



City of Culver City

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Staff Report

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Item #: A-1.

CC - (1) Progress Update on the Culver City Economic Recovery Task Force; (2) Consideration of Temporary Street Closure in Downtown Culver City; (3) Discussion of Potential Slow Streets Program; (4) Discussion of Potential Parklet Program; (5) Discussion of Potential Zoning Code Modifications to Support Business Recovery and Attraction During the COVID-19 Local Emergency; and (6) Direction to the City Manager as Deemed Appropriate.

Meeting Date: June 9, 2020

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Fiscal Impact: Yes ☒ No ☐

General Fund: Yes ☒ No ☐

Public Hearing: ☐

Action Item: ☒

Attachments: Yes ☒ No ☐

Commission Action Required: Yes ☐ No ☒ **Date:**

Commission Name:

Public Notification: (E-Mail) Meetings and Agendas - City Council (06/05/2020)

Department Approval: Sol Blumenfeld, Community Development Director (06/05/2020)
Charles D. Herbertson, Public Works Director/City Engineer (06/05/2020)

RECOMMENDATION

Staff recommends the City Council (1) receive an update on the progress of the Culver City Economic Recovery Task Force (ERTF); (2) consider a temporary street closure in Downtown Culver City; (3) discuss a potential slow streets program; (4) discuss a potential parklet program; (5) discuss potential zoning modifications to support existing business recovery and attraction; and (6) provide direction to the City Manager as deemed appropriate.

BACKGROUND/DISCUSSION

On May 11, 2020, the City Council approved the formation of the ERTF to address the unique

challenges of COVID-19 and spur economic recovery with a focus on public health and equity. Since formation, the ERTF has engaged more than 60 external stakeholders from 12 economic sectors to understand and respond to recovery priorities in our community. Several themes emerged from the discussions that provide guidance on potential short-, mid- and long-term action items (Attachment No. 1). The ERTF has worked closely with Community Development, Public Works and Cultural Affairs to address priority items including a refined Temporary Use Permit process, Downtown street closures and parklet program, Zoning Code modifications and community messaging.

Temporary Use Permits (Private and Public Right-of-Way)

On June 1, 2020, the City Manager issued a Sixteenth Supplement to Public Order (June 1 Order) that provides guidelines for reopening retail and restaurants as approved by the County of Los Angeles. Those guidelines include, among other items, six-feet physical distancing requirements, personal protective equipment use by employees, supplying readily available hand sanitizer, limiting dining tables to six persons each, and reducing existing indoor occupancy levels to 50% for retailers and 60% for restaurants. In order to support and accommodate restaurants and retailers opening at these reduced capacities, the June 1 Order also provides the Public Works Director/City Engineer with the authority to establish procedures, standards, conditions, rules and regulations, as he may deem appropriate, to implement the processing and approval of expanded outdoor dining and retail areas in the public right-of-way, while ensuring compliance with the Americans with Disabilities Act (ADA), and any other measures deemed necessary to protect the public health, safety and welfare.

Public Right-of-Way

In accordance with the June 1 Order, the City has established a specific Temporary Use Permit process, including standards and procedures, to allow retailers and restaurateurs to utilize adjacent public rights-of-way to temporarily expand their outdoor dining and retail areas to allow for increased occupancy levels while adhering to physical distancing requirements. Public right-of-way areas that may be utilized include, but are not limited to, the adjacent sidewalk (where space is available) and public street area (where temporarily closed). The application can be accessed online, completed digitally and submitted electronically in order to expediate approval.

Applicants are required to:

- Provide a site plan depicting locations and relevant dimensions of temporary barriers, furniture, landscaping, outdoor heaters, tables/chairs, shelving and rack placements, supplemental lighting if needed, and ADA compliant travel paths and/or ramps so that staff can ensure they are complying with the established standards and procedures; and
- Indemnify and hold the City harmless from liability from personal property damage or personal injury that may arise from their use of the public right-of-way area; and
- Submit a certificate of insurance providing evidence of workers compensation coverage and commercial liability coverage that names the City as additional insured; and
- Comply with any Americans with Disability Act, Alcohol Beverage Control, and County of Los Angeles regulations established for their operation.

Business were alerted to this program on June 5th and advised to visit a dedicated webpage outlining the step-by-step process, the application form, and the standards and procedures to follow.

The Temporary Public Right-of-Way Use Permit shall be effective for the duration of the June 1 Order, as extended or amended, unless the Permit is terminated earlier at the discretion of the Public

Works Director/City Engineer.

