

**CHAPTER 15.02: BUILDINGS, STRUCTURES AND EQUIPMENT**

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## Section

***General Provisions***

- 15.02.005 Violations and penalties
- 15.02.010 Purposes of California Codes and this chapter
- 15.02.015 Administrative authority

***Adoption of State Codes***

- 15.02.100 California Building Standards Administrative Code adopted by reference
- 15.02.105 California Building Code adopted by reference
- 15.02.110 Amendments; Chapter 33 of the California Building Code
- 15.02.115 California Residential Building Code adopted by reference
- 15.02.120 California Electrical Code adopted by reference
- 15.02.125 California Mechanical Code adopted by reference
- 15.02.130 California Plumbing Code adopted by reference
- 15.02.135 California Energy Code adopted by reference
- 15.02.140 California Historical Building Code adopted by reference
- 15.02.145 California Existing Building Code adopted by reference
- 15.02.150 California Green Building Standards Code adopted by reference
- 15.02.155 California Reference Standards Code adopted by reference

***Sandblasting***

- 15.02.500 Purpose
- 15.02.505 Permit required; compliance with regulations
- 15.02.510 Enforcement

***Antennas***

- 15.02.600 Definitions
- 15.02.605 Compliance with regulations required
- 15.02.610 Noncommercial nonparabolic antennas
- 15.02.615 Development standards
- 15.02.620 Application for approval
- 15.02.625 Enforcement

***Post-Disaster Recovery and Reconstruction***

- 15.02.700 Purpose
- 15.02.705 Applicability

- 15.02.710 Definitions
- 15.02.715 Placards
- 15.02.720 Criteria for demolition of dangerous buildings
- 15.02.725 Demolition of historic buildings or structures
- 15.02.730 Repair criteria for damaged buildings
- 15.02.735 Repair criteria for chimneys
- 15.02.740 Repair criteria for essential services facilities
- 15.02.745 Repair criteria for historic buildings or structures

#### ***Hillside Drainage***

- 15.02.800 Drainage system required in hillside area

#### ***Administrative Assessment Cost Recovery***

- 15.02.900 Administrative Assessment Cost Recovery Program
- 15.02.905 Imposition of assessments
- 15.02.910 Appeals
- 15.02.915 Remedies not exclusive

#### ***Solar Photovoltaic Systems***

- 15.02.1000 Definitions
- 15.02.1005 Requirement
- 15.02.1010 Exceptions
- 15.02.1015 Building permit fees and inspections

#### ***Green Building Program and Requirements***

- 15.02.1100 Establishment of Program and purpose
- 15.02.1105 Definitions
- 15.02.1110 Requirements
- 15.02.1115 Urban tree requirements
- 15.02.1120 Green Zone Incentive Program
- 15.02.1125 Inspections and enforcement

#### ***Expedited Solar System Permitting***

- 15.02.1200 Expedited Solar System Permitting

#### ***Hillside Grading Requirements and Permitting***

- 15.02.1300 Definitions
- 15.02.1305 Hillside "H" grading designation
- 15.02.1310 Grading requirements
- 15.02.1315 Thresholds for a grading permit
- 15.02.1320 Maximum grading quantities
- 15.02.1325 Slope stabilization

- 15.02.1330 Public Works Department review
- 15.02.1335 Geotechnical and geology report
- 15.02.1340 Drainage plan requirements
- 15.02.1345 Post construction drainage reports and maintenance covenant
- 15.02.1350 Landscape plan
- 15.02.1355 Significant tree removal
- 15.02.1360 Grading procedures
- 15.02.1365 Submittal requirements

Appendix Hillside drainage diagrams

## **GENERAL PROVISIONS**

### **§ 15.02.005 VIOLATIONS AND PENALTIES.**

A. 1. No person shall erect, construct, enlarge, alter, repair, move, improve remove, convert, demolish, install, replace, equip, use, occupy, maintain or relocate any building or structure or fixture or equipment or property, or cause or permit the same to be done, in violation of any California Code herein adopted, or in violation of any provisions of this Chapter, and no person shall fail to comply with any lawful order made there under.

2. Any such violation or failure to comply shall be a misdemeanor, which shall be punishable in accordance with § 1.01.040 of this Code.

B. Any violation of, or failure to comply with this Chapter shall constitute a separate offense for each and every day, during any portion of which any such violation or failure is committed, continued or permitted, and shall be punishable accordingly.

C. At the discretion of the City Attorney, any violation of this Chapter may be prosecuted as a misdemeanor or as an infraction.

(Ord. No. 2003-015 § 1 (part))

### **§ 15.02.010 PURPOSES OF CALIFORNIA CODES AND THIS CHAPTER.**

It is the purpose of the provisions of Chapters 15.02 and 15.03 of this Code and the California Code to provide minimum standards and requirements for the protection of the public health, safety, property and public welfare by regulating and controlling the design, operation, construction, installation, replacement, quality of materials, use, occupancy, location and maintenance of buildings and structures, signs and sign structures, heating, ventilating, cooling, refrigeration systems, incinerators and other heat-producing appliances, plumbing systems, and solar systems and rainwater drainage systems within the City.

(Ord. No. 2003-015 § 1 (part))

### **§ 15.02.015 ADMINISTRATIVE AUTHORITY.**

The Building Official shall be the administrative authority for each of the Codes.

(Ord. No. 2003-015 § 1 (part))

### **§ 15.02.020 TAX CERTIFICATE REQUIRED.**

No permit required by this Chapter or Chapter 15.03 shall be issued to an applicant who is required by Chapter 11.01 of this Code to have a business tax certificate, unless the applicant has a valid, current tax certificate.

(Ord. No. 2003-015 § 1 (part))

## ***ADOPTION OF STATE CODES***

### **§ 15.02.100 CALIFORNIA BUILDING STANDARDS ADMINISTRATIVE CODE ADOPTED BY REFERENCE.**

A. The 2016 Edition of the California Building Standards Administrative Code, published by the International Code Council, and all appendices, amendments, supplements and errata thereto, is hereby adopted by reference and shall be applicable to the City of Culver City, and referred to as the "Building Standards Administrative Code of the City of Culver City."

B. One copy of the Building Standards Administrative Code of the City of Culver City shall be kept on file in the Building Official's office for public inspection.

(Ord. 2016-012 § 2 (part))

### **§ 15.02.105 CALIFORNIA BUILDING CODE ADOPTED BY REFERENCE.**

A. The 2016 Edition of the California Building Code, Volumes 1 and 2, published by the International Code Council, and all appendices, amendments, supplements and errata thereto, is hereby adopted by reference and shall be applicable to the City of Culver City, and referred to as the "Building Code of the City of Culver City."

B. One copy of the Building Code of the City of Culver City shall be kept on file in the Building Official's office for public inspection.

(Ord. 2016-012 § 2 (part))

### **§ 15.02.110 AMENDMENTS; CHAPTER 33 OF THE CALIFORNIA BUILDING CODE.**

Notwithstanding the provisions of this Chapter, Section 3307 of the California Building Code is amended to read as follows:

#### **SECTION 3307 - Protection of Adjoining and Nearby Property and Persons.**

**3307.1** Adjoining and nearby public and private property and persons making lawful use of such property shall be protected from damage during construction, remodeling and demolition work. Protection must be provided for footings, foundations, party walls, chimneys, skylights and roofs. Provisions shall be made to control water runoff and erosion during construction or demolition activities. At the outset of new construction activities or major remodeling projects, or at the otherwise earliest time it is feasible in the opinion of the Building Official, and notwithstanding the provisions of Title 17 of the Culver City Municipal Code (the "Zoning Code"), a protective screen or fence no less than six (6) feet in height shall be erected to the satisfaction of the Building Official between the construction site and immediately adjoining properties, unless the Building Official determines that erection of a screen is not feasible or would serve no practical purpose.

**3307.2** The Building Official shall have the authority to stop the construction work at any time that in his or her opinion said construction work has caused, is causing, or is about to cause, damage to adjacent or nearby properties. Said work shall not recommence until the time that the necessary corrections have been made so that no further damage will occur to the affected property (unless the Building Official determines that the damage will be corrected as provided in Section 3307.3) and written approval is obtained from the Building Official that said work may recommence.

#### **3307.3**

A. If construction work causes damage to adjacent or nearby properties, the Building Division shall withhold inspections of said work and stop work until (i) the damage to the affected property is repaired (or repair work has commenced and is continued to be performed with due diligence until completed), or (ii) the affected property owner is compensated the cost of repair, or (iii) a documented agreement satisfactory to the Building Official is executed to assure repair of the damage at

a more appropriate phase of the construction.

B. If there is a bona fide dispute between the owner of the damaged property and the party alleged to have caused said damage, as to the cause of the damage, the method or scope of repair or the cost of the repair, work may resume and inspections provided only if the party performing the construction work posts a bond or cash deposit with the City in an amount that the Building Official reasonably determines is sufficient to cover the cost of repair. Where there exists a bona fide dispute, the issues in contention are a civil matter beyond the authority of the City to resolve.

**3307.4** The bond called for in Section 3307.3 shall be approved as to form by the City Attorney. The bond or the cash deposit will be held by the City until the dispute is resolved between the parties or by a court of competent jurisdiction. In the event that the aggrieved party does not submit proof to the City that an action has in fact been filed within one (1) year after the issuance of the Certificate of Occupancy, then the City shall, unless good cause is shown, release the bond or deposit. The City shall provide thirty (30) days' written notice to the aggrieved party of its intent to release the bond or deposit.

### **3307.5**

A. Prior to the commencement of any new construction or major remodeling projects, including but not limited to demolition of exterior walls or roofs, excavation that requires shoring, sandblasting or other exterior construction activities that require a building permit, the owner or contractor shall mail written notice to the property owners and occupants located within one hundred (100) feet of the construction site that construction will occur, along with a copy of this Section 3307. Said notice shall be mailed to the affected property owners and occupants at least ten (10) days prior to any construction taking place. The notice shall contain the following information:

1. Address where construction will occur;
2. Date(s) and approximate times construction will occur;
3. Name, address, telephone number and state license number of contractor;
4. Name, address and telephone number of the owner of the property on which construction is to occur.

If the owner or the contractor fails to provide the required notice, the Building Official shall have the authority to stop the work until the notice is provided, in addition to any other remedies provided by this Code.

