

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 3, DIVISION 3 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 103.0302.4, 103.0303.1, 103.0303.4, 103.0304.1, 103.0304.2, 103.0304.3 AND 103.0304.4 AND BY ADDING SECTION 103.0302.5 REGARDING PLANNING, ZONING AND SUBDIVISION REGULATIONS RELATING TO THE LA JOLLA SHORES PLANNED DISTRICT. JAN 29 1979

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

Section 1. That Chapter X, Article 3, Division 3 of the San Diego Municipal Code be, and it is hereby amended by amending Sections 103.0302.4, 103.0303.1, 103.0303.4, 103.0304.1, 103.0304.2, 103.0304.3 and 103.0304.4 and by adding Section 103.0302.5 to read as follows:

SEC. 103.0302.4 APPEALS TO THE PLANNING COMMISSION

A. Any interested person, governmental body or agency may appeal from the decision of the Planning Director to the City Planning Commission within ten days after the decision is filed with the Planning Department. The appeal shall be in writing and filed in duplicate with the Planning Department upon forms provided by the Planning Department. If an appeal is filed within the time specified, it automatically stays proceedings in the matter until a determination is made by the Planning Commission. Any action taken by the Planning Director on those applications which are not submitted to the Advisory Board for review as indicated in Section 103.0302.3 Paragraph D shall be final.

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B. Upon the filing of the appeal, the Planning Department shall set the matter for public hearing before the Planning Commission giving the same notice as provided in Section 101.0206. The Planning Director shall transmit to the Planning Commission a copy of his decision and findings, and all other evidence, maps, papers and exhibits upon which the Planning Director made his decision.

C. Decision of the Planning Commission. Upon the hearing of such appeal, the Planning Commission may, by resolution, affirm, reverse, or modify, in whole or in part, any determination of the Planning Director. The decision of the Planning Commission shall be final on the fifteenth day following its filing with the City Clerk, except when an appeal is taken to the City Council as provided in Section 103.0302.5.

SEC. 103.0302.5 APPEAL FROM DECISION OF THE PLANNING COMMISSION.

The decision of the Planning Commission shall be final on the fifteenth day following action by the Planning Commission unless an appeal is filed in the office of the City Clerk. An appeal shall not be accepted by the City Clerk unless it is approved for filing by a Council member or the Mayor.

When an approved appeal is filed with the City Clerk it shall be placed on the Council docket for the limited purpose of determining whether the City Council will hear the appeal. The City Council will accept an appeal for hearing when any of the following situations are found to exist:

1. The appellant was denied the opportunity to make a full and complete presentation to the Planning Commission;

2. New evidence is now available that was not available at the time of the Planning Commission hearing; or

3. The Planning Commission decision was arbitrary because no evidence was presented to the Planning Commission that supports the decision.

The City Council shall rely upon the record of the proceedings before the Planning Commission and the written appeal. No oral presentations shall be made to the City Council by proponents or opponents of the project. A vote on a motion to set the appeal for hearing shall not constitute a vote on the merits of the appeal. If at least five (5) members of the Council vote in favor of hearing the appeal, the City Clerk shall set the appeal for hearing before the City Council and give notice of the appeal in the manner required by the Municipal Code.

SEC. 103.0303.1 PLANNING, ZONING AND SUBDIVISION REGULATIONS WHICH SHALL APPLY.

Chapter X, Article 1, Division 1 (Definitions and Interpretations), Chapter X, Article 1, Division 9 (Planned Developments), Chapter X, Article 1, Division 4, Section 101.0406 (Home Occupations in Residential Zones), and Chapter X, Article 2 (Subdivisions) of the Municipal Code shall apply in the La Jolla Shores Planned District. All other Divisions of Chapter X, Article 1, are superseded in the La Jolla Shores Planned District by the regulations contained within Chapter X, Article 3, Division 3.

SEC. 103.0303.4 GENERAL DESIGN REGULATIONS

Concurrent with the adoption of this Division, the City Council by resolution adopted architectural and design standards to be used in evaluating the appropriateness of any development for which a permit is applied under this Division; such architectural and design standards shall be filed in the office of the City Clerk as a numbered document.

A. CHARACTER OF THE AREA

[No amendment to this subsection.]

B. DESIGN PRINCIPLE

[No amendment to this subsection.]

C. DESIGN REQUIREMENTS

Building materials and color are the most critical unifying elements. For this reason, roof materials within the La Jolla Shores Planned District shall be limited to wood shakes, wood shingles, clay tile, slate, copper of good quality where the pitch is 4 in 12 or greater, or other materials which would contribute to the character of the surrounding neighborhood. Roofs with a pitch of less than 4 in 12 may also be covered with crushed stone of muted dark tone. Exterior wall materials shall be limited to wood siding, wood shingles, adobe and concrete blocks, brick, stucco, concrete or natural stone. White and natural earth colors should predominate. Primary colors may be used for accent.

