



Legislation Details (With Text)

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On agenda: 3/7/2023 **Final action:** 3/7/2023

Title: Adopt Ordinance No. 4273 Amending Municipal Code 13.48 Relating to the Use of Tents and Other Uses Within City Parks - Approved for Introduction as Amended 2/21/2023, Vote: 7-0

Attachments: 1. Att#1 Ordinance No. 4273 Amended, 2. Att#2 PowerPoint Parks - Ordinance 4273 -rev, 3. 2/21 Sup Com, 4. 3/7 Sup Com

Date	Ver.	Action By	Action	Result
3/7/2023	1	City Council/Public Financing Authority	approved	Pass

REQUEST FOR CITY COUNCIL ACTION

SUBMITTED TO: Honorable Mayor and City Council Members

SUBMITTED BY: Al Zelinka, City Manager

VIA: Eric Parra, Chief of Police

PREPARED BY: Brian Smith, Lieutenant

Subject:

Adopt Ordinance No. 4273 Amending Municipal Code 13.48 Relating to the Use of Tents and Other Uses Within City Parks - Approved for Introduction as Amended 2/21/2023, Vote: 7-0

Statement of Issue:

Proposed Ordinance No. 4273 to amend Municipal Code Section 13.48 would prevent persons from using unpermitted fully enclosed tents within a park, reduce parking lot obstructions and hazards, and regulate the manner in which fires and barbeques can be maintained within parks.

Financial Impact:

There is no anticipated financial impact due to the amendment of this Municipal Code.

Recommended Action:

Adopt Ordinance 4273, "An Ordinance of the City Council of the City of Huntington Beach Amending Title 13 of the Huntington Beach Municipal Code Relating to Parking Lot and Camping Regulations in Public Parks, and Making a Finding of Exemption Under CEQA" relating to the use of tents and other uses within City parks.

Alternative Action(s):

Do not approve and direct staff accordingly. If this proposed Ordinance is not adopted, it will limit the Police Department's ability to address the aforementioned issues in City parks.

Analysis:

Community concerns exist over the use of enclosed tents within parks, as they can conceal prohibited acts, such as lewd conduct, drinking in public, and narcotics use. In reviewing existing municipal codes, fully enclosed tents are permitted in parks but prohibited on the Beach and Adjacent Beach Areas. This amendment would not prevent the public from utilizing canopies and tents to protect themselves from the elements within our parks; rather, it would make park regulations consistent with beach regulations by requiring at least two sides of an unpermitted tent to remain completely open to public view.

While barbeques and fires are explicitly regulated on our beaches for public safety, current codes do not sufficiently address hazards created by open flames and heat sources in natural park settings. The intent of this section is to permit the safe use of portable stoves, barbeques, and installed fire rings in public parks, while reducing risks of personal injury burns and fire hazards, especially during periods of extreme fire hazard.

Obstructions in parking lots can prevent the use of parking stalls, impacting access to our public park facilities. Unless permitted by the Director of Community and Library Services or their designee, this amendment would require vehicles to park within a single stall in no-fee parking lots, restrict the use of stalls to only registered vehicles, prohibit personal property from being left unattended in parking lots, and require head-in parking.

Environmental Status:

Pursuant to CEQA Guidelines Section 15378(b)(5), administrative activities of governments that will not result in direct or indirect physical changes in the environment do not constitute a project.

Strategic Plan Goal:

Financial Sustainability, Public Safety or Other

Attachment(s):

1. Ordinance No. 4273 Amended
2. PowerPoint Presentation