

Article 9: La Jolla Planned District
(“La Jolla Planned District” added 3-27-2007 by O-19595 N.S.)

Division 1: General Rules
(“General Rules” added 3-27-2007 by O-19595 N.S.)

§159.0101 Purpose and Intent

- (a) It is the purpose of the La Jolla Planned District to require that development and redevelopment of land in the central core area, outlying neighborhood commercial centers, and the cultural and multi-family areas west and north of the village commercial core of La Jolla will be accomplished in a manner that retains and enhances the economic, historical, architectural, educational, civic, social, cultural, and aesthetic values, and the overall quality of life within the community. The intent is to implement the goals and objectives of the adopted La Jolla Community Plan (1976), the La Jolla - La Jolla Shores Local Coastal Program Addendum (1983), and the General Plan of the City of San Diego.
- (b) In accordance with the public health, safety, and general welfare, these regulations are intended to protect the unique character of La Jolla by:
 - (1) The maintenance and encouragement of a diversified and balanced land use pattern including adequate levels of community retail services and residential development opportunities within the commercial areas while limiting additional office use;
 - (2) The protection and enhancement of scenic vistas to the ocean, shoreline and hillside areas;
 - (3) The maintenance of traditional building scale and facades in new commercial developments;
 - (4) The provision of plazas, courtyards, malls, and other public amenities which serve to enhance the pedestrian environment;
 - (5) The encouragement of small lot development in keeping with the traditional rhythm and spacing of buildings along the major retail oriented streets;
 - (6) The beautification of the streetscape through appropriate landscaping, street furniture, and sidewalk surface treatment;

- (7) The protection of architecturally, historically and culturally significant structures;
 - (8) The prevention of commercial encroachment into adjacent residential development;
 - (9) The preservation and maintenance of cultural uses in the Cultural Zone;
 - (10) The preservation of the traditionally diverse and harmonious architectural styles, and design preferences reflecting the community's history and to encourage complementary design and construction; and
 - (11) The maintenance of the traditional scale and character of residential development bordering the commercial village core and shoreline areas.
- (c) These regulations are intended to improve traffic circulation and access to recreation, visitor-serving retail, cultural and residential uses through specific restrictions on office development and the provision of off-street parking standards. The office restrictions and parking standards are consistent with the need to maintain the pedestrian scale of the commercial areas, reduce peak hour traffic congestion, and assure that office uses do not come to dominate such areas nor adversely affect the retail continuity of the major commercial streets. Additionally, these regulations are intended to ensure that new residential development and redevelopment is compatible with the traditional scale and character of the multi-family area and complementary to the Cultural Zone.

*(“Purpose and Intent” added 3-27-2007 by O-19595 N.S.; effective 4-26-2007.)
(Amended 6-18-2013 by O-20261 N.S.; effective 7-19-2013.)*

§159.0102 Boundaries of the Planned District

These regulations shall apply in the La Jolla Planned District which is within the boundaries of the La Jolla community planning area in the City of San Diego, designated on that certain Map Drawing Nos. C-690.2 and B-3934, and described in the appended boundary description filed in the office of the City Clerk under Document Nos. OO-16312 and OO-17613.

(“Boundaries of the Planned District” added 3-27-2007 by O-19595 N.S.; effective 4-26-2007.)

§159.0103 Applicable Regulations

Where not otherwise specified in the La Jolla Planned District, the following provisions of the Land Development Code apply:

- Chapter 11 (Land Development Procedures);
- Chapter 12 (Land Development Reviews);
- Chapter 13 (Zones);
- Chapter 14, Article 1 (Separately Regulated Use Regulations);
- Chapter 14, Article 2, Division 1 (Grading Regulations);
- Chapter 14, Article 2, Division 2 (Drainage Regulations);
- Chapter 14, Article 2, Division 3 (Fence Regulations);
- Chapter 14, Article 2, Division 4 (Landscape Regulations);
- Chapter 14, Article 2, Division 5 (Parking Regulations);
- Chapter 14, Article 2, Division 6 (Public Facility Regulations);
- Chapter 14, Article 2, Division 8 (Refuse and Recyclable Materials Storage Regulations);
- Chapter 14, Article 2, Division 12 (Sign Regulations);
- Chapter 14, Article 3 (Supplemental Development Regulations);
- Chapter 14, Article 4 (Subdivision Regulations);
- Chapter 14, Article 5 (Building Regulations);
- Chapter 14, Article 6 (Electrical Regulations); and
- Chapter 14, Article 7 (Plumbing and Mechanical Regulations)

Where there is a conflict between the Land Development Code and the La Jolla Planned District, the Planned District applies.

