

REGULAR MEETING OF THE  
CULVER CITY  
PLANNING COMMISSION  
CULVER CITY, CALIFORNIA

June 14, 2023  
7:00 p.m.

### **Call to Order & Roll Call**

Chair Barba announced that at least a portion of the meeting would be conducted pursuant to California Government Code Section 54953 in that she was participating via Webex in accordance with the Ralph Brown Act and her teleconference location was identified in the notice and agenda for the meeting.

Chair Barba called the regular meeting of the Culver City Planning Commission to order at 7:02 p.m. in Council Chambers and via Webex.

Present: Nancy Barba, Chair  
Ed Ogosta, Vice Chair  
Stephen Jones, Commissioner  
Andrew Reilman, Commissioner

Absent: Jennifer Carter, Commissioner

Chair Barba joined the meeting remotely via teleconference from the Hyatt Regency Sonoma Wine Country, 170 Railroad Street, Santa Rosa, California 95401, USA.

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Ruth Martin del Campo, Administrative Clerk, received clarification from Chair Barba that she could hear the meeting clearly; she had a copy of the agenda for the meeting; a copy of the agenda was posted at her location; there were no members of the public present and wanting to speak at her location; she asked any member of the Commission to speak up if they were not able to hear Chair Barba and no Commissioner indicated that they could not hear Chair Barba, nor did they indicate that there was any reason to doubt that was Chair Barba taking part in the teleconference; and she indicated that all votes would be taken by roll call during the meeting.

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**Pledge of Allegiance**

Commissioner Reilman led the Pledge of Allegiance.

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**Public Comment - Items NOT on the Agenda**

Chair Barba invited public comment.

Ruth Martin del Campo, Administrative Clerk, indicated that Claudia Patton had signed up to speak but was not present in Council Chambers and had not registered on Webex.

Chair Barba indicated that there would be another opportunity for Public Comment for Items NOT on the Agenda at the end of the meeting.

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**Receipt of Correspondence**

Ruth Martin del Campo, Administrative Clerk, reported that one piece of correspondence for Items NOT On the Agenda had been received, two pieces had been received for Item PH-1, and all were forwarded to staff and Commissioners around 3:30 p.m.

Chair Barba confirmed that correspondence had been received.

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**Consent Calendar**

MOVED BY COMMISSIONER JONES AND SECONDED BY VICE CHAIR OGOSTA THAT THE PLANNING COMMISSION APPROVE CONSENT CALENDAR ITEMS C-1 AND C-2.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: BARBA, JONES, OGOSTA  
NOES: NONE  
ABSENT: CARTER  
ABSTAIN: REILMAN

Item C-1

**PC - Approval of Draft Planning Commission Meeting Minutes of April 26, 2023**

THAT THE PLANNING COMMISSION APPROVE THE DRAFT PLANNING COMMISSION MEETING MINUTES OF APRIL 26, 2023.

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Item C-2

**PC - Approval of Draft Planning Commission Meeting Minutes of May 10, 2023**

THAT THE PLANNING COMMISSION APPROVE THE DRAFT PLANNING COMMISSION MEETING MINUTES OF MAY 10, 2023.

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**Order of the Agenda**

No changes were made.

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**Action Items**

Item PH-1

**PC - Consideration of City-Initiated Zoning Code Amendment P2023-0097-ZCA amending Title 17 Zoning Chapter 17.400.095 Residential Uses - Accessory Dwelling Units**

William Kavadas, Assistant Planner, provided a summary of the material of record.

Discussion ensued between staff and Commissioners regarding state legislation indicating the minimum height that the City must allow for ADUs (Accessory Dwelling Units); ensuring that the public understands that ADUs are not required to be at least 16 to 18 feet; the resolution; confusing language used in the staff report; ADUs allowed in the hillside areas; building code requirements for all developments in the hillside; potential additional studies or requirements for development in the hillside to occur; potential conflict with

direction of HCD (Housing and Community Development) if hillside excluded; considerations on a case by case basis; determination by the Building Official; mitigations and adjustments to what is being proposed; HCD review of the amended version; requirements that pertain to restrict or constrain size; implementation of Floor Area Ratios (FARs); and building code standards and requirements.

