

ORDINANCE NUMBER O- 17803 (NEW SERIES)

ADOPTED ON JUL 14 1992

AN ORDINANCE AMENDING ORDINANCE NO. O-17458 (NEW SERIES), ADOPTED APRIL 16, 1990, ENTITLED "AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO ESTABLISHING THE LA JOLLA BUSINESS IMPROVEMENT DISTRICT PURSUANT TO THE PARKING AND BUSINESS IMPROVEMENT AREA LAW OF 1989 AND LEVYING AN ASSESSMENT AND CHARGE THEREIN FOR UPGRADING AND PROMOTING THE AREA."

WHEREAS, the Council of The City of San Diego approved the formation of the La Jolla Business Improvement District (herein "District") by Ordinance No. O-17458 on April 16, 1990; and

WHEREAS, recommendations for modification of the existing business assessments have been made by Promote La Jolla, the City's designated advisory board for the District and other organizations and individuals with the District; NOW, THEREFORE,

BE IT ORDAINED, by the Council of The City of San Diego, that the following sections of Ordinance No. O-17458 (New Series), adopted April 16, 1990, are hereby amended to read as follows:

Section 1. Pursuant to said Law, a parking and business improvement area is hereby established, to be known as "La Jolla Business Improvement District." The area to be included in the District includes the La Jolla community area within the following street address ranges:

<u>Street Name</u>	<u>Address Range</u>	<u>Business Improvement District Zone No.</u>
Coast Boulevard	100 - 1327	ZONE 1
Fay Avenue	7761 - 7855	ZONE 1
Girard Avenue	7600 - 8040	ZONE 1
Prospect Place	7982	ZONE 1
Prospect Street	781 - 1445	ZONE 1
Fay Avenue	7500 - 7760	ZONE 2
Girard Avenue	7500 - 7599	ZONE 2
Herschel Avenue	730 - 7399, 7800 - 7966	ZONE 2
Ivanhoe Avenue	1910 - 7699, 7900 - 7979	ZONE 2
Kline Street	900 - 1135	ZONE 2
Silverado Street	901 - 1099	ZONE 2
Wall Street	1006 - 1140	ZONE 2
Bishops Lane	7730 - 7748	ZONE 3
Cave Street	1216 - 1315	ZONE 3
Girard Avenue	7400 - 7499	ZONE 3
Herschel Avenue	7400 - 7799	ZONE 3
Ivanhoe Avenue	7700 - 7899	ZONE 3
Kline Street	709 - 899	ZONE 3
La Jolla Boulevard	7345 - 7607	ZONE 3
Pearl Street	410 - 1014	ZONE 3
Prospect Street	230 - 780	ZONE 3
Roslyn Lane	1200 - 1299	ZONE 3
Silver Street	705 - 747	ZONE 3
Silverado Street	715 - 899	ZONE 3
Silverado Street	1100 - 1296	ZONE 3
Torrey Pines Road	1000 - 1199	ZONE 3

Section 3. All businesses operating in the District will be assessed annually a share of the costs of the aforementioned improvements and activities according to the type of business and the benefit to be received as determined by the following:

A. Description of the District zones:

1. ZONE 1 is along Prospect Street and Coast Boulevard South, and a portion of Fay Avenue and Girard Avenue. Businesses in this area will receive the greatest benefit from the activities of the District.

2. ZONE 2 is the surrounding area including Silverado Street, Ivanhoe Avenue, Herschel Avenue, Wall Street and Kline Street. It is anticipated that businesses in this Zone will still receive a benefit, but not of the same magnitude as those in the core area of the District.

3. ZONE 3 is the outlying area including all of Bishops Lane and Cave Street; portions of Girard Avenue, Herschel Avenue, Ivanhoe Avenue and Kline Street; all of La Jolla Boulevard and Pearl Street; part of Prospect Street; and all of Roslyn Lane and Silver Street; a portion of Silverado Street and all of Torrey Pines Road. It is anticipated that businesses in this zone will still receive benefit but to a lesser degree than those located in the prior zones located closer to the core area.

B. Description of the District categories of benefit:

1. CATEGORY A includes those businesses which will benefit most significantly from the increased awareness of La Jolla as a place to do business and from an increase in foot and automobile traffic expected to be the end-product of the activities of the District. The Category includes but is not limited to:

Restaurants
Grocery stores
Bakeries/Food stores

Liquor stores
Drugstores
Gasoline stations
General clothing stores
Specialty/Variety/Retail
Hardware/Garden supplies
Other Retail
Optical sales

2. CATEGORY B includes those businesses which interact with the public to a lesser extent than CATEGORY A, but these businesses will benefit from the increased awareness of La Jolla as a place to do business and from an increase in foot and automobile traffic expected to be the end-product of the activities of the District. The Category includes but is not limited to:

Building/Paint supplies
Photo studios
Auto rentals
Video equipment and rentals
Taxi/Limo services
Printing/Publishing
Furniture/Appliance sales
Television/Music/Radio/Audio sales

3. CATEGORY C includes those businesses which interact with the public to a lesser extent than CATEGORIES A or B, and are predominantly service related. The Category includes but is not limited to:

Auto services and repairs
Carpet/Janitorial services
Accounting/Tax services
Beauty/Barber
Amusement/Recreation
Movie theaters
Advertising
Other Business services
Parking lots
Fitness facilities
Misc. Personal services

Laundry/Cleaners
Real Estate Offices

4. Businesses not specifically identified in CATEGORIES A, B, or C shall be categorized by the City Treasurer based on the appropriate PBAC upon the application from the City business tax certificate.

