ORDINANCE NO. 2021-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CULVER CITY, CALIFORNIA, APPROVING CITY-INITIATED ZONING CODE AMENDMENT P2021-0050-ZCA AND ZONING CODE MAP AMENDMENT P2020-0050-ZCMA, AMENDING CULVER CITY MUNICIPAL CODE (CCMC) TITLE 17: ZONING CODE; SECTION 17.210 – RESIDENTIAL ZONING DISTRICTS, 17.300 – GENERAL PROPERTY DEVELOPMENT AND USE STANDARDS, 17.320 – OFF-STREET PARKING AND LOADING; 17.400 – STANDARDS FOR SPECIFIC LAND USES, AND 17.700 – DEFINITIONS TO CLARIFY EXISTING CODE SECTIONS AND UPDATE THE CITY ZONING MAP WITH THE PREVIOUSLY ADOPTED RESIDENTIAL HILLSIDE (-RH) OVERLAY.

(Zoning Code Amendment, P2021-0050-ZCA and
Zoning Map Amendment, P2021-0050-ZCMA)

WHEREAS, on April 28, 2021, after conducting a duly noticed public hearing on City-initiated Zoning Code Text Amendment (P2021-0050-ZCA) and Zoning Code Map Amendment (P2021-0050-ZCMA), amending Culver City Municipal Code (CCMC) Title 17: Zoning Code; Section 17.210 – Residential Zoning Districts, 17.300 – General Property Development and Use Standards, 17.320 – Off-Street Parking and Loading; 17.400 – Standards For Specific Land Uses, And 17.700 – Definitions to clarify existing code sections and update the City Zoning Map with the previously adopted Residential Hillside (-RH) Overlay, fully considering all reports, studies, testimony, and environmental information presented, the Planning Commission, by a vote of 4 to 1, recommended to the City Council approval of Zoning Code Amendment P2021-0050-ZCA and Zoning Code Map Amendment P2020-0050-ZCMA; and

WHEREAS, on June 28, 2021, after concluding the duly noticed public hearing on City-initiated Zoning Code Text Amendment (P2021-0050-ZCA) and Zoning Code Map Amendment (P2021-0050-ZCMA), amending Culver City Municipal Code (CCMC) Title 17: Zoning Code; Section 17.210 – Residential Zoning Districts, 17.300 – General Property

Development and Use Standards, 17.320 – Off-Street Parking and Loading; 17.400 – Standards For Specific Land Uses, And 17.700 – Definitions to clarify existing code sections and update the City Zoning Map with the previously adopted Residential Hillside (-RH) Overlay, fully considering all reports, studies, testimony, and environmental information presented, the City Council, by a vote of __ to __, introduced an ordinance to approve Zoning Code Amendment P2021-0050-ZCA and Zoning Code Map Amendment P2020-0050-ZCMA, as set forth herein below.

NOW, THEREFORE, The City Council of the City of Culver City, California, DOES HEREBY ORDAIN as follows:

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

There are several unintended discrepancies in the Zoning Code that require correction and/or update to apply the Zoning Code effectively and consistently. The proposed Zoning Code Amendments are intended to create consistency between various single-family residential development and accessory dwelling unit standards as well as micro-unit standards for mixed-use development projects. These amendments implement the goals, objectives, and policies of the General Plan and create internal consistency furthering General Plan Land Use Element Implementation Measure 7 – Continue Current Planning Administration. The measure states that Planning staff will assist property owners and developers in the day-to-day administration of General Plan policies and Zoning Code regulations that implement those policies. These amendments will assist in that administration and implementation. The proposed Zoning Code Amendment does not conflict with the goals, policies, and strategies of any elements of the General Plan, nor create any inconsistencies.

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

There are several unintended discrepancies in the Zoning Code that require correction and/or update to apply the Zoning Code effectively and consistently. The proposed Zoning Code Text Amendments will help to ensure that the Zoning Code is clear and internally consistent regarding single-family residential, accessory dwelling unit, and micro-unit development. The amendments will serve to improve Current Planning's implementation of General Plan policies and Zoning standards affecting residential property owners and developers. The amendments support the public interest, health, safety, convenience, and welfare of the City.

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

The Project is considered exempt from CEQA pursuant to CEQA Guidelines Section 15061(b) (3) because it can be seen with certainty that there is no possibility that the Project to amend the Zoning Code will have a significant effect on the environment. The Project itself, does not result in any physical changes in the environment because it only clarifies and updates various discrepancies in the Zoning Code, and does not result in changes to existing land use, density, or an intensification of development beyond what the Zoning Code currently allows.

SECTION 2. ZONING CODE MAP AMENDMENT Pursuant to the foregoing recitations and the provisions of the CCMC, the following required findings for an amendment to the Zoning Map, as outlined in CCMC Section 17.620.030.A and 17.620.030.B, are hereby made:

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

The proposed Zoning Code Map Amendment is intended to facilitate accurate zoning information for property owners and developers developing property within the Residential Hillside (-RH) Overlay. The amendment implements the goals, objectives, and policies of the General Plan and create internal consistency furthering General Plan Land Use Element Implementation Measure 7 – Continue Current Planning Administration. The measure states that Planning staff will assist property owners and developers in the day-to-day administration of General Plan policies and Zoning Code regulations that implement those policies. The Zoning Code Map Amendment will assist in that administration and implementation. The proposed Zoning Code Map Amendment does not conflict with the goals, policies, and strategies of any elements of the General Plan, nor create any inconsistencies.

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

The addition of the Residential Hillside Overlay Zone to the City Zoning Code Map identifies the boundaries of the previously adopted Overlay Zone. The Residential Hillside Overlay Zone was adopted as the result of a study to determine appropriate measures to better regulate single-family residential design and construction in hillside neighborhoods. The Residential Hillside Overlay Zone ensures that new construction is not detrimental to the ability of the Culver Crest, Blair Hills, and Hetzler Road neighborhoods to provide high quality living conditions for residents in regard to building size and slope stability. The map update will identify the Residential Hillside Overlay Zone on the City Zoning Code Map to facilitate implementation of the development regulations. The Zoning Code Map Amendment illustrating the previously adopted overlay zone will help to facilitate the implementation of the Residential Hillside Overlay Zone and will therefore not be detrimental to the public interest, health, safety, convenience, or welfare of the City.

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

The Project is considered exempt from CEQA pursuant to CEQA Guidelines Section 15061(b) (3) because it can be seen with certainty that there is no possibility that the Project to amend the Zoning Code Map will have a significant effect on the environment. Modifications to the Zoning Code Map will identify the boundary of the previously adopted Residential Hillside Overlay (-RH) zone. The Residential Hillside Overlay did not result in changes to existing land use, density, or an intensification of development beyond what the Zoning Code currently allows.

