

INDIAN WELLS CITY COUNCIL

November 28, 2022



To: City Council
From: City Attorney
Prepared by: Todd Leishman, City Attorney
Subject: **Proposed Ordinance Amending Section 11.36.125 of the Municipal Code Regarding Recreational Vehicle Parking Permits and Finds the Action to be Exempt from CEQA**

RECOMMENDED ACTION:

Council **INTRODUCES** Ordinance to be read by title only, and further reading waived Amending Section 11.36.125 of the Municipal Code relating to Recreational Vehicle Parking; and

FINDS The action to be exempt from CEQA; and

APPROVES Municipal Text Amendment No. 2023-01 regarding recreational-vehicle parking-permit requirements or provides **ALTERNATIVES** and **DIRECTION**.

DISCUSSION:

In 2022, the City Council formed an Ad-Hoc Committee consisting of Councilmembers Muzik and Sanders to examine the Municipal Code Recreational Vehicle (RV) parking regulations. This was in response to resident concerns that some residents were exceeding the existing rules and regulations. As a result, the Ad-Hoc Committee made suggestions to the City's Municipal Code, including the addition of a temporary permit process for RV owners who wish to have their vehicles overnight on a public street or in their personal driveways.

Last month, the Council directed the City Attorney to prepare a code amendment, for discussion that would remove the permit requirement, as the permit program has been difficult to administer, and residents have abided by the other provisions of the RV ordinance changes.

The proposed ordinance would amend Section 11.36.125, by removing the permit requirement. The regulations that attached to a permit were preserved, and some modest cleanup up the section is also proposed.

ENVIRONMENTAL QUALITY ACT ("CEQA"):

Adoption of the proposed ordinance is not subject to review under the California Environmental Quality Act ("CEQA") because the amendment would not cause any direct physical change or any reasonably foreseeable indirect physical change in the environment. The amendment does not allow or disallow any use or public or private property. Nor does it change any parking restriction regarding location, duration, or frequency. It merely dispenses with an administrative permit. Therefore, adoption of the ordinance is not a "project" subject to CEQA. (Cal. Pub. Res. Code § 21065; 14 Cal. Code Regs. § 15378.)

Adoption of the ordinance is exempt because the amendment has no potential for causing a significant impact on the environment. (14 Cal. Code Regs. § 15061(b)(3).)

ATTACHMENTS:

1. Ordinance- redlined
2. Amended code as Exhibit A