

ORDINANCE NO. 2024-04

AN ORDINANCE OF THE CITY COUNCIL OF THE CHARTERED CITY OF VISTA, CALIFORNIA, AMENDING CHAPTER 8.36 OF THE VISTA MUNICIPAL CODE AND CHAPTER 18.54 OF THE VISTA DEVELOPMENT CODE RELATED TO SUPPLEMENTAL PARKING SPACES FOR ONE-FAMILY AND TWO-FAMILY DWELLINGS

The City Council of the City of Vista does resolve as follows:

1. Findings. The City Council hereby finds and declares the following:

A. This ordinance is enacted by the City Council pursuant to its authority under the Charter of the City of Vista and Article 11, Section 7 of the California Constitution.

B. The City intends to amend Chapter 8.36 Property Maintenance and Nuisance Abatement of the Vista Municipal Code, and Chapter 18.54 Off-Street Parking and Loading Requirements of the Vista Development Code to allow for a supplemental parking space to be constructed immediately adjacent to existing driveways that serve one-family and two-family residences.

C. The proposed Municipal and Development Code amendments would be consistent with the General Plan's Land Use and Community Identity Element, Goal No. 2 and Policy 2.2.

D. The proposed amendments to the Municipal and Development Codes are exempt pursuant to CEQA Guidelines Section 15303 (New Construction or Conversion of Small Structures) because the amendments permit the new construction of small structures in the form of limited supplemental parking spaces at existing one-family and two-family residences.

2. Code Amendment.

“Chapter 18.54

Off-Street Parking and Loading Requirements

Sections:

18.54.010	Purpose of Provisions
18.54.020	Facilities Required When - Application of Provisions
18.54.030	Exemptions from Provisions
18.54.040	Floor Area Defined
18.54.050	Number of Parking Spaces Required
18.54.060	Changed or Converted Uses
18.54.070	Loading Space Requirements
18.54.080	Bicycle Parking/Storage Requirements
18.54.090	Motorcycle Parking Requirements
18.54.100	One-Family and Two-Family Dwellings
18.54.105	Supplemental Parking Space for One-Family and Two-Family Dwellings
18.54.110	Determining Parking Space Requirements for Mixed Uses
18.54.120	Development Standards
18.54.130	Reciprocal Parking Facilities

- 18.54.140 Modification of Certain Off-Street Parking Requirements by Special or Minor Use Permit**
- 18.54.150 Parking Standards for Industrial Developments**
- 18.54.160 General Parking Lot Modification**
- 18.54.170 Commercial Vehicles**
- 18.54.180 Illumination Requirements**
- 18.54.190 Parking Enforcement - Statutory Authority**

Section 18.54.010 through 18.54.090 No changes

Section 18.54.100 One-Family and Two-Family Dwellings

Paved parking spaces shall be located on the same lot or building site as the use they are required to serve. Open parking spaces may be located anywhere on the lot or building site where a main or accessory building is permitted. Except, they shall not be located in a required front-yard or other required setback from a public or private street unless allowed by the Development or Municipal Codes, including without limitation Sections 16.57.090 and 18.54.105 of the Zoning Code.

Section 18.54.105 Supplemental Parking Space for One-Family and Two-Family Dwellings

Property owners of one-family and two-family dwellings may construct one supplemental parking space within a required front-yard or other required setback from a public or private street, subject to the following requirements:

A. The supplemental parking space shall be located immediately adjacent to the required driveway for the residential dwelling, and between the driveway and the closest side lot line.

B. The supplemental parking space shall be permanently constructed using a pavement section of not less than four inches of P.C.C. (Portland Cement Concrete) on native soil, or two inches of A.C. (Asphaltic Concrete) over six inches of D.G. (Decomposed Granite), or as determined by Section 16.57.090.D of the Zoning Code. The construction materials for the supplemental parking space shall match the existing material of the required driveway.

C. The addition of the supplemental parking space shall not result in a total curb cut exceeding forty (40) percent of the street frontage.

D. Vehicles parked on the required driveway or supplemental parking space shall remain perpendicular to the public or private street fronting the lot. Angled parking or parallel parking to the street is prohibited.

