



# City of Culver City

## Staff Report Details (With Text)

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**Attachments:** 1. 2020-01-22\_ATT - Planning Commission Resolution No. 2020-P001 and Exhibit A.pdf, 2. 2020-01-22\_ATT – Joint Study Session Minutes 05\_08\_2019.pdf, 3. 2020-01-22\_ATT – Summer 2018 and Fall 2019 Community Meeting Summaries.pdf, 4. 2020-01-22\_ATT – Proposed Residential Hillside Overlay Map Area.pdf, 5. 2020-01-22\_ATT – Public Comment Received Prior to Agenda Confirmation.pdf, 6. 2020-01-22\_ATT – JKA Key Recommendations Memorandum.pdf

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### PC - Consideration of a City-Initiated Zoning Code Amendment Modifying Development Standards for the Single-Family (R1) Residential Zone.

**Meeting Date:** January 22, 2019

**Contact Person/Dept:** Michael Allen/Current Planning Manager  
William Kavadas/Assistant Planner

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**Fiscal Impact:** Yes  No       **General Fund:** Yes  No

**Public Hearing:**       **Action Item:**       **Attachments:**

**Public Notification:** (E-Mail) Meetings and Agendas -Planning Commission (1/16/20); (Posted) City Website (01/02/2020); Single-Family Residential Study Email List Serve (01/02/2020); Gov Delivery (01/02/2020); NextDoor (01/02/2020); (Published in) Culver City News (01/02/2020).

**Department Approval:** Sol Blumenfeld, Community Development Director (01/09/2020)

## **RECOMMENDATION:**

Staff recommends the Planning Commission adopt a resolution recommending to the City Council approval of a Zoning Code Text Amendment modifying development standards for the Single-Family (R1) Residential Zone.

## **PROCEDURES:**

1. Chair calls on staff for a brief staff report and the Planning Commission poses questions to staff as desired.
2. Chair opens the public hearing and receives comments from the general public.
3. Chair seeks a motion to close the public hearing after all testimony has been presented.
4. Commission discusses the matter and arrives at its decision.

## **BACKGROUND**

On July 10, 2017, John Kaliski Architects (JKA) was retained to conduct a citywide development study to address neighborhood concerns regarding overdevelopment in the single-family residential zones. JKA's work also included a specific review of the Culver Crest Hillside Neighborhood regarding overdevelopment and geological conditions. The Culver Crest Hillside Overlay Zone was adopted February 11, 2019 and addressed specific hillside conditions and a related Building Code amendment was adopted shortly thereafter to address hillside grading conditions.

The citywide study progressed and between June 26 and August 28, 2018, working with staff, JKA conducted community meetings with the remaining seven single-family residential zoned neighborhoods to obtain input about single-family residential development. Meetings were held with residents from Blair Hills/Hetzler Road, Carlson Park, Park West, Studio Village, Sunkist/Blanco Park, McLaughlin, and Culver West. Residents of all seven neighborhoods voiced concerns of homes with incompatible bulk and mass, streets with less pedestrian friendly facades, and on-site open space lost to new development. Participants in the community meetings and online survey favored homes that fit with prevailing neighborhood character but there was also interest expressed in ensuring building articulation and minimizing building mass. Residents also supported second floor additions that were set behind ridgelines to maintain a single-story character to existing homes.

On May 8, 2019, a Joint Study Session between City Council and Planning Commission was conducted to review recommendations for single-family zone development standards. After review of the information, input from the public, and discussion, the members of the Joint Study Session provided staff with recommendations and refinements to proposed language for Zone Code Amendments. Discussion topics included support for reduced FAR, modifications to height limits, modifications to parking requirements, privacy assurances, and pedestrian friendliness.

At the request of the members of the Joint Study Session, staff and JKA took back the recommendations to an additional round of community meetings to obtain feedback from the public. Between October 15 and October 24, 2019, staff and JKA held a second round of community meetings with the seven single-family residential neighborhoods to obtain input about the revised recommendations for the R1 Zone. The participants of the community meetings were supportive of the proposed code amendments overall. Participants consistently asked for more restrictive FAR standards and a speedy resolution to the process to ensure additional oversized homes were not approved or built before the new regulations were in place.

