

Article 9: La Jolla Planned District
*(“La Jolla Planned District” added 3-27-2007
by O-19595 N.S.; effective 4-26-2007.)*

Division 3: Zones
(“Zones” added 3-27-2007 by O-19595 N.S.; effective 4-26-2007.)

§159.0301 Planned District Zones

- (a) The following six zones are created along the designated street corridors in order to maintain and encourage development of a land use mix consistent with each zone's use and function. The division into zones will set forth permitted uses, land use densities and allocations for ground floor uses consistent with the Local Coastal Program and Community Plan Guidelines, as well as special restrictions for the development of the cultural and multi-family zones, above ground parking facilities, drive through establishments, hotel/motel development, setbacks and access requirements.
- (b) The boundaries of the six zones are designated on Drawing Nos. C-690.2 and B-3934.
- (c) ZONE 1: Girard Avenue and Prospect Street
 - (1) This zone includes the primary retail and visitor oriented commercial area in the core of La Jolla. This area is characterized by high levels of pedestrian activity. Standards for this zone are designed to maintain that pedestrian scale and continuity, and preserve and enhance the retail development pattern of department stores, and small retail shops and restaurants.
 - (2) Subarea 1A, included in this zone is comprised of the area on the seaward or north side of Prospect Street from Cave Street to Eads Street. This subarea has been identified because of its unique orientation to the ocean. The La Jolla Planned District addresses development standards for the protection and enhancement of public ocean views.

(d) **ZONE 2: Herschel Avenue**

This zone includes an area characterized by community serving office development intermixed with retail establishments. Development standards for this zone are designed to permit the limited grouping of community serving professional offices, and to encourage residential uses to provide a transition zone to the single-family residential areas to the east.

(e) **ZONE 3: Fay Avenue**

This zone includes an area characterized by a mixture of community serving offices and retail establishments. Development standards for this zone are intended to maintain that community serving retail/office balance and encourage residential uses to provide a transition zone to the multi-family residential areas to the west.

(f) **ZONE 4: Pearl Street and La Jolla Boulevard**

This zone includes neighborhood commercial areas characterized by small retail shops. Development in this zone is dominated by community serving and visitor service retail uses. This area, unlike the other zones, is automobile oriented because of its location along major streets. Development standards for this zone are intended to maintain the retail community serving and visitor serving uses, and encourage the development of some community serving offices, and residences.

(g) **ZONE 5: Multi-Family Zone**

- (1) This zone includes the multi-family area to the west and north of the commercial core area and extends northward, northwestward and westward to the shoreline. This area is of major importance due to its location adjacent to the shoreline, its relatively higher density and its location as the connecting link between the commercial core and the scenic shoreline and bluffs areas. Standards for new residential development and for redevelopment are intended to maintain the scale and character traditionally associated with these older residential portions of the village.
- (2) Subarea 5A, included in this zone, comprises the area on the seaward, or northwesterly, side of Prospect Street from Eads Avenue to La Jolla Boulevard. This subarea has been identified because of its unique orientation to the ocean. The standards are intended to protect and enhance public ocean views.

(h) ZONE 6: Cultural Zone

- (1) This zone includes a unique assemblage of cultural uses representing the distinctive architectural, cultural, educational and historical heritage of La Jolla. A large portion of the properties in the zone were donated to the institutional cultural users who have enjoyed the privilege of a tax-free status for their entire existence. The regulations are intended to provide that the highest land use priority shall be reserved for these existing cultural uses. The design standards are intended to maintain the area's unique architectural appearance and scale.
- (2) Subarea 6A, included in this zone, comprises the area on the seaward, or northwesterly, side of Prospect Street from approximately Eads Avenue to approximately Cuvier Street. This subarea has been identified because of its unique orientation to the ocean. The standards are intended to protect and enhance public ocean views.

