



City of Culver City

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Staff Report

File #: 19-202, **Version:** 1

Item #: PH-1.

CC - PUBLIC HEARING: Introduction of an Ordinance Amending Title 17, Zoning, of the Culver City Municipal Code (CCMC), Section 17.300.025 - Height Measurement and Height Limit Exceptions, Relating to the Standards and Requirements for Height Projections (Zoning Code Text Amendment, P2018-0124-ZCA).

Meeting Date: September 11, 2018

Contact Person/Dept: Gabriela Silva, Associate Planner;
Michael Allen, Current Planning Manager

Phone Number: (310) 253-5736 / (310) 253-5727

Fiscal Impact: Yes ☐ No ☒

General Fund: Yes ☐ No ☒

Public Hearing: ☒

Action Item: ☐

Attachments: ☒

Public Notification: (Email) Master Notification List (08/27/18); (Posted) City website (08/27/18); (Published) in Culver City News (08/23/18)

Department Approval: Sol Blumenfeld, Community Development Director (08/29/18)

RECOMMENDATION

Staff recommends the City Council, after conducting a public hearing, introduce an Ordinance (Attachment No. 1) approving Zoning Code Text Amendment P2018-0124-ZCA, amending Zoning Code Section 17.300.025 - Height Measurement and Height Limit Exceptions, to allow changes pertaining to the standards and requirements for specified roof-mounted equipment and structures.

PROCEDURES

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 the Current Planning Division's ongoing implementation of the Zoning Code, staff identified portions of the Zoning Code pertaining to "height projections" that were deemed to necessitate modification. Over the past few years, as new development has proliferated, many architects have struggled with designing and locating structures for roof-top access, as well as other roof-mounted equipment, while complying with the requirements of Zoning Code Section 17.300.025 - Height Measurement and Height Exceptions. As indicated in Table 1 below, this Zoning Code section allows roof-mounted structures for the housing of mechanical equipment, antennas, elevators, and stairways to project up to 13'-6" above the height of the building (the roof line of the building, not the line of the allowable height limit), provided that the roof-mounted feature is set back at least one (1) foot from the edge of the structure for every foot in height that it projects above the roof on which the feature is situated. Specifically, for stairwells, elevators, and mechanical equipment, which must comply with other requirements of the Building Code and/or mechanical and electrical codes, applicants have sought relief from portions of this section or have made significant revisions to their plans. This has been challenging due to the need to locate these types of features at different locations, including near the edge of the buildings. At times, locating mechanical equipment according to certain Zoning Code restrictions can significantly impact the system's efficiency. Similarly, locating a stairwell or elevator a specific distance from the building edge, can lead to less desirable or efficient floor layouts that are designed around the location of these access points. Specifically relating to elevators, the various occupancy clearances, equipment clearances, and manufacturer's requirements, results in a structure significantly more than 13'-6" in height above the roof line. It is important to note that as currently written and implemented, the 13'-6" height would apply to the rooftop feature from the building roofline to the top of the feature and cannot be increased if the building roofline were lowered.

These various constraints have resulted in the need to process Administrative Modifications or obtain code interpretations from the Board of Zoning Adjustment. For example, the City recently processed one Administrative Modification relating to building height due to the need for a new roof-top structure (elevator) at the roof level of a parking structure. Similarly, a recent request for installation of rooftop solar panels was required to be modified, resulting in less panels, and, thus, less solar energy production. Even with the modifications, a Zoning Code Interpretation (ZCI-18-01) was presented to the Board of Zoning Adjustment (BZA) in order to make the overall proposal feasible by allowing the support structure within what would otherwise be a step-back area. In another instance, a project was forced to forgo a rooftop open space deck for office users due to the inability to provide the necessary elevator for accessibility by persons with disabilities within the allowable height projection. Since there have been a number of these kinds of requests and plan changes involving roof-mounted features due to complications with meeting these specific Zoning Code standards, staff believes that it may be prudent to modify the zoning provisions to permit them without step-backs from the building edge and at an increased height for elevators.

