

## REPORT TO THE CITY COUNCIL

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**DATE:** May 5, 2020

**TITLE:** An Ordinance Amending Sections 17.12.080 (Convenience Stores - Commercial Districts) And 17.16.060 (Convenience Stores- Industrial Districts) of the Desert Hot Springs Municipal Code Regarding Convenience Stores

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### RECOMMENDATION

- 1) Staff Report;
- 2) Entertain questions of Staff from the City Council
- 3) Open Public Hearing;
- 4) Take public testimony from those favor;
- 5) Take public testimony from those opposed;
- 6) Take public 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 Amending Sections 17.12.080 (Convenience Stores - Commercial Districts) And 17.16.060 (Convenience Stores- Industrial Districts) of the Desert Hot Springs Municipal Code Regarding Convenience Stores"

### DISCUSSION

Under California Constitution Article XI, Section 7, the City's police power allows it to regulate zoning in accordance with the health, safety, and welfare of the general public. Currently, the City regulates convenience stores in Commercial Districts in Section 17.12.080 of the Desert Hot Springs Municipal Code ("DHSMC"). Currently, the City regulates convenience stores in Industrial Districts in Section 17.16.060 of the DHSMC, and collectively "Subject Sections." Several of the development standards and regulations within these Subject Sections are outdated.

The proposed Ordinance seeks amend the convenience store standards in both commercial and industrial districts as follows: 1) delete the requirement that convenience stores be separated by 1000 feet from each other or school, and, 2) delete the requirement related to public pay phones.

The Planning Commission held a Public Hearing on April 14, 2020 and recommended that Council approved the Ordinance as proposed.

### FISCAL IMPACT

None

### EXHIBIT(S)

- 1) Proposed Ordinance