STAFF REPORT

Agenda Date: 6/25/2026

TO:
Honorable Parking and Public Improvements Commission Chair and Commissioners

THROUGH:
Masa Alkire, Community Development Director

FROM:
Erik Zandvliet, T.E., City Traffic Engineer

SUBJECT:
Consideration of a Draft Ordinance Amending Chapters 9.72 and 14.40 of the Manhattan Beach Municipal Code Related to Public Parking Pads.
DISCUSS AND PROVIDE DIRECTION

RECOMMENDATION:
Staff recommends that the Commission pass a motion to recommend the City Council adopt an ordinance amending Chapters 9.72 and 14.40 of the Manhattan Beach Municipal Code related to public parking pads.

BACKGROUND:

Private Use of the Public Right-of-Way
In 1972, the City Council adopted Ordinance No. 1304, which established procedures in Chapter 7.36 of the Manhattan Beach Municipal Code (MBMC) for regulating privately constructed encroachments in the public right-of-way (ROW). At that time, the City Council also adopted a separate set of "Encroachment Design Guidelines" that were intended to assist permit applicants in securing approval of encroachment permits from the Public Works Department. On December 21, 1999, the City Council adopted Ordinance No. 1552, which changed the title of Chapter 7.36 to "Encroachment Standards" and added regulatory language, meaning that any variation to the standards would require City Council approval, with prior review by the Parking and Public Improvements Commission (PPIC).

As part of the 2000-2001 City Council Work Plan, staff was directed to review and codify existing encroachment permit standards for private improvements in the ROW. An ordinance was drafted to replace Chapter 7.36 and presented to the PPIC on May 23, 2002 (See Attachment), July 25, 2002, and September 26, 2002 (See Attachment), with public participation and feedback. The proposed ordinance was presented to the City Council at their October 15, 2002, meeting and at a public hearing on November 19, 2002 (See attachment). On February 18, 2003, the City Council adopted Ordinance No. 2039, which codified general encroachment standards for private use of the public ROW, as well as specific standards for walk streets, El Porto Strand, vehicular streets, sidewalk dining and prohibition of certain new commercial long-term encroachments of the public ROW (See

attachment.) Any property owner can request a private encroachment within the adjacent public ROW through an Encroachment Permit application, which is reviewed by the Community Development and Public Works departments for compliance with applicable codes and standards.

Development of Street Right-of-Way for Public Uses

Concurrently in 2002, the City Council discussed and considered codifying the public street improvement and parking pad policy that had been in place in the Tree and Dune Sections of the City. The proposed ordinance was presented to the City Council at a public hearing on February 4, 2003 (See attachment). On February 18, 2003, the City Council adopted Ordinance No. 2042, adding Section 9.72 to the MBMC, which established construction standards for public uses of the public ROW within the Tree Section and other areas of the City (See attachment). The ordinance requires public improvements (such as curb, gutters and sidewalks) be made in the public ROW when a private property is being developed with a value of more than 50% of the existing structure. In addition, the ordinance requires construction of paved public parking pads in addition to the public street improvements within the Tree Section only. There are no code requirements for new parking pads in the Dune Section.

Since 2003, the City has followed the current municipal code requirements for public street improvements when new homes or major remodels are built in the Dune section pursuant to Section 9.72 of the MBMC. Specifically, a new parking pad is not required if one does not already exist adjacent to the property. At the same time, it is the City's practice to preserve or replace any existing parking pads when the new home or major remodel is built to preserve public parking on streets within the Coastal Zone for beach access in compliance with the Local Coastal Program (LCP). Also, property owners can voluntarily construct a public parking pad in the public ROW in front of their property as part of other landscaping improvements.

In June 2024, the Public Works, Community Development and Police Departments jointly initiated a three-phase approach (Engineering, Education, and Enforcement) uniformly across the Dune Section. The goal was not to create conflict, but to ensure fair access to public parking for all residents and clarify where public parking is available. The actions included:

- Engineering: Providing clear signage and stenciling to eliminate ambiguity
- Education: Open communication with residents regarding the codes
- Enforcement: Consistent enforcement across all affected properties

In February 2025, the City installed signs on the streets entering the Dune Section that "PARKING PADS ARE PUBLIC PARKING SPACES". On July 7, 2025, letters were sent to residents in the Dune Section as a reminder that parking pads located in the public ROW are public parking spaces (See attachment). In addition, code enforcement officers began proactively addressing other violations related to the privatization of parking pads with patio furniture, planters and other objects that block access to the pads. Several residents voiced their objections to the City Council at the July 15, 2025, City Council meeting, which initiated the process to place this matter on a future agenda. Pursuant to City Council's direction, all signage and proactive enforcement activity was halted pending further direction.

