



# City of Culver City

## Staff Report

File #: 19-844, Version: 1

Item #: C-7.

**CC - Adoption of an Ordinance Approving Zoning Code Amendment P2018-0223-ZCA, Amending Culver City Municipal Code (CCMC) Title 17 - Zoning (Zoning Code) Chapter 17.260 - Overlay Zones, Creating the Culver Crest/Hillsides Overlay (-CC) and Establishing Development Standards for Hillside Neighborhoods.**

**Meeting Date:** February 11, 2019

**Contact Person/Dept:** William Kavadas/Assistant Planner

Michael Allen/Current Planning Manager

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**Fiscal Impact:** Yes  No

**General Fund:** Yes  No

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

**Commission Action Required:** Yes  No  **Date:** January 9, 2019

**Public Notification:** (E-Mail) Meetings and Agendas - City Council (02/06/19)

**Department Approval:** Sol Blumenfeld, Community Development Director (02/05/19)

### **RECOMMENDATION**

Staff recommends the City Council adopt an Ordinance (Attachment No. 1) approving Zoning Code Amendment P2018-0223-ZCA, amending Culver City Municipal Code (CCMC) Title 17 - Zoning (Zoning Code), Chapter 17.260 - Overlay Zones, creating the Culver Crest/Hillsides Overlay Zone (-CC) and establishing development standards for hillside neighborhoods.

### **BACKGROUND**

On January 9, 2019, the Planning Commission reviewed draft zoning code amendments for the Upper Culver Crest. The Planning Commission suggested the following revisions to be incorporated into the recommendation to City Council:

- Exception procedures by review of the Planning Commission to assist unique properties with hardship requests due to setback.

- Change the definition of “Attic” so it is clearer that the definition is trying to restrict attics from becoming unintended habitable spaces without meeting necessary code requirements.
- Exempt detached garages from inclusion in floor area calculations.
- Change Table 2-12 to note the following:
- Footnote (A) to read “Minimum by-right floor area” as opposed to “Minimum allowable floor area”
- Change Footnote (B) to Footnote (D) and update to explain Applicants can choose which setback is narrow and which setback is wide unless the subject property is a corner property in which case the street side yard is automatically the wide setback
- Introduce new Footnote (B) establishing existing slope by way of a topographic survey of existing conditions completed prior to issuance of building permit.
- Change Footnote (C) to Footnote (E)
- Introduce new Footnote (C) to reference exception process for setbacks

At the Special City Council meeting of February 4, 2019, the City Council unanimously introduced the proposed Ordinance Zoning Code Amendment P2018-0223-ZCA. Pursuant to City Council direction, the definition of “attic” was clarified as follows (see also Exhibit A to the Ordinance):

“Any non-habitable space, per Building Code Standard, between the ceiling beams of the top story and the roof rafters, which may be reached by ladder and used for storage or mechanical equipment, and which is less than seventy (70) square feet in area and less than seven (7) feet in height, shall constitute an attic.”

Additionally, direction was provided to staff to review potential future revisions regarding square footage exemptions for garages, rebuild allowance for legal non-conforming structures after a calamity and landscape standards related to residential development.

The proposed Ordinance is brought back for adoption by the City Council.

## **ENVIRONMENTAL DETERMINATION**

The proposed Zoning Code Amendment P2018-0223-ZCA is considered exempt pursuant to Section 15061(b) (3) of the California Environmental Quality Act (CEQA) because it can be seen with certainty that there is no possibility that the Project to amend Zoning Code Chapter 17.260 - Overlay Zones will have a significant effect on the environment. The Project by itself, does not result in any physical changes in the environment because it will only amend the Zoning Code to regulate development standards for the Culver Crest Neighborhood and does not result in an intensification of

development beyond what the Zoning Code already currently allows. . Any development project constructed pursuant to the regulatory standards established by the proposed Zoning Code Amendment will undergo a separate environmental review, in accordance with the requirements of CEQA.

### **FISCAL ANALYSIS**

There are no fiscal impacts related to this item.

### **ATTACHMENTS**

1. Proposed Ordinance, including Exhibit A: Code Amendments

### **MOTION**

That the City Council:

1. Adopt the proposed Ordinance, approving Zoning Code Text Amendment P2018-0223-ZCA, amending Culver City Municipal Code (CCMC) Title 17 - Zoning (Zoning Code), Chapter 17.260 - Overlay Zones, creating the Culver Crest/Hillsides Overlay Zone (-CC) and establishing development standards for hillside neighborhoods.