E. The Director may grant exceptions to the above requirements through approval of a zoning clearance pursuant to Chapter 18.71 of the Zoning Code. Such determinations are ministerial and not appealable. Exceptions shall not be granted unless it is found:

1. There are special circumstances or conditions applicable to the property involved that would make strict application of the supplemental parking requirements infeasible or impractical; and

2. The alternative design, location and size of the supplemental parking space will not adversely affect: (i) the health, safety or general welfare of persons residing or working in the vicinity; or (ii) property or improvements in the vicinity.

Section 18.54.110 No changes

Section 18.54.120 Development Standards

Any facility (multi-family residence(s), professional, commercial or industrial) where parking is provided for residents, clients or customers, guest or employees shall conform with the standards and guidelines set forth herein as they apply to the development of off-street parking. "Accessible Parking" as it is used in this section refers to "Parking for Physically Disabled Persons."

A. Parking Spaces and Circulation.

1. Dimensions.

a. Parking spaces and circulation aisles shall have minimum unobstructed dimensions determined in accordance with the parking angle of the parking spaces utilized, as set forth in Table 18.54.120.A, unless otherwise specified.

b. The parking space envelope shall not be less than nine (9) feet by nineteen (19) feet in size. Open parking spaces shall be marked, using two 4 inch strips separated by 10 inches, for a total width of 18 inches, and joined by a semi-circular arc at the incoming end so as to form an elongated "U" with all markings to be continuous, as depicted in Figure 18.54.120.A.

2. Marking. All required open parking spaces shall be clearly delineated on the surface of the parking area with paint or other easily distinguished material as illustrated by Figure 18.54.120 (A), unless otherwise specified.

3. On-Site Circulation Requirements. Vehicle aisles shall be designed to ensure that movement of motor vehicles from one vehicle aisle to another does not require leaving the lot or building site upon which the parking spaces are located, and no cross-traffic shall be permitted through parking spaces. No parking space shall be situated in such a location that a backward movement across any public right-of-way is required for exiting a parking space.

4. Private Driveways. Private driveway width, slope and paving standards shall conform with the provisions of Chapter 16.57 of this code.

5. Transverse Slope. The transverse slope, or cross-fall of individual parking stalls shall not exceed five percent, with the exception of accessible parking spaces which shall not exceed 2.083 percent.

Table 18.54.120A No changes

Figure 18.54.120A No changes

6. Vehicle Barriers.

a. All parking spaces located at the outside border of a parking area and not separated by a fence or wall from any abutting property line, street or alley, shall be provided with securely installed and maintained wheel-stops of concrete (PCC). Said wheel-stops shall be not less than six inches in height and four feet in length, located not less than 2.5 feet from such property line.

b. Where continuous concrete curbs (not less than six inches in height) are provided as a barrier or divider between a paved area and a landscaped area, the wheel stops required by Subsection A above may be omitted.

c. The wheel stops shall be omitted or marked if the City Planner finds that the omission or marking will ensure pedestrian safety.

7. Screening and Permitted Parking Areas. Parking areas shall be located and screened so that parked motor vehicle(s) present the least possible exposure to public view.

This may be done by providing landscape screening, by placing the parking areas at the rear of buildings or behind architectural features, or by utilizing natural topography or planned grading to create parking areas which are below or above adjacent street and property grades. Specific parking screening requirements are as follows:

a. In detached single-family residential zoning districts, the parking or storage of any motor vehicle, as defined in the California Vehicle Code (“CVC”), Sections 362 (House Car), 415 (Motor Vehicle) and 670 (Vehicle), or any camp trailer, camper or trailer as defined in Sections 242 (Camp Trailer), 243 (Camper) and 630 (Trailer), 635 (Trailer Coach) or any camper shell or boat, or any vehicle parts or vehicle related equipment on any lot is permitted only in the following areas:

(1) When screened from public view by a solid fence or wall not less than six feet in height;

(2) In a parking area approved by the City as part of a development approval process or in a supplemental parking space pursuant to Section 18.54.105 of the Zoning Code;

(3) On the portion of the lot or parcel that is behind a line which extends from the portion of the main structure nearest the front property line to the side lot lines, which is parallel to the front property line, and which does not abut a public or private street;