4. The Site is physically suitable (including access, provision of utilities, compatibility with adjoining land uses and absence of physical constraints) for the requested zoning designation(s) and anticipated land use development.

The subject properties within the Residential Hillside Overlay Zone are already developed or exist within a previously developed single-family hillside neighborhood. Any new construction would be held to the Overlay standards which were adopted to create compatibility with the unique topography of the neighborhoods.

SECTION 3. Pursuant to the foregoing recitations and findings, the City Council of the City of Culver City, California, hereby introduces the Ordinance approving Zoning Code Text Amendment (P2021-0050-ZCA) and Zoning Code Map Amendment (P2021-0050-ZCMA), amending Culver City Municipal Code (CCMC) Title 17: Zoning

Code; Section 17.210 – Residential Zoning Districts, 17.300 – General Property Development and Use Standards, 17.320 – Off-Street Parking and Loading; 17.400 – Standards For Specific Land Uses, And 17.700 – Definitions to clarify existing code sections and update the City Zoning Map with the previously adopted Residential Hillside (-RH) Overlay, as set forth in Exhibit "A" attached hereto and made a part thereof.

SECTION 4. Pursuant to Section 619 of the City Charter, this Ordinance shall take effect thirty (30) days after its adoption. Pursuant to Section 616 and 621 of the City Charter, prior to the expiration of 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 5. 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 June 2021.

ALEX FISCH, Mayor
City of Culver City, California

ATTESTED BY:

JEREMY GREEN, City Clerk
A21-00100

APPROVED AS TO FORM:

for CAROL SCHWAB, City Attorney

§ 17.210.015 RESIDENTIAL ZONING DISTRICT LAND USES AND PERMIT REQUIREMENTS.

A. General Requirements. Table 2-2 (Allowed Uses and Permit Requirements for Residential Zoning Districts) identifies the uses of land allowed by this Zoning Code in each residential zoning district, and the land use permit required to establish each use, in compliance with Subsection 17.200.020.B. (Determination of Allowable Land Uses and Permit Requirements).

Note: Where the last column in the tables ("See Specific Use Regulations") includes a section number, the regulations in the referenced section apply to the use; however, provisions in other sections of this Title may also apply.

TABLE 2-2 ***Allowed Uses and Permit Requirements for Residential 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**:
	R1	***R2***	***R3***	***RLD***	***RMD***	***RHD***	
RESIDENTIAL							
Accessory Dwelling Units and Junior Accessory Dwelling Units	P	P	P	P	P	P	17.400.095

Notes:

(1) See Article 7 for definitions of the land uses listed.
(2) Use only allowed on a site designated for such use by the General Plan.
(3) Use only allowed on a site declared by the Culver City Unified School District.
(4) Use only allowed on a site of 5 acres or more.
(5) Use only allowed on a site owned and controlled by the City or other governmental agency.
(6) Use is subject to only those restrictions that apply to other residential uses of the same type in the same zone.

§ 17.210.020 RESIDENTIAL ZONING DISTRICTS DEVELOPMENT STANDARDS.

A. General Requirements. Subdivisions, new land uses and structures, and alterations to existing land uses and structures in the R1, R2 and R3 zones shall conform to the requirements in Table 2-3 (Residential Districts Development Standards - R1, R2, R3). Subdivisions, new land uses and structures, and alterations to existing land uses and structures in the RLD, RMD and RHD zones shall conform to the requirements in Table 2-4 (Residential District Development Standards - RLD, RMD, RHD). In addition, the applicable development standards in Article 3 (Site Planning and General Development Standards) apply to all residential zoning districts.

Table 2-3
Residential Districts Development Standards (R1, R2, R3)

Development Feature	***Requirement by Zoning District***		
	R1	***R2***	***R3***
Minimum lot area (1)	5,000 square feet or the average area of residential lots within a 500-foot radius of proposed subdivision, whichever is greater.		
Lot width (2)	50 feet		
Lot depth	100 feet		
Maximum number of dwelling units allowed per parcel (3)	1 unit	2 units	3 units
Dwelling size	***Maximum and minimum allowed floor area.***	***Maximum and minimum allowed floor area, not including any garage or other non- habitable space.***	
Maximum floor area (6)	.45 Floor Area Ratio (FAR)	1,500 square feet plus 40% of net lot area for parcels less than 8,000 square feet;60% of net lot area for parcels 8,000 square feet or more.	
Minimum area	1,000 square feet on the ground floor.	1,000 square feet for a single-family unit;750 square feet/unit in a duplex.	1,000 square feet for a single-family unit;750 square feet for a duplex or triplex.
Setbacks (4)	*Minimum setbacks required. See § 17.300.020* (Setback Regulations and Exceptions).		

<table>
<tr><td>Front</td><td>Single story structures - 20 feet
Two story structures - 20 feet; 25 feet for second story, as defined by this Title, or any roof or portion of a roof, parapet wall, or front yard-facing façade that exceeds a height of 18 feet</td><td>15 feet</td><td>10 feet or one half the building height, whichever is greater.</td></tr>
<tr><td>Interior sides (each)</td><td>5 feet minimum.

No structure shall encroach upon a 1:1 upward- and inward-inclining setback plane starting from 18 feet above any interior side lot line.</td><td rowspan="2">4 feet</td><td rowspan="2">5 feet</td></tr>
<tr><td>Street side (corner)</td><td>5 feet single story structure

5 feet two story structures; plus minimum 5 feet stepback for second floor

10 feet - two story structures without minimum 5 feet second floor stepback</td></tr>
<tr><td>Rear</td><td>15 feet</td><td colspan="2">10 feet</td></tr>
<tr><td>Minimum distance between structures</td><td colspan="3">5 feet between accessory residential structures and accessory dwelling units; 5 feet between primary dwelling units and accessory residential structures and accessory dwelling units.
8 feet between detached dwelling units.</td></tr>
</table>

Open space	Minimum area of a site to remain uncovered by structures, in compliance with § 17.400.100 (Residential Uses - Accessory Residential Structures).	
Private	None required other than setbacks.	
Common	None required.	
Height limit (4)(5)	Flat roofs (less than a 3:12 slope) - 2 stories and 27 feet Sloped roofs (equal to or greater than a 3:12 slope and equal to or less than a 1:1 slope) - 2 stories and 30 feet	2 stories and 30 feet
Roof decks	Rooftop decks above 18 feet in building height shall be set back 5 feet from ~~the~~ any building edge along a side yard.	Permitted, subject to other provisions in this Title.
Landscaping	As required by Chapter 17.310 (Landscaping).	
Parking	As required by Chapter 17.320 (Off-S~~s~~treet Parking and Loading).	
Signs	As required by Chapter 17.330 (Signs).	

