

## CHAPTER 44

### OFF-STREET PARKING REGULATION

44.01 Purpose and Intent. The purpose of this regulation is to provide adequate, functional, aesthetically pleasing and secure off-street parking facilities and to allow for the creation of additional parking where appropriate, to serve the Village Commercial District. Additionally, the intent of this regulation is to preserve the rural character of the community and to maintain, preserve and enhance the pedestrian orientation and historic architectural character of the Village area. For properties other than Use Class Districts A or L, applicants should review the Association's Multifamily Building Regulation (Chapter 43) and Village Commercial District Design and Development Regulation (Chapter 47) to determine the applicability of these regulations to a specific property.

#### 44.02 Definitions.

44.0201 "Gross Floor Area" shall mean the area included within the surrounding walls of a building as measured from the exterior. Exempted from this definition are interior courtyards, arcades and unroofed sidewalk café areas.

44.0202 "Joint Use Parking" shall mean the sharing under recorded written agreement, as approved by the Manager as to form and content, of an off-street parking facility or facilities by two (2) or more separate non-residential uses or establishments.

44.0203 "Multifamily Building" shall mean an apartment house, flat, house court or multiple dwelling, as such terms are defined in Article IV, Section 1 [Paragraphs 72, 80, 83 and 86 respectively] of the Protective Covenant. Notwithstanding the foregoing, for the purposes of this regulation, the following are excluded from the definition of Multifamily Building: hotels and dormitories.

44.03 Applicability. This regulation applies to all properties under the jurisdiction of the Protective Covenant. All uses of property hereafter erected, constructed, altered, converted, or enlarged, shall be provided with not less than the number of parking spaces hereinafter specified; provided, however, in computing the number of spaces required for a use which was constructed prior to March 6, 1980, and which is subsequently converted, altered or enlarged, only the increased floor space or number of dwelling units shall be considered.

44.04 Historic Buildings Exemption. The Board of Directors ("the Board") may waive the parking requirements contained in this Chapter for buildings listed in the "Rancho Santa Fe Local Inventory of Historic Buildings", where it can be found that the granting of the waiver will better preserve and maintain the architectural character, pedestrian orientation, or otherwise encourage or facilitate the restoration or preservation of historic buildings.

#### 44.05 Required Parking Spaces.

44.0501 Parking Standards. Unless otherwise specified below herein, one (1) parking space shall be provided for every 300 square feet of Gross Floor Area and any remainder portion thereof which is at least 150 square feet.

44.0502 Multiple Uses. The required number of parking spaces for two (2) or more separate uses on the same lot or building site shall be the total of the parking requirements for each of the separate uses.

44.0503 Single Family Dwellings. Three (3) parking spaces per dwelling shall be provided. Each single family dwelling shall, at a minimum, have a two-car, enclosed garage. If the third parking space is not enclosed, then such parking space shall be located in a screened area, subject to the approval of the Art Jury, so that vehicles are not visible from streets or surrounding properties. Garage conversions shall, at a minimum, require the provision of a two-car enclosed garage and an additional off-street parking space pursuant to this section, where said garage conversion would result in less than two (2) remaining enclosed parking spaces and less than one (1) off-street parking space or its equivalent. Parking for recreational vehicles, campers, trailers, motorcycles and boats, shall be screened so that such vehicles are not visible from streets or surrounding properties and shall conform to Chapter 11 Visual Clutter and Vehicle Regulation.

44.0504 Guest Houses. Guest houses shall be required to provide one (1) off-street parking space. Such spaces shall be screened so that vehicles are not visible from streets or surrounding properties. An enclosed garage shall be considered an off-street parking space.

#### 44.0505 Multifamily Buildings.

44.0505.01 Each unit or separate living space in a Multifamily Building shall be provided with its own two-car, enclosed garage. There shall also be at least one (1) additional off-street parking space for every four (4) units or separate living spaces.

44.0505.02 For any building plans approved by the Art Jury after November 20, 2008, parking or storage of all recreational vehicles, campers, trailers and boats shall be prohibited in multifamily developments.