B. In addition to the Notice provided for above, the contractor or building shall post a Notice at the construction site, which shall include as a minimum the date(s) and approximate times construction will occur, the name and contact information of the contractor, and the contact information for the City's Building Safety Division.

**3307.6** Prior to approval of temporary shoring a geotechnical report shall be provided certifying that the temporary shoring has been installed according the shoring plan and specifying the time period for the integrity of the temporary shoring.

**3307.7** The Building Official shall promulgate policies and procedures to effectuate the provisions of this Section.

(Ord. 2016-012 § 2 (part))

## **§ 15.02.115 CALIFORNIA RESIDENTIAL BUILDING CODE ADOPTED BY REFERENCE.**

A. The 2016 Edition of the California Residential Building Code, published by the International Code Council, and all appendices, amendments, supplements and errata thereto, is hereby adopted by reference and shall be applicable to the City of Culver City, and referred to as the "Residential Building Code of the City of Culver City."

B. One copy of the Residential Building Code of the City of Culver City shall be kept on file in the Building Official's office for public inspection.

(Ord. 2016-012 § 2 (part))

## **§ 15.02.120 CALIFORNIA ELECTRICAL CODE ADOPTED BY REFERENCE.**

A. The 2016 Edition of the California Electrical Code, published by the International Code Council, and all appendices, amendments, supplements and errata thereto, is hereby adopted by reference and shall be applicable to the City of Culver

City, and referred to as the "Electrical Code of the City of Culver City."

B. One copy of the Electrical Code of the City of Culver City shall be kept on file in the Building Official's office for public inspection.

(Ord. 2016-012 § 2 (part))

#### **§ 15.02.125 CALIFORNIA MECHANICAL CODE ADOPTED BY REFERENCE.**

A. The 2016 Edition of the California Mechanical Code, published by the International Code Council, and all appendices, amendments, supplements and errata thereto, is hereby adopted by reference and shall be applicable to the City of Culver City, and referred to as the "Mechanical Code of the City of Culver City."

B. One copy of the Mechanical Code of the City of Culver City shall be kept on file in the Building Official's office for public inspection.

(Ord. 2016-012 § 2 (part))

#### **§ 15.02.130 CALIFORNIA PLUMBING CODE ADOPTED BY REFERENCE.**

A. The 2016 Edition of the California Plumbing Code, published by the International Code Council, and all appendices, amendments, supplements and errata thereto, is hereby adopted by reference and shall be applicable to the City of Culver City, and referred to as the "Plumbing Code of the City of Culver City."

B. One copy of the Plumbing Code of the City of Culver City shall be kept on file in the Building Official's office for public inspection.

(Ord. 2016-012 § 2 (part))

#### **§ 15.02.135 CALIFORNIA ENERGY CODE ADOPTED BY REFERENCE.**

A. The 2016 Edition of the California Energy Code, published by the International Code Council, and all appendices, amendments, supplements and errata thereto, is hereby adopted by reference and shall be applicable to the City of Culver City, and referred to as the "Energy Code of the City of Culver City."

B. One copy of the Energy Code of the City of Culver City shall be kept on file in the Building Official's office for public inspection.

(Ord. 2016-012 § 2 (part))

#### **§ 15.02.140 CALIFORNIA HISTORICAL BUILDING CODE ADOPTED BY REFERENCE.**

A. The 2016 Edition of the California Historical Building Code, published by the International Code Council, and all appendices, amendments, supplements and errata thereto, is hereby adopted by reference and shall be applicable to the City of Culver City, and referred to as the "Historical Building Code of the City of Culver City."

B. One copy of the Historical Building Code of the City of Culver City shall be kept on file in the Building Official's office for public inspection.

(Ord. 2016-012 § 2 (part))

#### **§ 15.02.145 CALIFORNIA EXISTING BUILDING CODE ADOPTED BY REFERENCE.**

A. The 2016 Edition of the California Existing Building Code, published by the International Code Council, and all appendices, amendments, supplements and errata thereto, is hereby adopted by reference and shall be applicable to the City of Culver City, and referred to as the "Existing Building Code of the City of Culver City."

B. One copy of the Existing Building Code of the City of Culver City shall be kept on file in the Building Official's office for public inspection.

(Ord. 2016-012 § 2 (part))

#### **§ 15.02.150 CALIFORNIA GREEN BUILDING STANDARDS CODE ADOPTED BY REFERENCE.**

A. The 2016 Edition of the California Green Building Standards Code, published by the International Code Council, and all appendices, amendments, supplements and errata thereto, is hereby adopted by reference and shall be applicable to the City of Culver City, and referred to as the "Green Building Standards Code of the City of Culver City."

B. One copy of the Green Building Standards Code of the City of Culver City shall be kept on file in the Building Official's office for public inspection.

(Ord. 2016-012 § 2 (part))

#### **§ 15.02.155 CALIFORNIA REFERENCE STANDARDS CODE ADOPTED BY REFERENCE.**

A. The 2016 Edition of the California Reference Standards Code, published by the International Code Council, and all appendices, amendments, supplements and errata thereto, is hereby adopted by reference and shall be applicable to the City of Culver City, and referred to as the "Reference Standards Code of the City of Culver City."

B. One copy of the Reference Standards Code of the City of Culver City shall be kept on file in the Building Official's office for public inspection.

(Ord. 2016-012 § 2 (part))

### **SANDBLASTING**

#### **§ 15.02.500 PURPOSE.**

The purpose of this Subchapter is to prevent the dust and debris that occurs in sandblasting operations from spreading throughout the neighborhood, creating a public health hazard.

(Ord. No. 2003-015 § 1 (part))

#### **§ 15.02.505 PERMIT REQUIRED; COMPLIANCE WITH REGULATIONS.**

A. No person shall sandblast or cause to be sandblasted the outside or inside of any building or structure within the City, without first paying the fee and obtaining a permit from the Division of Building and Safety, and without complying with regulations adopted by the City Council, which are reasonable necessary to protect the public health and safety and property from damage which may result from sandblasting.

B. No permit for dry sandblasting shall be issued, unless the Building Official determines that extraordinary reasons exist for the use of such a process, and that adequate measures will be taken to protect the public health and safety from the effect of such dry sandblasting.

(Ord. No. 2003-015 §1 (part)) Penalty, see § 15.02.005

#### **§ 15.02.510 ENFORCEMENT.**

A. The Building Official shall have the power to revoke, without prior notice, any sandblasting permit for failure to comply with any such regulations.

B. No person shall do any sandblasting after a permit therefor has been revoked.

## **ANTENNAS**

### **§ 15.02.600 DEFINITIONS.**

For the purpose of this Subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**ANTENNA.** Any system of wires, poles, rods, reflecting discs or similar devices used for the transmission or reception of electromagnetic waves, which system is external to or attached to the exterior of any building. The term **ANTENNA** shall include "dish" antennas and devices having active elements extending in any direction, and directional beam-type arrays having elements carried by and disposed from a generally horizontal boom which may be mounted upon and rotated through a vertical mast or tower interconnecting the boom and antenna support, all of which elements are deemed to be a part of the antenna.

**ANTENNA ARRAY.** A group of antenna elements on the same geometric plane.

**ANTENNA, COMMERCIAL.** An antenna in any zoning district used in conjunction with a business, commercial enterprise, trade, calling, vocation, profession, occupation or means of livelihood, whether or not carried on for gain or profit, including, but not limited to, public utilities, cellular telephone communications or privately owned or publicly supported AM or FM radio stations not otherwise exempt from the provisions of the Zoning Code, cable television operations or television broadcast stations, but excluding FCC-licensed amateur radio stations and standard television receive only (TVRO) nonparabolic antennas.

**ANTENNA ELEMENT.** Individual components of an individual antenna.

**ANTENNA HEIGHT.** The distance from the grade of the property at the base of the antenna or, in the case of a roof-mounted antenna, from the grade at the exterior base of the building, to the highest point of the antenna and its associated support structure when fully extended.

**ANTENNA, NONCOMMERCIAL.** An antenna in any zoning district not used in conjunction with a business, commercial enterprise, trade, calling, vocation, profession, occupation, or means of livelihood, including, but not limited to, FCC-licensed amateur radio stations and standard television receive only (TVRO) parabolic antennas.

**ANTENNA, NONPARABOLIC.** An individual array or group of arrays used to transmit and/or receive electromagnetic signals, including, but not limited to, radio waves related to amateur radio stations licensed by the Federal Communications Commission (FCC).

**ANTENNA STRUCTURE.** An antenna array and its associated support structure, such as a mast, tower, or bracing wire, but not to include a suspended simple wire antenna, that is used for the purpose of transmitting and/or receiving electromagnetic signals, including, but not limited to, radio waves and microwaves.

**ANTENNA STRUCTURE, FREESTANDING.** An antenna structure that is not attached to a building, fence or other such structure.

**ANTENNA, TVRO NONPARABOLIC.** A standard roof-mounted antenna array, and its associated support structure, that is used solely to receive broadcast television signals.

**ANTENNA, VERTICAL WHIP.** A pole or single element vertical antenna no more than three (3) inches in diameter, and its associated support structure.

(Ord. No. 2003-015 § 1 (part))

### **§ 15.02.605 COMPLIANCE WITH REGULATIONS REQUIRED.**

A. Radio and television antennas, including satellite receiving or transmission antenna systems and microwave antenna systems, may be installed, erected and maintained within all land use zones of the City, but only in accordance with the provisions of this Subchapter and the "Dish Antenna Regulations" of the Zoning Code, as set forth in Title 17 of this Code.



B. No antenna shall be permitted within the City, except as follows:

1. Roof-mounted antennas are permitted when the boom or any active element of the antenna array is fifteen (15) feet or less in length, provided that they are in conformity with the development standards of this Section.

2. The following antennas shall require a building permit, and may be permitted upon review and approval of the plans for such antennas by the City Planner. The plan should be in conformity with the development standards of § 15.02.615 and the Zoning Code, as set forth in Title 17 of this Code:

a. Roof-mounted antennas when the boom or any active element of the antenna array is longer than fifteen (15) feet.

b. All ground-mounted antennas.

c. All satellite receiving or transmission antennas.

