

ORDINANCE NO. 2025-\_\_\_\_

AN ORDINANCE OF THE CITY OF CULVER CITY, CALIFORNIA, APPROVING ZONING CODE AMENDMENT, P2024-0237-ZCA, THAT REPLACES CULVER CITY MUNICIPAL CODE (CCMC) CHAPTER 15.10, SUBDIVISIONS, IN ITS ENTIRETY WITH A NEW SUBDIVISION ORDINANCE; RELOCATES THE CONDOMINIUM CONVERSION PROVISIONS IN ZONING CODE CCMC SECTION 17.400.040 TO THE NEW SUBDIVISION ORDINANCE; AND AMENDS THE SUBDIVISION ZONING CODE DEFINITION IN CCMC SECTION 17.700.010, TO BE CONSISTENT WITH THE DEFINITION IN THE NEW SUBDIVISION ORDINANCE.

(Zoning Code Amendment, P2024-0237-ZCA)

WHEREAS, Culver City Municipal Code (CCMC), Chapter 15.10 (Subdivision Ordinance or the “ordinance”) was added to the CCMC in 1965, and has remained largely unchanged, with updates over time adding standards for vesting tentative maps, park dedication, and tentative map distribution; and

WHEREAS, it is important to periodically review the ordinance for potential constraints to development or conflicts with the California State Subdivision Map Act (State Subdivision Law); and

WHEREAS, the City of Culver City 2045 General Plan Land Use and Housing Elements establishes goals and programs that encourage and support updating the ordinance; and

WHEREAS, in Spring of 2022, the City Council directed staff to include a Subdivision Ordinance Update in the FY 2022-2023 budget process to formally initiate and fund the effort; and

WHEREAS, the State of California has adopted Senate Bill (SB) 684, as later amended by SB 1123, which aims to streamline approvals for homes in infill developments of 10 or fewer lots and 10 or fewer residential units in multi-family zones by amending the Subdivision Map Act (SMA), the California law that regulates the creation and improvement of subdivisions and lot splits; and

WHEREAS, the State of California has adopted SB 450, which amends the requirements of SB 9; and

WHEREAS, the State of California has adopted SB 347, which amends the Subdivision Map Act to include the leasing of a parcel of land or any portion of the land in conjunction with a hydrogen fueling station or an electric vehicle charging station as exempt from the requirements of the SMA; and

1 WHEREAS, on December 21, 2023 a virtual outreach meeting was held with interested parties  
2 that included local developers and architects to discuss the proposed subdivision updates and provide  
3 initial feedback and comment; and

4 WHEREAS, on January 18, 2024, a virtual outreach meeting was held with city staff from Current  
5 Planning, Building Safety, and Public Works to discuss state legislation and updates to the subdivision  
6 procedures; and

7 WHEREAS, on April 24, 2024, a Planning Commission Workshop was held to gather input from  
8 the Planning Commission; and

9 WHEREAS, on August 7, 2024, a second virtual outreach meeting was held with interested  
10 parties to discuss the draft Subdivision Ordinance; and

11 WHEREAS, City staff is proposing ordinance language that will: (1) comply with State Subdivision  
12 law as more specifically stated above; (2) facilitate residential, commercial, and mixed-use  
13 developments by streamlining the subdivision process; (3) provide opportunities for affordable housing  
14 production when a subdivision is involved; and (4) implement small lot subdivision procedures and  
15 standards; and which reflects the input from the public, staff, and the Planning Commission as  
16 expressed in the outreach efforts described above; and

17 WHEREAS, the ordinance only proposes minor amendments to the Parkland Dedication or  
18 Payment of In Lieu Fee section of the Subdivision Ordinance as parkland dedications and fees are  
19 being studied and may be comprehensively updated at a later date; and

20 WHEREAS, to implement the proposed Project, approval of the following is required:

21 1. Zoning Code Amendment P2024-0237-ZCA: an amendment to the Culver City Municipal  
22 Code, specifically, Chapter 15.10, Subdivisions, Section 17.400.040, Condominium Conversions, and  
23 Section 17.700.010, Definitions, to facilitate streamlined review of qualifying parcel or tentative maps  
24 for housing and mixed-use developments; and  
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1           2. Adoption of Small Lot Subdivision Map Processing: incorporation of small lot map  
2 processing into the new ordinance to allow creation of small fee simple lots in-lieu of airspace  
3 condominiums; and

4           3. Adoption of Small Lot Subdivision Design and Map Standards: through a companion  
5 resolution, adoption of new small lot subdivision design and map standards as part of the Citywide  
6 Objective Design Standards document; and

7           WHEREAS, pursuant to the California Environmental Quality Act (CEQA), the City Council  
8 certifies an Initial Study and adopts a Negative Declaration, finding that there is no substantial evidence,  
9 in light of the whole record before the agency, that the project will have a significant effect on the  
10 environment; and

11           WHEREAS, on February 26, 2025, after conducting a duly noticed public hearing on the subject  
12 application, including full consideration of the staff report, environmental information and all testimony  
13 presented, the Planning Commission, by a vote of 3 to 0, recommended the City Council approve  
14 Zoning Code Amendment, P2024-0237-ZCA; and

15           WHEREAS, on May 12, 2025, after conducting a duly noticed public hearing, including full  
16 consideration of the application, plans, staff report, environmental information, Planning Commission  
17 recommendations, and all testimony presented, the City Council, by a vote of \_\_ to \_\_, introduced an  
18 ordinance approving Zoning Code Amendment, P2024-0237-ZCA, as set forth herein below

19           NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CULVER CITY, CALIFORNIA,  
20 DOES ORDAIN AS FOLLOWS:

21           SECTION 1. Pursuant to the foregoing recitations and the provisions of the Culver City  
22 Municipal Code (CCMC), the following findings are hereby made:

23           **Zoning Code Amendment P2024-0237-ZCA**

24           As outlined in CCMC Title 17, Section 17.620.030, the following required findings for Zoning Code  
25 Amendments are hereby made:

- 1     **1. The proposed amendment ensures and maintains internal consistency with the goals,**  
2     **policies, and strategies of all elements of the General Plan, and, in the case of a Zoning**  
3     **Code amendment, will not create any inconsistencies with this Title.**

4     The proposed Subdivision Ordinance creates standards and processes in support of the goals and  
5     policies in the General Plan Housing Element. These provisions advance the following Objectives  
6     and Measures. Objective 2 - Housing Supply: The ordinance with streamlined approvals and  
7     creation of a small lot subdivision process expands opportunities for developing a variety of  
8     housing types such as townhomes and small fee simple lots, as well as condominiums in mixed  
9     use developments. Objective 3 - Housing Affordability: As noted above, the ordinance facilitates  
10    creation of a diverse range of rental and ownership housing opportunities that are compatible with  
11    the needs of all socioeconomic segments of the community. Measure 4.J - Zoning Code Review  
12    and Amendments to Address Constraints to Housing Production: The ordinance amends the City's  
13    Subdivision code, removing potential constraints to housing production, by creating administrative  
14    approvals for maps involving 25 or less units.

15    The proposed Subdivision Ordinance supports goals and policies in the General Plan Land Use  
16    Element. Goal LU-2 - Housing opportunity and equality: As noted above the ordinance with  
17    streamlined approvals and creation of a small lot subdivision process will result in a diverse range  
18    of housing options. Goal LU-3.3 - Development standards review program: This goal calls for  
19    evaluation and modification of existing development standards that prevent development on small  
20    sites. The ordinance furthers this goal with creation of ministerial review of maps and a small lot  
21    subdivision process with reduced lot area standards. Goal LU-11.2 - Diversity of housing types: as  
22    noted above the ordinance will encourage a variety of housing types to equitably serve varying  
23    household types. Implementation Action IA.LU-8 - Increased housing on smaller mixed use sites:  
24    This Action calls for updating the Zoning Code to allow up to 10 units per parcel on smaller mixed  
25    use sites. Such developments involving subdivisions will be allowed under the new ordinance.

- 26    **2. The proposed amendment would not be detrimental to the public interest, health, safety,**  
27    **convenience or welfare of the City.**

28    The proposed subdivision ordinance amendments are not anticipated to result in a detrimental  
29    impact to public health, safety, or welfare. Any future development associated with new  
30    subdivisions subject to these amendments would have to comply with all applicable development  
31    standards in the zoning code. In addition, all new subdivisions would also have to be in strict  
32    adherence to the latest City building, life and safety codes, which ensure that future inhabitants of  
33    structures within the subdivisions and surrounding land uses are protected from any potential  
34    impact to public health, safety, and welfare.

- 35    **3. The proposed amendment is in compliance with the provisions of the California**  
36    **Environmental Quality Act (CEQA).**

37    An Initial Study and Negative Declaration (IS/ND) was prepared in accordance with CEQA.  
38    Pursuant to the provision of CEQA Guidelines Section 15072, the City circulated a Notice of Intent  
39    to Adopt a Negative Declaration to State, regional, and local agencies, and members of the public.  
40    The IS/ND provides details and discussion, based on the environmental checklist, determining  
41    there will be no potential significant environmental effects.

42    SECTION 2. The City Council adopts the Municipal Code Amendments set forth in Exhibit A,  
43    attached hereto and incorporated herein by this reference.

1 SECTION 3. Pursuant to Section 619 of the City Charter, this Ordinance shall take effect thirty  
2 (30) days after the date of its adoption. Pursuant to Sections 616 and 621 of the City Charter, prior to  
3 the expiration of fifteen (15) days after the adoption, the City Clerk shall cause this Ordinance, or a  
4 summary thereof, to be published in the Culver City News and shall post this Ordinance or a summary  
5 thereof in at least three places within the City.

6 SECTION 4. The City Council hereby declares that, if any provision, section, subsection,  
7 paragraph, sentence, phrase or word of this ordinance is rendered or declared invalid or unconstitutional  
8 by any final action in a court of competent jurisdiction or by reason of any preemptive legislation, then  
9 the City Council would have independently adopted the remaining provisions, sections, subsections,  
10 paragraphs, sentences, phrases or words of this ordinance and as such they shall remain in full force  
11 and effect.  
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13  
14 APPROVED and ADOPTED this \_\_\_ day of May 2025.  
15

16  
17 \_\_\_\_\_  
DAN O'BRIEN, Mayor  
City of Culver City, California  
18

19 ATTESTED BY:

APPROVED AS TO FORM:

20  
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22 \_\_\_\_\_  
JEREMY BOCCHINO, City Clerk

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22   
\_\_\_\_\_  
HEATHER BAKER, City Attorney

## **Chapter 15.10 Subdivisions**

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### **General Provisions**

#### **§ 15.10.005 SHORT TITLE.**

This Chapter shall be known and may be cited as the “Subdivision Ordinance of the City of Culver City.”

('65 Code, § 31-1) (Ord. No. CS-622 § 1 (part))

#### **§ 15.10.010 PURPOSE.**

The purpose of this Chapter and any rules, regulations, standards, and specifications adopted pursuant thereto is to control and regulate the division and subdivision of land within the City of Culver City and such land as may be annexed to said City.

('65 Code, § 31-2) (Ord. No. CS-622 § 1 (part))

#### **§ 15.10.015 DEFINITIONS.**

Whenever words or phrases used in this Chapter are not defined herein but are defined in the California Business and Professions Code and/or Subdivision Map Act, and/or the Culver City Municipal Code, such definitions are incorporated and shall apply as though set forth in full herein, unless the context clearly indicates a contrary intention. All words used in the singular shall include the plural, and plural the singular; each gender shall include the others; any tense shall include the other tense; the word SHALL is mandatory; and the word MAY is permissive.

**ACREAGE.** Any land or portion of land which may be divided into individual parcels of land conforming to the provisions of this Chapter.

**ALLEY.** A public or private way at the rear or side of property, permanently reserved as a means of secondary vehicular or pedestrian access to abutting property.

**BUILDING SETBACK LINE.** A line depicting the required setback within which special legal restrictions which may be established to prevent by the provision of setbacks, the building or rebuilding of structures on land required for the eventual widening of streets, or on land required for the establishment of projected streets.

**CERTIFICATE OF COMPLIANCE.** A Certificate of Compliance provides a means for conferring legal lot status to parcels of land which were not created by, or cannot be proven to have been created by, the legal subdivision process pursuant to the Subdivision Map Act and Culver City Municipal Code (CCMC) Title 15, Chapter 15.10.

**CITY.** The City of Culver City.

**CITY CLERK.** The City Clerk of the City of Culver City.

**CITY ENGINEER.** The City Engineer of the City of Culver City.

COMMISSION. The City Planning Commission of the City of Culver City.

COUNCIL. The City Council of the City of Culver City.

DESIGN.

1. Street alignments, grades and widths;
2. Drainage and sanitary facilities and utilities, including alignments and grades thereof;
3. Location and size of all required easements and rights-of-way;
4. Fire roads and firebreaks;
5. Lot size and configuration;
6. Traffic access;
7. Grading;
8. Land to be dedicated for park and recreational purposes; and
9. Such other specific requirements in the plan and configuration of the entire subdivision as may be necessary or convenient to ensure conformity to and implementation of the General Plan required by applicable State law or any specific plan adopted pursuant to State law.

DIVISION OF PROPERTY. Other than a "subdivision" as defined in this section, shall mean any land, improved or unimproved shown on the last preceding tax roll as a unit or contiguous units, which is divided for the purpose of lease, sale or financing, either immediate or future, into two (2) or more lots or building sites and for which a "Parcel Map or Map" is required. Such definition shall not apply to the leasing of apartments, offices, stores or similar space within an apartment building, commercial building or trailer park, nor shall this definition apply to mineral, oil or gas leases.

DRAINAGE AREA. An area which would require storm water drainage within the drainage zone as such zone is delineated upon the official drainage zone map of Los Angeles Flood Control District.

FINAL MAP. A map prepared in accordance with the provisions of this Chapter and those of any applicable local ordinance and the Subdivision Map Act, which map is designed to be placed on record in the office of the County Recorder of the County of Los Angeles.

FRONTAGE. The line where a lot abuts a dedicated street or highway right-of-way line. FRONTAGE is expressed in lineal feet and is measured along said right-of-way line, unless otherwise specified.

GENERAL PLAN. The long range, comprehensive general plan for the orderly development of the City, adopted by the Commission and the Council, which may include all of the elements listed in the State Conservation and Planning Act.

HIGHWAYS. Any thoroughfare existing or proposed, indicated as such on the adopted Select System, Master Plan of Streets and Highways, General Plan or similar document for the City of Culver City. The minimum right-of-way for such highway shall be as required by the aforesaid official plans.

IMPROVEMENT.

1. Such street work and utilities to be installed, or agreed to be installed by the Subdivider on the land to be used for public or private streets, highways, ways, and easements, as are necessary for the general use of the lot owners in the subdivision and local neighborhood traffic and drainage needs as a condition precedent to the approval and acceptance of the Final Map thereof.

2. Also refers to such other specific improvements or types of improvements, the installation of which, either by the Subdivider, by public agencies, by private utilities, by any other entity approved by the local agency or by a combination thereof, is necessary or convenient to ensure conformity to or implementation of the General Plan required by State law or any specific plan adopted pursuant to State law.

LOCAL STREET. A street intended wholly or principally for local neighborhood traffic.

LOT.

1. A parcel of real property with a separate and distinct number or other designation shown on a plat recorded in the office of the County Recorder, or

2. A parcel of real property delineated on an approved map of a record of survey, lot split, Parcel Map, or Map, as filed in the office of the County Recorder or in the office of the City Engineer, and abutting at least one (1) public street or right-of-way, or

3. A parcel of real property containing not less area than required by the zone in which it is located, abutting at least one (1) public street or right-of-way.

LOT, CORNER. A lot located at the intersection or interception of two (2) or more streets at an angle of not more than one hundred twenty (120) degrees. If the angle is greater than one hundred twenty (120) degrees the lot shall be considered an "Interior Lot."

LOT, DOUBLE FRONTAGE. A lot having frontage on two (2) streets.

LOT, FLAG. A parcel of land which, due to unusual conditions, cannot meet the requirements for frontage on a dedicated or private street. Where such conditions exist, the lot may be provided access by way of a "stem" extending from the main body of the lot to the street. Said "stem" shall be a part of the subject lot and not a separate parcel or an easement across adjoining property.

LOT, INTERIOR. A lot other than a corner or reversed corner lot.

LOT, KEY. The first lot to the rear of a corner lot, the front line of which is a continuation of the side line of the corner lot, and where the key lot fronts on the street which intersects the street upon which the corner lot fronts.

LOT LINE ADJUSTMENT (LLA). A Lot Line Adjustment between four or fewer existing adjoining parcels, where the land taken from one lot is added to the adjoining lot, and where a greater number of lots than originally existed is not thereby created.

LOT MERGER. The joining of two or more contiguous parcels or units of improved or unimproved land, which are held by the same owner or owners, into fewer parcels pursuant to this title. Parcels or units may include land division or subdivision lots, or lots created by deed.

LOT, THROUGH. A lot having frontage on two (2) dedicated streets and having the right of access to both of said streets not including corner and reversed corner lots.

LOT, REVERSED CORNER. A corner lot, the side line of which is substantially a continuation of the front lot lines of the lots to its rear; whether across an alley or not.

MULTI-FAMILY LOT SPLIT. A subdivision that results in 10 or fewer parcels and consists of 10 or fewer residential units on a lot zoned for multifamily residential development pursuant to Cal. Gov't Code § 65852.28, 65913.4.5, and 66499.41.

OWNER. Any person having title to the land proposed to be divided under the provisions of this Chapter.



**PARCEL MAP.** A map showing the division of land, into four (4) or fewer lots or condominium units (common areas are not counted toward this threshold), prepared in accordance with the provisions of this Chapter and the Subdivision Map Act;

**PARCEL OF LAND.** The same as LOT.

**PARK AND RECREATIONAL FACILITIES.**

1. Includes park areas designed for passive use without any installed recreational facilities or parks designed for active recreational use where facilities are installed or to be installed.

2. The term shall include property subjected to recorded covenants running with the land limiting the use of such areas to passive park purposes if the covenant be approved by the City Attorney and City Council prior to recordation.

3. This definition shall not be construed to vest any discretion or right in the subdivider to dedicate or provide "Passive Use" park and recreational facilities. The City Council shall have the sole determination whether to accept any land for park and recreation purposes. The City Council may accept passive parks, recreational areas or any combination of the two (2) concepts.

**PERSON.** Any individual, corporation, company, firm, association, partnership, co-partnership, joint venture, joint stock company, receiver, syndicate, club, estate, business trust, organization, or any other legal entity or authorized representative thereof.

**PLANNING COMMISSION.** The Planning Commission of the City of Culver City; may also be referred to as "Commission."

**PLANNING DIRECTOR.** The staff planning official of the City of Culver City or their designated representative, sometimes referred to as the "Planning and Development Director."

**PLAT MAP.** A document drawn to scale, prepared by a Licensed Surveyor of qualified Engineer, showing the divisions of a piece of land. The Plat Map is the graphical representation of the legal description. The Plat Map is recorded as Exhibit B with the legal description, Exhibit A. The Plat Map gives the legal description of pieces of real property, lot, street, and block number. The map shows the land subdivided into lots showing the location and boundaries of individual parcels with the streets, alleys, easements. The Plat Map shall be based upon a field survey. Boundary location and determination is the practice of land surveying according to Section 8726 of the California Business and Professions Code and as such, Plat Maps must include the signature and seal of a licensed land surveyor pursuant to Section 8761(d) of the California Business and Professions Code. Boundaries shown on Plat Maps that are not previously shown on a subdivision map, record of survey or official map must have a record of survey filed pursuant to Section 8762 of the California Business and Professions Code. Plat Maps, as part of a conveyance document, must be accompanied by a written legal description. Plat Maps will not be accepted for recordation without a legal description.

**PRELIMINARY SOIL REPORT.** A report prepared by a registered civil engineer specializing in soil mechanics and shall be based on test borings or excavations. Soil report shall set forth sufficient engineering data to explain the proposed solution to any geological hazards disclosed by the geological report and any geological hazards that may be created by the proposed grading and any structural defects which may occur due to the presence of critically expansive soils or other soil problems. The Preliminary Soil Report may be waived in accordance with Cal. Health & Safety Code § 17953.

**PUBLIC UTILITIES.** This term shall include, but not be limited to, all electrical power and telephone and telegraph service installation, community antenna television cables and gas mains and water mains.

**RESERVE STRIP or OUT LOT.** A strip of land one (1) foot or more in width dedicated to the City for the purpose of controlling the access to streets or other public rights-of-way from adjoining property.

**REVERSION OF ACERAGE.** The voiding of a previous subdivision resulting in the merger of all lots created by the subdivision and re-establishment of the lot lines as they existed prior to the subdivision.

**RIGHT-OF-WAY.** Any public or private right-of-way including any area required by public use pursuant to the General Plan or Official Plan of the legislative body of the City of Culver City.

**SMALL LOT SUBDIVISION.** A subdivision which creates alternative fee-simple ownership small lot homes within multi-family zoned parcels.

**STREET.** Any public dedicated right-of-way for street, highway, avenue, boulevard, parkway, road, lane, walk, alley, viaduct, subway, tunnel, bridge, public road easement or other roadways except freeways.

**STREET, PRIVATE.** Any land established by easement of record and used or intended to be used for ingress or egress from a lot or lots but not dedicated as a public street.

