

City of Hesperia

STAFF REPORT



DATE: March 19, 2019
TO: Mayor and Council Members
FROM: Nils Bentsen, City Manager
BY: Michael Blay, Assistant City Manager
SUBJECT: Receive and File Report – Illegal Parking Issues

RECOMMENDED ACTION

It is recommended that the City Council receive and file this report on Hesperia City Ordinance 16.20.090 and 16.20.095 related to City parking standards and give direction to staff.

BACKGROUND

On February 5, 2019 Council Member Jeremiah Brosowske requested staff prepare a report for discussion related to the parking of commercial vehicles in non-residential areas, specifically on vacant lots. Mayor Larry Bird followed up by asking for a staff report on the City's parking ordinance in general.

On July 19, 2011 a public hearing was held to introduce Hesperia Ordinance 2011-07 amending Section 16.20.095 E of the Hesperia Municipal Code to prohibit the parking of vehicles on vacant non-residential lots. This ordinance applies to commercial vehicles, passenger cars, light trucks, or any other type of vehicle. The City Council voted 5-0 to approve the ordinance. A second reading of the ordinance was held on August 2, 2011 for adoption and the City Council again voted 5-0 to approve the ordinance.

Many other cities have parking ordinances similar to Hesperia's including:

- Apple Valley Code 12.38.020(f) Parking of commercial vehicles is prohibited on vacant lots
- Victorville Code 12.28.250 Commercial vehicle parking prohibited on any portion of a highway, street, road, alley, or public right-of-way
- Barstow Code 19.06.050 (d) Every parcel of land used for parking must be surfaced or paved with a minimum of 2.5 inches of asphalt concrete
- Rialto Code 18.58.020 L The use of vacant or undeveloped lots or parcels of land for the parking or storing of motor vehicles is prohibited

ISSUES/ANALYSIS

Hesperia's parking ordinance covers regulations for both residential and non-residential parking standards. The parking ordinance is similar to other cities with one exception. Unlike most cities, Hesperia allows commercial vehicle parking on residential lots of at least 18,000 sq. feet. Additional commercial vehicles, up to three (3) total, may be parked on residential lots with the addition of one (1) vehicle per half acre. This liberal parking standard recognizes the value of

truck drivers in our community and allows them to park their commercial vehicle at their residence.

Businesses wishing to cater to the trucking industry have voluntarily built commercial truck parking as part of their development plan. An example of this is the Motel 6 located at 9757 Cataba Rd. Hesperia. Motel 6 built an oversize parking lot to include approximately a dozen parking spaces for commercial vehicles. This allows truck drivers to legally park, with permission, on private property and patronize the business.

In 2018 Hesperia Code Enforcement officers issued 893 commercial vehicle citations of which 73 were the result of citizen complaints. At the time a citation is issued, the officer takes a photograph of the vehicle parked in violation of the ordinance. Each citation carries a fine of \$100. The majority of the violations were for Municipal Code 16.20.095 E – parking on an undeveloped lot while the next two commonly cited sections were for Code 16.20.090 H 3 (a) - residential street parking prohibited for commercial vehicles and Code 16.20.095 F 1 – non-residential street parking prohibited for commercial vehicles.

Parking violators wishing to appeal a citation are afforded a process to do so. The first step of the appeal process requires the submittal of a written form to the Code Enforcement supervisor who may dismiss or uphold the citation. Violators wishing to appeal the supervisor's ruling may request an administrative hearing with a hearing officer supplied by Data Ticket. Finally, violators wishing to appeal the hearing officer's ruling may file an appeal with the San Bernardino County Superior Court.

FISCAL IMPACT

The discussion of this item will have no fiscal impact on the City. Amending the parking ordinance would result in a loss of revenue directly proportional to a reduction in the number of citations written.

ALTERNATIVE(S)

1. Provide alternate direction to staff.

ATTACHMENT(S)

1. Hesperia Municipal Code 16.20.090
2. Hesperia Municipal Code 16.20.095
3. Aerial photograph of Main St. west of Interstate 15
4. Photograph of driveway to 12798 Main St. Hesperia