On August 8, 2025, the City Council directed staff to prepare a comprehensive report on the City's parking pad policy and return at a future meeting. On December 4, 2025, the PPIC began discussing the history and current policies related to parking pads. At the meeting, the PPIC made the following recommendations:

1. Develop reasonable policy criteria for determining when a parking pad should not be classified as a public parking pad based on its physical placement;
2. Ensure that all public parking pads are clearly marked and to ask for input from residents on

appropriate marking methods;
3. Establish penalties for property owners who create counterfeit markings; and
4. Identify the number of parking pads that were in existence prior to the adoption of Chapter 7.36 of the Municipal Code in 1972, with the potential option for property owners to submit appeals to privatize specific pads or establish a "grandfather clause" permitting certain pads to remain private.

On February 2, 2026, the Commission heard additional public testimony and provided further direction to staff in the preparation of an ordinance related to the definition, guidance and enforcement of public parking pads. This staff report describes a proposed amendment to the Municipal Code that will establish a policy and regulations related to public parking pads in the City right-of-way.

DISCUSSION:

Pursuant to the PPIC direction given on December 4, 2025, and February 26, 2026, staff has prepared a draft Code amendment that defines a public parking pad and creates standards for the application and use of public parking pads. This Code amendment will be located in MBMC Chapter 9.72-Street Improvements because public parking pads will be for public use, and not encroachments for private use. Second, a draft Code amendment been prepared in MBMC Chapter 14.40 that establishes regulations for parking on public parking pads (See attachment). It should be noted that the goal of the proposed code amendment is not to add or remove parking spaces. The goal is to clearly define adequately sized public parking spaces at a safe distance from existing structures and ensure the public spaces do not impede vehicular and pedestrian access to adjacent homes. As with other areas of the City, an adjacent homeowner is not considered to be impeding access to their own home if they park within a driveway, partially on private property, or in other access areas to their property. Most parking restrictions would also apply to a public parking pad with the exception of street sweeping restrictions, because public parking pads are not swept due to their location outside of the traveled way.

Definitions - Five new definitions would be created to clarify what a public parking pad is and where it can be located as follows:

"Driveway Access" means a paved surface within the right-of-way used for vehicle access to a parking space located entirely on private property. A driveway access excluding any sidewalk area may be used for parking by the resident of the adjacent property.

"Pedestrian Access Route" means a paved area of at least four feet wide within the right-of-way between the back of a public sidewalk, or the edge of roadway if there is no sidewalk, and a private gate, door, stairs or other required access to the adjacent residence. The route alignment shall be determined by the City.

"Public Parking Pad" means 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.

"Right of way" means the surface and space in, on, above, through and below any real property in which the City of Manhattan Beach has a legal or equitable interest whether held in fee or any other estate or interest, or as a trustee for the public, including, but not limited to any public street, boulevard, road, highway, freeway, lane, alley, court, sidewalk, curb, parkway, river, tunnel, viaduct, bridge, public easement, or dedicated easement.

"Roadway" shall mean that portion of the right-of-way improved, designed, or ordinarily used for vehicular or bicycle travel. Roadway shall include the definition of Roadway in the California Vehicle Code.

