

Ad Hoc Meeting on Residential Single-Family Zoning (RS) Zoning La Jolla Community Planning Association

Approved Minutes Monday, January 4, 2016

La Jolla Recreation Center 5:30-7:00PM

Committee Members Present: Eric Lindebak (Acting Chair), Angeles Leira, Jim Ragsdale, Diane Kane (Acting Secretary) - Quorum present
Committee Members Absent: Sharon Wampler (Chair)

Agenda Items

1a.) Review and Approval of Minutes: September 28, October 12 and November 16, 2015.

On a MOTION of Lindebak and 2nd by Ragsdale, the minutes were approved with the following votes:

- September 28: (2-0-2 Lindebak, Ragsdale; Leira, Kane abstain)
- October 12: (3-0-1 Lindebak, Ragsdale, Leira; Kane abstain)
- November 16: (3-0-1 Lindebak, Ragsdale, Kane; Leira abstain)

Chair Report/Committee Discussion

Committee Composition and Quorum: The RSF Zoning Committee meeting on December 14, 2015 was cancelled due lack of a quorum. The absence of Chair Sharon Wampler and Angeles Leira due to out-of-town travel and the resignation of Committee Member Glen Rasmussen raised the issue of committee composition and quorum, according to the CPA Bylaws. CPA President Cindy Greatrex has since clarified that the committee is now comprised of 5 members and 3 members comprise a quorum.

Final Report: CPA President Cindy Greatrex has directed the RSF Zoning Committee to provide the CPA with its final report and recommendations by January 30, 2016.

Agenda: Agenda items 2a and 2b were trailed until after the presentations so this information could inform the discussion and recommendation.

2c.) Presentations & Discussion

Eric Lindebak presented schematic diagrams of bulk and scale to help the committee visualize various scenarios for Categorical Exemptions from Coastal Development Permits. Using a typical 5000 sq. ft. "Bird Rock" lot, the diagrams fleshed out numerical tables developed by Angeles Leira that were presented at the

November 16 meeting. The hypothetical diagrams depicted potential development under 6 scenarios. Alternatives A-C depicted entirely new construction, whereas Alternatives D-F envisioned new additions to existing construction.

- ALTERNATIVE A (New): 80% max. FAR/90% of allowable height (27 ft.);
- ALTERNATIVE B (New): 80% max. FAR/80% of allowable height (24 ft.);
- ALTERNATIVE C (New): 70% max. FAR/70% of allowable height (21 ft.);
- ALTERNATIVE D (Addition): 20% max. FAR/80% of allowable height (24 ft.)
- ALTERNATIVE E (Addition): 30% max. FAR/80% of allowable height (24 ft.)
- ALTERNATIVE F: (Addition): 50% max. FAR/80% of allowable height (24 ft.)

There was general confusion from audience participants (some who had not attended earlier meetings) as to what this exercise was intended to accomplish. Several architects and public members (Mark Lyon, C.A. Marengo, Bob Whitney) were concerned that property rights were being unfairly reduced under Alternatives A-C and that trading smaller building envelopes for speedier administrative review would unduly burden clients who would now have to pay additional fees to accomplish the maximum FAR that could currently be acquired “by right”. In Mr. Lyon’s opinion, City fees and the bureaucracy they supported to implement the Coastal Act were excessive, often adding up to \$100,000 to a project cost. Mr. Lyon commented that Alternative C, which envisioned a flat roof, lacked flexibility in providing and protecting private views.

Architect Dan Linn asked why an applicant would prefer any of Alternatives D-E over the City’s “50% Rule.” Committee Member Kane replied that the “50% Rule,” as written in the LDC, was inherently sound, but it had been compromised by an undated, un-authored and unapproved internal bulletin that re-defined the original wording and perverted the law’s intent.

Although Mark Lyon and C.A. Marengo stated that zoning and FAR issues had been settled in the late 1990s and early 2000s with the updates to the Community Plan and the LDC that were being successfully implemented, several committee and audience members (Kane, Leira, Lindebak, Ragsdale, Dave Little, Dana Williams, M. H. Edwards) disagreed. Committee Member Leira clarified that indiscriminate “up-zoning” had occurred during the 1960s and that “down-zoning” in the 1970s corrected some of its unintended excesses, but that refinements needed to continue. Kane commented that the community had 15 years of experience with the Community Plan and updates to the LDC and many were unhappy with the results. The CPA instituted the SFRZ Committee to address complaints that the current process wasn’t working.

