



Beverly Hills City Council Liaison / Planning Commission Committee will conduct a Special Meeting, at the following time and place, and will address the agenda listed below:

**CITY HALL
455 North Rexford Drive
4th Floor Conference Room A
Beverly Hills, CA 90210**

**Monday, March 20, 2017
4:00 PM**

AGENDA

1) Public Comment

Members of the public will be given the opportunity to directly address the City Council on any item listed on the agenda.

2) Basements in Single-Family Zones

The purpose of this item is to provide background information on the topic of basements in single-family zones and seek preliminary policy direction from the Liaison Committee

3) Adjournment

A handwritten signature in black ink, appearing to read "Byron Pope".

Byron Pope, City Clerk

Posted: March 14, 2017



In accordance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please call the City Manager's Office at (310) 285-1014. Please notify the City Manager's Office at least twenty-four hours prior to the meeting so that reasonable arrangements can be made to ensure accessibility.



MEMORANDUM
CITY OF BEVERLY HILLS

TO: City Council and Planning Commission Liaison Committee

FROM: Ryan Gohlich, AICP, Assistant Director of Community Development *RG.*

DATE: March 20, 2016

SUBJECT: **Basements in Single-family Zones**
City Council and Planning Commission Liaison Meeting

The purpose of this memo is to provide background information on the topic of basements in single-family zones and seek preliminary policy direction from the liaison committee.

Background. The Beverly Hills Municipal Code (BHMC) regulates the maximum amount of floor area allowed on a single-family property and defines what is counted toward the maximum floor area. Currently, per the BHMC, basement areas in single-family zones are not counted toward the maximum floor area on a site. Basements are defined in the BHMC as “any floor level below a story which has a finished floor level that is a maximum of three feet above grade at any point along the perimeter of the building facing a front or street side setback line and which has no windows exceeding eighteen inches above grade at any point along such perimeter of the building”.

Community members, Councilmembers, and Commissioners have raised concerns related to basements as they are becoming increasingly popular in single-family zones. The Planning Commission and City Council both discussed basements during meetings on the single-family bulk and mass project (completed between 2012-2014). During this time, the consultant made a recommendation that the City should consider counting basement area as floor area, but also allow property owners to exempt portions of the basement in exchange for designing the home in a way that minimized bulk and mass as perceived from the street (The relevant pages from the Bulk and Mass Recommendations Report are included as Attachment A). After robust discussions on the topic the Planning Commission and City Council ultimately decided against changing regulations pertaining to basements.

At a Study Session on December 20, 2016, the City Council discussed counting basement area as floor area in single-family zones. At this meeting the City Manager noted that a consultant could be procured to examine development standards and the City Council referred the item to the Planning Commission to further study basement areas and the differentiation of basements in each area of the City.

Attachments:

- A. Bulk and Mass Recommendations Report Section on Basements
- B. Current Municipal Code Basement Regulations
- C. Basement Diagrams

Liaison Comments/Direction. The purpose of this meeting is to provide general comments and direction to staff regarding the topic of basements in single-family zones. Discussion of the following items can help further define concerns regarding basements in single-family zones and inform next steps and policy solutions. Specifically, staff seeks direction on the following:

- What are the Liaison Committee's primary concerns regarding the City's basement regulations? Do these concerns differ in different areas of the City? Are modifications to the existing basement regulations desired (Current regulations are attached as Attachment B)?
- Do the Liaisons wish to address issues related to basements in all single-family areas in the City or just in the Hillside Area?
- Are there specific basement configurations that are more concerning than others (for example, basements that daylight with exposed walls on a sloped site vs. basements on flat lots that are entirely underground)?
- Are there concerns regarding the uses included in the basement (for example, underground parking vs. bedrooms)?

Next Steps. Upon receiving direction from the Liaison Committee, staff will further define the issues related to basements in the City. This information will help staff develop a work plan to address the identified concerns and proceed with further work at the Planning Commission level if so directed.