Private Property

Businesses that wish to expand in their private parking lots may request an administrative Temporary Use Permit from the Community Development Director by submitting a letter and site plan in lieu of a formal application. The review process has been shortened to one week and the permit would be valid for one year unless extended.

Downtown Temporary Street Closure

To support the livelihood of the Downtown businesses during COVID 19, the City is proposing the temporary closure of westbound Culver Boulevard between Duquesne Avenue and Canfield Avenue, as well as Main Street between Culver Boulevard and the City limit south of Venice Boulevard (Attachment No. 2). These plans were prepared in coordination with the Downtown Business Association, the City Manager, and staff of the Community Development; Public Works; Transportation; Fire and Police Departments.

The street closures provide for a 12-foot emergency vehicle lane along westbound Culver Boulevard, as well as a 20-foot emergency lane along Main Street that have been requested by the Fire and Police Departments in order to secure emergency operations and response time. The emergency lane on westbound Culver Boulevard can also be used by the Culver CityBus and maintenance vehicles. Access to the emergency lanes will be secured with solar powered gates that are activated with sensor stickers to be adhered on all permitted vehicles. The intersections of Culver Boulevard/Washington Boulevard/Watseka Avenue and Culver Boulevard/Cardiff Avenue will remain open to allow full access at the Fire Station on Culver Boulevard, access to the City's parking garage on Cardiff Avenue, and loop circulation of the general traffic to minimize potential congestion on Culver Boulevard. It should also be noted that the northerly closure of Main Street will be within the City's limit south of Venice Boulevard, while allowing the alley to remain open for access and circulation. Although approval of the City of Los Angeles (City of LA) is not required for this closure, the plan will be shared and coordinated with City of LA staff.

To protect the safety of occupants within the enclosed areas, the closures will be primarily established using water filled barricades as shown on the concept plans. These barricades are three feet in height and will allow patrons sitting to dine while overlooking the streets. All crosswalks and access ramps will remain open. Accessibility to the enclosed areas will also be provided through paths and/or temporary ramps. The developed plans focus on minimizing the potential for traffic congestion and associated discouragement of traveling to/from the Downtown businesses. Westbound traffic on Culver Boulevard at Canfield Avenue will be allowed to either make a right-turn onto Canfield Avenue, or a left-turn onto Ince Boulevard. Northbound traffic on Ince Boulevard at Culver Boulevard will be allowed to turn right or travel straight through the intersection. The plans do not illustrate all traffic control devices including the advance warning signs that are planned for installation on Culver City and LA streets. Cost estimates for the street closures with the options to either purchase or lease the traffic control devices are noted in Attachment 3 and also described in the Fiscal Impact section of this report.

Slow Streets

Public Works staff has been in communication with the City of LA with regards to the LA application of

neighborhood street closures known as “Slow Streets.” The streets closure in the Del Rey area was initiated by the Neighborhood Council. The Neighborhood Council performed an informal community consultation then requested from the City to close some area streets excluding local traffic. Changes to the closures were later made based on receiving residents’ feedback and observations by members of the Neighborhood Council. The City of LA funded and implemented the closures using existing devices (barriers, cones, etc.) typically used for special events and road work. The City also produced temporary laminated signs at low cost. The closed streets are residential and serve low vehicular traffic volumes even under normal traffic conditions. The local road users are encouraged to drive at low speeds, watch out for cars when walking, and other safety tips. Attached are sample photos of the City of LA’s Slow Streets and a list of set Sponsor Expectations for reference (Attachments No. 4 and 5).

Staff is currently reviewing applicability of the Slow Streets in Culver City and the customization of requirements. These customized Culver City requirements consider the limited staffing resources, safety requirements, potential City liabilities, roles and responsibilities given the lack of similar Neighborhood Councils and need for community consultation and consensus.

Parklets

Public Works staff is also currently in the process of preparing guidelines for future establishment of public and private parklets, as well as permitting requirements of private parklets within the public right-of-way. Factors considered include applicable locations, allowed uses, size/capacity of parklets, accessibility requirements, visibility and safety requirements, potential impacts on drainage, potential impacts on parking supply and revenue, potential impacts on safe traffic movements of all modes of travel, and liability insurance requirements.