On July 11, 2018, staff presented draft amendment language to the Planning Commission based

upon the background above. The Planning Commission provided direction to staff and the matter was continued. During the meeting of July 11, 2018, the Planning Commission expressed concerns with regard to the extent of the increase in the projection allowance and the application of the taller height in areas where there could be an undesirable outcome for lower-scale development, including single family residential neighborhoods. As a result, the Planning Commission directed staff to make revisions and provide additional information with regard to this topic, including the following:

- Provide Zoning Code information for Los Angeles County
- Separate allowances for multi-family residential zones from non-residential zones, in order to prevent a potential conflict with surrounding residential properties (such as R1 and R2 zones that may be abutting or adjacent to multi-family residential zones)
- Target the proposed height allowance increase to the appropriate features (i.e. elevators only)
- Provide a separate category for solar structures

On July 25, 2018, the item was presented again, including revisions reflecting the direction from the Planning Commission and providing additional information on the research conducted to inform the numbers presented by staff. Upon deliberation of the revised text and additional information provided, the Planning Commission adopted Resolution No. 2018-P 004 (Attachment No. 2), recommending to the City Council approval of Zoning Code Amendment P2018-0124-ZCA, related to the standards and requirements for rooftop height projections. The Planning Commission requested a few additional refinements, as listed below.

- Allow exceptions where the Building Code requires otherwise
- Require five (5) feet of setback from the building edge for roof-mounted structures exceeding the parapet height in multiple family residential zones, except stairs

ANALYSIS/DISCUSSION

The Zoning Code currently specifies the maximum allowable height for structures in the various tables corresponding to the different Zones within the City, including Table 2-3, 2-4, 2-6, 2-7, and 2-9, with allowable height projections identified for select features in specific scenarios identified in Section 17.330.025 of the CCMC. These allowances are listed in the table below.

Table 1: CCMC Section 17.300.025.C. – Exceptions to Height Limits. Exceptions to the height limits identified in this Title shall apply in the following manner:	
Feature	Projection Allowance
In multiple-family residential zones and non-residential zones, 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	Allowed up to a maximum of 13 feet, 6 inches above the height of a building. Any roof-mounted structure shall be set back from the edge of the structure a minimum of 1 foot for every foot in height above the roof of which they are situated
Fire or parapet walls	May extend up to 5 feet above the building height limit of the structure, and as may otherwise be required by the California Building Code
In non-residential zones, architectural features that are non-habitable design elements, such as spires, turrets, bell towers, clock towers, cupolas and similar design elements as determined by the Director	Allowed, up to a maximum of 13 feet, 6 inches above the height of a building, and are limited to 15% of the total roof area
Chimneys	May project up to 4 feet above the height of the building

Based on the feedback received by City staff, staff researched industry standards for equipment and elevators, as well as Zoning Codes from other nearby jurisdictions. The research showed many elevator designs necessitate a minimum clearance for the cab of approximately eight (8) to ten (10) feet, plus an additional six (6) to eight (8) feet for overhead clearance and hoist area, plus approximately two (2) feet for the roof assembly (and hoist beam, where not included in overall height), and in some cases an additional four (4) to five (5) feet for a machine room. Based on these ranges for each component, the resulting approximation was a height of eighteen (18) feet, consistent with the allowance in the City of Santa Monica Zoning Code, and up to twenty-one (21) feet, with the average of these two dimensions being 19'-6" in height. The various elevator details and specifications collected (Attachment No. 3) show 19'-6" is at the higher end of the approximate maximum height necessary for a rooftop elevator assembly. Further, based upon research of recently approved projects, staff identified eight (8) projects that had conflicts related to elevator projection height which ranged from fifteen (15) feet to 19'-6". Staff found 19'-6" was the prevailing condition in the submittals which is consistent with the height proposal in the Text Amendment. The information for other jurisdictions is listed in Table 2 below.