Attachment A

Bulk and Mass Recommendations Report Section on Basements

11. Consider Standards to Incentivize Mass And Bulk Reduction Through Increased Utilization Of Basement Area

- a. **Recommendation For General Standard Exempting Some Basement Uses From Maximum Residential Area Allowances**
- i. **Recommendation language:** Any area in a basement that is utilized for parking spaces, access drives, or ramps to those spaces, as well as basement area that is utilized for mechanical equipment or rooms, or shafts and stairwells to floors above, shall be exempt from the determination of residential basement floor area. Basement area not exempt per these criteria shall be counted as floor area.

Consultant commentary: Home owners, builders, and designers of residences should be encouraged to place parking and utility spaces underground where feasible, and areas for these types of uses should not be counted towards floor area limitations.

- b. **Recommendation For Basement Area Allowances and Standards For South of Santa Monica Boulevard**

- i. In addition to exempt basement area as defined in 11.a.i above, and an allowance of an additional 150 square feet of basement area that may be utilized for any habited use, when a project meets the following modulation standards any additional basement area shall be exempt from the determination of residential floor area.

- (1) Meet front yard-facing building plane modulation standard per 3.a
- (2) Meet height requirements per 4.a
- (3) Meet maximum second floor area requirements per 5.a
- (4) Meet architectural projection requirements per 6.a
- (5) Meet porte-cochere modulation requirements per 7.a
- (6) Meet side yard separation requirements per 8.a and 8.b

If all of the modulation standards above are not met, for each square foot of non-exempt basement floor area, 50% of such non-exempt area shall count towards the calculation of the maximum allowed residential floor area.

Consultant commentary: To incentivize the use of basements and encourage the design of new homes in the Central Area that explicitly address base standards for mass and bulk as proposed in this Recommendations Report, recommended bulk and mass standards are related to basement area as well as residential floor area allowances. The proposed standards allow an applicant to fully realize above-grade floor area allowances and maximize below grade use if bulk and mass standards are met. If bulk and mass standards are not met, a percentage of habited non-exempt basement area counts towards floor area limitation to control the intensity of residential use and consequent above-grade bulk and mass.



Figure 24: Construction of basements is increasing and creates opportunities to provide additional areas for parking and relating mass and bulk to intensity of residential use.

c. Recommendations For Basement Area Allowances and Standards For North of Santa Monica Boulevard

i. Recommendation language: In addition to exempt basement area as defined in 11.a.i above, and an allowance of an additional 300 square feet of basement area that may be utilized for any habited use, when a project meets the following modulation standards any additional basement area shall be exempt from the determination of residential floor area.

(1) Meet front yard-facing building plane modulation standard per 3.b

(2) Meet height requirements per 4.b

(3) Meet maximum second floor area requirements per 5.b

(4) Meet architectural projection requirements per 6.a

(5) Meet porte-cochere modulation requirements per 7.b

If the modulation standards above are not met, for each square foot of non-exempt basement floor area, 50% of such non-exempt area shall count towards the calculation of the maximum allowed residential floor area.

Consultant commentary: The north of Santa Monica standard that relates use of non-exempt basement area to modulation of above-grade construction is the same as that for South of Santa Monica Boulevard, with the exception that increased exempt habited basement area is provided, acknowledging the increased sizes of lots and homes in this portion of the Central Area.

Attachment B

Current Municipal Code Basement Regulations

Municipal Code Basement Regulations

Definition of Basement:

10-3-100 DEFINITIONS

B. Single-family residential zone: "Floor area" shall mean the area of all portions of floors and levels which have a roof or floor level above and are enclosed by exterior walls by more than fifty percent (50%). Further, "floor area" shall include the area of that portion of an upper level not separated from a lower level by a floor/ceiling assembly, but shall not include basements, crawl spaces and up to four hundred (400) square feet of garage area.

