

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

October 14, 2020  
7:00 p.m.

**Call to Order & Roll Call**

Chair Voncannon called the regular meeting of the Culver City Planning Commission to order at 7:01 p.m.

Present: David Voncannon, Chair  
Dana Sayles, Vice Chair  
Nancy Barba, Commissioner  
Ed Ogosta, Commissioner  
Andrew Reilman, Commissioner

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**Pledge of Allegiance**

Chair Voncannon led the Pledge of Allegiance.

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

Chair Voncannon invited public comment.

Ruth Martin del Campo, Administrative Clerk, discussed procedures for making public comment and indicated that no public comment had been received.

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**Consent Calendar**

Item C-1

**Approval of Draft Planning Commission Meeting Minutes of August 26, 2020**

MOVED BY VICE CHAIR SAYLES, SECONDED BY COMMISSIONER BARBA AND UNANIMOUSLY CARRIED, THAT THE PLANNING COMMISSION APPROVE MINUTES FOR THE PLANNING COMMISSION MEETING OF AUGUST 26, 2020.

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**Order of the Agenda**

No changes were made.

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**Public Hearings**

Item PH-1

**PC - Consideration of a Zoning Code Amendment (P2020-0238-ZCA), Amending Zoning Code Section 17.400.065 Related to Mixed-Use Development Standards to Include Affordable Housing Provisions**

Sol Blumenfeld, Community Development Director, provided background on the item; introduced Keyser Marston Associates Real Estate Economics Advisor, Kathe Head, discussed the jobs/housing imbalance; the need for affordable housing; the Housing Division Work Plan; the mandate for affordability with embedded density incentives; basic provisions; community benefits; local density bonuses; SB 1818; in lieu options; micro-unit housing density; layering local and state bonuses to achieve double density bonuses; the Mixed Use ordinance; street activation; affordability and owner occupied restrictions; mandatory replacement of existing units and affordable units; consistency with government code; location and unit mix of community benefit affordable units; encouragement regarding mixed use development conversions of commercial buildings; new development standards; deletion of the community benefits calculation; affordable qualifying incomes; the affordable housing plan and agreement; first time home buyer requirements for owner-occupied units; off-site units; land donations; regulations; administrative fees; the affordable housing implementation plan; and documents distributed to Commissioners.

Kathe Head, Keyser Marston Associates, Inc. (KMA), discussed types of inclusionary housing programs; the purpose of the Nexus study; the method used to arrive at the affordability level in the ordinance; developer incentives; density bonuses; mixed use; sub-areas; limited influence of the City; substituting affordable housing requirements instead of community benefits; allowing developers to receive a double density bonus; the feasibility analysis; application of a 15% affordable requirement on total units; workforce units; community benefit units; satisfying the missing middle; state density bonuses for rental projects; low to very low income units; and micro unit bonuses.

Discussion ensued between staff and Commissioners regarding encouraging increased density along corridors; the focus on mixed use rather than residential; the General Plan Update; staying out of residential areas with density increase; unintended consequences; effects of the rent control ordinance on project viability; clarification that the KMA study was done before the ordinance; impacts on the analysis and development; impacts to new mixed use development as part of the entitlement process; projects in the pipeline; efforts to streamline the process; concerns expressed at the meeting with developers; City subsidies; clarification regarding how what is being proposed is different than what is already in the code; consideration of projects on an ad hoc basis; allowing existing provisions to be layered; SB 1818; allowing 65 units per acre; the significant advantage being added; requirements no longer necessary in exchange for affordable housing; how the reduction in required commercial space relates to the ability of increased affordable housing; structural changes to how people buy goods and services; activating the street; appropriate ground floor uses; providing flexibility on a case-by-case basis; proposed changes to require a shared parking analysis; consistency and conformance with state law; parking maximums; ensuring an adequate, but not excessive parking supply; potential mobility penalties to restrict the amount of parking provided; upcoming amendments to SB 330; enforcement; adding a statement to indicate that any changes to state law be made part of the ordinance; adding an implementation manual; the Community Benefit Housing Agreement; management and administration of units; qualified affordable housing developers; in lieu fees; Extremely Low Income (ELI) Set-Aside for permanent supportive housing; incentives; mixed use units used to fulfill the missing middle; applicability; implementation and vesting; options discussed; and Commission recommendation.

