

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

Division 4: General and Supplemental Regulations
(“*General and Supplemental Regulations*” added 3-27-2007 by O-19595 N.S.;
effective 4-26-2007.)

§159.0401 Walls and Fences

- (a) Zones 1, 2, 3 and 4-- Prior to the use or occupancy of any premises containing commercial uses, a solid masonry wall of not less than six feet in height shall be constructed along all portions of the perimeter of said premises that abut residentially zoned land.
- (b) Zones 5 and 6--Walls and fences within a required front yard or street side yard shall not exceed three feet in height above the adjacent sidewalk. Such walls and fences shall be architecturally compatible with the main buildings on the premises and shall be constructed of wood, brick, stucco, wrought iron, natural unpolished stone, poured concrete, slumpstone block, split-faced block or a combination of these materials. Chain link is expressly prohibited. All other walls and fences on the premises shall conform to Land Development Code Chapter 14, Article 2, Division 3 (Fence Regulations).

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

§159.0402 Visibility Areas

- (a) Zones 1, 2, 3 and 4 -- Refer to Section 159.0307(b)(6) (Street Corner Lot Setbacks) for requirements.
- (b) Zones 5 and 6 -- Within every premises in Zones 5 and 6 there shall be established visibility areas adjacent to every street corner intersection, driveway (on or off the premises) and alley. These triangular areas shall be of the size, shape and location shown in Appendix F. Within a visibility area, no portion of any fence, wall or other structure shall exceed three feet in height.

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

§159.0403 Landscaping

Prior to the use or occupancy of any lot or premises at least one of the following landscaping requirements must be met. Please refer to Appendix B for illustrations of the requirements for this Section.

(a) Zones 1, 2, 3 and 4 -- Option A

Provide a landscaped area equal to 25 percent of the total lot area. The landscaped area may be provided at the ground level or on upper level balconies, decks, roofs, with permanently affixed planter boxes or any combination thereof. A minimum of 40 percent of the landscaped area shall be vegetated.

(b) Zones 1, 2, 3 and 4 -- Option B

- (1) Provide a ground level landscaped area equal to 15 percent of the total lot area.**
- (2) For landscaped areas designed as buffers, setbacks or visual backdrops, 40 percent of the area shall be vegetated with a combination of groundcover, vines, shrubs, and trees.**
- (3) For large paved pedestrian spaces such as courtyards or plazas, a minimum 24-inch box tree or 15- gallon eight-foot tall tree shall be required for every 200 square feet of paved area.**
- (4) For narrow pedestrian areas such as malls, where trees may not be appropriate, 25 percent of the ground plane shall be vegetated with potted plants, vines, shrubs, or groundcover.**

(c) Zone 1 -- Alternate

In Zone 1, the landscaping requirements may be satisfied by sidewalk improvements consistent with the encroachment permit Section 159.0405, or an in lieu fee as further described in Section 159.0211(l).

(d) Zone 5 -- Option A

Provide a landscaped area equivalent to 50 percent of the total lot area. The landscaped area may be located at the ground level or on upper level balconies, decks, roofs with permanently affixed planter boxes or any combination thereof provided the landscaped area is visible from the opposite side of adjacent public rights-of-way (streets). A minimum of 50 percent of the landscaped area shall be vegetated.

(e) Zone 5 -- Option B

Provide a landscaped area equivalent to 30 percent of the total lot area at ground level, provided the landscaped area is visible from the opposite side of adjacent public rights-of-way (streets). The 15-foot front yard setback shall be fully landscaped except for driveways and walkways. For landscaped areas designed as buffers, setbacks or visual backdrops, 50 percent of the area shall be vegetated with a combination of groundcover, vines, shrubs, and trees.

(f) Zone 6

All required yards shall be fully landscaped in accordance with City-wide Landscape Regulations of Land Development Code Chapter 14, Article 2, Division 4 (Landscape Regulations).

(g) Parking Lots -- Refer to Section 159.0404(g) for requirements.

(h) Landscaping Plans and Maintenance

(1) Prior to the issuance of any building permits, a complete set of landscaping and irrigation plans shall be submitted to the City Manager for approval. The landscaping and irrigation plans shall be in conformance with the requirements of this section and with the Landscape Guidelines of the Land Development Manual.

(2) All required landscaped areas shall be permanently irrigated and maintained in accordance with the Landscape Guidelines of the Land Development Manual.

