



STAFF REPORT

TO: PLANNING COMMISSION

FROM: Corey Simon, Senior Planner

DATE: September 11, 2007

SUBJECT: Public hearing to review proposed zoning text amendments to the Martinez Municipal Code Chapter 22.36; Off-Street Parking. Proposed changes include modifying the regulations governing the storage of vehicles and the parking of recreational vehicles ("RV's") within a minimum required front yard.

The Draft regulations to be reviewed by the Planning Commission incorporate changes resulting from the Commission hearing of April 24, 2007 & Community meeting held by Staff on July 19, 2007.

RECOMMENDATION

Review proposed regulations, formulate recommendation(s) to City Council and direct staff to prepare resolution making recommendation for or against adoption of an Ordinance amending Title 22, Chapter 36 of the Martinez Municipal Code regarding front yard and recreational vehicle parking.

ENVIRONMENTAL REVIEW

The proposed text amendments are categorically exempt from the requirements of CEQA under 15305 – Class 5; Minor Alterations in Land Use Limitations.

BACKGROUND

The Planning Commission last discussed this item on April 24, 2007. The Commission did not take action on a recommendation at that time, and directed staff to: a) provide greater public outreach, such as through City Newsletter, of proposed regulations; and b) continue to modify the draft regulations to provide a greater accommodation for limited parking of RV's in front yards. Staff refined the idea of allowing parking pads between the driveway and the nearest side property line, and presented this option at a public meeting held on July 19, 2007, in the Council Chambers. As per the Commission's directions to staff, the public meeting was widely advertised, with an article in the City's newsletter, as well as being publicized by stories in the Record and Gazette. With over 70 people attending, many speakers reiterated their desire for no

restrictions on RV parking. In contrast, others found the draft regulations too lenient. But those RV owners willing to entertain some form of compromise offered further refinements to the "parking pad" concept. Incorporating these "size limits" thresholds offered at the public meeting, the regulations as currently proposed are illustrated in Attachment A, the full text of the proposed zoning code amendment is provided as Attachment B. The following discussions are focused on the changes made since the April Commission hearing and as a result of the public meeting. The February 27, 2007, staff report and minutes are provided as Attachments C and D; the April 24, 2007, staff report and minutes are provided as Attachments E and F. Correspondence and newspaper articles received since the April 24, 2007, Planning Commission meeting (including articles addressing regulation of RV parking in neighboring cities, such as Antioch and Concord), are provided as Attachment G.

DISCUSSION

PART 1: OVERVIEW OF CHANGES TO DRAFT REGULATIONS SINCE APRIL 24 HEARING:

(TEXT OF PROPOSED ZONING CODE CHANGES IN ~~STRIKEOUT~~ AND **HIGHLIGHT** FORMAT, PROVIDED AS ATTACHMENT B)

- ALLOWANCES FOR PARKING OF RV'S IN FRONT YARDS ON "PARKING PADS" BETWEEN THE DRIVEWAY AND THE NEAREST SIDE PROPERTY LINE.

While parking of any vehicle would still be banned on what most people consider the "front yard," the small area located next to the driveway (usually in front of the utility gate into the side yard) could be used for long term (i.e. over 72 hours) parking of RV's with certain size limitations:

- *A special subset of RV's with the proposed definition of "Small Recreational Vehicles" (not to exceed 22' length, 10' in width, 7' height) could be parked on the parking pad with no "setback" from sidewalk.*
- *The parking pad could also be used for standard RV's, but such vehicle could be no closer than 5' from back of sidewalk. The "setback" from back of sidewalk is for the safety, and aesthetic perspective, of the pedestrian. Given that the distance between the back of sidewalk and the curb will vary, a setback requirement from "back of sidewalk" will inevitably create differing parking opportunities for RV owners (e.g. owners on streets with "planting strips" may have a shorter length available for parking.) As with any zoning standard, such variations are unavoidable.*
- *The definition of "Oversized RV" has been increased from 30' to 35', so owners of vehicles of up to 12' high, and 35' long can potentially park within a side yard or on a parking pad.*

➤ **ADDITIONAL PARKING OPPORTUNITIES AVAILABLE TO OWNERS OF RELATIVELY LARGER LOTS (e.g. over 10,000 sq. ft.):**

Since the beginning of staff's development of the proposed regulations, the focus of the new regulations was on the "typical suburban" lot of between 6,000 sq. ft. to 10,000 sq. ft. in size. It is within this typical size range where RV owners - and neighbors of RV owners - have expressed a conflict. Therefore the draft regulations are focused to finding a compromise that will work on such sized lots. But Martinez has several neighborhoods of larger lots, where there is a greater opportunity for RV parking without being in conflict with neighbors. While it would be impractical to write regulations that would be unique to a specific lot size (as was suggested by a speaker at the public meeting), the regulations would be somewhat "self adjusting" to provide opportunities where lot size and or home placement allows for more open area on the lot:

- ***In any R- and RR- Residential Zoning District, parking of recreational vehicles a distance of 50' or more behind the property line is permitted within the front yard.***
- ***Oversized RV's would only be prohibited in the minimum required side yards (typically 10' to 20' on very large lots.) On large lots, much area would remain for parking of Oversized RV's, albeit closer to the owners' residences toward the center of the lot.***
- ***In the RR- Rural Residential Zoning Districts, the above restrictions do not apply to the parking of vehicles used for the transportation of horses.***

PART 3: DISCUSSION OVER GRANDFATHERING/AMORTIZATION OF 30+ LEGAL "FRONT YARD PARKING PERMITS" ISSUED SINCE MID 1980'S:

While only a fraction of the RV's currently parked in the City's front yards may have a legal permit issued from the mid 1980's though 2003 (when the City stopped issuing them), any new regulations would need to address what "grandfathered" right, if any, the City will extend to these permit holders. If the City is to adopt such new regulations, Staff would not recommend that old "parking pad" permits be grandfathered indefinitely, as the continued presence of these RV's could undermine enforcement of the new law. Conversely, the continuing presence of the few legally permitted RV's could be necessary if a compromise is reached. At this time staff is recommending:

- ***Existing permits be grandfathered indefinitely for original permit holder, but only for the original vehicle or vehicle of equal or lesser size.***
- ***Grandfathered permits would terminate upon sale and/or vacation of occupancy of original permit holder. Right to park will not be transferred to new residents.***

Any recommendation the Commission chooses to make toward the adoption of new regulations should address both a) period of amortization for current permit holders and b) any possible extensions to the normal "effective 30 days after adoption" period for new zoning regulations.

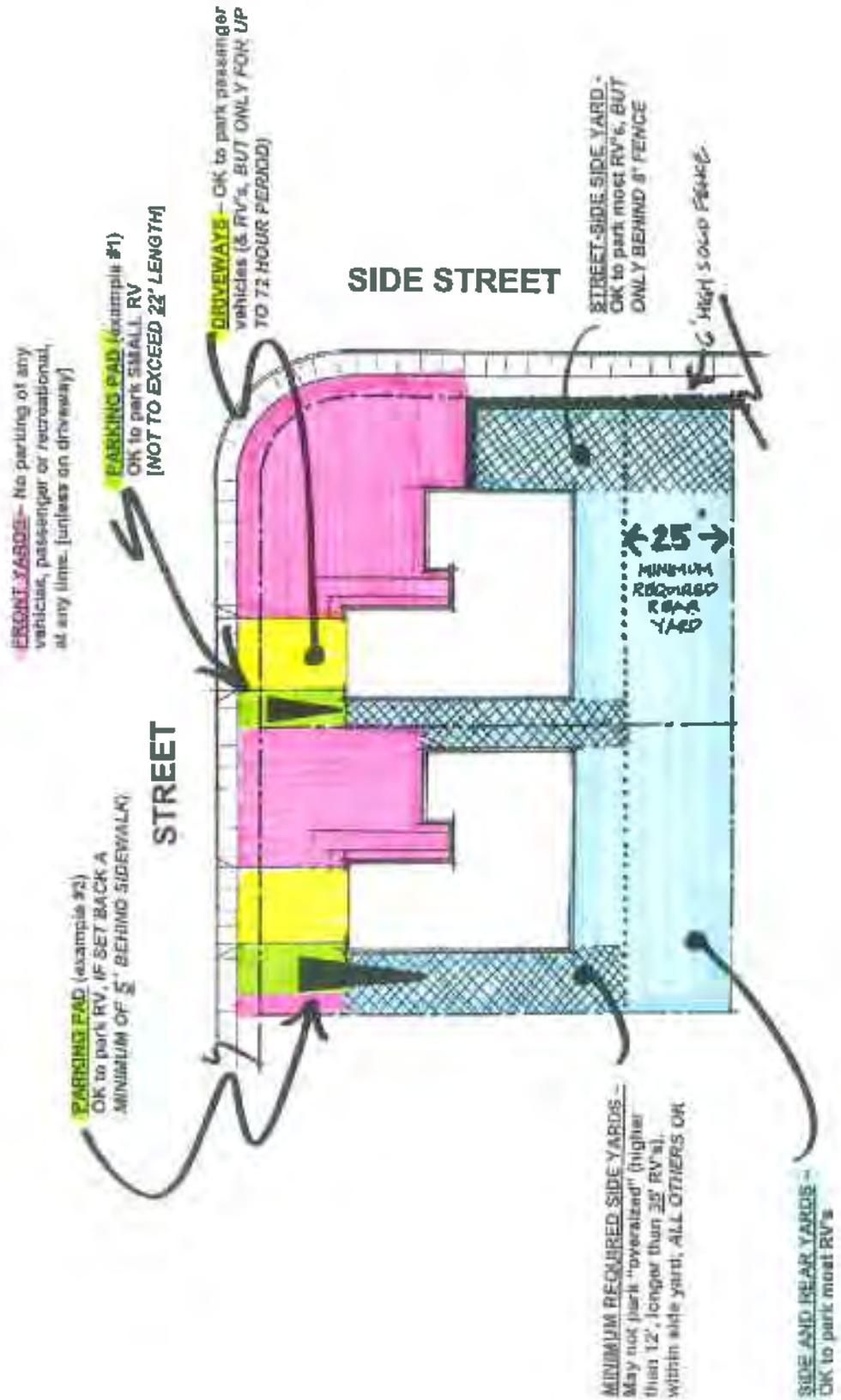
ATTACHMENTS

- A. Illustration of allowable parking areas
- B. Full text of existing and proposed regulations in "strikeout/redline" format
- C. February 27, 2006 meeting minutes
- D. Staff report for meeting of February 27, 2006 (without attachments)
- E. April 24, 2006 meeting minutes
- F. Staff report for meeting of April 24, 2006 (without attachments)
- G. Correspondence and newspaper articles (received/published since April 24, 2007)

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DRAFT RV PARKING REGULATIONS

FOR PLANNING COMMISSION CONSIDERATION, SEPTEMBER 11, 2007



ATTACHMENT B

PLANNING COMMISSION REPORT, SEPTEMBER 11, 2007

FRONT YARD & RV PARKING ZONING TEXT AMENDMENT (REVISED DRAFT – September 11, 2007 Planning Commission) WITH CHANGES SINCE JULY 2007 WORKSHOP

PROPOSED NEW TEXT SHOWN AS: **Proposed new rules**
PROPOSED DELETED TEXT SHOWN AS: ~~Text to be deleted~~

22.04.362 Mobile Storage Container [NEW DEFINITION]

“Mobile Storage Container” means any enclosed or partially enclosed unit, including but not limited to “POD” units, that is intended for delivery to a customer’s site for loading and unloading, but is stored off site.

22.04.442 Recreational Vehicles (“Definitions”)

“Recreational vehicle” means ~~a boat trailer, camper on a truck not exceeding 3/4 ton, motorcycle or any other vehicle~~ **a motorized or non-motorized vehicle, other than passenger vehicles and trucks,** primary manufactured for the expressed purpose of providing recreational activities, **including but not limited to motor homes, trucks with cab-over camper shells and unmounted camper shells; as well as licensed camper & travel trailers 5th wheel trailers, horse trailers, all terrain vehicles, dirt bikes, boats, ski jets; and any licensed trailer used to transport such recreational vehicles.**

Recreational Vehicle, Small [NEW DEFINITION]

“Small recreational vehicle” means any recreational vehicle, including any trailer used for transport, that in total does not exceed any of the following dimensions: a) height of 6’ 7” b) length of ~~20’~~ 22’ or c) width of 10’.

22.04.443 Recreational Vehicle, Oversized [NEW DEFINITION]

“Oversized recreational vehicle” means any recreational vehicle that either: a) has a height over 12’ b) a length of over ~~30’~~ 35’; c) is a “commercial vehicle” pursuant to the California vehicle code.

22.04.600 Yard, Front.

"Front yard" means a yard extending across the full width of a site, the depth of which **contains all areas between the front property line back to the wall(s) of the building which are parallel or generally face the front property line. The minimum required front yard** is the minimum **required** horizontal distance between the front property line and a line parallel thereto on the site. (Ord. 822 C.S. § 2 (part), 1975: prior code § 10.102 4(59).)

22.04.630 Yard, Street-Side Side [NEW DEFINITION]

"Street -side side yard" means a yard extending from the front yard to the rear property line, the depth of which contains all areas between the side property line of a corner lot back to the wall(s) of the building which are parallel or generally face the side property line. **The minimum required side yard on the street side of a corner lot is the minimum required horizontal distance between the side property line and a line parallel thereto on the site.**

22.36.080 Parking--Design Criteria. [AMENDED SECTION]

- A Off-street parking facilities provided in compliance with this chapter shall meet the following design and dimension criteria.
1. Each parking space shall be not less than 20 feet in length and 9 feet in width exclusive of aisles and access drives, except that a parking space required to be located in an enclosed garage shall be not less than 20 feet in length and 10 feet in width, exclusive of utility areas
 2. Each parking space shall be accessible from a street or alley
 3. Entrances and exits shall be provided at locations approved by the City Traffic Engineer and the Planning Department
 4. The parking area, aisles and access drives shall be paved so as to provide a durable, dustless surface and shall be so graded and drained as to dispose of surface water
 5. Wheel stops shall be provided only where needed for safety or to protect property
 6. Lighting provided in off-street parking areas shall be directed away from adjoining premises and streets such that it does not cause off-site glare and nuisance. The type and location of luminaries shall be approved by the Planning Director
 7. Where a parking area adjoins a street or another site, a landscaped strip not less than 5 feet in depth shall be planted with plant materials not less than 5 feet in height and permanently maintained, except that within 50 feet of a street, intersection the height of plant materials including earth berms, other than trees shall be not more than 3 feet above the curb elevation

[DISCRETIONARY FRONT YARD PARKING PAD PROVISION - TO BE DELETED]

- ~~1. One parking area, 10 feet in width may be located within the required front yard subject to the granting of a permit under this section. There shall be no fee for this permit unless heard by the Planning Commission. This parking area shall be limited to use for operative automobiles, recreational vehicles, boats on licensed trailers and licensed travel trailers.~~
- ~~b. No permit is required for a parking area located in the side yard of the exterior side yard of a corner lot where appropriately screened, as determined by the City Code Enforcement Officer.~~
- ~~c. Parking within the required front yard shall be allowed by permit issued by the City Code Enforcement Officer. The parking permit shall run with the land and shall be transferable provided all conditions herein stated are complied with by the property owner. Approval of the front yard parking area shall only be granted if the Code Enforcement Officer finds that the following conditions are met and no objections are filed under Subsection 4 below:~~
- ~~(i) Front yard parking shall be permitted only when it can be demonstrated by the applicant that parking within the side or rear yard would pose a serious hardship or extenuating or exceptional circumstances exist. In all cases, parking within side or rear yards shall be the first consideration.~~
 - ~~(ii) The front yard parking area shall not obstruct, obscure or otherwise restrict sight distances at any intersection. Vehicles and any associated screening shall comply with standards established in Chapter 22.34.000.~~
 - ~~(iii) Parking within the front yard shall not in any way adversely impact adjoining property owners.~~
- ~~d. The Code Enforcement Officer shall deliver written notices to residences adjacent to the proposed parking area and to residences across the street and any other residences directly visually impacted by the establishment of a front yard parking area.~~
- ~~The notice shall describe the type of vehicle to be parked, the location and size of the proposed parking pad, and (at the applicant's option) the maximum size of vehicle which could be parked on the pad.~~
- ~~e. Anyone receiving notice and who is aggrieved by the installation of a parking pad shall file signed, written objections with the Code Enforcement Officer no later than ten working days after notice is delivered.~~
- ~~f. Objections received within the ten day period shall be submitted to the Planning Commission for hearing and decision.~~
- ~~g. The applicant may also appeal to the Planning Commission any decision of the Code Enforcement Officer. Appeals should be submitted no later than ten working days after the Code Enforcement Officer makes a determination.~~
- ~~h. All permits issued by the Code Enforcement Officer or the Planning Commission shall be subject to the following conditions, plus any additional conditions needed to carry out the intent of this section:~~
- ~~(1) The vehicle permitted above shall be fully licensed as stipulated in the California State Vehicle Code.~~

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~~(ii) Parking surface shall be concrete, gravel, asphalt or decomposed granite.~~

~~(iii) The parking area must be well maintained and kept free from the accumulation of waste material, including debris, garbage and weed or other unsightly materials.~~

~~(iv) Utility trailers, camper shells and other non-motORIZED and/or non-recreational vehicles shall be permitted in the front yard pad for periods of 72 hours or less.~~

~~(v) The permit shall be limited to a vehicle the make and type as stated in the original application, or to the maximum size of vehicle described in the notice given to the affected residences.~~

~~i. Failure to comply with any of the above conditions will result in the revocation of the parking permit by the Code Enforcement Officer and/or possible issuance of a citation.~~

8. Parking areas may be not located within yard areas, as follows:

a. Restrictions for non-residential properties: For properties in all Zoning Districts, other than R- and RR- Residential Districts, no parking area may be located in a minimum required front yard or minimum required street-side side yard.

b. Restrictions for residential properties: For properties within R- and RR- Residential Districts, and for any property not in a R- and RR- District with residential use, no parking area may be located within a front yard, or street-side yard, with the following exceptions and restrictions:

i. Driveways. Licensed and operable vehicles may be parked on a residential driveway conforming to the requirements of Section 22.36.090, which prescribes a maximum driveway width of 24' width and that a driveway is not to exceed 30% of the width of any lot; and subject to the limitation prescribed in Section 22.36.085.B; Parking—Recreation Vehicles and Utility Trailers.

ii. Parking pads. Licensed and operable vehicles may be parked on a paved area or "pad" tangent to a driveway, subject to the limitation prescribed in Section 22.36.085.B; Parking—Recreation Vehicles and Utility Trailers. A Front yard parking pad may only be located between the driveway and the nearest interior side property line. A parking pad may not be located between the driveway and the secondary street of a corner lot, or between the driveway and the farther of the two interior side property lines; and may not exceed a width of

12'. Vehicles on such a pad must be parked perpendicular to the street, and such vehicles may not block access to garage.

