ITEM NO. 24

STAFF REPORT

CITY OF OCEANSIDE

DATE: August 16, 2006

TO: Honorable Mayor and City Councilmembers

FROM: Community Development Department /Planning Division

SUBJECT: **ZONE AMENDMENT MODIFYING SECTION 1050EE REGARDING OFF-STREET PARKING PROVISIONS ON RESIDENTIALLY ZONED PROPERTIES AND MODIFYING TRAFFIC CODE SECTION 13.25 REGARDING OFF-STREET PARKING FOR TRAILERS AND NONMOTORIZED VEHICLES; RESOLUTION APPROVING LOCAL COASTAL PROGRAM AMENDMENT; AND ORDINANCE ADDING TRAFFIC CODE SECTIONS 10.27 THROUGH 10.31 FOR PARKING OF OVERSIZED VEHICLES, UNATTACHED TRAILERS, AND NONMOTORIZED VEHICLES WITHIN THE PUBLIC RIGHT-OF-WAY**

SYNOPSIS

Staff recommends that the City Council approve Zone Amendment (ZA-2-06) to the Zoning Ordinance modifying Section 1050EE regarding off-street parking provisions on residentially zoned properties and modifying Oceanside Traffic Code Section 13.25 regarding off-street parking provisions for trailers and nonmotorized vehicles, adopt the resolution approving Local Coastal Program Amendment (LCPA-2-06), and introduce an ordinance adding Oceanside Traffic Code Sections 10.27 through 10.31 regarding the parking of oversized vehicles, unattached trailers, and nonmotorized vehicles within the public right-of-way.

BACKGROUND

In December 2004 the City Council directed the Planning Commission to establish an adhoc committee to review the Citywide regulations for the parking of oversized vehicles, unattached trailers, and nonmotorized vehicles on lots zoned for residential use, as well as within the public right-of-way. The RV and Trailer Parking Ad-Hoc Committee met seven times between August 23, 2005, and April 18, 2006, to discuss and recommend modifications to the City's parking regulations.

The committee voted and recommended the additions and changes to Citywide Zoning Ordinance (ZO) Section 1050(EE), Oceanside Traffic Code (OTC) Sections 10.27 through 10.31, as well as changes to OTC Section 13.25. The changes to ZO Section 1050(EE) and OTC Section 13.25 affect the parking of vehicles on private property. OTC Section 10.27 through 10.31 is being attached for consideration and adoption. This section of the OTC is currently not adopted, and in order to add an ordinance addressing parking within the public right-of-way, this item will need to be adopted by Council action.

ANALYSIS

The regulation of on-street and off-street parking for oversized vehicles, unattached trailers, and nonmotorized vehicles is important for the protection and enhancement of community character. Staff used adopted regulations from Del Mar, La Mesa, Vista, and other San Diego County municipalities in order to tailor the policies being considered for Oceanside.

Staff is of the opinion that the proposed zoning text amendment and the changes to and addition of Oceanside Traffic Code Sections will provide a positive modification to the Citywide parking standards for oversized vehicles, unattached trailers, and nonmotorized vehicles by expanding opportunities to park such vehicles on residentially zoned properties and defining such parking opportunities in the public right-of-way. A summary comparison of the existing ordinances with the proposed changes and additions is provided in the following tables:

Oceanside Zoning Ordinance 1050EE:

Existing Ordinance	Proposed Changes
• Vehicles may not park in a required front, side, or rear yard setback area except on an approved driveway.	• Vehicles may park in a side or rear yard setback area if certain maintenance criteria are met. • A neighborhood exemption process will be required to allow additional parking in the front yard setback area.

Oceanside Traffic Code Section 13.25:

Existing Code	Proposed Change
• Trailers and other non-motorized vehicles may be stored on an approved driveway for a maximum of 48 hours.	• Trailers and other non-motorized vehicles may be stored on an approved driveway for a maximum of 72 hours. • A neighborhood exemption process will be required to allow continual parking of a trailer or other non-motorized vehicle on an approved driveway.

Oceanside Traffic Code Sections 10.27 through 10.31:

Existing Vehicle Code	Proposed Code Sections
• Oversized vehicles, unattached trailers, and nonmotorized vehicles may be not parked in the public right-of-way in excess of 72 hours without having been moved 1/10 of a mile.	• Oversized vehicles, unattached trailers, and nonmotorized vehicles may not be parked in the public right-of-way in excess of 72 hours without having been moved ½ mile from its original location for a minimum period of 24 hours. This requires that the vehicle actually be removed from the neighborhood at least ½ mile for at least 24 hours after 72-hour monitoring period has elapsed. • A newly proposed extension process will be required which allows up to four 72-hour extension periods annually to park oversized vehicles in the public right-of-way.