(“*Applicable Regulations*” added 3-27-2007 by O-19595 N.S.; effective 4-26-2007.)

§159.0110 Definitions

It is the purpose of Section 159.0110 to provide clear and concise definitions of those words, terms, and phrases which apply specifically to the La Jolla Planned District. The definitions in Land Development Code Section 113.0103 apply unless there is a conflict with the definitions in the La Jolla Planned District. Where a conflict exists the definitions in the La Jolla Planned District prevail.

- (a) **Accessory Uses** - Any accessory use is intended to serve only the occupants of a principal permitted use on the premises and not the general public (see Section 159.0305).
- (b) **Auto Oriented Establishment** - Auto oriented establishments are auto repair shops, automobile parts store, enclosed automobile sales, gasoline stations, car washes, and any other retail use or service which provides goods and services for automobile sales and maintenance, excluding outdoor car sales lots.
- (c) **Basement** - That portion of a building which is partly below and partly above finished grade but located so that vertical distance from grade to the floor below is less than the vertical distance from grade to ceiling.
- (d) **Cellar** - That portion of a building which is wholly or partly below grade and located so that the vertical distance from grade to floor is equal to, or greater than, the vertical distance from grade to ceiling.
- (e) **Community Character** - The particular combination of community resources which are associated with the community and collectively establish the sense of time, place and uniqueness associated with La Jolla.
- (f) **Community Resource** -Community resources are visual, cultural, archaeological, architectural, and historical focal points within a community they may be man-made or natural.
- (g) **Department Store** - An establishment which is exclusively used for the retail sale of different products and merchandise types where the entire premises are used by a single tenant.
- (h) **Drive-thru Facility** - Any facility requiring a vehicular crossing of a **public** sidewalk for the purposes of entering the premises, and performing a business transaction from the vehicle. Examples of drive-thru facilities are service stations, bank drive-thrus, drive-in restaurants, drive-thru restaurants, drive-thru cleaners, and other similar businesses, but excluding parking lots.

- (i) **Building Street Facade** - The face or faces of the building nearest the **street** or streets.
- (j) **Existing Cultural Use Within Zone 6** Any of the cultural institutions, or any portion thereof, within Zone 6 as shown on that certain Map Drawing No. C-690.1, on file in the office of the City Clerk. These cultural institutions are: 1) the La Jolla Recreation Center, 2) the La Jolla Woman's **Club**, 3) the La Jolla Museum of Contemporary Art, 4) the Bishop's School, 5) St. James-by-the-Sea Episcopal Church, and 6) the La Jolla Presbyterian Church.
- (k) **Fast Food Restaurants** - A restaurant business which sells primarily **prepackaged**-precooked food or packaged food cooked on the premises, and provides minimal seating areas on the premises. Food sold by this restaurant is typically eaten outside the premises. This definition would not include confectionery-type uses such as a candy store.
- (l) **Floor Area Ratio** - The numerical value obtained by dividing the gross floor **area** of a building or buildings on the premises by the total parcel area of the premises on which such building or buildings are located.
- (m) **Ground Floor** - The floor level nearest to street grade. Where two floor levels are equidistant from street grade, the lower floor shall be designated as the ground floor.
- (n) **Height** - Notwithstanding the definition of height in Land Development Code Section 113.0103, the term height means the vertical distance between any point on any structure and the preexisting grade or finished grade, whichever is lower, directly below it. (See Appendix B.)
- (o) **Heritage Structure** - A heritage structure means any building or structure which is found by the City of San Diego Historical Resources Board to be worthy of preservation.
- (p) **In-lieu Fees** - The fees paid as an alternative to providing the required improvement on site. The "in-lieu fee" may be equivalent to the full cost, or percent of cost, of providing the improvement on site.
- (q) **Landscaped Areas** - Landscaped areas on private property shall be defined as those unroofed areas open to the sky which include hardscape (paved pedestrian areas, fountains, sculptural elements), and vegetation.
- (r) **Mall** - A narrow pedestrian landscaped area on private property, unroofed and open to the sky and developed through the building or between two buildings, linking a street to an alley or to streets (see Appendix B).

