

1 RESOLUTION NO. 2025-P004

2 A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CULVER
3 CITY, CALIFORNIA, RECOMMENDING TO THE CITY COUNCIL APPROVAL
4 OF CITY-INITIATED ZONING CODE AMENDMENT P2025-0012-ZCA
5 AMENDING CULVER CITY MUNICIPAL CODE (CCMC) TITLE 17: ZONING
6 CODE; SECTION 17.400.095 – RESIDENTIAL UNITS – ACCESSORY
7 DWELLING UNITS TO CLARIFY AND UPDATE EXISTING CODE SECTIONS
8 TO CONFORM TO STATE ACCESSORY DWELLING UNIT LAW.

9 (Zoning Code Amendment, P2025-0012-ZCA)

10 WHEREAS, on February 26, 2025, after conducting a duly noticed public hearing
11 on City-initiated Zoning Code Text Amendment (P2025-0012-ZCA) amending Culver City
12 Municipal Code (CCMC) Title 17: Zoning Code; Section 17.400.095 – Residential Units –
13 Accessory Dwelling Units to clarify and update existing code sections to conform to State
14 Accessory Dwelling Unit Law, and fully considering all reports, studies, testimony, and
15 environmental information presented, the Planning Commission, by a vote of ___ to ___,
16 recommended to the City Council approval of Zoning Code Amendment P2025-0012-ZCA, as
17 set forth herein below.

18 NOW, THEREFORE, the Planning Commission of the City of Culver City,
19 California, DOES HEREBY RESOLVE as follows:

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

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 **in the case of the Zoning Code amendment, will not create any inconsistencies**
27 **with this Title.**

28 The proposed Zoning Code text amendments are intended to update regulations
29 to be consistent with State law regarding accessory dwelling units. These

1 amendments are consistent with Land Use Element Policy 11.2 to encourage a
2 variety of housing types to equitably serve varying household types including ADUs.
3 The proposed Zoning Code Text Amendments do not conflict with the goals, policies,
4 and strategies of any elements of the General Plan, nor create any inconsistencies.

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

7 The State continues to update accessory dwelling unit law to address the housing
8 shortage in California. The proposed Zoning Code Text Amendments will ensure that
9 the Zoning Code is clear and internally consistent with State-mandated accessory
10 dwelling unit laws. The amendments will serve to improve Current Planning's
11 implementation of General Plan policies and Zoning standards affecting residential
12 property owners and developers. The amendments support the public interest,
13 health, safety, convenience, and welfare of the City.

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

16 The Project is considered exempt from CEQA pursuant to CEQA Guidelines
17 Section 21080.17 which exempts the adoption of an ordinance approving Zoning
18 Code amendments related to accessory dwelling units that implement the provisions
19 of Government Code Section(s) 66314 and 66333.

20 **SECTION 2.** Pursuant to the foregoing recitations and findings, the Planning
21 Commission of the City of Culver City, California, hereby recommends to the City
22 Council approval of Zoning Code Amendment P2025-0012-ZCA, as set forth in Exhibit
23 A attached hereto and made a part thereof.

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1 APPROVED and ADOPTED this 26th day of February 2025.

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4 ANDREW REILMAN - CHAIRPERSON
5 PLANNING COMMISSION
6 CITY OF CULVER CITY, CALIFORNIA

7 Attested by:

8 RUTH MARTIN DEL CAMPO, SECRETARY
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17.400.095 RESIDENTIAL USES - ACCESSORY DWELLING UNITS.

Subsections A. through K. establish the standards for the development of an Accessory Dwelling Unit and Subsection L. establishes the standards for the development of a Junior Accessory Dwelling Unit, in compliance with Article 2 (Zoning Districts, Allowable Land Uses and Zone-Specific Standards). Government Code Sections 66310 - 66342 shall supersede any conflicting portions of this ordinance.

