

ORDINANCE NO. 2018-_____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CULVER CITY, CALIFORNIA, AMENDING CULVER CITY MUNICIPAL CODE, TITLE 17 – ZONING (ZONING CODE), SECTION 17.300.025 – HEIGHT MEASUREMENT AND HEIGHT LIMIT EXCEPTIONS, AS SET FORTH IN EXHIBIT “A” ATTACHED HERETO.

(Zoning Code Amendment, P2018-0124-ZCA)

WHEREAS on July 11, 2018, after conducting a duly noticed public hearing on a City-initiated Zoning Code Amendment (P2018-0124-ZCA) amending Culver City Municipal Code (CCMC), Title 17 – Zoning (Zoning Code), Section 17.300.025 – Height Measurement and Height Limit Exceptions, and fully considering all reports, studies, testimony, and environmental information presented, the Planning Commission determined by a vote of 4 to 0, to continue the item to the meeting of July 25, 2018, with direction to staff to make certain revisions and provide additional information; and

WHEREAS on July 25, 2018, after conducting a duly noticed public hearing on a City-initiated Zoning Code Amendment (P2017-0124-ZCA) amending Culver City Municipal Code (CCMC), Title 17 – Zoning (Zoning Code), Section 17.300.025 – Height Measurement and Height Limit Exceptions, and fully considering all reports, studies, testimony, and environmental information presented, the Planning Commission adopted by a vote of 3 to 1, Resolution No. 2018-P004, recommending to the City Council approval of Zoning Code Amendment P2018-0124-ZCA, as set forth herein below; and

WHEREAS, on September 11, 2018, after conducting a duly noticed public hearing on a City-initiated Zoning Code Amendment (P2018-0124-ZCA) amending Culver City Municipal Code (CCMC), Title 17 – Zoning (Zoning Code), Section 17.300.025 – Height Measurement and Height Limit Exceptions, fully considering all reports, studies, testimony,

1 and environmental information presented, the City Council, by a vote of 5 to 0, introduced an
2 ordinance approving Zoning Code Amendment P2018-0124-ZCA (the "Ordinance"), as set
3 forth herein below.

4 WHEREAS, on September 24, 2018, the City Council, by a vote of ___ to ___,
5 adopted the "Ordinance", as set forth herein below.

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7 NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CULVER CITY,
8 CALIFORNIA, RESOLVES AS FOLLOWS:

9 **SECTION 1.** Pursuant to the foregoing recitations and the provisions of the
10 Culver City Municipal Code (CCMC), the following required findings for an amendment
11 to the Zoning Code, as outlined in CCMC Section 17.620.030.A, are hereby made:
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13 **1. The proposed amendment ensures and maintains internal consistency**
14 **with the goals, policies and strategies of all elements of the General Plan and**
15 **will not create any inconsistencies.**

16 The proposed Zoning Code Amendment is intended to address the inconsistencies
17 between the practical construction industry standards and practices and the Zoning
18 Code standards and requirements, and to address the challenges and constraints
19 of applying the current Zoning Code standards to actual construction situations as
20 they relate to the height and placement of roof-mounted structures for housing
21 mechanical equipment, elevators, stairways, tanks, towers, or similar equipment
22 required to operate and maintain the structure. This in turn is intended in order to
23 improve the implementation and enforcement of the Zoning Code, which
24 implements the goals, objectives, and policies of the General Plan. The existing
25 Zoning Code language provides allowances for projections of specified
26 architectural features and equipment rooms above specified building heights,
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1 including parapets, stairwells, mechanical equipment, elevator shafts, and similar
2 features. The proposed amendment will simply increase the height projection
3 allowance for a specified group of features, which includes elevators, and allow
4 greater flexibility in the placement of such structures in relation to the building. The
5 proposed amendment will create Zoning Code provisions and guidelines consistent
6 with General Plan Land Use Element Objective 4, *Neighborhood Conditions*, by
7 maintaining the quality design and living environment throughout the City through
8 the implementation of development standards that are realistic and practical, and
9 in line with industry standards. Therefore the proposed Zoning Code Amendment
10 does not conflict with the goals, policies and strategies of any elements of the
11 General Plan, nor create any inconsistencies.
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15 **2. The proposed amendment would not be detrimental to the public**
16 **interest, health, safety, convenience or welfare of the City.**

