

## **CALIFORNIA COASTAL COMMISSION**

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# **F12b**

**A-6-LJS-21-0050 (8423 El Paseo Grande LLC residence)**

**September 2021**

**CORRESPONDENCE**

# APPEAL OF 8423 EL PASEO GRANDE CDP

**CALIFORNIA COASTAL COMMISSION**

September 10, 2021

Appellant: Drs. Ayelet and Uri Gneezy

Philip A. Merten AIA

**A required Finding** for a Coastal Development Permit is: “The proposed Coastal Development is in **conformity** with the certified **Local Coastal Program Land Use Plan** and complies with all regulations of the certified Implementation Program.”



### **The Residential Land Use Element of the LCP:**

#### ***RESIDENTIAL LAND USE***

##### **GOALS:**

- Provide a high quality residential environment in La Jolla that respects its relationship to the sea, to hillsides and to open space.
- Promote the development of a variety of housing types and styles in La Jolla.
- Introduce opportunities for the production of more affordable housing within La Jolla to meet the housing needs of all income levels.
- Maintain the character of La Jolla's residential areas by ensuring that redevelopment occurs in a manner that protects natural features, preserves existing streetscape themes and allows a harmonious visual relationship to exist between the bulk and scale of new and older structures.

The **Community Character** POLICIES of the **Residential Element** of the LCP state:

2. **Community Character**

In order to promote development compatible with the existing residential scale:

- a. The City should apply the development recommendations that are contained in this plan to all properties in La Jolla in order avoid extreme and intrusive changes to the residential scale of La Jolla's neighborhoods and to promote good design and harmony within the visual relationships and transitions between new and older structures.

The **Community Character** RECOMMENDATIONS of the **Residential Element** state:

- e. In order to address transitions between the bulk and scale of new and older development in residential areas, maintain the existing 30-foot height limit of the single dwelling unit zones and Proposition D. Structures with front and side yard facades that exceed one story should slope or step back additional stories, up to the 30-foot height limit, in order to allow flexibility while maintaining the integrity of the streetscape and providing adequate amounts of light and air.





**Contrary to the *La Jolla Community Plan and Local Coastal Program Land Use Plan* the proposed two story vertical mass immediately adjacent the north side setback line DOES NOT step back or provide any building mass transition to that of the older adjacent one story home on the left (north).**