**SUBDIVIDER.** A person, firm, partnership, corporation, or association who proposes to divide, divides, or causes to be divided real property into a subdivision for themselves or for others.

**SUBDIVISION.**

1. The division of any improved or unimproved land, shown on the latest equalized County assessment roll as a unit or as contiguous units, for the purpose of sale, lease, or financing, whether immediate or future. Property shall be considered as contiguous units, even if it is separated by roads, streets, utility easements, or railroad rights-of-way.

2. SUBDIVISION shall also include all the following:

- a. Any planned development, as defined in Cal. Bus. & Prof. Code § 11003.
- b. Any community apartment project as defined by Cal. Bus. & Prof. Code § 11004.
- c. Any condominium project, as defined in Cal. Civil Code § 783 and 1351.
- d. Any stock cooperative as defined in Cal. Bus. & Prof. Code § 11003.2, including any legal or beneficial interests therein.

3. Any such developments shall be subject to any specific provisions of this Chapter pertaining to such a subdivision; provided that, absent specific provisions relating to such developments, any reference to a condominium subdivision or condominium conversion in Chapter 15.10 (Subdivisions) and the Zoning Code, as set forth in Title 17 of this Code, and the Subdivision Map Act (Cal. Gov't Code § 66410 et seq.) shall be deemed to refer to any condominium subdivision, condominium conversion, stock cooperative apartment, or community apartment project.

4. Any conveyance of land to a governmental agency, public entity or public utility, shall not be considered a division of land for the purpose of computing the number of parcels.

**SUBDIVISION MAP ACT.** Cal. Gov't Code § 66410 et seq.

**TENTATIVE MAP.** A map made for the purpose of showing the design of the proposed subdivision and the existing conditions or detailed final survey of the property.

**TRACT.** A portion of land comprised of an entire subdivision and to which an official tract number has been assigned by the County Engineer's office for the purpose of legal description and filing.

**URBAN LOT SPLIT.** An "Urban Lot Split" means a subdivision of an existing, legally subdivided lot into two lots in accordance with the requirements of this section and the provisions identified in Cal. Gov't Code § 66411.7.

**VESTING TENTATIVE MAP.** Refers to a map which meets all of the requirements of a Tentative Map and has the words "Vesting Tentative Map" printed conspicuously on its face at the time the map is filed.

('65 Code, §§ 31-17.1 - 31-62.1) (Ord. No. CS-622 § 1 (part); Ord. No. CS-845 § 1 (part); Ord. No. CS-976 § 1; Ord. No. 89-028 § 1; Ord. No. 95-019 § 1; Ord. No. 2006-009 § 22 (part))

## § 15.10.020 AUTHORITY.

This Chapter is enacted pursuant to Cal. Const. Art. XI, § 2, the Charter of the City of Culver City, and the general laws of the State of California, including the Subdivision Map Act. The provisions of this Chapter are in addition to the regulations of the Subdivision Map Act and are supplemental thereto and shall apply to all divisions, subdivisions, or parts of subdivisions of land into two (2) or more lots or parcels.

This Chapter is intended to establish the applicable review authority for maps, Lot Line Adjustments, mergers, and other approvals provided for in Chapter 15.10- Subdivisions. Below are the descriptions of roles for each review authority. Table 1-1 provides an additional summary of review authority for subdivision maps. Additional details on the procedures for different types of subdivision maps and services are detailed in subsequent sections.

- A. City Council shall review and have final approval authority for:
  - 1. Appeals of the Planning Commission's actions on Parcel Maps, Tentative Maps, , and Vesting Tentative Maps.
- B. Planning Commission shall review and approve:
  - 1. Any map accompanying a residential development application heard by the Planning Commission; and
  - 2. Any map accompanying a nonresidential development application heard by the Planning Commission; and
  - 3. Appeals of the Planning Director actions except where appeal is not allowed as described in Section 15.10.020.C.
- C. The Planning Director, or designee, shall:
  - 1. Review and have final approval authority for:
    - a. Non-discretionary Urban Lot Splits (SB 9) with no appeal process;
    - b. Non-discretionary Multi-Family Lot Splits (SB 684) with no appeal process;

- c. Parcel Maps, including Small Lot Subdivisions and commercial condominium airspace lots that are between 5,000 to 15,000 gross square feet; and
  - d. Tentative Maps, including Small Lot Subdivisions and commercial condominium airspace lots that are between 5,000 to 15,000 gross square feet; and
  - e. Tentative Map extensions.
2. Review:
- a. Non-discretionary Lot Line Adjustments with no appeal process;
  - b. Non-discretionary Lot Mergers with no appeal process;
  - c. Tentative Maps and Vesting Tentative Maps, including Small Lot Subdivisions, when processed in conjunction with a Site Plan Review (27 or more residential units); and
  - d. Tentative Maps and Vesting Tentative Maps for commercial condominium airspace lots when processing proposed developments that are more than 15,000 gross square feet.
- D. The City Engineer shall:
1. Review and have final approval authority for:
- a. Non-discretionary Lot Line Adjustments with no appeal process;
  - b. Non-discretionary Lot Mergers with no appeal process;
  - c. Final Map with no appeal process; and
  - d. Certificate of Compliance.
2. Review:
- a. Parcel Map, including Small Lot Subdivisions and commercial condominium airspace lots;
  - b. Tentative Maps and Vesting Tentative Maps, including Small Lot Subdivisions and commercial condominium airspace lots;
  - c. Non-discretionary Urban Lot Splits (SB 9) with no appeal process; and
  - d. Non-discretionary Multi-Family Lot Splits (SB 684) with no appeal process.

Table 1-1: Subdivision Review Authorities				
Type of Application	Role of Review Authority			
	Director <sup>1</sup>	City Engineer	Commission	Council
Lot Line Adjustments <sup>2</sup>	Review	Approve	-	-
Lot Mergers <sup>2</sup>	Review	Approve	-	-
Urban Lot Splits (SB9) <sup>2</sup>	Approve	Review	-	-
Multi-Family Lot Splits (SB 684) <sup>2</sup>	Approve	Review	-	-
Parcel Map <sup>3</sup>	Approve	Review	Appeal	Appeal
Tentative Map <sup>3,4</sup>	Approve	Review	Appeal	Appeal
Tentative Map <sup>3,5</sup>	Review	Review	Approve	Appeal

Vesting Tentative Map <sup>3</sup>	Review	Review	Approve	Appeal
Final Map <sup>2</sup>	-	Approve	-	-
Certificates of Compliance <sup>2, 6</sup>	-	Approve	-	-

<sup>1</sup> Planning Director or Designee (Current Planning Staff)

<sup>2</sup> Non-discretionary with no appeal process

<sup>3</sup> Including Small Lot Subdivisions

<sup>4</sup> When processed in conjunction with an Administrative Site Plan Review

<sup>5</sup> When processed in conjunction with a Site Plan Review

<sup>6</sup> Including Conditional Certificates of Compliance

## § 15.10.025 TYPES OF MAPS REQUIRED.

Map requirements for the maps previously described as well as some other types of subdivision projects are summarized in Table 1-2—Maps Required for Various Subdivision Projects.

Table 1-2: Maps Required for Various Subdivisions	
Project Type	Maps Required
Subdivisions creating four or fewer lots or condominiums	Tentative Parcel Map or Vesting Tentative Parcel Map and Final Parcel Map.
Subdivisions creating five or more lots or condominiums	Tentative Map or Vesting Map and Final Map.
Lot Line Adjustments between four or fewer existing adjoining parcels	Existing and proposed Site plan verifying compliance, Plat Map drawn to scale, and legal description, for recording.
Lot Mergers	Plat Map drawn to scale and legal description, for recording.
Certificates of Compliance and Conditional Certificates of Compliance	Plat drawn to scale and legal description, for recording.
Residential condominium conversions	Administrative Site Plan or Site Plan Review, Vesting Tentative Map or Tentative Map and Final Map. See § 15.10.985
Commercial Condominium	Administrative Site Plan Review or Site Plan Review, Parcel Map, Vesting Tentative Map, or Tentative Map and Final Map.

### § 15.10.030 DISAPPROVAL WHERE USE PROHIBITED.

The designated review authority may disapprove a Tentative Map if the only practical use which can be made of the property as proposed to be divided or subdivided is a use prohibited by any ordinance, law, statute, general plan, or other valid regulation.

('65 Code, § 31-6) (Ord. No. CS-622 § 1 (part); Ord. No. CS-845 § 1 (part))

### § 15.10.035 REFERENCES TO OTHER LAWS.

Whenever references are made to any portion of this Chapter or any other ordinance or statute, such references shall apply to all amendments and additions now or hereafter made.

('65 Code, § 31-8) (Ord. No. CS-622 § 1 (part))

### § 15.10.040 SEVERABILITY CLAUSE.

If a portion of this Chapter or the application thereof to any person or circumstance is held to be invalid, the remainder of this Chapter and the application of such provisions to other persons or circumstances shall not be affected thereby.

('65 Code, § 31-9) (Ord. No. CS-622 § 1 (part))

### § 15.10.045 VIOLATION A MISDEMEANOR.

Any person, firm, or corporation violating any of the provisions of any section of this Chapter shall be deemed guilty of a misdemeanor.

('65 Code, § 31-10) (Ord. No. CS-622 § 1 (part))

### § 15.10.050 REMEDIES NOT BARRED.

This Chapter does not bar any legal, equitable, or summary remedy to which the City of Culver City or other political division or subdivision, or any person, firm or other corporation may otherwise be entitled, and the City of Culver City or other political division or subdivision or person, firm or corporation, may file suit in any court of competent jurisdiction, to restrain or enjoin any attempted or proposed division or subdivision or sale in violation of the Subdivision Map Act or this Chapter.

('65 Code, § 31-11) (Ord. No. CS-622 § 1 (part))

### § 15.10.055 EXISTING SUBDIVISION, AGREEMENT AND COVENANT.

The provisions of this Chapter shall not apply to any lot or lots forming a part of a subdivision created and recorded prior to April 9, 1969, unless said lots are hereafter proposed for future division or subdivision. Nor is it intended by the ordinance codified herein to repeal, abrogate,

annul, or in any way impair or interfere with existing provisions of other laws or ordinances, except those specifically repealed by the ordinance codified herein, or with existing provisions of private restrictions placed upon property by deed, covenant, or other private agreement, or with restricted covenant running with the land, to which the City is a party. Where this Chapter imposes a greater restriction upon the land than is imposed or required by such existing provisions of law, ordinance, contract, or deed, the provisions of this Chapter shall control where the Final Map is not recorded before expiration date of existing Tentative Map.

('65 Code, § 31-12) (Ord. No. CS-622 § 1 (part))

### § 15.10.060 COMPLIANCE REQUIRED FOR SALE, LEASE OR FINANCING.

It is unlawful for any person as principal, agent, or otherwise, to divide or subdivide for lease, sale or financing into two or more parcels of land, or to lease, sell, convey, quitclaim, or transfer by contract, deed, or otherwise, or after such division or subdivision, to offer for lease, sale or financing any land or part thereof, whether improved or unimproved, in the City of Culver City, unless and until all of the requirements hereinafter provided in relation thereto shall have been complied with. Such requirements shall not apply to the financing or leasing of apartments, offices, stores, or similar spaces within an apartment building, industrial building, commercial building, or trailer park, nor shall this section apply to mineral, oil, gas leases, solar electrical generation device, electrical energy storage system, hydrogen fueling station, electrical vehicle charging station, or other project types listed in California Government Code Section 66412.

It is unlawful for any person as seller, buyer, agent, or otherwise, for the purpose of violating or nullifying the provisions of this Chapter, knowingly to allow a transfer of title to property, or any part thereof, to take place by adverse possession or prescription; or to conspire or collude with another or others to effect a successive series or division or subdivision of a larger parcel into smaller parcels and then each or any of the smaller parcels into smaller parcels; or to be or become a party to a friendly or sham lawsuit or litigation, the purpose of which shall be to cause or to permit a transfer of title of any land or part thereof, whether improved or unimproved, in the City of Culver City; or to do or perform any other act, or willfully omit to do any act for the purpose of evading or nullifying the provisions of this Chapter.

('65 Code, § 31-13) (Ord. No. CS-622 § 1 (part))

### § 15.10.065 SALE VOIDABLE IF DEED MADE CONTRARY TO CHAPTER PROVISIONS.

Any deed of conveyance, sale, or contract to sell made contrary to the provisions of this Chapter is voidable at the sole option of the grantee, buyer, or person contracting to purchase, their heirs, personal representative, or trustee in insolvency or bankruptcy within one (1) year after the date of execution of the deed of conveyance, sale, or contract to sell, but the deed of conveyance, sale, or contract to sell is binding upon any assignee or transferee of the grantee, buyer, or person contracting to purchase, other than those above enumerated, and upon the grantor, vendor, or person contracting to sell, or their assignee, heir, or advisee. However, nothing in this section

contained shall be deemed to render void or voidable any trust deed, mortgage, or other encumbrance in the hands of a bona fide holder for value.

('65 Code, § 31-14) (Ord. No. CS-622 § 1 (part))

## § 15.10.070 CITY RESPONSIBILITY IN LAND SALES OR CONVEYANCE.

The City of Culver City shall be held free of involvement in, or responsibility for, any deed of conveyance, sale or contract to sell made contrary to the provisions of this Chapter. No building or occupancy permit shall be granted for buildings or structures on lots or parcels created without the approval required by the provisions of this Chapter.

('65 Code, § 31-15) (Ord. No. CS-622 § 1 (part))

## § 15.10.075 SEPARATED PARCELS.

Where land is separated by a means other than a street, highway, alley, railroad right-of-way, flood control right-of-way, or public utility right-of-way from other land in a proposed division or subdivision, a separate map shall be prepared for each of the divisions or subdivisions so separated and each of the maps prepared shall comply with the provisions of this Chapter.

('65 Code, § 31-16) (Ord. No. CS-622 § 1 (part))

## § 15.10.080 EXCEPTIONS.

It is realized that certain parcels of land exist of such size, subject to such title restrictions, sold and devoted to such usage, that it is impossible for the owner to conform to certain requirements of this Chapter when divided or subdivided. In such cases, the Planning Commission shall make a determination as to whether the conditions affecting the property in question warrant and require that exceptions be made; provided, however, that no exceptions may be made to any requirement imposed by the Subdivision Map Act. No exception shall be made unless the Planning Commission makes a finding or findings in writing that such exceptions are necessary stating the reasons and grounds therefor. The Planning Commission's determination may be appealed to the City Council.

('65 Code, § 31-17) (Ord. No. CS-622 § 1 (part))

## § 15.10.085 FEES.

- A. Tentative Map fees. The filing fee for a Tentative Map and a Tentative Parcel Map shall be as set forth by Resolution of the City Council. Said fee shall be paid to the City of Culver City through its Planning and Development Department upon initiation of Tentative Map review.

('65 Code, § 31-129)

- B. Final Map filing fees. At the time of filing the Final Map, the fees established by Resolution of the City Council for the following functions shall be paid to the City of Culver City through the City Engineer; or as to engineering and plan checking fees, to the Engineer's Office of the



County of Los Angeles, if the City has in effect an Agreement whereby the County performs such functions:

1. Engineering and Planning Checking Fees.
2. Recording Fee.
3. Inspection Fees.

('65 Code, § 31-130)

- C. Final Parcel Map fees. Upon filing a Final Parcel Map, a checking fee in an amount established by Resolution of the City Council shall be paid to the City of Culver City through the City Engineer, or to the County Engineer, if such checking is to be done by that office.

('65 Code, § 31-131)

- D. Agreement with county. Provided, nevertheless, that if the City has, in effect an Agreement whereby the County of Los Angeles performs any of the functions set forth in Subsections A., B. or C. of this Section, the fees to be charged shall be equal to the fees currently charged by the County of Los Angeles. This Subsection D. shall prevail over any contradictory provisions contained in any of the three previous Subsections or the Resolution of the City Council setting forth the fees therefor.

('65 Code, § 31-131.1)

(Ord. No. CS-831 §§ 2 - 5)

## § 15.10.090 PROPERTY VALUE IN EVENT OF EMINENT DOMAIN PROCEEDINGS.

In the event that the City of Culver City should, at any time in the future institute eminent domain proceedings with respect to any property, or a part of any property, which has been subject to covenants by the owner thereof in accordance with the provisions of §15.10.770 or 15.10.790, the land shall be valued as though said covenants had never been imposed and the market value of the property shall be the value of the property, disregarding the effect of such covenants.

('65 Code, § 31-132) (Ord. No. CS-622 § 1 (part))

## § 15.10.095 MAP FINDINGS.

A Parcel Map, Tentative Map, or a map requiring an Administrative Review shall be approved when the findings have been made that the map, including the provisions for design and improvement is consistent with the General Plan of the City or any related elements or specific plans. The review authority shall approve the Tentative Map pursuant to the following findings:

- A. The proposed division conforms to the provisions of the Zoning Code requirements, as set forth in Title 17 of this Code, to the General Plan and any applicable specific plans adopted by the Council of the City of Culver City or to any policies or standards adopted by the Commission or the Council and on file in the office of the City Clerk at or prior to the time of filing of the application hereunder.

- B. Each lot in the proposed division will front on a dedicated street or have a vehicular access to a dedicated street approved by the City.
- C. Each lot in the proposed division is so designed and arranged that drainage to an approved drainage facility is provided for each lot.
- D. The proposed division will not interfere with the widening, extension, or opening of any street or Master Plan highway.
- E. Lot lines are so designed that easements will be located in such positions as to be suitable for the proposed use.
- F. That the site is physically suitable for the type of development and proposed density;
- G. That the design of the subdivision or the proposed improvements are not likely to cause public health problems, substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat, and will not be materially detrimental to the public welfare nor injurious to the property or improvements in the immediate vicinity.
- H. That the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternate easements, for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is hereby granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision.

## TENTATIVE MAP

### § 15.10.200 TENTATIVE MAP PREPARATION.

The subdivider shall cause the Tentative Map covering the area proposed to be subdivided to be prepared by a registered civil engineer who is authorized to prepare Tentative Maps, or licensed land surveyor and such Tentative Map shall be in full compliance with the requirements of this Chapter.

('65 Code, § 31-63) (Ord. No. CS-622 § 1 (part))

### § 15.10.205 CONDITIONS OF APPROVAL FOR TENTATIVE MAP.

The review authorities of the Tentative Map may establish conditions of approval for Tentative Maps, including residential and commercial condominium subdivisions. Any conditions so established which are applicable to a particular Tentative Map shall be made a part of that map at the time of approval thereof and the Final Map shall not be approved until all of such conditions have been performed or satisfied.

('65 Code, § 31-63.1) (Ord. No. CS-905 § 1)

### § 15.10.210 MAP OF PROPOSED USES IN LAND PLANNED FOR FUTURE SUBDIVISION.

A. Where the Vesting Tentative Map covers only a portion of the area owned by the subdivider, and the balance is planned for future subdivision, a map showing proposed land use, contours of the entire area, and a proposed street and street grade, storm drain and sanitary sewer layout within the area shall accompany the Vesting Tentative Map. Such map is to be used as a guide for the Vesting Tentative Map under consideration and for future Tentative Maps in the area, but it shall not be deemed to be a Vesting Tentative Map and no rights shall accrue thereunder.

B. The Planning Director may require any subdivider to submit a map in accordance with subsection A. whenever necessary for review of a Tentative Map.

('65 Code, § 31-64) (Ord. No. CS-622 § 1 (part); Ord. No. 89-028 § 2)

### § 15.10.215 COPIES OF TENTATIVE MAP AND ACCOMPANIMENTS.

The Planning Director shall determine the required number of copies of the Tentative Map. The subdivider shall provide the owner's statement with the required filing fee to the Planning Director for staff consideration. A Tentative Map shall not be deemed complete for processing until it complies with all provisions of this Section and any additional information as required by the Planning Director, or their designee, and that a tract number shall have been secured from the office of the County Engineer. The Tentative Map shall then be deemed complete unless the Tentative Map or the accompanying drawings, statements or other data are found to be incomplete or incorrect, and the subdivider shall be advised in writing of the changes or additions within 30 days., specifying where the Tentative Map fails to meet the requirements of this Chapter.

('65 Code, § 31-65) (Ord. No. CS-622 § 1 (part))

### § 15.10.220 VESTING TENTATIVE MAP PROCEDURE.

Any Tentative Map, whether Parcel or Map, may be a Vesting Map. A Vesting Tentative Map maps must have the term "vesting" clearly stated on the map. All other procedures applicable to other Tentative Maps apply.

### § 15.10.225 INFORMATION TO BE SUBMITTED PRIOR TO FILING A VESTING TENTATIVE MAP.

A. Prior to the filing of a Vesting Tentative Map, a subdivider shall submit to the Division, plans and other information concerning a proposed or contemplated development as may be required by the Division to adequately evaluate the proposed project. The required plans shall be prepared by a licensed architect, engineer or other equivalently licensed and qualified professional. The plans shall include a site plan, parking plan, typical floor plans, four (4) sided exterior building elevations specifying all exterior finish materials, colors and textures, landscape plans, and site area

calculations in both gross building area and gross leasable floor area. All plans shall be drawn legibly and to scale, and specify the dimensions, design, and intended use of the proposed buildings and structures. Plans shall also specify how building and structures conform with current zoning and other development regulations, and are to be compatible with the character of adjacent conforming developed parcels and the existing neighborhoods.