3. Every antenna, whether temporary or permanent, shall be subject to the review and approval of the Building Official where required by the Building Code, and shall be subject to the applicable provisions of the Zoning Code, as set forth in Title 17 of this Code, and to Chapter 15.07, except that noncommercial nonparabolic antennas are subject only to the provisions of § 15.02.610 C.

(Ord. No. 2003-015 §1 (part)) Penalty, see § 15.02.005

### **§ 15.02.610 NONCOMMERCIAL NONPARABOLIC ANTENNAS.**

#### *A. Applicability to noncommercial nonparabolic antennas.*

1. Notwithstanding § 15.02.605, a nonparabolic antenna that is its existence as of May 11, 1995, may continue in existence at the current height and location, and need not comply with the design standards stated herein, unless the following occurs:

a. If, in the case of a roof-mounted antenna weighing more than fifty (50) pounds, the antenna is replaced with one that is larger in any of its dimensions, the antenna structure shall then comply with the applicable regulations and design standards.

b. If, in the case of a noncommercial freestanding antenna structure, an existing antenna is replaced with one that is larger in any of its dimensions, the antenna structure shall then comply with the regulations and design standards contained in § 15.02.610 C.

2. Notwithstanding § 15.02.605, no additional or structural alterations may be made to a nonconforming antenna structure that would increase its nonconformity with the applicable regulations and design standards.

#### *B. Purpose.*

1. The City desires to allow noncommercial nonparabolic antennas in all areas of the City, subject only to limited and reasonable regulations which are permitted by Federal Law in order to prevent such antennas from adversely affecting the public health, safety, welfare or aesthetic interests.

2. a. The City Council finds that amateur radio operators provide an important public service by participating in local, regional and Statewide emergency and disaster preparedness programs, in facilitating international disaster relief programs, and in fostering international goodwill and understanding.

b. The City Council finds, however, the antennas and antenna structures related to FCC-licensed amateur radio communications may be aesthetically unsightly and visually obtrusive.

3. a. The City Council recognizes that because of the important public service provided by amateur radio operators, the FCC has partially preempted local regulation of amateur radio antennas.

b. Federal regulations specify that local regulations concerning the placement, screening or height of antennas for amateur radio communications must reasonably accommodate amateur communications, and constitute the minimum practicable regulation necessary to accomplish the local agency's legitimate purpose.

4. The City Council finds that the regulations and design standards set forth in this Subchapter reasonably accommodate FCC-licensed amateur radio communications, and constitute the minimum practicable regulation necessary to protect the public health, safety and aesthetic interests.

5. The provisions allowing the erection of nonparabolic antennas shall only permit those individuals who are Federally-licensed amateur radio operators to erect such antennas as allowed by the Municipal Code.

*C. Regulation and design standards.*

1. A noncommercial nonparabolic antenna shall be installed, modified, and maintained in accordance with the following standards:

a. One (1) roof-mounted TVRO nonparabolic antenna per residential unit, and up to four (4) roof-mounted nonparabolic antennas related to a FCC-licensed amateur radio station, shall be permitted for each parcel.

(1) One of the roof-mounted nonparabolic antennas per parcel may extend up to twenty-five (25) feet above the roofline, but all other additional nonparabolic antennas shall extend no more than fifteen (15) feet above the roofline.

(2) One (1) roof-mounted antenna related to a FCC-licensed amateur radio station may extend up to twenty-five (25) feet above the roofline; however, all other roof-mounted antennas related to a FCC-licensed amateur radio station shall extend no more than fifteen (15) feet beyond these height limits.

b. One (1) freestanding antenna structure related to a FCC-licensed amateur radio station measuring up to sixty-six (66) feet in height or fifteen (15) feet above the height limit of the district in which it is located, whichever height is greater, shall be permitted per parcel.

(1) For purposes of this section, antenna structures shall be measured to the highest horizontal antenna element.

(2) A freestanding antenna structure exceeding fifty (50) feet in height shall be retractable to thirty-five (35) feet.

(3) A single vertical element may extend fifteen (15) feet beyond these height limits.

c. No portion of an antenna, including the array in any position, or of an antenna structure, shall be located between the face of the main building and any public street, or in any required front or side yard setback.

d. (1) The support structure shall be located a minimum of ten (10) feet from the rear property line.

(2) Neither an antenna nor an antenna structure shall extend beyond the property line of the parcel on which it is located.

e. Roof-mounted antennas or antenna structures shall be located at or to the rear of the centerline of a building.

f. An antenna structure shall be finished in a color to blend in with its immediate surroundings, to reduce glare, and to minimize its visual intrusiveness and negative aesthetic impact.

g. The display of any sign on an antenna or antenna structure is prohibited, except for public safety warnings, which must be placed no higher than eight (8) feet above the base of the antenna structure.

h. A building permit shall be obtained prior to the installation of a ground-mounted antenna structure, or a roof-mounted antenna structure for roof-mounted antennas weighing fifty (50) pounds or more, pursuant to the requirements of the Building Code.

2. Unless a finding is made that a proposed antenna poses an actual threat to the public health or safety, the Building Official or Committee on Permits and Licenses on appeal, shall have the authority to grant a use permit to modify the regulations and design standards of Subsection C.1. paragraphs a., b., c., or e. of this Section, if topographical conditions, nearby tall structures or other factors unreasonably obstruct or otherwise unreasonably interfere with effective transmission or reception of the type desired, and the cause of such obstruction or interference was not created by the applicant.

a. An application for a use permit and for a building permit shall be reviewed upon payment of fees for each application as established by resolution of City Council.

b. As a condition of approval of a use permit to modify the design standard of Subsection C.1. paragraph b. of this Section, an antenna structure shall be required to be retractable to thirty-five (35) feet.

c. In cases where topographical conditions surrounding the antenna structure or the presence of nearby tall structures physically impede retracting an antenna to thirty-five (35) feet, the Building Official or Committee on Permits and Licenses on appeal, may allow an antenna structure to be retracted to a height greater than thirty-five (35) feet.

(Ord. No. 2003-015 §1 (part); Ord. No. 2007-002 § 18) Penalty, see § 15.02.005

## § 15.02.615 DEVELOPMENT STANDARDS.

Every antenna shall be located, designed, constructed, treated, and maintained in accordance with the following standards:

- A. The antenna shall be installed and maintained in compliance with the requirements of the Building Code.
- B. The maximum number of antennas that may be installed on any lot shall not exceed:
  - 1. One ground-mounted antenna;
  - 2. Two (2) roof-mounted antennas;
  - 3. In the manufacturing and studio zones, more dish antennas may be permitted, according to Title 17 of this Code.
- C.
  - 1. In residential zones, roof-mounted antennas shall not extend higher than fifteen (15) feet above the maximum building height permitted in the zone, except a single vertical pole antenna may extend to twenty (20) feet above the peak of the roof; provided that a roof-mounted disc antenna shall not exceed twenty-four (24) inches in diameter.
  - 2. In nonresidential zones, roof-mounted antennas shall not extend higher than fifteen (15) feet above the maximum building height permitted in the zone or fifteen (15) feet above the building upon which it is mounted, whichever is less.
- D.
  - 1. Ground-mounted antennas shall not exceed forty (40) feet in height, except remote communication installation facility antennas, as provided in the Zoning Code.
  - 2. All satellite receiving and transmitting "dish" type antennas shall be installed in accordance with the provisions of the Zoning Code, as set forth in Title 17 of this Code.
- E. Not more than one antenna shall be permitted on any lot when the boom or any active element of the antenna array is longer than fifteen (15) feet.
- F.
  - 1. Stacking of antennas may be permitted when stacked in a ground-mounted antenna configuration, provided that not more than three (3) such antennas are attached to the tower.
  - 2. For the purpose of this Section, such antennas shall be considered one antenna and shall be subject to all the requirements of this Section.
- G. Antennas shall be erected or maintained to the rear of the main building; provided that, when the subject property is a cul-de-sac or any lot with a side yard larger than the rear yard, the antenna may be located in the side yard.
  - 1. Antenna towers or the supports therefor shall not be located in any street-facing setback area.
  - 2. No portion of any antenna array shall extend beyond the property lines or into any front yard area.
  - 3. Guy wires shall not be anchored within any front yard area, but may be attached to the building.
- H. Antennas may be roof- or ground-mounted, freestanding or supported by guy wires, buildings or other structures in compliance with the manufacturer's structural specifications.
  - 1. A ground-mounted antenna shall be an antenna with its base mounted directly in the ground, even if such antenna is supported or attached to the wall of a building.
  - 2. A fixed-guy antenna tower shall be fascia-mounted or guyed according to approved standards.
  - 3. A wire antenna that is not self-supporting shall be supported by objects entirely within the lot lines of the property upon which the antenna is erected, but not within a front setback.
- I. Antennas, including guy wires, supporting structures and accessory equipment, shall be located and designed so as to minimize the visual impact on surrounding properties and from public streets.
  - 1. Antennas should be screened through the addition of architectural features and/or landscaping that harmonize with the elements and characteristics of the property.
  - 2. The materials used in constructing the antennas shall not be unnecessarily bright, shiny, garish or reflective.
- J. The antenna shall meet all manufacturer's specifications.
  - 1. The mast or tower shall be of noncombustible and corrosive-resistant material.

2. The miscellaneous hardware, such as brackets, turnbuckles, clips and similar type equipment subject to rust or corrosion, shall be protected with a zinc or cadmium coating, by either a galvanizing or a sherardizing process after forming, to guard against corrosion and to protect the elements against electrolytic action due to the use of adjoining dissimilar metals.

K. 1. Whenever it is necessary to install an antenna near power lines, or where damage would be caused by its falling, a separate safety wire must be attached to the antenna mast or tower, and secured in a direction away from the hazard.

2. Antenna transmission lines must be kept at least twenty-four (24) inches clear of utility lines.

L. Every antenna shall be adequately grounded for protection against a direct strike of lightning, with an adequate ground wire.

1. The ground wire shall be of the type approved by the latest edition of the Electrical Code for grounding masts and lightning arrestors, and shall be installed in a mechanical manner with as few bends as possible, maintaining a clearance of at least two (2) inches from combustible materials.

2. Lightning arrestors shall be used, which are approved as safe by the Underwriters' Laboratories, Inc., and both sides of the line must be adequately protected with proper arrestors to remove static charges accumulated on the line.

