1 ORDINANCE NO. 2016-2 AN ORDINANCE OF THE CITY OF CULVER CITY. 3 CALIFORNIA, AMENDING CULVER CITY MUNICIPAL CODE (CCMC) CHAPTER §9.08 STREETS AND SIDEWALKS TO 4 SUBCHAPTER 9.08.700 **ENTITLED** LANDSCAPING GUIDELINES: AND REPEALING SECTION 5 \$9.10.035 PLANTING. CUTTING. REMOVAL OF TREES OR 6 PLANTS IN STREETS OF CHAPTER 9.10 PARK, PUBLIC BUILDINGS AND PROPERTY. 7 8 9 10 11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

WHEREAS, the process for permitting plantings in the City's parkways is in need of updating and it is desirable to establish more detailed parkway standards to promote water conservation, access to the public rights-of-way, visibility of pedestrian and vehicle traffic and traffic signs and signals, and elimination of potential hazards and nuisances; and

PARKWAY

WHEREAS, the City has adopted Residential Parkway Landscaping Guidelines (Guidelines) to accomplish the above, and desires to amend Chapters 9.08 and 9.10 of the CCMC to codify its Guidelines.

NOW THEREFORE, the City Council of the City of Culver City, California, **DOES HEREBY ORDAIN** as follows:

SECTION 1. Chapter 9.08, Streets and Sidewalks, of the Culver City Municipal Code, is hereby renamed "Streets, Sidewalks and Parkways."

SECTION 2. Subchapter 9.08.700 "Parkway Landscaping Guidelines" is hereby added to Chapter 9.08, Streets, Sidewalks and Parkways, of the Culver City Municipal Code as follows:

PARKWAY LANDSCAPING GUIDELINES

§ 9.08.705	Definitions
§ 9.08.710	Residential Parkway Landscaping Guidelines
§ 9.08.715	Parkways in Non-Residential Zones; Permit required

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

26

27

28

§ 9.08.720	Violations	Unlawful;	Penalties

§ 9.08.725 Conflict of Provisions

§ 9.08.705 **DEFINITIONS**

Landscaping. Ornamental live plant materials (trees, shrubs, vines, groundcover or turf) in containers or at grade, and decorative hardscape areas.

Parkway. Land area between street curb and sidewalk.

Residential Parkway Landscaping Guidelines. The City of Culver City Residential Parkway Landscaping Guidelines, established by resolution of the City Council.

Turf. Single bladed grass or sod.

§ 9.08.710 RESIDENTIAL PARKWAY LANDSCAPING GUIDELINES

- A. All landscaping of residential parkways in the City shall conform to the Residential Parkway Landscaping Guidelines adopted by resolution of the City Council, except as provided in § 9.08.710.C.
- B. The Residential Parkway Landscaping Guidelines apply to all residential parkways of the City.
- C. Non-conforming landscaping existing at the time of the adoption of the Residential Parkway Landscaping Guidelines may remain, until replaced with new landscaping, which must conform to this Section, unless the non-conforming landscaping causes or results in an unsafe or hazardous condition.

§ 9.08.715 PARKWAYS IN NON-RESIDENTIAL ZONES— PERMIT REQUIRED.

No person shall plant or alter the landscaping in parkways located in non-residentially zoned properties without first obtaining a permit to do so from the City. Such permit shall state the variety of trees, shrubs, and plants to be planted and the location and size thereof.

§ 9.08.720 VIOLATIONS UNLAWFUL; REMEDIES

A violation of any provision of this Subchapter is unlawful and may be enforced by any remedies available in law or equity, including those provided in Chapters 1.01 and 1.02 of this Code.

§ 9.08.730 CONFLICT OF PROVISIONS.

In the event of any conflict between this Subchapter and any other provisions of this Code or the Landscape and Lighting Act of 1972, this Subchapter shall control.

SECTION 3. Section 9.10.035 of the Culver City Municipal Code, Planting, Cutting, Removal of Trees or Plans in Streets, is hereby repealed and reserved, as the provisions set forth in that Section have been superseded by new Subchapter 9.08.700.

SECTION 4. The City Council adopted a Categorical Exemption on July 11, 2016, pursuant to CEQA Guidelines Section 15301(h), Class 1 – Existing Facilities [where the proposed project consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing topographical features, involving negligible or no expansion of an existing use — subsection (h) sets forth maintenance of existing landscaping as an example of such a project], finding that there are no potentially significant adverse impacts on the environment.

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

///

////

|/// |///

///

| | | | |

|///

SECTION 6. The City Council hereby declares that, if any provision, section, subsection, paragraph, sentence, phrase or word of this ordinance is rendered or declared invalid or unconstitutional by any final action in a court of competent jurisdiction or by reason of any preemptive legislation, then the City Council would have independently adopted the remaining provisions, sections, subsections, paragraphs, sentences, phrases or words of this ordinance and as such they shall remain in full force and effect. APPROVED AND ADOPTED this day of , 2016. JIM B. CLARKE, Mayor City of Culver City, California ATTEST: APPROVED AS TO FORM: CAROL A. SCHWAB, City Attorney JEREMY GREEN, Deputy City Clerk A16-00405