

Consideration and Introduction of an Ordinance Amending Chapters 9.72 and 14.40 of the Municipal Code Related to the Definition and Regulation of Public Parking Pads

City Council Regular Meeting – August 4, 2026



Note: This PowerPoint presentation is intended solely as a visual aid to an oral staff presentation of an agenda report topic. In the event of any differences between the presentation and the agenda report, the information in the agenda report prevails.

Background

- City established private encroachment policy – 1972
- Established private encroachment standards – 1999
- Established Public ROW standards – 2003
- City began more active enforcement – June 2024
- Council directed staff to prepare report – 8/8/2025
- PPIC Meetings – 12/4/2025, 2/2/2026, 6/25/2026
- Draft Code Amendments Chapters 9.72 and 14.40



Public Parking Pad Definitions

- **Public Parking Pad**

A paved surface located entirely within the right-of-way immediately adjacent to the edge of the roadway designed and constructed exclusively for vehicle parking which does not obstruct a driveway access, sidewalk or pedestrian access route. A public parking pad is not a private encroachment in the right-of-way.

- **Block –street segment between 2 intersections**
- **Driveway Access – Between garage/carport and ROW**
- **Pedestrian Access Route-Between door/gate and ROW**
- **Roadway – portion of ROW used for vehicular/bike travel**



Public Parking Pad Standards

1. The minimum dimensions of a public parking pad shall be 8-1/2 feet wide by 18 feet long.
2. A public parking pad may be aligned either parallel, diagonal or perpendicular to the street centerline.
3. No portion of a public parking pad shall be located at less than one foot away from a private wall or building.
4. Public parking pads shall not be used for any purpose other than parking.



Public Parking Pad Standards

5. When not in use, public parking pads shall remain unobstructed and accessible by a vehicle from the street for public use at all times. A public parking pad shall not be modified in a manner that prevents public parking.
6. Parking pads identified on approved plans or required by a discretionary entitlement are considered public parking pads pursuant to this chapter.
7. Public parking pads shall be identified by an object marker, sign or striping that is recognizable to the public as a public parking space subject to the review and approval of the City.



Public Parking Pad Standards

(Optional) Private Encroachment Permit for Pre-Existing Parking Pad Conditions:

- Legally nonconforming residence with insufficient parking
- Existing parking pad prior to 1972
- Number of parking spaces on the parking pad shall not exceed the number of deficient parking spaces for that property.
- Requires Encroachment Agreement and Insurance
- May apply for an Encroachment Permit per MBMC 7.36



Enforcement

1. Vehicles parked partially or wholly within a public parking pad are subject to all applicable vehicle and parking regulations except street sweeping parking restrictions.
2. Any vehicle parked partially or wholly on private property shall be subject to a private parking violation if properly posted, even if it is partially parked on a public parking pad.
3. A vehicle parked partially or wholly on the roadway shall be subject to all applicable vehicle and parking regulations pursuant to the California Vehicle Code and MBMC Title 14.