3. When lead-in conductors of polyethylene ribbon-type are used, lightning arrestors must be installed in each conductor.

4. When coaxial cable or shielded twin lead is used for lead-in, suitable protection may be provided without lightning arrestors by grounding the exterior metal sheath.

M. Reasonable conditions of approval may be imposed to mitigate any negative impacts caused by installation of the antenna.

1. The cost of any such condition to the applicant shall be considered in light of the public benefit derived from the condition.

2. Other than the manufacturer's trade name and/or logo, no antenna or the support structure therefore shall be used for any commercial advertising purpose.

N. All antenna components shall be Underwriters' Laboratories, Inc., approved as acceptable to the Building Official.

O. Ground-mounted antennas shall have their related cables installed in conduit underground from base of antenna to wall of building.

1. Conduit may be rigid steel or PVC.

2. Roof-mounted antennas may have related cables installed in conduit (threaded rigid) or run exposed, provided related cables are of hard usage type and grouped together.

3. All antennas are subject to Articles 810 and 820 of the 1984 National Electric Code, in addition to Culver City ordinances.

(Ord. No. 2003-015 §1 (part); Ord. No. 2004-013 § 1 (part)) Penalty, see § 15.02.005

## **§ 15.02.620 APPLICATION FOR APPROVAL.**

A. Prior to installing any antenna for which approval is required pursuant to § 15.02.605 or the Zoning Code, as set forth in Title 17 of this Code, a building permit application shall be submitted to and approved by the authorized agency.

B. The application shall be accompanied by construction drawings showing the proposed method of installation, the manufacturer's specifications, if any, and a plot plan showing the location of the antenna, property and setback lines, and all structures.

C. In addition, the application shall be accompanied by engineering data establishing the fact that the antenna conforms to the structural requirements of the Building Code.

1. Such engineering data may include custom engineering calculations for each installation, the calculations and data to be submitted by a structural or civil engineer registered by the State of California.

2. Such registered engineer may be employed by the manufacturer of the antenna.

(Ord. No. 2003-015 § 1 (part))

#### **§ 15.02.625 ENFORCEMENT.**

A. Every antenna shall be maintained in good condition and in accordance with all requirements of this Section.

B. 1. Every antenna shall be subject to periodic reinspection.

2. No additions, changes or modifications shall be made to an antenna, unless the addition, change or modification is in conformity with the Building Code, this Subchapter, and the Zoning Code, as set forth in Title 17 of this Code, if it is a dish antenna.

C. 1. Failure to abide by and faithfully comply with this Section, or with any and all conditions that may be imposed, shall constitute grounds for the revocation of the approval by the City Planner.

2. The remedies provided for herein shall be cumulative with other remedies provided in this Code, and not exclusive.

(Ord. No. 2003-015 §1 (part)) Penalty, see § 15.02.005

### ***POST-DISASTER RECOVERY AND RECONSTRUCTION***

#### **§ 15.02.700 PURPOSE.**

A. This Subchapter establishes regulations to apply in the event a disaster causes damage to buildings and structures in the City, and includes the adoption of uniform placards to post the condition of the building based on an early assessment of danger, procedures for demolition and standards for repair and reconstruction of building and structures, including those deemed historic, damaged by disasters.

B. Adoption of this Subchapter is not intended to preempt the City Council's authority to adopt different or supplemental regulations, including interim regulations, for post-disaster recovery and repair.

(Ord. No. 2003-015 § 1 (part))

#### **§ 15.02.705 APPLICABILITY.**

The provisions of this Subchapter are applicable following any disaster or societal upheaval, including earthquake, fire, flood, hurricane, tornado, tsunami or similar event which results in damage to buildings and structures of all occupancies within the City of Culver City.

(Ord. No. 2003-015 § 1 (part))

#### **§ 15.02.710 DEFINITIONS.**

For the purpose of this Subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**ARCHITECT.** An individual licensed by the State of California to practice architecture as defined in the California Business and Professions Code.

**BUILDING.** Any building as defined in California Health and Safety Code § 18908.

**CBC.** The California Building Code published by the California Building Standards Commission, as adopted by § 15.02.100 hereinabove, in accordance with the operation of law pursuant to California Health and Safety Code § 18941.5. The edition to be applied shall be that edition in effect at the time of the declaration of a local emergency by the City Council.

**CIVIL ENGINEER.** An individual registered by the State of California to practice civil engineering as defined in the California Business and Professions Code.

**DISASTER.** Any natural occurrence, including earthquake, fire, flood, hurricane, tornado, tsunami or similar event, or any societal upheaval, including civil disturbance or similar event, which results in a declaration that the City or a portion thereof is a disaster area, or a declaration of local emergency by the President of the United States, Governor of the State of California, City Council of Culver City, City Manager or designee, or other governmental official.

**ESSENTIAL SERVICES FACILITY.** Any building or structure which houses facilities or services necessary for emergency operations subsequent to a disaster, as determined by the City Manager or his or her designee.

**HISTORIC BUILDING OR STRUCTURE.** Any building or structure included on the National Register of Historic Places, the State Register of Historic Places or Points of Interest, or structures or buildings within a historic district designated pursuant to Chapter 15.05 of this Code.

**REINFORCED.** The installation or the existence of reinforcing steel with the capacity to allow the load-resisting cross section to resist flexure and shear stress, as determined by the Building Official.

**REPLACEMENT VALUE.** The dollar value, as determined by the Building Official, of replacing the damaged structure with a new structure of the same size, construction material and occupancy on the same site.

**SAFETY ASSESSMENT.** A visual, nondestructive examination of a building or structure for the purpose of determining the condition for continued occupancy following a natural or manmade disaster.

**STATE HISTORIC PRESERVATION OFFICER.** The individual appointed by the Governor, pursuant to the National Historic Preservation Act, 16 U.S.C. § 470a (b), to administer the State Historic Preservation Program.

**STRUCTURAL ENGINEER.** An individual registered by the State of California to practice civil engineering, and to use the title **STRUCTURAL ENGINEER** as defined in the California Business and Professions Code.

**STRUCTURE.** Any **STRUCTURE** as defined in California Health and Safety Code § 18908.

**VALUE OF REPAIR.** The dollar value, as determined by the Building Official, of making the necessary repairs to the damaged structure.

(Ord. No. 2003-015 § 1 (part); Ord. No. 2006-009 § 22 (part))

## **§ 15.02.715 PLACARDS.**

A. The placards described in this Section are hereby adopted as the official placards to be used to designate the condition for continued occupancy of building or structures.

B. At the top of each placard, the words "DISASTER PREPAREDNESS PROGRAM, CITY OF CULVER CITY BUILDING DIVISION," the official City Seal, address and telephone number of the Building Division, and at the bottom of each placard the words "DO NOT REMOVE, ALTER OR COVER THIS PLACARD UNTIL AUTHORIZED BY THE BUILDING OFFICIAL OF THE CITY OF CULVER CITY" shall appear.

C. In addition to the information set forth in Subsection B., the placards shall additionally provide one of the three (3) following descriptions:

1. "INSPECTED-Lawful Occupancy Permitted" is to be posted on any building or structure wherein no apparent structural hazard has been found. Posting of this placard does not intend to mean that there is no damage to the building or structure.

2. "RESTRICTED USE" is to be posted on each building or structure that has been damaged, wherein the damage has resulted in some form of restriction to the continued occupancy. The individual who posts this placard will:

- a. Note in general terms the type of damage encountered; and
- b. Clearly and concisely note the restrictions on continued occupancy.

3. "UNSAFE-Do Not Enter or Occupy" is to be posted on each building or structure that has been damaged such that continued occupancy poses a threat to life safety.

- a. Buildings or structures posted with this placard shall not be entered under any circumstance, except as

authorized in writing by the Building Division.

- b. This placard is not to be used or considered as a demolition order or permit.
- c. The individual who posts this placard will note in general terms the type of damage encountered.

D. Once it has been attached to a building or structure, a placard is not to be removed, altered or covered until done so by an authorized representative of the department or upon written notification from the Building Division.

- E. 1. No person shall post or attach any facsimile placards on any building.
- 2. No person shall use any facsimile placards for advertisement.

(Ord. No. 2003-015 §1 (part)) Penalty, see § 15.02.005

## **§ 15.02.720 CRITERIA FOR DEMOLITION OF DANGEROUS BUILDINGS.**

A. 1. Except as provided in § 15.02.725 for historic buildings or structures, within seven (7) days after the event, any building or structure determined by the Building Official to represent an imminent hazard to public health and safety, or to pose an imminent threat to the public right-of-way, shall be condemned and immediately demolished.

2. The condemnation and demolition shall be performed in the interest of public health and safety, without the hearings otherwise required by Chapter 9.04 of this Code.

B. After the seven (7)-day period established in Subsection A., if the Building Official determines that any building or structure represents a hazard to the health and safety of the public, or poses a threat to the public right-of-way, the Building Official shall duly notify the owner, or other person or legal entity in lawful possession or control of such building, stating that the building or structure is a dangerous building and represents a hazard to the public health and safety, or poses a threat to the public right-of-way, and shall commence condemnation or other legal proceedings.

C. In the event the owner of a building or structure damaged by the disaster elects to demolish rather than repair, the owner shall obtain a demolition permit for the building or structure in accordance with City procedures.

(Ord. No. 2003-015 §1 (part)) Penalty, see § 15.02.005

## **§ 15.02.725 DEMOLITION OF HISTORIC BUILDINGS OR STRUCTURES.**

A. Notwithstanding the Historic Preservation Program set forth in Chapter 15.05, within seven (7) days after the event, any historic building or structure determined by the Building Official to represent an imminent hazard to public health and safety, or to pose an imminent threat to the public right-of-way, the Building Official shall notify the State Historic Preservation Officer that one of the following actions will be taken:

1. Whenever possible, within reasonable limits as determined by the Building Official, the historic building or structure shall be braced or shored in such a manner as to mitigate the hazard to public health and safety or the hazard to the public right-of-way.

2. Whenever bracing or shoring is determined not to be reasonable, the Building Official shall cause the historic building or structure to be condemned and immediately demolished.

a. The condemnation and demolition shall be performed in the interest of public health and safety, without the hearings otherwise required by Chapter 9.04 of this Code.

b. Prior to commencing demolition, the Building Official shall videotape and photographically record the entire building or structure.