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

§159.0302 Permitted Uses

The following regulations apply to all the zones and are not subject to modification or variance except as noted. No building or improvement or portion thereof shall be erected, constructed, converted, established, altered, or enlarged, nor shall any lot or premises be used except for one or more of the following purposes:

- (a) Zones 1, 2, 3 and 4 –
 - (1) Retail establishments as identified in Appendix A of the La Jolla Planned District, subject to the ground floor and street frontage requirements of Section 159.0306.
 - (2) Offices, subject to the ground floor and street frontage requirements of Section 159.0306, and density requirements of Section 159.0307(c)(1).
 - (3) Residential Development which shall be limited to 29 dwelling units per net acre and subject to the development controls of the La Jolla Planned District.
 - (4) Hotels/Motels in Zones 1, 2, and 3, subject to a Special Use Permit, provided that the required findings are made as identified in Section 159.0211(c). Hotels/Motels are not permitted in Zones 4, 5, or 6.

- (5) In Zones 1, 2, 3, and 4, other uses which shall be permitted, subject to a Special Use Permit consistent with Sections 159.0210 and 159.0211 of the La Jolla Planned District, are as follows:
- (A) Private clubs, fraternal organizations and lodges
 - (B) Churches and religious facilities
 - (C) Civic buildings
 - (D) Public and private libraries
 - (E) Other uses designated in Section 151.0401 that are permitted in other commercial zones of the City under a Conditional Use Permit are permitted in Zones 1, 2, 3 and 4 provided they are processed as a Special Use Permit and comply with all the requirements and standards of Sections 159.0210 and 159.0211 of the La Jolla Planned District.
- (b) Zone 5 -- Residential development or redevelopment which shall be limited to 29 dwelling units per acre shall be permitted. In addition, those cultural uses, and accessory uses thereto, listed in Appendix E, are permitted with a Special Use Permit in accordance with Section 159.0211(n).
- (c) Zone 6 -- Only cultural uses and accessory uses thereto, as listed in Appendix E of the La Jolla Planned District shall be permitted.
- (d) Parking Lots and Parking Structures:
- (1) Surface parking lots (including street level roof areas of underground parking structures) complying with the requirements of Section 159.0404(g).
 - (2) Above ground parking structures, may be permitted with a Special Use Permit in Zones 2, 3, 4, or 6 subject to the provisions in Section 159.0211(h) of the La Jolla Planned District Ordinance. Above ground structures are not permitted in Zones 1 or 5.
- (“Permitted Uses” added 3-27-2007 by O-19595 N.S.; effective 4-26-2007.)*

§159.0303 Change of Use

A change of use that requires compliance of the project with the La Jolla Planned District is any change of use that includes but is not limited to the following:

- (a) Residential use to any type of commercial use including offices and retail;
- (b) Commercial retail or service establishments to banks or savings and loans, business or professional offices, or restaurants;
- (c) Banks or savings and loans to business or professional offices, or restaurants;
- (d) Business or professional offices to restaurants;
- (e) Restaurant to office or retail;
- (f) A non-drive-thru use to a drive-thru use;
- (g) Any use to a timeshare project; and
- (h) Any change of an establishment or tenancy which would require an increase in the number of off-street parking spaces based on the parking ratios contained in Section 159.0404, or would affect the street level use requirements of this ordinance as identified in Section 159.0306.
- (i) Any change from an Existing Cultural Use within Zone 6 to any other use. Demolition of all or any part of an Existing Cultural Use within Zone 6 shall be considered a change of use.
- (j) No use (vacant) to any use.

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

§159.0304 Previously Conforming Uses

Land Development Code Chapter 12, Article 7, Division 1 (General Review Procedures for Previously Conforming Premises and Uses) applies except that expansion or enlargement of previously conforming uses is not permitted. Any change in building facade materials or colors shall conform to the provisions of the La Jolla Planned District.

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

§159.0305 Accessory Uses

An accessory use is intended to serve only the occupants of the principal permitted uses on the premises and not the general public. It shall be permitted only if it complies with all of the following requirements:

- (a) Accessory uses shall be limited to those uses which are customary, incidental to, related to and clearly subordinate to a permitted principal use established on the same premises. In Zones 5 and 6, accessory uses are limited to those uses listed in Appendix E.
- (b) The combined gross floor area of all accessory uses on any premises shall occupy not more than 20 percent of the gross floor area occupied by the principal permitted uses.
- (c) All accessory uses shall be located in the same building or buildings which they serve with the exception of loading areas or refuse collection areas. There shall be no entrance to any accessory use except through a foyer, lobby, fully enclosed court or a similar interior area.
- (d) In Zones 5 and 6, no signs, displays or advertising relating to the accessory uses shall be visible from any street.

