

**LA JOLLA DEVELOPMENT PERMIT REVIEW COMMITTEE**  
**LA JOLLA COMMUNITY PLANNING ASSOCIATION**

February 16, 2021 – DPR Sub-Committee – Code Update Motion

**Code Changes:**

Code Change to SDMC 113.0270(a)(4)(D) Measuring Coastal Height Limit:

a. Current:

- (D) *Structure Height* of Buildings subject to Coastal Height Limit in accordance with Section 132.0505
  - (i) The height of a building is measured to the uppermost point of the *structure* or any appurtenance placed upon the roof thereof, including *signs*, penthouses, mechanical equipment, chimneys, vent stacks, spires, or steeples, or other projections.
  - (ii) The base of the measurement shall be taken from finished grade in accordance with the 1970 Uniform Building Code. The height shall be measured from the highest adjoining sidewalk or ground surface within 5 feet of the *structure*, provided that the height measured from the lowest adjoining surface shall not exceed such maximum height by more than 10 feet.
  - (iii) *Structure height* of buildings subject to the Coastal Height Limit shall also comply with the height measurement calculations for plumb line in Section 113.0270(a)(2)(A) and overall height in Section 113.0270(a)(2)(B).

b. Proposed: Add section (iv)

*(iv) The Coastal Height Limit of 30' shall also be measured and limited by all other methods as described in SDMC 113.0270 including Imaginary Plane, Plumb Line, and Overall Structure Height.*

## Code Change to SDMC 126.0704(a) Coastal Exemption

### a. Current:

#### §126.0704 Exemptions from a Coastal Development Permit

The following *coastal development* is exempt from the requirement to obtain a Coastal Development Permit:

- (a) Improvements to existing *structures*, including the construction of attached *Accessory Dwelling Units* and *Junior Accessory Dwelling Units* in accordance with Section 141.0302 are exempt, except if the improvements involve any of the following:
  - (1) Improvements to any *structure* located on a beach, *wetland*, stream, or seaward of the mean high tide line, where the *structure* or proposed improvements would encroach within 50 feet of a *coastal bluff edge*.
  - (2) Improvements to any *structure* that would result in an increase of 10 percent or more of interior *floor* area or an additional improvement of 10 percent or less where an improvement to the structure had previously been exempted or an increase in building height by more than 10 percent where the *structure* is located between the sea and first public roadway paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tide line where there is no beach, whichever is the greater distance. The first public roadway is shown on Map No. C-731 filed in the office of the City Clerk as Document No. 00-17069.
  - (3) Improvements that result in an intensification of use. For purposes of Section 126.0704, intensification of use means a change in the use of a *lot* or *premises* which, based upon the provisions of the applicable zone, requires more off-street parking than the most recent legal use on the property.
  - (4) Any significant alteration of land forms including removal or placement of vegetation, on a beach, wetland or sand dune, or within 100 feet of the edge of a *coastal bluff*.
  - (5) The demolition or removal of 50 percent or more of the exterior walls of the existing structure.
  - (6) The expansion or construction of water wells or septic systems.
  - (7) Any significant non-attached structures such as garages, *fences*, shoreline protective works or docks on property located between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tide of the sea where there is no beach, whichever is the greater distance.
  - (8) Any improvement to a structure where the Coastal Development Permit issued for the original structure indicated that any future improvements would require a *development permit*.