To preserve the seaside character of the community each building shall be sited and designed so as to protect public views from public rights-of-way and public places and provide for see-throughs to the ocean.

Lighting which highlights architectural features of a structure shall be permitted. Such lighting shall be unobstrusive and shielded so as not to fall excessively on adjacent properties.

Appurtenances on the roof shall be enclosed or otherwise designed or shielded to be attractive.

D. GRADING REGULATIONS

[No amendment to this subsection.]

SEC. 103.0304.1 SINGLE-FAMILY ZONE - PERMITTED USES

In the Single Family (SF) Zone, designated on Map Drawing No. C-403.2, no building or improvement or portion thereof shall be erected, constructed, converted, established, altered, or enlarged, nor shall any premises be used except for one or more of the following uses:

[No amendment to subsections 1 through 7.]

A. DWELLING UNIT DENSITY REGULATION

In the following Single Family Zone, designated on Map Drawing C-403.2 unless specified otherwise, no lot or parcel shall be developed or occupied by more dwelling units than the average dwelling unit density (units per acre) of the developed SF Zone within 300 feet of the subject lot or parcel. However, in no instance shall the density exceed one unit per acre for areas which have a slope ratio of 25 percent or greater. Dwelling units that are allowed by computing density for those areas with a slope ratio

of less than 25 percent may not be placed on slopes with a ratio of 25 percent or greater. In the event the subject parcel is not adjacent to or within 300 feet of subdivided and/or developed lots or parcels so that an average of dwelling unit density within 300 feet can be reasonably obtained, then said parcel shall be limited in dwelling unit density by the regulation described below under paragraph "B.1.," of this same section.

B. SPECIFIC TRACT REQUIREMENTS

In the following specific areas designated on Map Drawing C-403.2 no tract shall be occupied by more dwelling units than the number permitted below:

1. The dwelling unit density of all undeveloped Tracts A through D shall be limited to one unit for every 40,000 square feet of net land area with a slope ratio of 25 percent or greater and one unit for every 20,000 square feet of net land area with a slope ratio less than 25 percent. Dwelling units that are allowed by computing density for those areas with a slope ratio of less than 25 percent may not be placed on slopes with a ratio of 25 percent or greater. Before calculating the number of permitted dwelling units and to determine the net land area within a particular tract, the amount of area proposed for public rights-of-way, private

roadways and public or commercial parking shall be deducted from the gross tract area.

[No amendment to subsections B.2 through B.10]

C. SITING OF BUILDINGS

1. Buildings with openings (i.e., doors and/or windows) facing the side property line shall be constructed not closer than four feet from said property line, in some circumstances, provided the see-through provisions in Section 103.0303.4, paragraph "C" are observed.

2. Buildings without openings facing the side property line may be constructed on the side property line in some circumstances, provided the see-through provisions in Section 103.0303.4, paragraph "C" are observed and provided the drainage of storm water falling on the roof of such building is carried off on the subject property and shall in no way endanger or interfere with an abutting property, easement, or rights-of-way.

3. Increased yard dimensions may be required as determined by the Planning Director for development adjacent to a public park to avoid any detrimental impact on the park.

4. Building and structure setbacks shall be in general conformity with those in the vicinity.

D. MAXIMUM BUILDING HEIGHT

[No amendment to this subsection.]

E. MAXIMUM LOT COVERAGE

[No amendment to this subsection.]

F. LANDSCAPE REGULATIONS

[No amendment to this subsection.]

G. OFF-STREET PARKING

[No amendment to this subsection.]

H. SIGN REGULATIONS

For the purposes of this section the word "sign" is hereby defined to mean any painted or fabricated element including its structure which may consist of any letter, figure, character, or marks. Except for one nameplate having a maximum of one square foot for each dwelling unit, all signs shall be approved by the Planning Director.

1. Any sign not in compliance with the regulations within this Division shall be removed within seven years from the effective date of the ordinance enacting this Division.

2. For each temporary real estate sales office and each model home--one temporary sign not more than four square feet in area on the same premises identifying the subdivision in which the sales office or home is located. All such signs shall be removed within 18 months of the filing of the final subdivision map.

3. One temporary sign shall be permitted on each lot or parcel of real estate, to advertise the leasing, rental or sale of such lot or parcel, provided that such sign meets all of the following conditions:

a. Such sign shall be installed and maintained by, or at the direction of, the owner of such lot or parcel of real property;

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b. Such sign shall not exceed 5 x 7 inches in size and no part of such sign shall extend more than four feet above the surface of the ground on which it is erected;

c. Such sign shall be unlighted.

SEC. 103.0304.2 MULTI-FAMILY ZONES - PERMITTED USES

In the Multi-Family (MF) Zones, designated on Map Drawing No. C-403-2, no building or improvement or portion thereof shall be erected, constructed, established, altered, or enlarged nor shall any premises be used except for one or more of the following purposes:

[No amendment to Subsections 1 through 8.]