C. The assessments to be imposed for those District Businesses by Zone and Category of Benefit are as follows:

	<u>CATEGORY A</u>	<u>CATEGORY B</u>	<u>CATEGORY C</u>
ZONE 1	\$350	\$300	\$65
ZONE 2	\$300	\$250	\$55
ZONE 3	\$150	\$100	\$40

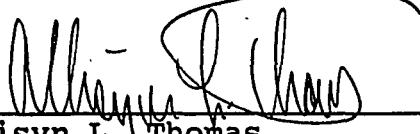
The above-described assessment is an annual charge on all businesses including those new to the area and shall be levied, collected and enforced in the same manner, at the same time, and with the same penalties and interest as in the case of the business tax. The total assessment collected from any business under the provisions of the ordinance shall not exceed \$350 per annum.

1) The improvements and activities to be provided in the area will be funded by the levy of the assessments. The levy of assessments from within the area shall not be used to provide improvements of activities outside the area.

BE IT FURTHER ORDAINED, that 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



Allisyn L. Thomas
Deputy City Attorney

ALT:lc:pev
05/15/92
06/23/92 COR.COPY
07/10/92 REV. 1
Or.Dept:EDD
0-92-150
Form=o.code

0-17803

STRIKE ORDINANCE

OLD LANGUAGE: STRIKEOUT
NEW LANGUAGE: REDLINED

AN ORDINANCE AMENDING ORDINANCE NO. O-17458 (NEW SERIES), ADOPTED APRIL 16, 1990, ENTITLED "AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO ESTABLISHING THE LA JOLLA BUSINESS IMPROVEMENT DISTRICT PURSUANT TO THE PARKING AND BUSINESS IMPROVEMENT AREA LAW OF 1989 AND LEVYING AN ASSESSMENT AND CHARGE THEREIN FOR UPGRADING AND PROMOTING THE AREA."

Section 1. Pursuant to said Law, a parking and business improvement area is hereby established, to be known as "La Jolla Business Improvement District", ~~herein called "District."~~ The area to be included in the District includes the La Jolla community area within the following street address ranges:

<u>Street Name</u>	<u>Address Range</u>	<u>Business Improvement District Zone No.</u>
Cave Street	1216 - 1315	ZONE 1
Coast Boulevard	100 - 1327	ZONE 1
Fay Avenue	7761 - 7855	ZONE 1
Girard Avenue	7600 - 8040	ZONE 1
Prospect Place	7982	ZONE 1
Prospect Street	200-781 - 1445	ZONE 1
Bishops Lane	7730 - 7748	ZONE 2
Fay Avenue	7500 - 7760	ZONE 2
Girard Avenue	7400-7500 - 7599	ZONE 2
Herschel Avenue	730 - 7966-7399 , 7800 - 7966	ZONE 2
Ivanhoe Avenue	1910 - 7979-7699 , 7900 - 7979	ZONE 2
Kline Street	900 - 1135	ZONE 2
La Jolla Blvd.	7345 - 7606	ZONE 2
Pearl Street	410 - 1014	ZONE 2
Roslyn Lane	1200 - 1299	ZONE 2
Silver Street	705 - 747	ZONE 2
Silverado Street	715 - 1296	ZONE 2
Silverado Street	901 - 1099	ZONE 2
Terrey Pines Road	1000 - 1199	ZONE 2
Wall Street	1006 - 1140	ZONE 2

<u>Street Name</u>	<u>Address Range</u>	<u>Business Improvement District Zone No.</u>
Bishops Lane	7730 - 7748	ZONE 3
Cave Street	1216 - 1315	ZONE 3
Girard Avenue	7400 - 7499	ZONE 3
Herschel Avenue	7400 - 7799	ZONE 3
Ivanhoe Avenue	7700 - 7899	ZONE 3
Kline Street	709 - 899	ZONE 3
La Jolla Boulevard	7345 - 7607	ZONE 3
Pearl Street	410 - 1014	ZONE 3
Prospect Street	230 - 780	ZONE 3
Roslyn Lane	1200 - 1299	ZONE 3
Silver Street	705 - 747	ZONE 3
Silverado Street	715 - 899	ZONE 3
Silverado Street	1100 - 1296	ZONE 3
Torrey Pines Road	1000 - 1199	ZONE 3

A map detailing the District is attached hereto as Exhibit A and incorporated herein by reference.

