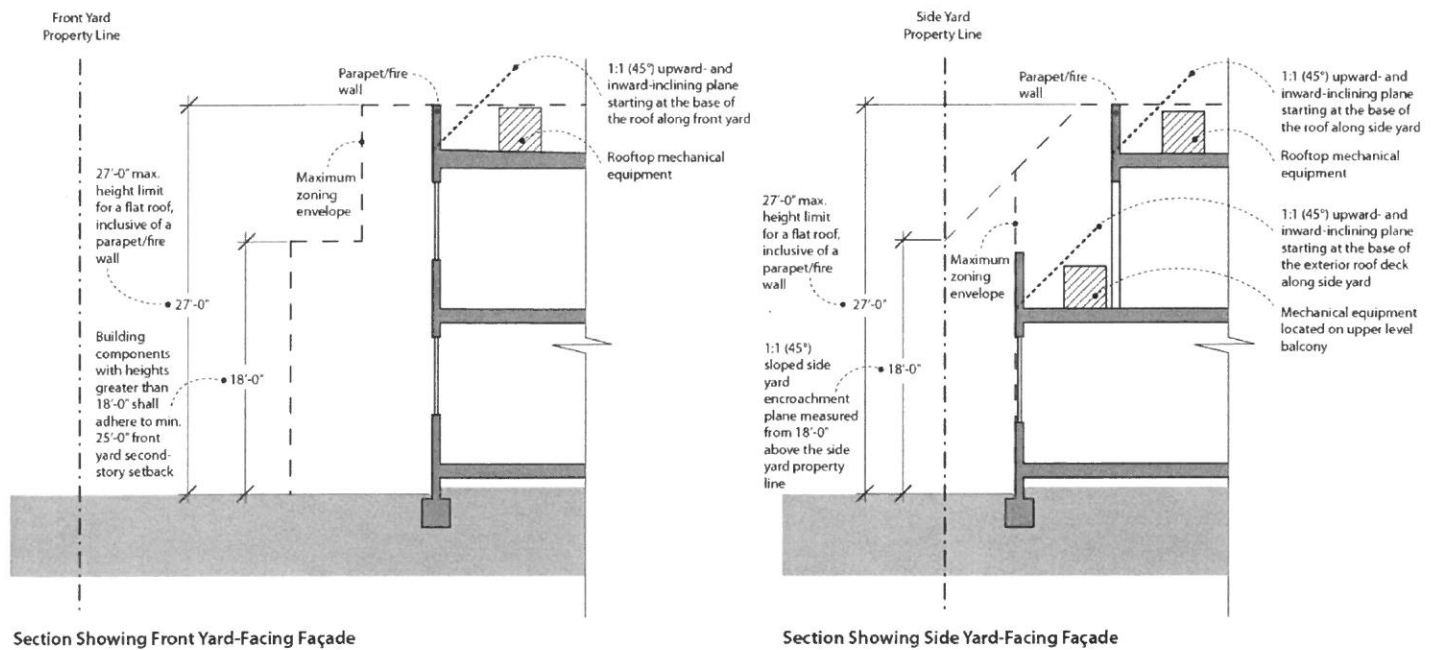


Figure 2-C 1:1 Allowable Placement for Roof-Mounted and Upper-Story Mechanical Equipment



§ 17.210.025 DEFINITIONS FOR THE R1 ZONE.