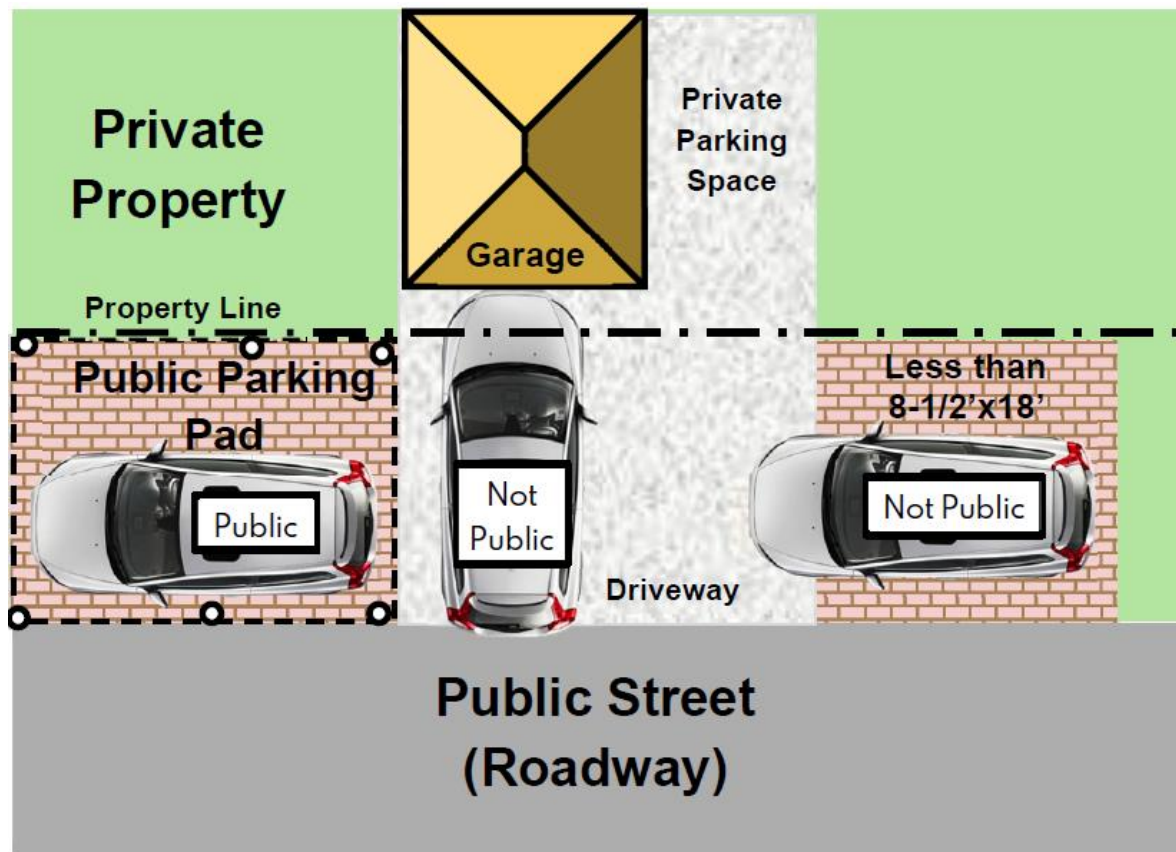
Enforcement

4. Objects or obstructions that block access to a public parking pad are unpermitted private use of the public right-of-way subject to enforcement pursuant to MBMC Chapter 7.36.
5. No portion of a vehicle shall be parked in a landscaped area pursuant to MBMC Section 14.36.030.
6. Unauthorized parking signs and markings in the right-of-way are a violation of MBMC Chapter 14.12.”