FISCAL IMPACT

There would be minor fiscal impact with this action.

COMMISSION/COMMITTEE REVIEW

The Planning Commission reviewed the proposed Zone Amendment on June 26, 2006. The Commission, on a 6-1 vote, recommended City Council approval of the proposed Zone Amendment and Oceanside Traffic Code Ordinance. Several community members commented on the proposed Zone Amendment and Oceanside Traffic Code changes and additions. A significant number of residents from the Capistrano Neighborhood also requested an exemption process by which a neighborhood could exclude itself from the requirements of the ZO and OTC sections regarding parking on private property. The consideration of an exemption process was discussed by the Commission and staff. As such, an exemption process to the ordinances regulating private property parking has been included in the proposed changes and additions. Several other community members also provided comment that the proposed changes would be good for the community.

CITY ATTORNEY'S ANALYSIS

Pursuant to Oceanside Zoning Ordinance Article 4506, the City Council is authorized to hold a public hearing on the proposed Zone Amendment and Local Coastal Program Amendment. Consideration of the zoning code amendments should be based on the recommendation of the Planning Commission, the record of the Planning Commission public hearing, public input, and any other evidence introduced at the public hearing on this matter. Consideration of the Local Coastal Program Amendment should be based on evidence introduced at the public hearing including public input.

After conducting the public hearing, the Council shall affirm, modify, or reject the Planning Commission's recommendation with regard to the Zone Amendment. After conducting the public hearing the Council shall approve, modify or reject the proposed Local Coastal Program Amendment. A modification not previously considered by the Commission shall be referred to the Commission for review and report prior to adoption of the proposed Zone Amendment.

ENVIRONMENTAL DETERMINATION

The proposed zone text amendment is exempt from the provision of the California Environmental Quality Act (CEQA).

RECOMMENDATION

Staff recommends that the City Council:

- Introduce an Ordinance for ZONE AMENDMENT (ZA-2-06) to the Zoning Ordinance modifying Section 1050EE regarding the off-street parking provisions on residentially zoned properties;

- Introduce an Ordinance modifying the Oceanside Traffic Code Section 13.25 regarding off-street parking provisions for trailers and non-motorized vehicles;

- Introduce an Ordinance adding Oceanside Traffic Code Sections 10.27 through 10.31 for parking of oversized vehicles, unattached trailers and non-motorized vehicles within the public right-of-way; and

- Adopt the resolution of approval for LOCAL COASTAL PROGRAM AMENDMENT (LCPA-2-06) to the Zoning Ordinance modifying Section 1050EE regarding off-street parking provisions on residentially zoned properties.

PREPARED BY:

Jerry Hittleman
Acting City Planner

SUBMITTED BY:

Barry E. Martin
Interim City Manager

JH/vnm

REVIEWED BY:

Michelle Skaggs Lawrence, Assistant to the City Manager
Mike Blessing, Deputy City Manager

ATTACHMENTS/EXHIBITS:

1. Exhibit "A" Proposed Text Changes to Zoning Ordinance Section 1050EE
2. City Council Ordinance for ZONE AMENDMENT (ZA-2-06) to the Zoning Ordinance modifying Section 1050EE regarding the off-street parking provisions on residentially zoned properties
3. City Council Ordinance modifying the Oceanside Traffic Code Section 13.25 regarding off-street parking provisions for trailers and non-motorized vehicles
4. City Council Ordinance adding Oceanside Traffic Code Sections 10.27 through 10.31 for parking of oversized vehicles, unattached trailers and non-motorized vehicles within the public right-of-way
5. City Council Resolution approving LOCAL COASTAL PROGRAM AMENDMENT (LCPA-2-06) to the Zoning Ordinance modifying Section 1050EE regarding off-street parking provisions on residentially zoned properties
6. Planning Commission Resolution No. 2006-P36
7. Planning Commission Staff Report dated June 26, 2006
8. Current Zoning Ordinance Section 1050(EE)

Proposed Changes for Oceanside Zoning Ordinance §1050EE:

1050 (EE) ~~Automobiles, motorhomes, motorcycles, and other~~ ***V***ehicles shall not be parked in a required front, ~~corner side, side or rear~~ yard area and shall not project beyond the front building line of the principal structure on a site, provided that such vehicles may be parked on ***an approved*** driveway. ***Boats, trailers, and other non-motorized vehicles parked on driveways are subject to the provisions of OTC 13.25. All vehicles parked in side or rear yard areas must meet the following guidelines:***

(1) Vehicles must be parked behind a 6' high view-obscuring fence.
(2) Vehicles must be parked on an acceptable surface of gravel, brick, or other paving surface.
(3) Vehicles or portions thereof, which are visible from public or adjacent private property, must be maintained in good appearance and condition at all times, i.e. free of rust, dilapidated tarps or coverings, or deteriorated paint.
(4) Vehicles must not block exterior windows or doors of habitable space in a dwelling.
(5) Vehicles must not block access to utility boxes or meters.
(6) At least one 36" clear side yard access aisle to the rear yard must be maintained on the property.

Exemption:

Owners of 51 percent or more of the land in a defined planning neighborhood or subdivision may file for an exemption to the above front yard parking limitations by obtaining from the City and completing an Application for Exemption and providing a supporting petition with the required number of property owner signatures. The completed application and petition must be submitted to the Community Development Department on approved forms and shall include the following:

1. A statement of purpose and explanation of why the exemption should apply to the defined planning neighborhood or subdivision;
2. A map indicating the boundaries of all lots in the proposed exemption area;
3. Proof of notification of intent to apply for neighborhood exemption to all owners of record within the defined planning neighborhood or subdivision.

The Community Development Department shall verify that all information submitted on the application meets the designated criteria and shall verify all petition signatures. The Community Development Department shall not act on

an application and petition unless in the sole discretion of the Community Development Director, the application is complete and all criteria have been met.

If the Application for Exemption is approved, the following restrictions shall apply for additional parking in the front yard setback area:

1. Additional parking areas must meet the driveway design requirements of OZO Section 3119.A.
2. The total paved parking area in the front yard setback, including the existing approved driveway, must not exceed one-third coverage of the front yard area.
3. The additional parking area must not create any vehicular or pedestrian sight hazards or block emergency ingress/egress to any habitable space in a dwelling.
4. Vehicles are not permitted to drive across sidewalks.
5. Additional driveway curb cuts are not permitted.
6. Vehicles may not be connected to utilities or be used for habitation.

Proposed Changes for Oceanside Traffic Code §13.25:

OTC 13.25 Unlawful parking of trailers and other vehicles

It shall be unlawful for any person to place for storage or to park for more than ~~forty-eight (48)~~ ***seventy-two (72)*** consecutive hours a trailer, detached camper, boat, boat trailer or ***other non-motorized vehicle*** ~~mobile home~~ ***on an approved driveway*** ~~in the required front yard setback~~ of a residential building or ***in violation of any other provision*** ~~within the required yard of any lot in any zone as established by the terms~~ of the ~~city's~~ ***Oceanside Z***oning Ordinance ~~No. 88-22~~, as may be amended from time to time. All trailers, detached campers, boats, or ***other non-motorized vehicles*** ~~mobile homes~~ parked or stored outside of the boundaries of a duly licensed trailer park shall be completely disconnected from any and all utilities, and no living quarters shall be maintained or business practiced in any such stored vehicle or detached camper, provided, however, that the building director or designee may authorize the parking and use of not more than (2) trailers on a major construction site when such vehicles are used for field offices or temporary quarters for watchmen. Parking under the provisions of this exception shall be limited to not more than twelve (12) consecutive months on any one site unless an extension of such time limit is specifically authorized by the building director or designee. (Ord. No. 90-07, § 1, 2-14-90)

Exemption:

This section shall not apply to any defined planning neighborhood or subdivision wherein an exemption has been granted pursuant to Oceanside Zoning Ordinance Section 1050EE.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE AMENDING ZONING ORDINANCE SECTION 1050EE REGULATING THE PARKING OF VEHICLES ON PRIVATE PROPERTY

WHEREAS, the RV and Trailer Ad-hoc committee created by the City Council has recommended changes to Oceanside Zoning Ordinance Section 1050EE regarding vehicle parking on private property; and

WHEREAS, the proposed changes to Oceanside Zoning Ordinance Section 1050EE will allow for increased opportunities for parking of vehicles on private property.