Michael Allen, Current Planning Manager, presented a summary of proposed mixed-use ordinance text amendments; discussed Regional Housing Needs Assessment (RHNA) numbers; unmet need; inclusionary housing; providing additional affordability with increased incentives; use of a sliding scale; addressing small and medium-sized projects; providing flexibility in the ordinance; alignment with inclusionary ordinances in surrounding areas; double density bonuses on pilots projects; neighborhood feedback; focusing the increased density on commercial corridors; unintended consequences; density bonuses in residential zones; in-between areas; microunits; market demand; exclusion of lots; land-use; boundaries; offsite units; land conveyance; regulations that the Planning Commission does not review; the process; the decision-making body; donated land; distribution of affordable units within a building; City discretion with regard to approval of off-site affordable units; compliance with AB 1505; basic requirements; application of more strict requirements; land dedication or offsite approval to achieve City goals and objectives; calculation of in lieu fees; feasibility studies; changing market conditions; rehabilitation of commercial property; providing opportunity to create more units; defining what constitutes rehabilitation; referencing non-conforming building codes in the zoning code to provide more direction; major transit stops; the open space provision; redesignation of properties to allow affordable housing to be built; and consistency between the General Plan and the zone.

MOVED BY COMMISSIONER OGOSTA, SECONDED BY COMMISSIONER REILMAN AND UNANIMOUSLY CARRIED, THAT THE PLANNING COMMISSION OPEN THE PUBLIC HEARING.

Chair Voncannon invited public comment.

Ruth Martin del Campo, Administrative Clerk, indicated that no public comment had been received.

MOVED BY COMMISSIONER BARBA, SECONDED BY COMMISSIONER REILMAN AND UNANIMOUSLY CARRIED, THAT THE PLANNING COMMISSION CLOSE THE PUBLIC HEARING.

Discussion ensued between staff and Commissioners regarding clarification that the Commission had agreed upon changes in Section K to add a reference to state statutes so the ordinance does not have to be altered every time there is a change, as well as adding a reference in Section E to provide more guidance regarding the rehabilitation of buildings; support for encouraging affordable housing; concern with the way the

ordinance was presented; concern with a piecemeal process; Task Force notes; concern with broad-based policies not being thought through in a comprehensive manner and coming forward with an artificial deadline; band-aids while waiting for the General Plan; Housing as a number one priority for the state; the feeling that the issue should be considered holistically; support for the item, but concern that it is not broad enough; concern that the incentive would only apply to workforce housing and therefore the ordinance would not be an inclusionary ordinance; allowing for density and incentives; principles that conflict with fundamental laws; providing incentives that also include height and extra building area; by-right vs. discretionary; reducing minimum unit sizes; support for automatic vesting; the need to get an ordinance in place to provide a deeper and broader level of affordability; whether an in-depth study is necessary; identifying the best place for increased density; addressing RHNA and accommodating demand for housing production; the need for good housing policy; the importance of further study before requiring increased density in residential zones; applicability of the projects; larger mixed-use projects; preferred housing type; market determinations; the aim to get additional workforce housing; the prevalence of developer utilization of the very low income requirement due to the density yielded; the double bonus; incentive to use the state density bonus; inclusionary housing; mitigation of income and affordability requirements; financial benefit; an observation that there are not a lot of density bonus projects unless there is another affordability requirement; significant financial benefit; the way state density bonus was written; the 11% very low income requirement vs. the 22% low income requirement; developer focus; workforce housing; financial incentives to go to a deeper level of affordability; the mix of low-density and affordable units; and creating a balance of objectives.