Guidance - The following standards have been prepared to guide the construction and use of public parking pads:

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.*
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.*

Enforcement - The following regulations have been prepared to describe and enforce violations related to parking on a public parking pad:

A. *Vehicles parked partially or wholly within a public parking pad are subject to all applicable vehicle and parking regulations in MBMC Title 14 except street sweeping parking restrictions.*
B. *Any vehicle parked partially or wholly on private property shall be subject to a violation pursuant to MBMC Section 14.40.120, even if it is partially parked on a public parking pad.*
C. *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.*
D. *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.*
E. *No portion of a vehicle shall be parked in a landscaped area pursuant to MBMC Section 14.36.030.*
F. *Unauthorized parking signs and markings in the right-of-way are a violation of MBMC Chapter 14.12.*

Parking Pad Identification - The PPIC gave direction to staff to ensure that all public parking pads are clearly marked. This will assist the public in knowing where they CAN legally park rather than where they can't. Pursuant to the proposed code amendment, the City will determine the types object markers, signs or markings that will be acceptable to identify a public parking pad. This will give flexibility for the identification to be compatible with the surrounding improvements. For example, striping may be required to define the area of the public parking pad, or an object marker may be needed because the pavement is not suitable for a painted stencil. It should be noted that property owners are permitted post private property signs to prohibit public parking on their own property pursuant to MBMC Section 14.40.120.

Pre-Regulatory Parking Pads - Pursuant to PPIC direction, a "grandfather" clause has been prepared to allow for property owners to seek a determination that under certain circumstances an existing parking pad is not a public parking pad. If such determination is made or granted through an appeal, the property owner could then apply for an encroachment permit for the private use of the public right-of-way pursuant to MBMC Chapter 7.36. The proposed code amendment reads:

> *A property owner of a residence that is legally nonconforming because it does not comply with minimum off-street parking standards may apply for an encroachment permit pursuant to MBMC Chapter 7.36 for the private use of a parking pad that is located directly between their*

property and the roadway and which parking pad was constructed prior to October 5, 1972. The number of parking spaces on the parking pad shall not exceed the number of deficient parking spaces for that property.

PUBLIC OUTREACH:

Public meeting notices have been mailed to all property owners and residents within the Dune Section bounded by Highland Avenue, Rosecrans Avenue, Grandview Avenue and Marine Avenue. Additionally, the general 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.

ENVIRONMENTAL REVIEW:

The City has reviewed the proposed ordinance for compliance with the California Environmental Quality Act (CEQA) and has determined that there is no possibility that the activity may have a significant effect on the environment; therefore, pursuant to Section 15061(b)(3) (the "common sense" exemption) of the State CEQA Guidelines, the agreement is exempt from CEQA.

ATTACHMENTS:

A. Draft Public Parking Pad Code Amendment MBMC 9.72 and 14.40
B. Sketch-Parking Pad Examples (6/2026)
C. Sketch-Parking Pad Enforcement
D. Public Parking Pad FAQ Handout (Draft)

Chapter 9.72 STREET IMPROVEMENTS

(Proposed Code Changes in Red)

9.72.010 Driveways, sidewalks, curbs, gutters and paving.

No building or structure shall be constructed or erected, nor shall any improvements or replacements be made upon any property abutting a public right-of-way which would result in the alteration or addition of more than fifty (50%) percent of the value of the existing structure, as determined by Section 202 of the California Building Code and Section R202 of the California Residential Code, unless the plans and specifications of all driveways, driveway aprons, sidewalks, curbs, gutters, curb ramps, public parking pads and street paving to be built in the public right-of-way abutting such lot or parcel of property are filed with and approved by the Department of Public Works, and unless all necessary driveways, driveway aprons, sidewalks, curbs, gutters, public parking pads and street paving are installed concurrently with any construction, erection, addition or alteration upon the concerned lot or parcel of property consistent with the current City or regulatory standards such as Americans with Disabilities Act (ADA), etc. This may require removal of any and all existing infrastructure to ensure compliance. Any work in the public right-of-way requires a separate permit pursuant to the requirements as set forth in Chapter 7.16 of this Code and shall be constructed to current City codes and standards.

In addition, to any regular or special inspection which may occur, the city's Public Works Department shall inspect the condition of the public rights-of-way inclusive of any new or existing grading, landscaping, pedestrian pathway, sidewalk, driveway, driveway apron, concrete curbs, gutter, curb ramps, public parking pads and pavement condition abutting or fronting on a particular piece of property of any building or facility prior to the issuance of an occupancy permit or close-out of a building permit that is valued in excess of five thousand dollars ($5,000.00) pertaining to occupancy or construction on that property. Any non-code compliant matters or conditions of disrepair observed may be required to be rectified as directed by Department of Public Works Director. All such permits, prior to final issuance, shall require notation that a Public Works Department inspection was completed and that either the conditions within the public rights-of-way is not in need of repair or that repair has been completed or that repair has been bonded to the satisfaction of the Public Works Department Director.