A summary of community meeting comments and minutes from the Joint Study Session can be found in Attachments No 2 and 3, respectively.

## **DISCUSSION**

Feedback provided during the June - August 2018 community meetings, May 8, 2019 Joint Study Session, and October 2019 community meeting resulted in eleven categorical recommendations as follows:

### **1. Establish a Residential Hillside Overlay District**

Staff recommends renaming the Culver Crest Overlay to the Residential Hillside Overlay and applying the hillside overlay to areas designated in Attachment 4. Topographical conditions similar to both the Culver Crest and Blair Hills neighborhoods differentiate those neighborhoods from the single-family neighborhoods in the “flats” of Culver City.

The standards of the Culver Crest Overlay remain as part of the Residential Hillside Overlay (illustrated in Exhibit A). As in the Culver Crest Overlay, FAR is determined by a slope band analysis, where the FAR is determined by average slope of each “band” of elevation on the property. Setbacks are based on the width of a lot and include additional setbacks for second floors. Wherever the overlay is silent, the underlying R1 code takes precedent.

Proposed updates to the Residential Hillside Overlay include 200 square feet of attached garages exempt from FAR, and detached garages count towards FAR. Culver Crest residents expressed a desire to discourage rear yard garages that could potentially block views along ridgelines and to allow for additional habitable square footage for single-family homes that is currently afforded to residents in other parts of the City. The height of a flat roof structure increases from 26 feet to 27 feet, and the “Floor Area, Residential” definition for hillside properties is modified to align with proposed height standards for the flats. Height and definition standards are discussed in more detail later in this report.

Culver Crest residents were involved in Part I of the development study in 2017 and 2018. Culver Crest residents requested during Part II of the study hillside garage exemptions to be added to the Overlay standards. Blair Hills/Hetzler Road residents were involved in community meetings during Part II of the study. Blair Hills/Hetzler Road residents expressed concerns of overbuilding regarding viewshed protection, but overall have not experienced “mansionization” in their neighborhood.

During the Joint Study Session, City Council and Planning Commission directed staff to apply

the hillside overlay to any property in the City that had a slope of greater than 15 percent. However, JKA's Study showed that parcels containing slopes of greater than fifteen (15) percent are only concentrated in hillsides. Therefore, staff recommends adopting an overlay for the geographic area of Blair Hills and Culver Crest as this is where sloped properties are located in the City.

It should be noted, the prohibition on accessory dwelling units in certain areas of Culver Crest has not been included in the Hillside Overlay development standards. Other hillside areas would need to be studied and specific findings would need to be made in order to prohibit accessory dwelling units in those areas.

## **2. Amend the Single-Family Residential FAR Standards**

Staff proposes amending the FAR in single-family neighborhoods from 0.60 to 0.45. The intent of the proposed FAR reduction is to reduce bulk and mass of new structures as a part of overall allowable square footage. During the Joint Study Session on May 8, 2019, the City Council and Planning Commission considered a reduction to 0.50 in order to allow for adequate square footage for a single-family home and an accessory dwelling unit (ADU). Since the Joint Study Session was held, new State laws were adopted that removed local jurisdictional ability to count ADU square footage towards FAR development standards. At the time of this writing, State law allows an ADU to be built up to 850 square feet for one-bedroom units and 1,200 square feet for two or more-bedroom units. This results in total square footage in exceedance of 0.60 FAR that is in place today, undermining the original intent of the recommended FAR responsive to community feedback.

As a result of State ADU statutes in place at the time of this writing, and in order to maintain the intent of community feedback, staff proposes a reduction in FAR to the originally recommended 0.45. This standard is widely adopted amongst several communities in the Los Angeles Metropolitan Area. This standard will allow for construction of a house of 2,250 square feet on an average 5,000 square foot lot. Per State law, an applicant could still build an ADU without reduction in allowable primary structure square footage.

Staff also proposes editing existing garage FAR allowances to only allow garages located entirely behind a main dwelling to be exempt from FAR. Current R1 regulations exempt detached garages from FAR but do not dictate where the detached garage must be located to be considered exempt. This has led to numerous proposals for detached garages in front yards to maximize FAR.