Notes:

(1) Minimum lot area for parcels proposed in new subdivisions and lot line adjustments. Condominium, townhome, or planned development projects may be subdivided with smaller parcel sizes for ownership purposes, with the minimum lot area determined through the subdivision review process, provided that the overall development site complies with the minimum lot size requirements of this Chapter.

(2) Minimum required width measured at the street property line, except as otherwise provided by § 15.10.700. (Subdivision Design Standards) for curved lot frontages and flag lots.

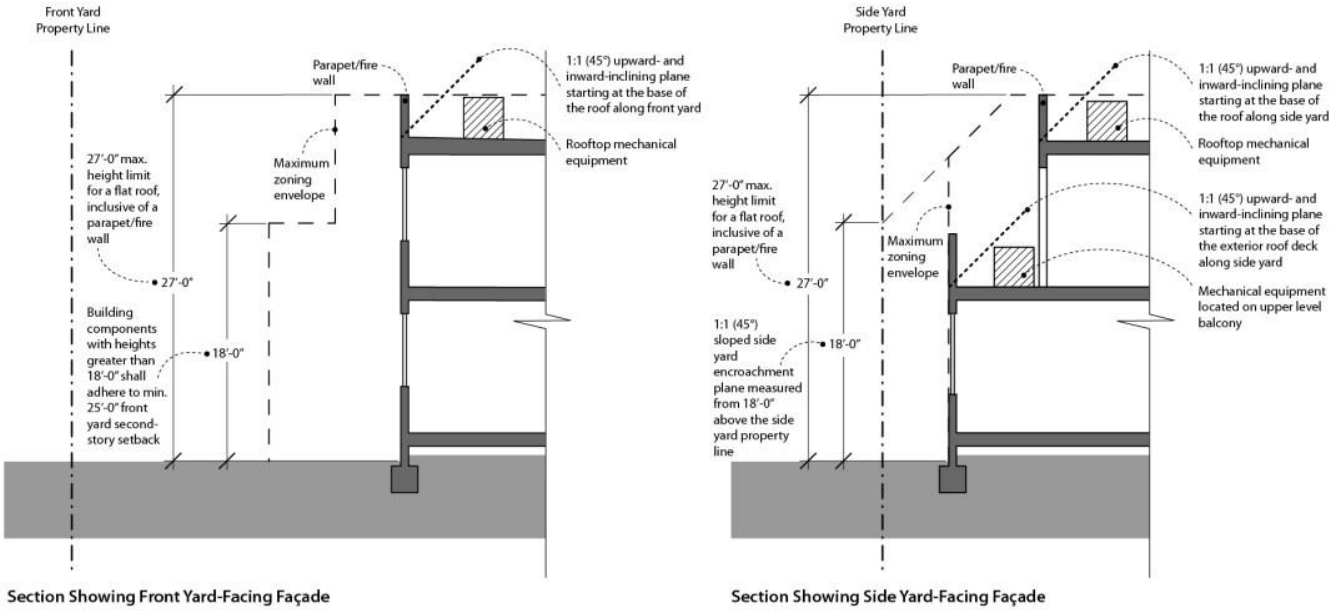
(3) For standards for Accessory Dwelling Unit, see § 17.400.095.

(4) For standards for Accessory Residential Structures, see § 17.400.100.

(5) For standards for Height Measurement and Height Limit Exceptions, see § 17.300.025.

(6) The floor area of basements shall not be included in the Maximum floor area.

~~**Figure 2-C 1:1 Allowable Placement for Roof-Mounted and Upper-Story Mechanical Equipment**~~



§ 17.210.025 DEFINITIONS FOR THE R1 ZONE.

4. Floor Area, Residential. In the R1 Zone, residential floor area shall include any floor area, confined from exterior wall to exterior wall, within the main dwelling unit, accessory structures, and garages, with the exception that attached and detached ~~a~~Accessory ~~d~~Dwelling ~~u~~Units and Junior Accessory Dwelling Units shall not be counted towards FAR and garages located in the rear one-half (1/2) of the lot shall not be counted towards FAR. On a typical lot type defined by Figure 7-1 (Examples of Lot Types), the "rear one-half (1/2) of the lot" shall be defined as the area between the rear property line and the midline between the front and rear yard property lines. On any lot type not represented in Figure 7-1, the garage exemption from FAR shall be determined by the Community Development Director. Interior areas with ceiling heights greater than 14 feet shall be counted twice towards the floor area with the exception that the first 250 square feet of such areas shall be counted only once towards the floor area.

§ 17.300.025 HEIGHT MEASUREMENT AND HEIGHT LIMIT EXCEPTIONS.

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.

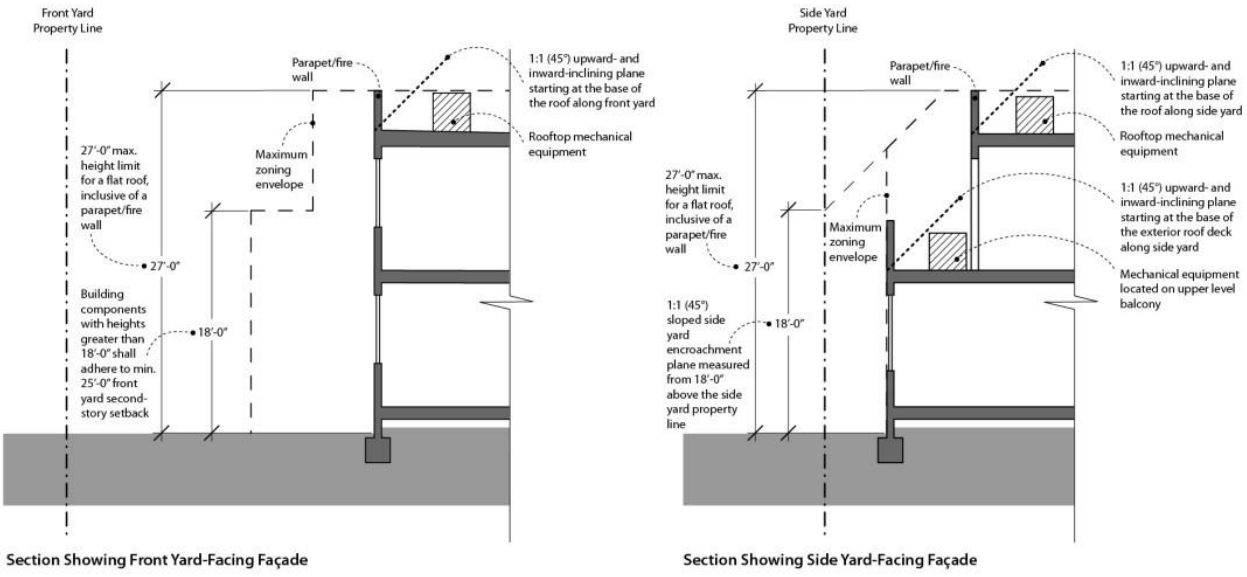
2. Roof-mounted structures for the housing of mechanical equipment, antennas, elevators, stairways, tanks, towers, ventilating fans, or similar equipment required to operate and maintain the structure, shall be allowed as follows, except that where the requirements for screening pursuant to Section 17.300.035.C.1. 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, 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.

