



# ATTACHMENT 5

## City of Culver City

Mike Balkman Council  
Chambers  
9770 Culver Blvd.  
Culver City, CA 90232

### Staff Report

File #: 25-816, Version: 1

Item #: PH-1.

**PC - PUBLIC HEARING:** Consideration of a new Subdivision Ordinance including relocation of Condominium Conversion code language from the Zoning Code to the new Subdivision Ordinance, revision to the Zoning Code definition of Subdivision, Small Lot Design Standards, and finding of a Negative Declaration pursuant to the California Environmental Quality Act (CEQA)

**Meeting Date:** February 26, 2025

**Contact Person/Dept:** Jose Mendivil, Associate Planner  
Gabriela Silva, Associate Planner  
Emily Stadnicki, Current Planning Manager

**Phone Number:** (310) 253-5757 / (310) 523-5736 / 310-253-5727

**Fiscal Impact:** Yes ☐ No ☒ **General Fund:** Yes ☐ No ☒

**Public Hearing:** ☒ **Action Item:** ☐ **Attachments:** ☒

**City Council Action Required:** Yes ☒ No ☐ **Date** [TBD]

**Public Notification:** (Email) Public Notifications - Planning Commission (02/06/25), Meetings and Agendas - Planning Commission (02/20/25), Interested Parties (02/20/25); (Posted) City website (02/06/25), Social Media (02/06/25); (Published) Culver City News (02/06/25)

**Department Approval:** Mark E. Muenzer, Planning and Development Director (02/18/2025)

### RECOMMENDATION

That the Planning Commission adopt a resolution recommending the City Council:

1. Adopt a Negative Declaration, finding that the Initial Study prepared by the City of Culver City (the "City"), and in light of the whole record before the City, demonstrates there is no substantial evidence the Subdivision Ordinance will have a significant effect on the environment;
2. Approve a proposed new Subdivision Ordinance as stated in Exhibit A of Resolution No. 2025-P006;
3. Approve relocation of Condominium Conversion provisions from the Zoning Code to the new Subdivision Ordinance as stated in Exhibit A of Resolution No. 2025-P006;
4. Approve the Zoning Code definition of Subdivision to be consistent with the definition in the new Subdivision Ordinance as stated in Exhibit A of Resolution No. 2025-P006; and

5. Approve Small Lot Design Standards that are to be incorporated into the Objective Design Standards.

## **PROCEDURES**

1. Chair calls on staff for a staff report and Commission poses questions to staff.
2. Chair opens the public hearing, providing the public the opportunity to speak.
3. Chair seeks a motion to close the public hearing after all testimony has been presented.
4. Commission discusses the matter and arrives at its decision.

## **BACKGROUND**

Culver City Municipal Code (CCMC), Chapter 15.10 (Subdivision Ordinance or the “ordinance”) was added to the CCMC in 1965, and has remained largely unchanged, with minor updates over time adding standards for vesting tentative maps, park dedication, and tentative map distribution. The ordinance provides standards and procedures for the subdivision of airspaces (condominiums) or land parcels. It is important to review the ordinance for potential constraints to development or conflicts with the California State Subdivision Map Act (State subdivision law).

## **ANALYSIS**

In Spring 2022, the City Council directed staff to include a Subdivision Ordinance Update (the “ordinance update”) in the FY 2022-2023 budget process to formally initiate and fund the effort. As the effort is dependent on the 2045 General Plan and Zoning Code Updates (GPU and ZCU, respectively), the ordinance update was paused while work on the GPU and ZCU progressed. With the GPU and ZCU now complete, staff is proposing the following ordinance changes:

1. Comply with State subdivision law, including recent amendments required by Senate Bill (SB) 9 and SB 684, SB 450, SB 1123, and SB 347;
2. Facilitate residential, commercial, and mixed-use developments by streamlining the subdivision process;
3. Facilitate opportunities for affordable housing production when a subdivision is involved with a streamlined process;
4. Implement small lot subdivision procedures and standards.