(3) Paved Surfaces. A minimum of 50 percent of all paved surfaces used for pedestrian activity shall be composed of a textured material such as brick, stone, or tile. The required percentage of textured paving may be combined in a single area such as a courtyard or plaza or integrated with non-textured paving to form bands or other patterns in harmony with the intended architectural theme. See also Streetscape Development Regulations, Section 159.0405 and Appendix D.

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

§159.0404 Parking and Transportation Regulations

(a) Off-street Parking Regulations

Please refer to Appendix B for illustrations of the requirements this Section.

- (1) Every premises used for one or more of the permitted uses listed in Section 159.0302 shall be provided with permanently maintained, off-street parking spaces in a parking area or private garage on the same premises in conformance with Land Development Code Chapter 14, Article 2, Division 5 (Parking Regulations).
- (2) Notwithstanding Land Development Code Section 142.0530(b), the minimum parking requirements apply to outdoor eating and drinking areas that are not in the public right-of-way.
- (3) In Zones 1, 2, 3, and 4, a minimum of 60 percent of the required office parking shall be designated exclusively for employee use free of charge. These spaces may not be used by non-employees of the building or rented to anyone.
- (4) In Zones 1, 2, 3, and 4, a minimum of 20 percent of the required parking for banks and savings and loans shall be designated exclusively for employee use free of charge. These spaces may not be used by non-employees of the building or rented to anyone.
- (5) In Zone 6, one parking space is required for every 600 square feet of cultural accessory use. See Appendix E.

(b) Street Frontage Parking Areas

Street frontage parking (parking between a building and the adjacent public street) shall not be permitted except as follows in Table 159-04A.

**Table 159-04A
Street Frontage Parking Areas**

Zone	Not Permitted	Permitted
1		X
2		X
3		X
4		X
5	X	
6	X	

(c) Rehabilitation Parking Requirements

Parking requirement exemptions shall be provided for rehabilitation projects and heritage structure rehabilitation proposals which are consistent with the use and development regulations, or do not involve a change in use as defined in Section 159.0303 of the La Jolla Planned District Ordinance, provided that the existing number of on-site parking spaces is maintained.

- (1) If the project rehabilitation involves retail use, the parking requirement will be limited to providing parking off the alley. One parking space shall be required per full 10 feet of vacant alley frontage area. If no alley frontage exists no parking shall be required on-site, provided however, that the property owner shall sign an agreement, satisfactory to the City Manager, not to oppose the formation of a future parking or transit district. The agreement shall not include the property owner's right to protest the amount levied subsequent to the establishment of the district or districts. The agreement shall be recorded with the County Recorder and shall run with the land.
- (2) If the project rehabilitation involves a residential use, a minimum of one space per each new unit added shall be required either on site, as a part of a joint parking plan or through in lieu fees towards a community parking district, consistent with Section 159.0211(h) and (j) of the La Jolla Planned District Ordinance.
- (3) If the rehabilitation involves hotel uses, the parking space requirements may be satisfied by a combination of on-site and off-site parking or in lieu transit fees, and a joint parking plan, consistent with Section 159.0211(h),(j) and (k) of the La Jolla Planned District Ordinance.
- (4) If the rehabilitation project involves office uses, the project will be required to meet the office parking requirements as established by this Section either on site or through a combination of a joint parking plan, and/or in lieu fees for parking or transit, consistent with Section 159.0211(h),(j) and (k) of the La Jolla Planned District Ordinance.
- (5) For rehabilitation projects tandem parking may be permitted, provided it does not exceed two full spaces in depth.

(d) Minor Addition Parking Requirements

Parking requirement exemptions shall be provided for minor additions or enlargements (including those made to heritage structures) provided however, that such additions or enlargements do not involve a change in use.

- (1) For retail projects the parking shall be provided off the alley where one parking space shall be required per full 10 feet of vacant alley frontage. Where more than one alley exists the parking requirement shall be based upon the longest alley frontage. If no alley exists no parking shall be required on-site, provided however, that the property owner shall agree not to oppose the formation of a future parking and/or transit district as established by Section 159.0211(j) and (k) of the La Jolla Planned District Ordinance.
- (2) In Zones 1, 2, 3 and 4 for projects including other allowable uses, only the parking for the addition or enlargement shall be required. If parking cannot be provided on-site, the requirements may be satisfied through a combination of a joint parking plan and/or in lieu fees for parking or transit, consistent with Section 159.0211(h), (j), and (k) of the La Jolla Planned District Ordinance.

