

**City of Culver City, California
Agenda Item Report**

Meeting Date: <u>08/25/14</u>		Item Number: <u>A-3</u>	
CITY COUNCIL AGENDA ITEM: Discussion of Survey Results and Recommended Standards for an Updated Parkway Ordinance.			
Contact Person/Dept.: Rudolph R. Galindo/PW		Phone Number: (310) 253-5618	
Fiscal Impact: Yes ☐ No ☒		General Fund: Yes ☐ No ☒	
Public Hearing: ☐		Action Item: ☒	Attachments: ☐
Commission Action Required: Yes ☐ No ☒		Date: _____	
Public Notification: (E-mail) Agenda and Meetings – City Council (08/19/2014);			
Department Approval: Charles D. Herbertson 08/18/14		City Attorney Approval: Carol A. Schwab (by H. Baker) (08/18/14)	
Chief Financial Officer Approval: Jeff Muir (by M. Noller) (08/19/14)		City Manager Approval: John M. Nachbar (08/19/14)	

RECOMMENDATION:

Staff recommends the City Council discuss and provide direction to staff for updating the Parkway Ordinance.

BACKGROUND:

On March 28, 2013 a proposed ordinance was presented to the City Council with language to allow modifications to residential parkways and to alter the City's policies regarding parkway tree removals. The City Council decided to approve modifications to the tree removal policies but directed staff to seek additional input on the proposed ordinance with respect to parkway planting requirements.

In response to the City Council's direction, the Public Works Department developed an outreach strategy in order to obtain input from various groups throughout the City as well as educate the community about the importance of sustainability and how an updated ordinance can be used to advance the City's sustainability goals.

An online survey was created for the community to both learn about and provide feedback on the proposed parkway ordinance. The survey generated 135 responses over a two week period and was promoted through the City's website, e-mail lists, cable access channel, and outreach at the City Council Meeting and community meetings.

The link to the survey was sent out through the Culver City E-mail Notification List for sustainability, posted on the City's website, and printed on the handout that was distributed at each community meeting.

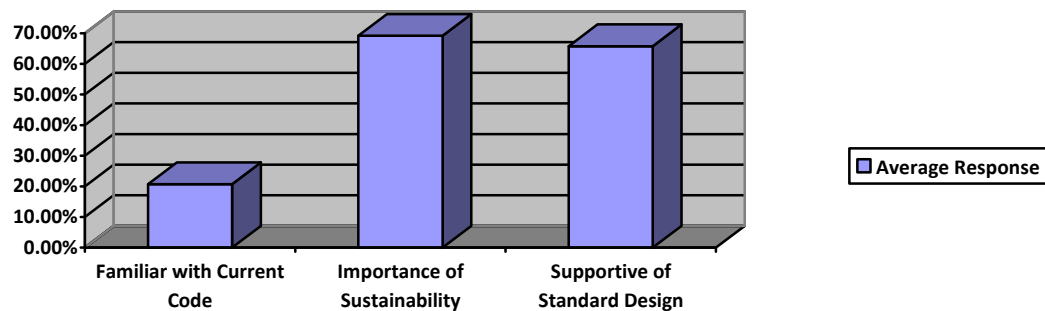
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Community Meetings

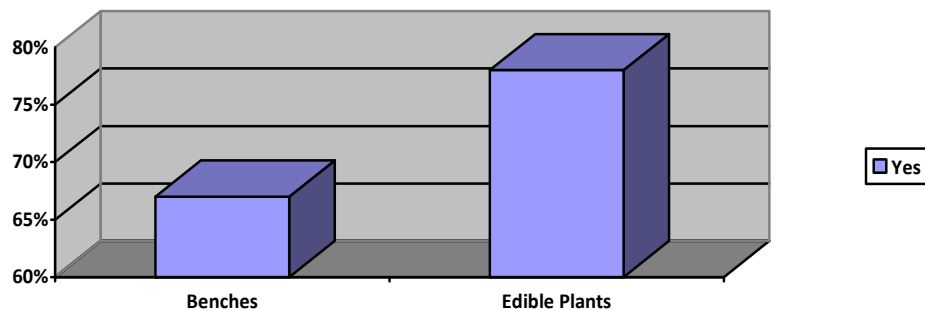
- City Council Meeting Survey (3/10/2014)
- Downtown Neighborhood Association Meeting (3/16/2014)
- Community Meeting at City Hall (3/20/2014)
- Tellefson Park Neighborhood Association (5/13/2014)
- Linblade and Sepulveda Mural Unveiling (5/31/2014)