B. The Planning Director, or designee, shall schedule a meeting with the subdivider on such plans and other data, and shall recommend consultation by the subdivider with other interested public or private agencies and public utilities.

C. The subdivision conference established by subsection B. is a mandatory procedure for filing a Vesting Tentative Map and otherwise is an optional procedure which may be elected by a subdivider. The Planning Director, or designee, may elect to schedule an optional subdivision conference upon submission of preliminary plans.

('65 Code, § 31-66) (Ord. No. CS-622 § 1 (part); Ord. No. 89-028 § 4)

### § 15.10.230 ITEMS TO BE SUBMITTED WITH TENTATIVE MAP.

The following items shall be submitted with the Tentative Map:

A. A statement of the general character of the improvements proposed for the streets in the proposed subdivision shall be filed with the Tentative Map. This statement of intent shall include such items as street trees, lighting system, sidewalk, curb, gutter, paving, conduits, storm drains and sewers, and all public utilities, mains, and services.

B. A statement of the proposed restrictions shall be furnished with the Tentative Map if the proposed subdivision includes private streets or is proposed to be a condominium or other joint or co-ownership type of development.

C. A statement that the applicant is the owner or is legally empowered to act for the owner of the property for which the application is filed.

D. A preliminary soil report shall be submitted for every subdivision as required by the California Health and Safety Code.

E. Where open spaces for park and recreational uses are indicated, the methods of providing for maintenance of these areas shall be submitted.

('65 Code, § 31-67) (Ord. No. CS-622 § 1 (part))

### § 15.10.235 TENTATIVE MAP REQUIREMENTS.

Said Tentative Map shall be clearly and legibly drawn. The minimum dimensions of this map shall be eighteen (18) inches by twenty-six (26) inches. The scale of the map shall be large enough to show clearly all details thereof, but is in no case to be smaller than one (1) inch equals one hundred (100) feet. Said map, and the accompanying owners' statements, shall contain the following information:

A. The tract number as secured from the County Engineer.

- B. The approximate boundaries of the property subdivided and suitable ties to government corners or corners of recorded subdivisions or other recognized survey corners or lines and, if the property is a portion of a governmental legal subdivision, the section, half-section, and quarter-section lines thereof, or if the property is a portion of a prior recorded private subdivision, the lot and block boundaries of such existing subdivision.
- C. Name and address of record owner or owners of property to be subdivided and record owners of property immediately abutting.
- D. Name and address of subdivider.
- E. Name, business address, and registration number, certificate, or other acceptable evidence of professional certification of person who prepared map.
- F. Location, size, and character of all existing public utility facilities in the proposed subdivision or adjacent thereto.
- G. The locations, names, and widths of all existing or proposed streets, and freeways in or adjacent to the subdivision and their approximate grades. If any proposed street in the subdivision is a continuation or approximately a continuation of an existing street, the conformity or the extent of nonconformity of such proposed street with such existing street shall be accurately shown.
- H. The approximate width and location of all existing and proposed easements, whether public or private, for streets, drainage, sewerage, and public utilities.
- I. Approximate radius of each curve.
- J. Approximate lot layout, lot numbering, and approximate dimensions for each lot.
- K. Area of smallest lot in tract and total area of subdivision.
- L. Approximate boundaries of area subject to inundation, storm water overflow, or high ground water, and the location, width, and direction of flow of all water courses.
- M. Plan for drainage and for handling storm water. Direction of flow of surface water shall be shown by arrows. Show approximate grades for proposed drainage.
- N. Existing use or uses of the property and, to scale, outline of any existing buildings not to be moved in the development of the subdivision and their locations in relation to existing or proposed street and lot lines.
- O. Statement of the present use zone and proposed use or uses of the property.
- P. Source of water supply.
- Q. Provision for sewerage and sewer disposal, including approximate grade, and estimate of maximum sewage rate of flow (c.f.s.).
- R. Proposed public areas to be dedicated.
- S. Approximate contour of the land at intervals not more than two (2) feet if the general slope of the land is less than five (5) percent, or at not more than five (5) feet if the general slope of the land is greater than five (5) percent.
- T. Statement of the improvements and public utilities proposed to be made or installed.

- U. Approximate location of all trees or stands of trees over six (6) inches in diameter standing within the boundaries of proposed public rights-of-way.
- V. Reserve strips, walls, or other devices for controlling access to restricted access streets.
- W. Height and location of street lights proposed by subdivider.
- X. Date, north arrow, and scale.
- Y. A statement of a street tree-planting schedule in accordance with the provisions of CCMC Title 9, Chapter 9.10.
- Z. A sketch at the corner of the Tentative Map at a minimum scale of one (1) inch to one thousand (1,000) feet indicating the location of the proposed subdivision in relation to the surrounding area or vicinity.
- AA. The boundary of city, county, school, park, or other public grounds or property in or adjacent to the subdivisions.
- BB. The areas designated for parks, recreation, schools, and other public uses.

('65 Code, § 31-68) (Ord. No. CS-622 § 1 (part))

#### § 15.10.240 ALTERNATE PLANS.

In the event the subdivider shall elect to submit one or more different plans for subdivisions, they may file all simultaneously paying a filing fee for each. In such event, the Planning Director, or designee, shall proceed to take the same action for each as is provided in this Chapter.

('65 Code, § 31-69) (Ord. No. CS-622 § 1 (part))

#### § 15.10.245 TENTATIVE MAP DISTRIBUTION.

Upon receipt of the specified number of copies of the Tentative Map and the accompanying owners' statements, the Planning Director, or designee, shall distribute the Tentative Map and documents to the applicable divisions and agencies.

#### § 15.10.250 GEOLOGICAL REPORT.

If required, a geological report shall be transmitted along with a copy of the Tentative Map to the City Engineer for their determination. The subdivider shall be notified at the earliest opportunity and be given full information as to the type of information and statistical report required by the City which shall be in accordance with the recommendations of the City Engineer.

('65 Code, § 31-71) (Ord. No. CS-622 § 1 (part))

## § 15.10.255 DEPARTMENTAL REPORTS.

Upon receipt of a copy of such Tentative Map and owners' statements, each officer, department, or division to whom or to which same has been transmitted pursuant to § 15.10.245 shall examine same to ascertain if the same conforms to the requirements coming within the authoritative scope of such officer, division, or department. Each officer, division, or department shall provide to the Planning Director, or designee, a report in writing thereon stating if the map conforms to the requirements coming within their authoritative scope. If the map does not conform, each officer, division, or department shall so state and set forth the particulars wherein said map or owners' statements do not conform and what changes are necessary to bring them into conformity. When the Planning Director, or designee, has received all such reports, they shall provide a written staff recommendation for approval. The Planning Director, or designee, shall promptly refer copies of the Tentative Map, owners' statement and staff report to the review and approval authority and to the subdivider.

('65 Code, § 31-72) (Ord. No. CS-622 § 1 (part))

## § 15.10.260 FINDINGS.

The map shall be approved when the findings have been made that the map, including the provisions for design and improvement is consistent with the General Plan of the City or any related elements or specific plans. The review authority shall approve the Tentative Map pursuant to the findings listed in § 15.10.095.

## § 15.10.265 ACTION ON TENTATIVE MAP

- A. The Planning Director, or designee, and City Engineer shall review Vesting Tentative Maps and Tentative Maps for 26 units or more when processed in conjunction with a Site Plan Review prior to approval by the Planning Commission.
- B. Approval of Tentative Map by the Planning Director. The Planning Director, or designee, shall approve, approve with conditions, or disapprove a Parcel Map and a Tentative Map for 25 or fewer units or commercial condominium airspace development between 5,000 and 15,000 gross square feet. The action of the Planning Director, or designee, and City Engineer on the Parcel Map or Tentative Map, or any portion thereof, shall be reported in writing to the subdivider within fifty (50) days after receipt of a complete application.
- C. Approval of Tentative Map by the Commission. The Commission shall approve, approve with conditions, or disapprove a Tentative Map for 26 or more units and commercial condominium airspace development that is more than 15,000 gross square feet or a Vesting Tentative Map. Unless otherwise required by CEQA or the Permit Streamlining Act, within fifty (50) days after a Tentative Map has been deemed complete, the Commission shall consider the Tentative Map at a regularly scheduled public hearing. Such time period may be extended by mutual consent of the subdivider and the Planning Director.
- D. Appeal. Within ten (10) days after approval, any aggrieved person may appeal the decision of a Tentative Parcel Map or Tentative Map pursuant to CCMC Title 17, Chapter 17.640. After a decision on an appeal has been made and required findings of fact have been adopted, that decision shall be considered final and no other appeals may be made.
  - a. A decision rendered by the Director may be appealed to the Commission.

- b. A decision rendered by the Commission may be appealed to the Council.
- E. The City shall determine whether the discharge of waste from the proposed subdivision into an existing community sewer system would result in violation of existing requirements prescribed by a California regional water quality control board pursuant to Cal. Water Code Div. 7 (commencing with Section 13000). In the event that the City finds that the proposed waste discharge would result in or add to violation of requirements of such board, it may disapprove the Tentative Map or Maps of the subdivision.

('65 Code, § 31-74) (Ord. No. CS-622 § 1 (part); Ord. No. CS-845 § 1 (part))

### § 15.10.270 PUBLIC HEARING.

- A. A public hearing shall be held by the Planning Commission for the appeal of Parcel Map and/or Tentative Map when processed for 25 or fewer units, or for the approval of a Vesting Tentative Map and/or Tentative Map for 26 or more units.
- B. A public hearing shall be held by the City Council for the appeal of the decision of the Planning Commission of a Parcel Map, a Tentative Map when processed for 25 or fewer units, a Tentative Map when processed for 26 or more units, and/or a Vesting Tentative Map.
- C. Whenever a public hearing is held by the Planning Commission or City Council on a matter described in CCMC § 15.10.270, notice of the time and place of such hearing, including a general location of the subdivision or proposed subdivision, shall be given in the manner prescribed for public hearings set forth in the Zoning Code, as set forth in Title 17 of this Code.

('65 Code, § 31-74A) (Ord. No. CS-845 § 1 (part))

### § 15.10.275 TIME LIMITS AND EXTENSION OF TIME.

Time limits required in this Subchapter for acting on a Tentative Map or Vesting Tentative Map, may be extended by mutual consent of the subdivider and Planning Director.

- A. An approved or conditionally approved Tentative Map or Vesting Tentative Map shall expire thirty-six (36) months after its approval or conditional approval, except when a time extension has been granted by the Planning Director or designee or meets the terms allowed by 66452.6. Once a tentative map has expired, no further subdivision action shall take place until a new tentative map is filed. Upon withdrawal, a record of survey shall be required and monuments set to replace those destroyed, damaged or missing.
- B. Upon application of the subdivider filed prior to the expiration of the approved or conditionally approved Tentative Map or Vesting Tentative Map, the time at which the Tentative Map expires may be extended by the Planning Director by twelve (12) months.
- C. The time extension shall be approved by the Planning Director if the following findings are made:
  - 1. The subdivider has made reasonable progress toward satisfying project conditions;
  - 2. Extenuating circumstances as documented in the map extension request have delayed filing of the final map; and
  - 3. The tentative map remains consistent with the zoning and goals of the general plan.



- D. Time extension requests shall be limited to year increments and can be customized for a period exceeding one year if the maximum extension period identified in Section E below is not exceeded.
- E. Consistent with Cal. Gov't Code § 66452.6 (e) and 66463.5(c), the maximum time of all extensions granted shall be 72 months (six years).

('65 Code, § 31-75) (Ord. No. CS-622 § 1 (part))

## § 15.10.280 VESTING ON APPROVAL OF VESTING TENTATIVE MAP.

- A. The approval or conditional approval of a Vesting Tentative Map shall confer a vested right to proceed with development in substantial compliance with ordinances, policies, and standards described in Cal. Gov't Code § 66474.2, or with the ordinances, policies, and standards in effect at the time the Vesting Tentative Map is approved or conditionally approved, whichever is later in time.
- B. Notwithstanding subsection A., a permit, approval, extension, or entitlement in conjunction with the Vesting Tentative Map may be made conditional or denied if any of the following are determined:
  - 1. A failure to do so would place the residents of the subdivision or the immediate community, or both, in a condition dangerous to their health or safety, or both.
  - 2. Imposition of the condition or denial of the permit, approval, extension or entitlement is required in order to comply with state or federal law.
- C. The approved or conditionally approved Vesting Tentative Map referred to herein shall expire if a Final Map is not approved prior to the expiration of the vesting tentative map. If a Final Map is approved, these rights shall last for the following periods of time:
  - 1. An initial time period of one year after recordation of the Final Map. Where several Final Maps are recorded on various phases of a project covered by a single Vesting Tentative Map, this initial time period shall begin for each phase when the Final Map for that phase is recorded.
  - 2. The initial time period set forth in subsection C.1. shall be automatically extended by any time used for processing a complete application for a grading permit or for design or architectural review, if such processing exceeds thirty (30) days, from the date a complete application is filed.
  - 3. A subdivider may apply for an extension of twelve (12) months at any time before the initial time period set forth in Subsection C.1. expires.
- D. Submittal of a grading or building permit for the project associated with the Vesting Tentative Map will keep the map active until the Final Map is approved and recorded. Regular inspections consistent with the requirements of the grading or building permit will need to occur to keep the Vesting Tentative Map active.

('65 Code, § 31-75A) (Ord. No. 89-028 § 5)

## § 15.10. 285 AMENDMENTS TO AN APPROVED OR CONDITIONALLY APPROVED TENTATIVE MAP.

- A. Minor amendments to the approved or conditionally approved Tentative Map or conditions of approval may be approved by the Planning Director upon application by the subdivider or on the Planning Director's own initiative, provided:
  - 1. The number of building sites or structures does not increase by more than 10 percent;
  - 2. The number of units does not increase by more than 10 percent or 25 units, whichever is less;
  - 3. Changes are consistent with the intent and spirit of the original tentative map approval;
  - 4. There are no resulting violations of this code or of any objective development standards;
  - 5. The lot area does not increase or decrease by more than 25 percent.
- B. The amendment shall be indicated on the approved or conditionally approved Tentative Map and certified by the Planning Director. Amendments to the Tentative Map conditions of approval which are not minor, shall be presented to the original approval authority for its approval. Major amendments meaning that the number of legal buildings or the lot area increases or decreases by more than 25 percent. Processing shall be in accordance with the provisions for processing a Tentative Map as set forth in this title. Any approved amendment shall not alter the expiration date of the Tentative Map, but extensions may be granted under the provisions of Section 15.10.275.

## ADMINISTRATIVE REVIEW

### § 15.10.300 PURPOSE

This subchapter establishes an Administrative Review process for Parcel and Tentative Map applications submitted in conjunction with an Administrative Site Plan Review. An Administrative Review authorizes the Planning Director, or designee, and the City Engineer's review and approval of Parcel and Tentative Map applications that comply with all applicable regulations and standards of this Subdivision Code.

The specific purposes of this section are as follows.

- A. Develop property in a manner that respects the physical and environmental characteristics of each site, and will complement surrounding properties and the City in general;
- B. Ensure that each new small lot development is designed to best comply with the purpose and intent of the zoning district in which the property is located, and does not have an adverse effect on the aesthetic, architectural, health, and safety-related qualities of adjoining properties or upon the City in general;
- C. Ensure access to each property and a circulation pattern that is safe and convenient for both pedestrians and vehicles;

- D. Ensure the orderly and harmonious appearance of structures with associated site improvements (e.g., landscaping, parking areas, and the like); and
- E. Implement and promote the goals and policies of the General Plan.

### § 15.10.305 APPLICABILITY.

The Administrative Review shall be required for all Parcel Map or Tentative Maps of this Code including Small Lot Subdivisions and commercial condominiums, that are filed in conjunction with the Administrative Site Plan Reviews.

### § 15.10.310 ACTION ON ADMINISTRATIVE REVIEW.

- A. Filing. An application for an Administrative Review shall be completed, filed, and processed in compliance with CCMC Title 17, Chapter 17.500 (Applications, Processing, and Fees). The application package shall include all information specified in the application, any applicable Division handout, and any additional information required by the review authority in order to conduct a thorough review of the proposed project. It is the responsibility of the applicant to establish evidence in support of the findings required by Section 15.010.315 below.
- B. Timing of Review. When required, the final subdivision determination shall be processed concurrently with the Administrative Site Plan Review determination.
- C. Designated Review Authority. The Planning Director, or designee, and the City Engineer shall be the designated review authorities on each Administrative Review application, provided that the Planning Director, or designee, shall refer any application to the Commission for final decision if any of the following criteria apply.
  - 1. The proposed development project otherwise requires Commission review of a land use permit, such as a Variance, Conditional Use Permit, or zone change application. In such cases, the subdivision application shall occur concurrently with the review of the other land use permits.
- D. Referral to the Planning Commission. If the Planning Director, or designee, determines that there are unusual circumstances or special conditions related to an application, the Planning Director, or designee, may defer action and refer such application to the Commission for final decision.
- E. The applicant or any interested person or City official may appeal the decision of the Planning Director, or designee, and City Engineer on a Small Lot Subdivision, or Tentative Parcel Map or Map to the Planning Commission by written notice thereof submitted to the City Clerk within ten (10) days following their notification of the Planning Director's, or designee, and City Engineer's action pursuant to CCMC Title 17, Chapter 17.640.

### § 15.10.315 FINDINGS.

Following an Administrative Review, the Parcel or Tentative Map shall not be approved unless findings have been made that the map, including the provisions for design and improvement, is consistent with the General Plan of the City, Map Standards, or any related elements or specific

plans. The Planning Director, or designee, and City Engineer shall approve a Parcel or Tentative Subdivision Map if it makes any of the following findings:

- A. That the proposed map is consistent with the Map Standards;
- B. That the proposed map is consistent with the findings listed under § 15.10.095.

### § 15.10.320 CONDITIONS OF APPROVAL.

The Planning Director and City Engineer may approve or recommend approval of an Administrative Review for a proposed project in compliance with the Map Standards and § 15.10.300 (1) (if applicable) and may impose conditions upon the project. As a condition of approval, all Small Lot Subdivisions, Tentative Maps, and Parcel Maps, shall be required to conform to the plans approved during the Administrative Site Plan review process. These plans shall be included in the related subdivision map case file.

## FINAL MAPS

### § 15.10.400 ACCEPTANCE FOR CHECKING.

If a Final Map is submitted to the County Engineer for checking under an agreement for examination of Tentative Maps and Parcel Maps, the subdivider shall pay a map checking fee to the County Engineer in addition to all other fees and charges required by law. This fee shall be equal to the fee established by the County of Los Angeles for checking Tentative maps and Parcel Maps. In addition to County fees, City fees will be assessed for review and processing as established by City Council resolution. If a Final Map is submitted to a professional consultant for checking under an agreement for examination of Maps and Parcel Maps with the City, the subdivider shall pay a map checking fee to the City to cover fees for the professional consultant in addition to all other fees and charges required by law

('65 Code, § 31-76) (Ord. No. CS-622 § 1 (part))

### § 15.10.405 FINAL MAP PROCESSING.

The City Engineer shall conduct a non-discretionary review and have final approval of a subdivision Final Map. No appeal process shall be involved. The Final Map shall be considered complete for filing when it complies with all provisions of this Subchapter and is accompanied with the statements, agreements, cash and/or bonds required.

- A. Filing. The subdivider shall file the following with the City Engineer:
  - 1. Sufficient documents and plans as prescribed by the City Engineer, to allow them to estimate accurately the amount of bond required to guarantee such improvements; and the required filing and checking fees. Said map shall be accompanied by traverse sheets showing the closure within allowable limits of the exterior boundary of each irregular block and lot.
  - 2. Title guarantee, deed restrictions, as required by § 15.10.230 B., improvement agreement and bond, if not previously filed.

- B. Departmental approvals. The following functions shall be acted upon within twenty (20) days after filing:
1. The City Engineer shall examine the Final Map. If they shall determine that said map is technically correct, substantially conforms to the Tentative Map and any approved alteration thereof, and to the provisions of the ordinance codified herein and the State Map Act, they shall so certify on said map and transmit the same to the City Clerk. If they shall find that full conformity has not been made, they shall so advise the subdivider in writing and afford them an opportunity to make the necessary changes.
  2. The Planning Director, or designee, shall examine the Final Map. If they shall determine that the map substantially conforms to the approved Tentative Map and any condition imposed thereon, they shall so certify on said map.
  3. When filing is completed and approved as outlined above, the City Engineer shall transmit the final approved map, with all accompanying statements, agreements, cash and/or bonds required to the County for their review and recordation.

('65 Code, § 31-78) (Ord. No. CS-622 § 1 (part))

#### § 15.10.415 MAP CHECKING FEE.

After approval by the City Engineer, or County of Los Angeles if the City Engineer refers map to the County, and after signatures and seals have been affixed, the original Final Map, accompanied by the necessary filing fee, shall be transmitted to the Land Development Division of Los Angeles County Public Works or other applicable department for a final check for compliance with the State Map Act, for the obtaining of the necessary guarantee of title, and for filing with the County Recorder. No map shall have any force or effect until it has been approved by the City Engineer and no title to any property described in any offer of dedication shall pass until filing of the Final Map. No building permit shall be issued until filing of the Final Map.

