

ORDINANCE NO. \_\_\_\_

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DESERT HOT SPRINGS AMENDING TABLE 17.08.02 OF THE DESERT HOT SPRINGS MUNICIPAL CODE TITLED “RESIDENTIAL DEVELOPMENT STANDARDS” RELATED TO SETBACKS FOR SUBSTANDARD LOTS WITHIN THE R-M (RESIDENTIAL- MULTIFAMILY), R-MH (RESIDENTIAL -MULTIFAMILY- HIGH DENSITY), R-H (RESIDENTIAL- HIGH DENSITY) AND R-VS (RESIDENTIAL VISITOR SERVING) ZONES, AND CLARIFYING THE NOTES THEREOF.**

**WHEREAS**, the City of Desert Hot Springs (“City”) is a charter city organized pursuant to Article XI of the California Constitution; and

**WHEREAS**, the City desires to amend the Table to allow persons to better make use of substandard lots; and

**WHEREAS**, the City Council finds that the adoption of this ordinance is categorically exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15061(b)(3) because it can be seen with certainty that there is no possibility that the adoption of this Ordinance in question may have a significant effect on the environment.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Desert Hot Springs as follows:

**Section 1. RECITALS**

That the foregoing recitals are true and correct and are herein adopted by this reference.

**Section 2. AMENDMENT OF TABLE 17.08.02**

Table 17.08.02 shall be amended to read as follows:

**TABLE 17.08.02  
RESIDENTIAL DEVELOPMENT STANDARDS STANDARD**

<b>Standard</b>	<b>R-E</b>	<b>R-L</b>	<b>R-M</b>	<b>R-MH</b>	<b>R-H</b>	<b>R-VS</b>
Maximum Density Unit/Gross Acre	1/5 ac	5	8	10	14	Varies <sup>Z</sup>
Minimum Lot Area (ac or s.f.) <sup>1</sup>	5 ac	9,000	7,200.sfd 10,000/mfd	2.5 ac	20,000	Varies <sup>Z</sup>
Lot Width (min. feet)	660	70 <sup>5</sup>	60	100	100	Varies <sup>Z</sup>
Corner Lot Width	—	—	—	65	—	—
Cul-de-sacs or Knuckles	—	35	—	—	—	—
Minimum Lot Depth (min. feet)	1,220	100	90	100	100	200
Front Setback (min. feet)	100	20	20	20	20	20

Rear Setback (min. feet)	100	20	10	10	10	Varies <sup>7</sup>
All Standard Lots (over 79 feet wide)						
Side Yard Setback (min. feet)	100	10	10	5	5	5
Between Dwelling Units	200	20	15	10	10	10
Street Side Setback	100	15	15	10	10	10
Substandard Lots (50-79 feet wide)						
Side Yard Setback (min. feet)	—	5	— <u>5</u> <sup>6</sup>	— <u>5</u>	— <u>5</u>	— <u>5</u>
Between Dwelling Units	—	10	— <u>10</u> <sup>6</sup>	— <u>10</u>	— <u>10</u>	— <u>10</u>
Street Side Setback	—	10	— <u>10</u> <sup>6</sup>	— <u>10</u>	— <u>10</u>	— <u>10</u>
Building Lot Coverage (max. %)	5%	40%	40%	40%	50%	Varies <sup>7</sup>
Lot Disturbance	15%	100%	100%	100%	100%	100%
Min. Private Outdoor Living Space (s.f.)	—	—	300 s.f. <sup>2</sup>	300 s.f. <sup>2</sup>	300 s.f. <sup>2</sup>	Varies <sup>7</sup>
Min. Common Usable Outdoor Space (s.f.)	—	—	30% <sup>3</sup>	30% <sup>3</sup>	30% <sup>3</sup>	Varies <sup>7</sup>
Maximum Height in:						
Stories	2	1 <sup>4</sup>	2	2	3	3
Feet	30	20	30	30	35	35

Notes:

- <sup>1</sup> Minimum net lot area after subdividing and granting of public right-of-way.
- <sup>2</sup> Minimum of 300 square feet or 25% of unit size, whichever is less.
- <sup>3</sup> Requires provision of 30% of net site area as usable common area open space.
- <sup>4</sup> Second stories may be allowed subject to the issuance of a conditional use permit and the development standards contained in Table 17.08.220.
- <sup>5</sup> Further lot width reduction may be approved by the Planning Commission and City Council at noticed public hearings wherein the subject property is surrounded by existing residential development which also does not conform to the minimum lot width standard.
- <sup>6</sup> **For Single Family Development Only**
- <sup>7</sup> **Requirements shall be based on type of development Residential uses shall follow the associated density standards and Recreation uses and Other uses shall follow V-S-C District Standards.**

### **Section 3.** SEVERABILITY

That, should any provision, section, paragraph, sentence or word of this ordinance be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this ordinance as hereby adopted shall remain in full force and effect.

**Section 4.**

**REPEAL OF CONFLICTING PROVISIONS**

That all the provisions of the Municipal Code as heretofore adopted by the City of Desert Hot Springs that are in conflict with the provisions of this ordinance are hereby repealed.

**Section 5.**

**AMENDING OF BAIL SCHEDULE**

That the City Attorney's Office is hereby directed to determine whether this ordinance necessitates amendment of the City's Bail Schedule and to cause such necessary amendments to be made and filed with the local branches of the Superior Court of the County of Riverside.

**Section 6.**

**EFFECTIVE DATE**

That this ordinance shall be effective thirty days after the second reading of the ordinance.

**Section 7.**

**CERTIFICATION**

That the City Clerk shall certify to the passage of this ordinance and shall cause the same to be published according to law.

**PASSED AND ADOPTED** by the City Council of the City of Desert Hot Springs at a regular meeting held on the 3rd day of December, 2019 by the following vote:

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

[SIGNATURES FOLLOW ON THE NEXT PAGE]

**ATTEST:**

\_\_\_\_\_  
Jerryl Soriano, City Clerk

**APPROVE:**

\_\_\_\_\_  
Scott Matas, Mayor

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Jennifer A. Mizrahi, City Attorney

DRAFT