(§ 1, Ord. 1408, eff. April 3, 1975; Ord. No. 20-0022, § 1, eff. October 20, 2020)

~~9.72.020~~ 9.72.012 Definitions and applicability.

For purposes of this chapter:

~~a block~~ “Block” shall be defined as one (1) side of that segment of a public street or alley which lies between the centerline intersection of a public street and the centerline intersection of the public street nearest thereto. In the event an intersecting street is not continuous through the subject street, the limit of the block on the subject street shall be established by the extension of the centerline of the noncontinuous intersecting street. The length of the block shall be the total lineal footage, measured along the property lines common to both the public street or alley and the adjacent properties, on one (1) side of the public street or alley within the subject block.

"Driveway Access" means a paved surface within the public right-of-way used for vehicle access to a parking space located entirely on private property. A driveway access excluding any sidewalk area may be used for parking by the resident of the adjacent property.

"Pedestrian Access Route" means a paved area of at least four feet wide within the right-of-way between the back of a public sidewalk, or the edge of the roadway if there is no sidewalk, and a private gate, door, stairs or other required access to the adjacent residence. The route alignment shall be determined by the City.

"Public Parking Pad" means 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.

"Right of way" has the same meaning as set forth in Section 7.36.020 of this Code as it may be amended from time to time.[1]

"Roadway" shall mean that portion of the right-of-way improved, designed, or ordinarily used for vehicular or bicycle travel. Roadway shall include the definition of roadway in Section 530 of the California Vehicle Code.[2]

(§ 1, Ord. 1408, eff. April 3, 1975

9.72.015 Development of street right-of-way for public uses.

Where street right-of-way exists adjacent to private property, and such right-of-way has not been improved for use as a public street driving surface, parking area, sidewalk or drainage as approved by the City Engineer, such right-of-way will be developed according to the following standards:

A. **Tree Section:**

1. The tree section shall be defined as the area bounded by Rosecrans Avenue on the North, Sepulveda Blvd. on the East, Manhattan Beach Blvd. on the South, and a West boundary beginning with Manhattan Beach Blvd. and going north on Valley to Blanche to Bell to Rosecrans.
2. For streets with a forty foot (40′) right-of-way the area constructed beyond the public street driving surface will be constructed according the City's Standard Diagram for forty foot (40′) wide streets in this area.
3. For streets with a fifty foot (50′) right-of-way the area constructed beyond the public street driving surface will be constructed according the City's Standard Diagram for fifty foot (50′) streets in this area.
4. For corner lots in the tree section, a minimum of two (2) public parking spaces will be provided. These parking spaces will be constructed according the City's standard plan for parking spaces.

B. **Other Provisions for Construction in the Tree Section and Other Non-Standard Street Right-of-Way:**

1. Street right-of-way improvements shall be required to be constructed as a condition of a building permit issued for construction on any property abutting a public right-of-way which would result in the alteration or addition of more than fifty percent (50%) of the value of the existing structure, as determined by Section 303(A) of the Uniform Building Code.

2. Permitted improvements must conform to the provisions of the diagram for nonstandard streets.
3. Irrigation systems are prohibited in the street right-of-way used for driving or vehicle parking.
4. Landscaping the street right-of-way is subject to provisions of encroachment permit regulations found in Chapter 7.36 of MBMC. Planting of new trees will not be allowed where minimum parking requirements are not met.
5. Existing trees located in the street right-of-way will be preserved where possible.
6. An obstruction-free corner radius per the City's standard plan may be required to assure adequate vehicle access to the street.

C. **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.
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.
8. (Possible Grandfather Clause) A property owner of a residence that is legally nonconforming because it does not comply with minimum off-street parking standards may apply for an encroachment permit pursuant to MBMC Chapter 7.36 for the private use of a parking pad that is located directly between their property and the roadway and which parking pad was constructed prior to October 5, 1972. The number of parking spaces on the parking pad shall not exceed the number of deficient parking spaces for that property.

