

ORDINANCE NUMBER O- 17761 (NEW SERIES)

ADOPTED ON MAY 04 1992

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1, DIVISIONS 4 AND 8, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 101.0407, 101.0410, 101.0816 AND 101.0817 RELATING TO THE PARKING, PLACEMENT AND STORAGE OF RECREATIONAL EQUIPMENT IN RESIDENTIAL AND SINGLE FAMILY ZONES.

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

Section 1. That Chapter X, Article 1, Divisions 4 and 8, of the San Diego Municipal Code be and the same is hereby amended by amending Sections 101.0407, 101.0410, 101.0816 and 101.0817 to read as follows:

**SEC. 101.0407 R-1 Zones**

A. through D. [No change.]

E. PARKING REGULATIONS

1. [No change.]

2. Off-street parking spaces shall be constructed, maintained and used in compliance with San Diego Municipal Code Chapter X, Article 1, Division 8, except that the required parking may be provided on a driveway or paved surface within the front or street side yard on premises where required parking was converted to habitable space prior to January 1, 1992, subject to the following standards:

a. Said area complies with the standards for required parking contained in Municipal Code section 101.0813 utilizing a maximum of five (5) feet of the undeveloped public right-of-way. In no case shall the sidewalk be obstructed or encroached upon by a vehicle parked within said area.

b. Said area is perpendicular to the public right-of-way and between the sidewalk adjacent to the property and the building setback.

c. No other on-site alternative placement options are available.

d. Complies with Municipal Code section 101.0407(E)(3).

3. Maximum Driveway Width. No driveway or required off-street parking area shall exceed a width of twenty-five (25) feet within a required front or street side yard, or at any point between a property line and an established setback line. There shall be no less than thirty (30) feet, measured at the property line, between driveways serving the same premises. All driveways shall lead to a legal off-street parking area on the same premises (and/or to legal parking on neighboring property, if permitted by variance, recorded map easement, or other approved

mechanism) or shall provide for required parking per Municipal Code section 101.0407(E)(2).

F. OUTDOOR STORAGE AND PLACEMENT

Storage and placement of material and equipment outside a roofed, fully-enclosed, legally-installed structure is permitted as follows, subject to compliance with all applicable fire, health, safety, litter and building codes.

1. The type and quantity of stored and placed items must be clearly incidental to residential use and enjoyment of the premises; those items, except as exempted below, are further prohibited from or restricted within required yard and setback areas by the terms of Municipal Code section 101.0609.

2. Unless otherwise noted in Municipal Code sections 101.0407(F)(4) and (F)(5), all stored or placed items shall be completely screened by legally installed and maintained solid fencing, walls, buildings, landscape features, or a combination thereof. No item shall exceed the height of the solid screening enclosure, except where City-wide screening requirements are stipulated for specific equipment elsewhere in this Code.

3. Not more than one (1) fully screened outdoor area may be used to store vehicle and/or other equipment parts and/or inoperable vehicles.

Such storage may not exceed four hundred (400) square feet in area, may not intrude into any required yard and may not exceed 10'-0" in height except as prescribed in Municipal Code sections 101.0407(F)(4), (5) and (6).

4. The following items may be placed outdoors without screening:

a. Any item listed in Municipal Code section 101.0609.

b. and c. [No change.]

d. Bicycles, tricycles, children's wagons and other small non-motorized wheeled devices in working condition and used for recreational purposes either on-site or on neighboring streets or properties. A non-motorized wheeled device with any plane dimension of greater than twenty-four (24) square feet is subject to Municipal Code section 101.0407(F)(5).

The requirements set forth in this section only apply to parking areas that are located within a required front or side yard setback. To the greatest extent possible, the rear yard setback should be used for vehicle or equipment parking/storage. Otherwise:

5. For lots developed with interior side yards of less than ten (10) feet, no access to the rear yard and no other on-site parking areas located outside of the front or side yard

setbacks, one (1) of the following items may be stored outdoors in the required front or side yard setbacks subject to the requirements contained in paragraphs a through c of this subsection 5:

Recreational vehicles, travel trailers, trailers, boats, all-terrain vehicles, camper shells, motorcycles and similar equipment, provided that the vehicle or equipment is maintained in an operable condition. (An operable, self-propelled vehicle may be parked in the same manner as any other operable vehicle pursuant to San Diego Municipal Code Chapter X, Article 1, Division 8.

a. A listed item shall be placed perpendicular to the front property line when the item is located within the required front yard setback.

b. For equipment that is located within the required front or side yard setbacks, a three (3) foot high solid wall/fence or landscape material which shall reach a minimum height of three (3) feet within two (2) years of installation, shall be placed along interior property lines adjacent to the above listed item.

c. The provisions of this subsection 5 shall not affect the validity, application or enforcement of any Covenants, Conditions and

Restrictions (CC&Rs) or any other agreement relating parking and storage of any of the items listed in this subsection 5 if the CC&Rs or agreements are more restrictive than the provisions of this subsection 5.