- iii. Street-side side yards. Parking of a vehicle may be permitted within street-side side yard of a lot, subject to the screening requirements and limitation of Section 22.36.085; Parking—Recreation Vehicles and Utility Trailers.
- iv. Deep front yards. Notwithstanding the limitation prescribed for parking pads in subsection ii above, parking on paved surfaces in front yards areas that are 50', or more, behind the property line is permitted
- v. Parking on non-paved surfaces is prohibited. Notwithstanding the parking of vehicles in street-side side yards behind requiring screening, parking on-unpaved surfaces is prohibited. For parking pads, permitted surfaces may include gravel and/or decomposed granite in addition to concrete and asphalt surfaces.

22.36.085 Parking—Recreation Vehicles and Utility Trailers [NEW SECTION]

- A. Front yards and street-side side yards. No recreational vehicle or utility trailer shall be parked with the front yard or street-side yard of any property with a residential use for more than a 72-hour period, with the following exceptions and restrictions:
 - 1. Parking pads. A single Small Recreational Vehicle, as defined in section 22.04.443 may be parked adjacent to the driveway on a paved pad, as permitted section 22.36.080.A.8.b. Excluding the parking of Oversized Recreational Vehicles, such a pad may also be used for the parking of a single Recreational Vehicle (as well as Small Recreation Vehicle specified above), provided that the Recreational Vehicle is parked a minimum of either 40' 5' behind the back of sidewalk, or 10' behind the front property line in cases where there is no sidewalk.
 - 2. Street-side side yards. Recreational Vehicles may be parked within a Street-side side yard where such vehicles are behind a 6 feet tall solid fence, in locations where such required screening is permitted by Section 22.34.090; Fences, Walls and Hedges.
 - 3. Deep Front Yard. Notwithstanding the limitation prescribed above, parking of Recreational Vehicles on paved surfaces in front yards areas that are 50', or more, behind the property line is permitted.

- B. Other than where permitted in front and street-side, side yards above, Recreational Vehicles may only be parked within side and rear yards.*
- C. Notwithstanding subsections A. and B. above, Oversized Recreational Vehicle, as defined in Section 22.04.443, may be not be parked within any minimum required front, side or street-side side yard, nor may be parked within 5' of a rear property line.*
- D. No RV may be occupied for living, sleeping or any other purposes while parked per the limitations listed above; other than a visitors' RV which may be used for the guest's accommodations for not more than one week.*
- E. In the RR- Rural Residential Zoning Districts, the above restrictions do not apply to the parking of vehicles used for the transportation of horses.*

22.36.086 Parking— Mobile Storage Containers [NEW SECTION]

No Mobile Storage Container shall be parked on any property with a residential use for more than a 72-hour period. A Mobile Storage Container may be not be parked on a residential property for more than 4 times in a calendar year. Long term use of Mobile Storage Container for on-site storage may be permitted within side and rear yards, subject limitations prescribed in Section 22.12.265; Accessory Structures.

Community Development Project/Municipal Code Changes/Out Yard & RV Parking ATTACHMENT B - PC RPT 2016.09.16.15.

ATTACHMENT C

PLANNING COMMISSION REPORT, SEPTEMBER 11, 2007

PLANNING COMMISSION MEETING MINUTES

CITY OF MARTINEZ
PLANNING COMMISSION
REGULAR MEETING
February 27, 2007

A regular meeting of the Martinez Planning Commission was called to order by Chair Mark Hughes at 7:00 P.M. on Tuesday, February 27, 2007, at City Hall Council Chambers, 525 Henrietta Street, Martinez, California.

PRESENT: Commissioners Allen (alt.), Avila, Burt, Busby, Glover, Hughes, Kluber, Korbmacher

ABSENT: None

STAFF: Code Enforcement Officer Bill Dillard
Senior Planner Corey Simon
Deputy Director Community Development Albert Lopez

REGULAR ITEMS

REGULAR ITEMS

2. Front Yard & RV Parking Ordinance

Public hearing to review proposed zoning text amendments to the Martinez, Municipal Code Chapter 22.36; Off-Street Parking. Proposed changes include placing limitations on the parking of recreational vehicles within the minimum required front yard of residential lots. The Planning Commission will make its recommendations to the City Council, which will consider the possible amendments at a future date to be announced.

Senior Planner Corey Simon presented the staff report, clarifying what will be included under the ordinance (boats, campers, trailers, etc.), background on the ordinance, and the recommendation of the City Attorney that the City stop issuing RV parking permits because of the discretionary standards. He also discussed possible elements of the ordinance as well.

Chair Hughes asked what the City Attorney's opinion was regarding existing RV pad permits. Mr. Simon said they could be grandfathered or there could be an amortization period followed by a sunset of permits.

Commissioner Burt asked why not grandfather the approvals. Mr. Simon said it could make enforcement of future regulations difficult because of the perceived precedent.

Code Enforcement Officer Bill Dillard acknowledged there were not too many existing permits so grandfathering shouldn't create an onerous burden. He felt there might be equity issues with an amortization period.

Commissioner Allen asked about the origin of the new ordinance, specifically whether it was at the instigation of a citizen group. She felt the existing ordinance was specific. Mr. Simon explained difficulties in determining when a "neighbor feels harm" as a result of an RV pad permit.

Commissioner Allen said the current RV approval process seemed similar to the variance process, with the same appeal rights. Mr. Simon clarified that the variance process is more balanced, whereas the RV ordinance is more subjective.

Commissioner Korbmacher asked the City's stance as to how proactive the enforcement will be. Mr. Dillard said it most likely would be complaint-driven, with an initial grace period to allow for citizen compliance. However, if staff observes an obvious violation, the City would take action on its own initiative.

Commissioner Allen asked about impacts in planned unit developments (PUDs) with RV pads built as part of the original development. Mr. Simon said they could also be grandfathered.

Public hearing opened

JERRY ANSELM, member of the committee that developed the current RV ordinance in 1982-83, explained the background of the ordinance, the rationale behind its components, and the application and approval process. He also noted it was supposed to be a no-fee permit. He read from a 1990 article related to the legal opinion that limits city authority to enact restrictions on RV parking.

EMILY ANSLOW said she has had an RV parked at her residence since 1979. She applied for a permit in 2003, but still has not heard from the City that it has been approved or denied. She noted there is not enough storage in and around Martinez for the number of recreational vehicles in the City.

ROLF LINDENHAYN said the real issue is how to make the City of Martinez a better place to live (in terms of aesthetics and property values). He observed that the City has a responsibility to protect the health, safety and welfare of the residents. He discussed impacts on his neighborhood from a long-parked boat not even owned by the property resident. He expressed support for the ordinance as a step toward making Martinez a better place to live.

HELENE PARIS, 38-year resident, said people should be allowed to park their vehicles on their own property as long as it is not blocking the sidewalk.

RUSS HOLT, resident since 1939, asked whether his RV parked in his side yard would be illegal. Mr. Simon said as the new ordinance is written, yes. Mr. Holt asked that the ordinance be amended to allow side yard parking, even without a fence in place. He also said one neighbor's complaint should not be sufficient for denial of a permit.

SUZANNE FOX expressed concern about the definition of driveway and front yard, as well as difficulty in applying the ordinance to nonstandard lots, which hers is.

ADAM HOWARD questioned the necessity for the proposed ordinance, and he commented on the additional burdens for the City and residents, because of insufficient enforcement staff. He questioned whether property values would be that impacted either way. He was not in favor of the ordinance.

SUE GUSTAFSON said she supports some revisions to the RV ordinance. She noted that Concord has one, and its enactment has improved the appearance of the city. She commented on her observations of her neighborhood and visual impacts from RVs. She felt something should be done about sizing, at least. She was especially concerned about eyesores from derelict vehicles not being used at all. She indicated that the revision of the ordinance would enhance the appearance of the City.

JON & DORIS PURTELL expressed concern about unreasonable restrictions. They noted they have never had complaints from neighbors about RV or boat parking. They expressed concern about the added expense of RV storage, especially for those on fixed incomes. They were opposed to the new ordinance.

JOHN WILSON, former Planning Commissioner, suggested the City do a census to see how many vehicles would be impacted. He also noted that 80% of homes in Martinez would not have vehicle access to their backyards. He asked the Commission to consider the necessity and impacts of a new ordinance.

CAROL ROCHA responded to an earlier speaker about health, safety and aesthetics, suggesting that the oil refineries have a larger impact on all of those than RVs do. She agreed one neighbor alone should not have the right to limit the rights of others. She also agreed that RV storage lots are not a viable option due to costs and the potential for theft or vandalism. She thought the requirements of the current ordinance regarding maintaining vehicles in good condition would eliminate most of the aesthetic problems.

JERALD KELLY, pad permit owner, explained why he needed an RV pad, and the difficult process involved. He agreed with Ms. Rocha about the risks in using RV storage lots. He was opposed to the ordinance.

DEE HULETT noted that some developments have planned RV parking. He discussed the impact of Pittsburg and Antioch RV ordinances and the distance some have to drive

now to store their vehicles. He questioned whether there would be sufficient storage space nearby. He urged the Commission to seek compromise where possible.

Mr. Anselmi read provisions from the 1983 ordinance.

Mr. Holt asked about enforcement of new ordinance provisions. Chair Hughes said that was still to be determined, but he acknowledged it would probably be complaint-driven.

Mr. Lindenhayn confirmed that the process for establishing the ordinance would allow adequate opportunity for public comment.

Ms. Purtell commented on the many RV owners who were unaware of the need for a permit. Mr. Purtell asked if any on the Commission owned RVs. Chair Hughes said he did, and Vice Chair Glover said he had a boat.

Mr. Howard said common sense would lead owners to park in the side yard if possible.

Mr. Hulett asked why revisions to the ordinance were needed at this time.

Ms. Rocha said she has always parked her cars in the garage and checked with neighbors about RV parking. She was concerned that any change to the ordinance would negatively affect those who already have RVs, etc.

Commission Comment

Vice Chair Glover asked if parking an RV in a driveway is allowed currently. Mr. Simon said there are no rules dictating what can be parked in driveway; earlier rules said no parking in the front yard setback area. He acknowledged the need for some clarification.

Commissioner Busby thanked the public for their input. She commented on the situation in her neighborhood with large motorhomes. She urged both sides to seek compromise.

Commissioner Allen asked if there was a prohibition on parking RVs in driveways. Mr. Simon said no RV pad permits have been issued for driveways, but there has been no citing of vehicles parked there either.

Commissioner Busby asked whether vehicles are cited currently only when a complaint has been received. Mr. Dillard said currently none are being cited, since the City Attorney expressed concern about equitable application of the standards. He explained the previous code enforcement and permit application processes.

Commissioner Allen was concerned about why the issue has come up at this time, particularly after reading the article in the Gazette. Commissioner Busby expressed concern about the Gazette being a source of information.

Commissioner Avila commented on the need for more information, noting that from a population of 36,000 only 24 are here tonight to discuss the issue. She suggested a

survey he done to assess the full impacts. She agreed there was no sense in enacting regulations without sufficient enforcement capability.

Commissioner Korbmacher noted that ordinance also regulates utility trailers etc. He felt the whole city should have been notified of the proposed ordinance and more information presented to the Commission. He questioned whether the new ordinance would apply to large lots.

Commissioner Busby commented Mr. Anselmi's delay in applying for a pad permit, even though he had worked on the original ordinance.

Commissioner Avila said there needs to be better outreach and education.

Commissioner Burt noted that "Ignorance of the law is no excuse," but she acknowledged the need to start the process over, considering grandfather provisions, a census of existing conditions, current Attorney General Vehicle code opinions, enforceability of the provisions, future precedent, unintended consequences, size limitations, more information gathering and public discussion.

Commissioner Kluber agreed this is an issue that needs to be discussed, but there is much more that needs to be considered before the Commission takes action. He discussed his efforts with a responsible neighbor who responded favorably to Commissioner Kluber's concerns about screening his boat. He expressed appreciation for those in attendance who have been responsible and reasonable neighbors. He also acknowledged the need to look at the regulations in equitable manner.

Vice Chair Glover suggested some survey of what other cities are doing, storage possibilities, City registration of RV and boats, and adequate enforcement. Commissioner Busby suggested using the City newsletter to ensure adequate notification of the issue. Commissioner Avila said registration of the vehicles could be done at the same time.

Mr. Simon commented on the need to take action at some point, either in support or against the proposed ordinance. Chair Hughes said more information is needed before the Commission can make a recommendation.

Commissioner Busby asked how many pending applications there were. Mr. Simon said not very many. Mr. Dillard said the City is still receiving about 100 calls a month complaining about RV impacts, as well as some inquiries about getting a pad permit.

Commissioner Burt asked the origin of this ordinance. Mr. Dillard said it was based on the number of complaints received.

Mr. Lopez said the Council held neighborhood meetings late last year, with many complaints about RVs addressed to them. He also noted that the Planning Commission

recommendation to the City Council does not have to have all the provisions nailed down.

Commissioner Kluber said information from Mr. Dillard regarding the number and type of complaints would be helpful. Mr. Lopez commented on difficulties in surveying.

Commissioner Avila said she was not comfortable approving the changes to the ordinance without more information. Commissioner Burt concurred.

Commissioner Allen suggested using RV or boat organizations, DMV records, or aerial surveys to create a database of interested parties. She also agreed that alternative parking possibilities is a compelling issue, and that enforceability needs to be considered.

Commissioner Burt said past Planning Commission recommendations to the City Council usually include any needed ordinance.

Commissioner Busby asked about the code enforcement process. Mr. Dillard said it is now possible to review and sort complaints based on various criteria.

In response to a question from the audience, the Commission confirmed that the City has only one code enforcement officer presently.

Chair Hughes suggested a study session or workshop, or formation of another committee to research the issues.

Mr. Lopez reviewed the additional information requested by the Commission – numbers and type of complaints, offsite RV parking possibilities, existing RVs in the City, current Attorney General vehicle code information, other cities ordinances, interested organizations, and DMV records.

Commissioner Avila asked about current pad permit applications. Mr. Lopez said the need for permits still exists, but most violators will not pursue the issue.

Commissioner Busby reviewed possible next steps in the process. Staff confirmed the additional research could be done within 120 days.

Sue Gustafson made suggestions about development of a database of RV owners.

Mr. Anselmi cautioned the Commission to be sure the new ordinance is enforceable.

Mr. Purtell confirmed with the Commission that he did not need to apply for an RV pad permit.

By consensus, the Commission continue the item to a later date for staff to provide additional information.

ATTACHMENT D
PLANNING COMMISSION REPORT, SEPTEMBER 11, 2007



STAFF REPORT

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FROM: Corey Simon, Senior Planner

DATE: February 27, 2007

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The proposed text amendments are categorically exempt from the requirements of CEQA under 15305 – Class 5; Minor Alterations in Land Use Limitations.