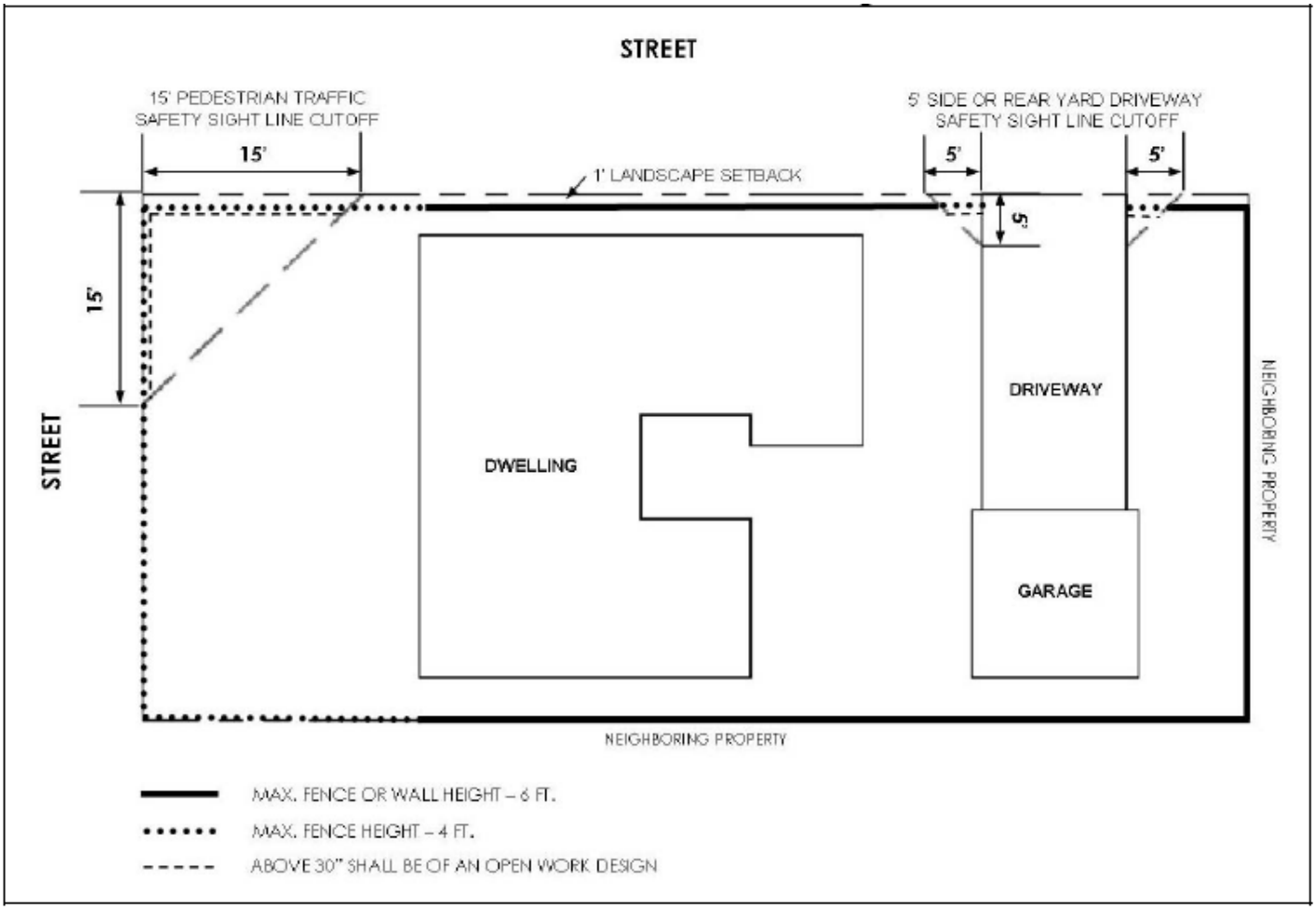
c. In single-family residential zones, mechanical equipment located on roofs, upper level terraces, patios and balconies, and structures housing mechanical equipment shall not exceed the maximum zoning envelope and shall not encroach upon a 1:1 upward- and inward-inclining plane starting at the base of the roof or exterior deck surface along front and side yard-facing façades.

Figure 3-4
1:1 Allowable Placement for Roof-Mounted and Upper-Story Mechanical Equipment



§ 17.300.030 FENCES, HEDGES, AND WALLS.