(“Accessory Uses” added 3-27-2007 by O-19595 N.S.; effective 4-26-2007.)

§159.0306 Ground Floor and Street Frontage Requirements

- (a) Retail - Retail uses are required on the ground floor as shown in Table 159-03A.

Table 159-03A

Retail

Zone	Minimum Percent of Gross Ground Floor Area	Minimum Percent of Structure's Street Frontage Length
1	50% ⁽¹⁾	75%
2	No minimum required	No minimum required
3	50%	50%
4	50%	50%
5	Not applicable	Not applicable
6	Not applicable	Not applicable

Footnote for Table 159-03A

- ¹ Access to the retail spaces from loading areas or alleys shall be provided where available.

- (b) Office - Office uses are restricted on the ground floor as shown in Table 159-03B.

Table 159-03B

Office

Zone	Maximum Ground Floor Area Restrictions	Maximum Street Frontage Length Restriction
1	25%	25%
2	No ground floor restriction	No ground floor restriction
3	50%	50%
4	50%	50%
5	Not applicable	Not applicable
6	Not applicable	Not applicable

- (c) Residential - Residential uses shall be restricted on the ground floor as shown in Table 159-03C.

Table 159-03C

Residential

Zone	Restriction
1	Not permitted within front 50% of lot
2	No restriction
3	Not permitted within front 50% of lot
4	Not permitted within front 50% of lot
5	No restriction
6	Not applicable

(“*Ground Floor and Street Frontage Requirements*” added 3-27-2007 by O-19595 N.S.; effective 4-26-2007.)

§159.0307 Property Development Regulations

No building or portion thereof shall be erected, constructed, converted, established, altered or enlarged, nor shall any premises be used unless the lot or premises and buildings shall comply with the applicable development regulations. Please refer to Appendices B and C for illustrations of the development regulations.

(a) Minimum Lot Area and Dimensions

- (1) In all zones the minimum lot area size shall be 2,500 square feet, with a minimum frontage of 25 feet and a minimum lot depth of at least 100 feet, except as indicated in 159.0307(a)(2).**
- (2) Any lot which qualifies under the definition of a lot as set forth in the La Jolla Planned District and which does not comply in all respects with the minimum lot dimensions specified herein may nevertheless be used as permitted and otherwise regulated by the provisions applicable to the La Jolla Planned District, consistent with Land Development Code Section 113.0103 and Section 113.0237.**
- (3) Lot Splits**
 - (A) Where any lot legally existing as of October 1, 1984, is subsequently divided into two or more lots, the maximum total combined area of office use on all lots resulting from the division shall not exceed the square footage limitation listed for the zone in which the lots are located prior to lot subdivision. See Section 159.0306.**
 - (B) For purposes of the square footage limitations in the La Jolla Planned District, a parcel shall be defined as any contiguous piece of land which as of October 1, 1984, was comprised of one or more lots which were occupied generally by one building development, or by a general parking area, or was vacant, or any combination of the foregoing. Lot split requirements shall be as indicated in Section 159.0307(c).**
 - (C) No parking exceptions shall be provided for newly created lots smaller than 6,000 square feet.**

(b) Yard and Setbacks

Except as provided in Section 159.0402, the following minimum yard and setback requirements shall be observed:

(1) Front Yards

- (A) Zones 1, 2, 3 and 4 -- No requirement.
- (B) Zones 5 and 6 -- A 15-foot minimum front yard is required, measured from the front property line to the building. A five-foot maximum encroachment into said yard may be approved, provided such encroachment does not exceed 50 feet in total length for any one encroachment and further provided that an additional equivalent landscaped area is provided directly in front of the building and behind and adjacent to the required yard (see also Section 159.0307(b)(6), and Appendix G).

(2) Street Side Yards

- (A) Zones 1, 2, 3 and 4 -- No requirement.
- (B) Zones 5 and 6 -- A 10-foot minimum yard is required. A 3-foot encroachment into said yard may be approved, provided such encroachment does not exceed 50 feet in total length for any one encroachment and further provided that an additional equivalent landscaped area is provided directly in front of the building and behind and adjacent to the required yard. (See also Section 159.0307 (b)(6), and Appendix G).