BACKGROUND

The Planning Commission last discussed this item in November 2006 study session. While the Commission could not reach consensus in 2004 (when a new regulations were last considered), the City Council has requested that the Commission revisit this issue, as residents have requested the Council consider placing greater restrictions on the parking of RV's on residential lots.

For the purpose of this discussion, the term "RV" included such items (and the trailers that transport them) as boats, jet skies dirt bikes, as well as motor homes and travel trailers. [NOTE: Such a definition of "Recreation Vehicle" is included in the draft regulations and will be further discussed below.]

The following is an overview of existing regulations, and some of the concerns that have lead the Council to consider new regulations.

- EXISTING REGULATIONS: There is not currently a code section specifically regulating the parking of "RV's" in front yards. Related regulations are listed below:

- Parking on Driveways Parking of vehicles on driveways is unregulated, and therefore under current rules, the parking of both "passenger vehicles" (cars, SUV's light trucks etc.) and "RV's" is permitted.
- "Front Yard Parking Pads Permits." Prior to 1983, the parking regulations simply stated that parking areas were not permitted in a "required front yard." From the mid 1983 until 2003, the City issued discretionary "front yard parking pad permits" (22 36 080.A.8) to allow RV parking on a "RV parking pad," 10' in width, within a minimum required front yard.

The permit allows homeowners to pour a 10' wide concrete pad in front of their home, **in addition** to the existing driveway, for the sole purpose of parking "*operative automobiles, recreational vehicles, boats on license trailers and licensed travel trailers*". This permit was intended to allow RV parking in front yards, but prevent parking on dirt in the front yard for any type of vehicle (RV or old car). Because this permit approval was subject to adjacent neighbor approval (protest-only permits) and there were no performance standards associated with their approval, the City Attorney advised staff in 2003 to stop issuing them. Staff has complied with the City Attorney's request and has not issued any since. The existing permits (approximately two dozen) have been unaffected by the City's Attorney's advise. These permits were: a) generally for a specific vehicle size specified at the time of application and b) "runs with the land" and theoretically may be used in perpetuity. The complete text of the current regulation is provided as Attachment "B." Notices of the Planning Commission's hearing have been sent to all permit holders on record.

- Parking in Side and Rear Yards Parking of vehicles in side and rear yards is unregulated, and therefore under current rules, the parking of both "passenger vehicles" (cars, SUV's light trucks etc.) and "RV's" is permitted.

□ EVALUATION/COMPLAINTS OVER EXISTING CONDITIONS:

Since the current process of permitting "front yard parking pads" was adopted over 20 years ago, residents have continued to be in conflict over this issue. The City's Code Enforcement Officer and Council members continue to frequently receive complaints over the "unattractive" appearance of RV's parked on neighbors' properties. The common thread of such complaints may be that the community may be placing a higher priority on neighborhood preservation - with a heightened sensitivity to what some might define as "blight" - than it did 20 years ago. Thus:

- The Granting Of Front Yard Parking Permits For "Perpetuity" may be In Conflict with Incoming Residents Expectations. Once a "front yard parking pad" was granted, the right to park became permanent, and "runs with the land." But while the residents who received the permits may not frequently move, the ownership

of surrounding properties may change, and residents who once felt they were not "adversely impacted" (the grounds for protest of original permit applications and findings for permit denial) may be replaced with those who feel that they are. The resultant conflicts lead to inconsistent enforcement of City standards, where a large RV may be "permitted" where a smaller RV one block away may be seen as "unacceptable." An effective neighborhood improvement/code enforcement program needs to have zoning regulations that are easy to understand and that can be consistently applied. The retention of these "permitted" vehicles could make the City's enforcement appear to be arbitrary - those seeking permission for parking are denied while others around them were previously approved - and "eyesores" that today would not be permitted, cannot be cited because they already have a permit.

- The Parking of RV's on Driveways should be considered differently that the Parking of "Regular": Passenger Vehicles. To those "offended" by RV parking within the front yard, the placement of the RV on a parking pad along side the driveway, or on the driveway makes no difference; if the City is to restrict RV parking, it would need to be restricted throughout the whole front yard area. In such jurisdictions where such restriction have been adopted, RV driveway parking, but only for a maximum 72 hour period, is excepted, allowing RV owners to have access to vehicles immediately before and after use - but then otherwise the RV must be parked either in the garage, off-site or within the rear and side yard.
- Some seek regulations of RV Parking with Side and Rear Yards. While most of the "complaints" over RV parking concerns the appearance of neighbors' Front Yards, others, (including some Planning Commissioner's at previous study sessions), have expressed concerns over how very large and tall RV's would be visible to adjoining neighbors across rear and side property lines. Issues raised include the applications of setbacks to motor homes that to the neighbor, appear as a "structure." Were such vehicles to be considered "structures", minimum setbacks for light, air and privacy would be applied.

□ NOVEMBER 2006 STUDY SESSION:

The Commission was generally supportive of revisiting the 2004 Draft, with the following key ideas:

- RV parking would be prohibited with all front yard areas, except for a 72-hour period to allow for loading/unloading and preparing for road trips etc.
- The Definition of "RV" would be expanded as discussed previously.
- The ability to use side and rear yard areas for RV parking, if behind a standard 6' fence, would continue to be allowed.

□ CURRENT RECOMMENDATIONS:

Staff has modified the 2004 draft as outlined below. If the City is to adopt such new

regulations, Staff would not recommend that "grandfathering" of old "parking pad" permits. As discussed above, the continued presence of these RV's could undermine enforcement of the new law. Should the Commission wish to recommend that such new restriction on RV parking be adopted, but wished to provide some flexibility for existing RV and/or parking pad permit holders, it could recommend that the City Council defer the "effective date" of any such ordinance (e.g. instead of the normal 30 day period, defer the effective date for 12 months), allowing RV owners to make alternate arraignments (e.g. clearing out garages, back yards and/or securing off-site storage area) before the new regulations would be enforced.

Allowable parking areas are illustrated in Attachment "A"

PART 1: NEW DEFINITIONS:

The definition of RV's has been modified to be more inclusive. Staff has also proposed adding a new definition of "oversized" RV's to address the supplemental "minimum setback" regulations for the parking of such vehicles in rear and side yards.

22.04.442 Recreational Vehicles ("Definitions")

"Recreational vehicle" means ~~a boat trailer, camper on a truck not exceeding 7/8 tons, motorcycle or any other vehicle~~ **a motorized or non-motorized vehicle, other than passenger vehicles and trucks, primary manufactured for the expressed purpose of providing recreational activities, including but not limited to motor homes, trucks with camper shells and unmounted camper shells; as well as licensed camper & travel trailers, horse trailers, all terrain vehicles, dirt bikes, boats, ski jets; and any licensed trailer used to transport such recreational vehicles.**

22.04.443 Recreational Vehicle, Oversized [NEW DEFINITION]

"Oversized recreational vehicle" means any recreational vehicle that either: a) has a height over 12' b) a length of over 30'; c) is a "commercial vehicle" pursuant to the California vehicle code.

PART 2: NEW "GENERAL RULE" FOR PARKING OF ANY VEHICLES WITHIN A MINIMUM REQUIRED FRONT YARD:

When initially adapted in the 1980's, the current "front yard parking pad" provision (Section 22 36.080 A.8) replaced an important "general rule" stating that minimum required front yard areas are not to be used for parking (e.g. in multifamily or commercial site design, the minimum required front yard is to be for landscaping and driveways only). The proposed revisions restore this prohibition of using front yards as parking, clarifying however that parking on driveways is permitted. Code enforcement staff has also requested that this section be clarified so that parking of any vehicle (RV or passenger) anywhere within a front yard, must be on a paved surface:

SECTION 22.36.080.A.8, AS AMENDED:

8. No parking area may be located within a minimum required front yard or street-side side yard, with the following exceptions:

- a) *Licensed and operable vehicles may be parked on residential driveways conforming to the requirements of Section 22.36.090, which prescribes a maximum driveway width of 24' width and that driveways are not to exceed 30% of the width of any lot; and subject to the limitation prescribed in Section 22.36.085; Parking—Recreation Vehicles and Utility Trailers. Parking on non-paved surfaces is prohibited, including those yard areas in excess of minimum yard requirements.*
- b) *Recreational vehicles and utility trailers may be parked within the minimum required street-side side yard of a lot with a residential use, subject to the requirements and limitation of Section 22.36.085; Parking—Recreation Vehicles and Utility Trailers.*

PART 3: NEW RESTRICTIONS ON RV PARKING IN FRONT YARDS (ALLOWING MOST RV'S IN SIDE AND REAR YARDS) AND RESTRICTIONS AGAINST "OVERSIZED" RV'S IN SIDE YARDS

The proposed RV parking restriction allows most single family property owners the ability to store the most common sized RV's on their property, while addressing the aesthetic concern of "improving" the appearance of front yards throughout the community. Additional restrictions have been proposed for the parking of largest of RV's (over 12' in height, over 30' in length), where such vehicle could not be parked within a minimum required side yard. Rear yard parking of such vehicles would be permitted

22.36.085 Parking—Recreation Vehicles and Utility Trailers [NEW SECTION]

No recreational vehicle or utility trailer shall be parked on any property with a residential use for more than a 72-hour period, other than within a side or rear yard where the vehicle is behind a 6 feet solid fence, in locations where such required screening is permitted by Section 22.34.090; Fences, Walls and Hedges. In addition to the above requirement for parking behind a fence, no Oversized Recreational Vehicle, as defined in Section 22.04.443, may be parked within any minimum required side yard.

ATTACHMENTS

- ~~• "A" Illustration of allowable parking areas~~
- ~~• "B" Full text of existing and proposed regulations in "strikeout/redline" format~~
- ~~• "C" Minutes from November 14, 2006 and December 14, 2004.~~
- ~~• "D" Correspondence and newspaper articles~~

(NOT INCLUDED
2007-09-11)

ATTACHMENT E

PLANNING COMMISSION REPORT, SEPTEMBER 11, 2007

PLANNING COMMISSION MEETING MINUTES

CITY OF MARTINEZ
PLANNING COMMISSION
REGULAR MEETING
April 24, 2007

A regular meeting of the Martinez Planning Commission was called to order by Vice Chair Bob Glover at 7:00 P.M. on Tuesday, April 24, 2007, at City Hall Council Chambers, 525 Henrietta Street, Martinez, California.

PRESENT: Commissioners Avila, Burt, Busby, Glover, Kluber, Korbmacher

EXCUSED: Commissioners Allen (Alt.), Chairperson Hughes

STAFF: Assistant City Manager Karen Majors
Deputy Director Community Development, Albert Lopez
Senior Planner, Corey Simon
Code Enforcement Officer Bill Dillard

REGULAR ITEMS

2. Front Yard & RV Parking Ordinance ZA #04-01

Public hearing to review proposed zoning text amendments to the Martinez Municipal Code Chapter 22.36: Off-Street Parking. Proposed changes include placing limitations on the parking of recreational vehicles within the minimum required front yard of residential lots. The Planning Commission will make its recommendations to the City Council, which will consider the possible amendments at a future date to be announced.

Senior Planner Corey Simon presented the staff report dated April 24, 2007. He recommended that the Planning Commission review the proposed regulations and formulate recommendation(s) to the City Council and direct staff to prepare a resolution making recommendation for or against adoption of an Ordinance amending Title 22, Chapter 36 of the Martinez Municipal Code regarding front yard and recreational vehicle parking.

Mr. Dillard commented that some of the concerns had arisen from the way the Municipal Code and ordinance had been altered since 1975 with a permit process that had been in place for a short period of time which had given the perception to the public that it would be acceptable in some instances and not in others. That had been based on the fact that if

one wanted to park a recreational vehicle (RV) in a front or side yard, and no one complained, a permit would be issued by the Code Enforcement Officer.

Mr. Dillard noted that such a process had not been equitable and the City Attorney had directed him not to enforce the current Municipal Code since it was not fair to all citizens. As a result, over the past two years the Front Yard & RV Parking Ordinance had not been enforced with no permits having been issued leading to the proposed modifications to the ordinance to ensure it was clear, specific and equitable to the entire community.

Mr. Dillard explained that complaints with recreational vehicles were citywide and not situated in a particular neighborhood. Currently, there were specific guidelines for the parking of such vehicles which was specific requiring any recreational vehicles to be parked on a hard surface and which may not encroach into the public right-of-way.

Mr. Simon added that the Planning Commission had previously requested information on RV and boat storage facilities and how the issue of RV and boat parking was handled in other communities, which had been provided to the Commission for review.

Commissioner Burt inquired whether or not the definition of a front yard would include additional space adjacent to a driveway that may not be in front of the home, but on a side yard.

Mr. Simon explained that the vehicle code defined the area in the front yard as essentially the plane of the home. He also clarified that vehicles were allowed to park on a public street for a maximum of 72 hours without being required to be moved. Staff had identified exemptions to the ordinance as outlined in the April 24 staff report.

Commissioner Korbmacher thanked staff for the background information and associated materials. He otherwise clarified with staff that as long as the RV or object did not protrude from the front of the home or garage, and was situated on a paved surface it would be allowed on-site.

Mr. Simon affirmed, when asked, that the public hearing had been adequately posted including posting on the City's website and local cable channel.

Public hearing opened

SHELDON SLAD, 412 Pine Park Court, Martinez, explained that years ago the City had required him to submit an application for a permit to allow an RV or boat to be parked at the side of his home. In his case, his permit had been denied while the City had issued a permit to a resident who lived two blocks away from this residence. At that time, he had been informed that his permit had been denied and that he would have to wait for the City Attorney to act on the matter. He emphasized that he has been waiting for the past four years for the City Attorney to return his phone calls.

Mr. Slad added that when he had purchased his home seven years ago the listing had identified that the property included RV parking which was one of the reasons he had purchased his home. He expressed his disappointment that it had taken the City so long to resolve the situation.

In response to Commissioner Burt, Mr. Slad advised that his RV was parked at the side of his home in an area where he had added to the side of his driveway measuring six feet wide. The area had been customized with cement to accommodate his boat and RV. He owned another boat that was located inside his garage. Currently his RV was in his driveway behind his truck. He clarified that he owned two registered boats, one RV and a registered trailer.

Mr. Slad explained that he was a member of a hunting club where the RV was kept for a period of around three months and then brought home. Oftentimes the RV was kept on his trailer behind his truck to be ready for immediate use. He commented on the number of activities in the area where people used their RVs and boats.

BRYAN MORTENSON, 415 Pine Park Court, Martinez, questioned what was fair and equitable. He commented on his background as a Regional Park Supervisor for Martin Luther King Park and his experience with code enforcement. He suggested that the City had good tools and suggestions to consider for the ordinance, although he expressed concern that the meeting had not been properly noticed to the public. He pointed out that Comcast did not serve all Martinez residents and that he had not been notified of the meeting by the City but had learned of the meeting from another resident. He suggested that the Planning Commission did not have enough perspective from the citizenry to make any recommendations to the City Council on the matter. He pointed out that the City of Antioch had conducted a mass mailing to its residents when it had considered modification to its same ordinance.

Mr. Mortenson questioned the enactment of regulations without adequate enforcement capabilities rather than imposing more laws. He would like to see common sense prevail where one could park their RV or boat on their own property. He emphasized that he paid taxes to the City and questioned the City imposed regulations on what people could do on their own property.

Commissioner Kluber questioned whether or not Mr. Mortenson was of the opinion that the mailing that the City of Antioch had done for its residents constituted adequate outreach.

Mr. Mortenson suggested that based on the way people now received information that was the only way to adequately reach an entire community. He suggested that Martinez should also consider mass public noticing for the topic under discussion.

In response to Commissioner Busby, Mr. Mortenson suggested that assuming the City had some recommendations that could be upheld, there were issues as to the lifestyles chosen by some residents in terms of owners of RVs and boats. He disagreed with the

suggestion that residents should budget for storage and maintenance of such vehicles. He recognized that such equipment should not be parked in the public right-of-way, although he sought a reasonable and equitable solution to the problem. He also expressed concern with the calculations for driveways or side yards where such equipment could be parked in that limiting the size of the driveway was not fair as well.

Mr. Mortenson emphasized that no one had complained about his RV or boat being parked on his property and he questioned having to obtain a permit from the City to continue what he had enjoyed at this property for years.

DIANE ESSARY, 360 Kingston Avenue, Martinez, read into the record a letter dated April 3, 2007 she had presented to the City Council regarding the Front Yard & RV Parking Ordinance. Copies of the letter were also provided to the Planning Commission. She commented that she had learned about the hearing from an item in the Martinez Gazette dated February 22, 2007. She was unaware that there had been previous meetings on the subject since she had not been informed.