The following definitions shall apply to residential zoned property:

- 1. Attic.** The area between roof framing and the ceiling of the rooms below that is not habitable per Building Code standards, but may be reached by ladder and used for storage or mechanical equipment. Any room with less than 70 square feet in area or less than 7 feet in height shall constitute an attic.
- 2. Covered.** Any enclosed, semi-enclosed, or unenclosed building area that is covered by a solid roof.
- 3. Dwelling Unit.** Any structure designed or used for shelter or housing that contains permanent provisions for sleeping, eating, cooking, and sanitation, occupied by or intended for one (1) or more persons. A dwelling unit shall have no more than one (1) kitchen.
- 4. Floor Area, Residential.** In the R1 Zone, residential floor area shall include any floor area, confined from exterior wall to exterior wall, within the main dwelling unit, accessory structures, and garages, with the exception that accessory dwelling units shall not be counted towards FAR and garages located in the rear one-half (1/2) of the lot shall not be counted towards FAR. On a typical lot type defined by Figure 7-1 (Examples of Lot Types), the "rear one-half (1/2) of the lot" shall be defined as the area between the rear property line and the midline between the front and rear yard property lines. On any lot type not represented in Figure 7-1, the garage exemption from FAR shall be determined by the Community Development Director. Interior areas with ceiling heights greater than 14 feet shall be counted twice towards the floor area with the exception that the first 250 square feet of such areas shall be counted only once towards the floor area.
- 5. Kitchen.** Any room or space within a structure containing a combination of the following facilities that are capable of being used for the cooking or preparation of food: oven/microwave oven, stove, refrigerator exceeding 6 cubic feet, and sink.
- 6. Mezzanine/loft.** In the R1 Zone, a mezzanine/loft shall be defined as an intermediate or fractional floor area between the floor and ceiling of a main story that is open to the floor below. A mezzanine/loft floor area shall be deemed a full story when it covers more than one-third (1/3) of the area of the story directly underneath said mezzanine/loft area or the floor-to-plate height of the mezzanine/loft area exceeds 14 feet.

§ 17.260.040 ~~CULVER CREST/RESIDENTIAL HILLSIDES OVERLAY (-CC) (-RH).~~

A. Purpose. The purpose of establishing the ~~Culver-Crest/Residential~~ Hillside~~s~~ Overlay ~~(-CC) (-RH)~~ is to provide the area-specific zoning regulations necessary for the incremental improvement and sustainable development of hillside neighborhoods in Culver City.

B. Allowable land uses and permit requirements. Allowable land uses and required permits shall be established by the applicable underlying zone.

C. Definitions. The following definitions will relate to residential zoned property in the ~~-CC -RH~~ Overlay:

- **1. Attic.** Any non-habitable space, per Building Code Standard, between the ceiling beams of the top story and the roof rafters, which may be reached by ladder and used for storage or mechanical equipment, and which is less than seventy (70) square feet in area and less than seven (7) feet in height, shall constitute an attic.
- **2. Covered.** Any enclosed, semi-enclosed, or unenclosed building area that is covered by a solid roof.
- **3. Dwelling unit.** Any structure designed or used for shelter or housing that contains permanent provisions for sleeping, eating, cooking, and sanitation occupied by or intended for one (1) or more persons on a long term basis. A dwelling unit shall have no more than one (1) kitchen.
- **4. Floor aArea, rResidential.** Residential floor area shall include mezzanines, covered porches, covered patios, and accessory buildings in addition to any floor area, confined from exterior wall to exterior wall, within the main dwelling unit but shall not include detached garages. Garages shall be included in the floor area with the exception that up to 200 square feet of attached and front-facing garages shall be exempted from floor area. Floor area shall be defined as the area confined from exterior wall to exterior wall. Areas within a ceiling height greater than one (1) story, as defined by this Title, will be counted twice towards floor area. Interior areas with ceiling heights greater than fourteen (14) feet shall be counted twice towards the floor area. Staircases, elevator shafts, and the like, shall be counted as one (1) plane per floor.
- **5. Kitchen.** Any room or space within a structure containing a combination of the following facilities that are capable of being used for the preparation or cooking of food: oven/microwave oven, stove, refrigerator exceeding six (6) cubic feet, and sink.
- **6. Mezzanine/loft.** An intermediate or fractional floor area between the floor and ceiling of a main story. A mezzanine/loft floor area shall be deemed a full story when it covers more than one-third (1/3) of the area of the story directly underneath said mezzanine/loft area or the floor-to-plate height of the mezzanine/loft exceeds fourteen (14) feet.
- **7. Story.** That portion of a building included between the surface of any floor and the surface of the next floor above it, or if there is no floor above, then the space between the floor and the ceiling above. A story shall be defined as the floor-to-plate height and can be no taller than fourteen (14) feet.