For the purposes of determining floor area in a single-family residential zone, "basement" shall mean any floor level below a story which has a finished floor level that is a maximum of three feet (3') above grade at any point along the perimeter of the building facing a front or street side setback line and which has no windows exceeding eighteen inches (18") above grade at any point along such perimeter of the building. A basement may extend beyond the perimeter of the building provided that such portion of the basement is below the natural grade. For the purpose of determining whether a floor level is a basement, grade shall be defined as it is defined in California Building Code as adopted and amended in title 9 of this code.

Basements in Hillside Area:

10-3-2502: FLOOR AREA:

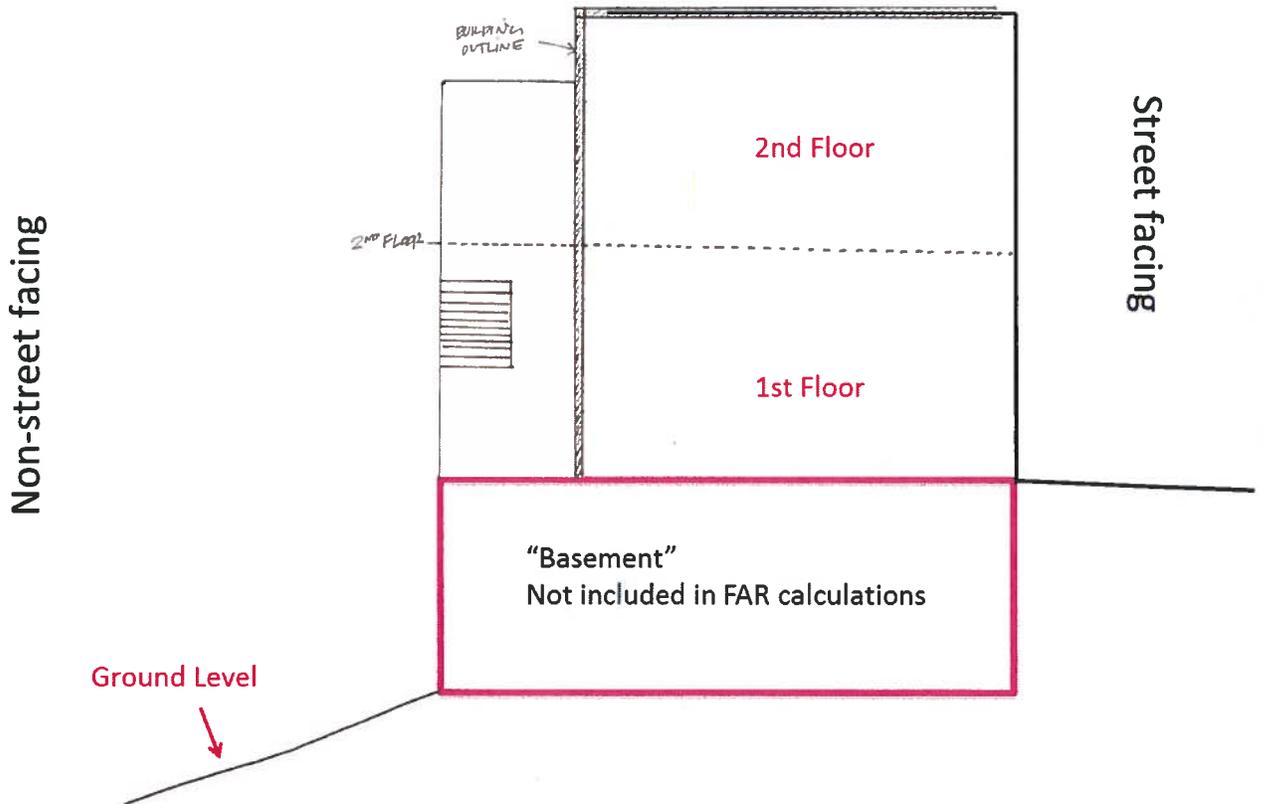
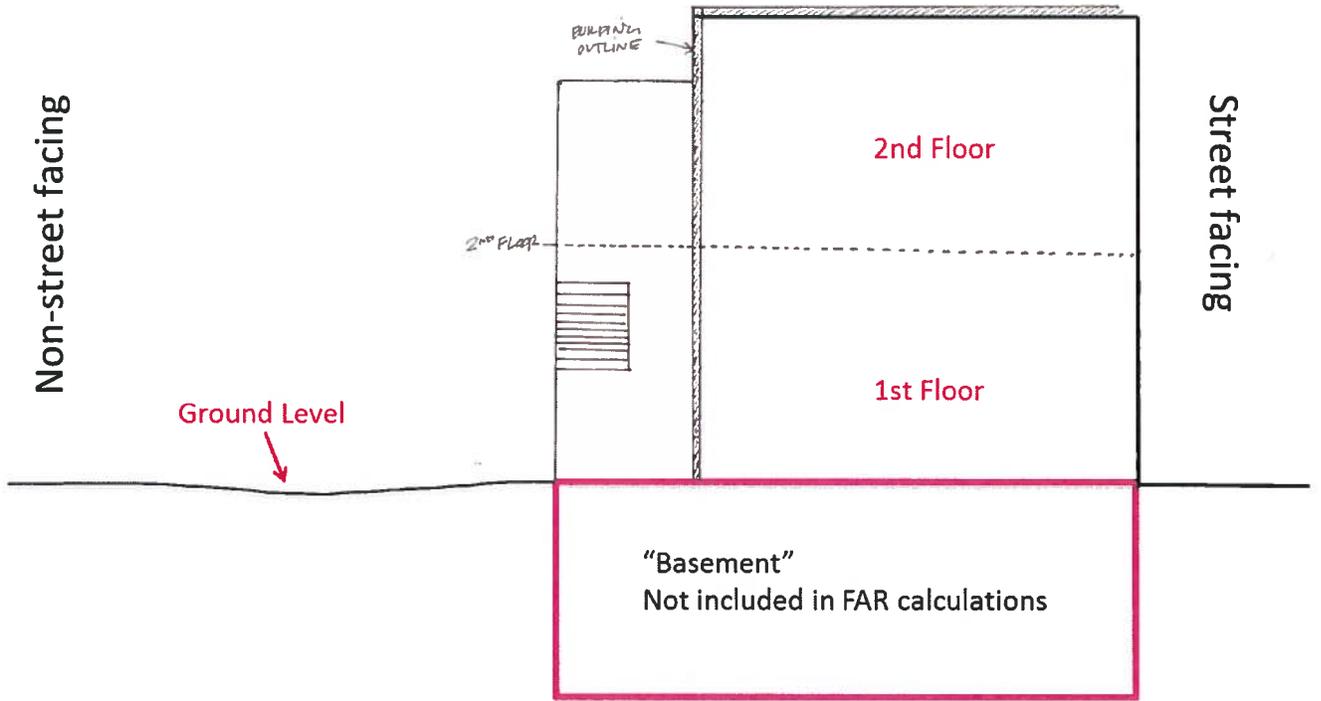
The following minimum and maximum floor area restrictions shall apply to buildings in the Hillside Area of the city:

- A. Minimum Restrictions: Any building that serves as the primary residential building on a site area shall have a minimum floor area of one thousand six hundred (1,600) square feet and shall have a minimum width, at its widest point, of twenty feet (20').
- B. Maximum Restrictions: The standards set forth in this subsection shall govern the maximum cumulative floor area that may be developed on any site within the Hillside Area.

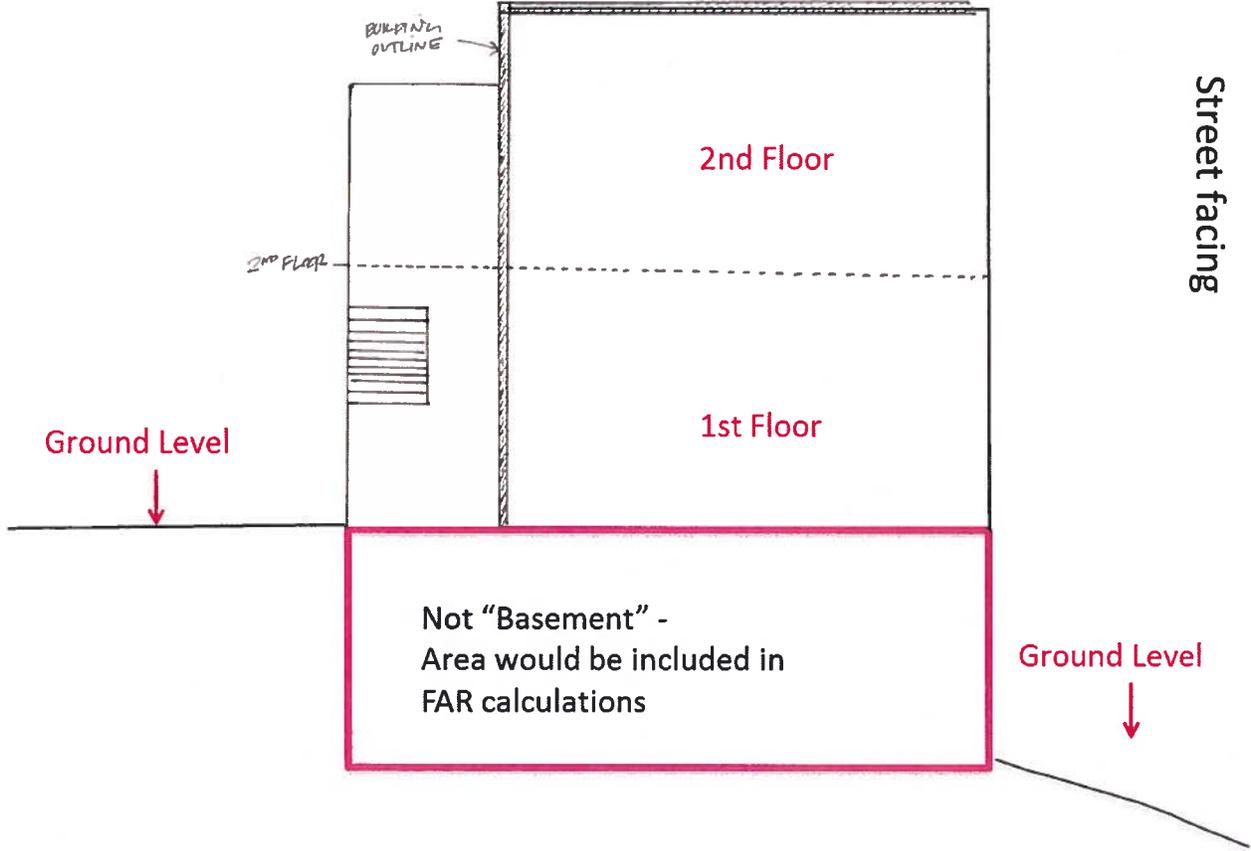
Notwithstanding any other provision of this section, an owner of a site within the Hillside Area may develop buildings or structures on that site which cumulatively contain up to four thousand five hundred (4,500) square feet of floor area even if the application of the standards set forth in this section would not permit that amount of development.

In addition, notwithstanding any other provision of this section, the cumulative floor area developed on any one site area, in combination with the floor area of all basements constructed on that site, shall not exceed fifteen thousand (15,000) square feet unless permitted by a Hillside R-1 permit issued pursuant to article 25.5 of this chapter. Provided, however, that up to one thousand six hundred (1,600) square feet of basement garage area and up to three hundred (300) square feet of basement mechanical area shall not be included within the calculation of the floor area of a basement for the purposes of this paragraph....

Attachment C
Basement Diagrams



Non-street facing



Street facing

Ground Level

Ground Level

Not "Basement" -
Area would be included in
FAR calculations

2nd Floor

1st Floor

2ND FLOOR

BUILDING
OUTLINE