Ms. Essary questioned whether or not inquiries to the City about the allowance of RV or boat storage were lumped in as a complaint or citizen contact, since she questioned the number of complaints staff had identified in the staff report.

Mr. Simon explained that he had received inquiries from residents about occurrences in their neighborhood and who had been dissatisfied with RV and boat parking in their neighborhoods.

Ms. Essary commented that oftentimes RVs and boats were easy targets for those who were experiencing other neighborhood issues. She was aware of problems in some neighborhoods with barking dogs, domestic issues, excessive vehicle parking in a neighborhood and the like. She noted that staff had indicated in the staff report that there were storage facilities within a half hour of Martinez. However, having contacted such businesses in Martinez and Concord, they had waiting lists.

Mr. Simon advised that he was aware of RV and boat storage facilities located in Solano County as well.

Ms. Essary suggested that it was not reasonable to require a Martinez resident to travel to Vallejo or Antioch, as an example, to store their vehicles. She also understood that some of the storage facilities in the area were not secure. She added that most of the RV storage facilities did not have plug-ins for trailers and during the cold period in January her RV thermostat had been set so that any water in the vehicle did not freeze.

Ms. Essary explained that she had reviewed the topic and found that some cities had solved the problem by imposing a weight limit on parking RVs or boats in front of a residence. She cited, as an example, anything over 12,000 pounds would not be permitted which would preclude the larger motor homes from being parked in front of a residence.

Ms. Essary added that in order to accommodate her 27-foot RV trailer, the side yard had been removed and cement poured to allow the RV to be parked adjacent to the garage on a corner lot. The RV had been placed as far back on the cement pad as possible. Around a third of the trailer was behind the plane of the garage with the remainder visible from the front, and 10 feet away from the curb, not blocking any access. She further commented that although she may have an opportunity to move to another city in the area, she loved Martinez, the atmosphere and the people. She suggested the City may possibly be over legislating and suggested that such regulations were more likely seen in the Blackhawk area.

JERRY ANSELMINI, 1122 Morello Avenue, Martinez, advised that he had contacted Good Sam Club to obtain information on RV and boat storage facilities. He questioned whether or not any of the Commissioners owned RVs or boats in that the last time the topic had been raised there were not. He commented that there had been a group of RV and boat owners and non-RV and boat owners who had met on numerous occasions many years ago to formulate an RV parking ordinance, which was the ordinance in place today.

Mr. Anselmi spoke to the current ordinance process which required approval of a permit, with determination to be made by the Code Enforcement Officer as to where the RV or boat could be parked. The Code Enforcement Officer would then notify those who could be visually impacted by the vehicles. He understood that if any one opposed such parking in their neighborhood, a decision of the Code Enforcement Officer could be appealed. He understood that one such case had reached the Supreme Court, where the court had determined that the parking of an RV could not be denied due to aesthetics and denial would be made only on the grounds of health or safety.

Mr. Anselmi suggested that any recommendation to be made to the City Council should come from the owners of RVs or boats and those who do not own such vehicles working together to discuss an RV Parking Ordinance that would appease everyone. He suggested that the current ordinance could be modified and if that meant getting away from the permit process that should be done. Possibly a variance may be required to afford some way to know when someone was legal or not.

Mr. Anselmi suggested that the only way for that to happen would be for an RV owner to come to City Hall to apply for a variance, where the Code Enforcement Officer would then inspect the property for compliance. He also agreed with the need to improve and expand the public noticing process for the subject discussion which would garner additional public participation. He too spoke to the fact that the City of Antioch was also discussing its RV Parking Ordinance and had conducted a mass mailing to its community for that discussion. He expressed the willingness to assist with any further discussions on the matter.

Commissioner Korbmacher inquired of staff whether or not permits would be required as part of the new ordinance, to which Mr. Simon advised that the new ordinance would not include a permit process.

EMILY ANSLOW, 1639 Martinedale Drive, Martinez, had an RV parked at her residence for many years. Although she had applied for a permit from the City in 2003, she had not received any word from the City whether that permit had been denied or approved.

RAY RANGEL, 2257 Shasta Drive, Martinez, explained that when he had purchased his property 20 years ago he had sought a development without a Homeowners Association (HOA) so that he would be able to park his RV on his property. He questioned how the City could now take away that right. He emphasized that an RV was a large investment and to now prohibit it from being parked on his property while he abided by all laws, ordinances and had an approved permit was not fair.

PHILLIP CIARAMITARO, Martinez, noted that there were other concerns in the community such as the lack of maintenance of front yards; issues with children's toys left out in front yards, or Christmas decorations left out beyond the holiday period. He questioned whether or not an ordinance should be imposed to deal with those situations. He advised that he had previously provided photographs to the City regarding such properties. He commented that people lived a certain way and if it did not cross the boundaries too much, they should be allowed to continue with their lifestyles. If a complaint arose, was followed up and was found that someone had abused the law, and a resolution was necessary, then the ordinance would be helpful. However, he expressed concern that if one did not like the lifestyle of another it could result in the loss of benefits that residents had enjoyed for some time. He suggested that the matter was a simple one that could be resolved and had been resolved without an ordinance restricting a property owner from having to store an RV elsewhere.

LARRY LAMBERT, 710 Wyoming Street, Martinez, a long time resident, opposed restrictions on RV parking on privately owned property.

BONNIE RANGEL, 2257 Shasta Drive, Martinez, echoed the comments made by her husband. She commented that many of her neighbors had RVs and there had been no problems.

KAREN MARTNER, 93 Valley Avenue, Martinez, commented that she was not the owner of an RV, but a boat. While she had no problems with her neighbors and their RVs, one of her neighbors had what she described as a parking lot.

Ms. Martner recognized the need to protect the neighborhoods but hoped that at such time that she was also the owner of an RV and a boat, she would have the ability to park them on her own property. She otherwise suggested that the idea of restricting RV parking based on weight limits or being required to be setback from the street was a good start. She would like to hear more from the community including those represented at this time in that there could be more people who could be affected and who may wish to provide input.

Public hearing closed

Commission Comment

Commissioner Korbmacher stated that there were some areas of the ordinance he liked and some he disliked. However, he would like to see all residents of the City be notified of the ordinance amendment to afford more public comment, prior to any recommendation to the City Council.

Commissioner Avila agreed with the comments made and noted the need for an ordinance that was all inclusive in order for the City to gain some control over aesthetics in a neighborhood. She recognized that there were responsible owners and others who were not.

Vice Chair Glover also sought a citywide notification.

Commissioner Kluber agreed with an expanded notification although he also suggested there could be a Specific Plan type of workshop where public notice would go out in a workshop for RV owners who could fine tune what had already been proposed by staff which could be a good first start. If a workshop was ultimately scheduled, he asked that Mr. Anselmi help to spearhead that effort in order to assist RV owners to reach consensus which would allow the Planning Commission to then consider the ordinance one way or another with a recommendation to the City Council.

Commissioner Burt suggested that such a workshop be scheduled on a Saturday in a larger facility than the Council Chambers with a neutral facilitator and expanded public notification. She emphasized that the City would not be able to satisfy everyone although they could reach a better consensus or majority through such discussions.

Commissioner Burt referenced Exhibit A, Public Comment of Adam Howard, Revision of Off-Street Parking Ordinance, as attached to the April 24 staff report which had raised some valid concerns.

Mr. Simon explained that staff had been working internally to create a simple formula that could be applied to the ordinance.

Assistant City Manager Majors stated that staff had received a number of complaints on RV parking which had led to the current discussion. She recognized that the City Attorney had indicated that the current ordinance was not enforceable since it was not equitable to everyone.

While there had been some really good ideas that had come forth this evening, short of sending notification to the entire community, Ms. Majors would recommend the formation of a subcommittee of the Planning Commission, comprised of those who had raised complaints and those representing the RV community to possibly resolve the concerns and formulate an enforceable ordinance.

Ms. Majors added that the City had a newsletter that would be coming out in July and perhaps the outcome of the discussions with the subcommittee could be identified in an article with information on any future discussions before the Planning Commission. She understood that the City Council was expecting a recommendation from the Planning Commission. In her opinion, to be fiscally sound, rather than expend monies for an entire citywide mailing a subcommittee should be formed to address the matter.

Commissioner Burt was not opposed to a subcommittee although she wanted assurance that there would be adequate public participation. Many of those who were present had been present during prior discussions, although some who had attended those prior discussions were not present at this time and may not be aware of the current hearing.

Vice Chair Glover noted that the issue had been one of concern for some time of which the City Council was aware and which was waiting for a recommendation from the Planning Commission. He would support a continuance with public notification to the best extent possible. He thanked staff for the effort thus far in bringing the matter to the Planning Commission.

Commissioner Burt assured staff and the City Council that the intent was not to drag the matter out with the intent to give the City Council something that could be useable.

Code Enforcement Officer Bill Dillard commented that part of the problem was the perception of Martinez citizens that County ordinances superseded Martinez ordinances, although that was not the case. He suggested that it was up to the local media to inform residents that the County ordinances were not the mandate in Martinez.

Commissioner Burt agreed and commented that many who did not receive a newspaper received their news from other outlets and the City must consider improving its public noticing procedures. However, it was up to the citizens to also be responsible and be aware of the laws in their community.

MOTION

Motion was made and seconded to continue to a date uncertain the Front Yard & RV Parking Ordinance. The motion carried by the following vote:

<i>AYES:</i>	<i>Avila, Burt, Busby, Glover, Kluber, Korbmacher</i>
<i>NOES:</i>	<i>None</i>
<i>ABSENT:</i>	<i>Allen (Alt.), Hughes</i>
<i>ABSTAIN:</i>	<i>None</i>

Vice Chair Glover requested that at the next meeting of the Planning Commission staff attempt to specify the continuance to a date certain.

ATTACHMENT F
PLANNING COMMISSION REPORT, SEPTEMBER 11, 2007



STAFF REPORT

TO: PLANNING COMMISSION

FROM: Corey Simon, Senior Planner

DATE: April 24, 2007

SUBJECT: Public hearing to review proposed zoning text amendments to the Martinez Municipal Code Chapter 22.36; Off-Street Parking. Proposed changes include modifying the regulations governing the storage of vehicles and the parking of recreational vehicles ("RV's") within a minimum required front yard

The Draft regulations to be reviewed by the Planning Commission incorporate changes resulting from the Commission's previous public hearing of February 27, 2007.

RECOMMENDATION

Review proposed regulations, formulate recommendation(s) to City Council and direct staff to prepare resolution making recommendation for or against adoption of an Ordinance amending Title 22, Chapter 36 of the Martinez Municipal Code regarding front yard and recreational vehicle parking

ENVIRONMENTAL REVIEW

The proposed text amendments are categorically exempt from the requirements of CEQA under 15305 – Class 5; Minor Alterations in Land Use Limitations.

BACKGROUND

The Planning Commission last discussed this item on February 27, 2007. The Commission did not take action on a recommendation at that time, and directed staff to: a) provide additional background information and b) modify the draft regulations to provide allowance for parking of RV's in front yards in cases where such parking would not cause an aesthetic conflict (e.g. unusually deep front yards and horse properties). The regulations as currently proposed are illustrated in Attachment A, the full text of the proposed zoning code amendment is provided as Attachment B. The following discussions are focused on the changes and added information since the February meeting. The February 27, 2007, staff report and minutes are provided as Attachments F and G for additional background.

Discussion

PART 1: ADDITIONAL BACKGROUND INFORMATION

- CITIZEN COMPLAINTS AGAINST EXISTING CONDITIONS: The Commission requested additional background regarding the impetus for the City's consideration of restricting the parking of RV's in front yards. Over the past several months alone, the City's Code Enforcement Officer has received over 80 "complaints" from citizens who contact the City, believing that their neighbors' "RV in the front yard" is a violation of some City regulation. The attached photos provided as Attachment C illustrate these 80+ examples which have lead citizens to complain. The Code Enforcement officer has told these citizens that the City has no enforceable restriction against parking of RV's in the front yards at this time. These citizens have subsequently contacted City Officials and attended City Council meetings, requesting that the City considered an ordinance to restrict RV parking in front yards. As a result, the Council has directed staff to prepare the draft now available for the Commission's consideration.

- AVAILABILITY OF SPACES AT REGION'S RV STORAGE FACILITIES: Staff has surveyed availability and cost of RV storage facilities within the greater East bay Area. A table of costs and availability is provided as Attachment D. For approximately \$100, spaces (average 30' depth) appear to be readily available within an hour travel time. For those wishing for storage sites closer to Martinez and/or for less than \$100, space availability appears more limited.

- OTHER AGENCIES' REGULATIONS OF RV PARKING ON PRIVATE PROPERTY: The Commission had asked staff to provide examples of how other nearby agencies regulate the parking of RV's on private residential properties. For the purposes of comparisons the term "parking" means long term; short term parking (ranging from 24 to 72 hrs), is allowed by most all agencies. The text of other City's regulations are provided as Attachment E – an overview is provided below:
 1. City of Brentwood, prohibits RV parking anywhere within the front yard (regardless of depth of *minimum required* front yard) and requires RV be behind 6' fence if parked within side and rear yards.

 2. City of Concord, like Brentwood, prohibits RV parking in yards regardless of minimum depth requirements. Parking in rear yards is also prohibited (unless in accessory structure), and parking in side yards need to be behind 6' fence. Enforcement is strictly on a complaint basis, through a "public nuisance" hearing process.

 3. City of Orinda, does not prescribe which yards RV's may be parked in, only requires that such vehicles be "*adequately screened from view*" which is defined as "substantially screened from view from the street or other property by a closed garage, fence or landscaping so that the vehicle is not visible or is barely visible. For vehicles over six feet high, at least seventy (70) percent of

the height shall be screened.

4. City of Pleasant Hill, like Orinda, does not prescribe which yards RV's may be parked. But unlike Orinda, it does not have a screening requirement, and only requires that RV's be parked on "paved surfaces" - noting that a minimum of 50% of front yard areas must be maintained as "landscaping."
5. City of Walnut Creek only prohibits RV from being parked in the "required" front and street-side side yards. Fencing to screen RV's parked elsewhere on the property is not required.
6. City of Dublin revisited the RV parking issues in the mid 2000's, and ultimately adopted a complex set of regulations that generally permit RV parking in side and rear yards (if behind 6' fence), and on a front yard parking pad between driveway and nearest side property line, but will also allow RV parking anywhere in the front yard subject to use permit approval.

Neither Pleasant Hill's nor Dublin's approach would appear to respond to the aesthetic complaint of "front yard parking" the proposed regulations have been drafted to address. And given the relatively small "suburban" lot in Martinez, few RV owners could meet Orinda's "screening standard," so such an approach would become an effective ban of RV parking on private property. Something similar to Brentwood's and Concord's approach appear to be the most workable if the City is to adopt restriction against RV parking in front yards.

- OTHER REQUESTS FOR INFORMATION BY THE COMMISSION: The Commission had requested data on numbers of registered recreational vehicles within the City; our Police Department responded that such DMV data not available to local agencies. DMV queries of that nature are generally limited to serious criminal investigations.

Staff has also confirmed that the "1990 Attorney General Opinion" referenced by a speaker only addressed local agencies inability to impose restrictions on the parking of RV's on public streets. An agency's ability to impose restrictions on private property was unaffected.

PART 2: OVERVIEW OF CHANGES TO DRAFT REGULATIONS SINCE FEBRUARY 28 HEARING:

(TEXT OF PROPOSED ZONING CODE CHANGES, IN ~~STRIKEOUT~~ AND **HIGHLIGHT** FORMAT, PROVIDED AS ATTACHMENT B)

- **ALLOWANCES FOR PARKING OF RV'S IN FRONT YARDS IN SPECIAL CASES:**

Based on public input from the February 27, 2007, meeting, 2 exceptions to the proposed ban on long term (i.e. over 72 hours) parking of RV's in front yard have been incorporated in to the draft:

- *In the RR- Rural Residential Zoning Districts, the above restrictions do not apply to the parking of vehicles used for the transportation of horses; and*
- *In any R- and RR- Residential Zoning District, parking of recreational vehicles 50', or more, behind the property line is permitted within the front yard.*

➤ **DELETION OF FENCING REQUIREMENT, EXCEPT FOR SIDE YARDS ADJACENT TO STREETS:**

Since the main purpose of the proposed regulations is to address the aesthetic impact of RV's when viewed from the front yard and or public street, staff does not believe it is necessary to mandate screening fences for RV's parked within rear and (interior) side yards. Such an approach is more lenient than Brentwood's or Concord's regulations which require fencing in all locations. Furthermore, the current proposal is thus clearly different from Orinda's approach (which is trying to screen RV's from all off-site view points), where the current draft is uniquely focused on removing RV's from view in the front yards and street – not necessarily from neighbor's property.

➤ **ADDITIONAL REFINEMENTS IN REGULATIONS:**

In further discussion with Code Enforcement staff, some additional regulations have been incorporated into the draft since the February 27, 2007, meeting. Both of the proposed clarifications should have little impact on the typical resident and/or RV owner, but would help the City's Code Enforcement staff more efficiently address two growing code compliance problems.