D. Development requirements. Development requirements shall be regulated by Table 2-12 (Residential Hillside~~s~~ Overlay Development Standards). Wherever the ~~-CC -RH~~ Overlay zone is silent on a matter, the corresponding regulation of the underlying zone shall apply.

Table 2-12
~~Culver-Crest/Residential~~ Hillside~~s~~ Overlay Development Standards ~~(-CC) (-RH)~~

Development Feature	Requirement by -CC -RH Overlay	
Maximum Number of Dwelling Units Allowed per Parcel (1)	1 Unit	
Dwelling Size (A2)		
Maximum Area	Slope (B3)	FAR
	<15%	0.45
	15% to 30%	0.40
	>30% to 45%	0.35
	>45% to 60%	0.30
	>60%	0.25
Setbacks (C4)	Minimum setbacks required. See § 17.300.020 (Setback Regulations and Exceptions)	
Front	20 feet - Single Story Structure	
	30 feet - Second Story of Two Story Structure	
Side (D5)	First Floor: 10% of lot width, but not <5 feet and not >10 feet	

	Second Floor (Narrow Setback): 16% of lot width, but not <8 feet and not >16 feet	
	Second Floor (Wide or Street-Facing Setback): 24% of lot width, but not <12 feet and not >24 feet	
Rear	15 Feet	
Height Limit (E6)	Slope	Height
	<50%	Flat Roof - 2 stories and 26-27 feet
		Sloped Roof - 2 stories and 30 feet
	50% to 100%	1 Story and 14 feet
Notes:		
(1) For standards for Accessory Dwelling Units, see § 17.400.095. (A2) Minimum by-right floor area in the hillside area, regardless of lot size, is 2,500 square feet. (B3) Existing slope is to be established with topographic survey and slope analysis of existing conditions prior to issuance of Building Permit. (C4) For exceptions to setback standards, see § 17.260.040.E. (D5) Building may exceed minimum required setback but cannot reduce minimum required setback. Applicant may choose which of the two (2) side setbacks is narrow and which is wide, but wide setback will automatically apply to a street facing side yard. (E6) Any parapet is included as part of the flat roof height standard.		

E. Setback and stepback exceptions findings. Exceptions to setback standards shall be reviewed by the Planning Commission. The Planning Commission shall consider and record the decision in writing with the findings on which the decision is based. The exception may be approved, with or without conditions, only after making all of the following findings:

1. There are special circumstances applicable to the property (e.g. location, shape, size, depth, surroundings, and/or topography), or to the intended use of the property, so that the strict application of this Title denies the property owner privileges enjoyed by other property owners in the vicinity and under identical zoning districts.
2. Approval of the exception would not be detrimental to the public health, interest, safety, or general welfare and would not be detrimental or injurious to property or improvements in the vicinity and in the same zoning district.

F. Parking. Uncovered, ½ covered, and fully covered parking shall be permitted in the Hillside Overlay Zone. Any uncovered parking located behind the front yard setback line shall be placed within fifteen (15) feet of a maximum of one (1) interior side yard and/or shall be fully screened from view of the public right-of-way by the primary structure. Front yard-facing parking not located within fifteen (15) feet of a side yard shall be fully covered and enclosed. See Figure 3-11 (Allowable Residential Uncovered Parking Placement) provided in § 17.320.035.

§ 17.300.025 HEIGHT MEASUREMENT AND HEIGHT LIMIT EXCEPTIONS.