Table 2: Allowable Projections by Other Jurisdictions

Jurisdiction	Feature	Projection Allowance
City of Santa Monica	Elevator shafts	18 ft. above the roofline, with a maximum aggregate coverage of the building's roof area of 15%
	Stairwells	14 ft. above the roofline, with a maximum aggregate coverage of the building's roof area of 25%
	Mechanical rooms and enclosures	12 ft. above the roofline, with a maximum aggregate coverage of the building's roof area of 25%
City of El Segundo	Penthouses or roof structures for the housing of elevators, stairways, mechanical or similar equipment required to operate and maintain a building	May be erected above the height limits prescribed in this title (no limitations are identified for height or coverage)
	Fire or parapet walls, open-work guardrails, skylights, towers, flagpoles, chimneys, smokestacks, radio, television masts, radar and other similar structures.	May be erected above the height limits prescribed in this title (no limitations are identified for height or coverage)
City of Inglewood	Penthouses or roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar equipment required for the operation of buildings, and fire or parapet walls, skylights, flagpoles, chimneys, or similar structures	May be erected above the height limits here prescribed, but no space above the height limit shall be allowed for the purpose of additional floor area (no limitations are identified for height or coverage)
City of Los Angeles	Tanks or similar equipment required to operate and maintain the building, skylights, towers, steeples, flagpoles, smokestacks, wireless masts, water tanks, silos, or similar structures	May be erected above the building height limit by up to 5 feet if the structure is set back from the roof perimeter by five feet.
	Chimney, exhaust ducts, solar water heaters, or any roof structure housing stairways, elevators or ventilation fans	May exceed the building height limit by up to 5 feet, but are not required to provide a setback from the perimeter of the roof.
	Roof structures for the housing of elevators and stairways, where height is limited to 75 feet	May exceed the building height limit by up to 20 feet
	Roof structures for the housing of elevators and stairways, where height is limited to 30 or 45 feet	May exceed the building height limit by up to 10 feet
County of Los Angeles	Space within a roof structure or penthouse for the housing of building operating equipment or machinery	Shall not be considered in determining the total floor area within a building (no limitations are identified for height or coverage) (Building height is determined by floor area).

Table 2: Allowable Projections by Other Jurisdictions

Jurisdiction	Feature	Projection Allowance
City of West Hollywood	Architectural projections, towers, and other architectural design elements integral to the overall design character of a structure and intended to distinguish its design and contribute to its architectural excellence	May be allowed above the height limit, provided they: <ul style="list-style-type: none"> a. Are non-occupiable; b. Are limited to the following maximum height limits above the height allowed by the underlying zoning district <ul style="list-style-type: none"> (1) Residential. <ul style="list-style-type: none"> (a) If the applicable maximum height limit is 35 feet or less: 10 feet. (b) If the applicable maximum height limit is over 35 feet: 25 feet. (2) Non-residential structures may exceed the allowable height limit by a maximum of twenty-five feet. c. Are limited to 15 percent of the total roof area; d. Do not result in adverse shadows on adjacent properties; and e. Are approved by the Director through the development permit process
	Catwalks, parapets, and railings	Allowed with a maximum height of four (4) feet
	Mechanical equipment, housings, telecommunications facilities and other appurtenant roof-top structures or penetrations (e.g., skylights, stairwells, and ventilation atria)	May be allowed, but shall not exceed 15 percent of the total roof area and shall not exceed ten (10) feet in height above the roof above which they are situated. Shall be set back from the edge of the structure a minimum of one (1) foot for every foot in height above the roof above which they are situated
Beverly Hills	Multifamily residential zones Elevator shafts and lobbies Stair shafts Mechanical rooms Parapets and handrails	May project above the building height 15 feet 12 feet 10 feet 45 inches
	Nonresidential zones Elevator shafts and lobbies, stair shafts Mechanical rooms Parapets and handrails	May project above the building height 15 feet 15 feet 45 inches

