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1 the City Council has received significant comments and testimony from residents
2 regarding the negative impacts of new drive throughs, including: spill over traffic,
3 excessive noises and smells, vehicle idling, smog and air quality impacts, and danger
4 to pedestrians (particularly children and the elderly), which create significant
5 incompatibility with the surrounding neighborhoods, and conflict with goals of the
6 Culver City General Plan 2045 related to reducing emissions, addressing climate
7 change, promoting health and safety, and creating a 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. Culver City Municipal Code (CCMC) currently allows drive
16 throughs in mixed use districts, except for the downtown mixed use district, subject
17 to the issuance of a conditional use permit pursuant to CCMC 17.400.045.

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

23 H. On June 8, 2026, pursuant to Government Code Section 65858,
24 the City Council adopted a 45-day interim urgency ordinance to establish a
25 moratorium on new drive throughs citywide.

26 I. Planning & Development Department staff is currently preparing
27 a draft ordinance prohibiting new drive throughs throughout the City.

1 J. Without the proposed interim urgency ordinance, the City may
2 be required to issue permits for new drive throughs while staff prepares the draft
3 ordinance prohibiting drive throughs throughout the City.

4 K. On July 13, 2026, pursuant to Government Code Section 65858,
5 the City Council considered an interim ordinance extending the moratorium on new
6 drive throughs citywide for an additional period of 10 months and 15 days.

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

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

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

25 O. The City Council finds that the threat to the public health, safety
26 and welfare is a current and immediate because there is a pending application for a
27 new drive through restaurant.

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

3 A. Based on the above recitals and to protect the public safety,
4 health, and welfare, the Council finds it is necessary to adopt the Interim Urgency
5 Ordinance to extend the moratorium on new drive throughs citywide, for an additional
6 10 months and 15 days.

7 B. During the extended moratorium, no building permit, subdivision,
8 use permit, variance, land use determination or entitlement shall be issued 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 the urgency
14 ordinance extending the moratorium pursuant to the provisions of Government Code
15 section 65858 and Culver City Charter Section 614 is warranted and shall take effect
16 immediately upon 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 extending the moratorium maintains the status quo and prevents changes in the
24 environment pending the completion of the contemplated Zoning Code Amendment,
25 and because there is no possibility that this urgency ordinance may have a significant
26 adverse effect on the environment, the adoption of this urgency ordinance is exempt
27 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 10 months and 15 days from its adoption, unless further extended in accordance
6 with 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 or 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.

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SECTION 3: PUBLICATION.

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

APPROVED and ADOPTED this 13TH day of July, 2026.

FREDDY PUZA, MAYOR
City of Culver City, California

ATTEST:

APPROVED AS TO FORM:



JEREMY BOCCHINO
City Clerk

HEATHER BAKER
City Attorney