The new ordinance replaces the current Subdivision Ordinance in its entirety and fulfills various Housing and Land Use Element policies and goals as detailed on Page 3 of the resolution (Attachment 1).

### **Current Subdivision Ordinance**

Currently, the City’s ordinance provides procedures for parcel maps (four or fewer parcels), tentative maps, vesting tentative maps, and final maps. In addition to requirements and procedures for subdivision applications, the ordinance includes lot design standards and off-site improvement requirements.

The existing ordinance does not provide a process for reversion to acreage (eliminating interior property lines of a previously recorded subdivision and the combining of two or more lots or tracts into one lot or tract), lot line adjustments, lot mergers, or small lot subdivisions. Additionally, it does not include provisions consistent with recent State legislation noted below.

### **State Subdivision Legislation**

Recent State legislation regarding subdivisions that has been incorporated in the new ordinance through standards and processing include:

- SB 9: Aims to increase housing supply across the State through ministerial approval of lot splits or two-unit developments in single-family zones.
- SB 684, the Building Homeownership Opportunities Act: Requires ministerial approval of a parcel map, tentative map, or final map for a housing development containing 10 or fewer lots or 10 or fewer residential airspace units, located in a multifamily residential zone. Projects ministerially approved under SB 684 will still be required to protect existing housing designated for low-income tenants, under rent control, and/or occupied by renters in the last 5 years and be subject to local and environmental standards.
- SB 450: Amends SB 9, allowing for projects with 100% demolition of existing exterior structural walls to be considered ministerially. It permits local agencies to impose objective design standards applicable to the underlying zone, and removes authorization for a local agency to deny a proposed housing development if the building official makes a written finding that the proposed housing development project would have a specific, adverse impact upon the physical environment.
- SB 1123: Expands the conditions and requirements of SB 684 by also allowing vacant single-family zoned lots no larger than 1.5 acres to qualify for the Building Homeownership Opportunities Act. Other changes to SB 684 include requirements to include tenancy in common agreements and require proposed developments, not identified in the Housing Element, to result in at least 66% of the maximum allowable residential density.
- SB 347: Amends the Subdivision Map Act to include the leasing of a parcel of land or any portion of the land in conjunction with a hydrogen fueling station or an electric vehicle charging station as exempt from the requirements of the Subdivision Map Act.

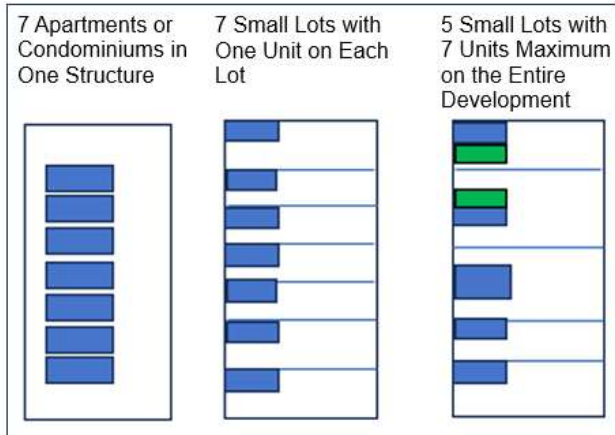
#### Other Subdivision Ordinance Updates

The Subdivision Ordinance implements procedures and regulations consistent with State law. Lot mergers and lot line adjustments will be approved ministerially, without discretion. It also provides standards for urban lot splits, commercial and mixed-use subdivisions, and small lot subdivisions, to address various departmental requirements, such as the Fire or Public Works Departments.

A key update creates an administrative small lot subdivision process and small lot design standards (Attachment 2) that regulate common access driveways and walkways, utility easements, maintenance agreements, guest parking, short-term bicycle parking, trash enclosures, and open space. The small design standards will be added to the Objective Design Standards.