- A. **Minimum Lot Size.** No minimum lot size shall be required for an accessory dwelling unit.
- B. **Statewide Exemption Accessory Dwelling Unit.** As established by Government Code Section 66321, development standards in this Title shall apply to the extent they do not prohibit the construction of an accessory dwelling unit of up to 800 square feet that is up to 18 feet in height if detached or 25 feet in height if attached, with four-foot side and rear yard setbacks. Development standards in this title shall also permit a detached accessory dwelling unit on a lot with an existing or proposed single family or multifamily dwelling unit that is within one-half mile walking distance of a major transit stop or a high-quality commercial corridor an additional two feet in building height to accommodate a roof pitch on the accessory dwelling unit that is aligned with the roof pitch of the primary dwelling unit.
- C. **Maximum Unit Size.**
 - 1. The maximum permitted unit size of an attached accessory dwelling unit, or an accessory dwelling unit located entirely within a proposed or existing primary dwelling unit, shall not exceed 850 square feet for a one-bedroom unit or 1,200 for a two or more-bedroom unit, or 50% of the gross square footage of the primary dwelling unit on the lot, whichever is less, except as noted in Section B. above.
 - 2. The maximum permitted size of a detached accessory dwelling unit shall not exceed 850 square feet for a one-bedroom unit or 1,200 square feet for a two or more-bedroom unit.
 - 3. Maximum permitted unit size shall include any living area as defined in the California building code confined from exterior wall to exterior wall.
- D. **Minimum Unit Size.** The minimum unit size of an attached or detached accessory dwelling unit shall be at least 150 square feet, including a kitchen and at least one 3/4 bathroom.
- E. **Zones in which Accessory Dwelling Units may be Constructed.** The construction, use, and maintenance of accessory dwelling units shall be permitted in areas zoned to allow single-family or multiple-family dwelling residential use. For purposes of this Section 17.400.095, a multiple-family dwelling unit is two or more attached dwelling units on a single property.
- F. **Accessory Dwelling Unit Density and Development Standards.**
 - 1. **Single-family Dwellings.** Accessory dwelling units are allowed on a property containing single family dwellings under the following circumstances:
 - a. No more than one accessory dwelling unit within the proposed or existing square footage of a single-family dwelling or existing square footage of an accessory structure that meets specific requirements such as exterior access and setbacks for fire and safety.

- b. No more than one detached new construction accessory dwelling unit. ~~A new construction attached accessory dwelling unit may be constructed in lieu of the new construction detached accessory dwelling units.~~
 - c. No more than one junior accessory dwelling unit within the proposed or existing space of a single-family dwelling that meets specific requirements such as exterior access and setbacks for fire and safety as described in Subsection L.
 - d. For subject properties located in the R1 or R2 Zoning District, the maximum height for accessory dwelling units shall be as established for residential structures in Article 2 (Zoning Districts, Allowable Land Uses and Zone-Specific Standards). For subject properties in all other zones, the maximum height for accessory dwelling units shall be 30 feet.
2. **Multiple-family Dwellings.** Accessory dwelling units are allowed on a property containing multiple-family dwellings or mixed-use structures on a lot containing multiple-family dwelling units under the following conditions:
- a. Converted Units
 - i. ~~a-~~ The number of accessory dwelling units shall not exceed 25% of the number of existing units, minimum one unit.
 - ii. ~~b-~~ The accessory dwelling units shall only be located within areas that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or attached garages ~~which are attached or detached~~. Non-livable space used to create ADUs must be limited to residential areas within a mixed-use development and not the areas used for commercial or other activities.
 - b. New Construction Units
 - i. ~~c-~~ The maximum height shall be 30 feet for a detached or accessory dwelling unit on a lot with an existing or proposed multiple-family, multistory dwelling.
 - ~~d. — Each accessory dwelling unit must comply with state building standards for dwellings.~~
 - ii. ~~e-~~ A maximum of eight~~two~~ detached, accessory dwelling units shall be allowed on a property with existing multiple-family dwelling units, but not to exceed the number of existing primary dwelling units on the lot.
- G. **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.
- H. **Location.**
- 1. Accessory dwelling units may be within, attached to, or detached from and on the same lot as, a proposed or existing single-family dwelling, or within or detached from a multiple-

family dwelling, and subject to compliance with front, side, and rear yard setback standards of the underlying zone except as allowed by Government Code Section 66314(d)(7).