- *No RV may be occupied for living, sleeping or any other purposes while parked per the limitations listed above; other than a visitors' RV which may be used for the guest's accommodations for not more than one week.*
- *No Mobile Storage Container (such as P.O.D.S.) shall be parked on any property with a residential use for more than a 72-hour period. A Mobile Storage Container may not be parked on a residential property for more than 4 times in a calendar year. Long term use of Mobile Storage Container for on-site storage may be permitted within side and rear yards, subject limitations prescribed in Section 22.12.265; Accessory Structures.*

PART 3: DISCUSSION OVER GRANDFATHERING/AMORTIZATION OF 30+ LEGAL "FRONT YARD PARKING PERMITS" ISSUED SINCE MID 1980'S:

While only a fraction of the RV's illustrated in the Code Enforcement Officer's photos may have a legal permit issued from the mid 1980's though 2003 (when the City

stopped issuing them), any new regulations would need to address what "grandfathered" right, if any, the City will extend to these permit holders. If the City is to adopt such new regulations, Staff would not recommend that old "parking pad" permits be grandfathered indefinitely. As discussed at the previous meeting and above, the continued presence of these RV's could undermine enforcement of the new law. Should the Commission wish to recommend that such new restriction on RV parking be adopted, but wished to provide some flexibility for existing RV and/or parking pad permit holders, it could recommend that the City Council consider a period of "amortization" (such as a three or five year period), by which time the right of the old "parking pad permit" will expire.

Alternatively, the "effective date" of any such ordinance could be deferred for all RV owners (e.g. instead of the normal 30 day period, defer the effective date for 12 months), allowing RV owners to make alternate arrangements (e.g. clearing out garages, back yards and/or securing off-site storage area) before the new regulations would be enforced.

Any recommendation the Commission chooses to make toward the adoption of new regulations should address both a) period of amortization for current permit holders and b) any possible extensions to the normal "effective 30 days after adoption" period for new zoning regulations.

(NOT INCLUDED) 2007.09.11

ATTACHMENTS

- A. Illustration of allowable parking areas
- B. Full text of existing and proposed regulations in "strikeout/redline" format
- C. Code Enforcement Officer's photos of RV's in front yards
- D. Table of RV storage facilities' costs and availability
- E. Regulations from nearby Cities:
 - 1. Brentwood
 - 2. Concord
 - 3. Orinda
 - 4. Pleasant Hill
 - 5. Walnut Creek
 - 6. Dublin
- F. February 27, 2006 meeting minutes
- G. Staff report for meeting of February 27, 2006 (without attachments)
- H. Correspondence and newspaper articles

F:\Community Develop\All Projects\Municipal Code Changes\Front Yard & RV Parking\RV Parking Rev-PC RPT 2007 02 27.doc

ATTACHMENT G

PLANNING COMMISSION REPORT, SEPTEMBER 11, 2007

CORRESPONDENCE & NEWSPAPER ARTICLES

(received/published since April 24, 2007)

MARTINEZ NE

Weekend Edition, April 28-29, 2007

RV debate could go before City Council as early as mid-May

■ Martinez residents could be banned from parking RVs in front of their homes

BY RICHARD PARKS
Staff Reporter

The recreational vehicles that festoon the front yards of Martinez homes will stay put for at least another little while. The issue

of whether, where and to what extent RVs can park on residential lots was not acted on at Tuesday night's Planning Commission meeting, so no recommendation will be brought to City Council for action until, at the very earliest, the May 16 meeting.

"We're trying to hash out what areas we're going to allow people to park their RVs in," Code Enforcement Officer Bill Dillard said.

In the early 1980s, Martinez

adopted an ordinance to make parking RVs in front yards approvable through an easy permit process. Until that time it had been unlawful. Recently, residents have logged complaints against what they see as an aesthetically unsavory practice, with RV owners defending themselves and their vehicles.

"Over the years there have been more people contacting the

See RVs/Page 16

RVs

Continued from Page 1

City who don't believe in parking RVs in front yards," said Corey Simon, senior planner with the City. "We first revisited the issue in '04. It's hard to find a compromise on this."

The current permit process, which requires an application and the consultation of close neighbors for approval, means that there are no general rules regarding RV parking throughout the City; one block may have many RVs in front yards, while another has none. The ordinance as it stands also sometimes leads to encroachment issues when concrete pads are poured in front yards to accommodate parking. The Planning Commission is trying to address the issue head-on by ditching the permit process and coming up with a city-wide ordinance, Dillard said.

"The intent of our effort is to get rid of the permit process and try to come up with guidelines for what we're going to allow around the City," he said. "We're hoping we can get some input from the community

Simon said that, when it comes to Planning Commission meetings where the public has an opportunity to voice their opinion in a open forum, the RV owners come out in force; the dissenters do not make such a strong showing.

"The RV owners tend to be more active," he said.

Despite that, stricter rules for RV owners would not be a maverick move for an East Bay municipality, Simon said.

"Walnut Creek doesn't allow it, Brentwood doesn't allow it," he said. "Orinda allows it but only when the RVs are screened."

At the Planning Commission's May 8 meeting, compromises will be considered, Simon said, such as an option that will allow limited parking in front yards in certain areas of the front yard, or in yards of a certain size, for example. The Commission seeks more input from the community, he said, and he hopes more residents will come to the meeting to weigh in on the important issue.

The Planning Commission will meet on May 8 at 7 p.m. in Council Chambers at City Hall, located at 525 Henrietta St. in Martinez.

City council revisits boat and RV code

■ ANTIOCH:

Regulations proved contentious as committee assembled in April couldn't find compromise

By Simon Read
TIMES STAFF WRITER

Antioch city leaders will review a controversial ordinance tonight that prohibits homeowners from parking their boats and RVs in their driveways and sideyards.

In April, the City Council formed a subcommittee comprised of council members Brian Kalinowski, Reggie Moore and eight members of the public to try to iron out a compromise with Antioch's boat and RV owners.

The council will provide direction to code enforcement staff based on the subcommittee's findings, though Moore said things remain "up in the air."

"I think the issue will be going back to council," he said. "We deliberated, we discussed the issue, we discussed the pros and cons. We wanted to reach a consensus that both sides could live with, but there was no agreement."

The RV ordinance is one facet of the city's proactive campaign against neighborhood blight, though many have argued that recreational vehicles do not constitute an eyesore. Boat and RV owners have shown up at several City Council meetings to assail what they say is an encroachment on their property rights.

The first voices of discontent were heard in early January, when the city sent out 31,000 mailers warning residents that trailers, campers and boats parked in front of homes violate Antioch Municipal Code 5-1 201(k).

The code states that "any trailer, camper, boat or other

mobile equipment stored for an unreasonable period of time in any yard areas open to view from the street causing depreciation of nearby property values" is a public nuisance.

Councilman Arne Simonsen said the council subcommittee was able to reach a partial consensus on the issue.

"I heard that consensus was reached with allowing one licensed RV, boat or trailer to be parked on a driveway as long as it does not encroach on the city easement," he said. "Some of the RV people want the number increased to two, and that's where things fell apart."

Violating the ordinance could result in a \$100 fine if an RV owner ignores an initial warning from the city. If an RV owner fails to work with the city, fines eventually can reach \$1,000. The city, however, has not issued any fines.

Simonsen said he is not opposed to recreational vehicles being parked in public view as long as they're properly maintained and registered.

Boat owner Michele Kuslits helped organize opposition to the ordinance.

"People are basing their opinions on aesthetics," she said. "They just don't like the look of boats and motor homes. I think a storage yard lined with boats and RVs is an eyesore. A boat and an RV may not be the prettiest thing to look at, but when I look at mine, I think of all the good times I've had with kids and friends."

Kuslits said she expects about 500 boat and RV owners to attend tonight's meeting.

"I've met some wonderful people," she said. "The support we've had is overwhelming."

Simon Read covers Antioch.
Reach him at 925-779-7166
or sread@ctimes.com

WEDNESDAY JUNE 13 2007 • VOL 18 NO 3

Gallery show

■ CC14 opens its 'Artist's Life' exhibit this week at DVC Page 3

Martinez weighs parking rules

■ Officials are planning a July 19 forum to address concerns about what types of vehicles may be allowed on the street

By Nargis Nooristami
STAFF WRITER

The 20-foot speed boat parked in the driveway of Keith and D'Anne Weitzman's Martinez home may soon need to be moved out of sight.

The city is working to amend the parking guidelines in Martinez, which do not address parking of recreational vehicles such as boats, campers and trailers.

IF YOU GO

- **WHAT:** Community workshop on recreational vehicle parking
- **WHEN:** 7 p.m. July 19
- **WHERE:** Martinez City Hall, 626 Herresta St.
- **INFORMATION:** Cal Cony Simon at 925-372-3518

Those opposing the proposed changes say that what they store on their property is their decision. Those in favor argue that the parking of large vehicles contributes to the overall appearance of neighborhoods and

is not aesthetically appealing.

"People are concerned with the large vehicles parked at the front of doors," said senior city planner Cony Simon.

A July 19 Planning Commission workshop on the subject will address the revisions and give residents the opportunity to comment before a final draft is submitted to the City Council for approval. If approved, residents would have one year to comply.

Although original plans called to prohibit parking of the vehicles in the front or side yards of properties — other than for loading and unloading purposes — Simon said the city staff has reconsidered allowing parking

along the side yards after some residents opposed that recommendation.

As it is currently drafted, the ordinance would allow small vehicles to be parked to the side and larger ones to sit farther back from the street, close to the backyard, Simon said.

The Weitzmans already had planned to sit aside a spot in their side yard for their boat, but Keith Weitzman said it's not a rule that should be mandated by the city.

He said his boat and plenty of other RVs don't take away from the beauty of a neighborhood.

Parking

FROM PAGE 1

"There are so many people that feel that it leads toward to blight," he said. "If you want to look at nonobscure, look at our refineries."

But the city has received more than 80 complaints about RV parking in the past several months.

Albert Lopez, deputy community service director, said he hopes the city can work with both sides and come to a compromise, but he is prepared to

face some discontent either way.

"We don't expect that this is an ordinance that will please everybody," he said. "That just doesn't exist."

Reach Nargis Nooristami at 925-943-4399 or nnooristami@comcast.com

See PARKING, Page 12

Concord gets strict on RV parking

• Mayor initiates order to enforce code as written

By Kellie Applen
STAFF WRITER
Contra Costa Times

Article launched: 05/20/2007 12:15:12 PM PDT

CONCORD -- Residents are no longer allowed to park their recreational vehicles, boats and trailers in their driveways for more than a day.

As of June 1, Concord tightened its enforcement practice. In the approximately two-and-a-half weeks since the new policy took effect, the city has issued about 110 notices to violators, said Callie Struggs, the city's neighborhood services manager.

"People don't want to pay for storage," said Mayor Mark Peterson, "but it's not fair to the rest of the people in the neighborhood who don't want to look at it."

Peterson initiated the change after he discovered that the city's enforcement practice differed from city code.

The city's old practice allowed RVs, boats, trailers and the like to sit on driveways so long as they were in good condition, uninhabited, registered, and not blocking the sidewalk or the line of sight for vehicular traffic.

The city only cited owners of run-down vehicles or those that were blocking sight lines after they had received two complaints.

The enforcement practice was adopted in 1994 by the City Council, Struggs said, in response to residents' complaints that the code was too strict.

The council's decision was based on the realization that some residents' side yards were too small or their backyards were inaccessible by vehicle, city documents stated. Also, there was limited vehicle storage space to rent in the county.

But Peterson, who was unaware of the more lenient practice until he complained to the city about some boats and trailers, asked that the policy be reviewed. In March, the Neighborhood & Community Services Committee directed the city manager to enforce the code as written.

That means residents may only park their RVs, boats, trailers, motor homes, campers, camper shells and airplanes for 24 hours before and after a trip.

Otherwise, the vehicle must be parked in a rear or side yard behind a 6-foot high, opaque fence and a 5-foot setback from adjoining properties. Visitors may park their vehicles in a driveway for one week within a six-month period.

Violators will receive a "friendly" notice on their door to move the vehicle, Struggs said. They have 45 days to comply or face a \$100 citation and \$153 reinspection fee.

Vice Mayor Bill Shinn said he supports the change but wishes the matter had been brought before the City Council and made more public.

"I support enforcement of an ordinance, but what I don't support is lack of public notification," he said. "I personally hoped there would be full notification before we brought on full enforcement."

Resident David Current said he is pleased the city has tightened the rules, as there are three motor homes along his street that he would like to see moved.

"Maybe I am just a cranky old man, but still, if you allow a neighborhood to start going downhill then it will continue and just get worse," Current said.

Resident Theresa Vandehey's son parks his boat and trailer in front of her house and takes umbrage with the new policy. She said her son uses the boat so much it would be a nuisance to keep it anywhere else.

"I don't think it's fair because my son uses (the boat) every few days," she said.

Resident and boat owner Dan Hibbard said he is not surprised at the new policy, and understands that neighbors might be concerned about property values. His boat sits covered in front of his home and he hopes it is less noticeable because it is hidden behind some trees.

2am

Antioch to put RV ordinance to public vote

By Simon Read
CONTRA COSTA TIMES
Contra Costa Times

Article Launched: 05/20/2007 11:56:04 AM PDT

Antioch leaders decided late Tuesday to put a controversial RV parking ordinance to a public vote, saying the matter has become too divisive and too big for them to render a decision on their own.

Tempers flared and emotions ran high at Tuesday night's city council meeting as more than 200 people -- the vast majority being boat and RV owners -- crammed the council chambers to weigh in on the proposed ordinance.

"I do believe on most issues, the Council -- who are your elected officials -- should render a decision," Mayor Donald Freitas said, "but this issue is divisive. We need to have more discussion and debate in the community."

The issue at hand is whether homeowners should be allowed to park their boats and motor homes in their driveways and sideyards, or be required to put them in storage. The question is one facet of the city's proactive campaign against neighborhood blight, though many have argued that recreational vehicles do not constitute eyesores.

Councilman Brian Kalinowski, at the beginning of the meeting, was the first to suggest the matter be put to a public for a vote. Kalinowski was one of two Council members -- the other being Reggie Moore -- to serve on a subcommittee to try and iron out a compromise with Antioch's boat and RV owners.

A public vote on the issue likely won't come until next year.

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"I think it's kind of tucked back," Hibbard said, "but I could tear down the fence and put it on the side of the house."

Kellie Appen covers Concord and Clayton. Reach her at 925-943-8196 or kappen@cdtimes.com

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CONTRA COSTA

And the Bay Area

PAGE A25

SUNDAY, JUNE 24, 2007



LISA VORDERBRUEGGEN
Times Political Editor

'Gangland-style' politics in Antioch

ANTIOCH FOLKS in pursuit of life, liberty and the right to park their motorhomes and boats in their driveways hit a serious speed bump last week.

Instead of dropping the restriction or establishing more generous provisions, the Antioch City Council voted 3-2 to send it to the ballot box and let voters settle it.

What happened?

Jim Davis, a potentially sympathetic swing vote on the City Council, switched sides after he became disgusted with the opponents' political tactics.

"I support, and still support, the idea of allowing a resident to park a boat or RV or camper in his driveway as long as it's registered, licensed and not a safety hazard," Davis said. "But after everything I heard that night — the threats, the photographs, the e-mails and the harassment and intimidation of committee members — I compared it to the gangland-style politics of Chicago."

Davis is referring to a series of events he characterized as a campaign of fear and intimidation that unfolded in the weeks leading up to Tuesday night's vote.

To start, opponents photographed the houses of several City Council members and posted them on a Web site, noting what they considered code violations, including cracks in the sidewalks

And the evening's final scene, where police escorted a screaming opponent out of the room and ex-Councilwoman Norma Hernandez threatened to have the council arrested, reminded Davis of the old days when residents made popcorn and watched the televised Antioch City Council meetings as though they were "Sopranos" episodes.

But Davis says he knows public scrutiny comes with the job.

What really angered him, Davis said, were the tactics deployed that involved two women in favor of the ordinance serving on the council's ad-hoc RV committee. (The council appointed eight residents to the panel — four in favor of the restriction, four opposed — along with Councilmen Reggie Moore and Brian Kalinowski.)

Ad-hoc panel member Maryjane Carsten says opponents posted a link to her employer on its Web site and urged people to boycott her business.

Michele Kuslits, a member of Antioch RV and Boat Owners who was escorted out of Tuesday night's hearing, admits she called the Coldwell Banker real estate office of ad-hoc RV committee member Noryn Anderson.

But Kuslits says she didn't intimidate anyone. She says she only called to ask that Coldwell stop advertising the availability of RV and boat parking on some of its Antioch listings, particularly because one of its agents publicly opposed such parking.