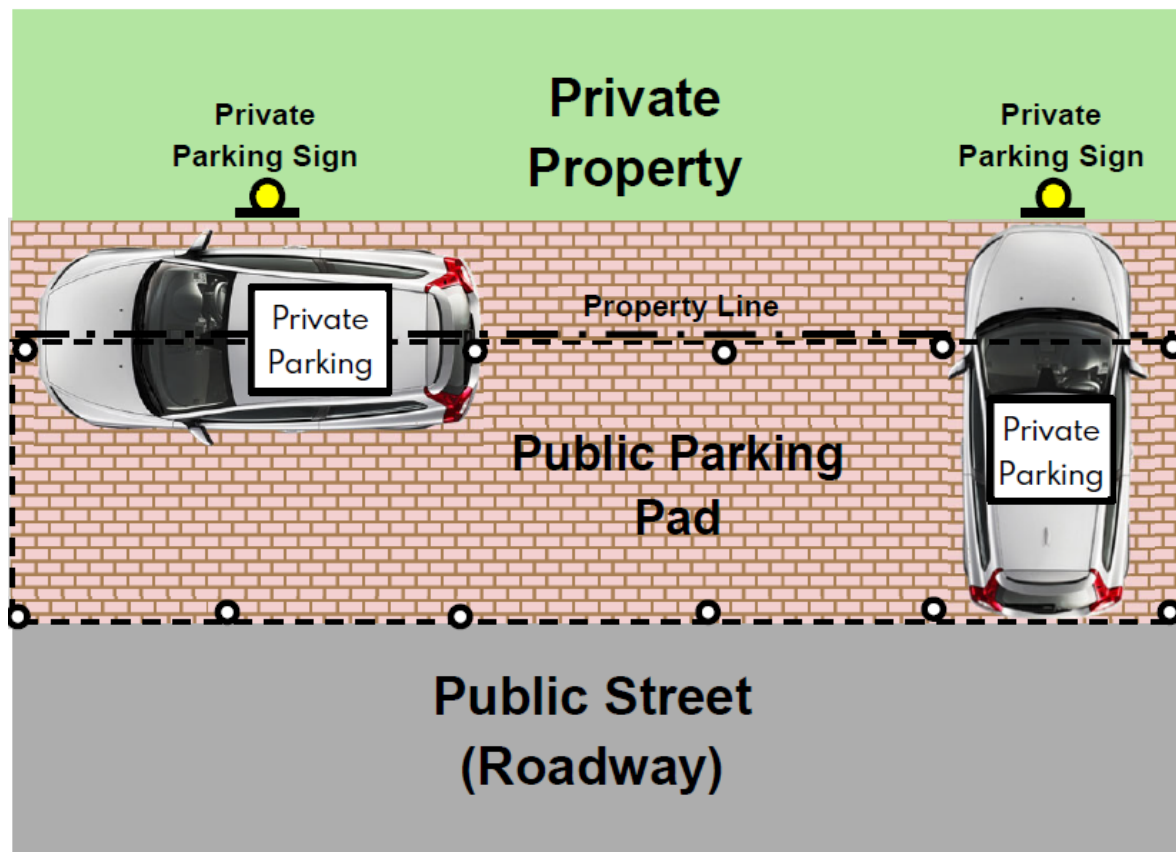
Visual Guide to Public Parking Pads

- A. Parking on a driveway without the resident's permission can be enforced if reported to the Police.