Front loaded garages detract from street presence of a dwelling. Expanses of windowless façades reduce a sense of human scale and transition between the private realm of the home and the public realm of the street. This disconnect becomes especially true when detached, front-loaded garages push the house to the rear of a lot so that only a garage is present along a street front.

During neighborhood meetings, residents voiced concerns that new, front-loaded garages detracted from street frontages, especially in older, pre-war neighborhoods, where garages were traditionally placed in rear yards.

During the Joint Study Session, members of the Planning Commission and City Council

voiced support for development standards that promoted front porches and other pedestrian friendly features but also cautioned against completely restricting the ability to build a front-loaded garage. The proposed standard would encourage rear loaded garages by offering FAR credit but would still allow front loaded attached or detached garages.

### **3. Reduce Building Height**

Staff proposes modification to height allowances for flat roof structures to 27 feet including parapets. Under current code sloped roofs can meet a 30-foot maximum height limit and flat roofs can meet a 26-foot height limit. However, parapets can exceed roof height by five feet, allowing for a flat roof structure with 31 feet of height. Flat roof structures are generally considered to have greater bulk and mass than sloped roof structures as sloped roofs taper as they attain greater height. This proposed standard will decrease building height while also allowing for construction of flat roofed two-story homes with 10'-0" floor-to-ceiling heights and a 42-inch parapet.

Staff also proposes introducing a maximum slope of 1:1 (45 degrees) for a sloped roof. This will help to ensure that a sloped roof does not have the effect of creating incompatible bulk and mass with an adjacent structure.

Staff proposes modifying height allowances in the hillside overlay for flat roof structures from 26 feet to 27 feet. This will still include parapet height but will make it easier to administer height requirements across all R1 properties. Staff does not believe a one-foot increase in height limit will adversely affect hillside neighborhoods regarding overbuilding or viewsheds.

During public meetings, residents voiced concerns about incompatible bulk and mass between newly constructed two-story structures and adjacent one-story structures. During Joint Study Session, Planning Commission and City Council discussed reductions in overall building height to try and reduce the bulk and mass of new residential structures. Proposed code amendments would modify height limits on flat roof structures to try and reign in incompatible bulk and mass.

### **4. Modify the Front Yard Setback Requirement**

Staff proposes an increase in second floor front yard setbacks from 25 feet to 30 feet. The proposed requirement for a ten (10) foot second story front yard setback beyond the twenty story first floor front yard setback will help to better relate new construction and second-story additions with existing one-story neighborhoods by maintaining traditional massing and scale at the front yard.

During neighborhood meetings, residents consistently favored home additions or new construction where the front of the house maintained a one-story, single-family character and additional height was placed further back on the parcel. By pushing back second floor massing, one-story character will be maintained in front yards.

### **5. Modify the Side Yard Setback Requirements**

Staff proposes a 45-degree encroachment plane starting 18 feet above property line. This would reduce overall building bulk and mass and restrict a new structure from being built with

a sense of scale that overpowers an adjacent existing one-story residence.

Residents consistently described that new construction seemed to loom over side property lines and blocked light and air access to existing homes. The proposal would help to reduce side yard bulk and mass by requiring upper floors to be setback or reduced in height in order to meet encroachment plane standards.

## **6. Count Double Height Volumes Twice Toward Floor Area**

Staff proposes double height volumes greater than 14 feet to be counted twice towards floor area with an exception for 250 square feet of area for structures in the flats. Building height and bulk and mass are affected by double height space. The first 250 square feet of double height area is exempt to allow for the construction of double height development features while also keeping such features from becoming incompatible with surrounding homes. Staircases and elevator shafts would count as one plane per floor in order to promote single-story construction and ensure staircases and elevators do not unnecessarily add to bulk and mass.

During the Joint Study Session and Community Meetings, a concern existed about mass and bulk of two-story structures. Double height floor area as a development feature adds to bulk and mass of a home without providing additional living space.

The proposed Residential Hillside Overlay has an existing definition for “Floor Area, Residential” that includes covered porches and patios towards FAR but excludes a double height credit to reduce overbuilding in hillside neighborhoods. This was studied and adopted during the Culver Crest Overlay review in 2018. Language would change slightly to better define what is included as “double height floor area”, but the intent and execution of the code standard would not change.