"It was all misconstrued," said Kuslits, who says she may sue the council and others for slander.

Kuslits' explanation is misleading, countered Anderson.

For one, the listings involved properties that featured RV parking located behind fences and unseen from the street. The proposed restrictions would apply to RVs parked in front yards or driveways.

"And yes, advertising was part of the discussion, but it was not the main part of the discussion," Anderson said. "(Kuslits) was opposed to me being on the committee. But as my broker explained to her, I am an independent contractor and (my broker) has no control over what I do."

If you thought the RV dispute has been wild and woolly so far, the upcoming election on its fate could top the nastiness quotient even in politically charged Antioch.

Mayor Donald Freitas predicts an unprecedented campaign sign war (translation: sign stealing) as emotions reach the boiling point.

But the mayor also says he believes a majority of voters will support the RV restrictions, which have become common in California. Most Contra Costa County cities have similar laws, and neighborhoods governed by homeowners' associations typically restrict them.

"It's ludicrous to say that because I own a piece of property that I get to do anything I darned well want to do on it," Freitas said. "My freedom as a property owner ends where I begin to intrude on the people around me."

On the other side, Kuslits calls the RV ban an unconstitutional infringement on private property rights and unfair to residents who bought their homes knowing they could park their camping trailers and boats outside their doors.

But she agrees with Freitas on one thing: There's gonna be a big fight that could make recent Antioch ballot battles over Roddy Ranch and a 250-unit apartment complex look like a friendly campfire marshmallow roast.

CENTRAL COUNTY

CONTRA COSTA TIMES

Monday, July 2, 2007

CostaTimes.com

Volume 96, Number 52 50 cents plus tax

City likely to bundle RV vote with primary

ANTIOCH: Council wants voters to decide issue; some call February election a waste of money

By Simon Road
Times Staff Writer

A public vote on a controversial boat and RV ordinance probably will take place in February and could cost Antioch taxpayers up to \$50,000, officials said.

The issue is whether homeowners should be allowed to park their boats and motor

homes in their driveways and sideyards or be required to put them in storage. The City Council decided last month to put that decision before voters, saying the matter had become too divisive for city leaders to sort out on their own.

"My hope is prior to it being put on the ballot, we can bring it up for reconsideration," said Councilman Arne Stanzman, who along with Councilman Roggie Moore voted against a ballot measure. "I think the council should make a decision that's reasonable not far."

Stanzman said if the issue does indeed go up for a public vote, it likely will appear on the ballot during the presidential primary in February.

"The council," he said, "should have made a decision on the issue."

Councilman Brian Kaitzenowski was the first to suggest the matter be put to a public vote. Kaitzenowski was one of two council members — the other was Moore — to serve on a subcommittee to try to iron out a compromise with Antioch's boat and RV owners.

"What we tried to compro-

mise, it drove a wedge further into the issue," Kaitzenowski said. "It's clear to me that, since I said before that it became an issue bigger than the council. The residents are going to decide what level of enforcement — at least of enforcement — they're going to have involving storage in public areas."

The issue has stirred passionate debates on both sides. Boat and RV owners argue they're being unfairly targeted by an overzealous campaign by

See VOTE, Page 4

Vote

FROM PAGE 1

the city to eradicate blight.

Councilman Jim Davis said if the council had rendered a decision on the ordinance and voted against the city's boat and RV owners, there would have been a referendum on the matter that would have forced the issue on the ballot in city vote.

"People expected to vote on this," Davis said. "Even if we'd voted on it, there's a good chance it would have gone to the ballot." Davis said the total cost for the ballot measure has not yet been finalized, adding it could cost anywhere from \$50,000 to \$95,000.

Each year the city puts aside \$100,000 to cover such possible expenses.

Concord recently passed an ordinance that prohibits homeowners from parking their boats and motor homes in their driveways for more than one day. A countywide survey done in January shows more than a dozen Contra Costa County cities — including Brentwood and Pittsburg — enforce ordinances prohibiting recreational vehicles being parked in public view.

Chris Valente, a boat and RV

owner for more than 20 years, said he understands the city wanting to tackle neighborhood blight, but he feels officials have gone overboard.

"It's not that boats and RVs and blight are not important, but what's more important?" he said. "The money spent on an election could be spent on a library or a community pool. I think the city's intentions are good, they just look a bit far."

Valente recently turned his small motor home into a billboard, covering it in writing that decried the proposed ordinance and urged residents to contact Mayor David Freitas.

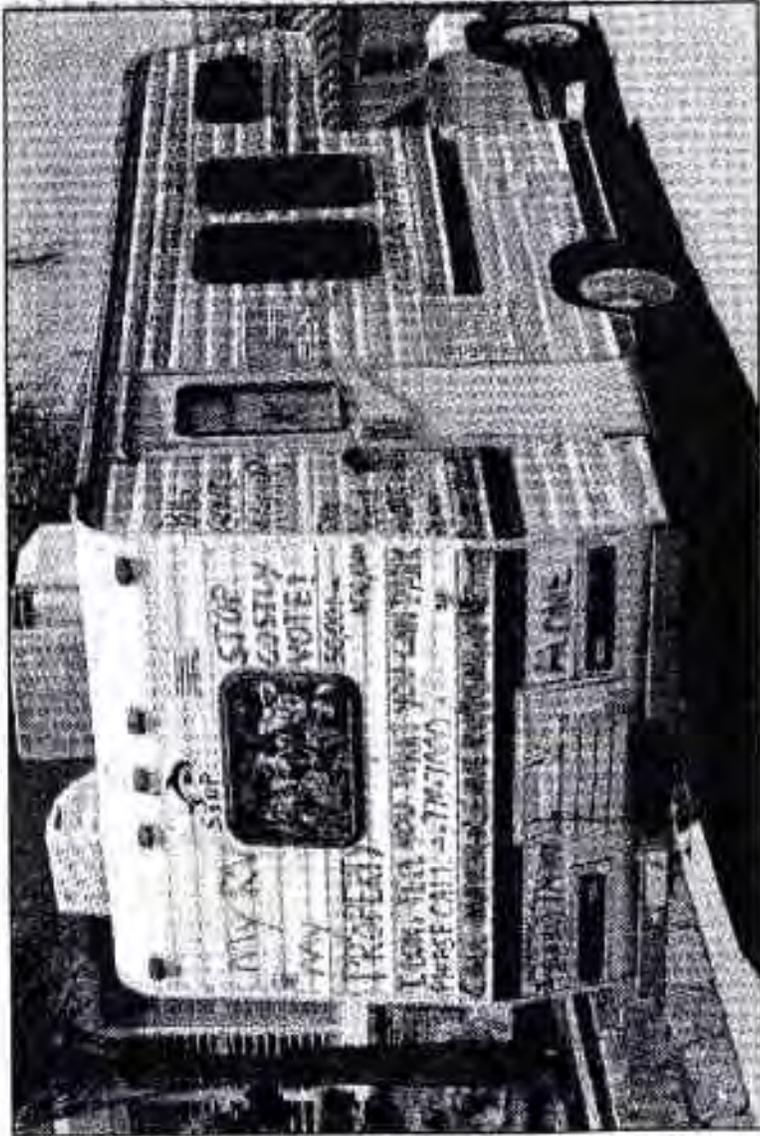
"I feel like I wanted to spread the word a little bit. It's all about education," Valente said. "I want people to know, and I want the papers to be as fair to us as they have city hall. The city always gets first heading, why not us?"

Valente said he's going to slash the writing off his RV.

"I don't want to bother my neighbors," he said, adding he placed a larger motor home in storage. "I want everyone in the city to get along. I don't want to see the city torn apart over this."

Simon Road covers Antioch. Reach him at 855-779-7166 or sroad@costatimes.com.

Photo: J. P. L.



EDDIE LEDESMA/TIMES.

CHRIS VALENTA of Antioch has a recreational vehicle in his driveway with slogans blasting a proposed city ordinance that would prohibit parking such vehicles and boats in driveways in the city.

5-4-2

RV PARKING IN FRONT YARDS

Many of our neighboring cities, such as Walnut Creek and Concord, place limitations on the parking of RV's on private property. Generally, these communities do not allow the parking of RV vehicles in the front yards. Such aesthetic rules typically allow

for storage of RV vehicles in the side and rear yards, where the vehicle will be less visible from the street. In fact, Martinez prohibited the parking of RV's in front yards until the early 1980's. Since



then, the laws were changed to provide greater accommodation to RV owners. Now, as the numbers and sizes of RV's have grown, many residents have recently complained to the City Council that new rules should be considered.

The Planning Commission has been reviewing possible changes to the regulations to find a balance that would prohibit the larger RV's but allow smaller models such as boat trailers and other "car size" items to remain. The latest draft regulations will be discussed at a **community workshop scheduled for Thursday, July 19th, at 7:00 p.m. in the City Hall Council Chambers at 525 Henrietta Street.** Please contact Laura Austin of the Community and Economic Development Department via email at laustin@cityofmartinez.org, or by phone at (925) 372-3515, to receive a draft of the regulations and further meeting notices.

MARTINEZ NEWS-GAZETTE

Weekend Edition, July 14-15, 2007

One Section, 14 Pages

149th year/No. 76

Always 25 cents

Martinez residents taking sides in heated RV debate

City trying to find a compromise between RV owners and neighbors

BY RICHARD PARKS
Staff Reporter

In the latest of a series of attempts to strike a compromise between those who want more restrictions on recreational vehicle parking and those who do not, the City will hold a community workshop on the controversial topic this Thursday. Should the two warring factions find a middle ground, the City will be one step closer to revising a RV ordinance that dates back to the Reagan era.

The current municipal ordinance, passed in the early 1980s, allows RV owners to park their vehicles on their own property through a simple permit process. However, neighbors living within close proximity to an RV owner's property can block the permit. As a result, there is little consistency to RV parking regulation throughout the City. There are even inconsistencies within the bounds of a given neighborhood—for example, the number of RVs parked in front yards can vary greatly from block to block. Still, the number of recent complaints indicate residents like to have say-so in the look of their whole neighborhood, not only their own block.

Many who secure the permits unceremoniously deposit their RVs in their front yards, with little intention of moving the oversized lawn decorations again. In recent years unhappy neighbors have been contacting their representa-

tives in City government to complain about this tendency, which they say blights their neighborhoods. However, at City meetings mostly pro-RV voices have been heard during public comment. Due to the controversial nature of the ordinance, efforts to pass anything into law—from as far back as 2004 have fallen flat.

Using informal discussions amongst Planning staff as a springboard, the City drafted an ordinance in February modeled on similar ordinances in effect in Brentwood, Concord and Walnut Creek. Those cities, setting the tone for other East Bay municipalities, essentially do not allow residents to park RVs in their front yards.

At a meeting the draft was attacked by a number of RV owners whose voices far overshadowed those of the dissenters. After a Planning Commission meeting in April that focused on the issue produced similar results, the City decided to fold the diverse opinions of the community into the draft process. Arguments from all sides were only noted at that time and staff went back to the drawing board.

City officials have said they hope to reach a compromise in an ordinance that can be applied City-wide. Another, concomitant goal is to eliminate what is seen as a flawed permit process.

The City is again asking the public to weigh in on the issue on Thursday night. Ideally, the meeting will produce a compromise that will be considered by the Planning Commission in August before going to the City Council for consideration of an ordinance in September.

The RV Parking Community Workshop takes place at 7 p.m. on Thursday at City Hall, located at 525 Henrietta St. in Martinez.



City of Martinez

525 Henrietta Street, Martinez, CA 94553-2394

RECEIVED
JUL 18 2007
COMMUNITY DEV DEPT.

RV PARKING WORKSHOP ANNOUNCEMENT

The City of Martinez has been reviewing possible regulations. The current draft tries to find a balance; where the parking of larger RV's would be prohibited in the front yards, but smaller RV's such as boat trailers and other "car size" items, could remain. The latest draft regulations will be discussed at a workshop scheduled for July 19, 2007, 7:00 pm at the City Hall Council Chambers, 525 Henrietta Street.

On: Thursday, July 19, 2007, 7:00pm

At: City Hall, Council Chambers
525 Henrietta Street
Martinez, CA 94553
(925) 372-3515

City Council Members,

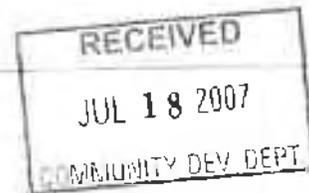
I will be unable to attend this meeting due to health problems, but I would like to cast my vote no on this parking anything large or small in the front yard. It will look like another vine hill Arthur J.P. area. If anything that you should have studied some haven't been done in for years, & no house on there. This would also have some property values. I am a total payee & have lived in Martinez since 1949 & love

Our City & hope this measure does not pass

300

Laura Austin

From: gene barrett [genorafts@yahoo.com]
Sent: Thursday, July 19, 2007 8:32 AM
To: Laura Austin
Subject: RV Parking Regulations



Laura Austin,

As a 40 year resident of Martinez and owner of RV's since the mid 1970's, I am appalled at the continued attack on our rights to use OUR property. Your new Definitions are subjective at best. It is clear that an individual or a small group having nothing better to do has brought pressure on the City of Martinez to restrict the pursuit of recreation for those of us that have better things to do than try to tell our neighbors how to live their lives.

A number of years ago I had such a neighbor who complained about my RV. The Police Chief took the time to do some fact finding. He documented that the presence of my RV parked in front of my house DECREASED the average speed of traffic on our street by over 10 mph. In addition it brought to every-ones attention that our street was being used to avoid the main streets where police could take enforcement steps to control speed. The high volume of traffic and the speeds combined allowed the blocking off of the street in the middle to restrict the flow to the residents and friends.

I still park my 34 foot RV on the street when needed, and believe that all RV owners have the right to do so.

Your new "definitions" are restrictive and should not be implemented. If you would like some reasonable guidance for an organization that has dealt with this all over the country, please contact the GOOD SAM CLUB. They have lots of experience finding reasonable solutions to RV Parking problems. Your proposed "Oversized" definition is flawed and should not be implemented. Oversized in my mind would be over 40 foot in length.

Again, there is a better way to deal with the issues. Do the research and ask for help from Good Sam will create a better outcome for All Martinez residents.

John & Gail Barrett
 2259 Spring Lake Drive
 Martinez
 925 687-5420

Moody friends. Drama queens. Your life? Nope! - their life, your story.
 Play Sims Stories at Yahoo! Games.

7/19/2007

Laura Austin

From: Carole Rupf [elorac8@sbcglobal.net]
Sent: Thursday, July 19, 2007 9:06 AM
To: Laura Austin
Subject: RV Parking



I had hoped to attend tonight's meeting regarding the RV parking rules; however, I am unable to do so. I hope that the Planning Commission will not rely solely on those who attend the meeting for guidance since the majority of attendees will be people opposed to any RV parking rules.

I am a life-long resident of Martinez ... I believe the city needs strong regulations prohibiting the parking of RV's, large boats, campers, etc. on streets and in yards where they are visible. Not only are they unsightly, but they are hazardous.

Since I can't attend the meeting, I am hoping you can convey my "vote" to the Planning Commission. Thank you.

Carole Rupf
1405 Stonecreek Court
Martinez

307



MARTINEZ RV PARKING ORDINANCE (CITIZEN VERSION)

22.04.362 Mobile Storage Container

A mobile storage container is defined as any enclosed or partially enclosed unit, including but not limited to "POD" units, that is intended for delivery to a residential site for loading and unloading and is stored offsite.

22.36.086 Storage/ Parking of Mobile Storage Containers

Mobile storage containers may only be parked or stored on a residential property for 72 hours, and such parking or storage may not repeat more than four times in a year. Long term storage of mobile storage containers for on-site storage is possible but must be located in side and rear yards with limitations and requirements of Municipal Code Section 22.12.265 applying. At no time can they be placed in the right of way.

22.36.087 The focus of the recreational vehicle parking and storage ordinance is to eliminate unsightly property conditions caused by large unscreened recreational vehicles, while preserve property rights of recreational vehicle owners and balancing concerns of the general public concerning blight, safety and health issues related to the parking or storage of recreational vehicles on residential properties. This ordinance applies to residential zoning districts as defined under the Martinez Zoning Code (R and RR Districts)

22.36.088 Recreational Vehicles Defined

For the purposes of reference in this ordinance, a recreational vehicle includes a motorhome; a cab-over camper on or off of a truck; travel trailers; off the road vehicles such as "dirt bikes," all terrain vehicles and similar conveyances; boats and other vessels as defined by the California Vehicle Code; trailers designed or used for the carrying of recreational vehicles, utility trailers, horse trailers and boat trailers with or without a boat. A load on a trailer is considered part of the trailer for the purpose of measuring its height.