D. **Duty to Repair.**

1. It shall be the duty of every person owning real property within the City to keep in repair street right-of-way area abutting their real property (not including public street driving surface). If the failure of an abutting owner to maintain the street right-of-way area results in damage or injury to a member of the public, said abutting owner shall be liable to such member of the public.

(§ 2, Ord. 2042, eff. February 18, 2003); Ord. No. 20-0022, § 2, eff. October 20, 2020)

9.72.030 Boundaries of required improvements.

The required driveways, driveway aprons, sidewalks, curbs, gutters, public parking pads and street paving in the public right-of-way abutting that lot or parcel of property upon which the referred to buildings or structures are to be constructed, erected, added to or altered, shall be installed within that area encompassed by the prolongation of the exterior boundary lines of the lot or parcel of property with such prolongation of these lines extending to the centerline of the public right-of-way abutting said lot or parcel of property, and these improvements shall be installed in such a manner as to conform with currently existing improvements.

(§ 1, Ord. 1408, eff. April 3, 1975)

9.72.040 Time allotted for completion of improvements.

In lieu of construction as hereinabove referred to, the construction of such driveways, driveway aprons, sidewalks, curbs, gutters, curb ramps, public parking pads and street paving may be made at any time prior to the final inspection by the Building Official for such construction, erection, addition or alteration provided there is contained on any building permit issued for such construction, erection, addition or alteration a statement approved by the Department of Public Works that the installation of such required improvement shall be a condition precedent to final inspection by the Building Official. Provided, however, that the required improvement may be completed within a reasonable period of time, after occupancy, as determined by the Building Official, subject to the owner, contractor or tenant affected thereby posting a bond with the City in the amount to be determined by the Public Works Director as the cost of the subject public right-of-way improvement to ensure the specific performance of said required improvement.

(§ 1, Ord. 1408, eff. April 3, 1975; Ord. No. 20-0022, § 3, eff. October 20, 2020)

9.72.050 Modifications.

When practical difficulties, unreasonable hardships, or results inconsistent with the general purposes of this chapter occur by reason of the strict interpretation and application of any of the provisions of this chapter, any owner, contractor or tenant affected thereby may file an application for relief from the provisions of Section 9.72.010 of this chapter, pursuant to Section 7.36.080 of this Code.

(§ 1, Ord. 1408, eff. April 3, 1975; Ord. No. 20-0022, § 4, eff. October 20, 2020)

Chapter 14.40 STOPPING, STANDING OR PARKING RESTRICTED OR PROHIBITED ON CERTAIN STREETS

(Proposed Code Changes in Red)

14.40.140 – Parking Definitions.

A. "Private property" as used in this chapter, shall mean any property other than public streets, public alleys, public easements, public rights-of-ways, public parks, or real property owned by the City for governmental purposes as in its governmental capacity.

B. "Posted property" as used in this chapter shall mean public property or any private property enclosed on at least three (3) sides by a hedge, fence, wall, curbing, or other continuous obstruction at least four (4) inches in height and easily visible, or by a building, and along the boundaries of which said parcel of land there is posted a sign meeting the standards set forth in Section 14.40.140.

C. "Public Parking Pad" has the same meaning as set forth in Section 9.72.012 of this Code as it may be amended from time to time.

14.40.210 – Parking on Public Parking Pads

A. Vehicles parked partially or wholly within a public parking pad are subject to all applicable vehicle and parking regulations in MBMC Title 14 except street sweeping parking restrictions.

B. Any vehicle parked partially or wholly on private property shall be subject to a violation pursuant to MBMC Section 14.40.120, even if it is partially parked on a public parking pad.

