



1 comments and testimony from residents regarding the negative impacts of new drive  
2 throughs, including: spill over traffic, excessive noises and smells, vehicle idling,  
3 smog and air quality impacts, and danger to pedestrians (particularly children and the  
4 elderly), which create significant incompatibility with the surrounding neighborhoods,  
5 and conflict with goals of the Culver City General Plan 2045 related to reducing  
6 emissions, addressing climate change, promoting health and safety, and creating a  
7 walking, accessible city.

8 D. On February 23, 2026 the City Council remanded to the Mobility  
9 Subcommittee a discussion regarding the possibility of a citywide ban on drive  
10 through service for food or other operations.

11 E. At the Mobility Subcommittee meeting of May 12, 2026, the  
12 Mobility Subcommittee (Mayor Puza and Vice Mayor Fish) received additional  
13 comments and testimony and voted 2-0 to recommend the City Council adopt an  
14 ordinance prohibiting new drive throughs throughout the City.

15 F. Planning & Development staff is currently preparing a draft  
16 ordinance prohibiting new drive throughs throughout the City.

17 G. Culver City Municipal Code (CCMC) currently allows drive  
18 throughs in mixed use districts, except for the downtown mixed use district, subject  
19 to the issuance of a conditional use permit pursuant to CCMC 17.400.045.

20 H. On March 2, 2026 the City received a Preliminary Project Review  
21 Request Application for a new drive through In-and-Out Burger, and on January 6,  
22 2026 and February 3, 2026 the applicant conducted the required community  
23 meetings. The applicant has informed Planning & Development staff that it intends  
24 to submit an application by June 15, 2026.

25 I. Without the proposed interim urgency ordinance, the City may  
26 be required to issue permits for new drive throughs while staff prepares the draft  
27 ordinance prohibiting drive throughs throughout the City.

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1 J. On June 8, 2026, pursuant to Government Code Section 65858,  
2 the City Council considered an interim urgency ordinance to establish a moratorium  
3 on new drive throughs citywide.

4 K. The City Council finds that the unmitigated development of  
5 additional new drive throughs under the current development standards may have  
6 the potential to create safety hazards for commuters and pedestrians in the  
7 surrounding neighborhoods and commercial corridors.

8 L. The City Council finds that the proposed Interim Urgency  
9 Ordinance is necessary to preserve the public health, safety, and welfare, as the  
10 approval of additional new drive throughs throughout the City under the existing  
11 zoning regulations has the potential to create safety and health hazards for traffic and  
12 pedestrians resulting from significant traffic volumes and automobile idling, including  
13 unexpected stopping of vehicles, turning movements, blind spots, speeding and  
14 unsafe lane changes to avoid queueing on City streets, and hazards to pedestrians  
15 attempting to cross driveway aprons.

16 M. The City Council finds that the adoption of the urgency ordinance  
17 is necessary to allow City staff adequate time to study and prepare for Council  
18 consideration a future Zoning Code Amendment to update the City's current  
19 development standards regulating the development of drive throughs citywide in  
20 order to protect the public health, safety, general welfare and character of existing  
21 neighborhoods and viability of nearby businesses.

22 N. The City Council finds that the threat to the public health, safety  
23 and welfare is a current and immediate because there is a pending application for a  
24 new drive through restaurant.

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1                   **SECTION 2.           CITYWIDE           MORATORIUM           ON           THE**  
2 **ESTABLISHMENT OF NEW DRIVE THROUGHES.**

3                   A.     Based on the findings set forth in Section 1 and to protect the  
4 public safety, health, and welfare, the Council finds it is necessary to adopt the Interim  
5 Urgency Ordinance that enacts a 45-day moratorium on the establishment of new  
6 drive throughs citywide.

7                   B.     During the 45-day moratorium, no building permit, subdivision,  
8 use permit, variance, land use determination or entitlement shall be granted for any  
9 new drive through citywide.

10                   **SECTION 3.           URGENCY MEASURE.**

11                   Based on the findings set forth in Section 1, the City Council finds and  
12 declares that there is a current and immediate threat to the public health, safety and  
13 welfare of the community and upon that basis has determined that an urgency  
14 ordinance pursuant to the provisions of Government Code section 65858 and Culver  
15 City Charter Section 614 is warranted and shall take effect immediately upon  
16 adoption by a four-fifths vote of the City Council.

17                   **SECTION 4.           CEQA.**

18                   The City Council finds that the adoption of this ordinance is statutorily  
19 exempt from CEQA pursuant to State CEQA Guidelines, California Code of  
20 Regulations, Title 14, Chapter 3, section 15061(b)(3), because the activity is covered  
21 by the general rule that CEQA applies only to projects which have the potential for  
22 causing a significant effect on the environment. The proposed urgency ordinance  
23 maintains the status quo and prevents changes in the environment pending the  
24 completion of the contemplated Zoning Code Amendment, and because there is no  
25 possibility that this urgency ordinance may have a significant adverse effect on the  
26 environment, the adoption of this urgency ordinance is exempt from CEQA.

1 **SECTION 5. EFFECTIVE DATE.**

2 Pursuant to Section 614 of the City Charter, this Ordinance shall be  
3 introduced and adopted at one and the same meeting and shall become effective  
4 immediately. This ordinance shall be of no further force and effect upon the expiration  
5 of 45 days from the date of adoption, unless extended in accordance with  
6 Government Code section 65858.

7 **SECTION 6. SEVERABILITY.**

8 The City Council hereby declares that, if any provision, section,  
9 subsection, paragraph, sentence, phrase or word of this Ordinance is rendered or  
10 declared invalid or unconstitutional by any final action in a court of competent  
11 jurisdiction or by reason of any preemptive legislation, then the City Council would  
12 have independently adopted the remaining provisions, sections, subsections,  
13 paragraphs, sentences, phrases, or words of this Ordinance, and as such they shall  
14 remain in full force and effect.

15 **SECTION 7: RIGHTS AND REMEDIES.**

16 Nothing in this Ordinance shall be construed to affect any suit or proceeding  
17 impending in any court, or any rights acquired, or liability incurred, or any cause or causes  
18 of action acquired or existing, under any act or Ordinance hereby repealed or amended  
19 as cited in this Ordinance; nor shall any just or legal right or remedy of any character be  
20 lost, impaired or affected by this Ordinance.

21 **SECTION 8: PUBLICATION.**

22 Pursuant to Section 616 and 621 of the City Charter, prior to the expiration  
23 of fifteen (15) days after the adoption, the City Clerk shall cause this Ordinance, or a  
24 summary thereof, to be published in the Culver City News and shall post this Ordinance  
25 or a summary thereof in at least three (3) places within the City.

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**APPROVED and ADOPTED** this 8<sup>TH</sup> day of June, 2026.

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FREDDY PUZA, MAYOR  
City of Culver City, California

ATTEST:

APPROVED AS TO FORM:



\_\_\_\_\_  
JEREMY BOCCHINO  
City Clerk

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HEATHER BAKER  
City Attorney