C. Exceptions to Height Limits. Exceptions to the height limits identified in this Title shall apply in the following manner, except where otherwise required by the Building Code:

1. Notwithstanding any other regulation of this Title, the Council, after consideration of recommendation by the Commission, may by resolution establish a maximum building height for new construction in the Redevelopment Project Area Component Areas 1 through 3, consistent with the Design for Development established by the Redevelopment Agency.

2. Roof-mounted structures for the housing of mechanical equipment, antennas, elevators, stairways, tanks, towers, ventilating fans, or similar equipment required to operate and maintain the structure, shall be allowed as follows, except that where the requirements for screening pursuant to Section 17.300.035.C.1. conflict with the requirements of this Section 17.300.025, such conflict shall be resolved at the discretion of the Director.

- a. In multiple-family residential zones, up to a maximum of 13 feet 6 inches above the height of a building. Any roof mounted structure or equipment exceeding the parapet height shall be set back 5 feet from the edge of the structure, except stairs shall not be required to be set back from the edge of the structure.

- b. In non-residential zones, up to a maximum of 13 feet 6 inches above the height of a building; except that elevators shall be allowed up to a maximum of 19 feet 6 inches above the height of a building.

- c. In single-family residential zones, mechanical equipment located on roofs, upper level terraces, patios and balconies, and structures housing mechanical equipment shall not exceed the maximum zoning envelope and shall not encroach upon a 1:1 upward- and inward-inclining plane starting at the base of the roof or exterior deck surface along front and side yard-facing façades.

3. Fire or parapet walls may extend up to 5 feet above the building height limit of the structure, and as may otherwise be required by the California Building Code. In the R1 Zone, the height limit shall be inclusive of fire or parapet walls.

§ 17.300.035 SCREENING.

C. Mechanical Equipment, Loading Docks, and Refuse Areas.

1. Mechanical equipment (e.g., air conditioning, heating, exhaust, and ventilation ducts, and the like), loading docks, refuse and recyclable materials storage areas, and utility services shall be screened from public view from adjoining public streets and rights-of-way, and surrounding area(s) zoned for residential or open space uses as determined by the Director. In single-family residential zones, mechanical equipment located on roofs, upper level terraces, patios and balconies, and structures housing mechanical equipment shall not exceed the maximum zoning envelope and shall not encroach upon a 1:1 upward- and inward-inclining plane starting at the base of the roof or exterior deck surface along front and side yard-facing façades.

§ 17.300.045 GRADING CONSISTENCY.

When a property is located in a residential zone along a sloping street of 5% or greater, elevation of the new building pad construction shall be consistent in rise along the street and shall be the average elevation of the adjoining lots calculated as the sum of the adjoining lot elevations divided by two, unless otherwise prescribed by the Building Official.

§ 17.320.035 PARKING DESIGN AND LAYOUT GUIDELINES.

A. Access to Parking Areas and Parking Spaces.

1. **Access to parking areas.** Parking areas shall be designed to prevent access at any point other than at designated access drives.

2. **Parking space location.** Parking spaces shall not be located within 10 feet of an access driveway, measured from the property line. See Figure 3-8 (Parking Space Location) below. Parking spaces in the R1 Zone shall comply with Footnote 1 of Table 3-5 of Subsection 17.320.035.N.3 (Residential Covered Parking Requirements).

3. **Internal maneuvering area.** Parking areas shall provide suitable maneuvering room so that vehicles enter the street in a forward direction, except for single-family homes, duplexes or triplexes on non-arterial streets, which may be designed to permit backing a vehicle into a public street right-of-way.

N. Special Parking Requirements for Residential Uses.

1. **Driveway length.** Within single-family, duplex and triplex developments, In R2 and R3 Zones, access for every required parking space shall be provided by a paved driveway not less than 20 feet in length, measured from the end of the parking space to the nearest public or private street right-of-way line from which access to parking is provided. In the R1 Zone, front-facing garages shall be set back at least 25 feet from the front property line.

