

REPORT TO THE PLANNING COMMISSION



DATE: September 13, 2016

TITLE: Discussion of an Ordinance (previously known as Zoning Text Amendment - ZTA 03-15) to amend various sections of Title 4 (Code Enforcement, Section 4.16) and Title 17 (Zoning), Chapter 17.48, to modify the standards and regulations regarding the parking of recreational vehicles (RV's) on private property in the City's Residential Districts.

Prepared by: Nathan Bouvet, Community Development Director

RECOMMENDATION

Discuss and provide staff direction

DISCUSSION

The parking of Recreational Vehicles on private property has been an ongoing issue in the City of Desert Hot Springs for years. In December of 2015 the Planning Commission (PC) directed staff to revise Title 17 (Zoning), Chapter 17.48 (Off-Street Parking Standards) and bring it back as an action item so the PC could forward a recommendation to the City Council. Earlier this year several new PC members were appointed so staff determined it best to bring this back as a discussion item to solicit comments from the new Commissioners. Essentially, the draft Ordinance provided below could replace Chapters 17.48 and 4.16.10 (A) 6 and 7 (Unlawful Acts – Public Nuisances) of the Desert Hot Springs Municipal Code subject to review and approval by the PC and City Council. Such modifications to be discussed by the PC include the following:

4.16.010 Unlawful acts—Public nuisances.

A. The following shall be designated as unlawful acts and public nuisances:

6. Vehicle Parking. It is unlawful and it shall be a public nuisance for any person owning, leasing, occupying or having charge or possession of any premises or property in the City to permit on such premises or property any operable or inoperable vehicle, recreational vehicle, motor home, trailer, camper, camper shell and boat to be parked or stored outside of a garage or carport or an unimproved surface.
7. Occupied Vehicles. It is unlawful and it shall be a public nuisance for any person owning, leasing, occupying or having charge or possession of any premises or property in the City to permit on such premises or property any parked operable or inoperable vehicle, recreational vehicle, motor home, trailer, camper, camper shell and boat to be occupied by any person or persons overnight.

Section 17.48.030 General Regulations

K. Parking in residential land use districts, shall occur as follows:

1. Motor vehicles are to be parked in areas constructed for vehicles (i.e., garage, carport or paved driveway) and shall not be parked or stored in other portions of the front or street side yard, particularly not on what is commonly referred to as the front lawn (yard).

Limitation on Amount of Paved Surface. It shall be unlawful for any person to pave with asphalt, cement or any other impervious surface on portions of the front or street side yard, particularly on what is commonly referred to as the front lawn (yard), in excess of the minimum driveway requirements as specified in Section 17.48.060(E) for providing primary access to the required number of parking spaces as specified in Section 17.48.040. In no case shall the total paved area exceed 40% of the required front yard of the property.

2. Parking or storing of commercial vehicles (including trailers), as defined in Vehicle Code Section 260, as amended, in residential districts for any length of time is prohibited except for pickups and deliveries. Any vehicle which has a length of 20 feet or less and which is used primarily as the owner's personal means of transportation and which is licensed for a gross weight of not more than 12,000 pounds shall be *exempt from this section*.
3. No motor vehicles other than those recreational vehicles expressly specified and allowed under this subsection shall be kept, stored or parked in the front yard and shall conform to the requirements of this section for parking in the side, street side yard, or rear yard. For purposes of this section, recreational vehicle(s) shall mean motor home, boat, camper, trailer, and any appurtenant equipment, with or without motorized power.
 - a. No more than two (2) recreational vehicles (boats, trailers, campers, etc.) per dwelling unit may be parked or stored anywhere outside on any one (1) residential lot. Parking of any recreational vehicles shall be in conformance to parking standards set forth in this subsection.
 - b. As a condition of approval of a tentative tract map, recreational vehicle parking (as regulated by this Zoning Ordinance) shall be prohibited to be stored/parked in the driveway of private residences. (Prior code § 159.24.030)

Section 17.48.060 Design Standards

K. Recreational Vehicle Parking—Residential.

1. It is unlawful to park or store any recreational vehicle, semitrailer, trailer, motor home, boat, camper, trailer and any appurtenant equipment, with or without motorized power on any residential property within the City except as follows:
 - a. A recreational vehicle or similar vehicle may only be parked on a lot behind the front line of the house or, in the case of a corner lot, behind the front line facing each street or right-of-way, and shall be screened from public view by an approved barrier and/or landscaping allowed under Section 17.40.110 of this Municipal Code.
 - b. A three-foot separation shall be provided and maintained at all times between any recreational vehicle and all of the following:
 - i. Any adjacent building; and

ii. Any exterior lot line.

2. Recreational vehicles may be temporarily parked on public rights-of-way in front of residences for not more than 48 continuous hours for the purposes of loading and unloading. Forty-eight hours must elapse before the start of a new 48-hour period, together with movement of the vehicle a distance of at least 500 feet.
3. Use of a recreational vehicle for any dwelling purpose, regardless of length of occupancy, shall be prohibited. Except when stored in an approved RV storage facility a recreational vehicle shall not be connected to any electrical, water, wastewater, natural gas or other utility.
4. Recreational Vehicle Permit. The Community Development Director may issue a Recreational Vehicle Parking Permit for a fee to be established by the City Council. The Recreational Vehicle Parking Permit will constitute an exception with regard to placement of vehicle(s), screening, and setbacks, and shall be based on all of the following findings being made:
 - a. There are extraordinary physical circumstances such as shape, topography, or surrounding properties that prevent the applicant from complying with the Code;
 - b. Adherence to the municipal code will deprive the property owner of a significant property right enjoyed by other property owners in the area; and
 - c. There is no substantial negative impact on surrounding properties.
5. The Community Development Director shall not issue a Recreational Vehicle Parking Permit based on any special privilege that is inconsistent with the intent of the above regulations.

SUMMARY

The aforementioned draft provides more specific guidelines for City Staff to use when implementing the Code through our Code Enforcement and Planning Departments. The following list is a summary of potential modifications:

1. No overnight stays in a Recreational Vehicle;
2. No inoperable vehicles outside of a building or structure;
3. No Recreational Vehicles in the driveway or front yard;
4. Limitation of 40% Concrete in the Front Yard with an exception for residences on a major collector;
5. All Recreational Vehicles parked in a side yard must be screened from public view by an approved barrier and/or fencing and be outside of the front yard;
6. All vehicles shall have a 3-foot separation between any structure, fence, and property line or any requirement required for public safety;
7. Recreational vehicles can be parked for loading and unloading on any street for 48 hours; and

8. Residents who have a hardship can apply for Permit regarding screening, setbacks, or placement of vehicle.