

(O-89-235)

ORDINANCE NUMBER O- 17361 (NEW SERIES)

ADOPTED ON OCT 16 1989

AN ORDINANCE AMENDING CHAPTER 10, ARTICLE 3, DIVISION 3, OF THE SAN DIEGO MUNICIPAL CODE BY THE ADDITION OF A NEW SUBSECTION, 103.0307 RELATING TO LA JOLLA SHORES PLANNED DISTRICT.

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

Section 1. That Chapter 10, Article 3, Division 3, of the San Diego Municipal Code be and the same is hereby amended by the addition of a new subsection 103.0307 to read as follows:

**SECTION 103.0307 STRUCTURES BELOW THE WATER**

**TABLE**

Structures in the La Jolla Shores area may be constructed below the water table only if all of the following conditions are met:

1. No subsurface waters shall be discharged from any building onto the public streets, or into a storm drain system that discharges onto the beach, either during the construction period or after the structure is completed except as permitted under paragraph 2.
2. Any pumping system utilized shall be only for emergency use and shall not be designed, built or utilized for intermittent or continuous pumping and shall specifically not

be used for the pumping of subsurface waters. Any discharge from such a system shall be pumped onto the public street and shall not be connected directly to the storm drain. The design for such a system shall be shown in detail on the plans submitted for Zoning approval. The owner shall immediately notify the City Engineer when water is pumped into the street.

3. If a "watertight" subterranean structure is to be utilized, it shall be the responsibility of the owner to ensure that it remains watertight at all times and to repair any leaks within 30 days.

4. A system to provide for the avoidance of any subsidence of adjoining or nearby structures, both during and after construction, shall be shown in detail on the plans submitted for Zoning approval. The plan shall indicate procedures to be taken in the event subsidence occurs. The owner of the proposed project shall provide the services of an independent testing laboratory to monitor continuously for such subsidence.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after the date the California Coastal Commission unconditionally certifies this ordinance as a

local coastal program amendment. If this ordinance is not certified, or is certified with suggested modifications by the California Coastal Commission, the provisions of this ordinance shall be null and void.

Section 3. No permits for development inconsistent with the provisions of this ordinance shall be issued unless application therefore was made prior to the date the California Coastal Commission unconditionally certified this ordinance as a local coastal program amendment.

APPROVED: JOHN W. WITT, City Attorney

By

  
\_\_\_\_\_  
John K. Riess  
Deputy City Attorney

JKR:pev  
06/06/89  
Or.Dept:E&D  
O-89-235  
Form=o.code

OCT 16 1989

Passed and adopted by the Council of The City of San Diego on.....  
by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ron Roberts	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gloria McColl	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
H. Wes Pratt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struiksmma	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. Bruce Henderson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Filner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

AUTHENTICATED BY:

MAUREEN O'CONNOR  
Mayor of The City of San Diego, California.

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

(Seal)

By *Rhonda R. Barnes*, 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,

~~2 1989~~ **OCT 16 1989**, 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.

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

(Seal)

By *Rhonda R. Barnes*, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number **0-17361** Adopted **OCT 16 1989**



CERTIFICATE OF PUBLICATION

RECEIVED  
CITY CLERK'S OFFICE  
89 NOV-9 AM 3:17  
SAN DIEGO, CALIF.

CITY OF SAN DIEGO  
202 C STREET, SECOND FLOOR  
SAN DIEGO, CA 92101  
ATTN: R. BARNES

IN THE MATTER OF  
AN ORDINANCE AMENDING CHAPTER 10, ARTICLE 3,  
DIVISION 3, OF THE SAN DIEGO MUNICIPAL CODE BY THE  
ADDITION OF A NEW SUBSECTION 103.0307 RELATING TO  
LA JOLLA SHORES PLANNED DISTRICT.

NO.

**ORDINANCE NUMBER O-17361 (NEW SERIES)**  
AN ORDINANCE AMENDING CHAPTER 10, ARTICLE 3,  
DIVISION 3, OF THE SAN DIEGO MUNICIPAL CODE BY THE  
ADDITION OF A NEW SUBSECTION 103.0307 RELATING TO  
LA JOLLA SHORES PLANNED DISTRICT.  
This ordinance amends the provisions of the Municipal Code  
relating to the La Jolla Shores Planned District to require that devel-  
oper of any property contemplating a development that will be  
located below the water table take certain action with respect to  
water removal and disposal.  
A complete copy of the ordinance is available for inspection in the  
Office of the City Clerk of the City of San Diego, 2nd Floor, City Ad-  
ministration Building, 202 "C" Street, San Diego, CA 92101.  
INTRODUCED ON OCT 2 1989 Passed and Adopted by the Council  
of The City of San Diego on OCT 16 1989  
AUTHENTICATED BY: MAUREEN O'CONNOR Mayor of The City of  
San Diego, CA  
CHARLES G. ABDELNOUR City Clerk of The City of San Diego, CA  
(SEAL)  
By RHONDA R. BARNES, Deputy.  
Pub. Oct. 30 158361

I, THOMAS D. KELLEHER, 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, 1909, Decree No. 14894; and the

ORDINANCE NUMBER O-17361 (NEW SERIES)

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:  
OCT. 30

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

Dated at San Diego, California this 30 day of OCT., 19 89.



(Signature)

$2\frac{1}{8} \times 2 = 49.68$