C. 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.

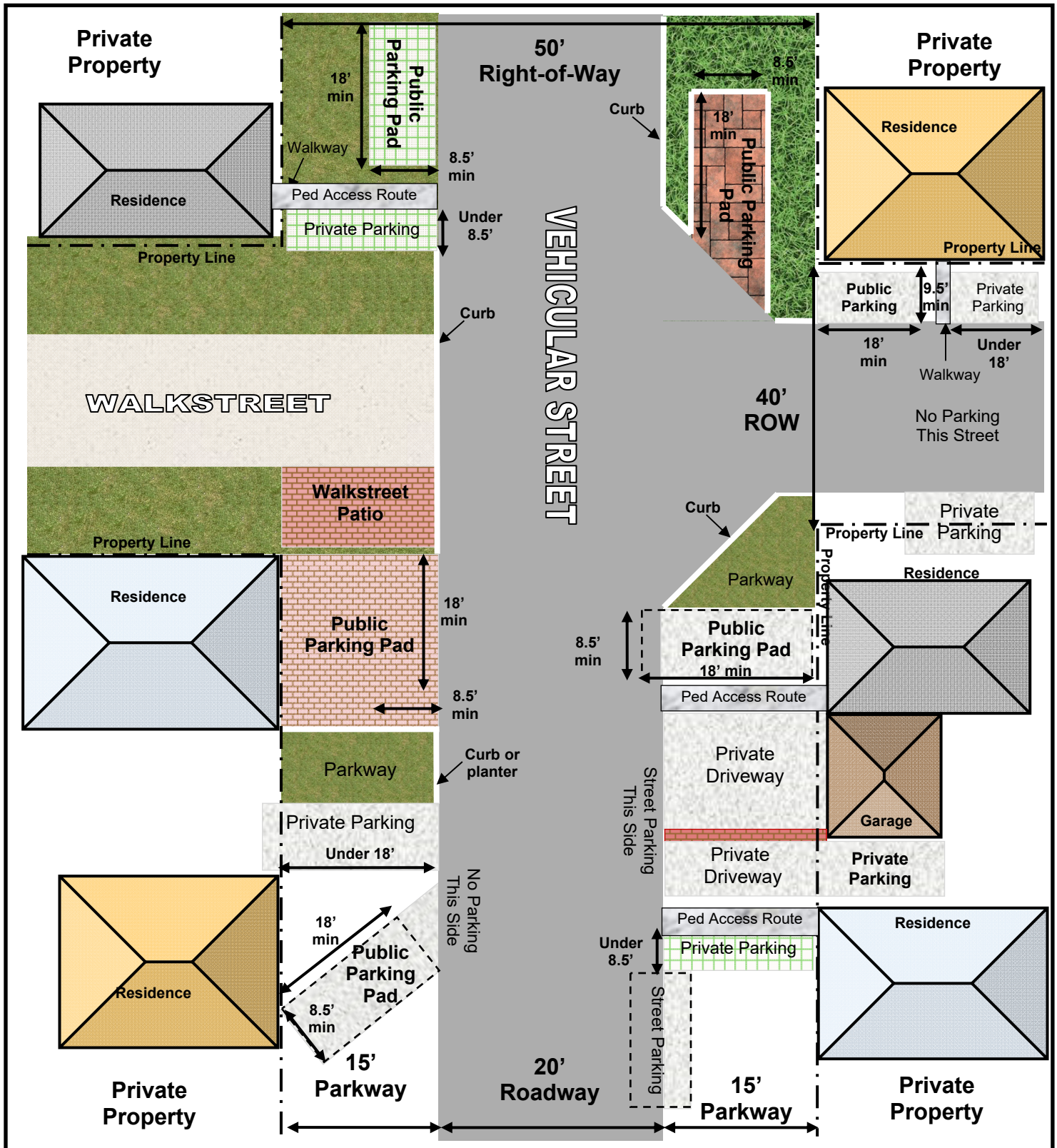
D. Objects or obstructions that block access to a public parking pad are unpermitted private use of the public right-of-way subject to enforcement pursuant to MBMC Chapter 7.36.

E. No portion of a vehicle shall be parked in a landscaped area pursuant to MBMC Section 14.36.030.

F. Unauthorized parking signs and markings in the right-of-way are a violation of MBMC Chapter 14.12.

[1] For ease of reference, the definition in Section 7.36.020 follows: " 'Right of way' means the surface and space in, on, above, through and below any real property in which the City of Manhattan Beach has a legal or equitable interest whether held in fee or any other estate or interest, or as a trustee for the public, including, but not limited to any public street, boulevard, road, highway, freeway, lane, alley, court, sidewalk, curb, parkway, river, tunnel, viaduct, bridge, public easement, or dedicated easement."