B. If, after the seven (7)-day period specified in subsection A. and less than thirty (30) days after the event, a historic building or structure is determined to represent a hazard to the health and safety of the public, or pose a threat to the public right-of-way, the Building Official shall duly notify the owner, or other person or legal entity in lawful possession or control of such building, and the Federal Emergency Management Agency, in accordance with the National Historic Preservation Act of 1966, as amended, stating that the building or structure is a dangerous building and represents a hazard to the public health and safety, or poses a threat to the public right-of-way, and that the City intends to commence condemnation or other legal proceedings.



C. In the event the owner of any historic building or structure and the Building Official have agreed to demolition of the affected building or structure within thirty (30) days of the event, the Building Official shall submit a request to demolish, including all substantiating data, to the Federal Emergency Management Agency, in accordance with the National Historic Preservation Act of 1966, as amended.

D. If, after thirty (30) days have elapsed, the Building Official and owner of a historic building or structure agree to demolition of the affected structure, the proposed demolition shall be subject to the review process, including appeal, established by the National Historic Preservation Act of 1966, as amended.

(Ord. No. 2003-015 §1 (part)) Penalty, see § 15.02.005

### **§ 15.02.730 REPAIR CRITERIA FOR DAMAGED BUILDINGS.**

Except as otherwise provided, buildings and structures of all occupancies which have been damaged as a result of a disaster shall be repaired in accordance with the following criteria:

A. When the estimated value of repair does not exceed ten percent (10%) of the replacement value of the structure, the damaged portion shall be restored to its pre-disaster condition, unless the damaged elements include suspended ceiling systems.

B. Notwithstanding Subsection A.1. above, a suspended ceiling system which is damaged shall be repaired and all bracing required by the current CBC shall be installed.

C. When the estimated value of repair is greater than ten percent (10%) but less than fifty percent (50%) of the replacement value of the structure, the damaged elements, including all critical ties, supported elements and supporting elements associated with therewith, shall be repaired and brought into conformance with the structural requirements of the current CBC.

D. When the estimated value of repair is fifty percent (50%) or more of the replacement value of the structure, the entire structure shall be brought into conformance with the structural requirements of the current CBC.

E. In Group R, Division 3 occupancies (single-family dwelling and duplex), the repair value of damaged chimneys shall be excluded from the computation of percentage of replacement value.

(Ord. No. 2003-015 §1 (part)) Penalty, see § 15.02.005

### **§ 15.02.735 REPAIR CRITERIA FOR CHIMNEYS.**

A. All damaged reinforced chimneys must be repaired or reconstructed to comply with the requirements of Chapter 31 of the CBC (pertaining to chimneys, fireplaces and barbecues). Damaged portions shall be removed in accordance with the following criteria:

1. a. When the damaged portion is located between the roofline and the top of the chimney, the damaged portion shall be removed to the roofline, provided the roof and ceiling anchorage are in sound condition.

b. The reconstructed portion of the chimney shall be braced to the roof structure.

2. For a single-story structure in which the damaged portion of the chimney is below the roofline or extends from above the roofline to below the roofline, the chimney shall be removed to the top of the fireplace.

3. For a multiple-story structure, the damaged portion of the chimney shall be removed from the top to a floorline where sound anchorage is found.

4. In any structure where the firebox has been damaged, the entire chimney and firebox shall be removed to the foundation.

a. If the foundation is in sound condition, the firebox and chimney may be reconstructed using the existing foundation.

b. If the foundation has been damaged, the foundation shall be removed and replaced.

B. 1. Where existing conditions preclude the installation of all anchorage required by Chapter 31 of the CBC, alternate systems may be used in accordance with the alternate methods and materials provisions of the CBC, as approved by the



Building Official.

2. Such alternate systems shall be designed and detailed by a structural engineer, civil engineer or architect, as approved by the Building Official.

C. When the portion of the chimney extending above the roofline exceeds two (2) times the least dimension of the chimney, that portion above the roofline shall be braced to the roof structure.

D. All damaged unreinforced chimneys shall be demolished to the footing or other founding support system.

(Ord. No. 2003-015 §1 (part)) Penalty, see § 15.02.005

#### **§ 15.02.740 REPAIR CRITERIA FOR ESSENTIAL SERVICES FACILITIES.**

A. An engineering evaluation shall be performed for buildings or structures housing essential service facilities which have been damaged as a result of a disaster.

B. The minimum criteria for repair shall be as follows:

1. When the estimated value of repair is less than thirty percent (30%) of the replacement value of the structure, the damaged elements, including all critical ties, supported elements and supporting elements associated with therewith, shall be repaired and brought into conformance with the structural requirements of the current CBC.

2. When the estimated value of repair is thirty percent (30%) or more of the replacement value of the structure, the entire structure shall be brought into conformance with the structural requirements of the current CBC.

(Ord. No. 2003-015 §1 (part)) Penalty, see § 15.02.005

#### **§ 15.02.745 REPAIR CRITERIA FOR HISTORIC BUILDINGS OR STRUCTURES.**

A. An engineering evaluation shall be performed for historic buildings or structures which have been damaged as a result of a disaster.

B. The criteria for repair shall be those established in the State of California Historic Building Code, as set forth in California Code of Administrative Regulations, Title 24, Part 8; provided that the minimum standards established in § 15.02.730 (for general repair criteria) shall be followed, with consideration given to the historical rating and nature of the structures.

C. Where conflicts exist between the standards established in this Subchapter and the State Historic Building Code, the State Historic Building Code shall govern.

(Ord. No. 2003-015 § 1 (part))

### ***HILLSIDE DRAINAGE***

#### **§ 15.02.800 DRAINAGE SYSTEM REQUIRED IN HILLSIDE AREA**

A. It is hereby declared a public nuisance for any person owning or occupying any lot or parcel of property within the area designated "Hillside Area" on either Diagram "A" or "B," set forth in the Appendix following this Chapter, to fail to have installed and maintain:

1. In good working condition a system, consisting of either roof gutters, downspouts and connecting pipes or structures, or a combination thereof, which is capable of carrying rainwater falling on any roof on the property to the gutter of a street abutting the property; or

2. A system on the lot or parcel of property for draining the entire building pad to an abutting street.

B. The drainage system shall consist of a continuous one percent (1%) grade, or more, on all parts of the pad sloping down to the nearest street, or drainage structures, or a combination of such structures and grading, designed to drain water falling on the pad to an abutting street.

C. This Section shall apply to all property shown on the diagrams, whether or not previously improved; provided that this Section shall not apply to a particular lot or parcel of property, when the City Engineer has determined that the lack of all such systems on the property does not create any hazard to adjacent property.

(Ord. No. 2003-015 §1 (part)) Penalty, see § 15.02.005

## **ADMINISTRATIVE ASSESSMENT COST RECOVERY**

### **§ 15.02.900 ADMINISTRATIVE ASSESSMENT COST RECOVERY PROGRAM.**

The City Council hereby finds and determines it is appropriate and necessary to require the recovery of costs incurred by the City in the administrative enforcement of § 9.07.035 of this Code; Chapter 15.02 of this Code, including but not limited to, the adopted California Building, Mechanical, Electrical and Plumbing Codes; Chapters 15.03 and 15.05 of Title 15 of this Code; Title 17 of this Code, any and all final conditions of approval imposed on a construction project pursuant to this Code, and any other provisions of this Code authorized by resolution of the City Council.

(Ord. No. 2004-005 § 1 (part); Ord. No. 2005-005 § 1 (part))

### **§ 15.02.905 IMPOSITION OF ASSESSMENTS.**

A. *Violation.* It shall be unlawful for any person to fail to comply with any Order to Comply issued by the Culver City Building Safety Division.

B. *Violation corrected.* When an Order to Comply has been satisfied within the time period prescribed, as confirmed by inspection or other proof acceptable to the Building Official, no administrative assessment shall be imposed.

C. *Violation not corrected.* When an Order to Comply has not been satisfied within the time period prescribed, as confirmed by inspection or other proof acceptable to the Building Official, an administrative assessment, established by resolution of the City Council, shall be imposed on the person named in the Order to Comply for each additional compliance inspection required until such time as the Order to Comply has been satisfied.

(Ord. No. 2004-005 § 1 (part); Ord. No. 2005-005 § 1 (part))

### **§ 15.02.910 APPEALS.**

The initial Order to Comply identified as an "initial warning" cannot be appealed. Subsequent orders to comply can be appealed to the Municipal Code Appeals Committee. To contest subsequent Orders to Comply and their respective administrative assessments, a written objection must be filed with the Building Safety Division office within ten (10) days after receipt of the appealable Order to Comply. The Building Safety Division will notify each appellant of the date and time of the scheduled hearing.

(Ord. No. 2004-005 § 1 (part); Ord. No. 2005-005 § 1 (part))

### **§ 15.02.915 REMEDIES NOT EXCLUSIVE.**

The imposition of an administrative assessment, as set forth in this Subchapter, is not mutually exclusive of the provisions set forth in § 15.02.005 of this Chapter, or any other applicable provisions of this Code or federal, state or local laws, and does not prevent the use of concurrent or consecutive remedies to achieve compliance with this Code.

(Ord. No. 2004-005 § 1 (part); Ord. No. 2005-005 § 1 (part))

## **SOLAR PHOTOVOLTAIC SYSTEMS**

### **§ 15.02.1000 DEFINITIONS.**

Terms defined herein shall have the following meanings when used in this Subchapter:

**BUILDING OFFICIAL.** The Building Official of the City of Culver City or his or her designee.

**CALIFORNIA ENERGY EFFICIENCY STANDARDS.** The California Energy Efficiency Standards set forth in Title 24, Part 6, of the California Code of Regulations.

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

**DIRECTOR.** The Community Development Director of the City of Culver City or his or her designee.

**SOLAR PHOTOVOLTAIC SYSTEM.** A system that generates electricity from the sun.

(Ord. No. 2008-004 § 1 (part))

## **§ 15.02.1005 REQUIREMENT.**

All new buildings of 10,000 square feet or more of gross floor area, additions equal to 10,000 square feet or more of gross floor area, and major renovations to existing buildings of 10,000 square feet or more of gross floor area, where such renovation is equal to at least fifty percent (50%) of the valuation of the existing building, shall be equipped with a one kilowatt (1 kw) solar photovoltaic system per each 10,000 square feet of gross floor area, or fraction thereof.

