



## Planning Commission Report

**Meeting Date:** September 8, 2011

**Subject:** Discussion regarding a potential zone text amendment to the residential development standards for corner lots located in the Central Area of the City, south of Santa Monica Boulevard

**Recommendation:** Receive the report and provide direction to staff

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### REPORT SUMMARY

At its July 28, 2011 meeting, the Planning Commission directed staff to bring forward a narrowly focused discussion at the request of a resident, Jake Manaster. Consistent with Commission direction, this report:

- Identifies existing zoning regulations applicable to corner lot properties located in the Central Area of the City, south of Santa Monica Boulevard;
- Provides an amendment consistent with the Commission's direction; and

### DISCUSSION

#### Existing Development Standards for Corner Lots South of Santa Monica

The zoning code currently specifies setback standards for single family residences based on lot size and location within the City. Different standards apply to properties located north of Santa Monica Boulevard, south of Santa Monica Boulevard, and to corner lots located south of Santa Monica Boulevard.<sup>1</sup>

Pursuant to Beverly Hills Municipal Code (BHMC) Section 10-3-2405, the rear yard setback for lots located south of Santa Monica Boulevard is 30% of the lot depth minus nine (9) feet.

However, the Planning Commission may reduce the required rear yard setback requirement for these properties through the Central R-1 permit process if all of the following requirements are satisfied:

1. The corner lot in question is located south of Santa Monica Boulevard;
2. The rear lot line of the corner lot is located along an alley;

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<sup>1</sup> Rear setback standards for all areas of the City (Hillside, Trousdale, Central North and Central South) are included as Attachment 1

Attachment(s):

1. Rear setback standards for all areas of the City

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3. The corner lot has a minimum width of fifty four feet (54');
4. The street side setback is a minimum of fifteen feet (15') for the portion of side setback outside the required rear setback;
5. The height of the existing primary structure on the corner lot complies with the maximum building height requirements set forth in section 10-3-2403 of this article;
6. The height of the addition does not exceed the height of the existing primary structure on the corner lot;
7. The portion of the structure within the required rear setback maintains a minimum five foot (5') side setback; and
8. The proposed structure maintains a minimum eight foot (8') rear setback.

In order for the Commission to approve a Central R-1 permit for properties that meet the above requirements, the Commission must find that the proposed development will not have a substantial adverse impact on:

- A. The scale and massing of the streetscape,
- B. Neighbors' access to light and air,
- C. Neighbors' privacy, and
- D. The garden quality of the city.

#### Potential Text Amendment

While there is no pending project to analyze against existing code requirements, staff was requested by the Planning Commission to review those requirements related to a reduction in the rear yard setback for additions on corner lots. The code specifies eight (8) standards that must be met in order for a property owner to be able to apply for a Central R-1 permit to allow the reduced rear setback. These standards include restrictions on height, setbacks, location and lot width. A possible text amendment to remove or modify the setback standards (Nos. 4, 7 and 8, above) would afford owners of corner lots located south of Santa Monica Boulevard greater flexibility when remodeling or adding to an existing home. Modifying these standards would not eliminate the requirement to apply for a Central R-1 permit to allow a reduced rear yard setback. Therefore, the public process and ability to ensure that such additions do not result in adverse impacts to neighbors or incompatibility with the scale of the streetscape would still remain.

Other amendments may be considered if staff is directed to pursue amending these development standards or if such an application is submitted by a property owner.