(e) Shared Parking Facilities

Sharing of parking facilities may be approved or denied by the City Manager in accordance with Process One pursuant to Land Development Code Section 142.0545.

(f) Tandem Parking

Tandem parking shall be permitted under this ordinance for residential uses, small lot development, minor additions and rehabilitation projects consistent with Land Development Code Section 142.0555.

(g) Surface Parking Lot Design

Surface parking lots or street level roof parking for underground parking structures, shall not cover more than 10,000 square feet in area. If more than 10,000 square feet is required, the additional parking shall be provided underground. Surface parking areas fronting on a street shall be screened with a landscaped buffer of not less than six feet in width between the public right-of-way (sidewalk) and the parking area. The interior portions of surface parking areas with more than one parallel aisle or 7,000 square feet in area shall be landscaped. Parking lot landscaping shall conform to Land Development Code Chapter 14, Article 2, Division 4 (Landscape Regulations) (see Appendix B).

(h) **Bicycle Facilities**

All premises used for one or more of the permitted uses listed in Section 159.0302 of the La Jolla Planned District Ordinance shall be provided with facilities and permanently maintained bicycle parking spaces (storage lockers or racks) easily accessible to the public, on the same premises as follows:

- (1) Business and professional offices including banks and savings and loans -- one bicycle space for each 2,500 square feet of gross floor area. Additionally, any business or professional office containing more than 7,500 square feet of gross office floor area shall be required to provide shower facilities.
- (2) Restaurants and similar establishments -- one bicycle space for every 20 seats.
- (3) Retail establishments -- one bicycle space for each 3,500 square feet of gross floor area.
- (4) For hotels and motels -- one bicycle space for 10 guest units, or provision of bicycle rental facilities on-site.

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

§159.0405 Streetscape Development Regulations/Encroachment Permits

- (a) Within all zones no building or portion thereof shall be erected, constructed, converted, established, altered or enlarged, nor shall any such premises be used unless the lot or premises and buildings shall comply with the following requirements and special regulations pertaining to the development and use of the abutting public right-of-way. The above shall apply to all projects.
- (b) The following Streetscape and Encroachment Permit Standards shall be the basis for project review by the City Manager. Final approval for encroachment permits shall be by the City Engineer based on the City Manager's recommendations of consistency with the La Jolla Planned District Ordinance (see Appendix D.).
- (c) Driveways and Curb Cuts

Driveways and curb cuts shall be provided in accordance with Land Development Code Chapter 14, Article 2, Division 5 (Parking Regulations).

(d) Underground Parking Encroachments

- (1) Encroachment into the public right-of-way for underground parking spaces may be permitted only if a more efficient underground parking design can be provided without resulting in a major expansion to the underground parking area.
- (2) No encroachments into the public right of way for parking access ramps (underground and above-ground) parallel to the street shall be permitted.
- (3) Any access from underground parking areas to the street shall give the pedestrian the right-of-way at all times. Safety design, stop signs and other signage are required.

(e) Sidewalk Development

(1) Minimum Width

For existing projects all sidewalks shall maintain their present width and shall also maintain standard sidewalk elevation in relation to the curb for the entire distance between the curb and property line.

(2) Clear Path

For new construction a minimum clear path (free of obstructions) of 8 feet in width shall be maintained at all points within the sidewalk right-of-way. The clear path may be linear, angled or curved, provided that the configuration will not impede handicapped access. A clear path of greater than 8 feet may be required if necessary to maintain a line of sight essential for traffic or pedestrian safety. Where there are street trees, the clear path shall be measured from the trunk of the tree, provided tree grates conforming to the requirements of Section 159.0405(f)(9) of the La Jolla Planned District Ordinance are installed and maintained at all times.

(3) Surface Treatment (sidewalk paving)

- (A) All development proposing sidewalk improvements through an encroachment permit shall be required to improve the abutting sidewalk areas in accordance with the provisions listed herein.

(B) The sidewalk surface (exclusive of permanently landscaped areas) shall be paved with brick, clay or ceramic tile or interlocking concrete pavers. Standards for each of these materials shall be as set forth below. The objective of these standards is to provide a complementary palette of paving materials and colors which provide an element of unity and continuity throughout the district, while encouraging the development of improved pedestrian sidewalk areas.