('65 Code, § 31-80) (Ord. No. CS-622 § 1 (part))

#### § 15.10.420 TRANSMITTAL OF FINAL MAP TO COUNTY.

After approval by the City of a Final or Parcel map of a subdivision, the map shall be transmitted to the Land Development Division of Los Angeles County Public Works or other applicable department, unless the City Engineer or subdivider requests an alternate time schedule for recordation. It shall be the obligation of the subdivider to submit a copy of the approved Final Map to the Land Development Division of Los Angeles County Public Works or other applicable department in accordance with Cal. Gov't Code § 66466(f).

('65 Code, § 31-80A) (Ord. No. CS-845 § 1 (part))

#### § 15.10.425 SEPARATED PARCELS.

No land shall be subdivided on any single map when such land is separated or divided into two (2) or more parcels or portions by any parcel of land, other than a street, alley, railroad right-of-way, public utility right-of-way, or flood control right-of-way, and when such land is so separated, each

separated parcel or portion thereof, if subdivided, shall be subdivided as a separate parcel and shown on a separate subdivision map.

('65 Code, § 31-81) (Ord. No. CS-622 § 1 (part))

## § 15.10.430 FINAL MAP CONTENTS.

### A. The Final Map shall show the following:

1. Boundaries and streets. The exterior boundaries of the property; the borderlines and centerlines of all proposed streets and alleys, with their width and names; any other portions intended to be dedicated for public use. In case of branching streets, the line of departure from one street to another shall be indicated.
2. Adjacent streets. The lines of all adjoining properties; the lines of adjacent streets and alleys showing their widths and names.
3. Lot lines and numbers. All lot lines and numbers for all lots, easements, and their purposes. All lots are to be numbered consecutively throughout the subdivision starting with the number "1," except units of a total development, which shall be numbered consecutively throughout the development.
4. Dimensions. All dimensions, both linear and angular, for locating boundaries of the subdivision, lots, street and alley lines, and easements. The linear dimensions shall be expressed in feet and hundredths of a foot.
5. Monuments. All permanent monuments, both found and set, together with their description, shall fully include their location and size, and if any points were reset by ties, that fact shall be stated.
6. Titles and description. Title and description of property being subdivided showing its location and extent, points of compass, scale of plan, basis of bearing, and names of subdivider and of engineer or surveyor platting the tract.
7. Inundation. Boundaries of any areas within the proposed subdivision which are subject to periodic inundation by water.
8. Private restrictions. Any private restrictions required to be filed with the City by this Chapter shall be shown on the plat or reference to them thereon; and the plats shall contain proper acknowledgment of owners and mortgagees accepting said platting and restrictions.
9. City boundaries. City boundaries which adjoin a subdivision shall be clearly designated and located in relation to adjacent lot or block lines. No lot shall be subdivided by a City boundary line.
10. Title sheets. Title sheets shall indicate where vehicular access rights have been surrendered on major, thoroughfare, and expressway streets.
11. Acreage. On each lot containing .75 acres or more, show the acreage to the nearest one hundredth (1/100) acre.

('65 Code, § 31-82)

- A. The following additional material shall be submitted with the Final Map.
1. Traverse sheets. The subdivider shall provide the City Engineer traverse sheets prepared by a registered civil engineer or a license surveyor showing the mathematical closure within one (1) foot to ten thousand (10,000) feet perimeter of the exterior boundary of the tract and of each block within the tract and each irregular lot.
  2. Guaranty of title. The subdivider shall furnish to the Council a guaranty of title or letter from a competent title company, certifying that the names of all persons whose consent is necessary to pass a clear title to the land being subdivided, and all acknowledgments thereto, appear on the proper certificate and are correctly shown on said map, both as to consent as to the making thereof and affidavits of dedication where necessary. Such a guaranty shall be issued for the benefit of the City of Culver City and protection of the Council and shall be continued complete up to the instant of filing for record with the County of Los Angeles.
  3. Improvement agreement. The subdivider shall file an agreement for all improvements as herein required and as may be further required by the Council or by law, and shall secure the performance in accordance with the standards of the California Business and Professions Code and § 15.10.930 of this Chapter.
  4. Taxes.
    - a. Prior to the filing of the Final Map, the subdivider shall file with the Clerk of the County of Los Angeles a certificate from the official computing redemptions in Los Angeles County and in the City of Culver City, showing that according to the records of their office there are no liens against the subdivision or any part thereof for unpaid state, county, municipal, or local taxes or special assessments collected as taxes, except taxes or special assessments not yet payable.
    - b. As to taxes or special assessments collected as taxes not yet payable, the subdivider shall file with the City Clerk of the City of Culver City a certificate by each proper office, giving their estimate of the amount of taxes and assessments which are a lien, but which are not yet payable.
    - c. Whenever any part of the subdivision is subject to a lien for taxes or special assessment collected as taxes which are not yet payable, the Final Map shall not be filed for record until the owner or subdivider executes and files with the Clerk of the Board of Supervisors of Los Angeles County a good and sufficient bond to be approved by the Board and by its terms made to inure to the benefit of the County guaranteeing the payment of all state, county, municipal, and local taxes and all special assessments collected as taxes, which, at the time the Final Map is filed for record, are a lien against the property, which are not yet payable. In lieu of a bond, a deposit may be made of money or negotiable bonds in the amount, and of the kind approved for securing deposits of public money.
  5. A dedication, on the title page, dedicating all streets, alleys, public improvements, and utility easements to the City, and, if requested by City, a deed or document of dedication in proper form for recordation separate from the Final Map.

6. Proper notation and identification of soil reports on the title sheet as required by the State Map Act.
7. If required by § 15.10.230 B., three (3) copies of the proposed restrictions, in the final form as a Declaration of Restrictions, signed by all of the owners of any interest in the subdivision who sign the Final Subdivision Map. All three (3) copies shall be acknowledged by the signers before a Notary Public, and in a form which will enable it to be recorded in the office of the County Recorder of Los Angeles County, California.

('65 Code, § 31-83)

(Ord. No. CS-622 § 1 (part))

### § 15.10.435 FINAL MAP FORM.

- A. The Final Map or plan shall be made to a minimum scale of one hundred (100) feet to the inch, using more than one (1) sheet if necessary to furnish the desired space. The original shall be drawn in black ink upon tracing cloth or polyester base film of good quality, and the size of the sheet shall be eighteen (18) inches by twenty-six (26) inches, all sheets having a one (1) inch margin on all other borders.
- B. Each sheet shall be numbered and the total number of sheets comprising the map shall be stated on each of the sheets, the relation of one sheet to another clearly shown, and the number of sheets used in the map shall be set forth in the title of said map. If more than two (2) sheets are necessary for the map, an index map shall be required.
- C. Title sheet. The title of each such Final Map shall consist of "Tract No.....in the City of Culver City," which shall be shown at the top center of all sheets comprising the map.
- D. Subtitle. The title sheet shall also contain a subtitle giving a general description of the property being subdivided by reference to maps which have been previously recorded or by reference to the plat of a United States Survey. Each reference in such description, to any tract or subdivision, shall be spelled out and worded identically with the original record thereof and references to book and page of record must be complete.

('65 Code, § 31-84) (Ord. No. CS-622 § 1 (part))

### § 15.10.440 REVERSION TO ACREAGE MAP REQUIREMENTS.

The requirements for a reversion to acreage map shall be the same as stated in § 15.10.435, except that upon the title sheet of each map filed for the purpose of reverting subdivided land to acreage, the subtitle shall consist of the words "A reversion to acreage of ...." (insert a legal description of the land being reverted).

('65 Code, § 31-85) (Ord. No. CS-622 § 1 (part))



#### § 15.10.445 SURVEY PROCEDURE AND PRACTICE.

- A. The procedure and practice of all survey work done on any subdivision, whether for preparation of Final Map or Parcel Map, shall conform to the details set forth in Cal. Bus. & Prof. Code Div. 3, Ch. 15 (commencing with § 8700). The allowable error of closure of any portion of a Final Map or approved Parcel Map shall be 1/10,000.
- B. In the event that the City Engineer, County Engineer, or the State Highway Engineer, shall have established the centerline of any street or alley in or adjoining a subdivision, the Final Map or approved Parcel Map shall show such centerline and the monuments which determine its position. If determined by ties, that fact shall be stated upon the Final Map or approved the Parcel Map.

('65 Code, § 31-86) (Ord. No. CS-622 § 1 (part))

#### § 15.10.450 DEDICATION EXCEPTIONS.

Dedication is not required on any map referred to in Cal. Gov't Code § 66499.11 et seq. and/or on any map made for the sole purpose of establishing existing land title boundaries; except that dedications may be required however, pursuant to Cal. Gov't Code § 66499.11 et seq. if so determined by the Council.

('65 Code, § 31-87) (Ord. No. CS-622 § 1 (part))

#### § 15.10.455 ADDITIONAL COPY OF MAP TO SHOW STRUCTURES.

Any Final Map of a subdivision presented to the City for acceptance of easements and filing for record shall be accompanied by an additional copy on which is delineated all the structures existing within the easements, except publicly-owned storm drains, water lines, sewers, and other sanitary facilities, whether such structures are on recorded easements or not.

('65 Code, § 31-88) (Ord. No. CS-622 § 1 (part))

#### § 15.10.460 EASEMENT CERTIFICATE.

Any Final Map presented to the City for acceptance and filing for record shall have written thereon, in addition to or as a part of any other certificate required, a certificate signed by the owner and the subdivider and by all persons claiming any interest other than a right-of-way, easement, or other interest, none of which can ripen into a fee, and the land shown included within the subdivision shown on the map, in substantially the following form:

“We hereby certify that, except as shown on a copy of this map on file in the office of the City Engineer, we know of no easement or structure existing within the easement hereby offered for dedication to the public, other than publicly-owned water lines, sewers, or storm drains; that we will grant no right or interest within the boundaries of said easement offered to the public, except where such right or interest is expressly made subject to the said easements. Further, that there are no leaseholds or other interests relating to such easements which would prevent the use of the easements for the purpose intended.”

('65 Code, § 31-89) (Ord. No. CS-622 § 1 (part))

### § 15.10.465 WAIVER OF SIGNATURES.

If the owner of an easement or right-of-way of any kind or nature in any right-of-way offered for dedication, who has no other interest whatever in any part of the lands included within the subdivision, refuses to make their easement subject to any right-of-way offered to the public, but the Final Map in all other respects complies with this Subchapter and with the Subdivision Map Act, and the Council finds that the subdivider has in good faith attempted to obtain the necessary signature from such owner and has been unable to do so, and that a refusal to accept the Final Map for filing would work an undue hardship on the subdivider, then by a majority vote of all its members, the Council may accept such map, if the City Attorney finds that the dedicated easements will be legally sufficient and usable by the City and the public even if such signatures are omitted.

('65 Code, § 31-90) (Ord. No. CS-622 § 1 (part))

## PARCEL MAPS

### § 15.10.600 PURPOSE.

The purpose of this Subchapter is to supplement the Subdivision Map Act in order to provide for a division of land into four (4) lots or fewer, and to govern such a division of land under the provisions of this Chapter. The regulations outlined are intended to assure compliance with the Zoning Code, as set forth in Title 17 of this Code, and the various elements of the General Plan; to provide necessary street dedication and improvements, and to prevent interference with the opening or extension of streets necessary for emergency vehicular access, proper traffic circulation, drainage, and the future development of adjacent properties.

('65 Code, § 31-91) (Ord. No. CS-622 § 1 (part))

### § 15.10.605 ADDITIONAL FILING REQUIREMENTS.

Parcel Maps shall be filed for all divisions of land coming within Cal. Gov't Code § 66425 et seq. Such maps may be processed as a Tentative Parcel Map to be followed by a Final Parcel Map; or as a Parcel Map and subject to all the provisions of the State Map Act and this Chapter relating to Parcel Maps.

('65 Code, § 31-92) (Ord. No. CS-622 § 1 (part))

### § 15.10.610 EXCEPTIONS.

Provisions of this Subchapter do not apply to the following divisions of land:

- A. Those complying with the provisions of the Subdivision Map Act and the provisions of this Chapter pertaining to division of land under control of said Map Act in the City of Culver City.
- B. Those of record prior to April 9, 1969.

- C. Those made solely for the purpose of opening or widening of a public street, flood control channel, or other public improvement, provided no lots are created other than those directly caused by such opening or widening.
- D. Those where the resulting number of lots remains the same or is decreased, and such division is not in conflict with the provisions of this Chapter or the Zoning Code, as set forth in CCMC Title 17.

('65 Code, § 31-93) (Ord. No. CS-622 § 1 (part))

#### § 15.10.615 PERMITS OR CERTIFICATES NOT TO BE ISSUED WHERE PROPERTY SOLD OR DIVIDED IN VIOLATION OF PROVISIONS.

No building permits or certificate of occupancy or license to use shall be issued for a building, structure, use or construction on any property where a portion of the property has been sold or divided in violation of this Subchapter.

('65 Code, § 31-94) (Ord. No. CS-622 § 1 (part))

#### § 15.10.620 TENTATIVE PARCEL MAPS.

Persons applying for approval hereunder shall file with the Planning Director, or designee, and the City Engineer a Tentative Parcel Map showing the proposed land division together with sufficient copies of the map to permit said Planning Director, or designee, to furnish copies to other departments, which, in the opinion of said Director, or designee, and City Engineer, may have an interest in the proposed division of land. Said map shall be drawn to scale, showing size, dimensions, elevations, and location of the property, size, dimensions and construction, and relative location of existing or proposed improvements thereon (including without limitation, streets, alleys, driveways, and parking areas), and the proposed division thereof.

('65 Code, § 31-95) (Ord. No. CS-622 § 1 (part))

#### § 15.10.625 ACTION ON PARCEL MAP.

- A. Upon the filing of an application as herein provided, the Planning Director, or designee, and City Engineer shall review and shall approve, approve with a condition or disapprove said Tentative Parcel Map. The Planning Director, or designee, and City Engineer shall have final approval.
- B. When all requirements of the Planning Director, or designee, and City Engineer, made as a condition of approval, as authorized by this Subchapter, have been met, the City Engineer shall approve the Parcel Map, which shall then be duly filed with the County Recorder within the time set forth in § 15.10.285 of this Chapter.
- C. The applicant or any interested person or City official may appeal the decision of the Planning Director, or designee, and City Engineer on a Tentative Parcel Map or Parcel Map to the Planning Commission or the City Council by written notice thereof submitted to the

City Clerk within ten (10) days following notification of the Planning Director, or designee, and City Engineer's action pursuant to CCMC Title 17, Chapter 17.640.

('65 Code, § 31-96) (Ord. No. CS-622 § 1 (part))

### § 15.10.630 FINDINGS.

The Planning Director, or designee, and City Engineer may approve or conditionally approve the dividing of property into four (4) or fewer lots as shown on the Tentative Parcel Map pursuant to the findings listed in § 15.10.095.

('65 Code, § 31-97) (Ord. No. CS-622 § 1 (part))

### § 15.10.635 DEDICATIONS AND IMPROVEMENTS.

- A. The Planning Director, or designee, and City Engineer may require as a condition to the approval of a Final Map, the dedication or improvement or both of highways, streets, alleys, other public ways, or easements included by the review authority to be necessary for local traffic, drainage, utilities, or sanitary needs.
- B. The Planning Director, or designee, and City Engineer in approving the Final Map shall require the owner or applicant to install or enter into a suitable agreement and to post a bond in the amount recommended by the City Engineer guaranteeing the installation of such improvements as shall be required of the applicant under the provisions of this Chapter. In addition, the Planning Director, or designee, and City Engineer shall not approve any division of property which fails to provide that each lot created has access on either a dedicated public thoroughfare or an easement of record providing access to and from such dedicated public thoroughfare.
- C. Any offer of dedication or easement required as a condition of approval shall be binding upon the owner, their heirs, assigns, or successors in interest. Such offer may not be withdrawn, nor shall any action be taken to jeopardize the City's interests in such offer of dedication until the City Engineer vacates or quitclaims such offer or approves and there is filed with the County Recorder a resubdivision or reversion to acreage map over said offer. In the event the review authority does not approve the Final Parcel Map, the offer of dedication is automatically revoked and canceled.
- D. All improvements shall be in accordance with the standards of the City Engineer.

('65 Code, § 31-98) (Ord. No. CS-622 § 1 (part))

### § 15.10.645 FINAL PARCEL MAP REQUIREMENTS.

A Final Parcel Map shall be prepared by a registered civil engineer or licensed land surveyor and shall show:

- A. A title consisting of the words "Final Parcel Map" and the words "in the City of Culver City" and a subtitle consisting of a description of all property being divided.

- B. If the Final Parcel Map is based on a field survey, all monuments found, set, reset, replaced, or removed, describing their size, kind, and location, and giving other data relating thereto. Monuments shall be set at all boundary corners or angle points not previously shown on a record map or on any street, dedicated as a condition of the tentative approval at centerline intersections, beginning of a curve (BC), at the end of a curve (EC), or points of intersection (PI), and angle points.
- C. Bearing or witness monuments, basis of bearings, electric lines, and scale of map.
- D. Signature and license or registration number of the licensed survey or registered civil engineer who prepared the map.
- E. Date of survey.
- F. Statement of the City Engineer or City Surveyor as required by Cal. Gov't Code § 66450.
- G. On each lot containing an area of twenty thousand (20,000) square feet or more, shall show the size to the nearest square foot.
- H. The lots shall be numbered beginning with numeral "1" and continuing consecutively without omission or duplication throughout the Final Parcel Map.
- I. All drainage channels shall be shown.
- J. Name of person for whom survey was made.
- K. Any other data necessary for an intelligent interpretation of the various items and locations of points, lines, and areas shown may be required by the City Engineer.
- L. If the Parcel Map creating four (4) or fewer lots does not, in the opinion of the City Engineer, satisfy the requirements of Cal. Gov't Code § 66445, a field survey shall be performed at the expense of the applicant to establish the boundaries of the Parcel Map. The survey shall be checked for conformance to the standards and details set forth in Cal. Bus. & Prof. Code Div. 3, Ch. 15 (commencing with § 8700), the Land Surveyor's Act, Section 95 of Parcel Map Form. The Parcel Map shall conform to all requirements of Cal. Gov't Code § 66445.

('65 Code, § 31-100) (Ord. No. CS-622 § 1 (part))

## DESIGN STANDARDS

### § 15.10.700 ACCESS AND EASEMENTS.

The following general design standards shall govern the approval of any subdivision map:

- A. Blocks shall not be longer than one thousand two hundred (1,200) feet between intersecting street lines, except on major streets and thoroughfares, where longer blocks may be required. Frontage on more than one street will not be permitted except on corner lots and reversed corner lots unless necessary because of topographic conditions, and then only upon approval of the review authority and when access rights are released on one street.

- B. Improved walkways of not less than ten (10) feet in width, and landscaped as required by the Parks Superintendent, may be required through blocks more than nine hundred (900) feet in length and through other blocks where necessary to provide access to schools, parks, and/or scenic easements.
- C. All lots shall front on a dedicated public street or have access to same via a private street or the “stem” of a “flag lot.” Flag lots shall be allowed only when, in the opinion of the review authority, there is no reasonable alternative. The stem of any flag lot shall be a minimum width of fifteen (15) feet; however, if two (2) or more such stems are contiguous for fifty percent (50%) or more of their length, each stem may have a minimum width of ten (10) feet. Not more than four (4) such stems may be permitted contiguously. This standard shall not apply for a Small Lot Subdivision.

('65 Code, § 31-102) (Ord. No. CS-622 § 1 (part))

## § 15.10.705 ROADS AND STREETS.

- A. Existing streets shall be continued as required by the review authority .
- B. Street stubs shall be required to adjacent un-subdivided property where, in the opinion of the review authority, they are necessary. A satisfactory, temporary turn-around may be required.
- C. Half streets shall be allowed only when, in the opinion of the review authority, there is no practical alternative thereto.
- D. Streets shall intersect at as near right angles as is practical. Radius of curvature, where the property lines intersect, shall be a minimum of fifteen (15) feet, except for those streets designated as a part of the Select Street System, where Select Street System standard minimums shall apply. An optional method of diagonal cutoff may be used provided the dimensions thereof do not reduce visibility, sidewalk width, or curve radius obtained by the above-specified radii. Streets intersecting at an angle other than ninety (90) degrees shall have sufficient radius or cut-off to provide the same results as the traffic movement, visibility, and designs provided by the foregoing.
- E. “T” or three-way intersections may not be located closer than one hundred fifty (150) feet to another street intersection.
- F. Alleys conforming to Culver City engineering and design standards shall be required to be constructed in industrial, commercial, and in multiple-family areas where necessary to control vehicular access to thoroughfares and major streets.
- G. Turn-around areas at the end of cul-de-sac streets shall have the following limiting dimensions.
  - 1. Forty (40) foot minimum radius to property line on streets in hillside areas.
  - 2. Fifty (50) foot minimum radius to property line on all other streets.
  - 3. Thirty-five (35) foot minimum radius to curb in hillside area.
  - 4. Forty (40) foot minimum radius to curb, flat area.

5. Names for proposed new streets shall be assigned or approved by the Department of Planning and shown on Tentative and Final Parcel Maps.
6. Streets shall conform as to alignment and width, defined on the circulation element of the General Plan of the City of Culver City.