A. DWELLING UNIT DENSITY REGULATIONS

[No amendment to this subsection.]

B. SITING OF BUILDINGS

[No amendment to this subsection.]

C. BUILDING HEIGHTS

[No amendment to this subsection.]

D. LOT COVERAGE

[No amendment to this subsection.]

E. LANDSCAPING REGULATIONS

[No amendment to this subsection.]

F. OFF-STREET PARKING

[No amendment to this subsection.]

G. SIGN REGULATIONS

For the purpose of this section the word "sign" is hereby defined to mean any painted or fabricated

element including its structure which may consist of any letter, figure, character, or marks. A sign (super-graphics) may also include the entire wall of a building, freestanding walls, fences or other appurtenances upon which the graphics are painted or displayed. Except for one nameplate of one square foot for each dwelling unit all signs shall be approved by the Planning Director. Size, height and means of support for each sign will be considered on an individual basis subject to the conditions noted below. Each sign shall be in scale with the building it identifies. The use of natural materials, especially wood, is encouraged.

1. Any sign not in compliance with the regulations within this Division shall be removed within seven years from the effective date of this Division.

[No amendment to subsections 2 through 6.]

SEC. 103.0304.3 VISITOR ZONE

In the Visitor (V) Zone, designated on Map Drawing C-403.2, no building or improvement or portion thereof, shall be erected, constructed, converted, established, altered or enlarged, nor shall any premises be used except for one or more of the following purposes:

[No amendment to subsections 1 through 5.]

A. GUEST ROOM DENSITY REGULATIONS

[No amendment to this subsection.]

B. SITING OF BUILDINGS

[No amendment to this subsection.]

C. MAXIMUM BUILDING HEIGHT

[No amendment to this subsection.]

D. MAXIMUM LOT COVERAGE

[No amendment to this subsection.]

E. LANDSCAPE REGULATIONS

[No amendment to this subsection.]

F. OFF-STREET PARKING REQUIREMENTS

[No amendment to this subsection.]

G. SIGN REGULATIONS

For the purposes of this section the word "sign" is hereby defined to mean any painted or fabricated element including its structure which may consist of any letter, figure, character, or marks. A sign (supergraphics) may also include the entire wall of a building, freestanding walls, fences or other appurtenances upon which the graphics are painted or displayed.

All signs shall be approved by the Planning Director. Size, height and means of support for each sign will be considered on an individual basis subject to the conditions noted below. Each sign shall be in scale with the building it identifies. The use of natural materials, especially wood, is encouraged.

1. Any sign not in compliance with the regulations within this Division shall be removed within seven years from the effective date of this Division.

[No amendment to subsections 2 through 10.]

SEC. 103.0304.4 COMMERCIAL CENTER

In the Commercial Center (CC), designated on Map Drawing C-403.2, no building or improvement or portion thereof shall be erected, constructed, converted, established, altered or enlarged, nor shall any premises be used except for one or more of the following purposes provided that the ground floor area of any establishment does not exceed 6,000 square feet. The minimum floor area for each dwelling unit or apartment is 400 square feet.

[No amendment to subsections 1 through 4.]

A. COMMERCIAL CENTER ZONE DENSITY REGULATIONS

[No amendment to this subsection.]

B. BUILDING HEIGHTS

[No amendment to this subsection.]

C. OFF-STREET PARKING REQUIREMENTS

[No amendment to this subsection.]

D. PARKING REQUIREMENTS

[No amendment to this subsection.]

E. SIGN REGULATIONS

For the purposes of this section the word "sign" is hereby defined to mean any painted or fabricated element including its structure which may consist of any letter, figure, character, or marks.

A sign (supergraphics) may also include the entire wall of a building, freestanding walls, fences or other appurtenances upon which the graphics are painted or displayed.

All signs shall be approved by the Planning Director. Size, height and means of support for each sign will be considered on an individual basis subject to the conditions noted below. Each sign shall be in scale with the building it identifies. The use of natural materials, especially wood, is encouraged.

1. Any sign not in compliance with the regulations within this Division shall be removed within seven years from the effective date of this Division.

[No amendment to subsections 2 through 9.]

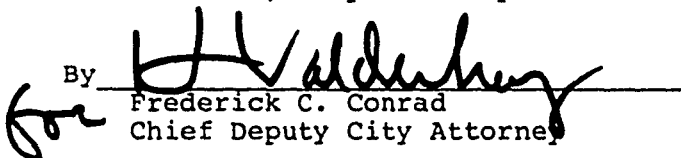
F. PARKING LOCATION

[No amendment to this subsection.]