22.36.089 Storage/ Parking Pad Required for R/V storage

- A. When a recreation vehicle is stored or parked on residential property as allowed under this ordinance it must be on a prepared parking pad comprised of permeable or semi-permeable material, concrete or asphalt. It shall be large enough to accommodate the length and width of the recreational vehicles to be parked and to provide adequate room for persons to walk past them on at least one side.
- B. The path leading to the storage pad from the right of way must be of a similar material and shall be maintained free of weeds, trash, debris, junk and loose material.
- C. Pads may be located in either side yard (as defined by the zoning code) or the prolongation of side yards into the front yard and should blend in with landscape to greatest extent possible, with the exception of a pad adjacent to a paved driveway to the garage.

D Recreational Vehicles crossing the sidewalk to enter a designated parking or storage area without a curb cut, must assure the sidewalk edge is protected by use of portable ramps constructed of wood or metal and be of sufficient size and strength to assure damage to the sidewalk is prevented. Ramps are to be removed immediately after the recreational vehicle parks to assure safety of other motorists on the street.

22.36.091 Front Yard Parking/ Storage Not Permitted

At no time can any recreational vehicle be parked or stored in the front lot of a property, with the exception of using properly prepared parking pads within the prolongation of the side yards, or on the driveway leading to the garage, under the requirements of this chapter.

22.36.093 Recreational Vehicle Sizes and Storage Location Designations

A. Except for incidental parking in a 72 hour period, recreation vehicles over 7 feet in height must park or be stored in a side yard behind the property front setback as defined in the residential zoning district regulations (R and RR districts). A six foot tall fence and gate must be present to screen such vehicle and must be constructed at or behind the set-back line, as defined in the zoning regulations.

B. Recreation Vehicles less than seven feet in height may park in side yards or in the prolongation of the side yards into the front or rear yard, providing the vehicle does not protrude into the right of way and is at least five feet from the rear property line.

C. Any recreational vehicle may park in a rear yard but must maintain fence/ gate screening, pad requirements of this ordinance and a five foot clearance from the rear property line. Entry into a rear yard from a street on corner lots must be over a properly prepared surface and in no case over bare soil or loose material that can track into the right of way.

D. Where a stored recreational vehicle in a side or rear yard protrudes above the fencing, trees and/ or shrubs should be planted for screening at the property line and lattice on top of the fence is permissible as an additional screen extension, upon agreement with the affected neighbor.

E. Where practical, a planting strip shall be maintained on both sides of a recreational vehicle pad located in the side yard prolongation into the front yard, to afford some screening of the recreational vehicle.

F. If adding latticework to a fence or gate the total height of the combined lattice and fencing shall not exceed eight feet in height. This supersedes other fence requirements in the Martinez Municipal Code and applies only to residential recreational vehicle storage sites. A building permit is required for fences with lattices that exceed six feet in height, measured from grade.

G. Parking of recreational vehicles on corner lots creates additional concerns for traffic visibility and safety, and requires:

1. Fences and shrubs adjacent to the driveway or path to the parking pad in the front setback area may not exceed 3 ½- feet in height.
2. Trees may be present in the front yard, provided foliage thereon does not block the view of traffic for recreational vehicles exiting the property or traffic passing by.

22.36.095 Safety and Aesthetic Requirements

A. No recreation vehicle parked/ stored on a residential property or street may be occupied for living or sleeping on a permanent basis. However, visiting friends and family may make use of a motorhome or house trailer for sleeping for a temporary period not to exceed one week, provided all noise, health and safety regulations are adhered to and the recreation vehicle is not on the street.

B. Recreational vehicles and tarps used to cover recreational vehicles must be maintained in good condition and not become an eyesore or contribute to property blight or a public nuisance.

22.36.097 Grandfathering Exemption

A. Nothing in this ordinance shall prevent the continuance of a legal non-conforming use.

1. In this context, legal non-conforming use means any property that has maintained lawful recreational vehicle parking/ storage prior to any municipal code passage which restricts or prohibits such related parking or storage on residential property; or
2. The exemption applies to property that has maintained lawful recreational vehicle parking while in an unincorporated section of the county, which was subsequently annexed by Martinez.
3. Lawful use refers to any property use, including maintenance of a concrete or other type of prepared parking area that was not in violation of the applicable jurisdiction's regulations at the time the use started.

B. Although the mere presence of a recreational vehicle stored or parked on residential property is not prima facie evidence of blight, upon three or more complaints from different households within the same block that the storage of a particular recreational vehicle which is classified as legal non-conforming is a blight, the City Council may review the matter and make a determination as to a violation. Upon a majority decision that a blighted condition is present, the city may take appropriate action to remove the blight.

C. If city enforcement relates to possibly cancelling a legal non-conforming use as a blighted condition is caused by the recreational vehicle parking, the City Council is legally required to either:

1. Provide reasonable compensation to the property owner for "taking" of the grandfathered property use; or
2. Provide a minimum of 5 years grace period to bring the property use into compliance with current codes; or,
3. Provide a combination of #1 and #2 above.

D. Where there are special needs relating to a disability of a property owner, or any unusual hardship or circumstances of anyone having recreation vehicle parking or storage, an exemption to any portion of this ordinance may be provided by the City Manager.

E. Where a disaster is declared or is imminent, as determined by any reasonable or prudent person, enforcement of this ordinance is suspended to provide an opportunity for residents to utilize recreational vehicles for temporary housing and disaster relief.

F. This ordinance will go into affect 1-year after its adoption to provide adequate time for residents to comply without enforcement.

Corey Simon

From: Thomas Coleman [tnt4@earthlink.net]
Sent: Thursday, July 19, 2007 3:01 PM
To: Corey Simon
Subject: RV Ordinance Workshop

Hello Corey: this email is about the ongoing issue of the so called RV Ordinance. We recently received a notice in the mail announcing a workshop to discuss a draft that currently finds a balance essentially allowing boats, trailers and any car size RV, or anything else... to be in the street or in the front yard of any home in Martinez.

Sorry, this is not good policy, rather a recipe for the creation of an impossible job laid in the lap of some poor sole. That is, if the city would enforce any policy at all. We really doubt the serious intentions of the city in this matter. The notice essentially editorialized in such a way to say "we've watered this down now, so come and bless it!" The notice doesn't give a persons name to contact with questions. The city's website doesn't list this "workshop" on any of it's links and we have not seen one notice in the newspaper. And, of course we are out of town until the weekend, unable to attend the workshop.

Our city needs to get serious about those who use the street and front yards in public view to store their derelict vehicles and trash and all those "oh so cherished RV's" that never get used or even moved. Make enforcement easy, ban all junk, trailers, Rv's and garbage cans from public view.

This is the simplest, quickest way to make a real difference in the face of this town. Remember, the people who cry about storage costs for their RV are either cheap skates or they shouldn't have the RV in the first place. Please do the right thing!
Tom and Terri Coleman, 4200 Canyon Way. Tom's cell is 925-998-8165, if you have any questions.

7/19/2007

360

Corey Simon

From: Albert Lopez
Sent: Tuesday, July 24, 2007 10:06 AM
To: Corey Simon
Subject: FW: RV Ordinance/workshop

Add to official record of RV code changes .thx

From: Janet Kennedy
Sent: Monday, July 23, 2007 8:30 PM
To: Thomas Coleman
Cc: Don Blubaugh; Albert Lopez
Subject: RE: RV Ordinance/workshop

Dear Mr. and Mrs. Coleman,

Thank you for your e-mail. I am forwarding it to city staff so it will become part of the record related to the proposed RV ordinance. There is quite a balance needed between what is legally enforceable and what can be done. Many communities, Antioch and Concord to name two, are struggling with this too. If everyone just took care of their property we wouldn't have to worry about this, but unfortunately that's not the case.

I'm sure there will be more than one discussion about this. In the meantime, I will forward on your message. Thanks again for taking the time to write and have a great summer.

Janet Kennedy

From: Thomas Coleman [mailto:tnt4@earthlink.net]
Sent: Thu 7/19/2007 2:38 PM
To: Janet Kennedy
Subject: RV Ordinance/workshop

Hello Vice Mayor Kennedy: this email is about the ongoing issue of the so called RV Ordinance. We recently received a notice in the mail announcing a "workshop to discuss a draft that currently finds a balance allowing boats, trailers and any car size RV, or anything else, to be in the street or in the front yard of any home in Martinez."

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This is the simplest, quickest way to make a real difference in the face of this town. Remember, the people who cry about storage costs for their RV are either cheap skates or they shouldn't have the RV in the first place. Please do the right thing!

Tom and Terri Coleman, 4200 Canyon Way. Tom's cell is 925-988-8165. If you have any questions.

7/24/2007

CENTRAL COUNTY CONTRA COSTA TIMES

Volume 16, Number 51

ContraCostaTimes.com

Thursday, July 26, 2007

50 Cents p

Concord to reassess RV, boat parking law

Violators' fines will be suspended until a council subcommittee can review 17-year-old ordinance

By Tanya Rose
 Concord — Residents who say they were hit hardest by the sudden enforcement of a 17-year-old law regarding illegally parked recreational vehicles and boats

Parking

FROM PAGE 1

the street if we keep it clean, I say that's discrimination," he said.

Because the ordinance was not on the agenda and the general public had not been notified, it would be discussed, the City Council was not allowed to talk about it at length.

However, members did agree, through a 3-2 vote, to revisit the issue at the subcommittee level and then perhaps at the council level.

Mayor Mark Peterson and Councilwoman Helen Allen voted against revising the ordinance, saying they are perfectly happy with the laws already on the books.

The anger began in a June 1 decision by a subcommittee to start cracking down on people who park RVs, boats or trailers in their driveways or on streets.

An ordinance enacted in 1990 requires that these vehicles be either in a side yard hobby behind a fence or in a backyard.

However, in 1994, residents complained that the code was too strict and the council then de-

clined their boats and trailers in driveways were OK as long as they were in good condition, were unregistered, were registered and did not block the sidewalk.

The city decided then that concerned citizens would only issue citations if there were more than two complaints against a particular home.

But, months ago, Peterson asked that the enforcement policy be reversed, and in March, City Manager Lynda DeLong was directed to start enforcing the code as written.

The citations began three months later. By the Tuesday meeting, 345 warnings had been left throughout the city.

Beta Cummings and her husband researched the city policy this past March when deciding whether to buy a 23-foot trailer.

"We called and asked what the law was," she told the council. "We were told it's fine, as long as it's not on the sidewalk."

The family bought the trailer in April. Then in June, they received a notice saying they had 45 to 60 days to move their vehicle or be fined \$100, plus a \$160 inspection fee. Second violations are \$200, plus the in-

spection fee, and a third violation is \$500.

"If we'd known, we probably wouldn't have bought the trailer," she said.

Councilman Michael Chavez argued that the issue should be reviewed further. He had been at the meeting where Peterson asked that it be enforced, and he said at the time that he agreed.

"However, I've decided this needs to be reviewed further," Chavez said. "Everyone should have a chance to participate."

About halfway through the public comment period Tuesday, Vice Mayor Bill Shinn made a motion to review the ordinance, which he said he hoped would delay the concerns of those speaking.

"Let's clean this thing up and do it right," he said. "We don't have to get into a big argument — what's past is past, and in this meantime, the current enforcement action will be suspended."

In Antioch, city leaders are putting the same issue to a vote, saying that matter had become too divisive for the City Council to render a decision on its own. A likely will appear on the February ballot.

Other cities are grappling with

the issue, too. Last year, Brentwood began enforcing its existing ordinance, to the chagrin of Delta-loving boaters.

Reach Tanya Rose at 925-943-8245 or trrose@octimes.com

CONTRA COSTA TIMES

Wednesday, August 1, 2007

ContraCostaTimes.com

Volume 96, Number 63

50 cents plus tax

City has advantage in RV law debate

ANTIOCH: State court decisions show cities can pass such ordinances for aesthetic reasons

By Simon Read

JAMES STAFF WRITER

Legal precedence will be on the side of Contra Costa cities if and when it comes time to enforce controversial municipal codes prohibiting the parking of recreational vehicles on private property, officials and legal experts said.

Opponents argue such ordinances violate property rights and protections afforded by the U.S. Constitution. California courts, however, have ruled cities can enact ordinances for aesthetic reasons.

In 1980, an advertising company took San Diego to court when the city put restrictions on the placement of billboards. San Diego officials argued their intent was to minimize the distraction outdoor signs posed to motorists and pedestrians, and "to preserve and improve the appearance of the city."

After much legal wrangling, the case made its way to the state appellate court.

"If, as plaintiffs maintain, the principal purpose of the ordinance is not to promote traffic safety but to improve the appearance of the community, such a purpose falls within the city's authority under the police power," the court ruled.

That sentiment was echoed some time later when the court heard a case out of Temple City, where the city council had passed an ordinance preventing the parking of commercial vehicles in residential driveways.

Temple City resident Viola Tolman was cited for violating the ordinance and found guilty in municipal court. Tolman appealed the conviction and argued the ordinance violated the Constitution because it impaired "the reasonable use of residential property" and "deprives her of property without due process of law."

The appellate court said such arguments "lack persuasion," adding the preservation of a city's appearance bears "adequate relation" to the overall welfare of a community.

Although the Temple City ordinance specifically targeted commercial vehicles as opposed to recreational vehicles, the court said a city "is free to recognize degrees of harm and to confine its regulation to those classes of cases in which the need is deemed to be most evident."

Antioch City Attorney Lynn Tracy Nerland said she is confident Antioch's proposed ordinance — tentatively scheduled for a public vote in February — will pass legal muster if it meets with voter approval.

"In California, and many other states," she said, "aesthetics is considered reason enough for such ordinances."

Patrick Whitnell, general counsel for the League of California Cities, said Antioch is well within its legal rights to enforce the boat- and RV-parking ordinance should it pass the public vote.

"A city can certainly enact regulations for aesthetic purposes," he said. "It comes under the city's police power to protect public health and safety."

Many cities assert that boats and campers parked in residential areas can block the views of those trying to back out of driveways and can contribute to neighborhood blight.

"Such stated purposes would be sufficient to allow a court to find the ordinance constitutional," Whitnell said.

"Anyone could obviously file a complaint and challenge the city's actions in court, but they would find they have an uphill fight."

Residents would have a better chance, Whitnell said, taking a political course of action and urging the public to vote against the ordinance.

Doug Knowles, secretary of the newly formed Recreational Vehicle and Property Rights Alliance, said he's disappointed with the boat and RV crackdown.

"Our organization is not just an Antioch organization," he said. "It's growing quickly and involves many other cities throughout the country that are dealing with RV issues."

Knowles said he was not yet ready to comment on whether his group will take legal action to stop such ordinances.

"There are many ways to accomplish change," he said. "One of them is by being political."

Wednesday, August 1, 2007

ContraCostaTimes.com

Volume 96 Number 62

50 cents plus tax

Cities dragged into fights over RV parking

By Tanya Rose
Times Staff Writer

Glenn Gilman and his wife have children, but they are grown and have long since moved away. Now it's time for the easy life — a life meandering around Washington, Oregon and California in their 23-foot RV.

They went to Plana Beach last month, just the two of them, and ran into trouble before that, it was Monterey.

RV trips are the most popular kind of trip you can imagine, and Gilman, a Concord resident,

But he and thousands of California RV owners are finding themselves in the middle of a fierce debate over where to park the recreational vehicles. It seems like complaints from non-RV owners are getting louder and more frequent, causing growing numbers of cities to tighten restrictions on where they can be stored. People argue that they are eyesores when on streets and even in driveways — that they are bulky, unsafe when they skid on sidewalks and that they acquire any property that surrounds them.



FOR LARRY TRAY
GLENN GILMAN, an RV owner who lives in Concord, says he does not understand the complaints to the city about parking the oversized vehicles. "Who decides if it takes nice or nice?" he asked.

"Who decides if it looks nice or nice?" said Gilman, referring to the debate in Concord, where city officials are looking at tightening the ordinance that governs RV parking.

"I think, 'Jeez, I'm being a good neighbor. I'm not offending my neighbors, and everyone's happy.' Why upset the apple cart?"

In Amador, the RV parking ordinance is so divisive that council members decided to take a hands-off approach and let the voters decide in February. In Concord, where Gilman has parked his RV roughly in his side yard for 12 years with only a complaint, officials this summer started enforcing a 27-year-old law that had been applied leniently for years. Then they stopped when RV lovers argued foul. Now, that ordinance is up in the air.

Lafayette, Dublin and Brentwood have all had to revamp their enforcement practices at the pair couple of years, and the list goes on. Most cities have had RV parking ordinances in place for decades — so why the sudden influx of complaints?

Those who watch the industry say it is not that neighbors are getting pickier. It is that the level of RV ownership has gone up.

Fueled by baby boomers reaching retirement age, one in 12 vehicle-owning households had an RV as of 2005, and that number will increase 15 percent by 2010, according to the Virginia-based Recreation Vehicle Industry Association.