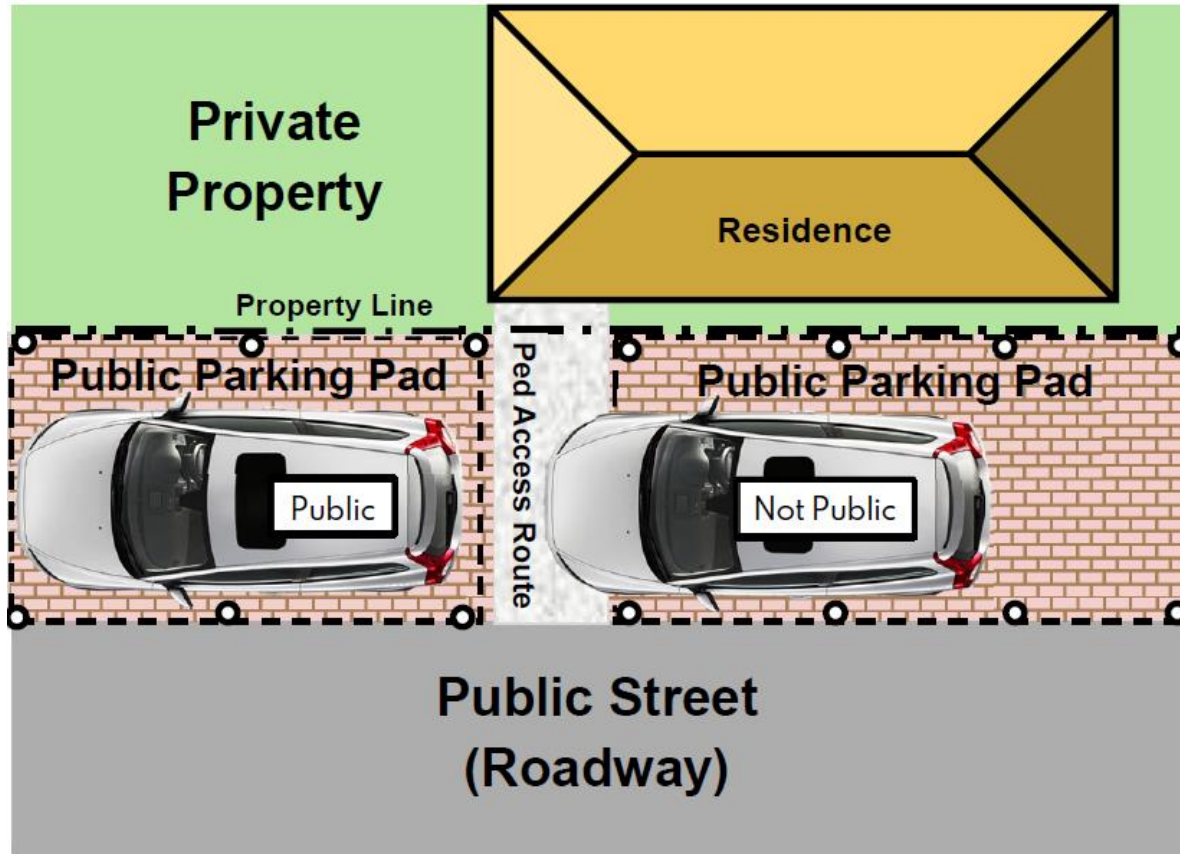
Visual Guide to Public Parking Pads

- B. Parking on private property can be enforced if private parking signs are properly posted.



