

(O-90-114)

ORDINANCE NUMBER O- 17466 (NEW SERIES)

ADOPTED ON MAY 07 1990

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 3,
DIVISION 5, OF THE SAN DIEGO MUNICIPAL CODE BY
AMENDING SECTION 103.0526.16 RELATING TO THE
MISSION BEACH PLANNED DISTRICT PARKING
REGULATIONS.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That Chapter X, Article 3, Division 5, of the San Diego Municipal Code be and the same is hereby amended by amending Section 103.0526.16, to read as follows:

A. and B. [No change.]

C. Parking shall not be permitted in required yards other than interior or rear yards, except as provided herein.

1. For properties where any legal development, redevelopment or improvement that created or enlarged floor area on the premises occurred between February 27, 1964, and February 1, 1979, and the yard was being used for parking on or before February 1, 1979, parking shall be permitted within yards abutting courts, places, or Mission Boulevard provided that:

a. Said area shall not be utilized to satisfy off-street parking required under this Division.

b. Said area shall not be utilized by any vehicle that exceeds 6' in height when measured vertically from the highest point of the vehicle to the parking surface.

c. A minimum of 25% of all required yards, except interior and rear yards, shall be landscaped with a combination of trees, shrubs and ground cover in conformance with standards adopted by the Planning Commission as set forth in the document entitled, "City of San Diego Landscape Technical Manual," on file in the office of the City Clerk.

d. For yards abutting courts or places and for parking adjacent to and parallel to Mission Boulevard:

(1) 3' high wall or fence shall be located between the parking area and the sidewalk.

(2) Said wall or fence may be located within the public right-of-way if an encroachment permit is obtained.

(3) [No change in text.]

2. For properties developed prior to February 27, 1964, parking shall be permitted within yards abutting courts, places, or Mission Boulevard, and are not required to provide additional landscaping or the fencing separation, provided said property


is in compliance with permits or regulations in effect at the time the property was developed.

D. through G. [No change.]

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after the date the California Coastal Commission unconditionally certifies this ordinance as a local coastal program amendment. If this ordinance is not certified, or is certified with suggested modifications by the California Coastal Commission, the provisions of this ordinance shall be null and void.

Section 3. No permits for development inconsistent with the provisions of this ordinance shall be issued unless application therefore was made prior to the date the California Coastal Commission unconditionally certified this ordinance as a local coastal program amendment.

APPROVED: JOHN W. WITT, City Attorney

By 
Frederick C. Conrad
Chief Deputy City Attorney

FCC:lc
12/18/89
Or.Dept:Plan.
O-90-114
Form=o.none

STRIKEOUT ORDINANCE

OLD LANGUAGE: Struck Out
NEW LANGUAGE: Underlined

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 3,
DIVISION 5, OF THE SAN DIEGO MUNICIPAL CODE BY
AMENDING SECTION 103.0526.16 RELATING TO THE
MISSION BEACH PLANNED DISTRICT PARKING
REGULATIONS.

A. and B. [No change.]

C. Parking shall not be permitted in required yards other
than interior or rear yards, except as provided herein.

1. For properties where any legal development,
redevelopment or improvement that created or enlarged floor
area on the premises occurred between February 27, 1964, and
February 1, 1979, and the yard was being used for parking on
or before February 1, 1979, Pparking shall be permitted
within yards abutting courts, or places, or Mission Boulevard
provided that:

~~(a) Any development, redevelopment or improvement~~
~~that created or enlarged floor area on the premises~~
~~occurred prior to February 1, 1979.~~

~~(b) a.~~ Said area shall not be utilized to satisfy
off-street parking required under this Division.

~~(c) b.~~ Said area shall not be utilized by any
vehicle that exceeds 6' in height when measured
vertically from the highest point of the vehicle to the
parking surface.

~~(d)~~ c. A minimum of 50% 25% of all required yards, except interior and rear yards, shall be landscaped with a combination of trees, shrubs and ground cover in conformance with standards adopted by the Planning Commission as set forth in the document entitled, "Development and Maintenance Standards - Landscaping," "City of San Diego Landscape Technical Manual," on file in the offices of the Planning Department City Clerk.

~~(e)~~ d. For yards abutting courts or places and for parking adjacent to and parallel to Mission Boulevard:

~~(i)~~ (1) A minimum 2' landscape strip shall be installed and maintained in accordance with the adopted standards referred to above, and 3' high wall or fence shall be located between the parking area and the sidewalk.

~~(ii)~~ (2) A 3' high wall or solid fence shall be located between the minimum 2' landscape strip and the area to be utilized for parking and driveways Said wall or fence may be located within the public right-of-way if an encroachment permit is obtained.

~~(iii)~~ (3) [No change in text.]

2. For properties developed prior to February 27, 1964, parking shall be permitted within yards abutting courts, places, or Mission Boulevard, and are not required to provide additional landscaping or the fencing separation, provided said property is in compliance with permits or regulations in effect at the time the property was developed.

D. through G. [No change.]

FCC:lc
12/18/89
o-90-114-so

75419

RECEIVED
90 MAR -1 PM 5:33
CITY CLERKS OFFICE
SAN DIEGO, CA

Passed and adopted by the Council of The City of San Diego on MAY 07 1990,
by the following vote:

| Council Members | Yeas | Nays | Not Present | Ineligible |
|------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|
| Abbe Wolfsheimer | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Ron Roberts | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| John Hartley | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| H. Wes Pratt | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Linda Bernhardt | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| J. Bruce Henderson | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Judy McCarty | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Bob Filner | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Mayor Maureen O'Connor | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

AUTHENTICATED BY:

MAUREEN O'CONNOR
Mayor of The City of San Diego, California.

(Seal)

CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, California.

By Jana Martin, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

APR 24 1990, and on MAY 07 1990

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, California.

(Seal)

By Jana Martin, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 0-17466 Adopted MAY 07 1990

RECEIVED

90 MAR -1 PM 5: 33

CITY CLERK'S OFFICE
SAN DIEGO, CA