A. Except as otherwise expressly provided, this Section shall not apply to one- and two-family residences, parking structures, garages, and renovations or additions to existing buildings.

B. For qualifying projects, the number of panels required for any given system shall be the total required energy production of the project, divided by the energy production capability of a single panel as specified on the project.

C. When calculating the number of panels required, fractional panels equal to or greater than one half shall be rounded up to the nearest whole number; fractional panels less than one half shall be rounded down to the nearest whole number.

(Ord. No. 2008-004 § 1 (part))

## **§ 15.02.1010 EXCEPTIONS.**

Upon the written approval of the Director, an applicant who is unable to install the required solar photovoltaic system, due to the configuration of the proposed construction project, shall comply with one of the following options in order to satisfy the requirements set forth in § 15.02.1005:

A. *In-lieu fee.*

1. An applicant shall pay an in lieu fee in an amount equal to the cost of a solar photovoltaic system installed in a comparable project.

2. Fees generated from in lieu payments pursuant to this Subsection shall be appropriated and disbursed only for solar photovoltaic designs and installations on City buildings or facilities.

3. The amount and process for the collection, utilization and return of fees contemplated by this Section shall be established by resolution of the City Council.

B. *Alternate location.* An applicant shall install a solar photovoltaic system equivalent to a system installed in a comparable project on another building owned by the applicant and located in Culver City.

(Ord. No. 2008-004 § 1 (part))

## **§ 15.02.1015 BUILDING PERMIT FEES AND INSPECTIONS.**

A. Plan check and permit fees in an amount not to exceed Five Thousand Dollars (\$5,000) shall be waived for solar photovoltaic installations. This subsection, 15.02.1015.A, shall remain in effect until May 23, 2028, and as of that date is repealed, unless a later enacted statute, enacted before May 23, 2028, deletes or extends that date.

B. The value of the required solar photovoltaic system shall not be required to be included in the overall construction

valuation of the project for the purposes of determining building permit fees.

C. No final inspection shall be approved for a construction project subject to the requirements of this Subchapter, nor shall a temporary or final certificate of occupancy be issued for such project, prior to the installation of the solar photovoltaic system being completed, inspected and fully operational, unless otherwise excepted pursuant to § 15.02.1010.

(Ord. No. 2008-004 § 1 (part); Ord. No. 2018-009 § 1)

## **GREEN BUILDING PROGRAM AND REQUIREMENTS**

### **§ 15.02.1100 ESTABLISHMENT OF PROGRAM AND PURPOSE.**

The City has established a Green Building Program, which shall be administered by the Building Safety Division pursuant to the provisions of this Subchapter. The purpose of the Green Building Program is to reduce the use of natural resources, create healthier living environments, and minimize the negative impacts of development on local, regional and global ecosystems. The City's Green Building Program shall be in addition to all current State of California Title 24 Energy Code requirements.

(Ord. No. 2009-004 § 1 (part))

### **§ 15.02.1105 DEFINITIONS.**

Terms defined herein shall have the following meanings when used in this Subchapter:

**AIP - PHASE I.** The West Washington Boulevard Area Improvement Plan - Phase I (located on West Washington Boulevard between Wade Street and Beethoven Street).

**AIP - PHASE II.** The West Washington Boulevard Area Improvement Plan - Phase II (located on West Washington Boulevard between Centinela Avenue and Colonial Avenue).

**APPLICANT.** Any individual, firm, limited liability company, association, partnership, political subdivision, government agency, municipality, industry or public or private corporation, or any other entity whatsoever that applies to the City for the applicable permits to undertake a qualifying project.

**BUILDING OFFICIAL.** The Building Official of the City of Culver City or his or her designee.

**BUILDING SAFETY DIVISION.** The City's Building Safety Division and its staff.

**CATEGORY 1 QUALIFYING PROJECT.** The construction or major renovation of any building or structure that requires a building permit and meets the criteria established in § 15.02.1105 A.

**CATEGORY 2 QUALIFYING PROJECT.** The construction or major renovation of any building or structure that requires a building permit and meets the criteria established in § 15.02.1105 B.

**CCMC.** The Culver City Municipal Code.

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

**DIRECTOR.** The Community Development Director of the City of Culver City or his or her designee.

**LEED®.** Leadership in Energy and Environmental Design, a rating system put forth by the U.S. Green Building Council that is the nationally accepted benchmark for the design, construction and operation of high performance green buildings.

**LEED®-AP.** A person who has been designated a LEED® Accredited Professional by the Green Building Certification Institute (GBCI).

**MAJOR RENOVATION.** Any change, addition or modification to an existing building, where the valuation of the change, addition or modification is equal to at least fifty percent (50%) of the valuation of the existing building.

**PROJECT.** The qualifying project that is the subject of the permit application.

(Ord. No. 2009-004 § 1 (part))

## **§ 15.02.1110 REQUIREMENTS.**

A. *Category 1 qualifying projects.* All new buildings of forty-nine thousand nine hundred ninety-nine (49,999) square feet or less of gross floor area, and major renovations to existing buildings of forty-nine thousand nine hundred ninety-nine (49,999) square feet or less of gross floor area, shall comply with eighty percent (80%) of all items applicable to the specific project. Items applicable to the specific project shall be selected from the list of twenty-five (25) items set forth below. Applicability of items shall be determined by the Building Official. Items numbered 5 and 7, below, cannot both be used on the same project for purposes of satisfying the requirements of this Section.

1. Heating, ventilating and air conditioning (HVAC) units shall have a minimum seasonal energy efficiency rating (SEER) of 17;
2. Gas heating units shall be a minimum of ninety-three percent (93%) energy efficient;
3. All heating and cooling ducts shall be located within the space to be heated and cooled;
4. Roof and floor structures abutting an exterior space shall be a minimum value of R-38 (thermal resistance value); and all exterior walls shall be a minimum value of R-28;
5. Radiant barriers shall be installed under all new roof sheathing;
6. All new exterior glass shall be a minimum value of U.35 (measure of heat conducting properties) and a minimum value of .30 SHGC (solar heat gain coefficient);
7. Low slope roofs shall be a minimum value of seventy-five percent (75%) SRI (solar reflectance index);
8. Exterior shading shall be provided over all west, south and east facing exterior glass. Where exterior shading is infeasible, all new exterior glass shall be a minimum value of U.32 and a minimum value of .27 SHGC;
9. All new interior and exterior lighting shall be fluorescent, LED or other type of high efficiency lighting;
10. All new lighting installed in restroom or bathroom areas shall be fluorescent, LED or other type of high efficiency lighting, and shall be motion-sensor controlled. All new exhaust fans installed in restroom or bathroom areas shall be motion-sensor controlled;
11. All new lighting installed in any corridor, entryway or other typically unoccupied space shall be fluorescent, LED or other type of high efficiency lighting, and shall be motion-sensor controlled. Minimum base level lighting shall be permitted;
12. All new lighting installed in a garage or parking structure shall be motion-sensor controlled. Minimum base level lighting shall be permitted;
13. Water closets shall be dual flush models;
14. Urinals shall be waterless models;
15. Water heaters installed for the heating of water in residential units shall be tankless models;
16. Two (2) two-inch (2") electrical conduits shall be installed from the roof to the electrical panels for future solar photovoltaic installation for each unit in residential and commercial buildings. (Qualifying projects that are subject to the provisions of CCMC § 15.02.1005 may not use this item toward satisfying the requirements of this Section.);
17. A twenty (20) square foot area to house recyclable material containers shall be provided. This requirement shall be in addition to any other CCMC requirements related to solid waste and recyclable material containers;
18. Multistory buildings shall provide separate trash chutes for recyclable and non-recyclable materials and waste. Such chutes shall discharge directly into separate recyclable and non-recyclable materials and waste containers. This requirement shall be in addition to any other CCMC requirements related to trash chutes;
19. One (1) duplex, weatherproof (WP) ground fault circuit interrupter (GFCI) outlet shall be installed for every eight (8) parking spaces to be utilized for future electric "plug-in" vehicles.
20. All doors leading from heated or cooled spaces to non-heated and non-cooled spaces shall be insulated doors

and shall include weather-stripping and adequate closers.

21. Any new on-site, ground-level paving, which is open to the sky, shall be permeable.
22. All on-site landscaping shall be low-water, drought-tolerant. All irrigation shall be bubbler systems.
23. All wood floor and roof structures shall be constructed with ninety percent (90%) engineered lumber.
24. A minimum of fifty percent (50%) of the overall building insulation shall be formaldehyde-free and recycled content. A minimum aggregate of sixty percent (60%) of the wall, ceiling, and floor insulation shall be cellulose, cotton ball, or bio-based foam.
25. One kilowatt (1 kw) of solar photovoltaic power shall be installed. (Qualifying projects that are subject to the provisions of CCMC §15.02.1005 may not use this item toward satisfying the requirements of this Section.).

B. *Category 2 qualifying projects.* All new buildings of fifty thousand (50,000) square feet or more of gross floor area, and major renovations to existing buildings of fifty thousand (50,000) square feet or more of gross floor area, shall comply with the following requirements:

1. Prior to the issuance of a building permit, applicant shall submit the following:
  - a. Evidence that a LEED®-AP is one of the members of the project team.
  - b. Evidence that the project has been registered with USGBC's LEED® program.
  - c. A LEED® checklist, including points allocated to the "Innovation and Design" category, which demonstrates that the project meets the selected LEED® Rating System at the "Certified" level or higher.
  - d. A signed declaration from the LEED®-AP member of the project team, stating that the plans and plan details have been reviewed and the project meets the intent of the criteria for certification of the selected LEED® Rating System at the "Certified" level or higher.
2. The project shall comply with USGBC's "3 point margin of error" for LEED® certification.
3. Applicant shall submit to the Building Official copies of all correspondence between the applicant and USGBC regarding the project.

C. *Green building checklist.* A green building checklist, on a form approved by the Building Official, shall be completed and submitted prior to construction of a Category 1 qualifying project.