(3) Interior Side Yards

- (A) Zones 1, 2, 3 and 4 -- None required, except that a four-foot side yard shall be provided if any portion of the side lot line abuts residentially zoned property. Such side yard shall be increased seven feet for any building height above 20 feet.
- (B) Zones 5 and 6 -- A four-foot minimum yard is required. Such yard shall be increased to seven feet for building heights above 20 feet.

(4) Rear Yards

- (A) Zones 1, 2, 3 and 4 -- None required, except that a 15-foot rear yard shall be provided if any portion of the rear lot line abuts residentially zoned property. Such rear yard shall be increased three feet for any building height above 20 feet.
- (B) Zones 5 and 6 -- A 15-foot minimum rear yard is required. Where the rear yard fronts along an alley, the rear yard may be reduced to 10 feet.

(5) Street Frontage Setback

All Zones -- A minimum 16-foot setback, measured from the curb to the building, shall be required. This is a separate requirement that must be met in addition to any front yard setback required by Section 159.0307(b)(1). (See Appendix B).

(6) Street Corner Lot Setbacks

- (A) Zones 1, 2, 3 and 4 -- A building on a street corner lot shall be set back behind an imaginary line that connects a point on each of the street front property lines which is distant from the corner by a length equal to 20 percent of the parcel frontage along that street, or 20 feet, whichever is less. See Appendix B. A 20 percent setback deviation at the property line may be approved as long as an additional equivalent area is made available behind the imaginary line linking the setback points at the property line.
- (B) Zones 5 and 6 -- Refer to Section 159.0402, for requirements.

(c) Floor Area Ratio

- (1) Maximum Base Density. Except as provided in Section 159.0307(c)(2), the maximum development density shall be as indicated in Table 159-03D.

159-03D

Maximum Base Density

Zone	Maximum Base Floor Area Ratio (FAR) Permitted Per Lot	Maximum Office FAR or Area Permitted Within Maximum Base FAR ⁽¹⁾
1	1.3	0.5 or 5,000 gross sq.ft., whichever is less
2	1.3	1.0 or 5,000 gross sq. ft., whichever is less
3	1.3	0.7 or 5,000 gross sq.ft., whichever is less
4	1.0	0.5 or 5,000 gross sq. ft., whichever is less
5	1.5	Not applicable
6	No restriction	Not applicable

Footnote for Table 159-03D

- ¹ For lot splits containing offices uses, the office development maximum area prior to the lot split will apply. See Section 159.0307(a)(3).

(2) Maximum Bonus Density

- (A) A residential/retail mixed use project (with no office uses), shall contain a minimum of 16 percent to a maximum of 50 percent of the total gross floor area in retail use, and the remainder of the total gross floor area in residential use, the maximum building floor area ratio shall be as described in Table 159-03E. The ground floor requirements for retail use, as set out in Section 159.0306(a) shall apply.

Table 159-03E
Residential/Retail Use Projects

Zone	Maximum Building Floor Area Ratio (including bonus)
1	1.7
2	1.7
3	1.7
4	1.3
5	Not permitted
6	Not permitted

- (B) For an exclusively retail use project, containing not less than 26,000 square feet of total gross floor area, occupied by one primary tenant, and the remaining area occupied by additional retail tenants, the maximum building floor area ratio shall be as described in Table 159-03F. The ground floor requirements for retail use, as set out in Section 159.0306(a) shall apply.

Table 159-03F

Retail Use Projects

Zone	Maximum Building Floor Area Ratio (including bonus)
1	1.7
2	1.7
3	1.7
4	1.3
5	Not permitted
6	Not permitted

(d) Maximum Height

- (1) The maximum height of any point on any structure shall be 30 feet. Height shall be measured in accordance with Land Development Code Section 113.0270 with the exception of Section 113.0270(a)(4)(B)(i) and 113.0270(a)(2)(B). See Appendix B of the La Jolla Planned District.