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 City Attorney

FCC:clh
10/17/78
REV. 1/22/79
REV. 2/12/79
623.1
Or.Dept.:Planning

NEW LANGUAGE - Underlined
OLD LANGUAGE - Crossed Out

SEC. 103.0302.4 APPEALS TO THE PLANNING COMMISSION

A. Any interested person, governmental body or agency may appeal from the decision of the Planning Director to the City Planning Commission within ten days after the decision is filed with the Planning Department. The appeal shall be in writing and filed in duplicate with the Planning Department upon forms provided by the Planning Department. If an appeal is filed within the time specified, it automatically stays proceedings in the matter until a determination is made by the Planning Commission. Any action taken by the Planning Director on those applications which are not submitted to the Advisory Board for review as indicated in Section 103.0302.3 Paragraph D shall be final.

B. Upon the filing of the appeal, the Planning Department shall set the matter for public hearing before the Planning Commission giving the same notice as provided in Section 101.0206. The Planning Director shall transmit to the Planning Commission a copy of his decision and findings, and all other evidence, maps, papers and exhibits upon which the Planning Director made his decision.

C. Decision of the Planning Commission. Upon the hearing of such appeal, the Planning Commission may, by resolution, affirm, reverse, or modify, in whole or in part, any determination of the Planning Director. ~~The Planning Commission decision shall be final.~~ The decision of the Planning Commission shall be final on the fifteenth day following its filing with the City Clerk, except when an appeal is taken to the City Council as provided in Section 103.0302.5.

SEC. 103.0302.5 APPEAL FROM DECISION OF THE PLANNING COMMISSION.

The decision of the Planning Commission shall be final on the fifteenth day following action by the Planning Commission unless an appeal is filed in the office of the City Clerk. An appeal shall not be accepted by the City Clerk unless it is approved for filing by a Council member or the Mayor.

When an approved appeal is filed with the City Clerk it shall be placed on the Council docket for the limited purpose of determining whether the City Council will hear the appeal. The City Council will accept an appeal for hearing when any of the following situations are found to exist:

1. The appellant was denied the opportunity to make a full and complete presentation to the Planning Commission;

2. New evidence is now available that was not available at the time of the Planning Commission hearing; or

3. The Planning Commission decision was arbitrary because no evidence was presented to the Planning Commission that supports the decision.

The City Council shall rely upon the record of the proceedings before the Planning Commission and the written appeal. No oral presentations shall be made to the City Council by proponents or opponents of the project. A vote on a motion to set the appeal for hearing shall not constitute a vote on the merits of the appeal. If at least five (5) members of the Council vote in favor of hearing the appeal, the City Clerk shall set the appeal for hearing before the City Council and give notice of the appeal in the manner required by the Municipal Code.

**SEC. 103.0303.1 PLANNING, ZONING AND SUBDIVISION
REGULATIONS WHICH SHALL APPLY**

Chapter X, Article 1, Division 1 (Definitions and Interpretations), Chapter X, Article 1, Division 9 (Planned Developments), Chapter X, Article 1, Division 4, Section 101.0406 (Home Occupations in Residential Zones), and Chapter X, Article 2 (Subdivisions) of the Municipal Code shall apply in the La Jolla Shores Planned District. All other Divisions of Chapter X, Article 1, are superseded in the La Jolla Shores Planned District by the regulations contained within Chapter X, Article 3, Division 3.

SEC. 103.0303.4 GENERAL DESIGN REGULATIONS

Concurrent with the adoption of this Division, the City Council by resolution adopted architectural and design standards to be used in evaluating the appropriateness of any development for which a permit is applied under this Division; such architectural and design standards shall be filed in the office of the City Clerk as a numbered document.

A. CHARACTER OF THE AREA

[No amendment to this subsection.]

B. DESIGN PRINCIPLE

[No amendment to this subsection.]

C. DESIGN REQUIREMENTS

Building materials and color are the most critical unifying elements. For this reason, roof materials within the La Jolla Shores Planned District shall be limited to wood shakes, wood shingles, clay tile,

slate, ~~or~~ copper of good quality where the pitch is 4 in 12 or greater, or other materials which would contribute to the character of the surrounding neighborhood.

Roofs with a pitch of less than 4 in 12 may also be covered with crushed stone of muted dark tone.

Exterior wall materials shall be limited to wood siding, wood shingles, adobe and concrete blocks, brick, stucco, concrete or natural stone. White and natural earth colors should predominate. Primary colors may be used for accent.

To preserve the seaside character of the community each building shall be sited and designed so as to protect public views from public rights-of-way and public places and provide for see-throughs to the ocean.

Lighting which highlights architectural features of a structure shall be permitted. Such lighting shall be unobstrusive and shielded so as not to fall excessively on adjacent properties.

Appurtenances on the roof shall be enclosed or otherwise designed or shielded to be attractive.

D. GRADING REGULATIONS

[No amendment to this subsection.]

SEC. 103.0304.1 SINGLE-FAMILY ZONE - PERMITTED USES

In the Single Family (SF) Zone, designated on Map Drawing No. C-403.2, no building or improvement or portion thereof shall be erected, constructed, converted, established, altered, or enlarged, nor shall any premises be used except for one or more of the following uses:

[No amendment to subsections 1 through 7.]