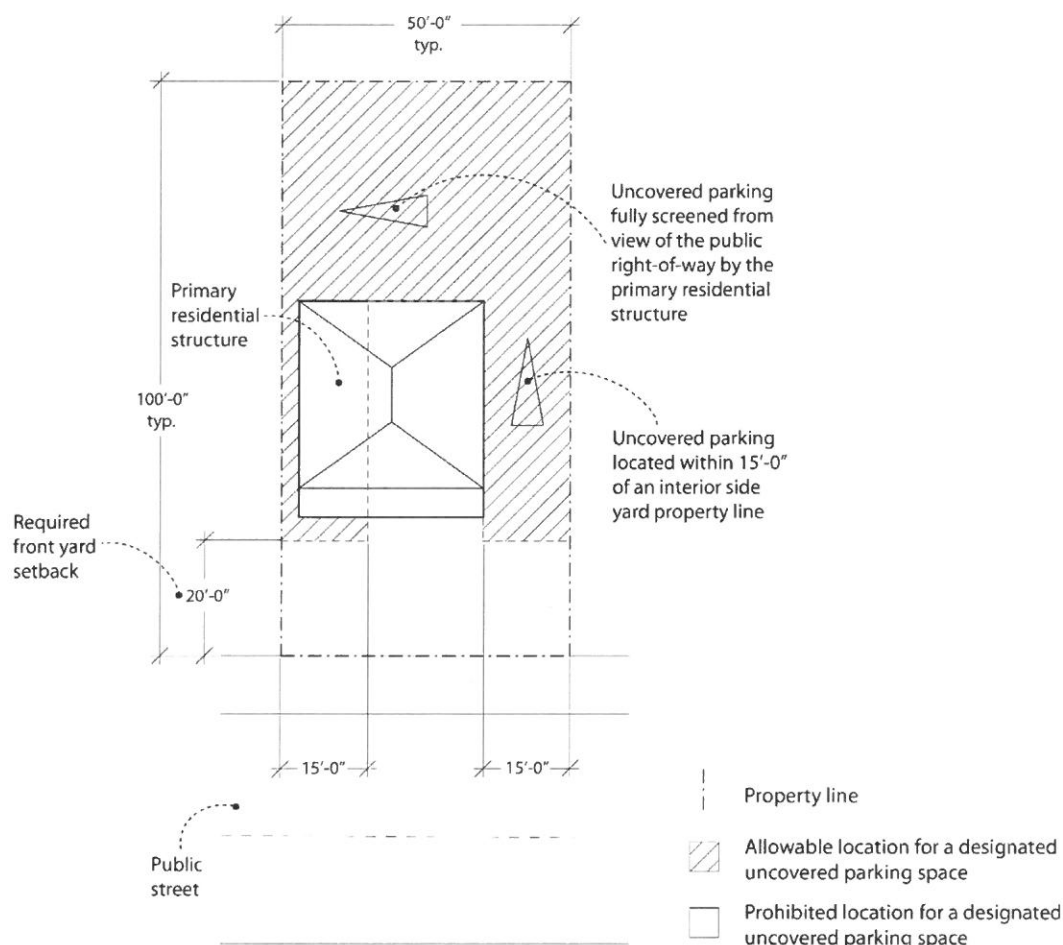
2. **Paving of street-facing setback.** Within residential zoning districts, no more than 25% of any required setback facing a street shall be paved to provide access to on-site parking, unless paving of a larger area is required to comply with Subsection 17.320.035.C. (Parking Space and Lot Dimensions) above (e.g., to provide a standard 16-foot, double-wide driveway for a two-car garage within the 20-foot front setback area), to comply with Table 3-5 of Subsection 17.320.035.N.3 (Residential Covered Parking Requirements), or unless such paving involves a circular driveway that is otherwise in compliance with Subsection 17.320.040.C. (Circular Drive). Vehicles shall not be parked between the street property line and the front or side of a residential unit except on a driveway leading to a garage or carport, on a designated uncovered parking space, or on a circular driveway.