- (s) **Maximum Base Density** - The maximum building floor area ratio allowable, by right, on each lot.
- (t) **Maximum Bonus Density** - The maximum building floor area ratio allowable **under** special circumstances, in order to provide development incentives for certain land uses that are highly desirable in the community.
- (u) **Minor Addition or Enlargement** - Any building expansion that does not exceed **30 percent** of the gross floor area of the existing building or 3,000 gross square feet, whichever is less.
- (v) **Mixed Use** - Any project that includes two or more land use categories.
- (w) **Office** - An enterprise, organization or component thereof engaged in business, professional, or administrative activities including but not limited to corporate headquarters; governmental agencies; professional services such as physicians, attorneys, architects, and accountants; banks and financial institutions such as saving and loans; insurance firms, brokerage firms, and investment companies; real estate offices; and advertising agencies.
- (x) **Parking Structure (Above Ground)** - Any structure located at or above grade and **used** primarily for off-street parking purposes. This definition also includes ground level parking areas covered by a structure, and above ground roof parking area.
- (y) **Patio** - A **pedestrian** area on private property, open to the sky and surrounded on at least three sides by a building (see Appendix B).
- (z) **Plaza** - A landscaped space on private property, unroofed and open to the sky and an **adjoining** public right-of-way (street/sidewalk). A plaza is open to all types of pedestrian activity permitted in the adjacent sidewalk area (see Appendix B).
- (aa) **Rehabilitation** - Rehabilitation is defined as the process of returning a property to a state of utility, through repair or alteration, which makes possible an **efficient** contemporary use while preserving those portions and features of the property which are significant to its historic, architectural, and cultural values. Under rehabilitation, every reasonable effort shall be made to provide compatible use for a property which requires minimal alteration of the building, structure, or site and its environment. The distinguishing original qualities or character of a building structure, or the site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided.

- (bb) **Retail Establishment** - A retail enterprise, organization or component thereof engaged in the dispensing of consumer goods and/or services to the general public, including restaurants, and consisting of one or more of those businesses listed in Appendix A.
- (cc) **Small Lot** - Any lot which is 6,000 square feet, or less, in area.
- (dd) **Subarea** - A portion of the territory within the boundaries of a zone. A subarea will **contain** specific regulations and requirements which supersede certain regulations of the zone.
- (ee) **Visual Access Corridor (Private Property)** - Any portion of a property located between a public right-of-way and a natural scenic vista which is unroofed, and open to the sky and maintained free of all visual obstructions.
- (ff) **Zone** - A portion of the territory within the boundaries of the La Jolla Planned District within which certain regulations and requirements apply under the provisions of the **Planned District Regulations**, as designated on Map C-690.2, Document No. OO-16312, on file in the office of the City Clerk.
(“Definitions” added 3-27-2007 by O-19595 N.S.; effective 4-26-2007.)

§159.0111 Calculating Gross Floor Area

- (a) For the purpose of calculating Floor Area Ratio (FAR) the gross area shall consist of the total horizontal area expressed in square feet, of all the floors of a building included within the surrounding walls, including shafts, enclosed stairwells at all levels, and above ground parking structures.
- (b) For the purpose of common area allocations to different uses, all common areas (hallways, service areas, mechanical equipment rooms, etc.) shall be allocated to each use based on the percent of gross floor area occupied by each use.
- (c) Gross area shall include:
 - (1) Enclosed stairwells and ramps, above ground structures and exterior elevator shafts.
 - (2) The floor area of mezzanines and other similar interior balconies.
 - (3) Half stories (attics), as described in Land Development Code Section 113.0103 and Chapter 11, Article 3, Division 2 (Rules for Calculation and Measurement) basements and cellars. Areas of basements, and cellars utilized exclusively for parking are not included in the calculation of gross floor area.

- (4) Penthouses as described in Land Development Code Section 113.0103 and Chapter 11, Article 3, Division 2 (Rules for Calculation and Measurement) shall be included in gross floor area, except when meeting the following criteria:
- (A) The enclosure must be used exclusively for housing elevator mechanical equipment or stairs;
- (B) The height of enclosures above the roofline is no more than 13 feet for an elevator shaft nor more than 9 feet for a stairwell;
- (C) The total plan area of an enclosure or enclosures is not more than 10 percent of the roof plan area of the building.
- (5) Any roofed area where more than 75 percent of the perimeter is enclosed by walls or windows.

(“Calculating Gross Floor Area” added 3-27-2007 by O-19595 N.S.; effective 4-26-2007.)