2. Accessory dwelling units may be located entirely within a proposed or existing primary dwelling unit or existing accessory structure; provided, the accessory dwelling unit has independent exterior access from the existing primary dwelling or accessory structure.
 3. An ADU created within an existing accessory structure may be expanded up to 150 square feet ~~without application of local development standards, but this expansion shall be limited to accommodating~~ which may accommodate ingress and egress.
- I. **Parking.** Parking for an accessory dwelling unit and replacement parking is not required.
- J. **Habitability.** Accessory dwelling units are fully habitable and shall include independent kitchen and bathroom facilities. Accessory dwelling units shall be independent from the main dwelling without internal access except for ADUs allowed under Government Code Section 66323.
- K. **Occupancy Restrictions.** Accessory dwelling units shall not be sold separately from the primary residence and shall not be used for rentals of terms of 30 days or less unless established as defined in Government Code Sections 66340 and 66341. Owner occupancy is not required for accessory dwelling units.
- L. **Setbacks.**
1. An accessory dwelling unit shall have side and rear yard setbacks of at least two feet from lot lines abutting a special purpose or mixed use zone, street, or alley and at least four feet from lot lines when abutting a residential zone. An accessory dwelling unit shall abide by the front yard setback requirements of the zone in which it is located, unless otherwise permitted by Government Code Section 66321 and 66323.
 2. An accessory dwelling unit constructed entirely within a proposed or existing primary dwelling unit or accessory structure, which has side and rear setbacks that are sufficient for fire safety, as determined by the Culver City Fire Department, shall not be subject to setback standards for new development.
 3. An accessory dwelling unit constructed above, or as a second story to, a garage or other accessory structure shall be setback a minimum of two feet from side and rear lot lines abutting a special purpose and mixed use zone, street, or alley and a minimum of four feet from side and rear lot lines when abutting a residential zone. An accessory dwelling unit constructed above, or as a second story to, a garage or other accessory structure shall abide by the front yard setback requirements of the zone in which it is located, unless otherwise permitted by Government Code Section 66321 and 66323.
 4. **Through Lots.** An accessory dwelling unit constructed on a through lot is permitted to have a reduced setback of at least two feet from one front lot line along the property line that is of greater distance from the primary residence and/or the property line separating the parcel from the street of a higher classification or designation. In case of irregular lots, the Director shall determine which one front lot line is eligible for reduced setback except as allowed by Government Code Section 66321.

M. **Junior Accessory Dwelling Units.** In addition to an accessory dwelling unit as provided in this Section, Junior accessory dwelling units are permitted within an existing or proposed single family residence, consistent with state law. The following establishes standards for junior accessory dwelling units.