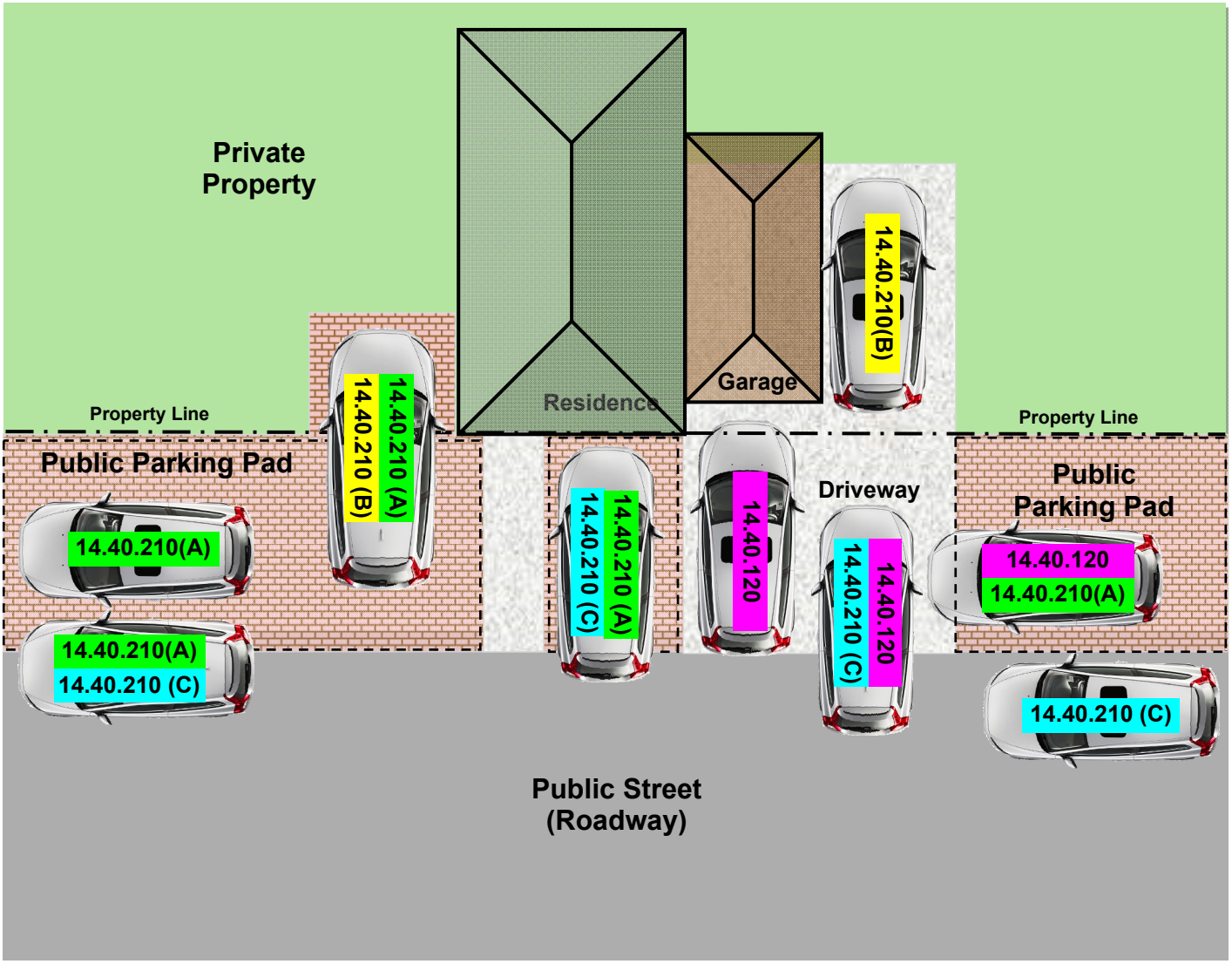
[2] For ease of reference, the definition in Section 530 of the California Vehicle Code follows: "A 'roadway' is that portion of a highway improved, designed, or ordinarily used for vehicular travel."



A public parking pad is a paved surface located entirely within the right-of-way immediately adjacent to 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.