~~Figure 3-4~~ Figure 3-5
Measurement of Fence or Wall Height



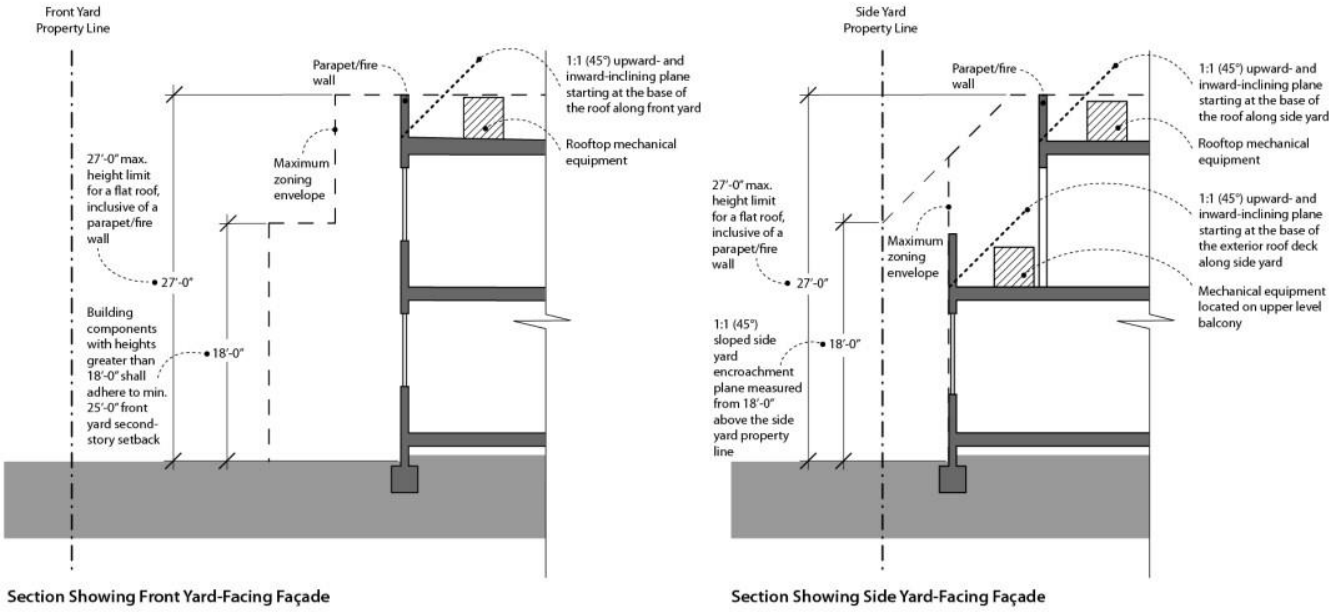
§ 17.300.035 SCREENING.

C. Mechanical Equipment, Loading Docks, and Refuse Areas.

1. Mechanical equipment (e.g., air conditioning, heating, exhaust, and ventilation ducts, and the like), loading docks, refuse and recyclable materials storage areas, and utility services shall be screened from public view from adjoining public streets and rights-of-way, and surrounding area(s) zoned for residential or open space uses as determined by the Director. In single-family residential zones, mechanical equipment located on roofs, upper level terraces, patios and balconies, and structures housing mechanical equipment shall not exceed the maximum zoning envelope and shall not encroach upon a 1:1 upward- and inward-inclining plane starting at the base of the roof or exterior deck surface

along front and side yard-facing façades.

Figure 3-6
1:1 Allowable Placement for Roof-Mounted and Upper-Story Mechanical Equipment



§ 17.320.020 - NUMBER OF PARKING SPACES REQUIRED.

H. Table 3-3. Parking Requirements by Land Use.

1. Residential uses.

Table 3-3A	
Land Use Type: Residential	***Vehicle Spaces Required***
Accessory ~~d~~Dwelling ~~u~~Units	~~1 uncovered space in addition to that required for the primary dwelling unit(s).~~ None. (3)
Junior Accessory Dwelling Units	None. (3)

Notes:

(1) See Subsection 17.320.035.N. (Special Requirements for Residential Uses).

(2) Any parking reductions not otherwise authorized by this Code or state law shall require approval by resolution of the City Council.

(3) ~~Unless the following applies: 1.) The Accessory Dwelling Unit is located within 1/2 mile of a public transit stop; 2.) It is located within a historic district; 3.) Located entirely within an existing primary residence or an existing accessory structure, where no additional floor area is created; 4.) In an area where on- street parking permits are required, but not offered to the occupant of the accessory dwelling unit; or 5.) Located within 1 block of a car share facility.~~ When existing off-street parking for the primary

dwelling unit is demolished or converted in conjunction with the construction of an Accessory Dwelling Unit or Junior Accessory Dwelling Unit, no replacement parking is required.

(4) Studio micro-units and single room occupancy units within the TOD District depicted in Map 4-1 of § 17.400.065.E are not required to provide parking.

§ 17.320.035 PARKING DESIGN AND LAYOUT GUIDELINES.

N. Special Parking Requirements for Residential Uses.

1. **Driveway length.** In R1, R2, and R3 Zones, access for every required parking space shall be provided by a paved driveway not less than 20 feet in length, measured from the end of the parking space to the nearest public or private street right-of-way line from which access to parking is provided. In the R1 Zone, front-facing garages shall be set back at least 25 feet from the front property line.

§ 17.400.065 MIXED USE DEVELOPMENT STANDARDS.

E. General Development Standards.

3. **Residential Density.** Residential density shall not exceed 35 dwelling units per acre (1 unit per 1,245 square feet of lot area), except as defined below.

   b. **Studio Micro-Unit Community Benefit Density:** If a project includes 5 or more residential units and includes studio micro-units at 350 sq. ft. each, subject to the limitation of ~~pursuant to~~ Subsection G.2 and provides the Community Benefit Affordable Units in conformance with Subsection ~~1)a.a.1.L,.~~L., Community Benefit Incentive, then the Community Benefit Density described in Subsection E.3.a. may be increased by up to 14% based on the following sliding scale:~~.~~

Percentage of Micro-Units in Project	Percentage Density Bonus Awarded		Percentage of Micro-Units in Project	Percentage Density Bonus Awarded
10	6.5		18	10.5
11	7		19	11
12	7.5		20	11.5
13	8		21	12
14	8.5		22	12.5
15	9		23	13
16	9.5		24	13.5
17	10		25	14

G. Residential Development Standards.

2. **Unit size mix.** ~~Except within the TOD District, or when located within ½ mile of a "major transit stop" or within a "transit priority area" as defined under Section 450.216 or 450.322 of Title 23 of the Code of Federal Regulations, no~~No more than 25% of the total number of residential units shall be studios or micro-units.

§ 17.400.095 RESIDENTIAL USES - ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS.

Subsections A through K ~~This Section~~ establish~~es~~ the standards for the development of an Accessory Dwelling Unit and Subsection L establishes the standards for the development of a Junior Accessory Dwelling Unit, in compliance with Article 2 (Zoning Districts, Allowable Land Uses and Zone-Specific Standards):

A. Minimum Lot Size. No minimum lot size shall be required for an accessory dwelling unit.

B. Maximum Unit Size.

1. The maximum permitted unit size of an attached accessory dwelling unit, or an accessory dwelling unit located entirely within a proposed or existing primary dwelling unit, shall not exceed 850 square feet for a one-bedroom unit or 1,200 for a two or more-bedroom unit, or 50% of the gross square footage of the primary dwelling unit on the lot, whichever is less.

2. The maximum permitted size of a detached accessory dwelling unit shall not exceed 850 square feet for a one-bedroom unit or 1,200 square feet for a two or more-bedroom unit.

3. Nothing in this Section shall prohibit any accessory dwelling unit that is at least 800 square feet, 16 feet in height, with four-foot side and rear yard setbacks, provided that the accessory dwelling unit is constructed in compliance with all other development standards of this Title.

