



# **CITY COUNCIL AGENDA REPORT**

MEETING DATE: DECEMBER 7, 2010

ITEM NUMBER:

**SUBJECT:** SECOND READING OF ORDINANCE 10-15 ADOPTING CODE AMENDMENT CO-10-03  
RELATED TO INOPERABLE VEHICLE PARKING IN RESIDENTIAL PROPERTIES

**DATE:** NOVEMBER 18, 2010

**FROM:** DEVELOPMENT SERVICES DEPARTMENT

**PRESENTATION BY:** MINOO ASHABI, SENIOR PLANNER  
KIMBERLY BRANDT, DIRECTOR

**FOR FURTHER INFORMATION CONTACT:** MINOO ASHABI (714) 754-5610  
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## **RECOMMENDATION:**

Give second reading to Ordinance 10-15 that amends Title 20 of the Costa Mesa Municipal Code to revise regulations regarding parking of inoperable vehicles in residential properties.

## **ANALYSIS:**

On November 16, 2010, City Council gave first reading to Ordinance 10-15 by a 3-2 vote (Mayor Pro Tem Leece and Councilmember Foley voting no) for applicability of the new standards. Staff has no further information on this item.

MINOO ASHABI, AIA  
Senior Planner

KIMBERLY BRANDT, AICP  
Development Services Director

**DISTRIBUTION:** City Manager  
Asst. City Manager  
City Attorney  
Assistant Development Svs. Director  
Public Services Director  
Transportation Svs. Manager  
City Clerk (2)  
Staff (4)  
Planning Staff (8)  
File (2)

**ATTACHMENT:** Ordinance 10-15

**ORDINANCE NO. 10-15**

**AN ORDINANCE OF THE CITY COUNCIL OF COSTA MESA,  
CALIFORNIA ADOPTING ZONING CODE AMENDMENT CO-10-  
03, AMENDING TITLE 20 OF THE COSTA MESA MUNICIPAL  
CODE REGARDING THE PARKING AND STORAGE OF  
INOPERABLE VEHICLES ON RESIDENTIAL PROPERTIES**

**THE CITY COUNCIL OF THE CITY OF COSTA MESA DOES HEREBY ORDAIN AS  
FOLLOWS:**

**SECTION 1: TITLE 20.** Table 20-6(c) of Title 20 of the Costa Mesa Municipal Code is hereby amended as follows:

"Table 20-6(c) [EXCERPT OF PARKING AND STORAGE OPTIONS ONLY] VEHICLE STORAGE AND PARKING REGULATIONS			
	RESIDENTIAL ZONES AND RESIDENTIALLY- DEVELOPED PROPERTY		
Parking and Storage Options	Vehicle and Recreational Vehicles	Inoperative Vehicles	Wrecked or dismantled vehicles, or part thereof
<p><b>4. Other residential storage options.</b> Stored or parked on a paved area that meets the following criteria:</p> <ul style="list-style-type: none"> <li>a. A screened paved surface that is not within the required building setback area abutting a public street excluding alleys; and,</li> <li>b. The screening shall consist of a 6-foot high permanent, solid, opaque fence or wall. The fence or wall shall be constructed and maintained in accordance with applicable development standards for fences and walls contained in the City of Costa Mesa Zoning Code. A building may also serve to screen the storage area.</li> <li>c. The exceptions to subparagraphs a. and b. above are that vehicles and recreational vehicles may also be stored or parked as follows:               <ul style="list-style-type: none"> <li>i. On a paved driveway connecting a garage or carport with a public or private street or alley; or</li> <li>ii. On a paved parking space which is accessible from the alley for properties developed with a single family detached residence.</li> </ul> </li> </ul>	P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>
	P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>
	P <sup>1</sup>	•	•

P = Permitted  
• = Prohibited

1. Excludes buses, tow trucks, dump trucks, flatbed trucks, tractors, tractor trailers, truck trailers; or any other commercial vehicle over 25 feet long or 8 feet in height or 90 inches wide, except as allowed in Section 20-6(a).

**SECTION 2: ENVIRONMENTAL DETERMINATION.** The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA guidelines, and the City's environmental procedures, and has been found to be exempt pursuant to Section 15061 (b) (3) (general rule) of the CEQA Guidelines, in that the City Council hereby finds that it can be seen with certainty that there is no possibility that the passage of this ordinance amending the zoning code will have a significant effect on the environment..

**SECTION 3: INCONSISTENCIES.** Any provision of the Costa Mesa Municipal Code or appendices thereto inconsistent with the provisions of this ordinance, to the extent of such inconsistencies and or further, is hereby repealed or modified to the extent necessary to affect the provisions of this ordinance.

**SECTION 4: SEVERABILITY.** If any provision or clause of this ordinance or the application thereof to any person or circumstances is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect other provisions or clauses or applications of this ordinance which can be implemented without the invalid provision, clause or application; and to this end, the provisions of this ordinance are declared to be severable.

**SECTION 5: PUBLICATION.** This Ordinance shall take effect and be in full force thirty (30) days from and after the passage thereof, and prior to the expiration of fifteen (15) days from its passage shall be published once in the ORANGE COAST DAILY PILOT, a newspaper of general circulation, printed and published in the City of Costa Mesa or, in the alternative, the City Clerk may cause to be published a summary of this Ordinance and a certified copy of the text of this Ordinance shall be posted in the office of the City Clerk five (5) days prior to the date of adoption of this Ordinance, and within fifteen (15) days after adoption, the City Clerk shall cause to be published the aforementioned summary and shall post in the office of the City Clerk a certified copy of this Ordinance together with the names and member of the City Council voting for and against the same.

**PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_ 2010.**

\_\_\_\_\_  
Mayor of the City of Costa Mesa

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
City Clerk of the City of Costa Mesa

\_\_\_\_\_  
City Attorney