44.0506 Hotels, Motels, Residential Hotels, Apartment Hotels, Resort Hotels, Clubs, Lodges, Boarding Houses. At least one (1) parking space shall be provided for each of the guest rooms or suites. The Art Jury or the Board as appropriate may require an applicant to perform a parking demand study to assist the Association in determining the required number of parking

spaces. Accessory uses, if any, shall be included in the parking demand study pursuant to Section 44.0502 of this chapter. In no case however, shall the required parking be less than one (1) parking space for each guest room or suite.

44.0507 Auditoriums, Theaters, and Similar Places of Public Assembly. At least one (1) parking space shall be provided for every four persons based on the total occupancy of the largest assembly room as permitted by the California State Building Code. The Art Jury or the Board as appropriate may require an applicant to perform a parking demand study to assist the Association in determining the required number of parking spaces. Accessory uses, if any, shall be included in the parking demand study pursuant to Section 44.0502 of this chapter.

44.0508 Retail Business and Office Buildings. One (1) parking space shall be provided for every 300 square feet of Gross Floor Area.

44.0509 Medical Offices and Restaurants. For any building plans approved by the Art Jury after November 20, 2008, one (1) parking space shall be provided for every 200 square feet of Gross Floor Area.

44.0510 Joint Use Parking. Joint Use Parking facilities may be permitted provided all of the following requirements are met:

44.0510.01 There are adequate parking spaces to meet the requirement of the more intensive use;

44.0510.02 Joint Use Parking facilities shall be located within 500 feet of any portion of each of the facilities they serve or such greater distance as approved by the Art Jury or the Board where applicable;

44.0510.03 Where the Board finds that the business or use sharing parking exhibits hours of operation and other operating characteristics that are sufficiently divergent as to cause no concurrent demand for such facility or facilities; and,

44.0510.04 Joint Use Parking documents shall be recorded on forms provided, or approved in advance, by the Association. After all property owners have signed the document, the Association shall file the document for record in the Office of the San Diego County Recorder. Any modification to the signed document must be approved by the Association.

44.06 Location of Required Off-Street Parking. All required spaces (except Joint Use Parking) shall be located on the same lot or building site, or on an adjoining lot under the same ownership as the use they are intended to serve, and all required spaces (including Joint Use Parking) shall conform to the following provisions:

44.0601 Parking in Use Class Districts of A, B, C, H, J and L as defined in the Protective Covenant. Open parking spaces and parking areas in Residential Use Class Districts of A, B, C and L and in Business and Public Use Districts of Class H and J shall be adequately screened from view from adjacent streets and properties to the satisfaction of the Art Jury or the Board as applicable.

44.0602 Parking in Use Class Districts D, E, F, G and K. Parking spaces shall conform to the requirements of Chapter 47 of this Code, where applicable, and shall be located:

- a. Between the rear of the building and the rear lot line;
- b. In an interior side yard which is screened from any street frontage;
- c. Within the building; or
- d. In an underground structure.

44.07 Design Standards for Off-Street Parking. Off-street parking spaces and areas shall meet the following design and improvement standards:

44.0701 Size and Access. An off-street parking space shall be an unobstructed space or area other than a street or alley, not less than 9 feet wide and 20 feet long, provided with adequate ingress and egress, and which is permanently reserved and maintained for the parking of motor vehicles.

44.0702 Tandem Parking. No required parking space shall be in tandem with any other required parking space.

44.0703 Exhibits. Off-street parking spaces and areas shall also comply with the design and improvement standards on Exhibits A, B, C and D attached to this chapter.

44.08 Screening Requirements. All off-street parking spaces and areas shall be screened, to the satisfaction of the Art Jury or the Board where applicable, from view of nearby properties. Properties located within the Village Commercial District boundaries shall also conform to Chapter 47, Village Commercial District Design and Development Regulation;

44.0801 Timing and Maintenance. All required plantings shall be in place prior to use or occupancy of new buildings or structures. All required plantings shall be maintained in good condition, and whenever necessary, shall be replaced with new plant materials to ensure continued compliance with applicable landscaping, buffering and screening requirements. All landscaping shall be maintained in a manner that will not adversely affect adjacent properties. The Art Jury maintains continuing authority over landscaping which has been required as a condition of an issued permit or a certification of completion and compliance pursuant to the Protective Covenant and Chapter 42 of this Code.

44.09 Effective Date. The effective date of this chapter is October 6, 1994.

44.10 Amended Date. This chapter was amended at §44.0202 on January 15, 1998. This chapter was amended and restated on November 20, 2008.