## **7. Amend Parking and Garage Standards**

Staff proposes allowing parking to be half-covered or uncovered on R1 lots, when such parking is in rear or side yard setbacks. If parking is to be provided with a front-loading orientation, the applicant would need to provide an enclosed garage. Front loaded garages would also need to meet a 25-foot setback from the public right-of-way as opposed to the current 20-foot requirement. Uncovered parking allowances would encourage side and rear loaded parking facilities that help to promote an active street front, while also ensuring that street facing areas do not become open parking lots. Additional garage setbacks would help to further reduce the impact of blank facades along front yard setbacks.

During community meetings, citizens were concerned that front loaded garages too often commanded the façade along the street frontage. During the Joint Study Session, City Council and Planning Commission discussed additional ways to reduce prevalence of front-loaded garages. Planning Commission and City Council also discussed proposals to reduce the impact of parking as part of the overall cost to build housing. The proposed standard gives residents the option to provide garages but also reduces the requirement for costly covered or enclosed parking.

Uncovered parking provisions would apply to both hillside and flats neighborhoods.

## 8. Introduce a Side Yard Adjacent Roof Deck Standard

Staff proposes requiring a five (5) foot roof deck setback from any side property building edge. This would restrict the ability of neighbors to easily stare into neighboring yards while still allowing residents to build roof decks.

During both the Joint Study Session and Community Meetings, invasion of privacy into adjoining private open space was a concern. This standard would apply in both hillside and flats neighborhoods.

## 9. Modify Accessory Residential Structure Setbacks to Match Accessory Dwelling Unit Setbacks.

Staff proposes modifying accessory residential structure setbacks to match the recently adopted setbacks for accessory dwelling units. This would mean accessory residential structures need to meet a four (4) foot setback when adjacent to a residentially zoned property and two (2) foot setback when adjacent to a non-residentially zoned property. In any case, accessory residential structures would need to meet front yard setbacks as appropriate.

This is proposed by staff to reduce confusion and inconsistency with ADU laws passed by the State, as any accessory residential structure can be converted to ADU.

## 10. Develop Citywide, Educational, Single-Family Residential Design Guidelines and/or Informational Handout

Staff proposes an educational single-family residential design guideline document as part of a longer-term goal for architectural compliance in neighborhoods. A set of citywide single-family design guidelines and/or an informational handout could be developed that would act as a supplement to the Code, provide graphical interpretation of the development standards, and be consistent with adopted Code and State law. The guidelines would be used as an educational tool for residents and developers alike to better understand City character and how to adapt their projects.

## 11. New Definitions

Staff proposes amending or adding certain definitions to the R1 Zoning Code to better define single-family residential uses and their components.

“Attic” is already defined in the Culver Crest Overlay and would be moved to the R1 Zoning Code Section to apply to all R1 properties. Attic is defined to help better describe when attic space transitions to habitable floor space and an additional story.

- a. **Attic** - The area between roof framing and the ceiling of the rooms below that is not habitable per Building Code standard but may be reached by ladder and used for storage or mechanical equipment. Any room with less than seventy (70) square feet in area or less than seven (7) feet in height would constitute an attic.

“Covered” is already defined in the Culver Crest Overlay and would be moved to the R1

Zoning Code Section to apply to all R1 properties.

- b. Covered** - Any enclosed, semi-enclosed, or unenclosed building area that is covered by a solid roof.

“Dwelling Unit” is already defined in the Culver Crest Overlay and would be moved to the R1 Zoning Code Section to apply to all R1 properties. Dwelling unit is defined to help further describe what constitutes a single-family dwelling and reduce the potential for unpermitted separate living space within an existing single-family dwelling.

- c. Dwelling Unit** - Any structure designed or used for shelter or housing that contains permanent provisions for sleeping, eating, cooking, and sanitation occupied by or intended for one (1) or more persons on a long-term basis. A dwelling unit shall have no more than one (1) kitchen.

