

ORDINANCE NO. 10871
(New Series)

JUL 18 1972

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1, OF
THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION
101.0452.1 RELATING TO THE HEIGHT LIMITATION
ZONE - LA JOLLA.

BE IT ORDAINED, by the Council of The City of San Diego, as
follows:

Section 1. That Chapter X, Article 1, Section 101.0452.1 of
the San Diego Municipal Code be amended to read as follows:

SEC. 101.0452.1 HEIGHT LIMITATION ZONE - LA JOLLA

A. PURPOSE AND INTENT

FCC:lm The purpose of this ^{section}~~ordinance~~ is the limitation of the
height of buildings and structures within the La Jolla area to
50 feet except:

1. In those areas where more restrictive height
limitations apply.
2. On such sites as may be determined by the Planning
Commission and the City Council to be suitable for
buildings exceeding 50 feet in height.

FCC:lm It is the intent of this ^{section}~~ordinance~~ that land development
in the La Jolla area will occur in an orderly manner to the end
that buildings exceeding 50 feet in height will be located on
sites where they will not prove detrimental to the public health,
safety and general welfare and will be consistent with sound
planning practice.

MICROFILMED

MAY 1 1978

01076

B. HEIGHT LIMITATION

All that portion of the La Jolla area in the City of San Diego, California, within the boundaries of the area designated on that certain Zone Map Drawing No. C-256.1, filed in the office of the City Clerk under Document No. 696851, except that land which is subject to a height limitation of less than 50 feet, is hereby incorporated into the La Jolla Height Limitation Zone which zone establishes a height limitation for new or altered buildings or structures of 50 feet above grade. The height of the building or structure as used herein is as defined in Section 101.0452 of this Code.

C. EXEMPTION

Repairs, alterations and modifications of presently existing buildings or structures exceeding 50 feet in height are permitted, provided such repairs, alterations and modifications do not increase the height of such buildings or structures.

D. EXCEPTION PROCEDURE

1. Application. Upon the filing of a letter of request with the Planning Department for an exception to the La Jolla Height Limitation Zone, which letter shall be accompanied by appropriate schematic plot plans, typical floor plans, building elevations and preliminary grading plans, the Planning Commission shall set a public hearing in accordance with the noticing and hearing procedures as set forth in Chapter X, Article 1, Division 5 of the San Diego Municipal Code. It is the intent hereof that

such plans shall be limited to such detail as will inform the Planning Commission as to the matters included within the criteria set forth below.

2. Decision. After the public hearing the Planning Commission may, by resolution, grant an exception to the La Jolla Height Limitation Zone if the Planning Commission finds from the evidence presented at the hearing that all of the following facts exist:
 - a. The proposed building or structure at the particular location and under the proposed conditions of development with regard to good planning practice, including provisions for height, building bulk, yards, open space, lot coverage, grading and related matters, will provide equally as well for light and air, for the public health, safety and convenience, and the preservation of the general welfare of the community as if developed to the limits imposed by the 50-foot height limitation and the other zoning regulations applicable to the property in question.
 - b. The proposed building or structure will comply with the regulations and conditions specified in the Code for such structures.
 - c. The granting of an exception will not adversely affect any adopted plan of any governmental agency.

10871

MICROFILMED

MAY 1 1978
01078

In addition to requiring compliance with applicable provisions of the San Diego Municipal Code, the Planning Commission in granting an exception may impose other and additional conditions relating to maximum height, yards, open space, access, and site development as it may deem necessary or desirable to meet the requirements of this section.

In granting any exception the Planning Commission shall make a written finding which shall specify facts relied upon in rendering its decision and shall set forth wherein the facts and circumstances fulfill the requirements of this section. Copies of the resolution granting the exception shall be filed with the City Clerk, the Department of Building Inspection, the County Recorder of San Diego County, and shall be mailed to the applicant.

3. Appeal to the City Council from the decision of the Planning Commission. The decision of the Planning Commission shall be final on the eleventh day following such filing in the office of the City Clerk except when appeal is taken to the City Council in accordance with the procedures set forth in Chapter X, Article 1, Division 5 of the San Diego Municipal Code.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By 
Frederick C. Conrad, Chief Deputy

FCC:jh
6-15-72

10871

MICROFILMED

MAY 1 1978

01079

Passed and adopted by the Council of The City of San Diego on JUL 18 1972,
 by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Gil Johnson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maureen F. O'Connor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Bates	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON
 Mayor of The City of San Diego, California.

EDWARD NIELSEN
 City Clerk of The City of San Diego, California.

(Seal)

By *Harvey M. Noel*, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

JUN 29 1972

JUL 18 1972

, and on _____

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

EDWARD NIELSEN
 City Clerk of The City of San Diego, California.

(Seal)

By *Harvey M. Noel*, Deputy.

MICROFILMED

MAY 1 1978

Office of the City Clerk, San Diego, California

Ordinance Number 10871 Adopted JUL 18 1972

01080

50

ATTORNEY (S)

RECEIVED
CITY CLERK'S OFFICE
1972 JUL 26 AM 10:09
SAN DIEGO, CALIF. SU

*
CITY OF SAN DIEGO
202 C Street
Community Concourse
San Diego, California 92101

CERTIFICATE OF PUBLICATION

No.