**SEC. 101.0410 R Zones (Multiple Family Residential)**

A. through N. [No change.]

O. STORAGE AND PLACEMENT

1. Required Storage:

a. A minimum of one hundred (100) cubic feet per dwelling unit of secured storage space available only to the residents of the designated related dwelling unit and accessible from a common circulation area or garage shall be provided. This required storage may not be part of a habitable area. A wall-mounted cabinet or cabinets above forty-eight (48) inches in height, located at the end of a garage parking space are permitted for this requirement.

b. Trash Area:

(1) For 2-5 dwelling units, a minimum of six (6) square feet of trash area per unit shall be provided.

(2) For 6-10 units, a minimum of five (5) square feet per unit shall be provided.

(3) For 11-20 dwelling units, a minimum of four (4) square feet per unit shall be provided.

(4) In excess of twenty (20) units, the trash area shall be per the required discretionary permit, but not less than three (3) square feet per unit.

2. Permitted storage: Storage and placement of material and equipment outside a roofed, fully-enclosed, legally installed structure is permitted as follows, provided that there is no impediment to the growth and maintenance of required landscaping, and subject to all applicable fire, health, safety, litter, and building codes:

a. The type and quantity of stored and placed items must be clearly incidental to residential use and enjoyment of the premises; those items, except as exempted below, are further prohibited from or restricted within required yard and setback areas by the terms of Municipal Code section 101.0609.

b. Unless otherwise noted in Municipal Code sections 101.0410(F)(4) and (F)(5), all stored or placed items shall be completely screened by legally installed and

(3) For 11-20 dwelling units, a minimum of four (4) square feet per unit shall be provided.

(4) In excess of twenty (20) units, the trash area shall be per the required discretionary permit, but not less than three (3) square feet per unit.

2. Permitted storage: Storage and placement of material and equipment outside a roofed, fully-enclosed, legally installed structure is permitted as follows, provided that there is no impediment to the growth and maintenance of required landscaping, and subject to all applicable fire, health, safety, litter, and building codes:

a. The type and quantity of stored and placed items must be clearly incidental to residential use and enjoyment of the premises; those items, except as exempted below, are further prohibited from or restricted within required yard and setback areas by the terms of Municipal Code section 101.0609.

b. Unless otherwise noted in Municipal Code sections 101.0410(F)(4) and (F)(5), all stored or placed items shall be completely screened by legally installed and



maintained solid fencing, walls, buildings, landscape features, or a combination thereof. No item shall exceed the height of the solid screening enclosure, except where City-wide screening requirements are stipulated for specific equipment elsewhere in this Code.

c. Not more than one (1) fully screened outdoor area may be used to store or place vehicle and/or inoperable vehicles. Such storage may not exceed four hundred (400) square feet in area, may not intrude into any required yard or landscape area, and may not exceed 10'-0" in height.

d. The following items may be placed outdoors without screening:

(1) Any item listed in Municipal Code section 101.0609.

(2) Home maintenance or lawn maintenance equipment, during actual use. As necessary, such equipment may be placed in required yard or setback areas, or landscape areas when alternative placement options do not exist. The Zoning Administrator shall determine the necessity for extended placement when questions arise.

(3) Game, sport, and leisure equipment designed and intended for on-

site recreational enjoyment, when such equipment is set up and immediately available for such use.

(4) Bicycles, tricycles, children's wagons, and other non-motorized wheeled devices in working condition and used for recreational purposes either on-site or on neighboring streets or properties. A non-motorized wheeled device with any plane dimension of greater than twenty-four (24) square feet is subject to Municipal Code section 101.0410(0)(2)(e).

e. The following items may be placed outdoors if legally installed and maintained solid fencing, walls, buildings, and/or landscape features provide complete screening from improved streets (the placed items may not exceed the height of the provided screening):

Recreational vehicles, travel trailers, trailers, boats, all-terrain vehicles, camper shells, and similar equipment, provided such equipment is maintained in serviceable condition. (An operable, self-propelled recreational vehicle may be parked in the same manner as any other operable vehicle,

per Chapter X, Article 1, Division 8, of the San Diego Municipal Code.) Except for recreational vehicles qualifying as operable vehicles, no item listed above may be placed within a required front or street-side yard; any such item which does not exceed 6'-0" in height may, however, be placed within required interior side and rear yards if not in conflict with landscaping or other development requirements

Properties developed exclusively with a single-family home are subject to R-1 zone storage regulations (Municipal Code sections 101.0407(F)(4) and (F)(5)).

