

STRIKEOUT ORDINANCE

OLD LANGUAGE: ~~Struck Out~~

NEW LANGUAGE: Double Underline

ORDINANCE NUMBER O-_____ (NEW SERIES)

DATE OF FINAL PASSAGE _____

AN ORDINANCE AMENDING CHAPTER 11, ARTICLE 3, DIVISION 1 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 113.0103; AMENDING CHAPTER 13, ARTICLE 1, DIVISION 4 BY AMENDING SECTION 131.0431, RETITLING AND AMENDING SECTION 131.0447, AND BY ADDING NEW SECTION 131.0457; AND AMENDING CHAPTER 14, ARTICLE 2, DIVISION 5 BY AMENDING SECTIONS 142.0510, 142.0520, AND 142.0521, ALL RELATING TO HIGH OCCUPANCY SINGLE DWELLING UNITS.

§113.0103 Definitions

Abutting property through Beach, coastal (See *coastal beach*) [No change in text.]

Bedroom means an enclosed space within a ~~dwelling unit~~ dwelling unit that is designed or could be used for sleeping and has or is designed to have a permanent door permitting complete closure and separation from all *kitchen*, living room, and hallway areas. A room or other enclosed space is not considered a *bedroom* if it is the sole access to another *bedroom*.

Benefitted area through Sign, wall (See *wall sign*) [No change in text.]

Single dwelling unit means a detached *dwelling unit* or attached *dwelling units* where each ~~dwelling unit~~ dwelling unit is on an individual *lot*.

Social service institution through Yard [No change in text.]

§131.0431 Development Regulations Table for Residential Zones

The following development regulations apply in the residential zones as shown in Tables 131-04C, 131-04D, 131-04E, 131-04F, and 131-04G.

- (a) [No change in text.]
- (b) RS Zones

**Table 131-04D
Development Regulations for RS Zones**

Development Regulations [See Section 131.0430 for Development Regulations of Residential Zones]	Zone Designator	Zones						
	1st & 2nd >>	RS-						
	3rd >>	1-	1-	1-	1-	1-	1-	1-
	4th >>	1	2	3	4	5	6	7
Max permitted density (DU per lot) through Supplemental requirements [See Section 131.0464(a)] [No change in text.]	[No change in text.]							
Bedroom <u>Bedroom</u> regulation [See Section 131.0457]	applies ⁽⁷⁾	applies ⁽⁷⁾	applies ⁽⁷⁾	applies ⁽⁷⁾	applies ⁽⁷⁾	applies ⁽⁷⁾	applies ⁽⁷⁾	
Refuse and Recyclable Material Storage [See Section 142.0805] through Visibility Area [See Section 113.0273] [No change in text.]	[No change in text.]							

Development Regulations [See Section 131.0430 for Development Regulations of Residential Zones]	Zone Designator	Zones						
	1st & 2nd >>	RS-						
	3rd >>	1-	1-	1-	1-	1-	1-	1-
	4th >>	8	9	10	11	12	13	14
Max permitted density (DU per lot) through Supplemental Requirements [See Section 131.0464(a)] [No change in text.]	[No change in text.]							
Bedroom <u>Bedroom</u> regulation [See Section 131.0457]	applies ⁽⁷⁾	applies ⁽⁷⁾	applies ⁽⁷⁾	applies ⁽⁷⁾	applies ⁽⁷⁾	applies ⁽⁷⁾	applies ⁽⁷⁾	
Refuse and Recyclable Material Storage [See Section 142.0805] through Visibility Area [See Section 113.0273] [No change in text.]	[No change in text.]							

Footnotes for Table 131-04D¹ through ⁶ [No change in text.]⁷ On lots less than 10,000 square feet a single dwelling unit shall be limited to 6 bedrooms maximum.

(c) through (e) [No change in text.]

§131.0447 Maximum Paving and Hardscape in Residential RS Zones

Paving and *hardscape* on *single dwelling unit* lots lots located in the RS zones shall be minimized as follows:

- (a) [No change in text.]
- (b) Within the required *street yard*, paving and *hardscape* shall be limited to:
 - (1) A driveway with direct vehicular access to required *off-street parking spaces* located outside of the required *setback* in accordance with Section 142.0521;
 - (2) A walkway to facilitate pedestrian access to the *dwelling unit*; and
 - (3) [No change in text.]

(c) In order to maintain the character of the RS zone, paving and *hardscape* for vehicular use ~~on lots less than 10,000 square feet~~, shall be further limited ~~to~~ as follows:

- (1) ~~off-street, surface parking for a~~ A maximum of 4 ~~four~~ vehicles. ~~off-street parking spaces not located within a garage shall be permitted on lots less than 10,000 square feet;~~
- (2) A maximum of six ~~off-street parking spaces not located within a garage shall be permitted on lots 10,000 square feet and greater;~~
- (3) Additional paving and *hardscape* shall be permitted for non-vehicular use or where necessary to provide vehicular access to garage parking.;
- (4) For purposes of this subsection, notwithstanding Section 113.0237, the lot size shall not include the RS-1-1 zoned portion of a lot with more than one zoning designation.

