

ONCE UPON A TIME IN NORTH PARK

CC&Rs FOR A RESTRICTED RESIDENCE DISTRICT

By Katherine Hon

In 1907, Hartley's North Park was billed as "the most up-to-date restricted residence district in San Diego" in an advertisement by Stevens & Hartley, Sole Agents. The streets were touted as "graded and surfaced with decomposed granite," and as having "sidewalks and curbs, ornamental corner posts, etc." The reservations and restrictions, which we would recognize now as building standards and Covenants, Conditions & Restrictions (CC&Rs) for a modern subdivision, reflected the values and conditions of the times.

At this time, Hartley's North Park Addition extended from Missouri Street (now 32nd Street) on the east, to Ray Street on the west, and from Gunn Street on the south to University Avenue on the north. Internal streets heading north-south were Grim Avenue, Hart Avenue (now 31st Street), and Herman Avenue. The middle street heading east-west was Wightman Street (now North Park Way). Two trolley car lines, one on University Avenue and one on 30th Street, met at the "The Busy Corner" Transfer Point, where Stevens & Hartley had a branch office.

As might be expected for a restricted residence district, the first reservation and restriction for the lots sold in Hartley's North Park was that "The property hereby conveyed shall be used for residence purposes only and exclusively." Only one residence or dwelling was permitted at any one time, and residences were to have at least a street frontage of 50 feet. No buildings for business purposes were allowed to be constructed, except for the properties facing University Avenue. Home-based businesses would not have been allowed either, as the fifth restriction stated that "No residence, nor any part thereof, erected or placed on said property, shall at any time be used for any business purpose or purposes, or for any purpose other than a single private residence." And in case anyone missed the point that this was a single family home residential district, another restriction stated that "No double-house, tenement house, lodging-house, boarding-house, club-house, apartment house, flats, hotels, theatre, church school, store, nor any kind of building or residence, except a residence for use as a single private residence, shall be erected, placed or maintained on said property."

The 13th restriction makes the reader question what was allowed in less exclusive San Diego developments at the time. It stated, "No male poultry or farm animals of any kind (except horses) shall be kept or allowed to be kept on said premises hereby conveyed." So in Hartley's North Park, you could sleep soundly, knowing you would not be awakened early by a rooster crowing. But could you still have hens to lay fresh eggs for breakfast?

The 14th restriction is a sobering statement of early 1900's social conditions. It required that "No conveyance, transfer, or lease of said property, nor any lease of any building, that may be placed thereon, shall be made to any person not belonging to the Caucasian race or being one of that race, and neither the said property nor any building thereon shall be used or occupied by any person not belonging to the Caucasian race, as owner, lessee or tenant, nor in any other capacity except as servant."

Fortunately, North Park has grown well beyond its exclusive and restricted beginnings to become a diverse and open community.