



# City of Culver City

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## Staff Report

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**File #:** 18-090, **Version:** 1

**Item #:** PH-1.

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**CC: PUBLIC HEARING:** Introduction of an Ordinance Amending Title 17, Zoning, of the Culver City Municipal Code (CCMC), Section 17.400.100 - Residential Uses - Accessory Residential Structures, Section 17.400.115 - Temporary Storage Containers, and Chapter 17.520 - Temporary Use, Special Event, and Temporary Event Permits (Zoning Code Amendment P2017-0100-ZCA).

**Meeting Date:** August 14, 2017

**Contact Person/Dept:** Sol Blumenfeld, Community Development Director/CDD  
Michael Allen, Contract Planning Manager  
Marian Aspnes, Code Enforcement Services Manager  
Gabriela Silva, Associate Planner

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

**Fiscal Impact:** Yes ☐ No ☒

**General Fund:** Yes ☐ No ☒

**Public Hearing:** ☒

**Action Item:** ☐

**Attachments:** ☒

**Commission Action Required:** Yes ☒ No ☐

**Date:** 06/14/17

**Public Notification:** (E-Mail) Master Notification List(s) (08/09/17); (Posted) City website (07/31/17); (Published) Culver City News (07/27/17)

**Department Approval:** Sol Blumenfeld, Community Development Director (08/09/17)

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### **RECOMMENDATION:**

Staff recommends the City Council, after conducting a public hearing, introduce an Ordinance (Attachment No. 1) approving Zoning Code Amendment P2017-0100-ZCA, amending Zoning Code Sections 17.400.100 - Residential Uses - Accessory Residential Structures, 17.400.115 - Temporary Storage Containers, 17.400.115 - Temporary Storage Containers, and Section 17.520.015 - Temporary Use, Special Event, and Temporary Event Permits to allow changes pertaining to the standards and requirements for portable storage sheds and temporary storage containers.

### **PROCEDURE:**

1. The Mayor seeks a motion to receive and file the affidavit of publication and posting of the

public hearing notice.

2. The Mayor calls on staff for a brief staff report and City Council poses questions to staff as desired.
3. The Mayor seeks a motion to declare the public hearing open and the City Council receives public comment.
4. The Mayor seeks a motion to close the public hearing after all testimony has been presented.
5. The City Council 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 previously and have been included in the Community Development Department, Planning Division Work Plan for the 2017-2018 Fiscal Year.

On June 14, 2017, the Planning Commission adopted Resolution No. 2017-P010 (Attachment No. 2) recommending to the City Council approval of Zoning Code Amendment P2017-0100-ZCA, related to the standards and requirements for portable sheds and temporary storage containers. The Planning Commission requested a few additional changes in order to address existing concerns regarding the height and number of portable storage sheds, as listed below.

- Limit the maximum overall height for portable storage sheds to eight (8) feet for flat roofed structures and twelve (12) feet for sloped roof structures with the eaves at a maximum height of eight (8) feet
- Limit the overall number of portable accessory structures (including portable storage sheds) to a maximum of two (2) and include it in the maximum allowable floor area for accessory structures, of eight hundred (800) square feet, as specified in Subsection 17.400.100.A.5 of the Zoning Code

### **ANALYSIS:**

#### **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, which specifies that these structures are exempt from setback requirements, 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. In addition, the amendment limits the exemption to prefabricated structures, in order to ensure that they are well designed, durable, properly finished, and aesthetically compatible with the City standards. As recommended by the Planning Commission, the amendment also proposes to limit the overall number of exempt accessory residential structures to a maximum of two per lot within a residential zone. Further, the Planning Commission recommended a modified limitation on height, maintaining the existing maximum overall height of twelve (12) feet for structures with a sloped roof provided the eaves are not above eight (8) feet in height, and allowing structures with a flat roof to a maximum overall height of eight (8) feet.

#### *Temporary Storage Containers (CCMC Section 17.400.115 and Chapter 17.520)*

Specific standards for temporary storage containers on private property 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 many remodel and addition projects there is limited area in which to place containers needed for temporary storage of personal effects, furniture, inventory, etc., with typically the landscape or parking areas being available for locating such containers. Current restriction for placement of such containers within a

required parking or landscape area, prevent accommodating such requests. Preserving access and availability of required off-street parking is of great importance; therefore, this restriction is proposed to be maintained, unless a TUP is requested and approved, since the TUP can be conditioned to mitigate the loss of parking. Similarly, such containers will continue to be prohibited in landscape areas, unless a TUP is obtained.

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, the 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. The above discussed Zoning Code Sections do not apply to requests for “pods” and/or dumpsters in the public right-of-way, which are reviewed under a separate permit by the Public Works Department.

### **ENVIRONMENTAL REVIEW:**

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).

### **SUMMARY:**

Portable residential accessory structures serve a valuable purpose for residents. However, if not regulated properly they can lead to unintended consequences and/or nuisance conditions. The proposed amendments are consistent with the need of maintaining the quality of residential neighborhoods throughout the City and will provide internal consistency within the Zoning Code.

### **FISCAL IMPACT:**

There is no fiscal impact associated with the adoption of the proposed ordinance.

### **ATTACHMENTS:**

- 1) Proposed Ordinance (including Exhibit A - Proposed Zoning Code Text Amendments)
- 2) Planning Commission Resolution No. 2017-P010 with Exhibit A - Proposed Zoning Code Text Changes

### **RECOMMENDED MOTION(S):**

That the City Council:

Introduce an Ordinance approving Zoning Code Amendment P207-0100-ZCA, amending Title 17, Zoning, of the Culver City Municipal Code (CCMC), Section 17.400.00 - Residential Uses - Accessory Residential Structures, Section 17.400.115 - Temporary Storage Containers, and Section 17.520 - Temporary Use, Special Event, and Temporary Event Permits.