

(O-84-23)

ORDINANCE NUMBER O- 16043 (New Series)

Adopted on SEP 12 1983

AN ORDINANCE LIMITING, FOR A PERIOD OF ONE YEAR,  
THE ISSUANCE OF BUILDING PERMITS FOR STRUCTURES  
IN COMMERCIAL ZONES IN THE LA JOLLA AREA OF THE  
CITY OF SAN DIEGO

WHEREAS, the existing recommendations in the La Jolla Community Plan (1976) have not been effective in reducing the levels of traffic congestion associated with commercial growth; and

WHEREAS, traffic volumes on the major access roads to central La Jolla substantially exceed their present design capacities; and

WHEREAS, the construction of new commercial developments has accelerated during the recent two-year period; and

WHEREAS, under the present commercial zoning, a potential exists to almost double the amount of commercial floor area; and

WHEREAS, The City of San Diego is committed to the study and development of permanent solutions to the problems of traffic congestion, and

WHEREAS, continued development in the commercial areas of La Jolla could impair the ability of The City of San Diego to implement solutions which are in the interest of the public health, safety and general welfare; and

WHEREAS, Municipal Code, Section 91.01 empowers the City Council to limit or prohibit the issuance of any type, number or geographical distribution of permits where such issuance would detrimentally affect the public health, safety or the general

welfare of the citizens of the City of San Diego; NOW,  
THEREFORE,

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

Section 1. Within that portion of the La Jolla area of The City of San Diego which is within the CS, CC, CO, CN and CP zones, Municipal Code, Sections 101.0432, 101.0427, 101.0423, 101.0426 and 101.0421, as shown on Zone Drawing No. C-678, a copy of which is on file in the office of the City Clerk as Document No. 00-16043, no building permits shall be issued for construction of any structure if the Floor Area Ratio for all proposed and existing buildings on the premises exceeds 1.0 unless a Planned Commercial Development Permit is obtained pursuant to Section 2 hereof.

Section 2. Building permits for buildings which comply with all applicable provisions of this code shall be approved for construction where the Floor Area Ratio of all existing and proposed buildings on the premises exceeds 1.0 but does not exceed 2.0 if a Planned Commercial Development Permit has been obtained.

Section 3. For purposes of this ordinance, Floor Area Ratio shall mean the numerical value obtained by dividing the gross floor area of all buildings on the premises by the total land area of the premises.

Section 4. For purposes of this ordinance, the following definitions shall apply:

GROSS FLOOR AREA.

The total horizontal area expressed in square feet, of

all the floors of a building included within the surrounding walls, including shafts, enclosed exterior stairwells, and above-ground parking structures.

Gross area shall include:

A. Enclosed exterior stairwells, above-ground structures and exterior elevator shafts.

B. The floor area of mezzanines and other similar interior balconies.

C. Exterior balconies, entrances, porches, canopies, rigid awnings, stoops, openly supported terraces, openly supported stairways, and sun baffles or shades which are constructed and maintained with less than 40 percent of the vertical surface permanently open.

D. Half stories (attics) (Sec. 101.0101.65), basements, and cellars.

E. Penthouses (Sec. 101.0101.71) except when specially excepted by the provisions of Sec. 101.0101.62 HEIGHT (BUILDING), shall be included in gross floor area.

GROSS FLOOR AREA shall not include the area occupied by a Solar System as defined in Section 101.1202.

BASEMENT.

That portion of a building which is partly below and partly above grade but located so that vertical distance from grade to the floor below is less than the vertical distance from grade to ceiling.

CELLAR:

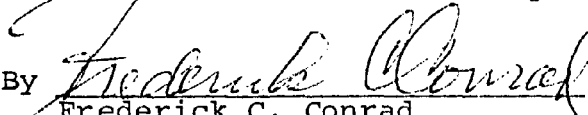
That portion of a building which is wholly or partly below grade and located so that the vertical distance from grade to floor is equal to, or greater than the vertical distance from grade to ceiling.

Section 5. The provisions of this ordinance shall not apply to an application for a building permit to construct a building or buildings which have received permit approval by the California Coastal Commission or the San Diego Coastal Regional Commission prior to the effective date of this ordinance, to projects which have received final ministerial or discretionary approvals from The City of San Diego prior to that date, nor to an application for a building permit where the floor area ratio for all proposed and existing buildings on the premises does not exceed 1.0.

Section 6. The provisions of this ordinance shall be in force and effect for one year from the effective date of this ordinance.

Section 7. 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:ib:630  
08/09/83  
O-84-23  
Or.Dept:T&LU  
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Passed and adopted by the Council of The City of San Diego on SEP 12 1983,  
 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"/>
Bill Cleator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gloria McColl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
William Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struiksma	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dick Murphy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Uvaldo Martinez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Roger Hedgecock	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

ROGER HEDGECOCK  
 Mayor of The City of San Diego, California.

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

(Seal)

By *June A. Blackwell*, 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

AUG 16 1983

SEP 12 1983

~~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 *June A. Blackwell*, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 0-16943 Adopted SEP 12 1983