**SEC. 101.0816 Surfacing**

All parking spaces, parking areas, loading areas, and driveways shall be surfaced with asphaltic concrete at least two (2) inches in depth or its equivalent as determined by the City Engineer, except that vehicles and equipment permitted to be stored in accordance with Municipal Code section 101.0407(F)(5), may be placed on a permeable surface.

**SEC. 101.0817 Yard - Parking Within**

A. [No change.]

B. No vehicle may be parked within a required front or street side yard, or within a required street side yard, except as permitted by Section 101.0407(E)

and (F), and except where a particular zone permits parking, or except as noted below:

1. and 2. [No change.]


3. Except as permitted by Section 101.0407(E) and (F), nothing in this provision allows the utilization of such driveway to satisfy off-street parking requirements, nor is there any permission to infringe upon any public sidewalk, or otherwise violate any section of the Municipal Code or California Vehicle Code. The Zoning Administrator may allow an operable vehicle to temporarily park within a required front or street side yard under alternative conditions if he or she can determine that the alternative temporary parking is necessary for loading or unloading, and that occurrences of such parking are minimal in frequency and duration.

C. [No change.]

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage, however, the provisions of this ordinance shall not be applicable within the Coastal Zone until the thirtieth day following 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 within the Coastal Zone.

APPROVED: JOHN W. WITT, City Attorney

By   
Frederick C. Conrad  
Chief Deputy City Attorney

FCC:lc:skh  
02/03/92  
04/17/92 REV. 1  
05/01/92 REV. 2  
Or.Dept:Plan.  
O-92-102  
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Passed and adopted by the Council of The City of San Diego on MAY 04 1992  
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"/>
George Stevens	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Behr	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Valerie Stallings	<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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 Blonde R. Barnes, 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 21 1992, and on MAY 04 1992

~~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.

(Seal)

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

By Blonde R. Barnes, Deputy.

Office of the City Clerk, San Diego, California

Ordinance 0-17761 MAY 04 1992  
Number..... Adopted.....

Passed and adopted by the Council of The City of San Diego on MAY 04 1992,  
 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"/>
George Stevens	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Behr	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Valerie Stallings	<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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 Blonde R. Barnes, 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 21 1992, and on MAY 04 1992.

~~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 Blonde R. Barnes, Deputy.

Office of the City Clerk, San Diego, California	
Ordinance Number <u>0-17761</u>	Adopted <u>MAY 04 1992</u>

CERTIFICATE OF PUBLICATION

RECEIVED  
CITY CLERK'S OFFICE  
92 MAY 22 AM 11:45  
SAN DIEGO, CALIF.

P.

OFFICE OF THE CITY CLERK, 2nd FLOOR  
CITY ADMINISTRATION BUILDING  
202 C STREET  
SAN DIEGO, CA 92101

IN THE MATTER OF

NO.

This ordinance amends the Municipal Code provisions. . .

**ORDINANCE NUMBER O-17761 (NEW SERIES)**

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1, DIVISIONS 4 AND 8, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 101.0407, 101.0410, 101.0816 AND 101.0817, RELATING TO THE PARKING, PLACEMENT AND STORAGE OF RECREATIONAL EQUIPMENT IN RESIDENTIAL AND SINGLE FAMILY ZONES.

This ordinance amends the Municipal Code provisions regulating parking of vehicles in the R-1 (Single Family) and R (Multiple Family Residential) zones. (Municipal Code sections 101.0407 and 101.0410. The amendments allow the placement of required parking spaces within front and side street yards under specified circumstances and allows such parking spaces to be used for self propelled and other recreational equipment. The ordinance amends the provisions of Municipal Code sections 101.0816 and 101.0817, to maintain consistency with Municipal Code sections 101.0407 and 101.0410.

A complete copy of the Ordinance is available for inspection in the Office of the City Clerk of the City of San Diego, 2nd Floor, City Administration Building, 202 "C" Street, San Diego, CA 92101.

INTRODUCED ON APR 21 1992 Passed and Adopted by the Council of The City of San Diego on MAY 04 1992

AUTHENTICATED BY:

MAUREEN O'CONNOR  
Mayor of The City  
San Diego, CA

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

(SEAL)

By RHONDA R. BARNES,  
Deputy.

Pub. May 19

247461

I, Corey Donahue, am a citizen of the United States and a resident of the county aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the San Diego Daily Transcript, a newspaper of general circulation, printed and published daily, except Saturdays and Sundays, in the City of San Diego, County of San Diego and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of San Diego, State of California, under the date of January 23, 1909, Decree No. 14894; and the

ORDINANCE NUMBER O-17761 (NEW SERIES)

is a true and correct copy of which the annexed is a printed copy and was published in said newspaper on the following date(s), to wit:

MAY 19

I certify under penalty of perjury that the foregoing is true and correct.

Dated at San Diego, California this 19th day of MAY, 1992.

*Corey Donahue*  
\_\_\_\_\_  
(Signature)

6" = 79. 86