('65 Code, § 31-103) (Ord. No. CS-622 § 1 (part))

### § 15.10.710 PRIVATE STREETS.

- A. The Planning Director, or designee, and City Engineer may approve private streets which shall be physically closed to the public for public traffic and are posted as a private street. On any Tentative Map or Final Map, either as a Parcel Map or as a subdivision map, such private streets shall be shown. The Planning Director, or designee, and City Engineer may approve only on conditions which guarantee reasonable maintenance of such streets. Every Final Parcel Map and Final Subdivision Map which as private streets shall contain an offer of dedication which shall remain open and may be accepted by the Planning Director, or designee, and City Engineer at any time. A plan and profile of any such street as required by this Chapter must be submitted with either a Final Parcel Map or a Final Subdivision Map. No street may be accepted unless it meets all existing City standards at the time of acceptance.
- B. The map and deed restrictions shall contain provisions for free and unimpeded access by emergency vehicles and persons or vehicles necessary to perform public service functions such as refuse collection, utility installation and repair, and the like.
- C. All private streets shall meet the requirements prescribed by this Chapter for public streets.

('65 Code, § 31-104) (Ord. No. CS-622 § 1 (part))

### § 15.10.715 RADIUS.

Minimum center-line radius on streets shall be:

- A. Major streets—five hundred (500) feet.
- B. Secondary streets—two hundred fifty (250) feet.
- C. Flat and hillside, local—one hundred (100) feet.
- D. Steep hillside, local—seventy-five (75) feet.

('65 Code, § 31-105) (Ord. No. CS-622 § 1 (part))

### § 15.10.720 GRADES.

- A. Maximum grades permitted shall be: Seven (7) percent on major streets; ten (10) percent on secondary; fifteen (15) percent on a local street; and streets shall be graded to full right-of-way. Where topography makes it necessary, grades of not more than twenty (20) percent may be allowed for distances not to exceed one hundred (100) feet when approved by the City Engineer.

- B. Normal Minimum grades permitted: One (1) percent (absolute minimum permitted; .03 percent cross slope across intersections; .02 percent when approved by City Engineer).
- C. Maximum grade permitted on “switch-backs” or curves with a radius of less than two hundred (200) feet shall not exceed five (5) percent.

('65 Code, § 31-106) (Ord. No. CS-622 § 1 (part))

### § 15.10.725 SOIL CONDITIONS.

The soil conditions in any proposed subdivision shall be analyzed by a recognized testing laboratory approved by the City Engineer, and the results thereof shall be submitted to them. The City Engineer shall instruct the testing laboratory as to location and number of soil tests required, and the laboratory's report shall contain recommendations for pavement design and safe soil-bearing values for footings, and the like. The City Engineer may accept or reject any recommendations of the laboratory without prejudice. All costs in connection with the soil test shall be borne by the subdivider.

('65 Code, § 31-107) (Ord. No. CS-622 § 1 (part))

### § 15.10.730 DESIGN STANDARDS FOR COMMERCIAL SUBDIVISIONS.

The following design standards shall govern the approval of any commercial subdivision and do not apply to mixed use subdivisions.

- A. Minimum alley right-of-way shall be twenty-five (25) feet, with twenty-five (25) feet paved. Deadend alleys shall be provided with a twenty-five (25) foot radius hammerhead turn-around.
- B. All other applicable regulations set forth in this Chapter and the Zoning Code, as set forth in Title 17 of this Code, shall be complied with in the development of a commercial subdivision.

('65 Code, § 31-108) (Ord. No. CS-622 § 1 (part))

### § 15.10.735 DESIGN STANDARDS FOR INDUSTRIAL SUBDIVISIONS.

The following design standards shall govern the approval of any industrial subdivision.

- A. Minimum alley right-of-way shall be twenty-five (25) feet paved. Deadend alleys shall be provided with a twenty-five (25) foot radius hammerhead turn-around.
- B. All other applicable regulations set forth in this Chapter and the Zoning Code, as set forth in Title 17 of this Code, shall be complied with in the development of industrial subdivisions.

('65 Code, § 31-109) (Ord. No. CS-622 § 1 (part))



## § 15.10.740 DESIGN STANDARDS FOR RESIDENTIAL SUBDIVISIONS.

The following design standards shall govern the approval of any residential subdivision map, including maps for mixed use developments:

- A. Lot frontage. A lot shall front upon the street which parallels the long dimension of the block, except that a lot shall not front on a primary or secondary arterial street. A key lot shall not be permitted unless it is established that it cannot be avoided. A double frontage lot shall not be permitted, unless the review authority, or the Planning Commission or City Council upon appeal, in the exercise of its discretion, , approves the same after it has been established that a double frontage lot cannot be avoided if the dimensions set forth in this Section are to be secured for a majority of other lots in the same subdivision. Vehicular access may be limited to one (1) frontage of a double frontage lot. The side lot lines of each rectangular lot, and each other lot (so far as possible) shall be at approximate right angles to the street on which the lot fronts.
- B. Large lots. When parcels of land are subdivided into larger than building lots, such parcels shall be divided so as to allow for the opening and ultimate extension of adjacent local streets. When parcels are so divided, each lot indicated shall be of such size and shape as to permit any individual owner to resubdivide, giving each lot legal size, shape, and access, independent of the adjoining owners.
- C. Conformity with zoning ordinance. Residential lot dimensions and area shall comply with the provisions of the Zoning Code, as set forth in Title 17 of this Code, for the zone or zones within which the subdivision is located.
- D. Drainage - sewerage. In all subdivisions the layout of streets, alleys, lots, and easements shall be such as to provide for sanitary sewers and storm drainage in a manner satisfactory to the City Engineer. When construction is considered necessary to care for such flow, such construction shall be guaranteed by a bond in a form satisfactory to the City Attorney and an amount satisfactory to the City Engineer. When, in the opinion of the City Engineer, after consultation with the Los Angeles County Flood Control District, off-site construction is considered necessary to care for such flow, the subdivider shall pay a portion of the cost for said construction in the amount and manner as outlined in Cal. Gov't Code § 66483.
- E. Building setback lines. Front line setbacks greater than those required in the Zoning Code, as set forth in Title 17 of this Code, may be required whenever the review authority determines that the public health, safety, convenience, and general welfare will be conserved or furthered by such requirements. Setbacks may also be required in lieu of street widenings. When required, such building lines shall be indicated on Final and Parcel Maps at the distance from the street lines as specified.

('65 Code, § 31-110) (Ord. No. CS-622 § 1 (part))

## § 15.10.745 DESIGN STANDARDS FOR SPECIAL AREAS.

- A. Intent and purpose. Areas included within a proposed subdivision upon which a geological survey or report has been required pursuant to § 15.10.250 . shall receive special attention under the subdivision regulations of the City of Culver City in order to safeguard the health, safety and general welfare and to protect the natural beauty and economic advantages

related to the hillside living environment. In carrying out the general purposes, the following policies shall be complied with in all such developments.

1. When a proposed subdivision includes property concerning which the County Engineer has recommended that a geological report be required, such report shall be submitted to the City Engineer setting forth all relevant geological data pertaining to the proposed subdivision and including separately stated conclusions, listing any potential hazards to public health, safety, and welfare which could result from grading or building upon the proposed site.
  2. Insofar as practical, the architecture of the buildings and structures shall be designed to fit the terrain upon which they are to be constructed rather than grading a hillside area into pads to fit a flat land house plan.
  3. Natural hillsides and vegetation shall be retained wherever possible in order to prevent erosion and preserve the natural beauty.
  4. Wherever grading is done, either by cutting or filling, the land shall be compacted to the standards of the City of Culver City over the entire area being changed or modified, and all slopes shall be provided with appropriate drainage structures, landscaping, and a water system adequate to maintain growth and prevent hillside fires.
  5. Where clustering or development is proposed, the total number of dwelling units within a subdivision or parcel shall not exceed the density permitted in the zoning district in which the property is located or exceed the density policies set forth in the General Plan, whichever is more restrictive. Dedication of development rights for open area shall be offered to the City on the Final or Parcel Map.
  6. Development shall be prohibited in areas where the City Council upon recommendation of the Planning Commission finds that street and highway access is inadequately provided for, or where protection against fire or flooding cannot be provided without excessive cost to the City, or where grading would endanger the valley areas due to potential erosion and slides, or where geological conditions indicate that unstable situations would exist if the earth form or vegetation were disturbed.
- B. Design standards.
1. Maximum height of cut or fill slopes. All grading shall comply to Code regulations relating to grading. No cut or fill slope shall exceed twenty (20) feet in height as measured from the base of the slope on the lot at the bottom to the top of the slope on the upper lot unless special provisions are made for landscaping, maintenance, and such drainage structures as may be required by the City Engineer.
  2. Drainage. Wherever a drainage pattern is modified or changed, or where storm water tends to concentrate, special drainage facilities shall be provided as deemed necessary by the City Engineer to prevent erosion on the upper lot and the sloping surfaces and flooding or land slippage onto the lower lot.
  3. Fire prevention. Where landscaping is provided, the materials used shall be fire resistant. All dense growth shall be removed from the areas under and adjacent to

buildings and structures in accordance with good fire prevention practices and fire regulations.

4. Fire protection.
  - a. In areas where, in the opinion of the Fire Chief of the City, there will be a fire hazard, unobstructed access for fire protection equipment or firebreak easements shall be required. The Fire Chief shall recommend to the review authority where such easements or firebreaks are needed.
  - b. Water systems shall be sized to provide a sufficient amount of water to meet the fire fighting requirements of the area involved. The Fire Chief shall review locations for proposed fire hydrant systems in relation to the National Board of Fire Underwriters standards and make recommendations to the review authority.
5. Street design standards.
  - a. Hillside Streets (streets serving more than four (4) lots).
    - (1) Maximum grade is fifteen (15) percent unless approved by the City Engineer. Streets with grades in excess of fifteen (15) percent shall only be allowed for short distances and they shall be designed and improved with special construction standards as determined by the City Engineer.
    - (2) Minimum right-of-way shall not be less than forty-four (44) feet; where access is permitted from one (1) side only. The minimum right-of-way where access is permitted from both sides shall not be less than fifty (50) feet.
    - (3) Sidewalks shall be required on at least one (1) side in both instances mentioned in the last paragraph.
    - (4) Minimum curb to curb width shall be thirty-six (36) feet. A thirty-two (32) foot pavement shall be allowed where lots exist along only one (1) side.
    - (5) Minimum centerline radius shall not be less than two hundred (200) feet.
    - (6) Maximum cul-de-sac length shall not exceed five hundred (500) feet.
  - b. Minor Hillside Streets. (Streets serving four (4) lots or fewer).
    - (1) Maximum grade is fifteen (15) percent, provided all grades over fifteen (15) percent shall be designed and improved with special construction standards as determined by the City Engineer. Streets with grades in excess of fifteen (15) percent shall only be allowed for short distances.
    - (2) Minimum right-of-way shall not be less than forty (40) feet, unless specifically waived by the City Council.
    - (3) Sidewalks shall be required.

- (4) Curb to Curb width shall be not less than thirty-two (32) feet. A twenty-eight (28) foot pavement may be allowed where lots exist among only one (1) side.
- (5) Minimum centerline radius shall not be less than one hundred (100) feet.
- (6) Maximum cul-de-sac length shall not exceed five hundred (500) feet.
- c. Site drainage. No building site shall be approved for construction which does not have provisions for conducting water drainage from the site to a natural drainage course, a drainage channel or a public street in accordance with good engineering practice and in a manner approved by the City Engineer.
- d. Sewerage. Sewerage facilities such as local sewerage pipes shall be required. However, upon approval of the Council, individual septic tanks may be permitted if deemed necessary for temporary facilities. Sewers, however, shall be installed to permit future connections.
- e. Excavations. The following requirements shall supplement and/or supersede the requirements of the adopted Uniform Building Code and the Grading Ordinance of the City.
  - (1) No excavation or fill shall be permitted on any hillside area prior to the approval of a site plan and a grading plan and the securing of a grading permit as required by City Code.
  - (2) A grading plan shall be submitted as part of the Tentative Map or Parcel Map.
  - (3) Excess dirt shall be carried to a disposal area designated on the grading plan or to an approved off-site location.
- f. Lot boundaries. Lots shall have their boundaries at the top rather than at a midway point or at the bottom of a slope.

('65 Code, § 31-111) (Ord. No. CS-622 § 1 (part))

## § 15.10.750 PARK DEDICATION REQUIREMENTS.

It is hereby found and determined:

- A. That the public interest, convenience, health, welfare, and safety require that ten (10) acres of property, for each one thousand (1,000) persons residing within the City be devoted to park and recreational purposes.
- B. That said requirements will be satisfied in part by the development of regional parks to make available six (6) acres of property for each one thousand (1,000) persons residing in the City for park and recreational purposes.
- C. That said requirement will be further satisfied in part by cooperative arrangements between the City and the local school districts and/or the local park and recreation districts to make available one (1) acre of property for each one thousand (1,000) persons residing within the City for park and recreational purposes.

- D. That the remainder of the required acres, which is three (3) acres of property for each one thousand (1,000) persons, shall be supplied by the requirements of this Chapter in accordance with Cal. Gov't Code § 66477, and the General Plan of the City of Culver City.

('65 Code, § 31-112) (Ord. No. CS-662 § 1 (part); Ord. No. CS-786 § 1; Ord. No. 90-002 § 1)

## § 15.10.755 SUBDIVIDER TO PROVIDE PARK AND RECREATIONAL FACILITIES.

- A. Every subdivider who subdivides land for residential development, or creates a condominium project as defined in Cal. Civil Code § 783, or planned developments, real estate developments, stock cooperatives, and community apartments, as defined in Cal. Bus. & Prof. Code §§ 11003, 11003.1, 11003.2, 11003.4 and 11004, respectively, shall, as a condition precedent to filing for a Final Map, dedicate parkland, pay a fee in lieu thereof, or both, for neighborhood and community park or recreation purposes in conformity with § 15.10.750 et seq.
- B. Only the payment of fees may be required in subdivisions containing fifty (50) parcels or fewer, except that when a condominium project, stock cooperative, or community apartment project exceeds fifty (50) dwelling units, dedication of land may be required notwithstanding that the number of parcels may be less than fifty (50).
- C. Nothing in this Section restricts the authority of the City to require dedication of land, payment of fees or construction of improvements for needs other than or in addition to neighborhood and community parks, or to require a subdivider to mitigate, through dedication of land, construction of recreational facilities, or payment of fees, any adverse impacts created by the proposed development.

('65 Code, § 31-113) (Ord. No. CS-622 § 1 (part); Ord. No. 90-002 § 2; Ord. No. 90-026 § 1)

## § 15.10.760 EXEMPTIONS FROM PARK DEDICATION REQUIREMENTS.

- A. Subdivisions containing fewer than five (5) parcels and not used for residential purposes shall be exempted from the park dedication or in lieu fees; provided, however, notice shall be placed on the approval of such Tentative Map or Tentative Parcel Map of a requirement that if a building permit is requested for construction of a residential structure or structures on any of the parcels within four (4) years of the recordation of the Final Map, the in lieu fees shall be required and shall be satisfied by the owner of each such parcel pursuant to the provisions of § 15.10.765 C.
- B. The park dedication or in lieu fees requirements do not apply to condominium projects or stock cooperatives which consist solely of the subdivision of airspace in an existing apartment building which is more than five (5) years old and in which no new dwelling units are added.
- C. Units which are covenanted for low- and moderate-income households or senior citizens within a subdivision shall be exempted from the requirements of § 15.10.755 during the period the unit or units remain covenanted for such use. Prior to the date these restrictions terminate, the then-current owner of each such unit shall dedicate additional parkland or pay

additional fees in lieu thereof, or both, based on the then-current fair market value of the land and in accordance with the density factor in effect at the time the restrictions terminate.

('65 Code, § 31-114) (Ord. No. CS-622 § 1 (part); Ord. No. 90-002 § 3; Ord. No. 90-026 § 2)

## § 15.10.765 PARKLAND DEDICATION OR PAYMENT OF IN LIEU FEE.

### A. Parkland dedication or payment of fee.

1. The public interest, convenience, health, welfare, and safety require that three (3) acres of property for each one thousand (1,000) persons residing within this City be devoted to neighborhood and community serving parks.
2. The amount of land to be dedicated for neighborhood and community park or recreation facilities or fees to be paid in lieu thereof shall be based on the residential density of the proposed development, which shall be determined on the basis of the number of residential dwelling units to be constructed and the density factor, as set forth in Subsection A.3., so as to provide three (3) acres of park area for one thousand (1,000) residents, exclusive of and in addition to those school properties used cooperatively for recreational purposes.
3. As used herein, the term "density factor" means the average number of persons per household for the type of dwelling unit proposed to be constructed, based on the most recent available federal census, or census taken pursuant to Cal. Gov't Code §§ 40200 et seq., according to the following:
  - a. Single-family detached dwelling unit: Two and seventy-five hundredths (2.75) persons per dwelling unit;
  - b. Single-family attached dwelling unit: Two and forty-four hundredths (2.44) persons per dwelling unit;
  - c. Multi-family residential developed with four (4) or fewer units: Two and thirty-one hundredths (2.31) persons per dwelling unit;
  - d. Multi-family residential developed with more than five (5) units: Two (2.00) persons per dwelling unit; and
  - e. Mobile homes: One and seventy-eight hundredths (1.78) persons per dwelling unit.
4. Where the development contains more than one (1) type of dwelling unit, the density factor for the number of each type of dwelling unit shall be calculated separately, and the totals thereof shall be combined, to determine the total amount of land dedicated or fees to be paid in lieu thereof.
5. If, at the time the Tentative Map is presented to the City for approval or conditional approval, the proposed subdivision is presented without a specific development proposal, such as an application for site plan review, specific plan, conditional use permit, variance, planned development or similar application, the parkland dedication or in lieu fee payment shall be established in accordance with the presumed residential density as set forth in Subsection B.

6. If, at a time subsequent to the recordation of a Final Map, there is an increase in the number of units to be built or a change in the type of dwelling unit which results in an increase in residential density, the subdivider shall be required to dedicate additional parkland or pay additional fees in lieu thereof in accordance with the density factor in effect at the time the additional units or change in type of dwelling unit is approved.
7. When a fee is to be paid in lieu of or in addition to parkland dedication, the amount of such fee shall be the fair market value, as determined in Subsection C., per acre of the land within the proposed subdivision multiplied by the number of acres required to be dedicated pursuant to this Section.

('65 Code, § 31-115)

**B. Determination of parkland dedication or payment of fee in absence of a development proposal.**

1. If, at the time the Tentative Map is presented to the City for approval or conditional approval, the proposed subdivision is presented without a specific development proposal, the amount of land dedicated or fees to be paid in lieu thereof shall be determined on the following basis:
  - a. The total number of residential dwelling units to be constructed shall be the maximum number of such units permitted by the City's General Plan, any applicable specific plan, or existing zoning, whichever is greater, on the land included within the proposed subdivision.
  - b. The type of dwelling unit which yields the highest density factor shall be used to determine the residential density of the proposed subdivision.
2. Nothing in this Section shall constitute an approval for construction of the maximum number or type of residential dwelling units in the absence of an approved site plan review for the proposed development.

('65 Code, § 31-115A.)

**C. Determination of fair market value.**

3. The fair market value of the subdivision shall be determined by the City based on a written appraisal report provided by the subdivider and prepared and signed by an appraiser acceptable to the City. The appraisal shall be paid for by the subdivider.
4. The date of the appraisal shall be no more than six (6) months prior to the payment of the fee. If more than six (6) months elapses from the date of the appraisal to the time of payment of the fee, the City may require preparation of an updated appraisal. The subdivider shall pay for the cost of any such updated appraisal.
5. For the purposes of this Section, fair market value shall be determined based on the assumption that the Tentative Map or Tentative Parcel Map is approved and in accordance with acceptable standards of the real estate appraisal profession.
6. The determination of fair market value by the City shall be final and conclusive.

('65 Code, § 31-115B.)

(Ord. No. CS-622 § 1 (part); Ord. No. CS-725 § 1; Ord. No. CS-773 § 1; Ord. No. CS-786 § 2; Ord. No. 90-002 §§ 4 - 6)

## Cross-reference:

Residential development park dedication and in lieu parkland fees, see §§ 15.06.300 through 15.06.330

## § 15.10.770 RECREATIONAL FACILITIES CREDIT.

- A. Where private open space area is developed for park or recreational facilities in a proposed development, and the area is to be privately owned and maintained by the future residents of the development, the park or recreational facilities may be partially credited against the parkland dedication requirement established in § 15.10.765, as provided in this Section.
- B. The City shall determine at the time the Tentative Map is approved or conditionally approved, whether it is in the public interest to determine a maximum of fifty percent (50%) of the parkland dedication requirement is satisfied by the proposed development if private open space area with recreational facilities, or such area is reasonably adaptable for use for recreational or park purposes, taking into consideration factors such as the size, shape, topography, geology, access, and location of such area within the development.
- C. Yards, setbacks, and other open space areas required to be maintained by zoning and building regulations shall not be considered as credit against the parkland dedication requirement.
- D. The private ownership and maintenance of the private open space area as park or recreational facilities is adequately provided for by written agreement, and the use of such area is restricted by recorded covenants which run with the land in favor of the future owners of the property within the development and which cannot be defeated or eliminated without the consent of the City.