(i) Materials

Brick: Bricks shall be standard size 8 inches by 4 inches, and shall be set in mortar.

Tile: Tile shall be square, not to exceed 10 inches on any side. Minimum tile thickness shall be 0.25 inch for ceramic or quarry tile, and 0.75 inch for clay tile. Tiles shall be set in mortar.

Concrete Pavers: Concrete pavers and interlocking pavers may be of any uniform shape provided each unit does not exceed 10 inches across its longest dimension. Pavers shall be set in mortar.

(ii) Surface Textures

All paving materials shall provide an even, slip resistant surface at least equal to the City standard broom sweep sidewalk. All grouting shall be placed flush with the top of the pavers.

(iii) Pavement Patterns

The pavement patterns shall be perpendicular to the curb and be maintained constant except to define an entrance or an adjacent public plaza in which case paving patterns may be integrated with other paving to form bands or dividers in harmony with architectural themes. Pavement patterns shall be consistent with the safety standards required for the handicapped.

(iv) Colors

The color of paving shall generally be within the red to orange range (including reddish browns) with muted (non-bright) tones. Dark brown and other dark tones and colors, including grey are not appropriate.

(f) Street Trees

- (1) Existing street trees shall be preserved to enhance the character of the street through the continuity of existing street trees.
- (2) New street trees shall be of the same species as the existing trees fronting the site or alternatively of the most prevalent species located on the same street provided they are listed on the Approved Street Tree List as shown in Appendix G.
- (3) Where neither the species of existing street trees fronting the site or the most prevalent species located on the same street appears on the Approved Street Tree List, the City Manager shall designate the species of trees to be used which, is in keeping with the surrounding area.
- (4) For all portions of La Jolla Boulevard and Pearl Street within the Planned District, the Jacaranda Mimosifolia is the designated tree.
- (5) Unless otherwise stated above, where appropriate, the preservation, planting and maintenance of approved palm trees and approved eucalyptus trees shall be given special consideration in order to maintain the unique subtropical character of La Jolla.
- (6) Trees shall be planted in the ground. The minimum size tree shall be a standard 48-inch box. Trees with a low spreading branch structure shall typically not be used in the street rights-of-way. Individual specimens shall be selected, planted, and pruned, if necessary, such that major scaffold branches are at least 8 feet above the finish surface or finish grade, as measured at the trunk.
- (7) Trees shall be positioned and kept maintained so that any branches that extend out over dedicated street rights-of way have a minimum of 14 feet 6 inches of clearance above the surface of the street.

(8) Tree Spacing

Trees may be grouped or planted in a straight line. The placement of street trees shall be coordinated with the placement of light standards. Spacing shall be in accordance with the Landscape Standards.

(9) Tree Grates

Tree grates shall meet safety requirements of Title 24 of the State Building Code. The maximum size of grid opening shall be no larger than 0.5 inch. All tree grates shall be installed flush with the sidewalk surface and shall be set a minimum of 2 inches above a gravel base. The grates shall be factory primed and painted black.

(10) Root Control Barriers

A root control barrier shall be provided for each tree to avoid possible root damage to sidewalks and other facilities in the public right-of-way or surrounding buildings.

(11) Street Tree Irrigation

All landscaping in the public right-of-way, shall have a permanently installed and maintained irrigation system designed by registered Landscaped Architect, or as approved by the City Engineer and Parks and Recreation Department as follows:

- (A) All street trees shall be irrigated.
- (B) Irrigation water shall be metered through the property owner's meter.
- (C) PVC pipe (SCH 40) or better to each tree well shall be in place prior to pouring public sidewalk or paving.
- (D) PVC pipe to each tree well shall be laid perpendicular to the curb and connected to the irrigation system on private property.
- (E) Each tree well shall have a minimum of one adjustable bubbler-type head or approved equal.
- (F) All irrigation systems shall have anti-syphon, backflow prevention and shall be operated by an approved automatic timer on private property.

(g) Curbs, Gutters and Handicapped Ramps

The design and surface finish of curbs, gutters, and handicap ramps shall meet City of San Diego standards.

