

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

MINUTES

Wednesday, 01 July 2015

La Jolla Riford Library Meeting Hall

7555 Draper Avenue

6:00 – 8:00 PM

Committee Members Present: Diane Kane, Angeles Leira, Eric Lindebak, Sharon Wampler

Committee Members Absent: Jim Ragsdale, Glen Rasmussen

1. Introduction of Ad Hoc Committee Members

Committee Member Wampler called the meeting to order and introduced the present committee members and allowed each to give a brief background of their professional background (Diane Kane, Angeles Leira, and Eric Lindebak). It was noted that Jim Ragsdale (City Planner – retired) and Glen Rasmussen (Land Use Attorney) were committee members who were absent.

Sharon Wampler was unanimously elected chair of the committee.

2. Committee Purpose and Scope of Work

Committee Member Wampler reported that the purpose of this Ad Hoc Committee is to:

- Address development issues raised by the public with the LJCPA
- Conduct work sessions open to the public
- Invite public and industry professionals to participate in this dialogue
- Reconcile zoning regulations with the La Jolla Community Plan
- Consider amending the threshold for categorical exemptions and other RS Zoning issues such as Floor Area Ratios (FARs) to help encourage residential development that is consistent with the character and scale of the surrounding neighbors
- Make proposals addressing these issues and build community consensus

3. Work Program process for working with city:

Committee Member Leira outlined the approach for instituting change at the city zoning/planning level

- a. Identify the Problem
- b. Research and Analyze the Issues
- c. Identify the Best Solutions and Best Choices
- d. Format the Research and Problems into the City's format
Requires close coordination with the City Staff
- e. Project Reviews and Hearings for Adoption and Approvals
This requires detailed policies and the necessity of identifying standards and procedures that support the public's desires.

4. Review current Work Program Objective and Problems identified to date

The Draft Work Plan contains 6 Elements:

1. Define objective
2. Problem identification
Neighborhood scale shifting/ Character difficult to define
FAR Formula: many spaces that add bulk don't count in FAR
Bulk & Scale of Projects: FAR, setback & height limits maxed out

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Parking Requirements encourage underground garages that add 3rd story
Sometimes the FAR does not fit with the residential areas
Categorical Exemptions have unintended consequences as these were instated to allow modest additions to residences, not extensive new construction.

3. Public Inputs
Receive input and issues raised by community members over a 1 month period
4. Draft Proposal
Requires input and analysis; solutions can come in a variety of forms:
 - Require design exhibits to establish neighborhood scale & character during project review
 - Administrative Interpretations
 - Code Amendments
 - Policies (does not have the force of law)
 - Ordinances
 - Plan Amendments
5. Public Review

Committee recommends (as a starting point) looking at what other communities have implemented recently to address similar issues:

- City of Los Angeles developed Mansionization ordinances in 2013.
- City of Pasadena has a Form Based Code which has assisted in preserving scale and character while allowing for infill projects, which has resulted in harmony with the neighborhoods.
- Utilize data bases and GIS information to assist in the analysis to find solutions

Outline Schedule for work of Committee (ambitious timeline under ideal circumstances)

- Draft a proposal by the end of August
- Committee Review in September
- Environmental Review of Options – November/December
- Process completed by January/February 2016

5. Public Discussion

Public support of this process is necessary to affect meaningful change. The Committee has invited the La Jolla City Planner and Councilmember Sherri Lightner to these meetings. Drafting a petition to canvas public opinion around this issue may be helpful – refer to petition by Dana Williams, a resident of Bird Rock and concerned citizen at <http://chn.ge/1C6b9Wn> (Change.org; link also posted on NextDoor.com and in La Jolla Light)

- a. Additional problems, concerns and issues
- b. Ideas for Potential Solutions

Kevin Gordon, Bird Rock Resident

Applauds the effort. He is interested in encouraging compatible development and enforcement of existing codes which follow the community plan's intent. Inspectors at the City need to understand the concerns – there have been substantial differences to projects from when they are approved to when they are constructed. Some buildings have been allowed to be constructed 18 inches from adjacent property lines. Many projects should not be allowed to be considered renovations as they are really new construction. Need to involve city staff. Frustrated at frequency of staff changes.

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Joe LaCava

Noted that Code Violations and Construction Violations are two different departments under Development Services Department (DSD). Code Enforcement is not well staffed. Construction Violations fall under the jurisdiction of DSD Inspections, which are well staffed.

DSD, Code Violations <http://www.sandiego.gov/nccd/report/>
Mediation: 619 238-2400 Report Violation: 619-236 5500

DSD, Inspection Services 858-492-5070 (give address and they will provide inspector name)

Dana Williams, Bird Rock

One developer (Tourmaline Properties) has acquired more than 22 houses in San Diego: 9 in Bird Rock and 7 others in north Pacific Beach. He has used Categorical Exemptions to skirt public review processes. This should not be allowed for flippers and developers whose primary objective is maximizing profits. They are doing 1 house/month, using economies of scale. Because the projects all look similar, they do not reflect neighborhood character. Flippers/developers should be required to deal with neighborhoods or the Coastal Commission as they are having a major impact the neighborhood. They are purchasing homes using private sales which limit the supply of available homes for homeowners.