Survey Results and Comments

Familiarity and support for parkway ordinance changes:



Support for additional changes to parkways:



General Notes and Areas of Concern:

- 1) Positive feedback for residents' ability to modify parkways with a new design
- 2) Interest in having a model home/neighborhood in the community
- 3) Interest for guidance in sustainable practices
- 4) Concerns with having to obtain and pay for a permit
- 5) Concerns of liability and homeless activity with benches
- 6) Health and safety concerns with edible plants (such as accessibility in the public right-of-way, exposure to vehicle emissions, and liability for food-related sickness)
- 7) Concerns with plants blocking passengers from exiting vehicles

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- 8) Interest in establishing block assessment districts to pay for a neighborhood conversion of parkways.

DISCUSSION:

Staff is seeking direction from the City Council in crafting the final draft of the proposed ordinance in the following areas:

- *Benches* – Should benches be allowed in the parkways? The surveys indicate substantial support for benches in the parkways. While benches provide an additional public amenity, there are also several issues that should be considered before allowing privately owned benches to be placed in the public right-of-way. A major area of concern is liability. Should benches not be properly maintained or become damaged by neglect or vandalism or not be properly installed, the City could be subjected to additional liability. This liability could possibly be reduced but not eliminated by developing standards for benches and providing inspection during the installation process. However, it would potentially be very labor intensive and expensive to maintain an on-going inspection program for private benches in the parkway to ensure that they stay in a state of good repair.
- *Edible Plants* – Should edible plants be allowed in the parkways? Again the surveys indicated substantial support for allowing edible plants to be placed within the public parkway. Concerns include liability for the City if someone were to get sick from eating an edible plant grown in the public right-of-way or if a plant somehow causes an injury to pedestrians as they attempt to traverse the parkway. An additional concern is increased water use required to maintain an edible plant garden. One of the purposes of the revisions to the parkway ordinance is to promote drought tolerant and climate appropriate alternatives to grass in public parkways.
- *Turf* – Should turf (grass) be allowed in new parkway installations? The proposed ordinance will allow alternatives to turf to be planted in parkways. As currently envisioned, existing turf in parkways will continue to be allowed. Should the new ordinance allow for new construction to include turf in parkways? If new turf is prohibited, should this also apply to remodeling projects and/or re-landscaping projects that include the parkway?
- *Permit Process and Fee* – Should the City charge a permit fee to residents that wish to convert their parkways from turf to drought tolerant plantings? Should private planting/benches be allowed,

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homeowners wishing to make changes to their parkway will need to submit an application and plan for approval to the Public Works Department prior to beginning work. The Public Works Department anticipates developing standard plans and parkway guidelines to assist residents in this process. One approach could be to charge a nominal fee for parkway modifications that follow the City's standard plans and a larger fee for more extensive non-standard modifications to the parkway that require substantial time for plan checking and inspection.

Upon receiving direction from the City Council, the Public Works Department will draft and present an updated ordinance to the City Council at a future meeting.

FISCAL ANALYSIS:

There is no fiscal impact associated with the discussion of these subjects. However, depending on the direction provided by the City Council, additional staff resources may prove to be necessary if a substantial record keeping and inspection program is required.

MOTIONS:

That the City Council

Provide direction to staff for updating the Parkway Ordinance.