A. DWELLING UNIT DENSITY REGULATION

In the following Single Family Zone, designated on Map Drawing C-403.2 unless specified otherwise, no lot or parcel shall be developed or occupied by more dwelling units than the average dwelling unit density (units per acre) of the developed SF Zone within 300 feet of the subject lot or parcel. However, in no instance shall the density exceed one unit per acre for areas which have a slope ratio of 25 percent or greater. Dwelling units that are allowed by computing density for those areas with a slope ratio of less than 25 percent may not be placed on slopes with a ratio of 25 percent or greater. In the event the subject parcel is not adjacent to or within 300 feet of subdivided and/or developed lots or parcels so that an average of dwelling unit density within 300 feet can be reasonably obtained, then said parcel shall be limited in dwelling unit density by the regulation described below under paragraph "B.1.," of this same section.

B. SPECIFIC TRACT REQUIREMENTS

In the following specific areas designated on Map Drawing C-403.2 no tract shall be occupied by more dwelling units than the number permitted below:

1. The dwelling unit density of all undeveloped Tracts A through D shall be limited to one unit for every 40,000 square feet of

~~net land area within the Land Conservation (LC) Zone as determined by the City Council under Ordinances 10739-N.S., 10747-N.S. and 10752-N.S., on file in the City Clerk's office with a slope ratio of 25 percent or greater and one unit for every 20,000 square feet of net land area that is not within the LC Zone with a slope ratio less than 25 percent. Dwelling units that are allowed by computing density for those areas with a slope ratio of less than 25 percent may not be placed on slopes with a ratio of 25 percent or greater.~~ Before calculating the number of permitted dwelling units and to determine the net land area within a particular tract, the amount of area proposed for public rights-of-way, private roadways and public or commercial parking shall be deducted from the gross tract area.

[No amendment to subsections B.2 through B.10]

C. SITING OF BUILDINGS

1. Buildings with openings (i.e., doors and/or windows) facing the side property line shall be constructed not closer than four feet from said property line, in some circumstances, provided the see-through provisions in Section 103.0303.4, paragraph "C" are observed.

2. Buildings without openings facing the side property line may be constructed on the side property line in some circumstances, provided the see-through provisions in Section 103.0303.4, paragraph "C" are

observed and provided the drainage of storm water falling on the roof of such building is carried off on the subject property and shall in no way endanger or interfere with an abutting property, easement, or rights-of-way.

3. Increased yard dimensions may be required as determined by the Planning Director for development adjacent to a public park to avoid any detrimental impact on the park.

4. Building and structure setbacks shall be in general conformity with those in the vicinity.

D. MAXIMUM BUILDING HEIGHT

[No amendment to this subsection.]

E. MAXIMUM LOT COVERAGE

[No amendment to this subsection.]

F. LANDSCAPE REGULATIONS

[No amendment to this subsection.]

G. OFF-STREET PARKING

[No amendment to this subsection.]

H. SIGN REGULATIONS

For the purposes of this section the word "sign" is hereby defined to mean any painted or fabricated element including its structure which may consist of any letter, figure, character, or marks. Except for one nameplate having a maximum of one square foot for each dwelling unit, all signs shall be approved by the Planning Director.

1. Any sign not in compliance with the regulations within this Division shall be removed within seven years from the effective date of the ordinance enacting this Division.

2. For each temporary real estate sales office and each model home--one temporary sign not more than four square feet in area on the same premises identifying the subdivision in which the sales office or home is located. All such signs shall be removed within 18 months of the filing of the final subdivision map.

3. One temporary sign shall be permitted on each lot or parcel of real estate, to advertise the leasing, rental or sale of such lot or parcel, provided that such sign meets all of the following conditions:

1. a. Such sign shall be installed and maintained by, or at the direction of, the owner of such lot or parcel of real property;

2. b. Such sign shall not exceed 5 x 7 inches in size and no part of such sign shall extend more than four feet above the surface of the ground on which it is erected;

3. c. Such sign shall be unlighted.

SEC. 103.0304.2 MULTI-FAMILY ZONES - PERMITTED USES

In the Multi-Family (MF) Zones, designated on Map Drawing No. C-403-2, no building or improvement or portion thereof shall be erected, constructed, established, altered, or enlarged nor shall any premises be used except for one or more of the following purposes:

[No amendment to Subsections 1 through 8.]

A. DWELLING UNIT DENSITY REGULATIONS

[No amendment to this subsection.]

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B. SITING OF BUILDINGS

[No amendment to this subsection.]

C. BUILDING HEIGHTS

[No amendment to this subsection.]

D. LOT COVERAGE

[No amendment to this subsection.]

E. LANDSCAPING REGULATIONS

[No amendment to this subsection.]

F. OFF-STREET PARKING

[No amendment to this subsection.]