- (2) In addition to the height limit criteria above, the following areas within the planned district, as graphically depicted on Drawing No. C-766 on file in the office of the City Clerk, shall be limited to structures containing a maximum of two stories:
- (A) All portions of Zone 2.
 - (B) All portions of Zone 4.
 - (C) Those portions of Zone 1 generally bounded by Herschel Avenue to the east, the alley parallel to and west of Girard Avenue to the west, Pearl Street to the south and Prospect Street to the north.
 - (D) All portions of Zone 3 south of Silverado Street.
 - (E) That small portion of Zone 5 surrounded by Coast Boulevard South and Coast Boulevard, generally west of the intersection of La Jolla Boulevard and Coast Boulevard South.
- (3) The definition of "story," as it pertains to Section 159.0307(d), is identical to that contained in Land Development Code Section 113.0103.
- (e) Street Facade Envelope

In all zones a street facade envelope shall be created along any property line adjacent to any public street. The envelope shall be measured 20 feet vertically and at the top thereof, shall slope back at a 45 degree angle toward the interior of the lot. No portion of any building or structure shall extend outside such envelope except as noted below (see Appendix B.)

- (1) Twenty percent of the length of the building facade may exceed the 20 foot height limit, in order to provide roofline and facade variations, accents, tower elements, etc.
- (2) Within the street facade envelope, no story or floor level or portion thereof, shall overhang any floor level below, provided however, that balconies on upper floors shall be permitted.
- (3) No building or portion thereof shall project over the public right-of-way above ground level. Awnings and canopies may be permitted to encroach into the public right-of-way, subject to an encroachment permit consistent with the requirements of Section 159.0405 (see Appendix B).

(f) Siting of Buildings in Subareas 1A, 5A and 6A

(1) In Subareas 1A, 5A and 6A on the seaward side of Prospect Street, in order to provide for visual access corridors to the ocean, buildings shall be located so that the major axis of the structure will generally be at a right angle to the shoreline. An open visual access corridor of 10 percent of the lot width shall be maintained open to the sky and free from all visual obstructions from the front property line to the rear property line of the project.

(2) Refuse collection and loading areas shall not be located in any way that interferes into the visual access corridor (see Appendix B).

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

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

§159.0308 Building Surface Materials and Colors

(a) Surface materials shall only be those which are in keeping with the traditional materials of the community. These include:

- (1) Natural materials such as wood, brick, or natural unpolished stone
- (2) Stucco (all stucco must be painted)
- (3) Formed concrete
- (4) Split-faced or slumpstone concrete block

(b) Not more than 40 percent of any exterior building elevation above the first story shall consist of glass or any other material that resembles glass.

(c) At ground floor and other pedestrian levels opaque, reflective or dark tinted glass shall not be used for any portions of the building developed for retail uses.

(d) Surface materials that are not in keeping with the existing character of the community are prohibited, including:

- (1) Metal panels of any kind on walls, roofs of awnings
- (2) Mirrored or highly reflective glass in any quantity

- (3) Glazed tiles covering more than 10 percent of any building elevation or on the roof
 - (4) Polished marble, granite, or similar materials covering more than 10 percent of any building elevation
 - (5) Stucco containing sparkling particles, or integral colored stucco
 - (6) Plain concrete block
 - (7) Plastic materials of any kind except for awnings attached to the building
- (e) Surface colors shall be those which are in keeping with the established character of the community. These include:
- (1) White
 - (2) Natural red-brick tones
 - (3) Light earthtone colors (see Appendix C)
 - (4) Pastel Colors (see Appendix C)
 - (5) Bright, excessively dark, and garish colors which are not in keeping with the established character of the community are prohibited.
Exception: Dark colors are acceptable on roofs.
- (“Building Surface Materials and Colors” added 3-27-2007 by O-19595 N.S.; effective 4-26-2007.)*

§159.0309 Residential Design Criteria

Exclusively residential development shall comply with all of the following standards:

- (a) The proposed use must comply with all applicable development regulations of the La Jolla Planned District Ordinance.
- (b) The proposed use will incorporate architectural features which are of visual interest such as awnings, canopies, colonnades, porches, balconies, arcades, etc.

- (c) The proposed use will utilize pitched roofs and other roof designs to reduce the appearance of bulk and create an appearance compatible with surrounding development.
- (d) The proposed use will provide for private open space areas such as balconies, patios and courtyards. The total area for such spaces shall be not less than 150 square feet per unit.
- (e) The proposed use will utilize low water plant materials as determined by the Landscape Standards together with an automatic irrigation system.
(“Residential Design Criteria” added 3-27-2007 by O-19595 N.S.; effective 4-26-2007.)