§131.0457 Bedroom Regulation in RS Zones

To maintain the character of the RS zone, *single dwelling units* in the RS zones shall be subject to the following regulations:

- (a) On lots less than 10,000 square feet, a *single dwelling unit* shall be limited to a maximum of six *bedrooms*.
- (b) Within the College Area Community Plan area, the following additional regulations shall apply:
 - (1) On lots less than 10,000 square feet, a *single dwelling unit* shall be limited to a maximum of five *bedrooms*.

(2) On lots 10,000 square feet or greater, a single dwelling unit shall be limited to a maximum of six bedrooms.

(3) The combined gross floor area of all bedrooms shall not exceed 60 percent of the gross floor area, excluding any garage.

(c) For purposes of this Section, notwithstanding Section 113.0237, the lot size shall not include the RS-1-1 zoned portion of a lot with more than one zoning designation.

§142.0510 General Parking Regulations

(a) through (d) [No change in text.]

(e) Parking in Required Yards. Parking in required yards is subject to the following regulations:

(1) *Off-street parking spaces* shall not be located in any required front or street side ~~yard~~ yard except as otherwise provided in the particular zone or by Section 142.0510(f).

(2) No vehicle shall be parked in any required front or street side ~~yard~~ yard except where permitted by a particular zone, or except as provided below:

(A) through (B) [No change in text.]

(f) In RS zones, the required parking may be provided on a driveway or paved surface within the front or ~~street-side~~ street side yard on premises where required parking was converted to habitable space prior to January 1, 1992_{1/2}, subject to the following requirements:

(1) through (4) [No change in text.]

(g) [No change in text.]

§142.0520 Single Dwelling Unit Residential Uses — Required Parking Ratios

The required number of *off-street parking spaces* for *single dwelling units* and related uses are shown in Table 142-05B.

Table 142-05B
Minimum Required Parking Spaces for
Single Dwelling Units and Related Uses

Type of Unit and Related Uses	Number of Required Parking Spaces
All <i>single dwelling units</i> , except those with five or more <i>bedrooms</i> in campus impact areas (See Chapter 13, Article 2, Division 8)	2 spaces per dwelling unit <i>dwelling unit</i> -(1)
<i>Single dwelling units</i> with five or more <i>bedrooms</i> in campus impact areas (See Chapter 13, Article 2, Division 8)	1 space per <i>bedroom</i> (previously conforming <i>previously conforming</i> parking regulations in Section 142.0510(d) do not apply)-(2)
High occupancy <i>Single dwelling units that have an occupancy that would consist of 6 or more persons eighteen years of age and older residing in the dwelling unit for a period of 30 or more consecutive days,</i> subject to Section 123.0502(3)	1 space per occupant eighteen years of age and older, less one <u>1</u> space (<i>previously conforming</i> parking regulations in Section 142.0510-(d) do not apply)-(4),(5)

Footnotes for Table 142-05B

¹ through ² [No change in text.]

³ Housing for senior citizens, residential care facilities, and transitional housing facilities in a *single dwelling unit* are not subject to this parking regulation, but are otherwise subject to all other parking regulations.

⁴ This requirement may be reduced if evidence is provided to the satisfaction of the City Manager that an occupant eighteen years of age and older does not have a vehicle or does not have a valid driver's license, in which case, the required number of *off-street parking spaces* shall be one space per occupant eighteen years of age and older with a valid driver's license and a vehicle, less one space.

⁵ In the case of a conflict between this requirement and the requirements set forth in the Parking Impact Overlay Zone, the higher of the applicable *off-street parking space* requirements shall apply.

§142.0521 Parking Site Design for Single Dwelling Unit Residential Uses

Parking facilities for *single dwelling unit residential* uses shall be designed in accordance with the following:

(a) through (e) [No change in text.]

(f) The minimum distance between an ~~an parking space~~ *off-street parking space* and a sidewalk or curb opening shall comply with Diagram 142-05A.

- (g) Within the College Area Community Plan area, notwithstanding Section 142.0510(f), when a required *off-street parking space* is not located in a garage, it shall not be located within 30 feet of the front *lot* line.

**Diagram 142-05A
Minimum Distance Between an Off-Street Parking Space
and a Sidewalk or Curb Opening**

[No change to diagram.]

HKV:nja
09/06/16
Or.Dept: Council District 9
Doc. No.: 1340502_3

DRAFT