

ORDINANCE NO. 2022-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CULVER CITY, CALIFORNIA, APPROVING CITY-INITIATED ZONING CODE AMENDMENT P2022-0002-ZCA AMENDING CULVER CITY MUNICIPAL CODE (CCMC) TITLE 17: ZONING CODE; SECTIONS 17.400.046 – EMERGENCY SHELTERS, 17.230.015 – INDUSTRIAL DISTRICT LAND USES AND PERMIT REQUIREMENTS (TABLE 2-8), AND 17.260.035 – EAST WASHINGTON BOULEVARD OVERLAY (-EW) (TABLE 2-11), RELATING TO DEVELOPMENT STANDARDS AND PERMIT REQUIREMENTS FOR EMERGENCY SHELTERS.

(Zoning Code Amendment, P2022-0002-ZCA)

WHEREAS, typically, a Zoning Code Amendment requires a public hearing and recommendation by the Planning Commission and a public hearing and final action by the City Council. Given the requirements of the pending Project Homekey grant application and the need to move expeditiously, the City Manager determined to have the proposed Zoning Code Amendment heard directly by the City Council, pursuant to Culver City Municipal Code (CCMC) Section 3.03.035¹; and

WHEREAS, on February 14, 2022, after conducting a duly noticed public hearing on a City-initiated Zoning Code Amendment (P2022-0002-ZCA) amending Culver City Municipal Code (CCMC) Title 17: Zoning Code; Sections 17.400.046 – Emergency Shelters, 17.230.015 – Industrial District Land Uses and Permit Requirement (Table 2-8), and 17.260.035 – East Washington Boulevard Overlay (-EW) (TABLE 2-11), to revise standards for Emergency Shelters, fully considering all reports, studies, testimony, and environmental

¹ CCMC § 3.03.035: “Unless prohibited by applicable federal or state law or the City Charter, notwithstanding any other provisions of this code, or where final decision-making authority has been delegated by the City Council to another person or body, the City Council retains jurisdiction on all items which may otherwise be considered by the various Commissions. Either the City Council or the City Manager, in their sole discretion, may determine to have any item heard directly by the City Council.”

1 information presented, the City Council, by a vote of 5 to 0 introduced an ordinance to approve
2 Zoning Code Amendment P2022-0002-ZCA (the "Ordinance"), as set forth herein below; and

3 WHEREAS, on February 28, 2022, the City Council, by a vote of ___ to ___, adopted
4 the Ordinance, as set forth herein below.

5 NOW, THEREFORE, the City Council of the City of Culver City, California, DOES
6
7 HEREBY ORDAIN, as follows:

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

- 11
12 **1. The proposed amendment ensures and maintains internal consistency with**
13 **the goals, policies and strategies of all elements of the General Plan and will**
14 **not create any inconsistencies.**

15 The proposed Zoning Code Amendment will modify the standards for Emergency
16 Shelters and locations where these can be approved without a Conditional Use
17 Permit (CUP). The modifications would allow for the conversion of motels on
18 Sepulveda Boulevard into an emergency shelter. Transitional housing would also
19 be included in one of the motels. The properties are located within the Commercial
20 General (CG) and Commercial Neighborhood (CN) Zones and the General Plan
21 Land Use designation is General Corridor. The Zoning Code Amendment is being
22 processed in conjunction with a State grant application for Project Homekey. The
23 proposed amendments are consistent with the Housing Element, including Objective
24 4, which calls for improving access to quality housing for all members of the
25 community by supporting access to emergency shelters, as well as Measure 2, which
26 calls for the implementation of programs to facilitate additional housing, such as
27 zoning changes for emergency shelters and transitional/supportive housing
28 (Measure 2.L). The proposed Zoning Code Amendment is also consistent with the
Land Use Element of the General Plan, including Objective 3, which calls for
encouraging the provision of housing opportunities for all members of the community.

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

27 The proposed Zoning Code Amendment will replace the area within which
28 emergency shelters are allowed ministerially, from the existing area located in the
northeastern corner of the City to a smaller area located along Sepulveda Boulevard.
This, in turn, will allow the conversion of two motels into housing to support homeless

1 individuals. In addition, the proposed Zoning Code Amendment will make minor
2 revisions to certain development standards for emergency shelters in order to
3 provide more flexibility in certain criteria (e.g., number of beds, proximity to other
4 emergency shelters). The amendments will serve to improve the Current Planning
5 Division's implementation of General Plan policies and address an important need
6 within the City. The amendments support the public interest, health, safety,
7 convenience, and welfare of the City.

