



City of Culver City

Mike Balkman Council
Chambers
9770 Culver Blvd.
Culver City, CA 90232

Staff Report

File #: 21-645, **Version:** 1

Item #: C-8

CC - (1) Adoption of an Ordinance Amending Title 17, Zoning, of the Culver City Municipal Code (CCMC), Section 17.400.065 Related to Mixed-Use Development Standards to Include Affordable Housing Provisions (P2020-0238-ZCA); and (2) Adoption of a Resolution Rescinding Resolution Nos. 2008-R015 and 2017-R108, Previously Establishing the Existing Community Benefit Incentive Program.

Meeting Date: February 8, 2021

Contact Person/Dept: Michael Allen, Current Planning Manager

Phone Number: (310) 253-5710

Fiscal Impact: Yes ☐ No ☒

General Fund: Yes ☐ No ☒

Public Hearing: ☐

Action Item: ☐

Attachments: ☒

Public Notification: (Email) Meetings and Agendas - City Council (02/04/21); (Posted) City website (02/04/21); (Published) Culver City News (01/07/21)

Department Approval: Sol Blumenfeld, Community Development Director (02/02/2021)

RECOMMENDATION

Staff recommends the City Council (1) adopt an ordinance (Attachment 1) approving Zoning Code Amendment (P2020-0238-ZCA), amending Culver City Municipal Code (CCMC), Title 17 - Zoning (Zoning Code) Section 17.400.065 - Mixed Use Development Standards, to include a mandatory affordable housing component as part of new mixed-use development projects, which incorporate community benefits to achieve increased density; and (2) adopt a Resolution rescinding Resolution Nos. 2008-R015 and 2017-R108, previously establishing the existing Community Benefit Incentive Program (Attachment 2).

BACKGROUND/DISCUSSION:

On December 10, 2018, the City Council considered a staff report on the elements of a Mixed Use Zoning Code Amendment incorporating additional affordable housing requirements and directed staff to prepare an ordinance amending the Zoning Code to include options providing an additional affordable housing component as part of new market rate housing developments. On April 13, 2020 the City Council reviewed draft provisions for the Zoning Code Amendment and provided direction

related to community outreach and some of the ordinance provisions.

On September 15, 2020 staff reached out to developers, non-profit developers and other real estate professionals in the development community to gather input on the drafting of the Zoning Code Amendment and many of their ideas are reflected in the current draft document.

On October 14, the Planning Commission considered the subject text amendment. During the public hearing, Planning Commission discussed the nature of community benefit density bonus and associated mandatory affordable housing provisions; expanding ground floor use restrictions in mixed-use projects; mandatory shared parking standard for projects greater than 10,000 square feet; compliance with several State level legislative actions related to housing and project parking, project vesting; potential for expanding the text amendment to high density residential zones; potential sliding scale to provide flexibility to accommodate smaller scale projects; market for micro units; methods for siting and locating affordable housing through off-site in-lieu affordable units. Planning Commission recommended the following provisions be added to the Zoning Code Amendment: (1) ensure rehabilitation of commercial properties are consistent with existing non-conforming provisions; (2) clarify that shared parking analysis shall factor in any allowances of reduced parking provided by State statute; (3) vesting of development plans when plans are complete and plan check fees are paid; and (4) reference to state law requirements regarding replacement units.

City Council First Reading and Introduction

On January 25, 2021, the City Council, after opening public comment and discussing proposed changes, unanimously introduced the proposed Ordinance.

Discussion included deliberation of affordability provisions, density options, and land use modifications, including the aforementioned Planning Commission recommendations. Subsequently, City Council introduced the proposed Ordinance, removing the proposed new language related to project vesting, adding a provision to require the replacement of park space, and requiring an annual review of the mandatory number of affordable units required when a project seeks the community benefit density bonus, to evaluate the effectiveness and appropriateness of the percentage required.

Subsequent to the introduction of the Ordinance, staff has added non-substantive revisions to Section 17.400.065.I.1.a, regarding shared parking, to clarify shared parking will only be required when feasible and where it does not negatively impact surrounding commercial or residential neighborhoods.

The proposed Ordinance, including the Council-directed changes and clarifications, is presented for adoption.

Rescission of Existing Community Benefit Incentive Program

On March 8, 2008, the City Council adopted Resolution No. 2008-R015, establishing a Community Benefit Incentive Program in connection with CCMC Section 17.400.065 (Attachment 3). On July 28, 2008, in accordance with the provisions of the Community Benefit Incentive Program, the City Council adopted Resolution No. 2008-R053, establishing Community Benefits specific to the

Washington/National Transit Oriented Development (TOD) District. The TOD District Community Benefits were subsequently amended on December 11, 2017, by Resolution No. 2017-R108, which also rescinded Resolution No. 2008-R053 (Attachment 4).

With the adoption of the proposed Ordinance, it is the intent that the Community Benefit provisions of CCMC Section 17.400.065 supersede the existing Community Benefits Incentive Program. As such, staff recommends the City Council adopt the proposed Resolution rescinding Resolution Nos. 2008-R015 and 2017-R108. The proposed Resolution includes an exception for those project-specific Community Benefits previously approved under the existing Community Benefits Incentive Program, which Community Benefits shall continue in full force and effect.

ENVIRONMENTAL DETERMINATION:

The Project is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty 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 the mixed-use development standards, by itself does not result in any physical changes nor any significant effects on the environment. 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. A CEQA finding, consistent with the above, is included in the proposed Ordinance.

FISCAL IMPACT:

There is no fiscal impact associated with the introduction of the proposed Ordinance.

ATTACHMENTS:

1. 2021-02-08_ATT 1_Ordinance, including Exhibit A - Zoning Code Text Amendment
2. 2021-02-08_ATT 2_Resolution Rescinding Resolution Nos. 2008-R015 and 2017-R108
3. 2021-02-08_ATT 3_Resolution No. 2008-R015
4. 2021-02-08_ATT 4_Resolution No. 2017-R108

MOTION:

That the City Council:

1. Adopt an ordinance approving Zoning Code Amendment P2020-0238-ZCA, amending Culver City Municipal Code (CCMC), Title 17 - Zoning (Zoning Code) Section 17.400.065 - Mixed Use Development Standards, to include a mandatory affordable housing component as part of new mixed-use development projects, which incorporate community benefits to achieve increased

density; and

2. Adoption of a Resolution rescinding Resolution Nos. 2008-R015 and 2017-R108, previously establishing the existing Community Benefit Incentive Program.