NOW, THEREFORE, the City Council of the City of Oceanside does ordain as follows:

SECTION 1. Section 1050EE of the Oceanside Zoning Ordinance is hereby amended to read:

"Vehicles shall not be parked in a required front yard area and shall not project beyond the front building line of the principle structure on a site, provided that such vehicles may be parked on an approved driveway. Boats, trailers, and other non-motorized vehicles parked on driveways are subject to the provisions of Oceanside Traffic Code Section 13.25. All vehicles parked in side or rear yard areas must meet the following guidelines:

1. Vehicles must be parked behind a six (6) foot high view-obscuring fence.
2. Vehicles must be parked on an acceptable surface of gravel, brick, or other paving surface.
3. Vehicles or portions thereof, which are visible from public or adjacent private property, must be maintained in good appearance and condition at all times, i.e. free of rust, dilapidated tarps or coverings, or deteriorated paint.
4. Vehicles must not block exterior windows or doors of habitable space in a dwelling.
5. Vehicles must not block access to utility boxes of meters.

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6. At least one thirty six (36) inch side yard access aisle to the rear yard must be maintained on the property.

Exemption: Owners of fifty-one (51) percent or more of the land in a defined planning neighborhood or subdivision may file for an exemption to the above front yard parking limitations by obtaining from the City and completing an Application for Exemption and providing a supporting petition with the required number of property owner signatures. The completed application and petition must be submitted to the Community Development Department on approved forms and shall include the following:

1. A statement of purpose and explanation of why the exemption should apply to the defined neighborhood or subdivision;
2. A map indicating the boundaries of all lots in the proposed exemption area;
3. Proof of notification of intent to apply for neighborhood exemption to all owners of record within the defined planning neighborhood or subdivision.

The Community Development Department shall verify that all information submitted on the application meets the designated criteria and shall verify all petition signatures. The Community Development Department shall not act on an application and petition unless in the sole discretion of the Community Development Director, the application is complete and all criteria have been met.

If the Application for Exemption is approved, the following restrictions will apply for additional parking in the front yard setback area:

1. Additional parking areas must meet the driveway design requirements of Oceanside Zoning Ordinance Section 3119.A.
2. The total paved parking area in the front yard setback, including the existing approved driveway, must not exceed one-third coverage of the front yard area.
3. The additional parking area must not create any vehicular or pedestrian sight hazards or block emergency ingress/egress to any habitable space in a dwelling.
4. Vehicles are not permitted to drive across sidewalks.
5. Additional driveway curb cuts are not permitted.

6. Vehicles may not be connected to utilities or be used for habitation."

SECTION 2. The City Clerk of the City of Oceanside is hereby directed to publish this ordinance, or the title hereof as a summary, pursuant to state statute, once within fifteen (15) days after its passage in the North County Times, a newspaper of general circulation published in the City of Oceanside.

SECTION 3. This ordinance shall take effect and be in force on the thirtieth (30th) day from and after its final passage.

INTRODUCED at a regular meeting of the City Council of the City of Oceanside, California, held on the ___ day of _____, 2006, and, thereafter,

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Oceanside California, held on the ____ day of _____, 2006, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

_____
MAYOR OF THE CITY OF OCEANSIDE

ATTEST:

_____
CITY CLERK

APPROVED AS TO FORM:

_____
CITY ATTORNEY

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE AMENDING ZONING ORDINANCE SECTION 1050EE REGULATING THE PARKING OF VEHICLES ON PRIVATE PROPERTY

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE AMENDING OCEANSIDE TRAFFIC CODE SECTION 13.25 REGULATING THE PARKING OF VEHICLES ON PRIVATE PROPERTY

WHEREAS, the RV and Trailer Ad-hoc committee created by the City Council has recommended changes to Oceanside Traffic Code Section 13.25 regarding vehicle parking and storage on private property; and

WHEREAS, the proposed changes to Oceanside Traffic Code Section 13.25 will allow for increased opportunities for parking and storage of vehicles on private property.