(h) Utility Covers

- (1) For all areas finished in brick, tile or concrete pavers, all concrete utility covers shall be replaced with metal covers. All covers shall be painted black.
- (2) Large utility covers (exceeding 8 square feet) if not avoidable, shall be covered with matching brick or tile veneer to match the sidewalk paving.

(i) Street Furniture

(1) Light Standards

Light standards shall be equivalent to the street lamp shown in Appendix D.

(2) Benches

- (A) Benches located in the sidewalk shall be constructed to one or more of the following materials:

- (i) Wood;
- (ii) Wrought iron, cast iron, or formed iron

(B) Placement of benches

- (i) Benches shall not encroach into the required 8-foot sidewalk clear path.
- (ii) Benches shall not be located within 5 feet of the center of the sidewalk.
- (iii) A bench located parallel to the sidewalk shall face the center of the sidewalk.
- (iv) If two or more benches are situated perpendicular to the sidewalk, the benches shall be sited to face each other.

(C) Advertisement on benches located in the public right-of-way shall be prohibited.

(3) Awnings and Canopies

Awnings and canopies made of plastic, canvas material or any other material permitted by the La Jolla Planned District and approved by the City Engineer, and the City Manager may be permitted to encroach on the street right-of-way to provide shade or sun protection for retail exhibit areas (see Appendix B).

(j) Sidewalk Cafes

Sidewalk cafes may be permitted throughout the La Jolla Planned District except in Zone 5, as regulated by Section 151.0401(c) and Land Development Code Section 141.0621.

(k) Maintenance and Repairs

- (1) All encroachment permits shall require adequate maintenance consistent with City Engineer's standards. Except for those improvements which are the responsibility of public utilities, private improvements to the public right-of-way shall be maintained privately until an alternative maintenance program is available.
- (2) All public utility and improvement repairs and maintenance, undertaken in an improved sidewalk area shall match existing materials and colors.

(l) In-lieu Streetscape Improvement Fees

In ZONE 1 - Alternate, landscaping requirements may be satisfied by the contribution of "in lieu fees" for Streetscape improvements as described in Section 159.0211(k) of the La Jolla Planned District Ordinance.

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

§159.0406 External Effects

- (a) Artificial lighting used to illuminate any premises shall be directed away from adjacent properties. (see Appendix B).
- (b) The following effects shall not be permitted to emanate beyond the premises in which the permitted use is located:

- (1) Air contaminants such as smoke, fumes, odors or other gases.
- (2) Loud, unnecessary or unusual noise.
- (3) Electrical disturbances which unduly interfere with the normal operation of equipment, appliances or instruments.
- (4) Emissions that endanger human health, cause damage to vegetation or property or cause soiling.

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

§159.0407 Refuse and Recyclable Materials Storage Regulations

- (a) A minimum of 32 square feet of on-site refuse collection area shall be provided on each lot or premises and shall not be located in any front or street side yard. Where an alley exists the refuse collection area shall be located off the alley (see Appendix B).
 - (b) The refuse collection area shall be screened by a solid wall with a minimum height of 6 feet. A 6-foot high, solid masonry wall shall be constructed between any refuse container and any adjoining residentially zoned property.
- (“Refuse and Recyclable Materials Storage Regulations” added 3-27-2007 by O-19595 N.S.; effective 4-26-2007.)*

§159.0408 Mechanical and Utility Equipment Screening Regulations

No mechanical equipment, tank duct, elevator enclosure, cooling tower or mechanical ventilator shall be erected, constructed, maintained or altered anywhere on the premises unless all such equipment and appurtenances are contained within a completely enclosed penthouse or other portion of a building having walls or visual screening with construction and appearance similar to and integrated with the main building architectural design.

(“Mechanical and Utility Equipment Screening Regulations” added 3-27-2007 by O-19595 N.S.; effective 4-26-2007.)

§159.0409 Loading Area Regulations

- (a) ZONES 1, 2, 3, 4 -- Every building shall provide an on- site loading area containing a minimum of 600 square feet, which shall not be used for parking (including required back-up space, and/or driveways). Where alley access is available such loading areas shall be adjacent to and accessible only from the alley (see Appendix B).

- (b) On lots of 50 foot frontage or less, no loading area is required, provided however, that where an alley abuts the lot, the building's loading area shall be arranged so that all loading activities take place from the alley only.
(“Loading Area Regulations” added 3-27-2007 by O-19595 N.S.; effective 4-26-2007.)