

REPORT TO THE CITY COUNCIL



DATE: October 16, 2018

TITLE: An Ordinance to Revise Restrictions on Parking on Unpaved Surfaces

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RECOMMENDATION

- 1) Staff Report;
- 2) Entertain Questions of Staff from City Council;
- 3) Open the Public Hearing;
- 4) Take testimony from those in favor;
- 5) Take testimony from those opposed;
- 6) Take testimony from those in a neutral position;
- 7) Close the Public Hearing;
- 8) City Council discussion and questions to Staff; and
- 9) Introduce for First Reading and read by title only, "An Ordinance of the City Council of the City of Desert Hot Springs, California, amending Section 4.16.010(a)(6) ("Vehicle Parking") of Section 4.16.010 ("Unlawful Acts - Public Nuisances"); and amending Section 17.48.030 ("General Regulations") of Chapter 17.48 ("Offstreet Parking Standards") of Title 17 ("Zoning") of the Desert Hot Springs Municipal Code to revise restrictions on parking on unpaved surfaces."

BACKGROUND

Section 4.16.010 of the Desert Hot Springs Municipal Code ("DHSMC") regulates public nuisances, including unlawful vehicle parking on unimproved surfaces.

Section 17.48.030 of the DHSMC also regulates unlawful vehicle parking on unimproved or unpaved surfaces in residential districts. However, Section 15.84.080 of the DHSMC allows businesses, under certain circumstances, to maintain unpaved parking lots or temporary unpaved parking lots. As it stands, this creates conflicting regulations within the DHSMC with regard to parking.

There is a need to ensure consistent regulations regarding unlawful vehicle parking in residential districts. Amending DHSMC Section 4.16.010(a)(6) and Section 17.48.030 will promote clarity in interpreting and enforcing the DHSMC, and will eliminate the possibility of conflicting regulations from the DHSMC.

DISCUSSION

The proposed ordinance will amend Section 4.16.010(a)(6) "Vehicle Parking" to the DHSMC. Presently, the language of Section 4.16.010(a)(6) prohibits parking on "an unimproved surface" of "any premises or property." This arguably creates some ambiguity within the DHSMC, as Section 15.84.080 of the DHSMC allows businesses to maintain unpaved parking lots or temporary unpaved parking lots under certain circumstances. The proposed amendment to Section 4.16.010(a)(6) will narrow the restriction on parking on unimproved surfaces to residential premises or residential property.

The amendment of Section 4.16.010(a)(6) will replace the language of "unimproved" with "unpaved" and include a definition of "paved." Further, the amendment to Section 4.16.010(a)(6) will include the addition of a definition of "paved" as "covered by concrete, asphalt, brick, pavers,

or a similar impervious material.” These changes will create consistency in language between the DHSMC regulations regarding parking.

The attached ordinance is intended to promote clarity in enforcing the DHSMC regulations for parking. Accordingly, the ordinance will amend Section 17.48.030(I) and Section 17.48.030(K) “General Regulations” for off-street parking by adding the definition of “paved” to both subsections.

FISCAL IMPACT

There is no fiscal impact.

EXHIBIT

1) Ordinance