

ORDINANCE NO. XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CALISTOGA AMENDING THE CALISTOGA MUNICIPAL CODE TO ADD REGULATIONS FOR PARKING IN REQUIRED YARDS TO CHAPTER 17.36 OFF-STREET PARKING AND LOADING (TITLE 17, ZONING) AND ADD REGULATIONS ON STORAGE IN REQUIRED YARDS TO CHAPTER 8.24 PROPERTY MAINTENANCE STANDARDS (TITLE 8, HEALTH AND SAFETY)

WHEREAS, extensive parking in the front yards of single-family residences, as well as the storage of household goods, construction materials and equipment in these areas can create a negative visual appearance that reduces property values; and

WHEREAS, parking on non-paved areas can result in the loss of landscaping and neighborhood open space, as well as the tracking of mud and dirt into the roadway; and

WHEREAS, the proposed Municipal Code amendments are consistent with Goal H-4 of the Housing Element of the Calistoga General Plan, which seeks to maintain and enhance the physical condition and aesthetic quality of existing residential areas in the city; and

WHEREAS, the Planning Commission held a duly noticed public hearing on the ordinance on September 11, 2013, and adopted Resolution PC 2013-30 forwarding a recommendation that the City Council approve the ordinance. Prior to taking action on the resolution, the Planning Commission received written and oral reports from staff and received public testimony; and

WHEREAS, the City Council of the City of Calistoga reviewed and considered this ordinance at its meeting on October 15, 2013, noticed in accordance with state and local law, and which included the written and oral staff report, proposed findings and comments received from the general public and interested agencies and parties.

NOW, THEREFORE, THE CALISTOGA CITY COUNCIL DOES HEREBY ORDAIN AS FOLLOWS:

SECTION ONE

Findings. The above recitals are incorporated herein as if set forth herein in full and each is relied upon independently by the City Council for its adoption of this ordinance.

SECTION TWO

Amendments to Chapter 17.36. Chapter 17.36 Off-Street Parking and Loading (Title 17, Zoning) is hereby amended as follows, where deleted language is indicated by strikeout and added language is indicated by underlining:

17.36.070 Parking in required yards ~~Spaces located in yard prohibited~~

- A. Unless otherwise provided, required parking and loading spaces shall not be located in any yard required by this title.
- B. On a lot developed with a single-family residence, vehicles may be parked in required front and street side yards only in the following areas in order to minimize their visual impact on the neighborhood and promote landscaping:
1. On a driveway with a maximum width of 24 feet, where "driveway" is defined as a private road that leads from a public road to a house or garage.
 2. On a parking pad with a maximum width of 10 feet, subject to the following:
 - a. Parking pads shall be parallel with and adjacent to a driveway.
 - b. Parking pads shall be located between a driveway and the nearest interior side property line.
 3. On an area that is consistent with the intent of this subsection if a driveway is not needed, subject to approval by the Planning & Building Director.
- C. Parking areas shall have an all-weather surface with clearly-defined edges. "All-weather surface" does not include areas of grass, lawn, compacted or hard-packed dirt.

SECTION THREE

Amendments to Chapter 8.24. Chapter 8.24 Property Maintenance Standards (Title 8, Health and Safety) is hereby amended as follows, where deleted language is indicated by strikeout and added language is indicated by underlining:

8.24.050 Prohibited storage.

- A. No motor vehicle, recreational vehicle or equipment, off-highway vehicle, trailer or vessel, as defined in the California Vehicle Code, shall be parked or stored for more than 72 hours ~~except under the conditions set forth in CMC 8.24.060~~ when parked outside of the required front or street side yard on an all-weather surface and screened from public view by dense landscaping or fencing. Such surface, landscaping or fencing shall comply with the applicable standards set forth in this code.

- B. A required front or street side yard may not be used for the storage of goods, equipment and materials including, but not limited to, the following:
1. Household furnishings, fixtures and appliances
 2. Machinery, tools and equipment
 3. Boxes and mobile storage containers, except when associated with a household's relocation or ongoing construction or landscaping activities.
 4. Salvage materials, scrap metal and construction materials, including but not limited to dirt, sand, gravel, concrete, tile, rocks, bricks and similar materials, except when associated with ongoing excavation, construction, demolition, agricultural or landscaping activities on the same property.

~~8.24.060 Exceptions.~~

~~The restriction of parking or storage of a motor vehicle, trailer or vessel shall not apply when such vehicle, trailer, or vessel is parked outside of the required front yard or street side yard setback on all-weather surface and screened from public view by dense landscaping or fencing. Such surface, landscaping or fencing shall comply with the applicable standards set forth in this code.~~

SECTION FOUR

Environmental Review. This action has been reviewed in accordance with the California Environmental Quality Act, CEQA Guidelines Section 15061(b)(3), the "general rule" exemption. The City has determined that because it can be seen with certainty that there is no possibility that the ordinance will have an impact on the environment, it is therefore exempt from CEQA under the general rule.

SECTION FIVE

Severability. If any section, subsection, subdivision, paragraph, sentence, clause, or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof irrespective of the fact that any one or more subsections, subdivisions, paragraphs, sentences, clauses, or phrases be declared unconstitutional, or invalid, or ineffective.

SECTION SIX

Effective Date.

THIS ORDINANCE shall take effect thirty (30) days after its passage and before the expiration of fifteen (15) days after its passage, shall be published in accordance with law, in a newspaper of general circulation published and circulated in the City of Calistoga.

THIS ORDINANCE was introduced with the first reading waived at the City of Calistoga City of Council meeting of the 15th day of October, 2013, and was passed and adopted at a regular meeting of the Calistoga City Council on the ____ day of _____ 2013, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Chris Canning, Mayor

ATTEST:

Kathy Flamson, Deputy City Clerk

Proposed Permitted Parking Locations

Interior property line