Section 2. [No changes.]

Section 3. All businesses operating in the District will be assessed annually a share of the costs of the aforementioned improvements and activities according to the type of business and the benefit to be received as determined by the following:

A. Description of the District Zones:

1. ZONE 1 is along Prospect Street and Coastal Boulevard South, and a portion of Fay Avenue and Girard Avenue. Businesses in this area will receive the greatest benefit from the activities of the District.

2. ZONE 2 is the surrounding area including Silverado Street, Ivanhoe Avenue, Herschel Avenue, ~~Torrey Pines Road,~~ Wall Street, ~~Pearl Street,~~ and Kline Street, ~~Silver Street~~ and ~~La Jolla Boulevard~~. It is anticipated that businesses in this Zone will still receive a benefit, but not of the same magnitude as those in the core area of the District.

3. ZONE 3 is the outlying area including all of

Bishops Lane and Cave Street; portions of Girard Avenue, Herschel Avenue, Ivanhoe Avenue and Kline Street; all of La Jolla Boulevard and Pearl Street; part of Prospect Street; and all of Roslyn Lane and Silver Street; a portion of Silverado Street and all of Torrey Pines Road. It is anticipated that businesses in this zone will still receive benefit but to a lesser degree than those located in the prior zones located closer to the core area.

B. Description of the District categories of benefit:

1. CATEGORY A includes those businesses which will benefit most significantly from the increased awareness of La Jolla as a place to do business and from an increase in foot and automobile traffic expected to be the end-product of the activities of the District. The Category includes but is not limited to:

- Restaurants
- Grocery stores
- Bakeries/Food stores
- Liquor stores
- Drugstores
- Gasoline stations
- General clothing stores
- Specialty/Variety/Retail
- Hardware/Garden supplies
- Other Retail
- Optical sales

2. CATEGORY B includes those businesses which interact with the public to a lesser extent than CATEGORY A, but these businesses will benefit from the increased awareness of La Jolla as a place to do business and from an increase in foot and automobile traffic expected to be the end-product of the activities of the District. The Category includes but is not limited to:

Building/Paint supplies
 Photo studios
 Auto rentals
 Video equipment and rentals
~~Real estate offices~~
 Taxi/Limo services
 Printing/Publishing
 Furniture/Appliance sales
 Television/Music/Radio/Audio sales

3. CATEGORY C includes those businesses which interact with the public to a lesser extent than CATEGORIES A or B, and are predominantly service related. The Category includes but is not limited to:

Auto services and repairs
 Carpet/Janitorial services
 Accounting/Tax services
 Beauty/Barber
 Amusement/Recreation
 Movie theaters
 Advertising
 Other Business services
 Parking lots
 Fitness facilities
 Misc. Personal services
 Laundry/Cleaners
~~Real Estate Offices~~

4. Businesses not specifically identified in CATEGORIES A, B, or C shall be categorized by the City Treasurer based on the appropriate PBAC upon the application from the City business tax certificate.

C. The assessments to be imposed for those District Businesses by Zone and Category of Benefit are as follows:

	<u>CATEGORY A</u>	<u>CATEGORY B</u>	<u>CATEGORY C</u>
ZONE 1	\$350	\$300	\$3565
ZONE 2	\$300	\$250	\$3555
ZONE 3	\$150	\$100	\$40

The above-described assessment is an annual charge on all businesses including those new to the area and shall be levied, collected and enforced in the same manner, at the same time, and

with the same penalties and interest as in the case of the business tax. The total assessment collected from any business under the provisions of the ordinance shall not exceed \$350 per annum.

1) The improvements and activities to be provided in the area will be funded by the levy of the assessments. The levy of assessments from within the area shall not be used to provide improvements of activities outside the area.

Sections 4. through 8. [No changes.]

ALT:lc:pev
05/15/92
06/23/92 COR.COPY
07/10/92 REV. 1
Or.Dept:Mgr.
SO-92-150
Form=o.code

4-2-1992

RECEIVED
92 JUL 10 AM 11:37
CITY CLERK'S OFFICE
SAN DIEGO, CA

San Diego, California
City of San Diego
City Clerk's Office
150 North Broadway
San Diego, CA 92101
Tel: 619-534-7000
Fax: 619-534-7001



A 52

Passed and adopted by the Council of The City of San Diego on JUL 14 1992
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"/>
John Hartley	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
George Stevens	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Behr	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Valerie Stallings	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input 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 Mary Cepeda 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 1992

JUL 14 1992

, 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 Mary Cepeda Deputy.

Office of the City Clerk, San Diego, California	
Ordinance Number <u>0-17803</u>	Adopted <u>JUL 14 1992</u>