The proposed ordinance establishes that small lot subdivision density cannot exceed the maximum density allowed prior to the subdivision. For example, a 7,500 square foot lot in the Low Density Multiple-Family Residential (RLD) zone with a 35 dwelling unit per acre (du/a) density can have up to seven apartments, or seven condominiums, or seven small lots with one unit on each lot. Figure 1 illustrates the various scenarios listed above:

*Figure 1*



Additional small lot development standards in the new ordinance:

- Minimum lot width of 18 feet and minimum lot area of 900 square feet.
- Access provided to all lots within the small lot development by way of a public or private street, an alley, or an access easement.
- Lot area coverage by all structures not exceeding 75% of an approved small lot, unless the map provides an open space easement equivalent to 25% of the lot area of each lot not meeting this provision.
- No required front, side, or rear yard setbacks between interior lot lines created within an approved small lot subdivision.
- If dwellings within a small lot subdivision are not attached, then a minimum setback from abutting small lot lines of at least 2 feet if the subdivision provides common access for both adjacent lots and 4 feet if there is no common access (there will still be a common access driveway).
- Minimum perimeter setbacks for small lot developments abutting neighboring parcels.

The small lot design standards in Attachment 2 provide further details and map guidance for developers.

The proposed ordinance also establishes a streamlined review and approval procedure for all maps by expanding review authority to the Planning and Development Director and City Engineer, thereby minimizing City Council and Planning Commission map review.

The City Council will no longer have review authority unless an appeal is filed, and the Planning Commission will only approve maps and vesting maps processed with projects requiring Commission approval.

This simplified map review process addresses General Plan Land Use and Housing Element policies and goals to increase housing supply and remove constraints to housing production. In addition, subdivisions processed as urban lot splits (SB 9) and multi-family lot splits (SB 684) require a ministerial procedure per State law. Further, it aligns with the threshold for other entitlements, to reduce processing time. Table 1 summarizes the review authority for all maps:

*Table 1*

Type of Application	Review Authority			
	Director	City Engineer	Commission	Council
Lot Line Adjustments/Lot Mergers	Review	Approve	-	-
Urban Lot Splits (SB9)/Multi-Family Lot Splits (SB 684)	Approve	Review	-	-
Parcel Map	Approve	Review	Appeal	Appeal
Tentative Map processed with an Administrative Site Plan Review (26 or less units)	Approve	Review	Appeal	Appeal
Tentative Map processed with a Site Plan Review (27 or more units)	Review	Review	Approve	Appeal
Vesting Tentative Map	Review	Review	Approve	Appeal
Final Map	-	Approve	-	-
Certificates of Compliance	-	Approve	-	-

Note: Parcel Map: 4 or fewer condominium air space units or land lots  
 Map: 5 or more condominium air space units or land lots

### Condominium Conversions

The condominium conversion section of the Zoning Code (Section CCMC 17.400.040) is being moved to the Subdivision Ordinance. The condominium conversion language in the new ordinance is identical to the deleted language in the Zoning Code except that the condominium conversion prohibition of five or fewer units is eliminated, and process language is added that requires the conversion go through an Administrative Site Plan Review or Site Plan Review depending on the number units to be converted (consistent with the Administrative and Public Hearing site plan review thresholds in the Zoning Code). In addition, a developer who proposes a condominium conversion will need to comply with Tenants' Rights portion of the Condominium Conversion code section and the Culver City Tenant Protections Ordinance.

### Zoning Code Definitions

Only one definition in the Zoning Code is being revised with this ordinance: the definition of subdivision in Zoning Code Section 17.700.010 is replaced with the definition that is in the Subdivision Ordinance to ensure consistency.

### Parkland Dedication or Payment of In Lieu Fee

Staff is currently reviewing the Parkland Dedication or Payment of In Lieu Fee in a separate process. Upon adoption of a new fee structure, Sections 15.10.750 through 15.10.790 of the Subdivision Ordinance will be updated.

## **ENVIRONMENTAL DETERMINATION**

An Initial Study Negative Declaration was prepared for the new Subdivision Ordinance. The Draft Negative Declaration was released for a 30-day public review period from December 19, 2024 to January 21, 2025. The City received two comments. One commenter pointed out a typographical error and an outdated Notice of Intent (NOI) form that referred to the Governor's Office of Land Use and Climate Innovation by its previous name (Governor's Office of Planning and Research). Staff made the correction and updated the NOI form accordingly.