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

18 The proposed Zoning Code Amendment is considered exempt from CEQA pursuant
19 to CEQA Guidelines Section 15061(b)(3) (common sense exemption), because it
20 can be seen with certainty there is no possibility the Project will have a significant
21 effect on the environment. The Project, by itself, does not result in any physical
22 changes in the environment because it makes minor adjustments to development
23 standards for emergency shelters and replaces the area within which emergency
24 shelters are permitted ministerially, through approval of a Zoning Clearance, with a
25 different area with fewer parcels, and does not result in changes to existing land use,
26 density or intensification of development beyond what the Zoning Code currently
27 allows. Further, any underlying project constructed under the parameters of the
28 proposed Zoning Code Amendment, even if such project were discretionary, would
be exempt under CEQA Guidelines Section 15301 (Class 1 – Existing Facilities
Categorical Exemption).

16 **SECTION 2.** Pursuant to the foregoing recitations and findings, the City Council
17 of the City of Culver City, California, hereby adopts the Ordinance approving Zoning Code
18 Amendment (P2022-0002-ZCA), amending Culver City Municipal Code (CCMC) Title 17:
19 Zoning Code; Sections 17.400.046 – Emergency Shelters, 17.230.015 – Industrial District
20 Land Uses and Permit Requirement (Table 2-8), and 17.260.035 – East Washington
21 Boulevard Overlay (-EW) (TABLE 2-11), relating to development standards and permit
22 requirements for emergency shelters, as set forth in Exhibit A attached hereto and made a
23 part thereof.
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26 **SECTION 3.** Pursuant to Section 619 of the City Charter, this Ordinance shall
27 take effect thirty (30) days after its adoption. Pursuant to Section 616 and 621 of the City
28 Charter, prior to the expiration of fifteen (15) days after the adoption, the City Clerk shall cause

this Ordinance, or a summary thereof, to be published in the Culver City News and shall post this Ordinance or a summary thereof in at least three places within the City.

SECTION 4. The City Council hereby declares that, if any provision, section, subsection, paragraph, sentence, phrase or word of this Ordinance is rendered or declared invalid or unconstitutional by any final action in a court of competent jurisdiction or by reason or any preemptive legislation, then the City Council would have independently adopted the remaining provisions, sections, subsections, paragraphs, sentences, phrases, or words of this Ordinance, and as such they shall remain in full force and effect.

APPROVED and ADOPTED this 28th day of February 2022.

DR. DANIEL LEE, Mayor
City of Culver City, California

ATTESTED BY:

APPROVED AS TO FORM:

Walter S. Baker

JEREMY GREEN, City Clerk

HEATHER BAKER, City Attorney

A22-00020

EXHIBIT A – PROPOSED ZONING CODE AMENDMENT
P2022-0002-ZCA

§ 17.400.046 EMERGENCY SHELTERS.

This Section provides location, development, and operating standards for emergency shelters in compliance with Article 2 (Zoning Districts Allowable Land Uses and Zone-Specific Development Standards):

- A. Location and Permit Requirements.** Emergency shelters located within the area identified in Map 4.05 shall be permitted after approval of a Zoning Clearance in compliance with Chapter 17.510 (Zoning Clearances) Emergency Shelters located in the CN (Commercial Neighborhood) CG (Commercial General) and CC (Commercial Community) zoning districts ~~shall be~~ shall be permitted subject to approval of a Conditional Use Permit in compliance with Chapter 17.530 (Administrative Use Permits and Conditional Use Permits).
- B. Lot Size.** Emergency shelters located within the area identified in Map 4.05 shall be limited to lots that have a minimum lot area of 1/4 acre (10,890 square feet) and a maximum lot area of 3/4 acre (32,670 square feet).
- C. Number of Beds.** Emergency shelters located within the area identified in Map 4.05 shall have ~~no more than~~ not less than 30 beds. Maximum number of beds for emergency shelters located outside of the area identified in Map 4.05 shall be established as part of the Conditional Use Permit.
- D. Length of Stay.** Emergency shelters shall be available to residents for no more than 180 days in any 12 month period.
- E. Hours of Operation.** Emergency shelters shall establish and maintain set hours for the client intake/discharge, which shall be prominently posted on-site.
- F. Proximity to Other Emergency Shelters.** An emergency shelter shall not be located within 300 feet of another Emergency Shelter unless located within the area identified in Map 4.05, in which case no separation shall be required.
- G. On-Site Waiting and Client Intake Area.** All on-site waiting and client intake areas shall be located indoors and shall have a minimum area of 100 square feet.
- H. Lighting.** Adequate external lighting shall be provided for security purposes as determined by the Director. Exterior lighting shall comply with the requirements of Section 17.300.040 (Outdoor Lighting).
- I. Laundry Facilities.** On-site laundry facilities or services adequate for the number of residents shall be provided.
- J. Personal Property.** Secured areas for personal property shall be provided.
- K. Common Facilities.** The development may provide one or more of the following specific common facilities for the exclusive use of the residents and staff:

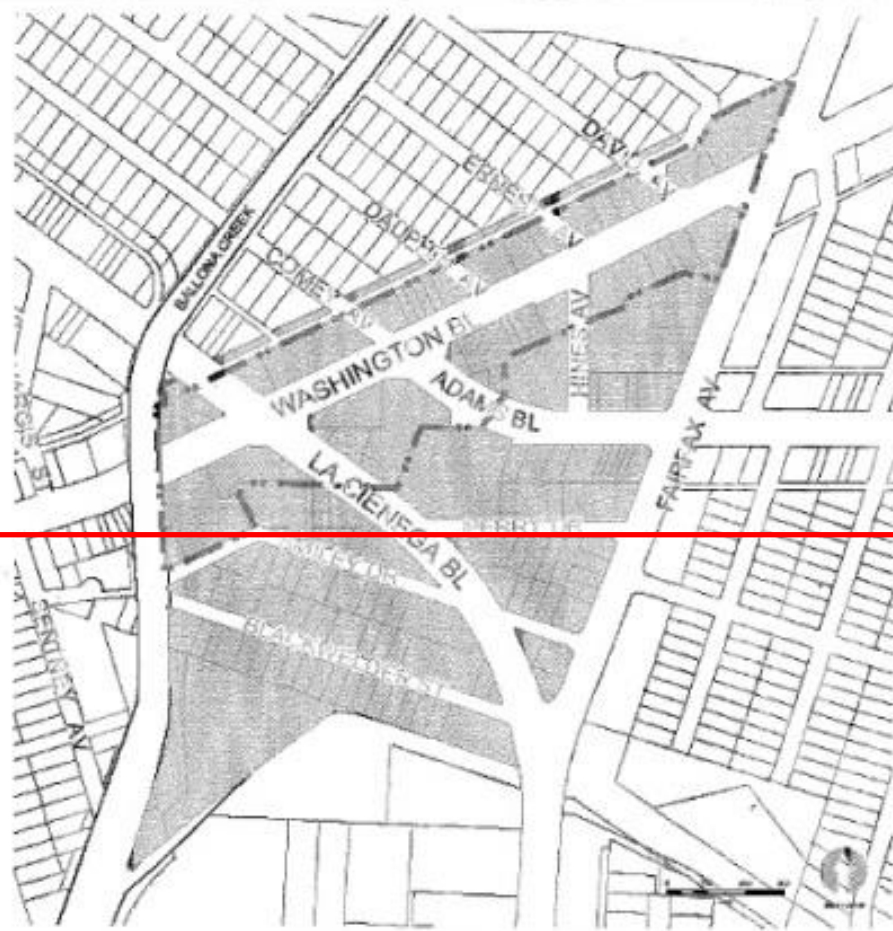
1. Kitchen and ~~dining room(s)~~ outdoor dining areas.
2. Recreation room.
3. Counseling center.
4. Child care facilities.
5. Other support services as necessary.

L. Outdoor Activity. Outdoor activities may only be conducted between the hours of 8:00 a.m. and 10:00 p.m.

M. Refuse. A refuse storage area completely enclosed with a masonry wall not less than 5 feet high with a solid gated opening, and large enough to accommodate standard sized commercial trash bins shall be provided.



N. Emergency Shelter Provider. All Emergency shelters shall comply with the following requirements:

1. Shelters shall provide ~~ing~~ services to ~~one~~two or more population groups ~~(e.g. men women and families with children etc.)~~ and shall provide segregated sleeping areas for each separate population group, unless individual units are provided.
2. At-least one facility manager shall be on-site at all hours the facility is open. Additional staff shall be provided, as necessary, to ensure that at least one staff member is provided in all segregated sleeping areas as appropriate.
3. ~~Staff and s~~Services shall be provided to assist residents in obtaining permanent shelter.
4. The provider shall submit to the Current Planning Division for review and approval as part of the zoning clearance or conditional use permit process a written operational plan including, as applicable, provisions for staff training neighborhood outreach security, screening of residents to insure compatibility with services provided noise and loitering control and for training, counseling and treatment programs for residents.






EMERGENCY SHELTER MAP
MAP 4.05

LEGEND

-  Portion of East Washington Overlay
-  Emergency Shelter Area



EMERGENCY SHELTER MAP
MAP 4.05

-  Allowable Emergency Shelter Locations
-  City Boundary Line
-  Commercial Zero Setback Overlay

§ 17.230.015 INDUSTRIAL DISTRICT LAND USES AND REQUIREMENTS.