D. *Exceptions.* This Section shall not apply to one- and two-family residences.

(Ord. No. 2009-004 § 1 (part))

## **§ 15.02.1115 URBAN TREE REQUIREMENTS.**

Applicants of any qualifying project must comply with the following:

- A. When feasible, all existing on-site trees with a trunk diameter of two inches (2") or greater shall be preserved or replaced with trees of comparable size, per the recommendations of the City Parks Manager.
- B. When feasible, all existing street trees with a trunk diameter of two inches (2") or greater shall be preserved or replaced with trees of comparable size, per the recommendations of the City Engineer.

(Ord. No. 2009-004 § 1 (part))

## **§ 15.02.1120 GREEN ZONE INCENTIVE PROGRAM.**

A. Subject to approval by the Director, plan check and permit fees, in an amount not to exceed five thousand dollars (\$5,000), may be waived for Category 1 and Category 2 qualifying projects that comply with the requirements of this Subchapter, and are located in AIP - Phase I and AIP -Phase II areas.

B. The aggregate amount of fee waivers for the Green Zone Incentive Program shall not exceed the amount, if any, appropriated for such purpose by the City Council or the City Redevelopment Agency.

C. Fee waivers shall be granted on a first come, first served basis.

D. The Green Zone Incentive Program, as set forth in this Section, shall remain in effect until May 18, 2014, and as of that date is repealed, unless a later statute enacted before May 18, 2014, deletes or extends that date.

(Ord. No. 2009-004 § 1 (part))

## **§ 15.02.1125 INSPECTIONS AND ENFORCEMENT.**

A. No final inspection shall be approved for a project subject to the requirements of this Subchapter, nor shall a temporary or final certificate of occupancy be issued for such project, until such time as the requirements of this Subchapter have been satisfied, as determined by final inspection of the Building Safety Division.

B. The Building Safety Division may issue field correction notices and/or stop work orders on a project for non-compliance with the requirements of this Subchapter.

C. The provisions of this Subchapter may be enforced through any or all available remedies provided in the CCMC.

(Ord. No. 2009-004 § 1 (part))

## **EXPEDITED SOLAR SYSTEM PERMITTING**

## **§ 15.02.1200 EXPEDITED SOLAR SYSTEM PERMITTING.**

Solar Energy Systems which qualify for expedited permit processing pursuant to Cal. Gov't Code § 65850.5, shall be subject to the administrative permitting procedures set forth in the City's Solar Energy System Permit Expediting Ordinance.

(Ord. No. 2015-007 § 2)

## **HILLSIDE GRADING REQUIREMENTS AND PERMITTING**

## **§ 15.02.1300 DEFINITIONS.**

For the purpose of this Subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**EROSION AND SEDIMENT CONTROL PLANS.** A component of a grading plan submittal which indicates the methods for mitigating erosion and surficial movement of soils during rainy seasons.

**FINAL GRADING APPROVAL.** Building Official approval that the proposed grading conforms to the project plans.

**HILLSIDE "H" GRADING DESIGNATION.** Refers to a lot where the existing slope on any portion of the lot is equal to or steeper than 15% and may be subject to the requirement for a grading permit.

**SIGNIFICANT TREE.** Trees that are well established with a minimum caliper size of ten (10) inches or more and/or a tree height and canopy spread of twenty (20) feet or greater, and are required to be noted in the Slope Protection and Fire Prevention Landscape Plan.

**SLOPE PROTECTION AND FIRE PREVENTION LANDSCAPE PLAN.** A landscape plan prepared by a licensed landscape architect with all significant trees noted on the project site, designed to minimize erosion and surficial sliding and maximize fire prevention, and includes proposed ground cover, shrub, tree planting, and proposed water conserving irrigation, including fire resistant planting.

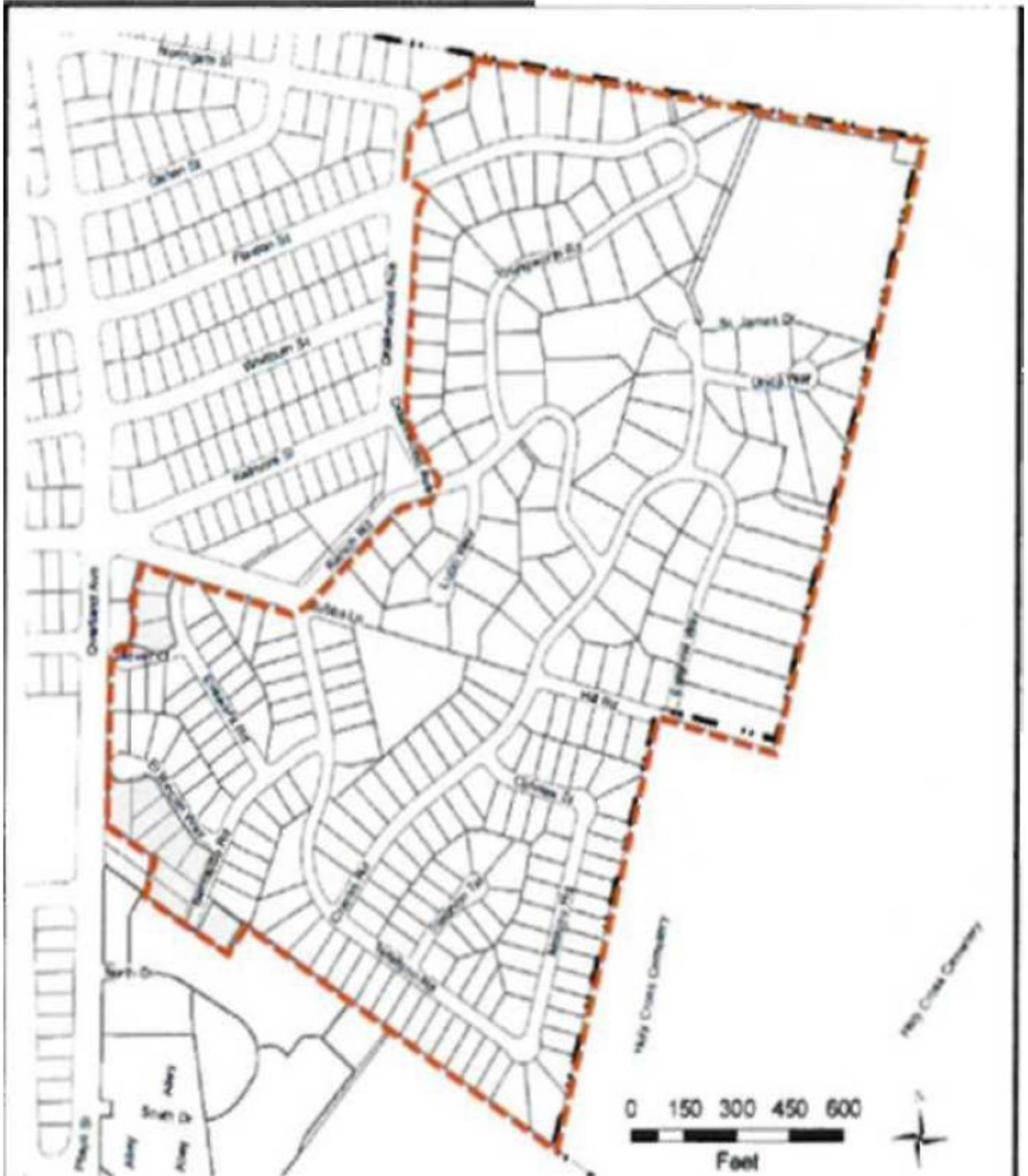
**SPECIAL REPORT 152.** The report prepared in 1982 by the California Department of Conservation Division of Mines and Geology titled Special Report 152, Slope Stability and Geology of the Baldwin Hills, Los Angeles County, California.

(Ord. No. 2019-007 § 1 (part))



§ 15.02.1305 HILLSIDE "H" GRADING DESIGNATION.

A. All properties shown on the Hillside "H" Grading Designation Area map (below) and other hillside properties that are subject to the requirements of this Subchapter shall have the Hillside "H" Grading Designation.



Hillside "H" Grading



## Legend

### City Boundary

B. The Hillside "H" Grading Designation requires that hillside properties are designed and constructed in accordance with appropriate grading and drainage standards. The Hillside "H" Grading Designation:

1. Applies to a hillside lot where the existing slope on any portion of the lot is equal to or steeper than 15%;
2. Is recorded on City building records;
3. Requires a topographic survey with project plan submittal;
4. Requires a geotechnical and geological report with grading plan submittal; and allows a property owner to appeal the Hillside "H" Grading Designation to the Planning Commission where it can be shown, with a detailed topographic survey prepared by a licensed civil engineer or land surveyor, that said lot does not contain any slope equal to or in excess of 15%.

(Ord. No. 2019-007 § 1 (part))

## **§ 15.02.1310 GRADING REQUIREMENTS.**

Notwithstanding any other provisions of this Code, total grading (cut and fill) on a lot shall be limited as outlined in § 15.02.1320 herein. No grading permit shall be issued until a building permit is approved. All grading plans shall be subject to third party review, with commensurate plan review fees applied consistent with the City's fee schedule.

(Ord. No. 2019-007 § 1 (part))

## **§ 15.02.1315 THRESHOLDS FOR A GRADING PERMIT.**

A. A hillside grading plan and a grading permit issued by the Building Official is required when the grading exceeds one hundred (100) cubic yards cut or fill and involves either:

1. A cut or fill of more than three (3) feet in vertical height below or above natural ground;
2. Cumulative cut and fill which amounts to more than five (5) feet; or
3. An area where the natural gradient of the project site is more than 4:1 (horizontal to vertical) or 25% slope.

B. Grading plans that do not exceed the thresholds set forth in § 15.02.1315.A are subject to a building permit only, and do not require a grading permit. The building permit application shall include earth work calculations with cross sections.

(Ord. No. 2019-007 § 1 (part))

## **§ 15.02.1320 MAXIMUM GRADING QUANTITIES.**

A. Grading for all projects on properties with a Hillside "H" Grading Designation shall be limited to a maximum amount of cut and fill. The cumulative quantity of grading or the total combined value of both cut and fill or incremental cut and fill for a project shall be limited to a base maximum of five hundred (500) cubic yards plus the numeric value equal to 5% of the total lot size in cubic yards.

*Example:* A 5,000 square-foot lot would have a maximum grading amount of 750 cubic yards (500 cubic yards for the base amount + 250 cubic yards for the 5% lot size).

