

ATTACHMENT NO. 1

RESOLUTION NO. 2018-P007

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CULVER CITY, CALIFORNIA, RECOMMENDING TO THE CITY COUNCIL APPROVAL OF ZONING CODE AMENDMENT P2018-0158-ZCA, AMENDING CULVER CITY MUNICIPAL CODE (CCMC), TITLE 17 – ZONING (ZONING CODE) CHAPTERS 17.550 - VARIANCES, ADMINISTRATIVE MODIFICATIONS, REASONABLE ACCOMMODATIONS AND 17.610 - NONCONFORMING USES, STRUCTURES, AND PARCELS, AS SET FORTH IN EXHIBIT “A” ATTACHED HERETO.

(ZONING CODE AMENDMENT, P2018-0158-ZCA)

WHEREAS on September 12, 2018, the Planning Commission conducted a duly noticed public hearing on a City-initiated Zoning Code Text Amendment (P2018-0158-ZCA) amending Culver City Municipal Code (CCMC), Title 17 – Zoning (Zoning Code), Chapters 17.550 - Variances, Administrative Modifications, Reasonable Accommodations and 17.610 - Nonconforming Uses, Structures, and Parcels, fully considering all reports, studies, testimony, and environmental information presented; and,

WHEREAS, following conclusion of the public discussion and thorough deliberation of the subject matter, the Planning Commission determined, by a vote of __ to __, to recommend to the City Council approval of Zoning Code Amendment, P2018-0158-ZCA, as set forth herein below.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF CULVER CITY, CALIFORNIA, RESOLVES AS FOLLOWS:

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

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

4 The proposed Zoning Code Amendment is intended to correct ambiguities and clarify
5 the Administrative Modification and Nonconforming sections of CMC Title 17 – Zoning,
6 Chapters 17.550 - Variances, Administrative Modifications, Reasonable
7 Accommodations and 17.610 - Nonconforming Uses, Structures, and Parcels, in order
8 to improve the implementation of the Zoning Code, which implements the goals,
9 objectives, and policies of the General Plan. The existing Zoning Code language
10 addresses administrative modifications and nonconforming uses, structures, and
11 parcels. The proposed amendment will clarify and/or add code language that allows
12 processing of Administrative Modification requests for nonconforming parcels. The
13 proposed amendment creates internal consistency and guidelines that support General
14 Plan Land Use Element Implementation Measure 1.B – Code Revisions because said
15 amendment will eliminate impediments to reuse or rehabilitate nonconforming parcels
16 that are considered legal building sites with the granting of Administrative Modifications.

17 The amendment is consistent with General Plan Land Use Policy 1.E because it will
18 allow the potential for granting of Administrative Modifications if findings can be made
19 that support a balanced respect for the character of existing residences with new or
20 remodeled structures on nonconforming parcels.

21 Therefore the proposed Zoning Code Amendment does not conflict with the goals,
22 policies and strategies of any elements of the General Plan, nor create any
23 inconsistencies.

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

26 The proposed Zoning Code Amendment will ensure that the Zoning Code is clear and
27 internally consistent with regard to Administrative Modifications relating to legal
28 nonconforming parcels. It will provide clear language allowing Administrative
29 Modification processing for legal nonconforming parcels thereby permitting the
30 continued improvement and development of such parcels while respecting the character
31 of surrounding residential areas. The amendment will serve to improve the
32 implementation of the nonconforming section of the Zoning Code and restrict, if
33 appropriate, improvements on nonconforming parcel, should Administrative
34 Modifications findings not be made. Overall this will result in a more balanced
35 community as envisioned by the General Plan Land Use Element and Zoning Code and
36 the amendment will not be detrimental to the public interest, health, safety, convenience
37 and welfare of the City.

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

1 Proposed Zoning Code Amendment, P2018-0158-ZCA is considered a project pursuant
2 to the California Environmental Quality Act (CEQA). It is considered exempt from CEQA
3 pursuant to CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty
4 that there is no possibility that the project to amend Zoning Code; Chapters 17.550 –
5 Variances, Administrative Modifications, Reasonable Accommodations and 17.610 –
6 Nonconforming Uses, Structures, and Parcels will have a significant effect on the
7 environment. The project by itself, does not result in any physical changes in the
8 environment because it will only amend the code to extend an existing zoning standard
9 modification process for nonconforming parcels that does not result in a density increase
10 beyond what the zone designation allows.

11 **SECTION 2.** Pursuant to the foregoing recitations and findings, the Planning
12 Commission of the City of Culver City, California, hereby recommends to the City Council
13 approval of Zoning Code Amendment, P2018-0158-ZCA, as set forth in Exhibit A attached
14 hereto and made a part thereof.

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16 APPROVED and ADOPTED this 12th day of September, 2018.

17 _____
18 ED OGOSTA - CHAIRPERSON
19 PLANNING COMMISSION
20 CITY OF CULVER CITY, CALIFORNIA

21 Attested by:

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23 Susan Herbertson, Senior Planner
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