('65 Code, § 31-116) (Ord. No. CS-622 § 1 (part); Ord. No. CS-724 § 1; Ord. No. 90-002 § 7)

## § 15.10.775 CHOICE OF LAND OR FEE.

- A. Procedure. The procedure for determining whether the subdivider is to dedicate land, pay a fee, or both, shall be as follows:
  1. Subdivider. At the time of filing a Tentative Map for approval, the owner of the property shall, as a part of such filing, indicate whether he desires to dedicate property for park and recreational purposes, or whether he desires to pay a fee in lieu thereof. If he desires to dedicate land for this purpose, he shall designate the area thereof on the Tentative Map as submitted.
  2. Action of City. At the time of the Tentative Map approval, the Council shall determine as a part of such approval, whether to require a dedication of land within the subdivision, payment of a fee in lieu thereof, or a combination of both.
  3. Pre-requisites for approval of Final Map. Where dedication is required, it shall be accomplished in accordance with the provisions of the Subdivision Map Act. Where fees are required the same shall be deposited with the City prior to the approval of the Final Map. Open space covenants for private park or recreational facilities shall be



submitted to the City Attorney for their approval prior to the approval of the Final Map and shall be recorded concurrently with the Final Map.

**B. Determination.**

1. Whether the City accepts land dedication or elects to require payment of a fee in lieu thereof, or a combination of both, shall be determined by consideration of the following:
  - a. Recreation Element of the City General Plan; and
  - b. Topography, geology, access, and location of land in the subdivision available for dedication; and
  - c. Size and shape of the subdivision and land available for dedication.
2. The determination of the City as to whether land shall be dedicated, or whether a fee shall be charged, or a combination thereof, shall be final and conclusive. On subdivisions involving fifty (50) lots or fewer, only the payment of fees shall be required.

('65 Code, § 31-117) (Ord. No. CS-622 § 1 (part); Ord. No. 90-002 § 8)

## § 15.10.780 DEVELOPMENT OF RECREATIONAL FACILITIES AND DISPOSITION OF FEES.

- A. At the time the Final Map is approved, the City Council shall develop a schedule specifying when development of the park and recreational facilities shall commence.
- B. In lieu fees collected pursuant to § 15.10.765 shall be committed by the City within five (5) years after the payment of such fees or the issuance of building permits on one-half of the lots created by the subdivision, whichever occurs later. If such fees are not committed, the then record owners shall be entitled to a refund of the fees in the same proportion that the size of their lot bears to the total area of all lots within the subdivision.

('65 Code, § 31-118) (Ord. No. CS-622 § 1 (part); Ord. No. 90-002 § 9)

## § 15.10.785 LIMITATION ON USE OF LAND AND FEES.

The parkland dedicated or in lieu fees received pursuant to § 15.10.765 shall be used only for the purpose of developing new or rehabilitating existing neighborhood or community park or recreational facilities reasonably related to serving the subdivision.

('65 Code, § 31-119) (Ord. No. CS-622 § 1 (part); Ord. No. 90-002 § 10)

## § 15.10.790 ALTERNATIVE PROCEDURE.

As an alternative to and in lieu of the requirements of § 15.10.750 through 15.10.775 the following procedure may be followed, subject to the approval of the Council, by the subdivider.

- A. If the owner of the land being subdivided is also the owner of adjacent land upon which they are willing to impose restrictive covenants which will provide open green areas for the benefit of future occupants of the land being subdivided, as well as the public generally, and if the following conditions, in the opinion of the Council, are met, then owner may submit a plan showing the area to be made subject to the restrictive covenants and, if in the opinion of the Council, the plan is a reasonable substitute for the park dedication or fee requirements, the Council may approve and accept such offer in lieu of the park dedication or payment of fees provisions herein contained.
- B. The conditions which the Council must determine to be met are:
  - 1. That the plans for the development of the subdivision contain provisions for landscaping and open areas which the Council finds are adequate to permit this alternative procedure.
  - 2. That the restrictive covenants will assure open, green area within reasonable proximity of the subdivision located in areas zoned either residential or commercial.
  - 3. That the City Council, upon the recommendation of the City Attorney, has approved the legal sufficiency and form of the covenants to be recorded.
  - 4. That the covenants will run with the land being subdivided and will inure to the general public represented by the Council.
  - 5. That the covenants may not be released or in any manner be rendered ineffective without the prior written consent of the Council.
  - 6. That the area of the property to be subject to such covenants is in the opinion of Council, adequate. The Council shall consider the design, layout, style and landscaping of the subdivision, and other adjoining areas in reaching its determination.
  - 7. That the method of maintaining the open, green area is acceptable to the Council, provided; that if for any reason such areas are not maintained to the satisfaction of the Council, the City shall have the right to go upon all such areas and maintain them.
- C. Such open, green areas need not be the site of active recreational pursuits, but may be designed for passive use; however, the owner shall have the proposed covenants drafted so as to clearly indicate any restrictions on use by owners or residents of the proposed subdivision, or restrictions as to the public generally, or restrictions as to all persons.
- D. If this alternative procedure is selected by the subdivider and approved by four (4) members of the Council, the Council shall then make the necessary determination by resolution setting out the terms of approval.
- E. All approved covenants shall be recorded prior to filing for record the Final Map, or to the filing for record of any Final Map which represents a portion of the Tentative Map.
- F. No part of § 15.10.790 shall be amended, repealed, or otherwise modified without at least four (4) affirmative votes of the Council; further that prior to any amendment, repeal or modification of said Section, the City Council shall by resolution establish the date for a public hearing, which shall be held only after giving at least ten (10) days notice by publication in a newspaper of general circulation within Culver City; further that no covenants or conditions or restrictions imposed upon such property may be modified or damaged by any means without an affirmative vote of four (4) members of the City Council.

('65 Code, § 31-120) (Ord. No. CS-622 § 1 (part))

## IMPROVEMENTS

### § 15.10.900 REQUIREMENT.

All areas required by the City for dedication and improvement as a condition of approval of the Tentative Map shall be offered by the subdivider for dedication and shall be improved by the subdivider.

('65 Code, § 31-121) (Ord. No. CS-622 § 1 (part))

### § 15.10.905 IMPROVEMENT PLANS.

The subdivider shall furnish the following information to the City Engineer, prior to applying for any permit or permits for doing the work required to make the improvements in accordance with the Final Map and the approved improvement plans:

- A. A grading plan consisting of typical cross-sections and finished grades of all lots, streets, and highways in the proposed new subdivision, and grading requirements, all in accordance with the American Public Works Association guidelines, City of Culver City's Public Works Department, other standards as may be adopted by the City.
- B. Plan and profile drawings on all street, sewer, and drainage improvements and utility mains (gas, water, electricity, and telephone). All tracings or duplicate tracings shall be filed with the City Engineer; all work to be submitted to and signed by a registered engineer and approved by the City Engineer.
- C. Provided, however, notwithstanding the opening paragraph of this Section, any other pertinent information required by conditional approval shall be provided before submission of the Final Map

('65 Code, § 31-122) (Ord. No. CS-622 § 1 (part))

### § 15.10.910 GENERAL IMPROVEMENT STANDARDS.

All improvements shall conform to standards and specifications as determined by American Public Works Association guidelines, City of Culver City's Public Works Department, other standards as may be adopted by the City, and shall be installed at the subdivider's expense. Permits shall be obtained from the City Engineer, where required, before any construction is started. The following general standards shall apply:

- A. Utilities. All utilities shall be located underground except when otherwise approved by the review authority. It shall be the responsibility of the subdivider to meet this requirement.
- B. Water courses. Water courses shall be shown as easements, and storm drains shall be placed in easements when public right-of-way is not available or adequate. The review authority, when so advised by the City Engineer or Flood Control District, may require water courses to be placed entirely in underground conduits or adequately fenced or otherwise improved.

## C. Monuments.

1. Durable, metal monuments consisting of galvanized iron pipes twenty-four (24) inches in length, or as approved by the City Engineer, shall be installed or referenced to the following locations:
  - a. Boundary corners.
  - b. At intervals of not more than five hundred (500) feet along boundary lines, at such lesser intervals as required by the City Engineer to assure accuracy and ability to re-establish such monuments.
  - c. At the beginning and ending of property lines, curves, or P.I. at the discretion of the City Engineer.
  - d. Lot corners and, in addition, set a lead and tack in the sidewalk or curb on the prolongation of side lot lines.
2. Standard monuments shall be placed along the center lines of public streets and alleys as follows: All intersections, all P.I.'s, or beginning and ending of curves.

- D. Street design. Street design shall conform to the American Public Works Association guidelines, City of Culver City's Public Works Department, and other standards as may be adopted by the City, but in no event shall streets be paved with less than four (4) inches of asphaltic concrete paving and such sub-base preparation as required for the design wheel loads and traffic volume. Where the side slope of street embankments extends onto private property, slope easements shall be required. Said slope shall not exceed the angle of repose for the soil as determined by a soils engineer.
- E. Commencement of work. Improvement work, including grading shall not be commenced until the improvement plans for such work have been submitted to and approved by the City Engineer, except grubbing and clearing. At the option of the City Engineer, soil tests may be made in areas of substantial cut after the over-burden has been removed.
- F. Inspection. All improvements shall be constructed under the inspection of and to the satisfaction of the City Engineer.
- G. Commercial and industrial subdivision improvements. Improvements for industrial and commercial subdivisions shall be as set out herein, except that suitable planting areas may be substituted for street trees, at the discretion of the review authority.

('65 Code, § 31-123) (Ord. No. CS-622 § 1 (part))

## § 15.10.915 ON-SITE IMPROVEMENTS REQUIRED.

Improvements to be installed by each subdivider shall include the following:

- A. Curb, gutter, sidewalks and walkways (for parking bays, where required), including those on the subdivision's side of streets bordering upon the boundaries of the subdivision.
- B. Water lines, gas, electric, and other utility services to serve each lot and the stub to back of curb in front or to lot line in rear.
- C. Fire hydrants, including gate valves for same, size, and location to be approved by Fire Chief.

- D. Sanitary sewers and laterals to serve each lot and stubs to back of curb, prior to paving.
- E. Storm sewers, drains, and channel improvements.
- F. Slope planting, silt basins, or other form of erosion control.
- G. Paved streets, including those bordering upon the boundary of the subdivision, to the center line of the full proposed street width. Half streets shall be allowed only when, in the opinion of the review authority, there is no practical alternative thereto.
- H. Street lights, complete, including electroliers, conduits, tunnels, and other necessary structures.
- I. Street trees, as recommended by Parks Superintendent.
- J. Street nameplate signs, including posts and hardware, at location approved by the City Engineer to standard City specifications.
- K. Stop signs and other traffic control signs and signals required by the City Engineer after recommendation of the Chief of Police.
- L. Fire alarm call boxes to be located as approved by the Fire Chief.

('65 Code, § 31-124) (Ord. No. CS-622 § 1 (part))

## § 15.10.920 OFF-SITE IMPROVEMENTS REQUIRED.

The following off-site improvements may be required:

- A. The development of a water supply system for domestic and fire protection purposes which shall meet all standards of the City of Culver City and such standards established by the Public Utilities Commission of the State of California as may be applicable.
- B. The development of sewage disposal facilities, or financial contributions for the improvement of any existing sewage disposal systems, and/or the construction of transmission lines from the proposed improvement to the site of disposal.
- C. Properly graded, drained, and paved access roads.
- D. The extension of other utilities.
- E. Storm drainage facilities as approved by the City Engineer.

('65 Code, § 31-125) (Ord. No. CS-622 § 1 (part))

## § 15.10.925 DEDICATION.

Every street, alley, right-of-way, and easement, or other public place, shown on any subdivision or Parcel Map of land within the City of Culver City shall be dedicated to the City when such dedication is deemed necessary by the Council for public use, but this shall not be construed as acceptance of such dedication until such dedication is formally accepted by resolution of the Council. The following specific regulations shall apply:

- A. Streets. Streets, alleys, and other rights-of-way in any subdivision or minor division of land shall be offered for dedication. Part-width streets shall be accepted for dedication only where extraordinary conditions warrant such dedication as determined by the City Engineer. In any case, no less than one-half (½) of the full width required for the ultimate street shall be dedicated in addition to the reserve below.
- B. Reserve strips.
  - 1. Reserve strips or outlots where required to control access over certain lot lines or over the end of street stubs shall be dedicated to the City. When adjacent to the boundary of a tract or subdivision, a one (1) foot reserve strip or outlot in addition to the street right-of-way shall be dedicated along the boundary of the subdivision.
  - 2. A reserve strip, in addition to other easements, shall be dedicated to the City for the installation of a permanent wall or fence when required by the review authority.
- C. Park and recreation areas. The subdivider shall be required to dedicate a park or recreational site sufficient in size and topography to serve the immediate and future needs of the residents of such subdivided territory, subject to the specific standards and conditions of § 15.10.750 et seq. of this Chapter, or obtain the approval of the City Council in following the alternative procedure provided in § 15.10.790.

('65 Code, § 31-126) (Ord. No. CS-622 § 1 (part))

## § 15.10.930 AGREEMENTS AND BONDS.

- A. If the required improvements are not completed satisfactorily before the Final Map is filed, the owner or owners of the subdivision shall, prior to the approval of the map, enter into an Agreement with the Council to complete the work within the time specified in the Agreement. The Agreement may provide for the improvements to be installed in units, for extensions of the time under specified conditions, or for the termination of the Agreement upon a reversion of the subdivision or a part thereof to acreage. Such Agreement shall be secured by good and sufficient bonds payable to the City approved by the Council, or by the deposit of money or negotiable securities with the City as provided in the Subdivision Map Act. Provided, however, that the faithful performance bond shall be in an amount not less than one hundred (100) percent of the total estimated costs of improvements and the materials bond shall be in an amount not less than fifty (50) percent of the total estimated cost of improvements.
- B. The foregoing shall not preclude the owner or owners of the subdivision from entering into a contract with the Council by which such owner or owners agree to initiate and to consummate proceedings under an appropriate special assessment act for the formation of a special assessment district covering the subdivision or part thereof, for the financing and construction of designated improvements upon the streets or easements dedicated by the Map.
- C. The subdivider shall be responsible for safety and maintenance of all improvements until accepted by the City and shall hold the City harmless.
- D. After the Final Map has been recorded, all subdivision improvements shall be accepted by the Council immediately upon satisfactory completion, and the subdivider and any other person or agency having an interest in such completion shall be notified in writing by the

Council of such completion and acceptance. At the time of such acceptance, the City shall take over the subdivision public improvements for maintenance.

('65 Code, § 31-127) (Ord. No. CS-622 § 1 (part))

## § 15.10.935 DEPOSIT OF BOND.

- A. After submission of the Tentative Map and before the approval and acceptance of the Final Map, the City Engineer shall estimate the cost of all improvements of every kind and character required to be installed by the subdivider, and the subdivider shall thereon post with the City cash or a surety company bond issued by a corporate surety company authorized to do business in the State in a form satisfactory to the City Attorney in an amount ten (10) percent in excess of the engineer's estimate of the cost of the improvements to insure the installation of all improvements within the time fixed by the City Engineer, but not to exceed one (1) year; provided, however, that such time may be extended upon the renewal of any bond and for a time approved by the City Engineer, but not to exceed one (1) year.
- B. The City Engineer shall also estimate the cost of all general supervision and inspections required to insure proper installation and completion of all improvements in accordance with the City's general requirements therefor. The subdivider shall thereupon post with the City the amount so estimated, and upon completion of all the work, any amount not actually used shall be refunded to the subdivider or, if the fund is exhausted before completion of all the improvements, the subdivider shall forthwith pay to the City an amount estimated by the City Engineer to be sufficient to cover completion; provided, however, that if the subdivision is of such magnitude that the installation and completion of improvements will extend over a period in excess of six (6) months, or if the amount of inspections and general supervision as estimated will exceed One Thousand Dollars (\$1,000.00), the subdivider may deposit an amount estimated to be sufficient for the first six (6) months, or the amount of One Thousand Dollars (\$1,000.00), and the City shall bill the subdivider monthly as the work progresses, which amount shall be promptly paid by the subdivider until the City Engineer is satisfied that the total amount paid to the City will be sufficient to cover the costs of all general supervision and inspections by the City.

('65 Code, § 31-128) (Ord. No. CS-622 § 1 (part))

## URBAN LOT SPLITS AND SMALL LOT SUBDIVISIONS

### § 15.10.940 URBAN LOT SPLITS.

- A. Purpose. This section is adopted pursuant to Cal. Gov't Code § 65852.6, 65852.21, and 66411.7 for the purpose of implementing the City's regulation of two-unit residential development and Urban Lot Splits in the City's Single-Family Residential Zone. Cal. Gov't Code § 65852.21(a) requires the City to ministerially approve certain housing developments containing no more than two residential units within a single-family residential zone. Cal. Gov't Code § 66411.7(a) requires that the City ministerially approve a Parcel Map for an Urban Lot Split, subject to standards set forth in Cal. Gov't Code § 66411.7(a)(1), (2), and (3).
- B. Lot Standards. The proposed Urban Lot Split subdivision shall conform to the following standards:

1. An Urban Lot Split shall be prepared in accordance with requirements set forth in Cal. Gov't Code § 66410 et. seq., 66444– 66450 and the applicable sections of this Chapter;
2. An urban lot split shall not be approved except in conjunction with a concurrently submitted application for building permits for a two (2) unit residential development pursuant to Cal. Gov't Code § 65852.21 and subject to the provisions of § 15.10.940 as applicable;
3. Development on the resulting parcels shall be limited to the residential development approved in the concurrently submitted building permit applications;
4. The parcel shall be located entirely within a Single-Family Residential (R1) Zoning District;
5. The site shall not be located within an area subject to the Historic Preservation Program as designated in CCMC Title 15, Chapter 15.05, or included on the State Historic Resources Inventory;
6. The Urban Lot Split will subdivide an existing parcel to create no more than two (2) new parcels;
7. The parcel proposed for subdivision shall not result in more than two (2) dwelling units of any type per parcel involved in an Urban Lot Split, including principal dwelling units, ADUs and JADUs, and residential development permitted by Cal. Gov't Code § 65852.21;
8. One (1) principal unit is required per parcel;
9. Neither the owner of the parcel being subdivided nor any person acting in concert with the owner shall have previously subdivided an adjacent parcel under the provisions of this Chapter or Cal. Gov't Code § 66411.7. Adjacent means situated near or close by. Adjacent includes real property across alleys, streets, public waterways or other public property;
10. The parcel proposed for subdivision shall not have been established through a prior exercise of an Urban Lot Split as provided for by this Chapter or Cal. Gov't Code § 66411.7;
11. The land uses proposed for the parcels created by the Urban Lot Split shall be residential uses only and not include mixed-use or commercial or other non-residential uses;
12. Rental terms of any unit created by the subdivision shall not be less than thirty (30) consecutive days, nor shall rental terms allow termination of the tenancy prior to the expiration of at least one (1) thirty (30) day period occupancy by the same tenant;
13. The owner shall not have withdrawn rent or price-controlled accommodations from rent or lease on this parcel within fifteen (15) years prior to the date of application for the proposed project;
14. The proposed housing development shall not require the demolition or alteration of any of the following types of housing:
  - a. Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income;
  - b. Housing that is subject to any form of public agency rent or price control; or



- c. Housing that has been occupied by a tenant in the last three years.
- C. Fire standards. All new development on a proposed Urban Lot Split parcel shall be subject to the fire protection standards set forth in § 15.10.745 of this chapter as well as the California Fire Code (CFC) and California Building Code (CBC).
- D. Building and design standards. The proposed subdivision shall conform with the objective design and development standards of the underlying zone.
- E. Permit procedures.
  - 1. An application for an Urban Lot Split shall be filed by the property owner or an agent of the property owner on the City's approved form, subject to a fee in an amount established by City Council resolution. The City will inform the applicant in writing of any incompleteness within thirty (30) days after an application is submitted;
  - 2. An application shall include an affidavit stating that the applicant intends to occupy one of the housing units as their principal residence for a minimum of three (3) years from the date of the approval of the Urban Lot Split. An affidavit shall not be required of an applicant that is either a "community land trust" (as defined by Rev. & Tax Code § 4 02.1 (a)(11 )(C)(ii)) or a "qualified nonprofit corporation" (as defined by Rev. & Tax Code § 214.15);
  - 3. An application for an Urban Lot Split shall meet the requirements set forth in this Chapter;
  - 4. The City shall act upon an application for an Urban Lot Split without a discretionary review or public hearing, within sixty (60) calendar days after a complete application for an Urban Lot Split is filed. The time limit specified in this chapter may be extended by mutual consent of the applicant and the City;
  - 5. The Planning Director, or planning staff acting as designee, or the City Engineer shall review and have final approval authority for Urban Lot Splits without public hearings or discretionary review.
- F. Denial. A proposed Urban Lot Split subdivision shall not be approved if any of the following apply:
  - 1. The proposed residential development would have a specific, adverse impact, as defined and determined in Cal. Gov't Code § 65589.5(d)(2), upon public health and safety for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact;
  - 2. The site is located within wetlands, as defined in US Fish and Wildlife Service Manual, Part 660, PW 2 (June 21, 1993);
  - 3. The site is located on a hazardous waste site that is listed per Cal. Gov't Code § 65962.5 or designated by Cal. Health & Safety Code Section 25356;
  - 4. The site is located within a delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist, unless the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law;
  - 5. The site is located within a special flood hazard area for the 100-year flood (any Zone A, Zone AO, or Zone B), unless the site has been subject to a Letter of Map Revision

prepared by the Federal Emergency Management Agency and issued to the local jurisdiction, or the site meets Federal Emergency Management Agency requirements necessary to meet minimum flood plain management criteria of the National Flood Insurance Program pursuant to Part 59 (commencing with Section 59.1) and Part 60 (commencing with Section 60.1) of Subchapter B of Chapter I of Title 44 of the Code of Federal Regulations;

6. The site is located within a regulatory floodway as determined by the Federal Emergency Management Agency in any official maps published by the Federal Emergency Management Agency, unless the development has received a no-rise certification in accordance with Section 60.3(d)(3) of Title 44 of the Code of Federal Regulations;
  7. The site is located on lands identified for conservation in an adopted natural community conservation plan pursuant to the Natural Community Conservation Planning Act (Chapter 10 (commencing with Section 2800) of Division 3 of the Fish and Game Code), habitat conservation plan pursuant to the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), or other adopted natural resource protection plan;
  8. The site is located within habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code);
  9. The site is located on lands under conservation easement; or,
  10. The proposed housing development would result in fewer dwelling units than would otherwise be allowed on the site by the General Plan Land Use Element, in accordance with the State's No Net Loss requirements.
- G. Map Requirements. The proposed Urban Lot Split subdivision shall confirm to the following requirements:
1. The two (2) new parcels shall be of approximately equal lot area and one (1) parcel shall not be smaller than forty (40) percent of the lot area of the original parcel;
  2. Both newly created parcels shall be no smaller than 1,200 square-feet each;
  3. All easements required for the provision of public services and facilities shall be provided to the satisfaction of the City Engineer;
  4. Each parcel shall be served by a separate water service meter, a separate sewer connection, and gas connection if required;
  5. Each parcel shall drain to the street or to a developed drainage easement;
  6. Both newly created parcels shall not be subject to the minimum lot width and area requirements in CCMC Title 17, Chapter 17.210;
  7. Lot width means the horizontal distance between the midpoints of the side lot lines, measured at right angles to the line measuring lot depth;
  8. Each of the proposed parcels shall have public right-of-way frontage (public street or alley) abutting the original parcel;

9. A flag lot, or a lot with a narrow projecting strip of land extending to or along a public right-of-way frontage, shall not be permitted unless the configuration of the parcel requires a flag lot in order to create two parcels as allowed in this Section;
10. Lot depth shall be measured at average distance between the front and rear lot line of the newly created lot;
11. New lot lines shall be straight lines, unless there is a conflict with existing improvements or the natural environment in which case the line may not be straight but shall follow the appropriate natural course;
12. Interior lot lines not facing the street shall be at right angles perpendicular to the street on straight streets, or radial to the street on curved streets;
13. Lot lines shall be contiguous with existing zoning boundaries;
14. The placement of lot lines shall not result in an accessory building or accessory use on a lot without a main building or primary use on the same lot, as defined in CCMC Title 17;
15. Lot lines shall not render an existing structure as nonconforming in any respect (e.g. setbacks, open yard, Floor Area Ratio, parking) except as may be allowed per Cal. Gov't Code § 65852.6, 65852.21, and 66411.7, and/ or CCMC Title 17, Chapter 17.610.