MOVED BY COMMISSIONER REILMAN AND SECONDED BY VICE CHAIR OGOSTA THAT THE PLANNING COMMISSION OPEN THE PUBLIC HEARING.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: BARBA, JONES, OGOSTA, REILMAN  
NOES: NONE  
ABSENT: CARTER

Chair Barba invited public comment.

The following members of the public addressed the Commission:

Khin Khin Gyi reminded the Commission that it is hazardous to build ADUs on the Crest; discussed the landslide hazard zone; the previous prohibition of ADUs in the Crest; the liquefaction zones; acidification and gravel packing; the Inglewood Oil Field; inability to get fire insurance due to the High Fire Severity Zone; earthquake faults running through the City; commitment to the health, safety, and well-being of residents; the need to prohibit the building of ADUs in the Crest; liability; and doing the right thing.

Andrew Flores commended staff on public outreach efforts to the Culver Crest community; discussed uniform ADU regulations throughout the City; including graphics and diagrams within the code text; the text update; addressing wildfire and earthquake concerns in the upcoming safety element; and he questioned whether there could be a situation where someone could get a Planning approval but not be able to pull a permit.

Chair Barba reported written comment received on the item.

MOVED BY COMMISSIONER REILMAN AND SECONDED BY VICE CHAIR OGOSTA THAT THE PLANNING COMMISSION CLOSE THE PUBLIC HEARING.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: BARBA, JONES, OGOSTA, REILMAN  
NOES: NONE  
ABSENT: CARTER

Discussion ensued between staff and Commissioners regarding concern with an item getting Planning approval but not Building Safety Division approval; modification required by Building Safety; addressing the need for housing including in the hillside area; support for relying on Building Safety to address concerns; street width; looking at items on a case by case basis; site features; setbacks; looking at the code from a diagrammatic standpoint; staff assistance at the counter; the letter from HCD to Berkeley about their ADU ordinance; whether ADUs impact public safety in a High Fire Severity Zone; justification for restrictions based on Subdivision E of the ADU statute; ensuring side and rear setbacks are sufficient for fire and safety; the inability to exclude an entire hillside area; whether the City would deny an ADU if the side and rear setbacks were not sufficient for fire and safety; clarification that there is no Planning process prior to building review in the ADU process; the current process; modifications; comments regarding location of the structure or shape of the structure; authority of the Building Official to deny projects on a case by case basis under Life and Safety in the California Building Code; mitigations to ensure that the project could meet all Life and Safety criteria; noting issues and addressing them rather than denying projects; access; configuring ADUs to comply with building standards; conversion of existing space vs. new construction; the requirement for ADUs to have independent access from the primary unit; helping the applicant find a path toward an ADU; written comment expressing concern with lack of notification; outreach efforts; City Council direction not to apply SB 9 to the Crest; concern with deleting the map from the code; development of a process; changes in the interim; and standards for SB 9 developments that might be limited in the City.

Additional discussion ensued between staff and Commissioners regarding support for the resolution; concern with special treatment for the Culver Crest; substandard roads in Los Angeles that are permitted to have ADUs; compliance with state law; SB 9; implications of the High Fire Hazard Zone to ADUs; the carve-out for Very High Fire Hazard Severity Zones; SB 35; recent laws; consideration of health and safety in the approval process; examination of specific language in the October motion of the City Council; the City's SB 9 policies;

the agendized item; interpretation; clarification that removal of the Hillside Overlay Zone is not being proposed, rather removing the restriction on ADUs in the Hillside Overlay Zone is being proposed; slope requirements; requirements for hillside grading in the Building Code; exterior access; setbacks; Fire and Safety; the formerly excluded hillside area; clarification that there would be no new map or no new areas that an ADU would be prohibited per the Zoning Code; state law allowing local jurisdictions to restrict properties in a High Fire Zone; implications of state law that restrict the City in the ability to make adjustments; and appreciation for staff and Commissioner efforts.