**LJSPDO Sec. 1510.0304(b)(4) states:**

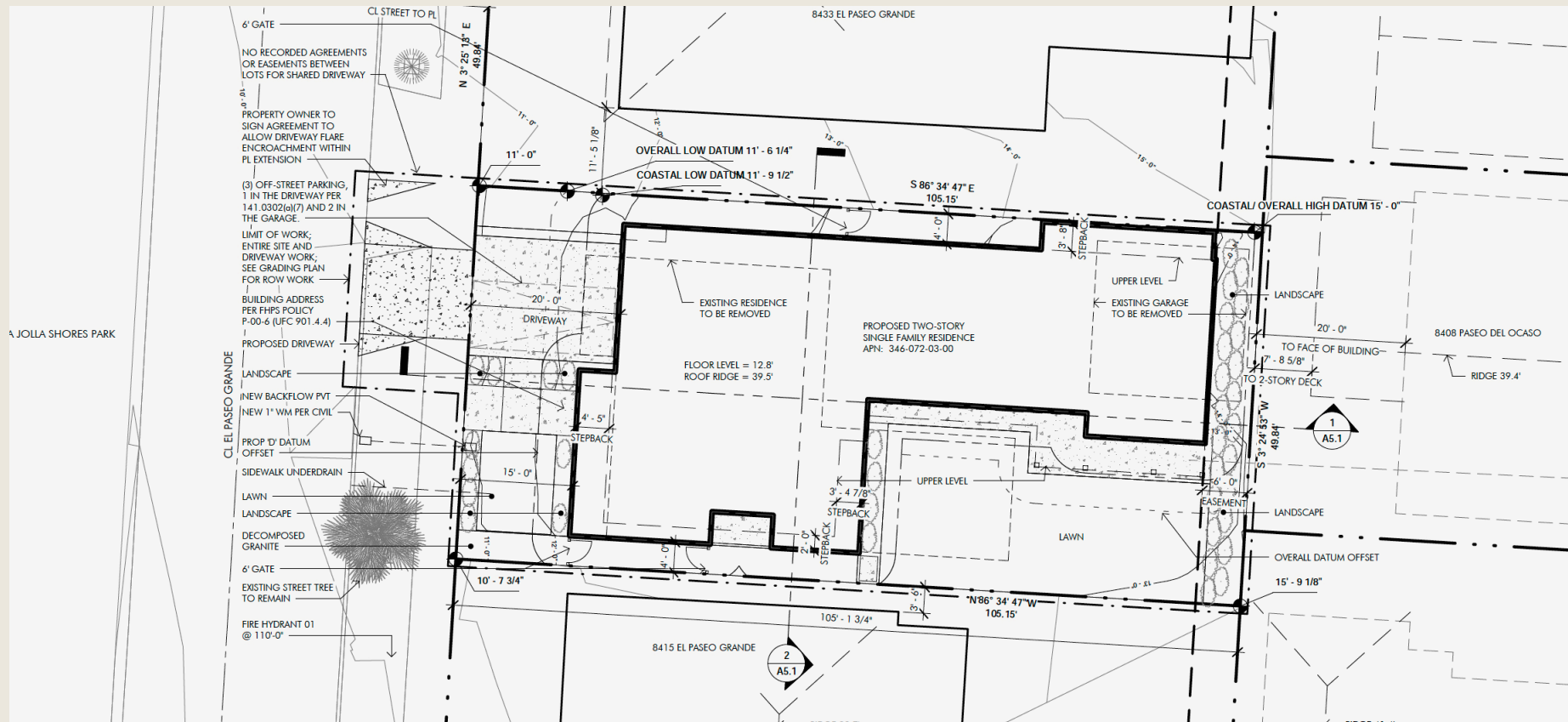
- (4) Building and structure setbacks shall be in general conformity with those in the vicinity.

**The proposed 4 foot side setback is NOT in general conformity with the adjacent 11 foot side setback in the vicinity.**

**LJSPDO Sec. 1510.0304(b)(4) states:**

- (4) Building and structure setbacks shall be in general conformity with those in the vicinity.

**Vicinity** is defined in **Black's Law Dictionary** as: "Quality or state of being **near**, or not remote; **nearness**; **propinquity**; **proximity**; a region about or **adjacent**;"





## Reduces On-Street Public Parking in the Beach Parking Impact Overlay Zone

The Companion Unit regulations per SDMC Sec 141.0302(a)(7) state:

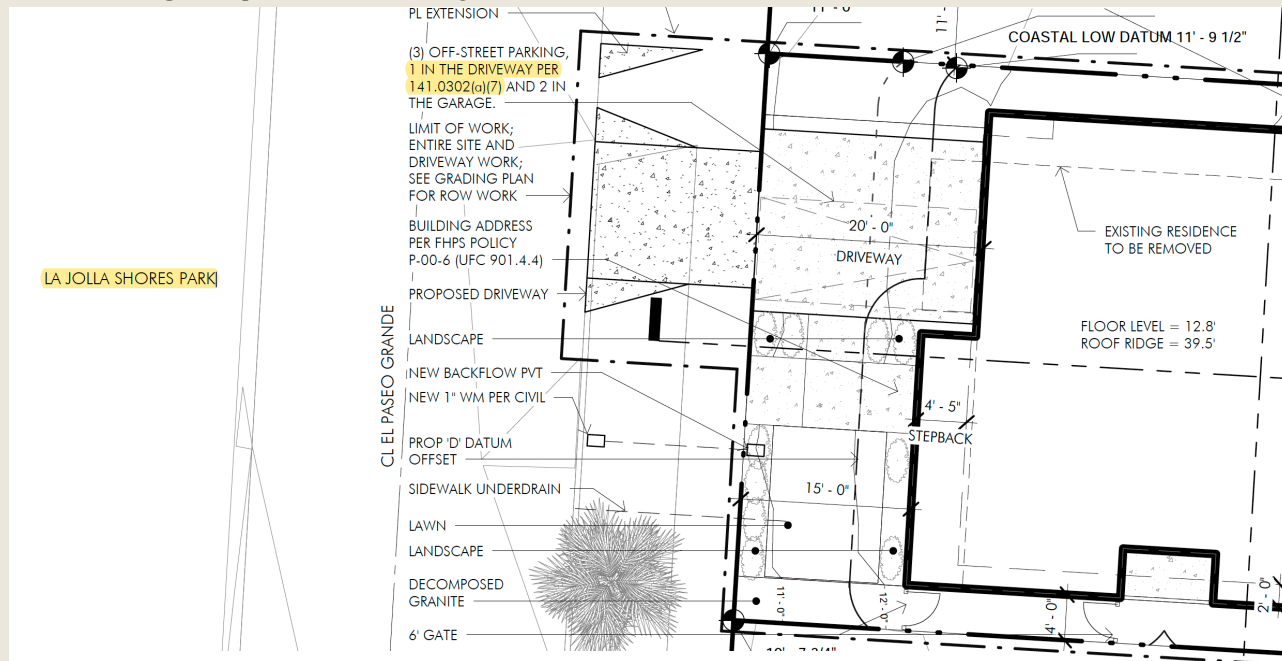
- (7) Parking for the entire *premises* shall be brought into compliance with Chapter 14, Article 2, Division 5 (Parking Regulations) and with Section 141.0302, except as otherwise indicated herein by the zone.

The Companion Unit regulations and the La Jolla Shores Planned District Ordinance (LJSPDO) specifically incorporate Chapter 14, Article 2, Division 5 (Parking Regulations), including SDMC Sec.142.0510(e)(2)(A) which clearly states: '... the use of a driveway to satisfy off-street parking space requirements is not permitted.'

- (2) No vehicle shall be parked in any required front or street side yard except where permitted by a particular zone, or except as provided below:
  - (A) An operable vehicle may be temporarily parked on a legal driveway within a required front or street side yard if the vehicle does not in any way impede access to or from more than one required parking space, including tandem spaces, or encroach upon any public sidewalk. Except as specifically permitted by the applicable zone, the use of a driveway to satisfy off-street parking space requirements is not permitted.
- (b) Where there is a conflict between the Land Development Code and the La Jolla Shores Planned District Ordinance, the Planned District Ordinance applies.



As the third parking space is in the driveway, visitors to the Home and Companion Unit will have to Park On-Street thereby Reducing available On-Street Public Parking in the Beach Parking Impact Overlay Zone.



(3) Parking Regulations

- (A) No on-street parking spaces or *off-street parking spaces* are required for ADUs and JADUs. **If the applicant chooses to provide off-street parking spaces for ADUs and/or JADUs located on the premises, those spaces shall comply with the following:**
  - (i) **Off-street parking spaces may be located in any configuration, may be within the setback areas, and may include tandem spaces or mechanical lifts.**

Parking in any **configuration** does **NOT** mean parking in any **location**.

## **Reduces On-Street Public Parking in the Beach Parking Impact Overlay Zone**

The driveway location of the third off-street parking space **violates** SDMC Sec. 142.0510(e)(2)(A), is **not in conformance** with the **SDMC's Separately Regulated Use Regulations** nor the **La Jolla Shores Planned District Ordinance**, and **REDUCES** public on-street parking in the 'Beach' Parking Impact Overlay Zone.

## **CONCLUSION / RECOMMENDATION:**

The required Findings for a Coastal Development Permit that: "**The proposed coastal development is in conformity with the certified Local Coastal Program Land Use Plan and complies with the regulations of the Land Development Code**" simply **cannot** be made.

The Appeal should be upheld, and the project 'sent back to the drawing board'.

**THANK YOU**