4. Maximum permitted unit size shall include any floor area, including basements and lofts, confined from exterior wall to exterior wall.

C. Minimum Unit Size. The minimum unit size of an attached or detached accessory dwelling unit shall be at least 150 square feet, including a ~~partial~~ kitchen and at least one three-quarter bathroom.

D. Zones in which Accessory Dwelling Units may be Constructed. The construction, use, and maintenance of accessory dwelling units shall ~~only~~ be permitted in areas zoned to allow single-family or multifamily dwelling residential use. ~~Residential Zones indicated in Table 2-3 of Chapter 17.210 of this Title, and in multi-~~

~~family dwelling units provided in § 17.400.095.E.3.~~ For purposes of this Section 17.400.095, a multi-family dwelling unit shall indicate two or more dwelling units on a single property.

E. **Accessory Dwelling Unit Density**~~. Except as otherwise provided in this Section~~, ~~n~~No more than one accessory dwelling unit is allowed on a property containing single family dwellings, except that an accessory dwelling unit may be combined with a junior accessory dwelling unit described in Subsection L. More than one accessory dwelling unit ~~shall be~~ is allowed on a property containing multi-family dwellings under one of the following circumstances:

~~**1.** One accessory dwelling unit and one junior accessory dwelling unit, as defined by Cal. Gov't Code § 65852.22, shall be allowed on a property subject to the following conditions:~~

~~a. Both units are located entirely within a proposed or existing primary dwelling unit or accessory structure and do not include an expansion of more than 150 square feet beyond the same physical dimensions as the existing accessory structure for purposes of accommodating ingress and egress.~~

~~b. Both units have exterior access from the proposed or existing primary dwelling unit.~~

~~c. Both units maintain side and rear setbacks sufficient for fire and safety.~~

~~d. The junior accessory dwelling unit complies with the requirements of Cal. Gov't Code § 65852.22.~~

~~**2.** One detached, new construction, accessory dwelling unit and one detached junior accessory dwelling unit, as defined by Cal. Gov't Code § 65852.22, shall be allowed on a property subject to the following conditions:~~

~~a. The combined total floor area of the accessory dwelling unit and junior accessory dwelling unit shall not exceed 850 square feet.~~

~~b. Maximum building height of each unit shall not exceed 16 feet.~~

~~c. Each unit shall maintain a minimum of four feet side and rear yard setbacks.~~

~~d. The accessory dwelling unit and the junior accessory dwelling unit may be separate detached structures or combined as one detached structure containing both units.~~

1. ~~3.~~ Accessory dwelling units shall be allowed within existing structures ~~space of~~ on ~~–~~a lot containing multi- family dwelling units subject to the following conditions:

   a. The number of accessory dwelling units shall not exceed 25% of the number of existing ~~originally permitted~~ units.

   b. The accessory dwelling units shall only be located within areas that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages.

   c. Each accessory dwelling unit must comply with state building standards for dwellings.

2. ~~4.~~ A maximum of two detached, new construction accessory dwelling units shall be allowed on a property ~~a lot~~ with ~~an~~ existing multi-family dwelling units, with a maximum building height that complies with the standard established by the applicable Zoning District in which the subject property is located pursuant to Article 2 (Zoning Districts, Allowable Land Uses and Zone-Specific Standards) ~~of 16 feet~~ and minimum side-yard and rear-yard setbacks of four feet.

F. Minimum Room Dimensions. Minimum room dimensions, including ceiling heights, floor area and width, shall meet the Uniform Building Code regulations in effect at the time of construction.

G. Location.

1. Accessory dwelling units may be attached to, or detached from and on the same lot as, a proposed or existing single-family dwelling, or multi-family dwelling, and subject to compliance with front, side, and rear yard setback standards; or

2. Accessory dwelling units may be located entirely within a proposed or existing primary dwelling unit or accessory structure; provided, the accessory dwelling unit has independent exterior access from the existing primary dwelling or accessory structure, and the side and rear setbacks are sufficient for fire safety, as determined by the Culver City Fire Department.

3. Accessory dwelling units~~, including junior accessory dwelling units,~~ shall be prohibited in the hillside areas shown on Map 4-2.

H. Parking. Parking for an accessory dwelling unit and replacement parking when existing off-street parking for the primary dwelling unit is demolished or converted in conjunction with the construction of an accessory dwelling unit shall not be required.

I. Habitability. Accessory dwelling units ~~shall be fully~~ are entirely habitable, and shall include independent kitchen and bathroom facilities.

J. Occupancy Restrictions. Accessory dwelling units shall ~~may~~ not be sold separately from the primary residence, and ~~may~~ shall not be used for rentals of terms of 30 days or less. Owner occupancy is not required for Accessory Dwelling Units.

K. Setbacks.

1. An accessory dwelling unit shall have side and rear yard setbacks of at least two feet from lot lines abutting a non-residential zone, street, or alley and at least four feet from lot lines when abutting a residential zone. An accessory dwelling unit shall abide by the front yard setback requirements of the zone in which it is located.

2. An accessory dwelling unit constructed entirely within a proposed or existing primary dwelling unit or accessory structure, which has independent exterior access from the proposed or existing primary dwelling unit or accessory structure, and side and rear setbacks that are sufficient for fire safety, as determined by the Culver City Fire Department, shall not be subject to setback standards for new development.

3. An accessory dwelling unit constructed above, or as a second story to, a garage or other accessory structure shall be setback a minimum of two feet from side and rear lot lines abutting a non- residential zone, street, or alley and a minimum of four feet from side and rear lot lines when abutting a residential zone. An accessory dwelling unit constructed above, or as a second story to, a garage or other accessory structure shall abide by the front yard setback requirements of the zone in which it is located.

4. Through Lots – An Accessory Dwelling Unit constructed on a through lot is permitted to have a reduced setback of at least two feet from one front lot line along the property line that is of greater distance from the primary residence and/or the property line separating the parcel from the street of a higher classification or designation. In case of irregular lots, the Director shall determine which one front lot line is eligible for reduced setback.

L. Junior Accessory Dwelling Units. In addition to an Accessory Dwelling Unit as provided in this Section, a Junior Accessory Dwelling unit may be permitted on a property zoned for single-family residences with one primary dwelling. The following establishes standards for Junior Accessory Dwelling Units.

1. **Maximum Unit Size.** A Junior Accessory Dwelling Unit may be up to 500 square feet.

   a. Maximum permitted unit size shall include any floor area, including basements and lofts, confined from exterior wall to exterior wall.

2. **Density.** No more than one Junior Accessory Dwelling Unit is allowed on a property.