(4) The parking of operable motor vehicles, as defined by CVC Sections 465, 630, 242, 362, or 471 (Pickup Truck) is permitted where otherwise not allowed by this section, upon a paved driveway (not more than 24 feet in width) connecting a carport or garage with a public or private street. For the purposes of this section, “**paved**” driveway shall mean a pavement section of not less than four inches of P.C.C. (Portland Cement Concrete) on native soil, or two inches of A.C. (Asphaltic Concrete) over six inches of D.G. (Decomposed Granite), or as determined by Section 16.57.090.D of the Vista Development Code.

b. Every parking area abutting property located in an A, E, R or O zoning district or abutting property designated (SP) shall be blocked from view from such property by a concrete block or masonry wall with ornamental features, not less than six feet in height measured from the grade of the finished surface of such parking area closest to the abutting A, E, R, O, or (SP) zoned or designated property, provided that, if such parking area is below, but less than six-feet below the elevation of the abutting A, E, R, O, or (SP) zoned or designated property, at the common property line, such wall shall be not less than six feet in height from the existing grade of the abutting property at such line; and provided further, that within any required front yard or side street side yard, or within ten feet of any alley-line, such wall shall not exceed a height of three feet.

c. Every parking area in a multi-family residential or O-P zone which is so located that it abuts a required yard abutting a street shall be blocked from view from the public right-of-way by a concrete block or masonry wall with ornamental features, not less than 42 inches in height at the rear line of the required yard.

d. Exemptions to Divisions b and c above of this subsection are:

(1) No such wall need be provided wherever the elevation of that portion of the parking area abutting property located in the A, E, R, or O zones are abutting property designated (SP), or is six feet or more below the elevation of the abutting property at the common property line.

(2) No such wall need be provided along a side property line when the side yard is used for access to a parking area if the abutting property is in the same zone, provided a landscaping area at least five feet in width is installed abutting the property line in-lieu thereof. Such a landscaped area shall be planted with trees and shrubs of a size, and in such a manner, that they will provide a screening effect in conformance with the provisions of this

section.

Section 18.54.120.B **No changes**

Section 18.54.130 through 18.54.190 **No changes**

Chapter 8.36

Property Maintenance and Nuisance Abatement

Section 8.36.010 through 8.36.030 **No changes**

Section 8.36.040 **Specific Conditions Constituting Public Nuisance, and Unlawful Condition**

The existence of any of the following conditions upon any property shall be considered a public nuisance, a violation and unlawful condition:

A. **Substandard Building or Structures.** Any building or portion thereof which is determined to be a substandard building in accordance with Chapter 10 of the Uniform Housing Code. In addition, this includes:

- 1. Buildings which are abandoned, partially destroyed or permitted to remain unreasonably in a state of partial construction.
- 2. Buildings, walls and other structures which have been damaged by fire, decay or otherwise to such an extent that the same cannot be repaired so as to conform to the requirements of the building code in effect in this city.
- 3. The failure to close, by such means as shall be acceptable to the building official, all doorways, windows and other openings into vacant structures.
- 4. Any portion of a building that is unpainted or untreated so as to expose raw building material to the elements or which is visible from any public right-of-way, street, or alley.
- 5. Any portion of a building which has broken windows, damaged woodwork or wall coverings including, but not limited to unpainted surfaces, chipped or peeling paint, damaged brickwork, stonework, stucco, or wood, such that the affected area is in excess of the following:

- a. Ten percent of total exposed material used for trim, fascia, rafters, or rain gutters.
- b. Five percent of wall surfaces as measured along any single plane of the building.

B. **Substandard Property.** Property or portions thereof having one or more of the following conditions:

- 1. Land, the topography, geology or configuration of which, whether in natural state or as a result of grading operations, excavation or fill, causes erosion, subsidence or surface water drainage problems of such magnitude as to be injurious or potentially injurious to the public health, safety and welfare or to adjacent properties.
- 2. Overgrown, diseased, decayed or dead vegetation, including lawns, weeds, plants, shrubs, hedges and trees, and including any such vegetation within parkway areas of the property subject to utility and City easements. There is a conclusive presumption that vegetation is overgrown under these provisions if the vegetation has not been properly cut and trimmed within 30 days after notification that such vegetation is overgrown.
- 3. Junk stored or accumulated contrary to the provisions of Chapter 8.28 of

this code.