Depending on the materials used, parklets can be constructed on a permanent or temporary basis. Design and construction of permanent parklets can be considered as part of the infrastructure improvements of complete street and streetscaping projects. These projects typically require several years for design and implementation and qualify for grant fund such as under the Urban Greening Program. Shorter term, lower cost parklet applications can be pursued using temporary materials. The attached sample shows a modular application with a cost of \$15,980 for a one-car parklet that is 12 feet long and 6 feet wide. A two-car parklet will cost \$29,899 with a size of 32’ X 6’ (Attachment No. 6). The noted costs include the perimeter frame, decking, planters, fence panels, accessibility ramps, and the delivery. Assembly is assumed to be carried out by the individual businesses or the City as applicable, and the lead time for receiving the sample parklet is a minimum of three months from date of order. Other products are being investigated considering the review and permitting requirements that will soon be formalized.

Zoning Code Modifications

The Current Planning Division and ERTF have compiled a list of potential temporary Zoning Code modifications and/or relaxation of Zoning Code requirements intended to assist existing businesses and help new businesses establish themselves in Culver City. If the City Council provides direction to modify certain Zoning Code requirements, (1) the City Manager will immediately issue a supplemental public order consistent with such direction; and (2) staff will return with a proposed resolution confirming such order at the next City Council meeting.

These modifications would be temporary and in effect only for the duration of such Public Order.

With direction from City Council, Staff could review these items in more detail to determine which measures could be incorporated into future Zone Text Amendments for permanent adoption post-COVID-19.

Legal Nonconforming Uses

Section 17.610.015 of the Zoning Code states that nonconforming use status is relinquished after one year of abandonment of the property. This is required to ensure properties come into compliance with code standards over time.

Due to COVID-19, the ability of businesses to operate on a continuous basis is yet to be determined. Many businesses may have to resume and continue operations intermittently in response to economic demand or additional health concerns. Allowing for legal non-conforming uses to extend beyond the one-year mark will help businesses that face uncertainty during the pandemic.

Exclude Outdoor Dining Area from Parking Calculations

Per Table 3-3B of Section 17.320.020 of the Zoning Code, outdoor dining is not parked for the first 250 square feet of patio dining area, but all additional square footage beyond 250 square feet is parked at the standard restaurant parking ratio of 1/100.

In order to meet social distancing requirements, outdoor dining will be necessary to assist restaurants with the space and capacity needed to remain profitable. In order to facilitate establishment of outdoor dining to protect the public health and economic vitality of area businesses, it is recommended that parking requirements be waived for all outdoor dining established as part of a business's Covid-19 response.

Include Only Indoor Dining Area in Parking Calculations

Per Table 3-3B of Section 17.320.020 of the Zoning Code, restaurant uses are parked base on gross floor area, meaning the entire tenant space is parked, typically at one (1) space per 100 square feet. To help new restaurant uses establish themselves in Culver City, parking requirements will only apply to dining area. It can be assumed that dining area drives the most trip generation as part of a restaurant and areas such as walk-in freezers and bathrooms do not generate their own parking demand.

This item would assist new businesses that intend to occupy space previously held by retail or office uses with a less intensive standard. City Council would have to make the determination that these businesses would be allowed to continue post-COVID-19 as legal non-conforming businesses if the parking ratios discussed here are not tied into a future Zoning Code Amendment.

Allow Takeaway Alcohol Services

Alcoholic beverage offerings help to bring in additional revenue for businesses. During the COVID-19 pandemic, California State Alcoholic Beverage Control has relaxed regulations to allow restaurants that usually sell alcohol for in place dining to sell it as part of takeaway orders, if the alcohol is in a secure beverage container, such as a cup with a lid. Culver City can support local restaurants by further addressing alcoholic beverage takeaway as part of this resolution.

Allow Dining and Retail Sales in Parking Lot Areas

Per Section 17.400.070 and .075 of the Zoning Code, all outdoor dining and outdoor retail displays on private property require conditional use permit. Current Planning Division is currently processing Temporary Use Permits (TUP) for restaurants to allow outdoor dining in privately owned parking lots to assist with social distancing. All TUP applications require approval of a site plan and landlord approval. Current Planning Division could extend this item to retail businesses for outdoor retail displays in order to assist with social distancing within retail locations. As discussed in detail above, all dining and retail sales on the public right-of-way will require approval of the Public Works Department and will require a Temporary Public Right-of-Way Use Permit.

Environmental Determination

Pursuant to the California Environmental Quality Act (CEQA) Guidelines, upon initial review of the Zoning Code modifications, staff has determined there are no potentially significant adverse impacts on the environment and the proposed project has been determined to be Categorically Exempt per CEQA Section 15304(e), Class 4, Minor Alterations to Land, because the proposed modifications will be temporary in nature and further environmental review would be considered if a permanent Zoning Code Amendment is studied in the future.