### b. Proposed: Add section (9)

*(9) Any improvement which creates an increase of total Gross Floor Area in excess of 50% of existing GFA.*

Code Change to SDMC 131.0446(a)(2) FAR Calculation for Residential Base Zones

c. Current:

- (2) For lots that exceed the minimum *lot* area required by the applicable zone and where more than 50 percent of the *lot* area contains *steep hillsides*, the maximum permitted *floor area ratio* shall be based on the following:
  - (A) The area of the site not containing *steep hillsides* or the minimum *lot* area required by the applicable zone, whichever is greater; plus
  - (B) 25 percent of the remaining *lot* area not included in (A), above.

d. Proposed:

- (2) For lots that exceed the minimum *lot* area required by the applicable zone and where more than 50 percent of the *lot* area contains *steep hillsides, wetlands, coastal beaches, or coastal bluffs*, the maximum permitted *floor area ratio* shall be based on the following:
  - (A) The area of the site not containing *steep hillsides, wetlands, coastal beaches, or coastal bluffs*, or the minimum *lot* area required by the applicable zone, whichever is greater; plus
  - (B) 25 percent of the remaining *lot* area not included in (A), above.

Code Change to SDMC 113.0234(a)(2) FAR Calculation for Basements

e. Current:

(2) *Gross floor area for basements* is calculated as follows:

- (A) For lots that slope less than 5 percent along each edge of the building footprint, *gross floor area* includes the area of all portions of a *basement* where the vertical distance between *existing grade* or *proposed grade*, whichever is lower, and the *finish-floor* elevation above exceeds 3 feet, 6 inches as shown in Diagram 113-02I.
- (B) For lots that slope 5 percent or more along any edge of the building footprint, *gross floor area* includes the area of all portions of a *basement* where the vertical distance between *existing grade* or *proposed grade*, whichever is lower, and the *finish-floor* elevation above exceeds 5 feet, as shown in Diagram 113-02J.

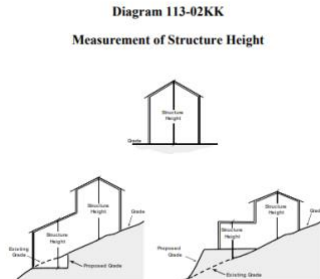
f. Proposed:

- (A) *For lots that slope less than 5 percent along each edge of the building footprint, gross floor area includes the area of all portions of a basement where the vertical distance between existing grade or proposed grade, whichever is lower, and the finish-floor elevation above exceeds 3 feet, 6 inches as shown in Diagram 113-02I. All other portions of the basement shall be included in Gross Floor Area at a 50% discount.*
- (B) *For lots that slope 5 percent or more along any edge of the building footprint, gross floor area includes the area of all portions of a basement where the vertical distance between existing grade or proposed grade, whichever is lower, and the finish-floor elevation above exceeds 5 feet, as shown in Diagram 113-02J. All other portions of the basement shall be included in Gross Floor Area at a 50% discount.*

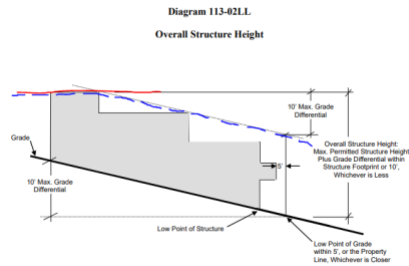
## Clarification Items:

These items do not propose to change the current code, only to clarify/explain how the code is currently implemented by SD Development Services Department.

- a. Structure Height: Label Diagram 113-02KK as “Building Elevations”



- b. Structure Height: In Diagram 113-02LL Extend Horizontal “Overall Structure Height” Line past building (shown below in red). Add dashed line (shown in blue) as “maximum allowable building envelope”



- c. Structure Height: Section 113.0270(a)(3).

2. Current:

- (3) *Structure height* is measured separately for each *structure* that is separated from another *structure* on the *premises* by 6 feet or more. Separation between *structures* shall be measured in plan view to account for the *structural envelope* of each *structure*.

3. Proposed: *Structure height* is measured separately for each *structure* that is separated from another *structure* on the *premises* by 6 feet or more. Separation between *structures* shall be measured in plan view to account for the *structural envelope* of each *structure*. *Underground structures, retaining walls under 6' in height, fences, trellises, swimming pools, and terraces that are structurally independent of any other structures may be built less than 6' from building structures and the building structures may still be measured separately.*