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THE CITY COUNCIL OF THE CITY OF CULVER CITY DOES HEREBY
ORDAIN AS FOLLOWS:

The City Council of the City of Culver City hereby finds, determines and declares that:

B. Culver City Charter Section 614, provides additional authority for the City Council to adopt an ordinance as an urgency measure for preserving the public peace, health or safety by a four-fifths vote; and

D. In response to such concerns, the City Council and has directed staff to study methods to better regulate development and construction on the Lower and Upper

1 Culver Crest hillside to ensure the public health, safety and welfare. The 45-day
2 moratorium will provide City staff with time to thoroughly research options for regulating the
3 development and construction on the hillside and prepare and present recommended
4 regulations to the Planning Commission for recommendation to the City Council; and

5 E. The findings set forth in this Section 1 are true and correct and are
6 adopted as the City Council's findings.

7 **SECTION 2. MORATORIUM ON NEW BUILDING PERMITS FOR**
8 **DEVELOPMENT AND CONSTRUCTION IN THE LOWER AND UPPER CULVER**
9 **CREST HILLSIDE NEIGHBORHOODS.**

10 Based on the findings set forth in Section 1, the City Council hereby
11 establishes a 45-day moratorium from the date of March 20, 2017 through and including
12 May 4, 2017, during which period no building permit or land use determination or
13 entitlement shall be granted for, nor shall any application for a subdivision, use permit,
14 variance, building permit, or land use determination or entitlement required to comply with
15 the Culver City Municipal Code, including any appeals, be accepted or processed for, any
16 improvement to any property located within the Lower and Upper Culver Crest
17 Neighborhoods, as identified on Exhibit A, attached to this Ordinance and made a part
18 hereof, unless that improvement will not expand the footprint of any improvements, or add
19 square footage of development, on the subject property that existed before the effective
20 date of this Ordinance. "Building permit" for purposes of this Ordinance shall not include
21 plumbing, mechanical and electrical permits for existing structures.

22 **SECTION 3. URGENCY MEASURE.**

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

1 **SECTION 4. LEGAL, OPERATIONAL AND PLANNING STUDY.**

2 City staff is directed to study and analyze issues related to hillside
3 development within the Lower and Upper Culver Crest neighborhoods, as identified on
4 Exhibit A attached to this Ordinance, including methods of construction and zoning
5 regulations.

6 **SECTION 5. CEQA.**

7 The City Council finds that this Ordinance is not subject to the
8 California Environmental Quality Act ("CEQA") pursuant to CEQA guidelines,
9 California Code of Regulations, Title 14, Chapter 3, §15060(c)(2) [the activity will
10 not result in a direct or reasonably foreseeable indirect physical change in the
11 environment] and §15060(c)(3) [the activity is not a project as defined in §15378]
12 because it has no potential for resulting in physical change to the environment,
13 directly or indirectly; rather it prevents changes to the environment pending the
14 completion of the contemplated study.

15 **SECTION 6. EFFECTIVE DATE.**

16 Pursuant to Section 614 of the City Charter, this Ordinance shall be
17 introduced and adopted at one and the same meeting and shall become effective
18 immediately. This ordinance shall be of no further force or effect upon the expiration of
19 45 days from the date of adoption, unless extended in accordance with California
20 Government §65858.

21 **SECTION 7: SEVERABILITY.**

22 The City Council hereby declares that, if any provision, section, subsection,
23 paragraph, sentence, phrase or word of this Ordinance is rendered or declared invalid or
24 unconstitutional by any final action in a court of competent jurisdiction or by reason or any
25 preemptive legislation, then the City Council would have independently adopted the
26 remaining provisions, sections, subsections, paragraphs, sentences, phrases, or words of
27 this Ordinance.
28

1 **SECTION 8: PUBLICATION.**

2 The City Clerk shall certify as to the adoption of this Ordinance and, pursuant
3 to Sections 616 and 621 of the City Charter, prior to the expiration of 15 days after the
4 adoption, the City Clerk shall cause this Ordinance, or a summary thereof, to be published
5 in the Culver City News and shall post this Ordinance or a summary thereof in at least
6 three places within the City.

7
8 APPROVED and ADOPTED this _____ day of _____ 2017.

9
10
11 _____
JIM B. CLARKE, MAYOR
City of Culver City, California

12
13 ATTEST:

14
15 _____
JEREMY GREEN, City Clerk

16 APPROVED AS TO FORM:

17 _____
Heather Baker, Assistant City Attorney

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A17-00161

UPPER & LOWER CULVER CREST HILLSIDE NEIGHBORHOOD



Culver
CITY

Meeting Date: E3/20/2017



**THE CITY OF
CULVER CITY**



TEL: 310-253-5976

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