Community Messaging

The ERTF, in collaboration with the Community Development Department, the Cultural Affairs Division and the City's Artist Laureate has developed messaging concepts to assist in both the emotional and economic recovery of the City. The draft designs (to be presented at the meeting) will utilize the symbolism of the sun and heart as (reflected in the City Seal and branding). The concept will be presented in a street banner configuration, however could be expanded for use on a variety of mediums such as posters, stencils, gobos, bus wraps, etc.

Messaging statements could include:

- Creating tomorrow together
- Creating a brighter future for everyone
- Utilize words such as: everyone, together, recover, love, unity, community, local, prosper, renew, connect

The tone is intended to be comforting, encouraging, inspiring, and inclusive. The "call to action" is to bring the community together, ensure inclusivity and work towards prosperity for all. Use of typography and bright colors are paramount features of the design. The initial roll out of the community messaging could be funded by the Cultural Affairs Art Fund as a first phase of a Cultural Affairs Temporary Art Installation that would be completed soon. Per Council direction, additional marketing directives could be developed and presented at a future date.

Work in Progress

The ERTF is also advancing several other efforts to support business and community recovery such as:

- Developing a community survey to understand employment, business, consumer and community needs,
- Creating an assistance resource card to provide business and employers a “quick” and tangible resource for City, County and community services,
- Consolidating existing businesses resources occupancy standards, and community/recovery resources on a dedicated webpage;
- Exploring a business-to-business promotional campaign to highlight locally opened businesses;
- Coordinating with non-profits to explore a business awareness outreach program relative to COVID-19 and individuals with disabilities and/or vulnerable populations,
- Studying continued parking relaxation and curbside pick-up locations to support business operations and services,
- Coordinating with Cultural Affairs, and local non-profits, to activate areas of City with social distanced events, cultural performances and art installations (where appropriate, and avoiding gathering), and;
- Collaborating with the USC Sol Price School of Public Policy to evaluate potential mid-term (2-5 years) economic recovery options post-pandemic and predicted trends pertaining to employment and telecommuting best practices.
- Exploring community 4th of July Car Parade in conjunction with the Culver City Exchange Club.

FISCAL ANALYSIS

The temporary closure of westbound Culver Boulevard and Main Street as shown on the attached concept plans will require the purchase of equipment such as the solar power gates and associated vehicle activation stickers, caution tape, and adhesive pads. Other devices including the water barricades, delineators, and signs can either be leased or purchased. Leasing of devices will also require incurring the costs of maintenance, as well as labor and trucking costs associated with the removal of the leased devices. Assuming that the closures of Culver Boulevard and Main Street will take place for a period of six months, the cost of the closures will amount to \$464,177 if some of the devices are leased and \$366,343 if all the devices are purchased (See Attachment #3 Cost Estimate).

Based on this analysis, it would be more cost effective to purchase all materials in the amount of \$366,343. This estimated cost includes the delivery and installation of the water barricades. City staff will be responsible for the installation of the remaining devices including the ten gates, maintenance of all devices, and the removal and delivery to the different City facilities for storage. The cost of City staff time is also assumed as a City contribution in addition to the requested budget of \$366,343. It should be noted that the purchase of delineators and barricades will allow their future use in lane and road closures associated with special events, pilot projects, and construction projects.

If City Council would like to move forward with the temporary closure of westbound Culver Boulevard and Main St, staff will return to the next City Council meeting requesting a budget amendment of \$366,343 from the General Fund reserve balance. The approval of the budget amendment will require a 4/5th vote.

The cost of closing neighborhood streets “Slow Streets” has not yet been vetted until the street segments along with associated type and number of street closures are identified subject to community consultation and consensus. Implementation requirements and financial responsibilities of future establishment of street parklets are also currently under review.

ATTACHMENTS

1. ERTF External Stakeholders Initial Recommendations and Action Items
2. Concept Plans of Temporary Closures of Westbound Culver Boulevard and Main Street
3. Cost Estimates of Temporary Street Closures
4. Sample Photos of the LA Slow Street Project
5. Sponsor Expectations of LA Slow Streets
6. Example of Modular Parklet

MOTION

That the City Council:

1. Receive a Progress Update on the Culver City Economic Recovery Task Force;
2. Consider a Temporary Street Closure in Downtown Culver City;
3. Discuss Potential Slow Streets Program;
4. Discuss Potential Parklet Program;
5. Discuss Potential Zoning Code Modifications to Support Business Recovery; and,
6. Provide direction to the City Manager as deemed appropriate.