## § 15.10.945 MINISTERIAL LOT SUBDIVISIONS.

- A. Purpose. This section is adopted pursuant to Cal. Gov't Code § 65852.28, 65913.4.5, and 66499.41 for the purpose of implementing the State's and City's regulations to ministerially approve a parcel map for a subdivision resulting in ten (10) or fewer parcels and the proposed development projects resulting in ten (10) or fewer units. Subdivisions subject to Cal. Gov't Code § 65852.28, 65913.4.5, and 66499.41 shall comply with all applicable standards listed therein and as amended.
- B. Multi-Family zoned ministerial lot subdivisions requirements.
  1. The lot shall be zoned as Low Density Multiple-Family Residential district (RLD), Medium Density Multiple-Family Residential district (RMD), or High Density Multiple-Family Residential district (RHD).
  2. The lot shall be no larger than five acres and is substantially surrounded by qualified urban uses. "Qualified urban use" has the same meaning as defined in Section 21072 of the Public Resources Code.
  3. The newly created parcels shall be no smaller than 600 square feet.
- C. Single-family zoned ministerial lot subdivisions requirements.
  1. The lot shall be zoned as Single-Family Residential district (R1) or Two-Family Residential district (R2).
  2. The lot shall be vacant. "Vacant" means having no permanent structure, unless the permanent structure is abandoned and uninhabitable.
  3. The lot shall also be no larger than one and one-half acres and surrounded by urban uses.
  4. The newly created parcels shall be no smaller than 1,200 square feet.

## D. Fire standards.

1. For the purpose of deploying industry-standard hose packs, all dwelling units must be located within 250 feet of the public right-of-way of a dry standpipe installed on the property with approval of the Fire Chief;
2. Where two dwelling units are configured as sharing a common wall, a one-hour fire wall between the units is required;
3. All new dwelling units are required to have fire sprinklers. All new dwelling units are required to use fire-resistant building materials.

## E. Housing Unit Standards. The housing units on the lot proposed to be subdivided are one of the following:

1. Constructed on fee simple ownership lots.
2. Part of a common interest development.
3. Part of a housing cooperative, as defined in Section 817 of the Civil Code.
4. Constructed on land owned by a community land trust. For the purpose of this subparagraph, "community land trust" means a nonprofit corporation organized pursuant to Section 501(c)(3) of the Internal Revenue Code as per Cal. Gov't Code § 66499.41(a) (4) (D).
5. Part of a tenancy in common, as described in Section 685 of the Civil Code.

## F. Development requirements. The proposed development will, pursuant to the requirements of this division, meet one of the following, as applicable:

1. If the parcel is identified in the Housing Element for the current planning period that is in substantial compliance with Article 10.6 (commencing with Section 65580) of Chapter 3 of Division 1 of Title 7 (California Government Code Planning and Land Use), the development will result in at least as many units as projected for that parcel in the housing element. If the parcel is identified to accommodate any portion of the City's share of the regional housing need for low- or very low income households, the development will result in at least as many low- or very low income units as projected in the Housing Element. These units shall be subject to a recorded affordability restriction of at least 45 years.
2. If the parcel is not identified in the Housing Element for the current planning period that is in substantial compliance with Article 10.6 (commencing with Section 65580) of Chapter 3 of Division 1 of Title 7, the development will result in at least 66 percent of the maximum allowable residential density as specified by local zoning or 66 percent of the applicable residential density specified in Cal. Gov't Code § 65583.2 (c)(3)(B), whichever is greater.
3. Where Title 17 Zoning does not specify a maximum allowable residential density, the development will result in at least 66 percent of the applicable residential density as specified in Cal. Gov't Code § 65583.2 (c)(3)(B).

## G. Building and design standards.

1. The average total area of floorspace of the proposed housing units cannot exceed 1,750 net habitable square feet;

2. All electrical and utility services to a new dwelling unit shall be undergrounded.
  3. The parcels must comply with applicable objective standards of the Subdivision Map Act;
  4. The parcels must be served by a public water system and municipal sewer system;
- H. Permit review process.
1. An application for a ministerial lot subdivision shall be filed by the property owner or an agent of the property owner on the City's approved form, subject to a fee in an amount established by City Council resolution. The City will inform the applicant in writing of any incompleteness within thirty (30) days after an application is submitted;
  2. An application for a ministerial lot subdivision shall meet the requirements set forth in this Chapter;
  3. The City shall act upon an application for a ministerial lot subdivision without a discretionary review or public hearing, within 60 days calendar days after a complete application is filed. The time limit specified in this chapter may be extended by mutual consent of the applicant and the City;
  4. The Planning Director, or designee, shall review and have final approval authority for ministerial lot subdivisions without public hearings or discretionary review.
- I. Denial. A proposed ministerial lot subdivision shall not be approved in any of the following apply:
1. The lot to be subdivided was created by an Urban Lot Split;
  2. The proposed residential development would have a specific, adverse impact, as defined and determined in Cal. Gov't Code § 65589.5(d)(2), upon public health and safety and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact;
  3. The site is located within wetlands, as defined in U.S. Fish and Wildlife Service Manual, Part 660, PW 2 (June 21, 1993);
  4. The site is located on a hazardous waste site that is listed per Cal. Gov't Code § 65962.5 or designated by Cal. Health & Safety Code Section 25356;
  5. The site is located within a delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist, unless the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law;
  6. The site is located within a special flood hazard area for the 100-year flood (any Zone A, Zone AO, or Zone B), unless the site has been subject to a Letter of Map Revision prepared by the Federal Emergency Management Agency and issued to the local jurisdiction, or the site meets Federal Emergency Management Agency requirements necessary to meet minimum flood plain management criteria of the National Flood Insurance Program pursuant to Part 59 (commencing with Section 59.1) and Part 60 (commencing with Section 60.1) of Subchapter B of Chapter I of Title 44 of the Code of Federal Regulations;

7. The site is located within a regulatory floodway as determined by the Federal Emergency Management Agency in any official maps published by the Federal Emergency Management Agency, unless the development has received a no-rise certification in accordance with Section 60.3(d)(3) of Title 44 of the Code of Federal Regulations;
8. The site is located on lands identified for conservation in an adopted natural community conservation plan pursuant to the Natural Community Conservation Planning Act (Chapter 10 (commencing with Section 2800) of Division 3 of the Fish and Game Code), habitat conservation plan pursuant to the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), or other adopted natural resource protection plan;
9. The site is located within habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code);
10. The site is located on lands under conservation easement; or,
11. The proposed housing development would result in fewer dwelling units than would otherwise be allowed on the site by the General Plan Land Use Element, in accordance with the State's No Net Loss requirements.
12. The proposed subdivision will result in any existing dwelling unit being alienable separate from the title to any other existing dwelling unit on the lot.

J. Map Requirements

1. The proposed subdivision will result in 10 or fewer parcels and the housing development project on the lot proposed to be subdivided will contain 10 or fewer residential units;
2. All easements required for the provision of public services and facilities shall be provided to the satisfaction of the City Engineer;
3. Each parcel shall be served by a separate water service meter, a separate sewer connection, and gas connection if required;
4. Each parcel shall drain to the street or to a developed drainage easement;
5. A flag lot, or a lot with a narrow projecting strip of land extending to or along a public right-of-way frontage, shall not be permitted unless the configuration of the parcel requires a flag lot in order to create two parcels as allowed in this Section;
6. Lot depth shall be measured at average distance between the front and rear lot line of the newly created lot;
7. New lot lines shall be straight lines, unless there is a conflict with existing improvements or the natural environment in which case the line may not be straight but shall follow the appropriate natural course.

8. Lot lines shall not render an existing structure as nonconforming in any respect (e.g. setbacks, open yard, Floor Area Ratio, parking), nor increase the nonconformity of an existing nonconforming structure.
  9. The proposed subdivision conforms to all applicable objective requirements of the Subdivision Map Act.
- K. Fees. The City Council resolution may establish and set by resolution all fees and charges, consistent with applicable law, as may be necessary to effectuate the purpose of this article.

## § 15.10.950 SMALL LOT SUBDIVISIONS.

The purpose of this section is to create alternative fee-simple home ownership within multi-family zones. A Small Lot Subdivision shall be permitted in the RLD, RMD, R2 zones pursuant to an approved Map or Parcel Map. A subdivision for the purposes of small lots enables the construction of new small lot homes.

- A. Construction of New Small Lots. Notwithstanding any provisions of this Code relating to minimum lot area, in the RLD, RMD, R2 zones, parcels of land may be subdivided into lots which may contain one or more dwelling units, provided that the density of the subdivision does not exceed the maximum density requirement established for each zone prior to the subdivision.
1. A Parcel Map or Map, shall be required for the creation of Small Lot Subdivision. Processes for Small Lot Subdivisions shall be the same as those prescribed in § 15.10.265, 15.10.310, 15.10.405, or 15.10.625, as applicable or as otherwise required by State law. The map must comply with the Small Lot Map Standards; and
  2. For Small Lot Subdivision projects, no demolition, grading, building permit or certificate of occupancy shall be issued unless the Planning Director, or designee, has reviewed the application (Administrative Review), and determined that the Small Lot Subdivision project complies with the Planning Commission's Small Lot Design Standards.
    - i. The Planning Director, or designee, shall establish guidelines, requirements, and forms as may be necessary to review the Administrative Site Plan Review to determine conformance with the Small Lot Design Standards.
    - ii. The application for this Administrative Site Plan Review shall be filed concurrent with the Map or Parcel Map application and at any time a subsequent alteration or addition is proposed.
    - iii. As a condition of approval, all Small Lot Subdivisions shall be required to conform to the plans approved by the Planning Director, or designee.
  3. The minimum lot width shall be 18 feet and the minimum lot area shall be 900 square feet. The review authority shall designate the location of front yards in the subdivision Map or Parcel Map approval.
  4. Access shall be provided to a lot containing a dwelling unit and to its parking spaces, pursuant to Section 17.300.015 of the Municipal Code by way of a public or private street, an alley, or an access easement.

5. The lot area coverage by all structures shall not exceed 75% of an approved small lot, unless the Map or Parcel Map provides an open space easement equivalent to 25% of the lot area of each lot not meeting this provision.
  6. No front, side, or rear yard setbacks shall be required between interior lot lines created within an approved Small Lot Subdivision except as required by the California Building Code. If individual dwellings are separated beyond the minimum required setback by the California Building Code, then the front, side, or rear yard setbacks between interior lot lines created within an approved Small Lot Subdivision shall be at least 2 feet if the subdivision provides common access and use agreement for both adjacent lots or 4 feet if there is no common access and use agreement between both adjacent lots.
  7. The provisions of the front street facing yard of the underlying zone shall apply to the front lot line of the perimeter of the subdivision.
  8. The following shall apply to the perimeter of the subdivision:
    - i. For any subdivision that shares a property line with an R1 or more restrictive single-family zone, the provisions of the front yard, side yard and rear yard of the underlying zone shall apply. A minimum five-foot side yard shall be required.
    - ii. For any subdivision that does not share a property line with an R1 or more restrictive single-family zone, the following shall apply:
      - a. A minimum five-foot yard shall be required along the Side Lot Line of the perimeter of the subdivision; and
      - b. A minimum ten-foot yard shall be required along the Rear Lot Line of the perimeter of the subdivision, except that where the Rear Lot Line abuts an alley a minimum five-foot rear yard shall be required along the perimeter of the subdivision.
  9. Fences and walls within the yard setback areas adjacent to a public right-of-way and along the perimeter of the proposed subdivision shall be no more than four feet in height in accordance with Section 17.300.030 of this Code. Fences and walls within the side and rear yard setback areas along the perimeter, not adjacent to the public right-of-way, of the proposed subdivision shall be no more than six feet in height in accordance with Section 17.300.030 of this Code.
- B. The Small Lot Subdivision must comply with the following findings for approval:
1. The general layout of the project, including orientation and location of buildings, open space, vehicular and pedestrian access and circulation, parking and loading facilities, building setbacks and heights, and other improvements on the site, is consistent with the purpose and intent of this Chapter, the requirements of the zoning district in which the site is located, and with all applicable development standards and design guidelines.
  2. The architectural design of the structure(s) and landscaping shall be consistent with the Small Lot Subdivision Design standards listed in the Culver City Objective Design Standards.



3. The design and layout of the proposed project will not interfere with the use and enjoyment of neighboring existing or future development, will not result in vehicular or pedestrian hazards, and will be in the best interest of the public health, safety, and general welfare.
4. The existing or proposed public facilities necessary to accommodate the proposed project (e.g., fire protection devices, parkways, public utilities, sewers, sidewalks, storm drains, streetlights, traffic control devices, and the width and pavement of adjoining streets and alleys) will be available to serve the subject site.
5. The proposed project is consistent with the General Plan and any applicable specific plan.

## LOT MERGERS

### § 15.10.960 LOT MERGERS.

- A. Purpose. The ordinance codified in this section is enacted for the purpose of providing ministerial procedures and setting forth standards regulating the merger and unmerger of parcels, and for compliance with Cal. Gov't Code §66451.10 - 66451.24.
- B. Voluntary lot merger. Pursuant to the provisions of California Government Code Section 66499.20.3, a merger and certificate of merger of existing adjoining parcels of real property under common ownership may be reviewed and authorized by the City Engineer and Planning Director and filed for record by the County Recorder only where the City Engineer and Planning Director make all of the following findings:
  1. The merger will not affect any fees, grants, easements, agreements, conditions, dedications, offers to dedicate or security provided in connection with any approvals of divisions of real property or lot line adjustments;
  2. The boundaries of the parcels to be merged are well-defined in existing recorded documents or filed maps and were legally created or have certificates of compliance issued on them;
  3. The merger will not alter the exterior boundary of the parcels to be merged;
  4. The document used to effect the merger contains an accurate description of the exterior boundaries of the resulting parcel;
  5. All parties having any record title interest in the real property affected have consented to the merger upon a form and in a manner approved by the city engineer, excepting all those interests that are excepted from the requirement to consent to the preparation and recordation of Final Maps under the provisions of California Government Code Section 66436 and according to the terms, provisions, reservations and restrictions provided therein for such consent;
  6. All necessary fees and requirements, including a fee for recording the document have been provided;
- C. City initiated merger of parcels. The City may require a merger of a parcel or unit when two or more contiguous lots, parcels or units of land are held by the same owner, such lots,

parcels, or units may be merged where any one of the contiguous lot, parcels, or units held by the same owner does not conform to standards for minimum parcel size under the city zoning ordinance, and if all of the following requirements are satisfied:

1. Lots must be adjacent.
  2. At least one of the affected parcels is undeveloped by any structure for which a building permit was issued or for which a building permit was not required at the time of construction, or is developed only with an accessory structure or accessory structures, or is developed with a single structure, other than an accessory structure, that is also partially sited on a contiguous lot, parcel or unit; and
  3. One or more of the following conditions exists for the parcels involved in the lot merger:
    - a. Comprises less than five thousand square feet in area at the time of the determination of merger;
    - b. Was not created in compliance with applicable laws and ordinances in effect at the time of its creation;
    - c. Does not meet current standards for sewage disposal and domestic water supply;
    - d. Does not meet slope stability standards;
    - e. Has no legal access which is adequate for vehicular and safety equipment access and maneuverability;
    - f. Its development would create health or safety hazards;
    - g. Is inconsistent with the city's general plan and any applicable specific plan, other than minimum lot size or density standards.
- D. Lot Merger conditions. The subdivision shall not apply if one of the following conditions exists:
1. On or before July 1, 1981, one or more of the contiguous parcels or units of land is enforceable restricted open-space land pursuant to a contract, agreement, scenic restriction, or open-space easement, as defined and set forth in Section 421 of the Revenue and Taxation Code.
  2. On July 1, 1981, one or more of the contiguous parcels or units of land is timberland as defined in subdivision (f) of Section 51104, or is land devoted to an agricultural use as defined in subdivision (b) of Section 51201.
  3. On July 1, 1981, one or more of the contiguous parcels or units of land is located within 2,000 feet of the site on which an existing commercial mineral resource extraction use is being made, whether or not the extraction is being made pursuant to a use permit issued by the local agency.
  4. On July 1, 1981, one or more of the contiguous parcels or units of land is located within 2,000 feet of a future commercial mineral extraction site as shown on a plan for which a use permit or other permit authorizing commercial mineral resource extraction has been issued by the local agency.
- E. Extent of Merger. Merger shall occur only to the extent necessary to create lots conforming to the current standards for minimum lot area and dimensions, or, if the lots, parcels, or

units are developed with a structure or structures, merger shall occur only to those lots, parcels, or units, which are developed as a single unit.

- F. Treatment of Lots After Merger. After merger has occurred with respect to any contiguous lots, parcels, or units of land under this section, such lots, parcels, or units of land shall be treated as a single lot under the provisions of the Culver City Municipal Code.
- G. Contiguity. Property shall be considered as contiguous lots, parcels or units of land only if such lots, parcels or units of land are adjoining, but not if such lots, roads, streets, utility easements or railroad rights-of-way separate parcels or units of land.
- H. Notice to Affected Property Owners. Whenever the Planning Director, or designee, determines that real property has merged pursuant to this section, they shall cause to be filed for record with the County Recorder, and mailed by certified mail to the then current record owner of the property, a notice of intention to determine status, notifying the owner that the affected lots, parcels, or units may be merged pursuant to this section, and advising the owner of the opportunity to request a hearing before the planning commission on determination of status and to present evidence at the hearing that the property does not meet the criteria for merger.
- I. Permit process. The Planning Director, or designee, and City Engineer will review and have final approval of all non-discretionary Lot Mergers without hearing. The following materials shall be submitted along with a completed and signed application:
  - 1. One copy of a preliminary title report providing the legal description of the properties included in the application dated not more than three (3) months prior to submittal of the application;
  - 2. Signatures of all record owners included in the application; and
  - 3. Site plan or map legibly drawn to a scale of sufficient size to show full detail.
  - 4. Plat Map prepared by a licensed Surveyor or qualified engineer.
- J. Recording of merger. The Planning Director shall forward the Notice of Merger to the County Recorder. The applicant may record a record of survey or parcel map to finalize the voluntary lot merger at their own discretion if Business and Professions Code section 8762 is not applicable.
- K. Fees. The City Council resolution may establish and set by resolution all fees and charges, consistent with applicable law, as may be necessary to effectuate the purpose of this section.