1. **Maximum Unit Size.** A junior accessory dwelling unit may be up to 500 square feet.
 - a. Maximum permitted unit size shall include any livable space from exterior wall to exterior wall.
2. **Density.** No more than one junior accessory dwelling unit is allowed on a property.
3. **Location.** A junior accessory dwelling unit shall be located entirely within a proposed or existing primary dwelling unit, subject to the following:
 - a. A junior accessory dwelling may be in an attached garage but may not be in a detached accessory structure.
 - b. A junior accessory dwelling unit shall have separate exterior access independent from the proposed or existing primary dwelling unit.
 - c. A junior accessory dwelling unit ~~may~~must share significant interior connection to the primary dwelling if they are sharing a bathroom facility.
4. **Parking.** Parking for a junior accessory dwelling unit and replacement parking is not required.
5. **Habitability.** Junior accessory dwelling units shall include an efficiency kitchen which shall include a cooking facility with appliances, a food preparation counter, and storage cabinets that are of reasonable size in relation to the size of the junior accessory dwelling unit.
6. **Occupancy Restrictions.** Owner occupancy is required in either the remaining portion of the primary residence, another dwelling unit on the same lot, or the newly created junior accessory dwelling unit. Owner-occupancy shall not be required if the owner is another governmental agency, land trust, or housing organization. These occupancy restrictions shall be enforced through recordation of deed restrictions or covenant agreement recorded against the property per Government Code Section 66333(c).
7. **Conveyance.** Junior accessory dwelling units shall not be sold separately from the primary dwelling unit and shall not be used for rentals of terms of 30 days or less.

N. **Other Development Standards.**

1. Unless stated in this Section, all other development standards for accessory dwelling units and junior accessory dwelling units shall apply according to the zone in which the subject property is located; including but not limited to, setbacks, building height, and distance between structures.
2. **Conversion of Existing Structures.** For the purpose of converting an existing structure into an accessory dwelling unit or junior accessory dwelling unit, an existing structure is defined as one of the following:

- a. A structure that has been erected prior to the date of adoption of the appropriate building code that does not present a threat to public health and safety or one for which a legal building permit has been issued; or
 - b. A structure that has been issued Deferred Compliance through the Amnesty Program or through Deferred Compliance by the Municipal Code Appeals Committee (MCAC).
3. When a garage is converted into an ADU or JADU, the garage door must be removed and replaced with windows or entry doors.
- O. **Application Process.** The following is the ministerial application process for accessory dwelling units and junior accessory dwelling units.
 1. Applicant shall submit complete plan sets to the Building Safety Division. In order to be deemed complete, plans shall comply with all current applicable development standards, any applicable Department handouts, and any additional information required by the Director in order to conduct a thorough review. The Division shall approve or deny the application as established for accessory dwelling units in Government Code Sections 66316 and 66317 and for junior accessory dwelling units in Government Code Section 66355(a), (b) and (c). If the permit application to create or serve an accessory dwelling unit or a junior accessory dwelling unit is submitted with a permit application to create a new single-family or multifamily dwelling on the lot, no permit for the accessory dwelling unit or the junior accessory dwelling unit shall be issued until the permit application to create the new single-family or multifamily dwelling has been adjudicated, but the application to create or serve the accessory dwelling unit or junior accessory dwelling unit shall be considered without discretionary review or hearing. If the project is denied, the applicant will receive a full list of comments with remedies to correct any Code deficiencies.
 2. Prior to Building Permit issuance, applicant for an accessory dwelling unit shall submit an Address Assignment Request Fee and Application to the Current Planning Division. An applicant for a junior accessory dwelling unit may, but is not required to, submit an Address Assignment Request Fee and Application.
 3. Prior to Building Permit issuance, projects resulting in the creation of an accessory dwelling unit of 750 square feet or larger or the addition to an existing accessory structure to create an accessory dwelling unit of 750 square feet or larger ~~more for an accessory dwelling unit located at the subject property~~ shall pay all impact fees including the Mobility Improvement Fee pursuant to Section 15.06.515 (Calculation and Payment of Fees) and the In-Lieu Parkland Dedication Fees pursuant to Section 15.06.300 (Park and Dedication or Payment of Fees) of this Code, except that any impact fees charged for an accessory dwelling unit of 750 square feet or more shall be charged proportionately in relation to the square footage of the primary dwelling unit.

(Ord. No. 2005-007 § 1 (part); Ord. No. 2017-007 § 2 (part); Ord. No. 2017-017 § 2; Ord. No. 2018-015 § 2 (part); Ord. No. 2020-001 § 2; Ord. No. 2021-012 § 3 (part))