

REPORT TO THE CITY COUNCIL



DATE: July 7, 2020

TITLE: An Ordinance of the City Council of the City of Desert Hot Springs Amending Section 17.40.200 “Projections/Construction and Equipment Permitted into Setbacks” of Title 17 “Zoning” of the Desert Hot Springs Municipal Code to Clarify What Projections Can Encroach into Setback Areas

Prepared by: Rebecca Deming, Community Development Director

Reviewed by: Jennifer Mizrahi, City Attorney

RECOMMENDATION

- 1) Staff Report;
- 2) Entertain questions of Staff from the City Council;
- 3) Open Public Hearing;
- 4) Take public testimony;
- 5) Close the Public Hearing;
- 6) City Council discussion and questions to Staff; and
- 7) Introduce for First Reading and read by title only “An Ordinance of the City Council of the City of Desert Hot Springs Amending Section 17.40.200 “Projections/Construction and Equipment Permitted into Setbacks” of Title 17 “Zoning” of the Desert Hot Springs Municipal Code to Clarify What Projections Can Encroach into Setback Areas”

DISCUSSION

Staff has been in the process of reviewing the Desert Hot Springs Municipal Code, especially considering the new General Plan and overall planning efforts. In doing so, Staff has come across current Section 17.40.200, which appears to be somewhat unclear.

This ordinance would clarify the projections which are allowed within the setback areas. The ordinance proposes the following changes. The following list represents the only projections, construction, or equipment that shall be permitted within the required setbacks:

1. Front Setback. Roof overhangs, fireplace chimney, and awnings may project up to three (3) feet into the required setback.~~and canopies.~~
2. Rear Setback. Roof overhangs, ~~pools,~~ patio covers, tennis courts, gazebos, awnings and canopies, and other structures that are not enclosed, provided there is no projection within 10 feet of the property line. ~~Accessory structures may be built to the side or rear property lines provided that such structures are not closer than 10 feet to any other structures.~~ Pools and equipment shall be no closer than 5 feet from the property line.
3. Side Setback. Roof overhangs, fireplace chimney, awnings, and air conditioning or pool equipment, may project up to three (3) feet into the required setback, provided that such structures are not closer than three (3) feet to the property line.~~and canopies.~~

At the Planning Commission meeting June 9, 2020, the Planning Commission held a Public Hearing and recommended approval of the Ordinance as proposed.

FISCAL IMPACT

None.

EXHIBIT(S)

1) Proposed Ordinance