

**Article 13: Mission Beach Planned District**

*(“Mission Beach Planned District” added 3-27-2007 by O-19589 N.S.)*

**Division 4: General and Supplemental Regulations**

*(“General and Supplemental Regulations” added 3-27-2007 by O-19589 N.S.)*

**§1513.0401 Fences**

(a) All Subdistricts

- (1) No fence shall exceed 3 feet in height above existing grade or proposed grade, whichever is lower, in that triangular area created by measuring 10 feet along each property line from the point of intersection where any combination of streets or alleys intersect.
- (2) No sharp-pointed or electrically charged fence shall be erected or maintained.

(b) Residential Subdistricts

- (1) Fences and walls, including glass walls, trellis walls, and retaining walls, located within required yards for Courts, Places, and Walks shall not exceed a height of 3 feet above existing grade or proposed grade, whichever is lower.
- (2) Fences and walls, including glass walls, trellis walls, and retaining walls, located in interior or rear yards or adjacent to alleys or streets except Mission Boulevard shall not exceed a height of 6 feet above existing grade or proposed grade, whichever is lower.
- (3) Fences and walls, including glass walls, trellis walls, and retaining walls, located in yards adjacent to Mission Boulevard shall not exceed a height of 3 feet above existing grade or proposed grade, whichever is lower.

(c) Commercial Subdistricts

- (1) Fences and walls, including glass walls, trellis walls, and retaining walls, located within required yards for Courts, Places, and Walks shall not exceed 3 feet in height above existing grade or proposed grade, whichever is lower.

- (2) Fences and walls, including glass walls, trellis walls, and retaining walls, located in interior yards or adjacent to alleys, Bayside Lane or Strandway shall not exceed a combined height of 6 feet above existing grade or proposed grade, whichever is lower.
- (3) Prior to the use or occupancy of any premises, a wall shall be constructed along all portions of said premises that abut property within a Residential Subdistrict. Such walls shall be not less than 6 feet in height above existing grade or proposed grade, whichever is lower, except within any required yards for Bayside and Ocean Front Walks, Court and Places, such walls shall be 3 feet above existing or proposed grade, whichever is lower.

*(“Fences” added 3-27-2007 by O-19589 N.S.; effective 4-26-2007.)  
(Amended 10-18-2010 by O-19999 N.S.; effective 8-9-2012.)*

#### §1513.0402 Landscaping

(a) Residential Subdistricts

- (1) One hundred percent of all required yards except interior yards and rear yards shall be landscaped with a minimum of at least 50 percent and shall be any combination of trees, shrubs and ground cover; except that the use of trees to meet this requirement shall be optional. All proposed landscaping in the required yard areas for Courts, Places, or Walks shall be maintained at a height of three feet or lower (including raised planters) to preserve public views. All landscaping shall be drought-tolerant and native or non-invasive plant species. The remaining 50 percent may include, but is not restricted to, fountains, reflecting pools, art objects, decorative walkways, screens, walls, fences, benches, and decks not exceeding 3 feet in height.
- (2) Landscaping located within the required yards for Courts and Places shall protect pedestrian view corridors by emphasizing-canopy trees that reach a height of 24 feet at maturity and ground cover. Landscaping materials shall not encroach or overhang into the Courts and Places rights-of-way and view corridors. Mature trees shall be maintained so that branches do not encroach below a height of 8 feet above the finish surface or finished grade, as measured at the trunk. Any trees proposed in the required yard areas along Courts, Places, or Walks shall be limited to no more than two trees which shall be planted within 4 and 5 feet of the primary structure. All landscaping and irrigation within the public-right-of-way shall be developed in accordance with the Landscape Standards of the Land Development Manual.

(b) Commercial Subdistricts

A minimum of 10 percent of the total lot area shall be landscaped adjacent to courts, places, walks, or Mission Boulevard in accordance with the standards set forth in Section 1513.0402(a).

*(“Landscaping” added 3-27-2007 by O-19589 N.S.; effective 4-26-2007.)  
(Amended 10-18-2010 by O-19999 N.S.; effective 8-9-2012.)  
(Amended 6-26-2012 by O-20175 N.S.; effective 8-9-2012.)*

**§1513.0403 Parking**

(a) All Subdistricts

- (1) Where off-street parking access is perpendicular to an alley or street, it shall be a minimum of 21 feet measured from the opposite edge of the right-of-way. This 21-foot distance may be reduced one foot for each 6-inch increase in parking space width but shall not be less than 18 feet.
- (2) When an existing use is enlarged, the number of additional off-street parking spaces required are only those required by the enlargement consistent with Section 1513.0403.

