

City of Culver City, California
Agenda Item Report

Meeting Date: 09/09/13__		Item Number: __A-3__	
CITY COUNCIL AGENDA ITEM: Discussion Regarding Upcoming Confluence of Major Construction Activity in the Washington-National TOD District and a Potential Culver City Municipal Code Amendment to Allow Extended Construction Hours under Certain Circumstances to Preserve the Public Health, Safety and General Welfare by Mitigating Related Impacts.			
Contact Person/Dept.:		Phone Number:	
Fiscal Impact: Yes ☐ No ☒		General Fund: Yes ☐ No ☒	
Public Hearing: ☐		Action Item: ☒ Attachments: ☒	
Commission Action Required: Yes ☐ No ☒		Date: _____	
Public Notification: Meetings and Agendas – City Council (08/30/13 and 09/04/13); Neighborhoods – East Washington Boulevard (08/30/13); Timely Topics – Exposition Light Rail Project (08/30/13); Timely Topics - Street Maintenance and Closures (08/30/13)			
Department Approval: Sol Blumenfeld (09/04/13)		City Attorney Approval: Carol Schwab (09/04/13)	
Chief Financial Officer Approval: Jeff Muir (by M. Noller) (09/04/13)		City Manager Approval: John M. Nachbar (09/04/13)	
<u>RECOMMENDATION:</u> Staff recommends the City Council discuss a potential Culver City Municipal Code (CCMC) amendment to allow extended construction hours under certain circumstances in order to preserve the public health, safety and general welfare by mitigating related impacts and, if desired, direct the City Manager as deemed appropriate. <u>BACKGROUND:</u> Since early 2012 the Exposition Metro Line Construction Authority has been extending the Exposition Light Rail Line over Venice Boulevard which has adversely affected traffic on Venice, Culver and Washington Boulevards. The existing traffic conditions will likely worsen when the Legado and Platform projects (both located near the intersection of Washington Boulevard and Venice Boulevard) begin construction in the coming weeks. The upcoming confluence of major construction activity in the Washington National TOD District has raised concerns related to traffic congestion and the possibility of impeding police and fire services access to the surrounding area in an emergency. Specifically, the Legado and Platform projects' construction will require the closure			

City of Culver City, California
Agenda Item Report

of traffic lanes on Washington and National Boulevards due to the nature of the construction. The lane closures will likely create traffic congestion and, as a result, could impede emergency service vehicles attempting to reach the easterly part of the City. Staff believes these conditions can be mitigated if construction activity were allowed to occur beyond the hours currently specified in the CCMC.

DISCUSSION:

The CCMC currently limits construction activity to the following hours:

- From 8:00 a.m. to 8:00 p.m. Mondays through Fridays;
- From 9:00 a.m. to 7:00 p.m. Saturdays; and
- From 10:00 a.m. to 7:00 p.m. Sundays.

The only exceptions to the construction hours are set forth in CCMC Sections 9.07.035.C and 9.07.035.D as follows:

- C. In the case of an emergency, the Building Official may issue a permit for construction activity for periods during which construction activity is prohibited by Subsection A of this Section. Such permit shall be issued for only the period of the emergency.
- D. The City Council shall retain the right to impose more restrictive hours of construction upon any project by adding appropriate conditions to the approval of any Use Permits that are required for the project.

Because existing language in the CCMC does not allow the City Council to address unique conditions such as those expected to occur near the Washington National TOD site, staff is recommending the City Council discuss potentially amending the CCMC to allow for extended construction hours under certain circumstances in order to preserve the public health, safety and general welfare by mitigating related impacts.

In this particular situation, and perhaps in future situations where circumstances warrant extended construction hours, construction impacts could be mitigated by reducing the overall construction duration. The reduced duration will benefit the community, by shortening the time period of public inconvenience and disturbance (i.e. noise, dust, unsightly site conditions, construction parking, etc.) typically associated with construction activities.

City of Culver City, California
Agenda Item Report

If the City Council supports staff's recommendation to amend the CCMC, staff will return to the City Council on September 23rd with a proposed ordinance. Further, it will be staff's recommendation that the amendment be adopted by an urgency ordinance due to the pending Legado and Platform construction, which is anticipated to begin in early October.

City Charter Section 614 allows for the adoption of an urgency ordinance if the City Council finds that it is necessary to preserve the public peace, health or safety. Given the concerns with the confluence of these three construction projects, which will create significant traffic congestion and issues relating to emergency service access, staff, in consultation with the City Attorney's Office, believes urgency findings can be made.

If the City Council directs staff to return with CCMC amendment, the substance of the amendment and the basis for an urgency ordinance will be discussed in further detail in the September 23 staff report.

FISCAL ANALYSIS:

Discussion of this item does not create a fiscal impact.

ATTACHMENTS:

1. Graphic depicting the location of the Exposition Light Rail overpass, the Washington National TOD, and the Legado and Platform projects.

MOTION:

That the City Council:

1. Discuss a potential CCMC amendment to allow extended construction hours under certain circumstances in order to preserve the public health, safety and general welfare by mitigating related impacts; and,
2. (If Desired) direct the City Manager as deemed appropriate.