



# City of Culver City

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## Staff Report

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**File #:** 16-1072, **Version:** 1

**Item #:** PH-1.

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**PC:** Consideration of a Zoning Code Text Amendment, P2017-0100-ZCA, amending various Zoning Code Sections related to the standards and requirements for portable sheds and temporary storage containers, including Section 17.400.100, 17.400.115 and 17.520.015.

**Meeting Date:** June 14, 2017

**Contact Person/Dept:** Gabriela Silva, Associate Planner;  
Michael Allen, Contract Planning Manager  
Marian Aspnes, Code Enforcement Services Manager

**Phone Number:** (310) 253-5736

**Fiscal Impact:** Yes ☐ No ☒

**General Fund:** Yes ☐ No ☒

**Public Hearing:** ☒

**Action Item:** ☐

**Attachments:** ☒

**Public Notification:** (Email) Master Notification List (05/31/17); (Posted) City website (05/31/17); (Published) in Culver City News (05/25/17)

**Department Approval:** Sol Blumenfeld, Community Development Director (06/07/2017)

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### **RECOMMENDATION**

Staff recommends that the Planning Commission adopt Resolution No. 2017-P010 (Attachment No. 1) recommending to the City Council approval of Zoning Code Text Amendment P2017-0100-ZCA related to portable sheds and temporary storage containers.

### **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**

As part of a broader review of the Zoning Code, Code Enforcement Division and Current Planning Division staff have identified several zoning codes that require modification including those pertaining to “accessory residential structures”, “portable storage sheds” and “temporary storage containers”. These proposed amendments along with several others were presented to the Planning Commission during its March 22, 2017 meeting and have been included in the Community Development Department, Planning Division Work Plan for the 2017-2018 Fiscal Year.

## **ANALYSIS/DISCUSSION:**

### **1. ACCESSORY RESIDENTIAL STRUCTURES**

#### **CCMC Section 17.400.100**

The Zoning Code currently specifies minimum required setbacks for residential zones within Chapter 17.210, with allowable projections or encroachments listed in Chapter 17.300. In addition, reduced setback requirements are identified for residential accessory structures within Section 17.400.100 and exemptions from land use permit requirements further provided in Section 17.110.010. The proposed amendment would make these sections internally consistent.

More specifically, Section 17.110.010 indicates the land use permit requirements of the Zoning Code do not apply to any activity, land use, or structure identified by this Section, including “any portable storage shed, play equipment or other small structure in any residential zoning district, up to 120 square feet in total area, that is exempt from building permit requirements in compliance with the CCMC and Uniform Building Code. These structures shall comply with the setback requirements established by Article 2 (Zoning Districts, Allowable Land Uses, and Zone-Specific Standards) for the applicable zoning district, or Article 4 (Standards for Specific Land Uses).” Section 17.400.100, within Article 4, indicates that residential accessory structures that meet specific criteria may be located as close as two (2) feet from a side or rear property line, a considerable reduction from the typical residential setbacks of four (4) to five (5) feet at the sides and ten (10) to fifteen (15) feet at the rear. A further exemption is provided for movable structures not exceeding 12 feet in height including children’s play equipment, pet shelters, trash enclosures and similar structures may be placed within a required side or rear setback without limitation on location.

The proposed amendment to Section 17.400.100 specifies that these structures are exempt from setback requirements and specifically identifies portable storage sheds, and includes a restriction that the structure must not exceed 120 square feet in area in order to remain exempt consistent with CCMC Section 17.110.010 which currently exempts such structures under 120 square feet as described above. In addition, the amendment proposes to limit the structures to prefabricated structures, in order to ensure that they are well designed, durable, properly finished, and aesthetically compatible with the standards of the City.

### **2. TEMPORARY STORAGE CONTAINERS**

#### **CCMC Section 17.400.115 and 17.520.015**

Specific standards for temporary storage containers are identified in CCMC Section 17.400.115, including the requirement for a Temporary Use Permit (TUP), for which the process and requirements are outlined in Section 17.520.015, and for which a fee of \$953.68 is required. The proposed amendment will allow the processing and approval of temporary storage containers to be streamlined, and for these two sections to be internally consistent.

Temporary storage containers are often requested to be used during small residential remodel and addition

projects, as well as for residents moving in/out of a residence, during fumigation, and other similar infrequent, but not uncommon, situations. In order to streamline the approval process, the amendment proposes to eliminate the requirement of a TUP for a temporary storage container, as specified in Section 17.400.115, and instead require approval of a “temporary storage container application” for these smaller scale applications, provided they do not exceed a maximum of 180 days. This would allow City staff to process these smaller requests “over-the-counter” and minimize the time constraints and cost burden associated with the TUP application.

The amendment also proposes to provide flexibility in the locational restrictions specified in Subsection C. Development Standards for Temporary Storage Containers. During most residential remodel and addition projects there is limited area in which to place containers needed for temporary storage of personal effects, including furniture, clothing, etc., with typically the front yard area or driveway being available for locating such containers. Given the restriction for such containers to not be placed within a required parking or landscape area, it is often unfeasible to approve such requests. Preserving access and availability of required off-street parking is of great importance, particularly when considering additional parking may be needed to accommodate construction, moving, and/or cleaning crews working at the site; therefore, it is recommended that this restriction be maintained. However, with regard to landscape area, the amendment proposes to allow placement of containers within this area, provided the property is in a residential zone and developed with a residential use, that any landscape damaged or removed as a result of the temporary storage container be restored, and that no trees are removed. This is particularly appropriate when considering that in many cases property owners redo their front yard landscape as part of a remodel or addition project.

In order to maintain consistency with Section 17.520.015 - Allowed Temporary Uses, Special Events, and Temporary Events, amendments are also proposed to this section with regard to “storage” as an allowed temporary use. Specifically, section will be updated to indicate storage exceeding 180 days is also subject to approval and compliance with TUP requirements, rather than only storage unrelated to construction.

### **PUBLIC NOTIFICATION**

CCMC Section 17.630.010 requires public notification via a publication in the Culver City News, a minimum of fourteen (14) days prior to the formal Public Hearing. Accordingly, a public notice was published on May 25, 2017. In addition, the public notice was posted on the City website and distributed electronically on May 31, 2017. As of the writing of this report, staff has not received any public comments, in writing or any other form, with regard to the proposed project in response to the public notice.

### **ENVIRONMENTAL DETERMINATION:**

The proposed Zoning Code Amendment (P2017-0100-ZCA70) is within the scope of the Culver City General Plan Update Program EIR approved on September 24, 1996 (PEIR 1), the Culver City Redevelopment Plan Amendment and Merger Program Subsequent EIR approved on November 16, 1998 (PEIR 2), no new significant information has been found that would impact either PEIR 1 or PEIR 2, and no new environmental analysis is required, pursuant to Sections 15162 and 15168 of the California Environmental Quality Act (CEQA).

### **ATTACHMENTS:**

1. Draft Resolution No. 2017-P010
2. Exhibit A: Proposed Zoning Code Text Changes in “strikethrough/underline” format

**MOTION**

That the Planning Commission

1. Adopt Resolution No. 2017-P010 (Attachment No. 1) recommending to the City Council approval of Zoning Code Text Amendment P2017-0100-ZCA related to portable sheds and temporary storage containers