3. **Location.**

a. A Junior Accessory Dwelling Unit may be located entirely within a proposed or existing primary dwelling unit or accessory structure, subject to the following:

i. The Junior Accessory Dwelling Unit shall not include an expansion beyond the physical dimensions of the existing accessory structure, except for the sole purpose of accommodating ingress and egress, in which case such expansion shall not exceed 150 square feet.

ii. Both units maintain side and rear setbacks sufficient for fire safety.

iii. A Junior Accessory Dwelling Unit shall have separate exterior access independent from the proposed or existing primary dwelling unit.

b. Junior Accessory Dwelling Units are prohibited in the Hillside Areas shown on Map 4-2.

4. **Parking.** No additional parking is required for a Junior Accessory Dwelling Unit. When existing off-street parking for the primary dwelling unit is demolished or converted in conjunction with the construction of an Junior Accessory Dwelling Unit, replacement parking is not required.

5. **Habitability.** Junior Accessory Dwelling Units shall include a kitchen. Junior Accessory Dwelling Units attached to the primary dwelling unit may share bathroom facilities with the primary dwelling unit.

6. **Occupancy Restrictions.** Junior Accessory Dwelling Units shall not be sold separately from the primary dwelling unit and shall not be used for rentals of terms of 30 days or less. Owner occupancy is not required for Junior Accessory Dwelling Units.

M. ~~**L.**~~ **Other Development Standards.**

1. Unless stated in this Section, ~~or Cal. Gov't Code § 65852.2,~~ all other development standards for Accessory Dwelling Units and Junior Accessory Dwelling Units shall apply according to the zone in which the subject property is located; including but not limited to, setbacks, building height, and distance between structures.

2. Conversion of Existing Structures – For the purpose of converting an existing structure into an Accessory Dwelling Unit or Junior Accessory Dwelling Unit, an existing structure is defined as one of the following:

a. A structure that has been issued a building permit and has passed a final inspection or issued a certificate of occupancy; or

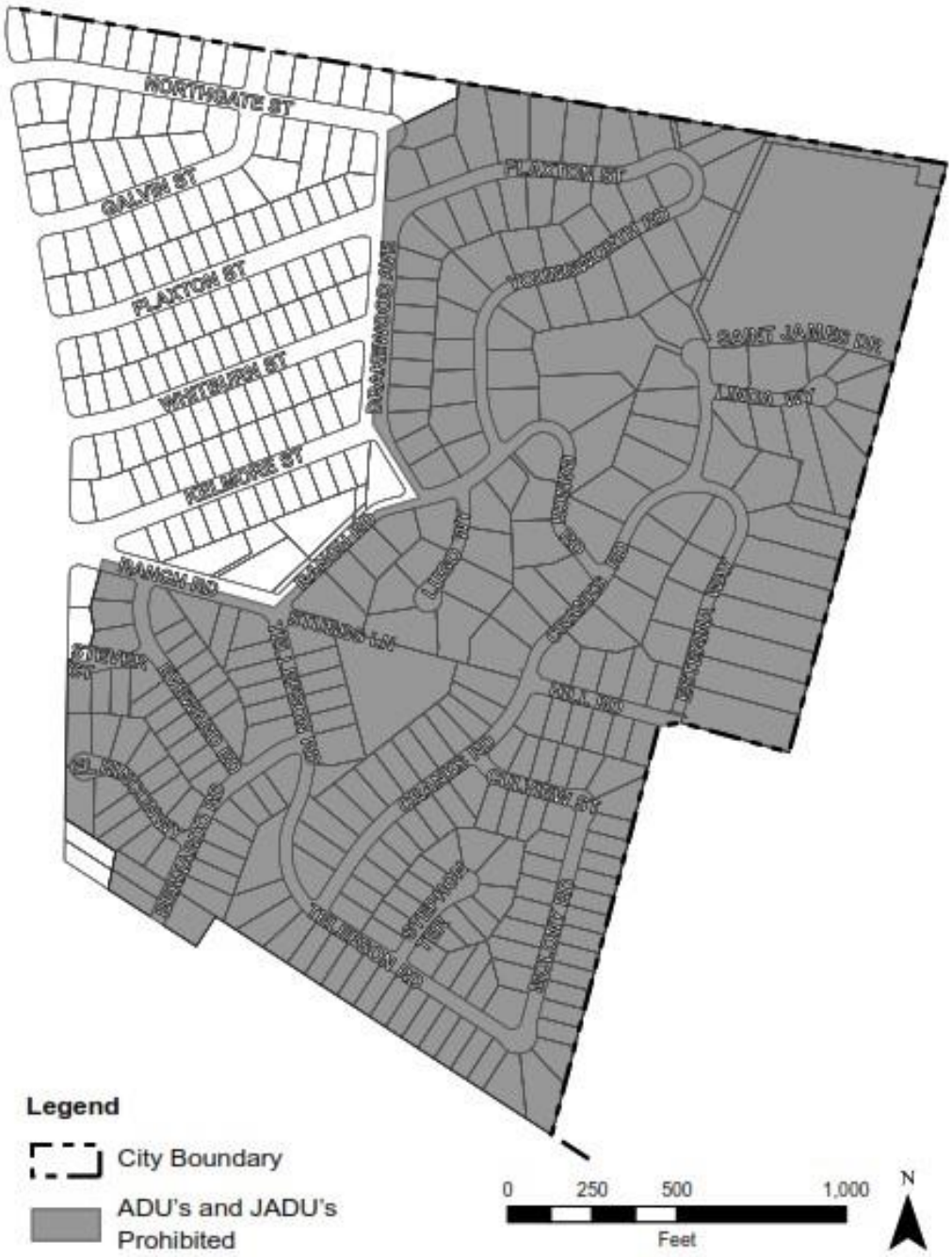
b. A structure that has been issued Deferred Compliance through the Amnesty Program or through Deferred Compliance by the Municipal Code Appeals Committee (MCAC).

N. ~~**M.**~~ **Application Process.** The following is the application process for Accessory Dwelling Units and Junior Accessory Dwelling Units.