Additional discussion ensued between staff and Commissioners regarding vesting maps; statutory requirements; whether or not a project being in plan check should be a measure; determining which projects in the pipeline should be allowed to proceed; vesting; the mechanism for developers to seek vesting rights through SB 330; serial plan submission; foundation-only plans; policy issues about what should be considered; the belief that there is a housing shortage; the focus of the developers on lucrative projects; appreciation for the effort put into the process; limitations on geography; the fact that all mixed-use projects are subject to the ordinance; the need to change zoning

in Fox Hills if a mixed use project is to be built; clarification that the item is a text amendment and zoning changes are not part of this process; the General Plan process; geographically specific areas; the Transit Oriented District; Transit Priority Areas; clarification that most of the City would be subject to the increased density; determining the point in the process when a project should not be impacted by changes to the ordinance; fairness; the need for a substantially complete plan submittal; other cities with clear vesting language; payment of complete plan check fees and a substantially complete submittal; concern with allowing developers to pay their way out of affordability; exemptions for extraneous offsites; performance provisions; building permit vesting; entitlement level vesting; a specific project moving forward on certain economic assumptions that cannot sustain the addition of requirements; language in the current code regarding text code amendments; projects currently in process; providing consistency; existing code cycles; maintaining consistency with surrounding areas; concern with allowing developers to drag the process out; advance notice regarding building code change; concern with imprecise language in terms of what is considered "substantially complete"; legal assistance in drafting ordinance language; escalating percentages for differing levels of affordability; carrot driven approaches in the formula; policy vs. financial objective; identifying a way to get workforce housing; discussion with the City Council; simplicity of the ordinance; making the ordinance easier to use, understand and administer; providing housing at the low-end which is an HCD requirement; and the end result of getting more workforce housing for the missing middle which is what the City Council wants and accommodating very-low income units which is what HCD wants.

Chair Voncannon reviewed changes including adding a Section D to reference state statutes and changes made thereto in Section K; adding a lower case d to reference non-conforming structures for rehabilitation of commercial buildings in Section E; and adding a Section on implementation to reference language from the City of Los Angeles for when a project becomes immune to this particular ordinance which only affects a small universe of projects and is only applicable until the ordinance goes into effect.

Further discussion ensued between staff and Commissioners regarding shared parking; mandating a shared parking analysis to ensure that parking is shared; making parking requirements

less restrictive; agreement to add language to indicate "consistent with state law"; a shared parking study vs. a parking demand study; providing flexibility within the language; the intent to share parking in a deeper way for mixed-use projects; and staff agreement to re-examine language to ensure that something is not being mandated on a project that is meeting code-required parking and should not legally have to conduct that type of study.

MOVED BY COMMISSIONER OGOSTA, SECONDED BY COMMISSIONER REILMAN AND UNANIMOUSLY CARRIED, THAT THE PLANNING COMMISSION APPROVE THE ATTACHED RESOLUTION NO. 2020-P014 (ATTACHMENT NO. 1) RECOMMENDING TO THE CITY COUNCIL APPROVAL OF ZONING CODE AMENDMENT (P2020-0238-ZCA), AMENDING CULVER CITY MUNICIPAL CODE (CCMC), TITLE 17 - ZONING (ZONING CODE) SECTION 17.400.065 - MIXED USE DEVELOPMENT STANDARDS, RELATING TO THE MIXED-USE DEVELOPMENT STANDARDS AND REGULATIONS TO REQUIRE A MANDATORY PERCENTAGE OF AFFORDABLE HOUSING AS PART OF NEW MIXED-USE DEVELOPMENT PROJECTS WITH MODIFICATIONS AS DISCUSSED.

Sol Blumenfeld, Community Development Director, indicated that changes would be made as requested and staff would share wording changes with regard to vesting.

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

Chair Voncannon invited public comment.

Ruth Martin del Campo, Administrative Clerk, indicated that no public comment had been received.

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#### **Receipt of Correspondence**

Ruth Martin del Campo, Administrative Clerk, indicated that no correspondence had been received.

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#### **Items from Planning Commissioners/Staff**

Michael Allen, Current Planning Manager, discussed scheduling and items to be considered at upcoming meetings.

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**Adjournment**

There being no further business, at 10:06 p.m., the Culver City Planning Commission adjourned to a meeting to be held on November 18, 2020.

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SUSAN HERBERTSON  
SENIOR PLANNER of the CULVER CITY PLANNING COMMISSION

APPROVED \_\_\_\_\_

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DAVID VONCANNON  
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 Green  
CITY CLERK

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Date