IN THE MATTER OF

RELATING TO THE HEIGHT LIMITATION ZONE--
LA JOLLA

I, Patricia M. Applestill hereby certify that San Diego Daily Transcript is a daily newspaper of general circulation within the provisions of the Government Code of the State of California, printed and published in the City of San Diego, County of San Diego, State of California; that I am the principal clerk of said newspaper; that the

ORDINANCE NO. 10871

to a true and correct copy of which this certificate is annexed was published in said newspaper on

July 20, 1972

I certify under penalty of perjury that the foregoing is true and correct, at San Diego, California, on

July 20, 1972

Patricia M. Applestill
(Signature)

Ord 10871

17"

\$71.40 1081

ORDINANCE NO. 10871
(NEW SERIES)

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 101.0452.1 RELATING TO THE HEIGHT LIMITATION ZONE—LA JOLLA.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That Chapter X, Article 1, Section 101.0452.1 of the San Diego Municipal Code be amended to read as follows:

SEC. 101.0452.1 HEIGHT LIMITATION ZONE—LA JOLLA

A. PURPOSE AND INTENT

The purpose of this section is the limitation of the height of buildings and structures within the La Jolla area to 50 feet, except:

1. In those areas where more restrictive height limitations apply.
2. On such sites as may be determined by the Planning Commission and the City Council to be suitable for buildings exceeding 50 feet in height.

It is the intent of this section that land development in the La Jolla area will occur in an orderly manner to the end that buildings exceeding 50 feet in height will be located on sites where they will not prove detrimental to the public health, safety and general welfare and will be consistent with sound planning practice.

B. HEIGHT LIMITATION

All that portion of the La Jolla area in the City of San Diego, California, within the boundaries of the area designated on that certain Zone Map Drawing No. C-256.1, filed in the office of the City Clerk under Document No. 606851, except that land which is subject to a height limitation of less than 50 feet, is hereby incorporated into the La Jolla Height Limitation Zone which zone establishes a height limitation for new or altered buildings or structures of 50 feet above grade. The height of the building or structure as used herein is as defined in Section 101.0452 of this Code.

C. EXEMPTION

Repairs, alterations and modifications of presently existing buildings or structures exceeding 50 feet in height are permitted, provided such repairs, alterations and modifications do not increase the height of such buildings or structures.

D. EXCEPTION PROCEDURE

1. Application. Upon the filing of a letter of request with the Planning Department for an exception to the La Jolla Height Limitation Zone, which letter shall be accompanied by appropriate schematic plot plans, typical floor plans, building elevations and preliminary grading plans, the Planning Commission shall set a public hearing in accordance with the noticing and hearing procedures as set forth in Chapter X, Article 1, Division 5 of the San Diego Municipal Code. It is the intent hereof that such plans shall be limited to such detail as will inform the Planning Commission as to the matters included within the criteria set forth below.

2. Decision. After the public hearing the Planning Commission may, by resolution, grant an exception to the La Jolla Height Limitation Zone if the Planning Commission finds from the evidence presented at the hearing that all of the following facts exist:

- a. The proposed building or structure at the particular location and under the proposed conditions of development with regard to good planning practice, including provisions for height, building bulk, yards, open space, lot coverage, grading and related matters, will provide equally as well for light and air, for the public health, safety and convenience, and the preservation of the general welfare of the community as if developed to the limits imposed by the 50-foot height limitation and the other zoning regulations applicable to the property in question.
- b. The proposed building or structure will comply with the regulations and conditions specified in the Code for such structures.
- c. The granting of an exception will not adversely affect any adopted plan of any governmental agency.

In addition to requiring compliance with applicable provisions of the San Diego Municipal Code, the Planning Commission in granting an exception may impose other and additional conditions relating to maximum height, yards, open space, access, and site development as it may deem necessary or desirable to meet the requirements of this section.

In granting any exception the Planning Commission shall make a written finding which shall specify facts relied upon in rendering its decision and shall set forth wherein the facts and circumstances fulfill the requirements of this section. Copies of the resolution granting the exception shall be filed with the City Clerk, the Department of Building Inspection, the County Recorder of San Diego County, and shall be mailed to the applicant.

3. Appeal to the City Council from the decision of the Planning Commission. The decision of the Planning Commission shall be final on the eleventh day following such filing in the office of the City Clerk except when appeal is taken to the City Council in accordance with the procedures set forth in Chapter X, Article 1, Division 5 of the San Diego Municipal Code.

Section 2. This ordinance shall take effect and be in force on the thirteenth day from and after its passage.

Introduced on June 29, 1972.

Passed and adopted by the Council of The City of San Diego on July 13, 1972.

AUTHENTICATED BY:

PETE WILSON,
Mayor of The City of San Diego, California.
EDWARD NIELSEN,
City Clerk of The City of San Diego, California.
By KATHRYN M. NOE, Deputy.