3. **Covered parking.** All required parking shall comply with the requirements of Table 3-5 Covered Parking Requirements.

Table 3-5 Residential Covered Parking Requirements

Zoning District	Residential Unit(s)	Uncovered	1/2 Covered	Fully Covered
R1 Zone (1)	Single family dwelling	[x]	[x]	[x]
R2, R3, RLD, RMD and RHD Zones	Single family dwelling (alone)			[x]
R2, R33, RLD, RMD and RHD Zones	Single family dwelling (plus one or more detached SFD, duplex or triplex)		[x]	
R2, R3, RLD, RMD and RHD Zones	Duplex or triplex		[x]	
RLD, RMD and RHD Zones	Multiple family (4 or more units)		[x]	
CN, CG, CC, CD, and EWO Zones	Residential portion of a mixed use project			[x]
CN, CG, CC, CD, and EWO Zones	Live work unit		[x]	
All	Guest parking	[x]		
Notes:				
(1) In the R1 Zone, any uncovered parking located behind the front yard setback line shall be placed within 15 feet of a maximum of one interior side yard property line and/or shall be fully screened from view of the public right-of-way by the primary structure. Front yard-facing parking not located within 15 feet of an interior side yard property line shall be fully covered and enclosed. See Figure 3-11 (Allowable Residential Uncovered Parking Placement) below.				

Figure 3-11 Allowable Residential Uncovered Parking Placement



§ 17.400.100 RESIDENTIAL USES - ACCESSORY RESIDENTIAL STRUCTURES.

This Section provides standards for accessory structures allowed in residential zoning districts in compliance with Article 2 (Zoning Districts, Allowable Land Uses and Zone-Specific Standards):

A. General Requirements for Accessory Structures in Residential Zoning Districts.

1. Relationship of accessory use to the main use. Accessory uses and structures shall be incidental to, and not alter, the residential character of the site.

2. Allowable heights. The maximum allowable heights of accessory structures are specified in Table 4-4 (Maximum Heights for Accessory Structures in Residential Zoning Districts) below.

Table 4-4 Maximum Heights for Accessory Structures in Residential Zoning Districts	
Applicable Zoning District	Maximum Height
Single-Family Residential (R1), Two-Family Residential (R2) and Three-Family Residential (R3) Zoning Districts.	2 stories and 26 27 feet
Low Density Multiple-Residential (RLD), Medium Density Multiple-Residential (RMD) and High Density Multiple-Residential (RHD) Zoning Districts.	2 stories and 30 feet

3. Allowable setbacks.

a. The accessory structure shall have a setback of at least 2 feet from every perimeter property line when the setback is adjacent to a commercial zone and shall have a setback of at least 4 feet from every perimeter property line when the setback is adjacent to a residential zone, except that the setback shall be the same as that required for the primary dwelling in the zoning district in which the accessory structure is located, whenever the accessory structure:

- i. Exceeds 12 feet in height; or
- ii. Is within a setback facing a public street right-of-way.

b. If the accessory structure is a carport or garage, it shall be set back from a public street right-of-way as necessary to conform with the requirements of Subsection 17.320.035.N. (Special Parking Requirements for Residential Uses).

c. Exceptions. The following structures are exempt from the accessory structure setback requirements, with a cumulative limit of 2 maximum of any combination of such accessory structures or 1 property.

i. Movable structures not exceeding 12 feet in height, including children's play equipment, pet shelters, and similar structures, may be placed within a required side or rear setback without limitation on location.

ii. Trash enclosures may be placed within a required rear or side setback without limitation on location.

d. Second story additions to existing accessory structures will not be permitted unless:

i. The existing accessory structure is a garage;

ii. The second story satisfies the same setback requirements that would be applicable to a primary dwelling in the applicable zoning district. See Figure 4-10.