(b) Residential Subdistricts

- (1) Every premises used for one or more of those uses permitted in Section 1513.0303 shall be provided with a minimum of permanently maintained off-street parking spaces located on the premises as follows:
  - (A) Two spaces per dwelling unit; except for the following:
    - (i) In R-S Subdistricts when a unit is added to a lot with an existing single-family unit and the lot has less than 34 feet of frontage on a street or alley, then the requirement shall be 1.5 spaces per dwelling unit.
    - (ii) In the R-N Subdistrict the requirement shall be one space per dwelling unit for lots abutting Ocean Front Walk or Bayside Walk with less than 10 feet of vehicular access on a street or alley.

- (B) One space per unit (room) of boarder or lodger.
- (2) At least one space per dwelling unit and one space per 2 boarding or lodging units shall have direct access to a dedicated and improved street or alley.
- (3) Parking shall not be permitted in required yards other than interior or rear yards, except as provided herein.
- (A) Development between February 27, 1964 and February 1, 1979.

For properties where any legal development, redevelopment or improvement created or enlarged floor area on the premises 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:

- (i) Said area shall not be utilized to satisfy off-street parking as required by this Planned District Ordinance.
- (ii) 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.
- (iii) A minimum of 25 percent of all required yards, except interior and rear yards, shall be landscaped with a combination of trees, shrubs and ground cover in conformance with the Landscape Standards of the Land Development Manual.
- (iv) For yards abutting courts or places and for parking adjacent to and parallel to Mission Boulevard:
  - A 3-foot high wall or fence shall be located between the parking area and the sidewalk.
  - Said wall or fence may be located within the public right-of-way if an encroachment permit is obtained.
  - The City Manager or designee may approve alternative methods of landscape and screening.

(v) The parking space was in existence on November 17, 2010.

(B) Development prior to February 27, 1964.

For properties where any legal development, redevelopment or improvement created or enlarged floor area on the premises and the yard was being used for parking on or before 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 that:

(i) Said property is in compliance with permits or regulations in effect at the time the property was developed;

(ii) The parking space was in existence on November 17, 2010.

(4) Tandem off-street parking is permitted consistent with the following:

(A) The space required is 8 feet by 36 feet and accommodates 2 cars, one behind the other, except that the width of parking spaces that abut a wall, column, or other immovable obstacle shall be 8 feet and 6 inches.

(B) Both of the tandem spaces shall be assigned to the same unit.

(C) Tandem spaces are not required to be enclosed.

(D) Unenclosed tandem parking spaces may only encroach into an interior yard to achieve the required 36-foot depth.

(5) Fifty percent of the individual (non-tandem) parking spaces shall have a minimum 8-foot width and 19-foot depth. The other 50 percent shall not be less than a minimum 8-foot width and 17-foot depth. The width of parking spaces that abut a wall, column, or other immovable obstacle shall be 8 feet and 6 inches.

(6) All parking areas adjacent to Courts, Places, Walks or Mission Boulevard shall be screened by a solid fence 3 feet in height.

- (7) Driveways and parking are not allowed within required yards for Courts, Places, or Walks unless exempted in accordance with Section 1513.0403(b)(3).
  - (8) Curb cuts are not allowed on Mission Boulevard unless the premises has less than 10 feet of vehicular access from an alley.
- (c) Commercial Subdistricts
- (1) For hotels and motels, there shall be provided 1.2 parking spaces for each guest room or suite. For hotels and motels with kitchenettes, there shall be provided 1.5 parking spaces for each unit containing one bedroom or less and 2.0 spaces per each unit containing 2 or more bedrooms.
  - (2) For residential development the parking requirement shall be as required by Section 1513.0403(b) (Residential Subdistricts).
  - (3) For business and professional office uses, there shall be provided one parking space for each 500 square feet of gross floor area.

*(“Parking” added 3-27-2007 by O-19589 N.S.; effective 4-26-2007.)  
(Amended 10-18-2010 by O-19999 N.S.; effective 8-9-2012.)*

#### **§1513.0404 On-Premises Sign Regulations**

- (a) Residential Subdistricts – On-Premises Signs

The following non-illuminated wall signs shall be permitted, provided that no sign shall project above the parapet or eaves of the building to which affixed:

- (1) One nameplate per dwelling unit not exceeding one square foot in total area to identify only the occupant; or
- (2) In lieu of Section 1513.0404(a)(1), the occupant of a dwelling unit, if the possessor of a valid home occupation permit, shall be permitted a sign indicating the nature of the home occupation, not to exceed 2 square feet in total area.
- (3) One building identity sign not exceeding one percent of the area of the wall to which it is affixed or 20 square feet, whichever is the smaller figure.