2d.) Diane Kane presented her research on Coronado’s Residential Standards Improvement Program (RSIP), which was developed in 2003 as a response to over-scaled buildings in both single-family and multi-family zones. According to city staff, the program is easy to administer and is well received by the public, development

community, city staff and elected officials. It is in its third update to refine its effectiveness. Through public testimony and citizen surveys, Coronado determined specific community concerns, many of which mirrored comments heard by this committee. The committee reviewed approaches in 12 coastal communities of similar size to Coronado, including La Jolla.

Coronado then developed a “floating FAR” system that ranges between .36-.65, depending upon the lot size and the application of various “Bonus Points” for adhering to specific building standards. Highlights of their experience included a gradual reduction in FAR since 1980, with the building area on 25’ width lots reducing 31% and on 50’ lots by 41%. Side yard setbacks were also increased, based on a sliding percentage of lot width from 10-15%. FAR was also revised, and now includes all enclosed spaces, whether habitable, circulation or storage. Easements and flag lot handles were excluded from lot size for purposes of calculating FAR.

Incentives encourage building articulation (especially front porches), sloped roofs with dormers, smaller second stories, front yard landscaping, 40% lot coverage, “light plane” setbacks, using a licensed architect and receiving Design Review Commission approval. Points are deducted from FAR for too much garage door on the front facade, insufficient setbacks, over-scaled façade elements, insufficient front yard landscaping, and “cookie cutter” tract-like homes in the same block. Subsequent revisions to RSIP increased back yard privacy by locating roof decks to the front half of the lot and requiring less lot coverage in back yards. Additional features for both incentives and deductions have been added. The presentation concluded with photos of various projects that have been completed using this system.

2a & b.) LDC Update, Agenda Item #9: Discussion & Recommendation

After a general discussion of the two presentations, the committee, with participation and support from the audience, determined that the City’s proposed 10th Update to the LDC for Item #9 would not result in more appropriately scaled development, strengthen and/or preserve community character, nor help to implement the Community Plan. Joe La Cava reminded everyone that the proposed change was being advanced by the Coastal Commission to provide “regulatory relief”, so any recommendation to the CPA needed to address that concern. There was general agreement that pursuing a Coronado-type approach with an overlay zone for La Jolla (and possibly other coastal areas in San Diego), would be preferable to the current system. To address the “regulatory relief” issue, the coastal overlay zone would be substituted for the current Coastal Development Permit process and allow for ministerial processing of most building permits. Clearly, more time would be needed to develop this approach and achieve community consensus. Tim Golba stated that the 11th LDC Update is currently “in the works” and would be ready in about a year.

All felt that was a reasonable timeline to achieve this goal and recommended that the City suspend work on the LDC 10th Update, Agenda Item #9 for a year.

MOTION: (Lindebak, 2nd: Ragsdale)

The Single Family Residential Zoning Ad-Hoc Subcommittee recommends to the La Jolla Community Planning Association that it ask the City of San Diego to immediately suspend processing Agenda Item #9 of the 10th Update to the Land Development Code. A year's suspension will enable the community of La Jolla to craft tailored criteria for a Coastal Residential Development Overlay Zone with ministerial processing for single-family residences. The adoption of this overlay zone will replace the Coastal Development Permit process for those projects that comply with the criteria of the zone, enabling regulatory relief from the existing costly and time consuming discretionary processes while more effectively implementing the La Jolla Community and Coastal Development Plan.

Vote: (4-0-0 Lindebak, Leira, Kane, Ragsdale). The motion passed unanimously.

Meeting Attendees

1. David Little
2. Mark Lyon
3. C. A. Marengo
4. Dan Linn
5. Sally Miller
6. Dana Williams
7. Janet Gentile
8. M. H. Edwards
9. Joe La Cava
10. Bob Whitney
11. Ashley Macklin