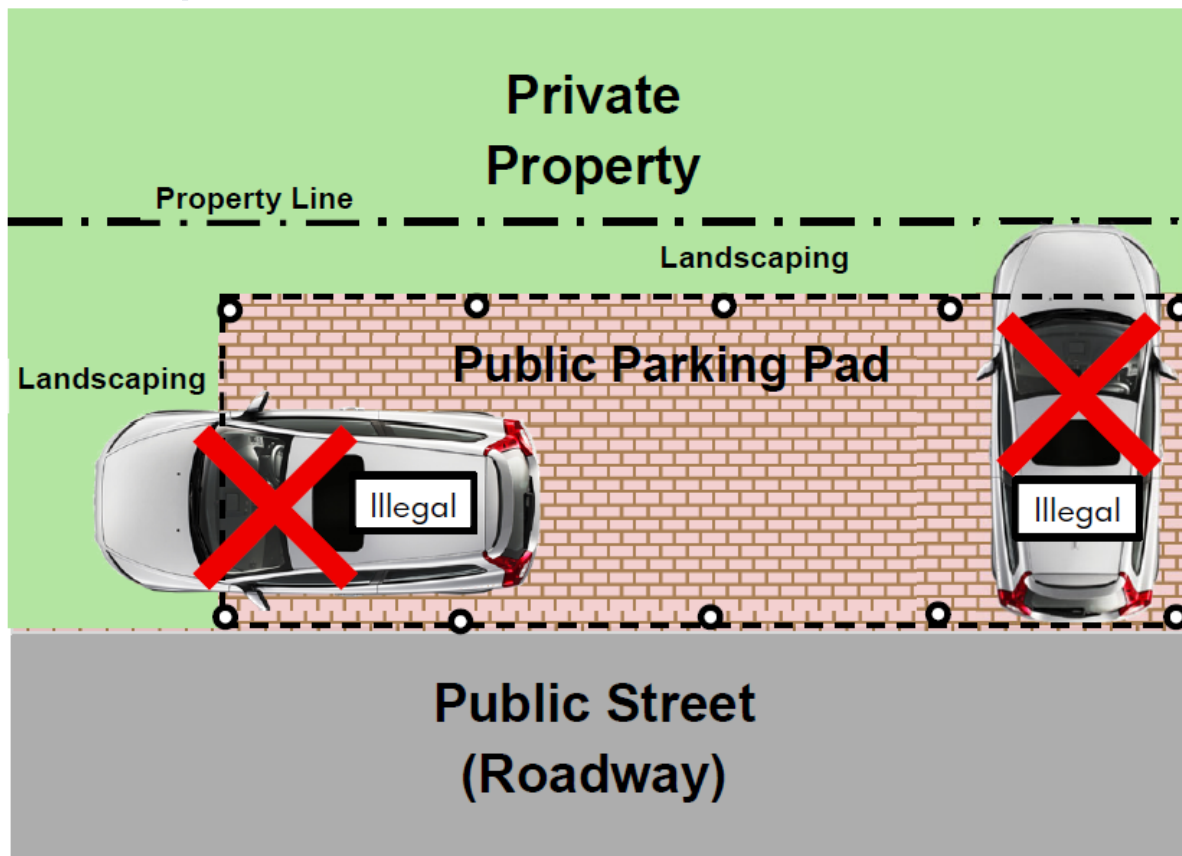
Visual Guide to Public Parking Pads

C. A pedestrian access route (walkway) is not part of a public parking pad.



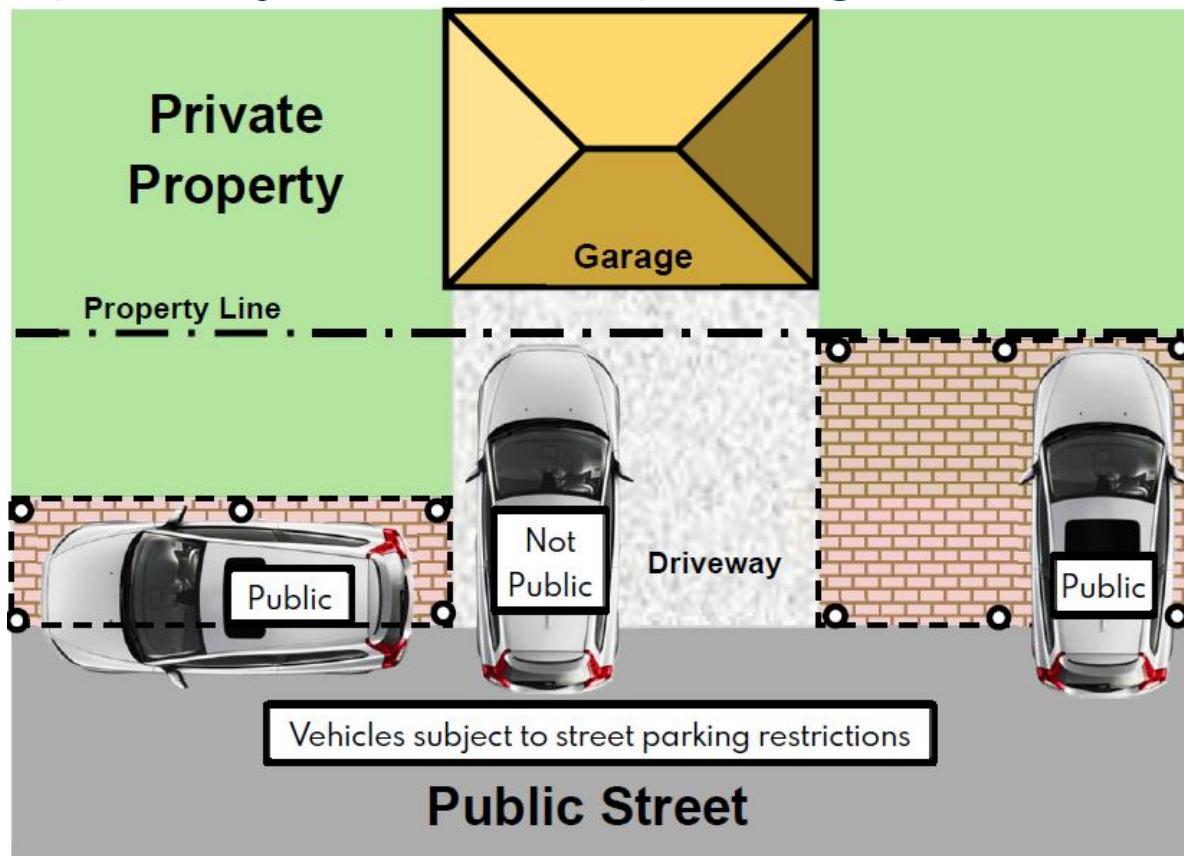
Visual Guide to Public Parking Pads

- D. Parking on or over landscaping or unpaved surfaces is prohibited by law.