- (4) One directional sign per vehicular entryway not exceeding 2 square feet in total area nor 4 feet in height measured to the apex of the sign.
  - (5) One temporary wall or freestanding sign offering the premises for sale, rent or lease, not to exceed 8 square feet in total area nor 4 feet in height measured to the apex of the sign. Such sign is permitted in required yards.
  - (6) One public interest wall or ground sign not to exceed 8 square feet in total area nor 4 feet in height measured to the apex of the sign. Such sign is permitted in required yard.
  - (7) Any sign not in compliance with the provisions of this section within 7 years from April 7, 1998, shall be removed or brought into compliance. Any sign located on property subsequently placed in the Residential Subdistricts and not in compliance with the provisions of this section shall be removed or brought into compliance within 5 years from February 1, 1979.
- (b) Commercial Subdistricts – On-Premises Signs

On-premises and public interest signs located in Commercial Subdistricts are permitted as follows:

- (1) Signs on the faces of buildings are permitted provided that no sign shall project above the nearest parapet or eave of the building to which the signs are attached. The aggregate sign area for each street frontage on a given premises shall not exceed one square foot for each lineal foot of street frontage or 25 square feet, whichever is larger. In addition, the following identification signs shall be permitted:
  - (A) One single-faced or double-faced freestanding sign located adjacent to each entrance or exit driveway to a parking lot. Signs shall not exceed 12 square feet in area nor a height of 8 feet measured vertically from the base at ground level to the apex of the sign.

- (B) One sign on the exterior wall at each side or rear entrance to a store, shop or place of business provided that no sign shall project above the nearest parapet or eave of the building to which it is attached and, provided further, that no sign shall be attached to the perimeter framing of the building or to the face of canopies or porch roofs. No such sign shall have an area exceeding 12.5 square feet or 0.50 square foot for each lineal foot of street frontage of the premises, whichever is larger.
- (2) For each street frontage of the premises, one sign attached to the wall or one freestanding sign designating the premises for sale, rent or lease is permitted, provided such sign has a maximum area of 8 square feet and a height, if a freestanding, sign not exceeding 8 feet measured vertically from the base at ground level to the apex of the sign.
- (3) Where the face of the building sets back from the property line in excess of 20 feet, single-faced or double-faced, freestanding signs, in addition to those on the building, are permitted, provided that:
  - (A) No part of such signs shall extend over public property or have a height exceeding 8 feet measured vertically from the base at ground level to the apex of the sign.
  - (B) The total area of all such signs on any street frontage of the premises shall not exceed four-tenths (4/10) of a square foot per lineal foot of street frontage or 37.5 square feet, whichever is smaller.
- (4) Any sign not in compliance with the provisions of this section within 7 years from April 7, 1998, shall be removed or brought into compliance. Any sign located on property subsequently placed in a Commercial Subdistrict and not in compliance with the provisions of this section shall be removed or brought into compliance within 5 years from February 1, 1979.
- (5) Signs permitted herein which are attached to walls or the face of a building shall be parallel to the wall or the face of the building and shall project not more than 18 inches therefrom.
- (6) Signs permitted herein may be illuminated; however, none shall contain visibly moving parts or be illuminated by flashing lights.



(7) All signs permitted by the provisions of this section shall also comply with the Land Development Code Chapter 12, Article 9, Division 8 (Sign Permit Procedures) and Chapter 14, Article 2, Division 12 (Sign Regulations).

(c) Commercial Subdistrict – Off-Premises Signs

Off-premises signs, including signs on the sidewalk for Ventura Place, shall comply with the Land Development Code Chapter 12, Article 9, Division 8 (Sign Permit Procedures) and Chapter 14, Article 2, Division 12 (Sign Regulations).

*(“On-Premises Sign Regulations” added 3-27-2007 by O-19589 N.S.; effective 4-26-2007.)*

*(Amended 10-18-2010 by O-19999 N.S.; effective 8-9-2012.)*

**§1513.0405 Outdoor Display Regulations**

Within the Commercial Subdistrict along Mission Boulevard, Pacific Beach Drive, Ventura Place, and Ocean Front Walk only the following may be displayed on the sidewalk:

- (1) Newspapers;
- (2) Rental items provided that there is an 8-foot clearance, measured from the curb to the primary structure, for pedestrian passage.

*(“Outdoor Display Regulations” added 6-26-2012 by O-20175 N.S.; effective 8-9-2012.)*