4. Garbage stored in such a manner as to constitute a fire, health or safety hazard, or to promote the propagation, harborage or attraction of vectors or vermin or the creation of litter.

5. Garbage cans stored in front or side yards and visible from public or private streets.

6. Packing boxes, lumber, litter, dirt and other debris accumulated in vestibules, doorways or the adjoining sidewalks or outside commercial or industrial buildings and visible from public or private streets.

7. Subject to the exceptions set forth in Subsection (e), (f), (h) and (i) below, the owner or resident of property zoned for residential use may park or store a motor vehicle or trailer, as defined in California Vehicle Code, or any recreational vehicle registered in his or her name on said property only in the following areas:

a. Within a fully enclosed and permitted structure; or
b. When screened from public view by a solid fence, wall or landscaping not less than six feet in height; or

c. On the portion of the lot or parcel that is behind a line which extends from the portion of the main structure, excluding the garage, nearest the front property line to the side lot lines, which is parallel to the front property line, and which does not abut a public or private street; or

d. In a parking area approved by the City as part of a development approval process or in a supplemental parking space pursuant to Section 18.54.105 of the Zoning Code; or

e. The parking of motor vehicles, trailers and recreational vehicles is permitted upon a paved driveway (not more than 24-feet in width) connecting a carport or garage with a public or private street, provided no portion of the motor vehicle, trailer, or recreational vehicle shall extend into the paved or unpaved sidewalk area. No more than one trailer or recreational vehicle may be parked or stored on a paved driveway less than 50 feet in length. A maximum of two recreational vehicles may be parked or stored on a paved driveway in excess of 50 feet. For the purposes of this section, "paved" driveway shall mean a pavement section of not less than four inches of Portland Cement concrete on native soil, or two inches of Asphaltic Concrete over six inches of decomposed granite, or as determined by Section 16.57.090D of the Vista Development Code. For the purposes of this section, the "unpaved" sidewalk area shall be that area parallel to the paved road with a width of five feet measured from the edge of the paved road extending outward from the road.

f. No more than two trailers or recreational vehicles or any combination of such vehicles, shall be stored or parked on any property less than one acre in size zoned for single family residential uses. One additional trailer or recreation vehicle may be parked or stored on property zoned for single family residential use for each additional one-half acre to a maximum of four. Trailers or recreational vehicles stored within any fully enclosed structure, such as a garage, shall not count against the total number of recreational vehicles permitted under this section.

g. No property owner or resident of property zoned for residential uses shall permit the storage or parking of a trailer or recreational vehicle belonging to a bona fide guest or guests in excess of 30 days cumulative in any 12 consecutive month period, provided the total number of trailers or recreational vehicles parked or stored on the property shall not exceed the limitation set forth in subsections (e) or (f).

h. Detached camper shells, truck campers, vehicle parts or vehicle related equipment must be stored in accordance with Subsections (a) or (b) above.

- i. No motor vehicle or trailer in excess of 24 feet in length, excluding recreational vehicles, may be parked or stored on property zoned for residential purposes.
- j. All trailers and recreational vehicles stored or parked on property zoned for residential use shall have affixed a valid license with current registration tag.
- k. For the purpose of this section, a recreational vehicle shall have the same definition as found in Section 10.34.010 of this code.

Section 8.36.040.B.8-15 through Section 8.36.200 **No changes”**

3. Effective Date. This Ordinance shall be effective on the thirty-first day following the date of its adoption.

4. Adoption. INTRODUCED AND ADOPTED at a meeting of the City Council held on April 9, 2024 by the following vote:

AYES: Mayor Franklin, Green, Contreras, Melendez, O'Donnell
NOES: None
ABSTAIN: None

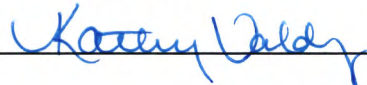
APPROVED AS TO FORM:
WALTER CHUNG, CITY ATTORNEY

By:  _____

APPROVED
Walter C. Chung
20240402090551



JOHN FRANKLIN, MAYOR

ATTEST:
KATHY VALDEZ, CITY CLERK
By:  _____