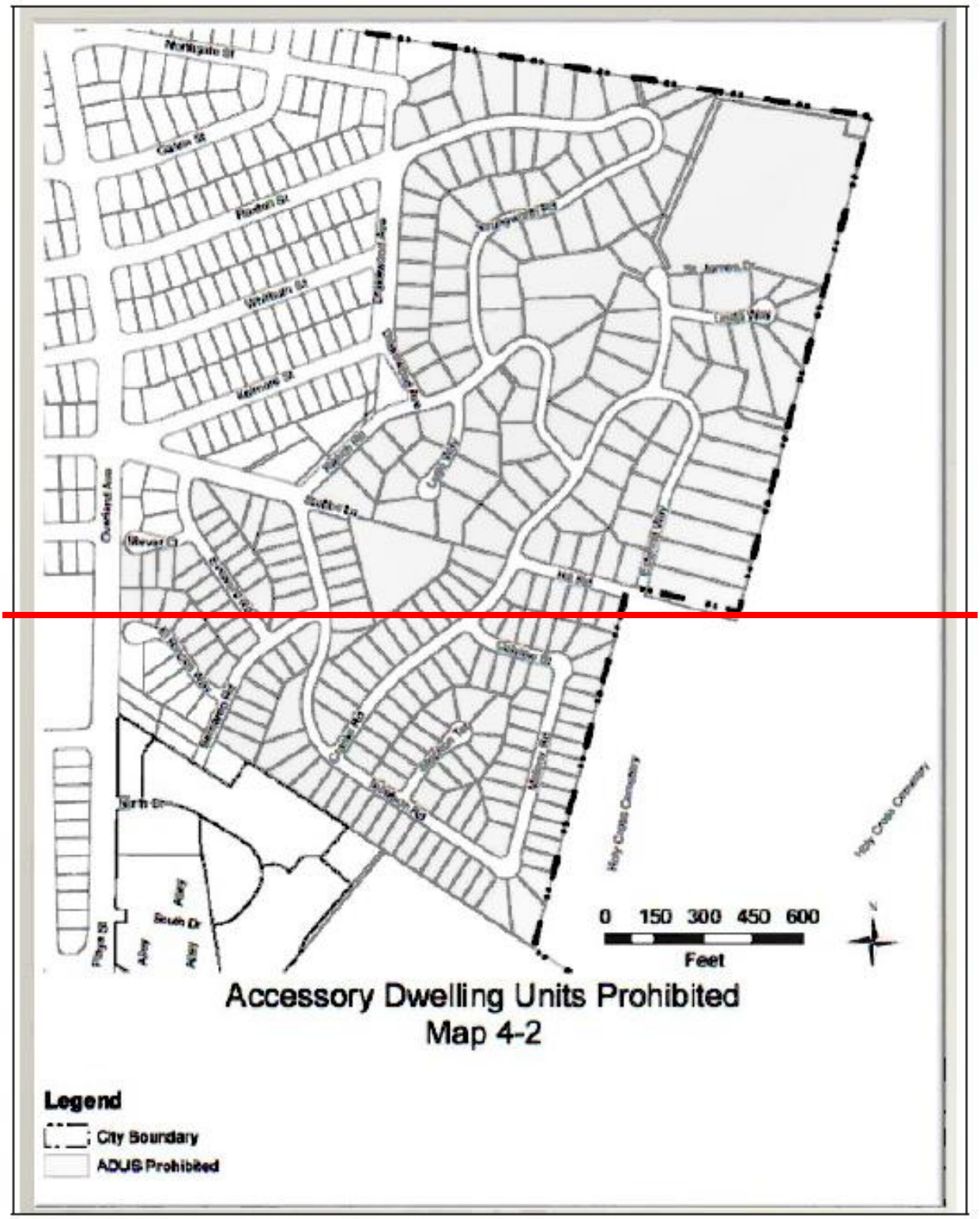
1. Applicant shall submit complete plan sets to the Building Safety Division. In order to be deemed complete, plans shall comply with all current applicable development standards, any applicable Division handout, and any additional information required by the Director in order to conduct a thorough review.

2. Prior to Building Permit issuance, applicant shall submit an Address Assignment Request Fee and Application to the Planning Division.

3. Prior to Building Permit final inspection and/or prior to issuance of a Certificate of Occupancy or Temporary Certificate of Occupancy, projects resulting in 750 square feet or more of cumulative residential floor area for all Accessory Dwelling Units located at the subject property shall pay In-Lieu Parkland Dedication fees pursuant to Section 15.06.300 Park Dedication or Payment of Fees) of this Code.



Map 4-2
Accessory Dwelling Units Prohibited



(Ord. No. 2005-007 § 1 (part); Ord. No. 2017-007 § 2 (part); Ord. No. 2017-017 § 2; Ord. No. 2018-015 § 2 (part); Ord. No. 2020-001 § 2)

§ 17.400.100 RESIDENTIAL USES - ACCESSORY RESIDENTIAL STRUCTURES.

3. Allowable setbacks.

a. The accessory structure shall have a setback of at least 2 feet from every perimeter property line ~~when the setback is adjacent to a commercial zone~~ abutting a non-residential zone, street, or alley and shall have a setback of at least 4 feet from every perimeter property line when the setback is adjacent to a residential zone, except that the setback shall be the same as that required for the primary dwelling in the zoning district in which the accessory structure is located, whenever the accessory structure:

i Exceeds 12 feet in height; or

ii. Is within a setback facing a public street right-of-way.

b. A single story, ground-level accessory residential structure containing a second story Accessory Dwelling Unit or Junior Accessory Dwelling Unit shall be subject to setback regulations for Accessory Dwelling Units. Any portion of an accessory residential structure that exceeds 12 feet in height, located on the 2nd floor, or is within a setback facing a public street right-of-way is subject to provision “a” above.

§ 17.700.010 DEFINITIONS OF SPECIALIZED TERMS AND PHRASES.

The following definitions are in alphabetical order.

A. Definitions, "A".

Accessory Dwelling Unit. An attached or detached residential dwelling unit~~, which~~ that provides complete, independent living facilities for one or more persons~~,~~ and is located on a lot with a proposed or existing primary residence. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel ~~and that contains permanent provisions for sleeping, eating, cooking, and sanitation on the same parcels~~ as the single-family ~~and~~ or multifamily dwelling is or will be situated. ~~duplex dwellings.~~

Accessory Dwelling Unit, Junior. An attached or detached residential dwelling unit located on a lot with a proposed or existing primary residence that is no more than 500 square feet in size. A Junior Accessory Dwelling Unit may share sanitary facilities with the primary dwelling unit.

Amnesty Program. The policies adopted under Resolution No. 97-R067 to establish consistent enforcement policies and practices regarding unpermitted property conversions and building construction.

B. Definitions, "B".

Balcony. An accessible platform structure the projects from a building façade or wall without ground mounted structures or supports and is surrounded by a railing or parapet.

D. Definitions, "D".

Deferred Compliance. Extended period of time for a property owner to comply with Municipal Code provisions as granted by the Municipal Code Appeals Committee as established under Resolution No. 97-R067.