G. SIGN REGULATIONS

For the purpose of this section the word "sign" is hereby defined to mean any painted or fabricated element including its structure which may consist of any letter, figure, character, or marks. A sign (super-graphics) may also include the entire wall of a building, freestanding walls, fences or other appurtenances upon which the graphics are painted or displayed. Except for one nameplate of one square foot for each dwelling unit all signs shall be approved by the Planning Director. Size, height and means of support for each sign will be considered on an individual basis subject to the conditions noted below. Each sign shall be in scale with the building it identifies. The use of natural materials, especially wood, is encouraged.

1. Any sign not in compliance with the regulations within this Division shall be removed within ~~two~~ seven years from the effective date of this Division.

[No amendment to subsections 2 through 6.]

SEC. 103.0304.3 VISITOR ZONE

In the Visitor (V) Zone, designated on Map Drawing C-403.2, no building or improvement or portion thereof, shall be erected, constructed, converted, established, altered or enlarged, nor shall any premises be used except for one or more of the following purposes:

[No amendment to subsections 1 through 5.]

A. GUEST ROOM DENSITY REGULATIONS

[No amendment to this subsection.]

B. SITING OF BUILDINGS

[No amendment to this subsection.]

C. MAXIMUM BUILDING HEIGHT

[No amendment to this subsection.]

D. MAXIMUM LOT COVERAGE

[No amendment to this subsection.]

E. LANDSCAPE REGULATIONS

[No amendment to this subsection.]

F. OFF-STREET PARKING REQUIREMENTS

[No amendment to this subsection.]

G. SIGN REGULATIONS,

For the purposes of this section the word "sign" is hereby defined to mean any painted or fabricated element including its structure which may consist of any letter, figure, character, or marks. A sign (supergraphics) may also include the entire wall of a building, freestanding walls, fences or other appurtenances upon which the graphics are painted or displayed.

All signs shall be approved by the Planning Director. Size, height and means of support for each sign will be considered on an individual basis subject to the conditions noted below. Each sign shall be in scale with the building it identifies. The use of natural materials, especially wood, is encouraged.

1. Any sign not in compliance with the regulations within this Division shall be removed within ~~two~~ seven years from the effective date of this Division.

[No amendment to subsections 2 through 10.]

SEC. 103.0304.4 COMMERCIAL CENTER

In the Commercial Center (CC), designated on Map Drawing C-403.2, no building or improvement or portion thereof shall be erected, constructed, converted, established, altered or enlarged, nor shall any premises be used except for one or more of the following purposes provided that the ground floor area of any establishment does not exceed 6,000 square feet. The minimum floor area for each dwelling unit or apartment is 400 square feet.

[No amendment to subsections 1 through 4.]

A. COMMERCIAL CENTER ZONE DENSITY REGULATIONS

[No amendment to this subsection.]

B. BUILDING HEIGHTS

[No amendment to this subsection.]

C. OFF-STREET PARKING REQUIREMENTS

[No amendment to this subsection.]

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D. PARKING REQUIREMENTS

[No amendment to this subsection.]

E. SIGN REGULATIONS

For the purposes of this section the word "sign" is hereby defined to mean any painted or fabricated element including its structure which may consist of any letter, figure, character, or marks. A sign (supergraphics) may also include the entire wall of a building, freestanding walls, fences or other appurtenances upon which the graphics are painted or displayed.

All signs shall be approved by the Planning Director. Size, height and means of support for each sign will be considered on an individual basis subject to the conditions noted below. Each sign shall be in scale with the building it identifies. The use of natural materials, especially wood, is encouraged.

1. Any sign not in compliance with the regulations within this Division shall be removed within ~~two~~ seven years from the effective date of this Division.

[No amendment to subsections 2 through 9.]

F. PARKING LOCATION

[No amendment to this subsection.]

:

Passed and adopted by the Council of The City of San Diego on JAN 29 1979
 by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maurcen F. O'Connor	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Bill Lowery	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fred Schnaubelt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Gade	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Larry Stirling	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lucy Killea	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

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

CHARLES G. ABDELNOUR
 City Clerk of The City of San Diego, California.

(Seal)

By Betty Goodburg, 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

JAN 16 1979

, and on JAN 29 1979

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.

CHARLES G. ABDELNOUR
 City Clerk of The City of San Diego, California.

(Seal)

By Betty Goodburg, Deputy.

REC'D
 CITY CLERK
 9 FEB 13 1979
 SAN DIEGO, CALIF.

Office of the City Clerk, San Diego, California	
Ordinance Number <u>12565</u>	Adopted <u>JAN 29 1979</u>

llc

XXXXXXXXXX

City of San Diego
12th Floor, City Admin. Bldg.
202 C St.
San Diego, Ca 92101

Att: Betty Goldberg

CERTIFICATE OF PUBLICATION

LA JOLLA SHORES PLANNED DISTRICT

ORDINANCE NO. 12565

(New Series)

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 3, DIVISION 3 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 103.0302.4, 103.0303.1, 103.0303.4, 103.0304.1, 103.0304.2, 103.0304.3 AND 103.0304.4 AND BY ADDING SECTION 103.0302.5 REGARDING PLANNING, ZONING AND SUBDIVISION REGULATIONS RELATING TO THE LA JOLLA SHORES PLANNED DISTRICT.