## LOT LINE ADJUSTMENT

### § 15.10.970 LOT LINE ADJUSTMENT.

- A. Purpose. Pursuant to Section 66412(d) of the Subdivision Map Act, Lot Line Adjustments between four or fewer adjacent legal lots is a streamlined map process that can be used for a variety of purposes, including:
  - 1. Meeting, or more closely meeting, the minimum lot size and area requirements of the zone where the property is located.

2. Complying with required building setbacks.
3. Eliminating an existing encroachment.
4. Addressing compliance with the Building Code.
5. Better conformance with site features and topography

B. Lot Standards.

1. The procedures for a Lot Line Adjustment shall apply to the adjustment of property boundaries between four (4) or fewer existing legal adjoining lots recorded with the City Clerk's office in conformance with the Subdivision Map Act where land taken from one (1) lot is added to an adjacent lot and where a greater number of lots than originally recorded is not thereby created. A record of survey may be required pursuant to California Business and Professions Code Section 8762;
2. Multiple Lot Line Adjustments submitted concurrently or sequentially, when five or more parcels exist, circumventing the Subdivision Map Act will not be allowed. A subdivision map will be required in these instances;
3. The modification between lots does not result in a greater number of lots than currently legally exists;
4. The modified lots do not create inconsistencies with the Zoning regulations, the Building Code, and the General Plan;
5. Individual water and service laterals, sewer connections in accordance with the LBWS Rules and Regulations, gas, and other utilities are available to each adjusted lot, or necessary easements are provided to the satisfaction of the Director of Public Works; and
6. All drainage across the adjusted lot line shall be eliminated or necessary easements are provided to the satisfaction of the Director of Public Works.

C. Permit process. The Planning Director, or designee, and City Engineer will review and have final approval of all non-discretionary Lot Line Adjustment adjustments without hearing. The following materials shall be submitted along with a completed and signed application:

1. One copy of a preliminary title report providing the legal description of the properties included in the application dated not more than three (3) months prior to submittal of the application;
2. Signatures of all record owners included in the application; and
3. Site plan or map legibly drawn to a scale of sufficient size to show full detail, including the following information:
  - a. North arrow, scale, legend, adjacent streets, dimensions, and field established boundaries of the lots or parcels included in the application before and after adjustment. The monuments relied upon for the establishment of the boundaries shall be shown on the site plan.
  - b. Distinct line type indicating the property line(s) to be adjusted and keyed to a legend.

- c. Location of existing and proposed buildings and distance(s) between these buildings and proposed property lines, as well as the outline of all structures outside the adjustment area within 10 feet of the boundary lines. The existing structures must show accurate ties, displayed/labeled to one hundredth of a foot, to the existing and proposed boundary lines. The site plan shall be consistent with the current California Building Code Section 107.2.5 stating a site plan shall have an accurate boundary.
  - d. The lot areas of existing parcels, as well as the lot areas of proposed parcels as adjusted.
  - e. Name and address of qualified California civil engineer or a California licensed surveyor who prepared the map and the applicable license or registration number.
  - f. Topographic information with a reference to the source of the information.
  - g. The locations, widths, and purposes of all existing and proposed easements for utilities, drainage, and other public purposes, shown by dashed lines, within and adjacent to the subdivision; all existing and proposed utilities including size of gas and water lines and the size and grade of sewer lines, location of manholes, valve lids, fire hydrants, street trees, and streetlights.
- D. Expiration. An approved Lot Line Adjustment shall expire thirty-six (36) months after its approval if it has not been recorded, except when a time extension has been granted by the Director or City Engineer.
- E. Recording of a deed to reflect modified lot lines. The Lot Line Adjustment shall be reflected in a deed, including modified deeds of trusts, which shall be recorded. The Lot Line Adjustment does not take effect until the deeds have been recorded. The failure to file the deeds within the designated approval period shall render the Lot Line Adjustment null and void.
- F. Fees. The City Council resolution may establish and set by resolution all fees and charges, consistent with applicable law, as may be necessary to effectuate the purpose of this section.

## CERTIFICATE OF COMPLIANCE

### § 15.10.980 CERTIFICATE OF COMPLIANCE.

- A. Purpose. Certificates of Compliance provide a means for conferring legal status to parcels of land which were not created by legal or which proof of legal means cannot be determined and shall be issued in accordance with Cal. Gov't Code § 66499.35 and this section.
- B. Applicability. This section applies to parcels of land for which there is no Final Map, Parcel Map, official map, or approved certificate of exception which establishes legal status for the parcels.
- C. Processing. The Planning Director, or designee, and City Engineer shall review and have final approval over a Certificate of Compliance or a Conditional Certificate of Compliance. The determination shall be based on the following criteria:
  - 1. A Certificate of Compliance shall be issued for any real property which has been approved for development pursuant to Cal. Gov't Code § 66499.34.

2. The City shall file the completed Conditional Certificate of Compliance with the Los Angeles County recorder's office.
  3. A Certificate of Compliance or Conditional Certificate of Compliance shall contain all information required in Cal. Gov't Code § 66499.35.
- D. Fees. The City Council resolution may establish and set by resolution all fees and charges, consistent with applicable law, as may be necessary to effectuate the purpose of this section.

## CONDOMINIUM CONVERSIONS

### § 15.10.985 CONDOMINIUM CONVERSIONS.

#### A. Purpose and Applicability.

1. The purpose of the standards and requirements contained in this Section is to control and regulate the conversion of rental dwelling units to condominiums, for the purpose of assuring the orderly conversion of such units consistent with City policies regarding public health, safety, and welfare.
2. These provisions shall apply to proposals to convert existing rental dwelling units on any parcel to condominiums, which shall require the approval of an Administrative Site Plan Review or Site Plan Review by the Commission, subject to compliance with the Property Development Standards described herein.

#### B. Application Requirements.

1. Applications for an Administrative Site Plan Review or Site Plan Review and a Tentative Map to allow a project to convert from rental to ownership units shall be accompanied by sufficient information to evaluate the project for compliance with the provisions of this Section.
2. Required information shall include the following.
  - a. Plans. A detailed site plan and floor plan, as required by the Division, that reflect existing conditions and proposed improvements to the building and/or site.
  - b. General conditions report. A report detailing the condition and estimating the remaining useful life of each element of the proposed condominium project including: built-in household appliances, mechanical systems, electrical systems, plumbing systems, sewer systems, foundations, framing, roofs, heating and cooling systems, interior and exterior wall coverings, utility connections, fire sprinkler systems, alarm systems, standpipe systems, structural elements, trash disposal facilities, parking facilities, recreational facilities, landscaped areas, and storage areas. This report shall be prepared by an independent, State-licensed structural engineer, architect, or general contractor.
  - c. Building history report. A report detailing the major uses of the development site since construction, and the date and description of all

structural renovations, operating system upgrades, major repairs requiring a building permit, and construction of structures, fences, walls, landscaping, and the like.

- d. Pest report. A pest information report addressing the present condition of the structure as it may be affected by dry rot, roaches, termites, or other insects, and recommending work required to render the structure free of infestation.
- e. Acoustical report. An inter-unit acoustical report, prepared by a licensed and certified acoustical professional.
- f. Site improvements report. A report that lists all proposed site improvements.
- g. Tenant list. One typed mailing list and two sets of mailing labels (formatted for reproduction on City labels), with the names and addresses of all tenants of the project at the time of the application to the City. An updated list of tenant names and addresses shall be submitted every 6 months following submittal of the application, until such time as final action has been taken.
- h. Tenant notification. The subdivider shall submit copies of all written notices required by the California State Subdivision Map Act and Subsection E. (Tenants' Rights), with a complete list of all tenants notified.
- i. Other information. Other information as may be required by the Director to provide a thorough evaluation of the proposed condominium project.

C. Inspections. The following inspections shall be made after the application has been deemed complete.

- 1. The Building Official or designee shall review the General Conditions Report, and inspect the property to verify its accuracy, to identify any health and safety hazards, and to identify any non-permitted construction on the site.
- 2. The Fire Marshal shall review the General Conditions Report, and inspect the property to determine the sufficiency of the current fire protection systems, and to identify any health and safety hazards.

D. Property Development Standards.

- 1. Minimum project size. A minimum of 2 units per development shall be required for the conversion of existing multiple-family dwelling units to condominiums.
- 2. Access ways and exiting. All life and fire safety issues, such as stairs, corridors, and doors, shall comply with Uniform Building Code regulations in effect at the time of conversion.
- 3. Adequate light and ventilation. Adequate light and ventilation shall meet Uniform Building Code regulations in effect at the time of conversion.

4. Emergency egress. Emergency egress shall meet Uniform Building Code regulations in effect at the time of conversion.
5. Fire suppression. Smoke detectors meeting current Uniform Building Code requirements at the time of conversion shall be installed in residential units and other enclosed common areas (e.g., hallways, recreation rooms, and utility rooms). Additional fire suppression equipment (e.g., alarm systems, fire extinguishers, and smoke detectors) shall also be provided as required by the Fire Department.
6. Minimum room dimensions. Minimum room dimensions, including minimum ceiling heights, floor area, and width, shall meet the Uniform Building Code regulations in effect at the time of conversion.
7. One-hour separation. A minimum one-hour separation shall be provided between dwelling units and accessory rooms, such as common storage rooms and laundry rooms.
8. Structural condition. Structures shall be in sound condition, pest- and vermin-free, and watertight, as determined by the General Conditions Report, and the inspection by the Building Official or designee.
9. Off-street parking. Off-street parking shall be provided consistent with zoning standards in effect at the time of conversion.
10. Separate utility metering. The consumption of gas and electricity shall be separately metered for each dwelling unit. A water shut-off valve shall be provided for each dwelling unit.
11. Sound attenuation. Common walls and ceilings of units shall be constructed or upgraded, using techniques to limit noise transmission, as specified by the Uniform Building Code for new construction or equivalent in effect at the time.
12. Public works. Missing or damaged off-site improvements, including the following, shall be repaired or replaced: curb and gutter, drive aprons, sidewalks, streetlights, and street trees.
13. Landscaping. All landscaping shall be in compliance with CCMC Title 17, Chapter 17.310 (Landscaping).
14. Laundry facilities. Each dwelling unit shall be provided with its own laundry facilities, or alternate group facilities that are convenient to all dwelling units and approved by the City.
15. Minimum unit size. The minimum unit size shall be consistent with zoning standards in effect at the time of conversion.
16. Open space. Each dwelling unit shall be provided with accessible on-site open space consistent with zoning standards in effect at the time of conversion.
17. Shock mounting of mechanical equipment. All permanent mechanical equipment, including domestic appliances, shall be shock mounted, isolated from the floor and



ceiling, or otherwise insulated in a manner to lessen the transmission of vibration and noise.

18. Trash enclosures. Required trash enclosures shall be in compliance with City standards at the time of conversion.
19. Additional standards. Additional standards applicable to the site as determined through the Site Plan Review process.

**E. Tenants' Rights.**

1. The subdivider shall adhere to all applicable noticing requirements of the California State Subdivision Map Act.
2. The subdivider shall provide tenants with a copy of this Section.
3. The subdivider shall not increase tenants' rents for a period of one year from providing to such tenants notification of intent to convert.
4. Upon notice of termination of tenancy, the subdivider shall provide a relocation allowance equal to 2 months current rent to all current, non-purchasing tenant households that received notification of intent to convert, subsequent to entering into a rental or lease agreement.
5. The subdivider shall grant an extension of tenancy at the time of termination, as necessary to permit each tenant of the proposed condominium project in attendance at a K-12 school within the City to complete the current school term.

**F. Findings.** The review authority may approve an Administrative Site Plan Review or Site Plan Review application for a condominium conversion if it finds that the proposed conversion project meets the following.

1. All the provisions and standards for conversion of a project to condominiums as set forth in this Section are met.
2. A Tentative Map has been approved, or is concurrently being approved, for the condominium conversion project.
3. The overall design and physical condition of the condominium conversion achieves a high standard of safety, quality, and appearance.
4. The subdivider has not engaged in coercive, retaliatory eviction or action regarding tenants, after the submittal of the first application for City review through the date of approval.

CHAPTER 17.400: STANDARDS FOR SPECIFIC LAND USES

Section

17.400.040 [Reserved] ~~Condominium Conversions~~

## Chapter 17.400: Standards for Specific Land Uses

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Section 17.400.040-CONDOMINIUM CONVERSIONS-.[Reserved]

~~A. Purpose and Applicability.~~

- ~~—1. The purpose of the standards and requirements contained in this Section is to control and regulate the conversion of rental dwelling units to condominiums, for the purpose of assuring the orderly conversion of such units consistent with City policies regarding public health, safety, and welfare.~~
- ~~—2. These provisions shall apply to proposals to convert existing developments of five or more rental dwelling units on any parcel to condominiums, which shall require the approval of a Site Plan Review, subject to compliance with the Property Development Standards described herein.~~
- ~~—3. Developments of less than five rental units shall be prohibited from converting to condominiums.~~

~~B. Application Requirements.~~

- ~~—1. Applications for a Site Plan Review and a Tentative Map to allow a project to convert from rental to ownership units shall be accompanied by sufficient information to evaluate the project for compliance with the provisions of this Section.~~
- ~~—2. Required information shall include the following.~~
  - ~~—a. Plans. A detailed site plan and floor plan, as required by the Division, that reflect existing conditions and proposed improvements to the building and/or site.~~
  - ~~—b. General conditions report. A report detailing the condition and estimating the remaining useful life of each element of the proposed condominium project including: built-in household appliances, mechanical systems, electrical systems, plumbing systems, sewer systems, foundations, framing, roofs, heating and cooling systems, interior and exterior wall coverings, utility connections, fire sprinkler systems, alarm systems, standpipe systems, structural elements, trash disposal facilities, parking facilities, recreational facilities, landscaped areas, and storage areas. This report shall be prepared by an independent, State-licensed structural engineer, architect, or general contractor.~~
  - ~~—c. Building history report. A report detailing the major uses of the development site since construction, and the date and description of all structural renovations, operating system upgrades, major repairs requiring a building permit, and construction of structures, fences, walls, landscaping, and the like.~~

~~—d. Pest report. A pest information report addressing the present condition of the structure as it may be affected by dry rot, roaches, termites, or other insects, and recommending work required to render the structure free of infestation.~~

~~—e. Acoustical report. An inter-unit acoustical report, prepared by a licensed and certified acoustical professional.~~

~~—f. Site improvements report. A report that lists all proposed site improvements.~~

~~—g. Tenant list. One typed mailing list and two sets of mailing labels (formatted for reproduction on City labels), with the names and addresses of all tenants of the project at the time of the application to the City. An updated list of tenant names and addresses shall be submitted every six months following submittal of the application, until such time as final action has been taken.~~

~~—h. Tenant notification. The subdivider shall submit copies of all written notices required by the California State Subdivision Map Act and § 17.400.040.E. (Tenants' Rights), with a complete list of all tenants notified.~~

~~—i. Other information. Other information may be required by the Director to provide a thorough evaluation of the proposed condominium project.~~

~~C. Inspections. The following inspections shall be made after the application has been deemed complete.~~

~~—1. The Building Official or designee shall review the General Conditions Report, and inspect the property to verify its accuracy, to identify any health and safety hazards, and to identify any non-permitted construction on the site.~~

~~—2. The Fire Marshal shall review the General Conditions Report and inspect the property to determine the sufficiency of the current fire protection systems, and to identify any health and safety hazards.~~

~~D. Property Development Standards.~~

~~—1. Minimum project size. A minimum of five units per development shall be required for the conversion of existing multiple-family dwelling units to condominiums.~~

~~—2. Access ways and exiting. All life and fire safety issues, such as stairs, corridors, and doors, shall comply with Uniform Building Code regulations in effect at the time of conversion.~~

~~—3. Adequate light and ventilation. Adequate light and ventilation shall meet Uniform Building Code regulations in effect at the time of conversion.~~

~~—4. Emergency egress. Emergency egress shall meet Uniform Building Code regulations in effect at the time of conversion.~~

~~—5. Fire suppression. Smoke detectors meeting current Uniform Building Code requirements at the time of conversion shall be installed in residential units and other enclosed common areas (e.g., hallways, recreation rooms, and utility rooms). Additional fire suppression equipment (e.g., alarm systems, fire extinguishers, and smoke detectors) shall also be provided as required by the Fire Department.~~

~~—6. Minimum room dimensions. Minimum room dimensions, including minimum ceiling heights, floor area, and width, shall meet the Uniform Building Code regulations in effect at the time of conversion.~~

- ~~—7. One-hour separation. A minimum one-hour separation shall be provided between dwelling units and accessory rooms, such as common storage rooms and laundry rooms.~~
- ~~—8. Structural condition. Structures shall be in sound condition, pest- and vermin-free, and watertight, as determined by the General Conditions Report, and the inspection by the Building Official or designee.~~
- ~~—9. Off-street parking. Off-street parking shall be provided consistent with zoning standards in effect at the time of conversion.~~
- ~~—10. Separate utility metering. The consumption of gas and electricity shall be separately metered for each dwelling unit. A water shut-off valve shall be provided for each dwelling unit.~~
- ~~—11. Sound attenuation. Common walls and ceilings of units shall be constructed or upgraded, using techniques to limit noise transmission, as specified by the Uniform Building Code for new construction or equivalent in effect at the time.~~
- ~~—12. Public works. Missing or damaged off-site improvements, including the following, shall be repaired or replaced: curb and gutter, drive aprons, sidewalks, streetlights, and street trees.~~
- ~~—13. Landscaping. All landscaping shall be in compliance with Chapter 17.310 (Landscaping).~~
- ~~—14. Laundry facilities. Each dwelling unit shall be provided with its own laundry facilities, or alternate group facilities (either in every building and/or every other floor) that are convenient to all dwelling units and approved by the City.~~
- ~~—15. Minimum unit size. The minimum unit size shall be consistent with zoning standards in effect at the time of conversion.~~
- ~~—16. Open space. Each dwelling unit shall be provided with accessible on-site open space consistent with zoning standards in effect at the time of conversion.~~
- ~~—17. Shock mounting of mechanical equipment. All permanent mechanical equipment, including domestic appliances, shall be shock mounted, isolated from the floor and ceiling, or otherwise insulated in a manner to lessen the transmission of vibration and noise.~~
- ~~—18. Trash enclosures. Required trash enclosures shall be in compliance with City standards at the time of conversion.~~
- ~~—19. Additional standards. Additional standards applicable to the site as determined through the Site Plan Review process.~~

~~E. Residential Tenants' Rights.~~

- ~~—1. The subdivider shall adhere to all applicable noticing requirements of the California State Subdivision Map Act.~~
- ~~—2. The subdivider shall furnish tenants with a copy of this Section.~~
- ~~—3. The subdivider shall not increase tenants' rents for a period of one year from providing to such tenants notification of intent to convert.~~
- ~~—4. Upon notice of termination of tenancy, the subdivider shall provide a relocation allowance equal to two months current rent to all current, non-purchasing tenant households that received notification of intent to convert, subsequent to entering into a rental or lease agreement.~~

~~5. The subdivider shall grant an extension of tenancy at the time of termination, as necessary to permit each tenant of the proposed condominium project in attendance at a K-12 school within the City to complete the current school term.~~

~~F. Findings. The Commission may approve a Site Plan Review application for a condominium conversion if it finds that the proposed conversion project meets the following.~~

~~1. All the provisions and standards for conversion of a project to condominiums as set forth in this Section are met.~~

~~2. A Tentative Map has been approved, or is concurrently being approved, for the condominium conversion project.~~

~~3. The overall design and physical condition of the condominium conversion achieves a high standard of safety, quality, and appearance.~~

~~4. The subdivider has not engaged in coercive, retaliatory eviction or action regarding tenants, after the submittal of the first application for City review through the date of approval.~~

## Chapter 17.700: Definitions

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### Section 17.700.010

~~**Subdivision.** The division, by any subdivider, of any unit or portion of land shown on the latest equalized Los Angeles County assessment roll as a unit or contiguous units, for the purpose of sale, lease or financing, whether immediate or future. Property shall be considered as contiguous units, even if it is separated by roads, streets, utility easement or railroad rights-of-way. Subdivision includes the following, as defined in Cal. Civil Code § 1351: a condominium project, a community apartment project, or the conversion of five or more existing dwelling units to a stock cooperative.~~

1. The division of any improved or unimproved land, shown on the latest equalized County assessment roll as a unit or as contiguous units, for the purpose of sale, lease, or financing, whether immediate or future. Property shall be considered as contiguous units, even if it is separated by roads, streets, utility easements, or railroad rights-of-way.

2. SUBDIVISION shall also include all the following:

a. Any planned development, as defined in Cal. Bus. & Prof. Code § 11003.

b. Any community apartment project as defined by Cal. Bus. & Prof. Code § 11004.

c. Any condominium project, as defined in Cal. Civil Code § 783 and 1351.

d. Any stock cooperative as defined in Cal. Bus. & Prof. Code § 11003.2, including any legal or beneficial interests therein.

3. Any such developments shall be subject to any specific provisions of this Chapter pertaining to such a subdivision; provided that, absent specific provisions relating to such developments, any reference to a condominium subdivision or condominium conversion in Chapter 15.10 (Subdivisions) and the Zoning Code, as set forth in Title 17 of this Code, and the Subdivision Map Act (Cal. Gov't Code § 66410 et seq.) shall be deemed to refer to any condominium subdivision, condominium conversion, stock cooperative apartment, or community apartment project.

4. Any conveyance of land to a governmental agency, public entity or public utility, shall not be considered a division of land for the purpose of computing the number of parcels.