NOW, THEREFORE, the City Council of the City of Oceanside does ordain as follows:

SECTION 1. Section 13.25 of the Oceanside Traffic Code is hereby amended to read:

"It shall be unlawful for any person to place for storage or to park for more than seventy two (72) consecutive hours a trailer, detached camper, boat, boat trailer or other non-motorized vehicle mobile home on an approved driveway of a residential building or in violation of any other provision Oceanside Zoning Ordinance as may be amended from time-to-time. All trailers, detached campers, boats or other non-motorized vehicles parked or stored outside of the boundaries of a duly licensed trailer park shall be completely disconnected from any and all utilities, and no living quarters shall be maintained or business practiced in any such stored vehicle or detached camper, provided, however, that the Building Official or designee may authorize the parking and use of not more than (2) trailers on a major construction site when such vehicles are used for field offices or temporary quarters for watchmen. Parking under the provisions of this exception shall be limited to not more than twelve (12) consecutive months on any one site unless an extension of such time limit is specifically authorized by the Building Official or designee.

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Exemption: This section shall not apply to any defined planning neighborhood or subdivision wherein an exemption has been granted pursuant to Oceanside Zoning Ordinance Section 1050EE."

SECTION 2. The City Clerk of the City of Oceanside is hereby directed to publish this ordinance, or the title hereof as a summary, pursuant to state statute, once within fifteen (15) days after its passage in the North County Times, a newspaper of general circulation published in the City of Oceanside.

SECTION 3.. This ordinance shall take effect and be in force on the thirtieth (30th) day from and after its final passage.

INTRODUCED at a regular meeting of the City Council of the City of Oceanside, California, held on the ___ day of _____, 2006, and, thereafter,

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Oceanside California, held on the ____ day of _____, 2006, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

_____
MAYOR OF THE CITY OF OCEANSIDE

ATTEST:

_____
CITY CLERK

APPROVED AS TO FORM:

_____
CITY ATTORNEY

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE AMENDING OCEANSIDE TRAFFIC CODE SECTION 13.25 REGULATING THE PARKING OF VEHICLES ON PRIVATE PROPERTY

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE ADDING SECTIONS 10.27 THROUGH 10.31 TO THE OCEANSIDE TRAFFIC CODE TO REGULATE UNATTACHED TRAILER AND OVERSIZED VEHICLE PARKING ON CITY STREETS

WHEREAS, unattached trailers constitute a hazard to the health, safety and welfare of the public when parked on City streets;

WHEREAS, oversized vehicles constitute a nuisance to neighborhoods when parked on City streets for extended periods;

NOW, THEREFORE, the City Council of the City of Oceanside does ordain as follows:

Section 1. Article X of the Oceanside Traffic Code is hereby amended to include the following sections:

SECTION 10.27 Unattached Trailer/Non-motorized Vehicle Parking Restriction

It is unlawful for any person to park or store an unattached trailer or non-motorized vehicle on any street for more than 72 hours. A vehicle shall be considered stored when it has been left standing upon a street without having been moved more than one-half of a mile within a 72-consecutive-hour period. In order to be considered moved, the vehicle shall be moved and remain ½ mile away from its original location at the conclusion of the 72-hour monitoring period for a minimum of 24 hours.

SECTION 10.28 Oversized Parking Restriction

No person shall park or store any oversized vehicle upon the public street for a period in excess of 72-hours. A vehicle shall be considered stored when it has been left standing upon a street without having been moved more than one-half of a mile within a 72-consecutive-hour period. In order to be considered moved, the vehicle shall be moved and remain ½ mile away from its original location at the conclusion of the 72-hour monitoring period for a minimum of 24 hours.

SECTION 10.29 Definitions

Oversized Vehicle *– shall mean any vehicle that exceeds twenty two (25) feet in length, or eighty-four (84) inches in width, or eighty-four (84) inches in height. Any extension(s)*

caused by mirrors or accessories attached to the side(s) of such vehicle shall not be considered part of the measured width area.

***Unattached Trailer/Non-Motorized Vehicle** – shall mean any trailer, travel trailer, tow dolly, semi-trailer, boat trailer, utility trailer, or any other vehicle without means of self-propulsion.*

SECTION 10.30 Exemptions

1. Oversized vehicles making pick ups of deliveries of goods, wares or merchandise from or to any building or structure.

2. Any vehicle involved in an emergency or any vehicle being repaired under emergency conditions.

3. Any vehicle belonging to federal, state, or local authorities.

4. Any vehicle displaying a valid extension permit issued to that vehicle as provided in this chapter

5. Any vehicle prescribed by a licensed physician as necessary sole transportation due to a medical condition.

SECTION 10.31 Extension Process

In the interest of allowing certain extensions of the proposed time restrictions, the City will offer the following opportunities:

1. A resident may request a maximum of four (4) times per year per vehicle, seventy-two (72) hour extension permit to park an oversized vehicle on the street provided that the size of vehicle, location, or condition does not otherwise pose a public hazard.