Peggy Davis, La Jolla Shores (Real Estate Agent)

DSD is allowing owners to make changes after approval of projects that have gone before the La Jolla CPA. A project that is approved at 4,100 square feet ends up at 5,000 square feet. The 51% rule is an issue, as it avoids the LJCPA using ministerial reviews. Serial permitting is an issue. At the June 11th Planning Commission meeting, Nancy Bragado (Dep. Director, Long Range Planning) indicated that the Community Plan takes precedent in City / Neighborhood disputes.

There needs to be clarity about when a project exceeds height limits. There are 25 condo association projects. There are water problems noticed in La Jolla Shores and elsewhere which may be caused by large basements restricting and redirecting flow of subsurface waters. Why can't the Community Plan be amended more simply? We need to maintain the charm and character of our neighborhood. LJ Shores PDO needs updating.

As a realtor, she has the La Jolla tax rolls that can be used for community alerts. To get greater public involvement, Survey Monkey can be used. Ask 3-4 questions about what could be improved in each neighborhood.

Myla Davis (daughter of Peggy), La Jolla Shores

Phone calls and emails to the City are not returned. We are concerned about surrounding homes with underground garages and playrooms which contribute to ground water issues and impact structural integrity of neighboring foundations. Safety is an issue. New construction has spillover effects that are not addressed during project review nor mitigated during construction, leading to long-term issues. Underground garages not counted as FAR, adding to bulk. Preserving neighborhood character is very important and has value. City needs to hear and acknowledge voice of the public speaking out about development issues.

Ed Comartin

Our Community Planner Karen Bucey is a great resource who can help us with technical issues. Work with other San Diego communities like PB, OB and Mission Hills. Is there a way to pick up where we left off a few years ago (circa 2006) when Tony Crisafi, Phil Merten and Joe La Cava got DSD staff to agree to "customize" the Municipal Code to carry out the La Jolla community plan? Lori Zapf, Todd Gloria and David Alvarez were sympathetic to the approach. Get rid of 51% Categorical Exemption and have community review extensive remodel projects. Not in favor of "expedited review" proposal: staff approval when houses are smaller than allowed by Code

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(90% of maximum height; 80% maximum FAR). City is overlooking community plan, therefore tighten up the community plan. Bob Bacchi is current head of Development Services. Change needs to go through City Council. May consider different code requirements for developers/businesses versus private individual homeowners.

Cole Martin

How do you find out about projects and how do we deal with these issues? We should try to expand to other communities and get more than just La Jolla involved. In 2006/2007 Joe worked with city and DSD to get more restrictions for La Jolla. The proposed changes were never followed up on.

Karen Hyman, Windansea

Concerned about short-term vacation rentals and flippers. Can we develop anti-flipping rules? Can we create fines for people who don't live in, or move out of, houses right after a renovation? Also concerned about the unintended consequences of underground parking vs. no trees.

Dave Ish, Bird Rock

Organizational issues such as defining neighborhoods needed. Similar to realtor maps – they market neighborhoods differently depending on character. A design charrette (intense period of design or planning activity) to identify what's happening to each neighborhood is needed.

Ellen Merriweather, President, La Jolla Historical Society

Concerns raised on how we get consensus as a group and how we get ideas from the community. Perhaps the use of SurveyMonkey, a petition or tax roles can assist in getting the word out. The LJHS has a good email list of people who supported the "Save the LJ Post Office" campaign. Create a Facebook page.

Don Schmidt, Bird Rock

Categorical Exemption, 10% exemptions allow people to get away with larger projects. An interior remodel project, which began on Labor Day and is still going until now. The walls came off on the interior remodel shortly after beginning the job. Long projects impact surrounding homeowners. 10% exemption – should require noticing to neighbors and assign one staff to projects to be the point person. Communication with city is challenging – internally and externally.

Gale Forbes

Noticing is important. Setbacks are very important – intended to be considerate of neighbors. City disregards this. Solar projects should be evaluated by what they look like from neighbors uphill. Wind power is noisy. These are projects the City allows to be fast-tracked without any feedback. They are not in our Community Plan. Trees are great, but they block views – so they are good and bad. How can the City work to create an urban forest movement when we only get 9 inches of rainfall per year? Drainage is antiquated and causes flooding throughout old La Jolla. Height of projects needs to be clearly defined. Is it average across the site, median or a high or low point? Enforcement of codes by the City is required.

John Bush, Bird Rock

Raised concerns about wanting to make a future addition onto his home and what would these potential changes mean to him. There is not "one" unique character that defines the neighborhood.

Janet Thiele

Saddened that people are not respectful and considerate anymore. Construction impacts the neighbor's privacy and when they built a house next door that was 2-stories, it now looks down into their backyard.

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Mike Costello, Bird Rock

Suggests 80% Height and 80% FAR. LJCPA review any project with a 2nd Story addition. No variations or deviations for ministerial reviews. No serial permitting required. Neighborhood notification required. Underground parking must be reviewed. (Angeles: Underground parking exemption intended to eliminate front yard parking. Had unintended consequences of creating 3rd stories and massive underground garages.)

Bob Whitney, La Jolla Shores

Confirmed the Ad Hoc Committee is not reviewing the PDO for the Shores.

Diane Kane

City should require homeowners to have a large permanent sign on the project that identifies the project and lists the contacts at the City for neighbors to call with questions or concerns.

6. Next steps and future meeting dates

Schedule next meeting in approximately 2 weeks time.