MOVED BY COMMISSIONER JONES AND SECONDED BY COMMISSIONER REILMAN THAT THE PLANNING COMMISSION: ADOPT RESOLUTION NO. 2023-P003 RECOMMENDING TO THE CITY COUNCIL APPROVAL OF ZONING CODE AMENDMENT P2023-0097-ZCA, MODIFYING TITLE 17 ZONING CHAPTER 17.400.095 RESIDENTIAL USES - ACCESSORY DWELLING UNITS.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: BARBA, JONES, OGOSTA, REILMAN  
NOES: NONE  
ABSENT: CARTER

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**Public Comment - Items NOT on the Agenda (Continued)**

Chair Barba invited public comment.

The following member of the public addressed the Commission:

Tom O'Neill discussed the development at 5700 Hannum Ave; expressed objections to the development; concern with language referencing building a transition; the previously existing business park; the former buffer between residential and the mall; proposed retail stores; additional traffic; and he noted primary concerns for the community including safety, security and quality of life which are jeopardized by the development.

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**Items from Planning Commissioners/Staff**

Chair Barba expressed gratitude for the service of Vice Chair Ogosta on the Commission as it was his last meeting, and she reported that the City Council would be having a special meeting to interview applicants to Committees, Boards and Commissions (CBCs) on June 21 with appointments made on June 26.

Vice Chair Ogosta indicated that he would not serve at the next meeting, but would be present to provide farewell comments to the Commission at that time.

Commissioner Reilman expressed appreciation for being able to serve with Vice Chair Ogosta.

Commissioner Jones expressed appreciation for Vice Chair Ogosta's insights noting that he had improved every project considered.

Commissioner Reilman was disappointed to hear public comment reflecting the conception that a renter did not have as much pride in their community as a homeowner and that adding housing units jeopardized safety and quality of life; he noted the need to provide housing for everybody; and benefits of the project.

Vice Chair Ogosta thanked everyone for their comments.

Mark Muenzer, Planning and Development Director, confirmed the dates of upcoming City Council meetings; discussed the tentative schedule for City Council CBC appointments and consideration of the ADU ordinance; and City Council recognition of outgoing CBC members on August 28.

Erika Ramirez, Current Planning Manager, discussed continuing work on ADU prototypes and the ADU manual to provide better illustrations, and she provided updates on City efforts with regard to objective design standards.

Susan Herbertson, Senior Planner, indicated that the June 28 meeting would be cancelled, with the reorganization of the Planning Commission at the next meeting scheduled for July 12.

Discussion ensued between staff and Commissioners regarding upcoming agenda items; uncertainty regarding a second meeting in July; City Council approval of the 2023-2024 budget; approval of moving forward with specific plans for the Fox Hills area and the Hayden Tract area; detailed review; long-term planning;

the draft of the General Plan; review of final administrative drafts; and public outreach.

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**Adjournment**

There being no further business, at 8:17 p.m., the Culver City Planning Commission adjourned to a regular meeting on July 12, 2023.

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RUTH MARTIN DEL CAMPO  
SECRETARY of the CULVER CITY PLANNING COMMISSION

APPROVED July 12, 2023

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NANCY BARBA  
CHAIR of the CULVER CITY PLANNING COMMISSION  
Culver City, California

I declare under penalty of perjury under the laws of the State of California that, on the date below written, these minutes were filed in the Office of the City Clerk, Culver City, California and constitute the Official Minutes of said meeting.

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Jeremy Bocchino  
CITY CLERK

17 July 2023  
Date