CCMC Section 17.300.025.C provides a list of various types of architectural features, equipment, and structures (e.g. parapets, elevators, equipment rooms) that may project above the building height and height limit, specifies the projection height and additional criteria or limitations, such as step-backs. The proposed amendment will address projection height limits and associated setbacks related to

elevators in non-residential zones and the positioning of stairwells, mechanical equipment, and other features. Based on the background on this topic and direction from the Planning Commission, the proposed language for Section 17.300.025.C specifies that in multiple-family residential zones, roof-mounted structures for housing mechanical equipment, antennas, elevators, stairways, tanks, towers, ventilating fans, or similar equipment required to operate and maintain the structure will be allowed to project a maximum of 13 feet, 6 inches above the height of the building, as currently stated in the Zoning Code, and required to provide a minimum setback of five (5) feet from the edge of the structure on which they are situated when exceeding the parapet height, except for stairs. For non-residential zones, the same height allowances would be also maintained, except elevators would be allowed to project a maximum of 19 feet, 6 inches above the height of the building, and with no minimum setback from the edge of the structure required. In addition, the proposed amendment would provide a height projection allowance of 13'-6", consistent with existing allowances, for trellises or carports structures installed over a parking structure roof deck for the purpose of supporting solar panels and solar equipment in non-residential zones, without limitation on coverage or required setbacks from the edge of the structure. These proposed changes, including all revisions by the Planning Commission, are shown in strikeout/underline below.

Table 3: Proposed Amendment

Excerpt of CCMC Section 17.300.025.C with proposed changes in strikeout/underline.

17.300.025 - Height Measurement and Height Limit Exceptions

All structures shall meet the following standards relating to height, except for fences and walls, which shall comply with Section 17.300.030 (Fences, Hedges, and Walls), and the allowable exceptions identified in Subsection 17.300.025.C. (Exceptions to Height Limits), below.

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.

2. ~~In multiple-family residential zones and non-residential zones, 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 17.320.025, 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, exceeding the parapet height, shall be set back 5 feet from the edge of the structure ~~a minimum of 1 foot for every foot in height above the roof of which they are situated, except stairs.~~

b. In non-residential zones, roof mounted structures for the housing of mechanical equipment, antennas, stairways, tanks, towers, ventilating fans, or similar equipment required to operate and maintain the structure, shall be allowed up to a maximum of 13 feet 6 inches above the height of a building; elevators shall be allowed up to a maximum of 19 feet 6 inches above the height of a building.

6. In non-residential zones, trellis and carport-style structures installed on a parking structure roof deck for the purpose of supporting solar panels and solar equipment shall be allowed up to a maximum of 13 feet 6 inches above the height of a building.

SUMMARY

Zoning Codes are a product of their times and the original purpose of the projection limit and step-back requirement was to ensure that ancillary rooftop structures were minimized in their size and visual impact. However, in many cases this is impractical and inconsistent with the realities of the actual construction standards. Furthermore, it is staff's opinion that these types of structures are typically minimal in their footprint and if allowed at the edge of a building and at a greater height (for elevators only) will not have major visual impacts or create problems relative to bulk, mass, and aesthetics. By amending the subject Zoning Code section, and allowing specific roof-mounted structures to project higher above the roofline and to be located with more flexibility on the roof, the Zoning Code will address the practical aspects and constraints of actual construction situations, while continuing to provide clear standards for approval, enforcement, and preservation of safety and the general welfare.

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 August 23, 2018. In addition, the public notice was posted on the City website and distributed electronically on August 27, 2018. 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 Zoning Code Amendment in response to the public notice.

ENVIRONMENTAL DETERMINATION

The proposed Zoning Code Amendment (P2018-0124-ZCA) 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), and no new significant information has been found that would impact either PEIR 1 or PEIR 2. Therefore, no new environmental analysis is required, pursuant to Sections 15162 and 15168 of the California Environmental Quality Act (CEQA).

FISCAL ANALYSIS

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. 2018-P004 with Exhibit A: Proposed Zoning Code Text Changes in "strikethrough/underline" format
3. Elevator Research

MOTION

That the City Council

Introduce an Ordinance approving Zoning Code Amendment P2018-0124-ZCA, amending Title 17, Zoning, of the Culver City Municipal Code (CCMC), Section 17.300.025 - Height Measurement and Height Limit Exceptions.