2. The extension permit shall be issued through the parking management office in a format prescribed by that office. Said permit shall be conspicuously displayed upon the vehicle for which it was issued.

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SECTION 2. The City Clerk of the City of Oceanside is hereby directed to publish this ordinance, or the title hereof as a summary, pursuant to state statute, once within fifteen (15) days after its passage in the North County Times, a newspaper of general circulation published in the City of Oceanside.

SECTION 3. This ordinance shall take effect and be in force on the thirtieth (30th) day from and after its final passage.

INTRODUCED at a regular meeting of the City Council of the City of Oceanside, California, held on the ___ day of _____, 2006, and, thereafter,

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Oceanside California, held on the ____ day of _____, 2006, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

_____
MAYOR OF THE CITY OF OCEANSIDE

ATTEST:

_____
CITY CLERK

APPROVED AS TO FORM:

_____
CITY ATTORNEY

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE TO AMEND THE LOCAL COASTAL PROGRAM WITH CERTAIN ZONING AMENDMENTS AMENDING ARTICLE 10 FOR PARKING OF RECREATIONAL VEHICLES AND TRAILERS WITHIN THE RESIDENTIAL BASE ZONE AND TO REQUEST CALIFORNIA COASTAL COMMISSION CERTIFICATION OF SAID AMENDMENT

(City of Oceanside –Applicant)
(LCPA-2-06)

WHEREAS, the California Coastal Act (Public Resources Code §30000, et seq.) (the "Coastal Act") requires that the City adopt a Local Coastal Program (LCP) which meets the requirements of the Coastal Act at the local level and implements its provisions and policies;

WHEREAS, on January 25, 1985, the California Coastal Commission ("Commission") approved with suggested modifications, the City's Land Use Plan ("LUP") and, pursuant to Public Resources Code §30512.2, found the City's LUP to be consistent with the policies and requirements of Chapter 3 of the Coastal Act and to meet the basic stated goals specified in Public Resources Code §30001.5;

WHEREAS, on August 16, 2006, the City Council conducted a duly noticed public hearing as prescribed by law to amend the Local Coastal Program (LCPA-2-06) through the adoption of zoning amendments applicable to the Zoning Ordinance, as specified in Exhibit "A", and as attached hereto and incorporated herein by reference;

WHEREAS, a Notice of Exemption was prepared by the Resource Officer of the City of Oceanside for this project pursuant to the California Environmental Quality Act of 1970 and the State Guidelines thereto as amended to date and hereby approved by the Planning Commission in conjunction with its recommendations on the application; and

WHEREAS, the City Council finds that the amendment to Local Coastal Program (LCPA-2-06) conforms with and is adequate to carry out the land use plan of the Local Coastal Program.

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NOW, THEREFORE, the Oceanside City Council of the City of Oceanside DOES RESOLVE as follows:

1. Pursuant to Public Resources Code §30510(a), the Oceanside City Council hereby certifies that the Local Coastal Program Amendment (LCPA-2-06) is intended to be carried out in a manner fully in conformity with the Coastal Act.

2. Pursuant to the California Environmental Quality Act of 1970, and the State Guidelines thereto amended to date, a Notice of Exemption has been issued for the project by the Resource Officer for the City of Oceanside.

3. Pursuant to Coastal Commission Local Coastal Program Regulations §13551(b), this amendment shall take effect upon Coastal Commission approval.

4. Notice is hereby given that the time within which judicial review must be sought on the decision is governed by Govt.C. Section 65860(b).