"You also have more people opting to travel domestically after 9-11, and the industry has exploded," said Sue Bray, executive director of the Good Sam Club, a pro-RV organization that is helping people take a stand against restrictive ordinances throughout the country. Nationwide, the group has 1 million members, with 338,000 in California. More than 1,000 of those members jobbed in the past five

Andy Coyle, president of the California Recreation Vehicle Dealers Association, expects RV business not only to go up, but to double in five to seven years. The projected 15 percent increase by 2010, he said, is conservative.

"The image is also changing, which could be contributing to our higher sales," he said. "It used to be that the guy who bought an RV parked it in his yard and tinkered with it all day long. Now, you've got more mainstream families buying them."

"The trends are changing, and yet the older laws don't reflect the current reality."

Bray also says shrinking lot sizes contribute to neighborhood tension. "Because houses are crunched closer and cluster together, people do not have the options they used to in terms of storing in a backyard or elsewhere."

Enter city councils. Concord Mayor Mark Pererstein, who is the person behind the city's recent crackdown, said fear if people cannot fit an RV or boat behind a fence or in a backyard, they should secure a lot site. As of that week, Abba Bravagio in North Concord, for example, had 90 storage spots available for rent.

"I want to assure our law wasn't being enforced," Peterson said about the city's 1990 ordinance. "I think campers are great. I had them growing up," he said. "I just don't think it's appropriate to park them for years at a time in yards."

In June, Concord sent out more than 200 letters giving people 60 days to move their RVs or face a fine-time fine of \$100 plus a \$161 inspection fee. When more than 50 people came to a City Council meeting last week to protest, city leaders decided

ONLINE

Who's should RVs and boats be parked? Take the informal poll at CoastalTimes.com.

to revisit the law at a September meeting.

"I understand people saying they don't like it when we tell them what to do with their property, but at the same time, when you're affecting your neighbors' property values, you're crossing a line," Peterson said.

RV owners have argued that it is illegal for the city to restrict

RV parking on an aesthetic basis alone, but Peterson counters that it is done all the time.

"We enforce rules about peeling paint, about leaving disabled vehicles on the street, or even having an unregistered car in your driveway. It's all about curbing blight."

In Pittsburg, Naomi Silva, 72, says her street is rife with illegally parked vehicles. Pittsburg does have a complaint-driven ordinance, but Silva wishes it were more strictly enforced.

"There's one RV that hasn't moved in 22 years, the whole time I've been here," she said.

Fueled by baby boomers reaching retirement age, one in 12 vehicle-owning households had an RV as of 2005.

"Not only is it blight, but you can't find a parking space and trailers on one street, out of 20 homes."

"I'm sorry," she added, "but I didn't move into a marina. I didn't move into an RV park. I moved into a home. For me, I don't care how nice the vehicle is — if it's parked on the street, it's got to go."

In Concord, attorney Christine Callahan counted 14 RVs

In Dublin, assistant city manager Joni Parrillo said it is all about how the rules are presented to the public. In 2004, the current RV parking ordinance kicked in, and so far it has gone smoothly. But that is only because the city held countless workshops and asked for input from the public, she said. The resulting ordinance was an exercise in compromise, she said.

"Basically, everyone felt it was something they'd had a hand in, that they could be proud of," she said.

Reach Tanya Rose at 925-943-8345 or trose@oactimes.com.

PAGE 2 of 2

THE TIMES

A MediaNews Group Newspaper

Editorials

RV, boat restrictions

FEW LOCAL ISSUES have attracted more protest than recent attempts by some East Bay cities to enforce parking restrictions on RVs and boats on trailers. Controversy over RV and boat parking became so intense in Antioch that City Council members decided to place the issue on the February ballot.

Similar conflicts arose in Concord when that city tried to strictly enforce its 1980 ordinance on RV parking. Residents of other cities also have expressed concerns about vehicle parking and the rights of homeowners.

Many of the cities in which controversy has arisen have had RV and boat parking ordinances on the books for many years. However, with a growing number of RV and boat owners living in homes with smaller yards, there has been a growing concern about safety, traffic and aesthetics issues regarding RVs and boats that are parked in neighborhoods. Many homeowners associations have strict restrictions or outright bans on parking RVs and boats. Owners are required to park them in off-site lots.

When home buyers are aware of such restrictions in advance, there generally is no uproar. Problems arise when people who have parked their vehicles in one place for years are now being told to move them.

What is needed to resolve the issue is some common courtesy and common sense. RVs and boats that are left on the street can be safety hazards and take up parking space. Ordinances that forbid onstreet parking of RVs and boats are reasonable and do not infringe on property rights.

Restrictions on RVs and boats in driveways and yards are another matter. Huge RVs in driveways can be a hazard if they block views of the street or stick out beyond the curb. That is less of an issue for boats and RVs in yards, unless they are blocking neighbors' views. Then there is the matter of aesthetics, always a controversial and cloudy subject, but one that is dealt with by many cities' ordinances.

Both sides of the issue have reasonable concerns that need to be resolved by compromise and public input.

Perhaps the best way to proceed is to do what Antioch is doing and put the issue on the ballot so the voters can decide what regulations, if any, they want on RV and boat parking restrictions.

August 28, 2007



SUBJ: RV PARKING ORDINANCE

Dear Martinez Planning Commission Members

I have been in touch with Corey Simon regarding the proposed RV parking ordinance for the City of Martinez. Unfortunately, when you had other meetings, I was out of town and will again be out of town on September 10th. He advised that I send each of you a letter outlining my concerns.

I have no personal objections to your proposal other than the length requirement. I feel that if your backyard accommodates the length of your RV, there should be no objections. If there is a concern regarding viewing the RV from a neighbor's yard, the RV owner could be required to screen it with something appropriate such as latticework, trees, etc. I think a common-sense approach, to the best interests of all concerned would be welcomed.

Points to consider:

1. What is the justification on limitation of length of RV? As long as it is in an enclosed area, behind the face of the house??? *
2. Some homeowners have gone to considerable expense, not only in their investment in the RV, but in buying a home with a lot that allows room for RV parking (refer to any real estate ad), as well as contracting to have a concrete pad poured, fencing & landscape screening. (All in good faith, based on past stipulations). Should this ordinance be grandfathered in or will all these homeowners suddenly be hit with the unplanned expense of paying storage fees and a concrete pad that is useless???
3. For those who feel an RV owner should be able to afford to pay for storage, they might also consider that another large expense for the RV owner is taxes already paid for the purchase of the RV in the State of California.
4. It is very inconvenient to store RV's as well as very expensive. If an RV is stored on the homeowner's property, when preparing for a trip, the RV does not have to be parked in the street as it does when RV's are taken from & returned to storage each time.
5. Many people purchase homes in an area free of HOA's because they do not wish to live under these types of restrictions.
6. All lots are not the same. Off-set from the street is very different in many areas and subdivisions.
7. How does this ordinance affect residences in Muir Oaks, Alhambra Valley and similar areas?

* "One size fits all" is very difficult in planning an RV parking ordinance. For example, consider the factor of size of lots, depths of lots, how houses are situated on lots, etc. Let's say a house (as many are today) is built on a narrow, deep lot, the house covering much of the depth of the lot. Why couldn't the RV extend that same depth? Are those considering this proposal aware that RV lengths could easily be 40 feet?

Thank you for your time and consideration. I will look forward to the outcome of your meetings.

Sincerely, Linda Smith 1704 Teakwood Drive Martinez, CA
richlinda.smith@mindspring.com

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NOTICE OF PUBLIC HEARING

The Martinez Planning Commission will hold a Public Hearing to discuss the following application:



LOCATION: City-Wide
APPLICANT: City of Martinez
DESCRIPTION:

Public hearing to review proposed zoning text amendments to the Martinez Municipal Code Chapter 22 36; Off-Street Parking. Proposed changes include placing limitations on the parking of recreational vehicles within the minimum required front yard of residential lots. The proposed maximum lengths of RV's to be permitted has been adjusted as per the July 19, 2007, Community Workshop. The Planning Commission will make its recommendations to the City Council, which will consider the possible amendments at a future date to be announced.

ENVIRONMENTAL REVIEW: This proposed zoning text amendment is categorically exempt from the requirements of CEQA (Class 5 Categorical Exemption: Minor Alterations in Land Use Designation). No further environmental review is required by State law.

This is within City Limits!!!

The Public Hearing will be held during the following meeting:

DATE:	Tuesday, September 11, 2007	<i>I PROPOSE NO PARKING</i>
TIME:	7:00 p.m.	<i>IN FRONT OF EXCEPT IN DRIVEWAY</i>
PLACE:	City Hall, Council Chambers 525 Henrietta Street Martinez, Ca 94553 (925) 372-3515	<i>of home - THAT'S WHAT GARAGES ARE FOR</i>

THIS ISN'T VMT VIEW OR ARTHUR PETA *& NO WORKING ON CHES OR TRUCKS IN DRIVEWAY!!!*

NO RV PARKING IN FRONT OR BY SIDE OF HOME

If you are interested in this application, you may come to the Public Hearing. Anyone may speak about the application at the hearing. If you cannot come to the hearing, you may send your comments in a letter addressed to the Planning Commission at the above address.

If you need further information, the application may be reviewed at the Community Development Department at City Hall, which is open from 8:00 a.m. to 12 noon and from 1:00 p.m. to 5:00 p.m.

PLEASE REVIEW IMPORTANT INFORMATION PRINTED ON THE REVERSE OF THIS FORM.

Date Notice Mailed: August 31, 2007



9/5/07

To: The Planning Commission

Hello, this is related to the ongoing RV storage issue. I am an RV owner, but please read on. You see, I believe that we all have a responsibility to our neighbors to help keep our city looking it's best. I can provide you with 100 pictures of RV's in our city that are currently detracting from the neighborhoods you find them in. My RV is in a side yard, behind a fence, virtually unnoticed from the street.

I have been unable to attend the meetings on this issue to date, but I must say I am alarmed at what I was told by Cory Simon last week. He essentially said that due to the fact that these meetings were overwhelmingly attended by the group that prefers unfettered storage of their RV's, that the new policy would carry their concerns forward. This is alarming to me. If the city staff and council cannot find the courage to draft an ordinance that is meaningful, then what are you there for?

The draft policy that I received in the mail last week was useless as a basis for enforcement. That is if the desire is to improve the face of our neighborhoods. All that will happen if the policy is passed as is, will be a constant shell game of move the RV into and out of the street if and when a city inspector cites the offender. Second, the draft ordinance shows an allowable side yard area that will most certainly cause a surge of concrete to replace landscaped yards. Think about it.

You need to go look around the city. You will find that many of these units are in disrepair, used for secondary housing, block safe viewing distances for traffic, negatively effect property values and are otherwise a nuisance. Don't forget that you can store the largest RV at a facility in Martinez for less than \$100 per month!

I implore you to put more effort into creating a policy that means something. I am tired of explaining to my friends from out of town how my city has "so much potential".

In closing, I may not be at the meeting next week because I am a firefighter and will probably be out on an "out of county fire". Please don't take my absence as an indication of my lack of concern.

I would appreciate your not announcing my name in public as I feel that some of the individuals on the other side are less than honorable. Thank you for your time.

Tom Coleman
228-8026

P.S. - imagine the obstruction that an RV in the front yard presents to a first on scene emergency crew - such as a fire crew.

City of Martinez Planning Commission
525 Henrietta Street
Martinez, Ca 94553



September 4, 2007

Commission Members,

I am writing to comment on the proposed amendments regarding off-street parking, the RV Ordinance. I attended the Community Workshop on July 19 regarding the proposed changes, and was very intimidated by the attitudes of many of the residents who don't want any limitations at all on where they can park their RVs. A few people spoke out in favor of those limitations, and as an audience member I heard many negative and unpolite comments whispered by some of the RV folks sitting around me. The overwhelming majority of the attendees were RV owners, and very vocal ones, and I myself was afraid to speak up after hearing some of these disparaging remarks.

I have lived in Martinez for the past 18 years, and I am not an RV owner. I am very disappointed to see that as a result of that meeting, changes have been made in the proposed ordinance to allow even larger RVs to be parked in driveways and side yards. I very strongly object to this. The increase in the maximum length of RVs permitted from 30' to 35' was done apparently to appease many of the RV owners. Many of the owners who spoke mentioned the measures they take to make their RVs "blend in with the landscape". There is no way possible that one can make such a huge structure blend with any landscape. At the permitted height of 12', they are already 6' over a fence, and in no way resemble a tree or shrub, or look natural in anyway; they are large metal structures on wheels and are an eyesore. In addition, I notice on the new updated graphic that the parking pad in example #1 has been changed from small RV (car sized) to small RV (not to exceed 22' length). There is a significant difference between "car sized" and 22 feet. How in the world did this change come about? Has this proposal been written by the RV owners? There is not much in it that protects the rest of us from having to look at these eyesores if our neighbors choose have one.

I realize that traveling in an RV is a way of life for many people, but that is a choice that *they* make. These are 'recreational' vehicles, not 'necessary' vehicles, and it doesn't seem right that their leisure becomes an imposition on those of us who would rather not have to look at them parked in our neighborhoods. Storage sheds or other out-buildings are required to be within one's yard and not be an imposition or eyesore to neighbors, I don't understand why RVs are permitted in a residential area at all. We shall have our relaxation activities, and are responsible for storing or maintaining our own without everyone else having to look at them, even if that means paying a storage fee to do so. I consider that a small price to pay in relation to the high price of buying and maintaining an RV.

In talking with one of the Community Development employees after the meeting, I was told that this issue will be decided like American Idol, the most popular side wins. This is very disheartening to me, and is the reason that I am now writing my first letter expressing my viewpoint on a local issue. I am concerned that there has not been enough done by the City to make most of the public aware that this process is even going on, and after reading the history of the proposed new ordinance on the City

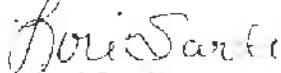
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website, it seems that much of it was carved with input mostly from the RV owners. We are all busy with our families and jobs, and many things escape us. However, the last thing that I want to see in my neighborhood is more blight, and I think that this relaxed ordinance will allow that to happen. Once passed, we will all have to live with it for many years to come and I feel that there should be a more balanced public input.

Please reconsider this present ordinance, and protect our neighborhoods and property values by keeping the larger vehicles out of our neighborhoods and in designated parking facilities. I would like to see the elimination of *any* RV parking in the front of a property, and much stricter size limitations on those stored behind a fence in a side yard (22' vehicles or smaller). Any vehicle larger than 22' should be stored in a separate storage facility, so that the rest of us can enjoy our yards, sidewalks and streets.

Sincerely,



Lori Sarti
248 Augustine Dr.
Martinez, CA 94553
(925) 372-4188

cc. City Council Members

2.52

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MARTINEZ NEW

Thursday, September 6, 2007

One Section, 12 Pages

MEETING PREVIEW

Public hearing on R.V. ordinance scheduled

■ The latest in a series devoted to the controversial subject

BY ANGELA J. BASS
Staff Reporter

Although recreational vehicles are often associated with good times, many of the City's RV owners are having anything but when it comes to deciding where they can and cannot store their vehicles, resulting in quite a few unhappy campers.

The Planning Commission is holding another public hearing to discuss how to modify its RV ordinance next week. Opponents of the proposed ordinance—who at present seem to hold the upper hand in the intensifying debate—have said the law would be too restrictive and violate their rights to store whatever they wish on their own properties.

Proponents of stricter regulations would like City staff and the Commission to consider what other cities, such as Walnut Creek, Brentwood and Concord, are doing to encourage neighborhood preservation and beautification efforts. Initial plans prohibited the parking of RVs in front or on the side of homes, except when in immediate use, but complaints from some residents against this recommendation caused the City to reconsider.

During a Planning Commis-

See R.V./Page 2

R.V.

Continued from Page 1

sion meeting in February, proponents of stricter RV parking regulations were outnumbered two to ten. At a subsequent meeting in April, proponents were again outnumbered, which prompted the Commission to ask staff to perform more community outreach on the issue and encourage both sides to seek a compromise. The City finally managed to attract a more balanced crowd, with both proponents and opponents having their say on the matter, at a workshop hosted by the Commission in the City Council Chamber on July 19.

The issue is however far from resolved. At the next Planning Commission meeting, scheduled for Tuesday, Sept. 11 at 7 p.m., City staff will present some of the suggestions made by community members to the Commission.

Further considerations will be given to the substantial number of citizen complaints received by various council members in regards to the RV ordinance over the last several months, with a goal of deciding how the RV parking ordinance can be amended to the satisfaction of all those concerned.

Information from September's meeting will again be presented to the Planning Commission in October.

The Planning Commission meeting takes place on Tuesday, Sept. 11, at 7 p.m. The Commission meets in Council chambers at City Hall, located at 525 Henrietta St. in Martinez.



File Photo

R.V. LAW: *The City is considering an ordinance regarding recreational vehicle parking.*

ZAL