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

Section 1. That Chapter X, Article 3, Division 3 of the San Diego Municipal Code be, and it is hereby amended by amending Sections 103.0302.4, 103.0303.1, 103.0303.4, 103.0304.1, 103.0304.2, 103.0304.3 and 103.0304.4 and by adding Section 103.0302.5 to read as follows:

SEC. 103.0302.4 APPEALS TO THE PLANNING COMMISSION

A. Any interested person, governmental body or agency may appeal from the decision of the Planning Director to the City Planning Commission within ten days after the decision is filed with the Planning Department. The appeal shall be in writing and filed in duplicate with the Planning Department upon forms provided by the Planning Department. If an appeal is filed within the time specified, it automatically stays proceedings in the matter until a determination is made by the Planning Commission. Any action taken by the Planning Director on those applications which are not submitted to the Advisory Board for review as indicated in Section 103.0302.3 Paragraph D shall be final.

B. Upon the filing of the appeal, the Planning Department shall set the matter for public hearing before the Planning Commission giving the same notice as provided in Section 101.0206. The Planning Director shall transmit to the Planning Commission a copy of his decision and findings, and all other evidence, maps, papers and exhibits upon which the Planning Director made his decision.

C. Decision of the Planning Commission. Upon the hearing of such appeal, the Planning Commission may, by resolution, affirm, reverse, or modify, in whole or in part, any determination of the Planning Director. The decision of the Planning Commission shall be final on the fifteenth day following its filing with the City Clerk, except when an appeal is taken to the City Council as provided in Section 103.0302.5.

SEC. 103.0302.5 APPEAL FROM DECISION OF THE PLANNING COMMISSION.

The decision of the Planning Commission shall be final on the fifteenth day following action by the Planning Commission unless an appeal is filed in the office of the City Clerk. An appeal shall not be accepted by the City Clerk unless it is approved for filing by a Council member or the Mayor.

When an approved appeal is filed with the City Clerk it shall be placed on the Council docket for the limited purpose of determining whether the City Council will hear the appeal. The City Council will accept an appeal for hearing when any of the following situations are found to exist:

I, Patricia M. Spaulding, am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the San Diego Daily Transcript, a newspaper of general circulation, printed and published daily, except Saturdays and Sundays, in the City of San Diego, County of San Diego, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of San Diego, State of California, under the date of January 23, 1969, Decree No. 14594; and the

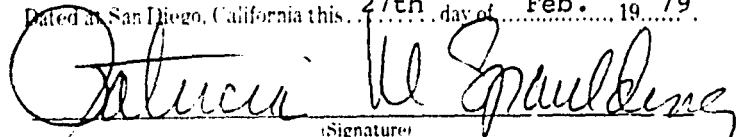
ORDINANCE NO. 12565

is a true and correct copy of which the annexed is a printed copy and was published in said newspaper on the following date(s), to-wit:

February 19, 1979

I certify under penalty of perjury that the foregoing is true and correct.

Dated at San Diego, California this 27th day of Feb., 1979.


(Signature)

56 1/4" - #341,44

The Planning Commission hereby certifies that the evidence presented to the Planning Commission that the City Council shall rely upon the report of the Planning Commission and the report of the Planning Commission shall be given the same weight as that given to the report of the Planning Commission. A copy of a resolution to the City Council is attached hereto for its consideration and a copy of the report of the Planning Commission is attached hereto for its information.

ARTICLE II. ZONING REGULATIONS

SECTION 1. SINGLE-FAMILY ZONE - PERMITTED USES

In the Single-Family Zone, designated as S-1, the following uses shall be permitted, subject to the provisions of the zoning ordinance, and no other uses shall be permitted:

A. DWELLING UNIT DENSITY REGULATION

In the Single-Family Zone, designated as S-1, the following uses shall be permitted, subject to the provisions of the zoning ordinance, and no other uses shall be permitted:

B. DWELLING UNIT DENSITY REGULATION

In the Single-Family Zone, designated as S-1, the following uses shall be permitted, subject to the provisions of the zoning ordinance, and no other uses shall be permitted:

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C. SETTING OF BUILDINGS
 1. The building shall be set back from the front of the lot by a distance of at least ten feet. The distance shall be measured from the front of the building to the front of the lot.