17 The proposed Zoning Code Amendment will modify the allowable height
18 projections above the building height and the associated placement standards for
19 specified roof-mounted structures in multi-family residential and non-residential
20 zones, and provide standards that continue to allow such structures but with height
21 and placement standards that are consistent with industry standards. The
22 amendment will serve to improve the implementation of the Zoning Code with
23 regard to these types of structures which are already allowed in multi-family
24 residential and non-residential zones in the City. Further, the proposed
25 amendment will continue to apply specific necessary development standards and
26 restrictions (new height limit) to ensure these types of structures on rooftops are
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1 allowed and approved in a manner consistent with the orderly and quality character
2 desired for the City, and in support of the public interest, health, safety,
3 convenience and welfare of the City.
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6 **3. The proposed amendment is in compliance with the provisions of the**
7 **California Environmental Quality Act (CEQA).**

8 Pursuant to Sections 15162 and 15168 of the California Environmental Quality Act
9 (CEQA), Zoning Code Text Amendment (P2018-0124-ZCA) is within the scope of the
10 Culver City General Plan Update Program EIR approved on September 24, 1996
11 (PEIR 1) and the Culver City Redevelopment Plan Amendment and Merger Program
12 Subsequent EIR approved on November 16, 1998 (PEIR 2). The circumstances
13 under which PEIR 1 and PEIR 2 were prepared have not significantly changed and no
14 new significant information has been found that would impact either PEIR 1 or PEIR 2;
15 therefore, no new environmental analysis is required.
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19 **SECTION 2.** Pursuant to the foregoing recitations and findings, the City
20 Council of the City of Culver City, California, hereby introduces the Ordinance
21 approving Zoning Code Amendment P2018-0124-ZCA, amending Culver City
22 Municipal Code (CCMC), Title 17 – Zoning Code, Section 17.300.025 – Height
23 Measurement and Height Limit Exceptions, as set forth in Exhibit A attached hereto
24 and made a part thereof.
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27 **SECTION 3.** Pursuant to Section 619 of the City Charter, this Ordinance shall
28 take effect thirty (30) days after the date of its adoption. Pursuant to Sections 616
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1 and 621 of the City Charter, prior to the expiration of fifteen days after the adoption,
2 the City Clerk shall cause this Ordinance, or a summary thereof, to be published in
3 the Culver City News and shall post this Ordinance or a summary thereof in at least
4 three places within the City.
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7 **SECTION 4.** The City Council hereby declares that, if any provision, section,
8 subsection, paragraph, sentence, phrase or word of this ordinance is rendered or
9 declared invalid or unconstitutional by any final action in a court of competent
10 jurisdiction or by reason of any preemptive legislation, then the City Council would
11 have independently adopted the remaining provisions, sections, subsections,
12 paragraphs, sentences, phrases or words of this ordinance and as such they shall
13 remain in full force and effect.
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17 APPROVED and ADOPTED this ____ day of _____, 2018.
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20 THOMAS AUJERO SMALL, MAYOR
City of Culver City, California

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22 ATTESTED BY:

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24 JEREMY GREEN, City Clerk

25 A18-00619
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APPROVED AS TO FORM:

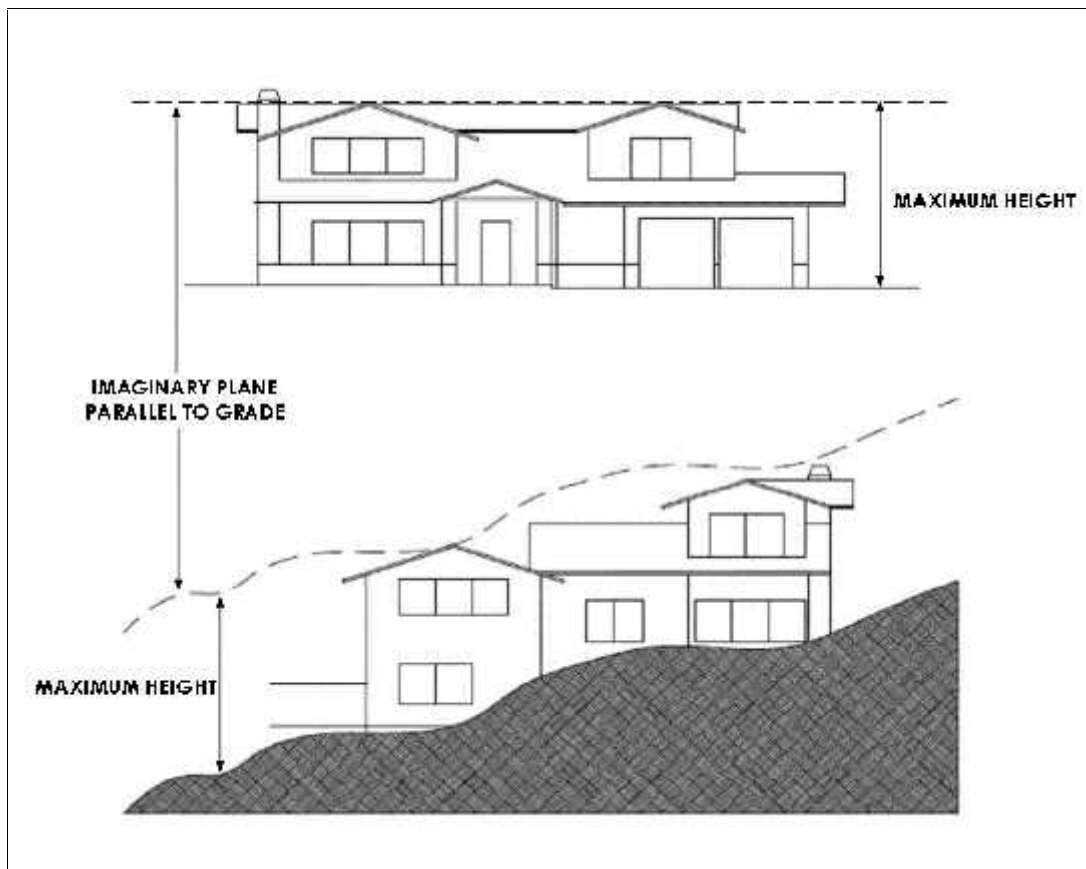

for CAROL SCHWAB, City Attorney

17.300.025 - Height Measurement and Height Limit Exceptions

All structures shall meet the following standards relating to height, except for fences and walls, which shall comply with Section 17.300.030 (Fences, Hedges, and Walls), and the allowable exceptions identified in Subsection 17.300.025.C. (Exceptions to Height Limits), below.

- A. **Maximum Height.** The height of structures shall not exceed the standard established by the applicable zoning district in Article 2 (Zoning Districts, Allowable Land Uses and Zone-Specific Standards).
- B. **Height Measurement.** The maximum allowable height shall be measured as the vertical distance from the existing grade of the site to an imaginary plane located the allowed number of feet above and parallel to the grade. See Figure 3-3 (Height Measurement), below. “Existing Grade” shall be established by the Director, consistent with parcels in the immediate vicinity, and shall not be, nor have been artificially raised to gain additional building height.

**Figure 3-3
Height Measurement**



C. Exceptions to Height Limits. Exceptions to the height limits identified in this Title shall apply in the following manner, except where otherwise required by the Building Code:

1. Notwithstanding any other regulation of this Title, the Council, after consideration of recommendation by the Commission, may by resolution establish a maximum building height for new construction in the Redevelopment Project Area Component Areas 1 through 3, consistent with the Design for Development established by the Redevelopment Agency.
2. ~~In multiple-family residential zones and non-residential zones,~~ Roof-mounted structures for the housing of mechanical equipment, antennas, elevators, stairways, tanks, towers, ventilating fans, or similar equipment required to operate and maintain the structure, shall be allowed; as follows, except that where the requirements for screening pursuant to Section 17.300.035.C.1 conflict with the requirements of this Section 17.300.025, such conflict shall be resolved at the discretion of the Director.
 - a. In multiple-family residential zones, up to a maximum of 13 feet 6 inches above the height of a building. Any roof mounted structure or equipment exceeding the parapet height shall be set back 5 feet from the edge of the structure ~~a minimum of 1 foot for every foot in height above the roof of which they are situated,~~ except stairs shall not be required to be set back from the edge of the structure.
 - b. In non-residential zones, up to a maximum of 13 feet 6 inches above the height of a building; except that elevators shall be allowed up to a maximum of 19 feet 6 inches above the height of a building.
3. Fire or parapet walls may extend up to 5 feet above the building height limit of the structure, and as may otherwise be required by the California Building Code.
4. In non-residential zones, architectural features that are non-habitable design elements such as spires, turrets, bell towers, clock towers, cupolas and similar design elements as determined by the Director, shall be allowed, up to a maximum of 13 feet 6 inches above the height of a building and are limited to 15% of the total roof area.
5. Chimneys may project up to 4 feet above the height of the building.
6. In non-residential zones, trellis and carport-style structures installed on a parking structure roof deck for the purpose of supporting solar panels and solar equipment and installations shall be allowed up to a maximum of 13 feet 6 inches above the height of a building.