PASSED AND ADOPTED by the Oceanside City Council this 16th day of August, 2006, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

_____
Mayor

ATTEST:

_____
Secretary

APPROVED AS TO FORM:

_____
City Attorney

PLANNING COMMISSION
RESOLUTION NO. 2006-P~~38~~ 36

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OCEANSIDE, CALIFORNIA RECOMMENDING APPROVAL OF A ZONE AMENDMENT AND LOCAL COASTAL PROGRAM AMENDMENT

APPLICATION NO: ZA-2-06, LCPA-2-06
APPLICANT: City of Oceanside
LOCATION: Citywide

THE PLANNING COMMISSION OF THE CITY OF OCEANSIDE, CALIFORNIA DOES RESOLVE AS FOLLOWS:

WHEREAS, there was filed with this Commission a verified petition on the forms prescribed by the Commission requesting a Zone Amendment and Local Coastal Program Amendment under the provisions of Article 45 of the Zoning Ordinance of the City of Oceanside to permit the following:

Zoning Ordinance text amendment as shown in the attached Exhibit "A";

WHEREAS, the Planning Commission, after giving the required notice, did on the 26th day of June, 2006, conduct a duly advertised public hearing as prescribed by law to consider said application; and

WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State Guidelines thereto; the amendment was found to be exempt from environmental review; and

WHEREAS, studies and investigations made by this Commission and in its behalf reveal the following facts:

<u>For the Zone Amendment and Local Coastal Program Amendment</u>:

1. The Zone Text Amendment, as proposed, conform to the General Plan of the City.
2. That the granting of the Zoning Amendment is consistent with the purposes of the Zoning Ordinance.
3. The Zone Amendment conforms to the Local Coastal Plan, including the policies of the plan.

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4. The Zone Amendment conforms to the California Coastal Act of 1976.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby recommend approval of Zone Amendment (ZA-2-06) and Local Coastal Program Amendment (LCPA-2-06) as represented in the attached Exhibit "A".

PASSED AND ADOPTED Resolution No. 2006-P~~38~~ 36 on June 26, 2006 by the following vote, to wit:

AYES: Neal, Parker, Horton, Martinek, Beach and Balma

NAYS: Blom

ABSENT: None

ABSTAIN: None

Robert F. Neal, Chairman
Oceanside Planning Commission

ATTEST:

Jerry Hittleman, Secretary

I, Jerry Hittleman, Secretary of the Oceanside Planning Commission, hereby certify that this is a true and correct copy of Resolution No. 2006-P~~38~~. 36

Dated: June 26, 2006

PLANNING COMMISSION STAFF REPORT

DATE: June 26, 2006

TO: Chairman and Members of the Planning Commission

FROM: Community Development Department/Planning Division

SUBJECT: **CONSIDERATION OF A ZONE AMENDMENT (ZA-2-06) AND LOCAL COASTAL PLAN AMENDMENT (LCPA-2-06) TO THE ZONING ORDINANCE MODIFY SECTION 1050EE REGARDING THE OFF-STREET PARKING PROVISIONS FOR RECREATIONAL VEHICLES AND TRAILERS ON RESIDENTIALLY ZONED PROJECTS AND MODIFYING THE OCEANSIDE TRAFFIC CODE SECTION 13.25 REGARDING THE ON-STREET PARKING PROVISIONS FOR RECREATIONAL VEHICLES AND TRAILERS AND ADD OCEANSIDE TRAFFIC CODE SECTIONS 10.27 THRU 10.32 FOR PARKING OF OVERSIZED VEHICLES, UNATTACHED TRAILERS, AND NON-MOTORIZED VEHICLES ON PRIVATE PROPERTY AND WITHIN THE PUBLIC RIGHT-OF-WAY – RV AND TRAILER PARKING VEHICLES – APPLICANT: CITY OF OCEANSIDE**

RECOMMENDATION

The Planning Commission recommends approval to the City Council Zone Amendment (ZA-2-06) and Local Coastal Program Amendment (LCPA-2-06) and adopt Planning Commission Resolution No. 2006-P36 as attached. The City Council is scheduled to hear this zone text amendment on August 2, 2006.

PROJECT DESCRIPTION AND BACKGROUND

At their December 1, 2004 meeting, the City Council directed the Planning Commission to organize an Ad-Hoc Committee to review the Citywide regulations for parking of oversized vehicles, unattached trailers, and non-motorized vehicles on lots zoned for residential use, as well as within the public right-of-way. The RV and Trailer Parking Ad-Hoc Committee met seven times between August 23, 2005 and April 18, 2006 to discuss and recommend modifications to the City's parking regulations.

The committee voted and recommended the additions and changes to Citywide Zoning Ordinance (ZO) section 1050(EE), Oceanside Traffic Code (OTC) sections 10.27 thru 10.32, as well as changes to OTC section 13.25. With the changes, ZO section 1050(EE) and OTC sections 13.25 affect parking of vehicles on private property. OTC section 10.27 thru 10.32 is being attached as information only. This section of the OTC is currently not adopted, and in order to add an ordinance address parking within the public right-of-way, this item will need to be adopted by council action.