The second commenter expressed concern about the potential environmental impacts from increased housing density such as increased automobile traffic and increased use of electricity, gas, sewer, and water. Staff counters that future development facilitated by this ordinance would not increase the overall development density or scale beyond what is already permitted under existing regulations and/or outlined in the General Plan. Consequently, these procedures would not have a significant effect on the City's population growth or density; as a result, no impacts would occur, and no mitigation measures are required.

Pursuant to California Environmental Quality Act (CEQA) statutes, the City of Culver City, acting as the lead agency, recommends a finding that the Initial Study shows that there is no substantial evidence, in light of the whole record before the agency, that the new ordinance will have a significant effect on the environment (Attachment No. 3).

### **COMMUNITY OUTREACH**

Staff conducted a virtual meeting for interested parties on December 21, 2023, with 12 participants from the residential, mixed use, and subdivision development community. Participants were presented the potential changes listed above and asked their opinions.

According to participants, housing development is trending towards smaller, denser, single- and multi-family housing. However, participants indicated the City needs to remove procedural, regulatory, and financial barriers to facilitate housing production. Developers would like a simplified subdivision process that is straightforward and has a predictable timeframe and were supportive of shifting the approval process towards an administrative format instead of a public hearing.

Following the meeting for interested parties, an internal meeting was held on January 18, 2024, to discuss the feedback received. During this meeting, staff suggested the map approval process align with the existing planning procedures already established in the CCMC; if a development requires an administrative site plan review, the subdivision process, whether for a map or parcel map, should also be administrative. Implementing this alignment would streamline the process for projects requiring both a subdivision and an administrative site plan review.

A Planning Commission discussion item was held on April 24, 2024. City staff presented the proposed changes to the subdivision ordinance and small lot design and map standards to the Planning Commission and requested feedback. Commissioners were in favor of streamlining procedures and creating objective regulations for subdivisions.

The second round of outreach with interested parties was held virtually on August 7, 2024. During the meeting staff provided background on the State legislation, provided a summary of the proposed changes and opened the meeting to questions. A few comments were received asking for clarification on the process and review authorities. Generally, the attendees provided positive feedback with the updated streamlining procedures and other updates.

### **CONCLUSION**

The proposed amendments will bring the City's Subdivision Ordinance into compliance with State subdivision law, facilitate housing production through streamlined subdivision processes, provide opportunities for affordable housing production when a subdivision is involved, implement small lot subdivision procedures and standards, and satisfy various General Plan policies related to housing.

The environmental review for this project determined the new Subdivision Ordinance will not have a significant effect on the environment. Staff proposes the findings for the Zoning Code Amendment as outlined in Proposed Resolution No. 2025-P006 (Attachment 1) can be made and recommends the Planning Commission recommend to the City Council approval of the amendments to the City's Subdivision code language.

### **FISCAL ANALYSIS**

No fiscal impact.

### **ATTACHMENTS**

1. Proposed Planning Commission Resolution No. 2025-P006 (P2024-0237-ZCA) with Exhibit A: New Subdivision Ordinance
2. Small Lot Design Standards
3. Initial Study/Negative Declaration and Response to Comments

### **MOTION**

That the Planning Commission recommend the City Council:

1. Adopt a Negative Declaration, finding that the Initial Study demonstrates there is no substantial evidence the Subdivision Ordinance will have a significant effect on the environment (Attachment No. 3);
2. Approve a proposed new Subdivision Ordinance as stated in Exhibit A of Resolution No. 2025-P006 (Attachment 1);
3. Approve relocation of Condominium Conversion provisions from the Zoning Code to the new Subdivision Ordinance as stated in Exhibit A of Resolution No. 2025-P006;
4. Approve the Zoning Code definition of Subdivision to be consistent with the definition in the new Subdivision Ordinance as stated in Exhibit A of Resolution No. 2025-P006; and
5. Approve Small Lot Design Standards that are to be incorporated into the Objective Design Standards and as stated in Exhibit B of Resolution No. 2025-P006.