City of Manhattan Beach
Community Development
Traffic Engineering Division

PUBLIC PARKING PAD EXAMPLES
PROPOSED MBMC SECTION 9.72.
Revised 6/12/2026



MBMC 9.72.020 - A public parking pad is a paved surface located entirely within the right-of-way immediately adjacent to 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.

MBMC 14.40.120 - No person shall park, stand or drive any vehicle on any private property or driveway without the express implied consent of the owner or person in lawful possession of each driveway or property.

MBMC 14.40.210(A) - Vehicles parked partially or wholly within a public parking pad are subject to all applicable vehicle and parking regulations in MBMC Title 14 except street sweeping parking restrictions**.**

MBMC 14.40.210 (B) - Any vehicle parked partially or wholly on private property shall be subject to a violation pursuant to MBMC Section 14.40.120, even if it is partially parked on a public parking pad.

MBMC 14.40.210 (C) - 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.

City of Manhattan Beach
Community Development
Traffic Engineering Division

PUBLIC PARKING PAD ENFORCEMENT
PROPOSED MBMC SECTION 14.40.210
Revised 6/15/2026

PUBLIC PARKING PADS
PROPOSED MUNICIPAL CODE AMENDMENT

FREQUENTLY ASKED QUESTIONS

Is a public parking pad a private encroachment?

No, a public parking pad is a street improvement pursuant to MBMC Section 9.72.010

Will this municipal code reduce the number of parking spaces within the right-of-way?

No, there are no proposed changes to the physical conditions within the right-of-way, but the Amendment defines when a vehicle is parked on a public parking pad or on a private driveway or on private property, for proper enforcement.

How will I know a paved surface is a public parking pad?

The City will identify each public parking pad by a sign, stencil, marker and/or striping depending on the characteristics of the surrounding area.

Can I park on landscaping or unpaved surfaces within the right-of-way?

No, parking is prohibited in parkways, which includes landscaping and unpaved surfaces, pursuant to MBMC Section 14.01.110.

Who is responsible for maintaining a public parking pad?

The adjacent property owner is responsible for maintaining a public parking pad pursuant to Section 9.72.015(D) and State law.

Can someone else park in a driveway without the resident's permission?

No, this is a violation of MBMC Section 9.72.120 and can be reported to the Police.

Can someone park partially on private property without the property owner's permission?

No, this is a violation of MBMC Section 9.72.120 and can be reported to the Police if a sign is properly posted stating it is private property.

Can someone else park a vehicle that blocks access to a private gate, stairs or door without the property owner's permission?

No, the "pedestrian access route" between a private gate, stairs or door and the roadway or sidewalk is not a public parking pad and can be posted as a No Public Parking zone by the adjacent property owner.

Will I get a street sweeping parking ticket for parking completely within a public parking pad?

No, public parking pads are not swept by the street sweeper.

Will I get a parking ticket if a portion of my car is parked on or over the street pavement on the same side of the street that is posted with "No Parking" or "Street Sweeping" restrictions?

Yes.

Can I park perpendicularly or diagonally on a public parking pad in relation to the traffic direction?

Yes, as long as the entire vehicle is parked legally on the paved surface.

Can someone park a recreational vehicle (RV) or other oversize vehicle on a public parking pad?

Oversize vehicles parked on public parking pads are subject to MBMC Section 14.46, and require an Oversize Vehicle permit.

What is the longest a vehicle can be parked on a public parking pad?

Vehicles parked on a public parking pad are limited to 72 hours maximum pursuant to MBMC Section14.36.060.

Can someone park in a way that blocks exit of a vehicle parked on a parking pad?

No, this would be double-parking, which is prohibited by the California Vehicle Code.

Can I block access to a public parking pad with a barricade, planter or other object?

No, any unpermitted object or barrier would constitute illegal private use of the public right-of-way and the adjacent property owner/resident would be cited.

Can I build a parking pad that is smaller than a public parking pad and make it a private parking space?

No, any paved surface used for private parking would be the private use of the public right-of-way pursuant to MBMC Chapter 7.36 and require an encroachment permit which would not meet the required findings.

Can a parking pad be located directly adjacent to my private wall?

No, a parking pad must be located at least one foot away from a private residence or wall.

Can the City require a property owner to modify or remove a public parking pad?

Yes, the Public Works Department has jurisdiction of all street improvements within the public right-of-way.