“Floor Area, Residential” is already defined in Culver Crest Overlay and would remain as existing for properties in the new Residential Hillside Overlay. A different “Floor Area, Residential” definition is proposed for the flats to help better describe what makes up the floor area of a single-family home in a non-hillside setting. The definition will help to ensure bulk and mass of new and expanded structures is kept consistent with the intent of adopted codes. The Hillside “Floor Area, Residential” definition would remain as existing for the Residential Hillside Overlay to better regulate unique topographic conditions.

- d. 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 garages located completely behind the primary dwelling unit shall not be included towards FAR. Areas with a ceiling height greater than 14 feet shall be counted twice towards floor area with the exception that the first 250 square feet of such areas may be counted only once towards floor area. Areas shall be measured as the vertical projection of a portion of a ceiling/or the underside of a roof that exceeds (14) feet but shall in no case include any interior walls. Staircases, elevator shafts, and the like, shall be counted as one (1) plane per floor.

“Kitchen” is already defined in the Culver Crest Overlay and would be moved to the R1 Zoning Code Section to apply to all R1 properties. A Kitchen definition helps better describe what constitutes a cooking area and reduce the ability for unpermitted separate living space with an existing single-family dwelling.

- e. Kitchen** - Any room or space within a structure containing a combination of the following facilities that are capable of being used for the cooking or preparation of food: oven/microwave oven, stove, refrigerator exceeding six (6) cubic feet, and sink.

“Mezzanine/Loft” is already defined in the Culver Crest Overlay and would be moved to the R1 Zoning Code Section to apply to all R1 properties. The definition is edited slightly to ensure that mezzanines and lofts are open to the floor below and will not become enclosed.

- f. **Mezzanine/Loft** - An intermediate or fractional floor area between the floor and ceiling of a main story [and open](#) to the floor area below. A mezzanine/loft floor area shall be deemed a full story when it covers more than one-third of the area of the story directly underneath said mezzanine/loft area or the floor to plate height of the mezzanine/loft exceeds fourteen (14) feet.

The proposed definition's movement to the R1 Zone will help better define all single-family uses in Culver City.

### **PUBLIC COMMENT:**

Public comment received prior to finalization of the agenda is available in Attachment 5.

### **CONCLUSION:**

Staff and JKA conducted community meetings with single-family neighborhoods during the summer of 2018 to obtain input on various neighborhood issues related to new single-family residential development. Staff presented preliminary findings and proposals to City Council and Planning Commission in the spring of 2019 to obtain feedback and direction. Staff and JKA conducted additional community meetings with single-family neighborhoods during the fall of 2019 to present proposed code language to the public and collect feedback.

Proposed regulations will address the concerns of the public by using several different development methods to help increase compatibility between new and existing development. Pending Planning Commission recommendation, staff will prepare final zone text language to provide to City Council for decision.

### **ENVIRONMENTAL DETERMINATION:**

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 proposed Zoning Code Amendment, modifying single family home development standards, by itself does not result in any physical changes nor any significant effects on the environment, and does not result in an intensification of development beyond what the Zoning Code already currently allows. Furthermore, the proposed Zoning Code Amendment is not in conjunction with the specific approval of any existing development or use permit applications. Therefore, any projects seeking approval subsequent to the proposed Zoning Code Amendment, would be subject to appropriate CEQA analysis at that time of any such application.

### **FISCAL ANALYSIS:**

There is no fiscal impact related to this item.

**ATTACHMENTS:**

1. 2020-01-22\_ATT - Planning Commission Resolution No. 2020-P001 and Exhibit A Proposed Code Amendments
2. 2020-01-22\_ATT - Summer 2018 and Fall 2019 Community Meeting Summaries
3. 2020-01-22\_ATT - Joint Study Session Minutes 5/8/2019
4. 2020-01-22\_ATT - Proposed Residential Hillside Overlay Map Area
5. 2020-01-22\_ATT - Public Comment Received Prior to Agenda Confirmation
6. 2020-01-22\_ATT - JKA Key Recommendations Memorandum

**MOTION:**

That the Planning Commission:

Adopt Resolution No. 2020-P001 recommending to the City Council approval of Zoning Code Text Amendment P2019-0036-ZCA modifying standards for the Single-Family (R1) Residential Zone.