B. For projects where there is a maximum slope of 50% (2:1) or greater and/or where there is an excavation or fill that exceeds a 50% (2:1) or greater slope, no grading permit shall be issued without Building Official review and approval.

C. The maximum grading quantities, grading percentage for cut of fill or maximum allowable slope for grading may be appealed to the Planning Commission, where specific findings can be made. Such findings shall be established by resolution of the City Council.

(Ord. No. 2019-007 § 1 (part))

## **§ 15.02.1325 SLOPE STABILIZATION.**

A. When a grading permit is required and the project exceeds 50% of the replacement value for the structure, as determined by the Building Official, the owner shall also be required to increase standards of care and safety for grading, excavations, fills, soil placement and foundations by implementing slope stabilization measures for the entire lot. A geotechnical engineer or engineering geologist shall establish prescriptive measures for slope stabilization, which shall be subject to third party review, with commensurate plan review fees applied consistent with the City's fee schedule.

B. Notwithstanding the above, the Building Official, in his or her sole discretion, may require slope stabilization measures for any project, if such measures are determined to be necessary in the interest of public health, safety or welfare.

(Ord. No. 2019-007 § 1 (part))

## **§ 15.02.1330 PUBLIC WORKS DEPARTMENT REVIEW.**

All grading projects of one (1) acre or greater are subject to Public Works Department approvals for National Pollutant Discharge Elimination System (NPDES), Storm Water Pollution Protection Plan (SWPPP) and Low Impact Development (LID) requirements.

(Ord. No. 2019-007 § 1 (part))

## **§ 15.02.1335 GEOTECHNICAL AND GEOLOGY REPORT.**

All projects involving properties with a Hillside "H" Grading Designation and subject to a grading permit shall be required to prepare and submit a geotechnical report and a geology report as follows:

A. *Geotechnical report.* A geotechnical report shall be prepared by a licensed geotechnical engineer and demonstrate to the satisfaction of the Building Official (based upon third party review by a City approved civil engineer, geotechnical engineer and/or engineering geologist) that the project is properly located and designed to address site specific geotechnical conditions. Every geotechnical report shall:

1. Include data regarding the nature, distribution and strength of existing soils, conclusions and recommendations for grading procedures, design criteria and corrective measures, the impact of proposed grading as affected by soils, engineering factors and the design stability of slopes;
2. Include data from test borings for subsurface explorations of appropriate number and depth to allow for the evaluation of earth materials related to: (a) impacts to the project; (b) impacts to adjacent properties within 15 feet of the project site, or properties which may be impacted by proposed grading operations; (c) impacts to designated routes of ingress and egress for hauling and staging; and (d) impacts created by the immediately previous rainy season;
3. Require professional inspection of grading operations by the civil engineer, geotechnical engineer and engineering geologist retained for the project; and
4. Include review of Special Report 152 and related records on existing hazards in the Hillside "H" Grading Designation Area.

B. *Geology report.* A geology report shall be prepared by a licensed engineering geologist and demonstrate to the satisfaction of the Building Official (based upon third party review by a City approved civil engineer, soils engineer and/or engineering geologist) that the project is properly located and designed to address site specific soil conditions. Every geology report shall:

1. Make findings that the project and grading will not adversely affect the stability of the adjacent properties;
2. Include a description of the geology of the project site, and conclusions and recommendations regarding the effect of geologic conditions and geologic factors on the project and the proposed grading;
3. Include data from test borings for subsurface explorations of appropriate number and depth to allow for the evaluation of earth materials related to: (a) impacts to the project; (b) impacts to adjacent properties within fifteen (15) feet of the project site, or properties which may be impacted by proposed grading operations; (c) impacts to designated routes of ingress and egress for hauling and staging; and (d) impacts created by the immediately previous rainy season; and

4. Include review of Special Report 152 and related records on existing hazards in the Hillside "H" Grading Designation Area.

(Ord. No. 2019-007 § 1 (part))

#### **§ 15.02.1340 DRAINAGE PLAN REQUIREMENTS.**

All projects shall be designed to include appropriate drainage control devices such as interceptor terraces, diverter terraces, berms, vee channels, inlet structures, down drains, outlet structures, drainage dispersal walls, sub-drains, gutters, site drainage, drainage around buildings; and shall include a plan for maintenance of drainage devices to ensure proper site drainage. An Erosion and Sediment Control Plan shall be prepared to address site drainage conditions during project construction. The Erosion and Sediment Control Plan must be updated each year, prior to October 15, to reflect the conditions of the site during the immediately previous rainy season.

(Ord. No. 2019-007 § 1 (part))

#### **§ 15.02.1345 POST CONSTRUCTION DRAINAGE REPORTS AND MAINTENANCE COVENANT.**

Annually, or when required by plan check, a drainage report shall be submitted to the Building Official indicating the condition of all drainage structures, acceptance of water from off-site properties and drainage to adjacent properties. A maintenance covenant, approved as to form by the City Attorney, shall be prepared to address required maintenance for all drainage structures. The drainage report shall include:

- A. Hydrology map showing the drainage basin(s), the site of proposed grading, and any proposed drainage structures;
- B. Summary of the hydrology and any proposed drainage structure conditions checked; and
- C. Hydrology calculations for storm intensity requirements (up to twenty-five (25) year storm) for all drainage facilities.

(Ord. No. 2019-007 § 1 (part))

#### **§ 15.02.1350 LANDSCAPE PLAN.**

All projects located on properties with a Hillside "H" Grading Designation or other property subject to the requirements of this Subchapter shall provide a Slope Protection and Fire Prevention Landscape Plan prepared by a licensed landscape architect that minimizes erosion and surficial sliding, and maximizes fire prevention. This plan shall be prepared pursuant to § 15.02.1365 of this Subchapter and indicate proposed ground cover, shrub, tree planting, proposed water conserving irrigation, including automatic shut off valves, and fire resistant planting.

(Ord. No. 2019-007 § 1 (part))

#### **§ 15.02.1355 SIGNIFICANT TREE REMOVAL.**

A. All significant trees as defined in § 15.02.1300 of this Subchapter shall be identified by a licensed landscape architect and shown on the grading plan and Slope Protection and Fire Prevention Landscape Plan with a note of intent to either remove or protect such trees.

B. Before any significant tree is removed, an application to remove significant trees must be filed with the current Planning Division for approval, which shall indicate the reason for such removal and alternative planting to substitute for the significant tree(s) removed. The grading plan and Slope Protection and Fire Prevention Landscape Plan shall be reviewed by the current Planning Division to verify that the significant trees marked for removal are in conformance with the approved application.

C. The application to remove significant trees must be approved prior to approval of the grading plan.

(Ord. No. 2019-007 § 1 (part))

## § 15.02.1360 GRADING PROCEDURES.

A. *Bonds.* Security will be required for all hillside grading and shall be provided in the form of a surety bond, letter of credit or cash deposit. The grading bond will be based on 50% of the cost of moving the largest amount of either cut or fill and include the cost of landscaping the slopes per the approved Slope Protection and Fire Prevention Landscape Plan. To obtain release of the bond, the landscape architect must submit a letter of certification that the soils, additives and amendments, weed control, planting of the slopes and the installation of the irrigation system comply with all approved plans and applicable requirements of this Code. The bond will be released one (1) year after receipt of this certification if an inspection of the site determines that the landscaping has become permanently established.

B. *Agreements.* Agreements with adjacent property owners will be required for all of the following activities occurring outside the property boundaries of a project: grading, drainage, ingress and egress, community driveways, or encroachment outside the property boundaries. All agreements must be in a form acceptable to the City Attorney, shall be recorded, and a conformed copy of the recorded document shall be submitted prior to approval of the grading plan.

(Ord. No. 2019-007 § 1 (part))

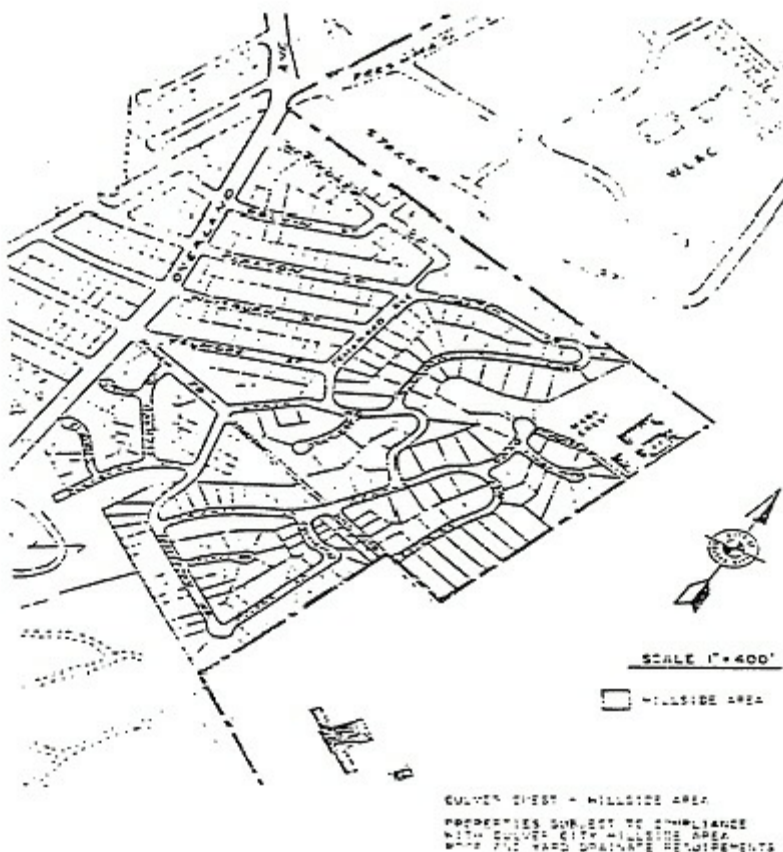
## § 15.02.1365 SUBMITTAL REQUIREMENTS.

Additional project plan submittal requirements, including requirements for a grading plan, Erosion Sediment and Control Plan and/or Slope Protection and Fire Prevention Landscape Plan, may be established by resolution of the City Council.

(Ord. No. 2019-007 § 1 (part))

## APPENDIX: HILLSIDE DRAINAGE; DIAGRAMS

### DIAGRAM "A"



# DIAGRAM "B"