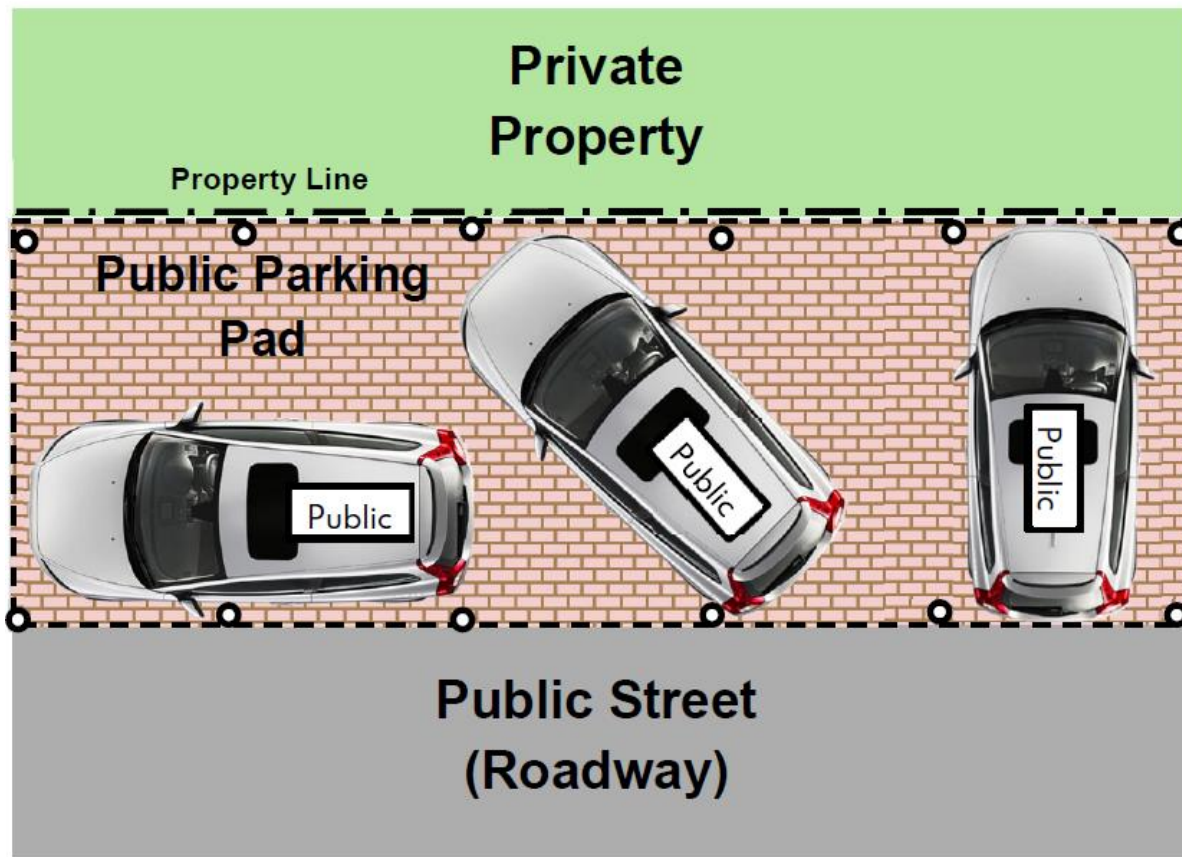
Visual Guide to Public Parking Pads

- E. Any portion of a vehicle parked on or over the roadway is subject to street parking restrictions.



Visual Guide to Public Parking Pads

- F. Parking on a public parking pad is allowed parallel, diagonal or perpendicular to street.



Public Notification, Outreach, and Comment

- The public has been informed of this agenda item as part of the City's standard meeting notice practices via public bulletin boards, website calendar, and social media postings.
- All residents and owners in the Dune Section bounded by Highland Avenue, Rosecrans Avenue, Grandview Avenue and Marine Avenue were mailed public meeting notices
- All persons who emailed interest in this subject were sent an email with staff report and invitation to attend.



Next Steps

- Discuss and Provide Direction
- Introduce an Ordinance amending MBMC 9.72 and 14.40
- Second reading on Aug. 18, 2026



