§142.0510 General Parking Regulations

(a) Use of Required Parking Spaces. Required *off-street parking spaces*, parking areas, and transportation facilities shall be used only for parking operable vehicles of residents, employers, employees, customers, and visitors as appropriate to the allowed uses of the applicable zone.

(b) Parking Spaces to be Kept Clear. All *off-street parking spaces* and aisles shall be kept clear of any temporary or permanent obstructions.

(c) Existing Parking Not to be Reduced. Notwithstanding any other provisions of the Land Development Code, existing off-street parking facilities that were provided and maintained on the same *premises* before parking was required and which serve a use now requiring *off-street parking spaces* shall not be reduced in number, dimension, or any other manner below the requirements of this division.

(d) *Previously Conforming Premises*. Enlargement or change in use, or resumption of a discontinued use, for a *premises* that is *previously conforming* for the reason that it does not provide the number of *off-street parking spaces* required by this Division shall provide parking as follows:

(1) When the use is proposed to be enlarged, the additional *off-street parking spaces* required are the number required by this division for the enlargement. Within the beach impact area of the Parking Impact Overlay Zone, additional parking shall be provided at two times the number required for the enlargement but not exceeding the amount required for the entire development.

(2) When a change in use is proposed to a use that requires the same or fewer *off-street parking spaces* than the previous use, or for resumption of a discontinued use, no change in parking spaces is required, except as provided in Section 142.0510(d)(4).

(3) When a change in use is proposed to a use that requires more *off-street parking spaces* than the previous use, parking shall be required as provided in this division for the new use.

(4) A discontinued use may resume on a *premises* with *previously conforming* parking if:

(A) The use is permitted in accordance with the underlying base zone; and

(B) The *premises* is not located within the Parking Impact Overlay Zone; or

(C) The *premises* is located within the Parking Impact Overlay Zone, but the use has been discontinued for less than 5 years as determined in accordance with Section 142.0510(d)(5).

(5) Within the Parking Impact Overlay Zone, if the previous use has been discontinued for a period of 2 or more consecutive years, parking shall be required as provided in this Division for the new use, unless a property owner has obtained a Neighborhood Development Permit.

(A) Discontinuance of the use for a period of 5 or more consecutive years creates a presumption in favor of abandonment, against which the owner or person asserting *previously conforming* rights may offer evidence.

(B) If the *previously conforming* use is discontinued temporarily while repairs, remodeling, or major alterations of the *structure* are under construction, maintenance of an active *construction permit* and continuance of the Business Tax Certificate constitutes conclusive evidence that the use has not been abandoned during the construction.

(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) An operable vehicle may be temporarily parked on a legal driveway within a required front or street side yard if thevehicle does not in any way impede access to or from more than one required parking space, including tandem spaces, or encroach upon any public sidewalk. Except as

specifically permitted by the applicable zone, the use of a driveway to satisfy *off-street parking space* requirements is not permitted.

(B) Unless restricted or prohibited by applicable zone or other regulations, operable vehicles may be parked in parking spaces within side and rear *yards*, subject to all applicable *screening*, surfacing, landscaping, and other requirements of the Land Development Code.

(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~~,~~, subject to the following requirements:

(1) The area complies with the standards for required parking in Section 142.0560 utilizing a maximum of five feet of the undeveloped *public right-of-way*. In no case shall the sidewalk be obstructed or encroached upon by a vehicle parked within the sidewalk area.

(2) The area is perpendicular to the *public right-of-way* and between the sidewalk adjacent to the *premises* and the building *setback*.

(3) No other on-site alternative placement options are available.

(4) The area complies with Section 142.0560(j).

(g) Parking in Required Front, Side, or Street Side Yards. Within the RS and RX zones, on *lots* with a side *yard* of less than 10 feet, with no access to the rear *yard*, and with no other on-site parking areas located outside of the front or side *yard*, one of the following vehicles may be parked outdoors in the required front, side, or street side *yard* subject to the requirements contained in Section 142.0510(f)(1) and (2): recreational vehicles, travel trailers, trailers, boats, all-terrain vehicles, motorcycles, and similar equipment.

(1) Vehicles and equipment shall be maintained in an operable condition. An operable, self-propelled vehicle may be parked in the same manner as any other operable vehicle, pursuant to Section 142.0510(e)(2).

(2) Parked vehicles and equipment shall be placed perpendicular to the front *property line* when the item is located within the required front *yard*.

(Amended 1-9-2001 by O-18910 N.S.; effective 8-8-2001.)

(Amended 8-4-2011 by O-20081 N.S.; effective 10-6-2011.)

(Amended 2-3-2017 by O-20789 N.S.; effective 3-5-2017.)

[Editors Note: Amendments as adopted by O-20789 N.S. will not apply within the Coastal Overlay Zone until the California Coastal Commission certifies it as a Local Coastal Program Amendment. Click the link to view the Strikeout Ordinance highlighting changes to prior language http://docs.sandiego.gov/municode_strikeout_ord/O-20789-SO.pdf]

(Amended 2-1-2021 by O-21288 N.S.; effective 3-3-2021.)

(Amended 7-22-2024 by O-21836 N.S.; effective 10-5-2024.)

[Editors Note: Amendments as adopted by O-21836 N.S. will not apply within the Coastal Overlay Zone until the California Coastal Commission certifies it as a Local Coastal Program Amendment. Click the link to view the Strikeout Ordinance highlighting changes to prior language http://docs.sandiego.gov/municode_strikeout_ord/O-21836-SO.pdf]

Editors Note: Amendments as adopted by the following ordinances will not apply within the Coastal Overlay Zone until the California Coastal Commission certifies them as Local Coastal Program Amendments. Click the Ordinance number to view the full Strikeout Ordinance and click the Amended Section link to view the previous version of this section highlighting changes to prior language. Once the California Coastal Commission has certified the amendments, a Certified Date will be added to the relevant Ordinance note above.