D. MAXIMUM BUILDING HEIGHT
 The maximum height of the building shall be as provided in this subsection.

E. MAXIMUM LOT COVERAGE
 The maximum lot coverage shall be as provided in this subsection.

F. LANDSCAPING REGULATIONS
 The landscaping regulations shall be as provided in this subsection.

G. OFF-STREET PARKING
 The off-street parking regulations shall be as provided in this subsection.

H. SIGN REGULATIONS
 The sign regulations shall be as provided in this subsection.

I. TEMPORARY SIGN REGULATIONS
 The temporary sign regulations shall be as provided in this subsection.

J. OFF-STREET PARKING REGULATIONS
 The off-street parking regulations shall be as provided in this subsection.

K. SIGN REGULATIONS
 The sign regulations shall be as provided in this subsection.

L. TEMPORARY SIGN REGULATIONS
 The temporary sign regulations shall be as provided in this subsection.

M. MULTI-FAMILY HOMES - PERMITTED UNDER THIS ZONING DISTRICT
 Multi-family homes are permitted under this zoning district subject to the following conditions:

- a. Dwelling units density regulations shall be as provided in this subsection.
- b. Setting of buildings shall be as provided in this subsection.
- c. Building heights shall be as provided in this subsection.
- d. Lot coverage shall be as provided in this subsection.
- e. Landscaping regulations shall be as provided in this subsection.
- f. Off-street parking shall be as provided in this subsection.
- g. Sign regulations shall be as provided in this subsection.

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For the purposes of this section the word "sign" is hereby defined to mean any printed or fabricated element including its structure which may consist of any letter, figure, character, or mark. A sign supergraphical may also include the entire wall of a building, freestanding walls, fences or other appurtenances upon which the graphics are printed or displayed. Except for one exception of one square foot for each dwelling unit all signs shall be approved by the Planning Director. Size, height and means of support for each sign will be considered on an individual basis subject to the conditions noted below. Each sign shall be in scale with the building it identifies. The use of natural materials, especially wood, is encouraged.

1. Any sign not in compliance with the regulations within this Division shall be removed within seven years from the effective date of this Division.

(No amendment to subsections 2 through 6.)

SEC. 108.004.2 VISITOR ZONE
In the Visitor (V) Zone, designated on Map Drawing C-202.2, no building or improvement or portion thereof shall be erected, constructed, converted, established, altered or enlarged, nor shall any provision be used except for one or more of the following purposes:

- A. GUEST ROOM DENSITY REGULATIONS
(No amendment to this subsection.)
- B. SITING OF BUILDINGS
(No amendment to this subsection.)
- C. MAXIMUM BUILDING HEIGHT
(No amendment to this subsection.)
- D. MAXIMUM LOT COVERAGE
(No amendment to this subsection.)
- E. LANDSCAPE REGULATIONS
(No amendment to this subsection.)
- F. OFF-STREET PARKING REQUIREMENTS
(No amendment to this subsection.)
- G. SIGN REGULATIONS

For the purposes of this section the word "sign" is hereby defined to mean any printed or fabricated element including its structure which may consist of any letter, figure, character, or mark. A sign supergraphical may also include the entire wall of a building, freestanding walls, fences or other appurtenances upon which the graphics are printed or displayed.

All signs shall be approved by the Planning Director. Size, height and means of support for each sign will be considered on an individual basis subject to the conditions noted below. Each sign shall be in scale with the building it identifies. The use of natural materials, especially wood, is encouraged.

1. Any sign not in compliance with the regulations within this Division shall be removed within seven years from the effective date of this Division.

(No amendment to subsections 2 through 10.)

SEC. 108.004.4 COMMERCIAL CENTER
In the Commercial Center (CC) designated on Map Drawing C-202.2, no building or improvement or portion thereof shall be erected, constructed, converted, established, altered or enlarged, nor shall any provision be used except for one or more of the following purposes provided that the ground floor area of any establishment does not exceed 6,000 square feet. The minimum floor area for each dwelling unit or apartment is 400 square feet.

- A. COMMERCIAL CENTER SIGN DENSITY REGULATIONS
(No amendment to this subsection.)
- B. BUILDING HEIGHTS
(No amendment to this subsection.)
- C. OFF-STREET PARKING REQUIREMENTS
(No amendment to this subsection.)
- D. PARKING REQUIREMENTS
(No amendment to this subsection.)
- E. SIGN REGULATIONS

For the purposes of this section the word "sign" is hereby defined to mean any printed or fabricated element including its structure which may consist of any letter, figure, character, or mark. A sign supergraphical may also include the entire wall of a building, freestanding walls, fences or other appurtenances upon which the graphics are printed or displayed.

All signs shall be approved by the Planning Director. Size, height and means of support for each sign will be considered on an individual basis subject to the conditions noted below. Each sign shall be in scale with the building it identifies. The use of natural materials, especially wood, is encouraged.

1. Any sign not in compliance with the regulations within this Division shall be removed within seven years from the effective date of this Division.

(No amendment to subsections 2 through 9.)

F. PARKING LOCATION
(No amendment to this subsection.)

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.
Introduced on January 18, 1979.
Passed and adopted by the Council of The City of San Diego on January 22, 1979.

AUTHENTICATED BY:
FRANK WILSON
Mayor of The City of San Diego, California.
CHARLES G. ANDELNOU
City Clerk of The City of San Diego, California.
By MISSY COLLIER, Deputy

SEAL:
Published February 12, 1979