On private property, the change in the ordinance allows parking of any vehicle, including those referenced by the changes proposed as part of this amendment to be parked in the front yard areas and only on an approved driveway for an extend period of time. OTC section further extends the time limit allowing parking on approved driveways from 48 hours to 72 hours.

Changes to ZO section 1050(EE) would also allow parking of oversized vehicles, unattached trailers, and non-motorized vehicles in the side and rear yard setbacks, and behind the front building line. The current regulations do not allow any vehicles to be parked in either the side or rear yard setback areas. The regulations will generally require the following when parking such vehicles on private property:

- A 6-foot fence is required to help visually soften the effect of parking such vehicles in the side and/or rear yard setback areas;
- Such vehicles must be parked on an improved surface;
- Such vehicles visible from the right-of-way and/or from adjacent neighbors must be maintained in good visual repair;
- Such vehicles do not block windows or doorways to a habitable structure;
- Such vehicles do not block utility boxes or meters; and,
- And that a minimum of a 36-inch access aisle is maintained on one side of such vehicles leading to the rear yard for safety and access purposes.

Regulations for on-street parking and within the public right-of-way changes are also included for oversized vehicles, unattached trailers, and non-motorized vehicles. Oceanside Traffic Code section 10.27 thru 10.32 will be added and shall include provisions that generally include:

- A definition for oversized vehicles, unattached trailers, and non-motorized vehicles;
- A 72-hour maximum time limit for parking on public rights-of-way for any of the oversized vehicles, trailers, and non-motorized vehicles; and,

- A proximity clause that requires moving oversized vehicles, trailers, and non-motorized vehicles to a minimum one-half mile distance away from the original location once the 72-hour time period lapses.

Residents may request up to four time extensions per year from the Traffic Enforcement Department. Each extension will allow a 72-hour time extension for parking of oversized vehicles, trailers, and non-motorized vehicles within the public right-of-way.

ANALYSIS

DISCUSSION

The on-street and off-street parking regulations for defined oversized vehicles, unattached trailers, and non-motorized vehicles need to be addressed for the protection of the character of the City's neighborhoods. The Ad-Hoc committee decided to provide the attached additions and/or changes to City policy for approval. The changes are being proposed in order to preserve the character of community neighborhoods, to create a visually pleasing and attractive environment, and to promote safe vehicle parking conditions for both on-street and off-street parking for larger vehicles, as defined by ordinance.

The provisional changes will provide a level of flexibility for City residents and visitors for both on-street and off-street parking, while promoting a balanced need to promote community character and safety when considering such changes.

Without these changes, the Ad-Hoc committee members and staff feel that the continued visual effect of defined large and non-motorized vehicles on neighborhood streets and on private property will continue to detract from the character of the City's neighborhoods.

The Code Enforcement, Traffic Enforcement Departments, and Planning Division have provided input for the changes being requested during Ad-Hoc meetings. These departments have reviewed the changes and agree with the amendment language that is being proposed. Attached as Exhibit "A" is the specific text language that staff is recommending for approval.

ENVIRONMENTAL DETERMINATION

The proposed zone text amendment is exempt from the provision of the California Environmental Quality Act (CEQA).

SUMMARY

Staff believes that the proposed Zoning text amendment will be an improvement in the Zoning Ordinance (ZO) and Oceanside Traffic Code (OTC) text language allowing the appropriate parking of oversized vehicles, unattached trailers, and non-motorized vehicles subject to certain criteria. As such, staff recommends the following:

-- Recommend approval of Zone Amendment (ZA-2-06) and Local Coastal Program Amendment (LCPA-2-06) and adopt Planning Commission Resolution No. 2006-P38 as attached.

PREPARED BY:

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SUBMITTED BY:

Jerry Hittleman
Acting City Planner

RA/fil

Attachments:
1. Planning Commission Resolution No. 2006-P38
2. Exhibit "A" Proposed Text Additions and Changes
3. Current ZO Section 1050(EE)
4. OTC Section 10.27 – 10.32, information only

(EE) Automobiles, motorhomes, motorcycles, and other vehicles shall not be parked in a required front, corner side, side, or rear yard area, and shall not project beyond the front building line of the principal structure on a site, provided that such vehicles may be parked on a driveway.