TABLE 2-8 Allowed Uses and Permit Requirements for Industrial and Special Purpose Zoning Districts	P Permitted Use		
	CUP Conditional Use Permit Required		
	AUP Administrative Use Permit Required		
	- Use not allowed		
LAND USE (1)	PERMIT REQUIREMENT BY DISTRICT		See Specific Use Regulations:
	IL	IG	
SERVICE			
Animal boarding and kennels	P(4)	P	17.400.020
Business and consumer support services	P	P	
Catering services	P	P	
Child day care centers (11)	CUP	CUP	
Contractor's storage yard	P(5)	P	
Drive-thru facilities or services	CUP	CUP	17.400.045
Emergency shelters	-	P(8)	17.400.046
Offices	P	P	
Public safety facilities	P	P	
Public utility facilities	P	P	
Storage facilities, personal storage	CUP(6)	CUP(6)	
Storage, outdoor	P	P	17.400.080
Storage, warehouse	P	P	
Vehicle services - Accessories installation	P	P	17.400.125
Vehicle services - Fueling stations	P	P	17.400.120
Vehicle services - Fueling, incidental repair	CUP	CUP	17.400.125
Vehicle services - Impounding/storage	CUP	CUP	17.400.125
Vehicle services - Maintenance/repair	CUP	CUP	17.400.125

Vehicle services - Paint/body	P(5)	P(5)	17.400.125
Vehicle services - Towing, no storage	P	P	17.400.125
Veterinary clinics and animal hospitals	P	P	17.400.020

Notes:

- (1) See Article 7 for definitions of the land uses listed.
- (2) Use only allowed subject to approval of an Adult Use Development Permit (see CCMC Chapter 11.13).
- (3) For permit requirements related to the sale of alcoholic beverages, see § 17.400.015.
- (4) Ancillary to a primary use only.
- (5) Use only allowed indoors.
- (6) Modifications and/or expansion of existing facilities only.
- (7) See §17.610.010 for nonconforming school uses.
- (8) ~~Use only allowed in portions of the IG Zone identified in Section 17.400.046, Map 4.05~~ [Intentionally omitted.](#)
- (9) Artisanal alcohol production cannot exceed 20% gross floor area of the table service restaurant to which it is a part unless approved by Administrative Use Permit to exceed no more than 30% gross floor area.
- (10) A beverage tasting facility cannot exceed 20% of the gross floor area of the food and beverage manufacturing or general retail use to which it is associated unless approved by Administrative Use Permit to exceed no more than 30% gross floor area.
- (11) Non-profit child day care facilities in industrial zones shall comply with §17.400.035.C.

§ 17.260.035 EAST WASHINGTON BOULEVARD OVERLY (-EW).

TABLE 2-11 Allowed Uses and Permit Requirements for the East Washington Boulevard Overlay (-EW)	P Permitted Use	
	CUP Conditional Use Permit Required	
	AUP Administrative Use Permit Required	
	- Use not allowed	
LAND USE (1)	Permit Requirement	See Specific Use Regulations:
SERVICE		
Adult day care facilities	CUP	
Automated teller machines (ATMs)	P	17.400.025
Banks and financial services	P	
Business and consumer support services	P	
Child day care centers	CUP	17.400.035
Emergency shelters	P(14)	17.400.046
Hotels and motels	CUP	
Medical services - Office/clinics (10)	P	
Medical services - Labs (10)	P	
Medical services - Hospitals	CUP	
Mortuaries	P	
Offices	P	
Personal services, except psychic readers	P	
Vehicle services - Fueling station	P	17.400.120
Vehicle services - Fueling, incidental repair	CUP	17.400.120
Vehicle services - Impounding/storage	AUP	17.400.125
Vehicle services - Maintenance/repair (12)	CUP	17.400.125
Veterinary clinics and animal hospitals (13)	AUP	17.400.020

Notes:

- (1) See Article 7 for definitions of the land uses listed.
- (2) Includes packaging, processing, and wholesaling.
- (3) Includes assembly, restoration, and wholesaling.
- (4) Use only allowed on a site located a minimum of 300 feet from any residential zone.
- (5) AUP required for schools up to 1,500 square feet in area.
- (6) All business activities with no outdoor display, storage or repair areas permitted shall be conducted wholly within completely enclosed buildings.
- (7) Used vehicles sales and service shall only be allowed incidental to new vehicle sales.
- (8) For permit requirements related to the sale of alcoholic beverages, see §17.400.015.
- (9) If counter service restaurant is stand-alone, then a CUP is required.
- (10) Excluding animal experimentation.
- (11) Only allowed as ancillary to fueling stations that are located east of Ballona Creek.
- (12) Use only allowed indoors.
- (13) Use only allowed on a site located a minimum of 200 feet from any residential zone.
- (14) ~~Use only allowed in portions of the EW Zone identified in Section 17.400.046, Map 4.05~~ [Intentionally omitted.](#)
- (15) Use is subject to only those restrictions that apply to other residential uses of the same type in the same zone.
- (16) Use only allowed as part of a mixed-use project.